

October 13, 2020

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 Morelli  
 Councilwoman Walowit  
 Town Clerk Brobston

Also Present: Town Attorney McCarthy  
 Dahn Bull, Superintendent of Highways  
 Mark Heggen, Comptroller  
 Daniel Clemens, Supervisor of Buildings and Grounds  
 Steven Myers, Director of Building and Zoning  
 John Scavo, Director of Planning

#### ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett announced he will be working on updating the town seal with the original artist Cory Kirchert. The seal was created in 1981.

Supervisor Barrett stated the Community Action Fund committee met to review applications for the grants. Recommendations will be distributed to the Town Board for review. Supervisor thanked all residents for their donations of bottles and cans collecting \$16,000 to be given out to non-profits in the area.

Supervisor Barrett explained the Veterans Committee was established in February which was delayed because of the pandemic. Councilman Morelli will be the Town Board member representative of that committee along with Supervisor as chairman. They will be meeting to refresh ideas and suggest volunteers. Supervisor explained the committee will recognize veteran services, ceremonies, celebrations. Supervisor Barrett also stated a public service announcement went on the website providing information on preventing suicide.

Councilwoman Walowit thanked the town employees, Highway Dept., Buildings & Grounds Dept., Security, volunteer fire departments, National Grid and law enforcements for all coming together during the recent storm.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 186 of 2020, 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 Standaert, who moved its adoption, seconded by Councilwoman Walowit.

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 1<sup>st</sup> of each year, and

WHEREAS, the Code Enforcement Officer has reported the identification of (12) 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 (12) properties at a cost of \$6,152.50, 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 2021 town and county tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 187 of 2020, a resolution scheduling a public hearing to consider applications for the Conservation Easement program.

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

WHEREAS, the Town Board wishes to schedule a public hearing pursuant to Section 125-6 of the Town Code to hear public comment on applications by Melanie Stackewicz and Greg Carioto for the inclusion of two properties within the town’s conservation easement term program, and

WHEREAS, the applicants have requested term conservation easement status for the following properties:

Conservation Easement (Historic Preservation) 2.5 acres 393 Vischer Ferry Road (SBL: 277.5-5-1)

Conservation Easement (Historic Preservation) .5 acre 989 Main St. (SBL: 259.9-1-20); now, therefore, be it

RESOLVED, that a public hearing is scheduled for November 2, 2020, in the Clifton Park Senior Community Center, Clifton Park, New York, at 7:05 PM to consider the above properties for inclusion in the Conservation Easement program; and be it further

RESOLVED, that each of the proposed property owners give notice to their neighbors and other entities as provided in the town’s Conservation Easement legislation in advance of the public hearing, and the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 188 of 2020, a resolution authorizing the purchase of replacement compactor boxes for the Transfer Station.

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

WHEREAS, Jeffrey Vedder, Transfer Station Supervisor, requested authorization to purchase replacement compactor boxes for existing containers that have been refurbished numerous times and are deemed no longer repairable, and

WHEREAS, Valley Enterprise Container, 111 Eagleville Road, Blanchard, PA, has the replacement boxes, per the attached quote, at a total cost not to exceed \$15,370 for purchase, and

WHEREAS, Mr. Vedder has recommended the equipment be purchased from Valley Enterprise Container; now, therefore, be it

RESOLVED, that the Comptroller is authorized to transfer \$2,984 from A-8160-95 (Transfer Station-Monitoring) to A-8160-200 (Transfer Station-Equipment); and be it further

RESOLVED, that the Town Board hereby authorizes the Transfer Station Supervisor to purchase the replacement compactor boxes from Valley Enterprise Container, in a total amount not to exceed \$15,370, from A-8960-200 (Transfer Station-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 189 of 2020, a resolution authorizing the Town Supervisor to enter into a lease renewal agreement for properties at 1 Barney Road.

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

WHEREAS, Resolution No. 251 of 2010, authorized the Town Supervisor to enter into an agreement for the purchase of the Clifton Knolls Executive Golf Course, and

WHEREAS, Resolution No. 251 of 2010 and Resolution No. 21 of 2016, authorized the town to enter into a renewable rental agreement with Atrium Properties for the maintenance equipment shed, greens keeper’s office, restrooms, and putting green at the Barney Road Clubhouse, as well as a long term easement for golf course parking, and

WHEREAS, the town wishes to exercise its option to renew the rental agreement with Robert Phillips of Atrium Properties for the maintenance equipment shed, greens keeper’s office, restrooms, and putting green at the Barney Road Clubhouse, as well as a long term easement for golf course parking, at an annual cost not to exceed \$11,200; now, therefore, be it

RESOLVED, that the Supervisor is authorized to enter into the attached leasehold agreement with Atrium Properties for rental of the maintenance shed, putting green, Suite 150 at the Barney Road Clubhouse at 1 Barney Road, at \$1,400 per month from April 1, 2021 through November 30, 2025 for a total annual cost not to exceed \$11,200 per year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 190 of 2020, a resolution authorizing the Supervisor to sign just compensation letters for certain right-of-way acquisitions for pedestrian improvements in the Exit 9 corridor.

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

WHEREAS, by Resolution No. 37 of 2018, the Town Board authorized a professional services agreement with Greenman Pederson Inc. (GPI) for preliminary design work for a Pedestrian Safety Action Plan Grant funded project in the Exit 9 corridor area on Clifton Country Road, and

WHEREAS, by Resolution No. 8 of 2020, the town authorized funding for design services associated with right-of-way design and acquisition, and a boundary survey, and

WHEREAS, on October 5, 2020, GPI recommended the approval of just compensation offers for small acquisitions to advance the project, attached; now, therefore, be it

RESOLVED, that the Town Board approves just compensation amounts for the properties listed to be charged to H53-7629-200 (Clifton Country Road Capital Projects-Trails-Equipment) and authorizes the Supervisor to sign the attached offer letters as recommended.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 191 of 2020, a resolution changing the location of the October 19, 2020 and November 2, 2020 Town Board meetings to the Clifton Park Senior Community Center.

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

WHEREAS, by Resolution No. 1 of 2020, the Town Office Building (Vernon Wood Memorial Town Meeting Room) was designated as the official regular meeting place for the Town Board, and the official regular meetings were established as the first, second and third Monday of each month at 7:00 PM, and

WHEREAS, a State of Emergency was first declared in New York on March 7, 2020, due to COVID-19, and pursuant to Executive Order No. 202.5, issued on March 18, 2020, Town Board meetings have a limited capacity for in-person attendance and have been accessible online, and

WHEREAS, the potential number of participants at public presentations being held on October 19 and November 2, 2020, would require more space per applicable distancing guidelines; now, therefore, be it

RESOLVED, that the location for the Town Board meetings for October 19, 2020 and November 2, 2020 be held at 7:00 PM in the Clifton Park Senior Community Center to allow proper social distancing during public participation, and be it further

RESOLVED, that Town Board meetings through December 2020 will then resume their regular meeting place at the Vernon Wood Memorial Town Meeting Room at Town Hall at 7:00 PM; and be it further

RESOLVED, that the Town Clerk is directed to publish notice of the change of meeting place for the October 19 and November 2, 2020 Town Board meetings.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 192 of 2020, a resolution to retain MJ Engineering and Land Surveying, PC, for professional engineering services related to the demolition and replacement of retaining walls and concrete patio at the Country Knolls Pool.

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

WHEREAS, the Town Board, as commissioners of the Country Knolls pool, wishes to retain professional services associated with evaluation, design, and preparation of bid documents for the demolition and replacement of retaining walls and concrete decking with drainage at the Country Knolls Pool, and

WHEREAS, quotes were solicited by the Department of Buildings and Grounds, and

WHEREAS, MJ Engineering and Land Surveying, PC, 1533 Crescent Road, Clifton Park, NY submitted the lowest conforming quote for an amount not to exceed \$14,700 for engineering services; now, therefore, be it

RESOLVED, that Supervisor Barrett recommends that the quote of MJ Engineering be accepted, and be it further

RESOLVED, that the Supervisor is authorized to sign an agreement with MJ Engineering for professional engineering services for the project at Country Knolls pool for \$14,700 to be paid from SP57151-135 (Country Knolls Pool-Engineering), and be it further

RESOLVED, that the Comptroller is authorized to transfer \$14,700 from SP5 7151-200 (Country Knolls Pool-Equipment) to cover the expense.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 193 of 2020, a resolution accepting a proposal from CDPHP for advertising sponsorship on the Senior Express ADA Compliant Shuttle Bus.

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

WHEREAS, a request for bids for the purchase of a new shuttle bus for the senior van services was published, and bids were opened on March 13, 2020, and

WHEREAS, the bid request also included Alternate Bid #1 soliciting advertising opportunities in the form of a customized “wrap” that will depict logo, graphics, and lettering of the sponsor, and

WHEREAS, Capital District Physician’s Health Plan has submitted a proposal to support the purchase of the shuttle bus with promotional graphics and messaging through installation of a customized wrap promoting CDPHP Health and Wellness services, for the payment of \$3,700 for a one-year license, with an option to renew the partnership for an additional year for the same license fee; now, therefore, be it

RESOLVED, that the sponsorship of the senior express van is awarded to CDPHP for an amount equal to \$3,700 to be deposited to A-2705 (Donations & Gifts).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 194 of 2020, a resolution referring the Waite Meadows PDD to the Planning Board for an advisory opinion.

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

WHEREAS, Pasquariello/Waite Meadows LLC has applied for an amendment to the zoning code to authorize a 225 +/- acre mixed use planned development community, and

WHEREAS, the application also seeks authorization for 70 dwelling units in a cluster design, and

WHEREAS, the applicant also proposes an 11 +/- acre commercial area consistent with B-5 zoning, and

WHEREAS, the applicant further proposes to convey land to the town designated for open space and trails, and

WHEREAS, applications for a Planned Development District require an amendment to the special zoning district pursuant to the PDD approval process contained within Chapter 208-72 of the Town Code, and

WHEREAS, the Town Board wishes to refer the Pasquariello/Waite Meadows LLC application to the Planning Board for their advisory opinion; now, therefore, be it

RESOLVED, that the application of Pasquariello/Waite Meadows LLC PDD Amendment is referred to the town's Planning Board for their advisory opinion pursuant to Chapter 208-71 et seq. of the Town Code.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 195 of 2020, a resolution appointing Jennyfer Gleason as a member of the Environmental Conservation Commission.

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

WHEREAS, due to the appointment of Keith Martin to the Planning Board, a vacancy exists on the Environmental Conservation Commission, and

WHEREAS, Jennyfer Gleason, 2 Queensbury Ct, Clifton Park, has been recommended to fill the position, and

WHEREAS, Ms. Gleason's presence on the Environmental Conservation Commission will confer a benefit to the Town of Clifton Park; now, therefore, be it

RESOLVED, that Jennyfer Gleason is hereby appointed to the Environmental Conservation Commission for the remainder of a two-year term, term to expire December 31, 2021.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Larry Brodsky, 81 Blue Jay Way, would like to have Blue Jay Way resurfaced in the next year.

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

Motion carried at 7:55 p.m.

Teresa Brobston  
Town Clerk