

September 18, 2017

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

Absent: Councilman Romano

Also Present: Town Attorney McCarthy
Dahn S. Bull, Superintendent of Highways
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Scott Reese, Storm Water Management Technician
Margaret Kasky, Buildings & Grounds
Matthew Andrus, Information Specialist

MOTION BY Councilwoman Walowit, seconded by Councilman Whalen, to approve the minutes of the September 5, 2017 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett thanked all involved with the successful Farmfest Days noting the community support for farms.

Councilwoman Walowit reviewed events at the Pet Clinic during Farmfest reporting there were five pet adoptions. Both the Supervisor and Councilwoman Walowit acknowledged the importance of the Saratoga County Animal Shelter Mobile Pet Adoption Unit.

Supervisor Barrett reminded residents of "Nick's Fight to be Healed" events scheduled for September 24th on the Clifton Common.

The Supervisor reminded residents of Shredding Day scheduled for October 1st and thanked 3N Document Destruction for their free service.

Councilwoman Standaert reported the recruitment phase of Youth Court is ongoing and applications are due by October 1st.

PRESENTATION TO CLIFTON PARK/HALFMOON EMERGENCY CORPS

Supervisor Barrett presented the following resolution to the Clifton Park/Halfmoon Emergency Corps. He explained this is at the request of resident Robert Fagan who wanted to thank the Corps publicly for saving his life after bee stings.

Resolution No. 229 of 2017, a resolution recognizing the Clifton Park Halfmoon Emergency Corps for their service to the Community.

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

WHEREAS, on Monday, August 7, 2017, Robert Fagan experienced an acute adverse reaction to multiple bee stings while doing yard work outside his residence, and

WHEREAS, as symptoms progressed, Mr. Fagan called 911, losing consciousness during conversation with dispatch, and

WHEREAS, Clifton Park Halfmoon Ambulance crew consisting of Paramedics, Steven Lohnes, Tom Walsh, Ed O'Brien, and Kevin Robert responded immediately, bringing Mr. Fagan back to consciousness while stabilizing his vital signs, and

WHEREAS, while continuing to work on stabilizing his vitals, Clifton Park Halfmoon Ambulance Corps paramedics transported Robert Fagan to the hospital on an emergency basis, and

WHEREAS, Robert Fagan's condition required several hours in the hospital under direct medical supervision for full recovery, and

WHEREAS, Robert Fagan was told but for the quick response and high level of care provided by the Clifton Park Halfmoon Ambulance Corps, the allergic reaction experienced could have been fatal, and

WHEREAS, for Robert Fagan it is his great privilege to help honor and thank personally the paramedics of Clifton Park Halfmoon Ambulance Corps, and

WHEREAS, if not for the quick and professional response of paramedics Steve Lohnes, Tom Walsh, Ed O'Brien and Kevin Robert, Robert Fagan's outcome could have been much worse, and

WHEREAS, the residents of Clifton Park appreciate the outstanding job that the Clifton Park Halfmoon Ambulance Corps does on a day-to-day basis to save lives; now, therefore, be it

RESOLVED, that on behalf of the residents of Clifton Park, the Town Board salutes and thanks Paramedic Steve Lohnes, Paramedic Tom Walsh, Paramedic Supervisor Ed O'Brien and Paramedic/Deputy Director of Clinical Services Kevin Robert for their life saving actions on August 7th, 2017, and for their commitment to excellence in the service of their community.

Robert Fagan expressed deep appreciation to the Paramedics for their swift action in saving his life.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

REPORT TO THE BOARD

Scott Reese, Stormwater Management Technician, updated the Board on Hazardous Waste Day, reporting there were 490 registrants and 461 coming through. He said an additional 55 people came through later in the day that had not signed up.

PUBLIC HEARING, 7:05 PM
TO CONSIDER THE GRANTING OF A REVOCABLE LICENSE FOR 82 BRADT ROAD
CLIFTON PARK

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 8, 2017.

Supervisor Barrett introduced Glenn Witecki, Esq., representing the owners of 82 Bradt Road, Dr. Simeon Slovacek and Camille Slovacek.

Mr. Witecki, introduced his son Henry Witecki, contractor for the proposed project. Mr. Glenn Witecki explained the owners of the property applied for a building permit to upgrade their barn, however, the permit was denied due to the fact that the barn structure encroaches on the Bradt Road highway right-of-way. He noted the barn was built circa 1850 and was used as a horse barn. The actual right-of-way on Bradt Road has expanded over the years since the barn was built. Mr. Witecki continued currently the barn is used for tool storage used in maintaining the five acres of land and the owner would like to add a bathroom with shower to allow workers to clean up. He said the encroachment is through no fault of their own.

Supervisor Barrett commented it appears the owners have taken great care of the barn and the barn is part of Clifton Park history.

The public hearing was opened for comments from the audience at 7:38 p.m.

Mary Markewicz, Rexford, questioned if the encroachment was on Blue Barns Road, a county road. The Supervisor responded no, only Bradt Road, a town road.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:43 pm.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 230 of 2017, a resolution proclaiming September 17, 2017 through September 23, 2017 as Constitution Week in the Town of Clifton Park.

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

WHEREAS, September 17, 2017 marks the 230th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention, and

WHEREAS, the United States Constitution was the first document of its kind in the world and has paved the way for millions of people since that have sought democracy and freedom, and

WHEREAS, the Clifton Park Town Board proudly recognizes that this document has secured the Blessings of Liberty for many generations of Americans by instilling power in We the People, and

WHEREAS, it is fitting and proper to officially recognize this magnificent document that is the supreme law of our nation and the anniversary of its creation, and

WHEREAS, public law 915 guarantees the issuing of a proclamation each year by the President of the United States designating September 17 through 23 as constitution week; now, therefore, be it

RESOLVED that the Town Board proclaims September 17, 2017 through September 23, 2017 as Constitution Week in the Town of Clifton Park and encourages all residents to re-familiarize themselves with this powerful document and reaffirm the ideals of the Framers of the Constitution.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 231 of 2017, a resolution declaring a public emergency pursuant to General Municipal Law Section 103 (4), and authorizing the transfer of Highway Funds and payment to Tom Kubricky Company, Inc. for excavation and repair of storm sewer facilities on Plank Road.

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

WHEREAS, on April 28, 2017, storm drainage facilities beneath Plank Road near its intersection with Glenbrook Drive experienced a sudden collapse resulting in the blockage of the roadway to traffic and related damage, and

WHEREAS, Highway Superintendent Dahn Bull determined the situation constituted an emergency under General Municipal Law Section 103 (4) and retained Tom Kubricky Company Inc. to excavate, repair and replace the existing storm sewer facility beneath the public roadway, on a time and materials basis, and

WHEREAS, Highway Superintendent Bull supervised the work, and has verified the time and quantities for the excavation, installation and related repair work, which included removal of the old cement bell piping, excavation of the roadway, installation of corrugated polyethylene storm water and drainage piping and infrastructure, repaving of Plank Road across the excavation cut, and

WHEREAS, Tom Kubricky Construction Services is a listed Engineering Contractor on the town's Emergency Services Contract with the Sewer and Highway Departments; now, therefore, be it

RESOLVED, that the Town Board determines that the blockage and collapse of the existing storm sewer facilities on Plank Road at Glenbrook Drive 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 transfer \$24,904.25 from Highway Assigned Fund Balance (DA-915) into Highway DA-05110-0024 (Repairs and Maintenance) for payment to Tom Kubricky Company Inc., Gansevoort, New York, for the emergency repair of storm sewer facilities on Plank Road.

Highway Superintendent Bull reported a good deal of work is being done at night. He said some work is being done by town employees to help keep the emergency spending as low as possible.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 232 of 2017, a resolution awarding the contract for the installation of playground equipment in Collins Park.

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

WHEREAS, quotes for playground equipment were received on or before May 18, 2017, and

WHEREAS, The PlayPro, Denver, North Carolina, submitted the low quote in the amount of \$11,939 in response to the request for quotes documents, and

WHEREAS, Michael Handerhan, Supervisor of Buildings & Grounds, recommends awarding the contract for playground equipment to The PlayPro; now, therefore, be it

RESOLVED, that the Town Board hereby awards the contract for installation of playground equipment and related improvements at Collins Park to The PlayPro, as per the documents attached, in an amount not to exceed \$11,939, to be paid from A7113-200 (Collins Park-Equipment), with \$6,939 transferred from A-7112-200 (Clifton Common-Equipment) to A-7113-200 (Collins Park-Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 233 of 2017, a resolution authorizing conversion work on one (1) new Buildings & Grounds vehicle to install a dump body, side and tail gates, mud flaps, etc. per the quotation.

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

WHEREAS, the Department of Buildings & Grounds requested quotations for conversion work on one (1) new vehicle, and

WHEREAS, T&T Body/King Inc. submitted the low quote for the conversion work on the vehicle, and

WHEREAS, Michael Handerhan, Supervisor of Buildings & Grounds, recommends that T&T Body/King Inc., 411 Old Niskayuna Road, Latham, N.Y., be authorized to do the conversion work as low bidder, for the amount not to exceed \$7,988; now, therefore, be it

RESOLVED, that T&T Body/King Inc., 411 Old Niskayuna Road, Latham, N.Y., be hired to do the conversion work on one (1) new vehicle as outlined; and be it further

RESOLVED, that authorization is hereby granted to the Comptroller to transfer an amount not to exceed \$7,988 from Account # A-7110-22 (Buildings & Grounds-Vehicle) to Account # A-7110-200 (Buildings & Grounds-Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 234 of 2017, a resolution authorizing the Town Supervisor to execute a contract with General Code for the installation of Laserfiche Rio to provide document and record management services at a cost of eighty thousand one hundred sixty-one (\$80,161) dollars, and create a Capital Projects Fund H50 - Laserfiche Rio Project.

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

WHEREAS, by Resolution No. 23 of 2017, the Town Board authorized the submittal of an application for shared services from the Local Government Records Management Improvement Fund (LGRMIF), and

WHEREAS, on July 25, 2017, the town was notified by the NYS Department of Education that the town was successful in securing \$111,212 in grant funding to implement the installation and use of Laserfiche Rio for electronic records management services, and

WHEREAS, the town has received \$55,606 as a first grant advance payment from New York State Department of Education and remaining grant funds will be forwarded on a reimbursement basis, and

WHEREAS, the LGRMIF Program has no local match requirement, and

WHEREAS, it is expected for the grant to last more than one calendar year, and

WHEREAS, General Code has submitted a proposal, a copy of which is attached hereto, to update the current Laserfiche Version 7.2 to Laserfiche Rio and expand use of the Laserfiche Rio system to departments within Town Hall and the Clifton Park Water Authority, and

WHEREAS, General Code, as the seller recognized by the Laserfiche Division of Compulink Management, Inc. for the Clifton Park area, constitutes a sole source for the performance of authorized services, maintenance and product extensions for Laserfiche ® software products, and

WHEREAS, the Town Board wishes to increase revenues and expenditures to provide an accounting mechanism for receipt and disbursement of funds for the grant; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to execute an agreement with General Code for Laserfiche RIO software installation, training, and support as outlined in said proposal, and be it further

RESOLVED, that the Town Supervisor is authorized to execute all necessary grant documents for the successful administration, reimbursement, and close-out documentation of the LGRMIF Grant Award, and be it further

RESOLVED, that the Capital Projects budget for H50, attached, is hereby approved; and be it further

RESOLVED, that the Comptroller is authorized to transfer the \$55,606 from the General Fund to Capital Projects fund H50-8021-200.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 235 of 2017, a resolution authorizing the Town Supervisor to execute an agreement with Focused Technologies for document imaging services.

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

WHEREAS, the town has been awarded a shared services grant for local government records management services pursuant to an award letter dated July 25, 2017, and

WHEREAS, the town has received \$55,606 as a first grant advance payment from New York State Department of Education and remaining grant funds will be forwarded on a reimbursement basis, and

WHEREAS, the selection of Focused Technologies, as a New York State Industries for the Disabled preferred source vendor, was a significant component of the town's successful grant application, and

WHEREAS, pursuant to the grant application Focused Technologies has proposed a service agreement in the amount of \$30,015 to implement the electronic document imaging services on approximately 122,150 separate paper document images, and

WHEREAS, the increases in the budget for Capital Projects Fund H50-8021-200 (Laserfiche Rio Project-Equipment) were reflected in the previous Resolution No. 234 of 2017; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to execute an agreement with Focused Technologies for electronic document imaging services, and be it further

RESOLVED, that the Town Supervisor is authorized to execute all necessary grant documents for the successful administration, reimbursement, and close-out documentation of the LGRMIF Grant Award.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 236 of 2017, a resolution determining that proposed Mohawk Towpath National Scenic Byway-Recreational Improvements Project at Vischer Ferry Preserve is an Unlisted Action for purposes of the New York State Environmental Quality Review Act.

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

WHEREAS, Resolution No. 205 of 2014 authorized the Town Supervisor to sign a Memorandum of Understanding with the Mohawk Towpath Scenic Byway Coalition, Inc. to administer a Byway Grant Project, and

WHEREAS, the Federal Highway Administration Scenic Byway Grant amount totals \$416,880 and is administered through New York State Department of Transportation (NYS DOT), and

WHEREAS, the town has agreed to fulfill grant responsibilities to NYS DOT as Project Lead Agency and point of contact as required by the grant, and

WHEREAS, as required for federally-funded transportation projects, Clifton Park Planning staff and its consultants conducted a public informational meeting on the project on December 1, 2016, and

WHEREAS, as part of the project approval process, the town has completed a draft design report that includes an analysis of impacts to historic and archeological sites, wetlands, and water bodies, threatened or endangered species, traffic, and other environmental considerations as required under 6 NYCRR Part 617 of the Regulations of Article 8 of the Environmental Conservation Law of New York State (SEQR), and

WHEREAS, a draft design report was submitted in December 2016 to the NYS DOT for review and comment, and

WHEREAS, town staff and engineering consultants have addressed all SEQR issues as identified, and considered and examined by the involved and interested agencies and members of the public in conducting the review and in so doing, has taken a hard look at said areas and made a determination of non-significance under SEQR, a copy of which is attached to this resolution and made a part hereof; now, therefore, be it

RESOLVED, that the project as proposed constitutes an Unlisted Action and town staff and consultants have conducted an uncoordinated review as provided for under SEQRA, and be it

RESOLVED, that pursuant to 6 NYCRR Part 617 et seq. of the Regulations of Article 8 of the Environmental Conservation Law of New York State, the Town Board of Clifton Park hereby adopts and issues the Negative Declaration under SEQR and authorizes the Town Supervisor to sign the Negative Declaration Form; and be it further

RESOLVED, that the adoption of the Negative Declaration shall constitute, the SEQR decision of approval for the construction of the Mohawk Towpath National Scenic Byway – Recreation Improvement Project as noted within the design report and plan documents.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 237 of 2017, a resolution authorizing the Supervisor to sign a Letter of Agreement with The Puppet People for a class to be held on November 14, 2017.

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

WHEREAS, the preservation and enhancement of public arts, culture awareness, and entertainment within the Town of Clifton Park is recognized to be of vital importance to the quality of life of the residents of Clifton Park, and

WHEREAS, the town recognizes that the community arts programs promote positive youth development, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested that the Town Board authorize a Letter of Agreement for a class on November 14, 2017; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the attached Letter of Agreement with The Puppet People, 1236 Waverly Place, Schenectady, NY.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 238 of 2017, a resolution authorizing Joyce Fifield and Donna Diviney to serve alcoholic beverages at a gathering to be held at Historic Grooms Tavern on September 22, 2017.

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

WHEREAS, Joyce Fifield, 11 Lace Lane, Clifton Park, and Donna Diviney, 3 Middletown Road, Waterford, are hosting a private celebration at the Historic Grooms Tavern on September 22, 2017 from 5:00 - 9:00 P.M., with approximately 50 people in attendance, and

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

RESOLVED, that the sponsoring parties are hereby authorized to serve beer and wine at a private celebration at Historic Grooms Tavern on September 22, 2017 from 5:00 - 9:00 P.M.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 239 of 2017, a resolution authorizing the Parks and Recreation Department to serve alcoholic beverages at Ladies' Night Out to be held at the Clifton Park Senior Community Center on November 3, 2017.

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

WHEREAS, the Department of Parks and Recreation is hosting a Ladies' Night Out at the Clifton Park Senior Community Center on November 3, 2017 from 5:00 - 8:00 P.M., with approximately 150 people in attendance, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that the sponsoring party is hereby authorized to serve beer and wine at Ladies' Night Out at the Clifton Park Senior Community Center on November 3, 2017 from 5:00 – 8:00 P.M.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 240 of 2017, a resolution authorizing the granting of a revocable license to maintain an existing barn structure encroaching on highway right-of-way.

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

WHEREAS, NYSTL 130 (f) through (h) provides authority to the Town Board to grant a revocable license to maintain an existing encroachment on highway right-of-way with the consent of the Highway Superintendent, and

WHEREAS, Dr. Simeon Slovacek and Camille Slovacek have applied to the Town Board for permission to maintain the existing exterior walls and structure of the "blue barn" at 82 Bradt Road, Rexford, and

WHEREAS, the existing exterior walls encroach on the town's right-of-way at 82 Bradt Road, and

WHEREAS, Dahn Bull, Highway Superintendent, has determined that the encroachment by the existing barn does not adversely impact the use of Bradt Road, and

WHEREAS, a public hearing was held on September 18, 2017 pursuant to NYSTL 130 (7) (g) to hear public comment on the application, and

WHEREAS, the application would enable the issuance of a building permit for internal improvements and installation of bathroom and plumbing facilities, but would not allow any additions to the building or modifications to the building's existing footprint; now, therefore, be it

RESOLVED, that the Town Board is authorized to issue the attached revocable license to Simeon and Camille Slovacek.

In response to question from the audience, it was stated the encroachment is on a town roadway not county. Discussion ensued regarding if this license goes with the land and what would happen if land was sold. Town Attorney McCarthy emphasized this is a Revocable 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 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 8:10 p.m.

Patricia O'Donnell
Town Clerk