

TOWN OF CLIFTON PARK TOWN BOARD MEETING

January 11, 2021

The Town Board meeting can be viewed live by visiting www.cliftonpark.org Scroll down to click on



I. Call to Order/7:00 P. M. For those who wish to call in please dial Conference Call #: 605-472-5678, Access Code: 991-475# If you are muted after connecting press *6

II. Pledge to Flag

III. Roll Call

IV. Approval of Town Board Minutes

V. Communications/Announcements

VI. Business

- **7:05PM Public Hearing – Proposed Moratorium on Solar Projects**
- **7:10PM Public Hearing – Proposed Town Center Zoning Amendment**
- **Resolutions for Consideration**
- **Other Business**

VII. Open Public Privilege

NOTE:

The Town Board meeting will be open to the public with strict social distancing protocol in place. All visitors must wear a face mask at all times. Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room. In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented. For those who wish to call in please dial Conference Call #: 605-472-5678, Access Code: 991-475

The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

VIII. Adjournment

TOWN OF CLIFTON PARK
COUNTY OF SARATOGA
STATE OF NEW YORK

NOTICE OF PUBLIC HEARING REGARDING
PROPOSED 6-MONTH MORATORIUM FOR THE REVIEW AND DETERMINATION ON
LAND USE APPLICATIONS FOR GROUND MOUNTED SOLAR FACILITIES

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on January 11, 2021 at 7:05 p.m. in the Wood Memorial Meeting Room in the Town Office Building, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York to consider a proposed Local Law establishing a 6 month moratorium on the review or determination of Ground mounted solar facilities above 25 Kilowatts of capacity within the Town.

The proposed legislation would supersede and suspend portions of the New York State Town Law which set forth timeframes and default deadlines for such approvals and provide a relief mechanism through the Town Board.

Copies of the proposed local law are posted at <https://cliftonpark.org/government/legal-notices.html> , and are available for review in the Town Clerk's office during normal business hours.

Teresa Brobston Town Clerk

PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 208
RE: FORM BASED DEVELOPMENT TOWN CENTER

NOTICE is hereby given that the Town Board of the Town of Clifton Park, New York, will hold a Public Hearing on January 11, 2021, at 7:10 P. M., in the Wood Memorial Room, Clifton Park Town Hall, One Town Hall Plaza, Clifton Park, New York, on a proposed amendment to the Town's Zoning Code, Chapter 208, as follows:

A LOCAL LAW AMENDING THE CLIFTON PARK ZONING CODE AND REGULATING PLAN FOR TOWN CENTER ZONING WHICH FORMS PART OF CHAPTER 208, ZONING, OF THE CLIFTON PARK ZONING CODE, BY REZONING PARCELS OF LAND LOCATED EAST OF I-87 AT ROUTE 146 AND WEST OF THE HALFMOON TOWN BOUNDARY. THE PURPOSE OF THIS AMENDMENT IS TO EXTEND TOWN CENTER ZONING WHICH HAS PREVIOUSLY BEEN ADOPTED AS PART OF THE TOWN'S COMPREHENSIVE PLAN. PARCELS WITHIN THE ZONING AMENDMENT AREA SOUTH OF ROUTE 146 ZONED B-4 HIGHWAY BUSINESS WILL BE REZONED TO TC5 NEIGHBORHOOD ZONE. THE PARCELS ZONED B-4A HIGHWAY BUSINESS RESTRICTED RETAIL NORTH OF ROUTE 146, WEST OF ROUTE 9, AND SOUTH OF SBL: 272.1-1-14 (1743 ROUTE 9) WILL BE REZONED TO TNBG NEIGHBORHOOD GENERAL BUSINESS. WITH AN EXCLUSION PROHIBITING RESIDENTIAL USE EAST OF I-87, SOUTH OF ROUTE 146 AND WEST OF ROUTE 9. PARCELS FRONTING STATE ROUTE 146 WILL BE REZONED TC3.

The purpose of the amendment is to provide zoning regulations for this area consistent with the Broader Town Center Designations within the Exit 9 Corridor, to include mixed-use development in the Route 146 and I-87 Exit 9 Corridor area adjacent to the existing Town Center Designations, while protecting lower density residential areas.

The Zoning Amendments and maps are available for review at the Town Clerk's office during regular business hours, and are available for review and download at <https://cliftonpark.org/government/legal-notices.html>.

All persons interested are invited to attend said Public Hearing or submit written communications to the Town Clerk at or before the Public Hearing dated January 11, 2021.

Resolutions for Consideration
Clifton Park Town Board Meeting
January 11, 2021

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Adopt a local law imposing a 6-month moratorium for the review and determination on land use applications for ground mounted solar facilities greater than 25 kilowatts of capacity	P. Barrett
2. Senior Community Center	Authorize an alcohol permit for Donovan Ryan for a private gathering at the Senior Community Center on January 23, 2021	P. Barrett
3. Parks & Recreation	Authorize the Supervisor to sign agreements with subcontractors for 2021	P. Barrett
4. Buildings & Grounds	Authorize a purchase order to A-Z Property Management for landscaping services in the Sherwood Forest Park District A-Z Property Management	P. Barrett
5. Buildings & Grounds	Authorize the purchase of a 2021 Chevrolet 3500HD Dump truck with snow plow from NYS	P. Barrett
6. Planning	Authorize the Supervisor to sign Supplemental Agreement #2 with Greenman-Pedersen, Inc. for construction inspection services for pedestrian projects	P. Barrett
7. Planning	Authorize the Supervisor to accept a \$10,000 grant from Saratoga County Trails Grant Program for restoration work at the Meadow Estates Multi-Use Trail	P. Barrett
8. Planning	Authorize the Supervisor to sign Supplemental Agreement #3 with Barton & Loguidice for engineering services for the Vischer Ferry Nature & Historic Preserve – Recreation Access Improvements project	P. Barrett
9. Highway	Authorize the purchase of (2) new pickup trucks with plows for use by the Highway Department personnel	P. Barrett

10. Supervisor

Authorize the hiring of Betsey Snyder as a part-time Clerk
January 11 – March 31, 2021

P. Barrett

Resolution No _____ of 2020, a resolution adopting Local Law #2 of 2021 to Establish a moratorium on Ground Mounted Solar Arrays within Clifton Park

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, by local law No. 9 of 2011, the Town Board authorized the siting of ground mounted solar arrays within the R-1, R-3, CR, HR, and HM zones, and

WHEREAS, New York State policy, as well as taxpayer incentives for medium and large-scale solar energy has evolved since the Town's zoning classifications were enacted, and the 2020-State Budget contained major initiatives towards siting regulations and mitigation of such facilities, and

WHEREAS, the Planning Board has processed 5 applications for Ground Mounted Solar facilities in the 5+ MW Capacity Range (AC) under existing zoning authority, with an additional 2 MW facility under review, and

WHEREAS, on January 11, 2021, the Town Board held a Public Hearing on a proposal impose a six-month moratorium on the processing of further applications for such facilities in order to adequately consider the appropriate Zoning tools and siting requirements for such facilities under existing and anticipated hosting capacity of regional utilities consistent with the best interests of the community consistent with current New York State policy, procedures and economic incentives, and

WHEREAS, the proposal includes provisions to supersede and suspend Sections 276 and 267-b of the New York State Town Law relative to time period regulations and default provisions, as well as jurisdiction of the ZBA to grant relief from the moratorium under existing statutory timeframes, and to vest jurisdiction to grant relief from such moratorium solely in the Town Board during the Moratorium period, and

WHEREAS, the Saratoga County Planning Board has reviewed the proposal pursuant to Section 239-m of the NYS General Municipal law, finding that the proposal serves the community's interests, now therefore, be it

RESOLVED, that pursuant to Municipal Home Rule Law §10, the Town Board hereby adopts Local Law No 2 of 2021, and be it further

RESOLVED, that The Town Clerk is directed to file same with the Office of the Secretary of State and to provide appropriate notice of same, and that the Local Law be posted prominently on Cliftonpark.org.

Resolution No. _____ of 2021, a resolution authorizing Donovan Ryan to serve alcoholic beverages at a gathering to be held at the Clifton Park Senior Community Center on January 23, 2021.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Donovan Ryan, 5D Brookside Meadows, Ballston Lake is hosting a gathering on January 23, 2021 from 7:00 P.M to 8:00 P.M., and

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

RESOLVED, that Donovan Ryan is hereby authorized to serve beer and wine at a gathering at the Clifton Park Senior Community Center on January 23, 2021 from 7:00 P.M. to 8:00 P.M.

Resolution No. _____ of 2021, a resolution authorizing the Supervisor to sign contracts with 2021 Subcontract hires.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has requested that the Town Board authorize contracts for certain Recreation Programs; and

WHEREAS, the Town Board supports continuation of the listed Recreation Programs with the Subcontractors listed on the attached Schedule "A"; now therefore be it

RESOLVED, that the Town Supervisor is hereby authorized to sign contracts with 2021 Recreation Subcontractors, per Schedule "A".

Resolution No. _____ of 2021, a resolution awarding a contract for landscape work for the Sherwood Forest Park District.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, quotes were received by the Town Board as Commissioners of the Sherwood Forest Park District for landscape work for the District; and

WHEREAS, the lowest conforming quote for the work to be done which includes mowing, trimming, weeding, mulching and plantings, as outlined in the Invitation to Provide Price Quote, was submitted by A to Z Property Management in an amount not to exceed \$9,480.00 plus #361.11 for any additional cuts as requested by the park district; now therefore be it

RESOLVED, that the Town Board as Commissioners of the Sherwood Forest Park District, hereby accepts the price quote from A to Z Property Management, for the landscape work at the Sherwood Park District, at a cost of \$9,480.00 for 19 cuts and \$361.11 for additional requested cuts for the 2021 season, to be budgeted from SP8-7125-024 (Sherwood Forest Park District- Sherwood Forest - Maintenance), and authorizes the Buildings & Grounds Department to issue a purchase order to A to Z Property Management in those amounts; and be it further

RESOLVED, that the agreement is renewable through the 2024 season upon mutual consent.

Resolution No. _____ of 2021 a resolution authorizing the Department of Buildings & Grounds to purchase a dump truck with snowplow from the State Contract.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Daniel Clemens, Director of Buildings, Parks, and Recreation, has requested authorization to purchase one 2021 Chevrolet Silverado 3500HD dump truck with snowplow, and

WHEREAS, one such dump truck with plow at a cost of \$47,732.38, is available from, Robert Green Auto & Truck Inc., 236 Bridgeville Road, Monticello, NY, through a mini-bid process under the NYS Office of General Services Mini-bid #23166; now, therefore, be it

RESOLVED, that the Director of Buildings, Parks, and Recreation is authorized to purchase the above referenced vehicle for use by Buildings & Grounds, in a total amount not to exceed \$47,732.38 from A-7110-200 [General Fund – Buildings & Grounds – Equipment & Building].

Resolution No. _____ of 2021, a resolution regarding construction inspection and support for the Pedestrian Safety Action Project in the vicinity of Route 146 and Clifton Park Center Road, and the intersection improvement project planned for the intersection of Moe Road with Grooms Road.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town was awarded grant funding of \$400,000 under the New York State Pedestrian Safety Action Plan for the pedestrian safety project, and

WHEREAS, by Resolutions 37 and 297 of 2018, the Town Board authorized professional services agreements with Greenman-Pedersen, Inc. (GPI) for preliminary design work Right of way acquisition services for the project, which is intended to improve pedestrian access and safety in the Exit 9 area, and

WHEREAS, right of way acquisition is complete, and the Town Board wishes to prepare for the final design approvals and to retain engineering consultants for construction inspection and support services associated with the construction phase of the projects, and

WHEREAS, GPI has prepared the preliminary design and proposed final design documents for both projects, and has submitted a proposed scope of services for the construction support, as estimated pre-bid, with \$53,000 for services associated with the Exit 9 Area project, and \$6,000 for the Moe Road intersection improvements, and

WHEREAS, the Board recognizes GPI's preliminary and advanced work on both projects and wishes to advance the project and

WHEREAS, pursuant to PSAP grant terms, the Town commits to funding 100% of the Construction Inspection and Support services in the first instance, with reimbursement anticipated for \$53,000 in Construction support for the federally funded PSAP project, now therefore, be it

RESOLVED, that the Town Board authorizes the payment in the first instance of \$53,000 in Construction Inspection and Support for the Clifton Park Pedestrian Safety and Improvements Project, PIN 1760.93

RESOLVED, the Comptroller is authorized to encumber \$59,000 from H53-3310-200 [Capital Projects – Moe & Grooms PSAP – Traffic Improvements – Equipment] for Supplemental Agreement #2, attached, to advance the project and retain Greenman Pederson, Inc. for the Construction Support and Inspection Services prior to the final preparation of bid documents, and be it further

RESOLVED, that the Supervisor is authorized to sign Supplemental Agreement #2, attached.

Resolution No. _____ of 2021, a resolution to authorize execution of a grant contract with the County of Saratoga for restoration of the Meadow Estates Multi-Use Trail.

Introduced by _____, who moved its adoption and seconded by _____.

WHEREAS, March 22, 1994, the Planning Board approved the Meadow Estates subdivision contingent upon the completion of a multi-use trail prior to issuance of the 31st building permit, and

WHEREAS, the existing trail is in need of significant repair and restoration, and

WHEREAS, on behalf of the Town Board, the Planning Department has prepared a grant fund application to the Saratoga County Trails Grant Program, and

WHEREAS, the Board of Supervisor has approved a grant proposal for the project in the amount of \$10,000, contingent upon an overall project budget of no less than \$12,000 with remaining funds or in-kind services to be contributed by the Town; now, therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to execute the grant contract as approved by the Board of Supervisors.

Resolution No. of 2021, a resolution approving a Supplemental Agreement with Barton & Loguidice for additional engineering services required for the supervision and inspection of the construction phase of the Vischer Ferry Nature & Historic Preserve – Gateway and Accessibility Improvements Project; and,

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town of Clifton Park has an existing grant contract with the NYS Canals Corporation #C010174 and a grant contract with NYS DOT identified as PIN 1SB1.32/D034917 to fund a portion of the Vischer Ferry Nature & Historic Preserve Project as a transportation federal-aid project and appropriating funds therefore, and

WHEREAS, by Resolution No. 286 of 2014, the Town Board retained Barton & Loguidice, D.P.C. (B&L) for engineering design documents for the Project, and

WHEREAS, by Resolution No. 125 of 2018, the Town Board authorized B&L to prepare final design documents and conduct construction management services for the construction phase which had been anticipated for 2018, and

WHEREAS, by Resolution No. 102 of 2020, on May 11, 2020, the Town accepted the recommendation of Barton & Loguidice, and awarded the construction contract to Bette & Cring, LLC, for the Project, and

WHEREAS, by Resolution No. 108 of 2020 the Town Board authorized B & L to provide construction inspection and support services for the construction phase of the project based on project estimates, and

WHEREAS, by Resolution No. 316 of 2014, the Town Board created a Capital Projects fund to cover the costs of design and construction for the project and payment in the first instance, and

WHEREAS, the project is supported by Federal, State, and Local funding sources, and

WHEREAS, Barton & Loguidice provided engineering and construction support services in support of Town efforts to secure additional grant funding sources to close funding gaps identified through the final bid process, and provided inspection and support services to meet NYS DOT grant fund requirements throughout the project, which was completed on time and under final budgets established after bids were received, now, therefore, be it

RESOLVED, the Supervisor is authorized to execute the attached Supplemental Agreement #3 for engineering and construction support services associated with the final construction and closeout phase of the Vischer Ferry Nature & Historic Preserve – Gateway and Accessibility Improvements Project, and be it further

RESOLVED, that the comptroller is authorized to increase budget line H36-7629 (Vischer Ferry Nature Preserve-Trails Contractual-Engineering) by \$24,788.00 as per attached Supplement Agreement#3 Attachment A; and be it further

RESOLVED, that the Town Board authorizes the Comptroller to pay 100% of the costs of the construction and construction management services in the first instance pending reimbursement from Grant Funding sources per operative grant contracts in place for the project, and be it further

Resolution No. _____ of 2021, a resolution authorizing the purchase of two 2021 Chevrolet 2500 pickup trucks for Town lands and Highway Department purposes from an existing contract with Onondaga County.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, after assessing the needs of the Highway Department, Highway Superintendent, Dahn Bull has recommended the purchase of two Chevy pickup trucks for use by the Highway Department per the attached, and

WHEREAS, the prices quoted are extended from the Onondaga County Bid award, under the provisions of New York State General Municipal Law Section 103 of the General Municipal Law which allows one municipality to utilize existing contracts of another municipality as long as that contract was pursuant to competitive bidding consistent with state law and made available for use by other government entities, and

WHEREAS, General Municipal Law Section 103(16) has been amended to allow the extension of equipment configurations and awarded pricing discounts to all political subdivisions in New York State based upon qualified bid responses to a municipal entity with notice, and

WHEREAS, after reviewing the options available, Dahn Bull has recommended that the pricing from Robert Green Truck Division, PO Box 8002, Rock Hill, New York be accepted for an amount of \$84,184.00, and

WHEREAS, by Resolution No. 55 of 2018, the Town Board authorized the execution of a master municipal lease with KeyBank for cost-effective financing of Town vehicles including Highway Equipment; now therefore be it

RESOLVED, that the Highway Department is authorized to purchase two 2021 Chevrolet pickup trucks as per the attached Schedule A from Robert Green Truck Division, PO Box 8002, Rock Hill, New York 12775, and be it further

RESOLVED, that the Clifton Park Town Board hereby authorizes the purchase under Onondaga County Contract #ONGOV-106-19, in an amount not to exceed \$84,184.00, to be paid through the master municipal lease with KeyBank established in 2018.

Resolution No. _____ 2021, a resolution appointing Betsey Snyder as a part-time clerk as needed for Town Hall.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, a need exists for a part-time clerk and Betsey Snyder, 607 Grooms Road, Clifton Park, has been recommended to fill this position; now, therefore, be it

RESOLVED, that Betsey Snyder, 607 Grooms Road, Clifton Park, be appointed as a part-time clerk to fill in as needed, at Grade 4, Step 8, \$26.46 per hour, to be paid from departments as needed, effective January 11 through March 31, 2021.