

TOWN OF CLIFTON PARK TOWN BOARD MEETING

October 7, 2019

- I. Call to Order/7:00 P. M.**
- II. Pledge to Flag**
- III. Roll Call**
- IV. Approval of Town Board Minutes**
- V. Communications/Announcements**
- VI. Business**
 - **Resolutions for Consideration**
 - **Other Business**
- VII. Open Public Privilege**

NOTE:

Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard. and asks that the public refrain from conducting side meetings within the meeting room. In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

- VIII. Adjournment**

Resolutions for Consideration
Clifton Park Town Board Meeting
October 7, 2019

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|---------------------------|--|------------|
| 1. Supervisor | Authorize the Supervisor to sign (2) PILOT Agreements with Borrego Solar for Lindsey Farms property on Grooms Road | P. Barrett |
| 2. Supervisor | Authorize the release of Incentive Program Agreement for afarmland protection program at Lindsey Farm property on Grooms Road | |
| 3. Planning | Authorize the Supervisor to sign a professional services agreement with Environmental Design Partnership to evaluate a possible water district extension along a portion of Hubbs Road | P. Barrett |
| 4. Building & Development | Authorize the Assessor to levy costs for care and supervision of abandoned properties | P. Barrett |
| 5. Parks & Recreation | Auhorize the hiring of Jacob Paniccia as a counselor aide at the Adventure Challenge Course | P. Barrett |
| 6. Highway | Authorize Consolidated Highway Improvement Program (CHIP) revenue and expenditures | P. Barrett |
| 7. Highway | Authorize the hiring of Motor Equipment Operators and reclassification of a highway department employee | P. Barrett |
| 8. Highway | Declare Lead Agency and adopt a determination of significance under SEQRA culvert repair and replacement at Bruno, Plank and Nadler Roads | P. Barrett |
| 9. Buildings & Grounds | Authorize the purchase of a Golf Lift from MTE Green Mountain, Cohoes, NY | P. Barrett |
| 10. Buildings & Grounds | Authorize the rehiring of Christopher Daniels as laborer for the golf course though the end of the 2019 season | P. Barrett |
| 11. Buildings & Grounds | Declare 4 items as surplus equipment to be sold at auction | P. Barrett |

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| 12. Buildings & Grounds | Accept a quote from Sealcoating Services of Clifton Park for repair and resurfacing of tennis and basketball courts at Longkill II Park District | P. Barrett |
| 13. Buildings & Grounds | Accept a quote from Belleard Contracting of Clifton Park for removal and replacement of windows at the Clifton Park Senior Community Center | P. Barrett |

Resolution No. _____ of 2019, a resolution approving an agreement for payment in lieu of taxes with Borrego Solar/ Clifton Park Solar 1 LLC and Clifton Park Solar 2 LLC.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Section 487 (9) of the New York State Real Property Tax law authorizes Municipalities to enter into Payment in Lieu of Tax Agreements (PILOT) with Solar Energy developers within each taxing jurisdiction, under certain circumstances, and

WHEREAS, in July 2018, Borrego Solar 1460 Broadway, New York, New York 10036, applied for Subdivision and Site Plan approval, and has been issued a Special Use Permit for the construction of two Solar Energy projects at 753 Grooms Road, totaling 7 MW capacity, and

WHEREAS, Borrego Solar LLC has established Clifton Park Solar 1 LLC and Clifton Park Solar 2 LLC as operating companies to construct and hold the improvements related to the solar arrays and related equipment, accessories and improvements, and

WHEREAS, the Town Board wishes to enter into PILOT Agreements with both operating companies pursuant to RPTL § 487(9) ; for the respective Lease areas designated for each project, as described in Exhibit A to each agreement, now therefore be it

RESOLVED that the Supervisor is authorized to execute the attached PILOT agreements in the amount of \$ \$30,000 and \$12,000 annually respectively, with 2% annual increases, for a 15-year Term, attached.

Resolution No. _____ of 2019, a resolution authorizing the Supervisor to sign a release of an Incentive payment agreement pursuant to the New York State Department of Agriculture and Markets' Round 13 Farmland Protection Implementation Grant Program:

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, pursuant to Resolution No. 191 of 2014, the Town Board authorized the Supervisor to apply to the New York State Department of Agriculture and Markets for grant funds under its farmland incentive protection program; and

WHEREAS, the Town of Clifton Park was awarded such grants on or about February 15, 2015; and

WHEREAS, by Resolution No. 59 of 2016, the Town Board authorized the execution of an Incentive Payment Agreement to implement Incentive Grant funding for Lindsey Farms property at 753 Grooms Road, which was filed with the Saratoga County Clerk, and

WHEREAS, the incentive payment agreement provided \$6,700 in annual payments conditioned upon the property being worked as a working farm throughout the term of the agreement, and

WHEREAS, the Town was notified that the Grantee wished to terminate his participation in the program to utilize the property for a solar energy project in contravention of the terms of the incentive agreement, and

WHEREAS, the Town has been repaid the sum of \$20,100, representing all payments made pursuant to the program, now therefore, be it

RESOLVED, that the Town Board terminates the Incentive Agreement Pursuant to Round 13 of the NYS Agriculture and Markets Farmland Protection Implementation Program, attached, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Release of same to be filed with the Saratoga County Clerk releasing the obligation created by the filing of the Incentive agreement on October 17, 2016.

Resolution No. _____ of 2019, a resolution to retain Environmental Design Partnership, LLP., for professional engineering services to evaluate the feasibility of a water district extension along Hubbs Road, Clifton Park, NY.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, residents within the Hubbs Road Corridor have expressed interest in determining costs and funding for a potential project to bring public water to homes within the corridor through a water district extension, and

WHEREAS, the Town Board wishes to explore the feasibility of a possible water district extension along Hubbs Road, and

WHEREAS, Environmental Design Partnership, LLP., has proposed a scope of work and cost estimates to explore the costs associated with a water line extension within the proposed project area and present those findings at a public information meeting, and

WHEREAS, the Town Board will determine whether to proceed with a formal Map, Plan, and Report and advance the project based on the results of the initial investigation and feedback from residents within the project area; now, therefore be it

RESOLVED, that the Town Board hereby authorizes Environmental Design Partnership, LLP., to provide professional engineering services to determine a cost estimate for a map, plan and report and subsequent water line extension within the project area, and to conduct a public meeting to provide an overview of the contemplated water district extension at a cost not to exceed \$4,500; and be it further,

RESOLVED, that the Comptroller is authorized to offset the costs of the scope of work to be paid from budget line item expenditure account #A-1440-135 (Engineering Services).

Resolution No. _____ of 2019, a resolution authorizing the Assessor to re-levy the expense of repairs or maintenance against the land on which such building is located, as provided for in Section 77-12 of the Town Code.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, in February of 2012, 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 (10) vacant, abandoned, or foreclosure properties meeting criteria outlined in Section 77-10, 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 Zoning Code Enforcement on all (10) properties at a cost of \$7,380.00, 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 2020 Town and County Tax bills; and be it further

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

Resolution No. _____ of 2019, a resolution authorizing the hiring of Jacob Paniccia as an Adventure Challenge Counselor Aide for the remainder of the 2019 season.

Introduced by, who moved its adoption, seconded by _____.

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has identified the need for additional staff to conduct the Adventure Challenge Course for 2019, and

WHEREAS, Ms. Kramer has recommended that Jacob Paniccia, 12 Sandpiper Lane, Rexford be hired as an Adventure Challenge Counselor Aide for the 2019 Project Adventure Program, now, therefore, be it

RESOLVED, that Jacob Paniccia be appointed to as a Counselor Aide, retroactively from August 20, 2019 through October 31, 2019, to be paid from A-7621-E2360 (Adventure Challenge Staff - \$9.75/hour).

Resolution No. _____ of 2019, a resolution increasing Consolidated Highway Improvement Program 2019 (CHIPS) Expenditures (DA-5112-015) to \$460,326.36 and to increase Revenues (DA-3501) to \$460,326.36.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the State of New York has made available to Clifton Park CHIPS, PAVE – NY and Emergency Weather Recovery funding in the 2019 – 2020 State Budget, and

WHEREAS, the State of New York has allotted \$327,753.23 in CHIPS, \$74,799.70 in PAVE-NY and has now added \$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, and PAVE-NY is \$405,000 now, be it

RESOLVED, that 2019 CHIPS Expenditures (DA-5112-015) is hereby increased by \$57,772 to \$460,327, and also increase Revenues (DA-3501) by \$57,772 to \$460,327 to arrive at a total of \$460,327 for each line.

Resolution No. _____ of 2019, a resolution authorizing the Superintendent of Highways to hire Motor Equipment Operators and reclassify a current employee in the Highway Department.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, after two retirements and a resignation, openings exist in the Highway Department for Motor Equipment Operator, and,

WHEREAS, Superintendent of Highways, Dahn Bull, has recommended the hiring of the following individuals:

<u>Name</u>	<u>License Type</u>	<u>Address</u>	<u>Start Date</u>
Zachary Kusaywa	Class A	608 Cindy Lane, Ballston Spa	10/8/2019
Robert Hollner, Jr.	Class B	262 Rowland Street, Ballston Spa	10/21/2019
Connor Bense	Class B	23 Crestwood Drive, Clifton Park	10/21/2019

And,

WHEREAS, Mr. Kusaywa is a graduate of the Shenendehowa School District and has six years' experience as a Class A Driver, with endorsements for Airbrakes, Tanker, Trailer, and others, while bringing with him many important skills associated with operation of Highway vehicles, and,

WHEREAS, Mr. Hollner, is a graduate of the Shenendehowa School District and Hudson Valley Community College where he studied Construction Management who has previously worked as a wingman for the Clifton Park Highway Department, and,

WHEREAS, Mr. Bense is a graduate of the Shenendehowa School District and has been working in the field of vegetation management as well as emergency storm response for two years, and,

WHEREAS, Mr. Andrew Jerome, has requested a reclassification in title from Automotive Mechanic to Motor Equipment Operator, and Superintendent Dahn Bull recommends a reclassification in title; now, therefore be it,

RESOLVED, that the Town Board authorize the hiring of Zachary Kusaywa, Robert Hollner, Jr., and Connor Bense as Motor Equipment Operators, at Grade 5, Step 1, at a Salary of \$47,439.00, at a rate of \$22.72/hr., effective on the above-mentioned dates; and be it further,

RESOLVED, that these salaries be paid from General Repairs (DA-5110-E1500) in the amount \$9,814.00, and Winter (DA-5142-E1500) in the amount of \$19,449.00, in accordance with the attached Salary Allocation Document, and be it further,

RESOLVED, that Andrew Jerome be reclassified as a Motor Equipment Operator from an Automotive Mechanic, changing his Grade, Step and year in step from Grade 6, Step 3, Year 3, to Grade 5, Step 5, year 3, at a rate of \$25.08 per hour.

Resolution No. of 2019, a resolution determining that proposed installation of Box culverts at Bruno Road, Plank Road and Nadler Road for the improvement of stormwater drainage systems to mitigate the flooding of Town roads and infrastructure in the area constitute a Type II Action pursuant to the New York State Environmental Quality Review Act.

Introduced by _____ who moved its adoption, seconded by _____.

WHEREAS, the Highway Department is pursuing a project to install box culverts in the above identified areas for the purpose of improvement in stormwater retention and to mitigate excessive flooding of Town Roads in the areas referenced above, and

WHEREAS, the project consists of Re-paving existing roads not involving the addition of new travel lanes, and street openings and right-of-way openings for the purpose of repair and maintenance of existing utility facilities, and

WHEREAS, Highway Superintendent Dahn Bull recommends that the project be classified as a type II action pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and

WHEREAS, the Town Board has reviewed the SEAF prepared by the Highway Superintendent and correspondence dated September 25, 2019 describing the project, and accepts the recommendation for classification of the project under SEQRA; now, therefore, be it

RESOLVED,

1. The Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(4) & 617.5 (c),(5) as it constitutes the replacement, rehabilitation or reconstruction of equipment, in kind, on the same site, and no further action under the SEQR Act and the Regulations is required.
2. This Resolution shall take effect immediately.

Resolution No. _____ of 2019, a resolution authorizing the purchase of a 2 column lift from MTE Turf Equipment Solutions, and authorizing a transfer from contingency.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, solicited quotes for a turf equipment lift for use when repairing and servicing mowing equipment, and

WHEREAS MTE Turf Equipment Solutions, submitted the lowest quote for the lift, at a total cost not to exceed \$5,998.00, and

WHEREAS, Daniel Clemens has recommended the equipment be purchased from MTE Equipment Solutions, 10 Green Mountain Drive, Cohoes, NY; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor of Buildings & Grounds to purchase the snow throwing equipment from MTE Turf Equipment Solutions, in a total amount not to exceed \$5,998.00, with a transfer from contingency to A-7110-200.

Resolution No. _____ of 2019, a resolution hiring returning part-time Golf Course Attendants for the Barney Road Golf Course for the 2019 Season.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to rehire seasonal staff for the remainder of the season at the Barney Road Golf Course,

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds has recommended that Christopher Daniels, 2C Cinnamon Dr., Ballston Lake, be rehired as a laborer for the golf course, now therefore be it

RESOLVED, that authorization is hereby given to retain Christopher Daniels as a laborer for the Barney Road Golf Course, effective April 1, 2019 through the remainder of the 2019 season to be paid \$12.50/hour from A-7190-E4000.

Resolution No. _____ of 2019, a resolution authorizing the sale of equipment declared surplus by the Town Board and authorizing Departments to sell the surplus equipment at public auction.

Introduced by _____, who moved its adoption, seconded _____.

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds has identified vehicles/equipment per the attached, as surplus property, and

WHEREAS, based upon the recommendation of Mr. Clemens, the Town Board declares the items on the attached list as surplus; now, therefore, be it

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

Resolution No. _____ of 2019, a resolution authorizing Sealcoating Services of Clifton Park to resurface the tennis and basketball courts at the George T. Smith Park in the Longkill II Park District.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board, as commissioners of the Longkill II Park District, wish to authorize improvements to the tennis and basketball courts at George T. Smith Park on Main Street, and

WHEREAS, the Department of Buildings and Grounds solicited quotes for resurfacing the ball courts at the park, and

WHEREAS, Sealcoating Services of Clifton Park submitted the sole quote to resurface and repaint the Jewett Park courts in an amount not to exceed \$19,150.00, and

WHEREAS, there are sufficient funds in the park district's assigned fund balance to complete the work as submitted; now, therefore be it

RESOLVED, that the Supervisor is authorized to sign the 2019 estimate for resurfacing the tennis and basketball courts in George T. Smith Park, not to exceed \$19,150.00, to be paid with a transfer from assigned fund balance SP6-915 to SP6-7124-200.

Resolution No. _____ of 2019, a resolution authorizing the replacement of windows for the Clifton Park Senior Community Center by Belleard Contracting.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Supervisor wishes to replace windows in the Senior Community Center,
and

WHEREAS, quotes were obtained for replacement windows July of 2019, and

WHEREAS, Daniel Clemens, Superintendent of Buildings and Grounds recommends that Belleard Contracting of Clifton Park, NY be authorized to replace the windows, for an amount not to exceed \$14,203; now, therefore, be it

RESOLVED, that the replacement of windows within the Clifton Park Senior Community Center is awarded to Belleard Contracting, 40 Dunsbach Road, Clifton Park, at a cost not to exceed \$14,203 to be paid from A-1624-200.