

TOWN OF CLIFTON PARK TOWN BOARD

September 7, 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
Walter Smead, Assessor
Lori Hughes, Parks & Recreation Program Coordinator

MINUTES APPROVAL

MOTION by Councilwoman Walowit, seconded by Councilwoman Standaert, to approve the minutes of the August 16, 2021, meeting 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 Kevin Huerter, local Atlanta Hawks basketball player, and family for a successful skills training, meet and greet event for the youth in the community called 518 Hoop Fest.

Supervisor Barrett announced a tractor trailer got stuck under the Carlton Road bridge today. Road was closed briefly. No structural damage to the bridge. Signage is present.

Supervisor Barrett announced, as a member of the Capital District Transportation Policy Committee, money was voted to move forward to be invested by DOT for further planning efforts/improvements in the Route 146 corridor, Route 146 & Clifton Country Road and Route 146 & Route 9.

Supervisor Barrett thanked Shawn Parent, Pendleton Signs, for donating the Barney Road Golf Course sign.

Supervisor Barrett announced a free Hazardous Waste Day will be held on September 25 from 8am-2pm. Register by September 22 online at cliftonpark.org or forms available at Town Hall.

Supervisor Barrett announced a free Shredding Day will take place on October 3 from 1-3pm in the mall parking lot between Boscov's and the previous car dealership. Donation of a perishable food item for the Jonesville Methodist Food Pantry is suggested. Thank you to 3N Document Destruction for their continued partnership in this event.

Councilwoman Standaert thanked town staff and firefighters for their quick response to a town building fire recently. Thank you to the following fire departments: West Crescent, Jonesville, Rexford, Vischer Ferry, Clifton Park, Halfmoon, Malta Ridge and Boght and Clifton Park EMS. Documents, several vehicles, and the building were damaged, but thankfully no one was injured.

Councilwoman Flood thanked the Town Board for the support on the construction on the Grooms Tavern recently. Roof on the porch is expected to be done soon with all other work is complete. Upcoming events at Grooms Tavern are a lecture by Historian John Scherer, Tag Sale and Quilt Exhibit during Farm Fest on September 18 & 19 and September 26 is small museum historical day.

Councilwoman Standaert reminded residents to continue having conversations and share with our children the events of September 11, 2001, about feelings and the sense of unity as the outcome of the events, to keep the history alive.

Town Clerk Brobston read Resolution No. 203 of 2021, commemorating the 20th anniversary of the September 11, 2001, attacks on US soil.

Supervisor Barrett recognized the 13 men and women who were killed in the deployment of troops in Afghanistan recently.

**PROPOSED AMENDMENTS TO THE ZONING CODE
FOR SOLAR ENERGY SYSTEMS PUBLIC HEARING, 7:25PM**

Town Clerk Brobston read the public hearing notice included in the August 18, 2021, edition of the Schenectady Gazette.

Planning Director John Scavo explained the amendments. Mr. Scavo pointed out on a map where all the approved and built solar projects are located to date in the town. Concentration is in the western part of town because of the large tracks of open space. Other proposed areas of consideration would be R3, R1, CR, HR, HM, B5, LI1, LI2, TNGB, B1, B2, B3, B4, B5, PIR and PDD's. On the Ashdown Road project, there is approximately 64 acres of open space around the solar project. There are also 2 projects on Sugarhill Road, one with approximately 38 acres of open space surrounding the project and the other project has 54 acres of open space around the area occupied by solar arrays. He explained 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 mounted on their roof for power or getting credits back through an individual consumption. Tier 2, up to 25 kw, examples are, Target, Moradians and Concord Pools, they all have solar arrays and support 100% of their energy use through those systems on their site & Tier 3 which is 25 kw or larger, example would be the Grooms Road array, accounts for community solar or larger 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. Also providing height/width dimensions and installation of housing structures providing guidance for and compatibility with adjacent uses in terms of scaling, siting, design, lighting, minimize tree cutting 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 ability 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. Mr. Scavo read a current headline that Governor Hochul announced six million dollars provided for climate adjustments fellowships benefiting disadvantaged communities and priority populations. Basically what community solar does is allow the residential populations within NYS, either renting or living in a 4-5 story building, you can subscribe and benefit from green energy production such as community solars located throughout upstate New York for the most part. The state does have some ambitious goals. Hosting capacity maps are in need of updating.

Supervisor Barrett stated the town now has experience working with ground-mounted solar systems. There continues to be public money subsidizing green energy projects throughout the state. The town has expected and continues to expect an increase in green energy projects in our community. The moratorium was a way for the town to pause and review our code and ensure we are adequately prepared for the future.

Susan Burton, VP Friends of Clifton Park Open Space, stated FRIENDS has appeared before this board on previous occasions to speak on this topic of solar generation facilities and the need for updated guidance and regulation on this topic. We have asked the Town for solar-siting regulations, cited what other towns have done, and expressed our concerns about conditions and safeguards in the building, maintenance and retirement of solar facilities. We applaud the town's initiative for incorporating many of these concerns and for consolidating them in the proposed zoning regulations. However, we have additional ideas and concerns which are not addressed here. As early as August 2019 FRIENDS expressed our apprehension about how the protection of open space—especially in the Western Conservation Residential (CR) Zone—has had the unexpected consequence of providing virgin territory for the proliferation of solar facilities. Furthermore, the initial placement of such facilities was made seemingly without regard to any of the long-standing Conservation Residential (CR) Zoning standards required in this territory—things like density formulas and open space set-aside requirements. Solar is an industrial rather than residential application for these spaces, but that only makes it more important to preserve the essential character of this part of our town. In July 2020 FRIENDS again reached out to express our concerns about having 7 solar projects approved with 5 of them in the CR Zone. We urged the town to establish a review process for these projects and are happy that this step has been taken. We understand both the need to encourage non-polluting sources of power, and the advantages that such projects bring to large landowners in the area. But again, we stressed the importance of not only applying CR guidelines to solar construction, but also applying density incentives in order to fund a means of countering the loss of open space. Our town's citizens have consistently and widely supported these incentives. At this time, we would like to commend the process the Town has started in order to understand and channel the advantages of solar generation with these new zoning revisions. However, we continue to press for two items:

- First, a mechanism which would compensate the town for increases in density for the acres covered with solar panels beyond the limitations of the CR Zoning code, similar to the Amenity Incentive Payments that exist for residential projects. This mechanism could provide funding for preservation of other property in the CR Zone and protect Western Clifton Park from becoming a density target for solar facilities.
- Second, these regulations note the necessity for a Special Use Permit (SUP). The SUP Zoning Code in Section 208-43.15 outlines "Community Benefits and Amenities" to be considered before issuing an SUP. The resolution before us tonight skips over this section. Considering how little regard the Zoning Board has given to this aspect of solar SUP's in the past, we feel strongly that "Community Benefits and Amenities" should be given their due consideration—especially in such an extensive non-conforming use as solar. Members of this board along with members of the Planning Department have received our Solar Position Paper in April 2021. That package outlined in more detail our thoughts and ideas, particularly on these last two items. We hope the Board will give these ideas more solid consideration and incorporate them into a final version of the proposed revisions to the Zoning Code.

Additionally, FRIENDS recommends that the proposed regulations also consider the following:

- *Article XIV (2); Maximum height of Tier 3 systems does not address Agricultural districts. The limit of 15' would not allow panels to be elevated for livestock to graze under them.*
- *Article XIV (6); It is not clear that vehicular paths should be included in the total acreage of project.*
- *Article XIV (12); Agricultural soils should be confirmed independently and certified by the owner.*

- *Regulations should encourage businesses and public institutions with large roof areas to install community solar systems.*

Supervisor Barrett pointed out that CR zoning standard required in this territory things like density formulas and open space set-aside requirements are already in place in the code in an effort to preserve as much open space as possible. Also other options and tools utilized by the Planning Board, such as cluster zoning and other options to preserve open space which are related to the impacts on developments. Solar farms do not create impacts.

Ms. Burton stated concerns were raised for connectivity, water protection, habitat and scenic vistas. Taking those considerations in mind, solar facilities that go from edge to edge on a parcel take away those advantages. There is land around the parcel being developed but the parcel itself where the arrays are mounted go edge to edge.

Supervisor Barrett noted that these projects do follow stringent rules and regulations just as any project does. State Ag & Markets and DEC is involved in recommendations with applications.

Mr. Scavo stated the town has been following the commissioning plan and requiring a de-commissioning plan based on NYSERTA guidance. A de-commissioning performance bond is required for the full value of what it would take to remove the array and system. This plan is proposed in the amendments to the code.

James Ruhl, FRIENDS member, commented on impact and density. He questioned the impact where a piece of land is forest or agricultural that is completely covered by this new land use, solar panels. Under the panels the soil is no longer usable surrounded by a fence which prohibits intrusion and having sacrifice the uses on the parcel. Concern is how can the town get a piece of the action of the solar projects for open space. They feel the town should get paid. The impact is now totally different.

Supervisor Barrett stated larger landowners have stated solar facilities supplement income to maintain portions of their property instead of housing development. He questioned how the town should define total coverage to be put in the town code to help regulate the installation of these solar systems.

Mr. Ruhl a formula was created to charge a tax for each panel. An installation tax to compensate the town for the loss of land underneath the panels. This would be CR zone specific. This tax would be for the change in use.

Frank Berlin, FRIENDS member, is concerned with fencing around the solar projects not being good for the creatures. Would like consideration to raise the fencing up for animals to be able to get into the area. Would like to see more solar panels on top of buildings, poles, etc. and not use up the land.

Public hearing closed 8:19PM.

RESOLUTIONS

No one wished to be heard.

Resolution No. 203 of 2021, a resolution commemorating the twentieth anniversary of the September 11, 2001, attacks.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, on September 11, 2001, the United States of America endured the worst terrorist attack on its soil in the nation's history, and

WHEREAS, at the World Trade Center site in Lower Manhattan, 2,753 people including 343 New York City Firefighters, 23 New York City Police Officers, and 37 New York Port Authority Officers were killed when hijacked American Airlines Flight 11 and United Airlines Flight 175 were intentionally crashed into the north and south towers, which subsequently collapsed, and

WHEREAS, at the Pentagon in Washington, D.C., 184 people were killed when hijacked American Airlines Flight 77 crashed into the building, and

WHEREAS, near Shanksville, Pennsylvania, 40 passengers and crew members aboard United Airlines Flight 93 died when the plane crashed into a field, after the passengers and crew attempted to retake control of the flight deck, and

WHEREAS, since the attacks, over 2,000 first responders and volunteers at the site of the World Trade Center, have perished due to 9/11 related illnesses, and

WHEREAS, in response to this tragedy, Americans across the country came together in a remarkable spirit of patriotism and unity, carrying out countless acts of kindness, generosity, and compassion, and

WHEREAS, on December 18, 2001, Congress designated September 11th as Patriot Day, calling on state and local governments and the people of the United States to observe Patriot Day with appropriate programs and activities; and

WHEREAS, surviving family members of 9/11 victims and community organizations began observing the anniversary of September 11th as a charitable service day to honor the memory of those who were lost and those who united in response to the tragedy, including first responders and volunteers; and

WHEREAS, the Serve America Act, approved by Congress and enacted into law on April 21, 2009, directed September 11th to be observed and recognized as an annual “National Day of Service and Remembrance”, and

WHEREAS, participating in service and remembrance activities on September 11th, is a positive and respectful way to remember the lives of those lost, pay tribute to those who rose in service, and honor those who continue to serve our country today, including active-duty and reserve military and their families, veterans, police, fire, and emergency medical services, and

WHEREAS, September 11th National Day of Service and Remembrance activities are being organized by a variety of nonprofits, faith-based and community groups, public agencies, educational institutions, private businesses, and other organizations across the nation, and

WHEREAS, September 11th National Day of Service and Remembrance is an opportunity to respond where the need is greatest, coming together to lift our communities up; now, therefore, be it

RESOLVED, that the Town Board encourages everyone to take a moment in their day and pause and honor the lives of those lost by participating in community service and remembrance ceremonies on this day and throughout the year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 204 of 2021, a resolution authorizing the Town Board to issue a negative declaration pursuant to SEQRA for a local law to amended zoning regulations for solar energy systems.

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

WHEREAS, the Town Board has expressed its intent to consider amendments to the Zoning Ordinance to modify regulations for solar energy systems, and

WHEREAS, in accordance with the requirements of the State Environmental Quality Review Act (SEQRA), the Town Board must determine the environmental impact of this proposed action, and

WHEREAS, pursuant to 6 NYCRR, Part 617.6, the Town Board is the only agency required to approve the proposed action, and

WHEREAS, Planning Director John Scavo, has prepared a Full Environmental Assessment Form for review and acceptance by the Town Board, and

WHEREAS, the Town Board has duly considered all the environmental aspects of the proposed action; now, therefore, be it

RESOLVED, that the Town Board does hereby determine, based upon the Environmental Assessment Form submitted to and reviewed by the board, that the zoning code amendment is a Type I action, and be it further

RESOLVED, that the Town Board adopts the Environmental Assessment Form (EAF) and approves the completion of Parts I, II, and III, the Town Board does hereby issue a negative declaration with respect to the proposed action; and be it further

RESOLVED, that the Town Supervisor is authorized to sign the completed EAF where required.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 205 of 2021, a resolution scheduling a public hearing to extend the water supply district known as Clifton Park Consolidated Hydrant District No. 1.

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

WHEREAS, a resolution was adopted by the Town of Clifton Park at a regular Town Board Meeting on November 2, 1992, establishing a water supply district, and

WHEREAS, at the adoption of that resolution, certain engineer's plans, reports and descriptions of said proposed hydrant district, and maps illustrative thereof, were attached to that resolution, and made a part thereof, and

WHEREAS, the district was extended by Resolution No's 176 of 1995, 299 of 2003, and 297 of 2014, and

WHEREAS, the Clifton Park Water Authority has retained CT Male to provide certain maps and reports listing properties served by water supply fire hydrants that have been installed since 2014, to provide fire protection coverage to newly developed properties and subdivisions within the town, and

WHEREAS, the Town Board wishes to consider a proposal by the CPWA to extend the district in order to include additional properties within the water supply district, as listed on Exhibit A attached, and in the areas described in Exhibit B, which descriptions and lists are attached hereto, and

WHEREAS, the rate for properties within the proposed extension is \$0.202615 per thousand dollars in assessed value; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled to take place on September 20, 2021, at 7:05 pm in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, New York, to receive public comment regarding the proposed alteration of the Consolidated Hydrant District No. 1 boundaries, and the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett
Noes: None

DECLARED ADOPTED

Resolution No. 206 of 2021, a resolution accepting the Offer of Cession for future road dedications within the Park West Planned Development District.

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

WHEREAS, by Resolution No. 200 of 2018, the Town Board adopted Local Law No. 5 of 2018, approving the Park West Planned Development District, a planned condominium housing district, and

WHEREAS on September 22, 2020, the Planning Board issued its Notice of Decision approving the site plan, conditioned upon the offer of Cession for roads and related infrastructure within the development, and

WHEREAS, Route 146 & 146A Properties LLC, has offered to dedicate the properties, as described in the attached descriptions, to the town consistent with earlier Town Board and Planning Board approval, as well as easements to the proposed homeowners' association and the town, for sidewalk and stormwater purposes, and

WHEREAS, legal descriptions and maps relative to the easement dedications are on file in the Town Clerk's office; now, therefore, be it

RESOLVED, that the Town Board accepts the attached Offer of Cession for the properties, as described, pending final acceptance of the dedication of the roads and infrastructure upon completion, subject to the Town Attorney's review.

John Scavo, Planning Director, explained an Offer of Cession is a tool used with early zone codes for transferring of property. Setting the stage for legal property descriptions now and ready to go and executed at the time the project is built out.

Dahn Bull, Highways Superintendent, stated when the town takes ownership of the roads that are dedicated in this PDD, the town will be acquiring 2.24 lane miles which would mean more plowing time. Total additional 6.6 miles over the year will add additional miles and time for plowing.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 207 of 2021, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for a repair to a portion of Tallow Wood Drive due to a storm water system failure that undermined a Clifton Park Sewer District #1 sewer main.

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

WHEREAS, on July 14, 2021, Collection System Manager Michael O'Brien and Highways Superintendent Dahn Bull, identified a storm water system failure in the vicinity of the Bear Brook corridor that resulted in a large sinkhole on the hillside behind 129 Tallow Wood Drive, and

WHEREAS, expeditious repairs entailed the emergency repairs to both the stormwater and sanitary sewer systems, 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, Tom Kubricky Company, Inc. was engaged for the repair work at and around 129 Tallow Wood Drive on an emergency basis, pursuant to invoice totals not to exceed \$52,442.52, attached, with work completed on July 22, 2021; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to the stormwater and sanitary sewer systems due to the storm water system failure and the sewer system backup within the Clifton Park Sewer District #1, as determined on July 14, 2021, 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 split the expenditures between GY (Clifton Park Sewer District #1) and DA (Highway Fund), for a total not to exceed \$52,442.52, and be it further

RESOLVED that the Comptroller is authorized to pay an amount not to exceed \$37,443 from DA-5110-00021 (Highway – General Construction- Emergency Repairs), and no more than \$15,000 from G7-8111-00021 (Clifton Park Sewer District # 1 – Emergency Repairs) per the invoices attached, to compensate Tom Kubricky Co, Inc. for the work; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$37,443 from DA-00915 (Assigned Fund Balance) to DA-05110-00021 (Highway-General Construction-Emergency Repairs).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 208 of 2021, a resolution authorizing the Highways Superintendent to install R5-2, “No Trucks” symbol signage at appropriate locations along Tanner Road, at Tanner Road/Route 146 intersection, and Tanner Road/Route 146-A intersection.

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

WHEREAS, residents in the Tanner Road area of the town have experienced an increase in commercial truck traffic along the road, in both directions connecting Routes 146 and 146A, and

WHEREAS, Clifton Park Planning staff have requested NYS DOT designate Routes 146 and 146A, as the truck route that commercial vehicles on Tanner Road should be using, except for local deliveries, and

WHEREAS, the Town of Clifton Park’s Highway Safety Committee recommends the installation of authorized signage to restrict cut-through commercial truck traffic along Tanner Road, per the 2009 Manual of Uniform Traffic Control Devices (MUTCD) and current NYS Supplement to the 2009 MUTCD; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highways Superintendent to install 2 R5-2, “No Truck” symbol signs, in accordance with MUTCD and the current NYS Supplement to the 2009 MUTCD; and, therefore, be it

RESOLVED, that the Town Highways Superintendent contact the Saratoga County Sherriff’s Department and New York State Police to request enforcement for compliance with no commercial truck traffic.

Supervisor Barrett thanked the Highway Safety Committee for their continued work for the town.

John Scavo, Planning Director, stated Highways Superintendent Bull and himself have been working with Tanner Road residents who have seen an increase in commercial truck traffic. The commercial traffic is bypassing the Rte. 146 and Rte. 9 corridors. This sign will be to encourage commercial traffic to stay on state routes.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 209 of 2021, a resolution to set and approve the offer of just compensation to property owners adjacent to the CMAQ (Congestion Mitigation Air Quality Program) Moe Road Multi-Use Path Gap Closure P.I.N. 1760.82.

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

WHEREAS, by Resolution No. 2 of 2019, the town authorized a professional services agreement with Greenman Pederson Inc. (GPI) for preliminary design work, with subsequent approvals for more advanced engineering design for a pedestrian safety improvement project in the vicinity of the existing Moe Road Trail, and

WHEREAS, by Resolution No. 100 of 2021, the town accepted federal-aid and state “Marchiselli” program grant funding for pedestrian improvements and safety to close the existing gap along the Moe Road Multi-Use Path, and

WHEREAS, GPI recommends the acquisition of certain real property for right-of-way and utility purposes for the advancement of the project at the recommended purchase prices, attached; now, therefore, be it

RESOLVED, that the Town Board approves the acquisition of the property interests as listed in the attached just compensation letters from GPI and authorizes the Supervisor to sign the attached offers to the listed property owners for the project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 210 of 2021, a resolution scheduling a public hearing to consider an application for the Term Conservation Easement program.

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

WHEREAS, the town’s Term Conservation Easement program requires public comment on properties proposed to be included in the program, and

WHEREAS, Paul and Joanne Coons have requested inclusion in the program for property on Male Road (SBL 288.-2-36); now, therefore, be it

RESOLVED, that a public hearing is scheduled for September 20, 2021, at 7:10 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York to consider the property owned by Paul and Joanne Coons on Male Road for inclusion in the Conservation Easement program for 25 years, and be it further

RESOLVED, that the property owner give notice to all adjacent property owners and other entities as provided in the town’s Conservation Easement legislation, in advance of the public hearing, and submit receipts of mailing to the Town Clerk’s office prior to the date of the public hearing; and be it further

RESOLVED, that the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 211 of 2021, a resolution accepting quotes for landscape work and fencing along a portion of newly constructed trail in the Crescent Woods Subdivision.

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

WHEREAS, quotes were received by the Buildings and Grounds Department for fence installation and tree plantings, per the attached quote, to reduce visual impact to surrounding landowners of a multi-use path on town-owned land from Patriot Circle to the Crescent Woods Subdivision, and

WHEREAS, the lowest conforming quote for the landscaping services was submitted by Clover Meadow Farm, LLC, 92 Hubbs Road, Ballston Lake, NY, in an amount not to exceed \$6,335, and

WHEREAS, the lowest conforming quote for the fence installation was submitted by Mariaville Fence, 60-1 Blue Barns Road, Rexford, NY, in an amount not to exceed \$5,985; now, therefore, be it

RESOLVED, that the Town Board hereby awards the contracts to Clover Meadow Farm for landscape services and Mariaville Fence for fencing along the trail in the Crescent Woods subdivision, at a total cost not to exceed \$12,340, to be charged from A-8510-0090 (Community Development Fund - Trees).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 212 of 2021, a resolution authorizing the Clifton Park Town Court to apply for a Justice Court Assistance Program Grant.

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

WHEREAS, the Clifton Park Town Court wishes to acquire a file cabinet, intercom, back-up computer batteries and fireproof filing cabinets, and

WHEREAS, Justice Court Assistance Program was established by the Legislature to provide a means by which town and villages may obtain limited state funding to improve operations of their Justice Courts, and

WHEREAS, the Clifton Park Town Court wish to apply for a grant of approximately \$17,500 from the Justice Court Assistance Program, to purchase the aforementioned equipment to improve the operations at the Clifton Park Town Court; now, therefore, be it

RESOLVED, that the Clifton Park Town Board authorizes the Clifton Park Town Court to apply for a grant of approximately \$17,500 from the Justice Court Assistance Program in the 2021/2022 grant cycle, and be it further

RESOLVED, that the Supervisor is authorized to execute all necessary documents in support of such efforts; and be it further

RESOLVED, that the Comptroller is instructed that upon approval of this grant request, revenue shall be increased by \$17,500 in A-3089 (NYS Grant Revenue) and expenditures shall be increased by \$17,500 to be paid from A-1110-600 (Justice Court-Office Supplies).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 213 of 2021, a resolution authorizing the Supervisor to sign contracts with 2021 subcontract hires.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested that the Town Board authorize contracts for certain recreation programs, and

WHEREAS, the Town Board supports continuation of the listed recreation programs with contractors listed on Schedule A, attached; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the attached contracts with Dana Zakrzewski and Angela Barrett of Arts & Glass, as 2021 Recreation Subcontractors to be paid from A-7310-072 (Recreation – Contractors).

Supervisor Barrett stated no relationship to Angela Barrett.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 214 of 2021, a resolution authorizing the purchase of a Skid Steer snowblower attachment for Buildings and Grounds Department from Clark Equipment Co. under New York State Contract #PC69396.

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

WHEREAS, Director of Buildings, Parks, and Recreation Daniel Clemens, has requested authorization for the purchase of a 32x86 snow blower for the Buildings and Grounds Department, per the attached, and

WHEREAS, the equipment is available under New York State Contract # PC69396, in an amount not to exceed \$5,982.72, including motor package and dealer assembly charges, and

WHEREAS, Mr. Clemens has recommended that the snow blower be purchased to best meet the needs of the department, and

WHEREAS, the equipment is available from Clark Equipment Company, dba Bobcat Company, Govt Sales, West Fargo, ND; now, therefore, be it

RESOLVED, that the Buildings and Grounds Department is authorized to purchase one 32x86 snow blower, per the attached; and be it further

RESOLVED, that the Town Board hereby authorizes the purchase under State Contract # PC693961, in an amount not to exceed \$5,982.72, to be paid with funds from A-7112-200 (Clifton Common – Equipment/Building).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 215 of 2021, a resolution authorizing the sale of equipment declared surplus by the Town Board and authorizing departments to sell the surplus equipment at public auction.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks, & Recreation, has identified a 2004 Chevrolet 2500 HD pickup truck with VIN #1GCHK24G44E355651 and a 2006 GMC Canyon with VIN #1GTDT196868276975, as surplus property due to aging frames that are considered uneconomical to repair, and

WHEREAS, based upon the recommendation of Mr. Clemens, the Town Board declares the 2004 Chevrolet and the 2006 GMC vehicles as surplus; now, therefore, be it

RESOLVED, that the Town Board authorizes the Buildings & 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. 216 of 2021, a resolution authorizing a change order to add the replacement of all 4-inch vent piping required for the new boilers being installed at the Senior Community Center by P&J Mechanical.

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

WHEREAS, by Resolution 139 of 2021, the Town Board authorized the installation of new boilers at the Clifton Park Senior Community Center, and

WHEREAS, P&J Mechanical has submitted a change order for the project in the amount of \$6,623, and

WHEREAS, Daniel Clemens, Director of Buildings, Parks, and Recreation, recommended that the town authorize the change order, after the need for new pipes became apparent after the old boilers were removed; now, therefore, be it

RESOLVED, that a change order adding \$6,623 to the contract price for the new boiler replacement project at the Senior Community Center is approved, and Daniel Clemens, Director of Buildings, Parks, and Recreation, is authorized to accept the attached proposal from P&J Mechanical, 9 Krey Blvd., Rensselaer, NY, at a cost not to exceed \$6,623, the funds to come from A-1624-200 (H. Kinns Community Center – Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 217 of 2021, a resolution authorizing the hiring of a Laborer for the Buildings and Grounds Department.

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

WHEREAS, an opening exists for a Laborer in the Buildings and Grounds Department – Transfer Station, with the transfer of Keith Ulrich, and

WHEREAS, Daniel Clemens, Director of Buildings, Parks and Recreation, has advised that Robert Legge, 4 Twinbrook Ct, Clifton Park, is qualified and recommended that he be hired to fill the full-time position, as advertised; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Robert Legge as a Laborer for the Buildings and Grounds Department at Grade 3, Step 1, \$19.44/hour, effective immediately; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$12,900 from A-8160-E0892 (Transfer Station –K. Ulrich) to A-8160-E1798 (Transfer Station – R. Legge).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 218 of 2021, a resolution hiring a Motor Equipment Operator in the Clifton Park Highway Department.

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

WHEREAS, Dahn Bull, Highways Superintendent, wishes to hire a new Motor Equipment Operator (MEO) for the Highway Department, due to an opening that exists, and

WHEREAS, Mr. Bull has conducted interviews and driving record reviews and has recommended the hiring of Shawn Gilbert, 19 Jay Street, Waterford, NY; now, therefore, be it

RESOLVED, that Shawn Gilbert be hired as MEO, Grade 5, Step 1, Year 1, and paid at the rate of \$23.99/hour, effective September 20, 2021; and be it further

RESOLVED, that the Comptroller transfer \$14,394 from DA-5110-E0487 (Highway Fund – General Construction – D. Pettis) to DA-5110-Exxxx (Highway Fund –General Construction – S. Gilbert) and \$5,263 from DA-05142-E0487 (Highway Fund – Snow Removal – D. Pettis) to DA-5142-Exxxx (Highway Fund – Snow Removal – S. Gilbert) to be allocated based on the attached schedule.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Mel Boxer, Teakwood, questioned who the members of the working group for the rescue funds are and who represents the agricultural residents, small businesses and first responders.

Supervisor Barrett stated the working group is made up of department heads and elected officials.

Ms. Boxer questioned what the process is for deciding where the funds will be used and how will the residents know how they can engage in the process and feedback.

Supervisor Barrett explained the process is that the Town Board will make the decisions on how the money is spent.

Councilman Morelli stated email correspondence or any other ways of communication by residents are welcomed.

Ms. Boxer questioned asked what other organizations in town use the gas pumps located near the white building and Highway building.

Highways Superintendent Bull explained all town owned vehicles use those gas pumps, but when other organizations such as EMS, fire departments, state police and sheriffs pumps are not working, they use the towns as well because they are backed up with a generator.

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 9:19 PM

Teresa Brobston
Town Clerk