

TOWN OF CLIFTON PARK TOWN BOARD

August 21, 2023

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  
Councilman Morelli  
Councilwoman Walowit  
Councilman O'Hara  
Councilwoman Reid  
Town Clerk Brobston

Also Present: Town Attorney McCarthy  
Mark Heggen, Comptroller  
John Scavo, Director of Planning & Zoning  
Norah Hofer, Communications and Technology Coordinator

MINUTES

MOTION by Councilwoman Walowit, seconded by Councilman Morelli to approve the Town Board minutes of June 20, 2023, as amended.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS & COMMUNICATIONS

Supervisor Barrett announced the Town Board recently approved ten pickleball courts to be built off Mac Elroy Road in Veteran's Park and the Veteran's Memorial Project, on the Clifton Common, renovations. He stated the new playground on the Clifton Common is coming along. He thanked the Buildings & Grounds staff for an incredible job preparing for the new playground. He is hopeful the playground will be materially finished, then the surface can be completed. Playground progress photos have been available on the Town's social media.

Councilwoman Reid requested the Town Board to spend a moment of silence to honor our fellow American's who are suffering due to the events taking place in Maui.

RESOLUTIONS

Resolution No. 187 of 2023, a resolution to honor Manoj Ajmera for the many important contributions that he has made to the Town of Clifton Park.

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

WHEREAS, Manoj Ajmera emigrated from India in 1964 in order to pursue a master's degree in environmental engineering at the University of Wisconsin, later joining the NYS Department of Health after a brief period in Silicon Valley, and

WHEREAS, as a Clifton Park resident beginning in 1976, Manoj worked as a Senior Sanitary Engineer for 36 years with the DOH, ensuring that NY water plants met the standards and regulations of the State and EPA for good water quality, and

WHEREAS, Manoj partnered with the DOH to create the “Best Drinking Water Taste Contest” for the Capital Region in 1986 which was so successful, that it eventually evolved into the “Manoj Ajmera Tap Water Taste Contest” for the entire State of New York in 2021, earning him the honor of the Health Commissioner’s Award, and

WHEREAS, in 1972, as a member of an Indian dance group participating in the newly formed Festival of Nations event, Manoj found a connection with others in the Capital Region who enjoyed sharing their heritage and culture where he became a fundamental leader and the Chairman of the festival for over three decades and was honored by the International Center of the Capital Region in 2022 with the Community Service & Philanthropy Award, and

WHEREAS, his dedication to his heritage and culture is evident in his work as a founding member, President and Chair of the Board of the Tri-City India Association, board member of the Hindu Cultural Center of Albany, and member of the Albany Rotary Club for over fifty years, and

WHEREAS, as a 45-year resident of Clifton Park, Manoj has proudly served his community and been recognized with numerous awards including the Jefferson Award for community service and volunteerism, the Third Age Award, and a “Who’s Who” award at the Clifton Park 175<sup>th</sup> Celebration, and

WHEREAS, Manoj continues to serve and plan cultural events and programs for the Indian and Clifton Park community, as a member of the Advisory Board of the Saratoga County Office of the Aging, the Board of the International Center of the Capital Region, as well as several other clubs and organizations; now, therefore, be it

RESOLVED, that on behalf of the People of Clifton Park, the Town Board awards the “Key to the Town” to Manoj Ajmera in recognition for his decades long commitment to improving the quality of drinking water in the Capital Region and creating opportunities for people of all cultures to share their heritage.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Supervisor Barrett stated the first four resolution recipients will be honored at an Awards Night at the Clifton Park Senior Community Center on Tuesday, August 29 at 6pm. This event is open to the public.

Resolution No. 188 of 2023, a resolution to recognize Dr. William (Bill) Long for the many important contributions that he has made to the Town of Clifton Park.

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

WHEREAS, Dr. and Mrs. Long arrived in Saratoga County in 1972, relocating from California, and immediately focused his professional work and their volunteerism on creating services to involve the community in improving the lives of children and families, and

WHEREAS, Bill’s experience as a volunteer was guided by his work as a psychologist, while working at the Saratoga Mental Health Clinic, where he expanded the Youth Services Team, he connected all the psychological, guidance, and social work personnel in the local schools, and Bill was instrumental in collaboratively creating the Child Custody and Stress Prevention Program while working at Skidmore College’s Mental Health Clinic, and

WHEREAS, in 1981, Bill played a significant role in the creation of what became the Prevention Council, a nonprofit community-based organization that worked to prevent alcohol, drug, and substance abuse throughout Saratoga County, and

WHEREAS, Bill was one of the original founders of CAPTAIN Community Human Services (CHS) nearly 50 years ago, working with other volunteers to create after-school programs at local schools, then later growing it to a space at the Clifton Country Mall, and

WHEREAS, having served on the CAPTAIN CHS Board for 40 years and acting currently as a member of the Advisory Committee, Bill has supervised two mergers of the CAPTAIN CHS organization and over 30 programs and services that address the needs of the communities it serves in the areas of hunger, homelessness, economic crisis, support and empowerment, and

WHEREAS, Dr. Long was passionately concerned about teen homelessness which prompted a 10-year journey in search of property to develop into a youth shelter, ultimately forming the Citizen's Committee for a Youth Shelter when his endeavor came to fruition in the Homeless Youth Shelter in Malta, operated by CAPTAIN CHS for 25 years, serving youth ages 13-17 from 8 counties, and

WHEREAS, Dr. Long continues to specialize in clinical psychology, at his own practice in Clifton Park, while volunteering his time along with his wife Ann, to support and encourage youth-based organizations that directly impact runaways and homeless youth and Dr. Long was honored with the 2023 Joseph Dalton Community Service Award; now, therefore, be it

RESOLVED, that on behalf of the People of Clifton Park, the Town Board awards the "Key to the Town" to Dr. William Long in recognition of his decades-long commitment to his profession and volunteer service to our community and Saratoga County.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 189 of 2023, a resolution to posthumously honor the important contributions that Dr. Hsin-Pang "HP" Wang made to the Town of Clifton Park.

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

WHEREAS, having spent his youth in China and Taiwan, Dr. Wang pursued his graduate studies in mechanical engineering at the University of Florida, meeting his wife Ting-Ting and together they moved to complete their studies at the University of Rhode Island and married in 1973, and

WHEREAS, Dr. and Mrs. Wang relocated to Albany, NY in 1976 where he began his 34-year distinguished engineering career at General Electric Global Research and during these years, HP held more than 100 patents and invented several technologies, including a breakthrough invention that improves gas turbine efficiency for power generation and significantly reduces carbon dioxide emissions, and

WHEREAS, in 1997 Dr. Wang founded GE's Asian Pacific American Forum (APAF), which currently has 26 chapters and approximately 6000 members, additionally, he served as the President of the American Society of Mechanical Engineers, Albany-Mohawk Chapter, comprised of 1000 members, and

WHEREAS, Dr. Wang initiated the Albany Chapter of APAPA (Asian Pacific American Islander Public Affairs Association), a national civic engagement organization, passionately working for the civil rights of Asian Americans, and

WHEREAS, as a founder and key leader of the Chinese Community Center, Dr. Wang served as President, Board Chair, and Fundraising Chair raising over \$300,000 for a new building and creating a center for cultural and educational programming for Asian Americans in the Capital Region, and

WHEREAS, with his wife Ting-Ting by his side, HP became a lion of Asian activism working tirelessly to break down stereotypes and improve opportunities for the Asian community, earning several civic awards including the L. Kim Memorial award and the Civic Engagement & Citizenship award and he was a leader for his community during the pandemic, organizing a successful rally entitled “Stop-Asian-Hate” in March of 2022, and

WHEREAS, Dr. Wang passed away on September 6, 2022, leaving behind a legacy of scientific advancements, advocacy, service and friendship, and was a leader for the Asian community and the Capital Region at large; now, therefore, be it

RESOLVED, that on behalf of the People of Clifton Park, the Town Board awards the “Key to the Town” to Dr. Hsin-Pang Wang in recognition for his decade’s long commitment to his profession and volunteer service to our community and the Capital Region.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution 190 of 2023, a resolution awarding Stuart Feuerstein, Jim Flaherty, Eric Hamilton, Bill Connor, Jr., Lenny Casper, Alicia Jacobs, Ray Seymour, and Kristin Murphy, the 2023 Town of Clifton Park Environmental Stewardship Award for each of their unique contributions of environmental service to the community.

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

WHEREAS, the Town of Clifton Park’s Environmental Stewardship Award is intended to celebrate the hard work and achievements of people who have gone above and beyond to be a leader in environmental initiatives that positively affect the preservation, protection and enjoyment of special and sensitive areas of our Town, or who have contributed generally to the successful fostering of Environmental Stewardship principles, and

WHEREAS, the Town Board has nominated eight (8) individuals, each to be recipients of the 2023 Environmental Stewardship Award: Stuart Feuerstein, James Flaherty, Kristin Murphy, Eric Hamilton, Bill Connor, Jr., Alicia Jacobs, Leonard Casper, and Raymond Seymour, and

WHEREAS, for more than 35 years, Stuart “Stu” Feuerstein, Chairman of the Longkill II Park District, has been a neighborhood community leader advocating for saving the trees at the beloved George T. Smith Park and its beloved playground and he played a key role in an early civic association, which led to his role in the park district, serving as the liaison between the park district and the Town’s Buildings & Grounds Department, and over the years, working closely with the Town to identify and develop park improvements, conduct new tree plantings, and currently, he is cultivating a pollinator garden in support of the neighborhood’s and habitat needs, and

WHEREAS, for more than 20 years, James “Jim” Flaherty has been volunteering with the Shenendehowa Nordic Club to maintain cross-country ski trails at Kinns Road Park, and more recently, at Garnsey Park; and since 2018 with his role on the Town’s Open Space, Trails & Riverfront Committee, he has been an active, invaluable leader in strategic, year-round trails maintenance at Town nature preserves as a member of the Stewardship Subcommittee, conducting behind-the-scenes steps to facilitate trails and preserves improvements in addition to hands-on, too-many-hours-to-count of solo and group fieldwork expeditions, because he cares so deeply about these special places and really wants them to be in great shape for others to enjoy and respect, and

WHEREAS, with a tremendous, energetic focus from 2014-2022, Kristin Murphy contributed a huge amount of her time, while her children were young, to developing new nature programs for the community, as an active member of the Open Space, Trails & Riverfront Committee, conceiving of the “Things that Go Bump in the Night” guided nature walks event, Learn to Fish Day, and the ever-popular Nature Story Walks Program, all while continuously researching and advocating for other smaller events and projects and continuously supporting, family-friendly nature and environmental activities, and

WHEREAS, since the 1990s, Eric Hamilton has been advocating for the conservation of natural, cultural, scenic, and recreational trail assets of the community with his leadership with the Mohawk Towpath Scenic Byway Coalition, Inc., the Mohawk Towpath Byway Duathlon (of a run/bike/run road race) every October on scenic Riverview Road, the creation of the 1999 Clifton Park Trails Master Plan and the subsequent Join Use: Trails Master Plan for the Byway through Halfmoon and Clifton Park, his long-time leadership with the Shenendehowa Rotary and its youth INTERACT Club and their role in planting trees and leading trail improvements at Garnsey Park, and through offering annual series of Moonlight Ski Events at the Vischer Ferry Nature & Historic Preserve and cross-country skiing lessons at the Clifton Common, to name just a few highlights, and

WHEREAS, an active member of the Open Space, Trails & Riverfront Committee since 2012, William “Bill” Connor, Jr. has been thinking about the environmental design of Clifton Park since he was in college, and has been an inspiration in the Town’s actions for not only the public planning projects in the Town Center Area, but also in the implementation of the Town Center Form-Based Code, the Town Center Park Master Plan and in the design details for the creation of the Town Center Park that opened to the public last Fall 2022, and

WHEREAS, for 10 years, Alicia Jacobs, a marketing and communications professional, has been volunteering as a member of the Town’s Open Space, Trails & Riverfront Committee sharing her passion for clear communication and photography, taking photos of people and nature, and leading the Communications Subcommittee with content for productive, positive messages, offering expert recommendations for website improvements and social media consideration, including lending strong marketing support to the community on the Town’s securing the lands that have formed the new Town Center Park, among other public nature events and activities, and

WHEREAS, since 2018, Leonard “Lenny” Casper jumped into his appointment to the Open Space, Trails & Riverfront Committee, conducting regular assessments of the many nature preserves and conditions from a public safety and maintenance perspective, leading a mission to refine trail routes and install upgraded trail markers at Veterans Memorial Park & Mooney Carrese Forest, focusing erosion restoration efforts south of Kinns Road Park, and overall helping find doable improvements and solutions utilizing volunteer groups with strategic help from Town staff, and

WHEREAS, Raymond “Ray” Seymour, has been a thoughtful leader in open space conservation since the 1990s at the Saratoga County regional level as well as locally in Clifton Park, helping establish the Land Trust of the Saratoga Region, then Saratoga P.L.A.N., as well as his roles advocating for Clifton Park’s unique environment and open space through Friends of Clifton Park Open Space, and since 1999, with roles on the Clifton Park Open Space Planning Committee, and, ever since 2006, the Town of Clifton Park Open Space, Trails & Riverfront Committee, serving on the Acquisition Advisory Subcommittee and leading the Stewardship Subcommittee, always as a voice of reason and respect for others, in considering the balance of

growth and development with a strong conservation vision for the community and greater region; now, therefore, be it

RESOLVED, that the Town Board commends everyone for their efforts and initiatives dedicated to helping Clifton Park conserve and celebrate the Community’s environment in their own special way; and be it further

RESOLVED, that the Town Board congratulates Stuart “Stu” Feuerstein, Jim Flaherty, Kristin Murphy, Eric Hamilton, Bill Connor, Jr., Alicia Jacobs, Lenny Casper, and Ray Seymour as the 2023 recipients of the Town of Clifton Park Environmental Stewardship Award.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 191 of 2023, a resolution to commemorate Ukraine’s Independence Day.

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

WHEREAS, August 24, 2023, marks the 32nd anniversary of Ukraine’s declaration of independence from the Soviet Union, and

WHEREAS, Russia invaded this sovereign democracy on February 24, 2022, and

WHEREAS, the Russian invasion of 2022, and the previous eight years following Russia’s seizure of Crimea and military intervention in eastern Ukraine, has left several hundred thousand dead, nearly a quarter of them civilians, and

WHEREAS, Russia has targeted civilian areas including train stations, hospitals, office buildings, apartments and public markets, as well as 260 cultural heritage sites, and

WHEREAS, the residents of Clifton Park have consistently supported Ukraine’s work to build healthy and vibrant democratic institutions and have assisted with broad-based financial and moral support during the war with Russia, and

WHEREAS, Ukrainians have demonstrated their commitment to core democratic principles since their independence from the Soviet Union in 1991, and

WHEREAS, the Town of Clifton Park stands in solidarity with the Ukrainian people because of their commitment to democracy, supports their right to defend freedom and repel aggressors, regain full sovereignty, and resume their rightful place among the European community and peaceful democracies of the world; now, therefore, be it

RESOLVED, that the Town Board commemorates and celebrates the 32<sup>nd</sup> anniversary of Ukraine’s Independence Day.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilman Morelli recognized Michelle Ryan and Tonya Petroff, part of the 518 Ukrainian organization, Father Pacelia from St. Nicholas Church, and Father Roman Shak for their efforts in bringing this day forward to be recognized for the Ukrainian people and for all the residents of Clifton Park to be aware of our neighbors suffering, and their family and friends in their native county with the continuing unrest in the Ukraine.

Tonya Petroff, 518 Ukrainian's, Clifton Park resident for 23 years, thanked the Town Board and Community for recognizing the 32<sup>nd</sup> year of Ukraine's Independence. She stated they are proud to live in a community who supports the Ukraine.

Councilman Morelli presented a proclamation to the Ukrainian residents commemorating the Independence Day.

Resolution No. 192 of 2023, a resolution authorizing additional Town road paving up to \$300,000 from the Highway Fund and amending the Highways Superintendent's 2023 Paving Budget report, per the approved Section 284 Agreement.

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

WHEREAS, by Resolution No. 186 of 2023, the Town Board approved an agreement with the Highways Superintendent, pursuant to NYS Highway Law 284 for the 2023 Paving Budget and paving season, and

WHEREAS, the Town Board wishes to add funds to the 2023 Highway Paving Budget for the purpose of including Westchester Drive, Carriage Road, and adjoining Courts of Westchester, Lexington, Equinox and Hawthorne, to the approved 284 Agreement; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Comptroller to transfer an amount not to exceed \$300,000 from DA-00915 (Highway Assigned Unappropriated Fund Balance) to DA-5110-00030 (Highway-Paving & Blacktop), for the additional paving projects planned for 2023, and be it further

RESOLVED, that the streets shall be paved during the 2023 paving season, using the mill and pave method already specified for all other streets currently named in said Agreement, and the Highways Superintendent shall add these streets to the 284 Agreement list for 2023; and be it further

RESOLVED, that the approved Highway Law §284 Agreement is amended accordingly, and the Town Clerk is asked to keep and file a copy of this Resolution with the 284 Agreement, as approved on August 7, 2023.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett stated the money is from the Highway surplus fund being allocated to the paving budget for 2023, identified money that went unspent by the Highway Department in previous years. This would be an amendment to the 284 Agreement.

Councilman Morelli voiced concern with no representation from the Highway Department when the resolution allocating \$300,000 to the Department was on the agenda. Highway representation was not in attendance June 30, when the 284 Agreement was submitted. He stated the Highways Superintendent was present at the first meeting of August for discussion and signing of the 284 Agreement.

Resolution No. 193 of 2023, a resolution authorizing a professional services agreement for an Electric Vehicle (EV) charging station and sustainability project and authorizing a transfer for Contingency.

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

WHEREAS, the Town wishes to provide public-facing chargers for electric vehicle drivers at the following three locations,

- a. Town Center Park – Moe Road Parking Area
- b. Clifton Common
- c. Clifton Park Town Hall, and

WHEREAS, the Town issued a Request for Qualifications (RFQ) earlier this year for EV Charging Station Design and Installation Services from qualified professional firms, and

WHEREAS, fourteen RFQ responses were reviewed, scored and ranked by select Town Staff and Town Officials, and

WHEREAS, PlugIn Stations Online, LLC (PISO) received the highest score and ranking in this review, and

WHEREAS, John Scavo, Director of Planning & Zoning, has communicated four positive references for similar municipal projects completed by PISO, and

WHEREAS, the estimated cost for each station after incentives are paid directly to the installer are \$180 for each station, and

WHEREAS, design and installation service expenses for this project are reimbursable after the Town satisfies the conditions required by the applicable State and Federal incentive programs; now, therefore, be it

RESOLVED, that based on the RFQ Scoring Matrix, the Town Board authorizes the Supervisor to enter into an agreement for professional services with PISO, and be it further

RESOLVED, that after receipt of all eligible grant reimbursements from State and Federal agency partners, the Town's actual local share due for this project is expected to be minimal; and be it further

RESOLVED, that the Comptroller is authorized to pay the remaining balance due for each substation in an amount not to exceed \$600.00, to be charged with a transfer from Contingency to A-8410-200 (General Fund-Electric and Power- Equipment); and be it further

RESOLVED, that upon execution of the PISO professional services agreement, the Town Board authorizes Town Staff from the Planning & Zoning Department and Buildings & Grounds Department, to work with PISO for implementing this EV charging station and sustainability project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 194 of 2023, a resolution appointing Lisa Westrick as a member of the Planning Board.

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

WHEREAS, a vacancy exists due to the resignation of Jennyfer Gleason from her board member position, and

WHEREAS, Lisa Westrick, of Clifton Park, is recommended by John Scavo, Director of Planning and Zoning, to fill the vacant position and fulfill the remaining term of Ms. Gleason, and

WHEREAS, Ms. Westrick has the background, education, training and experience necessary to be an effective member of the Town Planning Board; now, therefore, be it

RESOLVED, that Lisa Westrick is hereby appointed Planning Board Member, effective immediately, term to expire December 31, 2026.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 195 of 2023, a resolution authorizing the filing of an application for a State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and signing of the Associated State Master Grant Contract, under all appropriate laws of New York State.

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

WHEREAS, the State of New York provides financial aid incentives for household hazardous waste programs, and

WHEREAS, the Town of Clifton Park finds and determines it to be in the public interest and benefit to file an application under these laws for State funding for the annual Household Hazardous Waste Collection Day for Saturday, September 23, 2023, and

WHEREAS, the Town Board wishes to execute a contract by and between the People of the State of New York (the State), and the Town for such available State incentives and financial assistance; now, therefore, be it

RESOLVED,

1. That the Stormwater Management Officer is authorized to file an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application, and
2. That the Town Supervisor or his designee is directed and authorized as the official representative of the Town of Clifton Park to act in connection with the application, to sign the resulting contract if said application is approved by the State, and to provide such additional information as may be required, and
3. That the Town of Clifton Park agrees to fund the entire cost of said household hazardous waste program, in the first instance, and will seek reimbursement by the State for share of such costs as indicated in the contract, and
4. That two (2) certified copies of this Resolution be prepared and sent to New York State Department of Environmental Conservation together with a complete application, and
5. That this resolution shall take effect immediately.

And be it further

RESOLVED, that the Supervisor is authorized to sign the Household Hazardous Waste Collection Agreement with North Ward Environmental Services for Household Hazardous Waste Day 2023, with an estimated cost of \$36,000 for 2023, of which 50% is to be reimbursed through the HHW State Assistance Program, to be paid from A-8989-150 (General Fund – Community Development – HHW Day), and be it further

RESOLVED, that the costs of the program will be budgeted in 2025, when the next Household Hazardous Waste Collection Day is held.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett reminded residents the Transfer Station continues to take paints and stains every Thursday, free of charge.

Resolution No. 196 of 2023, a resolution scheduling a public hearing on a proposal to modify an area restriction within the North Crest Village (Tallowood) Planned Development District A217-76 (K) of the Town Code.

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

WHEREAS, Planned Development District legislation enacted by Local Law #6 of 1980, contained a requirement that free spaces of up to 10 feet from both sides and to the rear of each building be maintained to provide for access to all dwelling structures for fire and emergency services, and

WHEREAS, visual inspection of the neighborhood demonstrates numerous properties with fencing and structures within the areas covered by the restrictions, without adverse impacts to health and safety of access to the properties, and

WHEREAS, the Town Board wishes to obtain public comment on a proposal to eliminate the restriction around the perimeter of each building; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled on a proposal to eliminate the requirement for free space left on the sides of each building within the North Crest Village (Tallowood) Planned Development District, on Tuesday, September 5, 2023, at 7:05 pm in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, NY.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 197 of 2023, a resolution scheduling a public hearing on amending the Town Code regarding durational limits for hotel and motel occupancy in Clifton Park.

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

WHEREAS, surrounding communities have seen changes in the use and occupancy of hotels and motels in patterns not consistent with the original site plan and other relevant approvals for the hotel and motel business models, and

WHEREAS, the Town Code Section 208-7, defines the occupancy of hotels and motels within the Town by reference to short term, or transient occupancy or by use as sleeping quarters for transient guests away from their residences, on a daily or weekly fee basis, and

WHEREAS, Planning Board approvals for hotels and motels within the Town have been based on this traditional definition of the uses and occupancy of the hospitality businesses throughout relevant Zoning Districts within the Town, and

WHEREAS, the Supervisor has requested that amendments be considered to provide specific and effective enforcement of the existing definitions and site plan approvals for hotels and motels within the Town, and

WHEREAS, the Town Board wishes to solicit public comment on a proposal to ensure the continued availability of safe, sanitary, and code-compliant transient lodging with the Town, through the addition of Town Code provisions, limiting the duration of stays with hotels and motels within the Town to those stays reasonably associated with the existing definitions and approvals for hospitality businesses within the Town; now, therefore, be it

RESOLVED, that a public hearing will be held on September 5, 2023, at 7:15pm, in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, NY, on a proposal to provide an explicit, 28-day durational limit on hotel and motel stays within the Town, and to provide for enforcement and civil penalties for violations; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No.198 of 2023, a resolution scheduling a public hearing on a proposed local law to amend Chapter 152 of the Town Code, relative to the Vischer Ferry Nature Preserve to ban the possession, control or transportation of firearms in the Preserve.

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

WHEREAS, in 1977, residents of the Town formed the Vischer Ferry Association to advocate for the creation of the Vischer Ferry Historical and Nature Preserve (VFNP), successfully petitioning the Town to accept responsibility for the Preserve, and

WHEREAS, on April 25, 1977, the Town received the first Use and Occupancy Permit for the purposes of "establishing a recreation and nature preserve" and, under the sponsorship of the Town Board, successfully petitioning the New York State Canal Corporation to delegate the operation and maintenance of the proposed lands to the Town, as described in the "Vischer Ferry Historical and Nature Preserve Report" prepared by the Vischer Ferry Association, and

WHEREAS, since 1977, the Town has completed numerous capital projects and upgrades to the preserve, with individual permits issued by the Canal Corporation as necessary, and

WHEREAS, by Resolution No. 280 of 2021, the Town Board adopted amendments to Chapter 152 of the Town Code to accept a new and updated Use and Occupancy Permit from the New York State Canals Corporation for the stewardship and management of the VFNP, and expanded the geographic boundaries of the Preserve by the addition of several Town-Owned lands within the management area of the VFNP, and

WHEREAS, the Town Board has continued to receive reports of illegal and unauthorized hunting in or around the Preserve, as well as the use of the parking lots and trail system to access areas nearby the Preserve for the purposes of hunting deer, waterfowl or other game, and

WHEREAS, the Town Board wishes to solicit comment from the public on the potential conflicts between passive recreational uses within the Preserve such as hiking, biking and jogging, which have grown and expanded with the successful projects to increase access over the preceding 10 years, and the use of Preserve access areas and trails for hunting trespass or hunting and illegal or unwanted discharges of firearms in the vicinity of the VFNP; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for September 5, 2023, at 7:10 PM in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, New York, to receive public comment regarding a proposal to amend Chapter 152 of the Town Code, to prohibit the possession, transportation, or carrying of firearms, including rifles and shotguns, or bows, within the Vischer Ferry Nature Preserve.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 199 of 2023, a resolution authorizing a master license agreement with Cellco Partnership d/b/a Verizon Wireless for the installation and operation of small cell wireless facilities within the Town’s right-of-way.

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

WHEREAS, Cellco Partnerships dba Verizon Wireless (Verizon) has applied to the Town Board for permission to install, maintain and operate small cell wireless technology on utility poles within the Town’s right-of-way, to help facilitate upgrades to the wireless communication services provided to residents and users within the Town, and

WHEREAS, the Town Board recognizes that small cell technology represents a next generation option for expanding coverage for voice, broadband and 911 services to homes, businesses, schools and travelers within the Town, and wishes to accommodate the request through a master license agreement setting forth terms and conditions for the placement and maintenance of such facilities, and

WHEREAS, small cell facilities are typically mounted on utility poles and similar structures less than 50 ft. in height, and require no more than 3 cubic feet of volume for antennae equipment, (see exhibit A), and

WHEREAS, the Town Board wishes to establish a townwide fee structure for the installation and operation of small cell facilities within the Town for Verizon, as well as other carriers and communications entities, as follows:

One-Time Application Fee: \$ 100 – Colocation of a small wireless facility on an existing or replacement utility pole

\$ 1,000 – new pole, including the placement of a small wireless facility on such new pole

Recurring Fee: \$ 135 per small wireless facility, per year

;now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached Master License Agreement with Cellco Partnership dba Verizon Wireless; and be it further

RESOLVED, that the Fee Schedule for small cell facilities within the Town, as outlined above, is hereby adopted.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett explained Verizon came to the Town to continue discussions for a master agreement and structure to increase capacities, keeping up with today’s standards for the residents in the area.

Resolution No. 200 of 2023, a resolution authorizing Town Historian John Scherer to attend the Association of Public Historians of New York State Annual Conference.

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

WHEREAS, Procurement Policy #10 states that all requests to attend classes, seminars or professional conferences involving overnight stays must be approved by the Town Board, and

WHEREAS, Councilman O’Hara, Town Board Liaison to the Historic Preservation Commission, recommends that Town Historian John Scherer be authorized to attend the Association of Public Historians Conference in Ithaca, New York, September 18-20, at a cost not to exceed \$677, and

WHEREAS, John Scherer's attendance at the Association of Public Historians Conference would confer a benefit to the Town; now, therefore, be it

RESOLVED, that John Scherer is authorized to attend the Association of Public Historians Conference in Ithaca, New York, September 18-20, 2023, at a total cost not to exceed \$677 including registration, meals, lodging and transportation, to be paid from budget line-item A- 7510-001 (General Fund-Historian-Training/Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett thanked Historian Scherer and volunteers for a successful Vischer Ferry historic walk held recently, along with the work performed and plaque posted for the cemetery. In September another walk is planned for the Jonesville area. Details on the website.

Councilman Morelli stated, concerning the scheduled public hearings, if residents can't make the public hearings, please email/call the Town Board with your questions and concerns.

No one wished to be heard.

#### PUBLIC PRIVILEGE 8:16 PM

Dan Gibson, Eldorado Dr., voiced concerns of safety with the directing of traffic at the south end of the School campus. Voiced concerns with multiple small signs throughout the Town in rights-of-ways.

Mark Brubaker, Nottingham Way South, stated paving is currently occurring on part of Nottingham Way South and North, he questioned why the remaining part of Nottingham Way South, above Canterbury Road, is not being paved.

Supervisor Barrett requested contact information for Mr. Brubaker and will get back to him with the information.

Dillon Mirachi, Malta, questioned where the authority for the Town comes from to limit the carrying of firearms.

Attorney McCarthy stated all the property in the Preserve is under the Town's management coming from the permit.

Mr. Mirachi stated trails are not a part of the permit.

Attorney McCarthy stated the mapping of the entire Preserve is in the permit.

Supervisor Barrett stated concerns can be brought to the scheduled Public Hearing regarding the Vischer Ferry Nature Preserve.

Darlene McGraw, Halfmoon, questioned why the ADA accessible front doors were not working. Suggested members of the GREEN Committee be considered for an award. She voiced concerns with lack of transportation for residents going to local community colleges. Requested the Town talk with Saratoga County Social Services regarding the occupancy limitations for hotels/motels, because they often use the facilities.

Public Privilege closed at 8:31 PM

#### OTHER BUSINESS

Supervisor Barrett read a Memorandum sent to the Town Board and Town Attorney on August 21, 2023 with Subject being: Town Board Did Not Authorize Chip Seal. Memo read as follows:

Unfortunately, it has become routine for us to take the necessary steps to implore the Highway Superintendent to do his job or correct the record following the release of incorrect information or his untruthful statements. At the Town Board Meeting on August 7<sup>th</sup>, I read an excerpt from Resolution #100 of 2023 that detailed the two companies hired to perform paving activities for 2023. The two companies identified in the resolution were Evolution Construction Services and Jointa Lime Company. I read the resolution in response to the Highway Superintendent's Memo of July 26<sup>th</sup> where he stated, "The problematic roads had been approved by the town board at a previous meeting." The "problematic" roads the Memo refers to are the roads where a chip-seal paving process was used on specific roads earlier this year. We have expressed disbelief the Highway Superintendent used this process, and some residents also expressed their disapproval of the process used on their neighborhood roads in a newspaper article in 'The Daily Gazette.' The people quoted in the article are just a small example of the number of people displeased with the chip-seal paving process. Chip-seal is a paving process performed by Gorman Brothers. The Town Board did not approve the hiring of Gorman Brothers in 2023.

Following my reading of the resolution at the Town Board Meeting, the Highway Superintendent said the Town Board approved the chip-seal process in 2022, but the paving didn't occur until 2023. Resolution #161 of 2022, passed unanimously by the Town Board, only approved the hiring of Evolution Construction Services for paving activities in 2022. The Town Board did not hire Gorman Brothers.

Therefore, the Highway Superintendent's Memo of July 26<sup>th</sup> was designed to deflect blame by misstating the actions of the Town Board. Then when confronted with that information that we did not approve the hiring of Gorman Brothers in 2023 at the Town Board Meeting, he again deflects blame by stating the Town Board hired Gorman Brothers in 2022, which of course is not accurate. We will continue to correct the record and his false information that is consistently disseminated publicly. In each instance, the false information he issues and the time it requires to respond is another example of taxpayer funds being wasted. He has been a participant in the wasting of tens, perhaps by now hundreds of thousands of taxpayer funds, in concert with the elected officials who resigned last Fall. He continues his detrimental actions that have become a hindrance to the proper execution of Town operations relating to the responsibilities of the Highway Department.

Councilwoman Walowit voiced disappointment with the Highways Superintendent on how the decision to use chip sealing occurred and could not remember when it was supported. She requested a copy of the resolution supporting the process but did not receive it. In addition, when asked the question of who made the decisions regarding the paving of which roads to be paved every year, the Board was told that the management team made that decision. She stated she learned that was not the case, it did not happen that way. The management team got the paving list and that was the first time they had seen the list.

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

Motion carried at 8:37 PM

Teresa Brobston  
Town Clerk