

TOWN OF CLIFTON PARK TOWN BOARD

February 6, 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
Michael Woerner, Director of Parks & Recreation
Walter Smead, Assessor

MINUTES

MINUTES APPROVAL

MOTION by Councilwoman Walowit, seconded by Councilman Morelli, to approve the minutes of January 9 and 17, 2023 meetings as presented.

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett announced Winterfest 2023 to be held Saturday, February 11, 9:00 am – 4:00 pm at the Clifton Park Center Mall, Public Library and various parks throughout Town and intro to Winterfest 2023, Park at Dark, to be held Friday, February 10, 5:30-7:30 pm, at the new Town Center Park, Exit 9, between Maxwell Extension and Moe Road.

Supervisor Barrett announced a Restaurant Week is being planned for April, details to be announced.

RESOLUTIONS

Resolution No. 20 of 2023, a resolution scheduling a public hearing to consider a local law amending Chapter 182, Article VI, of the Town Code, to provide for enhanced Real Property tax exemptions for enrolled members of incorporated volunteer fire companies, fire departments, and incorporated voluntary ambulance services, and their spouses within the Town.

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

WHEREAS, Chapter 182, Article VI of the Town Code provides for certain Real Property exemptions for enrolled and certified members of incorporated volunteer fire companies, fire departments, and incorporated voluntary ambulance services, and their spouses, and

WHEREAS, the New York State Legislature has amended the legislative authorization for such exemptions relating to these volunteers, providing for enhanced exemptions over existing law, and

WHEREAS, the Town Board wishes to consider a local law implementing such enhanced exemptions for volunteer firemen, ambulance workers and their spouses for Real Property in Town occupied by such volunteers consistent with amendments to Section 466-a of the Real Property Tax law;

RESOLVED, that the Town Board will hold a public hearing on February 27, 2023, at 7:05PM, on a proposal to Article VI of Chapter 182 of the Town Code, pursuant to Real Property Tax Law 466-a.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett stated the importance of the decision being made before the deadline at the end of February for recipients to receive the tax exemption for 2023.

Supervisor Barrett announced Saratoga County will be holding a special meeting tomorrow setting a public hearing as well, to meet the deadline.

Walter Smead, Assessor, explained the Town has six Fire Districts and he requested someone/possibly the Chief from each District, to coordinate the applications, etc. He requested all the information to be returned to the Assessor’s office by March 1, 2023.

Supervisor Barrett suggested a meeting with all the Fire Districts Representatives and the Halfmoon Assessor, for coordination for each Town.

Assessor Smead stated each District needs to pass a resolution to authorize the exemption.

Attorney McCarthy questioned Mr. Smead in terms of the way the proposed local law is written, is this the extent of the authorization from the State, so the local law being proposed is the maximum authority proposed.

Mr. Smead answered yes.

Marty Schanz, fire fighter from Vischer Ferry Fire Department, on behalf of all the Fire Companies in Clifton Park, thanked the Town Board for the consideration and the time limits for considering the law amendments. He explained with falling numbers of volunteers throughout the Country is a large problem and hopefully this incentive would be a good tool for retention and recruiting new members.

Resolution No. 21 of 2023, a resolution scheduling a public hearing to consider a local law providing the Animal Control office with authority to seek an order of restitution in certain animal control cases with damages to third parties.

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

WHEREAS, Chapter 92 of the Town Code, provides for penalties for violations of the Chapter related to dogs, and

WHEREAS, Animal Control Director, Terri Cook, has requested that the Animal Control Officer be authorized to seek an order of restitution for offenses under Chapter 92, which result in injury or damage to pets, domestic animals, and/or destruction of property, including but not limited to veterinary bills, and

WHEREAS, the Animal Control Director also seeks authorization to petition the Justice Courts for an order of restitution upon pet owners, for the costs of emergency veterinary care and shelter expenses incurred in cases where injured pets are seized, cared for and sheltered by the Officer under 1 NYC RR 77.2 et seq. of the Agriculture and Markets regulations; now, therefore, be it

RESOLVED, that the Town Board will hold a public hearing on February 27, 2023, at 7:07pm, on a proposal to allow the Town to seek an order of restitution for injury or damage to pets, domestic animals, and/or destruction of property, including but not limited to veterinary bills, shelter fees and expenses incurred.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 22 of 2023, a resolution extending Intermunicipal Agreements between the Town of Clifton Park, the City of Mechanicville, and the Town of Halfmoon, respectively, for the provision of Animal Control Services.

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

WHEREAS, pursuant to Section 119-0 of the General Municipal Law of the State of New York, the parties are authorized to enter into binding agreements for the cooperative performance of various municipal projects, contracts and functions, and

WHEREAS, the local governments recognize the benefit to each of the involved municipalities that arise from the cooperative provision of services to their residents, and

WHEREAS, Resolution No. 15 of 2014, authorized an agreement between the Town of Halfmoon and the Town of Clifton Park, for shared services in the area of animal control, and

WHEREAS, Clifton Park and the City of Mechanicville also entered into such an agreement in 2020, whereby Clifton Park will provide on call and sick/vacation coverage for the prospective Animal Control Departments, and

WHEREAS, Clifton Park has the personnel and equipment to provide on call and sick/vacation coverage for the Halfmoon and Mechanicville Animal Control Departments, with a rate of reimbursement of \$40/hour; now, therefore, be it

RESOLVED, that the Town Board approves the adoption of an intermunicipal agreement between the City of Mechanicville and the Town of Clifton Park for the provision of Animal Control Services, per the attached agreement through December 31, 2023 at \$40/hour; and be it further

RESOLVED, that the Town Board approves the adoption of an intermunicipal agreement between the Town of Halfmoon and the Town of Clifton Park for the provision of animal control services, per the attached agreement through December 31, 2023 at \$40/hour.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 23 of 2023, a resolution adopting a change to the Guest Policy for Town Pool Memberships.

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

WHEREAS, the total number of guests allowed, per membership, during the season is now seven (7), and

WHEREAS, Parks & Recreation Director Michael Woerner, has recommended that the updated Guest Policy be adopted according to attachment A.; now, therefore, be it

RESOLVED, that the Town Board adopts the attached 2023 Town Pool Guest Policy for memberships issued by the Department of Parks & Recreation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 24 of 2023, a resolution adopting the 2023 General Facility Fee Schedule for memberships, and short-term use of Town-owned facilities and programs.

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

WHEREAS, Michael Woerner, Director of Parks & Recreation, has recommended that the fee schedule be adjusted for Town pool memberships and for short-term use of Town-owned facilities and programs, and

WHEREAS, Mr. Woerner also recommends that the fees for facilities use, Town recreation camps and the golf course operated by the Town be maintained; now, therefore, be it

RESOLVED, that the Town Board adopts the attached 2023 General Facility Fee Schedule for permits and memberships issued by the Department of Parks & Recreation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 25 of 2023, a resolution authorizing the Highways Superintendent to retain Precision Trenchless, LLC to perform repairs and upgrades to stormwater systems within the Town of Clifton Park.

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

WHEREAS, Superintendent of Highways Dahn Bull, has identified the following sliplining projects in Clifton Park:

Street	Linear Feet	Pipe Diameter	Cost
89 Algonquin	125 LF	36 Inches	\$37,687.50
10 Gloucester	389 LF	24 Inches	\$74,082.05
96 Gloucester	165 LF	24 Inches	\$30,469.25
2 Laurel Oak Lane	401 LF	18 Inches	\$52,646.56

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 Highway Department has now requested authorization to enter a contract with Precision Trenchless, LLC, 1710 Erie Blvd., Schenectady, NY, using the piggyback option from the 2020 Contract #0000004284 of Onondaga County, attached, whose bids were opened on May 7, 2020, with prices valid through June 30, 2021, and extended to June 30, 2023, according to bid documents and correspondence reviewed from the Onondaga County Division of Purchase, and

WHEREAS, according to information provided by the Highways Superintendent, Precision Trenchless has provided quotes in the amount of \$194,885.36 for sliplining pipes, per Exhibit A, using unit prices as bid in the Onondaga contract; now, therefore, be it

RESOLVED, that the Highways Superintendent is authorized to execute a contract with Precision Trenchless, LLC for a total amount not to exceed \$194,885.36 from DA-05110-00037, (Highway Fund-Highway Construction-Paving-Slip Lining).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 26 of 2023, a resolution appointing Joshua O’Leary as Chairman of the Industrial Development Agency (IDA).

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

WHEREAS, Derek Brown has resigned as the Chairman of the Industrial Development Agency, and

WHEREAS, Josh O’Leary has been recommended to fill the position, and

WHEREAS, Mr. O’Leary has the background experience, education and training to act effectively as Chairman; now, therefore, be it

RESOLVED, that Josh O’Leary is hereby appointed as a Chairman of the IDA for the remainder of a one-year term, term to expire December 31, 2023.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 27 of 2023, a resolution reappointing Sheila Barkevich as Secretary of the Industrial Development Agency (IDA).

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

WHEREAS, the Town Supervisor has recommended that Sheila Barkevich, 630 Clifton Park Center Road, Clifton Park, be reappointed to this position; now, therefore, be it

RESOLVED, that Sheila Barkevich is hereby reappointed to Secretary of the Industrial Development Agency, for a one-year term to expire December 31, 2023.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 28 of 2023, a resolution appointing Cindy Zlogar as the Temporary Confidential Secretary to the Town Attorney.

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

WHEREAS, a vacancy exists in the office of the Town Attorney for administrative support, due to the temporary disability of Meg Springli, and

WHEREAS, Cindy Zlogar has been working with Ms. Springli and the Town Attorney to train for the position since January 10, 2023, and

WHEREAS, the Town Board wishes to appoint Cindy Zlogar to the position of Confidential Secretary to the Town Attorney on a temporary basis; now, therefore, be it

RESOLVED, that Cindy Zlogar is appointed as Confidential Secretary to the Town Attorney on a temporary basis, and will be compensated at Grade 7 Step 3 (\$35.06 per hour) retroactive to January 10, 2023, and be it further

RESOLVED, that the Comptroller is authorized to transfer funds from Contingency, \$14,500 to A-1420-E0252 (General Fund- Town Attorney-C. Zlogar); and be it further

RESOLVED, that Ms. Zlogar would be eligible for all full-time benefits offered by the Town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 29 of 2023, a resolution correcting the appointment of Aaron Cote as an Alternate Representative to the Emergency Services Advisory Board (ESAB).

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

WHEREAS, by Resolution No. 2 of 2023, Mr. Cote was appointed to serve as an ESAB Alternate Representative to serve on the ESAB for a three-year term, term to expire December 31, 2025, and

WHEREAS, this Resolution erroneously stated that Mr. Cote would represent the Ballston Lake Fire Department, and should be corrected to provide that he will represent the Rexford Fire Department in his capacity as Alternate Representative; now, therefore, be it

RESOLVED, that Mr. Cote is appointed to serve as an ESAB Alternate Representative to the Rexford Fire Department for a three-year term, term to expire December 31, 2025.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 30 of 2023, a resolution creating the position of Communications and Technology Coordinator for the Town, and appointing Norah Hoefler to the position provisionally.

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

WHEREAS, due to the resignation of the Town’s Information Specialist, effective January 10, 2023, an opening exists in the Town for a position to manage the Town’s communications and constituent service messaging, and to coordinate the IT needs of the Town with technology vendors relative to telephone, software, IT consultants and related services, and

WHEREAS, the Town Board wishes to establish the position of Communications and Technology Coordinator, per the attached description, to manage these and related functions, and

WHEREAS, after interviewing qualified candidates, the Town Board wishes to retain Norah Hoefler, Robinwood Drive, Clifton Park, to the position provisionally; now, therefore, be it

RESOLVED, that the position of Communications and Technology Coordinator for the Town is established; and be it further

RESOLVED, that Norah Hoefler, Robinwood Drive, Clifton Park, is hereby appointed provisionally for the position of Communications and Technology Coordinator at Grade 6, Step 8, \$37.35 per hour (\$67,977 per year), pending civil service qualification, effective immediately, to be paid with a transfer from A-1220-E0721 (General Fund- Supervisor- M. Andrus) to A-1220-Exxxx (General Fund- Supervisor- Employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

No one else wished to be heard.

PUBLIC PRIVILEGE

Darlene McGraw, Halfmoon, thanked fire fighters for their service. She expressed care and concern for firefighters, hotel guests and animals at the recent Park Manor Hotel fire. She suggested a pricing discount for people with disabilities for the Parks & Recreation offerings and questioned the Guest Policy for the pools for a care assistant.

Attorney McCarthy stated care assistants are already considered in the polls Guest Policy.

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 7:57 PM

Teresa Brobston
Town Clerk