

TOWN OF CLIFTON PARK TOWN BOARD

February 14, 2022

The meeting of the Town Board of the Town of Clifton Park was held in the Clifton Park Senior Community Center 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
Matt Andrus, Information Specialist
Steven Myers, Director of Building & Zoning
Teresa Cook, Director, Animal Control
Sue Leonard, Director of the Clifton Park Senior Community Center
John Scavo, Planning Director

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett congratulated Town employees and participants for a successful Winterfest held Saturday, February 12.

Supervisor Barrett reminded residents masks and COVID test kits are still available at the Supervisor's Office.

Councilwoman Standaert thanked the department heads for reaching out to the Town Board and their cooperation with the new hires for consideration.

Discussion on new Town hires procedure ensued.

PUBLIC HEARING-EAGLE CREST PLANTATION PDD AMENDMENTS

Town Clerk Brobston read the legal notice that was advertised in the Daily Gazette on January 13, 2022, changing the address of the February 14, 2022 Town Board meeting to the Clifton Park Senior Community Center.

Town Clerk Brobston read the legal public hearing notice advertised in the Daily Gazette on January 13, 2022, to consider the proposed amended allowed uses within the Planned Development District for Eagle Crest Plantation to be held February 14, 2022.

Paul Rogan, former Sportsplex of Halfmoon owner, on behalf of the Applicant, introduced the presentation team: Ray Rudolph, Yehahe Advisors and James "Andy" Rymph, LaBella Associates.

Mr. Rogan presented a PowerPoint presentation. Attached. The current PDD is the Eagle Crest Golf Course which includes a miniature golf course, ice cream stand and foot golf course. The PDD was set up to cater toward recreational uses which are currently allowed uses. The proposed amendment land is currently used for an ice cream stand and lit foot golf course. Also, proposed is an enclosed sports building that would replace the lit foot golf course. They are proposing the size of a half of an outdoor soccer field and put a roof over it so that the community can use it during the winter months. The building would allow 30-40 people to use it at any given time. The use would generally be in the evenings and weekends and mostly during the winter months. The applicant is flexible on the size of the building and location and lighting on the site. The site is 8 acres. Tournaments would not be possible on this site.

Ray Rudolph reviewed the existing site plan. The proposal is two contiguous lots and does not include the miniature golf course to the right of the ice cream stand. Low quality wetlands, trees to be preserved along Rte. 146A, the ice cream stand will be eliminated. Car traffic on Rte. 146A was discussed. The proposed project would add approximately 40 cars to the peak hour. PDD process reviewed. The project proposes a lit outdoor turf field 210' x 330'. Size is up for discussion. Maximum field/light time till 10pm. Lighting is proposed at the four corners of the field. Stormwater management and wetlands one for one mitigation areas viewed. The proposed indoor soccer building 180 x 240'. A full soccer field with perimeter area for one row of seating, spectators and access to the playing field. Proposed parking is 128 new spaces above the existing. A smaller building, 65' x 40' single story, is to house vending machines, management, check-in area, restrooms, storage/janitorial supply closet and parent pick-up area. Mr. Rogan's previous sports complex in Halfmoon was fully metered, had concessions and was larger and they used about 450 gallons daily. Water supply for surrounding homes were discussed. Mr. Rudolph stated if the proposal is approved, then the applicant will be following appropriate procedures. A small 60' x 120' synthetic turf practice field is proposed to the right of the larger field for warm-up and mini pitch. A 210' x 330' synthetic turf outdoor field is proposed. He explained the stretched tension fabric structure is supported with a light gage metal frame. They chose this type of structure because of the agricultural area proposed in. Design details would be worked out with the Planning Board. Sample pictures of the tension fabric structures viewed.

Mr. Rogan reviewed PDD objectives. The facility will be open to the community.

Supervisor Barrett explained the PDD procedure. The project cannot move ahead until there is an affirmative vote by the Town Board. He explained there will not be a determination tonight. If a vote does occur, it will be on a future agenda.

Planning Director John Scavo read the Planning Board recommendations offered to the Town Board on December 21, 2021.

Jackie Carrese, Ballston Lake Road, stated they live across the street from the proposed site and explained she is not opposed to the wonderful opportunity for the kids for a sports complex with outdoor fields in the Town of Clifton Park, just not this location. The proposed amendment will forever change the environmental footprint of the area and goes against the Town's comprehensive plan of keeping western Clifton Park forever wild. The Town purchased the Carrese property, her in-laws, a few years ago to make a beautiful forest for outdoor activities and trails. She has concerns for their private well. She requested Town Board members to give credence to the people who live in the direct area of the proposed amendment and vote against the project.

Eve Bucwinski, Ballston Lake Road, is against the proposed project. Concerned about the change in the environment, increased traffic, noise and light pollution. Suggested the project be placed elsewhere in Clifton Park.

Jim Carrese, Ballston Lake Road, explained his family owned the property that is currently the Eagle Crest Golf Course and proposed project amendment. He stated there is no foot golf business going on at this site. The lights are not on till 10 pm at night. There has not been allot of business across the street in the past couple of years. The proposed project will be year-round and a dramatic change. He would love for kids to have more sports opportunities, but not at this location. He voiced traffic concerns. Opposes the proposal.

Jennifer Zimmerman, MacElroy Rd., voiced concerns with increased traffic and wildlife. She is not against the sports plex, but not in this location. She thanked Councilwoman Standaert and Councilwoman Walowit for returning her call about her concerns with the proposal.

Kurt Swartz, Ashdown Road, owner-operator of Maple Hill Farm on Ashdown Road, expressed opposition to the proposed project. Concerns are for open space sustainability and the connection to enduring agriculture. Concerns with wildlife, traffic and keeping farmland in Town.

Bob LaBelle, Rte. 146A, as former members of the Halfmoon sports complex they want what's best for the kids, but not in a residential neighborhood. His concerns are with lack of water, changing the character of the neighborhood, negative impact on property values, runoff flooding his property. Concern with septic system and contamination to his well, traffic, and noise. Spot zoning applications procedures and litigation were read. Signed petition against the project was previously submitted. Not compatible with the Comprehensive Plan. Requested not to amend the PDD.

Ingrid Hahn, Waite Rd., would like the Town to maintain the goals of the Western GEIS. Concerns with traffic on Rte. 146A, (a corridor for ambulance and fire), parking on the parcel, year-round and hourly usage, water drainage and contamination, wildlife and against the NYS Heritage area: Mohawk Valley Heritage Corridor views, drainage and concerns over lighting. Project will not meet the current usage of need in the community.

Susan Burton, Riverview Rd., representing Friends of Clifton Park Open Space, read their comments. She stated FRIENDS thinks the proposed Eagle Crest Plantation PDD modification should be denied for the following reasons: Ignores 2006 Comprehensive Plan, ignores the town's PDD requirements, parcel cannot represent all the components that constitute the Eagle Crest PDD, take the underlying zone into consideration, its character does not fit the zoning surrounding the location. They support a sports facility, except for the proposed location.

Dan Mathias, Birch Hill Rd., gave comments why he is against the location of this proposal. Concerns were with the negative impact of the CR zone, violates the purpose and qualifications of PDD's, ignores goals of the Comprehensive Plan, too close to Route 146A, evades provisions of the Zoning Code, no indication of how the proposed project integrates with the existing owners, negative environmental impacts and size of structure.

Ray Seymour, Nadler Rd., questioned what a new owner could do with the left-over facilities if this project fails. If the project is a huge success, would there then be a need to expand possibly at taxpayers' expense. Concerns with traffic, impact on the larger PDD and CR Zone. He supports youth sports, but not at this location.

Charlene Spetla, Ballston Lake Rd., likes the idea of a sports plex but not in this location. She had questions and concerns about parking, hours of operation and perk test viewing if this project goes forward. She stated when the current pond was constructed, four of the residents' wells went dry and had to drill a new deeper well, at the owner's expense. She questioned who will pay for their dry well if it goes dry. She voiced concerns about traffic and the possibility of the need of widening of the road. She requested the Town Board to consider voting no on this project.

Jon Hansel, Ballston Lake Rd., express concerns with traffic, parking, noise and the probability of tournaments for fundraising. Supports the sports complex, but not in this location.

Mark Bechard, Ballston Lake Rd., had concerns with the character of the neighborhood impact, wildlife, noise, lights, traffic, danger of the road, home value, space for possible expansion, water contamination, health and environment. The project doesn't fit the character of the neighborhood. Encouraged the Town Board to turn down the amendment.

Frank Berlin, Main St., thanked the Town for giving the residents time to voice their concerns. He would like to see the Town, who worked so hard to protect the open space, comply with the Comprehensive Plan. Supports the idea of sports complex, but not the location.

Supervisor Barrett stated anyone with questions or follow-up concerns, feel free to contact the Town Board. He is proud of the Open Space plan that the Town initiated and the Western GEIS study and have been successful in preserving property and will continue to work on those types of initiatives.

Town Clerk Brobston summarized two emails received and addressed for tonight's public hearing. One from Albert Betzviser who is opposed to the project and one from Jeff Jones who is in favor of the project.

Public Hearing closed at 9:23 P.M.

RESOLUTIONS

No one wished to be heard.

Resolution No. 42 of 2022, a resolution appointing Dolores Mabb as a Principal Typist per civil service classification.

Introduced by Councilwoman Standaert, who moved to take it off the table and moved its adoption, seconded by Councilman Morelli.

WHEREAS, an opening exists for a principal typist in the Department of Building & Development, and

WHEREAS, this resolution was on the agenda for the February 7, 2022 Town Board meeting, and tabled by majority vote of the board on motion by Councilwoman Standaert, with Councilwomen Walowit and Flood voting to table the resolution and remove the hiring of Ms. Mabb from consideration of the Board at that time, and

WHEREAS, Dolores Mabb successfully passed the Civil Service Exam and is #1 on the Certification List of Eligible Principal Typists provided by Saratoga County Human Resources, and

WHEREAS, Steve Myers, Director of Building & Development, has interviewed Ms. Mabb and wishes to hire Ms. Mabb as a Principal Typist, Grade 6, Step 4, Year 1, to be paid \$32.81/hr., and

WHEREAS, Dolores Mabb has demonstrated the background, education, training and experience necessary for the position and as the candidate with the highest score, she has established eligibility for the position, per the New York State Civil Service Laws; now, therefore, be it

RESOLVED, that Dolores Mabb, 387 Middleline Road, Ballston Spa, NY, is hereby appointed as Principal Typist for the Town of Clifton Park, per Civil Service Certification, effective immediately; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$33,415 from A-3620-E0582 (Gen. Fund – Building Department – K. Boni) and \$20,400 from A-3620-E6200 (General Fund – Building Department – Code Enforcement) to A-3620-Exxx (General Fund – Building Department – Employee).

MOTION by Councilwoman Standaert to remove the resolution from the table, seconded by Councilwoman Walowit. All in favor. MOTION CARRIED

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 43 of 2022, a resolution to approve an engineering agreement for design and construction phases of the Clifton Park Route 146 Sidewalk Project.

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

WHEREAS, by Resolution No. 22 of 2022, the Town Board authorized the Supervisor to execute a grant contract with New York State Department of Environmental Conservation for partial funding of the project under the “Climate Smart Communities Grant Program”, and

WHEREAS, on December 28, 2021, the Planning Department distributed a Request for Qualifications among all firms qualified to provide local design services for the engineering design and construction inspection of the project, consistent with New York State guidelines for DEC and DOT funded projects, and

WHEREAS, MJ Engineering and Land Surveying submitted the sole responding bid, offering to provide comprehensive engineering design and construction management services in an amount of \$186,700, and

WHEREAS, MJ Engineering has provided similar engineering services on numerous projects that have been successfully completed within the Town; now, therefore, be it

RESOLVED, that the proposal of MJ Engineering comprising of design and inspection services in response to the RFQ of December 28, 2021, is accepted; and be it further

RESOLVED, that the Supervisor is authorized to execute the attached contract with MJ Engineering; and be it further

RESOLVED, that the Comptroller is authorized to create Capital Project H62 (Clifton Park Route 146 Sidewalk Project) with a budget of \$440,000 of which \$220,000 will come from Grant Revenues, and \$220,000 will be paid by a transfer from A-914 (Unassigned Fund Balance) to H62, and be it further

RESOLVED, that the expenditures for the project totaling \$440,000 will be allocated in the amount of \$186,700 to H62-7629-135 (Capital Projects Fund – Engineering) for payment of MJ Engineering to offset the costs of the engineering contract; and be it further

RESOLVED, that the remaining \$253,300 will be allocated to H62 – 7629-200 (Capital Projects Fund – Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 44 of 2022, a resolution authorizing Anil Bisht to serve alcoholic beverages at a gathering to be held at Clifton Park Senior Community Center on March 26, 2022.

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

WHEREAS, Resolution No. 27 of 2022 authorized Anil Bisht to serve beer and wine at a gathering on March 19, 2022, and

WHEREAS, Anil Bisht, 613 Clifton Park Center Road, Clifton Park, has requested a change of date for the gathering to March 26, 2022, from 6:00 P.M to 11:00 P.M., and

WHEREAS, Anil Bisht has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Anil Bisht is hereby authorized to serve beer and wine at a gathering at Clifton Park Senior Community Center on March 26, 2022, from 6:00 P.M. to 11:00 P.M.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 45 of 2022, a resolution hiring Mary L. Guilbeault as a Part-time Animal Control Officer.

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

WHEREAS, an opening exists for a Part-time Animal Control Officer due to the resignation of David Drozinski, and

WHEREAS, Terri Cook, Director of Animal Control, has recommended Mary L. Guilbeault, 10 Garnsey Road, Rexford, to be hired provisionally for the position, pending Civil Service Certification; now, therefore, be it

RESOLVED, that Mary Guilbeault, Rexford, is hereby hired as a Part-time Animal Control Officer for the Town of Clifton Park, at Grade 3, Step 1 (\$19.71 per hour) budgeted from A-3510-E4000 (General Fund-Animal Control Part-time Employee), effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 46 of 2022, a resolution adopting a corrective action plan for the purposes of submitting to the New York State Comptroller.

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

WHEREAS, the New York State Office of the Comptroller conducted an information technology audit in 2020-2021, and

WHEREAS, a report with recommendations was filed with suggestions for corrective actions to be undertaken by the Town in response to suggestions and recommendations contained in the audit report, and

WHEREAS, Councilwoman Standaert has presented a draft corrective action plan with recommendations for actions, person(s) responsible for such actions, and implementation dates as they have already been met, or shall be achieved; now, therefore be it

RESOLVED, that the Town Board adopts, the attached Town of Clifton Park Corrective Action Plan.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 47 of 2022 a resolution hiring a Full-time Recreation Attendant for the Clifton Park Senior Community Center.

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

WHEREAS, an opening exists for a Full-time Recreation Attendant in the Clifton Park Senior Community Center due to the resignation of Keith Ulrich, and

WHEREAS, Sue Leonard, Director of the Clifton Park Senior Community Center has interviewed Zachariah Direnzo, 17 Bellot Drive, Clifton Park, and wishes to hire Mr. Direnzo as Recreation Attendant, Grade 3, Step 1, \$41,246/year, and

WHEREAS, Councilwoman Standaert, has recommended that Zachariah Direnzo be hired to fill the full-time position as advertised; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Zachariah Direnzo for the Clifton Park Senior Community Center at Grade 3, Step 1, effective immediately; and be it further

RESOLVED, that the Comptroller is authorized to transfer the balance from A-06773-E08920 (General Fund – Senior Center – K. Ulrich) to A-06773-Exxxx (General Fund – Senior Center – Employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

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 9:40 PM

Teresa Brobston
Town Clerk