

October 7, 2013

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
Councilwoman Standaert
Councilman Romano
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Richard Kukuk, Superintendent of Highways
Mark Heggen, Comptroller
Michael Handerman, Supervisor of Buildings and Grounds
Myla Kramer, Director of Parks, Recreation and Community Affairs
Michael O'Brien, Collection System Manager
Louis Pasquarell, Director of Safety and Security

MOTION BY Councilman Romano, seconded by Councilwoman Walowit to approve the minutes of the September 9 and 16, 2013 meetings as presented.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilman Walowit, Supervisor Barrett

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

The Town Clerk presented the 2014 Tentative Budget to the Town Board.

Supervisor Barrett speaking with regard to drainage issues in Country Knolls South, reported on a meeting with DEC representatives who agreed with the town's assessment that some culverts need to be addressed due to sediment issues. He said a tentative meeting has been scheduled with Army Corps of Engineers as permits will be needed in order to proceed with work. Supervisor Barrett said DEC representatives also looked at the Bruno Road culvert and recommended the Army Corp of Engineers look at that as well. The Supervisor asked residents to clean out catch basins as often as possible.

Councilman Romano thanked all involved with the very successful "Glo Golf" at the Barney Road Golf Course on September 20th, noting 45 golfers participated.

Supervisor Barrett announced the Not So Common Players production of "The Secret Garden" opening on October 25th for seven performances.

Supervisor Barrett thanked all involved in Shredding Day, noting this is a free service of 3N Document Destruction.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 219 of 2013, a resolution accepting the conveyance of a sixty foot right of way along Kendra Drive, from the subdivision of lands of William and Susan Mackey.

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

WHEREAS, as a condition of approval for the subdivision of land of William and Susan Mackey the Town of Clifton Park Planning Board required that the applicant convey a sixty foot right of away; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of a sixty foot right of way along Kendra Drive, briefly described as follows:

<u>Name of Owner</u>	<u>Description</u>
William & Susan Mackey	60 foot right of way along Kendra Drive

and be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney of all necessary documents including review of the recorded deed in the Saratoga County Clerk’s office, provision of title report, provisions for payment of all taxes, recording fees, and assessments which are acceptable to the Town Attorney, and be it further

RESOLVED, that there be appended to the within resolution a copy of the recorded conveyance after it has been filed with the Saratoga County Clerk.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

RESOLUTION NO. 220 OF 2013, A RESOLUTION CONSENTING TO THE EXPANSION OF THE BOUNDARIES SERVICED BY THE CLIFTON PARK WATER AUTHORITY TO INCLUDE LANDS OWNED BY STATE FARM INSURANCE.

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

WHEREAS, the CPWA entered into a Water Supply Agreement dated October 4, 1993 (“Agreement”) with the Malta Water Supply District No. 1 (hereinafter “District” to supply water and ancillary services to lands in the Town of Malta, and

WHEREAS, the District Boundary has previously been amended, and

WHEREAS, the CPWA has supplied water to the State Farm Regional Office properties in Malta under a separate agreement between the CPWA and State Farm Mutual Automobile Insurance Co. (hereinafter “State Farm”), dated August 16, 1993, and

WHEREAS, said agreement with State Farm expired on August 16, 2013, and

WHEREAS, the CPWA and State Farm do not wish to enter into a new agreement, but rather wish to have the CPWA treat State Farm in the same manner as they would any other commercial customer, and

WHEREAS, the parcels of land covered under the agreement between the CPWA and State Farm are not currently located within the District boundaries covered in the Agreement, and

WHEREAS, pursuant to the applicable provisions of the Public Authorities Law Article 5 and pursuant to Section 6 of the Agreement, the consent of the District, the CPWA, the Town of Malta, and the Town of Clifton Park is required in order to expand the geographical area of the District; now, therefore, be it

RESOLVED, pursuant to Section 6 of the October 4, 1993 Water Supply Agreement between the Clifton Park Water Authority and Malta Water Supply District No. 1, the Town Board of the Town of Clifton Park hereby consents and agrees that the District may expand its geographical area by amending the description of lands as set forth in the Agreement to include the lands now or previously owned by State Farm, as designated on the Town of Malta's Tax Map as parcel I.D. 229.-2-97.2, 229.-2-97.2, 229.-2-97.3, 229.-2-97.4 229.-2-97.5 and 229.-2-98.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 221 of 2013, a resolution authorizing the Supervisor to sign Change Order No. 1 with DelSignore Blacktop Paving Inc. for Clifton Common basketball improvements.

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

WHEREAS, Resolution No. 92 of 2013 authorized a contract with DelSignore Blacktop Paving Inc. in an amount of \$108,000 for Clifton Common basketball improvements, and

WHEREAS, a change order was prepared by McDonald Engineering which provides the breakdown of individual item costs, and

WHEREAS, Change Order No.1 is a deduct change order for the unused portion of the allowance resulting in a decrease of \$6,100 for basketball improvements from the awarded amount of \$108,000, to arrive at a new contract amount of \$101,900; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 1, dated July 17, 2013, to DelSignore Blacktop Paving Inc. for a decrease of \$6,100; and be it further

RESOLVED, that the decreased contract amount of \$6,100 is to be released from encumbrance from A-7112-200 (Clifton Common-Equipment).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 222 of 2013, a resolution authorizing the Supervisor to sign Change Order No. 1 with Jablonski Excavating, Inc. for Ballston Lake Water District.

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

WHEREAS, Resolution No. 85 of 2013 authorized a contract with Jablonski Excavating, Inc. in an amount of \$436,985.05 for Ballston Lake Water District, and

WHEREAS, a change order was prepared by McDonald Engineering which provides the breakdown of individual item costs, and

WHEREAS, the change order results in a decrease of \$13,488.04 for the unused portion of the allowance and bid quantity savings for Ballston Lake Water District to arrive at a new contract amount of \$423,497.01; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 1, dated July 31, 2013, to Jablonski Excavating, Inc. for a decrease of \$13,488.04; and be it further

RESOLVED, that the decreased contract amount of \$13,488.04 is to be released from encumbrance from H40 (Capital Project Fund-Ballston Lake Water District).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 223 of 2013, a resolution authorizing the Supervisor to sign Change Order No. 2 with William J. Keller & Sons Construction for softball drainage improvements.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, Resolution No. 165 of 2013 authorized a contract with William J. Keller and Sons Construction in an amount of \$263,910.63 for softball drainage improvements, and

WHEREAS, Resolution No. 197 of 2013 authorized the Town Supervisor to sign Change Order No. 1 for \$8,673 with William J. Keller & Sons Construction for softball drainage improvements, increasing the cost of the project to \$272,583.63, and

WHEREAS, Change Order No. 2 was prepared by McDonald Engineering which provides the breakdown of individual item cost, and

WHEREAS, the change order results in an increase of \$16,400 for softball drainage improvements to arrive at a new contract amount of \$288,983.63; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 2, dated September 9, 2013, to William J. Keller & Sons Construction for an increase of \$16,400; and be it further

RESOLVED, that the increased contract amount of \$16,400, to be budgeted from A-7112-200 (Clifton Common-Equipment) additional cost, will not increase the overall budget.

Supervisor Barrett reported additional work from the original plan was approved and also the contractor came upon unknown utilities laid over the past 25 years by the leagues of which there is no record. Buildings and Grounds Supervisor Handerman said some sprinklers needed to be moved. He suggested having some GPS work done for location of pipes.

Supervisor Barrett expressed concern with the status of the cell tower on the Common, noting the tower has not been turned on as yet.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 224 of 2013, a resolution accepting the quote from Zurlo and Company to replace broken windows at the Senior Center.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, it is necessary to replace six windows at the Senior Center with windows that match the remaining windows, and

WHEREAS, quotes were received for the window replacement and Zurlo and Company submitted the lowest quote for the six matching windows in an amount of \$7,068, and

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds, has recommended that the quote of Zurlo and Company, 22 McDermott Road, Mechanicville, be accepted for an amount not to exceed \$7,068; now, therefore, be it

RESOLVED, that the quote of Zurlo and Company is hereby accepted in an amount of \$7,068 for the replacement of windows at the Senior Center, to be budgeted from A1624-200 (Senior Center).

It was noted windows are not broken but old and inefficient.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 225 of 2013, a resolution accepting the quote from Vital Signs to repair the town signs at Exits 8 and 10, and to replace the existing sign at Exit 9.

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

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds, has recommended that the town signs at Exits 8 and 10 be repaired, repainted and re-installed and the sign at Exit 9 be replaced, and

WHEREAS, quotes were received for the repair of the exit signs and Vital Signs, 251 Saratoga Street, Cohoes, submitted the lowest quote for the work to be done in an amount of \$12,150 (\$2,950 per sign), and

WHEREAS, Michael Handerhan+ has recommended that the quote from Vital Signs be accepted for an amount of \$12,150; now, therefore, be it

RESOLVED, that the Town Board accepts the quote from Vital Signs in an amount of \$12,150 for the repair and replacements of signs at Exits 8, 9, and 10, to be budgeted from A-8510-200 (Community Enhancement-Equipment).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 226 of 2013, a resolution promoting Teresa Cook to the position of full time Animal Control Officer.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, due to the retirement of William Lehman, the position of full time Animal Control Officer for the Town of Clifton Park is vacant, and

WHEREAS, Teresa Cook, part-time Animal Control Officer, has successfully passed the Civil Service Exam and was certified as a permanent part-time Animal Control Officer as of February 22, 2011, and

WHEREAS, Supervisor Barrett and Safety Officer Louis Pasquarell have recommended the promotion of Teresa Cook, 139 Raylinsky Road, Ballston Lake, to fill this position as full time Animal Control Officer; now, therefore, be it

RESOLVED, that Teresa Cook, 139 Raylinsky Road, Ballston Lake, is hereby promoted to the full time position of Animal Control Officer, at Grade 6, Step 2, annual salary of \$43,410 (\$23.76 per hour) effective immediately.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Chris Plummer, Shenendehowa High senior, explained his interactive blog regarding the town's open space properties and asked people to comment and share their experiences on his blog "cliftonparkopenspaces.blogspot.com".

PUBLIC PRIVILEGE

Sandy Roth, Sweet Briar Drive, thanked the Town Board for continuing to sponsor Household Hazardous Waste Day. He reported 673 participants in 2013 compared to 550 in 2012; 26,526 pounds of electronics in 2013 compared to 24,232 in 2012; and 6848 gallons of waste this year compared to 7225 in 2012. He thanked the Town Board for passing the resolutions regarding the Welcome to Clifton Park signs at the exits and suggested adding a sign at Exit 8A. Supervisor Barrett said this is being looked into.

Mr. Roth, noting he was on the Town Board when Jude Hazard was hired, wished him well on his new venture and thanked him for his work over the past five years.

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

Motion carried at 7:53 p.m.

Patricia O'Donnell
Town Clerk