

TOWN OF CLIFTON PARK TOWN BOARD MEETING

September 19, 2022

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



I. Call to Order/7:00 P. M. – Wood Room, Town Hall

II. Pledge to Flag

III. Roll Call

IV. Approval of Town Board Minutes

V. Communications/Announcements

VI. Business

- **Resolutions for Consideration**
- **Other Business**

VII. Open Public Privilege

NOTE:

Please check www.cliftonpark.org for final agenda and updates. 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. 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

Resolutions for Consideration
Clifton Park Town Board Meeting
September 19, 2022

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Procurement – Buildings & Grounds	Authorize Change Order #1 to the contract with Luizzi Asphalt Services for parking lot striping and sealing at Clifton Common	P. Barrett
2. Road Use Permit – Highway	Approve the use of public roads for the use of an evening 5k bike ride sponsored by the Christ Community Reformed Church on October 2, 2022	D. Bull
3. Town Road - Abandonment	Support the discontinuance of a portion of Old Plank Road for Highway Purposes	P. Barrett

RESOLUTION

#1

Resolution No. _____ of 2022, a resolution authorizing Change Order #1 for a bid awarded for parking lot sealing and striping at Clifton Common.

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

WHEREAS, by Resolution No. 206 of 2022, the Town Board awarded a bid to Luizzi Asphalt Services for sealing and striping the parking lots at Clifton Common, and

WHEREAS, the Director of Buildings, Parks, and Recreation, Dan Clemens has submitted a request for additional funding due to a discrepancy between the map provided of the project and the bid documents, which underrepresented the amount of square footage to be covered by the contractor, and

WHEREAS, the Director of Buildings, Parks, and Recreation recommends accepting Change Order #1 to cover the additional square footage being sealed and striped at Clifton Common; now, therefor be it

RESOLVED, that the comptroller is authorized to transfer \$ 4,000 from A-00913 (Committed Fund Balance) to A-07112-200 (General Fund – Clifton Common – Equipment); and be it further

RESOLVED, that Mr. Clemens is authorized to accept Change Order #1 from Luizzi Asphalt Services in an amount not to exceed \$4,000.00 for the additional sealing and striping of the parking lots at Clifton Common.

Meg Springli

From: noreply
Sent: Monday, September 12, 2022 10:54 AM
To: Meg Springli
Cc: Jean, Spiegel; Mark Heggen
Subject: Resolution Request for TB Meeting: 09-19-2022 Buildings and Grounds
Attachments: 631f4819ba2a0-Common seal and stripe change order backup 9.12.2022.pdf

An item has been submitted to the Resolution Request form for review.

Department: Buildings and Grounds
Your email: dclemens@cliftonpark.org

Sponsor/Contact as shown on the agenda (i.e. P. Barrett, A. Standaert, D. Bull, etc.): P. Barrett

Requested Meeting Date: 09-19-2022

Brief Description: Change order of \$4,000.00 for Clifton Common seal and stripe job. Resolution # 206 of 2022

Budget #: A-7112-200
Budget Description: Clifton Common - Equipment
\$ Amount: \$4,000.00

Additional Comments/Details: There was a transfer in the original resolution for this job. From A-0913 (committed fund balance) to A-7112-200.
Should this change order be the same?

COMPROLLER APPROVAL or Comments:

ATTORNEY APPROVAL or Comments:

TOWN SUPERVISOR

P.O. No.

9822-863

must be included for payment.

TOWN OF CLIFTON PARK
ONE TOWN HALL PLAZA
CLIFTON PARK, NEW YORK 12065
(518) 371-6651 - FAX (518) 371-1136
STANDARD VOUCHER

COMPTROLLER USE ONLY

CLAIMANT'S
NAME
AND
ADDRESS

Luizzi Asphalt Services
Name
Federal ID or Social Security Number
PO Box 11203
Street
Loudonville, NY 12211

DATE
CHECK NUMBER
FUND
APPROVED BY
VOUCHER NO.

Table with 4 columns: Dates, Invoice, Description of Materials or Service, Claimed. Row 1: 9/3/2022, 220758, Seal & Stripe Parking Lots at the Commons, \$ 40,475.00. Includes TAX EXEMPT MUNICIPALITY FED. I.D. #14-6002129.

CLAIMANT'S CERTIFICATION

I, certify that the above account in the amount of \$ is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

DATE SIGNATURE TITLE

SPACE BELOW FOR USE OF TOWN OFFICES ONLY

Table with 3 columns: Account Description, Amount, PAYMENT APPROVAL BY DEPARTMENT HEAD. Row 1: A-7112-200, \$40,475.00, includes signature and date 9/8/22.

Resolution No. 206 of 2022, a resolution awarding a contract for parking lot sealing and striping at Clifton Common.

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

WHEREAS, the Director of Buildings, Parks, and Recreation, Dan Clemens advertised for sealed bids for pavement sealing and striping located at Clifton Common, and

WHEREAS, sealed bids were opened on July 20, 2022, and

WHEREAS, Luizzi Asphalt Services, 70 Tivoli Street, Albany, NY was lowest bidder, in an amount not to exceed \$36,475 for sealing and striping, and

WHEREAS, the Director of Buildings, Parks, and Recreation recommends awarding the bid to Luizzi Asphalt Services as most responsive bidder, and

RESOLVED, that the comptroller is authorized to transfer \$ 36,475 from A-00913 (Committed Fund Balance) to A-07112-200 (General Fund – Clifton Common – Equipment); and be it further

RESOLVED, that the Supervisor is authorized to a quote from Luizzi Asphalt Services in an amount not to exceed \$36,475.00 for sealing and striping the parking lots at Clifton Common.



Luizzi Bros. Sealcoating & Striping LLC
LUIZZI ASPHALT SERVICES
PO Box 11203 Loudonville, NY 12211
70 Tivoli St. Albany, NY 12207
(518) 459-SEAL (7325) - Fax (518) 487-4734
www.LuizziAsphalt.com

Quotation

Town of Clifton Park
One Town Hall Plaza
Clifton Park, NY 12065

Date: 4/13/2022
Estimate: E220086
PO #: PV

Project: Clifton Common
Clifton Common Blvd
Clifton Park, NY 12065

Contact:
Phone: 518-281-5065

Fax:

Subcontractor: Luizzi Asphalt Services. For the consideration hereinafter named offers to furnish all labor, equipment and materials to perform all work hereinafter described.

Scope of Work Furnish and apply Seal Coat on approximately 289,000 square feet of existing pavement for the above project as follows:

Cleaning Clean existing pavement of all dirt and debris

Crackfill Clean all existing major cracks, ± 6,500 LF, and fill with hot rubberized asphalt prior to placing sealer

Seal Coat Furnish and apply one (1) coat of Action Pave RT sealer

Restriping Furnish and apply latex paint pavement markings to match existing

For the price of: \$36,475.00 not including sales tax

Payment Terms: Payment is due upon completion. Payments 30 days overdue will be assessed a compounding 2.0% per month service charge. After 60 days, the account will be turned over to collections.

GENERAL CONDITIONS OF THIS OFFER

Unless expressly stated above, price(s) quoted are firm only if this offer is accepted within 30 days of the above date and the work can be performed during the current paving season ending November 15, 2022.

The basis for the above prices is that this project is subject to PREVAILING WAGES. If we do not receive a properly executed "Tax Exempt Certificate" then all applicable sales taxes will be added to the quoted price(s).

If the person(s), firm, corporation or other entity accepting this offer is not the owner of the real property being improved by the labor and/or the furnishing of materials provided for herein the acceptor expressly warrants that the performance of the labor and/or the furnishing of materials herein being done is for the improvement of the real property with the consent of, or at the request of, it's Owner, his agent, contractor or subcontractor.

Luizzi Asphalt Services is an open shop contractor and will work in harmony with all other contractors. Luizzi Asphalt Services will not be held responsible in any way for any problems whatsoever due to other contractors not working in harmony with Luizzi Asphalt Services

This offer and the performance of labor and the furnishing of any materials thereunder, including price(s) quoted thereunder, shall be subject to strikes, labor disputes, adverse weather conditions or other causes beyond the control of Luizzi Asphalt Services

Luizzi Asphalt Services

BY: _____
Bryant Luizzi, Estimator

The above offer is hereby accepted and the terms therein are fully agreed to by me.

Date: _____ Signed: _____ Title: _____



Luizzi Bros. Sealcoating & Striping LLC
LUIZZI ASPHALT SERVICES

PO Box 11203 Loudonville, NY 12211
 70 Tivoli St. Albany, NY 12207
 (518) 459-SEAL (7325) - Fax (518) 487-4734
 www.LuizziAsphalt.com

Date	Invoice #
9/3/2022	220758

Bill To
Town of Clifton Park One Town Hall Plaza Clifton Park, NY 12065

Job Location
Clifton Common Clifton Common Blvd Clifton Park, NY 12065

P.O. No.	Terms	Rep
PV	Due on receipt	

	Description	Serviced
Scope of Work	Furnish and apply Seal Coat on approximately 289,000 square feet of existing pavement for the above project as follows:	
Cleaning	Clean existing pavement of all dirt and debris	8/24/2022
Crackfill	Clean all existing major cracks, ± 6,500 LF, and fill with hot rubberized asphalt prior to placing sealer	8/29/2022
Seal Coat	Furnish and apply one (1) coat of Action Pave RT sealer	9/2/2022
Restriping	Furnish and apply latex paint pavement markings to match existing	9/3/2022
Seal Coat	Furnish and apply one (1) coat of Action Pave RT sealer to approximately 80,000 square feet of additional pavement areas to include walkways and Clifton Common Boulevard roadway	8/26/2022
	~~~~~ CHANGE ORDER ~~~~~ August 9, 2022 > Added 1 Seal Coat (+\$4,000.00) Total change to estimate +\$4,280.00 ~~~~~	

	Subtotal	\$40,475.00
Luizzi Asphalt Services is not responsible for damage caused by rain, other adverse weather conditions, gutters or rooves that drip or leak, condensation, or animals.	Sales Tax (0.0%)	\$0.00
Payments 30 days overdue will be subject to a 2.0% per month service charge compounded monthly thereafter. After 60 days, the unpaid balance is assigned to a collection agency. Credit card payments are charged a 3% convenience fee.	<b>Total</b>	\$40,475.00
	Payments/Credits	\$0.00
	<b>Balance Due</b>	\$40,475.00

**Please send payments to:**  
**PO Box 11203 Loudonville, NY 12211**

# CLIFTON COMMON STRIPING & SEALING BID 7/20/22

<b>COMPANY NAME</b>	<b>TOTAL BID AMOUNT</b>
<b>Valley Sealing</b>	<b>\$57,780</b>
<b>Sealcoating Services of Clifton Park</b>	<b>\$36,700</b>
<b>Luizzi Asphalt Services</b>	<b>\$36,475</b>



# Town of Clifton Park

## Buildings & Grounds

One Town Hall Plaza • Clifton Park, New York 12065 • (518) 371-6651 Ext. 251 • Fax: (518) 371-1136

### BID FORM


Date: June 17, 2022

Company Name: Luizzi Asphalt Services

Bid Name: Common seal and stripe

Lump Sum Bid \$ 36,475.00

Name/Title: Bryant M. Luizzi / owner

Signature: 





Workers' Compensation Board

**CERTIFICATE OF INSURANCE COVERAGE**  
**NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW**

**PART 1. To be completed by NYS disability and Paid Family Leave benefits carrier or licensed insurance agent of that carrier**

<p>1a. Legal Name &amp; Address of Insured (use street address only) LUIZZI BROS. SEALCOATING &amp; STRIPING LLC</p> <p>PO BOX 11203 ALBANY, NY 12211</p> <p>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy)</p>	<p>1b. Business Telephone Number of Insured 518-459-7325</p> <p>1c. Federal Employer Identification Number of Insured or Social Security Number 270664458</p>
<p>2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Town of Clifton Park One Town Hall Plaza Clifton Park NY 12065</p>	<p>3a. Name of Insurance Carrier ShelterPoint Life Insurance Company</p> <p>3b. Policy Number of Entity Listed in Box "1a" DBL481937</p> <p>3c. Policy effective period 03/01/2022 to 02/28/2023</p>

4. Policy provides the following benefits:

A. Both disability and paid family leave benefits.

B. Disability benefits only.

C. Paid family leave benefits only.

5. Policy covers:

A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.

B. Only the following class or classes of employer's employees:

_____

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 6/17/2022 By   
(Signature of insurance carrier's authorized representative or NYS licensed insurance agent of that insurance carrier)

Telephone Number 516-829-8100 Name and Title Richard White, Chief Executive Officer

**IMPORTANT:** If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be emailed to PAU@wcb.ny.gov or it can be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

**PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4B, 4C or 5B have been checked)**

**State of New York  
Workers' Compensation Board**

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law (Article 9 of the Workers' Compensation Law) with respect to all of their employees.

Date Signed _____ By _____  
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

*Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.*



## Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in Box 1a for disability and/or Paid Family Leave benefits under the NYS Disability and Paid Family Leave Benefits Law. The insurance carrier or its licensed agent will send this Certificate of Insurance Coverage (Certificate) to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This Certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This Certificate may be used as evidence of a NYS disability and/or Paid Family Leave benefits contract of insurance only while the underlying policy is in effect.

**Please Note: Upon the cancellation of the disability and/or Paid Family Leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Insurance Coverage for NYS disability and/or Paid Family Leave Benefits or other authorized proof that the business is complying with the mandatory coverage requirements of the NYS Disability and Paid Family Leave Benefits Law.**

## NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

### §220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.



**Workers'  
Compensation  
Board**

**CERTIFICATE OF  
NYS WORKERS' COMPENSATION INSURANCE COVERAGE**

<p>1a. Legal Name and address of Insured (use street address only)</p> <p>LUIZZI BROS SEALCOATING &amp; STRIPING LLC 70 TIVOLI ST, ALBANY, NY 12207</p> <p>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e. a Wrap-Up Policy)</p>	<p>1b. Business Telephone Number of Insured (518) 459-7325</p> <p>1c. NYS Unemployment Insurance Employer Registration Number of Insured</p> <p>1d. Federal Employer Identification Number of Insured or Social Security Number 27-0664458</p>
<p>2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</p> <p>Town of Clifton Park 1 TOWN HALL PLZ CLIFTON PARK NY 12065-3610</p>	<p>3a. Name of Insurance Carrier Hartford Accident and Indemnity Company 22357</p> <p>3b. Policy Number of Entity Listed in Box "1a": 01 WEC AJ9VEP</p> <p>3c. Policy effective period: 01/01/2022 to 01/01/2023</p> <p>3d. The Proprietor, Partners or Executive Officers are <input type="checkbox"/> Included. (Only check box if all partners/officers included) <input checked="" type="checkbox"/> all excluded or certain partners/officers excluded.</p>

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under Item 3A on the **INFORMATION PAGE** of the workers' compensation insurance policy). The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) **Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Worker's Compensation contract of insurance only while the underlying policy is in effect.

**Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.**

**Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.**

Approved by: Danielle Clausen  
(print name of authorized representative or licensed agent of insurance carrier)

Approved by: Danielle Clausen 06/17/2022  
(Signature) (Date)

Title: Operations Manager

Telephone Number of authorized representative or licensed agent of insurance carrier: (518) 877-8623

**Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.**

## Workers' Compensation Law

### Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.
2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.

Based on your map, the total I have is 330,708 SF but there is no total for Senior Center #3. The bid doc said *Approximately* 289,000 sf. The bid doc also said *every parking lot and roadway*. If you can not honor the bid you submitted, please advise and we will go to the next lowest.

**Daniel J. Clemens**

Director of Buildings, Parks and Recreation

Town of Clifton Park, NY

Cell: 518-281-5065

Office: 518-371-6651 ext. 248

[dclemens@cliftonpark.org](mailto:dclemens@cliftonpark.org)

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**From:** Karen EJ Sandman <[karen@luizzisealcoating.com](mailto:karen@luizzisealcoating.com)>

**Sent:** Friday, August 5, 2022 2:51 PM

**To:** Dan Clemens <[DClemens@cliftonpark.org](mailto:DClemens@cliftonpark.org)>

**Subject:** Clifton Common

Please see the attached map and square footage totals. If you have trouble viewing the link I can scan a copy to send.

<https://app.goipave.com/projects/t4LyANBUa5aKvdp99gfnknxW/view>

~~~~~

Karen Sandman

Project Coordinator

Luizzi Asphalt Services

70 Tivoli St. Albany, NY 12207

518-459-7325 EXT. 3000

You are correct. For some reason the program viewing option does not reflect the yellow highlighted #3 Senior Center lot but it does when printed and was included in the total square foot pricing. Please see the attached.

The total square foot in the bid request does include all lots and drive lanes in and out of lots. When we were contacted in April for pricing on this project that is the approximate square footage we quoted as most often we are not permitted to do work on and therefore do not include city or town owned roads on quotes. Typically when an approximate pricing is given we can honor up to 10% addition but the roadways would be around a 25% increase.

We could do a change order and apply the same pricing for the additional areas. I do understand that you may have to go to the next highest bidder but all things being equal, would they not remain the next highest bidder when the discrepancy in square footage is disclosed?

I am sorry for the misunderstanding and I look forward to working with you.

~~~~~

*Karen Sandman*

Project Coordinator

**Luizzi Asphalt Services**

70 Tivoli St. Albany, NY 12207

518-459-7325 Ext. 3000

Fax: 518-487-4734

[www.luizzisealcoating.com](http://www.luizzisealcoating.com)

On Mon, Aug 8, 2022 at 7:20 AM Dan Clemens <[DClemens@cliftonpark.org](mailto:DClemens@cliftonpark.org)> wrote:

## Dan Clemens

---

**From:** Karen EJ Sandman <karen@luizzisealcoating.com>  
**Sent:** Monday, August 8, 2022 3:43 PM  
**To:** Dan Clemens  
**Subject:** Re: Clifton Common

Ok. I will get pricing for that over to you.

~~~~~

Karen Sandman
Project Coordinator

Luizzi Asphalt Services
70 Tivoli St. Albany, NY 12207
518-459-7325 Ext. 3000
Fax: 518-487-4734
www.luizzisealcoating.com

On Mon, Aug 8, 2022 at 3:23 PM Dan Clemens <DClemens@cliftonpark.org> wrote:

Ok, please supply the quote for the additional areas. I am going to have to speak with the town attorney to see what direction we will go.

Daniel J. Clemens

Director of Buildings, Parks and Recreation

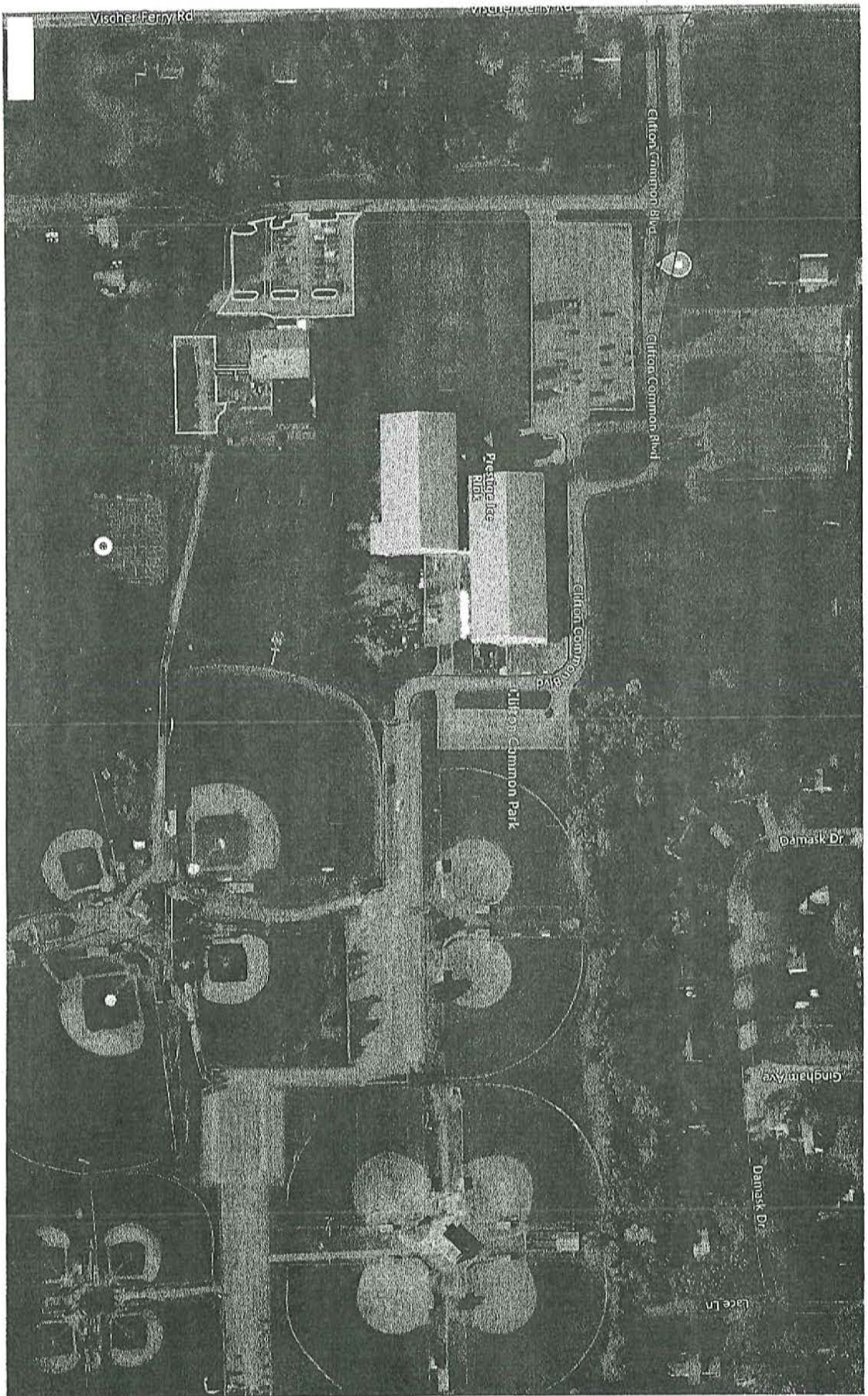
Town of Clifton Park, NY

Cell: 518-281-5065

Office: 518-371-6651 ext. 248

dclemens@cliftonpark.org

From: Karen EJ Sandman <karen@luizzisealcoating.com>
Sent: Monday, August 8, 2022 11:25 AM
To: Dan Clemens <DClemens@cliftonpark.org>
Subject: Re: Clifton Common



Clifton Common Blvd, CP 12065

Form 654

Page 1

Page 1

Template: Custom Template

To change template, delete measurements

TOTAL 289,800 +/-

#1 - Soccer Field Lot 172,494.68 ft<sup>2</sup>

#2 - Ice Rink Lot 74,724.50 ft<sup>2</sup>

#3 - Senior Community Center Lot 38,486.71 ft<sup>2</sup>

#4 - Baseball & Softball Lots 104,178.59 ft<sup>2</sup>

#5 - Clifton Common Blvd 76,716.95 ft<sup>2</sup>

#7 - Small, West Baseball Field 2,008.80 ft<sup>2</sup>

#6 - Walkway 565.94 ft<sup>2</sup>

79,310.84
Additional



Luizzi Bros. Sealcoating & Striping LLC
LUIZZI ASPHALT SERVICES
 PO Box 11203 Loudonville, NY 12211
 70 Tivoli St. Albany, NY 12207
 (518) 459-SEAL (7325) - Fax (518) 487-4734
 www.LuizziAsphalt.com

Quotation

Town of Clifton Park
 One Town Hall Plaza
 Clifton Park, NY 12065

Date: 4/13/2022
 Estimate: E220086R
 PO #: PV

Project: Clifton Common
 Clifton Common Blvd
 Clifton Park, NY 12065

Contact:
 Phone: 518-281-5065

Fax:

Subcontractor: Luizzi Asphalt Services. For the consideration hereinafter named offers to furnish all labor, equipment and materials to perform all work hereinafter described.

Scope of Work Furnish and apply Seal Coat on approximately 289,000 square feet of existing pavement for the above project as follows:

Cleaning Clean existing pavement of all dirt and debris

Crackfill Clean all existing major cracks, ± 6,500 LF, and fill with hot rubberized asphalt prior to placing sealer

Seal Coat Furnish and apply one (1) coat of Action Pave RT sealer

Restriping Furnish and apply latex paint pavement markings to match existing

Seal Coat Furnish and apply one (1) coat of Action Pave RT sealer to approximately 80,000 square feet of additional pavement areas to include walkways and Clifton Common Boulevard roadway

~~~~~ CHANGE ORDER ~~~~~

August 9, 2022

> Added 1 Seal Coat (+\$4,000.00)

Total change to estimate +\$4,280.00

**For the price of: \$40,475.00**

**not including sales tax**

Payment Terms: Payment is due upon completion. Payments 30 days overdue will be assessed a compounding 2.0% per month service charge. After 60 days, the account will be turned over to collections.

### GENERAL CONDITIONS OF THIS OFFER

Unless expressly stated above, price(s) quoted are firm only if this offer is accepted within 30 days of the above date and the work can be performed during the current paving season ending November 15, 2022.

The basis for the above prices is that this project is subject to PREVAILING WAGES. If we do not receive a properly executed "Tax Exempt Certificate" then all applicable sales taxes will be added to the quoted price(s).

If the person(s), firm, corporation or other entity accepting this offer is not the owner of the real property being improved by the labor and/or the furnishing of materials provided for herein the acceptor expressly warrants that the performance of the labor and/or the furnishing of materials herein being done is for the improvement of the real property with the consent of, or at the request of, it's Owner, his agent, contractor or subcontractor.

Luizzi Asphalt Services is an open shop contractor and will work in harmony with all other contractors. Luizzi Asphalt Services will not be held responsible in any way for any problems whatsoever due to other contractors not working in harmony with Luizzi Asphalt Services

This offer and the performance of labor and the furnishing of any materials thereunder, including price(s) quoted thereunder, shall be subject to strikes, labor disputes, adverse weather conditions or other causes beyond the control of Luizzi Asphalt Services

### Luizzi Asphalt Services

BY: _____  
 Bryant Luizzi, Estimator

**The above offer is hereby accepted and the terms therein are fully agreed to by me.**

Date: _____ Signed: _____ Title: _____

On Mon, Aug 8, 2022 at 1:38 PM Dan Clemens <[DClemens@cliftonpark.org](mailto:DClemens@cliftonpark.org)> wrote:

I am reviewing the Seal and stripe bid for Clifton Common. As you know, you were second lowest bidder. The bid document listed APPROXIMATELY 289,000 sf AND ALL ROADWAYS AND PARKING LOTS specified. Would you please confirm whether or not your bid includes all roadways and parking lots or the approximate 289,000 sf please.

Thanks, Dan

Daniel J. Clemens

Director of Buildings, Parks and Recreation

Town of Clifton Park NY

Office: 518-371-6651 ext. 248

Cell: 518-281-5065

[DClemens@cliftonpark.org](mailto:DClemens@cliftonpark.org)

Sent from my Verizon, Samsung Galaxy Table

Get [Outlook for Android](#)

[dclemens@cliftonpark.org](mailto:dclemens@cliftonpark.org)

---

**From:** Sealcoating Services CP <[sealcoatingservicescp@gmail.com](mailto:sealcoatingservicescp@gmail.com)>  
**Sent:** Monday, August 8, 2022 3:19 PM  
**To:** Dan Clemens <[DClemens@cliftonpark.org](mailto:DClemens@cliftonpark.org)>  
**Subject:** Re: Common bid

Hey Dan,

I have included two pictures of the measurements we had taken, our estimate included everything in the white outline. Our measurements came out to 297,649 exactly, for the area we included in our estimate.

I split it into two measurements/pictures for easier viewing. The white box at the bottom shows the total square footage of the area outlined in white. Please let us know if we included the correct areas.

Thank you,

*Nicole Moreno*



(518) 371- SEAL (7325)

[Click here to visit our website!](#)

To: Dan Clemens <[DClemens@cliftonpark.org](mailto:DClemens@cliftonpark.org)>

Subject: Re: Common bid

Would it be possible, or worth it for us to adjust our bid to include that? Has the project already been awarded to the lowest bidder (Luizzi)?

Thank you,

*Nicole Moreno*



(518) 371- SEAL (7325)

*Click here to visit our website!*

On Mon, Aug 8, 2022 at 3:20 PM Dan Clemens <[DClemens@cliftonpark.org](mailto:DClemens@cliftonpark.org)> wrote:

Looks like you missed the senior center parking lots and roadway.

**Daniel J. Clemens**

Director of Buildings, Parks and Recreation

Town of Clifton Park, NY

Cell: 518-281-5065

Office: 518-371-6651 ext. 248

---

**Dan Clemens**

---

**From:** Sealcoating Services CP <sealcoatingservicescp@gmail.com>  
**Sent:** Tuesday, August 9, 2022 5:48 PM  
**To:** Dan Clemens  
**Subject:** Re: Common bid  
**Attachments:** Estimate1112CommonSealandStripe.pdf

Sure, I have attached the adjusted bid, with square feet specified.

Thank you so much,

*Nicole Moreno*



(518) 371- SEAL (7325)

[Click here to visit our website!](#)

On Mon, Aug 8, 2022 at 3:28 PM Dan Clemens <[DClemens@cliftonpark.org](mailto:DClemens@cliftonpark.org)> wrote:

It would be appreciated if you adjusted to include that lot and send it with total sf number. There is an issue with the approximate sf I included as you can see.

**Daniel J. Clemens**

Director of Buildings, Parks and Recreation

Town of Clifton Park, NY

Cell: 518-281-5065

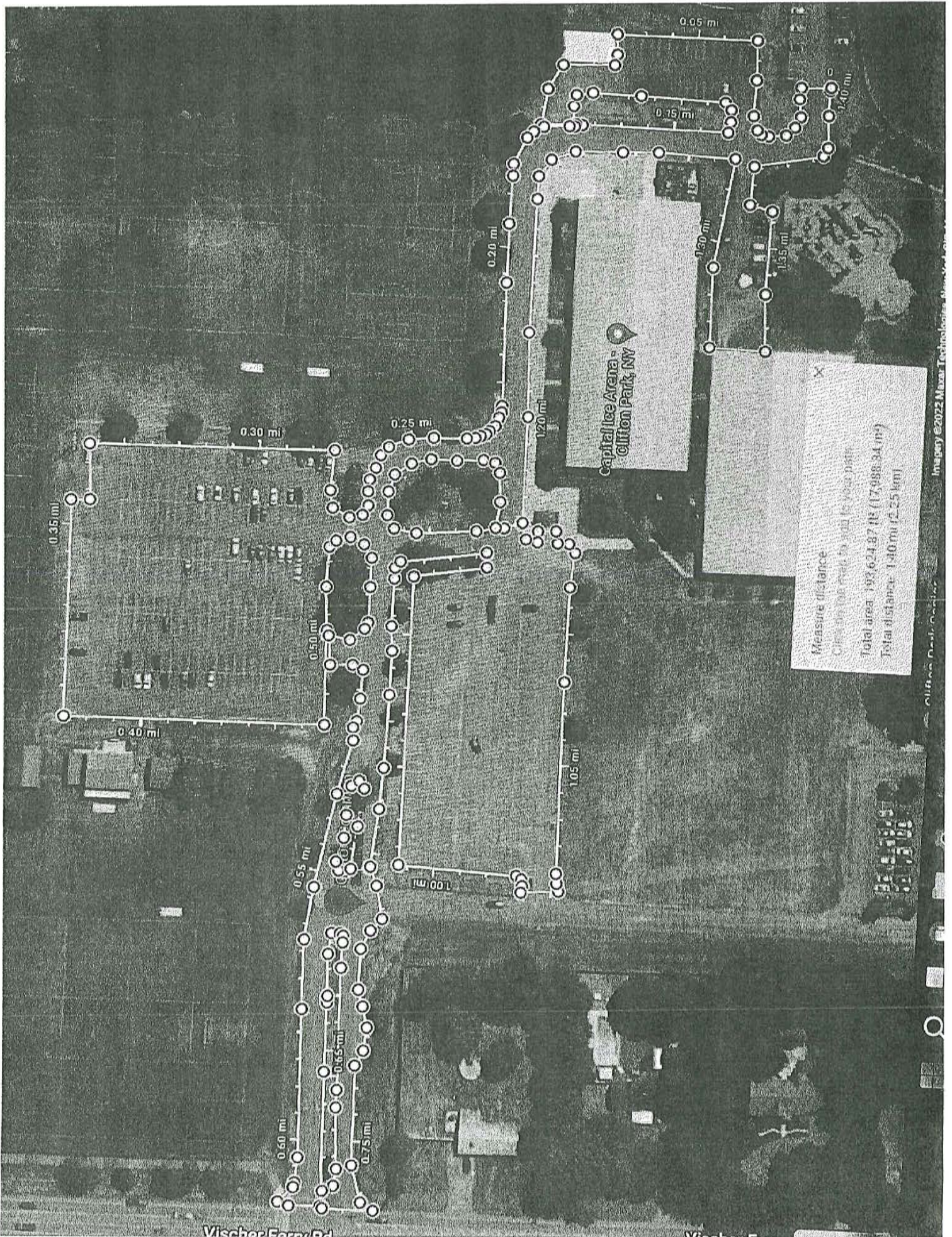
Office: 518-371-6651 ext. 248

[dclemens@cliftonpark.org](mailto:dclemens@cliftonpark.org)

---

**From:** Sealcoating Services CP <sealcoatingservicescp@gmail.com>

**Sent:** Monday, August 8, 2022 3:24 PM





# Estimate

| Date      | Estimate No. |
|-----------|--------------|
| 7/18/2022 | 1112         |

Name/Address

Town Of Clifton Park  
 1 Town Hall Plaza  
 Clifton Park, NY 12065

| Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Qty | Rate      | Total              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------|--------------------|
| Project: Common Seal and Stripe (359,650 square feet)<br>Project Location: Clifton Common, Vischer Ferry Road, Clifton Park, NY 12065<br><br>Preparation of pavement. Clean dirt and debris from surface. Edge and trim perimeter of pavement.<br><br>Clean all existing major linear cracking. ( Approx. 6500 linear feet)<br>Fill all existing major linear cracking with CrackMaster rubberized asphalt hpt crack fill. (Approx. 6500 linear feet)<br><br>Application of MasterSeal, asphalt based pavement sealer to all parking lots and roadways in the Clifton Common. ( Approx. 289,000 square feet)<br><br>Paint all lines and markings as per existing layout.<br><br>At completion of project all general work areas will be cleared and cleaned.<br>Quote based on prevailing wage rate as described by NYS.<br>All certificates of insurance available upon request. |     | 43,500.00 | 43,500.00          |
| <b>Total</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     |           | <b>\$43,500.00</b> |

**A PROUD MEMBER OF  
 THE CHAMBER OF SOUTHERN SARATOGA COUNTY**

(518) 371- SEAL (7325)  
 CLIFTON PARK, NY

PLEASE VISIT US AT [SEALCOATINGSERVICESCLIFTONPARK.COM](http://SEALCOATINGSERVICESCLIFTONPARK.COM)

**RESOLUTION**  
**#2**

Resolution No. _____ of 2022, a resolution authorizing Christ Community Reformed Church to use Town roadways for their 5k bicycle road race, on October 2, 2022.

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

WHEREAS, Christ Community Reformed Church has requested the use of the Town of Clifton Park roadways as specified in the attachment hereto, for the purpose of holding a 5k bicycle road race on Sunday, October 2, 2022, from 7:30 PM until the last participant completes the course, and

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

RESOLVED, that the Town Board hereby authorizes Christ Community Reformed Church to use Town roadways as specified in the attachment hereto, October 2, 2022, at 7:30 PM, for the purpose of holding a 5k bicycle road race; and be it further

RESOLVED, that the attached insurance certificate in the amount of \$xxxx. naming the Town of Clifton Park as an additional insured be retained by the Superintendent of Highways; and be it further

RESOLVED, that this approval is expressly conditioned upon the roads not being closed, but volunteers 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.

**Meg Springli**

---

**From:** noreply  
**Sent:** Tuesday, September 13, 2022 9:28 AM  
**To:** Meg Springli  
**Cc:** Jean, Spiegel; Mark Heggen  
**Subject:** Resolution Request for TB Meeting: 09-19-2022 Highway Department  
**Attachments:** 6320855d9b0eb-Email Request for Race Page 1.pdf; 6320855d9b4bd-Email Request for Race Page 2.pdf; 6320855d9b5fe-PDF Map.pdf; 6320855d9b81a-3 mile evening ride map.png

An item has been submitted to the Resolution Request form for review.

Department: **Highway Department**  
Your email: **dbull@cliftonpark.org**

Sponsor/Contact as shown on the agenda (i.e. P. Barrett, A. Standaert, D. Bull, etc.): **D. Bull**

Requested Meeting Date: **09-19-2022**

Brief Description: **A resolution approving the use of public roads and Clifton Common Roads for the use of an evening bike ride provided by the Christ Community Reformed Church Clifton Park**

Budget #: **NA**  
Budget Description: **NA**  
\$ Amount: **NA**

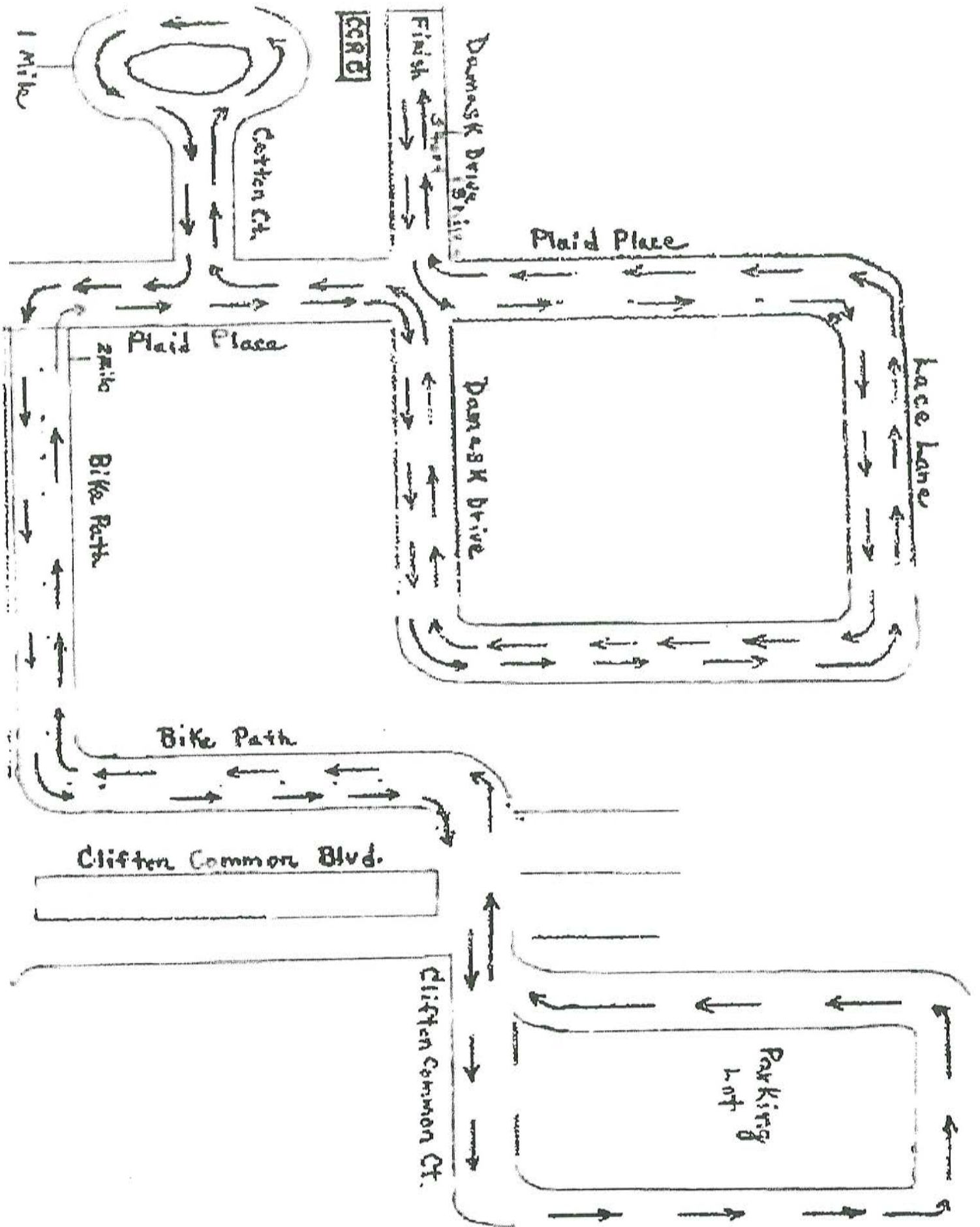
Additional Comments/Details: **This is a very small event with volunteers watching the bicyclists and intersections.**

**I requested this year that the group ask for the Town Boards approval since the bike race would be traveling into the Clifton Common.**

**A insurance certificate will be provided.**

**COMPTROLLER APPROVAL or Comments:**

**ATTORNEY APPROVAL or Comments:**



**Dahn Bull**

---

**From:** Dahn Bull  
**Sent:** Friday, September 9, 2022 11:07 AM  
**To:** Immanuel Van Tonder  
**Subject:** RE: Bicycle Ride for Christ Community Reformed Church of Clifton Park

Good Morning Immanuel,

I will get working on this right away. I'll have it on the boards agenda for September 19.

Sincerely,

Dahn S. Bull  
Superintendent of Highways  
Town of Clifton Park  
639 Clifton Park Center Road  
Clifton Park, NY 12065  
Tel: (518) 371-7310  
Fax: (518) 373-0039  
[dbull@cliftonpark.org](mailto:dbull@cliftonpark.org)

**From:** Immanuel Van Tonder <[immanuelvt@ccrc-cpny.org](mailto:immanuelvt@ccrc-cpny.org)>  
**Sent:** Thursday, September 8, 2022 12:57 PM  
**To:** Dahn Bull <[DBull@cliftonpark.org](mailto:DBull@cliftonpark.org)>  
**Subject:** FW: Bicycle Ride for Christ Community Reformed Church of Clifton Park

Good afternoon Dahn,

**Evening bicycle ride October 2, 2022, at 7:30 pm**

In 2021 CCRC (Christ Community Reformed Church) hosted a 3.1 mile evening bicycle ride with our Church's high school families just in the neighborhood around the Church(+20 people). Last year we did ask permission from the Superintendent of Highways. It was granted. (See correspondence below from 2021)

We would like to do the same this year using the same path. All road rules will be adhered to. We also have adults supervising in front, at the back, and at crossings. Attached is a detailed map.

Would you please consider approval for the same event?

Here is a video of last year's event: <https://youtu.be/od0kGdUeTto>

I appreciate your attention to the matter.

Kind Regards  
Rev Immanuel A van Tonder

Christ Community Reformed Church Clifton Park  
347 328 4037

---

**From:** Immanuel Van Tonder <[immanuelvt@ccrc-cpny.org](mailto:immanuelvt@ccrc-cpny.org)>  
**Date:** Friday, October 8, 2021 at 1:15 PM  
**To:** Dahn Bull <[DBull@cliftonpark.org](mailto:DBull@cliftonpark.org)>  
**Subject:** Re: Bicycle Ride for Christ Community Reformed Church of Clifton Park

Good afternoon Dahn,

Thank you very much for your reply! Next time I will communicate the event further in advance.

Hope you have a wonderful weekend.

Kind Regards  
Immanuel

---

**From:** Dahn Bull <[DBull@cliftonpark.org](mailto:DBull@cliftonpark.org)>  
**Date:** Friday, October 8, 2021 at 12:37 PM  
**To:** [immanuelvt@gmail.com](mailto:immanuelvt@gmail.com) <[immanuelvt@gmail.com](mailto:immanuelvt@gmail.com)>, Immanuel Van Tonder <[immanuelvt@ccrc-cpny.org](mailto:immanuelvt@ccrc-cpny.org)>  
**Subject:** RE: Bicycle Ride for Christ Community Reformed Church of Clifton Park

Good Afternoon Reverend,

I got your message and I think we will be all set. For a small event like this, with no road closures, and staying on bike paths, I don't think we will need to make a big deal with the small event. We usually have to do a Town Board resolution for 5K's that are going to be shutting down for races, but this seems like it wouldn't reach that level so we are going to be ok. If you have any questions, please just shoot me an email!

Sincerely,

Dahn S. Bull  
Superintendent of Highways  
Town of Clifton Park  
639 Clifton Park Center Road  
Clifton Park, NY 12065  
Tel: (518) 371-7310  
Fax: (518) 373-0039  
[dbull@cliftonpark.org](mailto:dbull@cliftonpark.org)

**RESOLUTION**  
**#3**

Resolution No. _____ of 2022, a resolution supporting the abandonment and discontinuance of a portion of Old Plank Road.

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

WHEREAS, by Petition filed with the Town Clerk, and submitted to the Highway Superintendent on June 13, 2022, JTD Holdings, Baggs Land Development, and Clifton Hospitality LLC petitioned the Town for the discontinuance of approximately 580 linear feet of paved roadway, known as Old Plank Road, as depicted in the attached map prepared by Environmental Design Partners, dated February 24, 2022 and labeled "Map 1 of 1," attached, and

WHEREAS, the Petition, duly signed and acknowledged by authorized representatives of the Petitioners on April 5, 2022, April 29, 2022, and April 26, 2022, and included copies of filed deeds demonstrating the ownership of all real property on both sides of the paved portion of Old Plank Road for the distance for which the petition seeks the discontinuance thereof, consistent with New York State Highway Law §207, and

WHEREAS, a record and deed review shows that the Town's interest in the subject highway was acquired by "user" for highway purposes only, and

WHEREAS, the Highway Superintendent has advised that the subject portion of Old Plank Road, constituting 580 linear feet of paved roadway maintained by the Town for Highway Purposes, is no longer necessary for such Purpose, and

WHEREAS, the Petition demonstrates good cause for the discontinuance of subject roadway consistent with NYSHL §207, and

WHEREAS, the Highway Superintendent has not acted on the petition; now therefore, be it

RESOLVED, that the Town Board wishes the Highway Superintendent to take action on the petition filed on June 13, and be it further

RESOLVED, that the Petition filed with the Town Clerk on June 13, 2020, including its Exhibits, Maps descriptions, and deeds are hereby incorporated by reference.

STATE OF NEW YORK :  
COUNTY OF SARATOGA :  
TOWN OF CLIFTON PARK:

---

In the Matter of the Petition of  
JTD HOLDINGS, LLC  
BAGGS LAND DEVELOPMENT CO, LLC, and  
CLIFTON HOSPITALITY, LLC.

ORDER

For the discontinuance of approximately  
580 LF/0.11+/- miles of the northeasterly  
end of Old Plank Road

---

WHEREAS, by Petition filed with the Town Clerk, and submitted to the Highway Superintendent on June 13, 2022, JTD Holdings, Baggs Land Development, and Clifton Hospitality LLC petitioned the Town for the discontinuance of approximately 580 linear feet of paved roadway, known as Old Plank Road, as depicted in the attached map prepared by Environmental Design Partners, dated February 24, 2022 and labeled "Map 1 of 1," attached, and

WHEREAS, the Petition, duly signed and acknowledged by authorized representatives of the Petitioners on April 5, 2022, April 29, 2022, and April 26, 2022, and included copies of filed deeds demonstrating the ownership of all real property on both sides of the paved portion of Old Plank Road for the distance for which the petition seeks the discontinuance thereof, consistent with NYS Hwy Law §207, and

WHEREAS, the Town's interest in the subject highway was acquired by "user" for highway purposes only, and

WHEREAS, the subject portion of Old Plank Road, constituting 580 linear feet of paved roadway maintained by the Town for Highway Purposes, is no longer necessary for such Purpose, and

WHEREAS, the Petition demonstrates good cause for the discontinuance of subject roadway consistent with New York State Highway Law 207, now therefore, it is hereby

ORDERED, that Old Plank Road, 580 ± LF of paved road as depicted in Exhibit 1, attached, is no longer necessary for Highway Purposes and is hereby Discontinued for Highway Purposes pursuant to NYS Hwy Law § 207, as outlined and requested in the Petition Filed on June 13, 2022, and be it further

ORDERED, that the Petition filed with the Town Clerk on June 13, 2020, including its Exhibits, Maps descriptions, and deeds are hereby incorporated by reference within this order.

---

Dahn Bull  
Superintendent of Highways

September 2022



## Tom McCarthy

---

**From:** Tom McCarthy  
**Sent:** Wednesday, July 13, 2022 9:20 AM  
**To:** Dahn Bull  
**Subject:** RE: Lill - Old Plank Road Discontinuance

These are separate statutory authorities. You either go under 1 or you go under the other.

205 doesn't apply because the road was open and worked long ago. It met the statutory criteria for 207, so we suggested to them that that's what they go under. So if your order cites 207 for authority, it is sufficient and you don't need TB approval. This is the simplest process among the three, so long as all adjoining landowners ask for the action by Petition, which they have.

---

**From:** Dahn Bull <[DBull@cliftonpark.org](mailto:DBull@cliftonpark.org)>  
**Sent:** Tuesday, July 12, 2022 3:23 PM  
**To:** Tom McCarthy <[TMcCarthy@cliftonpark.org](mailto:TMcCarthy@cliftonpark.org)>  
**Subject:** RE: Lill - Old Plank Road Discontinuance

My only question is what about sections 171 and 207. One calls for consent from the board (171) and the others do not. What is the difference between section 171, 205, and 207?

---

**From:** Tom McCarthy <[TMcCarthy@cliftonpark.org](mailto:TMcCarthy@cliftonpark.org)>  
**Sent:** Monday, July 11, 2022 5:12 PM  
**To:** Dahn Bull <[DBull@cliftonpark.org](mailto:DBull@cliftonpark.org)>  
**Subject:** FW: Lill - Old Plank Road Discontinuance

Dahn,

I attached a copy of Hwy law 207 to this incoming. Per the statute, this is a hwy Super's decision- I don't see a role for the town Board.

If you still want to proceed with the abandonment, I think it just requires an Order from you. If you like, I can find/draft one for you. Please advise.

TM

## [NY CLS High § 207](#)

Current through 2021 released Chapters 1-49, 61-68

***New York Consolidated Laws Service > Highway Law (Arts. I — XIII) > Article VIII Town Highways (§§ 170 — 218)***

### **§ 207. Discontinuance of highway**

Whenever the town superintendent of any town shall determine that any portion of any highway or street, not within the limits of an incorporated village, which is the terminus of such street or highway, is unnecessary for highway purposes, and* said town superintendent may, by an order to be duly entered in the town clerk's office, direct such highway to be discontinued and abandoned for public purposes. Provided, however, that no portion of such highway to be discontinued shall be greater than one thousand feet of the terminus thereof and that the owners of the land on both sides of such highway or street, for the distance it is proposed to discontinue the same, shall, by written petition to such town superintendent have requested the discontinuance thereof.

### **History**

Add, L 1936, ch 63, with substance transferred from § 236; amd, L 1948, ch 365, eff March 21, 1948.

New York Consolidated Laws Service  
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End of Document

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* So in original.

STATE OF NEW YORK :

COUNTY OF SARATOGA

TOWN OF CLIFTON PARK:

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In the Petition of  
JTD HOLDINGS, LLC,  
BAGGS LAND DEVELOPMENT CO, LLC, and  
CLIFTON HOSPITALITY, LLC.

For the discontinuance of approximately  
580 LF/0.11+/- miles of the northeasterly  
end of Old Plank Road

PETITION RECEIVED

JUN 13 2022

CLIFTON PARK  
TOWN CLERK

---

TO PHILIP BARRETT, TOWN SUPERVISOR OF THE  
TOWN OF CLIFTON PARK:

The Petition of JTD Holdings, LLC, Baggs Land Development Co, LLC, and Clifton Hospitality, LLC respectfully alleges:

1. That Petitioner, JTD Holdings, LLC, is the owner of property situate at Old Plank Road; 19 Old Plank Road; 15 Old Plank Road and 13 Old Plank Road, Town of Clifton Park, County of Saratoga, State of New York, which property was conveyed to Petitioner, JTD Holdings, LLC by Deed attached hereto and marked "Exhibit A" dated March 1, 2022 and recorded in the Saratoga County Clerk's Office on March 7, 2022 as Instrument #2022008184. Those said parcels are known as tax map parcels 272.9-1-34; 272.9-1-33; 272.8-31.1 and 272.9-32, respectively.
2. That Petitioner, Baggs Land Development Co, LLC is the owner of property situate at 16 Clifton Park Village Road, Town of Clifton Park, County of Saratoga, State of New York, which property was conveyed to Petitioner, Baggs Land Development Co, LLC by Deed attached hereto and marked "Exhibit B" dated December 30, 2008 and recorded in the Saratoga County Clerk's Office on January 2, 2009 as Instrument #2009000048. That said parcel is known as tax map parcel 272.9-1-1.2.
3. That Petitioner, Clifton Hospitality, LLC is the owner of property situate at 18 Clifton Park Village Road, Town of Clifton Park, County of Saratoga, State of New York, which property was conveyed to Petitioner, Clifton Hospitality, LLC by Deed attached hereto and marked "Exhibit C" dated September 10, 2004 and recorded in the Saratoga County Clerk's Office on September 13, 2004 in Book 1695 of Deeds at Page 139. That said parcel is known as tax map parcel 272.9-1-1.1.
4. The purpose of this Petition is to request the discontinuance of approximately 580 LF/0.11+/- miles of the terminus of Old Plank Road in the Town of Clifton Park pursuant to Section 207 of the Highway Law of the State of New York.

5. That attached hereto and made a part hereof and marked "Exhibit D" is a survey by Environmental Design Partnership, LLP entitled "Discontinuance Map of a portion of Old Plank Road", Town of Clifton Park, Saratoga County, New York, which shows in blue, the portion of Old Plank Road to be discontinued which consists of approximately 580 LF/0.11+/- miles of the northeasterly terminus of Old Plank Road.

6. Additionally it can be seen by the attached "Exhibit D" that it is intended that the property owned by JTD Holdings, LLC, Baggs Land Development Co, LLC and Clifton Hospitality, LLC along the portion of Old Plank Road being abandoned shall be combined as one parcel under the ownership of JTD Holdings, LLC.

7. That JTD Holdings, LLC shall be responsible for the costs of the removal of the discontinued portion of Old Plank Road and shall be responsible for the construction of any partition indicated the end of Old Plank Road as shown on the attached map.

8. That JTD Holdings, LLC shall be responsible for the obtaining of any and all permits from New York State Department of Transportation for the new alignment of the terminus of Old Plank Road.

9. That the portion of the terminus of Old Plank Road to be discontinued is less than one thousand feet.

10. That Petitioners, the owners of all land on both sides of the portion of Old Plank Road to be discontinued hereby request that the Clifton park Town Supervisor discontinue a portion of the terminus of Old Plank Road as shown on the attached "Exhibit D".

Dated: April ____, 2022.

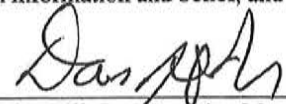
JTD HOLDINGS, LLC

  
By: Daniel J. Lill, Jr., Managing Member

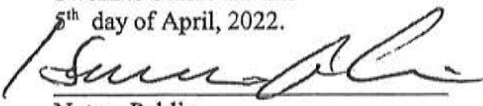
VERIFICATION

STATE OF NEW YORK )  
COUNTY OF SARATOGA) ss.:

On this 5th day of April, 2022, before me, the subscriber, personally came Daniel J. Lill, Jr., to me known, who, being by me duly sworn, did depose and say he resides at 250 Stone Church Road, Ballston Spa, New York 12020, and have read said Petition and known the contents thereof, and that the contents thereof are true to his own knowledge, except as to those matters therein stated to be alleged on information and belief, and as to those matters, he believes the same to be true.

x   
Daniel J. Lill, Jr., Managing Member

Sworn to before me this  
5th day of April, 2022.

  
Notary Public

KEVIN G. CASLIN  
Notary Public, State of New York  
Qualified in Albany County  
Reg. No. 4995865  
Commission Expires May 4, 2022

BAGGS LAND DEVELOPMENT CO, LLC

By:

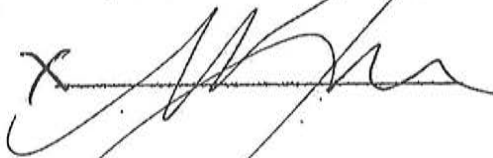


Margaret  
Baggett

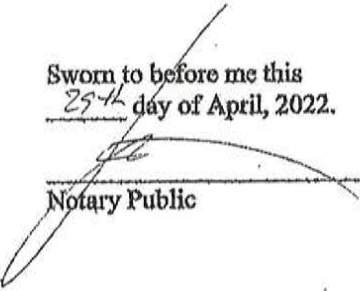
VERIFICATION

STATE OF NEW YORK )  
COUNTY OF SARATOGA) ss.:

On this 29th day of April, 2022, before me, the subscriber, personally came Margaret Baggett, to me known, who, being by me duly sworn, did depose and say (he/she) resides at 30 Remo Dr Cohoes NY 12047, and have read said Petition and known the contents thereof, and that the contents thereof are true to (his/her) own knowledge, except as to those matters therein stated to be alleged on information and belief, and as to those matters, (he/she) believes the same to be true.




Sworn to before me this  
29th day of April, 2022.

  
Notary Public

EMERSON R. McMURRAY  
Notary Public, State of New York  
Qualified in Saratoga County  
Reg. No. 01MC6298573  
My Commission Expires 3/17/2026

CLIFTON HOSPITALITY, LLC

  
By: ANTHONY J. AUDI JR, SOLE MEMBER

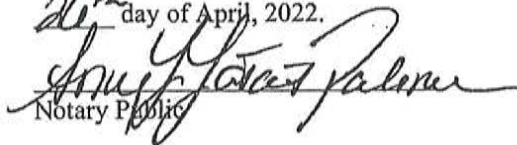
VERIFICATION

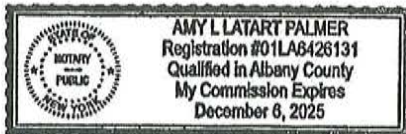
STATE OF NEW YORK )  
COUNTY OF SARATOGA) ss.:

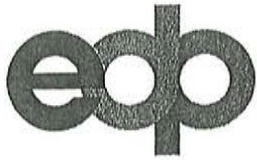
On this 26th day of April, 2022, before me, the subscriber, personally came ANTHONY J AUDI JR, to me known, who, being by me duly sworn, did depose and say (he/she) resides at 4 DEVONSHIRE DRIVE, ALBANY, NY 12205, and have read said Petition and known the contents thereof, and that the contents thereof are true to (his/her) own knowledge, except as to those matters therein stated to be alleged on information and belief, and as to those matters, (he/she) believes the same to be true.

  
ANTHONY J. AUDI JR

Sworn to before me this  
26th day of April, 2022.

  
Notary Public





**ENVIRONMENTAL DESIGN  
PARTNERSHIP, LLP.**

Shaping the physical environment

900 Route 146 Clifton Park, NY 12065  
(P) 518.371.7621 edplp.com

**SURVEY DESCRIPTION**

**MAP 1 – PARCEL 1**

**PORTION OF OLD PLANK ROAD TO BE DISCONTINUED AND CONVEYED TO  
JTD HOLDINGS, LLC  
CLIFTON PARK, NY**

**RECEIVED**

JUN 13 2022

DISCONTINUANCE OF A PORTION OF OLD PLANK ROAD THROUGH ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Clifton Park, County of Saratoga, State of New York lying along the southwesterly line of Old Plank Road as shown on a map entitled "Discontinuance Map of a portion of Old Plank Road as prepared for JTD Holdings, LLC", dated February 24, 2022 as prepared by The Environmental Design Partnership, LLP and filed in the Saratoga County Clerk's Office on _____, 2022 as Map No. M2022_____ and being further bounded and described as follows:

**Map 1 – Parcel 1:**

**Beginning** at the point of intersection of the southwesterly line of Old Plank Road with the common division line of lands now or formerly of G Six LLC as conveyed in Instrument No. 2007000869 to the southeast and lands now or formerly of JTD Holdings, LLC as conveyed in Instrument No. 2022008184 to the northwest as shown on said map;

*Thence* from said *Point of Beginning* along said southwesterly line of Old Plank Road the following six (6) courses and distances:

- 1) North 55 deg. 27 min. 20 sec. West, 100.75 feet to a point (non-tangent curve);
- 2) Along a curve to the right an arc length of 59.65 feet to a point of tangency, said curve having a radius of 1,405.12 feet and a chord length of North 52 deg. 11 min. 10 sec. West, 59.64 feet;
- 3) North 50 deg. 58 min. 20 sec. West, 63.53 feet to a point of curvature;
- 4) Along a curve to the right an arc length of 97.75 feet to a point of cusp (non-tangent curve), said curve having a radius of 2,218.25 feet and a chord length of North 49 deg. 42 min. 30 sec. West, 97.74 feet;
- 5) North 41 deg. 19 min. 20 sec. West, 106.97 feet to a point; and
- 6) North 42 deg. 17 min. 30 sec. West, 70.43 feet to a point;

*Thence* through said Old Plank Road as shown on said map the following six (6) courses and distances:

- 1) North 47 deg. 42 min. 30 sec. East, 16.50 feet to a point;

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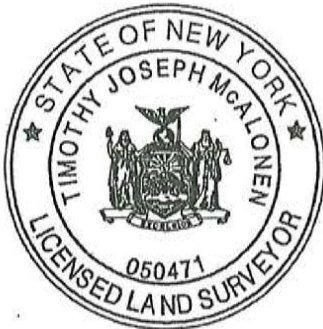
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- 2) South 44 deg. 16 min. 00 sec. East, 158.18 feet to a point;
- 3) South 49 deg. 30 min. 10 sec. East, 168.48 feet to a point;
- 4) South 53 deg. 29 min. 50 sec. East, 144.08 feet to a point;
- 5) South 59 deg. 09 min. 40 sec. East, 21.24 feet to a point; and
- 6) South 31 deg. 04 min. 40 sec. West, 24.71 feet to the point or place of beginning and containing 0.267± acres or 11,615± square feet of land.

Said *parcel* made subject to any and all enforceable covenants, conditions, easements and restrictions of record as they may appear.

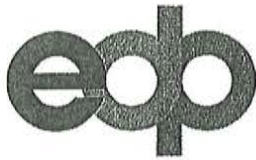
March 3, 2022

Prepared By:  
Timothy J. McAlonen, PLS



Map 1 - Parcel 1 - Discontinuance Description.docx





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**SURVEY DESCRIPTION**

**MAP 2 – PARCEL 2**

**PORTION OF OLD PLANK ROAD TO BE DISCONTINUED AND CONVEYED TO  
BAGGS LAND DEVELOPMENT CO, LLC  
CLIFTON PARK, NY**

**RECEIVED**

JUN 13 2022

DISCONTINUANCE OF A PORTION OF OLD PLANK ROAD THROUGH ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Clifton Park, County of Saratoga, State of New York lying along the northeasterly line of Old Plank Road as shown on a map entitled "Discontinuance Map of a portion of Old Plank Road as prepared for JTD Holdings, LLC", dated February 24, 2022 as prepared by The Environmental Design Partnership, LLP and filed in the Saratoga County Clerk's Office on _____, 2022 as Map No. M2022_____ and being further bounded and described as follows:

CLIFTON PARK  
TOWN CLERK

**Map 2 – Parcel 2:**

**Beginning** at the point of intersection of the northeasterly line of Old Plank Road with the common division line of lands now or formerly of Clifton Hospitality, LLC as conveyed in Book 1695 of Deeds at Page 139 to the northwest and lands now or formerly of Baggs Land Development Co, LLC as conveyed in Instrument No. 2009000048 to the southeast as shown on said map;

*Thence* from said *Point of Beginning* along said northeasterly line of Old Plank Road the following two (2) courses and distances:

- 1) South 53 deg. 29 min. 50 sec. East, 141.97 feet to a point; and
- 2) South 59 deg. 09 min. 40 sec. East, 20.00 feet to a point;

*Thence* through said Old Plank Road as shown on said map the following four (4) courses and distances:

- 1) South 30 deg. 50 min. 20 sec. West, 25.00 feet to a point;
- 2) North 59 deg. 09 min. 40 sec. West, 21.24 feet to a point;
- 3) North 53 deg. 29 min. 50 sec. West, 144.08 feet to a point; and
- 4) North 38 deg. 30 min. 00 sec. East, 25.02 feet to the point or place of beginning and containing 0.094± acres or 4,091± square feet of land.

Said *parcel* made subject to any and all enforceable covenants, conditions, easements and restrictions of record as they may appear.

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900 Route 146 Clifton Park, NY 12065

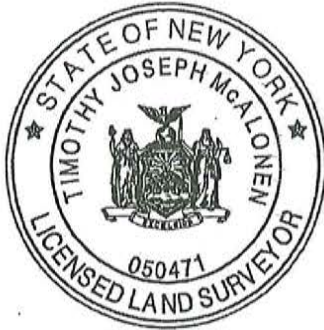
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March 3, 2022

Prepared By:

Timothy J. McAlonen, PLS



Map 2 - Parcel 2 - Discontinuance Description.docx

LEGEND:  
N/F denotes Now or Formerly

(LOT 18 - FILED MAP "H-367")  
LANDS N/F OF  
CLIFTON HOSPITALITY, LLC  
BOOK 1695 OF DEEDS AT PAGE 139

SBL# 272.09-1-1.1

POINT OF BEGINNING  
MAP 2 - PARCEL 2

(LOT 16 - FILED MAP "H-367")  
LANDS N/F OF  
BAGGS LAND DEVELOPMENT CO, LLC  
INSTRUMENT No. 2009000048

SBL# 272.09-1-1.2

RIGHT OF WAY LINE PER  
FILED MAP "H-367"  
25' FROM THE  
CENTERLINE

RIGHT OF WAY LINE PER FILED MAP "H-367"  
25' FROM THE CENTERLINE  
(PORTION OF OLD PLANK ROAD TO BE DISCONTINUED)

(PARCEL III)  
SBL# 272.09-1-34

(PARCEL IV)  
SBL# 272.09-1-33

(PARCEL V)  
SBL# 222.09-1-31.1

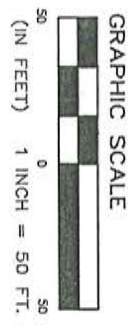
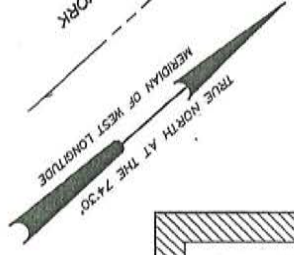
(PARCEL VI)  
SBL# 272.09-1-32

LANDS N/F OF JTD HOLDINGS, LLC  
INSTRUMENT No. 2022009184

LANDS N/F OF  
G SIX LLC  
INSTRUMENT No.  
2007000869

**MAP 2** **PARCEL 2**  
PORTION OF OLD PLANK ROAD TO  
BE DISCONTINUED AND CONVEYED TO  
BAGGS LAND DEVELOPMENT CO, LLC  
AREA = 4,091± SQ.FT. OR  
0.094± ACRES

LANDS OF THE PEOPLE OF THE STATE OF NEW YORK  
INTERSTATE ROUTE 87  
ADIRONDACK NORTHWAY  
(NORTHBOUND LANES)  
INTERSTATE ROUTE No. 502-2-1



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EMBOSSED SEAL SHALL NOT BE CONSIDERED A  
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**MAP 2**

**PARCEL 2**

PORTION OF OLD PLANK ROAD TO BE DISCONTINUED  
AND CONVEYED TO BAGGS LAND DEVELOPMENT CO, LLC

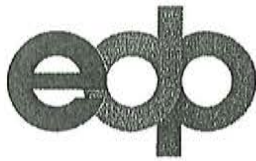
TOWN OF CLIFTON PARK  
SCALE: 1" = 50'  
TIMOTHY J. McALONEN PLS 50,471

SARATOGA COUNTY, NEW YORK  
FEBRUARY 24, 2022  
tmcalonen@edpllp.com



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**SURVEY DESCRIPTION**

**MAP 3 – PARCEL 3**

**PORTION OF OLD PLANK ROAD TO BE DISCONTINUED AND CONVEYED TO  
CLIFTON HOSPITALITY, LLC  
CLIFTON PARK, NY**

**RECEIVED**

JUN 13 2022

DISCONTINUANCE OF A PORTION OF OLD PLANK ROAD THROUGH ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Clifton Park, County of Saratoga, State of New York lying along the northeasterly line of Old Plank Road as shown on a map entitled "Discontinuance Map of a portion of Old Plank Road as prepared for JTD Holdings, LLC", dated February 24, 2022 as prepared by The Environmental Design Partnership, LLP and filed in the Saratoga County Clerk's Office on _____, 2022 as Map No. M2022 _____ and being further bounded and described as follows:

**Map 3 – Parcel 3:**

**Beginning** at the point of intersection of the northeasterly line of Old Plank Road with the common division line of lands now or formerly of lands now or formerly of Baggs Land Development Co, LLC as conveyed in Instrument No. 2009000048 to the southeast and lands now or formerly of Clifton Hospitality, LLC as conveyed in Book 1695 of Deeds at Page 139 to the northwest as shown on said map;

*Thence* from said *Point of Beginning* through said Old Plank Road as shown on said map the following four (4) courses and distances:

- 1) South 38 deg. 30 min. 00 sec. West, 25.02 feet to a point;
- 2) North 49 deg. 30 min. 10 sec. West, 168.48 feet to a point;
- 3) North 44 deg. 16 min. 00 sec. West, 158.18 feet to a point; and
- 4) North 42 deg. 14 min. 00 sec. West, 99.38 feet to a point in the 1957 easterly right-of-way line of lands of The People of The State of New York, Interstate Route 502-2-1;

*Thence* along said 1957 easterly right-of-way line, North 03 deg. 18 min. 00 sec. West, 25.72 feet to a point marked with an iron rod found being the northwesterly corner of said Old Plank Road;

*Thence* along the northeasterly line of Old Plank Road the following two (2) courses and distances:

- 1) South 45 deg. 13 min. 20 sec. East, 275.61 feet to a point; and
- 2) South 49 deg. 30 min. 10 sec. East, 166.67 feet to the point or place of beginning and containing 0.231± acres or 10,050± square feet of land.

**ENVIRONMENTAL DESIGN PARTNERSHIP, LLP.**

Shaping the physical environment

900 Route146 Clifton Park, NY 12065

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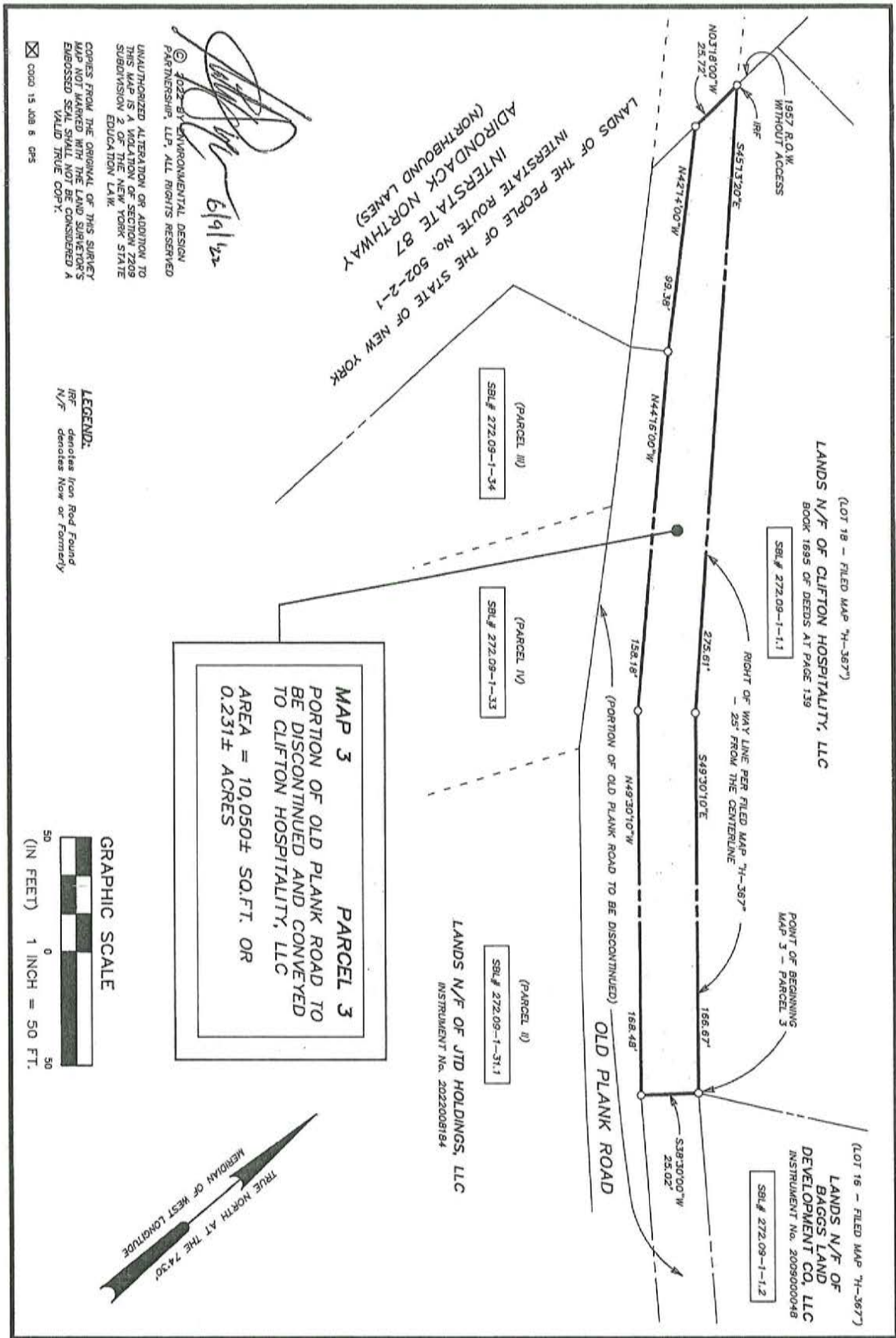
Said *parcel* made subject to any and all enforceable covenants, conditions, easements and restrictions of record as they may appear.

March 3, 2022

Prepared By:  
Timothy J. McAlonen, PLS



Map 3 - Parcel 3 - Discontinuance Description.docx



**MAP 3** **PARCEL 3**  
**PORTION OF OLD PLANK ROAD TO BE DISCONTINUED AND CONVEYED TO CLIFTON HOSPITALITY, LLC**

TOWN OF CLIFTON PARK  
 SCALE: 1" = 50'  
 TIMOTHY J. McALONEN PLS 50,471

SARATOGA COUNTY, NEW YORK  
 FEBRUARY 24, 2022  
 tmcaionen@edplp.com

**edp**  
**ENVIRONMENTAL DESIGN PARTNERSHIP, LLP**

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