

August 1, 2016

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
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Romano

Also Present: Town Attorney McCarthy
Steven Myers, Director of Building and Zoning
Louis Pasquarell, Director of Safety and Security

MOTION BY Councilwoman Walowit, seconded by Councilman Whalen, to approve the minutes of the July 18, 2016 meeting as presented.

ROLL CALL VOTE

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

Absent: Councilman Romano

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett reviewed the events for the 12th Annual National Night Out to be held on the Clifton Common August 2nd from 6:00 to 8:00 pm, noting the free throw basketball contest for ages 6 to 12. He said this is a great way to say thank you to the Police, Fire and EMS.

Supervisor Barrett acknowledged a letter from Thomas W. Peterson, Round Lake Village Attorney, dated August 1, 2016 regarding the rezoning of the lands of Connie Lake Properties.

The Town Clerk announced the Blood Drive will be held August 10th from noon to 6:00 p.m. in the town hall.

PRESENTATIONS

Girl Scouts Lauren Cervey and Amanda Macey of Troop 2334 reviewed their Silver Award project with a slide presentation of erecting blue bird houses in the Vischer Ferry Preserve. They distributed informational pamphlets they prepared. They asked for the public's help in monitoring the bird houses.

Barbara Blanchard of **MEGA, Municipal Electric and Gas Alliance**, Customer Relations Manager, explained that MEGA is a not-for-profit community-based energy savings program that serves local governments and school districts throughout New York and complies with all public bidding requirements for energy purchases. The Town of Clifton Park is currently in this program.

Louise Gave reviewed the Community Choice Aggregation (CCA) program of MEGA that allows local governments to aggregate utility customers for energy supply. She reviewed the benefits of the program. This proposed program would encompass all residents, except those currently using a third party energy supplier other than National Grid. There will be 30-day opt out process. It was noted participation in this program would require a public hearing and local law. Ms. Gave stated there is no cost to the town for this program. She said one item is still being worked on with the state so implementation wouldn't take place until the second or third quarter of 2017, however customer education can start immediately.

Living Resources: Supervisor Barrett explained Living Resources, a not-for-profit organization serving individuals with intellectual and developmental disabilities, is looking to buy 23 Bonneau Road and is coming to the Town Board with the request. This home would have seven residents. The Supervisor reviewed NYS Padavan Law explaining the town has three options – 40 days to approve the request, if no action, the request is automatically approved, find another home, or deny the request stating there is a concentration of homes in the area.

Steve Klein, Associate Executive Director at Living Resources and Dave Putnam, Director of Facilities, reviewed services offered through Living Resources, noting the organization has been in existence for 40 years and stated Living Resources gives people with disabilities a good life and gives families peace of mind. Mr. Klein said there are six people currently living in Saratoga Springs in an older two-story house and with older residents there is difficulty with the stairs. He said many residents have been with Living Resources over 20 years and the age span is 40-75. He further explained the residents go out to programs or work every day. He noted there are usually two staff at a time and one staff that sleeps over. There will be two vehicles. Mr. Klein stated he doesn't feel the immediate community will feel any impact. He explained the house will be connected to sewer and there will be some construction inside the house. The existing pool will be filled. In response to Supervisor Barrett's question, the staff will not have visitors. Mr. Klein said they look forward to holding an open house for neighbors. He continued there is staff training and drug testing of staff and criminal background checks. The state has to approve each staff person.

Supervisor Barrett noted there are a number of homes for the disabled in town and comments from the informational meeting noted that Bonneau Road is not a very wide road and concern that residents take precaution while walking on the road.

Supervisor Barrett reported the forty-day time period began on July 14th, the date of the original contact, letters went to over 100 residents and an informational meeting was held July 26th.

Mr. Klein said Living Resources intends to purchase 23 Bonneau Road and state approval is contingent on going through the 40 day process. He is not aware of family members ever staying overnight. He noted residents usually go home for holidays.

Mr. Putnam said they are looking at six to eight weeks of renovations with the goal of being in the house by Christmas.

It was noted Living Resources is a not-for-profit and pays no property tax but does pay usage fees for water and sewer.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 182 of 2016, a resolution authorizing the hiring of Edward P. Reardon as a Part-Time Guard.

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

WHEREAS, by Resolution No. 174 of 2016, the Town Board created two positions for part-time Guard in conjunction with the Saratoga County Personnel office, and

WHEREAS, a vacancy exists for a part-time Guard for the Town of Clifton Park, and

WHEREAS, Louis Pasquarell, Director of Security and Safety, has recommended that Edward P. Reardon, 15-F Birdie Drive, Queensbury, NY 12804, be hired to fill one of the part-time Guard positions for the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Town Board authorized the hiring of Edward P. Reardon as part-time Guard for the Town of Clifton Park at Grade 4, Step 1, (\$19.48 per hour), effective immediately, to be paid from A-3120-E-4000 (Guard – Employee).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 183 of 2016, a resolution authorizing the Comptroller to establish Capital Projects Fund H44-2016-Drainage Projects.

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

WHEREAS, Supervisor Barrett recommends the establishment of a Capital Projects Fund to finance the cost of the reconstruction and improvement of stormwater drainage facilities in the town, and

WHEREAS, by Resolution No. 82 of 2016, a bond resolution sufficient to fund the projects was adopted on March 21, 2016, for \$500,000; now, therefore, be it

RESOLVED, that the Comptroller is authorized to establish Capital Projects Fund H44-2016-Drainage Projects revenues by \$500,000 and expenditures by \$500,000.

Supervisor Barrett explained these were two “proactive” repairs and the town will continue investment of infrastructure throughout the town.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 184 of 2016, a resolution awarding the repair contract for the Southbury Road Park fence repair to AFSCO Fence Supply Co, Inc. pursuant to competitive bid.

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

WHEREAS, Michael Handerhan, Supervisor of Buildings & Grounds, requested that sealed bids be submitted for repair to the fences at the Southbury Road Park, and

WHEREAS, after the bid opening on June 10, 2016, Mr. Handerhan recommended that the bid be awarded to AFSCO Fence Supply Co, Inc., as sole bidder, in the amount of \$20,758 for the tennis courts and \$3,036 for the backstop fence, totaling \$23,794; now, therefore, be it

RESOLVED, that the Town Board accepts the recommendation of Mr. Handerhan and hereby awards the contract for the repair to the fencing of Southbury Road Park to AFSCO Fence Supply Co., Inc., at a cost not to exceed \$23,794, and be it further

RESOLVED, that the Supervisor is hereby authorized to execute all contract documents implementing this resolution, and be it further

RESOLVED, that the Town Attorney is directed to prepare a bond resolution to finance the cost of the project on behalf of Riverview Park district.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 185 of 2016, a resolution awarding the 41± acre parcel property boundary survey to the lowest quote.

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

WHEREAS, by Resolution No. 204 of 2011, the Town Board authorized the acquisition of a 41 acre parcel natural area on Riverview Road, and

WHEREAS, the Open Space, Trails & Riverfront Committee has recommended that a property boundary survey be conducted as a tool for use in stewardship and management of the property, and

WHEREAS, the town solicited quotes for the necessary survey work, through a Request for Quotes process, and received 3 responses on July 1, 2016 with proposals for the work, and

WHEREAS, Environmental Design Partnership (EDP) submitted an appropriate scope of work and quote dated July 1, 2016, in the amount of \$7,500 to be completed in 2016, and

WHEREAS, EDP provided the lowest conforming quote for professional services; now, therefore, be it

RESOLVED, that the Town Board accepts the proposal from Environmental Design Partnership dated July 1 2016, in the amount of \$7,500, to perform the scope of services and authorizes Planning staff to notify EDP to proceed, and be it further

RESOLVED, that the Comptroller is authorized to transfer \$7,500 from A-1440-135, (Engineering), for the cost of the survey pursuant to purchase orders submitted.

Supervisor Barrett stated this is strictly a survey of the property and there are no plans to do anything with the property.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 186 of 2016, a resolution hiring head lifeguards for the end of the 2016 Summer Season for Country Knolls and Barney Road pools.

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

WHEREAS, it is necessary that head lifeguards be hired to assist in the management of Barney Road and Country Knolls pools, and

WHEREAS, due to head guards leaving for college at the end of the pool season, Country Knolls and Barney Road pools have vacancies for head lifeguard, as of August 14, 2016, and

WHEREAS, the Supervisor has recommended that the following individuals be hired as head lifeguards at the below mentioned pools at the following rates:

| <u>Name</u> | <u>Pool</u> | <u>Address</u> | <u>Rate</u> |
|---------------|----------------|----------------------------------|-------------|
| Dylan Yates | Country Knolls | 22 Terrace Court, Ballston Lake | \$10.10 |
| Cameron Mairs | Barney Road | 5 Shadow Wood Way, Ballston Lake | \$9.85 |

Now, therefore, be it

RESOLVED, that Dylan Yates and Cameron Mairs shall be hired as head lifeguards for Country Knolls (SP5-7151-E4690) and Barney Road (A-7150-E4690) pools as of August 14, 2016 through October 1, 2016, to be paid at the rate as stated.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 187 of 2016, a resolution accepting the attached list of alternate lifeguards to be hired, if needed, for the three town owned pools.

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

WHEREAS, Resolution No. 178 of 2016, passed on July 5, 2016, accepting a list of alternate lifeguards, authorized for hire at the three town owned pools, and

WHEREAS, Supervisor Barrett has recommended that the revised list of individuals listed as Schedule "A", be accepted as alternate lifeguards for such purpose for the remainder of the 2016 season; now, therefore, be it

RESOLVED, that the attached revised Schedule "A", be accepted as the amended list of alternate lifeguards, to be hired if needed, and be it further

RESOLVED, that the alternate lifeguards shall be paid \$8.75/hour from the appropriate fund: A-7150-E4690 (Barney Road Lifeguards), A-7152-E4690 (Locust Lane Lifeguards), or SP5-7151-E4000 (Longkill Park District #1 -Lifeguards).

Supervisor Barrett noted there are three on the list from out of town. Mr. Bull responded the applications have been exhausted. The Supervisor stated he wants Clifton Park candidates to be hired first.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 188 of 2016, a resolution scheduling a public hearing to consider a local law amending Chapter 171-4(H)(3)(n) to allow for electronic signs in additional zoning districts.

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

WHEREAS, by Local Law No. 8 of 2011, the Town Board allowed animated or electronic signs to be displayed within certain zoning districts within commercial areas of the town, and

WHEREAS, the Zoning Officer has received inquiries from business owners concerning electronic signs in additional commercial zoning district, and

WHEREAS, the Town Board wishes to solicit public comment on a proposal to allow for electronic signs within these additional districts; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for 7:10 P.M. on August 15, 2016 on a proposed amendment to Chapter 171-4(H)(3)(n) of the Town Code to allow for electronic signs in the Light Industrial – 2 zone between I-87 and Rt. 9, and in the B-3 zone on Rt. 9, per the attached map, and be it further

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

The Supervisor reviewed current regulations on electronic signs and proposed changes.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 189 of 2016, a resolution authorizing the Town Highway Superintendent to install a YIELD sign on Locust Lane.

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

WHEREAS, the town has received a request from residents in Clifton Knolls to consider installation of a stop sign at the westbound approach on Locust Lane, facing northbound traffic, at the intersection with Beechwood Drive, and

WHEREAS, the town's Highway Safety Committee and Planning staff reference the Manual of Uniform Traffic Control Devices published by the Federal Highway Administration along with the NYS supplement published by NYSDOT for guidance, and

WHEREAS, Planning staff investigated traffic conditions at this location, as well as other T-intersections within the neighborhood, to determine if a STOP sign control was appropriate, and

WHEREAS, Planning staff has determined the warrants prescribed by the Manual of Uniform Traffic Control Devices, 2009 edition and NYS supplement are not met for a STOP control at the aforementioned location, and

WHEREAS, staff has also determined that a less restrictive measure of a YIELD sign (R1-2) is an appropriate mechanism for responding to the concerns at this intersection; now, therefore, be it

RESOLVED, that the Town Highway Superintendent is authorized to install a YIELD sign (R1-2) on Locust Lane, on the right-hand side of the approach for westbound traffic, approaching the intersection with Beechwood Drive, and be it further

RESOLVED, that the sign placement shall be in accordance with "Chapter 2B.10 YIELD Sign Placement" of the MUTCD 2009 edition.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 190 of 2016, a resolution authorizing the transfer of \$50,000 from the Salt Account to Highway Paving Account for 2016 paving projects.

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

WHEREAS, Richard Kukuk, Superintendent of Highways, has increased the number of paving projects planned for 2016, and

WHEREAS, Superintendent Kukuk has requested that \$50,000 be transferred from Salt Account fund into Highway Paving Account for the additional paving projects; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Comptroller to transfer \$50,000 from Salt Account balance (DA-5142-138) into Highway Paving/Blacktop (DA-5110-00030) for the additional paving projects planned for 2016.

Supervisor Barrett noted there will be \$124,000 left in the salt budget for 2016. Plans are to repave Old Coach Road and Longwood Drive this year.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 191 of 2016, a resolution setting a public hearing to consider adoption of a local law regulating the use of unmanned aerial vehicles (drones) in the Town of Clifton Park and amending Zoning, Chapter 208-7, Definitions, Nature Preserve, Chapter 152-6, Prohibited Acts and Parks, Chapter 153-4, Prohibited Acts.

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

WHEREAS, the use of unmanned aerial vehicles has increased with advances in technology and decreases in the cost of many models available on the market, and

WHEREAS, the Town Code, enacted prior to the advent of drone technology, does not reference or regulate the operation or use of drones in the town's parks and preserves, and

WHEREAS, the Town Board wishes to solicit comments from the public regarding the proposed enactment of the attached local law; now, therefore, be it

RESOLVED, that a public hearing be set for August 15, 2016 at 7:05 p.m. in the Wood Memorial Room, 1 Town Hall Plaza, to consider the adoption of a local law regulating the use of drones in the town's parks and preserves, 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,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 192 of 2016, a resolution authorizing the hiring of Andrew Jerome as Motor Equipment Operator in the Highway Department.

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

WHEREAS, an opening exists in the Highway Department for a Motor Equipment Operator, and

WHEREAS, Highway Superintendent Richard Kukuk, has recommended that Andrew Jerome, 1714 Crescent Road, Rexford, be hired to fill the position, and

WHEREAS, Mr. Jerome brings 13 plus years' experience as a MEO for the Halfmoon Highway Department; now, therefore, be it

RESOLVED, that the Town Board authorizes the hiring of Andrew Jerome as a Motor Equipment Operator, at Grade 5, Step 5, Year 1, at a salary of \$48,588, effective immediately; and be it further

RESOLVED, that the Town Board recognizes Mr. Jerome's years of service in another Highway Department for vacation credits under Article X of the Collective Bargaining Agreement with CSEA, and authorizes the comptroller to carry over vacation credits accordingly.

Supervisor Barrett noted Mr. Jerome has a Class A Driver's License.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

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 9:02 p.m.

Patricia O'Donnell
Town Clerk