

TOWN OF CLIFTON PARK TOWN BOARD

July 17, 2023

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
Councilman Morelli
Councilwoman Walowit
Councilman O'Hara
Councilwoman Reid
Town Clerk Brobston

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
John Scavo, Director of Planning & Zoning
John DeSimone, Chief, Bureau of Fire Prevention
Michael Woerner, Director of Parks & Recreation
Norah Hoefner, Communications and Technology Coordinator

MINUTES

MOTION by Councilwoman Walowit, seconded by Councilman Morelli, to approve the Town Board minutes of July 3, 2023, as presented.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O'Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

MOTION CARRIED

ANNOUNCEMENTS & COMMUNICATIONS

Supervisor Barrett thanked all who were involved in the Town's successful July 4th celebration.

Councilman Morelli announced a request for bids for Pickleball Courts at the Veteran's Park were recently advertised. Responses to the bid were received. Results were distributed to the Town Board. He would like to receive comments from the Board and residents pertaining to the project on whether this is something the Town would like to invest in. He stated the Town, over the past few years, has invested in different areas for the overall recreation wellness for residents with similar bids. He explained this project is something the Town lacks. He explained the popularity of recreation wellness has been growing. He stated some courts in the Longkill area have been repurposed for pickleball and could use some upgrading. He explained the potential location for the project is to repurpose one of the softball fields at Veteran's Park for pickleball. He stated Veteran's Park is a good location because of the significant buffer and the fields are not near houses for noise issues. The proposal was for 10 courts, a covered pavilion and installation of conduit for potential future electric.

Supervisor Barrett stated the growth of the sport of pickleball has substantially increased. People of all ages are playing. Leagues and groups are playing on a regular basis. Issues such as early start times and noise at the courts have occurred with the proximity of nearby homeowners in other areas. He stated Veteran's Park was a suitable location due to it is already an area used for sports activities and is a good distance from neighborhoods. The Supervisor explained laying conduit at this time for future amenities would be cost effective. He explained tennis court nets are higher than pickleball nets. The bids resulted in a reasonable low bid price of \$538,000 for 10 courts. Four bids were submitted. Input from residents and the Town Board is welcome.

Councilman O’Hara thanked the Historical Preservation Commission, the Friends of Grooms Tavern and the local Auringer-Seelye Chapter of amateur archaeologist, for their efforts in holding the recent, well received archaeological dig held at the Grooms Tavern.

RESOLUTIONS

Resolution 160 of 2023, a resolution appointing Susan Thompson to the Historic Preservation Commission.

Introduced by Councilman Morelli, who moved its adoption, seconded by Councilman O’Hara.

WHEREAS, pursuant to Section 208-78 (C) (2) of the Town Code, members of the Historic Preservation Commission are appointed by and serve at the discretion of the Town Board, and

WHEREAS, Councilman O’Hara, Liaison to the Historic Preservation Commission, recommends that Susan Thompson be appointed to serve on the Commission; now, therefore, be it

RESOLVED, that Susan Thompson, Clifton Park, is hereby appointed as a member of the Historic Preservation Commission.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 161 of 2023, a resolution appointing Solomon Syed as a member of the Open Space, Trails and Riverfront Committee.

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

WHEREAS, an opening exists on the Open Space, Trails and Riverfront Committee, and

WHEREAS, the Town Supervisor has recommended that Solomon Syed, Clifton Park, fill the position, and

WHEREAS, Mr. Syed’s presence on the Open Space, Trails and Riverfront Committee will confer a benefit to the Town of Clifton Park; now, therefore, be it

RESOLVED, that Solomon Syed is hereby appointed to the Open Space, Riverfront and Trails Committee, for a two-year term, term to expire December 31, 2024.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 162 of 2023, a resolution recognizing six Shenendehowa High School art students who designed and painted two wedding murals inside the courtroom of the Town Court building.

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

WHEREAS, one of the many duties of Town Court Justices Hughes and Rybak, is to officiate wedding ceremonies in the Town courtroom, and

WHEREAS, the Town Court Justices wanted to create a more welcoming environment for these wedding ceremonies by providing a place in the courtroom that is conducive for picture taking of these important personal events, and

WHEREAS, the Town Court, in cooperation with the Shenendehowa High School Art Department, engaged the following six students to design and create the two murals:

Charlotte Crummack
Jana Nayfeh
Xiomara Stevens
Cadence Zaremski
Ashley Zhang
Marlie Ziobrowski

now, therefore, be it

RESOLVED, that the Town Board would like to express their appreciation and to thank all six students on behalf of the people of Clifton Park for their creativity, hard work and service to the community.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 163 of 2023, a resolution urging the Governor to veto legislation which would move certain local elections to even-numbered years (A.04282B/S.3505B).

Introduced by Councilman Morelli, who moved its adoption, seconded by Councilman O’Hara.

WHEREAS, the Town Board believes that increasing participation in the election process and reducing costs of government operations is a positive good for the nation, the state, and for local municipalities, and

WHEREAS, Assembly Member Amy Paulin and State Senator James Skoufis have reintroduced legislation that would move local elections to even-number years during the 2023 legislative session, and

WHEREAS, versions of this legislation were introduced in previous years and failed to reach the floor for a vote due to lack of support, and

WHEREAS, after the 2022 session concluded, the bill sponsor indicated that hearings would be held on the proposal through the Election Committee process; however, there were no hearings held, and

WHEREAS, the legislation passed in the middle of the night on the last days of the legislative session which is antithetical and counter to all concepts of open and transparent government, and

WHEREAS, the Town Board has several concerns with this bill; including the usurpation of Home Rule powers reserved to local governments and protected by the Constitution of the State of New York, raising questions of legality and constitutional authority, and

WHEREAS, local municipalities have had the ability to change their elections to even-number years for decades, and chose not to do so, and

WHEREAS, the Board believes that establishing the schedule of local elections is the legal right of local governments, as it has been for more than 100 years, and

WHEREAS, The Assembly Bill sponsor indicated that she had not received any messages of support for this proposal from any of the 57 Counties and 933 Towns across New York State impacted by this legislation, and

WHEREAS, this legislation excludes more than half of all New Yorkers who vote in cities and villages from the changes to election law, creating an inequity among New York voters which will result in annual confusion and misinformation concerning scheduled elections for all New Yorkers, and

WHEREAS, this legislation unfairly excludes the elections to offices in New York City and all other cities and villages in New York State, as well as certain offices within all counties and towns, and

WHEREAS, the proposed legislation circumvented the legislative committee process during this session, limiting public input and understanding of the impacts, and

WHEREAS, there has been no financial analysis or operational analysis of the impacts on local Boards of Elections, and

WHEREAS, there are concerns that the current election and ballot counting technology would not be able to adequately meet the demands of the significantly increased ballot size, and

WHEREAS, this will create confusion amongst voters in towns and counties across New York State, and

WHEREAS, separating the elections affords voters more time and focus to better understand important local issues and provides candidates the appropriate platforms to explain their stance on issues without having to compete against national and state level campaigns, and

WHEREAS, moving local elections to even-numbered years would increase the cost of campaigns for local office, reducing the number of candidates willing to invest funds into their own campaign, because the cost of media will increase to compete with national and state level campaign advertisements, and

WHEREAS, there are significant legal and constitutional questions regarding the legality of this measure that have not been adequately addressed; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park, NY, urges the Governor to oppose this legislation and utilize her veto authority to reject this proposal; and be it further

Supervisor Barrett made a motion to waive the reading of the following distribution list, seconded by Councilwoman Walowit. All approved. MOTION CARRIED.

RESOLVED, that certified copies of this resolution be distributed by the Town Clerk to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, Senate Minority Leader Robert Ort, Assembly Minority Leader William Barclay, Assembly Bill Sponsor Amy Paulin, Senate Bill Sponsor James Skoufis, Senator James Tedisco, Assemblymember John McDonald, Assemblymember Mary Beth Walsh, Assemblymember Carrie Woerner, and Assemblymember Matthew Simpson.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Supervisor Barrett stated that currently local town elections are on odd years and this legislation, passed by the Senate, would move local town elections to even years. Counties, cities and villages excluded. He stated no evidence has been presented for the cost savings mentioned.

Councilman Morelli stated elections foster debate and highlight certain issues and often the issues at a national level are much different than the local level, and if combining the elections on the same year, the focus for local issues as a community may be deluded. He feels the elections should be kept separate.

Councilman O’Hara stated, since it is a legal right of local government to determine how and when to hold its elections, seems the state government is overreaching. He also agrees that the change reduces focus on the electorate.

Resolution No. 164 of 2023, a resolution appointing Steven Bonesteel to the Emergency Services Advisory Board (ESAB).

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

WHEREAS, due to the resignation of Paul Berlins, an opening exists for a member representing the West Crescent Fire Department, and

WHEREAS, John DeSimone, Chief, Bureau of Fire Prevention, has recommended that Steven Bonesteel be appointed for the remainder of Paul Berlins’ three-year term, term to expire December 31, 2025; now, therefore, be it

RESOLVED, that Steven Bonesteel be appointed to the ESAB effective immediately to complete the term ending December 31, 2025.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Chief, Bureau of Fire Prevention John DeSimone, stated the No. 1 Pickleball Manufacturer Warehouse in the Country is in Clifton Park.

Supervisor Barrett suggested contacting the Manufacturer for any interest in the project.

Resolution No. 165 of 2023, a resolution authorizing the Supervisor to enter into a contract to convey a 9.23 ± acre parcel of land adjacent to the Clifton Park Transfer Station to the Sportsmen’s Club of Clifton Park.

Introduced by Councilwoman Reid, who moved its adoption, seconded by Councilman O’Hara.

WHEREAS, the Sportsmen’s Club of Clifton Park has offered to purchase a 9.23 ± acre parcel of land which is adjacent to the Town’s Transfer Station, for the sum of \$12,000 based on a preliminary restricted appraisal performed by Bellcourt Valuation, and

WHEREAS, the Sportsmen’s Club wishes to acquire the parcel as part of a program to re-arrange and re-direct shooting ranges to provide neighboring residences with better sound buffering and noise reduction, and

WHEREAS, pursuant to NYS Town Law 64 (2), the Town Board is authorized to convey real property by resolution, subject to a permissive referendum, and

WHEREAS, the parcel is surplus to the needs of the Transfer Station, and is vacant land; now, therefore, be it

RESOLVED, that the Supervisor is authorized to enter into a land purchase and sale agreement for the parcel of land identified as SBL 283.-1-6, a 9.23± acre parcel of land to the Sportsmen’s Club of Clifton Park, in the amount of \$12,000, and be it further

RESOLVED, that all closing costs, filing fees and title insurance costs to be borne by the Buyer; and be it further

RESOLVED, that this Resolution is subject to permissive referendum pursuant to Article 12-A of the NYS Town Law.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Supervisor Barrett explained this idea was presented to the Town Board earlier this year. Merits have been considered and this proposal will develop in an existing range that is closer to the central part of their current land holdings, which would be a benefit to nearby residents.

Frank Hill, President of the Clifton Park Sportsmen’s Club, stated the Club is trying to reduce the amount of noise. Over the years the Club has conducted other measures to reduce noise. This particular range, closest to Englemore Road, happens to be the range with the loudest firearms discharged.

Supervisor Barrett stated the Club had purchased additional property to form a buffer over the years since the beginning of the Club. The parcel on the corner of Vischers Ferry and Engelmores was purchased by the Club recently. The supervisor explained if the range can be moved away from the nearby neighborhood to the middle of the property, it would be a benefit to limiting the noise.

Councilman Morelli stated, he walked the current range and the parcel in question and feels it is a commonsense proposal for the Club and the Town. He explained the Town parcel is landlocked and does have significant buffering on it.

Resolution No. 166 of 2023, a resolution authorizing Town Planning staff to prepare an application for the NYS Office of Parks, Recreation and Historic Preservation Grant program for a roof replacement project at the Blacksmith shop in the Historic Grooms Tavern Complex, at 290 Sugarhill Road, Corner of Grooms Road, Rexford, NY.

Introduced by Councilwoman Reid, who moved its adoption, seconded by Councilman O'Hara.

WHEREAS, an engineer's estimate, provided by MJ Engineering, anticipates total roof replacement construction costs of \$187,750, and

WHEREAS, the project will require a 50% local match, estimated at \$93,875, as well as first instance funding of the entire project by the Town, pending grant funding reimbursement, and

WHEREAS, the Friends of Historic Grooms Tavern Committee has offered \$25,000 towards the projected \$93,875 local match needed; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Planning staff and Town Supervisor to complete the NYS Office of Parks, Recreation and Historic Preservation Grant application for the above-reference project, and be it further

RESOLVED, that the Town Board hereby commits to fund the project in the first instance and appropriate funds necessary to satisfy the local match obligations in partnership with the Friends of Historic Grooms Tavern; and be it further

RESOLVED, that the Town Board will authorize a transfer upon successful awarding of the grant.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O'Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 167 of 2023, a resolution issuing permits to serve alcoholic beverages, per the attached Special Alcohol Use Permit Requests.

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

WHEREAS, the following applicants have submitted Special Alcohol Use Permit Requests to the Office of Parks and Recreation to be allowed to serve alcohol in the form of beer and wine, for gatherings on the following dates, with locations as listed on the applications:

Kate Johnson, Clifton Park, July 22, 2023, 1:00-4:00 pm, Collins Park
Amanda Rosenberger, Clifton Park, August 12, 2023, 1:00-6:00pm, Veterans Park.

now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Special Alcohol Use Permit Requests submitted by Kate Johnson and Amanda Rosenberger for gatherings as indicated.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 168 of 2023, a resolution authorizing the Supervisor to sign a contract with The Blooming Artist, Inc., to run a Fall 2023 Youth Art Workshop for Town residents.

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

WHEREAS, the preservation and enhancement of public arts, culture awareness, and entertainment within the Town of Clifton Park is recognized to be important to the quality of life of the residents of Clifton Park, and

WHEREAS, the Town Board also recognizes that a community arts program promotes positive youth development, and

WHEREAS, Michael Woerner, Director of Parks and Recreation, has requested that the Town Board authorize a contract for a Youth Arts Workshop to be held this Fall 2023, at a cost not to exceed \$7,290; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign the attached agreement with The Blooming Artist, Inc., of Clifton Park.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Councilwoman Reid stated, the contract agreement is for one year, but states the dates July 2023-December 31, 2023, which is for six months and the date for the last session is January 2024, which wouldn’t fall within this date range.

Michael Woerner, Director of Parks & Recreation, answered, after December 31, 2023, a new booklet will be coming out and the January session will be reissued under the 2024 Spring Summer Classes/Booklet. The earlier sessions were part of the Fall Booklet offerings. This contract will still cover that session.

Resolution No. 169 of 2023, a resolution authorizing the hiring of additional assistants for the Adventure Challenge Course, per Schedule A.

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

WHEREAS, the Town Board wishes to hire additional Adventure Challenge Assistants to conduct the 2023 Project Adventure Program within the Department of Parks and Recreation; now, therefore, be it

RESOLVED, that the individuals on the attached Schedule A are appointed to said positions, at the salary amounts listed on Schedule A, effective retroactively to July 6, 2023, to be paid from A7621-E2360 (Project Adventure-Assistant).

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Michael Woerner, Director of Parks & Recreation, stated class numbers have doubled this year, hence the need for additional staff.

Resolution No. 170 of 2023, a resolution authorizing M.A. Shafer Construction of Altamont, NY, to supply and install playground equipment at the Country Knolls playground in the Longkill 1 Park District.

Introduced by Councilman O’Hara, who moved its adoption, seconded by Councilwoman Reid.

WHEREAS, the Town Board, as commissioners of the Longkill 1 Park District, wish to authorize improvements to the playground equipment at the Country Knolls playground on Burning Bush Blvd., and

WHEREAS, at the Park District’s request, the Department of Buildings and Grounds solicited quotes for installing playground equipment at the playground, and

WHEREAS, after a bid opening on June 28, 2023, MJ Engineering reviewed the bids received and performed an evaluation of the bid submitted by M.A. Shafer Construction, and

WHEREAS, MJ Engineering finds that M.A. Shafer Construction is qualified to perform the work for which they bid and has advised that the prices bid for the work are reasonable for the project, and

WHEREAS, M.A. Shafer Construction, 4928 Western Turnpike, Altamont, NY, submitted the lowest responsive quote to supply and install the equipment, in an amount not to exceed \$189,500; now, therefore, be it

RESOLVED, that the Town Board accepts the recommendation of MJ Engineering and hereby awards the playground equipment improvement project to M.A. Shafer Construction, pursuant to General Municipal Law Section 103, at a cost not to exceed \$189,500, and be it further

RESOLVED, that M.A. Shafer Construction is authorized to supply and install equipment, as detailed in the bid specifications, at the Country Knolls playground in the Longkill 1 Park District, at a cost not to exceed \$189,500, to be paid from SP5-07123-00200 (Longkill 1 Park District-Longkill 1 Contractual-Equipment); and be it further

RESOLVED, that the Comptroller is authorized to transfer \$147,858 from SP5-00915 (Longkill 1 Park District-Assigned Fund Balance) to SP5-07123-00200 (Longkill 1 Park District-Longkill 1 Contractual-Equipment) to cover the balance of the project.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 171 of 2023, a resolution authorizing Janet Gomes to attend the New York State Association Magistrates Court Clerk’s Annual Conference in Verona, NY, September 17-20, 2023.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman O’Hara.

WHEREAS, the State requires all Court Clerks to attend a training session on a yearly basis, and

WHEREAS, NYSAMCC will provide the necessary training for court clerks at the Annual Fall Conference held in Verona, NY, from September 17-20, 2023, and attendance at this meeting would provide a public benefit to the Town; now, therefore, be it

RESOLVED, that Court Clerk Janet Gomes, is hereby authorized to attend the NYSAMCC annual conference in Verona, NY, from September 17-20, 2023, to be paid from A1110-001 (Municipal Court-Training & Conferences) at an estimated cost not to exceed \$1,100.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 172 of 2023, a resolution authorizing the Supervisor to sign a lease agreement with JPMorgan Equipment Finance “Equipment Finance” for leasing of General Fund and Highway Fund vehicles and equipment.

Introduced by Councilman O’Hara, who moved its adoption, seconded by Councilman Morelli.

WHEREAS, numerous departments have requested that new vehicles and/or equipment be acquired for use by those departments, and

WHEREAS, the Town Board wishes to accomplish the acquisition of vehicles and equipment for use by various departments, as well as upcoming acquisitions by the Highway Department, with cost effective municipal financing, and

WHEREAS, the Comptroller’s Office received responses to a request for quotes to local banks for financing rates, through a master lease for municipal vehicles and equipment, and

WHEREAS, Equipment Finance submitted the lowest financing rate proposal, and

WHEREAS, the Town Board determines that financing recently approved acquisitions of vehicles and equipment for municipal use is best accomplished through a master lease agreement with Equipment Finance, at competitive lease financing rates; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with Equipment Finance for the lease/purchase of new vehicles and equipment throughout Town, for seven years, at a total cost not to exceed \$2,122,825.78, or \$340,265.94/year, to be paid starting in 2023.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 173 of 2023, a resolution authorizing the purchase of three flashing crosswalk systems.

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

WHEREAS, by Resolution No. 117 of 2017 and No. 141 of 2018, the Town was authorized to purchase flashing beacons to increase awareness at pedestrian crosswalks at several locations throughout town, and

WHEREAS, the Town Board wishes to expand the program by the acquisition of additional units, which provide uniformity within the Town and have become recognizable to motorists and users, and

WHEREAS, the flagship crosswalk systems previously acquired by the Town, perform as intended and are successful in raising awareness of speeds at crosswalks and trails, where they have been implemented, and

WHEREAS, the three proposed crosswalk beacons will be installed at the following locations:

- Longkill Road near Parkside Trail
- Ushers and Hillcrest
- Miller Road (connecting current trail network with the trail from Miller Road to Settler’s Hill)

and,

WHEREAS, the Town Board is compelled to establish required timeframes for installation of these public safety devices due to the issues of delay in the installation of previously authorized crosswalk beacons, including the current crosswalk installation on Ushers Road at Wooddale Drive, which was initiated by the Town Board through an engineering plan and was ready to move forward in Spring 2021, as well as information that a set of crosswalk beacons has been sitting in the Highway Department for a year, and

WHEREAS, Traffic Systems, Inc., 1 Corporate Dr., Suite 1, Holtsville, NY, an authorized distributor of crosswalk beacons, provided the sole source options, per the attached; now, therefore, be it

RESOLVED, that authorization is hereby granted for the purchase of three Carmanah R-920E Solar RRFB Crosswalk Systems at a cost of \$19,980 from A-3310-0200 (Traffic Safety – Equipment), and be it further

RESOLVED the first two locations listed above will have beacons installed by the Highway Department within two weeks of delivery, and if the beacons are not installed within that time frame, a contractor will be hired for the installations; and be it further

RESOLVED, the third location listed above will have a beacon installed following the Miller Road to Settler’s Hill Trail reconstruction project.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman O’Hara, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

OTHER BUSINESS

Councilman O'Hara questioned if the Town Board has received additional input from the Highway Department regarding the 284 Agreement.

Supervisor Barrett answered, the Town Board had been asking for information regarding proposed paving at multiple Town Board meetings this year, on June 30 the proposed agreement was received in his office. Nothing further has been received. For the areas that were listed, the commitment was for paving, several of the listed areas were already done this year. Each of the roads listed in the agreement needs to be paved. It was questioned why Westchester Drive was not on the list, after the commitment to pave was in place.

Councilman O'Hara stated as a matter of requirement of the law, that the Town Board approves the Highway Department paving plan, it would be in the interest of the Department to pursue and work with the Town Board. Mr. O'Hara will offer an invitation to the Highways Superintendent Bull to attend a Town Board meeting and work with the Town Board to complete the agreement. Mr. O'Hara stated he would like to outline concerns and relay them to the Department for consideration at a meeting.

Supervisor Barrett stated the Town Board should consider when paving Westchester, to also pave Carriage Road and all the courts in that area at the same time. To complete, this would be roughly \$300,000 to be allocated, considering the money allocated has not been all used in the past few years. It is understood that all the paving would be the standard mill and pave process as opposed to chip sealing. Mr. Barrett requested Councilman O'Hara to include this information in the correspondence to the Highways Superintendent.

Councilman O'Hara stated there is a discrepancy between the total number of feet on the agreement and the total number of each road paved on the listed areas. There are no allocations for general repairs listed in the agreement, which does not add up. The definition of general repairs would also be helpful.

Supervisor Barrett wondered if it is possible that the roads that were chip sealed is the discrepancy that was budgeted and what was listed in the agreement. The roads that were to be chip sealed should have been listed in the agreement as well.

Supervisor Barrett stated if the process does not move quickly, it will be difficult to spend all the money allocated for the paving and complete the paving.

Councilman Morelli agrees with sending the correspondence to the Highways Superintendent with the concerns and questions.

PUBLIC PRIVILEGE

Nancy Tudor, Brittany Oaks, stated she was an election inspector for the local Primary which had a very low turnout. She suggested it was because of lack of diversity. Questioned, maybe if the local elections years are changed it would bring more people out. Ms. Tudor also agrees with the creation of the Pickleball courts being proposed.

William Lynn, Halfmoon, expressed concerns with stores that don't enforce ADA rules pertaining to people placing dogs in a cart, and impersonating service animals in the stores. His wife's service dog got bitten by a dog in a store recently.

Discussion on service animals in stores ensued.

Councilwoman Walowit will consult with the Town's Animal Control Officer with the concerns.

Darlene McGraw, Halfmoon, voiced concerns and descriptions/guidelines of emotional support dogs and service animals. Thanked the Shen students on the artwork at the Justice Courts. Ms. McGraw questioned the local election years and office time limits.

Anthony Mirarchi, Ballston Spa, after attending a meeting in February, legal counsel was sought for some intricacies not accurately relayed at that time, and he advised the Town Board to advise the public that legal hunting regulation, outside of Town regulations, will be happening this year. He will be issuing public notices. He stated he will be hunting the navigable waters of NYS within the boundaries of the Vischer Ferry Preserve.

Supervisor Barrett questioned navigable waters being the Mohawk River?

Attorney McCarthy questioned if he will be walking through the Preserve with a gun?

Mr. Mirarchi stated the gun would be unloaded.

Mr. Mirarchi stated he will be hunting the navigable waters within the Preserve, the old Erie Canal, the Mohawk River and any water not connected by four sides of private ownership.

Supervisor Barrett asked then you are informing the Town that you will be hunting there?

Mr. Mirarchi stated yes, he will be floating in the waters within.

Supervisor Barrett stated beside the trails then?

Mr. Mirarchi answered yes. He will be hunting during the NYS set hunting season approximately 87 total days. He hunts from late October to the end of December.

Supervisor Barrett questioned, “You are informing us that you will be firing a weapon in and around bodies of water that are within the land mass known as the Vischer Ferry Nature Preserve near trails that are frequented on a regular basis by residents”?

Mr. Mirarchi answered yes, that’s the reason for the notice now.

Supervisor Barrett questioned; do you have any concern if you embark on this behavior someone might be in danger?

Mr. Mirarchi stated the possible dangers should be part of this discussion.

Supervisor Barrett questioned if you are basically saying everyone needs to stay away from these navigable waters?

Mr. Mirarchi answered that’s how it was for a very long time until the changes around the late nineties, when the full season went to two weeks.

Supervisor Barrett stated he believes it was decades before that.

Attorney McCarthy stated the original permit was a two-week limitation in 1977.

Mr. McCarthy stated the most recent permit is a broader delegation of authority.

Mr. Mirarchi stated specifically for waterfowl, as limited by the Town, which does not have the authority.

Supervisor Barrett stated the discussion will be continued. The Town would not be in support of shutting down the whole Preserve while he decided to hunt in time frames that have not occurred in roughly fifty years. If there was a limitation of two weeks hunting for decades and then that was changed to one week of hunting, what logical sense decades later, would we just open it up for all season.

Councilwoman Walowit suggested a survey be conducted to get public opinion on the subject.

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 8:49 PM

Teresa Brobston
Town Clerk