

TOWN OF CLIFTON PARK TOWN BOARD

April 10, 2023

The meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:04 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
Michael Woerner, Director of Parks & Recreation
Norah Hoefner, Communications and Technology Coordinator
Michael O’Brien, Collection System Manager
Ellenmarie Martin, Deputy Highways Superintendent

MINUTES

MOTION by Councilman O’Hara, seconded by Councilwoman Walowit to approve the Town Board minutes of March 20, 2023 as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Morelli

MOTION CARRIED

ANNOUNCEMENTS & COMMUNICATIONS

Supervisor Barrett recognized Yellow Ribbon Day was celebrated today, the official day is April 9 each year. Supervisor explained the yellow ribbons, seen throughout the community, are to remind residents of the men and women servicing in the military at home and abroad recognizing their sacrifice and bravery. Supervisor thanked Supervisor Kevin Tollisen and his staff for preparing for the celebration. Supervisor thanked and congratulated Carol Hotaling with the successful celebration and with the continued Yellow Ribbon Day. Items were collected/donated to be sent to the troops.

Supervisor Barrett reminded residents of the Clifton Common Playground Improvements/replacement presentation held at the previous Town Board meeting. The proposal has met with positive feedback. The proposed improvements are available for viewing on the Town’s website, cliftonpark.org, social media or in the Town Clerk’s office and continue to encourage comments.

PRESENTATION-Clifton Park Sportsmen’s Club

Frank Hill, Sportsmen’s Club of Clifton Park President, explained the Club is seeking to purchase a parcel of property owned by the Town of Clifton Park. A written proposal was submitted to the Town Board. The parcel, SBL 283.-1-6, approximately 9.23 acres, is located between the existing Club property and the Town’s Transfer Station. He explained the Club is in the process of purchasing the parcel between the Club’s land and the Town property. Should the Club acquire the two parcels, the Club is proposing to move and extend the existing 200-yard

range to upgrade to approximately an 850-yard range. The existing 300-yard rifle range would be phased out for rifle use. The motivating factor behind this project is noise pollution. The Club does endeavor to be a good neighbor to the surrounding landowners. He stated over the years, the Club has invested in sound abatement projects for the existing two ranges. The majority of complaints were for the 300-yard range. The Club believes the sound abatement project to be proposed would reduce the noise by moving the noisiest firearms into the center of the Club. The Club has had a preliminary appraisal performed on the Town parcel and the appraised value is approximately \$12,000. The Clubs current Conservation Easement consists of 65.414 acres, and would seek to add these two parcels to the existing easement to ensure the land is not developed. A review of the parcel exhibits ensued. Property at Englemore and Vischer Ferry Road has already been acquired by the Club.

Supervisor Barrett questioned the expected time frame for the project.

Mr. Hill explained, as soon as possible and would like to begin at the end of 2023, the beginning of 2024.

RESOLUTIONS

Resolution No. 88 of 2023, a resolution authorizing SingleCut Beersmiths Brewery to use Town roadways for their 5k charity road race, on Saturday, April 29, 2023.

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

WHEREAS, SingleCut Beersmiths Brewery has requested the use of the Town of Clifton Park roadways as, specified in the attachment hereto, for the purpose of holding a 5k charity road race on Saturday, April 29, 2023 from 10:00 AM until the last participant completes the course, and

WHEREAS, the event sponsors have coordinated with the Town’s Highways Superintendent for the safe use of Town roads; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes SingleCut Beersmiths Brewery to use Town roadways, as specified in the attachment hereto, April 29, 2023, at 10:00 a.m., for the purpose of holding a 5k charity road race to benefit Helping Hands School, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to April 15, 2023, in the Office of the Highways Superintendent of an insurance certificate in the amount of \$4,000,000 naming the Town of Clifton Park as an additional insured; and be it further

RESOLVED, that this approval is expressly conditioned upon the roads not being closed, but employees of SingleCut Beersmiths Brewery are permitted to temporarily stop traffic at each end of the course in the event both a vehicle and race participant arrive at the same time.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Morelli

DECLARED ADOPTED

Resolution No. 89 of 2023. a resolution awarding the bid for a new 4-ton Tandem Vibratory Roller for the Highway Department to Technology International.

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

WHEREAS, on February 17, 2023, the Highway Department advertised for sealed bids for an asphalt/paving roller machine, pursuant to General Municipal Law 103, and

WHEREAS, on March 7, 2023, bids were publicly opened, with Technology International having submitted the lowest conforming bid in the amount of \$58, 800, and

WHEREAS, the Highways Superintendent has requested Town Board authorization to purchase a 4-ton Tandem Vibratory Roller from Technology International of Lake Mary, FL, with reimbursement to the Town through the Consolidated Local Street and Highway Improvement Program (CHIPS); now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above-referenced bid to Technology International in an amount not to exceed \$58,800, to be paid from DA-5112-200 (Highway-Permanent Improvements-Equipment); and be it further

RESOLVED, that the Highways Superintendent is authorized to submit this purchase to NYS DOT for reimbursement through CHIPS funding, to be recorded in DA-3510 (Highway Fund-CHIPS Revenue).

Supervisor Barrett questioned if the proposal will be paid for by cash.

Deputy Highways Superintendent Martin explained it will be invoiced and given to the Comptroller’s Office and be reimbursed by CHIPS.

Supervisor Barrett stated, taking the \$58,000 out of the paving budget that would be pretty significant. The Supervisor suggested financing the piece of equipment with a lease as the Town has done with other equipment. If financed over a number of years through the Town budget or possibly use the CHIPS money for the lease payment, this way it would soften the blow as to how much of the total paving budget being used.

Councilwoman Reid questioned if by leasing instead change the price?

Supervisor Barrett answered it would not change the price of the equipment, but there may be interest. His concern is for the significant hit to the paving budget.

Supervisor Barrett **moved** to amend the current resolution, seconded by Councilwoman Walowit.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Morelli

MOTION CARRIED

Amendment to be included after the seconded RESOLVED be:

RESOLVED, the Comptroller is directed to acquire bids for leases and the purchase be financed through a commercial lease or other financing mechanism.

ROLL CALL VOTE to approve the amended Resolution.

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

Noes: None

Absent: Councilman Morelli

DECLARED ADOPTED

Resolution No. 90 of 2023, a resolution authorizing the retention of MJ Engineering and Land Surveying for engineering and design services associated with the Sitterly Road Sidewalk Extension project, utilizing funds available through a Saratoga County Economic Development Grant.

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

WHEREAS, MJ Engineering and Land Surveying, P.C., has submitted a proposal for engineering services in the amount of \$20,000, of which \$14,200 will be reimbursed to the Town as a result of the 2022 Saratoga County Economic Grant that was awarded to the Town at the October 6, 2022, Saratoga County Economic Development Committee meeting, per award notification attached, and

WHEREAS, Director of Planning and Zoning John Skavo, recommends the retention of MJ Engineering for the work based on their experience and familiarity with the project needs, and

WHEREAS, the Supervisor is authorized to procure the services of professional engineering and consulting firms by the Town’s procurement policy and by Resolution No. 2 of 2023; now, therefore, be it

RESOLVED, that Mr. Scavo is authorized to notify MJ Engineering to proceed on the project as quoted in their September 2022 correspondence, attached, and be it further

RESOLVED, that the Supervisor is authorized to sign a contract with MJ Engineering and Land Surveying P.C. consistent with their quote as attached, to be paid from A-1440-135 (General Fund-Engineering-Engineering); and be it further

RESOLVED, that upon project completion, the Planning Department is authorized to submit a Reimbursement Request Form, with all required supporting documents as noted in the attached award notification, to the Saratoga County Department of Planning and Economic Development for the \$14,200 award reimbursement.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Morelli

DECLARED ADOPTED

Director of Planning and Zoning John Scavo stated Chick-fil-a and Bass Pro Shop will also be constructing a sidewalk frontage of their projects, which the network would then build-out according with the Town Center Plan.

Supervisor Barrett stated the Town was pleased when NYS built-out the pedestrian access to the new Sitterly Road Bridge along with the Sitterly Road Improvement Project at The Crossing, which gave the Town an important connection for pedestrian friendly efforts in the area. So, this project will continue the access.

Resolution No. 91 of 2023, a resolution issuing permits to serve alcoholic beverages, per the attached Special Alcohol Use Permits.

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

WHEREAS, the following applicants have submitted Special Alcohol Use Permit Requests to the Senior Center and 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:

Ava Zuend, resident of Clifton Park, April 21, 2023, 6:00-8:00 pm, Senior Center
Michele Kelley, resident of Clifton Park, August 12, 2023, 12:00-6:00 pm, Collins Park

; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Special Alcohol Use Permit Requests, submitted by Ava Zuend and Michele Kelley, for gatherings as indicated.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Morelli

DECLARED ADOPTED

Resolution No. 92 of 2023, a resolution hiring Seasonal Employees to staff Town Parks and Recreation locations for the 2023 season.

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

WHEREAS, the Town Board wishes to hire staff members for operation of the Town’s seasonal programs at the three Town pools and Summer Day Camps, and

WHEREAS, Michael Woerner, Director of Parks and Recreation, has recommended that the individuals listed in the attached Schedules A and B, be hired to staff the pools and camps, respectively, and to be paid as indicated; now, therefore, be it

RESOLVED, that the individuals, listed in the attached Schedules A and B, be hired as staff for the Town’s three pools and Summer Day Camp programs, through the end of the 2023 summer season.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Morelli

DECLARED ADOPTED

Resolution No. 93 of 2023, a resolution establishing the Clifton Park Sewer District No. 1, Extension No. 6, Pursuant to Article 12-a of the New York State Town Law.

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

WHEREAS, the Town Board proposes to create Extension No. 6 (the "Extension") to Clifton Park Sewer District No. 1, and

WHEREAS, a Sewer Report containing maps, and plans (the "Maps and Plans") have been prepared by Lansing Engineering and dated September 1, 2022, in a manner and detail sufficient for consideration by the Town Board regarding the proposed Extension, and

WHEREAS, the Maps and Plans have been filed in the Town Clerk's Office and are available for public inspection during regular business hours, and

WHEREAS, the Town Board intends to include within the Extension, properties served by sewer infrastructure accepted for dedication to the Town through Resolution No. 202 of 2019, described in a sewer inventory letter by Lansing Engineering dated July 10, 2019, included as Exhibit “C”, and

WHEREAS, the boundaries of the proposed Extension are as described in Exhibit A to this Resolution, and includes property currently known as 989 Hatlee Road, also identified by the SBL designation 258.-1-22, and particularly described in Exhibit “A”, attached, as well as properties at 995, 997, 999 and 1001 Hatlee Road, as depicted in Exhibit “B”, attached, and

WHEREAS, the sewer system improvements (the “Improvements”) proposed to be constructed in and for the Extension consist of the construction and installation of pipes, conduits, pumps, and related facilities and subsequent restoration, to connect the property to an existing force main system along the east side of Hatlee Road, sufficient to connect three separate users to the Sewer District facilities to accommodate subdivision of the subject property, as well as existing sewer infrastructure listed in Exhibit “C”, and

WHEREAS, the estimated maximum amount to be expended for the Improvements, including design, construction and administrative costs, is estimated to be \$27,848, and will be borne by the project owner/developer without capital costs or bonded indebtedness to the new Extension, and

WHEREAS, the proposed method of financing the cost of the Improvements consists of private by the developer, with subsequent dedication to the Town, as Commissioners of the Clifton Park Sewer District No. 1, and

WHEREAS, the annual cost of the proposed Extension, to the typical property in the Extension, is estimated to be \$440.50 per year, consisting of Town sewer assessments, and \$260.50 in sewer charges payable to the Saratoga County Sewer District No. 1, and \$ 180 for the Clifton Park Sewer District No. 1, and

WHEREAS, the estimated cost of the hook-up fees to the typical property, as part of the Extension is anticipated to be \$1,000 and

WHEREAS, the grinder pumps installed within the project will be owned, operated and maintained by the homeowner/property owner, to make the system compatible with Clifton Park Sewer District force main facilities on Hatlee Road; now, therefore, be it

RESOLVED, that the Town Board will hold a public hearing to hear all persons interested in the Extension and the proposed sewer system Improvements, which public hearing shall be held in the Wood Memorial Room, One Town Hall Plaza, in the Town of Clifton Park on May 1, 2023, at 7:05 pm; and be it further

RESOLVED, and ordered that the Town Clerk give notice of such hearing by publishing the attached Notice of Public Hearing in the official Town newspaper and by posting a copy of this Resolution on the Town's Official Sign Board, not less than ten nor more than twenty days before such hearing.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Morelli

DECLARED ADOPTED

No one wished to be heard.

OTHER BUSINESS

Collection System Manager Michael O'Brien gave an update on the Shirewood Subdivision. Both of the currently failing sewer lines were replaced/lined. This was a difficult area to work in because of the wet ground. He suggested the remaining lines, especially in the wooded area, be relined to avoid this problem in the future. Progress is on-going. He stated since the beginning, February 10th, of the situation, there has not been a disruption of service to the residents.

PUBLIC PRIVILEGE

Morgan Parker, Panarama Ct., thanked and encouraged the Town Board on their work and efforts for the residents of Clifton Park. Voiced concerns/comments regarding Coach Steuerwald and requested help in having former Shenendehowa football players sign a jersey to show and talk with Coach about.

MOTION BY Councilwoman Walowit, seconded by Councilman O'Hara to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of town business.

Motion carried at 8:11 PM

Teresa Brobston
Town Clerk