

October 1, 2018

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:05 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
 Mark Heggen, Comptroller
 Daniel Clemens, Supervisor of Buildings & Grounds
 Steven Myers, Director of Building and Zoning
 Michael O'Brien, Collection Systems Manager

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the September 10 and 17, 2018 meetings 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 announced Shredding Day is scheduled for October 7 from 1 to 3 in the mall area. Donations of non-perishable items is requested and will be delivered to the Jonesville Food Pantry.

Councilwoman Standaert reported there is still time to join Youth Court, noting great attendance at the informational meeting. She said former members – judges and jurors - have said it has been a “life changing experience”.

Supervisor Barrett congratulated Janine Cammorata on the very successful Nick's Fight to be Healed event. He noted approximately \$50,000 was raised which supports families with cancer. A new award presented this year is the “Mike Handerhan #26” for the individual coming in 26th place in the race. This award is in memory and honor of former Buildings and Grounds Supervisor, Mike Handerhan, radio #26, who died of cancer in 2017, for all his work and assistance with previous Nick's Fight to be Healed events.

Supervisor Barrett reported the Tentative 2019 Budget is available for review, noting there will be no general fund property tax. The highway tax will likely increase about \$3 due to increase fuel and salt costs, the EMS tax will decrease to \$24.08/ \$1000. He reported the budget will change over the next month as union negotiations are ongoing.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 225 of 2018, a resolution authorizing the Assessor to re-levy the expense of repairs or maintenance against the land on which such buildings are located, as provided for in Section 77-12 of the Town Code.

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

WHEREAS, the Town Board adopted Resolution No. 40 of 2012 to respond to isolated incidents where the abandonment of properties or extended foreclosure process, results in neglect to real property, and

WHEREAS, Section 77-12 of the Town Code, as amended, requires that records of costs and expenses incurred in providing such maintenance be reported to the Town Board no later than November 1st of each year, and

WHEREAS, the Code Enforcement Officer has reported the identification of twenty-four (24) vacant, abandoned, or foreclosure properties meeting criteria outlined in Section 77-10, including one townhouse unit that posed an immediate hazard to public health, during the past year, and

WHEREAS, maintenance performed and contracted by the Buildings and Grounds Department pursuant to Section 77 of the Town Code, has been completed by the Department of Buildings and Grounds and the Department of Building and Development Zoning Code Enforcement on all twenty-four (24) properties at a cost of \$14,141.27, per the attached exhibit, and

WHEREAS, the code requires that the Town Board authorize the assessor to re-levy the unpaid bills on affected properties for the next tax roll to ensure re-payment to the town consistent with Resolution No. 40 of 2012, now, therefore, be it

RESOLVED, that the Town Board authorizes the Assessor to re-levy the unpaid bills on the respective properties as delineated on Attachment 1 to this Resolution for the 2019 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Town of Clifton Park.

Supervisor Barrett reviewed the maintenance and upkeep done on the properties. Director of Building and Zoning reported ten houses off the list this year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 226 of 2018, a resolution authorizing Delsignore Blacktop Paving, Inc. to repave the parking lot at Martin Jewitt Park on Longkill Road.

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

WHEREAS, Resolution No. 146 of 2017, awarded the bid for the 2018 Clifton Park highway paving contract to Delsignore Blacktop Paving, Troy, New York, pursuant to General Municipal Law Section 103, and

WHEREAS, the Town Board wishes to add Martin Jewitt Park on Longkill Road to the list of locations and streets to be repaved during the 2018 paving season, and

WHEREAS, Delsignore Blacktop Paving submitted a quote to complete the parking lot repaving in an amount not to exceed \$16,941.60, consistent with the 2018 bid on a time and materials basis, and

WHEREAS, there are sufficient funds to complete the work as submitted; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the 2018 contract for paving the parking lot at Martin Jewitt Park as awarded to Delsignore Blacktop Paving, Inc., not to exceed \$16,941.60, to be paid from SP5 7123-200 (Longkill I Park District-Contractual-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 227 of 2018, a resolution awarding the contract for the installation of LED lights at the recreational facilities on the Clifton Common to B&D Industries, Inc. and authorizing work to proceed.

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

WHEREAS, by Resolution No. 22 of 2018, the Town Board awarded a contract to Graybar Electric for the design and acquisition of LED lights to accomplish an energy efficiency project at the Prestige Ice Arena and basketball courts on the Clifton Common, and

WHEREAS, Graybar wishes to partner with B&D Industries for the installation work to be performed under the contract, and

WHEREAS, by Resolution No. 137 of 2018, the Town Board accepted a Clean Energies Communities grant from NYSERDA for the funding of the project based on energy efficiencies to be achieved and minimum performance requirements, resulting in energy savings associated with the lower operation cost of LED lighting, and

WHEREAS, NYSERDA has reviewed the contract and scope of work, and has authorized work to proceed and expenditures to be made pursuant to the grant funding for the project; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached Construction Services Contract with B&D Industries for the installation of LED lighting and associated electrical work for the project; and be it further

RESOLVED, that the Comptroller is authorized to pay an amount not to exceed \$34,799 to B&D Industries, Inc. from A-7112-241 (General Fund-Clifton Common-General Maintenance).

Supervisor Barrett explained the town has been awarded \$50,000 grant from NYSERDA which will allow the current lighting at ice arena and basketball court be replaced with LED lighting, thereby allowing for better lighting and reducing energy consumption and cost. He said he would like to have more outdoor evening basketball available.

ROLL CALL VOTE

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

DECLARED ADOPTED

Resolution No. 228 of 2018, a resolution awarding the contract for the purchase of a new flow meter for the sewer line at the Glenville town line.

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

WHEREAS, Michael O'Brien, Collection Systems Manager, has determined that the current unit is no longer functioning to its full capacity, nor is it supported by the original manufacturer, and

WHEREAS, quotes for compatible replacements were obtained, and

WHEREAS, Pertech Inc., 586 N. French Road, Suite 6, Buffalo, New York, submitted the lowest price of vendors supplying a compatible flow meter, as well as service and field calibrations, and

WHEREAS, Prime Engineering has reviewed the submitted quotes and has determined that Pertech Inc. is qualified to do the work for which they submitted a quote and finds the price to be reasonable and justified for the work involved, and therefore recommends awarding the contract to Pertech Inc.; now, therefore, be it

RESOLVED, that the Town Board, hereby awards the contract for the replacement of the existing flow meter system to Pertech Inc. as per the documents attached, in an amount not to exceed \$4,000; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$520 from G-915 (Rivercrest Sewer District Fund Balance), \$2,480 from G1-8111-24 (Olde Nott Sewer District – Sewer Contractual – General Maintenance), and \$1,000 from G9-8111-24 (Rivercrest Extension #1 Sewer District – Sewer Contractual – General Maintenance) to G8111-200 (Riverview Sewer District – Sewer Contractual - Equipment) to pay invoices not to exceed \$4,000.

Mr. O'Brien explained the work involved and noted town employees are capable of installation.

ROLL CALL VOTE

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

DECLARED ADOPTED

Resolution No. 229 of 2018, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for a sewer main break along Clifton Country Road.

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

WHEREAS, a sewer system blockage in the area of Clifton Country Road was identified in Summer 2018, and

WHEREAS, subsequent investigation and camera inspection revealed a complete obliteration of the town's sewer line on Clifton Country Road near the main theater entrance to the Clifton Park Center Mall, and

WHEREAS, excavation and comparison with Dig Safely tickets, as well as surface markings intimated that work on behalf of New York State Electric and Gas (NYSEG) was responsible for the damage to the 8" sewer main at the location, 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 the public, the Town Board may authorize the purchase of service, material and equipment without competitive bids, and

WHEREAS, by Resolution No. 54 of 2015, the Town Board accepted bids from contractors, including Tom Kubricky Company (TKC), for emergency repair work for the Sewer Department on a time and materials basis, and

WHEREAS, TKC performed excavation and repairs to the sewer main on September 17, 2018 on an emergency basis pursuant to the existing bids; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to the Clifton Country Road sewer at Clifton Country Road as determined on September 12, 2018 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 \$17,000 from G8-8111-200 (Clifton County Road Sewer-Sewer Contractual-Equipment) to G8-8111-21(Clifton County Road Sewer - Sewer Contractual-Emergency Repairs) to allow payment to Tom Kubricky Company for the work associated with this repair; and be it further

RESOLVED, that the Town Attorney's office is authorized to pursue NYSEG and related contractors for reimbursement of expenses caused by damage to the sewer main.

Superintendent Bull noted if repaired the cost would be \$14,000.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 230 of 2018, a resolution re-allocating funds from the Line A-5132-24 (Garage/Highway-General Maintenance), to Line A-5132-200 (Garage/Highway-Equipment).

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

WHEREAS, Dahn Bull, Superintendent of Highways, has requested a re-allocation of funds to provide for the purchase of a 100 Ton Press for the Welding and Fabricating Shop, and,

WHEREAS, this purchase is needed to replace the current press which is beyond repair, and

WHEREAS, this press is used to repair many of the parts and structures for the plows, wings and frames of the plow truck fleet, and

WHEREAS, there are not enough funds in the A-5132-200 (Garage/Highway-Equipment) budget line to purchase this piece of equipment; now, therefore, be it

RESOLVED, that the Town Board approve the re-allocation of \$4,301.82 from the A-5132-24, (Garage/Highway-General Maintenance) to A-5132-200 (Garage/Highway-Equipment), for the purpose of replacing the hydraulic press in the Fabricating and Welding Shop.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 231 of 2018, a resolution increasing Consolidated Highway Improvement Program 2018 (CHIPS) Expenditures (DA-5112-015) to \$460,009.65 and to increase Revenues (DA-3501) to \$460,009.65.

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

WHEREAS, the State of New York has made funds available to Clifton Park through CHIPS, PAVE-NY and Emergency Weather Recovery funding for the 2018-2019 State Budget, and

WHEREAS, the State of New York has allotted \$327,535.08 in CHIPS, \$74,763.14 in PAVE-NY and \$57,771.43 in Emergency Weather Recovery funding for the Town of Clifton Park, and

WHEREAS, the budget originally adopted by the Town of Clifton Park for CHIPS, PAVE-NY and Emergency Weather Recovery expenditures and revenues is \$401,960, and

WHEREAS, in 2017, the Clifton Park Highway Department accepted an additional 1.1 miles of road dedications and corrected the New York State Department of Transportation's road inventory with an additional 2.85 miles of roads; now, therefore, be it

RESOVLED, that 2018 CHIPS Expenditures (DA-5112-015) is hereby increased to \$460,009.65 and Revenues (DA-3501) is increased to \$460,009.65.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 232 of 2018, a resolution authorizing Cory Schumacher the time to attend a training class for a Class A Commercial Driver's License.

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

WHEREAS, Superintendent of Highways Dahn Bull, is recommending that current and future Highway employees seek a Class A Commercial Driver's License, and

WHEREAS, Cory Schumacher, a Motor Equipment Operator with the Highway Department, has expressed interest in training, testing and being licensed for a Class A Commercial Driver's License, at his own expense, and

WHEREAS, these trainings, classes and testing occur during work hours, and
WHEREAS, Class A Commercial Drivers licenses are necessary to drive several of Highway Department vehicles, and recent retirements have left the department with fewer Class A qualified drivers; now, therefore, be it

RESOLVED, that Cory Schumacher is hereby authorized to attend the Class A Commercial Driver’s License course through CDL School of Menands, located at 381 Broadway #15, Menands, NY, with the time allowed for the class not to exceed 88 hours; and be it further

RESOLVED, that such time is not to be deducted from accrued Leave With Pay pending successful completion of the course and attainment of a Class A Driver’s License, per the attached Exhibit A.

ROLL CALL VOTE

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

DECLARED ADOPTED

Resolution No. 233 of 2018, a resolution authorizing the Town Supervisor to file commitment documents with Saratoga County for collection of the town’s share of the 2019 Sales Tax Revenues.

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

WHEREAS, the Town of Clifton Park is required to file commitment papers regarding the collection of sales tax revenue for 2019; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the collection of sales tax revenue, to be paid in cash for 2019, from Saratoga County; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to file the appropriate documents of commitment with Saratoga County.

ROLL CALL VOTE

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

DECLARED ADOPTED

PUBLIC PRIVILEGE

Colby Wild, Wilshire Dr., questioned the cost and savings of the installation of LED lights. Supervisor Barrett said grants has been received for the ice arena and basketball courts. He explained the cost of the street lighting and savings over the years.

Deb L’Amoureux, Partridge Glen, expressed concern with the proposed round-a-bout at Rts. 146/146A and asked if there is another solution. Supervisor Barrett explained this is a NYSDOT project and though the town and residents had input, it is DOT’s decision.

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 7:57 p.m.

Patricia O’Donnell
Town Clerk