

TOWN OF CLIFTON PARK TOWN BOARD

August 5, 2024

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.

Pledge of Allegiance

Present: Supervisor Barrett
Councilman Morelli
Councilwoman Reid
Councilwoman Walowit
Town Clerk Brobston

Absent: Councilman Manir

Also Present: Town Attorney Pelagalli
Mark Heggen, Comptroller
Daniel Clemens, Director of Parks, Buildings & Recreation
Michael Woerner, Director of Parks & Recreation
John Scavo, Director of Planning & Zoning
Norah Hofer, Communications and Technology Coordinator
Louis Pasquarell, Director of Safety & Security
Judge Robert Rybak

MINUTES

MOTION by Councilwoman Walowit, seconded by Councilman Morelli, to approve the Town Board minutes of the July 15, 2024, as presented.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

MOTION CARRIED

ANNOUNCEMENTS & COMMUNICATIONS

Supervisor Barrett reminded residents of a “National Night Out” event to be held tomorrow, Tuesday, August 6, 2024, from 6-8PM on the Clifton Common. This event is centered around our First Responder Community and our appreciation for them. Also included is a basketball skills clinic.

Supervisor Barrett announced recently on the Clifton Common stage was the Fleetwood Macked performance. Upcoming Thursday, August 15 will be the Philadelphia Freedom performance. Upcoming performances can be found on ParksRec@cliftonpark.org.

Councilwoman Walowit stated the “National Night Out” event is a great opportunity to honor and thank our First Responders.

Councilwoman Reid announced a Vischer Ferry Nature and Historic Preserve Photo Contest to be held this, Autumn. Top five photographs will be displayed at Winterfest & Town Hall. More information photocontest@cliftonpark.org or cliftonpark.org.

RESOLUTIONS

Resolution No. 186 of 2024, a resolution to authorize the Supervisor to sign a Memorandum of Understanding with the Capital Region Transportation Council (CRTC) regarding the 2024-2025 Unified Planning Work Program for the Americans with Disabilities Act (ADA) Municipal Self-Analysis and Transition Plan for Pedestrian Infrastructure Plan (“Plan”).

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

WHEREAS, John Scavo, Director of Planning and Zoning, submitted an application to the CRTC to request funds through its 2024-2025 Unified Planning Work Program for the Plan, and

WHEREAS, CRTC approved the Plan in its 2024-2025 Unified Planning Work Program, and

WHEREAS, the approved cost for consultant services related to the Plan is \$100,000, of which \$87,500 will be paid for by Federal Transportation Planning funds, matched with at least \$12,500 of local funds from the Town and CRTC, with CRTC contributing in-kind technical services valued at \$10,000, and

WHEREAS, the Town will provide \$10,000 in cash match for the Plan, and

WHEREAS, the CRTC expects the Plan to be completed within fiscal year 2024-2025; now, therefore, be it

RESOLVED, that Supervisor Barrett is authorized to sign the attached Memorandum of Understanding with the CRTC to commit to the local cash match not to exceed \$10,000, for consultant services related to the 2024-2025 Unified Planning Work Program for the Americans with Disabilities Act Municipal Self-Analysis and Transition Plan for Pedestrian Infrastructure Plan, to be paid with a transfer from Unassigned Fund Balance (A-914) to A-3310-135 (General Fund – Traffic Safety – Engineering).

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilwoman Walowit,
Supervisor Barrett

Noes: None

Absent: Councilman Manir

DECLARED ADOPTED

Director of Planning & Zoning John Scavo explained this program study will review if there are any physical barriers present. The previous study was done around 1990. Study will bring the Town up to the current standards in terms of design guidelines and document needs to strengthen forces for upcoming grants.

Supervisor Barrett stated this study is a good complement to what is already being done with new sidewalks in Town where the ADA is followed from start to finish.

Resolution No. 187 of 2024, a resolution authorizing the purchase of 280 Sugar Hill Road for acquisition by the Town of Clifton Park.

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

WHEREAS, the Town has reached a tentative purchase agreement for 5.58 acres of land, and

WHEREAS, said property is boarded by Town-owned lands on either side of the property line by the Grooms Tavern Property and the Grange Hall, and

WHEREAS, the property acquisition will provide for the Town's two existing parcels to be contiguous in common ownership of approximately 7.4+/- Acres, and

WHEREAS, the acquisition of said parcel provides specific physical social, and cultural benefits to the Town of Clifton Park by providing for a Grooms Corners Town-Owned Complex that establishes a tangible link to the past and a way to bring meaningful Town history into context for current and future generations; now, therefore, be it

RESOLVED that the Town Board authorizes the purchase of property at 280 Sugar Hill Road for \$289,000 from the Town's Dedicated Open Space Incentive Zoning Fund, and be it further

RESOLVED, The Town Board, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this constitutes an Unlisted Action and issues a negative declaration pursuant to Section 617 of Title 6 of the New York Codes Rules and Regulations, and be it further

RESOLVED, the Supervisor is authorized to enter into and execute contracts of sale and other contract and closing documents, subject to the terms and conditions related to said purchases set forth above; and be it further

RESOLVED, that the acquisition costs shall be paid from the dedicated Open Space Fund and that the budget be increased with Revenues, through Appropriations, A-00995, and that Expenditures increase by \$289,000 to A-01940-00200 (General Fund – Other Town Payments – Equipment).

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

Supervisor Barrett explained this is an important purchase for the Town, giving the Town an opportunity to create a Historic District. This property is in between the Grooms Tavern and the Grange.

Councilman Morelli stated this purchase will continue to preserve open space.

Supervisor Barrett announced that Councilman Manir was in support of this purchase.

DECLARED ADOPTED

Resolution No. 188 of 2024, a resolution authorizing the hiring of a Part-time Security Officer in the Safety Department.

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

WHEREAS, a vacancy exists for a Part-time Security Officer, and

WHEREAS, Gregory P. Amyot, Clifton Park, NY, successfully passed the civil service examination for this position, and

WHEREAS, Louis Pasquarell, Director of Safety and Security, has recommended that Mr. Amyot be hired to fill the position of Part-time Security Officer; now, therefore, be it

RESOLVED, that the Town Board authorizes the hiring of Gregory P. Amyot as a Part-time Security Officer, to be paid at Grade 5, Step 1, \$26.69/hr., from A-3120-E4010 (General Fund – Law Enforcement – Part-time Security Officer).

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

DECLARED ADOPTED

Resolution No. 189 of 2024, a resolution scheduling a public hearing to consider an amendment to Chapter 189 of the Town Code, related to permitting and fees for transient retail merchants.

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

WHEREAS, the Town Code Chapter 189 addresses the permitting, licensing and inspection of Transient Retail Merchants operating within the Town of Clifton Park, and

WHEREAS, the Town Board wishes to amend the wording of this section of the Town Code, which was last amended in 2006, to address current circumstances; now, therefore, be it

RESOLVED, that the Town Board hereby schedules a public hearing for August 19, 2024, at 7:02pm on a proposal to amend the provisions for licensing and inspection of Transient Retail Merchants; 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, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

Supervisor Barrett stated the Town recognized this Chapter in the Town Code needs to be reviewed and amended. Proposed is a change in the fee schedule, food truck verbiage and inspection requirements.

Councilman Morelli stated, as a Town and Town Board, safety and liability is most important. Amendments will support the business community.

Attorney Pelagalli stated this original Chapter to the Town Code was created in 1988 with one amendment in 2006.

DECLARED ADOPTED

Resolution No. 190 of 2024, a resolution scheduling a public hearing to consider an amendment to Town Code Chapter 208-95(E)(3)(j), related to clear zones for communication towers and structures.

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

WHEREAS, Town Code Chapter 208-95(B) Definitions defines One-Hundred-Ten-Percent Clear Zone as “The requirement that new communications towers be set back a minimum of 110% of its own height from adjacent property”, and

WHEREAS, the Town Code Chapter 208-95(E)(3)(j) states that “All new communication towers and structures must be sited, designed and constructed in such a manner as to guarantee a one-hundred-ten-percent clear zone in case of tower failure.”, and

WHEREAS, the Town Board wishes to amend the wording of these sections of the Town Code to remove the word “guarantee” and amend this sentence to state “All new communication towers and structures must be sited, designed and constructed in such a manner as to provide a one-hundred-ten-percent clear zone unless the communications tower or structure can be safely constructed with less than a one-hundred-ten-percent clear zone.”, and

WHEREAS, the Town Board wishes to amend the definition of One-Hundred-Ten-Percent Clear Zone to state “The requirement that new communication towers be set back a minimum of 110% of its own height from adjacent properties, parcels, and structures, including structures located on the parcel upon which the communications tower is proposed to be located”, and

WHEREAS, the Town Board wishes to schedule a public hearing on a proposal to amend Chapter 208 (B) and Chapter 208-95(E)(3)(j) of the Town Code, to modify the definition of the One-Hundred-Percent Clear Zone and the required clear zone for communication towers and structures; now, therefore, be it

RESOLVED, that the Town Board hereby schedules a public hearing for September 3, 2024 at 7:02pm on a proposal to amend the definition of and the required clear zone for communication towers and structures within the Town; 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,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

DECLARED ADOPTED

Resolution No. 191 of 2024, a resolution proclaiming October 17th as Surrender Day.

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

WHEREAS, on October 17, 1777, British General John Bourgoyne surrendered his sword to Patriot General Horatio Gates, and

WHEREAS, this historic moment, known as the Turning Point of the Revolutionary War, happened in Saratoga County and saved the American's war for independence, and

WHEREAS, we wish to honor the heroic patriots of the past and the generations of Saratoga County public and private citizens who secured and commemorated the Turning Point victory; and

WHEREAS, Saratoga County will commemorate the 250th anniversary of the Battles of Saratoga of Saratoga and Turning Point victory in 2027, and

WHEREAS, October 17th has been celebrated in communities surrounding the sword surrender site as "Surrender Day" for more than one hundred years, and

WHEREAS, Saratoga County wishes to elevate this commemoration to a countywide holiday to commemorate the Battles of Saratoga, the siege of the British Army, and its ultimate surrender to the Patriot Army, and

WHEREAS, a commemoration as such will facilitate the appropriate deference to the substantial impact the victory had on the founding of the United States of America and the future prosperity and manner for which citizens in the public and private sectors may honor its legacy for generations, and

WHEREAS, the adoption of such holiday in public communities across the region in appreciation of the Saratoga Campaign and its heritage will promote regional pride and tourism, and

WHEREAS, the countywide recognition of Surrender Day is encouraged by providing any town, village or city that adopts October 17th as an official holiday to be known as an Affiliated Community Partner of America's Turning Point; now, therefore, be it

RESOLVED, that the Town Board proudly proclaims October 17th as Surrender Day in recognition of the Turning Point of the Revolutionary War, which happened in Saratoga County and saved the America's war for independence.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

DECLARED ADOPTED

Resolution No. 192 of 2024, a resolution authorizing the Supervisor to sign a sixty-three (63) month lease with Repeat Business Systems, for a Quadient IX5 Mailing System for use by the Town Hall.

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

WHEREAS, Town Clerk, Teresa Brobston, has obtained quotes for digital mailing systems, and

WHEREAS, the proposed cost for leasing the postal mailing system has been budgeted, and

WHEREAS, the Town Clerk has recommended that the Town Board accept the quote from Repeat Business Systems of \$157 per month, which includes the cost of the postal machine rental as well as maintenance, delivery, setup and training; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter a sixty-three (63) month lease agreement with Repeat Business Systems for a Quadient IX5 Mailing System for use by the Town Hall, at a cost not to exceed \$157 per month, to be paid from A-1620-10 (General Fund – Town Clerk – Lease & Rentals).

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

DECLARED ADOPTED

Resolution No. 193 of 2024, a resolution authorizing the Parks and Recreation Department to include a 5k road race in the event schedule for the 2024 Clifton Park Farm Fest weekend.

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

WHEREAS, the Parks and Recreation Department would like to host a 5k road race on Sunday, September 15, 2024, as part of the 2024 Farm Fest weekend, and

WHEREAS, Michael Woerner, Director of Parks and Recreation, recommends that the Town Board authorize the addition of a 5k road race to the 2024 Farm Fest weekend schedule, and the use of Town roadways for the race, and

WHEREAS, Mr. Woerner received a quote of \$4,050 from Run for Women, LLC for event management of the 5k road race, and

WHEREAS, fees will be collected from participants who register to run the race, and two race sponsorships have been secured, and the funds from these fees and sponsorships are expected to offset the cost of the race, and

WHEREAS, the 5K road race will follow the route as detailed on the attached Schedule A; now, therefore, be it

RESOLVED, that authorization is given to include a 5k road race as part of the 2024 Farm Fest weekend, and to use Town roadways for the event, on Sunday, September 15, 2024, beginning at 9:00 A.M, and be it further

RESOLVED, that the Director of Parks and Recreation is authorized to accept the quote from Run for Women, LLC, Clifton Park, NY, to manage the Farm Fest 2024 5K road race event, in an amount not to exceed \$4,050, to be paid with a transfer of \$4,050 from A-00914 (Unreserved Fund Balance) to A-07550-00054, (General Fund – Celebrations – Farm Festival) to fund the cost of the race, and all fees collected from race participants and race sponsorships will be used to offset this cost.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

DECLARED ADOPTED

Director of Parks & Recreation stated sign-ups are available at [runsignup.com\race\cliftonpark\farmfest5k2](http://runsignup.com/race/ny/cliftonpark/farmfest5k2), cliftonpark.org or Town’s Facebook page.

Resolution No. 194 of 2024, a resolution authorizing Connie Brown to attend the New York State Association Magistrates Court Clerks Annual Conference in Niagara Falls, NY, September 29-October 2, 2024.

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

WHEREAS, the State requires all Court Clerks to attend a training session on a yearly basis, and

WHEREAS, NYSAMCC will provide the necessary training for court clerks at the annual fall conference held in Niagara Falls, NY from September 29-October 2, 2024, and attendance at this meeting would provide a public benefit to the Town; now, therefore, be it

RESOLVED, that Chief Court Clerk, Connie Brown, is hereby authorized to attend the NYSAMCC annual conference in Niagara Falls, NY from September 29-October 2, 2024, to be paid from A1110-001 (Training & Conferences) at an estimated cost not to exceed \$1,500.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

DECLARED ADOPTED

Resolution No. 195 of 2024, a resolution authorizing the purchase of a stainless-steel pump for the irrigation system at the Barney Road Golf Course.

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

WHEREAS, Daniel Clemens, Director of Buildings Parks & Recreation, has identified an immediate need to replace the stainless-steel pump within the irrigation system at Barney Road Golf Course, and

WHEREAS Emerick Associates, 1107 Loudon Road, Cohoes, NY, has the 20 HP 3-phase electric motor stainless-steel pump for purchase at a cost not to exceed \$6,350, and

WHEREAS, Mr. Clemens has recommended the stainless-steel pump be purchased from Emerick Associates; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Director of Buildings, Parks & Recreation to purchase the 20 HP 3-phase electric motor stainless-steel pump from Emerick Associates, in a total amount not to exceed \$6,350, from A-7190-200 (General Fund – Barney Road Golf Course – Equipment).

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Manir

DECLARED ADOPTED

No one wished to be heard.

OTHER BUSINESS

Councilwoman Reid announced the first meeting of the Agricultural and Farmland Protection Plan was held. Attendance included Councilwoman Reid, Councilman Morelli, Town staff, environmental consultants and local farm owners in Clifton Park. Obstacles and opportunities were discussed within the Agricultural Sector. Currently the plan is to gather more public input through surveys and to continue with think tanks. This program is supported by a \$25,000 grant from the NYS Ag & Markets. Planning process will be to create an action plan for the realm of farming, open spaces and economics and strategies of the agriculture industry.

PUBLIC PRIVILEGE 7:46 PM

Linda Seymour, Co-chair Historic Preservation Commission, thanked the Town Board for the purchase of the Sugar Hill property to help create a Historic District. She thanked the Zachary Family for selling the property to the Town and the consideration of preservation.

Joanne Coons, Balsam Way, presented an opportunity to help the Town become more sustainable and grants available. She submitted options/facts & samples of data for the construction of the Highway Department Building. Offered Clean Heating and Cooling Incentives. Presented to the Town Board for consideration for a renewable energy project.

No one else wished to be heard. Public Privilege closed at 0:00 PM.

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 7:55 PM

Teresa Brobston
Town Clerk