

December 15, 2014

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
Barbara McHugh, Director of Community Development
Steven Myers, Director of Building and Development
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the December 1, 2015 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett, noting he is currently the Chair of the Public Safety Committee of the County Board of Supervisors, said he has recommended equipping Sheriff Deputies with body cameras. He said he will be wearing a body camera for a period of time in order to get a better idea of what is seen, how it works and interacts with daily duties.

CONTINUATION OF PUBLIC HEARING REGARDING 969 MAIN STREET

The continuation of the Public Hearing was not held, however, discussion was as follows:

Supervisor Barrett asked Director of Building and Zoning Myers if any progress has been made on the property. Mr. Myers replied plastic sheeting has been put around the lower portions of the house to cover up some openings in the foundation. He said nothing has been done on the roof or yard. Mr. Myers said he has not been inside the house. Town Attorney McCarthy spoke with Ms. DiDomenico today and she said she has brokered a verbal commitment with an interested buyer for the property and would like some time to put together a contract and get the property under contract. He told Ms. DiDomenico he would recommend to the Town Board to postpone the continuation of the Public Hearing until January 20, 2015. Supervisor Barrett said hopefully there will be enough time to present evidence to the Town Board that will bring resolution to the issue. He asked if anyone in attendance would like to speak to this issue. No one wished to speak. The Public Hearing will be continued at the January 20, 2015 Town Board meeting.

REPORT TO THE BOARD – PROPOSED BALLSTON LAKE SEWER

Judith Brodeur, Eastside Drive and Drew Hamelink, Westside Drive, Ballston, spoke with regard to the proposed project to bring public sewers to an area in the Town of Ballston and a small area

in the Town of Clifton Park around Ballston Lake. Mr. Hamelink reported they have recently completed a successful petition drive. He distributed information, attached, regarding the situation of the lake. Supervisor Barrett stressed the point that Ballston Lake is not a reservoir. He noted the overwhelming amount of properties are in the Town of Ballston and they would be the lead agency. Ms. Brodeur reviewed the petition statistics, attached.

Supervisor Barrett reported discussions have been held with the Town of Ballston regarding a time line so as to give residents enough time to plan and budget. He said perhaps someone who has put in a new septic would have more time to hook up. He said he hasn't heard from anyone residing in Clifton Park that is against the sewer. He noted in 2001 there was not sufficient support to move forward as that proposal also included water.

Councilman Whalen asked if the Ballston Lake Association has any projections of the benefit that the sewers would have on the lake five to ten years in the future. Mr. Hamelink said that is extremely hard to do but reached out for information from Saratoga Lake and received data from ENCON that there has been a 50 percent or more decrease in phosphorus at the five year mark.

Supervisor Barrett said the town will continue to work with the Town of Ballston.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 308 of 2014, a resolution scheduling the 2015 Organizational Meeting, and the first 2015 Town Board Meeting for the Town of Clifton Park.

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

WHEREAS, it is necessary to schedule the 2015 Organizational Meeting and the first 2015 Town Board Meeting; now, therefore, be it

RESOLVED, that the 2015 Organizational Meeting for the Town of Clifton Park shall be held on Monday, January 5, 2015, at 7:00 p.m. in the Wood Memorial Meeting Room, One Town Hall Plaza, Clifton Park, New York; and be it further

RESOLVED, that the first Town Board Meeting of 2015 will be held on Monday, January 5, 2015 immediately following the Organizational Meeting, in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 309 of 2014, a resolution authorizing budget transfers for calendar year 2014 as specified in Exhibit A.

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

WHEREAS, the Comptroller has recommended that certain budget adjustments contained in Exhibit A be made to address the needs of all funds as well as other miscellaneous expenditures as set forth in Exhibit A; now, therefore, be it

RESOLVED, that the budget transfers specified in Exhibit A be adopted per the Comptroller's recommendations.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 310 of 2014, a resolution authorizing the hiring of a Laborer for the Buildings and Grounds Department.

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

WHEREAS, an opening exists for a Laborer in the Buildings and Grounds Department, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that Scott Shaughnessy, 473 Grooms Road, Clifton Park, be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Scott Shaughnessy as a Laborer for the Buildings and Grounds Department at Grade 3, Step 1, \$16.26 per hour, effective immediately, to be budgeted from A7110-E4000 (Buildings & Grounds, Employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 311 of 2014, a resolution authorizing Change Order No.1 to Sanitary Sewer Generators, Contract No. 2-Generator Installation.

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

WHEREAS, Resolution No. 99 of 2014 authorized a contract with CDE Electric, Inc. in an amount of \$49,115 for Contract No. 2, Generator Electrical at the Denkers pump station, Knollwood pump station, and Wildflower pump station, and

WHEREAS, the contractor, CDE Electric, Inc., performed the work of their contract within the original scope of work and there are funds remaining in the contract allowance item, and

WHEREAS, the generator lead times from Contract No. 1-Generator Procurement resulted in the work of Contract No. 2-Generator Installation being completed later than the original substantial completion date, and

WHEREAS, a change order was prepared by McDonald Engineering which provides for the decrease in contract price of \$4,168 and 113 day increase in contract times, and

WHEREAS, the change order results in a new total contract amount of \$44,947 and a new contract substantial completion date of November 21, 2014; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 1, dated December 1, 2014, to Sanitary Sewer Generators, Contract No. 2-Generator Installation for a decrease of \$4,168.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 312 of 2014, a resolution authorizing the Town Supervisor to sign a one year extension of Hartford Group Variable Annuity Contract and Group Fixed Annuity Contract.

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

WHEREAS, Resolution No. 319 of 2009 authorized the Town Supervisor to execute all necessary documents to contract with the Hartford and Reliance Trust Company for administrative, financial, and trustee services for the Town of Clifton Park Deferred Compensation Plan for the period January 1, 2010 through December 31, 2014, and

WHEREAS, MassMutual, on behalf of Hartford Life, and the Town of Clifton Park have now agreed to extend the contract through December 31, 2015 subject to the modifications outlined in the attached letter agreement; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to sign a one year extension of Hartford Life Group Variable Annuity Contract and Group Fixed Annuity Contract through December 31, 2015 (Contract No. GC 30066).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 313 of 2014, a resolution authorizing Clifton Park Sewer District No. 1 to obtain quotes for a project to provide excess capacity on sewer line on Moe Road.

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

WHEREAS, by Resolution No. 299 of 2014, the Town Board accepted dedication of an one and a half inch low pressure sewer line found to be in the public right of way along Moe Road, which connected property at 445 Moe Road to public sanitary sewer facilities at the intersection of Moe Road and Kingswood Drive, and

WHEREAS, the Town Board wishes to upgrade the existing sewer line to a two-inch HDPE DR 9 facility consistent with current standards for public facilities owned by Clifton Park Sewer District No. 1, and

WHEREAS, upgrading the facility to such public standards will enable the facilities to accept flows from 13 homes on Katherine Terrace and Moe Road which are currently served by onsite septic systems as residents desire public sewer service, as listed on Exhibit 1, and

WHEREAS, McDonald Engineering has estimated the total cost of the upgrade to the Moe Road sewer line from 445 Moe Road to Kingswood Drive to be \$15,000, inclusive of engineering costs, and

WHEREAS, Section 192-a of the New York State Town Law authorizes the provision of excess capacity to be reserved for future extensions of a sewer district as a town charge, to be repaid in proportion to the benefits received by members joined in a future extension of the sewer district, and

WHEREAS, the project would enable residents of Katherine Terrace to access the facilities of Clifton Park Sewer District No. 1 upon the construction of individual laterals and the installation of individually owned grinder pumps, together with a charge repaying the town for the excess capacity project in proportion to the benefit provided thereby; now, therefore, be it

RESOLVED by the Town Board as follows:

1. That Clifton Park Sewer District No. 1 is authorized to obtain quotes for a project to upgrade the sewer facilities recently dedicated to the town between 445 Moe Road and Kingswood Drive.
2. That the project is in anticipation of a future extension of Clifton Park Sewer District No. 1 to include 13 homes as listed in Exhibit 1, and
3. That the estimated cost of the excess facilities is \$15,000, which shall be a general town charge. The cost of the excess facilities will be initially advanced from the town's general fund. The owners of any property listed on Exhibit 1 wishing to connect such property to Clifton Park Sewer District No 1, either through a district extension or outside user, shall reimburse the general fund for 1/13th of the cost of the excess facilities, in direct proportion to the number of homes provided access to those facilities through the upgrades to the existing line.
4. This resolution is subject to permissive referendum as provided in Town Law Section 192-a, in the manner provided in Article 7 of the Town Law.

Supervisor Barrett said this extension will give further access to the people on Katherine Terrace to public sewer in the future if they so choose.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 314 of 2014, a resolution authorizing the Supervisor to accept a bid for municipal lease financing for the purchase of highway equipment and to sign all related documents.

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

WHEREAS, on December 9, 2014 bids were received for the leasing of highway vehicles, and

WHEREAS, after reviewing the bids, Comptroller Mark Heggen has recommended that the bid of JPMorgan Chase Bank, N.A. be accepted for municipal lease financing for the purchase of highway equipment, at an interest rate of 1.873% for a seven (7) year period, and

WHEREAS, annual payments are estimated to be \$73,613.12, to be budgeted from DA-05130-145 (Highway Machinery Lease Payments); now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to accept the bid of JPMorgan Chase Bank, N.A. for the purchase of highway equipment, at an interest rate of 1.873% for a seven (7) year period, to be budgeted from 2014 budget and subsequent annual budgets; and be it further

RESOLVED, that the Supervisor is hereby authorized to sign all related documents subject to the review and approval of the Town Attorney; and be it further

RESOLVED, that the Town Clerk is authorized to execute the attached resolution and declaration of official intent.

Comptroller Heggen stated the payments are budgeted and at the end of the term the town will own the equipment. It was noted this is a new lease. Superintendent of Highways said this is the most cost effective way to purchase the equipment.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 315 of 2014, a resolution scheduling a public hearing to consider a local law amending Chapter 13-5 (D) Environmental Conservation Commission, and Chapter 125-6 (D) (2), Conservation Easement, Procedures for Granting Term Easement to eliminate reference to Environmental Specialist position.

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

WHEREAS, the Town Board wishes to obtain comment regarding a proposed change to Chapter 13-5 (D), Environmental Conservation Commission, and proposed changes to Chapter 125-6 (D) (2), Conservation Easement, of the Town Code to eliminate reference to Environmental Specialist position; now, therefore, be it

RESOLVED, that a public hearing is scheduled for January 5, 2015 at 7:20 P.M and 7:23 P.M. respectively in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider changes to Chapter 13-5 Environmental Conservation Commission, and amending Chapter 125-6 (D) (2), Conservation Easement, to eliminate reference to Environmental Specialist position; and be it further

RESOLVED, that the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 316 of 2014, a resolution authorizing the Comptroller to establish a Capital Improvements Fund for the improvements to the Vischer Ferry Nature and Historic Preserve at Ferry Drive.

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

WHEREAS, it is necessary to establish a Capital Improvements Fund for the improvements to the Vischer Ferry Nature and Historic Preserve Ferry Drive for a gateway entrance overlook, kayak area and a foot bridge from Clutes Dry Dock to the Erie Canal Towpath, utilizing grant award funds from Hudson River Greenway, NYS Canal Corp and National Scenic Byway, and

WHEREAS, per Exhibit A, H-36, (Ferry Drive and Vischer Ferry Nature and Historic Preserve Access Projects) Revenue to be increased by \$693,100 as a result of grants received by the Town of Clifton Park, and

WHEREAS, per Exhibit A, H-36 (Ferry Drive and Vischer Ferry Nature and Historic Preserve Access Projects), Expenditures, including design and construction, be increased by \$693,100; now, therefore, be it

RESOLVED, that the Comptroller is authorized to increase H-36 (Ferry Drive and Vischer Ferry Nature and Historic Preserve Access Projects) Revenues by \$693,100 and Expenditures by \$693,100.

Director of Community Development McHugh said this resolution establishes the budget accounts for the project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 317 of 2014, a resolution authorizing the implementation and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs of a transportation federal-aid project and appropriating funds therefore.

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

WHEREAS, Resolution No. 167 of 2013 and Resolution No. 88 of 2010, authorized the implementation and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs of a transportation federal-aid project and appropriating funds therefore, and

WHEREAS, Project Crescent Road Bike and Pedestrian Improvements and two Spot Improvements P.I.N. 1757.36 (the Project) is eligible for funding under Title 23 U S Code, as amended that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the Town of Clifton Park desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design and ROW incidentals and acquisitions, and

WHEREAS, the sum of \$197,400 was appropriated from H35-7629-200 (Crescent Road-Capital Projects/Trails/Engineering) and made available to cover the cost of participation in the above phase of the Project, and

WHEREAS, ROW incidentals and acquisitions exceeded the original amount of \$43,400; now, therefore, be it

RESOLVED, that the Town Board duly convened does hereby

RESOLVE that the Town Board approves the above-subject project, and it is hereby further

RESOLVED that the additional sum of \$171,000 hereby appropriated from H35-7629-200 (Crescent Road-Capital Projects/Trails/Engineering) and made available to cover the cost of participating in the above phase of the project, and it is further

RESOLVED that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board of the Town of Clifton Park shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Town Supervisor of the Town of Clifton Park be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for federal aid and/or Marchiselli Aid on behalf of the Town of Clifton Park with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution is filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and it is further

RESOLVED, this resolution shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 318 of 2014, a resolution approving the Inter-Municipal Agreement with the County of Saratoga for single stream recycling at the recycling facility at the Town of Clifton Park Transfer Station.

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

WHEREAS, the town cooperates with Saratoga County in the operation of a recycling facility at the town Transfer Station at Vischer Ferry Road, and

WHEREAS, the recycling facility at the Transfer Station accepts newspapers, bottles, cans, bulk metal, magazines and plastic, and accepted 2,382.5 tons of such material in as well as 975 tons of scrap metal, and

WHEREAS, single stream recycling has been proven to increase the rate of recycling by eliminating the need for users to separate these categories of recyclable material, and

WHEREAS, the Town Board supports recycling materials for economic as well as environmental benefits, and

WHEREAS, the County of Saratoga wishes to convert its recycling centers to single stream recycling facilities and privatize the collection, removal and transportation of recycled material to increase economic efficiencies and recycling rates, and

WHEREAS, the Town Board wishes to participate in single stream recycling at the town's Transfer Station through an Inter-Municipal Agreement which provides for these changes and transfers oversight of the collection facility to town staff; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached Inter-Municipal Agreement with the County of Saratoga to convert the collection of recyclables to single stream, to privatize the transportation of recycled materials and to transfer oversight of the recycling center to the town.

Supervisor Barrett explained the town will be receiving \$35,000 a year to manage the recycling area. The target date to start the single stream recycling is February 1, 2015.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 319 of 2014, a resolution authorizing the Supervisor to sign a contract to install a security camera system at the Clifton Park Transfer Station.

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

WHEREAS, the Town Board has taken action to increase activities at the Transfer Station on Vischer Ferry Road, including electronic recycling, single stream recycling, and solar energy, and

WHEREAS, these activities expand the areas and hours of use in certain cases, and

WHEREAS, the Town Board wishes to provide staff with the capability to monitor and oversee more activity at the facility, and

WHEREAS, a Request for Proposals was sent to 12 security companies on October 21, 2014, asking for proposals for the provision and installation of a security camera system at the transfer station facility, and

WHEREAS, Center for Security, Halfmoon, New York, submitted the low bid of \$12,490, for the installation of a security camera capturing system at the facility; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the quote of Center for Security for the amount not to exceed \$12,490, and authorizes the Supervisor to sign a contract with Center for Security, with funds to be allocated from the contingency budget line to A-8160-200 (Transfer Station Equipment).

Supervisor Barrett explained without an attendant at the recycling center, a town personnel will be able to watch the area. Cameras will be placed at the recycling and garbage areas and eventually at the entrance. The Supervisor reported on occasion garbage has been dumped when the Transfer Station is closed and stated this is trespassing and could be a liability. In response to Councilman Whalen's question, there is no annual maintenance fee.

Scott Hogan, Center for Security, reported six cameras will be installed and noted the locations. He said another option proposed is a camera to pick up license plates. Mr. Hogan stated there is a three-year warranty on the equipment though this was inadvertently left out of the proposal.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 320 of 2014, a resolution authorizing the Highway Department to remove and replace certain traffic signs on Boyack Road in the vicinity of the Lussier Drive intersection.

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

WHEREAS, the town has received approximately 50 written requests from residents requesting that two “STOP” signs (MUTCD R1-1 sign) installed on Boyack Road at the Lussier Drive intersection be re-evaluated due to safety concerns, and

WHEREAS, the installation of “STOP” signs on Boyack Road with advance warning MUTCD W3-1 stop ahead signs were a requirement of the Lussier Drive subdivision, Planning Board Project 2007-057, approved on August 13, 2013, and

WHEREAS, the Planning Board received a traffic analysis prepared by Creighton Manning Engineering (CME) dated April 10, 2008, and

WHEREAS, the findings of the professional engineer traffic analysis at that time did not include the introduction of “STOP” sign controls on Boyack Road, and

WHEREAS, “STOP” control signs were introduced based on a continuing dialog through the subdivision review process and a desire to mitigate any potential negative traffic impacts for the proposed subdivision at the Lussier Drive and Boyack Road intersection, and

WHEREAS, the Planning Board raised concerns over existing speeds traveled on Boyack Road above the posted 30 mph speed limit based on the traffic analysis data gathered by CME, and

WHEREAS, Section 2B.04 of MUTCD notes, “YIELD or STOP signs should not be used for speed control”, and

WHEREAS, Boyack Road traveling in a westerly direction towards the aforementioned intersection has a 30 mph advisory speed sign (MUTCD W13-19) plaque that obstructs the view of the intersection and is not appropriate to be located on a roadway where the posted speed limit is 30 mph, and

WHEREAS, as Boyack Road traveling in a westerly direction towards the aforementioned intersection has a “Speed Limit 30 mph” sign (MUTCD R2-1) which obstructs sight visibility at the intersection, and

WHEREAS, Boyack Road has solid yellow center lines extending through the intersection with Lussier Drive; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to remove the two W3-1 advanced warning stop ahead signs and replace each with W2-7L intersection warning signs on the existing poles with advance warning flashing beacons, and be it further

RESOLVED, that the Town Highway Superintendent is authorized to remove the two R1-1 "STOP" signs on Boyack Road east and west approaches at the Lussier Drive intersection, and be it further

RESOLVED, that the Town Highway Superintendent is authorized to remove the W13-9 30 mph advisory speed sign and R2-1 30 mph speed limit signs on the western approach of the Boyack Road and Lussier Drive intersection to improve site visibility, and be it further

RESOLVED, that the Town Supervisor contact the Saratoga County Sheriff's Department and New York State Police to request that targeted speed enforcement during peak morning and evening commute hours along Boyack Road occur in the vicinity of Lussier Drive to ensure compliance with the posted 30 mph speed limit; and be it further

RESOLVED, that the Highway Superintendent is authorized to remove the double yellow striped center line along Boyack Road at the points in which the line extends through the intersection with Lussier Drive.

Director of Planning Scavo reported Planning has taken another look at the April 10, 2008 Traffic Study and the recommendation this evening is to follow those original recommendations. He reviewed the average speeds on Boyack Road at the time the Planning Board granted preliminary approval. Mr. Scavo recommended notifying Sheriff and State Police to target the hours between 7:00 and 8:00 a.m. and 5:00 and 6:00 p.m. He noted there is limited sight distances at Fenimore Road, Amity Point and Carriage Roads. Mr. Scavo referred to the Manual of Uniform of Traffic Control Devices which states yield and stop signs should not be used for speed control. Supervisor Barrett said he will get additional patrols in the area. Responding to Councilman Whalen's question as to when changes will occur, Mr. Scavo this will be coordinated with the Highway Superintendent. Superintendent Kukuk reported there may be signs in the inventory.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 321 of 2014, a resolution declaring a public emergency pursuant to General Municipal Law Section 103 (4), and authorizing Transfer Station to purchase two propane heating systems from Carrier Corporation, Canton, MA.

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

WHEREAS, on December 11, 2014, Carrier service technicians identified two cracked heat exchangers in the oil burning furnaces in the main garage at the town's Transfer Station, which were emitting carbon monoxide gas, and

WHEREAS, both furnaces are inoperable and present an imminent danger to health and safety of town employees and public property, and

WHEREAS, Transfer Station Supervisor Jeffrey Vedder determined the situation constituted an emergency under General Municipal Law Section 103 (4) and obtained pricing from Carrier Corporation for the replacement of the two oil burning furnaces with more efficient and clean burning propane units, and

WHEREAS, Carrier Corporation has installed heating and chilling systems at Town Hall, the Public Safety Building, as well as the Buildings and Grounds facility and the Prestige

Services Ice Arena, and is known for the reliable installation and service of extensive HVAC systems, 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 its inhabitants, the Town Board may authorize the public work or the purchase of material and equipment without competitive bids; now, therefore, be it

RESOLVED, that the Town Board determines that the failure of the oil burning furnaces at the Transfer Station garage constitutes an emergency for procurement purposes under Section 103 (4) of General Municipal Law, and be it further

RESOLVED, that the Transfer Station is authorized to purchase two Reznor 175,000 Btu/Hr, propane gas heaters from Carrier Corporation for the emergency heating installation at the town's Transfer Station, at a total price of \$24,973, plus installation, and incidental expenses associated with the purchase and related venting work, and be it further

RESOLVED, that the Comptroller is authorized to transfer \$24,973 from A-8160-13 (General Fund-Convenience Transfer Station-Refuse) to A-8160-200 (General Fund-Convenience Transfer Station-Equipment) for the purchase of two Reznor 175,00 Btu/Hr propane gas heaters for the emergency heating installation at the town's Transfer Station.

Supervisor Barrett said this was a tenuous situation that could cause health issues.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 322 of 2014, a resolution scheduling a public hearing to consider an application for the Conservation Easement Historic Preservation program.

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

WHEREAS, the town's Conservation Easement program requires public comment on properties proposed to be included in the program, and

WHEREAS, Christopher Nafis, 321 Riverview Road, Rexford, (SBL 288.13-1-9) has requested inclusion in the program; now, therefore, be it

RESOLVED, that a public hearing is scheduled for January 5, 2015 at 7:25 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the property owned by Christopher Nafis, 321 Riverview Road, Rexford, (SBL 288.13-1-9) for inclusion in the Conservation Easement program, and be it further

RESOLVED, that the property owner give notice to all adjacent property owners and other entities as provided in the town's Conservation Easement legislation in advance of the public hearing and submit receipts of mailing to the Town Clerk's office prior to the date of the public hearing; and be it further

RESOLVED, that the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Anton Salecker, Crestmont Drive, read a prepared statement requesting a sidewalk to Northcrest Drive, from the proposed St. Peter's Health Partners sidewalk on the north side of Route 146.

Supervisor Barrett said he can't argue with the points made of the benefits a trail on the north side would have, however, there are no plans to do so at this time, and noted the expense of such a project. There will be a small area covered by the St. Peter's Health Partners project. The Supervisor said any help from the state through grants or other assistance would be welcomed. He noted more than 13 miles of trails have been completed in the last 12 years.

Director of Community Development McHugh said years ago the town approached the state for a Reverse Betterment Project at Route 146 and Clifton Country Road but the request was refused. She said the town did pay for some preliminary engineering at that time to show good faith.

Councilman Romano said the request is not being ignored as the Planning Department is always looking at various grants.

Supervisor Barrett stated the town will not let an opportunity pass to incorporate a sidewalk into a project and have it paid for by the developer.

Supervisor Barrett wished all a Happy New Year and thanked the Town Board and staff.

MOTION by Councilwoman Walowit, seconded 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 9:04 p.m.

Patricia O'Donnell
Town Clerk