

May 4, 2020

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 5:12 p.m. Supervisor Barrett presiding.

Present: Supervisor Barrett
Councilman Whalen via tele-conference
Councilwoman Standaert
Councilman Romano
Councilwoman Walowit
Town Clerk Brobston

Also Present via tele-conference:

Town Attorney McCarthy
Daniel Clemens, Supervisor of Buildings and Grounds
Michael O'Brien, Collection Systems Manager
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the April 13 and April 20, 2020 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett gave an update on the coronavirus pandemic. The town is continuing to follow all state mandates, directives, and guidelines. Expanded services for the seniors in town will continue. Masks were delivered to senior housing buildings and senior center. He announced a public masks distribution was held and was very busy. Thank you to Softex for the mask's donation. Thank you to Ravenswood for free meals for seniors in the community and all volunteers coordinating and delivering the meals. All town events and facilities are continuing to be planned and prepared. Town pools will probably not be opening Memorial Day weekend.

Supervisor Barrett announced an update to Transfer Station hours to include Tuesdays 8am-6pm, Wednesday-Friday 8am-Noon and Saturday 8am-4pm. Supervisor requested residents to change their routine of going to the Transfer Station if during the busy times, to help maintain social distancing.

PUBLIC HEARING ELIMINATING THE REQUIREMENT FOR A PUBLIC HEARING ON RENEWALS OF TERM CONSERVATION EASEMENTS 5:32 P.M.

Town Clerk Brobston read the legal notice as it appeared in the April 28, 2020 Daily Gazette.

No comments were received by the Town Clerk prior to the meeting.

Supervisor Barrett stated conservation easements, since the town has begun offering them, have not been controversial.

Attorney McCarthy explained this request is to streamline the process of renewing the group of easements.

Public Hearing closed at 5:39 P.M.

PUBLIC PRIVILEGE ON RESOLUTIONS

No comments from the public where received.

Resolution No. 95 of 2020, a resolution determining that establishment of Extension No. 1 to the Dutch Meadows Sewer District is an unlisted action for purposes of the New York State Environmental Quality Review Act.

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

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the town desires to comply with the SEQR Act and the Regulations with respect to the project, and

WHEREAS, the Town Board is considering the establishment of Extension No. 1 to the Dutch Meadows Sewer District to provide sanitary sewer service to five homes along Hubbs Road, and

WHEREAS, the provision of sanitary sewer service to residential homes is in the public interest and is consistent with environmental policy of the Town Board as expressed in all comprehensive planning documents; now, therefore, be it

RESOLVED, by the members of the Clifton Park Town Board as follows:

1. The project constitutes an "Unlisted Action" under 6 NYCRR Part 617.2 (ak), as it constitutes a streamlined legislative procedure only.
2. 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. 96 of 2020, a resolution establishing the Dutch Meadows Sewer District Extension No. 1, Pursuant to Article 12-A of the New York State Town Law.

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

WHEREAS, the Town Board of the Town of Clifton Park proposes to establish the Dutch Meadows Sewer District Extension No. 1, pursuant to Article 12-A of the Town Law, and

WHEREAS a map, plan and report relating the establishment of the proposed district within the Town of Clifton Park, with boundaries as described in the attached Exhibit A, has been prepared by Lansing Engineering, a competent engineering firm licensed by the State of New York, in the manner and detail required by the Town Board, has been filed with the Town Clerk in accordance with the requirements of Article 12-A of the Town Law, and

WHEREAS, Resolution No. 78 of 2020, called a public hearing to be held on April 20, 2020 at 5:05 p.m. to hear all persons interested in this matter and to take action as required by law and pursuant to modified procedures authorized by Executive Order Nos. 202.1 and 202.15, and

WHEREAS, the resolution was published and posted as required by law, and

WHEREAS, a public hearing on the matter was held by the Town Board on April 20, 2020, beginning at 5:05 p.m. and the matter was fully discussed, and all interested persons were heard;

NOW, THEREFORE, the Town Board of the Town of Clifton Park hereby determines that:

The notice of hearing was published and posted as required by law and is otherwise sufficient.

All the property and property owners within the proposed extension are benefited thereby.

All the property and property owners benefited are included within the limits of the proposed district.

The establishment of this district is in the public interest.

IT IS FURTHER DETERMINED AND RESOLVED, that the map, plan and report prepared by Lansing Engineering dated April 1, 2020 be adopted, and

IT IS FURTHER RESOLVED, that the Town Board hereby approves the establishment of the Dutch Meadows Sewer District Extension No. 1 as the boundaries are set forth and as the construction of the sewer system improvements and facilities are set forth in the Map, Plan and Report, with sewer service charges as set forth in the Map, Plan and Report to be assessed, levied and collected in the same manner as all other charges against the district, and consistent with the engineering Map, Plan and Report as adopted, and

IT IS FURTHER RESOLVED, that this resolution is subject to permissive referendum pursuant to Article 12-A of the NYS Town Law; and

IT IS FURTHER RESOLVED, that the Town Clerk, within 10 days from the date of this resolution, shall post and publish a notice which shall set forth the date of the adoption of this resolution and shall set forth concisely the purpose and effect thereof, and shall specify that this resolution was adopted subject to permissive referendum.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Collection System Manager Michael O'Brien stated all the property residents requesting to be included in the proposed extension agree to be included.

Resolution No. 97 of 2020, a resolution authorizing the settlement of pending litigation concerning property damage to sewer infrastructure.

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

WHEREAS, by Resolution No. 99 of 2019, the Town Board authorized the Town Attorney's office to initiate litigation to recover damages incurred when underground sewer infrastructure which were crossed during directional drilling for the installation of electric service lines beneath Clifton Park Center Road, and

WHEREAS, Syracuse Utilities, Inc. and Utility Construction Specialty have offered the sum of \$12,900 in settlement of the town's claims, and

WHEREAS, the Town Attorney recommends acceptance of the settlement offer in resolution of a disputed claim; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached property damage release in exchange for the sum of \$12,900, to be returned to Clifton Country Road Sewer District #1; and be it further

RESOLVED, that the Town Attorney is authorized to dismiss the litigation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 98 of 2020, a resolution awarding the construction contract for the Sitterly Road Intersection Improvement Project, PIN 1759.84. to New Castle Paving, LLC pursuant to competitive bid.

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

WHEREAS, Resolution No. 290 of 2017, authorized the implementation and funding for federal-aid and State “Marchiselli” Program to fund the Sitterly Road Intersection Improvement Project as a transportation federal-aid project and appropriating funds therefore, and

WHEREAS, by Resolution No. 30 of 2020, the Town Board appropriated \$1,979,339 for construction and engineering expenses associated with the construction phase of the project, and for payment of such costs in the first instance pending reimbursement through Marchiselli funds, and

WHEREAS, rights of way have been acquired for the construction and maintenance of the right-of-way improvements from the intersection of Sitterly Road and Crossings Boulevard, traveling in an easterly direction to the intersection of Sitterly Road and the western most private driveway access to the Twin Lakes Apartment complex, located in the Town of Halfmoon, and

WHEREAS, federal construction authorization was obtained on January 29, 2020, and

WHEREAS, MJ Engineering prepared final plans, specifications and estimate, and the town was authorized to proceed to bid in January of 2020, and

WHEREAS, after a bid opening on February 26, 2020, MJ Engineering performed a bid analysis and recommended that the bid be awarded to New Castle Paving, LLC as low bidder, and

WHEREAS, the project consists of federal, state Marchiselli and local funding sources; now, therefore, be it

RESOLVED, that the Town Board accepts the recommendation of the project design engineer MJ Engineering, and hereby awards the construction contract for the Sitterly Road Improvement Project to New Castle Paving, LLC pursuant to General Municipal Law Section 103, at a cost not to exceed \$1,726,481.65, to be paid from the H48-7629-200 (Sitterly -Woodin Road – Trails – Equipment), and be it further

RESOLVED, that MJ Engineering is authorized to notify New Castle Paving, LLC to proceed, with construction expected to be substantially completed by the end of November 2020; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute all contract documents implementing this resolution.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 99 of 2020, a resolution authorizing the hiring of 2020 summer help for the Buildings and Grounds Department.

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

WHEREAS, an opening exists for seasonal help in the Buildings and Grounds Department, and

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, has recommended that Michael Barber, 1503 Hudson Avenue, Stillwater, NY, be hired to fill the position; now, therefore, be it

RESOLVED, that Michael Barber be hired as a seasonal worker for Buildings and Grounds Department for the summer of 2020, at the rate of \$15 per hour, effective immediately, to be budgeted from A7110-E4000 (Buildings & Grounds - Summer Hires).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No public comments received.

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 6:14 p.m.

Teresa Brobston
Town Clerk