

August 6, 2018

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.

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

Also Present: Town Attorney McCarthy
Dahn Bull, Superintendent of Highways
Michael O'Brien, Collections System Manager
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the July 16, 2018 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Abstain: Councilman Whalen

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilwoman Standaert reported this will be the fifth year of Youth Court. Recruitment will be starting with information meetings in September and training in October. Applications will be taken until October by contacting Councilwoman Standaert.

Supervisor Barrett reminded residents of the town Blood Drive scheduled for August 8th

The Supervisor gave an update on the town's initiative to purchase all street lights in town, noting he has received information from National Grid but still waiting to hear from NYSEG to move forward. This project will reduce energy consumption by 60 percent and save the town millions in energy usage and facilities charges.

Supervisor Barrett said the town is waiting for final approval from NYSERDA with regard to the LED installation project at the ice arena and basketball courts. He reviewed the progress of new equipment to be installed at the Kids' Corner playground. Supervisor Barrett reported the new floor will be installed in the Senior Center the last week of August. The Center's book sale saw a profit of \$1850.

Supervisor Barrett reminded residents of National Night Out to be held on Tuesday, August 7th from 6pm to 8pm. (Clerk's note: cancelled due to inclement weather).

Supervisor Barrett read the attached letter regarding town pools.

PRESENTATION BY ARENA REALTY GROUP AND CLIFTON PARK FAMILY ARENA

Matthew Chauvin introduced Steve Burke, managing partner of the Arena Realty Group and Clifton Park Family Arena, who will be taking over the rinks moving forward, and Kailie Romano, Manager of both rinks, and Mike Venezia, Operations Manager. Mr. Chauvin commended Scott Bobrow on his management and operation of the rinks. Steve Burke noted he has been in the area operating fitness and sports industry for 32 years has operated HealthPlex since 1988. He reported he has built and managed many facilities over the years. Mr. Burke stated he looks forward to enhancing the programs Mr. Bobrow has put in place. Kaelie Romano, no relation to Councilman Romano, noting her hockey experience, reviewed her experience in working in ice arenas and wants to focus on continuing the operations of arena and continue Mr. Bobrow’s work in his arena. Mike Venezia reviewed his experience and stated he is looking toward to working on the day to day operations. Mr. Chauvin asked the Supervisor to sign the documents to allow the continuity of the operation of the arenas. Supervisor Barrett reviewed the history of the arenas’ financials and operation. He reported the fiscal results have been “fantastic” since the management agreement with Mr. Bobrow was put in place and since that time the arena has experienced over \$428,000 in operating profits. Supervisor Barrett noted the arena is being used for full day camp and Shenendehowa Lacrosse during summer months. He thanked Scott Bobrow for his partnership over the years. Mr. Burke noted a number of the Health Plex members use the arena. He said he would like to look at a workshop with the full day camp.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 183 of 2018, a resolution correcting the employment step of lifeguards at the Clifton Park town pools.

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

WHEREAS, Town Board wishes to make step adjustments for several guards, reflecting their start and rehire dates for the pool season, and

WHEREAS, the Supervisor recommends changes to the employment steps of the following Lifeguards and Head Lifeguards as listed below:

Name	Pool	Step	Rate	Org. Hire Date	Lump Sum Payments
Samuel Radley	Barney Road	4	\$10.00	5/22/2015	\$64.38
Brenden Pickel	Barney Road	4	\$10.00	5/22/2015	\$73.13
Kerriann Rizzo	Barney Road	3	\$9.75	7/31/2016	\$33.50
Morgan Luibrand	Locust Lane	4	\$10.45	6/23/2015	\$65.75

Now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the correction of the employment steps for the above employees as they were listed in Resolution No. 114 of 2018 and Resolution No. 138 of 2018; and be it further

RESOLVED, that that they be paid the corrected rates for the 2018 pool season, and retroactively with lump sum payments, authorized as listed, to be paid from line A-7150-E4690 (Barney Road Lifeguards) and line A-7152-E4690 (Locust Lane Lifeguards).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett
 Noes: None

DECLARED ADOPTED

Resolution No. 184 of 2018, a resolution hiring WSI and YSI Instructors for individual swim lessons at town pools effective June 30, 2018.

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

WHEREAS, the Town Board wishes to hire instructors to teach individual swim lessons at town pools, and

WHEREAS, the Supervisor recommends that the following instructors be paid at the lesson unit rate of \$17 per half hour lesson;

Alaina Martin	2 Juniper Drive	Clifton Park, New York 12065
Amanda Pendergast	8 Nottingham Way North	Clifton Park, New York 12065
Meghan Pendergast	8 Nottingham Way North	Clifton Park, New York 12065
Elisabeth Schanz	4 Peck Lane	Clifton Park, New York 12065
Madeline Schanz	4 Peck Lane	Clifton Park, New York 12065
Victoria Silaika	39 Addison Way	Rexford, New York 12148

Now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the hiring of the above employees as individual swim instructors; and be it further

RESOLVED, that that they be paid the unit rate of \$17 per lesson from Budget Line A-7310-E4575 (Summer Rec. Programs-WSI Instructors).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 185 of 2018, a resolution authorizing the sale of equipment declared surplus by the Town Board and authorizing the Clifton Park Highway Department to sell the surplus equipment at public auction.

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

WHEREAS, Dahn Bull, Superintendent of Highways, has identified vehicles/equipment, per the attached, as surplus property, and

WHEREAS, based upon the recommendation of Superintendent Bull, the Town Board declares the items on the attached list used by various town departments as surplus; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Department to sell the surplus equipment, as is, through an upcoming online public auction.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 186 of 2018, a resolution authorizing Town Historian John Scherer to attend the Association of Public Historians Annual Conference.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, recommended that Town Historian John Scherer be authorized to attend the Association of Public Historians Conference in Rochester, New York, October 1 - 3, 2018, at a cost not to exceed \$675, and

WHEREAS, John Scherer's attendance at the Association of Public Historians Conference would confer a benefit to the town,

WHEREAS, Ms. Kramer recommends that John Scherer also be allowed to attend the annual association board meeting held one day earlier on September 30, 2018; now, therefore, be it

RESOLVED, that John Scherer is authorized to attend the Association of Public Historians Conference in Rochester, New York, September 30 - October 3, 2018 at a total cost not to exceed \$675 including registration, meals, lodging and transportation, to be paid from budget line item A-7510-001 (Historian-Training/Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 187 of 2018, a resolution awarding the contract for Email Hosting Services per Request for Proposals.

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

WHEREAS, on June 27, ICOM Tech Services, notified the town that they would cease operations, including the email hosting services on September 1, 2018, and

WHEREAS, the town published a Request for Proposal on July 9, 2018 in the Daily Gazette, NYS Contract Reporter, and on the town's website, seeking qualified proposals from qualified entities for the hosting of all town email accounts on a Microsoft Exchange Business Class hosting service with migration of existing data, and

WHEREAS, thirteen proposals were received by the July 25, 2018 deadline for responsive proposals, and

WHEREAS, the proposals were reviewed by a committee consisting of Comptroller Heggen, Town Attorney McCarthy, and Information Specialist Andrus for responsiveness to the RFP, price, level of service and support provided, experience and familiarity with the town's existing systems, and

WHEREAS, the committee recommended that the proposal from ABS Solutions be accepted as most responsive to the needs expressed in the Request for Proposals based on price, service, and migration capabilities; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the recommendation of the evaluation committee; and be it further,

RESOLVED, that the Supervisor is authorized to execute an attached engagement letter from ABS Solutions, 30 Corporate Circle, Ste. 107, Albany, New York, for email hosting services for town employees in the amount of \$16,200 annually, as well as \$4,545 in one-time charges for the migration of all existing data onto the new server and storage systems and activation fees, with a transfer from contingency with a total amount for 2018 of \$9,945.00 to A-1620-4 (Town Hall Bldg. Operations-Computer).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 188 of 2018, a resolution adopting Local Law No. 4 of 2018, a local law amending Chapters 11-4 and 5-6 of the Town Code regarding Emergency Services Advisory Board.

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

WHEREAS, provisions within Chapters 5 and 11 of the Town Code provide that all members of the town's Emergency Services Advisory Board shall be residents of the Town of Clifton Park, and

WHEREAS, members of the Board, as well as Fire Marshal Sheryl Reed, recommend the elimination of the residency requirement to enable member companies and districts with responsibilities within multiple municipalities to appoint senior members to the Advisory Board, and,

WHEREAS, on July 16, 2018, the Town Board held a public hearing to receive comment from members of the public on a proposal to eliminate the residency requirement for the Emergency Services Advisory Board, and

WHEREAS, the town wishes to adopt amendments to the Town Code to ease the appointment of senior members of the districts and companies comprising the first responder community to the Emergency Services Advisory Board; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 4 of 2018, a local law amending Chapters 11-4 and 5-6 of the Town Code regarding eliminating residency requirements to the Emergency Services Advisory Board, as attached, and be it further

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

Supervisor Barrett thanked Chairman Alan Atwell for bringing this change forward. Councilman Whalen thanked members of the ESAB for their volunteer service.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 189 of 2018, a resolution awarding a contract for weed control of the Clifton Knolls ponds.

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

WHEREAS, the town Stormwater Technician issued a request for proposals for triploid grass carp from DEC approved suppliers for weed control of the three town owned ponds in Clifton Knolls, and

WHEREAS, Scott Reese, Stormwater Technician, has reviewed the proposal submitted for the purchase and stocking of 190 triploid grass carp and recommends that Northeastern Aquatics be awarded the contract; now, therefore, be it

RESOLVED, that the contract to perform professional services relating to the purchase and stocking of weed controlling triploid grass carp for the Clifton Knolls ponds is hereby awarded to Northeastern Aquatics, Inc., Rhinebeck, NY, with funds not to exceed \$2,425 for stocking and delivery, \$1,925 to be paid from SP3-7131-024 (Clifton Knolls Park District-Clifton Knolls Contractual-General Maintenance) and \$500 to be paid from A-7190-24 (Golf Course-General Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 190 of 2018, a resolution to authorize a professional services agreement for preparing an application for grant funding under the New York State Department of Transportation Alternatives and Congestion Mitigation Air Quality Program.

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

WHEREAS, the Town Board wishes to seek funding for pedestrian enhancements to improve the Town Center's walkability under the federally funded TAP/CMAQ Program administered by NYS DOT, and

WHEREAS, on July 16, 2018, the Planning Department distributed a request for expressions of interest from qualified engineering and consulting firms for assistance in identifying potential projects and analyzing data and to support an effective application under the program, and

WHEREAS, pursuant to the request for expressions of interest, the initial work performed to support the town's application under the TAP/CMAQ Program will be performed without cost to the town, and

WHEREAS, Greenman-Pedersen, Inc. has submitted a qualifying expression of interest which demonstrates familiarity with the funding program and its qualifying criteria as well as a track record of successful engineering, design and construction support for pedestrian and bicycle mobility projects under this and similar programs; now, therefore, be it

RESOLVED, that the Planning Director is authorized to retain Greenman-Pedersen Inc. to assist the town in preparing an application for funding the Clifton Country Road Pedestrian Enhancements Transportation Alternatives Project under the NYSDOT TAP/CMAQ Program.

Director of Planning Scavo explained this grant would be 80 percent federal and 20 percent local match. He said recently the town has been notified of a \$400,000 award with 100 percent federal

funding, that will allow for pedestrian improvements from Clifton Country and Clifton Park Center Roads heading north along Clifton Country Road to Route 146. Mr. Scavo noted improvements will be made to bike/pedestrian connections to intersections and also looking at visual enhancements to encourage people to check down speeds. He explained Clifton Country Road is two-lanes in each direction giving the feeling of an open road even though the speed limit 30 miles per hour. The pedestrian amenities should remind drivers of other uses in the corridor. Councilman Whalen asked for examples of visual enhancements. Mr. Scavo responded supplementing tree plantings to give canopy appeal, striping and signage.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 191 of 2018, a resolution scheduling a public hearing to consider applications for the Conservation Easement program.

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

WHEREAS, the Town Board wishes to schedule a public hearing pursuant to Section 125-6 of the Town Code to hear public comment on applications by Edward Krawiecki for the inclusion of two properties within the town’s Conservation Easement term program, and

WHEREAS, the applicant has requested term conservation easement status for the following properties:

- Conservation Easement 67.46 Acres behind 929 Grooms Rd. (SBL 276.-1-80)
- Conservation Easement 20.30 Acres behind 937 Grooms Rd. (SBL 276.-1-65)

now, therefore, be it

RESOLVED, that a public hearing is scheduled for September 4, 2018 in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, at 7:05 PM to consider the above properties for inclusion in the Conservation Easement program, and be it further

RESOLVED, that the property owner give the notice to neighbors and other entities as provided in the town’s Conservation Easement legislation in advance of the public hearing, and 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. 192 of 2018, a resolution authorizing the retention of Focused Technologies to complete digital scanning services for Planning Department historical records.

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

WHEREAS, the Planning Department acquired new records management software and scanning services with the assistance of grant funding through the Local Government Records Management Improvement Fund (LGRMIF), and

WHEREAS, all grant project goals have been met with planning and zoning files dated between 1960 and 2008 electronically and digitally searchable, and

WHEREAS, the Planning Department wishes to complete the electronic scanning and storage of certain outstanding historical files, utilizing Focused Technologies as a NYS preferred source vendor, and

WHEREAS, Focused Technologies has proposed completing the work in partnership with New York State Industries for the Disabled at a contract price of \$5,045, and

WHEREAS, Planning Director John Scavo recommends proceeding with the electronic scan and storage of the remaining Planning Board files; now, therefore, be it

RESOLVED, that the proposal and quote from Focused Technologies, through NYSID, for the digital scanning and storage services be accepted in an amount not to exceed \$5,045, to be paid with a transfer of that amount from the Contingency account A-8021-15 (Planning-Other Contractual).

Director of Planning Scavo explained Focused Technologies is a preferred vendor. He explained about 80 percent of the firm's work force are permanently disabled adults working full time. He said a summer intern in the Planning Department doing quality control reviewed 105,000 standard size images and did not find one error in quality of work of Focused Technologies. He noted the speed in which electronic images can be mailed out.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 193 of 2018, a resolution authorizing an Engineering/Design Contract with MJ Engineering for the Moe Road Gap Closure Trail Project.

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

WHEREAS, the town has received a Transportation Alternatives Program and Congestion Mitigation/Air Quality Grant (TAP/CMAQ) Grant for the design and construction of the Moe Road Trail Southern Gap Closure project of a multi-use path extending from Okte Elementary School on Crescent Road to the intersection of Sugarbush Road and Moe Road in the southern part of Clifton Park, and

WHEREAS, the project will be federally funded administered through New York State Department of Transportation and contemplates an 80% federal commitment, with a 20% local match with the town paying all contractors invoices in the first instance, and

WHEREAS, the town wishes to engage MJ Engineering to prepare design drawings and as the engineer on the project, and

WHEREAS, NYSDOT has recommended that the town's design engineer be compensated on a fee plus cost consultant basis to ensure eligibility for federal reimbursement per program guidelines; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached Engineering Consultant Agreement with MJ Engineering for the design of the Moe Road Gap Closure Trail Project; and be it further

RESOLVED, that the comptroller is authorized to create a Capital Project Fund in the amount of \$181,000 for engineering/design services for the project.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett
Noes: None

DECLARED ADOPTED

Resolution No. 194 of 2018, a resolution authorizing the assignment of Ground Lease and Management Agreement for the ice arenas at the Clifton Common.

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

WHEREAS, by Resolution No. 71 of 2001, the Town Board authorized the execution of a Ground Lease with Clifton Park Ice Arena LLC, (CPIA) which provided for the construction of a second ice arena at the Common, and for its occupancy and operation by CPIA for a term of 30 years, with an option to extend for an additional 10 years, and

WHEREAS, Resolution No. 71 of 2001 also authorized an execution of a management agreement with Arena Management Group, LLC (AMG), a related entity, for the management of the town's adjacent ice arena, and the administration of the various hockey and ice skating programs at the existing facility, and

WHEREAS, by its terms, the lease term commenced upon issuance of all municipal approvals allowing for the construction and occupancy of the new arena building, which occurred with the issuance of the Certificate of Occupancy on August 22, 2002, and

WHEREAS, the ground lease provided for an initial rental payment of \$450,000, a \$500,000 payment at the 15 year point within the lease, and also provided for a \$300,000 option payment in exchange for a ten year extension of the initial term, and

WHEREAS, revenues from agreements with AMG and CPIA, including \$428,684 in operating profits from the management of the original arena, helped the town to retire over \$1.4 million of outstanding bonded debt for the construction of the original arena that existed at the inception of the agreements, and

WHEREAS, pursuant to the Management Agreement, AMG provides staff, maintenance and supplies for the administration of programs for Clifton Park Youth Hockey, adult hockey and the hosting of Shenendehowa High School competitive hockey, at a secure and stable facility that is properly equipped to provide a comfortable experience for players, fans and family throughout the fall and winter months, and

WHEREAS, the existing lease and management agreement with Arena Management and Clifton Park Ice Arena have resulted in expanded opportunities for recreational and competitive hockey at all levels for youth and adults, including programs for figure skating and learn-to-skate lessons on a year-round basis, as well as seasonal availability for expanded ice time for public skating at the second rink that was constructed, and

WHEREAS, the variety of activities has also expanded, with the Prestige Arena managed by Arena Management, now hosting Shen lacrosse club during spring and summer months, the town's full day camp, operating throughout the summer months, and

WHEREAS, the availability of dual ice arena facilities has allowed for ice access for recreational as well as competitive skating on a twelve-month basis, including skating days for full day campers, public skating, figure skating, and skill development for competitive hockey players at all levels, while additional recreational programs occur in the spring and summer months, and

WHEREAS, the Ground Lease and Management Agreement provide that the agreements may be assigned to successor entities only with Town Board approval, and

WHEREAS, CPIA has submitted a proposed assignment agreement by which CPIA proposes to assign its rights under the ground lease to occupy the arena which was constructed pursuant to that lease, to Arena Realty Group LLC (ARG) for the remaining term of years, as well as the option to extend, and

WHEREAS, the agreement between AMG and ARG provides that ARG will make the outstanding rent payment of \$500,000 to the Town of Clifton Park, as well as any option payments, and

WHEREAS, the proposed agreement also provides for the assignment of AMG's rights and responsibilities under the management agreement for the administration of programs and activities at the Prestige Services Arena to Clifton Park Family Sports Arena, LLC, at a monthly management fee of \$5,000, fixed for 7 years, and

WHEREAS, ARG also proposes to lease space in the former concession area /storage room at the Prestige Arena for the sum of an additional \$1,066.66 to provide enhanced fitness training and skills training for competitive hockey programs, and

WHEREAS, the Town Board is willing to consent to the assignment of the existing ground lease and management agreement under terms and conditions that will provide for the continued operation and growth of these and other programs; now, therefore, be it

RESOLVED, that the Town Board consents to the assignment of the rights to the remaining term of years under the existing ground lease for the Clifton Park Ice Arena from CPIA to Arena Realty Group, and agrees to accept \$500,000 in rent payment for the remaining term of years, through August 21, 2032, from ARG, and be it further

RESOLVED, that the Town Board consents to the assignment of the May 21, 2001 Management Agreement for the operation and management of the Prestige Ice Arena, as amended, to Clifton Park Family Sports Arena, LLC.; and be it further

RESOLVED, that the Supervisor is authorized to sign the attached Commercial Lease Agreement for 1600 sq. ft. of space in the former concession area at the Prestige Ice Arena at a rent of \$1,066.66 per month.

Supervisor Barrett expressed appreciation to Scott Bobrow for his partnership over the years.

Scott Bobrow gave the Supervisor a check in the amount of \$50,000. (Clerk's note: given to Comptroller's office August 7th.)

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett
Noes: None

DECLARED ADOPTED

Resolution No. 195 of 2018, a resolution awarding the quote for a feasibility study for remedial actions at the Riverview Landing Wastewater Treatment Plant.

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

WHEREAS, on April 10, 2018, the town's Sewer Department solicited proposals from consulting engineering firms for a feasibility study to evaluate and provide initial cost estimates for potential corrective actions to correct deficiencies in the operation of the plant, and

WHEREAS, Prime Engineering has submitted a responsive proposal in the amount of \$9,970, and

WHEREAS, Michael O'Brien, Collections System Manager, recommends that the proposal from Prime Engineers be accepted, and

WHEREAS, Prime Engineering, formerly John M. McDonald Engineers, has demonstrated familiarity with the plans and operation of the wastewater treatment plant and has assisted the town in the operation and maintenance of the system and plant to date; now, therefore, be it

RESOLVED, that the quote of Prime AE, 100 Great Oaks Blvd. Ste. 114, Albany, New York, is accepted, in an amount \$9,970; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$9,970 from assigned fund balance to G3-914 (Riverview Landing Sewer District-Assigned Fund Balance) to G3-8111-135 (Riverview Landing Sewer District-Sewer Contractual-Engineering) for the project.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett
Noes: None

DECLARED ADOPTED

Resolution No. 196 of 2018, a resolution authorizing the Supervisor to sign a change order for the wellhouse roof replacement project on Vischer Ferry Road.

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

WHEREAS, Resolution No. 2 of 2018 authorized a contract for the replacement of the roof at the wellhouse on Vischer Ferry Road in the amount of \$39,875 to Stephan Miller General Contractors, and

WHEREAS, the project is complete and Prime AE recommends release of outstanding contract retainage funds and execution of a change order, and

WHEREAS, the change order represents an overall reduction of \$1,912 in the contract price bringing total project cost to \$37,963; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 1, dated June 1, 2018 to Stephen Miller General Contractors; and be it further

RESOLVED, that the amount of \$1,898.15 be released from encumbrances and paid per the contract.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,

Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Bryan Geary, 170 Lake Ave, Saratoga Springs, noting he is a town pool employee, commended the Supervisor on the decision to reinstate Brian Czerpak and spoke in support of Brian, noting he is a mentor, coach and friend. Mr. Geary continued there are more issues that have been going on all summer; e.g. deadlines not met, communication has been disrespectful and inappropriate by town officials, neglected to receive simple supplies, including membership cards.

Supervisor Barrett responded he and Brian Czerpak will be working closely together and whatever needs are requested for the pools will be met. He said he has met with other pool managers and it is important to do more future planning.

Bernadette DiMaria, 53 Valencia Lane, employee of a town pool, asked that pool employees speaking this evening will not have their pool employment jeopardized. She reported the card readers have not been replaced which is an important part of how the pools are run.

Stephanie Morgan, 4 Evergreen Terrace, asked if there will be a public apology. She spoke in support of Mr. Czerpak. She stated private swim lessons have been going on for “decades”. She reported there have been no supplies as well as card printer. Supervisor Barrett explained there were issues that required him to get involved.

Jennifer Labonti, 9 Stuart Drive, Halfmoon, asked about private lessons.

Supervisor Barrett responded private lessons have been reinstated at \$20 per half hour with instructors paid \$17 for half hour lesson. He continued as hours are expanded to when lifeguards are not on duty then two lifeguards must be on the deck as well as the lifeguard in the pool. He said whoever signs up to participate can work.

Allan Robison, 29 Secada Drive, presented a statement, attached.

Valerie Plumundo, 9 Trevor Court, spoke in support of Mr. Czerpak and the importance of individual swim lessons. She said some parents can't make daytime hours for lessons. She asked what the liability was to the town.

Supervisor Barrett said if there is a service being provided by town employees, it should be offered to everybody. He stated not every guard giving lessons was certified and that is part of the liability. He noted there was no ill intent by any guards giving the lessons but important if there are town employees at a town facility providing a service that it be done through a town program. He said there have been no lifeguards from Country Knolls pool participating in the current town individual lessons. Supervisor Barrett said now that the Learn to Swim program is over, additional time has opened up for individual lessons in the morning during the week and on Saturdays depending on guard availability. The Supervisor noted they would be working outside of their scheduled hours. He noted sign ups for individual lessons can be made on line.

Supervisor Barrett said he understands there has been a disruption this year and apologized for anything that was done incorrectly by the town and the extent of mistakes made is regretful.

Al Czerpak, Balsam Way, father of Brian Czerpak, noted pool management requires certification, takes a great deal of training and expressed concern with Brian's treatment. Supervisor Barrett discussed the chlorine delivery issue. Mr. Czerpak said it seemed as though this year there was five to six layers of management for the pools.

Mary Lou Classen, 4 Blue Spruce Lane, said she hopes the town will do some kind of event in appreciation to make the situation right for the community.

Roberta Moses asked that the Burning Bush pool be somehow made handicap accessible.

Lisa Kenneally Dochat, 22 Hearthside Drive, spoke in support of Mr. Czerpak, noting he is a dedicated, hardworking, professional employee and a role model for lifeguards that serve under him. She expressed appreciation that he is coming back.

Sylvia Stoner Hawkings asked when private swim lessons will be given. Supervisor Barrett referred her to the town website which will show guard and time availability.

Debra Prudhomme, 27 Stoney Creek Drive, spoke in favor of the Barney Road lifeguards. She questioned why they are not paid minimum wage. Supervisor Barrett responded salaries have been increased and that will continue in the future. Government is not required to pay minimum wage. The Supervisor explained at the end of each year the Town Board assesses revenues and expenses and looks at the pay, not only for lifeguards but camp counselors as well, and decisions are based on that. He said the town tries to keep memberships reasonable and noted the kiddie pool liner at Barney Road was \$45,000.

Charles Prudhomme, 27 Stoney Creek Drive, asked if there was an overseer of all the pools. Supervisor Barrett responded yes. Mr. Prudhomme recommended that person should be at the pool a couple of times a week.

Natalie Plumondon, 9 Trevor Court, spoke in support of Mr. Czerpak and stated lifeguards are worth more than minimum wage.

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

Motion carried at 9:33 p.m.

Patricia O'Donnell
Town Clerk