

TOWN OF CLIFTON PARK TOWN BOARD

July 6, 2021

The 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
Councilwoman Flood
Councilwoman Standaert
Councilman Morelli
Councilwoman Walowit
Town Clerk Brobston

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Dahn Bull, Highways Superintendent
John Scavo, Planning Director
Matt Andrus, Information Specialist
Daniel Clemens, Director of Buildings, Parks & Recreation
Michael O'Brien, Collection System Manager

MINUTES APPROVAL

MOTION by Councilwoman Walowit, seconded by Councilwoman Standaert, to approve the minutes of the June 14 and 21, 2021 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett thanked everyone involved in the July 4th celebration.

Supervisor Barrett announced the Learn to Swim program. Registrations are on-line on the cliftonpark.org website or by calling the Parks & Recreation Department.

Supervisor Barrett announced the Town of Colonie has pulled the Request for Proposals for the sale of Stoney Creek Reservoir. The town had planned, along with partner Open Space Institute, to submit a response to their RFP but as of now that plan is on hold until the Town of Colonie figures out how they want to proceed.

Councilman Morelli explained the Saratogian has discontinued the Community News paper. He thanked Glenn Griffith for his years of service and dedication on the coverage of the Clifton Park community and wish him all the best in the future.

PUBLIC HEARING-PROPOSED 3 MONTH EXTENSION OF A MORATORIUM FOR THE REVIEW AND DETERMINATION ON LAND USE APPLICATIONS FOR GROUND MOUNTED SOLAR FACILITIES. 7:12 PM

Town Clerk Brobston read the legal notice advertised in the Schenectady Gazette on June 29, 2021.

Planning Director John Scavo updated the Town Board on the process to date. He explained there is a draft document that is being reviewed and finalized internally wordsmith and will be released to the public in the next 30 days. That will allow a comment period for the town to

schedule a public hearing on the draft legislation that ultimately, based on public comment, can be modified and finalized and presented back to the Town Board for potential adoption. Some changes to date, just going over planning efforts, was the town, proactively, in 2011 was one of the first communities in NYS to adopt ground-mounted solar legislation, however, in 2015 the state allowed for the first-time community solar in NYS, so the town's code did not really address community solar. It fit under a ground-mounted solar definition but now there has been advances since 2015, most notably, NYS Solar Guidebook released in 2020, which Clifton Park was one of the stakeholders/partners in developing the document based on the town's experiences of implementing ground-mounted solar arrays and community solar under our existing law, and the NYS Model Solar Energy Law in 2016. Updates the town are looking to make is to model some of the standard definitions that are included in the document and accepted at a state-wide practice include dividing ground mounted solar systems into a 3-tier system. Tier 1 being what equates to what a homeowner would have to power or get credits back through an individual consumption. Tiers 2 & 3 provide power back to the grid that someone can subscribe to and does not require the panels to be on your property to receive the tax credits. Looking under new definitions for the review process, under the Planning Board, it really is the same review process the town has been following under our code and the NYS Guidebook but adding definitions within our code to provide predictability for applicants and landowners as to what that expectation is up front. Definitions included are glare, farmland of state-wide importance, prime farmlands, solar access, solar energy equipment, solar storage battery, and ground mounted solar. The town will also be providing tables for ease of readability for setbacks, space and bulk standards for the solar arrays. Height/width dimensions and installation of housing structures providing guidance for and compatibility with adjacent uses in terms of scaling, siting, design, lighting and noise generation. It was found there is very little if any noise generated that is audible in adjacent properties where the arrays have been installed. The town will also be providing guidance in terms of maximum surface area, proposed installation, available lot size of the parcel which will ensure prime farmland is still protected and still provide property owners to supplement their income with a long-term solar lease. In addition to that, the town will offer guidance in utility pole connections and driveway accesses.

Councilman Morelli stated he reviewed the draft and feels it is definitely going in the right direction. Definitions will really help the Planning Board going forward.

Joe Nial, Bentley, complimented the board for the moratorium and extending it. It is an issue nationwide.

Public Hearing closed at 7:26 PM.

PRESENTATION-HVCC NORTH-MALTA EXTENSION CENTER PROJECT

Dr. Ramsammy, President of HVCC, stated HVCC North or also called TEC-SMART is the addition of more space to provide more students with the opportunity to support the Saratoga Region. This facility serves approximately 1,200 students in a variety of programs each year. This is a proposed newly constructed education center and renovations to the existing Training and Education Center for Semiconductor Manufacturing and Alternative and Renewable Technologies, or TEC-SMART, will allow Hudson Valley to increase enrollment in high demand programs by 10-20%, and create opportunities for more graduates to enter the healthcare, STEM and skilled trade fields more quickly. The project will provide the ability to expand capped programs, allow students to begin general education courses for high demand programs in Malta, introduce new workforce training programs, and create for a more complete and common interior areas for administration, security, maintenance and custodial service, as well as student lounge and eating areas. The new site would be able to serve 2,000 students. Hudson Valley students, when they graduate, tend to stay in the area and work. The annual job openings in health sciences are projected to exceed 8,800 in the Capital Region and 156,340 in NYS through 2026. HVCC North will help to address the critical workforce shortage in healthcare, STEM and skilled trades throughout our region and our state. An investment in Hudson Valley's training of the local workforce is proven to bolster the economic future of our region. In the fall of 2020, the college was able to admit only a portion of qualified applicants to the following capped programs: Electrical Construction and Maintenance, Nursing, Heating, Air conditioning, Refrigeration Technical Services, Paramedic Degree, Respiratory Care, Dental Hygiene, Surgical Technology and Paramedic Certificate. Financial support is requested from the county who would benefit from this new building. Brochure presented and attached.

RESOLUTIONS

No one wished to be heard.

Resolution No. 162 of 2021, a resolution adopting a local law extending the moratorium on ground mounted solar arrays within Clifton Park.

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

WHEREAS, by Local Law No. 2 of 2021, the Town Board established a six-month moratorium on the processing of further applications for ground mounted solar facilities in the R-1, R-3, CR, HR, and HM zones, and

WHEREAS, on July 6, 2021, the Town Board held a public hearing on a proposal to extend the existing moratorium and additional 90 days for such facilities under existing and anticipated hosting capacity of regional utilities consistent with the best interests of the community consistent with current New York State policy, procedures and economic incentives; now, therefore, be it

RESOLVED, that pursuant to Municipal Home Rule Law §10, the Town Board hereby adopts Local Law No. 5 of 2021, to extend the moratorium until October 11, 2021; and be it further

RESOLVED, that the Town Clerk is directed to file same with the Office of the Secretary of State and to provide appropriate notice of same, and that the local law be posted prominently on Cliftonpark.org.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 163 of 2021, a resolution approving an agreement with MJ Engineering and Land Surveying, P.C. for engineering and design services required for “shovel ready” upgrades to infrastructure in certain sewer districts.

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

WHEREAS, Collection System Manager Michael O’Brien, has identified several sewer infrastructure projects for preventative maintenance and rehabilitation, and

WHEREAS, the Supervisor has directed the Sewer Department to be in a position to apply for and efficiently administer state or federal funding for infrastructure projects that have been identified and designed under funding criteria, and

WHEREAS, Mr. O’Brien has recommended that MJ Engineering be retained, at a cost not to exceed \$79,500, to provide engineering and design services in support of developing plans and specifications for making the sites “shovel ready”, as well as advertising and review of responses to a request for bids; now, therefore, be it

RESOLVED, the Supervisor is authorized to execute the attached agreement for engineering and design services associated with the project, to be paid no more than \$79,500 from the accounts as listed on the attached Schedule A.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 164 of 2021, a resolution approving an agreement with MJ Engineering and Land Surveying, P.C. for engineering and design services required for the installation of emergency standby generators in certain sewer districts.

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

WHEREAS, Collection System Manager Michael O’Brien, has identified several sewer pump stations that are in need of emergency backup power, and

WHEREAS, the town anticipates state/federal infrastructure funding to be made available in the future for “shovel ready” projects involving such infrastructure, and

WHEREAS, Mr. O’Brien has recommended that MJ Engineering be hired at a cost not to exceed \$53,400, to provide engineering and design services in support of developing plans and specifications for making the sites “shovel ready”, including completions of electrical upgrades, as well as advertising and review of responses to a Request for Bids; now, therefore, be it

RESOLVED, the Supervisor is authorized to execute the attached Agreement for engineering and design services associated with the project, to be paid \$9,000 from G7-8111-135 (Clifton Park Sewer District #1-Sewer Contractual-Engineering) and \$44,400 from G11-8111-135 (Clifton Park Sewer District #2-Sewer Contractual-Engineering) for a total amount not to exceed \$53,400.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 165 of 2021, a resolution authorizing a change order to reduce the original contract for the sewer main repairs – Oakwood Boulevard Project with Carver Construction resulting in a savings of \$50,076.16.

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

WHEREAS, by Resolution No. 159 of 2021, the Town Board authorized Carver Construction for sewer repairs in Clifton Park Sewer District #2, and

WHEREAS, Highways Superintendent Dahn Bull, has authorized paving of the project site under the current Highway Department paving contract with a transfer of funds from the Sewer Department to offset costs of the paving, resulting in a reduction of the contract with Carver Construction of \$50,076.16, and

WHEREAS, Collection System Manager Michael O’Brien, has submitted a request to approve final payment and closeout the current contract with Carver Construction for the project; now, therefore, be it

RESOLVED, that a change order decreasing the contract price for Oakwood Blvd Sanitary Sewer Rehabilitation project in Clifton Park Sewer District #2 is approved; and be it further

RESOLVED, that the Comptroller is authorized to pay for the paving from G11-8111-200 (Clifton Park Sewer District #2-Sewer Contractual-Equipment) in an amount not to exceed \$50,000.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 166 of 2021, a resolution authorizing the sale of equipment declared surplus by the Town Board and authorizing the Buildings and Grounds Department to sell the surplus equipment at public auction.

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

WHEREAS, Buildings, Parks, and Recreation Director Daniel Clemens, has identified a 2004 Chevrolet Tahoe, VIN: 1GNEK13Z14J275402, as surplus property since it is not economical to repair, and

WHEREAS, based upon the recommendation of Mr. Clemens, the Town Board declares the 2004 Chevrolet Tahoe as surplus; now, therefore, be it

RESOLVED, that the Town Board authorizes the Buildings and Grounds Department to sell the surplus equipment, as is, through an upcoming online public auction.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 167 of 2021, a resolution authorizing an agreement for the replacement of the HVAC circulator pump at Town Hall by Postler & Jaeckle Corp.

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

WHEREAS, the Director of Buildings, Parks, and Recreation Daniel Clemens, requested quotes for the replacement of one hot/cold water circulation pump and related piping and valves for the HVAC system at One Town Hall Plaza, and

WHEREAS, two quotes were received by June 24, 2021, and

WHEREAS, Postler & Jaeckle Corp Mechanical Contractors, 9 Krey Blvd. Rensselaer, NY, submitted the low bid for the contract for a circulator pump, in the amount of \$9,920, and

WHEREAS, Mr. Clemens recommends the project be completed by Postler & Jaeckle, as lowest quote; now, therefore, be it

RESOLVED, that the Director Buildings, Parks, and Recreation is authorized to sign an agreement for the project in an amount not to exceed \$9,920, to be paid from A-1620-0200 (Town Hall – Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 168 of 2021, a resolution authorizing the residents of the cul-de-sac of Glenwood Drive in the Country Knolls Subdivision to conduct a block party on August 21, 2021.

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

WHEREAS, the residents of the Country Knolls Subdivision plan to conduct a block party within the subdivision on August 21, 2021, from 12:00 - 10:00 P.M. and have requested permission to use the cul-de sac of Glenwood Drive to Morningside Drive, for their party activities; now, therefore be it

RESOLVED, that the Town Highways Superintendent recommends that the request be approved, for the use of a portion of Glenwood Drive, August 21, 2021, from 12:00 - 10:00 P.M. to be used for party activities, so long as those activities do not block off the streets, and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps., the Sheriff’s Department and the State Police.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 169 of 2021, a resolution authorizing the purchase of two 30-yard and one 20-yard capacity roll-off containers for use at the Transfer Station.

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

WHEREAS, quotes were received by the Director of Buildings, Parks, and Recreation Daniel Clemens, and

WHEREAS, the lowest conforming quote for the two steel 30-yard roll-off containers was submitted by Valley Enterprises Container, LLC, 111 Eagleville Road, Blanchard, PA., in an amount not to exceed \$12,310, and

WHEREAS, the lowest conforming quote for the 20-yard roll-off container with dump gate was also submitted by Valley Enterprises Container, LLC, in an amount not to exceed \$6,495, and

WHEREAS, Mr. Clemens recommends that the bid for the containers be awarded to Valley Enterprises; now, therefore, be it

RESOLVED, that the Town Board hereby awards the bid for the containers to Valley Enterprises Container, LLC, as quoted, and authorizes the department to issue a purchase order for the purchase of the roll-off containers as specified in the attached quotations, at a cost not to exceed \$18,805, to be budgeted from A-08160-00200 (General Fund – Solid Waste Management Station – Equipment); and be it further

RESOLVED, that the Comptroller is authorized to increase revenues A-02665 (General Fund – Sale of Equipment) by \$18,805 and increase expenditures of A-08160-00200 (General Fund – CTS – Equipment) by \$18,805 to balance the budget.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Mel Boxer, Clifton Gardens, asked when the public can comment on proposed resolutions.

Supervisor Barrett answered during public privilege.

Joe Nial, The Bentley, thanked the town for the much-improved median on Clifton Country Road. He suggested to remove a dead tree on the corner of Wall Street and Clifton Country Road. Literature on energy sources were distributed to the Town Board members for their review.

Highways Superintendent Dahn Bull stated he is aware of the tree, but it is on private property. The owner/developer has been contacted. It is also in the right-of-way.

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 8:25 PM

Teresa Brobston
Town Clerk