

TOWN OF CLIFTON PARK TOWN BOARD

February 8, 2021

The meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:10 p.m. Supervisor Barrett presiding.

Present: Supervisor Barrett
Councilwoman Flood
Councilwoman Standaert
Councilman Morelli
Councilwoman Walowit
Town Clerk Brobston

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Daniel Clemens, Director of Buildings, Parks & Recreation
John Scavo, Planning Director
Steven Myers, Director of Building & Zoning
Michael O'Brien, Collection System Manager

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett thanked everyone involved who worked on the successful WinterFest this year.

Supervisor Barrett gave a COVID update for Saratoga County. He stated the 7-day average are continuing to decline.

Councilwoman Walowit announced the knowledge of the Stoney Creek Reservoir presenting a bid notice to purchase the property. She would like the Town Board and residents to consider and give opinions in pursuing the opportunity. She explained the town had attempted to purchase the property in the past but was unsuccessful. She expressed her support in acquiring Open Space Institute to assist in the process.

Supervisor Barrett stated the Town of Colonie reached out to the town approximately 12 years ago and asked if the town was interested in purchasing the reservoir property. The town responded yes we were interested. The town enlisted the assistance of the Open Space Institute at that time. OSI assessed the value of the property and worked toward a plan for preservation. The OSI committed to help our town with the purchase and the process of removing the state reservoir designated restrictions. The town would like to see the property opened up for many other uses. Clifton Park made an offer to the Town of Colonie based on the Open Space Institute assessment and was told the offer was much too low. The Town of Colonie then went out for a Request For Purchase and the Town of Clifton Park was the single bidder and once again was told bid was too low and not accepted. The Town of Colonie were looking for eight to nine million dollars for the property. The Town of Clifton Park bid around three million per the OSI recommendation. The Town Board of Clifton Park, at the time, voted against continuing with the purchase. Supervisor Barrett stated he has reached out to the Open Space Institute again to partner with them in pursuing the current purchase. The RFP deadline will be June 4, 2021. Supervisor stated nothing has changed on the property from 12 years ago when it was originally bid, and they continue to not use/need the water as back-up. The town has acquired a secondary source for water back-up.

Councilman Morelli requested a presentation or report produced for reviewing of the proposal.

Collection System Manager Michael O'Brien gave an update on the Riverview Landing pump house. Mr. O'Brien explained the sewer septic system issue is significant and effects only 33 properties. The residents are very concerned with the cost and equality amongst the properties. The town is actively pursuing some form of funding from either the Environmental Facilities Corp., USDA, etc. He explained the options are small. The project style does not allow for wastewater treatment improvements. Goals would be to getting rid of the sand charge and discharge to the river. DEC has inspected the facility. They know the town is trying to deal with

the situation and understand the funding issues. DEC recommended pumping out the system 3 times a year now.

RESOLUTIONS

No one wished to be heard.

Resolution No. 37 of 2021, a resolution authorizing the purchase of a 2021 Dodge Ram pickup truck for use by the Building Department.

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

WHEREAS, Steven Myers, Director of Building and Zoning, has requested authorization to purchase a new vehicle for general daily use by the Building Department, and

WHEREAS, pursuant to General Municipal Law §103(3), municipalities are authorized to purchase vehicles, materials, equipment or supplies through public bid contracts of another political subdivision or county within the state, and

WHEREAS, Mr. Myers has advised that a Dodge Ram pickup truck which will meet the needs of the department is available through a New York State Office of General Services mini-bid, Solicitation #6209; now, therefore, be it

RESOLVED, that the Building Department is authorized to issue a purchase order for a 2021 Dodge Ram 1500 pickup truck from Main Motorcar, 224-228 W. Main Street, Johnstown, NY, per the attached list, in an amount not to exceed \$23,225 to be paid from A-3620-200 (Building Department – Equipment).

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 38 of 2021, a resolution to authorize the Supervisor to sign an inter-municipal agreement with the County of Saratoga for single stream recycling at the recycling facility at the Town of Clifton Park Transfer Station.

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

WHEREAS, Resolution No. 318 of 2014, approved the Inter-Municipal Agreement with the County of Saratoga, for single stream recycling at the Town of Clifton Park Transfer Station, and

WHEREAS, the Town Board wishes that the partnership with Saratoga County for single stream recycling be continued, and

WHEREAS, both the county and the town desire to formalize the continued agreement for services provided during the year 2021; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached Intermunicipal Agreement with Saratoga County for recycling services between January 1, 2021 and December 31, 2021.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 39 of 2021, a resolution authorizing a change order to add gutter guards to the existing contract for the roof replacement of the Clifton Park Senior Community Center.

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

WHEREAS, by Resolution No. 139 of 2020, the Town Board authorized roof replacement projects at Town Hall and the Clifton Park Senior Community Center, and

WHEREAS, Director of Buildings, Parks, and Recreation Daniel Clemens, has suggested the addition of gutter guards, along the new canopy roof gutters, at the senior center to the scope of work for better maintenance of the gutter system at the center, and

WHEREAS, MidState Industries Ltd. has submitted a proposal to add gutter guards to the project in the amount of \$2,400; now, therefore, be it

RESOLVED, that a change order adding \$2,400 to the contract price for the roof replacement project at the senior center is approved, and Mr. Clemens is authorized to accept the attached proposal from Midstate Industries, at a cost not to exceed \$2,400.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 40 of 2021, a resolution awarding the bid for sewer repairs in Clifton Park Sewer District No. 2.

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

WHEREAS, on December 3, 2020, the town’s Sewer Department responded to service calls regarding compromised sewer service along Oakwood Boulevard within Clifton Park Sewer District #2, and identified the need for complete replacement of a section of sewer main in the area, and

WHEREAS, the Sewer Department solicited bids for major repairs/replacement to the sewer main, and bids were received and opened on January 28, 2021, and

WHEREAS, MJ Engineering has reviewed the bids in detail and has checked references and reviewed the experience of Carver Construction, Altamont, N.Y., the apparent low bidder, and

WHEREAS, MJ Engineering recommends that the bid be awarded to Carver Construction, as low bidder, in an amount not to exceed \$238,145, per their bid; now, therefore, be it

RESOLVED, that the Town Board accepts the recommendations of MJ Engineers, and awards the bid for the Sanitary Sewer Rehab Project-Oakwood Blvd., to Carver Construction, Altamont, N.Y., in an amount not to exceed \$238,145; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$238,145 from G11-08111-200 (Clifton Park Sewer District #2-Sewer Contractual-Equipment) to G11-08111-015 (Clifton Park Sewer District #2-Sewer Contractual-Other Contractual), to offset the cost of the work.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 41 of 2021, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for a repair to a sewer main backup at 41 Grissom Dr.

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

WHEREAS, on November 15, 2020, the Clifton Park Sewer Department identified a major sewer main blockage within the Clifton Park Sewer District #2 that caused significant flooding at 41 Grissom Drive, and

WHEREAS, expeditious repairs entailed the cleanup, replacement of sheet rock and trim after the homeowner had exhausted their homeowners' insurance, in addition to installation of back flow preventers in the area surrounding 41 Grissom Drive, and

WHEREAS, the repairs were completed on by November 20, 2020 by several vendors, 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 property 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, Michael O'Brien, Collection Systems Manager, engaged the listed vendors as follows:

Quick Response	Cleanup/Hazmat	\$ 8,182.55
Jimco Drywall	Drywall Install & Tape	\$ 1,425.00
Curtis Lumber	Matched Trim	\$ 392.76
	installed by Town	
Tholin Excavating	Excavation for valves	\$ 5,754.00
FW Webb	Materials	\$ 924.00

for the repair work at and around 41 Grissom Drive on an emergency basis, pursuant to invoice totals not to exceed \$16,679, attached; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to 41 Grissom Drive due to the sewer main backup within the Clifton Park Sewer District #2, as determined on November 15, 2020 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 the amounts per invoices attached, total not to exceed \$16,679, from G11-08111-00021 (Clifton Park Sewer District #2 – Sewer Contractual - Emergency Repairs); and be it further

RESOLVED, that the Comptroller is authorized to transfer \$16,679 from G11-08111-00045 (Clifton Park Sewer District #2 – Sewer Contractual – Other Program Expense) to G11-08111-00021 (Clifton Park Sewer District #2-Sewer Contractual-Emergency Repairs) for repairs related to the November 15, 2020 sewer main backup.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 42 of 2021, a resolution extending the waiver of permit fees for bars and restaurants to utilize tents and other temporary modifications to allow for outdoor seating during the Covid-19 Pandemic.

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

WHEREAS, Resolution No. 116 of 2020, allowed business owners in Clifton Park a streamlined process for bars and restaurants to utilize tents and other temporary modifications to allow for outdoor seating during Phase II re-opening of the Capital Region as the area was emerging from the restrictions on economic activity imposed through Governor Cuomo’s Executive Orders 202.1 et seq. related to the COVID-19 emergency through October 15, 2020, and

WHEREAS, pursuant to Executive Order 202.38 and consistent with guidance issued by the New York State Department of Health on June 4, 2020, restaurants and bars within the county were allowed to open with indoor capacity limited, and

WHEREAS, Governor Cuomo is still issuing executive orders containing changing rules and restrictions against operations due to the Governor’s assessments of the COVID-19 pandemic, and

WHEREAS, the Town Board wishes to encourage business within the town and to offer assistance by streamlining local procedures to increase capacity including outdoor seating, as the weather will permit, and

WHEREAS, the Town Board also wishes to encourage other businesses within the town to expand their use of other outdoor spaces to the maximum extent practicable; now, therefore, be it

RESOLVED, that the Director of Building & Development is authorized to accept applications and to issue and establish for 2021, temporary permits for tents or canopies to enable outdoor seating capacity and uses after confirming compliance with all the New York State Fire & Building Codes, through December 31, 2021; and be it further

RESOLVED, that the permit fees for tents contained in Section 103-16 are hereby waived for existing bars, restaurants and establishments through December 31, 2021.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

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

Motion carried at 8:16 PM

Teresa Brobston
Town Clerk