

TOWN OF CLIFTON PARK TOWN BOARD

April 11, 2022

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  
Matt Andrus, Information Specialist  
Louis Pasquarell, Director of Safety & Security  
Teresa Cook, Director, Animal Control  
Dahn Bull, Highways Superintendent  
John Scherer, Town Historian

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett stated a Yellow Ribbon Day event, initiated by Carol Hotaling, was celebrated recently. The Yellow Ribbon mission, recognized by New York State, honors veterans.

Supervisor Barrett thanked Congregation Beth Shalom for the invitation to provide a Town update to the congregation held recently.

Supervisor Barrett updated the residents on the Sitterly Road bridge replacement project. A closure and detour will be posted during the next school break, April 18-22 preparing for the whole replacement. Full closure, for when the full replacement will commence, will begin June 18- September 12.

Supervisor Barrett recently requested of the Town Board members if they had any questions regarding the submissions of the non-profit ARPA grant program applications. A public workshop including the whole Town Board, reviewing all the applications will be held April 27, 2022, at 6:00 PM. He asked members to submit questions prior to the workshop. All organizations, which submitted an application, are welcome to attend.

Councilwoman Standaert recognized Director of Animal Control Terri Cook during Animal Control Officers Appreciation Week.

Councilwoman Standaert announced the GREEN Committee will be accepting submissions from residents for the rain barrel/composters program. For more information go to GREEN Committee on the Town's website. Applications must be submitted by April 16, 2022, to j.coons359@gmail.com.

Councilwoman Standaert announced the GREEN Committee will have activities celebrating Earth Week/Arbor Day starting with Clean Sweep, April 23. Activities will be held on the Clifton Common to include a ceremonial tree planting and a book display at the Clifton Park Halfmoon Library. For more information go to GREEN Committee on the Town's website. Cliftonpark.org

Supervisor Barrett reminded residents of the Eggstravaganza event Saturday, April 16th on the Clifton Common, 10AM. More information can be viewed on the Town website.

PUBLIC HEARING-PRIMARY ELECTION SIGNAGE 7:05 PM

Town Clerk Brobston read the legal notice as appeared in the Schenectady Gazette on March 29, 2022.

Town Attorney McCarthy it was brought to the Town's attention that the Town Code relative to political signs have not been amended since the New York Legislature changed the primary election schedule from September to June. The change includes the limitation of signage before the election when the signs can be out. Amendment to the Town Code Chapter 171-4 G(15)(a) Prohibitions; application; exemptions, include primary elections for such signs may not be placed more than 30 days prior to the date of election. He stated most of the political parties' campaigns are very good with registering with the Building Department to keep compliance with the law.

Councilwoman Standaert stated the current code it mentions the restrictions in residential districts, she questioned if that was private homeowners' property?

Attorney McCarthy explained yes it does and would be enforce as a result of complaints. In response to complaints, in the right of way, the Town does enforce the law.

Mark Brockbank, Stoney Creek Dr., stated he brought this information to the Town Board a few weeks ago and appreciate their efforts in amending the local law. He stated people do not want to see political signs all year round. He stressed it is a Freedom of Speech to be able to put signs up in your yard but appreciate the Town Code with the limitation of 30 days prior to the election and then 5 days after an election must be removed.

Darlene McGraw, Northpointe, supported changing the local law.

Councilwoman Standaert commented, bringing up Freedom of Speech, and applying to private property, questioned if this is violation of the 1<sup>st</sup> Amendment?

Attorney McCarthy stated the Town has not been challenged on it. From his understanding all parties understand that the overwhelming majority of the residents in Town that most people don't want to see the signs up any longer than necessary.

Discussion held on challenging the law pertaining to residential property.

PUBLIC HEARING CLOSED 7:25PM.

ANNUAL PRESENTATION BY TOWN HISTORIAN JOHN SCHERER

Town Historian John Scherer presented the Town Board with a 2021 Annual Historian Report. Highlights included the following: He was presented at the annual conference of the Association of Public Historians of NYS with the Franklin D. Roosevelt Award lifetime achievement award. Presented a list of locations of history articles written. Collaborated with the Saratoga County History Round Table. Update on programs presented. Offered bus, bicycle and walking tours. Provided research on the Stony Creek Reservoir. Two new historic markers have been added to Town. Acquisitions to the Town's History Collection received. Continues to work with and serve as advisor to the Historic Preservation Commission, Friends of Historic Grooms Tavern and representing the Town of the Mohawk Towpath Byway committee.

Mr. Scherer thanked the Town Board and other Town offices for their support. He thanked Councilwoman Flood for being the historic liaison to the Town Board.

Mr. Scherer stated he will be participating in a workshop bringing local Town Historians, School History and Social Studies teachers along with Librarians in getting local history into the schools.

Councilwoman Flood congratulated Historian John Scherer on his award.

RESOLUTIONS

No one wished to be heard.

Resolution No. 102 of 2022, a resolution adopting Local Law No. 2 of 2022, a local law amending the Town Code §171-4 (G) (15) (a) regarding political signs.

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

WHEREAS, the Supervisor has requested that amendments be made to Chapter 171-4 (G) (15) (a) of Town Code, regarding the time frame for the placement of political signs prior to primary elections, and

WHEREAS, the residents of Clifton Park overwhelmingly support reasonable limitations on the length of time that candidates and political parties may place political signs out in advance of primary and general elections for federal, state and local elective offices, and

WHEREAS, the Town's local codes regarding political signs, contained in Chapter 171 of the Town Code, has long provided a 30-day limitation for the placement of such signs prior to a general or special election and/or referendum, and

WHEREAS, the New York State legislature has adjusted the primary election calendar in New York and has moved the primary election from September to June, and

WHEREAS, a public hearing was held on April 11, 2022, to solicit the views and input from the community on a proposal to adjust the 30-day limitation accordingly; now, therefore, be it:

RESOLVED, that the Town Board adopts Local Law No. 2 of 2022, a local law amending Section 171-4 per the attached legislation; 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. 103 of 2022, a resolution appointing Paul Van Schaick as the Chairman of the Emergency Services Advisory Board.

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

WHEREAS, due to the passing of long-time Emergency Services Advisory Board Chairman Allan Atwell, an opening exists to fill the remainder of his term, and

WHEREAS, the Town Board and ESAB members mourn the loss of Mr. Atwell, and they pledge to continue his legacy of respect and leadership to the volunteer firefighters and EMT/paramedics of Clifton Park, and

WHEREAS, ESAB members have unanimously nominated Paul Van Schaick to serve as Chairman for the remainder of 2022; now, therefore, be it

RESOLVED, that Paul Van Schaick, 47 Rustic Bridge Road, Rexford, is appointed as Chairman of the Emergency Services Advisory Board for the remainder of a 1-year term, term to expire December 31, 2022.

ROLL CALL VOTE

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

Noes: None

## DECLARED ADOPTED

Resolution No. 104 of 2022, a resolution hiring summer seasonal laborers for the 2022 Summer season at the Clifton Park Highway Department.

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

WHEREAS, Dahn Bull, Highways Superintendent, wishes to hire laborers for the 2022 Summer season, and

WHEREAS, Mr. Bull has conducted interviews and driving record reviews, and has recommended the rehiring and hiring of the following at a rate of \$14.50/hr.;

<u>Status</u>	<u>Name</u>	<u>Address</u>	<u>Start Date</u>
Returning	Mr. Elias Neidhart	18 Hidden Valley Lane, Ballston Lake	May 16, 2022
New Hire	Mr. Kevin Krul	426 Moe Road, Clifton Park	April 18, 2022

Now, therefore be it,

RESOLVED, that the individuals listed above be hired as summer seasonal laborers, to be paid a rate of \$14.50/hour from budget line DA-5110-E4000 (Highway - General Repairs - Part-time Employee), Summer Help.

ROLL CALL VOTE

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

Noes: None

## DECLARED ADOPTED

Resolution No. 105 of 2022, a resolution authorizing the Clifton Park Superintendent of Highways to order a 2022 Elgin Broom Bear Sweeper from Joe Johnson Equipment pursuant to Sourcewell Contract.

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

WHEREAS, by Resolution No. 50 of 2021, the Town Board authorized the purchase of a 2021 Elgin Broom Bear Sweeper through Sourcewell Service Cooperative, which was financed through a capital lease obtained through a separate competitive process, and

WHEREAS, on August 17, 2021, the Town's original Broom Bear Sweeper was lost in a fire, now needing to be replaced, and

WHEREAS, the original lease payment obligation has been discharged with funds received from the Town's property fire and casualty loss insurance policy, and

WHEREAS, Highways Superintendent Dahn Bull, has requested authorization to purchase a new Elgin Broom Bear Street Sweeper from Joe Johnson Equipment, pursuant to the same competitive procurement process through the Sourcewell Service Cooperative, for use by the Highway Department, and

WHEREAS, pursuant to General Municipal Law Section 103 (16), municipalities in New York are authorized to purchase materials, equipment or supplies through publicly bid contracts of another political state or political subdivision thereof, and

WHEREAS, Sourcewell Service Cooperative is a service cooperative created under Minnesota Statutes §123A.21 and provides cooperative purchasing contracts to public entities under Minnesota Statute §471.59 to participating agencies and governments, and

WHEREAS, Highways Superintendent Dahn Bull, has advised that a 2022 Elgin Broom Bear Street Sweeper is available for \$302,525 through Sourcewell Contract 093021-ELG (Elgin), to replace the sweeper that was destroyed in the fire of August 17, 2021; now, therefore, be it

RESOLVED, that the Highway Department is authorized to purchase a 2022 Elgin Broom Bear Street Sweeper in accordance with the attached proposal, with equipment and attachments as listed, in an amount not to exceed \$302,525 to be paid from DA-5130-145 (Highway Department – Equipment – Lease Payments), and be it further

RESOLVED, that the Comptroller is authorized to solicit bids to enter a capital lease to pay for the purchase.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 106 of 2022, a resolution authorizing the Director of Safety & Security to purchase two new vehicles from Robert Green Truck Division through Onondaga County Contract #8771.

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

WHEREAS, pursuant to General Municipal Law Section 103 (16), municipalities in New York are authorized to “piggyback” from competitively bid contracts of other municipalities within the state, so long as the bid process from the original contracting entity was conducted through a sealed bid process pursuant to the statute, and the bid notice provided for such piggybacking, and

WHEREAS, the Louis Pasquarell, Director of Safety & Security, has now requested authorization to place an order for two 2022 Dodge Ram Quad Cab pickup trucks, priced at \$39,099.54 each from Robert Green Truck Division, Rock Hill, NY, using the piggyback option from the Onondaga County Contract #8771, attached, whose bids were opened on September 14, 2017, with prices valid through September 20, 2022, according to bid documents and correspondence reviewed from the Onondaga County Division of Purchase; now, therefore, be it

RESOLVED, that the Director of Safety & Security is authorized to place orders for two 2022 Dodge Ram pickup trucks from Robert Green Truck Division, to be paid at time of delivery in a total amount not to exceed \$78,199.08 from a municipal lease subject to future procurement.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 107 of 2022, a resolution authorizing the purchase of mobile radios for vehicles authorized for the Public Safety Department.

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

WHEREAS, the Director of Safety & Security has recommended the purchase of mobile radios for two new vehicles authorized by Resolution No. 106 of 2022, and

WHEREAS, the Town has been using Motorola mobile radios for its dual band communication system since 2012, and

WHEREAS, the Director recommends that the Board authorizes the purchase of two Motorola 800 band dual use radios for \$5,506.25 each, for communicating with law enforcement and first responder agencies within the Town, and

WHEREAS, the Director also recommends the purchase of two VHF band radios for \$880.50 each, for internal communications within Town departments, and

WHEREAS, the units are available on State Contract PT-68722; now, therefore, be it

RESOLVED, that the Director of Safety & Security is authorized to purchase two Motorola Dual band radios, as attached, pursuant to New York State Contract PT-68722 in the amount of \$11,012.50; and be it further

RESOLVED, that the Director of Safety & Security is authorized to purchase two VHF radios, as attached, pursuant to New York State Contract PT-68722 in the amount of \$1,761.50, both to be paid by municipal lease.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 108 of 2022, a resolution authorizing the hiring of Justin Brooks, Shawn Thorpe, and Kevin Buchler as part-time Security Officers.

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

WHEREAS, vacancies exist for part-time security officers, and

WHEREAS, Justin Brooks, Shawn Thorpe, and Kevin Buchler, have successfully passed the Civil Service Exam, and

WHEREAS, Louis Pasquarell, Director of Safety & Security, has recommended that the above individuals be hired to fill the positions of the part-time security officer; now, therefore, be it

RESOLVED, that Justin Brooks, Shawn Thorpe, and Kevin Buchler be appointed as a part-time Security Officers at Grade 5, Step 1, to be paid \$24.20/ hour, from A-3120-E4010 (General Fund – Security – Part-time Security Officer), effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 109 of 2022, a resolution appointing Patricia Howland as a part-time clerk, as needed, for Town Hall.

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

WHEREAS, a need exists for a part-time clerk and Patricia Howland, 60 Stoney Creek Drive, Clifton Park, has been recommended to fill this position; now, therefore, be it

RESOLVED, that Patricia Howland, 60 Stoney Creek Drive, Clifton Park, be appointed as a part-time clerk to be used as needed, at Grade 4, Step 2, to be paid per the Part-time Matrix, from departments as needed, effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilwoman Standaert made a motion to enter into Executive Session for the purposes of discussing a Town employee matter under NYS POL Article 7, Section 105, Councilwoman Flood seconded.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED 8:10PM

[On June 6, 2022 Town Clerk Brobston requested this note: I have noticed that the written/approved minutes of the 4/11 meeting does not have “the Town Board & Town Clerk” included in the Motion for Executive Session. However, I checked the audio for the 4/11/22 motion on the Executive Session. This is verbatim by Councilwoman Standaert-“I move for the Town Board & the Town Clerk to enter into executive session for the purposed of discussing a town employee matter covered under NYS Public Officers Law, Article 7, Section 105”.

Councilwoman Standaert MOVED to amend the April 11, 2022 minutes to include the above Clerk’s note, seconded by Councilman Morelli.

ROLL CALL VOTE

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

Noes: None

MOTION APPROVED]

No action was taken during Executive Session.

MOTION to return to regular Town Board meeting.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED 8:17PM.

DECLARED ADOPTED

PUBLIC PRIVILEGE

Darlene McGraw, Northpointe, read a song by Counting Crows, Paving Paradise. Concerns for additional businesses. She would like to see more affordable housing in Town.

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 8:20PM

Teresa Brobston  
Town Clerk