

May 11, 2020

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 5:00 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
 Michael O'Brien, Collection Systems Manager
 John Scavo, Director of Planning

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett gave an update on coronavirus. He explained the town continues to work under the workforce mandates per NYS. Every department continues to operate but with less staff. All town buildings continue to be closed to the public but taking appointments and meeting with residents between doors. Food shopping and errands will continue with volunteer assistance. Plans for reopening are beginning. Plexiglass panels for safety are being installed in all departments.

Supervisor Barrett explained, even though the town continued to prepare for summer activities, the pools will not be opening until July 1 and the 4th of July celebration will be postponed until September 5, with all dates subject to change. At this time, two shows scheduled for the Clifton Common stage are cancelled. Day camps and the Sunday concerts are still under consideration.

Planning Director John Scavo gave an update on the six-month moratorium on Residential Subdivision within the Conservation Residential District. He explained data continues to be collected. A \$12,000 grant was awarded. He explained new plans have not been updated since the Western Clifton Park GEIS was conducted in 2005. Solar projects and the state requirements are being discussed.

Supervisor Barrett explained residents along Wooddale Drive received a letter recently from a timbering company that will be harvesting the wooded area behind Wooddale Drive.

Director Scavo explained a letter from Stillwater Forestry Services, which was dated March 10, the postmaster stamped the envelopes as received on April 29 and the residents did not receive till the first week of May. An application of timber harvesting, at that site, has not been filed in the Planning Department. He stated the letter should not have been sent until an application for timber harvesting has been filed in the Planning Department. A letter from the Planning Department was sent to Stillwater Forestry Services with this information explaining no harvesting can be conducted until all local applications and approvals have been received for a special use permit. Timber harvesting process was explained.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 100 of 2020, a resolution adopting a local law eliminating the requirement for a public hearing on renewal applications of existing term conservation easements.

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

WHEREAS, Chapter 125 (10) (C) of the Town Code contains a requirement that all applications for renewal of expiring term conservation easements shall be heard at a Town Board public hearing to be approved for renewal, and

WHEREAS, on April 20, 2020, the Town Board held a public hearing on a proposal to eliminate this requirement from renewal applications for existing term conservation easements, pursuant to Section 104 of the Public Officers Law and Executive Order 202.1, and

WHEREAS, the Town Board wishes to update and streamline the process by which holders of existing conservation easements may renew for an additional term at the same level; now, therefore, be it

RESOLVED, that the Town Board adopts Local Law No. 5 of 2020, eliminating the requirement for a public hearing for such renewal applications, and be it further

RESOLVED, that Chapter 125-10 (C) is amended, as attached, and be it further

RESOLVED, that the Town Clerk is ordered to publish and post the Notice of Adoption.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 101 of 2020, a resolution to retain MJ Engineering and Land Surveying, PC, for professional engineering services to evaluate the feasibility of a sewer district to serve the former Crescent Waste Treatment Corp. service area.

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

WHEREAS, Crescent Waste Water Treatment Corp. (CWTC) has provided written notice of its intention to abandon the wastewater treatment service area to the town, and

WHEREAS, the Town Board wishes to explore the feasibility of establishing a new sewer district and commensurate with the boundaries and service area of CWTC to provide service to all existing customers and properties benefitted by the existing infrastructure, and

WHEREAS, MJ Engineering and Land Surveying has proposed a scope of work and cost estimates to explore the costs associated with the formation of a new sewer district and present those findings at a public information meeting; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes MJ Engineering and Land Surveying to provide professional engineering services to determine a cost formation of a new sewer district within the project area, and to conduct a public meeting to provide an overview of the contemplated sewer district at a cost not to exceed \$5,900; 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 A-1440-135 (Engineering Services).

Supervisor Barrett stated this is the last privately owned sewer system not belonging to the town.

Collection System Manager Michael O'Brien explained he reached out to qualified firms and received the lowest quote from MJ Engineering, PC. The engineering firm will create a map, plan and report for the proposed district. He stated their will be no grinder pumps that the town will be responsible for. Pump stations have been toured and equipment assessed.

Supervisor Barrett stated assessing and prioritizing capital projects, maintenance and billing will be the next steps that will need to be completed.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 102 of 2020, a resolution awarding the construction contract for the Improved Recreational Access to the Vischer Ferry Nature Preserve Project, PIN 1SB1.32/D034917 to Bette & Cring, LLC, pursuant to competitive bid.

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

WHEREAS, the Town of Clifton Park has an existing grant contract with the NYS Canals Corporation #C010174 and a grant contract with NYS DOT PIN 1SB1.32/D034917 to fund a portion of the Vischer Ferry Nature Preserve Project as a transportation federal-aid project and appropriating funds therefore, and

WHEREAS, by Resolution No. 286 of 2014, the Town Board authorized the retention of Barton & Loguidice to prepare engineering design drawings as well as final plans, specifications and bid documents, which were advertised for bid on February 21, 2020 pursuant to Section 103 of the General Municipal Law, and

WHEREAS, after a bid opening on March 19, 2020, Barton & Loguidice performed a bid analysis and recommended that the construction contract be awarded to Bette & Cring, LLC as low bidder, and

WHEREAS, by Resolution No. 316 of 2014, the Town Board created a Capital Projects fund to cover costs of design and construction for the project and payment in the first instance, and

WHEREAS, the project is supported by federal, state, and local funding sources; now, therefore, be it resolved

RESOLVED, that the Town Board accepts the recommendation of the project design engineer Barton & Loguidice, and hereby awards the construction contract for the Improved Recreational Access to the Vischer Ferry Nature Preserve Project to Bette & Cring, LLC, pursuant to General Municipal Law Section 103, at a cost not to exceed \$596,051 which represents a base low bid of \$636,051 and \$40,000 in additional reduced costs savings, to be paid from H36-7629-200 (Vischer Ferry Capital Project – Trails Contractual – Equipment), and be it further

RESOLVED, that the Town Board authorizes the Comptroller to pay 100% of the costs of construction and construction management services in the first instance, pending reimbursement from grant funding sources per operative grant contracts in place for the project, and be it further

RESOLVED, that Barton & Loguidice is authorized to notify Bette Cring, LLC to proceed, with construction expected to be substantially completed within 90 days from the issuance of a notice to proceed; 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

PUBLIC PRIVILEGE

The Town Clerk received no communications 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 6:10 p.m.

Teresa Brobston
Town Clerk