

TOWN OF CLIFTON PARK TOWN BOARD

October 18, 2021

The meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m. Supervisor Barrett presiding.

Present: Supervisor Barrett
Councilwoman Flood
Councilwoman Standaert
Councilman Morelli
Councilwoman Walowit
Town Clerk Brobston

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Dahn Bull, Highways Superintendent
John Scavo, Planning Director
Matt Andrus, Information Specialist
Lou Pasquarell, Director of Safety & Security
Steve Myers, Director of Building & Zoning

MINUTES APPROVAL

MOTION by Councilwoman Walowit, seconded by Councilman Morelli, to approve the minutes of the October 4, 2021, meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett announced the event “A Bump in the Night”, was cancelled due to weather. Supervisor thanked everyone who worked hard to prepare for the event. Especially the boy scouts who carved pumpkins. The jack-o-lanterns are on display throughout town.

Supervisor Barrett stated the Ashdown Bridge project will be complete Tuesday and will open to all normal traffic.

Supervisor Barrett explained the town has completed the planning process for the Town Center Park, allocated funds, and scheduled a workshop to be held October 27 from 6-7:30 at the Clifton Park Senior Community Center. The workshop will be an opportunity for residents to view the plans and provide additional input before the bidding process begins.

Supervisor Barrett stated the County project of installation of a traffic light at Grooms & Vischer Ferry Roads, will begin this week. There should be little to no interruption to the traffic patterns during construction.

Councilwoman Flood thanked Director of Buildings, Parks & Recreation Dan Clemens for his help in assisting the repairs on the Grooms Tavern and Matt Andrus for helping to install WIFI.

Councilwoman Flood expressed sympathy for the family of General Colin Powell, a great leader of the country.

PRESENTATION-RED RIBBON WEEK

William Tierney, Elks Lodge #2466, explained Red Ribbon Week is an opportunity for drug awareness. Started in 1988 due to a death of a DEA agent. President Reagan passed for the nation to recognize the week for drug awareness. Recently the awareness has been extended to the entire month. Red ribbons were distributed to board members. He thanked Matt Andrus who is the Elks Drug Awareness Chairperson.

Resolution No. 237 of 2021, a resolution proclaiming the week of October 23-31, 2021, as Red Ribbon Week in Clifton Park.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, alcohol and drug abuse in this nation have reached epidemic stages, and

WHEREAS, it is imperative that visible, unified prevention education efforts, by community members, be launched to eliminate the demand for drugs, and

WHEREAS, the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles, which means no use of illegal drugs, no illegal use of legal drugs, and

WHEREAS, the National Red Ribbon Campaign will be celebrated in every community in America during Red Ribbon Week, October 23-31, and

WHEREAS, business, government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign, and

WHEREAS, the community of Clifton Park further commits its resources to ensure the success of the Red Ribbon Campaign; now, therefore, be it

RESOLVED, that the Town Board does hereby proclaim October 23-31, as RED RIBBON WEEK, and encourages its citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC HEARING-CHAPTER 152 AMENDMENTS-VISCHER FERRY NATURE AND HISTORIC PRESERVE 7:11 PM

Town Clerk Brobston read the public hearing notice that was advertised in the October 6, 2021, edition of the Daily Gazette.

Supervisor Barrett stated issues have arisen relative to the Vischer Ferry Nature Preserve area. The preserve is owned by New York State and managed by the town.

Attorney McCarthy explained this proposal is an effort to combine and consolidate a handful of separate permits that were issued to the Town of Clifton Park for the use and occupancy of the preserve. The original permit dates to 1977 and there were separate permits issued. The original permit refers to the town code that was adopted at that time, and a map of the preserve that Clough Harbour Associates published, without a date, but does contain boundary lines. Two

separate subsequent permits were issued for individual projects issued in the 1990's authorizing the town to build the towpath. One on the west side of Ferry Drive, to the border of the preserve and the other on the east side of Ferry Drive, which generally goes into the area adjacent to the Jacobsen property which the town subsequently acquired. If the descriptions of those various permits are lined up with the land that is described as covered, it is not easy to clearly get a full picture of the preserve. When enforcing an appearance ticket last year, there was a linear strip of land on the east side of Ferry Drive, as you enter the Jacobsen property. The Jacobsen property itself that was excluded from the original description and the original maps. What was clearly omitted from the original permit, is a restricted area that the canal corporation continues to use periodically to dump dredge spoils. There was a question raised by the respondent as to where he was standing/hunting it wasn't clear that the town could prove exactly where the ticket was written and whether it was written in the area demarked on the map as preserve property or outside. The Jacobsen property is clearly town owned land but was never dealt with in the town code. The Real Property staff was contacted at the Canal Corporation and the problem described and tried to get original maps. Ultimately, what they determined to do was to just issue one consolidated permit that would supersede a handful of existing permits and just delegate the use and occupancy of management and operation of all canal corporation lands within the Town of Clifton Park, to the town to manage the preserve and the only thing the Canal Corporation asked of the town, was to post the dredge spoils area as no public access. But that would mean no hunting or access at all. The permit from the Canal Corporation has not yet been received. The proposed amendments are to eliminate the confusion of the boundary lines, to include the dredge spoils area within the use and occupancy permit, and to just issue a broader permit. The Canal Corporation permit from both 1977 and all the superseding permits, continue to prohibit all hunting, except for the duck hunting by shotguns. Deer hunting was disallowed. That is not a change in policy. When looked at it, was noticed that the town had acquired 5 separate pieces of property either the inholding was the former Jacobsen property and 4 additional pieces of land that the Town Board had acquired for preserve purposes. This proposal also incorporates those 5 pieces of property which totals about 77 acres and designated those lands as part of the Vischer Ferry Preserve, even though they are not Canal Corporation properties under the permit to the preserve.

Supervisor Barrett stated, as Attorney McCarthy referred to, it has been consistent with town policy for no hunting on town property. There is nothing contemplated in this hearing that would change that, other than the yearly structured program that follows a process, which is the duck hunting in the preserve. There are more people using the preserve now than even 5-20 years ago. Signage and notifications are created during the program, for people and nearby homeowners who use the preserve for other than hunting. He welcomed public comments.

Councilwoman Flood stated she will address both amendments. When she was originally made aware of the amendments to Chapter 152-2, she was in support of it. She spoke with Town Attorney McCarthy and agreed that the town needs to extend the permits, so the town has total control over the preserve. It makes it easier to enforce laws when there are no gaps as to where the town owns lands. However, she does not completely agree with Part D which states, all hunting and discharge of firearms restricted including bows of any type. She believes that sportsmen are true wildlife managers and help keep a balanced eco system. She would like to propose in the future to look into setting aside 1 week of bow hunting in designated areas like the town does with firearms for duck hunting. Town Security has had no issues with duck hunting in the time it has been permitted. Over 600 deer were inhumanly slaughtered or injured in the past year in Saratoga County. She talked with an environmental safety officer, and he said a bow is the safest way of hunting. Regarding Chapter 153-4, it bans hunting target shooting or discharge of any firearm or any bow of any type on land owned by the town. The way the amendment is currently written it includes banning the boys and girl scouts from archery in the parks. She suggested verbiage to be included to make exceptions to these groups. She is not in favor of further restrictions to our town residents and sportsmen in accessing our public lands. The Vischer Ferry Preserve is over 900 acres which is more than enough space for residents to co-exist. A proposed solution would be a lottery-based system, through the Town Clerk's office, like what the town does for duck hunting 1 week out of the year. She would like to see, if it's possible, to make considerations to allow one week of bow hunting by next summer.

Supervisor Barrett stated that both could be true, but it is important to make sure that everyone is on the same playing field and that there aren't any gaps in the land that is covered by certain rules and land that is not. But he stated that there is no hunting on town property or managed by the town but still duck hunting once a year. He stated it is important to incorporate all the lands together, banning hunting might be the best option to get to the point where the town can consider a program like duck hunting for bows.

Jennifer Andrus, Ashley Dr., speaking as a resident and representative of the Southern Saratoga Girl Scout Service Unit. She stated one of the activities most popular with the girls is archery. Trained instructors teach the girls in a safe environment with boundary setting and fencing with appropriate safety measures. She suggested approving this change to the town code would eliminate all town park and preserve options for the girl scouts to teach archery. The only other spaces available would be a private club in Clifton Park and the girl scout camps which are located outside of Clifton Park. The girl scouts provided an archery activity during National Night Out on the Clifton Common and Veterans Park Pavilion as a part of the recruiting events. If this code were approved the scouts would have been fined \$250 each for showing a child a bow and arrow in the town park. Prohibiting bow activity would prohibit the girls from this activity to learn the skill in the local community. She requested the board to vote no on the proposed amendments and change the permit to allow archery or targeted bow on town land, in a way that would be conclusive to a teaching environment.

Supervisor Barrett stated that the events where the girls promoted archery, the town was aware that it was taking place.

Attorney McCarthy asked what kind of equipment was used?

Ms. Andrus answered it was a toy bow set.

Supervisor Barrett stated that activity wouldn't be an issue and if this amendment passed as written, the scouts in a real form, would come to the town for reservation of a space to do that and am sure would be approved. The town has had archery programs in the past.

Attorney McCarthy stated, the way the draft reads, was not intended to catch toy bow play sets.

Supervisor Barrett stated, the town would certainly support that activity on town property in a reserved manor.

Ken Clayton, Carpenter Way, suggested a balance to the approach. He stated he was duck hunting in the preserve last year during the designated duck hunting season and came across residents, who were clearly not hunters, and approached them and questioned if they saw the signs posted and the caution tape. They said they were not aware of them. Safety for everyone involved is paramount. He suggested setting up lanes in designated areas for bow hunting only where people sign up on a list to reserve certain spots during designated hunting season, so they are away from traffic areas.

Joe Stockbridge, Denhelder Drive, questioned if the town has done an environmental assessment.

Attorney McCarthy stated no, not yet.

Mr. Stockbridge, in reviewing the DEC May issued goals plan, is directly contradicted by this amendment. DEC issued in 2018 a community-based assessment document, that can be used by communities to assess their deer herd and mitigate some of the impacts by hunters and non-hunters. He suggested looking at the Cornell Program, available on-line, to perform the assessment to help the town promote these properties. He has noted in several areas of town there are already signs for no hunting posted. Asking if there is a statutory authority for those signs being up?

Attorney McCarthy stated, just the town code.

Mr. Stockbridge questioned were that is in the town code.

Attorney McCarthy stated the existing Chapter 152 for the preserve.

Mr. Stockbridge stated, on the parcel next to Veterans Park, there is a “No Hunting” sign. That parcel has not been designated as a park yet.

Attorney McCarthy stated that is part of the reasoning for the next public hearing addressing that parcel. The town policy is to not allow hunting on town lands. There are some gaps in the code as to some of the parcels.

Attorney McCarthy explained the statute to address the posting of “No Hunting” signs currently is in the Environmental Conservation Law.

Mr. Stockbridge asked if DEC has been consulted.

Attorney McCarthy answered no, not yet.

Supervisor Barrett stated, if the town is considering a structured program, like we have with the duck hunting, information used by other communities on how they organized this would be helpful.

Anthony Mirachi, Malta, provided literature for the Town Boards review titled “A Sitting Duck: Local Government Regulation of Hunting and Weapons Discharge in the State of New York”. He stated the mention of a weeklong bow season will not be necessary because it is state land. Since 1977 the law has changed.

Michael Krupski, Halfmoon, opposes any further restrictions on hunting or target shooting on the nature preserves. NYS DEC requires anyone discharging a firearm to be 500 feet from the nearest building and anyone discharging an archery bow to be 150 feet from the nearest building. He would like to see public lands shared by all residents.

Supervisor Barrett thanked everyone for their input and ideas. Any further information would be welcomed. No decisions will be made tonight or probably not in the near future.

Public Hearing closed at 7:46 PM.

PRESENTATION -CHAPTER 153 AMENDMENTS-PARK AND OPEN SPACES, 7:48 PM

Town Clerk Brobston read the public hearing notice that was advertised in the October 6, 2021, edition of the Daily Gazette.

Attorney McCarthy stated residents were questioning if hunting was permitted on certain parcels in town. The town does not allow hunting on any town owned property. The proposal is to codify to give the security staff codes to be able to write tickets on, if necessary. It was not considered to be a change on policy, other than to make it clear. Garnsey Park should be addressed in the town code. No generic policy on Class A open spaces is mentioned in the code either.

Councilwoman Flood stated if the town were to do a week of bow hunting, like we allow duck hunting in the preserve, it might alleviate any problems with people wanting to go to other parks to hunt. She suggested to start small in a controlled and structured manor.

David Friedman, Birchwood, stated in each of the proposals it is written with no exceptions. HE suggested including in the code, exceptions, to allow for the town to allow certain programs.

Ken Clayton, Carpenter Way, suggested including the Dwaaskill.

Marlys McGinnis, chair of the Clifton Knolls/Mill Creek Park District, stated the park district board would like the Town Board to consider visitation in parks to not start at 5:30am nor end at 10pm. They would prefer parks open at daylight to dark with signage. She expressed concern with a neighbor who uses a bow and arrow in his yard, with no concern for the safety of his neighbors.

Person from the floor stated, there are state laws prohibiting discharge of bow and arrow in residential areas. He suggested calling the police or DEC ENCON.

Discussion on hours of hunting pursued and included language for exceptions.

Sheila Suozzo, Valencia, supports the prohibitions of all weapons in the town.

Timothy Palmer, Northcrest Dr., stated he supports bow hunting in the preserve.

Supervisor Barrett thanked the residents for their input.

Public Hearing closed at 8:07PM.

Supervisor Barrett announced the town does partner with the Sportsman Club on an archery program and is very popular.

RESOLUTIONS

Resolution No. 237 of 2021, a resolution proclaiming the week of October 23-31, 2021, as Red Ribbon Week in Clifton Park.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, alcohol and drug abuse in this nation have reached epidemic stages, and

WHEREAS, it is imperative that visible, unified prevention education efforts, by community members, be launched to eliminate the demand for drugs, and

WHEREAS, the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles, which means no use of illegal drugs, no illegal use of legal drugs, and

WHEREAS, the National Red Ribbon Campaign will be celebrated in every community in America during Red Ribbon Week, October 23-31, and

WHEREAS, business, government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign, and

WHEREAS, the community of Clifton Park further commits its resources to ensure the success of the Red Ribbon Campaign; now, therefore, be it

RESOLVED, that the Town Board does hereby proclaim October 23-31, as RED RIBBON WEEK, and encourages its citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 238 of 2021, a resolution approving award recommendations from the Community Action Fund.

Introduced by Councilwoman Standaert who moved its adoption, seconded by Councilwoman Flood.

WHEREAS, by Resolution No. 46 of 2019, the Town Board established the Community Action Fund Committee to offer opportunities to back non-profit community programs and organizations that support people of Clifton Park, and

WHEREAS, by Resolution No. 92 of 2019, the Town Board approved the criteria for selecting and granting awards, which may range from a minimum of \$250 to a maximum of \$1,000, and funding is generated by the donation of bottles and cans redeemed for a deposit, and

WHEREAS, applications for Community Action Fund grants were received by September 30, 2021, and on October 13, 2021, the Community Action Fund Committee, consisting of Supervisor Barrett, Councilwoman Walowit, and Community Members Alicia Jacobs, Janine Mika, Matt Grattan and Greg Szczesny, met to review all applications and make recommendations to award the funds totaling \$16,264.14; now, therefore, be it

RESOLVED, that the Comptroller is authorized to increase A-2706 (General Fund - Community Watch Donations) in the amount of \$16,264.14 and to issue checks totaling \$16,264.14, per the attached list, to be paid from A-7309-76 (General Fund - Community Programs - Community Action Fund).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett stated 21 organizations submitted applications and all were awarded grants. A sign identifying the organizations that have benefitted from this program, will be posted at the Transfer Station.

Supervisor Barrett stated the following resolution is a result of several discussion with the Town Board on allocating ARPA funds. The following categories are eligible, per the rules and regulations set up by the US Government.

Supervisor Barrett stated, he sent information to the Town Board, as an update from the last meeting. In order to make the ARPA funds go a little further, Sewer Dept. proposed using \$150,000 in cash from Sewer District No. 1 & 2 to allow for another \$150,000 to be used at another project, at Barney Road South & Grooms Roads to the county pump station, to go along with the funds.

Councilwoman Standaert made a MOTION to amend Resolution No. 239 of 2021 that is currently on the floor for approval, seconded by Councilwoman Flood.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

Copies of amendments were distributed to the board and department heads. Amendments to the resolution were discussed.

(Clerk’s note: in the following resolution [] brackets indicate deleting and _____ underlining indicates adding)

Resolution No. 239 of 2021, a resolution designating a portion of the town’s funds from the American Rescue Plan Act of 2021 to projects as authorized by the Act.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Flood.

WHEREAS, by Resolution No. 192 of 2021, the Town Board accepted the municipal share of American Rescue Plan funding with the first installment of \$1,857,334 received on July 16, 2021, and

WHEREAS, on July 28, 2021, the Supervisor convened a working group of town department heads to solicit high priority projects in categories eligible for funding under the federal legislation and final rule, as published by the U.S. Department of the Treasury, and

WHEREAS, the Town Board has held multiple discussions at Town Board meetings regarding options for allocating ARPA funding, and

WHEREAS, following discussion of the high priority infrastructure projects and eligibility for not-for-profit funding at the Town Board meeting of September 20, 2021, [Supervisor Barrett] Councilman Morelli made a motion, followed by a second on the motion from [Councilman Morelli] Supervisor Barrett to allocate a portion of the ARPA funds to the following eligible categories:

- \$ 450,000 for emergency generators for Clifton Park Sewer District No. 2 and Clifton Park Sewer District No. 1 per attached Schedule A
- \$ 350,000 for stormwater upgrades and repairs per attached Schedule B
- \$ 60,000 for engineering services to begin to analyze the options to upgrade gasoline pumps operated and maintained by the Highway Department
- \$ 200,000 to distribute to not-for-profit entities serving the residents of Clifton Park to respond to impacts from the Coronavirus Pandemic and related governmental policies pursuant to Town Board approval and adoption of Grant Funding Application

And

WHEREAS, following discussion [of the resolution for consideration] the matter was tabled by unanimous vote, and

WHEREAS, the Town Board has discussed priorities and projects in detail, and wishes to proceed with dedicating a portion of the ARPA funds received in 2021; now, therefore, be it

RESOLVED, that the Comptroller is directed to segregate \$1,060,000 of the ARPA funds as follows: up to \$450,000 for sanitary sewer improvements, up to \$350,000 for stormwater upgrades and repairs, up to \$60,000 for engineering services for the Highway Department gas pumps, and up to \$200,000 for not-for-profit organizations serving Clifton Park residents.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett distributed copies of a definition of Not-for Profits and Non-Profits.

Resolution No. 240 of 2021, a resolution authorizing the Town Supervisor to file commitment documents with Saratoga County for collection of the town’s share of the 2022 Sales Tax Revenues.

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

WHEREAS, the Town of Clifton Park is required to file commitment papers regarding the collection of Sales Tax Revenue for 2022; 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 2022, 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.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 241 of 2021, a resolution adopting a local law amending the Town’s Zoning Code to authorize the installation of solar energy systems and equipment in certain zones.

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

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

WHEREAS, by Local Law No’s 2 and 5 of 2021, the Town Board imposed a moratorium on the processing of new applications for site plan or special use approval of new solar energy installations, systems or equipment pending further study of the effects of changed and increased state and federal incentives for solar energy development on local zoning and planning determinations within the town through October 11, 2021, and

WHEREAS, Planning Director John Scavo, and consultants Greenman-Pederson, Inc., proposed a three-tiered classification system for categorizing solar energy systems and equipment based upon their capacity, consistent with guidance from the New York State Solar Guidebook and the Model Local Solar Zoning Law as published by NYSERDA, and recommended zoning code changes to authorize their construction within certain zones based upon such classifications, and

WHEREAS, the proposal includes several defined terms relative to the review of solar energy projects and mitigation measures to be considered, and

WHEREAS, a public hearing was held to solicit the input and views of the community relative to the proposal on September 7, 2021, at 7:05 P.M; now, therefore, be it

REDOLVED, that Local Law No. 6 of 2021, a local law amending Chapter 208 of the Town’s Zoning code, as attached, is hereby adopted, effective November 4, 2021.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 242 of 2021, a resolution scheduling a public hearing on a proposal to amend the Town's Zoning Code to authorize the installation of solar energy systems and equipment in certain zones.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Flood.

WHEREAS, by Local Laws No's 2 and 5 of 2021, the Town Board imposed a moratorium on the processing of new applications for site plan or special use approval of new solar energy systems or equipment, pending further study of the effects of changed conditions in the renewable energy industry for zoning within the town, as well as Building & Development Department reviews and fees, and

WHEREAS, the town's Building and Development Department and Planning Department have reviewed the steps necessary to review Solar Energy System and Equipment Applications, and have reviewed fee schedules from other municipalities within the state, and

WHEREAS, staff have also reviewed available literature, model solar zoning laws and recommended fees structures for the issuance of building permits, and

WHEREAS, commensurate with the expiration of the town's moratorium on the processing of applications for the siting and construction of solar energy system projects, Director of Building and Zoning, Steve Myers, has recommended that the Town Board consider a proposal to adjust building permit fees for tier 3 projects, above 25 kW of capacity, (AC), per the attached exhibit, and

WHEREAS, the Town Board wishes to schedule a public hearing to solicit the views and input from the community on the proposal; now, therefore, be it

RESOLVED, that a public hearing will be held on November 1, 2021, at 7:09 PM on a proposal to adjust building permit review fees for solar energy systems and equipment, per the attached draft legislation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 243 of 2021, a resolution authorizing the Supervisor to sign a Saratoga County Trails Program grant award contract for supporting the restoration of a neighborhood connector trail in the Summerhill, The Oaks and the Wishing Well neighborhoods.

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

WHEREAS, the Planning Department has submitted a grant application to the Saratoga County Trails Grant Program for funding assistance to advance a project to rehabilitate and restore a multi-use path connecting the above referenced neighborhoods, and

WHEREAS, by Resolution No. 234 of 2021, the County Board of Supervisors awarded \$10,000 to the town, on a 100% matching basis, and

WHEREAS, the Town Board supports the project and is supportive of the local match portion of this project; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached Grant Funding Contract with the County of Saratoga.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 244 of 2021, a resolution scheduling a public hearing to consider the 2022 Preliminary Budget.

Introduced by Councilwoman Flood, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, the Town Board wishes to obtain comment regarding the 2022 Preliminary Budget, and

WHEREAS, salaries of the town's elected officials as proposed are attached; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 4, 2021, at 7:02 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the 2022 Preliminary Budget; and be it further

RESOLVED, that the Town Clerk publish appropriate notice of same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Comptroller Heggen stated there is one adjustment to the proposed preliminary budget in the General Fund. A Buildings and Grounds Dept. employee was inserted and decreased the funds from the Highway fund. Revenue was included in the Highway fund for working on the town vehicles. The Rexford Fire District budget was received and included.

Highways Superintendent Bull questioned Comptroller Heggen what amendments were made after the budget workshops.

Comptroller Heggen answered, he was not told to make any adjustments.

Resolution No. 245 of 2021, a resolution to authorize the Supervisor to sign a Youth Service Project Agreement with the County of Saratoga to accept grant funding for town sponsored programs that are facilitated by CAPTAIN.

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

WHEREAS, the Saratoga County Board of Supervisors has approved an agreement with the town, offering grant funding for youth development projects in Clifton Park, and

WHEREAS, the Town Board wishes to continue to sponsor CPR course conducted by CAPTAIN Community Human Services, Inc., and

WHEREAS, both the county and the town desire to formalize the continued agreement for services provided during the year 2021; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached agreement with Saratoga County for the year 2021; and be it further

RESOLVED, that the town accepts grant funding from Saratoga County for sponsorship of the CPR program per the agreement in the amount of \$789.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 246 of 2021, a resolution authorizing the installation of guide rails along a portion of Plank and Nadler Roads by Town and County Bridge and Rail, Albany, NY.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Flood.

WHEREAS, Highways Superintendent Dahn Bull, has requested authorization to accept a proposal for installation of guide rails along Plank and Nadler Roads along recently installed culverts, and

WHEREAS, by Resolution No. 48 of 2021, the Town Board adopted Procurement Policy No. 16, which allows that the town, at its discretion and following the guidelines set forth in General Municipal Law§ 103, may procure goods (including apparatus, materials, equipment and supplies) and services by "piggy backing" through publicly bid contracts of another municipality using best value criteria, and

WHEREAS, Town and County Bridge and Rail (TCBR) is currently under contract with Franklin County for guide rail installation processes, and

WHEREAS, Superintendent Bull has advised that the services provided by TCBR will meet the needs of the Highway Department with pricing available through piggy backing on its contract with Franklin County, Contract V; now, therefore, be it

RESOLVED, that the Highway Department is authorized to accept the proposal from TCBR, PO Box 16395, Albany, NY, per the attached, in an amount not to exceed \$16,624 to be paid from DA 5110-0215 (Highway Fund – Highway Construction – Traffic Safety).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilwoman Standaert shared a definition, according to the US Chamber, for Not-for-Profit (considered recreational organizations that do not operate with a business goal of earning a revenue), and Non-Profit (run like a business and try to earn a profit and does not support any single member). The definitions will be included in the ARPA funds application.

PUBLIC PRIVILEGE 8:59PM

Mel Boxer, Clifton Gardens, questioned about attendees asking questions. Thank you to Councilman Morelli and Councilwoman Standaert for the work on the applications for the ARPA funds. She requested the Town Board to conduct a public hearing on the ARPA funds.

Councilman Morelli stated a public hearing is for passing local laws. To have public input, the board placed it on the agenda in several meetings and welcomed input during public privilege.

Councilwoman Standaert suggested having a public forum for public input on the remaining ARPA funds.

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

Motion carried at 9:07 PM

Teresa Brobston
Town Clerk