

TOWN OF CLIFTON PARK TOWN BOARD

April 7, 2025

The meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:04 p.m. Supervisor Barrett presiding.

Pledge of Allegiance

Present: Supervisor Barrett
Councilman Morelli
Councilwoman Reid
Councilwoman Walowit
Councilman Manir
Town Clerk Ranze

Also Present: Town Attorney Pelagalli
Mark Heggen, Comptroller
John Scavo, Director of Planning & Zoning
Dan Clemens, Director of Building, Parks & Recreation
Michael Woerner, Director of Parks & Recreation
Dahn Bull, Superintendent of Highways
Susan Leonard, Director of Clifton Park Senior Community Center
Louis Pasquarell, Director of Safety & Security
Honorable Robert Rybak
Chris Wheland, Administrator, Clifton Park Water Authority

MINUTES

MOTION by Councilwoman Walowit, seconded by Councilwoman Reid, to approve the Town Board minutes of March 17, 2025, as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

COMMUNICATIONS/ANNOUNCEMENTS

Supervisor Barrett - thanks the volunteers and the Buildings & Grounds team for their effort this past Saturday in the cold and rain during our first bulk waste drop off. It went well other than the weather, we were very busy, and we will be doing it again on Saturday April 12th from 8am to 4pm in the same locations

Councilwoman Reid – On March 31st we held an open house for our Townwide Farmland Protection Plan at the Senior Center and there was a great turn out by members of the community wanting to learn more about the project in addition to providing valuable input. Public participation is important to the success of initiatives like this and thank you to all who came out. A reporter stopped by and commented how he has attended several similar events in other municipalities and ours had by far the most engagement he has seen. A lot of feedback was gathered, it will be analyzed and incorporated into our plan moving forward. Deeply appreciative of those who took the time out of their busy schedules to attend and to our town staff, volunteer members of various committees who work hard alongside the professional consultants to ensure the success of this important project

I would like to mention that on April 26th we have our townwide Trails and Parks cleanup day you may register to a specific trail or park and help cleanup any garbage in that area. The Town will provide garbage bags in each location and take care of the garbage afterward. You may find more information on the website as to how to register

Councilman Morelli – We kicked off our first of Stewardship Hikes last week. This is something we have done for years, and it fell off the radar, now we are backing to doing these hikes. A schedule is available online, but they will be the first Wednesday of every month at a different Park or Preserve. The intent is to bring out residents and visitors along with some Town staff, Board members and other committees to get out into our parks and preserves while learning about them and some history

We also had our first of our Historical programs at Grooms Tavern last Thursday, our Town Historian John Scherer did a presentation on Life in a 19th Century Tavern. The next presentation John will be doing will be on May 2nd at 7pm, he will be presenting Low Bridge: The Erie Canal in Saratoga. The next day there will be a Marker Dedication of Willow Spring at 10am at the Whipple Bridge on Riverview Road

PRESENTATIONS

Tree City USA designation –7:06 PM Councilman Anthony Morelli

Councilman Morelli – We received a letter from the Arbor Day Foundation – It is a global non-profit, and the intent of the organization is to inspire people to plant, nurture and celebrate trees. The Arbor Day Foundation named Clifton Park in 2024 Tree City USA in honor of its commitment to plant, grow and maintain trees to benefit the community. This is the 4th year in a row the town has received this honor of designation. We have a very robust and active tree committee that leads the way for us, some of those members are here and I would like to get them and the Town Board members together and we have received a flag to fly proudly and let's get a photo with everyone if we could. Thank you to all our volunteers on the tree committee

PUBLIC HEARING

Consideration of a Local Law Establishing the Milton CAT Planned Development District (PDD) Zoning, 7:13 PM

Town Clerk Stephanie Ranze read the Public Hearing Notice as advertised in the Daily Gazette on March 7, 2025

Brad Ferrin, Corporate Facilities Manager -25 Years since we first came to the Town of Clifton Park, and I come before you tonight as we look forward to purchasing a 2-acre parcel next to our existing facility as we look to expand. We need this PDD to allow us to have additional storage.

John Scavo – The draft PDD language expands the geographic area to allow Milton CAT to extend on to that parcel. Milton CAT has been a great Corporate Citizen to the Town of Clifton Park and we look forward to their growth and continued success.

Councilman Morelli – Commend what you already have there is very well secluded, clean and organized and it something you strive to continue, and it makes sense to move forward.

Supervisor Barrett – We appreciate that you continue to maintain the buffer to the roadway for aesthetic reasons and the separation between the operation and the road, but overall as it was stated 25 years in the town and there has never been any issues or concerns, just a solid business who has continued to work with the town on a regular basis.

PUBLIC COMMENT

No Public Comments at this time

Supervisor Barrett closed the Public Hearing at 7:21 PM

PUBLIC HEARING**Consideration of a Local Law Establishing a 180-Day Moratorium on Battery Energy Storage Systems Facilities, 7:13 PM**

Town Clerk Stephanie Ranze read the Public Hearing Notice as advertised in the Daily Gazette on March 21, 2025

Supervisor Barrett- This subject has been an item of discussion at a recent Town Board meeting. The reason for a Moratorium would be allow the Town time to study and incorporate and consider any changes in code to accommodate these facilities.

PUBLIC COMMENT

David Alexander - 14 Berkshire Drive since 1987, Professionally and Educationally trained in Environmental Sciences and Engineering. In support of the moratorium, don't in the long-haul object to the concept of good battery facilities as they will eventually be necessary. As we get more information we start to learn how and why incidents with battery storage occur and we can do a root cause analysis. There is a lot of information that has not been shared to databases due to communication and language barriers between global facilities. Battery fires are uncontrollable as they respond minimally or not at all to water suppression. Everything that comes out of the battery goes into the water and then there is a disposal concern with the water, it becomes a toxic stream. Once the fire or explosion has started the fumes batteries generate go on for a long time. And areas around the plants have to be evacuated for extended periods of time. We do not understand the amount and types of toxins being released from these fires. Typically, you will see hydrochloric acid, which is highly toxic, you'll see hydrogen cyanide, which is a gas, you'll see micro particles that are deeply respirable so you will want to get very far away. First responders have been injured and become ill due to these fires. Once a facility is damaged it is not recoverable, materials will need to be reclaimed and disposed of at a hefty price. The moratorium is fair to allow time to acquire information, to review documents, to interview the right people, maybe empower someone within the organization, a town individual or a group who has some technical knowledge and understands where to go to get good information. The issue of insurance and insurance requirements, the responsibility cleanup and decommissioning of a battery plant. What recourse will the town have financially, and we will have to look at Town Code. Wherever there is a solar farm there will eventually be a battery storage facility. Where there is a battery storage facility there will be local warehouse facilities with stored batteries and these batteries will be transported through the town.

Daniel Mathias – 7 Birch Hill Road, Member of the Conservation Commission, thanks the Board for scheduling this hearing. The responsiveness of the Board with this moratorium is commendable. Since the fire in California residents have complained about headaches, burning eyes, nose bleeds, etc. and the scientists that have been testing marsh lands around the plant have found high concentrations of nickel, manganese and cobalt in the marsh soils. In January 2025 the Town of Duanesburg passed 3 laws prohibiting the construction of commercial scale battery storage systems due to public safety concerns. They justified the ban based on lack of resources to combat a fire should one ever occur. Like Clifton Park the majority of Duanesburg has no public water available for firefighting and they have volunteer fire companies for protection. This is a good pause as 12 other towns in New York State have similar moratoriums in place.

Kurt Swartz – 110 Ashdown Road, Let's take a deep breath, a step backward and realize already there are two ongoing dynamics which support and compliment the moratorium concept. Foremost is that several communities within the State have already utilized the moratorium tool, gaining time to adequately study the lithium battery storage issues. Secondly, the Town's engagement to develop an agricultural protection plan. Let us be patient and use time, the planning process, the consultant's professional staff experience, and public constituency engagement as contributors toward navigating this complex and forbidding subject. Principles of open space protection established nearly three decades earlier through public participation are now being challenged. Careful study of this technology is compulsory, particularly when documented instances exist where design operational failures have led to widespread environmental and lingering of site property damage. There are many questions which need serious thought and deliberation such as reports of continuous 24/7/365 grey noise from large electric-centric projects, containment in the event of What if? And noxious substances leading to

soil and water toxification, Does Emergency Services possess the necessary education, training, experience and do they have the proper equipment. Let us all proceed on this journey with the notion of doing the job before us correctly so the outcome will properly stand the test of time.

Joanne Coons – 4 Balsam Way, Teaches Renewable Energy at Hudson Valley Community College. She emphasized the importance of education and thorough research before making decisions, citing the Moss Landing battery fires as an example of poor siting and installation practices leading to catastrophic failure. Noting that subsequent reports such as one from the Fire Risk Alliance indicated no toxins were detected at the site, highlighting the need to reconcile conflicting information. Recommends utilizing resources like the New York State Energy Research and Development Authority’s (NYSERDA) 66-page Battery Energy Storage System Guidebook which offers model laws, permitting procedures and safety checklists to aid local governments in safely implementing battery storage systems. Suggested consulting with local expert Bill Acker, Executive Director of the New York Battery and Energy Storage Technology Consortium (NY-BEST), who resides in the area and possesses extensive knowledge of the subject. Points out that states like Texas are leading in battery and solar installations, demonstrating that renewable energy adoption is not limited to traditionally progressive states.

Kevin Bowman – Chairman of the Board, Vischer Ferry Fire District I applaud the Town Board for applying the moratorium, not just for giving you the opportunity to study this but giving the local fire departments the opportunity to also study this. Our department has 10 members on their way to Indianapolis for training on small battery systems (residential) because we do not know enough about that. A small Honda EV takes over 10,000 gallons of water to *try* to extinguish, it’s *very* difficult to put out. The idea now is we build a tank around the car, fill it and leave it there for a day. According to NYS that vehicle cannot leave unless the department follows it to its final destination where it needs to be stored 50 feet away from any building, any other car, etc. What will we do with a huge battery system that is a permanent structure. We certainly support the moratorium until we get further education on this.

Supervisor Barrett – Yes that was part of our discussion at the Town Board Meeting that this topic was reviewed, where the fire companies are concerned, how much knowledge they have because this is so new. Part of this moratorium is to discuss and get feedback from the fire departments as to the comfort level and training on this, because it is so new.

Kevin Bowman – This is so new that the training is not available currently. We just don’t know what we are to do yet. There is a blanket you can purchase for \$8,000 that you throw over the car to put it out, it is a one-time use. Fortunately, we haven’t had a lot of incidents, but we have had several.

Frank Berlin – 980 Main Street, Expresses concerns about the safety and practicality of Electric Vehicles and solar energy projects. Firefighting EV fires is hazardous, requiring significant manpower and resources. There is skepticism about the safety of battery storage, especially in buildings and during air travel. There is a distrust towards solar farm developers, particularly regarding their claims about using non-arable land, leading to doubts about their credibility. Questioning financial incentives, such as federal and state grants, that support these technologies, suggesting they may be driven more by profit than public benefit. Urging for a more critical examination of the adoption of EVs and solar energy, emphasizing potential risks.

Raymond Seymour – 7 Nadler Road, shares concerns about lithium-ion battery safety, recounting a personal incident where a turned-off phone overheated on a plane and was destroyed. Mr. Seymour notes that airlines prohibit lithium-ion batteries in checked luggage due to their unpredictability. He acknowledges the existence of safer battery technologies, suggesting that for stationary industrial facilities, the safest available technology should be used and emphasizes the importance of having specialized equipment and chemicals on hand to combat potential fires, warning that without them, an out-of-control event could occur. Drawing parallels to gasoline, he highlights that while society has learned to live with dangerous substances, accidents still happen, and proactive measures should be taken to prevent them.

Supervisor Barrett closed the Public Hearing at 8:05 PM

RESOLUTIONS

Resolution No. 67 of 2025, a resolution adopting Local Law No. 2 of 2025 establishing Planned Development District No. 49, the 500 Commerce Drive-Ushers Road Industrial Park, and to repeal the existing zoning regulations for the district area more fully described in the attached proposed Local Law, by amending Local Law No. 2 of 1967, entitled “Local Law Relating to Zoning for the Town of Clifton Park,” and Local Law No. 8 of 1991, entitled “A Local Law Relating to Amending Local Law No. 3 of 1985, Relating to Zoning to the Zoning Map of the Town of Clifton Park.”

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

WHEREAS, an application has been presented to the Town Board for a change in the Zoning Code of the Town of Clifton Park to enable expansion of the Milton CAT facility located off of Ushers Road in the Town of Clifton Park, New York, as more fully described in the attached legislation, and

WHEREAS, on February 21, 2025, the Saratoga County Planning Board issued a determination under Section 239-m of the N.Y.S General Municipal Law, finding that the proposed project represented no county-wide or inter-community impacts, and

WHEREAS, the Town Board conducted a public hearing on the proposed legislation on April 7, 2025 to receive comments for and against the proposal, and

WHEREAS, the Town Board has conducted a thorough review of the project in accordance with the State Environmental Quality Review Act (SEQRA) and has determined that the project qualifies as a Type I Action under SEQRA; now, therefore, be it

RESOLVED, that the Town Board determines that the proposal is consistent with the goals of the Town’s Comprehensive Plan and with the objectives of Section 208-71 A of the Town Code; and be it further

RESOLVED, that the Town Board hereby issues a Negative Declaration pursuant to SEQRA for the proposed project; and be it further

RESOLVED, that Local Law No. 2 of 2025, a Local Law amending Local Law No. 2 of 1967, entitled “Local Law Relating to Zoning for the Town of Clifton Park”, and Local Law No. 8 of 1991, entitled “A Local Law Relating to Amending Local Law No. 3 of 1985, Relating to the Zoning Map of the Town of Clifton Park,” providing for the creation of the 500 Commerce Drive Industrial Park Planned Development District, attached, is hereby adopted; and be it further

RESOLVED, that the Town’s zoning map is hereby amended by adoption of the supplemental zoning map, attached; and be it further

RESOLVED, that the Town Clerk file said notice with the New York State Department of State as required by law.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 68 of 2025, a resolution adopting Local Law No. 3 of 2025 to establish a 180-day moratorium on Battery Energy Storage Systems facilities within the Town of Clifton Park.

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

WHEREAS, the Town recognizes the interest in battery energy storage systems facilities, as well as their potential impacts on the Town's infrastructure, environment, and community character, and

WHEREAS, the Town is committed to ensuring the health, safety, and welfare of its residents, and to the proper regulation of land uses within Town, and

WHEREAS, the Town deems it prudent to temporarily pause the approval or establishment of any new battery energy storage systems facilities to provide sufficient time to study and address any concerns, including, but not limited to, zoning, environmental impacts, public safety, and economic implications of such operations, and

WHEREAS, on April 07, 2025, the Town Board held a Public Hearing on a proposal to impose a 180-day moratorium on establishing any new battery energy storage system facilities to provide sufficient time to study and address any concerns, including but not limited to, zoning, environmental impacts, public safety, and economic implications of such operations, and

WHEREAS, the Saratoga County Planning Board has reviewed the proposal pursuant to Section 239-m of the NYS General Municipal Law, finding that the proposal serves the community's interest; now, therefore, be it

RESOLVED, that pursuant to Municipal Home Rule Law § 10, the Town Board hereby adopts Local Law No. 3 of 2025, and be it further

RESOLVED, that The Town Clerk is directed to file same with the Office of the Secretary of State and to provide appropriate notice of same, and that the Local Law be posted prominently on Cliftonpark.org.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett – acknowledged the contributions of several speakers, noting that despite some disagreements on specific aspects of the topic, there was a general agreement that a moratorium would be a good idea. Conversations amongst the Town Board indicated substantial support for the moratorium.

Councilwoman Reid – expressed gratitude to the Environmental Conservation Commission for their informative presentation and to all who spoke. Acknowledges the push of renewable energy and innovative solutions but emphasizes that progress should not compromise safety, well-being, and residents' quality of life. Cautioning that proponents of the battery storage facility highlight its benefits while overlooking significant risks, including fire, explosion, and toxic chemical releases, which pose threats to homes, properties, the environment and first responders.

Councilman Manir – agrees with the emphasis on safety and acknowledges that the presentation highlighted insufficient research on both sides of the issue. Is in support of the moratorium to allow time for further study and consideration.

Councilman Morelli – stated that numerous comments and correspondence from residents highlight the need of the board to be thoughtful about next steps regarding the battery energy storage system. Noting the disagreement among attendees about the hazards and potential impacts is a red flag warranting a pause, adding that training and equipment for first responders should be in place before such technology is introduced in the town, recommending the town moves forward with the moratorium.

Councilwoman Walowit – express concern regarding budget constraints affecting fire departments, particularly in relation to specialized equipment and training for new technologies. The concerns are compounded by considerations of the geographical areas each fire company serves. Responses have been requested from each company to address these issues. Thanks all involved for their engagement on the matter.

Resolution No. 69 of 2025, a resolution to approve the Bulk Water Purchase Agreement between the Clifton Park Water Authority and the Northwood Water Company, Inc.

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

WHEREAS, the Clifton Park Water Authority (“CPWA”) is a public authority existing pursuant to Public Authorities Law Section 1120 et seq., having a principal office for the transaction of business at 661 Clifton Park Center Road, Clifton Park, NY 12065; and

WHEREAS, Northwood Water Company, Inc. (“Northwood”) has a principal place of business located at 464 Maple Avenue, Suite 16, Saratoga Springs, NY 12866; and

WHEREAS, Northwood has a source of water that is contaminated with PFOA requiring Northwood to obtain an additional water source; and

WHEREAS, Northwood has requested to contract with the CPWA to connect with and obtain a bulk water supply from the CPWA through an extension on Eastline Road and Route 67; and

WHEREAS, the CPWA has been authorized by CPWA Resolution No. 1 of 2025 to enter into a Bulk Water Purchase Agreement with Northwood; and

WHEREAS, as the extension is outside the current CPWA district, approval of the Town of Clifton is required pursuant to Public Authorities Law Article 5; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park consents to and approves the Clifton Park Water Authority providing an extension to the Northwood Water Company, Inc., pursuant to their Bulk Water Purchase Agreement.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett – Clifton Park Water Authority recently presented plans for two water system connections: one in the Town of Malta and another involving the Town of Halfmoon. Following the presentation the Clifton Park Town Board sought input from the Malta Town Board which responded positively and voted in favor of proceeding with the connection. This endorsement allows the project to advance.

Resolution No. 70 of 2025, a resolution scheduling a public hearing regarding the creation of the Woodland Hill’s Park District.

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

WHEREAS, the Town Board of the Town of Clifton Park proposes to undertake the formation of a park district for the Woodland Hills subdivision to the north of Route 146, between Arnold Drive and George Drive, as described in the Map, Plan and Report prepared by the Town of Clifton Park’s Planning staff, which is on file in the Town Clerk’s office, and

WHEREAS, the proposed District will include all of the approximately 7.81+/- acres of land contained within that certain residential subdivision known as the Woodland Hills subdivision, as depicted in the subdivision map filed in the Saratoga County Clerk’s Office on March 11,2025, and will include all new residential properties and Town of Clifton Park owned land, listed on Exhibit A, attached hereto, and

WHEREAS, the maximum annual cost of the services to be performed by the Park District is \$3,200, and

WHEREAS, the annual costs of the Park District to the typical property within the District are \$21.57, which will be financed through ad valorem assessments upon each of the properties listed above, and

WHEREAS, the Town Board now desires to hold a public hearing regarding the Project, as required by Town Law Section 209-d; now, therefore, be it

RESOLVED, that the Town Board will hold a public hearing to hear all persons interested in the Project, which public hearing shall be held at the Clifton Park Town Hall, One Town Hall Plaza, Clifton Park, New York, on April 21, 2025, at 7:02 pm; and be it further

RESOLVED, and ordered that the Town Clerk give notice of such hearing by publishing in the official town newspaper the Notice of Public Hearing in substantially the form attached hereto and by posting the Notice of Public Hearing in the town’s official sign-board not less than ten (10) nor more than twenty (20) days before such hearing.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett – This initiative follows neighborhood meetings and the development of a detailed maintenance plan for public areas, signage, and landscaping with cost estimates prepared in collaboration with Dan Clemmens and John Scavo. The Town Board will consider public input from the hearing before deciding on the creation of the park district. A public hearing has been scheduled for April 21, 2025

Resolution No. 71 of 2025, a resolution authorizing alcoholic beverages to be served at a gathering to be held at the Clifton Park Senior Community Center on June 14, 2025.

Introduced by Councilman Morelli, who moved its adoption, seconded by Councilman Manir.

WHEREAS, the Pokingbrook Dance Team is hosting a banquet event on Saturday, June 14, 2025, and

WHEREAS, a request has been received from Larry Syzdek, a representative for the Pokingbrook Dance Team, for permission to serve alcohol in the form of beer and/or wine at the event; now, therefore, be it

RESOLVED, that Larry Syzdek and the Pokingbrook Dance Team are hereby authorized to serve beer and/or wine at a gathering at the Clifton Park Senior Community Center on June 14, 2025, from 5:00 P.M. to 10:00 P.M. consistent with the terms of the permit application received in the office of the Clifton Park Senior Community Center.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 72 of 2025, a resolution increasing the Other Programs- Senior Center revenues and expenditures by \$6,166.

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

WHEREAS, the Clifton Park Senior Community Center offers an annual Spring fashion show at the Vista Restaurant, and

WHEREAS, Sue Leonard, Director of the Clifton Park Senior Community Center, recommends an increase of \$6,166 to the Other Programs revenues and expenditures, as all costs associated with this event have increased, and

WHEREAS, the Senior Community Center will collect fees from participants for the annual show; now, therefore, be it

RESOLVED, that revenues in A-2705 (General Fund – Donations) are hereby increased by \$6,166, and expenditures, A-06773-00045 (General Fund – Senior Center – Other Programs) is also increased by \$6,166.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 73 of 2025, a resolution authorizing the rental of thirty-one (31) portable light towers from United Rentals for the July 4th celebration at Clifton Common.

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

WHEREAS, quotes were requested by Dan Clemens, Director of Buildings, Parks and Recreation , for portable light tower rentals for the July 4th celebration at Clifton Common, and

WHEREAS United Rentals, Albany, NY submitted the lowest conforming quote at a cost not to exceed \$6,111, which includes round-trip delivery of the light towers, and

WHEREAS, Mr. Clemens has recommended the light towers be rented from United Rentals for lighting paths and intersections for egress after the Town’s July 4th events, now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign an agreement with United Rentals for the rental of thirty-one (31) portable light towers for the 2025 July 4th celebration at Clifton Common, and be it further

RESOLVED that the Comptroller is authorized to pay \$6,111 for the rental and round-trip delivery of these thirty-one (31) portable light towers from account A-7550-52 (General Fund-Festivals-July 4th Fest).

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman Manir,

Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 74 of 2025, a resolution accepting funds from Amara Garay and authorizing the Department of Building & Grounds to purchase one (1) 8-foot contour, in-ground mount bench with engraving.

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

WHEREAS, Amara Garay has offered a donation for the installation of one (1) 8-foot contour, in-ground mount bench at the Vischer Ferry Preserve, and

WHEREAS, the Town Board, as stewards of the Vischer Ferry Preserve, wishes to accept the donation from Ms. Garay to offset the cost of the new bench, and

WHEREAS, Daniel Clemens, Director of Buildings, Parks & Recreation, advises that Jamestown Advanced Products, Jamestown, NY, submitted the lowest responsive quote for the bench, at a cost not to exceed \$1,634; now, therefore, be it

RESOLVED, that the Comptroller is authorized to increase revenues to A-02705-200 (General Fund-Gifts & Donations) by \$1,634 and increase expenditures in A-07114-00200 (General Fund-Vischer Ferry Nature Preserve-Equipment) by \$1,634, and be it further

RESOLVED, that the Director of Buildings, Parks & Recreation is authorized to accept the quote of Jamestown Advanced Products, as lowest responsive quote, for the purchase of one (1) 8-foot contour, in-ground mount bench, to be installed at the Vischer Ferry Preserve, at a cost not to exceed \$1,634.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 75 of 2025, a resolution authorizing the installation of a new radiator in the emergency backup generator for the Town Hall building.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks and Recreation, requested a quote from Patriot Onsite Generator Service, 151 Plantz Road, Johnstown, NY, and

WHEREAS, Patriot Onsite Generator Service submitted a quote of \$6,019 for the new radiator, and

WHEREAS, Mr. Clemens recommends accepting the quote from Patriot Onsite Generator Service as this company is the Town's service company for generators in all Town sewer districts and those generators managed by the Town's Buildings & Grounds department; now, therefore, be it

RESOLVED, that Patriot Onsite Generator Service is authorized to supply and install a new radiator in the emergency backup generator for the Town Hall building at a cost not to exceed \$6,019 to be paid from A-01621-00200 (General Fund- Public Safety Building-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 76 of 2025, a resolution authorizing the purchase of two (2) plow trucks for Town lands and Highway Department purposes from “Piggy Back” Contract with Onondaga County.

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

WHEREAS, after assessing the needs of the Highway Department, Highway Superintendent, Dahn Bull has recommended the purchase of two trucks with plow body packages for use by the Highway Department, per the attached, and

WHEREAS, the prices quoted are extended from the Onondaga Contract #0010914, under the provisions of New York State General Municipal Law Section 103 of the General Municipal Law which allows one municipality to “piggy-back” off the contracts of another municipality as long as that contract was let in a manner that constitutes competitive bidding consistent with state law and made available for use by other government entities, and

WHEREAS, General Municipal Law Section 103 has been amended to allow the extension of equipment configurations and awarded pricing discounts to all political subdivisions in New York State based upon qualified bid responses to a municipal entity with notice, and

WHEREAS, after reviewing the options available, the Highway Superintendent has recommended that the pricing from Tracey Road Equipment, Inc., East Syracuse, New York, be accepted for an amount of \$337,293 for each plow truck; now, therefore, be it

RESOLVED, that the Highway Department is authorized to purchase two (2) 2026 Western Star 47X trucks with Henderson Plow Body and Plow Package from Tracey Road Equipment, Inc., East Syracuse, NY, per the attached list, and be it further

RESOLVED, that the Clifton Park Town Board hereby authorizes the purchase under Onondaga Contract #0010914, in an amount not to exceed \$674,586, to be paid for by municipal lease, terms to be determined.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 77 of 2025, a resolution authorizing sliplining of damaged storm water pipes under portions of streets in eight (8) Town locations, to be performed by Precision Trenchless of Schenectady.

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

WHEREAS, Highway Superintendent Dahn Bull has requested authorization to accept a proposal for sliplining process to be performed on crushed and cracked plastic storm water pipes under portions of eight (8) Town streets prior to paving for a total cost of \$230,898, 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, and

WHEREAS, Precision Trenchless of Schenectady has performed the sliplining process for the Town on several occasions and is currently under contract with Onondaga County for sliplining processes, and

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

RESOLVED, that the Highway Department is authorized to accept the proposal from Precision Trenchless of Schenectady, per the attached, in an amount not to exceed \$230,898; and be it further

RESOLVED, that the Comptroller is authorized to transfer from Assigned Fund Balance, DA-00915, \$30,898 to DA-05110-00037 (Highway Fund – General Repairs – Slip Lining Pipes), which will cover the total cost of \$230,898.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 78 of 2025, a resolution affirming the purchase of a new funnel plow for a Highway Vehicle, Unit #67.

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

WHEREAS, Highway Superintendent, Dahn Bull, has advised that one of the department's front-line plows was damaged during plowing operations, and has requested approval of the purchase made for a new Tenco 11-foot One-Way Plow from Amthor Welding Service, Inc., Gardiner, NY, as a sole source vendor, and

WHEREAS, Mr. Bull received a quote from Amthor Welding Service, Inc., in accordance with Policy #9 of the Town of Clifton Park's Procurement Policy, will best meet the needs of the Highway Department, and

WHEREAS, there was an urgency to make sure that this vehicle was properly equipped to get it back on the road; now, therefore, be it

RESOLVED, that the Town Board affirms the purchase by the Highway Department to purchase the Tenco 11-foot One-Way Plow in an amount not to exceed \$11,631, to be paid from DA-5130-219 (Highway Fund – Machinery – Highway Vehicle).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 79 of 2025, a resolution authorizing the Receiver of Taxes and Assessments to attend the New York State Association of Tax Receivers and Collectors Seminar.

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

WHEREAS, Rose Savallo, Receiver of Taxes & Assessments, has requested permission to attend the New York State Association of Town’s Tax Collector’s Seminar to be held at the Fort William Henry Hotel, Lake George, New York, June 8-11, 2025, at a cost not to exceed \$910.00, and

WHEREAS, attendance at the Seminar would confer a benefit to the Town’s citizens; now, therefore, be it

RESOLVED, that Rose Savallo is hereby authorized to attend the Tax Collector’s Seminar in Lake George, New York from June 8-11, 2025, at a cost not to exceed \$910.00, which includes registration fee, lodging and meals, to be vouchered appropriately, and to be paid from budget line item A-01330-00001 (General Fund- Tax Collector - Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 80 of 2025, a resolution hiring seasonal Lifeguards, Head Lifeguards and Summer Half-Day and Full-Day Camp staff for the 2025 Summer season.

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

WHEREAS, the Town Board wishes to hire Lifeguards and Head Lifeguards to maintain a safe environment at the town pools, as well as assist in the management of those pools at Barney Road, Country Knolls and Locust Lane Pools, and

WHEREAS, the Town Board wishes to hire camp staff to operate the Town’s Half-Day and Full-Day Summer Camp program for 2025, and

WHEREAS, the Supervisor has recommended that the list of individuals detailed on the attached Schedules A, B, C, D and E be hired as Lifeguards, Head Lifeguards and Summer Day Camp staff, at the pay rates noted; now, therefore, be it

RESOLVED, that the individuals listed on the attached Schedules A, B, C, D and E shall be hired as Lifeguards, Head Lifeguards and Summer Day Camp staff for the 2025 season, to be paid at the rates noted, and charged to the appropriate accounts as noted.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 81 of 2025, a resolution increasing revenues and expenditures to reflect a \$5,102 of a Justice Court Assistance Program Grant that the Clifton Park Town Court has received.

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

WHEREAS, the Clifton Park Town Court has received a \$5,102 Justice Court Assistance Program Grant to purchase electronic equipment and office furniture, and

WHEREAS, Grant requirements call for the transfer and recognition of funds prior to expenditure; now, therefore, be it

RESOLVED, that the budget will be increased by \$5,102 in appropriations, A-3089 and expenditures will be increased the same \$5,102 in A-1110-4.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 82 of 2025, a resolution authorizing the Director of Safety & Security to purchase twelve (12) new automatic external defibrillators (AED's) from Rescue One Training for Life, Inc. through Saratoga County Contract 25-OESD-2, and one (1) automatic external defibrillator cabinet from AED Brands and to accept funds from Starpoint Church.

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

WHEREAS, pursuant to General Municipal Law Section 103 (16), municipalities in New York are authorized to "piggyback" from competitively bid contracts of other municipalities within the state, so long as the bid process from the original contracting entity was conducted through a sealed bid process pursuant to the statute, and the bid notice provided for such piggybacking, and

WHEREAS, Lou Pasquarell, Director of Safety & Security, has requested authorization to place an order for twelve (12) AED's, continuing an AED replacement program for aging units throughout the Town, each from Rescue One Training for Life, Inc, Gaithersburg, MD, using the piggyback option from the Saratoga County Contract 25-OESD-2, attached, and has received notification that Star Point Church has made a \$5,000 donation towards the cost of these AED's, and

WHEREAS, Mr. Pasquarell has also requested authorization to purchase one (1) AED External Cabinet from AED Brands, Kennesaw, GA, in an amount not to exceed \$647; now, therefore, be it

RESOLVED, that the Director of Safety & Security is authorized to place an order for twelve (12) AED's from Rescue One Training for Life, Inc., per Saratoga County Contract 25-OESD-2, in an amount not to exceed \$15,628, to be offset by a \$5,000 donation received from Starpoint Church, and to place an order for one (1) AED External Cabinet from AED Brands, in an amount not to exceed \$647; and be it further

RESOLVED, that the Comptroller is authorized to increase revenues to A-02705-200 (General Fund – Gifts & Donations) by \$5,000, and increase expenditures in A-03010-00200 (General Fund – Safety – Equipment) by \$5,000; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$11,275 from Contingency to A-03010-00200 (General Fund – Safety – Equipment) to pay the balance.

ROLL CALL VOTE

Ayes: Councilman Morelli, Councilwoman Reid, Councilman Manir,

Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE 8:40 PM

No one wished to be heard.

Public Privilege closed at 8:40 PM.

Supervisor Barrett MOVED for the Town Board, and Town Attorney, Town Clerk, and Director of Planning & Zoning John Scavo to go into Executive Session to discuss a legal matter and contract negotiations; seconded by Councilman Morelli. All yes. MOTION CARRIED 8:41 p.m.

Councilman Morelli MOVED to return to the regular Town Board meeting, seconded by Councilman Manir, All yes. MOTION CARRIED. The Town Board returned to the regular Town Board meeting at 9:22 p.m. No action was taken during the Executive Session.

Resolution No. 83 of 2025, a resolution ratifying a memorandum of agreement with the Civil Service Employees Association, Inc., AFSCME Local 1000, AFL-CIO, representing Town of Clifton Park General Unit of Saratoga County Local 846.

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

WHEREAS, the Supervisor and Councilman Morelli have met with representatives of Civil Service Employees Association, Inc., and the Town General Unit in contract negotiations in late 2024 and continuing through the first quarter of 2025, and

WHEREAS, an agreement has been reached in principle, on an extension of the existing Collective Bargaining Agreement covering the period from January 1, 2025, to December 31, 2027, with salary increases of 3.5% for 2025, retroactive to January 1, 2025, and

WHEREAS, the Agreement has been memorialized in the attached Memorandum of Agreement and Supervisor Philip Barrett, as well as representatives of CSEA, AFSCME, Local 1000, AFL-CIO for the Clifton Park General Unit have signed the agreement, and

WHEREAS, on March 21, 2025, the membership within the General unit of the collective Bargaining group met and voted to approve and ratify the agreement; now, therefore, be it

RESOLVED, that the Town Board hereby approves and ratifies the attached Memorandum of Agreement with the Civil Service Employees Association, Inc. unit representing Town of Clifton Park General Unit, copy of which is annexed hereto as Exhibit "A", all provisions to be incorporated into a new contract as appropriate; and be it further

RESOLVED, that the provisions in the previous contract not modified by this Memorandum of Agreement to remain, and be it further

RESOLVED, that the comptroller is authorized to issue salary adjustments for non-union employees and Department Heads retroactive to January 1, 2025, consistent with the CSEA agreement; and be it further

RESOLVED, that the Comptroller is authorized to transfer the Unassigned Fund Balance, A-00914, \$125,967, which will cover the Union employees' additional salary and Employer share of FICA and Medicare and \$26,867 from Unassigned Fund Balance to cover the non-union employees' additional salary and Employer share of FICA and Medicare; and be it further

RESOLVED, that the Comptroller is authorized to transfer from Assigned Fund Balance, G7-00915 \$6,765, which will cover the Union employees of the Sewer Fund and non-union employees' additional salary and Employer FICA and Medicare; and, be it further

RESOLVED, that the Comptroller is authorized to transfer from Assigned Fund Balance, DA-915, \$899, which will cover the non-union employees' additional salary and Employer share of FICA and Medicare.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett – The Town of Clifton Park has finalized negotiations. The General Unit and the Highway Unit, both represented by CSEA. Key terms of the agreement include a 3.5% annual pay increase over three years and 1% annual increase in healthcare contributions, capped at 20%. Employees already contributing 20% will not see an increase. These measures aim to provide financial stability amid rising health insurance premiums.

Councilman Morelli – Would like to add that he was involved in the union negotiations and expressed that the process was robust and respectful, involving several meeting and good dialogue. He and Supervisor Barrett listened intently to employee concerns and strived for compromise. Healthcare costs were a particularly challenging issue this year, but the resulting agreements were deemed fair for employees. Acknowledges the quality of the town's employees and the responsibility to balance employee needs with fiscal responsibility to residents and concluded by expressing pride in the outcome and support for both agreements.

Resolution No. 84 of 2025, a resolution ratifying a Memorandum of Agreement with the Civil Service Employees Association, Inc. AFSCME Local 1000, AFL-CIO, representing Town of Clifton Park Highway Unit of Saratoga County Local 846.

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

WHEREAS, the Supervisor and Councilman Morelli have met with representatives of Civil Service Employees Association, Inc., and the Town Highway Unit in contract negotiations in late 2024 and continuing through the first quarter of 2025, and

WHEREAS, an Agreement has been reached in principle on an extension of the existing Collective Bargaining Agreement covering the period from January 1, 2025, to December 31, 2027, with salary increases of 3.5% for 2025, retroactive to January 1, and subsequent cost of living increases of 3.5% each year for 2026 and 2027, and

WHEREAS, the agreement has been memorialized in the attached Memorandum of Agreement, signed by Supervisor Phil Barrett, as well as representatives of CSEA, AFSCME Local 1000 AFL-CIO for the Clifton Park Highway Unit; now, therefore, be it

RESOLVED, that the Town Board hereby ratifies the Memorandum of Agreement dated March 24, 2025, with the Civil Service Employees Association, Inc. unit representing Town of Clifton Park Highway Unit, copy of which is annexed hereto as Exhibit "A", all provisions to be incorporated into a new contract as appropriate; and be it further

RESOLVED, that the provisions in the previous contract not modified by this Memorandum of Agreement to remain; and be it further

RESOLVED, that the Comptroller is authorized to transfer from Assigned Fund Balance, DA-00915 the sum of \$66,874, which covers the cost of the salary increase and the Employer share of FICA and Medicare.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 85 of 2025, a resolution authorizing the Supervisor to sign a Stipulation of Settlement regarding an Article 78 proceeding involving a subdivision application for property located at 68 Droms Road, Clifton Park, New York.

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

WHEREAS, on September 10, 2024, the Town of Clifton Park Planning Board denied a subdivision application for a 24-lot subdivision located at 68 Droms Road, Clifton Park, New York; and

WHEREAS, on October 15, 2024, Erik Kohler Homes, LLC, Albert Dingley, and Suzanne Dingley (the “Petitioners”) commenced an Article 78 proceeding against the Town of Clifton Park, the Planning Board of the Town of Clifton Park, and Teresa J. Brobston as the Town Clerk of the Town of Clifton Park (the “Respondent”), and

WHEREAS, the Article 78 proceeding seeks to reverse and annul the Planning Board’s denial and/or directing the Town Clerk of the Town of Clifton Park to issue a certificate pursuant to N.Y.S. Town Law § 276(8), and

WHEREAS, the Petitioners and Respondents desire to resolve the Article 78 proceeding pursuant to a Stipulation of Settlement; now, therefore, be it

RESOLVED, that the Supervisor of the Town of Clifton Park is hereby authorized to execute the attached Stipulation of Settlement as the terms of the resolution of the above referenced Article 78 proceeding.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett – Developer’s proposal to build 23 homes on a 100-acre parcel off Droms Road was initially denied by the Planning Board, prompting the developer to file an Article 78 legal challenge prompting negotiations with the town. These discussions led to a revised plan that aligns closely with recently implemented zoning regulations, particularly those concerning agricultural buffering. While the updated proposal fully complies with the new code on most lots, a few still fall slightly short. The plan includes provisions to extinguish further development rights on the 100-acre parcel. Ongoing discussions between the developer and neighboring landowners may yield further positive outcomes. The town believes this compromise serves the best interests of both residents and the community, potentially resolving the matter without court intervention.

Councilman Morelli – A proposed 23-home subdivision off Droms Road in Clifton Park has been a subject of extensive deliberation. Initially, the town’s Planning Board rejected the project in September 2024, citing concerns about inadequate buffering between the development and the adjacent Riverview Orchards, a long-standing local farm. The developer, Kohler Homes, subsequently filed an Article 78 lawsuit challenging the denial. In response, the town engaged in

negotiations with Kohler Homes and Riverview Orchards. These discussions led to a revised proposal that increases the buffer zone between the new homes and the orchard to a minimum of 125 feet, with some areas extending up to 150 feet. Additionally, there's an agreement in principle for the developer to convey the buffer land to Riverview Orchards, allowing the farm to monitor and enforce its use to protect agricultural practices. The Town Board is now considering a resolution to authorize the Supervisor to execute the settlement agreement, contingent upon the formal conveyance of the buffer land to Riverview Orchards. This approach aims to resolve the litigation amicably while preserving the town's agricultural character and supporting local farming operations. Reads an email from Isabel Prescott, included in minutes as an insert.

Supervisor Barrett – Reiterating that negotiations led to a revised plan that includes a buffer zone of at least 125 feet, expanding to 150 feet in certain areas, between the proposed homes and Riverview Orchards. This buffer will be under single ownership and is intended to be conveyed to the orchard once the new homes receive certificates of occupancy. This arrangement aims to allow the orchard to monitor and enforce the buffer, ensuring protection during standard farming practices. The settlement is viewed as a compromise that aligns closely with new town regulations enacted after the original application. It is considered a preferable outcome compared to potential court-imposed decisions, which could have resulted in less favorable conditions for the town and the orchard. What was the general reaction from the Planning Board?

John Scavo – Feedback was generally good. Consensus was that the plan they looked at was substantially better than the plan that they denied and went above the code requirements at that time.

Councilwoman Reid – Expressed that this was a very lengthy and frustrating process at times, but pleased they were able to come to a reasonable solution that benefits all. Knowing that the farm owner is in agreement and pleased is very important.

MOTION BY Councilwoman Reid, 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 10:00 PM

Stephanie Ranze
Town Clerk