

May 6, 2019

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  
Councilwoman Standaert  
Councilman Romano  
Councilwoman Walowit  
Town Clerk O'Donnell

Absent: Councilman Whalen

Also Present: Town Attorney McCarthy  
Dahn Bull, Superintendent of Highways  
Mark Heggen, Comptroller  
Steven Myers, Director of Building and Zoning  
Louis Pasquarell, Safety and Security Director

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the April 8 and April 15, 2019 meetings as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilwoman Standaert thanked the over 100 people who volunteered for the Clean-Up Day on May 4<sup>th</sup>, noting it was a great effort by all. Supervisor Barrett thanked Councilwoman Standaert for her work on coordinating the volunteers.

The Supervisor commended the Clifton Park Community Chorus on their recent concert, noting it was in memory of longtime accompanist Dian Dippold.

Supervisor Barrett thanked the volunteers and all who donated food for the Jonesville Food Pantry on Shredding Day, noting this will be held again in the fall.

The Supervisor thanked all who attended and took part in the 37 acres workshop. He said for those who couldn't attend, a survey is offered online. He reported a Design Charrette Open House will be held June 5 between 3:00 and 7:00 pm.

Councilwoman Standaert said a recruiting effort is underway for volunteer firefighters in all districts.

PRESENTATION

Supervisor Barrett presented the following Resolution to Phillip Brousseau in recognition of his 40 years with the Vischer Ferry Fire Department, noting his dedication and service.

Resolution No. 119 of 2019, a resolution recognizing Philip Brousseau for 40 years of service and leadership to his community.

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

WHEREAS, servant leadership is a leadership philosophy in which the main goal of the leader is to serve, and

WHEREAS, the servant leadership philosophy uses a set of practices that enrich the lives of individuals, while building better organizations and ultimately creating a safe and caring world for all, and

WHEREAS, for over 40 years Philip Brousseau has exemplified this philosophy, serving as a volunteer in the Vischer Ferry Volunteer Fire Company, and

WHEREAS, during this time, Mr. Brousseau has served one year as President, ten years as Chief of the Department, 26 years as a Chief Officer, and 33 years as an Officer, and

WHEREAS, Philip Brousseau is recognized by his brothers and sisters in the fire service as a role model and an example to strive to become, and

WHEREAS, Philip Brousseau also serves the greater community of Saratoga County as a Desk Officer with the Office of Saratoga County Sheriff, and

WHEREAS, Mr. Brousseau has further contributed his time and expertise to the Town of Clifton Park first as a member of the Emergency Services Advisory Board, and now as representative on the Clifton Park Citizen Corps Council – Disaster & Emergency Preparedness Board, and

WHEREAS, Philip Brousseau has enriched our community by contributing to its safety and well-being for all; now, therefore, be it

RESOLVED, that the Town Board of Clifton Park thanks Philip Brousseau for over 40 years of volunteer firefighting service to the residents of Clifton Park and are honored to have him in our community.

Mr. Brousseau thanked the Town Board for this recognition, noting it is important to give back to the community and said he joined the fire department when he was 17. He thanked his family and all members of the Vischer Ferry Fire Department for their support over the years.

Zach Zambri, Vischer Ferry Fire Department Firefighter, praised Mr. Brousseau's service, and especially as Chief Officer for 26 years, noting that commitment means being at the firehouse for five to six nights a week.

Supervisor Barrett thanked all the firemen and the members of the Women's Auxiliary for their service and the sacrifice of family time.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

ARBOR DAY POSTER CONTEST WINNERS

Supervisor Barrett and Lori Hughes of Department of Parks and Recreation presented awards to 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> place winners in grades Kindergarten/First, Second/Third and Fourth/Fifth.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 120 of 2019, a resolution scheduling a public hearing on a proposal to add a non-resident rate to the Transfer Station fee schedule.

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

WHEREAS, Chapter 97-3(A) of Town Code contains the fee schedule for residents wishing to utilize the Transfer Station, and

WHEREAS, the Transfer Station has experienced a decline in use from the sale of regular use permits, while the number of permits sold at the discounted rate for senior citizens has increased, and

WHEREAS, the Town Board wishes to offer non-residents the opportunity to use the Transfer Station to generate additional revenues by offering services on a broader basis, and

WHEREAS, the Town Board wishes to schedule a public hearing on a proposal to add a fee that allows non-residents to apply for a Transfer Station permit, as attached; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for May 20, 2019, at 7:05 P.M. in the Wood Memorial Room on a proposal to amend the fee schedule for the Transfer Station; and be it further

RESOLVED, that the Town Clerk is directed to publish notice of the proposal, attached.

Supervisor Barrett said there has been a decline in permits at the regular rate due to increased competition of new private haulers offering lower charges, people not wanting to put garbage in a car, and residents aging into the half price senior rate. He said the non-resident permits will be offered at a flat rate of \$150 per year and limited to 100 non-residents initially.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 121 of 2019, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for a repair to a culvert within the Mill Creek subdivision.

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

WHEREAS, on March 15, 2019 the Highways Superintendent was notified that a portion of the road in front of 4 Orchard Park Drive was collapsing, and

WHEREAS, on March 20, 2019 the sinkhole had expanded to an area of nearly 50 square feet in size, and crews discovered that a culvert pipe under a heavily traveled roadway in a large development had collapsed and water was running directly under the roadway causing constantly deteriorating conditions throughout the day, 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, the rapid deterioration of the roadway of Orchard Park Drive, due to erosion caused by the active stream directly beneath the surface, presented an emergency under the statute, and

WHEREAS, Dahn Bull, Highways Superintendent, engaged Tom Kubricky Co. for emergency repair work to perform excavation and repairs to the culvert on a time and materials basis pursuant to correspondence dated April 10, 2019, attached; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to the culvert at 4 Orchard Park Drive, as determined on March 20, 2019, 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 pay to Tom Kubricky Co. an amount not to exceed \$55,764.25; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$34,897.25 from DA-05110-00024 (Highway-General Repairs-General Maintenance) to DA-05110-00021(Highway-General Repairs-Emergency Repairs) for the project.

Superintendent of Highways Bull explained 30 year old pipes fell apart.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 122 of 2019, a resolution approving an agreement with Miss Shen Softball for sponsorship of grant funding for the construction of a three-season batting cage facility on the Clifton Common in honor of Deanna Rivers

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

WHEREAS, Senator James Tedisco has secured funding for the construction of an indoor, three-season batting cage and training facility at the Clifton Common to honor the memory of Deanna Rivers, and

WHEREAS, Miss Shen Softball League has asked the town to partner with the league on the project, and for approval to construct the facilities at the softball complex on the Common, and

WHEREAS, the Town Board supports the project as an appropriate remembrance for Deanna Rivers and as a positive addition to the softball complex at the Clifton Common, and has

agreed to act as program sponsor for the application to advance the project to the New York State and Municipal Facilities Program, and

WHEREAS, the town has retained MJ Engineering to provide consulting services and to prepare bid documents for the project, and

WHEREAS, MJ Engineering have provided an initial engineer's estimate, projecting total costs of \$110,000 for the construction of an enclosed, three-season batting cage and pitchers' battery facility to be constructed as the Deanna Rivers Training Center within the softball complex, and

WHEREAS, Miss Shenendehowa Softball Inc. has agreed to provide funding for the project which exceeds available grant funding, and

WHEREAS, the parties wish to memorialize their agreement to jointly pursue the project in honor of Deanna Rivers, a longtime player and member of Miss Shen Softball, whose commitments to her community and to her school continue to inspire players and students throughout the greater Clifton Park community; now, therefore, be it

RESOLVED, that the Town Board supports the project to design and construct a batting cage facility on the softball complex at the Clifton Common to be named The Deanna Rivers Training Center; and be it further

RESOLVED, that the Supervisor is authorized to sign the attached Memorandum of Agreement for the administration of the project and funding support from Miss Shenendehowa Softball, Inc.

Supervisor Barrett expressed appreciation to Senator Tedisco for his efforts in securing the grant.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 123, 2019, a resolution authorizing the Receiver of Taxes and Assessments to attend the New York State Association of Tax Receivers and Collector's Seminar.

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

WHEREAS, Rose Savallo, Receiver of Taxes & Assessments, has requested permission to attend the New York State Association of Towns' Tax Collector's Seminar to be held at the Golden Arrow Lakeside Resort in Lake Placid, New York, June 9-12, 2019 at a cost not to exceed \$800, and

WHEREAS, the amount has been budgeted for 2019 in budget line item A-1330-1 (Tax Collector Travel & Conferences), and

WHEREAS, attendance at the seminar would confer a benefit to the town's citizens; now, therefore, be it

RESOLVED, that Rose Savallo is hereby authorized to attend the Tax Collector's Seminar in Lake Placid, New York, from June 9-12, 2019, at a cost not to exceed \$800, which

includes the registration fee, lodging and meals, to be vouchered appropriately and to be paid from budget line item A-1330-1 (Tax Collector Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 124 of 2019, a resolution authorizing the hiring of a part-time Guard for the Safety and Security Department.

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

WHEREAS, vacancies exist for part-time staff to ensure adequate coverage of shifts on weekdays, weekends, evenings, and court, and

WHEREAS, Louis Pasquarell, Director of Safety and Security, has recommended that Paul R. Van Alstyne, 5-E Tupelo Drive, Clifton Park, NY, be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Paul R. Van Alstyne as a part-time Guard for Safety & Security Department at a Grade 4, Step 1, \$20.27 per hour, effective immediately, to be budgeted from A3120-E4000 (Safety and Security Employee).

Director of Safety and Security Pasquarell said Mr. Van Alstyne has 38 years in law enforcement and has retired from the Colonie Police Department.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 125 of 2019, a resolution hiring Water Safety and Youth Swimming Instructors for individual swim lessons at town pools for the 2019 pool season.

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

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

WHEREAS, the Supervisor recommends that the following individuals be hired as Water Safety and Youth Swimming Instructors to teach individual swim lessons at town pools, per the attached Schedule A; 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 individual swim instructors be compensated at the unit rate of \$17 per lesson from A-7310-E4575 (Summer Recreational Programs-WSI Instructors).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 126 of 2019, a resolution hiring Water Safety Instructors for the Clifton Park Learn-to-Swim Program.

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

WHEREAS, the Town Board wishes to hire Water Safety Instructors to teach students in the Learn-to-Swim Program held at Barney Road and Country Knolls pools, and

WHEREAS, the Supervisor has recommended that the following individuals be hired as Water Safety Instructors for the Clifton Park Swim Program, per the attached Schedule A; now, therefore, be it

RESOLVED, that the individuals listed on Schedule A be hired as Water Safety Instructors for the Learn-to-Swim Program, for the 2019 pool season, to be paid at the rates as stated.

Supervisor Barrett noted the Water Safety Instructors have an additional level of certification.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 127 of 2019, a resolution authorizing the Supervisor to accept a proposal for professional engineering services for public parking improvements at the Dwaaskill Nature Preserve and drainage and surface improvements to the Longkill Trail.

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

WHEREAS, the Dwaaskill Nature Preserve, acquired by the town in 2006, is designated as priority open space in the 2016 update to the New York State Open Space Plan, and

WHEREAS, the Town Board has previously approved an agreement with Environmental Design Partnership for professional engineering services to design potential improvements to the Longkill Trail, the Pierce Road entrance and parking area, and additional amenities to increase public access and utilization, and

WHEREAS, Environmental Design Partnership has submitted a proposal for a supplemental agreement for engineering and inspection services for additional parking improvements at the Dwaaskill Nature Preserve, and improvements to the Longkill Trail, and

WHEREAS, sufficient funds remain available in the current year's Open Space, Trails and Riverfront Committee budget to offset the engineering costs associated with the design work; now, therefore, be it

RESOLVED, that the Supervisor is authorized to approve the attached proposal for the design services from Environmental Design Partnership; and be it further

RESOLVED, that the Comptroller is authorized to compensate Environmental Design Partnership in an amount not to exceed \$3,900 from A-08050-00015 (General Fund – Open Space, Trails and Riverfront Committee – Other Contractual).

The Supervisor thanked the members of the Open Space, Riverfront and Trails Committee for their efforts.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 128 of 2019, a resolution appointing Mark Kazmierczak as a part-time Assistant Building Inspector in the Building and Development Department.

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

WHEREAS, Steven Myers, Director of Building and Zoning, has requested permission to retain retired Building Inspector Mark Kazmierczak on a part-time, as needed basis, due to the volume of permit review and inspection requirements in the department, and

WHEREAS, Mr. Kazmierczak has extensive experience and expertise in both the State Fire and Building Codes as well as Town Code requirements; now, therefore, be it

RESOLVED, that Mark Kazmierczak, be appointed as a part-time Assistant Building Inspector to be used as needed, to be paid from A3620-E4000 (Building & Development-Part-time Employee), \$50.00 per hour, effective immediately.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 129 of 2019, a resolution authorizing Patricia Robbins to serve alcoholic beverages at a family picnic to be held at Collins Park on August 3, 2019.

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

WHEREAS, Patricia Robbins is hosting a family picnic on August 3, 2019 from 1 - 7 P.M., and

WHEREAS, Patricia Robbins, 2 Cheviot Court, Clifton Park, has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Patricia Robbins is hereby authorized to serve beer and wine at a family picnic at Collins Park on August 3, 2019 from 1 - 7 P.M.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 130 of 2019, a resolution authorizing Tim Ward and “Dig Deep” to serve alcoholic beverages at a fundraising event to be held at Veteran’s Memorial Park on August 31, 2019.

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

WHEREAS, Tim Ward and “Dig Deep, Inc.” are hosting a fundraising softball tournament on August 31, 2019 from 11:00 A.M to 7:00 P.M., and

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

RESOLVED, that Tim Ward and “Dig Deep, Inc.” are hereby authorized to serve beer and wine at a fundraising softball tournament at Veteran’s Memorial Park on August 31, 2019 from 11:00 A.M. to 7:00 P.M.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

Resolution No. 131 of 2019, a resolution hiring new Camp Counselors and Alternates for the 2019 full day and half day Summer Day Camp Program.

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

WHEREAS, the Town Board wishes to rehire additional staff for the Town of Clifton Park Summer Day Camp Program within the Office of Parks, Recreation and Community Affairs, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in the attached Schedule A be hired; now, therefore, be it

RESOLVED, that the individuals listed in the attached Schedule A be hired as additional staff for the town's 2019 Day Camp Program, effective May 7 through August 23, 2019; and be it further

RESOLVED, that the Camp Counselors and Alternates be paid as indicated on Schedule A.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

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

Motion carried at 7:50 p.m.

Patricia O'Donnell  
Town Clerk