

TOWN OF CLIFTON PARK TOWN BOARD MEETING

October 2, 2023

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

 ONLINE BOARD MEETINGS

- 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
October 2, 2023

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Town Board	Appoint Paula Cooper as Secretary to the Ethics Board	P. Barrett
2. Planning	Adopt amendments, corrections and additions to 2006 Town Zoning Map	P. Barrett
3. Planning	Authorize the Comptroller to retain MJ Engineering for supplemental engineering services for the completion of the Settlers Hill Trail Paving project	P. Barrett
4. Comptroller	Authorize the Supervisor to sign an application for the 2024 County Tax Levy	P. Barrett
5. Comptroller	Correction of Resolution 216 of 2023 relative to the M&T Bank Lease Agreement for the lease/purchase of equipment and truck for the Highway Department	P. Barrett
6. Highway	Authorize the purchase of a 2023 Chevrolet Regular Cab 4X4 truck from NYS Office of General Services Mini-Bid	D. Bull
7. Sewer	Authorize the purchase of lawn mowing equipment	P. Barrett

RESOLUTION
#1

Resolution No. _____ of 2023, a resolution appointing Paula Cooper as Secretary to the Ethics Board.

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

WHEREAS, an opening exists for a Secretary to the Ethics Board of Appeal, and

WHEREAS, Supervisor Barrett recommends Paula Cooper, current Fire Codes Appeal Board Secretary, Planning Board Secretary and Zoning Board of Appeals Secretary, to fill the position of Ethics Board Secretary; now, therefore, be it

RESOLVED, that Paula Cooper is hereby appointed as Secretary to the Ethics Board, effective immediately, and be it further

RESOLVED, that the position be compensated at \$250 on an annual basis, prorated amount of \$75 for 2023, to be paid from A-1470-E2200 (General Fund-Ethics Board-Staff Salary), and be it further

RESOLVED, that the funding for a secretary for the Ethics Board be included in subsequent years' budgets.

Cynthia, Zlogar

From: Town of Clifton Park Official Website <cliftonpark@hdgwebhost.com>
Sent: Friday, September 15, 2023 10:09 AM
To: Cynthia, Zlogar; Tom McCarthy; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Christopher, O'Hara; Agatha, Reid; John Scavo
Subject: New Resolution Request #272

A new resolution request has been submitted. The details of this resolution request are included below.

Department: Supervisor's Office

Your Name: Jean Spiegel

Your Email: jspiegel@cliftonpark.org

Sponsor: Phil Barrett

Meeting Date: 10/02/2023

Alternate Date: 10/09/2023

Budget Number: A-1470-E2250

Budget Description: Board of Ethics Secretary

Amount: \$75 for 2023

Brief Description: Filling open position of Secretary to the Board of Ethics with Paula Cooper.

Add Supporting Docs:

Additional Comments/Details: Taking money from Contingency for 2023. Stipend will be \$250 per year and prorated at \$75 for balance of 2023

Agree to Terms: Agree

RESOLUTION

#2

Resolution No. ____ of 2023, a resolution to adopt amendments, corrections and additions to the 2006 Town Zoning map.

WHEREAS, Director of Planning & Zoning, John Scavo, recommends the Town Board consider approval of the proposed Zoning Map pursuant to Section 264 of Town Law, and

WHEREAS, Resolution No. 273 of 2021 authorized use of a Saratoga County Economic Development Fund Grant to update the Town's existing 2006 zoning map, and

WHEREAS, Planning and Zoning staff recommend that the Town's Zoning Map, dated November 29, 2006, be updated to reflect the zoning changes and additions that have been approved by the Town Board since 2006, including the Town Center re-zoning, which affects the mapping for the Exit 9 corridor, and

WHEREAS, the Town Board has retained Greenman-Pedersen, Inc. to provide technical expertise and mapping services for the project, and the Planning Department has reviewed the changes for accuracy, and

WHEREAS, no properties are being rezoned as a result of the adoption of this replacement Zoning Map; and

WHEREAS, the Saratoga County Planning Board issued a recommendation that the proposed zoning map would not have any significant county-wide or intercommunity impacts; now, therefore, be it

RESOLVED, that the attached Town Zoning Map is hereby adopted to supersede the previous Zoning Map, dated November 29, 2006, for informational purposes and assistance in interpreting existing zoning laws or ordinances; and be it further

RESOLVED, that the proposed zoning map reflects adopted zoning amendments and does not change or alter any existing laws or ordinances currently in effect and therefore, constitutes a Type II Action pursuant to 6 NYCRR Part 617.5 (37) interpretation of an existing code, rule or regulation, thus no additional SEQRR review is required.

3/13/2006

RESOLVED, that the Clifton Park Town Board recognizes and congratulates Orenda Elementary School for their outstanding achievement in raising \$2,897 through the Box Tops for Education program and for being featured on Cheerios Cereal Boxes in six states.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 73 of 2006, a resolution authorizing Change Order No. 1 for Highway Department Storage Building Floor Slab Construction.

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

WHEREAS, a contract for Floor Slab Construction at the Highway Department Storage Building was authorized in an amount of \$36,100, and

WHEREAS, a Change Order was prepared by McDonald Engineering which provides the breakdown of individual item costs, and

WHEREAS, the Change Order results in a decrease of \$1,808.74 for Floor Slab Construction at the Highway Department Storage Building from the current amount of \$36,100 to arrive at a new contract amount of \$34,291.26; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1, dated February 10, 2006, to Plank LLC for Contract No 1, Floor Slab Construction at the Highway Department Storage Building; and be it further

RESOLVED, that the decrease amount of \$1,808.74 be released from encumbrance A-5132-200 (Highway Garage-Equipment).

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 74 of 2006, a resolution adopting the updated Zoning Map for the Town of Clifton Park.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilman Roth.

WHEREAS, due to various zoning changes, most notably the creation of Planned Development Districts, adoption of zoning changes in the Western part of town and the establishment of the Adult Use Zone, it is necessary to update the Zoning Map of the Town of Clifton Park; now, therefore, be it

3/13/2006

RESOLVED, that the Town Board hereby adopts the updated Zoning Map for the Town of Clifton Park.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 75 of 2006, a resolution awarding the bid for Lawn Care Services for town wide parks and various park districts.

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

WHEREAS, sealed bids were received and opened on March 7, 2006 for Lawn Care Services, and

WHEREAS, TruGreen Lawn Services was the sole bidder for Lawn Care Services; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Park Districts, accepts the bid of TruGreen Lawn Services for the Park Districts per the attached Exhibit A; and be it further

RESOLVED, that the Town Board hereby authorizes Michael Handerhan to accept the bid of TruGreen Lawn Services for Lawn Care Services for the various Park Districts and town wide parks as budgeted per Exhibit A.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 76 of 2006, a resolution appointing a Summer Camp Site Director for Collins Park.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, an opening exists for a Summer Camp Site Director, and

WHEREAS, Doreen Bazile, 14 Old Coach Rd., Clifton Park, has been recommended to fill the position; now, therefore, be it

RESOLVED, that Doreen Bazile, 14 Old Coach Road, Clifton Park, is hereby hired as Summer Camp Site Director for Collins Park for the 2006 Season at a salary of \$3,300, as budgeted, to be paid from A7310-E9000, (Parks & Recreation Site Supervisor/Specialist).

Resolution No. 273 of 2021, a resolution authorizing the updating of the town Zoning Map utilizing funds available through a Saratoga County Economic Development Fund grant.

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

WHEREAS, the town has been awarded a grant from the Saratoga County Economic Development Fund, in the amount of \$7,100, and

WHEREAS, eligibility for economic development funding includes updates to land use regulations pertaining to solar facility siting, and farmland protections, and

WHEREAS, by Resolution No. 241 of 2021, the Town Board adopted updated zoning text regulations, as well as earlier amendments to the Zoning Code for Town Center, and

WHEREAS, the Town Board wishes to authorize updates to the town's existing zoning map, last updated in 2006 by CHA Associates, and

WHEREAS, the project has utilized available grant funds, working with Greenman Petersen, Inc (GPI), to create the new zoning map in GIS layers that are easily modifiable and can be used for various mapping services going forward for the town, and

WHEREAS, GPI has notified the Planning Department that additional funding is required to complete the town-wide zoning map update project, in the amount of \$3,200; now, therefore, be it

RESOLVED, that the Town Board hereby appropriates \$3,200 from A-1440-135 (Engineering Services) for GPI to complete an update and conversion to GIS digital format of the 2006 Town of Clifton Park Zoning Map.

ROLL CALL VOTE

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

Noes: None


























DECLARED ADOPTED

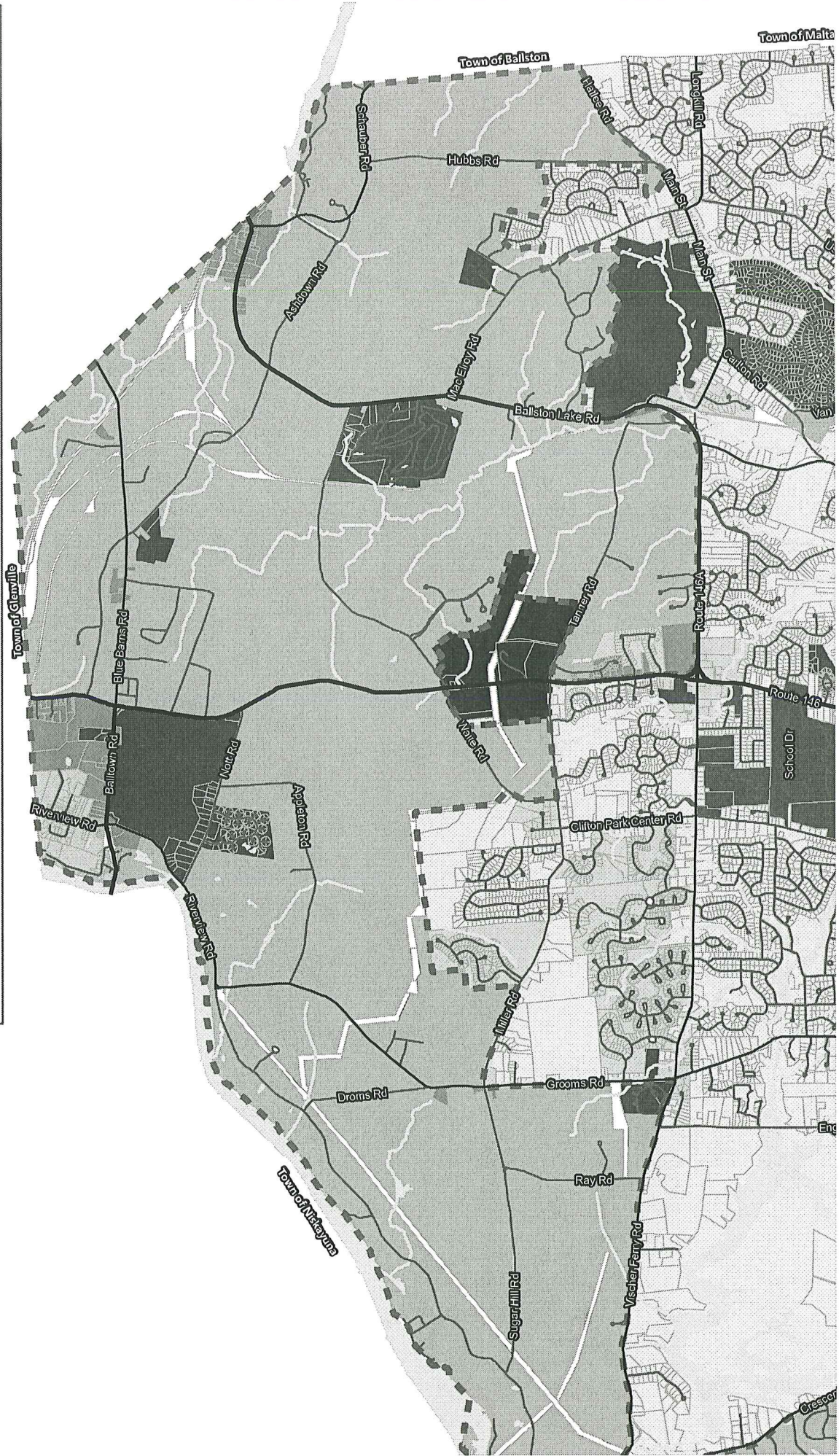
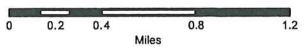
December 6, 2021

Teresa Brobston, Town Clerk

Town of Clifton Park Official Zoning Map Saratoga County, NY

Legend

-  Approximate Parcel Boundary (2021)
-  Town Center Boundary
- Zoning Districts**
-  B-1 Business Non Retail 1
-  B-2 Business Non Retail 1
-  B-3 Neighborhood Business
-  B-4 Highway Business
-  B-4A Highway Business/Restricted Retail
-  B-5 Corporate Commerce
-  CR Conservation Residential
-  HM Hamlet Mixed Use
-  HR Hamlet Residential
-  L-1 Light Industrial 1
-  L-2 Light Industrial 2
-  PDD Planned Development District
-  PIR Public/Institutional/Recreational
-  R Residential
-  R-3 Agricultural/Residential
-  Cluster Subdivisions
-  Utilities
- Zoning Overlay Districts**
-  Adult Use Business Overlay
-  Corporate Commerce GEIS Study Area
-  Mobile Home Park Overlay
-  Vischer Ferry Road Corridor Overlay
-  Western Clifton Park GEIS Study Area
-  Wood Road Corridor GEIS Study Area



Cynthia, Zlogar

From: Town of Clifton Park Official Website <cliftonpark@hdgwebhost.com>
Sent: Wednesday, September 20, 2023 2:09 PM
To: Cynthia, Zlogar; Tom McCarthy; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Christopher, O'Hara; Agatha, Reid; John Scavo
Subject: New Resolution Request #445

A new resolution request has been submitted. The details of this resolution request are included below.

Department: Planning Department

Your Name: John Scavo

Your Email: jscavo@cliftonpark.org

Sponsor: P. Barrett

Meeting Date: 10/03/2023

Alternate Date: 11/06/2023

Budget Number: 0

Budget Description: 0

Amount: 0

Brief Description: Update 2006 Zoning Map by Resolution to better interpret land use regulations based on various zoning changes and additions that have been approved by the Town Board since 2006.

Add Supporting Docs:

[fb682bcbe6ce6d3c Draft Resolution Zoning Map Update Adoption .pdf](#)

[d5e5661a27050666 13TB.pdf](#)

[93ab25fb9e5190a8 reducedTownwide Zoning 11x17.pdf](#)

Additional Comments/Details: N/A

Agree to Terms: Agree

RESOLUTION

#3

Resolution No. _____ of 2023, a resolution authorizing the Comptroller to pay MJ Engineering for supplemental engineering services related to the completion of the Settlers Hill trail reconstruction project.

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

WHEREAS, by Resolution No. 108 of 2023, New Castle Paving was awarded the construction contract for the Settlers Hill trail paving project, and

WHEREAS, the Town was required to halt the project on May 22, 2023 and close the trail due to the significant damage done to the existing trail in the initial phase of the paving work, and

WHEREAS, the Town Board engaged MJ Engineering to prepare bid documents for reconstructing the trail, and bids were opened on June 29, 2023, and

WHEREAS, by Resolution No. 155 of 2023, the Town Board accepted the recommendation of the Director of Buildings, Parks and Recreation, Dan Clemens, to award construction contract for reconstructing the damaged trail to Carver Construction , and

WHEREAS, MJ Engineering has prepared bid documents and provided engineering services for the reconstruction project, and has been engaged to perform construction inspection services for the project, and

WHEREAS, MJ Engineering, Clifton Park, NY, has submitted a construction inspection services proposal in an amount not to exceed \$27,015, and

WHEREAS, Director of Planning and Zoning, John Scavo, recommends accepting the MJ Engineering proposal based upon their qualifications for the services to be rendered, and upon recent successful experience with their work to review and develop a plan to reconstruct the damaged Settlers Hill trail; now, therefore, be it

RESOLVED, that the Comptroller is authorized to pay MJ Engineering an amount not to exceed \$27,015 from A-07629-00135 (General Fund-Trails Contractual-Engineering) from a transfer from Unassigned Fund Balance (A-00914) for the supplemental engineering services for the completion of the Settlers Hill trail reconstruction project.

Resolution No. 108 of 2023, a resolution awarding the construction contract for paving of certain trails in the Summerhill and Settlers Hill subdivisions pursuant to competitive bid.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks & Recreation, published bid specifications and solicited sealed bids for a project consisting of clean, repair, preparation and asphalt overlay of two sections of multi-use trails in the Summerhill and Settlers Hill subdivisions, and

WHEREAS, after a bid opening on April 13, 2023, Mr. Clemens recommends that the construction contract be awarded to New Castle Paving, as low bidder, at a total cost not to exceed \$57,750 including Sections #1 and #2, per the attached; now, therefore, be it

RESOLVED, that the Town Board accepts the recommendation of the Director of Buildings, Parks, and Recreation, and hereby awards the construction contract for the trail paving project to New Castle Paving, pursuant to General Municipal Law Section 103, at a cost not to exceed \$57,750; and be it further

RESOLVED, that the Comptroller is authorized to transfer funds from A-914 (Unreserved Fund Balance) to A-7629-200 (General Fund- Trails Contractual- Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

May 1, 2023

Teresa Brobston, Town Clerk

Resolution No. 155 of 2023, a resolution awarding the bid for reconstruction of the trail between Miller Road and Wallflower Drive to Carver Construction pursuant to competitive bid.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks, and Recreation, published bid specifications and solicited sealed bids for the reconstruction of the trail between Miller Road and Wallflower Drive that was damaged by another paving contractor during a recent paving project of two sections of multi-use trails in the Summerhill and Settler's Hill subdivisions, and

WHEREAS, after a bid opening on June 29, 2023, Mr. Clemens recommends that the construction contract be awarded to Carver Construction, as low bidder, at a total cost not to exceed \$417,145; now, therefore, be it

RESOLVED, that the Town Board accepts the recommendation of the Director of Buildings, Parks, and Recreation, and hereby awards the construction contract for the trail reconstruction project to Carver Construction, pursuant to General Municipal Law Section 103, at a cost not to exceed \$417,145; and be it further

RESOLVED, that the Comptroller is authorized to transfer funds from A-914 (Unreserved Fund Balance) to A-7629-200 (General Fund- Trails Contractual- Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

July 3, 2023

Teresa Brobston, Town Clerk



Town of Clifton Park

Planning Department

One Town Hall Plaza | Clifton Park, New York 12065 | (518) 371-6054 | Planning@Cliftonpark.org

INTEROFFICE MEMORANDUM

To: Mark Heggen, Comptroller

From: John Scavo, Director of Planning & Zoning

Date: September 19, 2023

Re: Settler's Hill Multi-Use Path Reconstruction

Below, for accounting purposes, is a report of issues and progress with repairing the recent damage to the Settler's Hill Multi-Use Path:

5/12/23: In recent years, the Town Board has been working to repave the trails that connect neighborhoods such as The Oaks, Summerhill, Addison Estates, and Settler's Hill. All the trails have been successfully repaved except for the multi-use path connecting Miller Road to Wallflower Drive. While performing the work, the original contractor significantly damaged this multi-use path section, requiring extensive repairs. Therefore, the multi-use trail section has been closed until the repairs are completed. Town personnel and MJ Engineering reviewed the situation and developed a plan of action to complete the fixes.

6/8/23: Following the destruction of the trail, the Town embarked on a very quick planning and procurement process. A bid request went out, and the Town received no bids for the trail reconstruction project.

6/21/23: A new bid process was undertaken after receiving no responses to the initial bidding process.

6/29/23: The Town received several competitive bids with the second bid process. The Town Board approved a bid award in July of 2023 to Carver Construction, the lowest qualified firm.

8/01/23: A Contract was executed between the Town and Carver Construction

09/05/2023: An updated schedule provided by Carver Construction displays the timeline for anticipated remediation. The repairs were delayed in August due to significant rainfall events and time for the original contractor to assess the damage initially caused to the multi-use path.

This Purchase Order request covers expenses incurred during the initial assessment to correct damage caused by the first contractor and follows costs anticipated through the completion of repairs performed by Carver Construction.

MJ Engineering Emergency Engineering Services for Settler's Hill Multi-Use Path Reconstruction

Tasks	Estimated	Actual	Remaining
Multi-Use Path Reconstruction Services	\$ 780.00	\$ 780.00	\$ -
Construction Estimate, Design, & Bid Services	\$ 6,235.00	\$ 6,235.00	\$ -
Construction Inspection Services	\$ 20,000.00	\$ 1,285.00	\$ 18,715.00

Total Estimated Costs	\$ 27,015.00
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Cynthia, Zlogar

From: Town of Clifton Park Official Website <cliftonpark@hdgwebhost.com>
Sent: Wednesday, September 20, 2023 2:25 PM
To: Cynthia, Zlogar; Tom McCarthy; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Christopher, O'Hara; Agatha, Reid; John Scavo
Subject: New Resolution Request #449

A new resolution request has been submitted. The details of this resolution request are included below.

Department: Planning Department

Your Name: John Scavo

Your Email: john.scavo.jr@gmail.com

Sponsor: P. Barrett

Meeting Date: 10/03/2023

Alternate Date: 11/06/2023

Budget Number: A-7629-135

Budget Description: Engineering - Trails

Amount: \$27,015.00

Brief Description: Construction Inspection Services Estimate is based on a value approximately 5% of the Carver Construction Repair Contract.

Add Supporting Docs:

[3554e7b45676a314 SettlersHill Memo 09-2023.pdf](#)

[48ea379ebc705649 SettlersHill PO Estimate Invoices MJ Engineering.pdf](#)

Additional Comments/Details: N/A

Agree to Terms: Agree

Resolution 4

Resolution No. _____ of 2023, a resolution authorizing the Town Supervisor to file commitment documents with Saratoga County for collection of the Town's Share of the 2024 Sales Tax Revenues.

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

WHEREAS, the Town of Clifton Park is required to file commitment papers regarding the collection of Sales Tax Revenue for 2024; now therefore be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the collection of Sales Tax Revenue, to be paid in cash for 2024, from Saratoga County; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to file the appropriate documents of commitment with Saratoga County.



REAL PROPERTY TAX SERVICE AGENCY

ANNA STANKO, DIRECTOR

518.885.2219

SARATOGACOUNTY.NY.GOV

35 WEST HIGH ST, BALLSTON SPA, NY 12020

Date: August 16, 2023
To: Town Supervisors
From: Kelly Guilfoyle
Real Property Information Specialist
RE: 2024 County Tax Levy – Sales Tax Application

2024 Sales Tax Revenue Distribution to be applied against the 2024 County Real Property Tax Levy will be by:

- CASH
 CREDIT

Please sign by November 4, 2023 and return to:

Real Property Tax Director
35 West High Street – Building #2
Ballston Spa, NY 12020

Thank you. Your cooperation is appreciated.

Town: _____

2023

Supervisor

Dated: _____,

Cynthia, Zlogar

From: Town of Clifton Park Official Website <cliftonpark@hdgwebhost.com>
Sent: Monday, September 25, 2023 11:14 AM
To: Cynthia, Zlogar; Tom McCarthy; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Christopher, O'Hara; Agatha, Reid; John Scavo
Subject: New Resolution Request #498

A new resolution request has been submitted. The details of this resolution request are included below.

Department: Comptroller

Your Name: Mark Heggen

Your Email: mheggen@cliftonpark.org

Sponsor: P. Barrett

Meeting Date: 10/02/2023

Alternate Date: 10/08/2023

Budget Number: None

Budget Description: None

Amount: 0

Brief Description: Authorize the Town Supervisor to sign documents relating to the 2024 Sales Tax Distribution to to made in cash.

Add Supporting Docs:

Additional Comments/Details: None

Agree to Terms: Agree

Resolution 5

Resolution No. _____ of 2023, a resolution correcting Resolution 216 of 2023 and authorizing the Supervisor to sign a lease agreement with M&T Bank for leasing of a Broom Bear Sweeper and a 2023 Ram class 4 truck for the Highway Department.

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

WHEREAS, by Resolution No. 105 of 2022, the Town Board authorized the purchase of an Elgin Broom Bear Sweeper pursuant to a competitive bidding process conducted by Sourcewell Service Cooperative, Contract #093021-ELG (Elgin), in the amount of \$306,535 to replace the 2021 model destroyed in the August 17, 2021 fire in the “White Building”, and authorized the Comptroller to solicit bids for a capital lease for purchase financing, and

WHEREAS, by Resolution No. 205 of 2023, the Board also authorized the purchase of a new 2023 Ram Class 4 Regular Cab truck for the Highway Department, through the Onondaga County Contract #7974, in the amount of \$68,094, also to be financed through a municipal lease, and

WHEREAS, resolution 216 of 2023 resolved to authorize the Supervisor to execute a lease terms for a specific rate in an inflationary national economy, while interest rates fluctuate daily, and

WHEREAS, following solicitation by the Comptroller’s Office, on September 13, 2023, M&T Bank submitted the lowest financing rate proposal, estimated at 5.127% but subject to the Lessor’s final cost of funds based on the date of closing, and

WHEREAS, the Town Board determines that financing of the approved acquisitions of such equipment and vehicle for municipal use is best accomplished through a Master Lease Agreement with M&T Bank at competitive lease financing rates; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with M&T Bank for the lease/purchase of the Sweeper and Truck identified above, for a seven -year term at a rate per the proposal outlined on September 13, 2023, and be it further

RESOLVED that the Board ratifies the Comptroller’s execution of a rate hold commitment for the Lease rate on September 19, 2023, in order to lock in funds in a daily rate environment, and be it further

RESOLVED, that the Comptroller is authorized to charge \$62,069.37 from DA-05130-00145 (Highway Machinery-Lease Payments), and be it further

RESOLVED, that the subsequent budgets include appropriations to cover the lease payments.

M&T Bank

Understanding what's important®

September 13, 2023

Mr. Mark E. Heggen, CPA
Town Comptroller
Town of Clifton Park
One Town Hall Plaza
Clifton Park, NY 12065

Re: Installment Purchase Contract (Lease) Financing (Due September 13, 2023)

Dear Mark,

Manufacturers and Traders Trust Company ("M&T Bank") is pleased to outline the following financing proposal for the Town of Clifton Park.

LESSOR:	M&T Bank (its nominees, assigns or affiliates)	
LESSEE:	Town of Clifton Park	
EQUIPMENT & FUNDING AMOUNT (APPROXIMATELY):	New Elgin Broom Bear Sweeper New Dodge RAM 250 w/ Crew Cab	\$306,535.00 <u>\$ 68,094.00</u> \$374,619.00
FACILITY:	Tax-Exempt Municipal Lease Purchase Agreement	

This will be a non-cancelable, net lease transaction whereby maintenance, insurance, applicable taxes, and all items of a similar nature will be the responsibility of the Lessee. Provisions of the lease will require that Lessor be named Lender/Loss Payee on the insurance coverage.

TERMS & PAYMENT:	Lease Term:	7 Years
	Closing Date:	October 5, 2023 (anticipated)
	First Payment Date:	October 5, 2023 (at closing)
	Frequency/Structure:	Annual in Advance (other options available)
	Interest Rate:	5.127%
	Payment Schedule:	See attached sample Amortization Schedule. Other structures are available.

1310 West Chester Pike, Havertown, PA 19083
Phone: (610) 449-3944

ESCROW: If required, a schedule will be funded into an escrow disbursement account held by M&T Bank at the closing date. This will lock the interest rate at closing and protect against any future rate increases. During the build/delivery period, with Lessee's approval, payments to the vendor(s) will be made from this escrow account as needed. Any interest earned on this account will accrue to the benefit of Lessee. Any interest earnings and/or unexpended funds remaining in the escrow account once the equipment has been paid for will be applied to the next lease payment or returned to Lessee.

BASIS OF RENTAL FACTORS: The indicative interest rates in this proposal are based on M&T Bank's seven (7) year Cost of Funds (COF) as of September 12, 2023 for a Bank Qualified transaction. Final pricing may change based on fluctuations in Lessor's COF, closing date, tax rates, any changes in tax or other legislation that impact Lessor's pricing and other operating parameters. The actual rate will be fixed three days prior to the closing and may be indexed to this COF at discretion of Lessor.

Cost of Funds shall mean a measure of the Bank's cost of borrowing, inclusive of a standard risk premium, all as may be determined by the Bank from time to time and consistently applied. Such measure is the sum (i) the yield on United States Treasury Obligations adjusted to a constant like-term maturity in effect three (3) New York Business Days as published by the Board of Governors of the Federal Reserve Statistical Release H.15 (519), or by such other quoting service, index or commonly available source utilized by the Bank, plus (ii) the "ask" side of the like-term Secured Overnight Financing Rate ("SOFR") swap spread in effect three (3) business days prior to closing date as set forth in Bloomberg, L.P., or by such other quoting service, index or commonly available source utilized by the Bank.

TAX INDEMNIFICATION: New York State
This proposal assumes that this transaction qualifies as tax exempt, Bank Qualified pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. Lessee shall provide bond counsel tax opinion, at Lessee's expense, stating these qualifications and other appropriate representations.

DOCUMENTATION & APPLICABLE FEES: All documentation will be provided by Lessor and must be satisfactory to all parties. There will be no documentation fees, escrow fees, acquisition fees, disposition fees or security deposit charged to this account.

END OF LEASE OPTIONS: Provided the Lessee has met all the terms and conditions of the lease agreement, the Lessee at lease expiration will have clear title of equipment upon payment of all amounts due under the lease.

EARLY TERMINATION: Pursuant to General Municipal Law the lease will allow for early termination for reasons of non-appropriation.

PRE-PAYMENT: Provided there are no events of default and that the lease is current, Lessee may prepay all, but not less than all, of the lease on any payment date for an amount equal the then remaining principal balance.

CONDITIONS: This proposal is For Discussion Purposes Only. The proposed terms and conditions herein do not constitute an offer, agreement or commitment to lend and are confidential. Final approval, if any, may only be granted upon receipt of all information deemed appropriate by Lessor and in accordance with Lessor's loan, legal and other applicable policies. Lessor will require a Resolution or other form of authorization showing this financing was approved by Lessee. This

proposal is subject to Lessor's final credit and investment approval. Lessor takes a general exception to the application of any contract terms and conditions included in any solicitation for quotations. The terms and conditions applicable to the provision of our products and services will be those reflected in those final signed agreements and documents.

Lessor will make every reasonable attempt to formally secure credit approval and close the lease in an expedited fashion in the time frame indicated in the Lessee's proposal request letter. Lessor may require certain additional information to complete the approval, a resolution from Lessee authorizing any financings, etc., the receipt of which may impact the time needed to ultimately document and fund any transactions.

Lessee shall have delivered to M&T Bank, sufficiently in advance of closing, all documentation and other information required by the Bank in accordance with all applicable banking laws and regulations in effect from time to time, including, without limitation, the USA PATRIOT Act. Any failure by Lessee or any necessary third party to deliver to the Bank, in a timely manner, any material information requested, or any misrepresentation or inaccuracy with respect to any such information received, or if Bank's due diligence reveals that opening the accounts contemplated herein would potentially violate the Bank's regulatory compliance policies or applicable law, shall permit the Bank, in its sole discretion, to withdraw and/or cancel this proposal without liability, and retain any fees.

ACCEPTANCE AND
EXPIRATION:

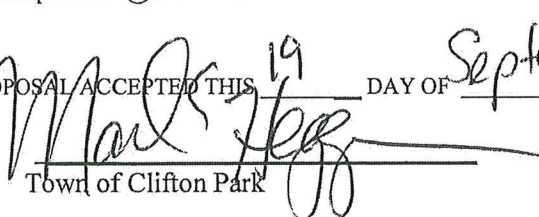
The Lessee may acknowledge its approval of this lease proposal by signing and returning this letter. This proposal shall expire in thirty (30) days unless extended by Lessor.

Thank you for allowing us the opportunity to present this proposal. Please contact me at (610) 449-3944 if you have any questions.

Sincerely,



Paul V.W. Black
Senior Vice President
M&T Bank - Commercial Equipment Finance
Phone: 610-449-3944
Email: pvblack@mtb.com

PROPOSAL ACCEPTED THIS 19 DAY OF September, 2023
By: 
Town of Clifton Park

Encl: Sample Amortization Schedule, Quote Proposal Form

CC: Matthew Hunt – M&T Bank

M&T Bank
– Sample Amortization Schedule –

Town of Clifton Park

Compound Period: Monthly

Nominal Annual Rate: 5.127 %

CASH FLOW DATA

	Event	Date	Amount	Number	Period	End Date
1	Lease	10/05/2023	374,619.00	1		
2	Lease Payment	10/05/2023	62,069.37	7	Annual	10/05/2029

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Date	Lease Payment	Interest	Principal	Balance
Lease	10/05/2023				374,619.00
1	10/05/2023	62,069.37	0.00	62,069.37	312,549.63
2023 Totals		62,069.37	0.00	62,069.37	
2	10/05/2024	62,069.37	16,406.39	45,662.98	266,886.65
2024 Totals		62,069.37	16,406.39	45,662.98	
3	10/05/2025	62,069.37	14,009.44	48,059.93	218,826.72
2025 Totals		62,069.37	14,009.44	48,059.93	
4	10/05/2026	62,069.37	11,486.68	50,582.69	168,244.03
2026 Totals		62,069.37	11,486.68	50,582.69	
5	10/05/2027	62,069.37	8,831.48	53,237.89	115,006.14
2027 Totals		62,069.37	8,831.48	53,237.89	
6	10/05/2028	62,069.37	6,036.91	56,032.46	58,973.68
2028 Totals		62,069.37	6,036.91	56,032.46	
7	10/05/2029	62,069.37	3,095.69	58,973.68	0.00
2029 Totals		62,069.37	3,095.69	58,973.68	
Grand Totals		434,485.59	59,866.59	374,619.00	

Quote Proposal Form:
Installment Purchase Contract (Lease) Financing
TOWN OF CLIFTON PARK
Mark Heggen, Comptroller
One Town Hall Plaza, Clifton Park, NY
comptroller@cliftonpark.org
(Call with questions: 518-348-7333)

Lessor/Agent: M&T Bank

Address: 1310 West Chester Pike

Havertown, PA 19083

Phone No. 610-449-3944 Fax No. 585-258-8267

E-mail address: pvblack@mtb.com

Contact Person: Paul Black

Title: Senior Vice-President

Annual Interest Rate: 5.127% (see explanation of basis of rental factors in attached proposal)

Annual Equal Payment Amounts \$62,069.37

Total of Payments: \$434,485.59



Signature: _____ Date: September 13, 2023

Note: Please attach a payment schedule with your quote.

Please refer to attached M&T Bank proposal for complete information

Resolution 6

Resolution No. _____ of 2023, a resolution authorizing the Highway Department to purchase a service truck for the mechanics bay from the State Contract.

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

WHEREAS, the Highway Superintendent, Dahn Bull, has requested authorization to purchase one 2023 Chevrolet 3500 Regular Cab 4X4 to replace a 2003 Ford Regular Cab 4X4 that has been deemed unreliable, and

WHEREAS, one such truck at a cost of \$87,308.20, is available from DeNooyer Chevrolet, Albany, NY, through a mini-bid process under the NYS Office of General Services Mini-bid #23166; now, therefore, be it

RESOLVED, that the Highway Superintendent is authorized to purchase the above-referenced vehicle for use by the Highway Department as a service truck for the mechanics bay, in a total amount not to exceed \$87,308.20 from DA-05130-00219 (Highway Fund-Machinery Highway-Highway Truck), with an additional transfer from Assigned Fund Balance of \$14,775, from DA-00915 to DA-05130-00219.

MiniBid Proposal – Clifton Park Highway Department

2023-2024 Chevrolet WT 3500 Dually Regular Cab 170.8WB 4x4

PURPOSE: The purpose of this vehicle is to be used for a Highway Department as a Service Truck for vehicles and equipment for various Town Departments

Chassis

6.4-6.6 V8 Gasoline Engine

6-8 Speed Transmission

Automatic Locking Rear Differential

3.73 Axle Ratio

Snow Plow Prep Package

WT Convenience Package or WT Fleet Convenience Package

Exterior

White or Silver Exterior Paint

Lighting Clearance Lamps

Wheels - 17 or 18 inch x 8.0 inch Steel Wheels

Tires – LT235/80R17E on/off-road tires or LT275/70R18E

Side Steps & Running Boards

Pick up pox features delete pickup box

Trailer Hitch

Interior

Three-Passenger Seating Black Vinyl 40/20/40 Bench Seat

Sound Systems: 3 System with 5" or 7" display

Windows & Locks Automatic

Interior Design – Rubberized Vinyl

Additional Interior Features Instruments Mounted Auxiliary Switches

Aftermarket Equipment

Reading MM200 Mechanics Body

Or

Knapheide KmT1 Mechanics Body

Painted to Match Truck

Features Workbench Bumper

Questions: Contact Dean Charbonneau, Clifton Park Highway Department, (518) 371-7310, or dcharbonneau@cliftonpark.org.

Date Required

One or Multiple Locations

One Location

Delivery Region

Region 3

Delivery County

Saratoga

Delivery Address(es)

Clifton Park Highway Department 639 Clifton Park Center Road Clifton Park, NY 12065

Specific call for offers from: 1379 OGS Solicitation 23166: Vehicles, Class 1-8 14296 (1) Chevrolet 3500 Or Equal DRW 4x4 Regular Cab w/Mechanics Body - Town of Clifton Park Award phase

Dahn Bull
logout

Published Solicitations

Solicitations

Contracts

Documents

My Profile

Company

Templates

Company administrator:

Matthew Andrus
5183716651
mandrus@cliftonpark.org

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



? Help

Settings Participants Schedule Pricing sheets Questionnaires Question & Answer
Offers/Applications Compare & Select 1

Offers List

Started: 4
Submitted: 2

Results: 4 Q

Name	Supplier	Contact person:
<u>Cappellino Chevrolet Inc</u> Filled Phase: Evaluation Submitted on: Sep 14 2023 9:08:42 AM	 Cappellino Chevrolet Inc	 Kevin Joerg 7169415255 kjoerg@cappellino.net
<u>Denooyer Chevrolet Inc</u> Filled Phase: Evaluation Submitted on: Sep 14 2023 4:37:21 PM	 Denooyer Chevrolet Inc	 Steve Gordon 5184698804 sgordon@denooyerchevrolet.com
<u>DePaula Chevrolet</u> Phase: Offer phase	 DePaula Chevrolet http://www.depaula.com	 Bill Magee 5187886851 wmagee@depaula.com
<u>Mangino Chevrolet, Inc.</u> Phase: Offer phase	 Mangino Chevrolet, Inc.	 Rich Youngs 5183768370 Ryoungs@mangino.com

Proxy offers

No offers

Specific call for offers from: 1379.06S Solicitation 23166 - Vehicles, Class 1-8

14296 (1) Chevrolet 3500 Or Equal DRW 4x4 Regular Cab w/Mechanics Body - Town of Clifton Park

[Settings](#) | [Participants](#) | [Schedule](#) | [Pricing sheets](#) | [Questionnaires](#) | [Question & Answer](#) | [Offers/Applications](#) | [Compare & Select](#) | [Award phase](#)

[Offer phase \(1\)](#) | [Evaluation \(3\)](#) | [Awarding \(0\)](#)

Rank	Item#	Chassis/Body	Model Year	Make	Model	Total Number of Vehicles	MS Price for vehicle	Total Price for Min-Bid & Phase	Phase
1	Denooyer Chevrolet Inc	Body	2023	Reading	mechanics body	1	\$37,730	\$37,730	Evaluation
3	Denooyer Chevrolet Inc	Chassis	2023	chevrolet	3500 cab and chassis	1	\$49,573.20	\$49,573.20	Evaluation
Total							\$87,303.20		
2	Carrollville Chevrolet Inc	Chassis	2024	Chevrolet	Silverado 3500HD Reg Cab WT	1	\$46,155.20	\$46,155.20	Evaluation
4	Carrollville Chevrolet Inc	Body	2023	KiaNiche	Mechanics body	1	\$92,196	\$92,196	Evaluation
Total							\$138,351.20		

Internal award justification

Denooyer Chevrolet Inc has offered the required specifications and is the lowest bid on the project.

Purchase order

This information is required to be entered by all authorized users of the RVS vehicle marketplace. Departments and agencies MUST provide a screenshot of this "Awarding" page information when requesting a State ID from OGS Fleet Management or IYS DCE. Please enter the purchase order or flag purchase information or flag purchase order was made by clicking on "Edit purchase order" below.

[Dashboard](#) | [Logout](#) | [Published Solicitations](#) | [Solicitations](#) | [Contracts](#) | [Documents](#) | [My Profile](#) | [Company](#) | [Templates](#)

Company Administrator
 Matthew Anderson
 matthew.anderson@cliftonpark.com

[Need help using Negomatrix?](#)
 Visit our support page

[Home](#) | [1379 OGS Solicitation 23166: Vehicles, Class 1-8](#) | [1379 OGS Solicitation 23166: Vehicles, Class 1-8](#)

14296 (1) Chevrolet 3500 Or Equal DRW 4x4 Regular Cab w/Mechanics Body - Town of Clifton Park

[Settings](#) | [Participants](#) | [Schedule](#) | [Pricing sheets](#) | [Questions/Answers](#) | [Question & Answer](#) | [Offers/Applications](#) | [Compare & Select](#) | [Award phase](#)

Offer phase (4) [Evaluation \(4\)](#) [Awarding \(0\)](#)

Chassis Pricing Sheet

Offer: [Chassis/Body](#) | [Model Year](#) | [Make](#) | [Model](#) | [Total Number of Vehicles](#)

Rank	Name	Chassis/Body	Model Year	Make	Model	IFRS Price for Vehicle	Total Number of Vehicles	Total Price for Min-Bid	Phase
1	Denoover Chevrolet, Inc	Body	2023	chevrolet	mechanics body	\$37,250	1	\$37,250	Evaluation
3	Denoover Chevrolet, Inc	Chassis	2023	chevrolet	3500 cab and chassis	\$49,578.20	1	\$49,578.20	Evaluation

Internal award justification

Denoover Chevrolet Inc has offered the required specifications and is the lowest bid on the project.

Purchase order

This information is required to be entered by all authorized users of the IHS vehicle marketplace. Departments and agencies MUST provide a screenshot of this "Awarding" page information when requesting a State ID from OGS Fleet Management or IHS DOT. Please enter the purchase order or other ordering document information in the "Purchase order" field below.

Total \$87,308.20

[Edit award justification](#) | [Edit purchase order](#) | [No awarding](#) | [In DM](#) | [Allow to Awarding](#)

Cynthia, Zlogar

From: Town of Clifton Park Official Website <cliftonpark@hdgwebhost.com>
Sent: Tuesday, September 26, 2023 1:14 PM
To: Cynthia, Zlogar; Tom McCarthy; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Christopher, O'Hara; Agatha, Reid; John Scavo
Subject: New Resolution Request #501

A new resolution request has been submitted. The details of this resolution request are included below.

Department: Highway

Your Name: Dahn Bull

Your Email: dbull@cliftonpark.org

Sponsor: D. Bull

Meeting Date: 10/03/2023

Alternate Date: 10/09/2023

Budget Number: DA-5130-219

Budget Description: New Equipment/Vehicles

Amount: 87,308.20

Brief Description: The Highway Department is looking to purchase a new service truck for the mechanics bay. Currently Unit #24 is a 2003 Ford Regular Cab, 4x4, that is no longer a reliable vehicle on the road. Our mechanics have significant concerns with the frame integrity.

While it has nearly 71,000 miles on it, it unfortunately is unreliable.

Add Supporting Docs:

[41fc40be6a9a9cb3_20230926130343408.pdf](#)

Additional Comments/Details: We used the New York State Office of General Services Mini-bid process for this. Four vendors inquired about the bid, but only two provided quotes for the desired equipment.

Agree to Terms: Agree

RESOLUTION

#7

Resolution No. ____ of 2023, a resolution authorizing the purchase of lawn mowing equipment.

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

WHEREAS, Mike O'Brien, Collection System Manager, has identified a need for lawn mowing and maintenance equipment for Town-owned lands maintained by the Sewer Department, and

WHEREAS, All Seasons Equipment, Inc., Scotia, NY, has a SCAG 36-inch, zero-turn commercial mower, at a total cost not to exceed \$6,044 for purchase under Sourcewell Contract #031121-scg, and

WHEREAS, Mr. O'Brien has recommended the equipment be purchased from All Seasons Equipment, Inc., pursuant to the Sourcewell Contract identified above; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Collection System Manager to purchase the lawn mowing equipment from All Seasons Equipment, Inc., in a total amount not to exceed \$6,044, from G7-8111-200 (Clifton Park Sewer #1-Sewer Contractual-Equipment).

ALL SEASONS EQUIPMENT INC.

60 Freemans Bridge Road, Scotia, New York 12302
Phone (518) 372-5611 • Fax (518) 372-1232
allseasonsequip@aol.com • www.allseasonsequipinc.com

Memo/Fax

Page 1 of 1

Date 9/19/23
PO/Reference PRICE QUOTE

To Town of Clifton Park - Sewer Dept.
Attn: Mike O'Brien
m.obrien@cliftonpark.org

Price Quote: NOTE: (SOURCE WELL CONTRACT #031121-SCG)

MSRP	Quote
<u>1 - Model # SWZ36A-14HS SCAG</u>	<u>7749.00</u>

36" Hydro Drive - Zero Turn
walk behind Commercial mower
w/14HP Kawasaki engine.
2 year warranty.
* price good 90 days

Thank you,

DUANE LEACH

IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE CONTACT US AT THE NUMBER ABOVE.

Cynthia, Zlogar

From: Town of Clifton Park Official Website <cliftonpark@hdgwebhost.com>
Sent: Wednesday, September 27, 2023 1:14 PM
To: Cynthia, Zlogar; Tom McCarthy; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Christopher, O'Hara; Agatha, Reid; John Scavo
Subject: New Resolution Request #502

A new resolution request has been submitted. The details of this resolution request are included below.

Department: Sewer

Your Name: Michael O'Brien

Your Email: mobrien@cliftonpark.org

Sponsor: P. Barrett

Meeting Date: 10/03/2023

Alternate Date: 10/09/2023

Budget Number: G7-8111-200

Budget Description: CPSD#1 Equipment

Amount: \$6044

Brief Description: 1 Commercial Grade 36" walk behind mower. The sewer department maintains numerous lawns throughout the Town a 36" commercial should be small enough to fit through gates and tough enough to eliminate or reduce down time and repair costs while increasing productivity. Sourcewell Contract #031121-scg

Add Supporting Docs:

[d95aeffe3842a00_scag_mower_quote_23.pdf](#)

Additional Comments/Details: n/a

Agree to Terms: Agree