

October 7, 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
 Councilman Whalen
 Councilwoman Standaert
 Councilman Romano
 Councilwoman Walowit
 Deputy Town Clerk Brobston

Also Present: Town Attorney McCarthy
 Dahn Bull, Superintendent of Highways
 Mark Heggen, Comptroller
 Daniel Clemens, Supervisor of Buildings and Grounds
 Myla Kramer, Director of Parks, Recreation and Community Affairs

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the September 9 and 16, 2019 meeting 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 thanked the volunteers who helped with Shredding Day yesterday which takes place twice a year. A special thank you to 3N Document Destruction of Clifton Park for participating at no cost to the town. Canned goods were collected for the Jonesville Food Pantry from the residents for the free shredding service.

Supervisor Barrett announced the new program, Community Action Fund, has received 19 applications from non-profit groups in the community. The collection of bottles/cans has totaled \$8,400 to be awarded to different groups in October. The bottles/cans were collected at the Transfer Station.

Supervisor Barrett stated the town 2020 Tentative Budget was released. There is a 3.3% spending increase over the adopted 2019 budget. No general fund property tax will continue. Highway tax will increase from \$.2985/\$1,000 assessed value of a home to \$.3079/\$1,000 of assessed value of a home. The Supervisor mentioned in 2000 the Highway tax was \$.87/\$1,000. The EMS rate will increase to \$.2507/\$1,000. He announced Bulk Waste pick-up will be conducted in 2020 which will be free to residents. Supervisor explained at the beginning of the year Moody's Investment Service increased the town's bond rating from AA2 to AA1. The service mentioned lower debt levels, a strong reserve position and managements proven history of conservative budgeting practices. The NYS Comptroller announced the annual fiscal stress monitoring results, Clifton Park has a perfect score. The town's tax base has now passed five billion dollars for the total value of all the properties in the town. He explained the procedure of the budget process.

Councilwoman Standaert announced Youth Court is entering it's 6th year. Training sessions will be starting soon. Anyone interested in joining the teams can sign-up through the town website.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 223 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 Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

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.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 224 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 Councilman Romano, who moved its adoption, seconded by Councilwoman Walowit.

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 the 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.

Supervisor Barrett explained the Farmland Protection Implementation Grant program.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 225 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 Councilman Whalen, who moved its adoption, seconded by Councilwoman Standaert.

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 A-1440-135 (Engineering).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 226 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 Councilwoman Walowit, who moved its adoption, seconded by Councilwoman Standaert.

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 Development on all (10) properties at a cost of \$7,380, 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 2020 to the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 227 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 Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 228 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 Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

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, therefore, be it

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 229 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 Councilman Whalen, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, after two retirements and a resignation, openings exist in the Highway Department for Motor Equipment Operators, 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, 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, and winter (DA-5142-E1500) in the amount of \$19,449, 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.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 230 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 Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Walowit.

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, Superintendent of Highways, 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 Short Environmental Assessment Form prepared by the Highways 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, that 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 SEQRA act and the regulations is required; and be it further

RESOLVED, this resolution shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 231 of 2019, a resolution authorizing the purchase of a two-column lift from MTE Turf Equipment Solutions.

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

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, and

WHEREAS, Mr. 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 turf equipment lift from MTE Turf Equipment Solutions, in a total amount not to exceed \$5,998, from A-7110-200 (Buildings and Grounds-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 232 of 2019, a resolution hiring returning part-time golf course laborer for the Barney Road Golf Course for the 2019 season.

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

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

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 to be paid \$12.50/hour from A-7190-E4000 (Golf Course-Part Time Employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 233 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 Councilwoman Standaert, who moved its adoption, seconded Councilman Whalen.

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.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 234 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 Councilman Romano, who moved its adoption, seconded by Councilwoman Walowit.

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 George T. Smith Park courts in an amount not to exceed \$19,150, and

WHEREAS, there are sufficient funds in the park district's budget 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 at the George T. Smith Park, not to exceed \$19,150, to be paid from SP6-7124-200 (Longkill II Park District-Contractual-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 235 of 2019, a resolution authorizing the replacement of windows for the Clifton Park Senior Community Center by Belleard Contracting.

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

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

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

WHEREAS, Daniel Clemens, Supervisor 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 (Senior Center-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

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

Motion carried at 8:05 p.m.

Teresa Brobston
Deputy Town Clerk