

August 6, 2012

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m., Supervisor Barrett presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Whalen
Councilman Hughes
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Romano

Also Present: Town Attorney McCarthy
Richard Kukuk, Superintendent of Highways
Myla Kramer, Director of Parks, Recreation and Community Affairs
Michael Montague, Environmental Specialist
Michael O'Brien, Collection System Manager

MOTION BY Councilwoman Walowit, seconded by Councilman Hughes, to approve the minutes of the July 23, 2012 meeting as presented.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the town Blood Drive will be held on August 15th from noon to 6 p.m.

Councilman Whalen thanked all involved, particularly the Arts and Culture Commission and former Councilman Sandy Roth, in the successful Chinese Culture Day on the Common.

Supervisor Barrett presented the following resolution in recognition of International Clown Week.

Resolution No. 192 of 2012, a resolution proclaiming the first week of August 2012 as International Clown Week.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, the people of the Town of Clifton Park recognize the importance of laughter in their lives; and

WHEREAS, Clowns have long been known as ambassadors of joy and good will and bring happiness to both children and adults, and

WHEREAS, it is universally known that laughter is the best medicine; and

WHEREAS, Clowns can make people forget their pain, sadness, illness, and distress, and

WHEREAS, Clowns have helped us preserve our sense of humor and ability to laugh at ourselves; and

WHEREAS, Clowns encourage laughter in people from young to old, and rich and poor alike; and

WHEREAS, Clowns can dissolve thoughts of prejudice, and intolerance of others; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park, does hereby proclaim that the week of August 1-7, 2012, shall be recognized as International Clown Week within the Town of Clifton Park, and shall encourage all citizens to give fitting recognition to the Clowns of the world.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

PRESENTATION

Frank Berlin, Isabel Prescott, Jennie Shea and Kathy Freuhoff spoke of the importance of wildflowers for honeybee pollination as wildflowers are the only honeybee habitat. They asked that wildflower seeds be strewn along roadsides and in various locations in town. This would mean roadsides would not be mowed until after the first killing frost. A Daisy Scout Troop and the Garden Club are taking on the wildflower project and plan on spreading seeds in Garnsey Park. Supervisor Barrett asked to meet this week to identify some areas within town open space to begin the project.

PUBLIC HEARING, 7:05 PM (7:30 P.M.)
REGARDING THE WITHDRAWAL OF FUNDS FROM THE WATER DEVELOPMENT
CAPITAL RESERVE FUND

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on July 27, 2012.

Supervisor Barrett explained this fund was the initiative of former Councilman Speckhard and there is still a small amount of money in the reserve fund and in order to withdraw funds from this account a public hearing is required. This will be a connection between the Rexford Water District and the 18 homes in the Rivercrest Water District. A community meeting was held and residents felt this would be the best way for them to go. The Supervisor further explained this would be a shared cost between the capital reserve fund and the Clifton Park Water Authority who will be overseeing the connection. Supervisor Barrett thanked the Town of Glenville for agreeing to rescind the contract.

The public hearing was opened for comments from the audience at 7:35 p.m.

Everyone was given an opportunity to speak in favor of or against the proposal and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:36 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 193 of 2012, a resolution authorizing the hiring of additional lifeguards to replace lifeguards returning to college.

Introduced by Councilman Hughes, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, the Myla Kramer, Director of Parks, Recreation and Community Affairs, has identified a need to hire additional lifeguards to fill the vacancies of those lifeguards leaving for college, and

WHEREAS, Myla Kramer has recommended that the lifeguards listed in Schedule "A" be hired for the three town-owned pools; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is authorized to hire the lifeguards listed in Schedule "A", effective immediately through September 3, 2012, at a rate of \$7.75 per hour, to be paid from A-7150-4690 (Barney Road Pool-Lifeguards), A-7152-4690 (Locust Lane Pool-Lifeguards) and SPS-7151-4690 (Longkill No. 1 Park District/Country Knolls Pool-Lifeguards).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 194 of 2012, a resolution in connection with a block party to be held in the Heritage Green subdivision.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, the residents of the Heritage Green subdivision plan to conduct a block party within the subdivision on September 8, 2012, from 3:00 - 7:00 P. M. and have requested permission to use Spruce Street between No. 37 and No. 48 for their party activities; now, therefore, be it

RESOLVED, that the residents, with the approval and advice of the Town Highway Superintendent, have permission to use Spruce Street between No. 37 and No. 48, September 8, 2012 from 3:00 - 7:00 P.M. for their party activities, but must not block off the streets and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable fire department, the ambulance corps, the sheriff's department and the state police.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 195 of 2012, a resolution authorizing the transfer of \$200,000 from Undesignated General Funds to Highway Paving Account for 2012 paving projects.

Introduced by Councilman Hughes, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, Richard Kukuk, Superintendent of Highways, has increased the number of paving projects planned for 2012, per the attached paving list, and

WHEREAS, Superintendent of Highways Kukuk has requested that \$200,000 be transferred from Undesignated General Funds into Highway Paving for the additional paving projects; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Comptroller to transfer \$200,000 from Undesignated General Fund Balance (DA-909) into Highway Paving (DA-5110-00030) for the additional paving projects planned for 2012, as outlined in the attached paving list.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 196 of 2012, a resolution to accept a proposal for the rental of four tents and sixteen tables to be used on Household Hazardous Waste Day.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, proposals have been received for the rental of tents and tables to be used on Household Hazardous Waste Day, September 8, 2012, and

WHEREAS, after reviewing the proposals received, Environmental Specialist Michael Montague has recommended that the low proposal of Whalen and Sons, 5 North Street, Troy, New York, for a total amount of \$1,531 for the rental of four tents and sixteen tables be accepted; now, therefore, be it

RESOLVED, that the proposal of Whalen and Sons is hereby accepted for a total amount of \$1,531 for the rental of four tents and sixteen tables to be used on Household Hazardous Waste Day, September 8, 2012, to be paid from A-8989-150. (Special Collections Day).

Councilman Whalen noted he has no relation to this company.
The Town of Ballston is also taking part in Hazardous Waste Day.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 197 of 2012, resolution awarding a professional services contract for the Special Collection Day to be held on September 8, 2012.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, proposals have been submitted for professional services related to packaging, labeling, transport, and disposal of household hazardous waste to be collected at the 18th Annual Special Collection Day to be held on September 8, 2012, and

WHEREAS, in addition to the request for proposals for the above mentioned professional services, the request asked for three year pricing for the annual event, and

WHEREAS, Environmental Specialist Michael Montague has reviewed the proposals submitted for such professional services and recommends that the proposal of Environmental Products and Services of Vermont be accepted; now, therefore, be it

RESOLVED, that the contract to perform professional services related to the packaging, labeling, transport and disposal of household hazardous waste to be collected at the Town of Clifton Park's 18th Annual Special Collection Day on September 8, 2012, is hereby awarded to Environmental Products and Services at a cost for services not to exceed \$40,000 after reimbursement, with such funds to come from A-8989-150 (Special Collection Day), and be it further

RESOLVED, that the proposal be accepted to include three year pricing through 2014, with an annual markup of 5% to offset the annual increase in transportation (fuel prices) disposal, labor and consumables that are utilized during the event; and be it further

RESOLVED, that the contractor agrees to provide necessary employees to assist with the program.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 198 of 2012, a resolution awarding the bid for a new mid-sized transit bus to be used to transport passengers in and around the Town of Clifton Park and surrounding area.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, a bid was received and opened on July 18, 2012 for a new mid-sized transit bus, and

WHEREAS, the sole bidder was Matthews Buses, Inc., 2900 Route 9, Ballston Spa, New York, for an amount not to exceed \$46,966, and

WHEREAS, Town Attorney Thomas McCarthy has reviewed the bid and has recommended that the Town Board accept the bid of Matthew Buses, Inc. as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in an amount not to exceed \$46, 966 to Matthews Buses, Inc., Ballston Spa, for a 2013 twelve passenger plus one wheelchair, Supreme Senator Bus with options; and be it further

RESOLVED, that the cost of \$46,966 shall be paid in part with a funding of \$20,000 from the Saratoga County Office of the Aging Department, the balance of \$26,966 to be budgeted from Un-appropriated Fund Balance.

Supervisor Barrett explained the current vans are aging and the town was able to get a \$20,000 grant towards a new one.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 199 of 2012, a resolution awarding the general construction contract bid for the sewer replacement project at Twilight Drive, Barney Road, South Barney Road, Valencia Lane and various sewer pump stations.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, bids for the above referenced sewer replacement project were opened on July 17, 2012, and

WHEREAS, McDonald Engineering recommends the award for the general construction contract work associated with the project be awarded to Anjo Construction as low bidder in an amount not to exceed \$1,104,885.10; now, therefore, be it

RESOLVED, that Anjo Construction is hereby awarded the bid for the general construction contract for the sewer replacement project at Twilight Drive, Barney Road, South Barney Road, Valencia Lane and sewer pump stations at Wooddale Drive, Woodstead Road and Maple Ridge in an amount not to exceed \$1,104,885.10 per McDonald Engineering letter dated July 25, 2012.

Collection Systems Manager O'Brien noted this is the first time equipment that hasn't failed is being changed. He said there are three pump stations that are in dire need of replacement and have only been repaired since the town inherited them. Mr. O'Brien explained anything that was bought new will be reused but a lot of the equipment will qualify for funding.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 200 of 2012, a resolution awarding the electrical contract bid for the sewer replacement project at Twilight Drive, Barney Road, South Barney Road, Valencia Lane, and various sewer pump stations.

Introduced by Councilman Hughes, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, bids for the above referenced sewer replacement project were opened on July 17, 2012, and

WHEREAS, McDonald Engineering recommends the award for the electrical contract associated with the project be awarded to CDE Electric as low bidder in an amount not to exceed \$45,500; now, therefore, be it

RESOLVED, that CDE Electric is hereby awarded the bid for the electrical contract for sewer replacement at Twilight Drive, Barney Road, South Barney Road, Valencia Lane and sewer pump stations at Wooddale Drive, Woodstead Road and Maple Ridge in an amount not to exceed \$ 45,500 per McDonald Engineering letter dated July 25, 2012.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 201 of 2012, a resolution authorizing a budget line transfer for the Clifton Park Sewer District No. 1.

Introduced by Councilman Hughes, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, the Town Board has authorized sewer infrastructure replacement projects for Twilight Drive, Barney Road, South Barney Road, Valencia Lane and pump stations at Wood Dale Drive, Woodstead Road and Maple Ridge, and

WHEREAS, McDonald Engineering has developed and designed infrastructure replacement and capital projects for the Clifton Park Sewer District No. 1, prepared bid specifications and documents and supervised bid openings on July 25, 2012, and

WHEREAS, the Town Board wishes to transfer funds to offset the costs of engineering design, development and bid document preparation; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Comptroller to make a budget transfer of \$92,030.81 from G7-8111-200 (Clifton Park Sewer District No. 1 – Equipment) to G7-8111-135 (Clifton Park Sewer District No. 1 – Engineering).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 202 of 2012, a resolution authorizing the transfer of funds from the Clifton Park Sewer District No. 1 Undesignated Fund Balance for sewer replacement projects.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, the Clifton Park Sewer District No. 1 has funds that have been reserved to offset the costs of capital projects as necessary, and

WHEREAS, the Town Board has authorized sewer infrastructure replacement projects for Twilight Drive, Barney Road, South Barney Road, Valencia Lane and pump stations at Wood Dale Drive, Woodstead Road and Maple Ridge, and

WHEREAS, the Town Board wishes to transfer sewer district funds to offset the costs of general construction and electrical contracts necessary to accomplish upgrades and replacements to the designated infrastructure and pump facilities; now, therefore, be it

RESOLVED, that the Comptroller is authorized to transfer \$1,150,385.10 from G7-00909 (Clifton Park Sewer District No. 1 Undesignated Fund Balance) to G7-8111-200 (Clifton Park Sewer District No. 1 – Equipment)

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

PUBLIC PRIVILEGE

Richard Harlow, Grooms Road, distributed information regarding state and federal codes, as well as legislation from the Town of Patterson New York, regarding ATV and off-road vehicular noise.

MOTION by Councilwoman Walowit, seconded by Councilman Hughes, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8:16 p.m.

Patricia O'Donnell
Town Clerk