

TOWN OF CLIFTON PARK TOWN BOARD

February 24, 2026

The meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:03 p.m. Supervisor Barrett presiding.

Pledge of Allegiance

Present: Supervisor Barrett
Councilwoman Bellamy
Councilman Fantini
Councilman Manir
Councilwoman Reid
Town Clerk Fantini

Also Present: Town Attorney Dailey
Deputy Town Attorney Luibrand
Mark Heggen, Comptroller
Daniel Clemens, Director of Parks, Buildings & Recreation
Norah Hofer, Communications and Technology Coordinator
Susan Leonard, Director of Clifton Park Senior Community Center
Walter Smead, Town Assessor
Michael O'Brien, Collection System Manager

MINUTES

MOTION by Councilman Manir seconded by Councilman Fantini to approve the Town Board minutes of the February 3, 2026, as presented.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir,
Councilwoman Reid, Supervisor Barrett

Abstain: None

Noes: None

MOTION CARRIED

ANNOUNCEMENTS & COMMUNICATIONS

Councilman Fantini- Addressed concerns regarding water on Boyack Road. He noted that he has requested the Water Department to attend the meeting. He added that any questions or concerns from residents can be addressed during the Public Privilege portion of the meeting.

Councilman Manir- Announced that the Green Committee will host a Repair Café event on March 7th from 10:00 a.m. to 2:00 p.m. Residents will have the opportunity to have broken coffee makers and small appliances repaired instead of discarding them. He noted that flyers with additional information were available and thanked the Green Committee and volunteers who will assist during the event.

Councilwoman Reid- Provided updates on recent and upcoming community events. She reported that the annual Winterfest celebration was well attended despite cold weather, with activities including “Park at Dark” with s’mores and horse-drawn carriage rides, followed by high participation across town locations the next day. She thanked all participants and sponsors for their support. She noted that the Soup Contest was also successful and well attended, with defending champions Ravenswood Pub winning again; they will be invited to a future Board meeting to receive their engraved plaque. Councilwoman Reid reminded residents that the

Vischer Ferry Nature Preserve winter-themed photo contest is ongoing and encouraged safe participation. She added that registration opens on Wednesday, February 25, for Town pool programs, summer camps, and other Parks & Recreation activities, and that the Parks & Recreation Department is currently hiring camp counselors and lifeguards, with more information available on the Town's website at www.cliftonparkny.gov.

PUBLIC PRIVILEGE 7:08 p.m.

Joanne Coons of Balsam Way offered a positive suggestion to create more respectful and thoughtful public meetings in Clifton Park. She shared her experience attending a public meeting in Charlton regarding community solar, noting that while opinions were strongly divided, the discussion remained civil, focused on issues, and free of personal attacks. Ms. Coons expressed concern that recent meetings in Clifton Park have lacked this tone, with interruptions, shouting, and personal attacks undermining productive dialogue. She proposed a simple step to improve civility: posting a gentle reminder near the sign-in sheet encouraging respectful dialogue and providing a small handout to each speaker. She emphasized that this approach would not restrict speech or limit viewpoints, but would help set a tone that promotes understanding, dignity, and mutual respect. To support her suggestion, Ms. Coons prepared a handout for the Board to review as a starting point for fostering a more constructive public forum.

Chad Gregory of Route 9 provided public comment on several resolutions and Town matters. He expressed support for Resolution #5, which maintains specialized law enforcement services from the Saratoga County Sheriff's Office in Clifton Park, noting that while crime rates remain low, maintaining safety and law enforcement services is important. Regarding Resolution #8, he expressed concern about potential increases in costs for leaf pickup and suggested maintaining the current EV charging rate at the national average of \$0.30 per kWh rather than reducing it. He also raised concern over a resolution to pay the Highway Superintendent's legal fees. He noted that previous Board discussions anticipated that the Superintendent would lose the case, and he questioned the appropriateness of using Town funds to cover those fees, suggesting the money could instead be used to support EV charging initiatives. Finally, he commented on Resolution #1 regarding changes to the Ethics Board. He opposed modifying the requirement for unanimous decisions, arguing that the Board is changing longstanding practices as soon as a respective party gained majority control, which he believes is inappropriate.

David Jones of Sandpiper Lane addressed the proposed change to the Ethics Board voting rules, moving from unanimous approval to majority rule. He noted that prior to this proposal, the Ethics Board was recognized statewide as exemplary for requiring unanimous votes to approve issues. Mr. Jones expressed concern that the new majority on the Board is seeking to replace this longstanding practice with majority rule and requested that a member of the new Democratic majority explain the rationale for this change.

Ram Lalukota of Balsam Way spoke regarding the Ethics Board. He stated that requiring unanimous votes is ideal, but if unanimity cannot be achieved, the issue should be resolved internally rather than automatically escalating outside the Board. He suggested reviewing the Ethics Board's procedures, including the number of meetings held and how issues have been handled in past years. He emphasized that the Board, composed of members from multiple parties, should have internal mechanisms to resolve disagreements before involving external authorities.

Brady Ozimek of Tracey Court commented on the Ethics Board, stating that changing the voting requirement to a simple majority of the Town Board is not advisable. He expressed concern that a majority-rule system could lead to a lopsided Ethics Board and result in decisions influenced by political shifts rather than serving the community. Mr. Ozimek then shifted topics, noting that at the last Town Board meeting, he observed support from Councilman Manir or Councilman Fantini for allowing cannabis dispensaries in the Town.

Councilman Fantini- Clarified that the Town Board has not held a vote or discussion regarding cannabis dispensaries, and therefore he could not comment on any position.

Brady Ozimek addressed concerns regarding cannabis use among younger populations. He cited a three-year study indicating that among 14- to 18-year-olds visiting hospitals for psychosis, 41% of cases were related to cannabis-induced psychosis, with a similar rate of 40% among 19- to 24-

year-olds. Expanding to all substance-induced psychosis, the rates were 31.8% and 30.2%, respectively. He referenced a report from the New York Times stating that 18 million Americans use cannabis 21 or more days per month. Mr. Ozimek expressed alarm that supporting marijuana businesses in the community could contribute to increased cannabis-induced psychosis and schizophrenia among youth. Speaking from personal observation, he highlighted substance use issues at local high schools and urged the Board to consider the potential negative impact on the community.

Supervisor Barrett- Acknowledged that statistics on cannabis-related health issues are alarming, particularly for younger populations, and noted that ongoing studies continue to reinforce these concerns. He criticized the cannabis industry's marketing claims that cannabis is harmless or safer than other substances, calling them "completely ridiculous." He reminded the Board that several years ago, the Town voted to ban cannabis dispensaries in Clifton Park. While dispensaries exist elsewhere in the county, he reaffirmed his strong support for maintaining that ban, stating that no new information has changed his position. Supervisor Barrett emphasized that the Town's focus has been on attracting quality economic development, including hospitality, new retail at the mall, healthcare businesses, and recent additions such as Chick-fil-A and Bass Pro, rather than pursuing revenue from cannabis, which he believes has negative impacts on both younger and older residents.

Dr. John Gulyas of Clifton Park Center Road and current chairman of the Ethics Committee stated that he has served on the Board for many years and believes it has been run very well. He expressed uncertainty about why any changes to the Ethics Board's procedures are being proposed. Dr. Gulyas also commented on cannabis issues, acknowledging the prior speaker's concerns and noting his perspective as a healthcare provider who encounters the negative effects of cannabis regularly. He thanked Supervisor Barrett for maintaining the ban on cannabis dispensaries in Clifton Park, noting that while dispensaries exist in nearby Halfmoon, the Town's position is commendable.

Councilman Fantini- Asked Dr. Gulyas how many Ethics Board meetings were held in the previous year.

Dr. Gulyas responded that the Ethics Board held one or two meetings last year. He explained that the number of meetings is determined by the complaints filed by residents or Town Officials, as the Committee does not proactively search for issues. Complaints are submitted through the Town Board, and the Ethics Board only acts on what is formally received. Dr. Gulyas emphasized that the Ethics Board serves in an advisory capacity rather than as an enforcement body, and meetings are called only when there are documents or issues to address. He noted that the Committee has operated effectively under his leadership, with representation from multiple parties and no concerns raised about its operation.

Judy Marley of Miller Drive publicly acknowledged the work of Dan Clemens and the Buildings and Grounds Committee on the town roundabout. She praised the seasonal landscaping, noting the beauty throughout the growing season, into the fall, and during the holiday displays, and expressed her gratitude for their efforts.

Supervisor Barrett- Clarified that Ms. Marley was referencing the holiday lights installed on the Common and along Vischer Ferry Road, noting that they provide additional light and festive atmosphere during the short winter days.

Dan Keegan of Stoney Heights Courts commented on Resolution 8 regarding electric vehicle (EV) charging rates. He noted that, as a driver of a gas-powered vehicle, he is concerned that reducing EV rates would essentially be subsidized by other residents.

No one else wished to heard.

Public Privilege closed at 7:26 p.m.

PRESENTATIONS

Supervisor Barrett- Recognized CAPTAIN Youth & Family Services as a valuable partner and resource for the Town of Clifton Park over the past 26 years. He noted that while the

organization now serves areas beyond Clifton Park, it remains an important part of the community. Supervisor Barrett introduced the organization's new Executive Director, Scott DeMarco.

Scott DeMarco introduced himself as the new Executive Director of CAPTAIN, appointed in January. He shared his long history with the organization, including volunteering since high school in 1999 and serving on the board since 2020 as treasurer and finance committee chair. DeMarco provided an overview of CAPTAIN's history, noting it began in 1977 in Clifton Park and has grown into a comprehensive human service organization serving multiple counties. The organization operates over 30 programs in five categories. In housing and homelessness prevention, CAPTAIN manages a youth shelter in Malta, conducts street outreach, and supports stable housing. In hunger and basic needs, they provide a food pantry, summer meal delivery, and holiday assistance programs. For youth development and prevention, CAPTAIN offers programs such as TAP Teens, Peace Camp, homework help, and community education initiatives. Family services include respite care, senior services, and transportation to medical appointments. In community engagement, volunteers support initiatives including CAPTAIN's Treasures thrift shop, which funds programs operating at a deficit. He highlighted CAPTAIN's 70 employees and over 400 volunteers, who contributed more than 40,000 hours annually, emphasizing the organization's mission to support and empower individuals of all ages toward personal growth, self-sufficiency, and stronger communities. Mr. DeMarco also discussed CAPTAIN's upcoming 50th anniversary and a major capital campaign to purchase the former Shenendehowa's Administrative building on Chelsea Place, noting that the campaign will publicly launch in March. He invited Town Officials to tours and expressed gratitude for the Town Board's longstanding support, emphasizing the organization's role as a quiet safety net for families and individuals in need.

Supervisor Barrett- Highlighted the evolution of CAPTAIN over the past few decades. He noted that the back part of the Clifton Park Senior Community Center originally housed CAPTAIN offices. When the Senior Center needed to expand and CAPTAIN required more space, an addition was built onto the Public Safety building around 2004–2005, elevating CAPTAIN's operations to a new level. Barrett acknowledged CAPTAIN's current efforts to purchase the former Shenendehowa's Administrative building and praised the progress of their fundraising campaign, emphasizing how these developments enhance CAPTAIN's capacity to serve Clifton Park and surrounding communities. He also commended former executive director Andy Gilpin as an inspirational figure who will continue contributing to CAPTAIN in a post-director role.

PUBLIC HEARING(S)

Proposed Local Law Amending Town Code Chapter 17- Code of Ethics

Start 7:43 p.m.

Town Clerk Caitlin Fantini read the Public Hearing Notice advertised in the Times Union on February 12, 2026.

Attorney Dailey- Outlined several proposed changes to the ethics board. The Ethics Board would select its own Chairman for a one-year term. Board members would be appointed by a majority vote of the Town Board. In the event the Town Board is unable to fill vacancies as specified, the County Board would select individuals to fill any remaining vacancies. These are the primary changes proposed.

Supervisor Barrett- Clarified the proposed revisions to the Ethics Board rules. Currently, the Ethics Board selects its own Chairman for a one-year term. The proposed change would give the Town Board the authority to select the Ethics Board Chairman for a one-year term instead. Additionally, while Ethics Board members are presently appointed by unanimous consent of the Town Board, the change would allow appointments to be made by a majority vote of the Town Board. This shifts both the selection of the chairman and member appointments from stricter consensus requirements to majority control by the Town Board.

Councilwoman Bellamy- Emphasized that the decision about Ethics Board appointments is not made by the Ethics Board itself. Instead, she noted that, as Supervisor Barrett explained, it is the Town Board that makes the decision on who serves on the Ethics Board. Councilwoman Bellamy noted that it seemed some residents misunderstood the proposed changes, thinking that the Ethics Board would be told how to make their decisions. She clarified that the intention is not to direct the Ethics Board's decision-making process, but rather to establish the Town Board's role in appointing members.

Supervisor Barrett- Acknowledged that some residents were concerned about the proposed changes and how they might affect the fairness and impartiality of the Ethics Board. He clarified that the current rule states that Ethics Board members are appointed by unanimous consent of the Town Board, and the proposed change would allow appointments by majority vote of the Town Board, rather than requiring unanimity.

Councilman Manir- Asked for clarification about the current law, specifically whether a failure to achieve unanimous consent by the Town Board results in the county appointing a member to the Ethics Board.

Supervisor Barrett- Explained the third proposed change to the Ethics Board process. Currently, the code states that if the Town Board is unable to fill vacancies, the County Board of Ethics selects individuals to fill them. If the proposed change from unanimous consent to a majority vote of the Town Board is adopted, this County involvement would be eliminated entirely. He summarized the three proposed changes: instead of the Ethics Board selecting its own Chairman, the Town Board would select the Chairman; Ethics Board members would be appointed by majority vote of the Town Board rather than unanimous consent; and the County's role in appointing members would be removed. He clarified that these are proposed changes for public hearing discussion and not necessarily his personal advocacy, emphasizing that the purpose is to ensure everyone understands the proposals before the hearing begins.

Kris Fitzgerald of Thoroughbred Way asked a question before speaking at the podium. She expressed curiosity about the rationale behind the proposed changes to the Ethics Board, emphasizing that she did not want this question to count against her allotted speaking time. She wanted to understand why these changes were being considered.

Councilman Manir- Explained his perspective on the proposed Ethics Board changes, emphasizing his belief in democracy. He stated that democracy operates by majority rule, and if the town board cannot decide, it is like a family unable to make a decision going to a neighbor to decide for them. He argued that since Elected Officials are chosen by the people of Clifton Park, no outside entity, such as the County, should have the authority to make appointments for the Town.

Kris Fitzgerald a member of the Ethics Board whose term has expired, expressed strong opposition to the proposed changes. She emphasized that requiring unanimous approval for appointments ensures the Board remains independent and free from influence by a majority or political bias. She also opposed the Town Board appointing the Chairperson, arguing that the Ethics Board should select its own to maintain impartiality. According to her, the purpose of the Ethics Board in the Town Code is to uphold the highest standards of conduct, prevent improper influence for private gain, and foster public confidence in Town government. She stated that political swaying would undermine these goals, and the unanimous requirement, including the County's potential involvement as a backup, serves as a necessary deterrent to ensure decisions reflect the community's best interests rather than partisan agendas. She stressed that the Town Board, representing the 35,000 residents of Clifton Park, should be able to agree on five members who serve the community above politics, maintaining the Town's legacy of low crime, strong schools, thriving businesses, and vibrant parks and community programs. Ms. Fitzgerald framed her opposition as a defense of smart governance, civic trust, and continuity of the Town's high standards.

Councilman Fantini- Asked Kris Fitzgerald how long she had served on the Ethics Board and whether she had made political donations to any party. He questioned whether someone serving on the Ethics Board should be making donations at all, implying concern about potential conflicts of interest or perceived partisanship in relation to her role on the Board.

Kris Fitzgerald responded that she has made contributions to both parties. She explained that she donated to a friend's campaign who is a Democrat in Niskayuna, as well as to Republican campaigns and other causes, indicating her support is based on personal relationships rather than partisan alignment.

Councilman Fantini- asked whether members of the Ethics Board should be making campaign contributions at all.

Ms. Fitzgerald responded yes. Ms. Fitzgerald stated that she was not advocating for herself to be reappointed to the Ethics Board. She emphasized that her concern was ensuring that the Town Board reaches a unanimous consensus on appointments. She noted that personal political differences should not influence the Ethics Board and stressed that maintaining impartiality is critical to serving the community appropriately.

A member of the audience stated that Ms. Fitzgerald is a citizen, and all citizens are allowed to make donations to any campaigns or causes they wish, confirming her right to do so.

Ms. Fitzgerald stated that her donations have been made to a variety of organizations, including her church, the Cancer Society, and pro-life groups. She noted that her donation to the Republican Party was related to participation in a golf tournament due to her husband's involvement with the GOP committee. She emphasized that her personal involvement with the Ethics Board is not the issue; rather, her concern is that future appointments should allow the Town Board to reach a unanimous consensus on individuals they trust to serve the community. She expressed that political influence and personal vendettas should not interfere with Ethics Board appointments, underscoring that the focus should remain on what is right for the community.

Mike Christensen of Midway Court in Waterford asked, out of curiosity, how often an appointment to the Ethics Board occurs.

Supervisor Barrett- Responded that, in the last 26 plus years, he does not recall a time that occurring.

Mr. Christensen expressed that the proposed changes are unnecessary, noting that the Town Ethics Board has functioned effectively under its current rules. He emphasized that the Ethics Board should remain unanimous, and that the head of the Ethics Board should be appointed by the Ethics Board itself to keep politics out. He argued that the proposed remedy only introduces the potential for political influence and the appearance of impropriety. He questioned why the Town Board would vote for such changes, describing the arguments for them as hollow, senseless, and weak, particularly the notion that the county would need to intervene—a situation that has never occurred. Referencing Ms. Fitzgerald's comments, Mr. Christensen added that if the Town Board cannot reach a unanimous decision on Ethics Board members, then the candidate should not serve. He highlighted that the Town of Clifton Park currently has one of the strongest Ethics Boards in New York State, and weakening it makes no sense. He urged at least one member of the majority on the Town Board to recognize the risks, noting that the change would open the door to controversy, second-guessing of the Board's actions, and weaken public trust in the Ethics Board. He concluded by strongly advocating to maintain the current requirement of unanimous consent to preserve the Board's legitimacy.

Dr. Gulyas, Chairperson of the Ethics Board, addressed the proposed changes, noting that he has been reelected Chairperson multiple times and that, during his tenure, the County intervention scenario has never occurred. He questioned why the Town Board would prioritize changing a system that has functioned effectively for decades. Dr. Gulyas emphasized that the Ethics Board is not responsible for policing or issuing citations, but rather serves in an advisory capacity, and he highlighted that complaints about the Ethics Board have been virtually nonexistent. He acknowledged that, while he has only met once or twice with newer members like Mr. Ram Lalukota, the Board has consistently operated efficiently under existing procedures. He also explained logistical limitations, such as reliance on information from the Town Clerk, which sometimes prevents additional meetings. Dr. Gulyas reiterated that the Ethics Board has performed its duties well and questioned the rationale for the proposed changes, describing the current system as "not broken." He concluded by stating that if the changes result in his removal, he would accept it without objection, but stressed that any future appointments must be unanimous, echoing the

sentiment that the board must continue to operate with integrity and full agreement among Town Board members. Dr. Gulyas requested to be informed prior to the March 11 meeting whether a session would be convened.

Councilman Manir- Stated that the Ethics Board is intended to be an independent body and that no Town Board member should serve on it, as the Board must be able to make its own decisions—citing this as a fundamental principle of ethics. He acknowledged arguments regarding political affiliations but emphasized that ethical decision-making is what matters. Councilman Manir expressed his belief that appointments should be decided by majority vote rather than requiring unanimity. He noted that during his two years on the Town Board, situations have arisen where appointments could not reach full agreement, which would then trigger county involvement—a process he characterized as problematic.

Dr. Gulyas stated that if political affiliations or campaign contributions are to be disclosed, then such requirements should apply to everyone, not solely members of the Ethics Board. He noted that Town employees are already required to file disclosure forms, which the Ethics Board reviews to ensure there are no conflicts of interest involving matters that come before the Town Board. He emphasized that if affiliation disclosures are to be required, they should be applied uniformly and not directed specifically at the Ethics Board.

Councilman Manir- Stated that party affiliation does not matter as long as an individual maintains high ethical standards. However, he noted that significant financial contributions to a particular political party over a short period of time could create the perception that an individual is aligned with that party.

Dr. Gulyas reiterated that the issue being discussed does not appear to address an existing problem, noting that County involvement in Ethics Board appointments has not occurred in 26 years. He stated that if party affiliation disclosures are to be required, they should apply to everyone, including future appointees, and not solely to current Ethics Board members. He questioned whether the intent was to replace the entire Ethics Board and expressed that he would accept such a decision if made. Dr. Gulyas concluded by asking how the discussion regarding political affiliations related to the specific proposed changes under consideration.

Councilman Manir- Responded that while past records over the last 20 years may reflect stability, circumstances can change and no one can predict the future. He stated that relying solely on historical precedent is not sufficient to guide future decisions. Based on current circumstances, he reiterated his belief that Ethics Board members should be appointed by majority vote of the Town Board, emphasizing that this remains his firmly held opinion.

Ms. Fitzgerald asked Councilman Manir to clarify his position, referencing his statement that the Ethics Board should be independent and should not have a Town liaison. She questioned why, if independence is the goal, the Town Board would appoint the chairperson of the Ethics Board and be responsible for that selection.

Councilman Manir- Responded that the appointment of the chairperson would be a one-time appointment by the Town Board, after which the Ethics Board would operate independently and make its own decisions.

Ms. Fitzgerald asked why the Ethics Board could not continue selecting its own chairperson rather than having the Town Board make that appointment.

Councilman Manir- Compared the proposed process to the selection of the Federal Reserve Secretary, stating that such positions are appointed by majority or by the President and then operate independently. He explained that similarly, if the Town Board appoints the Chairperson of the Ethics Board, the Board would still function independently and make its own decisions without interference from the Town Board.

Ms. Fitzgerald stated that the chairperson of the Ethics Board plays a significant role in guiding the agenda and influencing the direction of the Board. She expressed concern that if the Town Board selects the Chairperson, it could create the appearance of influence over the Ethics Board. She suggested that while the Town Board may appoint the members, the Ethics Board itself should

select its own Chairperson to maintain independence and avoid any perceived influence, particularly if the goal is to eliminate a Town Board liaison to preserve autonomy.

Councilman Fantini- Stated that there is no other Board in the Town where a Board selects its own Chairperson. He noted that the proposed process would be consistent with the Planning Board and the Zoning Board, where the Chairperson is appointed rather than selected internally by the Board members.

Supervisor Barrett- Responded that the Ethics Board is governed by rules and regulations in the Ethics Code that make it fundamentally different from any other Board in the Town.

A member of the audience raised a concern, asking if selecting the Ethics Board by majority vote and also having the Town Board choose the Chairperson could create a bias on the board.

Councilman Fantini- Clarified that the Ethics Board is structured to include two Republicans, two Democrats, and one nonaffiliated member. He noted that because of this chartered composition, it is not possible for the Board to be dominated by members of a single political party.

Councilwoman Reid- Questioned why political contributions should be an issue if the Ethics Board is balanced by party affiliation. She pointed out that if a Republican member has donated to a Republican campaign, it should not matter because the board also includes Democrats who likely contribute to their own party, maintaining a balance of political perspectives.

Councilman Fantini- Responded that political contributions matter because making significant donations to a party could create a bias, potentially influencing the decisions of the Ethics Board.

Supervisor Barrett- Explained that donations are public information, and if a Town Board member objects to a candidate due to perceived excessive contributions, that can be part of the discussion. Currently, unanimous consent of the Town Board is required for Ethics Board appointments. This ensures that all arguments, including those about donations, are considered, maintaining the Ethics Board's independence. He emphasized that the Ethics Board is structured differently from other Boards, which is intentional and strengthens its code. He cautioned that changing to majority vote would reduce that distinction, creating a slippery slope and potentially compromising independence. He noted that appointing members as a Town Board responsibility already presents a perceptual challenge, but unanimous consent mitigates concerns about partiality. Unanimous appointments enhance credibility and public trust, promote neutrality, and ensure that appointees are thoroughly vetted. Discussions about donations or other considerations remain fair game, but unanimous consent reduces the perception or reality of favoritism. Barrett stressed that this process encourages deliberation, strengthens the credibility of both the Ethics Board and its members, and allows appointees to assume their roles with a standard of impartiality. He concluded that there is no urgent need to change the Ethics Code, and the Board can take additional time to consider public input before acting.

Stephanie Ranze spoke in strong opposition to the proposed change of the Ethics Board appointment process from a unanimous vote to a simple majority. She stated that this issue is not procedural but about power, emphasizing that the Ethics Board exists to restrain power, not serve it. The unanimous vote requirement was designed to force consensus and prevent any single faction from controlling the board, ensuring accountability. She argued that removing this safeguard would neutralize ethical oversight, allowing those in power to appoint members who will not challenge them, effectively insulating themselves from accountability. Ranze stressed that ethics should answer to principle, not loyalty, and warned that a simple majority undermines the system of checks and balances. She noted there has been no failure, paralysis, or crisis under the current system, and the only "problem" being addressed is the inconvenience of having to work through disagreement, which she argued is not a valid reason to weaken oversight. She referenced a recent public demonstration against concentrated power, highlighting the contradiction of opposing unchecked authority publicly while consolidating power through procedural changes. She concluded by stating that the minutes and records of the meeting will reflect this decision and serve as a permanent record, asserting her stance: no change.

Brady Ozimek expressed strong opposition to the proposed change to the Ethics Board appointment process, emphasizing that there have been zero instances over the past 20-plus years where it was necessary to involve the county. He questioned why a system that has worked

effectively for decades needs to be changed, particularly when there has been no difficulty obtaining full Board approval for appointments. Mr. Ozimek asserted that the proposal is politically motivated, suggesting it is intended to influence appointments or remove certain Board members. He conducted an informal show of support in the room, noting that none of the 26 attendees present supported the change, and questioned how the Board could justify voting in favor despite apparent public opposition. He urged the Board to table the proposal, emphasizing the importance of public accountability and transparency. Mr. Ozimek warned constituents watching online to become actively engaged, suggesting that failing to do so could lead to further concerning actions in the future. He concluded by reiterating that no one in attendance supported the proposed change.

Councilman Manir- Addressed concerns raised about the Ethics Board appointments, emphasizing that if a member is appointed, they must apply like any other candidate. He stressed that the Board is not targeting any individual, and objections suggesting otherwise are assumptions rather than facts. He acknowledged the thoughtful presentation of opposing voices but cautioned against assuming intent or predicting outcomes, noting that no one can foresee the future. Councilman Manir reiterated that his position—favoring majority appointments—is based on his personal belief in what is right and that he stands firmly by that opinion.

Ms. Fitzgerald expressed concern that none of the citizens in attendance supported the proposed changes to the Ethics Board appointment process, yet the Board members appear determined to move forward. She questioned the Board’s decision to proceed despite clear opposition from the people of Clifton Park, emphasizing that residents feel the changes could create imbalance and bias. She highlighted that the community does not want this change and asked why the Board is advancing it as part of their agenda despite public sentiment.

Councilman Manir- Responded by acknowledging Ms. Fitzgerald’s opinion and emphasizing that while 26 people are present at the meeting, the Town has approximately 40,000 citizens. He noted that he respects the public’s input and, as Supervisor Barrett mentioned, there is no requirement to act on the proposal tonight. He suggested the matter could be taken back for further consideration, urging those present to reflect on the broader community perspective rather than just the views of the attendees.

Councilwoman Reid- Stated that as an elected official, she cannot stress enough the importance of constituents holding their representatives accountable. She encouraged the public to continue voicing their opinions and assured them that the Board is there to represent and serve the community. She emphasized that constituents should not simply give elected officials the benefit of the doubt, commending the audience for actively participating and holding the Board accountable.

Rich Chapman of Heritage Lane stated that, as someone relatively new to Town politics, he recognized the importance of active participation rather than passive frustration. He spoke strongly against the proposed changes to the ethics code, emphasizing that requiring full agreement of the Town Board and county oversight have historically acted as safeguards to ensure cooperation, prevent concentration of power, and maintain independent oversight. He argued that the proposal to replace these provisions with simple majority control would weaken, not strengthen, ethics oversight. Chapman stressed that an ethics board must remain independent, neutral, and insulated from political pressure, and that lowering the threshold to a simple majority undermines public trust and the integrity of Clifton Park’s governance. He urged the board to reconsider the proposal and ensure any changes enhance, rather than diminish, ethical standards.

Ann Connolly of Valdepenas Lane stated that Ethics committees exist to prevent conflicts of interest, favoritism, and abuse of official positions, ensuring decisions are free from influence by the governing body. She strongly opposed Councilman Manir’s resolution proposing that Ethics Board members be appointed by a Town Board majority, arguing that it would dissolve these protections and undermine integrity. Ms. Connolly criticized Town Attorney Dailey and other attorneys for condoning the resolution despite being unable to ethically represent the entire Board in cases involving complaints against Board members. She argued that allowing the Town Board majority to control appointments defeats the independence of the Ethics Committee, opening the door to favoritism and unethical influence. Ms. Connolly suggested three possible motivations for the proposed change: to shield the majority from accountability, to suppress

potential complaints against specific members, or to fulfill campaign promises. She compared the Board's actions to ICE enforcement tactics, asserting that intimidation and removal of employees and committee members mirrored unjust deportations. Ms. Connolly concluded that the resolution demonstrates a lack of leadership, integrity, and respect for established ethical protections, and she urged the Board to maintain safeguards to ensure the Ethics Committee remains independent, impartial, and accountable to the public.

A resident from Heather Drive stated that they could not express their concerns better than the previous speakers and posed a direct question to the board: why is there a desire to change the current ethics board appointment process?

Councilman Manir- Responded that he believes he had already provided his opinion on the matter twice. Councilman Manir explained that if the Town Board cannot make a unanimous decision on Ethics Board appointments, the matter automatically goes to Saratoga County. He expressed his view that all decisions regarding Town business should be made locally and stated that this is why he proposed allowing a majority to appoint Ethics Board members. He added that, in his opinion, it is preferable to resolve disagreements within the Town rather than referring them to an external party, likening it to a family resolving differences internally rather than involving a third party.

The resident from Heather Drive responded that allowing a majority to decide does not necessarily ensure a solution. They noted that when everyone must agree, it forces collaboration, which is why people often elect a mix of Republicans and Democrats. They expressed concern that switching to a majority vote could lead to division, similar to what is seen in the federal government.

Councilman Manir- Stated that, to his understanding, the Ethics Board consists of two Democrats, two Republicans, and one Independent member, in this case Conservative, as mentioned by Councilman Fantini. He noted that this composition already makes the board independent, but the members are still selected by the town board. He emphasized that this understanding forms the basis of his argument.

Supervisor Barrett- Noted that one option would be to modify the third proposed change while leaving the other two changes in place. He explained that the third change, which involves referral to the County, is not necessarily tied to the other proposals. By changing or removing this third change, the decision would remain solely with the Town Board, effectively eliminating County involvement, while still allowing the other two proposed changes to remain as they are.

Anthony Morelli of Gloucester Street addressed the board, acknowledging the challenges of participating in public hearings and expressing appreciation for the Town Board's efforts. He reflected on past hearings, noting that he has consistently approached them with an open mind, and encouraged residents to do the same. Mr. Morelli observed that the sentiment of the room regarding the proposed Ethics Board changes was largely unanimous, referencing a poll conducted by Brady Ozimek. He then inquired with the Town Clerk whether any written submissions had been received for the evening's public hearing.

Town Clerk Fantini- Responded that, to her knowledge, no written submissions had been received for the public hearing.

Anthony Morelli emphasized that there was no written or verbal support for the proposed changes to the Ethics Board during the public hearing. He referenced a prior situation with a Water Authority appointment, showing that a unanimous decision could be reached without involving the County—even when the Board members didn't initially agree. Based on that precedent, he rejected the argument for changing the Ethics Board rules and urged the Board to vote against the proposal, noting that it was not in the Town's best interest nor aligned with residents' wishes.

Supervisor Barrett- Reinforced Morelli's point by highlighting a similar past situation with a Water Authority appointment. Even when Board members had differing opinions, they were able to reach a unanimous decision without involving the County. He explained that political party checks only apply when a Board's composition requires balance—otherwise, appointments over the years have included members from multiple parties. He used this example to show that reaching consensus on Ethics Board appointments is feasible and not a "huge lift."

No one else wished to be heard.

End 8:56 p.m.

RESOLUTIONS

Resolution No. 49 of 2026, a resolution adopting a local law to amend Town Code Chapter 17, Code of Ethics.

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

WHEREAS, if the Town Board of the Town of Clifton Park cannot agree on new members by unanimous consent, local law requires new members to be appointed by the County Ethics Board, as set forth in Chapter 17, Ethics code, §17-13 as last amended by Local Law No. 4 of 1994, and

WHEREAS, the County Ethics Board lacks the authority and should have no authority to appoint members of a Town’s Ethics Board, and

WHEREAS, it is appropriate that the power to appoint members and the chairperson of the Town’s Ethics Board be appointed by a majority vote of the Town Board, and

WHEREAS, on February 24, 2026, the Town Board held a public hearing on a proposal to consider these amendments to Town Code Chapter 17, Code of Ethics, §17-13; now, therefore, be it

RESOLVED, that Local Law No. 5 of 2026, a local law to allow appointment of Ethics Board members by a majority vote of the Town Board, as detailed in the attached; and be it further

RESOLVED, that this local law shall take effect immediately upon its adoption.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: Councilman Fantini

DECLARED TABLED

Councilman Manir- Acknowledged the public’s input and stated that he needs more time to consider the feedback. He proposed a motion to postpone discussion of the resolution to the next meeting or the following week.

Councilwoman Bellamy- Seconded.

Councilwoman Bellamy- questioned about gathering information from other Towns to see how they handle appointments to their Ethics Boards.

Councilman Manir- Clarified that his decision to delay action is to allow time for research on how other Towns handle Ethics Board appointments and to continue hearing input from Clifton Park residents.

Councilman Fantini- Questioned if the resolution is tabled, can the current Ethics Board still hold meetings given potential vacancies that might prevent a quorum.

Attorney Dailey- Advised that the Ethics Board still has three members, which constitutes a quorum, and therefore the Board can continue to hold meetings even if the resolution is tabled.

Supervisor Barrett- Stated that he does not get involved in the internal operations of the Ethics Board. He noted that, given the discussion at tonight’s meeting, the Ethics Board members may

choose to delay their activities on their own. He mentioned that the Board is likely reviewing the Ethics forms submitted by members, but he will not contact them to request a delay.

Attorney Dailey- Advised that if the Town Board is prepared to appoint new members to the Ethics Board and those appointments are approved by a unanimous vote, there is no issue. He clarified that all five members would need to vote in favor to avoid problems. For the current situation, he noted that the Board would need to recommend two individuals for service, bring those recommendations forward for a vote, and if approved unanimously, the Ethics Board could continue its operations without concern.

Councilman Fantini- Suggested that the appropriate approach would be to publicly post the vacant Ethics Board positions to attract a broad pool of candidates, rather than moving forward without an open call. He noted uncertainty about whether this process could be completed within a 15-day timeframe.

Kris Fitzgerald, speaking as a former Ethics Board member, noted that historically the Ethics Board has been largely benign, primarily reviewing the annual forms submitted by Town officials. She shared that during her three years on the Board; no other significant issues arose. However, she acknowledged that given current circumstances, future activities might be different. She also clarified that the Ethics Board's upcoming March 11th meeting was scheduled independently and is likely to focus on reviewing forms.

Councilman Fantini- Noted that the Ethics Board was structured to include an equal number of Republicans and Democrats, along with one non-affiliated or independent member. He emphasized that for the Board to make decisions fairly, it should operate with a full complement of members, reflecting its intended balanced structure. Councilman Fantini expressed concern that meetings with vacancies could compromise fairness and proper representation.

Supervisor Barrett- Clarified that there is no strict requirement for the Ethics Board to have exactly two Republicans and two Democrats. The only requirement is that no more than three members may be affiliated with the same political party, ensuring that one party does not dominate the board.

Resolution No. 50 of 2026, a resolution of the Town of Clifton Park in support of the America 250 Commemoration and authorizing related expenditures.

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

WHEREAS, the United States of America will commemorate its 250th anniversary on July 4, 2026, marking a historic milestone in our nation's history; and

WHEREAS, on July 4, 1776, the Second Continental Congress formally adopted the Declaration of Independence, asserting the American colonies' freedom from British rule and laying the foundation for the principles of democracy and self-governance; and

WHEREAS, the U.S. Semiquincentennial Commission, known as the America 250 Commission (america250.org), was established by Congress in 2016 to plan and coordinate the national commemoration of the 250th anniversary of the signing of the Declaration of Independence; and

WHEREAS, the New York State 250th Commemoration Commission was created to lead statewide efforts to commemorate the founding of the United States and New York's pivotal role in the nation's formation and development; and

WHEREAS, Town Law authorizes the town board to appropriate funds for the proper observance of patriotic and historical events (Town Law § 64 [12], [14]), and Arts and Cultural Affairs Law § 57.07 further authorizes local governments to appropriate and expend funds for historical purposes within their jurisdiction, including the erection of markers and monuments, the preservation of historical materials, and cooperation with local historical organizations; and

WHEREAS, these statutes provide the legal authority for towns to engage in and support commemorations that are educational, patriotic, and historical in character, including public programming, exhibits, community events, and historical preservation activities connected to America 250; and

WHEREAS, the Town of Clifton Park recognizes the importance of America 250 as an opportunity to reflect on our community's contributions to the American story, honor the achievements of past generations, and inspire renewed civic engagement.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of hereby expresses its support for the America 250 Commemoration and authorizes the town board and appropriate departments to plan, promote, and participate in programs and events consistent with the purposes of Town Law § 64 and Arts and Cultural Affairs Law 57.07; and

BE IT FURTHER RESOLVED, that such activities may include, but are not limited to, educational programming, historical exhibits, patriotic decorations, community celebrations, and collaborations with local schools, libraries, and historical societies, provided that all expenditures serve a proper public purpose and comply with applicable fiscal and procurement requirements.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to heard.

Resolution No. 51 of 2026, a resolution authorizing reappointment of members to the Clifton Park Water Authority (CPWA) Board of Directors.

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

WHEREAS, that as a result of a failure to timely file an Oath of Office as is required by the Public Officers Law, that CPWA Board members Helmut Gerstenberger, who was appointed on January 6, 2025, and John Ryan, who was appointed on January 2, 2024, resulted by law in these positions being open and vacant, and

WHEREAS, the Town Board desires to fill these positions and to reappoint Helmut Gerstenberger and John Ryan to the CPWA; now, therefore, be it

RESOLVED, that Helmut Gerstenberger and John Ryan are reappointed to the Clifton Park Water Authority as of even date herewith, to serve the remainder of their respective terms, to wit: December 31, 2029, and December 31, 2028.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED AMENDED AND ADOPTED

Councilwomen Reid- Made a motion to Amend spelling of Helmut Gerstenberger as it was spelled incorrectly.

Councilman Fantini- Seconded.

Resolution No. 23 of 2026, a resolution authorizing reappointment of members to the Clifton Park Water Authority (CPWA) Board of Directors.

Introduced by Supervisor Barrett, who moved its adoption, seconded by Councilman Fantini.

WHEREAS, the Supervisor reappoints Helmut Gerstenberger to serve as Chairman of the CPWA, and

WHEREAS, Peter Taubkin and Kenneth Bowman are reappointed to serve as members of the CPWA, and

WHEREAS, the presence of Mr. Gerstenberger, Mr. Taubkin and Mr. Bowman on the CPWA will confer a benefit to the Town of Clifton Park; now, therefore be it

RESOLVED, that Helmut Gerstenberger, of Clifton Park, NY, is hereby reappointed as the Chairman of the Clifton Park Water Authority (CPWA) Board of Directors for a term to expire 12/31/2026, and Peter Taubkin, Clifton Park, NY and Kenneth Bowman, Rexford, NY, are hereby reappointed to the CPWA Board of Directors for five-year terms, terms to expire December 31, 2030.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Supervisor Barrett- Made a motion to remove from the table.

Councilman Fantini- Seconded.

No one wished to heard.

Resolution No. 52 of 2026, a resolution authorizing the Town Supervisor to sign an agreement with the Saratoga County Sheriff’s Department for Specialized Law Enforcement Services, and to transfer funds from Contingency.

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

WHEREAS, the Town of Clifton Park has found it to be effective and efficient to obtain law enforcement services within the Town through the Saratoga County Sheriff’s Department, and

WHEREAS, the Town Board wishes to renew the existing Agreement for Specialized Law Enforcement Services with the Saratoga County Sheriff’s Department, per the attached agreement; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached agreement with the Saratoga County Sheriff’s Department whereby the Sheriff’s Department shall provide Specialized Law Enforcement Services within the Town of Clifton Park for a one (1) year period from January 1, 2026 through December 31, 2026, for an amount not to exceed \$748,095.82, to be paid in monthly payments of \$62,341.32 from A-3120-15 (General Fund-Security-Other Contractual); and be it further

RESOLVED, that the Town Comptroller transfer from Contingency, A-01990-00015, \$10,800 to A- 03120-00015, (General Fund – Law Enforcement – Other Contractual), to cover the cost of the contract.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to heard.

Resolution No. 53 of 2026, a resolution to provide compensatory time or a refund of leave-with-pay time to Town employees affected by the inconsistent communication regarding a snow day closure.

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

WHEREAS, a text message was sent to department heads on Sunday, January 25, 2026 at approximately 2:20pm indicating that the Town Hall would be closed on Monday, January 26, 2026 due to inclement weather and instructed Town employees to stay home, and

WHEREAS, this decision was reversed at approximately 8:00am on Monday, January 26, 2026 and employees were directed to report to work at 10:00am, and

WHEREAS, many employees had already made plans regarding childcare and having their driveways plowed later in the day, and could not make it into work, and

WHEREAS, this has negatively impacted staff morale and created confusion due to inconsistent messaging, and

WHEREAS, to address the effects of this inconsistency and to maintain employee confidence in organizational communications, it is appropriate to provide consistency for those initially instructed to stay home who came to work and those who could not come to work; now, therefore, be it

RESOLVED, that for all Town employees who did not come to work on January 26, 2026, and used leave-with-pay time, the Comptroller’s office will return this time, starting at 10:00am, to their leave bank; and be it further

RESOLVED, that all non-essential employees who came to work on January 26, 2026, be granted compensatory time equivalent to the time they worked; and be it further

RESOLVED, that the Town notify affected employees accordingly.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Supervisor Barrett- Noted that all official statements regarding updates on the recent weather situation were consistent, informative, and clear. These public statements were properly publicized by both the County and the Town. As Chairman of the Board of Supervisors, he confirmed that the County messaging came directly from him. He emphasized this point in the context of discussions regarding compensatory time for staff.

Resolution No. 54 of 2026, a resolution establishing a Hiring Coordination and Procedure process for the Town Board.

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

WHEREAS, the Town Board recognizes the importance of a consistent, transparent, and organized process for receiving employment applications, reviewing candidate materials, coordinating interviews, and ensuring that all Town Board members are informed and given the opportunity to participate in hiring discussions, and

WHEREAS, the Town Board desires to establish a uniform internal workflow for handling employment candidates in a manner that promotes preparedness, fairness, and clear communication, and

WHEREAS, past practice has at times resulted in uncertainty regarding how applications are received, how candidate materials are distributed, and how interviews are scheduled and communicated among Town Board members; now therefore be it

RESOLVED, that the Town Board hereby adopts the Town of Clifton Park Hiring Coordination and Procedure process, as set forth in Attachment A, as the standard internal workflow for positions appointed by, reporting to, or otherwise requiring involvement of the Town Board; and be it further

RESOLVED, that all employment applications, resumes, and candidate materials for such positions shall be centrally received, logged, and organized to ensure proper tracking and consistency; and be it further

RESOLVED, that candidate names, resumes, and related materials shall be circulated to all Town Board members in advance of interviews or consideration, to allow adequate review and preparation; and be it further

RESOLVED, that when interviews are to be conducted for such positions, scheduling logistics and candidate communications shall be coordinated centrally to avoid confusion or duplication, and all Town Board members shall be notified and given the opportunity to participate; and be it further

RESOLVED, that to ensure continuity and organization of this process, the logistical coordination of application receipt, material distribution, interview scheduling, and candidate communications shall be the responsibility of the Confidential Administrative Assistant to the Town Board, a role that is administrative and coordinative in nature and does not alter the duties and responsibilities of the Town Supervisor or the appointing authority of the Town Board or any department head.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir

Noes: Councilwoman Reid, Supervisor Barrett

DECLARED ADOPTED

Councilwoman Reid- Stated that the item had been discussed at length during the agenda session and was previously tabled at the last meeting. She asked whether a formal vote was required to remove the item from the table.

Town Clerk Fantini- Clarified that the item was tabled during the Agenda Session and was never formally brought forward at a regular meeting.

Councilwoman Reid- Thanked the Town Clerk and explained that the Board had agreed to table the item to address concerns she raised about inconsistencies with County and departmental operations. She noted that, as written, the proposal would shift responsibilities such as job

postings, application collection, and interviews from departments including the Town Courts and Highway Department, which traditionally operate independently (e.g., under the Highway Superintendent rather than the Supervisor's office). She suggested the Town Board collaborate to streamline the process and align it more closely with County practices. She added that she had provided her recommendations to the Town Attorney and invited other Board members to share their input.

Supervisor Barrett- Acknowledged that applying a blanket approach could be problematic due to the separation of duties, particularly for elected positions. He noted that certain Officials have the authority to make direct appointment selections, which are ultimately brought before the Town Board, and that Board members typically do not involve themselves in those decisions. He added that, to his knowledge, most interviews this year have been conducted by several Town Board members, particularly Nancy and Agatha, whom he commended for their time and effort, while noting that other members have also participated or had the opportunity to do so. Supervisor Barrett stated that the current hiring process has worked well. He explained that his office reviews Civil Service requirements, noting that some positions require candidates to be on a Civil Service list while others do not. He said the Supervisor's office works with department heads to prepare job postings and ensures they are posted internally for 10 days in accordance with Union agreements, as well as externally. He emphasized that hiring from within is a high priority whenever possible, though Civil Service rules may at times limit that option.

Councilwoman Bellamy- Noted that Civil Service exams have not been offered in some time, and as a result, applicants must be informed that if hired, they may be required to pass a Civil Service exam when it becomes available.

Supervisor Barrett- Explained that when a Civil Service exam has not been administered for an extended period, there may be no active eligibility list. In such cases, a candidate may be hired provisionally. He noted that if the position requires a Civil Service exam, the employee must take and pass the exam when it is offered, though the Town does not control the timing of the exam. He added that provisional employees must achieve a qualifying rank to remain in the position; otherwise, they may be removed. He acknowledged that this can be a difficult situation but emphasized that these rules are established by Civil Service, not the Town.

Councilwoman Reid- Stated that she was not comfortable moving the current proposal forward. She said she had provided the Town Attorney with a revised version that she believes is more consistent with current Town procedures and County practices. She expressed hope that the Board would consider her revised draft and noted that she would be comfortable advancing that version, adding that all members should have received a copy.

Resolution No. 55 of 2026, a resolution to amend the Electric Vehicle (EV) charging fee at Town EV chargers to an at-cost rate.

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

WHEREAS, the Town of Clifton Park has established electric vehicle charging stations operated through SWTCH, with a current charging fee of \$0.30 per kilowatt-hour, and

WHEREAS, this fee includes the Town's utility rate of approximately \$0.15 per kilowatt during peak periods, a 10% transaction fee applied by SWTCH to each charging session, and an additional \$0.15 per kilowatt to recover annual network and management service fees of \$240 per charger for the Town's twelve chargers, and

WHEREAS, New York State's Climate Leadership and Community Protection Act (CLCPA) establishes binding targets to reduce statewide greenhouse gas emissions 40 percent below 1990 levels by 2030 and 85 percent by 2050, and encourages local governments to support the transition to cleaner transportation alternatives to help achieve these goals, and

WHEREAS, many municipalities in the Capital Region, including Saratoga Springs, Voorheesville, Niskayuna, Albany, and Glen Falls, currently provide free public EV charging at government-owned facilities, and

WHEREAS, to promote the adoption of electric vehicles and sustainable transportation, it is desirable to set the charging fee at the Town's direct variable costs for electricity and transaction fees, without including recovery of fixed annual service fees; now, therefore, be it

RESOLVED, that the Town of Clifton Park's electric vehicle charging fee be amended to \$0.165 per kilowatt-hour; and be it further

RESOLVED, that these charging fees will be reviewed yearly and are subject to change based on utility costs, service fees, and the need to purchase or repair equipment; and be it further

RESOLVED, that the Director of Planning & Zoning is authorized to make the above-stated amendment and implement the revised fee.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir

Noes: Councilwoman Reid, Supervisor Barrett

DECLARED ADOPTED

Councilman Fantini- Explained that the proposal would set fees to recover the Town's costs for electricity associated with the EV chargers. He noted that if the Town's costs increase, the charging fee would be adjusted accordingly. The intent of the resolution is to require users of the EV chargers to pay for their usage.

Supervisor Barrett- Stated that the EV charging rates are consistent with industry standards and were carefully established at the time the chargers were installed several years ago. He explained that the rates were designed to offset the Town's direct expenses and account for future maintenance costs, while also providing a public convenience for electric vehicle owners.

Councilwoman Bellamy- Noted that Town records indicate 156 individuals have used the EV chargers for a total of 556 hours. She observed that while the total usage seems significant, it represents only a small portion of the Town's population.

Supervisor Barrett- Observed that some residents use the EV chargers on weekends and evenings, often leaving their cars to charge while walking nearby. He noted that overall usage is limited, mentioning that only a couple of Town employees have electric vehicles, with one rarely using the chargers and the other using them occasionally.

Councilwoman Reid- Expressed concern that the proposed 50% reduction in the EV charging rate appears to be a very large decrease.

Councilman Fantini- Responded that the 50% reduction reflects correcting an overcharge and that the new rate will more fairly align with the Town's actual costs.

Councilwoman Reid- Asked for clarification, questioning whether the previous rates constituted overcharging because they were significantly higher than in most other areas.

Councilman Fantini- Explained that the previous rate of 30 cents per kilowatt-hour was intended to cover potential equipment repair costs. In his resolution, he proposes adjusting rates based on actual expenses rather than estimating, so the Town would charge only what is actually spent per kilowatt-hour when repairs or replacements are required.

Councilwoman Reid- Expressed concern that adjusting EV charging rates only when actual maintenance or replacement costs arise could lead to future complaints. She noted that residents might be upset if rates are increased at that time, even though the increases would reflect actual expenses.

Councilman Fantini- Responded that the Town has received grants for the current EV chargers and expects similar support in the future. He stated that charging more than the actual cost to anticipate potential future repairs is unnecessary.

Supervisor Barrett- Suggested that it is a matter of timing and management. He recommended first using the EV charging fees to build a small fund to cover known future maintenance and expenses. Once that fund is established, the Town could then consider lowering rates. He compared this approach to the Ethics question, noting that changes are stronger when made in response to an actual issue rather than preemptively.

Councilman Fantini- Asked whether the excess funds collected from charging rates above actual costs have been set aside in a separate fund to cover future repairs, as suggested by Supervisor Barrett.

Mark Heggen- Reported that, on an annual basis, the Town has actually received less from EV charging fees than the total costs for electricity plus the \$250 per unit charge. Mark added that the EV charging revenue is deposited into the Town's general fund rather than a separate fund for repairs or maintenance.

Supervisor Barrett- Confirmed that there is no dedicated fund for EV charger maintenance and that, financially, the Town is currently operating at a loss, meaning the fees collected do not cover the actual costs.

Mark Heggen- Noted that 2025 was the first full year of EV charger operations, as the chargers were installed toward the end of 2024. Therefore, financial data is still limited.

Councilman Fantini- Stated that the numbers he referenced came from the Planning Department and reflected the cost of electricity. Councilman Fantini clarified that the numbers he cited were provided by the Planning Department and not self-generated. He asked if there might be a more accurate figure than what the Planning Department supplied. Councilman Fantini stated that he wants to charge users only for the actual cost of electricity. He added that if the chargers require repairs in the future, an additional charge would be applied at that time, based on the actual cost of the repairs.

Supervisor Barrett- Asked for clarification on whether the \$240 charge from Switch applies to each individual EV charger.

Mark Heggen- Confirmed that the \$240 charge from Switch applies per charger, and noted that the Town currently has 12 chargers.

Attorney Dailey- Suggested that lowering the EV charging rate could encourage more usage, which in turn might generate additional revenue.

Councilman Fantini- Stated that he obtained the numbers from the Planning Department, supports the resolution as presented, and is comfortable moving it forward for approval.

Councilwoman Reid- Suggested that Councilman Fantini could have consulted the Controller's Department to obtain the EV charger cost numbers.

Supervisor Barrett- Expressed uncertainty about whether all EV charger-related expenses are fully accounted for in the resolution, noting that he did not compile the numbers himself and relies on John's knowledge of the details.

Councilwoman Reid- Stated that she might support a modest rate reduction of around 10%, but she cannot support a 50% decrease, as it would worsen the Town's financial loss.

Councilman Fantini- Clarified that John, an expert in the area, reviewed and modified the resolution. He emphasized that he did not prepare it alone but sought expert feedback before presenting it.

Resolution No. 56 of 2026, a resolution authorizing the Town Attorney to settle three Town lawsuits related to Highway paving and authorizing the Town to make payments to the three (3) litigants involved in the matter.

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

WHEREAS, by Resolution No. 6 of 2026, the Town Board resolved to settle litigation in regard to the Highway Department, paving bills, and the Superintendent of Highways, Dahn Bull, and

WHEREAS, additional sums for paving are owed to Evolution Construction, which has commenced legal action against the Town, and

WHEREAS, the highway fund currently has accrued \$412,031.29 in expenditures for Callanan Industries, and \$209,764.37 for Evolution Construction; now, therefore, be it

RESOLVED, that the Town Attorney is authorized to resolve, settle and make payment to Evolution Construction; and be it further

RESOLVED, that the Town Board authorizes payment of these paving bills and reimbursement of legal expenses related to the settlement of the matters and directs the Town Comptroller to issue payment to the following entities:

1. Callanan Industries - \$445,762.05
2. Evolution Construction - \$209,764.37
3. Highway Superintendent Dahn Bull - \$13,722

, and be it further

RESOLVED, that the additional amount due Callanan Industries of \$33,730.76 and the amount due Dahn Bull, \$13,722, be paid from a transfer from Unassigned Fund Balance (A-00914) with a transfer to A-05010-00025 (General Fund – Highway Administrative – Legal Fees; and be it further

RESOLVED, that the Town Attorney is authorized to enter into Stipulations settling the litigation with the three (3) above-referenced litigants.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir

Noes: Councilwoman Reid, Supervisor Barrett

DECLARED ADOPTED

Attorney Dailey- Asked Attorney Luibrand to provide background on why an additional resolution was needed beyond Resolution No. 6 of 2026.

Attorney Luibrand- Explained that the January resolution (Resolution No. 6 of 2026) did not specify a payment amount. The new resolution sets the amount at approximately \$417,000, plus about a year of statutory interest owed to Callanan Industries. Legal fees must also be reimbursed to the Highway Superintendent in accordance with Public Officers Law. He noted that a motion before Justice Walsh is likely to be lost by the Town, and the Judge agreed to postpone the decision to allow for a resolution. Attorney Luibrand successfully negotiated the interest rate down from the requested 9% to 6% for one year and 7% for another, with interest accruing at about \$68 per day until the debt is paid.

Supervisor Barrett- Asked whether a settlement of a lawsuit is typically discussed in Executive Session before a settlement offer is made.

Attorney Luibrand- Clarified that the settlement itself was already approved in the January meeting, and the current resolution only sets the specific payment amount.

Supervisor Barrett- Asked whether, in the case of a settlement with a public or even a private entity, the matter should typically be discussed in Executive Session before approval.

Attorney Luibrand- Explained that Executive Session is not required in this case because the Board had already approved the settlement. The current discussion concerns the payment amount, which was negotiated between the attorneys to achieve the best possible outcome.

Supervisor Barrett- Explained that for the past two years, the Highway Superintendent paved roads either without a 284 agreement or for roads not included in the agreement. He clarified that a 284 agreement, signed by a majority of the Town Board and the Highway Superintendent, authorizes road construction and improvement expenses for the year. Because the agreement process was not followed, those paving expenses are considered unauthorized, and he cannot approve them. He noted that, according to a 1991 opinion from the New York State Comptroller's Office, the Highway Superintendent would be personally liable for such unauthorized expenses. Supervisor Barrett expressed concern over ongoing issues, stressed the need for accountability under state highway law, criticized the handling of negotiations, and emphasized that more involvement and discussion should have occurred, particularly from experienced officials.

Attorney Luibrand- Stated that Kevin's predecessor had issued a memorandum advising the Town that refusing to pay Callanan Industries was frivolous. The memo indicated that failure to pay would result in interest charges and reimbursement of the Highway Superintendent's legal fees. Despite this, the Town previously voted not to pay.

Supervisor Barrett- Stated that he does not have any backup information regarding the matter under discussion.

Attorney Luibrand- Noted that a five-page memorandum was provided and he hoped it had been given to Supervisor Barrett via Kevin for review.

Attorney Dailey- Stated that the memorandum was emailed to the Board earlier today, though he could not recall the exact time.

Attorney Luibrand- Stated that the memorandum contains all the details explaining how the Town arrived at this point. He noted that Paul had previously predicted the current situation and emphasized that \$46,000 is being spent on interest and legal fees. Attorney Luibrand explained that the payments for the lawsuit are required. He noted that in the lawsuit, the Town had denied that the work was performed, but the law determined that the work was indeed completed.

Councilwoman Reid- Asked whether there would be any recourse if the Highway Superintendent were to alter a 284 agreement after it had been signed by a majority of the Town Board and the Highway Superintendent.

Attorney Luibrand- Responded that there is no specific law addressing that circumstance. He stated that any alteration to a signed 284 agreement would need to be resolved directly with the Highway Superintendent. He noted that there is no statutory recourse outlined for such a situation and that he is not aware of any formal legal remedy if the matter cannot be resolved internally.

Supervisor Barrett- Asked Attorney Luibrand whether, if he had been serving as Town Attorney at the time, he would have advised approving the unauthorized expenses.

Attorney Luibrand- Stated that if Callanan Industries performed the work, the Town was obligated to pay. He reiterated that prior counsel had advised that failure to pay would result in litigation and interest charges. He indicated that the Town should have followed that advice rather than refusing payment for work that was completed.

Councilwoman Reid- Asked whether supporting documentation of the expenses incurred is required for the resolution, noting that no invoice.

Attorney Luibrand- Responded that all invoices, including legal fees, have been reviewed and audited.

Resolution No. 57 of 2026, a resolution authorizing Blood Cancer United to hold a fundraiser at the Clifton Park Senior Community Center.

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

WHEREAS, Gautham Reddy Sagili, a sophomore at Shenendehowa High School and a member of Blood Cancer United’s student visionary campaign, has requested permission to hold a bingo fundraiser on February 28, 2026, at the Senior Center, and

WHEREAS, Sue Leonard, Director of the Clifton Park Senior Community Center, has requested permission to waive the facility rental fee for Blood Cancer United’s fundraiser event; now, therefore, be it

RESOLVED, that Gautham Reddy Sagili and Blood Cancer United are authorized to hold a bingo fundraiser on February 28, 2026, from 5:00pm-8:00pm, at the Clifton Park Senior Community Center: and be it further

RESOLVED, that the Senior Center Facility Rental Fee of \$60.00/hr is hereby waived.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 58 of 2026, a resolution authorizing the purchase of a 16-foot aluminum equipment trailer and a 12-foot tilt deck trailer for use by the Buildings & Grounds Department.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks and Recreation, solicited quotes for the purchase of a 16-foot enclosed aluminum trailer and a 12-foot tilt deck trailer, both for general use by the Buildings & Grounds department, and

WHEREAS, quotes were received from three sources for each trailer, and Griffin Motorsports submitted the lowest quote for both pieces of equipment, and

WHEREAS, Mr. Clemens has advised that the 2026 16-foot Stealth Trailer enclosed hauler and the 2026 12-foot single axle tilt 7.8k trailer will meet the needs of the Buildings & Grounds department and are currently available from Griffin Motorsports, Schenectady, NY; now, therefore, be it

RESOLVED, that the Director of Buildings, Parks and Recreation is hereby authorized to purchase a 2026 Stealth Trailer enclosed aluminum hauler, model #C8.5X16SCH-XLT-P, in an amount not to exceed \$10,716, and a 12-foot single axle tilt trailer, model #ST-TSA7812-078, in an amount not to exceed \$6,198, both to be paid from A-7112-200 (General Fund – Clifton Common – Equipment).

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 59 of 2026, a resolution authorizing the purchase of a Mohawk TR-19, 19,000 lb. 4-post lift from Mohawk Lifts LLC.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks and Recreation, advises of the need for a 4-post lift to replace the department’s older 2-post lift, and that the 4-post lift will be able to handle every department truck, as well as the Senior Van buses, when repairing and servicing these vehicles, and

WHEREAS, Mr. Clemens has recommended the equipment be purchased from Mohawk Lifts LLC, under NYS Contract #PC7072858, in an amount not to exceed \$51,928; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Director of Buildings, Parks and Recreation to purchase the 4-post lift from Mohawk Lifts, LLC, under NYS Contract #PC7072858, in a total amount not to exceed \$51,928, to be paid with a transfer from A-7112-200 (General Fund – Clifton Common – Equipment) to A-7110-200 (General Fund – Buildings & Grounds – Equipment).

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 60 of 2026, a resolution awarding the contract to supply dumpsters and provide dumpster service at fourteen (14) Town locations to County Waste & Recycling Service.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks and Recreation, solicited bids for dumpster supply and dumping services at fourteen (14) locations throughout Town, for two (2) years with a possible one (1) year extension, and

WHEREAS, sealed bids were opened on January 29, 2026, and

WHEREAS, County Waste and Recycling Service, Inc. submitted the lowest responsive bid per unit and total amount; now, therefore, be it

RESOLVED that the bid of County Waste and Recycling Service, Inc for dumpster supply and dumpster servicing at fourteen (14) Town locations is accepted, with the required transfers as detailed in the attached Schedule B; and be it further

RESOLVED that the Supervisor is authorized to sign a two (2) year agreement, with a possible one (1) year extension, with County Waste and Recycling, Inc., for the Town dumpster service.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 61 of 2026, a resolution awarding the contract for Transfer Station Solid Waste Disposal.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks & Recreation, requested that bids be solicited for the renewal of a two (2) year agreement, with a possible one (1) year extension, for Solid Waste Disposal for the Transfer Station, and

WHEREAS, bids were opened on January 29, 2026; and

WHEREAS, two bids were received and after careful consideration of each, Mr. Clemens recommends the acceptance of the bid from Casella Waste Management, as explained in his correspondence dated February 5, 2026, attached; now, therefore, be it

RESOLVED that the bid of Casella Waste Management for residential waste hauling at the Town of Clifton Park Transfer Station is accepted; and be it further

RESOLVED, that the Supervisor is authorized to sign a two (2) year agreement, with a possible one (1) year extension, with Casella Waste Management for the Transfer Station Solid Waste Disposal.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 62 of 2026, a resolution authorizing the purchase of one 2026 Ford F-350 pickup truck with snowplow and salter, for use by the Sewer Department, from an existing New York State (NYS) mini bid.

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

WHEREAS, Mike O'Brien, Collection Systems Manager, has recommended the purchase of a 2026 Ford F-350 Regular Cab truck with plow and salter to replace the department's 2016 Ford F-250 truck and salter, and

WHEREAS, the prices quoted are extended from NYS Mini Bid 1126-022, OGS Solicitation 23166, under the provisions of NYS General Municipal Law Section 103 which allows one municipality to utilize existing contracts of another municipality as long as that contract was pursuant to competitive bidding consistent with state law and made available for use by other government entities, and

WHEREAS, General Municipal Law Section 103(16) allows 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, Mr. O'Brien advises that the lowest responsive bid pricing for the truck and attachments is from Scorpio Motors LLC, DBA Greenwich Ford, and recommends accepting this bid for a total amount not to exceed \$65,156; now, therefore, be it

RESOLVED, that the Sewer Department is authorized to purchase one 2026 Ford F-350 pickup truck with plow and salter, as detailed in the attached; and be it further

RESOLVED, that the Town Board authorizes the purchase under NYS Mini Bid 1126-022, OGS Solicitation #23166, in an amount not to exceed \$65,156, to be paid through municipal lease.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 63 of 2026, a resolution authorizing the purchase of a 2026 Ford Transit 250 HR van for use by the Sewer Department.

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

WHEREAS, Mike O'Brien, Collection Systems Manager, has identified a need for a new grinder pump service vehicle to replace the current department vehicle, and

WHEREAS, Mr. O'Brien has recommended that a 2026 Ford Transit HR grinder pump service van, available from Schultz Ford Lincoln, Inc., be purchased under NYS Mini-bid #1126-026, OGS Solicitation 23166, at a cost of \$55,323; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the purchase of a 2026 Ford Transit HR grinder pump service van from Schultz Ford Lincoln, Inc., as described in the attached documents, at a cost not to exceed \$55,323 under NYS Mini-bid #1126-026, to be paid for by a municipal lease from G7-8111-145 (CP Sewer #1- Sewer Contractual – Lease Payments); and be it further

RESOLVED, that the Comptroller will obtain quotes for a lease at a mutually agreeable time.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 64 of 2026, a resolution correcting the appointment of Suzanne Moore as a member of the Board of Assessment Review.

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

WHEREAS, by Resolution No. 73 of 2022, Mrs. Moore was appointed to serve as a member of the Board of Assessment Review, term to expire December 31, 2025; and

WHEREAS, this resolution erroneously stated the term for Mrs. Moore as a three-year term, however the term should be a five-year term, and Mrs. Moore’s term expiration date should be corrected to be September 30, 2027; now therefore be it

RESOLVED, that Suzanne Moore is hereby appointed as a member of the Board of Assessment Review for a five-year term, term to expire September 30, 2027.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 65 of 2026, a resolution authorizing the Superintendent of Highways to hire Todd Nelson as a Motor Equipment Operator (MEO) in the Highway Department.

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

WHEREAS, after the retirement of Marc Pelc., an opening exists for an MEO in the Highway Department, and,

WHEREAS, Superintendent of Highways, Dahn Bull, has recommended the hiring of the following individual:

<u>Name</u>	<u>License Type</u>	<u>Address</u>
Todd Nelson	Class A	Stillwater, NY

and,

WHEREAS, Mr. Nelson has experience as a Class A driver driving large trucks and trailers throughout the region and brings with him the experience to drive and operate our large equipment hauling trailers; now, therefore, be it

RESOLVED, that the Town Board authorizes the hiring of Todd Nelson as a Motor Equipment Operator, at Grade 5, Step 1, at a salary of \$60,354, at a rate of \$28.91/hr., effective at a start date no earlier than March 1, 2026, to be paid as detailed in the attached Schedule A.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

Resolution No. 66 of 2026, a resolution amending Resolution No. 46 of 2025.

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

WHEREAS, by Resolution No. 46 of 2025, the Highway Superintendent was authorized to retain the services of DLC Electric of Troy, NY, for maintenance and repair of traffic signals for one (1) year, to expire as of February, 2026, and

WHEREAS, the Maintenance Contract Agreement between the Town and DLC Electric provides for an option to extend the contract for an additional period, and

WHEREAS, upon recommendation of the Highway Superintendent, it is the desire of the Town Board to extend the contract upon the same terms for an additional period of one year, until the end of February 2027; now, therefore, be it

RESOLVED, that the Highway Superintendent is authorized to extend the contract, as aforesaid, with DLC Electric, for an additional one (1) year period.

ROLL CALL VOTE

Ayes: Councilwoman Bellamy, Councilman Fantini, Councilman Manir, Councilwoman Reid, Supervisor Barrett

Noes: None

DECLARED ADOPTED

No one wished to be heard.

New Business

Councilwoman Reid- Asked whether the Board had given further consideration to matters related to the Environmental Conservation Commission.

Councilman Fantini- Asked that an email be sent regarding the matter so it can be reviewed and considered by the Board.

PUBLIC PRIVILEGE 10:06 pm

Kris Fitzgerald of Thoroughbred Way raised two questions regarding Resolutions 8 and 9. She expressed concern that the approved 50% reduction in EV charging rates may not cover the Town's costs and questioned how that benefits the Town. She also asked what recourse the Town has when expenses are incurred without prior approval, referencing the issue of unauthorized expenses related to the Highway Superintendent.

Supervisor Barrett- Stated that he would have personally followed the process through to completion, but that did not occur in this case.

Kris Fitzgerald asked for clarification, noting that the issue she was referring to—the 284 agreement—is governed by state law.

Supervisor Barrett- Confirmed that the 284 agreement is governed by Section 284 of New York State Highway Law, which clearly outlines the requirements and procedures.

Kris Fitzgerald asked whether there is any recourse for unauthorized spending by the Highway Superintendent, expressing concern that Danh Bull could spend Town funds without prior approval and the Town would still be required to cover the costs.

Attorney Dailey- Summarized Kevin Luibrand's memo regarding the 284 agreement. The original 284 agreement was signed by the Highway Superintendent on February 6, 2024, and by all five Town Board members on April 3, 2024. An amended agreement was signed by the Highway Superintendent and the Board on June 17, 2024. A second amended 284 agreement was signed by the Highway Superintendent and a majority of the Board (three

members) on September 30, 2024. A dispute later arose when two Board members attempted to withdraw their signatures. Callanan Industries submitted seven invoices totaling \$417,332.87 for 2024 deliveries, which were verified as accurate. The Town initially refused payment, claiming the last amendment was not properly signed. Callanan subsequently filed suit in New York State Supreme Court in May 2025.

Supervisor Barrett- Explained that two Board members withdrew their signatures because the 284 agreement had been altered after it was signed by both parties. He compared it to a lease being changed after signing, which is not allowed. He stated that Attorney Luibrand had not previously answered his questions and asked whether doctoring a legal document after both parties have signed it is something he would advise his client to accept.

Kris Fitzgerald asked when the paving work was actually performed, noting that the last 284 agreement was signed on September 30th and some signatures were later rescinded. She questioned whether the timing of the work is documented.

Supervisor Barrett- Recalled that the paving work was done in the fall, noting that the weather allowed them to continue paving.

Councilman Manir- Asked whether a private company, such as Callanan, should suffer due to internal Town disputes, emphasizing that they performed their work properly and have the right to file a lawsuit. He also asked whether, when elected officials are involved in a dispute—like the Highway Superintendent and the Town Supervisor—the Town or Town Attorney is responsible for covering legal fees for both parties.

Kris Fitzgerald asked what recourse exists for the Highway Superintendent, Danh Bull, for altering a signed document and proceeding with paving without proper authorization. She noted that his actions have cost the Town approximately \$670,000 and stated that if he were not an elected official, he might have been fired.

Councilman Manir- Stated that accountability is shared among all elected officials, not just the Highway Superintendent. He emphasized that if Mr. Bull took improper actions, the other Board members, including the Supervisor, should have intervened and addressed the issue, rather than allowing the work to proceed without proper authorization.

Councilman Manir- Stated that if the Highway Superintendent, Mr. Bull, altered the 284 agreement, it would constitute ethical misconduct. He emphasized that it was the Board's responsibility at the time to report such actions to the Ethics Board. While he is not a lawyer, he said his ethical standard would require contacting the Ethics Board if a signature was forged or altered.

Councilwoman Reid- Stated that the entire Board was aware of the alteration to the 284 agreement. She noted that she was one of the three members who initially signed it, but upon learning it had been altered, she immediately withdrew her signature via email. Councilwoman Wallowitz also withdrew her signature. The Board discussed the matter in executive session, and a memo or notice was sent to the Town Clerk, Highway Superintendent, and Town Attorney indicating that the contract was considered null and void due to the post-signature alteration.

Councilman Manir- Noted that paving is a multi-month project, not a one-day job. He emphasized that, given the scope of the work and costs involved, all Board members should share accountability for the actions taken.

Supervisor Barrett stated that the issue of the altered 284 agreement and unauthorized paving is a matter for the Court to resolve.

Councilman Manir- Stated that if the matter is in Court, the Town should pay the private company and then address any internal issues separately. He emphasized that the Town cannot withhold payment from the company while trying to assign blame internally; any disputes regarding signatures or authorization should be handled in a separate case.

Supervisor Barrett- Stated that he did not approve the unauthorized paving expenses because doing so would make him personally accountable and place him in a compromised position. He emphasized that accountability applies when one authorizes unauthorized expenses, which he avoided.

Kris Fitzgerald reiterated that the Highway Superintendent, Mr. Bull, proceeded with paving despite knowing he was not authorized to do so. She asked what recourse exists for him, noting that according to state law, altering the agreement could make him personally responsible for the costs.

Supervisor Barrett- Clarified that the statement about personal responsibility for altering the agreement is not a law, but rather an opinion from the New York State Comptroller, which he believes still carries some weight.

Kris Fitzgerald asked whether Supervisor Barrett would be personally liable if he had approved the unauthorized paving expenses.

Supervisor Barrett- Confirmed that if he had approved unauthorized expenses, he would have been personally liable, which is why he did not authorize the paving.

Ann Connolly of Valdepenas Lane expressed concerns about several issues. She noted that the meeting Agenda is being released too late for residents to review over the weekend and suggested it be posted on Friday. She also expressed concern about the Town condoning altered contracts and spending large sums of taxpayer money, noting that certain resolutions submitted by non-board members may not be legal according to the New York State Comptroller. Regarding the hiring process, she questioned why a non-employee, Amy Standaert, is being given multiple appointments and access to confidential applicant information without a background check, raising concerns about favoritism and the privacy of applicants.

Councilman Manir- Briefly noted that the individual in question has been appointed.

Ann Connolly asserted that the Town is breaking laws by allowing lawyers to submit resolutions, with the Town Attorney supporting the practice, despite the New York State Comptroller indicating it is against the law.

No one else wished to be heard.

Public Privilege closed at 10:23 P.M.

MOTION BY Councilwoman Reid, seconded by Councilman Fantini to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 10:24 P.M.

Caitlin Fantini
Town Clerk