

TOWN OF CLIFTON PARK TOWN BOARD

October 16, 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
Deputy Town Clerk Fitzgerald

Absent: Councilwoman Reid

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Norah Hoefer, Communications and Technology Coordinator

ANNOUNCEMENTS & COMMUNICATIONS

Supervisor Barrett announced the first Celebrations Committee Meeting was held recently. He thanked everyone for participating and investing their time in this effort.

Councilman O'Hara explained the Celebrations Committee will be focused on leveraging on the many historical events that will be happening in the coming years, including the 250th Anniversary Celebration of the Revolutionary War and The Battle of Saratoga, Clifton Park Century Celebration along with the Saratoga County Celebrations.

Supervisor Barrett announced there will be a ceremony for the Anniversary of Surrender Day. Event to be located at Fort Hardy Park in Town of Saratoga at 9:30 AM tomorrow, Tuesday, October 17th. public welcome.

Supervisor Barrett stated the Town will be coordinating with the County on the celebration events. He stated at the County level, a logo has been established, informational programing and finding a store for the selling of merchandise with the logo has begun. He stated the Town will replicate those efforts locally. Educational information will be offered using cutting-edge technology.

Supervisor Barrett announced the new Project Adventure Course has begun at Collins Park. More details to be announced. Supervisor thanked Councilwoman Reid for her efforts and planning on this project.

Councilman Morelli thanked the Parks & Recreation Department, Town Security, Buildings & Grounds Department and the Shen Honor Society Volunteers for the recent successful annual "Things That Go Bump in The Night" event. It was very well attended and enjoyable.

Councilman Morelli announced, with Councilwoman Reid's permission, that she is on maternity leave, healthy and exited for their first child. She is still very involved in the operations of the Town during this time.

Supervisor Barrett announced he and his wife Lee are also expecting a child any day now.

RESOLUTIONS

Resolution No. 233 of 2023, a resolution approving award recommendations from the Community Action Fund.

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

WHEREAS, by Resolution No. 46 of 2019, the Town Board established the Community Action Fund Committee to offer opportunities to back non-profit community programs and organizations that support people of Clifton Park, and

WHEREAS, by Resolution No. 92 of 2019, the Town Board approved the criteria for selecting and granting awards, which may range from a minimum of \$250 to a maximum of \$1,000, and funding is generated by the donation of bottles and cans redeemed for a deposit, and

WHEREAS, applications for Community Action Fund grants were received by September 30, 2023, and on October 12, 2023, the Community Action Fund Committee, consisting of Supervisor Barrett, Councilwoman Walowit, and Community Members met to review all applications and make recommendations to award the funds totaling \$11,680; now, therefore, be it

RESOLVED, that the Comptroller is authorized to increase A-2706 (General Fund - Community Action Fund Contributions) in the amount of \$11,680 and to issue checks totaling \$11,680, per the attached list, to be paid from A-7309-76 (General Fund - Community Programs - Community Action Fund).

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Reid

DECLARED ADOPTED

Resolution No. 234 of 2023, a resolution scheduling a public hearing to consider the 2024 Preliminary Budget.

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

WHEREAS, the Town Board wishes to obtain comment regarding the 2024 Preliminary Budget, and

WHEREAS, salaries of the Town's Elected Officials as proposed are attached; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 9, 2023, at 7:02 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the 2024 Preliminary Budget; and be it further

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

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Reid

DECLARED ADOPTED

Supervisor Barrett reminded residents the proposed budget is available on the Town website and in the Town Clerk’s Office for review.

Resolution No. 235 of 2023, a resolution scheduling a public hearing regarding a proposal to withdraw up to \$405,575 from the Open Space Capital Reserve Fund for the acquisition of a permanent conservation easement over 71± acres of farmland on Ashdown Road.

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

WHEREAS, by Resolution No. 49 of 2003, the Town Board established an Open Space Capital Reserve Fund pursuant to General Municipal Law §6 (c), in order to invest in the preservation of open space within the Town, and

WHEREAS, by Resolution No. 150 of 2019, the Town Board authorized the Supervisor to sign a master grant contract with the State Department of Agriculture and Markets, through the Department’s Farmland Protection Implementation Grant Program, which operates as a reimbursement grant to support the purchase of a permanent conservation easement over the operating farmlands known as Maple Hill Farm, at 110 Ashdown Road, otherwise identified as SBL 263.-2-8.1, for a grant value to cover up to 75% of the total project costs, and

WHEREAS, by Resolution No. 6 of 2020, the Town Board authorized the Supervisor to execute a farmland and open space grant contract with the County of Saratoga, for additional funding of \$14,000 to support the Maple Hill Farm development rights purchase, which will also operate as a reimbursement grant, and

WHEREAS, the Town Board proposes to fund the acquisition cost for the property rights of \$405,575 in the first instance, through a withdrawal from the Open Space Capital Reserve Fund, with subsequent disbursements from grant funding sources to be redeposited to the fund for future projects, and

WHEREAS, the acquisition will bring the total acreage permanently preserved by the Town since fiscal year 2000 to over 2,076 acres, 258 acres of which are protected working farms, and

WHEREAS, the Town Board wishes to hold a public hearing to solicit input from the public for the withdrawal from the Open Space Capital Reserve Fund for the project; now, therefore, be it,

RESOLVED, that a public hearing is hereby scheduled for November 6, 2023, at 7:05pm, in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, NY, regarding a proposal to withdraw \$405,575 from the Open Space Capital Reserve Fund for the purchase of a permanent conservation easement over 71± acres of farmland on Ashdown Road.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Reid

DECLARED ADOPTED

Resolution No. 236 of 2023, a resolution appointing Jason Lurie as a member of the Industrial Development Agency (IDA).

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

WHEREAS, a vacancy exists on the IDA, and

WHEREAS, Jason Lurie has been recommended to fill the position, and

WHEREAS, Mr. Lurie has the background experience, education and training to act effectively as a member; now, therefore, be it

RESOLVED, that Jason Lurie is hereby appointed as a member of the IDA for a 3-year term, term to expire December 31, 2026.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Reid

DECLARED ADOPTED

Resolution No. 237 of 2023, a resolution directing the Superintendent of Highways to provide information for job openings for snowplow truck drivers to the Town’s Communications and Technology Office for posting on the Town’s website and related public channels.

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

WHEREAS, seven employees of the Town’s Highway Department have left the Department for other employment just this year, four of whom were Motor Equipment Operators who carry Commercial Drivers Licenses and operate the Department’s plow trucks, and

WHEREAS, the Superintendent of Highways has not provided information relative to these job openings and salary structure to the Town’s Communications and Technology Office for posting on the Town’s website, official social media pages or through other official channels, such as the routine and customary CSEA posting boards, instead limiting such postings to his personal social media pages and private sources, and

WHEREAS, the Town Board recognizes that the filling of job openings for snow route truck drivers is a high priority for the Town, and wishes that the Highway Department utilize all official and customarily recognized methods to identify and recruit qualified candidates for truck driver positions at the Department, consistent with other Clifton Park Town Departments; now, therefore, be it

RESOLVED, that the Superintendent of Highways is directed to provide all information relative to job openings and salary ranges to the Communications and Technology Coordinator for posting at Cliftonpark.org and to Town of Clifton Park social media pages.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Reid

DECLARED ADOPTED

Councilwoman Walowit requested a current list of Highway Department employees along with job descriptions.

Resolution No. 238 of 2023, a resolution admonishing the Superintendent of Highways for violation of the existing Highway Law §284 Agreement.

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

WHEREAS, Section 284 of the Highway Law requires a written agreement between the Superintendent of Highways and the Town Board, and

WHEREAS, by Resolution No. 186 of 2023, the Town Board approved the attached Highway 284 agreement with the Superintendent of Highways which was not submitted to the Town Board by the Superintendent of Highways until June 30, 2023, despite multiple previous requests for information, and

WHEREAS, by Resolution No. 192 of 2023 the Town Board and Superintendent of Highways agreed to an amendment of the 284 Agreement by adding certain streets and courts to the 284 Agreement as requested by the Town Board and directed the paving to take place utilizing Highway funds previously appropriated for paving purposes by the Town Board but unspent by the Superintendent of Highways, and

WHEREAS, pursuant to the Statute and to judicial opinion applying Highway Law Section 284, the Superintendent of Highways may not make any payments for highway repairs in absence of an agreement with the Town Board and may not divert monies appropriated for expenditures called for by such Agreement to other streets or roads not covered by the Agreement, and

WHEREAS, Town Board members have witnessed paving operations and expenditures for paving purposes that have been made in excess and outside of the listed projects listed in the existing 284 Agreement, as amended; now, therefore, be it

RESOLVED, that based on the facts of this situation it is the sense of the Town Board that the Superintendent of Highways’ expenditure of funds outside of the statutory agreement constitutes misconduct and maladministration of his office.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Reid

DECLARED ADOPTED

Supervisor Barrett stated just recently the Town Board became aware of a road that was paved and was not on the Highway 284 Agreement. He explained, if the Board was aware of the road or requested additional funds for paving, it certainly would have approved the paving. The Supervisor stated there are roads that are on the list that are not yet completed. Funding for roads that are not on the list is in question.

Councilman Morelli reminded residents that the signed 284 Agreement is on file in the Town Clerk’s Office for review. Councilman Morelli voiced concerns about roads being paved and the funds spent that are not in the 284 Agreement. He supports NYS Highway Law Section 284 and requests accountability.

The yearly process of the 284 Agreement was reviewed.

No one wished to be heard.

PUBLIC PRIVILEGE

Ann Conolly, Valdepenas Ln., voiced concerns with the Highways Superintendent issues with the Town.

SUGGESTED AMENDMENT TO BE ADDED.

Per Supervisor Barrett:

Expressed concerns with Highway Superintendent Dahn Bull's job performance, competence and lack of communication by not attending Town Board Meetings.

Darlene McGraw, Halfmoon, thanked the Highway Department, Public Safety and the Police Agencies for their assistance with the recent power outage. Voiced concerns with car accidents and too many businesses. Website options suggested.

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 8:47 PM

Teresa Brobston
Town Clerk