

TOWN OF CLIFTON PARK TOWN BOARD MEETING

May 6, 2019

- I. **Call to Order/7:00 P. M.**
- II. **Pledge to Flag**
- III. **Roll Call**
- IV. **Approval of Town Board Minutes**
- V. **Communications/Announcements**
- VI. **Business**
 - **Arbor Day Poster Contest Winners**
 - **Recognition of Philip Brousseau – Vischer Ferry Fire Department**
 - **Resolutions for Consideration**
 - **Other Business**
- VII. **Open Public Privilege**

NOTE:

Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room. In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

- VIII. **Adjournment**

Resolutions for Consideration
Clifton Park Town Board Meeting
May 6, 2019

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Recognize Philip Brousseau – Vischer Ferry Fire Department	P. Barrett
2. Transfer Station	Schedule a public hearing to add a non-resident rate to the transfer station fee schedule	P. Barrett
3. Highway	Declare an emergency pursuant to GML 103(4) for emergency repairs to a culvert at Mill Creek Subdivision	P. Barrett
4. Supervisor	Approve an Agreement with Miss Shen Softball to serve as a Grant Sponsor for the Deanna Rivers Training Center Project at Clifton Common	P. Barrett
5. Receiver of Taxes	Authorize the Rose Savallo to attend the New York State Association of Tax Receivers and Collectors' Seminar June 9-12, 2019.	P. Barrett
6. Public Safety	Authorize the hiring of Paul Van Alstyne as Part-time Guard	P. Barrett
7. Supervisor	Authorize the hiring of WSI and YSI Instructors for individual lessons for the Summer 2019 Pool Season	P. Barrett
8. Supervisor	Authorize the hiring of Water Safety Instructors for the 2019 Clifton Park Learn-to-Swim program	P. Barrett
9. Planning	Authorize the Supervisor to sign a Supplemental Agreement for Professional Services with EDP for engineering and construction inspection services at the Dwaas Kill Nature Preserve and the Long Kill Trail	P. Barrett
10. Building & Development	Authorize the hiring of Mark Kazmierczak as Part-time Assistant Building Inspector	P. Barrett
11. Parks & Recreation	Authorize an Alcohol Permit for Patricia Robbins for a family picnic at Collins Park on August 3, 2019 from 1:00pm to 7:00pm	P. Barrett

12. Parks &
Recreation

Authorize an Alcohol Permit for Tim Ward and “Dig Deep” for a fundraising softball tournament at Veteran’s Memorial Park on August 31, 2019 from 11:00am to 7:00pm

P. Barrett

13. Parks &
Recreation

Authorize the hiring of new camp counselors and alternates for the full-day and half-day camps for the 2019 summer season

P. Barrett

Resolution No. _____ of 2019, a resolution recognizing Philip Brousseau for forty years of service and leadership to his community.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, servant leadership is a leadership philosophy in which the main goal of the leader is to serve; and

WHEREAS, the servant leadership philosophy uses a set of practices that enriches the lives of individuals, while building better organizations and ultimately creating a safe and caring world for all; and

WHEREAS, for over forty years, Philip Brousseau has exemplified this philosophy, serving as a volunteer in the Vischer Ferry Volunteer Fire Company; and

WHEREAS, during this time, Philip Brousseau has served one year as President, ten years as Chief of the Department, twenty-six years as a Chief Officer, and thirty-three years as an Officer; and

WHEREAS, Philip Brousseau is recognized by his brothers and sisters in the fire service as a role model and an example to strive to become; and

WHEREAS, Philip Brousseau also serves the greater community of Saratoga County, as a Desk Officer with the Office of Saratoga County Sheriff; and

WHEREAS, Philip Brousseau has further contributed his time and expertise to the Town of Clifton Park first as a member of the Emergency Services Advisory Board and now as representative on the Clifton Park Citizen Corps Council – Disaster & Emergency Preparedness Board; and

WHEREAS, Philip Brousseau has enriched our community, contributing to its safety and well-being for all; now, therefore, be it

RESOLVED, that the Town Board of Clifton Park thanks Philip Brousseau for over forty years of volunteer firefighting service to the residents of Clifton Park. We are honored to have him in our community.

Resolution No. _____ of 2019, a resolution scheduling a public hearing on a proposal to add a non-resident rate to the Transfer Station fee schedule.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Section 97-3(A) of Town Code contains the fee schedule for residents wishing to utilize the Transfer Station, and

WHEREAS, the Transfer Station has experienced a decline in use from the sale of regular use permits, while the number of permits sold at the discounted rate for senior citizens has increased, and

WHEREAS, the Town Board wishes to offer non-residents the opportunity to use the transfer station to generate additional revenues by offering services on a broader basis, and

WHEREAS, the Town Board wishes to schedule a public hearing on a proposal to add a fee that allows non-residents to apply for a transfer station permit, as attached, now therefore, be it

RESOLVED, that a Public Hearing is hereby scheduled for May 20, 2019, at 7:05 P.M. in the Wood Memorial Room on a proposal to amend the fee schedule for the Transfer Station; and be it further

RESOLVED, that the Town Clerk is directed to publish notice of the proposal, attached.

Article I
Convenience Transfer Station or Dumping Grounds

[Adopted 5-26-1992 by Ord. No. 1-1992]

§ 97-1 Applicability.

This article shall apply to dumping upon such premises within the Town of Clifton Park as are lawfully established as a convenience transfer station or dumping grounds.

§ 97-2 Restrictions on use; permit required.

- A. No person shall deposit or cause to be deposited any substance of any kind on premises established as a convenience transfer station or dumping grounds of this Town, except in places and in the manner directed by the person in charge of the premises under the authority of the Town Board, if such person is so designated, or by a sign or signs erected upon the premises by the authority of the Town Board.
- B. No person shall deposit or cause to be deposited on premises established as a convenience transfer station or dumping grounds of the Town any substance of any kind which originated or was collected from outside the Town of Clifton Park, except as may be authorized by the Convenience Transfer Station Supervisor, pursuant to rules and regulations established by resolution of the Town Board. [Amended 3-20-1995 by L.L. No. 4-1995]
- C. No person who does not reside within the Town of Clifton Park may deposit or cause to be deposited any substance of any kind on the premises established as a convenience transfer station or dumping grounds of the Town of Clifton Park.
- D. A resident of the Town of Clifton Park or any owner of real property located within the Town of Clifton Park not engaged in the collection of waste materials or waste substances shall be permitted to dump refuse, provided that such resident or owner has obtained an annual convenience transfer station permit. The term of each such permit shall be for a period to commence on May 1 and to end on April 30 of each year. Such permit may be suspended or revoked for cause upon evidence satisfactory to the Town Board that the restriction, limitation and prohibitions set forth in this article or the rules and regulations adopted pursuant to § 97-5 of this article have been violated by the holder thereof.

§ 97-3 Permit fees, entitlements and regulations.

[Amended 5-24-1993 by Ord. No. 1-1993; 3-21-1994 by Ord. No. 1-1994; 3-20-1995 by L.L. No. 4-1995; 4-6-1998 by L.L. No. 2-1998; 4-1-2002; 6-2-2008 by L.L. No. 4-2008; 2-27-2012 by L.L. No. 4-2012]

- A. The fee for annual and prorated permits shall be: [Amended 4-7-2014 by L.L. No. 2-2014; 4-2-2018 by L.L. No. 2-2018]
 - (1) May 1 to April 30:
 - (a) Annual primary permit: \$90.

- (b) Senior citizen permit: \$45.
- (c) Social security disability or disabled American veteran permit: \$40.
- (d) Two punch cards consisting of 104 punches.
- (2) These fees shall be prorated for purchase throughout the year by reducing the primary permit by \$10 each quarter, on August 1, November 1, and February 1 of each year. Discounted permits for senior citizens and for social security disability and disabled American veterans shall be reduced by \$5 each quarter on the same schedule.
- (3) The permit sticker fee for additional vehicles registered at the same address as the primary permit holder shall be \$5 per vehicle for a limit of two permit stickers in addition to the primary permit per address.
- (4) The non-resident permit fee shall be \$150.00 Annually

B. Punch cards; bag deposit.

- (1) Upon purchase of the annual primary permit, each purchaser shall receive two punch cards consisting of 52 punches per card. Each punch shall entitle the owner of the primary permit to deposit one thirty-six-gallon bag of refuse or its equivalent.
- (2) In the alternative, a primary permit holder may opt to pay \$1 for the deposit of a thirty-six-gallon bag or its equivalent at the convenience transfer station. [**Amended 4-20-2015 by L.L. No. 5-2015**]

C. Such permit must be exhibited upon demand to the attendant duly designated to be in charge of said public convenience transfer station or to any other person duly authorized by the Town Board.

D. A permittee whose permit has been suspended or revoked may have a hearing before the Town Board in connection with such suspension or revocation upon notifying the Town Clerk, in writing, of his desire for such hearing.

§ 97-4 **Transport of waste matter.**

A. All persons transporting waste matter of any kind to the convenience transfer station or dumping grounds, whether or not they are engaged in the business, trade or occupation of collecting and disposing of the same, shall cause the same to be so protected, enclosed or covered while in transit that no part thereof will escape from the vehicle in which the same is being transported.

B. The Convenience Transfer Station Supervisor shall provide, at the convenience transfer station or dumping grounds, suitable written statements, in triplicate, which shall be serially numbered and in a form to be approved by the Town Board. Said statements shall be provided to the custodian of said convenience transfer station or dumping grounds and shall be signed by the driver of the vehicle using the convenience transfer station or dumping grounds. One copy of said statement shall be kept by the driver, one copy shall be kept by the custodian and one copy shall be delivered to the Town Clerk by the custodian of the convenience transfer station or dumping grounds. [**Amended 3-**

20-1995 by L.L. No. 4-1995]

§ 97-5 Rules and regulations.

- A. The Town Board may prepare rules and regulations respecting the time and manner of delivery of waste matter at the convenience transfer station, which rules and regulations shall be conspicuously posted at the Town Hall and at the convenience transfer station and, when so posted, shall have the same force and effect as if they were specifically set forth in this article.

§ 97-6 Penalties for offenses.

Any person who violates any provision of this article or the rules and regulations duly made pursuant thereto shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than \$100 and to a term of imprisonment, and, in addition thereto, if a holder of a permit pursuant to the provisions of § 97-3 hereof violates any provision of this article, such permit shall be revoked without notice, and no new permit shall thereafter be issued to such person, firm or corporation unless by special action of the Town Board.

§ 97-7 (Reserved)

§ 97-8 (Reserved)

TOWN OF CLIFTON PARK
COUNTY OF SARATOGA
STATE OF NEW YORK

NOTICE OF PUBLIC HEARING REGARDING
PROPOSED AMENDMENT TO THE CHAPTER SECTION 97-3 TOWN CODE RELATIVE
TO FEES FOR TRANSFER STATION PERMITS

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on May 20, 2019, at 7:05 p.m. in the Wood Memorial Meeting Room in the Town Office Building, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York to consider amending the Town's code relative Annual Permit fees to the Transfer Station on Vischer Ferry Road

The proposed legislation would add a provision for non-resident permits at an annual fee of \$150.00 for all non-resident users.

Copies of the proposed local law are posted at <https://cliftonpark.org/government/legal-notices.html> , and are available for review in the Town Clerk's office during normal business hours.

Patricia O'Donnell, Town Clerk

Resolution No. _____ of 2019, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for a repair to a culvert within the Mill Creek subdivision.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, on March 15, 2019, the Highway Superintendent was notified that a portion of the road in front of 4 Orchard Park Drive was collapsing, and

WHEREAS, on March 20, 2019 the sinkhole had expanded to an area of nearly 50 square feet in size, and crews discovered that a culvert pipe under a heavily traveled roadway in a large development had collapsed and water was running directly under the roadway causing constantly deteriorating conditions throughout the day, and

WHEREAS, Section 103(4) of the NYS General Municipal Law provides that in cases of an emergency situation arising from unforeseen circumstances affecting public buildings or the health or safety of the public, the Town Board may authorize the purchase of service, material and equipment without competitive bids, and

WHEREAS, the rapid deterioration of the roadway of Orchard Park Drive due to erosion caused by the active stream directly beneath the surface presented an emergency under the statute, and

WHEREAS, Dahn Bull, Highway Superintendent engaged Tom Kubricky Co. for emergency repair work to perform excavation and repairs to the culvert on a time and materials basis pursuant to correspondence dated April 10, 2019, attached; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to the culvert at 4 Orchard Park Drive as determined on March 20, 2019 constitutes an emergency for procurement purposes under Section 103(4) of General Municipal Law, and be it further

RESOLVED, that the Comptroller is authorized to pay to Tom Kubricky Co. an amount not to exceed \$55,764.25; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$34,897.25 from DA-05110-00024 to DA-05110-00021 for the project.

Resolution No. _____ of 2019, a resolution Approving an Agreement with Miss Shen Softball for sponsorship of Grant Funding for the construction of a three-season batting cage facility on the Clifton Common in honor of Deanna Rivers

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Senator James Tedisco has secured funding for the construction of an indoor, three-season batting cage and training facility at the Clifton Common to honor the memory of Deanna Rivers, and

WHEREAS, Miss Shen Softball League has asked the Town to partner with the league on the project, and for approval to construct the facilities at the softball complex on the common, and

WHEREAS, the Town Board supports the project as an appropriate remembrance for Deanna Rivers and as a positive addition to the softball complex at the Clifton Common, and has agreed to act as program sponsor for the application to advance the project to the New York State and Municipal Facilities Program, and

WHEREAS, the Town has retained MJ Engineering to provide consulting services and to prepare bid documents for the project, and

WHEREAS, MJ Engineers have provided an initial engineer's estimate, projecting total costs of \$110,000 for the construction of an enclosed, three-season batting cage and pitchers' battery facility to be constructed as the Deanna Rivers Training Center within the softball complex, and

WHEREAS, Miss Shenendehowa Softball Inc. has agreed to provide funding for the project which exceeds available grant funding, and

WHEREAS, the parties wish to memorialize their agreement to jointly pursue the project in honor of Deanna Rivers, a longtime player and member of Miss Shen Softball, whose commitments to her community and to her school continue to inspire players and students throughout the greater Clifton Park Community, now therefore, be it

RESOLVED, that the Town Board supports the project to design and construct a batting cage facility on the softball complex at the Clifton Common to be named The Deanna Rivers Training Center, and be it further

RESOLVED, that the Supervisor is authorized to sign the attached memorandum of Agreement for the administration of the project and funding support from Miss Shenendehowa Softball, Inc.

Resolution No. _____ 2019, a resolution authorizing the Receiver of Taxes and Assessments to attend the New York State Association of Tax Receivers and Collector's Seminar.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Rose Savallo, Receiver of Taxes & Assessments, has requested permission to attend the New York State Association of Towns' Tax Collector's Seminar to be held at the Golden Arrow Lakeside Resort in Lake Placid, New York, June 9-12, 2019 at a cost not to exceed \$800, and

WHEREAS, the amount has been budgeted for 2019 in budget line item A-1330-1 (Tax Collector Travel & Conferences), and

WHEREAS, attendance at the seminar would confer a benefit to the Town's citizens; now, therefore, be it

RESOLVED, that Rose Savallo is hereby authorized to attend the Tax Collector's Seminar in Lake Placid, New York, from June 9-12, 2019, at a cost not to exceed \$800, which includes the registration fee, lodging and meals, to be vouchered appropriately and to be paid from budget line item A-1330-1 (Tax Collector Travel & Conferences).

Resolution No. _____ of 2019, a resolution authorizing the hiring of a part-time Guard for the Safety and Security Department.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, vacancies exist for part-time staff to ensure adequate coverage of shifts on weekdays, weekends, evenings, and court, and

WHEREAS, Louis Pasquarell, Director of Safety and Security has recommended that Paul R. Van Alstyne - 5-E Tupelo Drive, Clifton Park, NY 12065 be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Paul R. Van Alstyne as a Part-Time Guard for Safety & Security at a Grade 4, Step 1, \$20.27 per hour, effective immediately, to be budgeted from A3120-E4000 (Safety and Security Employee).

Resolution No. _____ of 2019, a resolution hiring WSI and YSI Instructors for individual swim lessons at Town Pools for the 2019 Pool Season

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to hire instructors to teach individuals swim lessons at Town Pools; and,

WHEREAS, the Supervisor recommends that the following individuals be hired as WSI and YSI Instructors to teach individual swim lessons at Town Pools, per the attached Schedule A, now, therefore be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the hiring of the above employees as individual swim instructors and be it further

RESOLVED, that individual swim instructors be compensated at the unit rate of \$17.00 per lesson from Budget Line A-7310-E4575

Resolution No. _____ of 2019, a resolution hiring Water Safety Instructors for the Clifton Park Learn-to-Swim Program.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to hire Water Safety Instructors to teach students in the Learn-to-Swim Program held at Barney Road and Country Knolls Pool; and

WHEREAS, the Supervisor has recommended that the following individuals be hired as Water Safety Instructors for the Clifton Park Swim Program, per the attached Shedule A.

Now, therefore be it

RESOLVED, that the individuals in Schedule A shall be hired as Water Safety Instructors for the Learn-to-Swim Program, for the 2019 Pool Season, to be paid at the rates as stated.

Resolution No. _____ Of 2019, a resolution authorizing the Supervisor to accept a proposal for professional engineering services for public parking improvements at the Dwaas Kill Nature Preserve and drainage and surface improvements to the Longkill Trail

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Dwaas Kill Nature Preserve, acquired by the Town in 2006, is designated as priority open space in the 2016 Update to the New York State Open Space Plan, and

WHEREAS, the Town Board has previously approved an Agreement with Environmental Design Partnership for professional engineering services to design potential improvements to the Longkill Trail, the Pierce Road entrance and parking area, and additional amenities to increase public access and utilization, and

WHEREAS, Environmental Design Partnership has submitted a proposal for a Supplemental Agreement for engineering and inspection services for additional parking improvements at the DKNP, and improvements to the Longkill Trail, and

WHEREAS, sufficient funds remain available in the current year's Open Space, Trails and Riverfront Committee Budget to offset the engineering costs associated with the design work, now, therefore be it

RESOLVED that the Supervisor is authorized to approve the attached proposal for the design services from Environmental Design Partnership, and be it further

RESOLVED that the comptroller is authorized to compensate Environmental Design Partnership in an amount not to exceed \$3,900.00 from A-08050-00015 (General Fund – Open Space, Trails and Riverfront Committee – Other Contractual).

Resolution No. _____ 2018, a resolution appointing Mark Kazmierczak as a Part-time Assistant Building Inspector in the Building and Development Department.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Department of Building and Development has requested permission to retain retired Building Inspector, Mark Kazmierczak on a part-time, as needed basis, due to the volume of permit review and inspection requirements in the department, and

WHEREAS, Mr. Kazmierczak has extensive experience and expertise in both the State Fire and Building Codes as well as Town Code requirements; now, therefore, be it

RESOLVED, that Mark Kazmierczak, be appointed as a Part-time Assistant Building Inspector to be used as needed, to be paid from A3620-E4000, \$50.00 per hour, effective immediately.

Resolution No. _____ of 2019, a resolution authorizing Patricia Robbins to serve alcoholic beverages at a family picnic to be held at Collins Park on August 3, 2019

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Patricia Robbins is hosting a family picnic on August 3, 2019 from 1:00 P.M to 7:00 P.M., and

WHEREAS, Patricia Robbins, 2 Cheviot Court, Clifton Park has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Patricia Robbins is hereby authorized to serve beer and wine at a family picnic at Collins Park on August 3, 2019 from 11:00 A.M. to 7:00 P.M.

Resolution No. _____ of 2019, a resolution authorizing Tim Ward and “Dig Deep” to serve alcoholic beverages at a fundraising event to be held at Veteran’s Memorial Park on August 31, 2019

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Tim Ward and “Dig Deep, Inc.” are hosting a fundraising softball tournament on August 31, 2019 from 11:00 A.M to 7:00 P.M., and

WHEREAS, Tim Ward has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Tim Ward and “Dig Deep, Inc.” are hereby authorized to serve beer and wine at a fundraising softball tournament at Veteran’s Memorial Park on August 31, 2019 from 11:00 A.M. to 7:00 P.M.

Resolution No. _____ of 2019, a resolution hiring new Camp Counselors and Alternates for the 2019 full day and half day Summer Day Camp Program.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to rehire additional staff for the Town of Clifton Park Summer Day Camp Program within the Office of Parks, Recreation and Community Affairs; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that the individuals listed in the attached Schedule A be hired; now therefore be it

RESOLVED, that the individuals listed in the attached Schedule A be hired as additional staff for the Town's 2019 Day Camp Program, effective May 7, 2019 through August 23, 2019, and be it further

RESOLVED, that the Camp Counselors and Alternates be paid as indicated on Schedule A.