

# **TOWN OF CLIFTON PARK TOWN BOARD MEETING**

**April 1, 2024**

The Town Board meeting can be viewed live by visiting [www.cliftonpark.org](http://www.cliftonpark.org) Scroll down to click



**ONLINE BOARD MEETINGS**

- I. Call to Order/7:00 P. M. – Wood Room, Town Hall**
- II. Pledge to Flag**
- III. Roll Call**
- IV. Approval of Town Board Minutes**
- V. Communications/Announcements**
- VI. Business**
  - **Resolutions for Consideration**
  - **Other Business**
- VII. Open Public Privilege**

**NOTE:**

Please check [www.cliftonpark.org](http://www.cliftonpark.org) for final agenda and updates. Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room. In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

- VIII. Adjournment**

Resolutions for Consideration  
Clifton Park Town Board Meeting  
April 1, 2024

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Planning	Classify the Eastside Drive Water District water main installation project pursuant to SEQRA 6NYCRR Part 617 and issue a negative declaration	P. Barrett
2. Planning	Schedule a Public Hearing regarding proposed Eastside Drive Water District on April 15, 2024 at 7:02pm	P. Barrett
3. Planning	Authorize Just Compensation for Right-of-Way (ROW) Acquisitions for the Hubbs Road Multi-Use Path Project	P. Barrett
4. Planning	Authorize payment of engineering escrow accounts that are in arrears	P. Barrett
5. Parks & Recreation	Authorize hiring of seasonal staff for the 2024 Summer Day Camps and Tiny Hands Program	L. Walowit & A. Reid
6. Senior Center	Authorize Kiersten Gregware to serve alcohol at the Clifton Park Senior Community Center on April 27, 2024 from 2:00pm to 5:00pm	P. Barrett
7. Buildings & Grounds	Authorize acceptance of the bid from Stephen Miller General Contractors, Inc. to replace trash compactor #1 and #2 at the Transfer Station	P. Barrett
8. Buildings & Grounds	Authorize hiring of Jeremy Mika and Korri Brady as seasonal labor 2024	P. Barrett
9. Town Board	Schedule a Public Hearing on April 15, 2024 at 7:05pm on a proposal to amend Town Code Chapter 73 to add an Article IV-Residential Property, to authorize enforcement of Owner or Leaseholder rights against unauthorized persons on their property	P. Barrett

**RESOLUTION**  
**#1**

Resolution No. \_\_\_\_\_ of 2024, a resolution in connection with the Town of Clifton Park determination of non-significance pursuant to the State Environmental Quality Review Act (SEQRA) regulations 6NYCRR part 617.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, the Town of Clifton Park, acting as lead agency for the SEQRA process, has determined that a need exists to construct certain improvements for the acquisition and installation of facilities for the distribution of public water to residential and non-residential properties on Eastside Drive, Schaubert Road, and adjacent areas as depicted on Exhibit A, and

WHEREAS, the Town of Clifton Park is in the planning stages to install a water main to connect to the existing water system on NYS Route 146, and

WHEREAS, the Town of Clifton Park intends to apply for funding opportunities from various agencies to assist property owners within the project area for the project, and

WHEREAS, Prime Engineers have conducted a coordinated review of the project on behalf of the Town Board and have solicited comment from involved and interested agencies pursuant to 6NYCRR Part 617 et seq. (the SEQRA Regulations), and

WHEREAS, Prime Engineers recommends classifying the project as a Type I Action under SEQRA and recommends that the Town Board issue a negative declaration for the proposed action, and,

WHEREAS, the public comment period has expired, and no substantive comments remain to be addressed; now therefore, be it

RESOLVED, that the Town Board hereby issues a Negative Declaration pursuant to the SEQRA regulations, and that the Supervisor, acting as the responsible officer for the Town, is authorized to complete and sign the Determination of Significance on the SEQRA Full Environmental Assessment Form indicating that the project will not have a significant effect on the environment.



## Cynthia, Zlogar

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**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Thursday, March 14, 2024 8:53 AM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Resolution Request #686

A new resolution request has been submitted. The details of this resolution request are included below.

**Department:** Planning Department  
**Your Name:** John Scavo  
**Your Email:** [jscavo@cliftonpark.org](mailto:jscavo@cliftonpark.org)  
**Sponsor:** P. Barrett  
**Agenda Session Date:** 03/19/2024  
**Board Meeting Date:** 04/01/2024  
**Alternate Date:** 04/22/2024  
**Budget Number:** 0  
**Budget Description:** N/A  
**Amount:** 0

**Brief Description:** Resolution to accept the Town Staff's completed drafts Parts II and III of the State Environmental Quality Review Act (SEQRA) Long Environmental Assessment Form (LEAF) and issue a negative declaration for the the Eastside Drive Water District Project.

**Add Supporting Docs:**

[956a23f61f929bf7 Draft Resolution Content 0 Statement of Facts.pdf](#)  
[7c29680fb8d8037b SEQR Response USACE.pdf](#)

**Additional Comments/Details:** Time Line of Events:

1. Issue a Negative Declaration at the April 1 Town Board Meeting.
2. Agenda Meeting April 1 - Set a public hearing for April 16th to consider a bond to finance the Eastside Drive Water District.
3. Conduct a public hearing on April 16th for Bond Resolution.

**Agree to Terms:** Agree

[unsubscribe](#)



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS, ATTN: CENAN-OP-RU  
UPSTATE REGULATORY FIELD OFFICE  
1 BUFFINGTON ST, BLDG 10, 3<sup>RD</sup> FL NORTH  
WATERVLIET, NEW YORK 12189-4000

Upstate New York Section

February 28, 2024

SUBJECT: Town of Clifton Park Eastside Drive Water District  
Town of Clifton Park, Saratoga County, New York

Mr. Philip C. Barrett, Supervisor  
Town of Clifton Park  
One Town Hall Plaza  
Clifton Park, NY 12065

Dear Mr. Barrett:

This letter is in response to your 2024 request for SEQR Classification and Lead Agency Determination regarding the Town of Clifton Park Eastside Drive Water District located in the Town of Clifton Park, County of Saratoga, New York.

The New York District, U.S. Army Corps of Engineers does not take a position for or against lead agency selection in the New York State SEQR process for this proposed action. However, we would like to continue to be apprised of the project as an "involved agency." It should be noted that the Full Environmental Assessment Form indicates that there are wetlands located on the parcel and if the project will involve work in waters of the United States, including the temporary or permanent discharge of fill material into streams or wetlands, then the proposed activities may require a Department of the Army permit.

Most waterbodies, including wetlands, intermittent streams and natural drainage courses, are considered to be waters of the United States. Currently, the New York State Department of Environmental Conservation (NYSDEC) recognizes and maps state freshwater wetlands as those wetland areas that are 12.4 acres or more and/or are ecologically unique. A NYSDEC determination classifying an area as a non-state regulated wetland does not free a property owner from his or her obligations under the Clean Water Act; the Corps regulates the discharge of dredged or fill material into most freshwater wetlands, regardless of size.

To remain out of Department of the Army jurisdiction completely, we recommend that the applicant limit the project to those areas upland of any waters or wetlands of the United States. Not only is this environmentally sound, but it could potentially save the applicant considerable time and expense while attempting to obtain necessary federal, state, or local permits. It is possible that a project may qualify for a nationwide general permit, in accordance with 33 CFR 330 and the Reissuance of Nationwide Permits in the Federal Register dated December 27, 2021 (86 FR 73522). An activity is authorized under a nationwide general permit only if that activity and the permittee satisfy all of the nationwide permit's terms and conditions. Unless a nationwide general permit contains

a condition requiring the applicant to notify the Corps prior to undertaking the proposed activity, a written authorization is not necessary. Activities that do not qualify for authorization under a nationwide general permit may still be authorized by an individual or regional general permit.

To apply for a Department of the Army permit, the applicant should submit a completed Joint Application for Permit form, a work description and project drawings identifying all proposed activities shown in reference to the limits of waters of the United in the project area, and specify the total proposed impacts to waters of the U.S. proposed to be lost or substantially modified, in acres, square feet, linear feet, or as appropriate.

Additional information on the New York District Corps of Engineers regulatory program can also be found at <http://www.nan.usace.army>.

In order for us to better serve you, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

If you have any questions concerning the above, please contact the undersigned at [christina.m.campo@usace.army.mil](mailto:christina.m.campo@usace.army.mil).

Sincerely,



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Senior Project Manager  
Upstate New York Section

cc: NYSDEC Region 5, Warrensburg  
Town of Clifton Park



## **Draft Resolution Content & Statement of Facts**

The Town of Clifton Park, as lead agency, has determined that the proposed Town of Clifton Park Eastside Drive Water District will not have a significant adverse environmental impact.

The proposed project involves installing approximately 7,960 linear feet of 8-inch water line along with associated valves, fire hydrants, and water services from the end of the existing water main at the intersection of Ballston Lake Road (New York State Route 146A) and Schaubert Road to East Side Drive.

There are five properties in the Schaubert Road vicinity along the route that would be added to the proposed water district. The new water system is needed to replace existing private individual water wells with poor yield and poor water quality.

The project is to be financed with anticipated grant and loan funds from the New York State Environmental Facilities Corporation Drinking Water State Revolving Fund Program and the Water Infrastructure Improvements Act.

This new water district will be available to serve approximately 111 individual parcels, consisting of 83 single-family dwelling units, 1 rural residential parcel, 2 commercial parcels, and 25 vacant parcels within the Town of Clifton Park.

The new water district is proposed to address local concerns regarding insufficient water quantity and poor water quality within existing private wells, in addition to providing a hydrant system for fire protection to an area that does not currently have any.

The project will provide a safe and reliable potable water supply to the local residents and eliminate the poor water quality and low yield quantities associated with private wells to access groundwater in the area.

A water distribution network will replace costly individual water treatment units and reduce operation and maintenance costs.



The 30-day Lead Agency comment period ends on March 19, 2024, allowing the Town Board to proceed with consideration of a Negative Declaration at its April 1<sup>st</sup> Meeting pursuant to SEQRA.

Also, on April 1, 2024, the Town Board shall consider scheduling a Public Hearing for April 16 to consider a bond resolution for financing the proposed water district.

## Cynthia, Zlogar

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**From:** Paul, Pelagalli  
**Sent:** Thursday, March 21, 2024 9:04 AM  
**To:** Cynthia, Zlogar  
**Cc:** Tom McCarthy  
**Subject:** FW: (T) CP Eastside Drive Water District NYSEFC WIIA Grant Application SEQRA Items  
**Attachments:** SEQRA Response Letters.pdf; FEAF Part 2.pdf; FEAF Part 3.pdf; SEQRA Negative Declaration.pdf; DRAFT Resolution SEQRA Neg Dec.pdf

FYI.

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**From:** Jeffrey Trzeciak <jtrzeciak@primeeng.com>  
**Sent:** Thursday, March 21, 2024 8:35 AM  
**To:** John Scavo <jscavo@cliftonpark.org>; Teresa Brobston <tbrobston@cliftonpark.org>  
**Cc:** Phil Barrett <PBarrett@cliftonpark.org>; Megan Donnelly <mddonnelly@primeeng.com>; Paul, Pelagalli <PPelagalli@cliftonpark.org>; Tom McCarthy <TMcCarthy@cliftonpark.org>  
**Subject:** (T) CP Eastside Drive Water District NYSEFC WIIA Grant Application SEQRA Items

Please find the attached items regarding the (T) CP Eastside Drive Water District NYSEFC WIIA Grant Application SEQRA:

- SEQRA Response Letters.
- SEQRA FEAF Parts 2 & 3 filled out.
- Negative Declaration Statement.
- DRAFT SEQRA Negative Declaration resolution.

Please review the attached items above. The Town Board can adopt the attached resolution stating that the project will have no impact on the environment (negative declaration). After the resolution is adopted, the Supervisor needs to sign & date the bottom of Part 3 of the attached SEQRA FEAF form. Please send us the signed certified resolution & the signed and dated Part 3 of the SEQRA FEAF form, so we can send the final SEQRA package to all involved agencies & the have the negative declaration published in the NYSDEC Environmental News Bulletin (ENB).

Thanks,  
**Jeffrey D. Trzeciak, PE**  
Senior Project Manager II



Trust Is Built.

518.348.7864 (Direct)  
518.817.5098 (Mobile)  
[jtrzeciak@primeeng.com](mailto:jtrzeciak@primeeng.com)

100 Great Oaks Blvd., Suite 114  
Albany, NY 12203  
[www.primeeng.com](http://www.primeeng.com)



**SEQR**  
**Negative Declaration**  
Notice of Determination of Non-Significance

Lead Agency:	Town of Clifton Park	Project #(if any)	<u>GNV02WD-22523</u>
Address:	Clifton Park Town Hall One Town Hall Plaza Clifton Park, NY 12065	Date:	<u>March 20, 2024</u>

This notice is issued pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation law.

The lead agency has determined that the proposed action described below will not have a significant effect on the environment.

Title of Action: Eastside Drive Water District

SEQR Status:      Type I      ☒  
                         Unlisted      ☐

**Description of Action:**

The proposed project involves installing approximately 7,960 linear feet of 8-inch water line along with associated valves, fire hydrants, and water services from the end of the existing water main at the intersection of Ballston Lake Road (New York State Route 146A) and Schaubert Road to East Side Drive. There are 5 properties in the Schaubert Road vicinity along the route that would be added to the proposed water district. The new water system is needed to replace existing private individual water wells with poor yield and poor water quality.

**Location:**

Town of Clifton Park, Saratoga County, New York

(Attach additional pages as needed)

**Reasons Supporting This Determination:**

The project is expected to have a minimal impact on the environment as detailed below:

**Impact to Land:** The project may be constructed on lands with slopes of 15% or greater, where bedrock is less than 5 feet deep, and more than one acre of land may be disturbed.

**Impacts on Surface Water:** The project site does contain some nearby wetlands and Ballston Lake is nearby. It will increase the water demand by approximately 33,000 gallons per day.

**Impact on Groundwater:** The project will be constructed over the existing principal aquifer that will not be impacted during construction.

**Impact on Flooding:** The project will be constructed near the 100-year floodplain.

**Impact on Historic and Archeological Resources:** The project is near sensitive archeological areas that will not be impacted by construction.

**Impact on Noise, Odor, and Light:** There will be a temporary impact to noise levels during construction due to heavy equipment use during the construction phase of the project only.

Therefore, the construction of the Eastside Drive Water District Project is expected to have a minimum impact on the environment.

**For Further Information:**

Contact Person: Philip C. Barrett, Town of Clifton Park Supervisor  
Address: One Town Hall Plaza  
Clifton Park, NY 12065  
Phone No.: 518-371-6651

**Copies of this Notice Sent to:**

Commissioner - Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-3506  
Appropriate Regional Office of the Department of Environmental Conservation  
Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.  
Main office and appropriate regional office of lead agency.  
Applicant  
All other involved agencies

NOTE: Negative Declarations for Unlisted Actions need not be filed with DEC or any other agency (see 617.7(a)).



## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 5  
232 Golf Course Road, Warrensburg, NY 12885  
P: (518) 623-1282 | F: (518) 623-3603  
[www.dec.ny.gov](http://www.dec.ny.gov)

### Sent Via Email

March 5, 2024

Philip Barrett  
Town of Clifton Park  
1 Town Hall Plaza  
Clifton Park, NY 12065

**Re: SEQR LEAD AGENCY COORDINATION RESPONSE  
Notice of intent to Declare Lead Agency  
Eastside Drive Water District  
Clifton Park (T), Saratoga County**

Dear Philip,

Thank you for your February 12, 2024, lead agency communication for the above project, pursuant to the State Environmental Quality Review Act (SEQR).

**DEC Position: Based on the information provided, DEC agrees with the Town of Clifton Park serving as SEQR lead agency for this project.**

### **Construction Stormwater Management**

Disturbance of more than one acre of total land will require a SPDES General Permit for Storm Water Discharges from Construction Activities. This general permit requires development of a Storm Water Pollution Prevention Plan, and submission of a Notice of Intent to DEC. The General Permit and related information are available on the DEC website: <http://www.dec.ny.gov/chemical/43133.html>.

Please contact Michelle Lafay with our Division of Water at (518) 623-1227 or at [Michelle.Lafay@dec.ny.gov](mailto:Michelle.Lafay@dec.ny.gov) if you have questions regarding the stormwater requirements.

### **Archeological Sites of Sensitivity**

GIS review indicates that a portion of the project site is located within an archeologically sensitive area. It is suggested that recommendations be sought from NYS OPRHP regarding the potential impacts on historic and archeological resources from the development of this area. Additional information can be found on NYS OPRHP's



Department of  
Environmental  
Conservation

Philip Barrett  
Re: Notice of intent to Declare Lead Agency  
March 5, 2024  
Page 2

website at <https://parks.ny.gov/shpo/online-tools/> or by calling (518) 237-8643. Potential impacts to these resources must be considered in the State Environmental Quality Review (SEQR) documentation. For example, previous disturbance should be described to indicate whether future project components will have potential to further affect archeological resources.

**Section 401 Water Quality Certification** – If this project will impact federally-regulated wetlands or waterbodies, which require a Section 404 Permit (Individual or Nationwide Permit) from the U.S. Army Corps of Engineers, a Section 401 Water Quality Certification may be required from the Department.

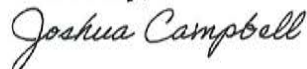
### **Freshwater Wetlands**

Portions of New York State regulated Freshwater Wetlands and their adjacent areas are in the project area. Any disturbance within the wetland and the 100-foot adjacent area will require an Article 24 - Freshwater Wetlands permit from the DEC.

In accordance with the DEC Freshwater Wetlands Permit Requirements Regulations, all efforts must be made to first avoid disturbing the wetland and adjacent area. The regulated area should remain undisturbed unless there are no feasible alternatives. If the wetland and adjacent area cannot be avoided, the project sponsor will need to justify the disturbance, discuss alternatives, and minimize impacts as part of the Freshwater Wetlands permit application.

To protect the wetland resource, all limits of disturbance should be more than 100 feet from the wetland. Sediment barriers are to be installed before construction begins and be maintained until work is complete and disturbed areas are vegetated.

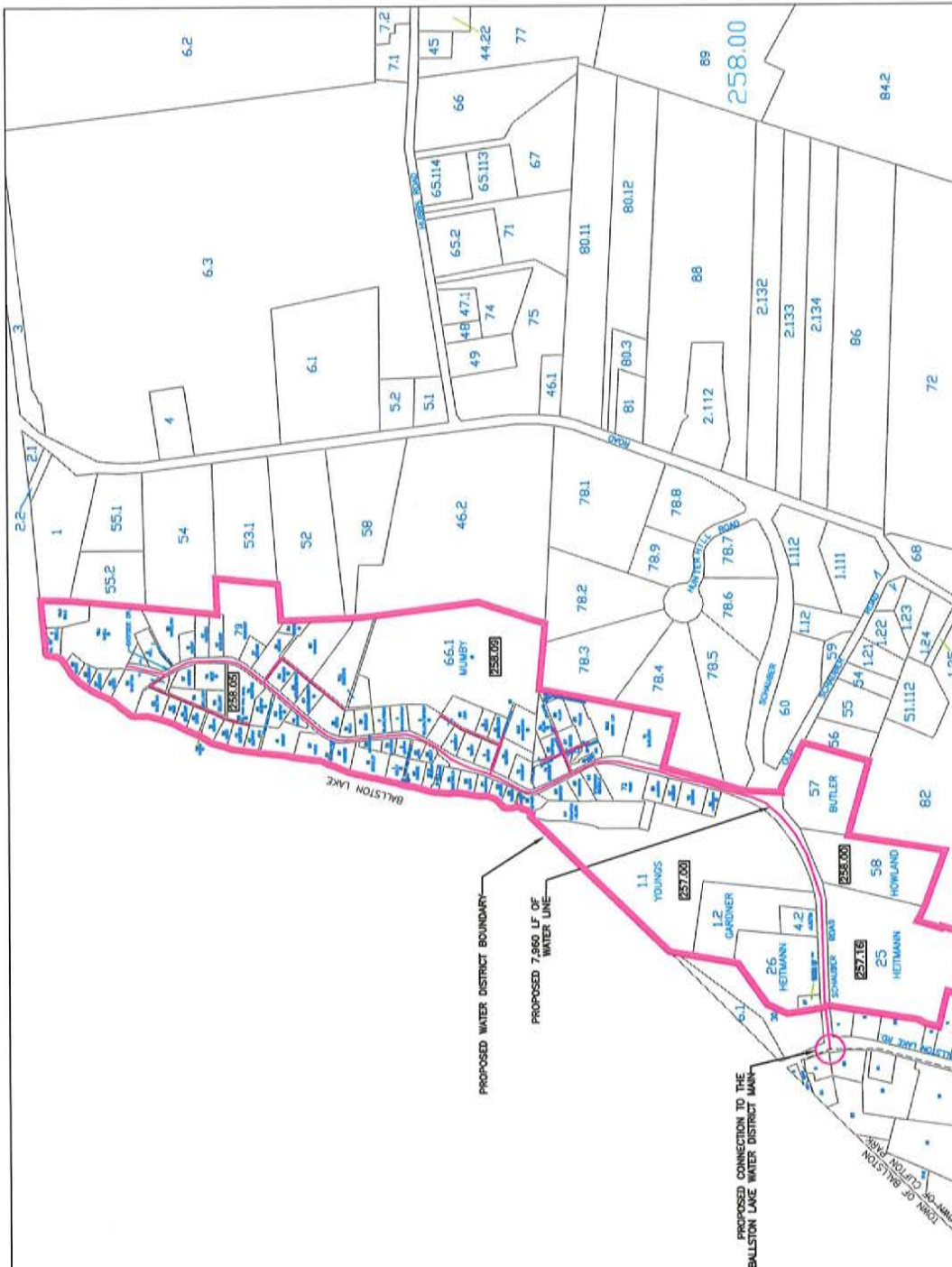
Sincerely,



Joshua Campbell  
Environmental Analyst Trainee

JC:ab

Ec: Michelle Lafay – DEC  
Renee Perrotte – DEC  
Jessica Schreyer – OPRHP



PROPOSED WATER DISTRICT BOUNDARY

PROPOSED 7,960 LF OF WATER LINE

PROPOSED CONNECTION TO THE BALLSTON LAKE WATER DISTRICT MAIN

NO.	DATE	REVISION	BY
01	07/2014	ORIGINAL ISSUE	JOT
02	12/2017	2017 UPDATES	JOS
03	04/2022	2022 UPDATES	JOS

**PRIME**  
100 Great Oaks Blvd | Suite 114 | Albany, New York 12203  
P: 518.343.1774 www.primeeng.com

PROJ. ENGR: JOT DRAWN BY: JKS CHECKED BY:

TOWN OF CLIFTON PARK  
SARATOGA COUNTY

EAST SIDE DRIVE WATER DISTRICT

SHEET TITLE:

DISTRICT BOUNDARY MAP  
OPTION 1

SCALE: AS SHOWN

FILE NO.: 22443-002

DATE: JUNE 2022

SHEET NO.:

2





**New York State  
Parks, Recreation and  
Historic Preservation**

**KATHY HOCHUL**  
Governor

**RANDY SIMONS**  
Commissioner *Pro Tempore*

March 12, 2024

Jeffrey Trzeciak  
Senior Project Manager II  
PRIME AE Group of New York  
100 Great Oaks Blvd.  
Suite 114  
Albany, NY 12203

Re: NYSEFC  
Town of Clifton Park Eastside Drive Water District  
Eastside Drive, Clifton Park, Saratoga County, NY  
24PR01494

Dear Jeffrey Trzeciak:

The State Historic Preservation Office (SHPO) understands that there are temporal and financial concerns regarding this project that require a letter from the SHPO so that funds may be committed. The SHPO does not oppose the obligation of funds if there is a commitment from the Town of Clifton Park to conduct any SHPO-recommended cultural resource investigations prior to construction, with NYSEFC's concurrence. The SHPO appreciates the opportunity to comment on this information.

Please contact me at [Josalyn.Ferguson@parks.ny.gov](mailto:Josalyn.Ferguson@parks.ny.gov) with any questions you may have.

Sincerely,

Josalyn Ferguson, Ph.D.  
Scientist – Archaeology

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**Division for Historic Preservation**

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • [parks.ny.gov](http://parks.ny.gov)

• 518-237-8643 • <https://parks.ny.gov/shpo> •





DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS, ATTN: CENAN-OP-RU  
UPSTATE REGULATORY FIELD OFFICE  
1 BUFFINGTON ST, BLDG 10, 3<sup>RD</sup> FL NORTH  
WATERVLIET, NEW YORK 12189-4000

Upstate New York Section

February 28, 2024

SUBJECT: Town of Clifton Park Eastside Drive Water District  
Town of Clifton Park, Saratoga County, New York

Mr. Philip C. Barrett, Supervisor  
Town of Clifton Park  
One Town Hall Plaza  
Clifton Park, NY 12065

Dear Mr. Barrett:

This letter is in response to your 2024 request for SEQR Classification and Lead Agency Determination regarding the Town of Clifton Park Eastside Drive Water District located in the Town of Clifton Park, County of Saratoga, New York.

The New York District, U.S. Army Corps of Engineers does not take a position for or against lead agency selection in the New York State SEQR process for this proposed action. However, we would like to continue to be apprised of the project as an "involved agency." It should be noted that the Full Environmental Assessment Form indicates that there are wetlands located on the parcel and if the project will involve work in waters of the United States, including the temporary or permanent discharge of fill material into streams or wetlands, then the proposed activities may require a Department of the Army permit.

Most waterbodies, including wetlands, intermittent streams and natural drainage courses, are considered to be waters of the United States. Currently, the New York State Department of Environmental Conservation (NYSDEC) recognizes and maps state freshwater wetlands as those wetland areas that are 12.4 acres or more and/or are ecologically unique. A NYSDEC determination classifying an area as a non-state regulated wetland does not free a property owner from his or her obligations under the Clean Water Act; the Corps regulates the discharge of dredged or fill material into most freshwater wetlands, regardless of size.

To remain out of Department of the Army jurisdiction completely, we recommend that the applicant limit the project to those areas upland of any waters or wetlands of the United States. Not only is this environmentally sound, but it could potentially save the applicant considerable time and expense while attempting to obtain necessary federal, state, or local permits. It is possible that a project may qualify for a nationwide general permit, in accordance with 33 CFR 330 and the Reissuance of Nationwide Permits in the Federal Register dated December 27, 2021 (86 FR 73522). An activity is authorized under a nationwide general permit only if that activity and the permittee satisfy all of the nationwide permit's terms and conditions. Unless a nationwide general permit contains

a condition requiring the applicant to notify the Corps prior to undertaking the proposed activity, a written authorization is not necessary. Activities that do not qualify for authorization under a nationwide general permit may still be authorized by an individual or regional general permit.

To apply for a Department of the Army permit, the applicant should submit a completed Joint Application for Permit form, a work description and project drawings identifying all proposed activities shown in reference to the limits of waters of the United in the project area, and specify the total proposed impacts to waters of the U.S. proposed to be lost or substantially modified, in acres, square feet, linear feet, or as appropriate.

Additional information on the New York District Corps of Engineers regulatory program can also be found at <http://www.nan.usace.army>.

In order for us to better serve you, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

If you have any questions concerning the above, please contact the undersigned at [christina.m.campo@usace.army.mil](mailto:christina.m.campo@usace.army.mil).

Sincerely,



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Senior Project Manager  
Upstate New York Section

cc: NYSDEC Region 5, Warrensburg  
Town of Clifton Park

RESOLUTION NO. \_\_\_\_ of 2024

EASTSIDE DRIVE WATER DISTRICT  
NEGATIVE DECLARATION

A RESOLUTION IN CONNECTION WITH THE TOWN OF CLIFTON PARK DETERMINATION OF NON-SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGULATIONS 6NYCRR PART 617.

**WHEREAS**, the Town of Clifton Park, acting as lead agency for the SEQRA process, has determined that a need exists to form a water district to provide water to residents on Eastside Drive; and,

**WHEREAS**, the Town of Clifton Park is in the planning stages to install water main to connect to the existing water system on New York State Route 146A; and,

**WHEREAS**, the Town of Clifton Park will apply for funding opportunities from various agencies for this project; and,

**WHEREAS**, as part of the approval process, the Town of Clifton Park Town Board must comply with regulations required under the State Environmental Quality Review Act (SEQRA); and,

**WHEREAS**, the public comment period has expired and no substantive comments remain to be addressed;

**NOW**, on Motion of Council Member \_\_\_\_\_, seconded by Council Member

\_\_\_\_\_, it is hereby

**RESOLVED**, that the Supervisor of the Town of Clifton Park, acting as responsible officer of the Town of Clifton Park Town Board is hereby authorized to make a negative declaration and to complete and sign the Determination of Significance on the SEQRA Full Environmental Assessment Form indicating that the project will not have a significant effect on the environment.

**ROLL CALL VOTE;**

Supervisor	VOTING _____
Council Member	VOTING _____
Council Member	VOTING _____
Council Member	VOTING _____
Council Member	VOTING _____

I hereby certify that the above resolution is a true and exact copy of the resolution passed by the Clifton Park Town Board on \_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Teresa Brobston, Town Clerk

\_\_\_\_\_  
Date



**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]	
Project :	Eastside Drive Water District
Date :	03/20/24

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> <div style="float: right; text-align: right;"> <input type="checkbox"/> NO      <input checked="" type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☒ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>



g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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## 6. Impacts on Air

The proposed action may include a state regulated air emission source.  
(See Part 1. D.2.f., D.2.h, D.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

## 7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)  
If "Yes", answer questions a - j. If "No", move on to Section 8.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>



e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

### 8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

☒ NO

☐ YES

*If "Yes", answer questions a - h. If "No", move on to Section 9.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>



d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

☒ NO☐ YES

(See Part 1. D.2.j)

*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

☒ NO☐ YES

(See Part 1. D.2.k)

*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO☒ YES

(See Part 1. D.2.m., n., and o.)

*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)  
If "Yes", answer questions a - m. If "No", go to Section 17.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			



<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input checked="checked" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input checked="checked" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Impact to Land: The project may be constructed on lands with slopes of 15% or greater, where bedrock is less than 5 feet deep, and more than one acre of land may be disturbed.

Impacts on Surface Water: The project site does contain some nearby wetlands and Ballston Lake is nearby. It will increase the water demand by approximately 33,000 gallons per day.

Impact on Groundwater: The project will be constructed over the existing principal aquifer that will not be impacted during construction.

Impact on Flooding: The project will be constructed near the 100 year floodplain.

Impact on Historic and Archeological Resources: The project is near sensitive archeological areas that will not be impacted by construction.

Impact on Noise, Odor, and Light: There will be a temporary impact to noise levels during construction due to heavy equipment use during the construction phase of the project only.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information  
Comment response letter from NYSDEC dated 3/5/24, USACOE dated 2/28/24, and SHPO dated 3/12/24.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Town of Clifton Park Town Board. \_\_\_\_\_ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Town of Clifton Park Eastside Drive Water District

Name of Lead Agency: Town of Clifton Park Town Board

Name of Responsible Officer in Lead Agency: Philip C. Barrett

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Philip C. Barrett

Address: One Town Hall Plaza

Telephone Number: 518-371-6651

E-mail: pbarrett@cliftonpark.org

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**RESOLUTION**  
**#2**



Resolution No. \_\_\_\_\_ of 2024, resolution scheduling a public hearing regarding the construction and financing of improvements for the distribution of potable water to the Eastside Drive area within the Town of Clifton Park.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, the Town Board of the Town of Clifton Park (the "Town") proposes to undertake the design, construction, and interconnection of certain pipes, pumps, conduit and related infrastructure for the distribution of public water for residents and non-residential property on Eastside Drive, Schaubert Road and Ballston Lake Road (NYS Route 146A) as described in the Preliminary Engineering Report, last revised August 2023, prepared by Prime AE Group, which is on file in the Town Clerk's office; and

WHEREAS, the total estimated maximum cost of the Project is \$3,370,000 and

WHEREAS, the Town Board proposes to finance the Project with the issuance of up to \$3,370,000 in Town obligations, the debt service on which will be paid from assessments levied on properties in the project area through a special district to be established consistent with the NYS Town Law, and

WHEREAS, the annual cost to the typical property within the project area is estimated to be \$2822.28, consisting of debt service of \$2227.28, as well as annual water usage charges to the Town of Ballston and an operation and maintenance charge from the Clifton Park Water Authority, (CPWA), and

WHEREAS, the Town Board now desires to call a public hearing regarding the Project, as required by Town Law Section 202-b; now, therefore, be it

RESOLVED that the Town Board will hold a public hearing to hear all persons interested in the Project, and the public hearing shall be held at Town of Clifton Park Town Hall, One Town Hall Plaza, Clifton Park, New York, on April 15, 2024 at 7:02 p.m.; and be it further

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

## Cynthia, Zlogar

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**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Thursday, March 14, 2024 8:53 AM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Resolution Request #686

A new resolution request has been submitted. The details of this resolution request are included below.

**Department:** Planning Department

**Your Name:** John Scavo

**Your Email:** [jscavo@cliftonpark.org](mailto:jscavo@cliftonpark.org)

**Sponsor:** P. Barrett

**Agenda Session Date:** 03/19/2024

**Board Meeting Date:** 04/01/2024

**Alternate Date:** 04/22/2024

**Budget Number:** 0

**Budget Description:** N/A

**Amount:** 0

**Brief Description:** Resolution to accept the Town Staff's completed drafts Parts II and III of the State Environmental Quality Review Act (SEQRA) Long Environmental Assessment Form (LEAF) and issue a negative declaration for the the Eastside Drive Water District Project.

**Add Supporting Docs:**

[956a23f61f929bf7 Draft Resolution Content 0 Statement of Facts.pdf](#)

[7c29680fb8d8037b SEQR Response USACE.pdf](#)

**Additional Comments/Details:** Time Line of Events:

1. Issue a Negative Declaration at the April 1 Town Board Meeting.
2. Agenda Meeting April 1 - Set a public hearing for April 16th to consider a bond to finance the Eastside Drive Water District.
3. Conduct a public hearing on April 16th for Bond Resolution.

**Agree to Terms:** Agree

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TOWN OF CLIFTON PARK  
COUNTY OF SARATOGA  
STATE OF NEW YORK

NOTICE OF PUBLIC HEARING REGARDING A PROJECT  
TO DESIGN AND CONSTRUCT PUBLIC IMPROVEMENTS FOR THE DISTRIBUTION OF  
WATER TO PROPERTIES ON EASTSIDE DRIVE AND SCHAUER ROAD

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on Monday, April 15, 2024, at 7:05 p.m. in the Wood Memorial Meeting Room in the Town Hall, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York, regarding a project to design and construct public improvements for the purpose of distributing public water to properties along Eastside Drive and Schauer Road in Ballston Lake, Clifton Park.

The Town Board intends to pursue funding opportunities through Grant Applications with various agencies within the State of New York in order to assist affected residents with the costs of the project, and has retained Prime Engineers which has prepared Engineering reports and cost estimates for the provision of such infrastructure as will be necessary for properties to be benefitted by the project, which report is dated August 2023 and is on file with the Town Clerk and available for public inspection during normal business hours.

The boundaries of the proposed project area generally encompasses properties along the Eastside Drive and Schauer Road, as outlined in the Engineering Report and map on file with the Town Clerk. said properties will be connected into the sewer collection system that serves the Town of Ballston Sewer District on the west side of Ballston Lake, and are more particularly described in the map, plan and report on file in the office of the Town Clerk.

Based on the Engineering report, the estimated maximum amount to be expended for the Improvements including design, and construction \$3,370,000 for the improvements to be constructed.

The proposed method of financing the cost of the Improvements consists of the issuance of serial bonds and bond anticipation notes to mature in annual installments, payable in the first instance from assessments levied on benefited real property in the project area, pursuant to a special District to be established pursuant to Article 12 of the New York State Town Law.

The cost project consists of debt service, to the typical property within the project area is, estimated to be \$2227.28 per year.

NOW, THEREFORE, PLEASE TAKE NOTICE that the Town Board will hold a public hearing to hear all persons interested in the planned project to bring public water to properties along Eastside Drive and Schauer Road shall be held in the Wood Memorial Room, One Town Hall Plaza, in the Town of Clifton Park on April 15, 2024, at 7:05 P.M.



**RESOLUTION**  
**#3**

Resolution No. \_\_\_\_\_ of 2024, a resolution authorizing the Town Board to approve the Recommended Just Compensation amounts for the acquisition of properties necessary for the completion of the Hubbs Road Multi-use Path Project regarding the Right-of-Way Acquisition Phase.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, the Town has received funding for the construction of the Hubbs Road Multi-use Path Project, and

WHEREAS, by Resolution No. 23 of 2022, the Town Board approved the Project and appropriated funds to plan, design and construct the project, and

WHEREAS, the Town has retained Greenman-Pedersen, Inc, (GPI), to evaluate the land acquisition necessary for the construction of the Project, and to prepare appraisal reports on the interests in land required for the Project, and

WHEREAS, GPI has completed the analysis of the acquisitions required for the Project and has requested that determinations be made for Just Compensation for the owners of property where rights are to be acquired, and

WHEREAS, the Town Attorney recommends acceptance of the recommendations made by GPI; now, therefore, be it

RESOLVED, that the Town Board finds and determines that the Appraisal Reports on the properties listed in the attached Schedule A are complete and support the requested values for the Real Property interests required for the Project, and be it further

RESOLVED, that the Town Board approves the Just Compensation amounts for the Properties listed in the attached Schedule A, and be it further

RESOLVED, that GPI is authorized to offer the amounts as Just Compensation to the property owners as listed in the attached Schedule A.

## Cynthia, Zlogar

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**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Wednesday, March 6, 2024 9:54 AM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Resolution Request #673

A new resolution request has been submitted. The details of this resolution request are included below.

**Department:** Planning

**Your Name:** Jennifer Viggiani / John Scavo

**Your Email:** [jviggiani@cliftonpark.org](mailto:jviggiani@cliftonpark.org)

**Sponsor:** Planning

**Agenda Session Date:** 03/18/2024

**Board Meeting Date:** 04/01/2024

**Alternate Date:** 04/15/2024

**Budget Number:** H65

**Budget Description:** Right-of-Way Acquisition Just Compensation for Trail Project

**Amount:** \$44,750

**Brief Description:** Establish the just compensation based on the highest approved appraisal, for strategic fee acquisitions and temporary easements involving a total of 11 parcels for right-of-way needs along Hubbs Road, Main Street, and MacElroy Road to create new pedestrian improvements connecting neighborhoods (Dutch Meadows) to existing sidewalks in Jonesville. Once authorized, the town's ROW Specialist will notify the individual property owners.

**Add Supporting Docs:**

[526ca3223ce094b2 Memo to TOWN BOARD request ROW Just Comp Review for TB Res 3-5-2024 HUBBS RD PATH.pdf](#)

[cc19ddd36a785119 Just Compensation March 2024 spreadsheet Hubbs Rd Path.pdf](#)

[210c5ec7f6b29f6f Just Compensation Letter Hubbs Road 3.4.2024.pdf](#)

**Additional Comments/Details:** The details of each of the 11 properties involved, including for each appraisal, appraisal review, and maps for each proposed fee acquisition, and for each temporary easement location are also available in Zip files for review. Please advise on best means to share.

**Agree to Terms:** Agree

[unsubscribe](#)



## Memo

To: Town Supervisor Phil Barrett, Councilman Morelli, Councilwoman Walowit, Councilwoman Reid, Councilman Manir, Town Attorney Paul Pelagalli  
From: John Scavo and Jen Viggiani, Planning Department  
Re: **Request for a Town Board Resolution to authorize Just Compensation for ROW Acquisition of the DEC01-C001085GG Hubbs Road Multi-Use Path Project**  
Date: March 5, 2024

For your review, please find a **Just Compensation package** from GPI for your review concerning ROW acquisition for the Town of Clifton Park's Hubbs Road Multi-Use Path Project. The project extent is along Hubbs Road, connecting Dutch Meadows to Jonesville and existing sidewalks. If your review finds this Just Compensation package to be acceptable, we will proceed to request that the Town Board authorize the Town Supervisor to sign the recommendations for the just compensation amounts for each of the properties identified per the March 4, 2024, letter to Mr. John Scavo.

A total of eleven (11) different property owners are involved for this project. All the property owners have been contacted initially by Kimberly Dempsey, Right of Way Specialist, of GPI. There are ten (10) locations where a small portion of land is needed for FEE acquisition. There are 10 locations for Temporary Easements during construction. The portions of lands needed range from 504 square feet up to 12,014 square feet (this largest amount is along the frontage of a large undeveloped property).

**The 2024 estimated ROW Just Compensation (for acquisition) for the complete group of properties involved is a total value of \$44,750.00.**

Attached please find for your review:

- A Letter from Kimberly Dempsey, GPI to John Scavo, dated March 4, 2024 with "highest approved appraisal amount" identified, with a section for the Sponsor's Just Compensation Amount to be written in; and the attached appraisal package from GPI, per each property owner involved, with Appraisal Reports & Appraisal Review Reports, provided.

The Town of Clifton Park's Hubbs Road Multi-Use Path project is progressing through the right-of-way phase, with the town's consultants having identified all the needed land needed permanently for the trail construction (and to be acquired as "FEE") and some additional land needed for just the duration of the construction activities (to be acquired as "TEMPORARY EASEMENTS"). MJ Engineering worked out the preliminary design and layout of the trail to minimize impacts to landowners, and worked closely with the right-of-way services team at GPI, to identify the properties.

Thank you.

Resolution No. 23 of 2022, a resolution authorizing the Supervisor to sign a grant contract for a project to construct a multi-use path along Hubbs Road.

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

WHEREAS, the Town has been awarded grant funding for a multi-use trail along the south side of Hubbs Road, to connect the Dutch Meadows and Country Knolls neighborhoods with Jonesville, including pedestrian access and high visibility crossing signs under the NYS DEC Climate Smart Communities Program, in the amount of \$278,271, and

WHEREAS, the project will require a 50% local match, as well as first instance funding by the Town in the amount of \$556,542, and

WHEREAS, the project will provide pedestrian access to the hamlet of Jonesville from Dutch Meadows and Country Knolls neighborhoods, as well as pedestrian and non-motorized access to Hatlee, Main Street and MacElroy Roads, and connections to existing multi-use trail networks within the Town, and

WHEREAS, the Town Board supports the project and wishes to commit to local funding in order to proceed; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached master grant contract for the Hubbs Road Multi-use path; and be it further

RESOLVED, that the Town Board commits to funding in the first instance of up to \$556,542, to plan, design and construct the project, as well as the local match commitment of \$278,271.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

January 18, 2022

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Teresa Brobston, Town Clerk

DEC01 - 001085GG / HUBBS ROAD MULTI-USE PATH PROJECT  
 ROW PARCELS LIST for Just Compensation Submitted to Town of Clifton Park on March 5, 2024  
 Just Compensation Authorization as Town Board Resolution on \_\_\_\_\_  
 Just Compensation document signed by Supervisor Barrett on \_\_\_\_\_  
 Just Compensation - Signed Agreement Submitted to GPI on \_\_\_\_\_  
 Package ready for GPI

Map No.	Parcel No.	Tax Map Parcel ID #	Parcel Address	PROPERTY OWNER / PAYEE	TYPE OF ACQUISITION	Area identified to be Acquired in Temporary or Fee Easement at Time of Appraisal	Value per parcel	Total Value at Appraisal Report	Actual Area to be Acquired in Temporary or Fee Easement / Value at Appraisal Review	Value at Appraisal Review Report Date	Highest Approved Appraisal Amount	TB Authorization: TB Res and Date of Just Compensation Values to be offered	Sponsor's Just Compensation Amount Authorized (Signed by Supervisor Barrett)	Just Compensation Agreement submitted to MI Engineering
Map 1	Parcel 1	258.12-1-14	1 Dutch Meadow Dr.	Kathleen Bryant (f.k.a. Schroder)	Fee	5042 s.f.	\$ 2,100.00	\$ 2,700.00						
Map 2	Parcel 2				TE	1,652 s.f.	\$ 600.00							
Map 3	Parcel 3	258.12-1-15	7 Noord Lane	Douglas H. and Terry L. Joslin	Fee	9714 s.f.	\$ 3,500.00	\$ 3,700.00						
Map 4	Parcel 4				TE	6081 s.f.	\$ 200.00							
Map 5	Parcel 5	258.12-1-17	9 Noord Lane	Yuri A. Gorbay and Heather Galloway	Fee	5821 s.f.	\$ 2,700.00	\$ 3,300.00						
Map 6	Parcel 6				TE	1,886 s.f.	\$ 600.00							
Map 7	Parcel 7	258.12-1-18	11 Noord Lane	John and Sheryl Bettlers	Fee	9071 s.f.	\$ 6,050.00	\$ 6,550.00						
Map 8	Parcel 8				TE	1,659 s.f.	\$ 500.00							
Map 9	Parcel 9	258.12-1-20	15 Windmill Court	Michael Joseph Horlacher	Fee	1,226 s.f.	\$ 6,100.00	\$ 6,900.00						
Map 10	Parcel 10				TE	2,502 s.f.	\$ 800.00							
Map 11	Parcel 11	258.12-1-21	17 Windmill Court	Douglas W. Sajler	Fee	5291 s.f.	\$ 2,400.00	\$ 2,800.00						
Map 12	Parcel 12				TE	1,008 s.f.	\$ 800.00							
Map 13	Parcel 13	258.-2-27.1	Hatlee Road	John and Carolyn Sipano	Fee	12,014 s.f.	\$ 6,600.00	\$ 6,800.00						
Map 14	Parcel 14				TE	3,266 s.f.	\$ 200.00							
Map 15	Parcel 15	258.-2-27.21	996 Main Street	Grace Chapel of Clifton Park	Fee	4,225 s.f.	\$ 3,500.00	\$ 3,800.00						
Map 16	Parcel 16				TE	6,981 s.f.	\$ 500.00							
Map 17	Parcel 17				TE	8714 s.f.								
Map 18	Parcel 18	258.-2-28	994 Main Street	Richard B. Meyer	TE	2,794 s.f.	\$ 700.00	\$ 700.00						
Map 19	Parcel 19	259.9-1-17	521 MacElroy Road	Charles Anderson	Fee	1,251 s.f.	\$ 3,100.00	\$ 3,500.00						
Map 20	Parcel 20				TE	1,568 s.f.	\$ 400.00							
Map 21	Parcel 21	259.9-3-3	988 Main Street	William and Denise Adams	Fee	1,166 s.f.	\$ 4,000.00	\$ 4,000.00						
									TOTAL =		\$ 44,750.00	\$	\$	

as of 3/5/2024

# SCHEDULE A



March 4, 2024

Mr. John P. Scavo  
Director of Planning  
Town of Clifton Park  
One Town Hall Plaza  
Clifton Park, NY 12065

**Re: Hubbs Road Multi-Use Path  
Town of Clifton Park, Saratoga County, New York**

Dear Mr. Scavo:

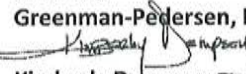
Please follow this link [Hubbs Road<sup>1</sup> Appraisals](#) to review the individual property appraisals and the property appraisal review documents for the following real property acquisitions:

Map No	Parcel No	Tax ID	Taking Type	Property Owner	Highest Approved Appraisal Amount	Sponsor's Just Compensation
1 & 2	1 & 2	258.12-1-14	Fee & TE	Kathleen Bryant (f.k.a. Schroder)	\$2,700.00	
3 & 4	3 & 4	258.12-1-16	Fee & TE	Douglas H. and Terry I. Joslin	\$3,700.00	
5 & 6	5 & 6	258.12-1-17	Fee & TE	Yuri A. Gorby and Heather Galloway	\$3,300.00	
7 & 8	7 & 8	258.12-1-18	Fee & TE	John and Cheryl Betters	\$6,550.00	
9 & 10	9 & 10	258.12-1-20	Fee & TE	Michael Joseph Horlacher	\$6,900.00	
11 & 12	11 & 12	258.12-1-21	Fee & TE	Douglas W. Sajler	\$2,800.00	
13 & 14	13 & 14	258.-2-27.1	Fee & TE	John and Carolyn C. Stipano	\$6,800.00	
15 & 16	15, 16 & 17	258.-2-27.21	Fee & TE	Grace Chapel of Clifton Park	\$3,800.00	
17	18	258.-2-28	TE	Richard B. Meyer	\$700.00	
18 & 19	19 & 20	259.9-1-17	Fee & TE	Charles Anderson	\$3,500.00	
20	21	259.9-3-3	Fee	William G. and Denise A. Adams	\$4,000.00	

Based on the data provided in the waiver valuations and appraisal reports and the appraisal reviews, the acquiring agency must establish the amount of just compensation for the acquisitions for the above referenced properties. The amount is based on highest approved appraisal amount, plus any other possible special circumstances pertaining to each individual acquisition. In no event shall the just compensation amount be less than the highest approved appraisal (NYS EDPL, Article 3, Sec. 303).

Please indicate the Town of Clifton Park's just compensation determination for each property by completing the last column "Sponsor's Just Compensation" along with providing a copy of the meeting minutes or resolution, if available, along with signing this letter below and returning to the address in the letterhead.

Please refrain from publicizing just compensation amounts until the property owners are officially notified. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,  
**Greenman-Pedersen, Inc.**  
  
**Kimberly Dempsey**  
Right of Way Specialist

I hereby agree with the just compensation amount for the acquisition of the real property interest as stated above.

Meeting Minutes or Resolution provided? ☐ Yes ☐ No

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Town of Clifton Park**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

<sup>1</sup> Access provided to [jscavo@cliftonpark.org](mailto:jscavo@cliftonpark.org) email address. If additional access is required, please send a request to Kim Dempsey with associated email address.

**RESOLUTION**  
**#4**

Resolution No. \_\_\_\_ of 2024, authorizing payment of Planning Department engineering escrow accounts that are in arrears.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, the Town of Clifton Park Planning Board has a contract with MJ Engineering for engineering and environmental review services regarding Planning Applications submitted to the Town, and

WHEREAS, the Town of Clifton Park also has a contract with KB Group of NY for Inspection of work being completed involving infrastructure being dedicated to the Town at the completion of completed project build-out, and

WHEREAS, the Planning Department collects funds from applicants to create an escrow account for each project reviewed, and

WHEREAS, funds from these escrow accounts are used to pay the invoices received for work completed by MJ Engineering and KB Group, and

WHEREAS, the Planning Department currently has multiple invoices unable to be paid due to applicants not depositing sufficient funds into the escrow account for their project as noted in the attached Schedule A; now therefore be it

RESOLVED, the Town Board authorizes payment from the General Fund in an amount not to exceed \$10,923, as detailed in the attached Schedule A, from A-140-135 (General Fund- Engineering- Engineering Services); and be it further

RESOLVED, that Town Staff will not accept any additional applications or issue permits from property owners with past due escrow balances until such payments are made whole to the Town's General Fund Account.



## Cynthia, Zlogar

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**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Wednesday, March 6, 2024 12:30 PM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Resolution Request #675

A new resolution request has been submitted. The details of this resolution request are included below.

**Department:** Planning Department

**Your Name:** John Scavo

**Your Email:** [jscavo@cliftonpark.org](mailto:jscavo@cliftonpark.org)

**Sponsor:** P. Barrett

**Agenda Session Date:** 03/18/2024

**Board Meeting Date:** 04/01/2024

**Alternate Date:** 04/15/2024

**Budget Number:** A-140-135

**Budget Description:** Engineering Services

**Amount:** 10923.00

**Brief Description:** Satisfy outstanding invoices for Planning Board Review and inspections by MJ Engineering and Prime AE Group where applicant escrows are deficient and authorize no applications and permits to be issued to such property owners until fees owed are reimbursed.

**Add Supporting Docs:**

[4156322334ab684d Updated Spreadsheet of Unpaid Invoices.pdf](#)

[aa5dd7707465320d Drfat Invoices payment Resolution.pdf](#)

**Additional Comments/Details:** N/A

**Agree to Terms:** Agree

[unsubscribe](#)

# SCHEDULE A

Accounts we are short money to pay invoices				
2024-002	986 Hatlee Rd Timber Harvest Forest Management	\$ 280.00	MJ	never collected Escrow for SUP- walt mistakenly reviewed
2021-069	Boni Wooddale Drive 9 Lot Subdivision	\$ 490.00	MJ	Short for 2 invoices,
2017-050	Edison Club Subdivision	\$ 560.00	MJ	Never submitted Escrow payments - emailed many times
2017-050	Edison Club Sewer	\$ 8,152.29	Prime	
2023-016	Route 146 Gas Station & Convenience Store	\$ 280.00	MJ	Never submitted Escrow - e-mailed with no response
2023-002	Route 9 Splash Car Wash	\$ 655.00	MJ	Never submitted Escrow - e-mailed with no response
2023-008	Bass Pro Shops	\$ 25.00	MJ	Invoice is \$475 - we only need \$25
2023-025	Woodin Road Duplex Units	\$ 405.00	MJ	Never Submitted Escrow- were supposedly coming back in
2014-055	Mackey Subdivision	\$ 75.00	Prime	Not sure what this invoice is for
Total		\$ 10,922.29		

**RESOLUTION**  
**#5**



Resolution No. \_\_\_\_\_ of 2024, a resolution hiring seasonal staff for the 2024 Parks & Recreation Programs.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, the Town Board wishes to retain new and returning Counselors and Specialists as staff members for operation of the Town's Summer Camp Program for 2024, and the Tiny Hands Program, and

WHEREAS, Mike Woerner, Director of Parks and Recreation, has recommended that the individuals listed in the attached Schedule A be hired; now therefore be it

RESOLVED, that the individuals listed in the attached Schedule A be accepted as staff for the Town's 2024 Day Camp Program and the Tiny Hands program, to be paid as indicated on the schedule through the end of the respective seasons.

## Cynthia, Zlogar

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**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Wednesday, March 6, 2024 1:19 PM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Employee Resolution Request #676

A new employee resolution request has been submitted. The details of this resolution request are included below.

**Department:** Parks & Rec  
**Your Name:** Michael Woerner  
**Your Email:** [mwoerner@cliftonpark.org](mailto:mwoerner@cliftonpark.org)  
**Sponsor:** lynda Wolowit, agatha Reid  
**Agenda Session Date:** 03/18/2024  
**Board Meeting Date:** 04/01/2024  
**Alternate Date:** 04/15/2024  
**Budget Number:** A-7320-E4800, 7310-E4500  
**Budget Description:** rehire staff  
**Amount:** step and hourly wages in attachment  
**Brief Description:** rehiring full day, 1/2 day and tiny hands staff  
**Add Supporting Docs:**  
[b05d547c8d038ab5 Schedule A Returning Camp Counselors 2024 .pdf](#)

**Additional Comments/Details:** N/A  
**Agree to Terms:** Agree

[unsubscribe](#)

# Schedule A

## 2024 Returning Camp Counselors

FIRST	LAST	STREET	TOWN	SITE	POSITION	STEP	HRLY RATE
<b>FULL DAY (20/35)</b>				A-7320-E4800			
Nick	Bass			Full Day	Counselor	4	\$15.50
Bridget	Bailey			Full Day	Counselor	4	\$15.50
Cade	Bernardi			Full Day	Counselor	4	\$15.50
Isabella	Cady			Full Day	Counselor	5	\$15.75
Damon	Carroll			Full Day	Counselor	4	\$15.50
Riley	Bowman			Full Day	Counselor	2	\$15.00
Isabella	Corporan			Full Day	Counselor	3	\$15.25
Madelyn	Cozzens			Full Day	Counselor	3	\$15.25
Matthew	Campagna			Full day	Counselor	2	\$15.00
Brianna	Caton			Full Day	counselor	2	\$15.00
Michael	Cotte			Full Day	Counselor	2	\$15.00
Kyle	Coulombe			Full Day	counselor	2	\$15.00
Ryan	Davis			Full Day	Counselor	2	\$15.00
Brayden	Hoose			Full Day	Counselor	2	\$15.00
Ben	Hoose			Full Day	Counselor	2	\$15.00
Zach	McMahon			Full Day	Counselor	2	\$15.00
Benjamin	Mathers			Full Day	Counselor	2	\$15.00
Michael	Zebrowski			Full Day	Counselor	3	\$15.25
David	Eyers			Full Day	Counselor	2	\$15.00
Ryan	Kohler			Full Day	Counselor	3	\$15.25
Devin	Gandron			Full Day	Counselor	4	\$15.50
Jackson	Ordway			Full Day	Counselor	5	\$15.75
Anath	Pai			Full Day	Counselor	3	\$15.25

<b>JONESVILLE (12/20)</b>				A-7310-E4550			
Remi	Bakker			Jonesville	Counselor	3	\$15.25
Alexa	Dochat			Jonesville	Counselor	3	\$15.25
Zachary	Casso			Jonesville	Counselor	5	\$15.75
Paige	Gregory			Jonesville	Counselor	2	\$15.00
Kaitlyn	Johnson			Jonesville	Counselor	3	\$15.25
Reagan	Leonardo			Jonesville	Counselor	2	\$15.00



Gregory	Parseghian			Jonesville	Counselor	2	\$15.00
Andrew	Martin			Jonesville	Counselor	3	\$15.25
Mason	Terry			Jonesville	Counselor	2	\$15.00
Hope	Tidgewell			Jonesville	Counselor	3	\$15.25
Matt	Warren			Jonesville	Counselor	4	\$15.50
Cameron	Smith			Jonesville	c	2	\$15.00
<b>LOCUST LANE (10)</b>					A-7310- E4500		
Elizabeth	Dreidel			Locust Lane	Counselor	2	\$15.00
Nathan	Grabowski			Locust Lane	Counselor	3	\$15.25
Jake	Mahoney			Locust Lane	Counselor	3	\$15.25
Luke	Mahoney			Locust Lane	Counselor	4	\$15.50
Emily	Osborn			Locust Lane	counselor	3	\$15.25
Katelyn	Toth			Locust Lane	counselor	2	\$15.00
Emily	Symans			Locust Lane	Counselor	2	\$15.00
Alyssa	Palmer			Locust Lane	Counselor	3	\$15.25
Brendan	Sheilds			Locust Lane	Counselor	3	\$15.25
Megan	Symans			Locust Lane	Counselor	2	\$15.00
Tiny Hands 2023							
Adelissa	Chappell			TH	counselor	3	15.25
Connor	Martin			TH	counselor	3	15.25
						1	368

Kaitlyn	Johnson	art specialist	a-7310-E9000	jonesville	spec	1	368
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Connor	Thompson	PE Specialist	A-7310-e9000	Locust Lane	spec	1	368
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**RESOLUTION**  
**#6**

Resolution No. \_\_\_\_\_ of 2024, a resolution authorizing alcoholic beverages to be served at a gathering to be held at the Clifton Park Senior Community Center on April 27, 2024.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, Kiersten Gregware, Clifton Park, is hosting a birthday party from 2:00 P.M. to 5:00 P.M., and

WHEREAS, a request has been received for permission to serve alcohol in the form of beer and/or wine at the event, now, therefore, be it

RESOLVED, that Kiersten Gregware is hereby authorized to serve beer and/or wine at a gathering at Clifton Park Senior Community Center on April 27, 2024 from 2:00 P.M. to 5:00 P.M. consistent with the terms of the permit application received in the office of the Clifton Park Senior Community Center.



## Cynthia, Zlogar

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**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Thursday, March 7, 2024 2:34 PM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Resolution Request #677

A new resolution request has been submitted. The details of this resolution request are included below.

**Department:** Senior Center

**Your Name:** Stacie Agostino

**Your Email:** [staciedina@gmail.com](mailto:staciedina@gmail.com)

**Sponsor:** S. Leonard

**Agenda Session Date:** ~~03/07/2024~~ 3/18/2024

**Board Meeting Date:** ~~03/07/2024~~ 4/01/2024

**Alternate Date:** ~~03/07/2024~~

**Budget Number:** NA

**Budget Description:** NA

**Amount:** NA

**Brief Description:** Alcohol permit request for 4/27/24 birthday party at the Senior Center

**Add Supporting Docs:**

[48de3d067ae74792 Gregware 2024 Rental Agreement and Alcohol Use Permit.pdf](#)

**Additional Comments/Details:** For next available board meeting; I'm just not sure when that would be!

**Agree to Terms:** Agree

[unsubscribe](#)



# Town of Clifton Park

## Clifton Park Senior Community Center

\* 6 Clifton Common Court, Clifton Park, New York 12065 \* 518-383-1343 \*

### 2024 Facility Rental Agreement

#### General Information

Name of Organization: N/A Today's Date: 3/5/2024  
Contact Person: Kiersten Gregware  
Address: \_\_\_\_\_ City: Clifton Park  
Phone (home): \_\_\_\_\_ (cell) 518  
Email: \_\_\_\_\_  
Date of Rental: 4/27/2024 Start Time: 2pm End Time: 5pm  
Purpose of Event: Birthday party  
Number of Attendees: 70 Is your organization a 501(c)(3)? (proof required) No

**\*Rental is not guaranteed until payment and signed Agreement is received\***

**Carry-in, carry-out policy in effect for all events. All checks are to be made payable to: Town of Clifton Park.**

Description	Regular Rate	Non-Profit *Must have a 501(c)(3)	# of Hours	Fee
Security Deposit	\$100	\$100		\$100
Community Room - Full Room	\$90 per hour	\$60 per hour	3	\$270
Community Room - Half Room	\$60 per hour	\$40 per hour		
Studio/Activity Room	\$60 per hour	\$40 per hour		
Creative Design Room	\$35 per hour	\$25 per hour		
Kitchen	\$90 per day	\$90 per day	3	\$90
Room Set-up/ Break-down Fee: (may be available upon request)	\$100 (if available)	\$100 (if available)		
Alcohol Permit	\$25	\$25	3	\$25
Special Instructions:	Total Due: <u>\$485 (100 + 385)</u>			
	Amount Paid: <u>\$100 #7742 + 385 Amex</u>			
	Balance:			





Clifton Park Senior Community Center  
6 Clifton Common Court  
Clifton Park, NY 12065  
(518) 383-1343

**2024 Special Alcohol Use Permit Request**  
(Please attach to Facility Permit Application)

Name of Organization: N/A

Contact Person: Kiersten Gregware

Phone (home): \_\_\_\_\_ (work) \_\_\_\_\_ (cell) 518

Email: \_\_\_\_\_

Date and Location of Event: 4/27/2024 (Community Room)

**Alcohol Permit is governed by the additional conditions: (please see initial conditions listed on Facility Permit Application)**

1. The permit is not transferable.
2. Permit is valid for specified date and time of event only.
3. Only beer and wine are allowed in Town parks or facilities. Glass beverage containers are not permitted.
4. Permit holder only is allowed to bring alcoholic beverages into the park and is responsible for the conduct of all group members.
5. Permit holder must retain permit and make available upon request by proper park official or security officer.
6. Permit holder will be responsible for assuring ALL MEMBERS of his/her party that consume alcohol are of legal age to drink alcoholic beverages according to New York State law.
7. Alcoholic beverages are not permitted in parking lots or children's play areas.
8. The sale of alcoholic beverages in Town parks or facilities is strictly prohibited.
9. Alcoholic beverages are not to be consumed by team members during athletic team competition.
10. You must be at least 21 years of age to purchase an alcohol permit.
11. Permit Request must be submitted at least 30 days prior to rental date.

***\$25 non-refundable fee must accompany special permit request.***

I have read the Town of Clifton Park rules and the above special conditions and agree to abide by them.

SIGNED: <u>K. Gregware</u>	DATE: <u>3/5/24</u>
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For Office Use Only:

Date Sent to Town Board for Resolution: \_\_\_\_\_

Date on Town Board Agenda Date: \_\_\_\_\_

Approved: Yes/No

If Approved, Permit Issued and Mailed to Applicant: \_\_\_\_\_

Alcohol Use Permit Request 2024 - 01/24 SA



**RESOLUTION**  
**#7**

Resolution No. \_\_\_\_\_ of 2024, a resolution awarding the contract for the replacement of two (2) trash compactors and the repair of two (2) existing hoppers at the Town's Transfer Station.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, Transfer Station trash compactors #1 and #2 were found to require replacement and two (2) existing hoppers are in need of repair, including installation of new computer controls, sandblasting and painting of the steel diamond plate, and replacement of corroded electrical components, and

WHEREAS, the Town published bid documents for these Transfer Station Improvements on February 5, 2024; and

WHEREAS, bids were opened on March 7, 2024, and

WHEREAS, Stephen Miller General Contractors, Inc., submitted the lowest conforming bid, in the amount of \$219,987; and

WHEREAS, Prime Engineering has found Stephen Miller General Contractors, Inc. to be qualified to perform the work for which they bid, and has recommended that the contract be awarded to Stephen Miller General Contractors, Inc.; now therefore be it

RESOLVED that the proposal from Stephen Miller General Contractors, Inc., for the Town Transfer Station Improvements Project, in an amount not to exceed \$219,987, is accepted; and be it further

RESOLVED that the Supervisor is authorized to sign a contract with Stephen Miller General Contractors, Inc. for the project, to be paid with a transfer from A-00914 (General Fund-Unassigned Fund Balance) to A-08160-00200 (General Fund-Convenience Transfer Station-Equipment).

## Cynthia, Zlogar

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**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Tuesday, March 12, 2024 9:20 AM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Resolution Request #683

A new resolution request has been submitted. The details of this resolution request are included below.

**Department:** Buildings & Grounds

**Your Name:** Daniel Clemens

**Your Email:** [dclemens@cliftonpark.org](mailto:dclemens@cliftonpark.org)

**Sponsor:** P. Barrett

**Agenda Session Date:** 03/18/2024

**Board Meeting Date:** 04/01/2024

**Alternate Date:** 04/15/2024

**Budget Number:** A-8160-200

**Budget Description:** General Fund - Solid Waste management - Equipment

**Amount:** \$219,987.00

**Brief Description:** Accept the bid from Stephan Miller General Contractors, Inc. to replace trash compactor #1 and #2 at the transfer station.

**Add Supporting Docs:**

[fe0768e9c464d0d3 Compactor replacement 2024.pdf](#)

[b02c2db17dcdbf02 CTS Improvements Bid-Millers Ready Mix 2024.pdf](#)

**Additional Comments/Details:** This is the third time we bid this project. First with no bids. Second one bid that was higher than we thought it should be. This time we received 3 bids and the winning bidder was \$78,000 lower than last years single bid.

**Agree to Terms:** Agree

[unsubscribe](#)



001113

**ADVERTISEMENT FOR BIDS**

**PLEASE TAKE NOTICE:** That the Town Board of the Town of Clifton Park (The Board) on the 7th day of March, 2024, at 2:00 PM at the Clifton Park Town Hall 1 Town Hall Plaza, Clifton Park, New York 12065, will publicly open and read all sealed bids and proposals received pursuant to this notice for the furnishing of work, labor and materials in connection with the Transfer Station Improvements Project.

Work for Contract No. 1 – General Construction consists of furnishing all materials, equipment and labor necessary for the replacement of (2) trash compactors, repair of (2) existing hoppers, installation of new compactor controls, sandblast and painting of steel diamond plate, replacement of corroded electrical components including conduits, switches, and light fixtures, and restoration, all as further detailed in the plans and specifications.

Each bid must be submitted within a sealed opaque envelope. The name of the bidder and "Town of Clifton Park Transfer Station Improvements Project Contract No. 1 Bid Enclosed" shall be clearly marked on such envelope. The bids shall include all items listed in the "PACKAGE TO BE SUBMITTED WITH BID" which is included with the project manual. If a Bid is sent by mail or other delivery system, both the outside packaging and sealed envelope containing the bid within shall be clearly marked "Town of Clifton Park Transfer Station Improvements Project Contract No. 1 Bid Enclosed".

Plans and specifications may be requested by phone (518-348-7862) or email ([nbobar@primeeng.com](mailto:nbobar@primeeng.com)) and obtained electronically from the office of the following during normal business hours:

PRIME AE Group of NY, 100 Great Oaks Blvd, Suite 114, Albany, New York 12203

A NONREFUNDABLE FEE OF TWENTY-FIVE (\$25.00) DOLLARS WILL BE REQUIRED FOR EACH COMPLETE SET OF BIDDING DOCUMENTS (PROJECT MANUAL), WHICH INCLUDES ELECTRONIC COPIES OF THE PLANS AND SPECIFICATIONS. PRIME AE GROUP OF NY WILL ACCEPT PAYMENT IN THE FORM OF A CHECK. CHECKS ARE TO BE MADE PAYABLE TO THE PRIME AE GROUP OF NY. NO CASH PAYMENTS WILL BE ACCEPTED.

No information will be mailed using U.S. Postal Service or from the bidder's own carrier service. All bidders' information, deposits, fees, and account information must be received by PRIME AE Group of NY prior to acquiring.

Accompanying each bid must be a bid bond, certified check or bank check made payable to the order of the Town of Clifton Park in the amount of five (5%) percent of the bidder's maximum bid amount, as a guarantee that if the contract is awarded to a bidder, said successful bidder will comply with the Notice to Bidders and the specification for the contract in accordance herewith. Said bid bond, certified check or bank check will be retained by the Town of Clifton Park, and upon completion of the contract, in accordance with said specifications, the said bid bond, certified check or bank check will be returned to the bidder.

On failure to comply with the Notice to Bidders and the specifications for said contract, the successful bidder shall forfeit the deposit to the Town of Clifton Park.

Every bid or proposal must contain a noncollusion affidavit executed by the bidder or his authorized representative. Separate Performance and Payment Bonds, each equal to one hundred (100%) percent of the contract sum will be required of the successful bidder.

The bidder to whom the contract will be awarded shall attend at the said opening place of the bids, within ten (10) days after the date of Notice of Award with the required sureties, and there sign the contract for the work. Failure to do so will result in Bidder's forfeit of contract work. No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof. Any bid may be withdrawn prior to the above scheduled time for the opening of bids, or any authorized postponement thereof.

The Town and its representatives will not offer or supply anyone the list of people that have obtained a copy of these bid specifications or cost estimates for the project prior to the opening of the bids. NO EXCEPTIONS ARE MADE TO THIS POLICY.

The Town of Clifton Park reserves the right to waive any informalities in or to reject any or all bids submitted or to award the contract to the lowest responsible bidder who in the Town's judgment makes the most advantageous proposal to the Town of Clifton Park.

All sealed bids or proposals must be received by the Town Clerk prior to 2:00 PM on March 7, 2024, the date on which all sealed bids or proposals will be publicly opened and read aloud.

BY ORDER OF THE TOWN BOARD  
Teresa Brobston, Town Clerk

# TRANSFER STATION IMPROVEMENTS BID 3/7/24 @ 2PM

Company Name	#1 Lump Sum Amt.	#2 Additive	#3 Additive	Total Lump Sum Amount
Borderline Excavating & Fence	\$267,750	\$10,000	\$10,000	\$287,750
Miller's Ready Mix Concrete & Block	\$199,987	\$10,000	\$10,000	\$219,987
Gallo Construction Corp.	\$214,570	\$10,000	\$10,000	\$234,570



Albany Office  
100 Great Oaks Boulevard, Suite 114, Albany, NY 12203  
P: 1.833.723.4768

March 11, 2024

Mr. Philip C. Barrett, Supervisor  
Town of Clifton Park  
One Town Hall Plaza  
Clifton Park, NY 12065

**Re: Town of Clifton Park  
Transfer Station Improvements Project  
Recommendation of Award**

Dear Supervisor Barrett:

Sealed bids were publicly opened for the Transfer Station Improvements Project at Town Hall on Thursday, March 7, 2024. The bid results are shown in the table below:

<u>Contractor</u>	<u>Bid Amount</u>
Stephen Miller General Contractors, Inc.	\$219,987.00
Gallo Construction Corp.	\$234,570.00
Borderline Excavating & Fence	\$287,750.00

The apparent low bidder is Stephen Miller General Contractors, Inc., located in Mayfield, NY. We have complete numerous successful projects with the low bidder. They are qualified to perform the work for which they bid. The bid amount is reasonable for the scope of work involved, in our opinion.

We therefore recommend that the Town award the Transfer Station Improvements Project to Stephen Miller General Contractors, Inc. in the amount of \$219,987.00.

Sincerely,  
**KB Group of NY, Inc. dba PRIME AE Group of NY**

Jeffrey D. Trzeciak, P.E.  
Senior Project Manager II

cc: Dan Clemens, Director of Buildings, Parks, and Recreation  
Teresa Brobston, Town Clerk  
Paul Pelagalli, Town Attorney



004113  
Bid Form

For: Town of Clifton Park  
Transfer Station Improvements Project  
Contract No. 1

From: Stephen Miller General Contractors, Inc.  
(Name of Bidder)

Date Bid Submitted: March 7, 2024

The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an agreement with OWNER in the form included in the Contract Documents to perform and finish all work as specified or indicated in the Contract Documents for the Bid Price and within the Bid Times indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

BIDDER accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for forty-five days after the day of Bid opening. BIDDER will sign and deliver the required number of counterparts of the Agreement with the Bonds and other documents required by the Bidding Requirements within ten days after the date of OWNER's Notice of Award.

In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

BIDDER has examined copies of all the Bidding Documents including Addenda.

BIDDER has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the work.

BIDDER has studied carefully all reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions, in or relating to existing surface or subsurface structures at or contiguous to the site (except underground facilities) which have been identified in the Supplementary Conditions as provided in 4.02 of the General Conditions. BIDDER accepts the determination set forth in paragraph SC-4.02 of the Supplementary Conditions of the extent of the technical data contained in such reports and drawings upon which BIDDER is entitled to rely as provided in 4.02 of the General Conditions. BIDDER acknowledges that such reports and drawings are not contract documents and may not be complete for BIDDER's purposes. BIDDER acknowledges that OWNER and ENGINEER do not assume responsibility for the accuracy or completeness of information and data shown, or indicated, in the bidding documents with respect to underground facilities at or contiguous to the site. BIDDER has obtained and carefully studied (or assumes responsibility for having done so) all such additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and underground facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or furnishing of the work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by BIDDER and safety precautions and programs incident thereto. BIDDER does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the determination of this Bid for the performance and furnishing of the work in accordance with the times, price and other terms and conditions of the contract documents.

BIDDER agrees that the Work will be substantially completed and ready for final payment in accordance with 14.04 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement. BIDDER accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified in the Agreement.

BIDDER is aware of the general nature of work to be performed by OWNER and others at the site that relates to work for which this Bid is submitted as indicated in the contract documents.

BIDDER has correlated the information known to BIDDER. Information and observations obtained from visits to the site, reports and drawings identified in the contract documents and all additional examinations, investigations, explorations, tests, studies and data with the contract documents.

BIDDER has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that BIDDER has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to BIDDER and the contract documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the work for which this Bid is submitted.

This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

If the undersigned fails to execute the contract and furnish a satisfactory bond as stated in the foregoing Notice to Bidders, within ten days from the date of notification of the awarding of the contract, the OWNER may, at its option, determine that the undersigned has forfeited the contract and the certified check or bid bond accompanying this proposal shall be invoked as liquidated damages for such failure; otherwise it shall be returned to the undersigned.

**Contract No. 1 – General Construction****1a. Lump Sum Price Bid Amount**

For work of Contract No. 1 – General Construction, the BIDDER proposes to perform the work required in accordance with contract documents, complete, for the lump sum price of:

Bid Item No.	Description	Lump Sum Amount
1	Transfer Station Improvements	199,987.00
2	Allowance No. 1.1, as specified.	\$10,000
3	Allowance No. 1.2, as specified.	\$10,000
Total Lump Sum Bid Amount (Sum Bid Item No.'s 1 through 3)		219,987.00

Contract No. 1 – General Construction – Total Lump Sum Bid Amount (written in words):

Two Hundred Nineteen Thousand Nine Hundred Eighty Seven Dollars and no Cents.

**Note:** As funding allows, Contract 1 will be awarded to lowest responsible bidder in any combination of bid items.

**2. Bid Deposit**

In accordance with the conditions established in the foregoing Notice to Bidders, attached is a certified check or bid bond drawn on

5% of bid  
for the sum of 5% of the total amount bid or  
\$ \_\_\_\_\_

**3. Acknowledgment of Receipt of Addenda**

Addenda #	Date	Contractor's Signature
_____	<u>None</u>	_____
_____	_____	_____
_____	_____	_____

**4. Address/Telephone and Telefax Number for Communications Regarding Bid**

Name: Stephen Miller  
Address: POB 291, Mayfield, NY 12117  
Telephone: (518) 661-5601 Telefax: (518) 661-6264







PENAL SUM FORM

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):

Stephen Miller General Contractors, Inc.  
P.O. Box 291  
Mayfield, New York 12117

SURETY (Name and Address of Principal Place of Business):

Liberty Mutual Insurance Company  
175 Berkeley Street  
Boston, Massachusetts 02116

OWNER (Name and Address):

Town of Clifton Park  
1 Town Hall Plaza  
Clifton Park, New York 12065

BID

Bid Due Date: March 7, 2024

Description (Project Name and Include Location): Transfer Station Improvements, Contract No. 1 - General Construction

BOND

Bond Number: STEP2-27-24-1

Date (Not <sup>later</sup> ~~earlier~~ than Bid due date): February 27, 2024

Penal sum Five Percent of the Amount

(Words)

\$ 5%

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

Stephen Miller General Contractors, Inc.

(Seal)

Bidder's Name and Corporate Seal

By:

Stephen Miller  
Signature

Print Name

Title

Attest:

Doreen Miller  
Signature

Title

SURETY

Liberty Mutual Insurance Company

(Seal)

Surety's Name and Corporate Seal

By:

Renee A. Manny  
Signature (Attach Power of Attorney)

Renee A. Manny

Print Name

Attorney-in-Fact

Title

Attest:

Maddalena Bucca  
Signature

Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.

## PENAL SUM FORM

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
  - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
  - 3.2 All Bids are rejected by Owner, or
  - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.



**Acknowledgment by Corporation**

STATE OF

COUNTY OF

On this 4 day of March, 2024, before me personally appeared Stephen Miller, to me known, who being by me duly sworn, did acknowledge and say that ~~(s)~~he is the President of Stephen Miller General Contractors, Inc., the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the above County, the day and year written above.

Danella B. Miller  
, Notary Public

State of N.Y.  
County of Fulton  
My Commission Expires: 12/12/25

PAMELA G. MILLER  
Notary Public, State of New York  
Qualified in Fulton County  
Reg. # 01500129133  
Com. Exp. 12/12/25

**Acknowledgment by Surety**

STATE OF New York

COUNTY OF Albany

On this 27th day of February, 2024, before me personally appeared Renee A. Manny, to me known, who being by me duly sworn, did acknowledge and say that she is the Attorney-in-Fact of Liberty Mutual Insurance Company, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the above County, the day and year written above.

\_\_\_\_\_, Notary Public

State of \_\_\_\_\_

County of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Eileen Foley  
EILEEN FOLEY  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01F06442059  
QUALIFIED IN RENSSELAER COUNTY  
MY COMMISSION EXPIRES OCT 11, 2026





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

Certificate No: 8208729-837024

### POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Audrey J. Daniels; Casey W. Lachapelle; Christopher G. Terzian; David W. Cooper; Diane M. Peligian; Jennifer Susan Vanat; John C. Tickner; John F. Murray, Jr.; Justin Brewer; Kevin J. Garrity; Lori A. Francett; Maddalena Bucciero; Mark C. Nickel; Renee A. Manny; Tanya M. Volk; Thomas R. Tyrrell; Vikki L. LaVean

all of the city of East Greenbush state of NY each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 15th day of September, 2022.



Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss  
County of MONTGOMERY

On this 15th day of September, 2022 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal  
Teresa Pastella, Notary Public  
Montgomery County  
My commission expires March 28, 2025  
Commission number 1126044  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

#### ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

#### ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 27th day of February, 2024.



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.



## LIBERTY MUTUAL INSURANCE COMPANY

## Financial Statement – December 31, 2022

Assets		Liabilities	
Cash and Bank Deposits .....	\$3,908,755,039	Unearned Premiums.....	\$10,133,358,204
*Bonds — U.S Government.....	3,451,999,931	Reserve for Claims and Claims Expense.....	27,953,643,316
*Other Bonds .....	18,862,255,155	Funds Held Under Reinsurance Treaties.....	368,610,620
*Stocks .....	19,372,953,698	Reserve for Dividends to Policyholders .....	1,379,296
Real Estate.....	190,092,373	Additional Statutory Reserve.....	197,278,000
Agents' Balances or Uncollected Premiums .....	7,929,876,358	Reserve for Commissions, Taxes and	
Accrued Interest and Rents .....	166,740,412	Other Liabilities.....	9,206,000,954
		<b>Total.....</b>	<b>\$47,860,270,390</b>
Other Admitted Assets .....	15,968,062,977	Special Surplus Funds .....	\$195,696,103
<b>Total Admitted Assets .....</b>	<b><u>\$69,850,735,943</u></b>	Capital Stock .....	10,000,075
		Paid in Surplus .....	13,324,803,036
		Unassigned Surplus .....	8,459,966,339
		<b>Surplus to Policyholders .....</b>	<b>21,990,465,553</b>
		<b>Total Liabilities and Surplus .....</b>	<b><u>\$69,850,735,943</u></b>



\* Bonds are stated at amortized or investment value; Stocks at Association Market Values.  
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2022, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 8th day of March 2023.

TAMikolajewski  
Assistant Secretary

**RESOLUTION**  
**#8**



Resolution No. \_\_\_\_\_ of 2024, a resolution authorizing the hiring of Jeremy Mika and Korri Brady as 2024 seasonal help for the Buildings and Grounds Department.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, openings exist for seasonal help in the Buildings and Grounds Department,  
and

WHEREAS, Dan Clemens, Director of Buildings, Parks, and Recreation, has recommended that Jeremy Mika and Korri Brady, be hired to fill the seasonal positions; now, therefore, be it

RESOLVED, that Jeremy Mika, Clifton Park, and Korri Brady, Mechanicville, be employed as seasonal workers for Buildings and Grounds for 2024, to be paid \$17/hour and \$16/hr respectively, from A-7110-E4000 (General Fund-Buildings & Grounds- Seasonal Labor), effective immediately.

## Cynthia, Zlogar

---

**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Tuesday, March 12, 2024 2:24 PM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Employee Resolution Request #685

A new employee resolution request has been submitted. The details of this resolution request are included below.

**Department:** Buildings & Grounds

**Your Name:** Daniel Clemens

**Your Email:** [dclemens@cliftonpark.org](mailto:dclemens@cliftonpark.org)

**Sponsor:** P. Barrett

**Agenda Session Date:** 03/18/2024

**Board Meeting Date:** 03/18/2024

**Alternate Date:** 04/01/2024

**Budget Number:** A-7110-E4000

**Budget Description:** General Fund - Buildings & Grounds - PT Labor (seasonal)

**Amount:** \$16/hour and \$17/hour

**Brief Description:** Hire Jeremy Mika (returning) as seasonal labor at \$17/hr and Korri Brady (new) as seasonal labor at \$16/hr in the Buildings & Grounds department effective immediately

**Add Supporting Docs:**

**Additional Comments/Details:** Korri has worked in the department for 3 seasons as an employee of the Saratoga County Youth program.

**Agree to Terms:** Agree

[unsubscribe](#)

**RESOLUTION**  
**#9**



Resolution No. \_\_\_\_\_ of 2024, a resolution scheduling a public hearing on a proposal to amend Chapter 73 of the Town Code to provide homeowners with legal protection against unauthorized occupations of homes and other residential property within the Town.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_.

WHEREAS, Municipal Home Rule Section 10 (12) authorizes local governments within New York to protect the health, safety, and well-being of persons and property within its jurisdiction, and

WHEREAS, the Town Board finds and determines that the right to exclude unauthorized persons from homes and other residential real property is a right inherent in the ownership of such property within the Town, and

WHEREAS, the Board intends to provide such protections as may be necessary to ensure the prompt investigation into any reported instances of unauthorized "squatters" occupying such property, and to provide adequate remedies to direct and require that any such persons vacate the occupied premises, and

WHEREAS, the Town Board wishes to solicit public comment on a proposal to ensure that reported instances of such unauthorized "squatters" are promptly investigated, and that local law enforcement and code enforcement officials have remedies available to efficiently restore any affected property to rightful owners and leaseholds of record, to the maximum extent as authorized by MHR § 10, now therefore, be it

RESOLVED, that a public hearing will be held on April 15, 2024 at 7:05pm in the Wood Memorial room, One Town Hall Plaza, Clifton Park, N.Y. on a proposal to amend Chapter 73 of the Town Code to provide homeowners with legal protection against unauthorized occupations of homes and other residential property within the Town; and be it further

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

## Cynthia, Zlogar

---

**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Wednesday, March 27, 2024 5:01 PM  
**To:** Cynthia, Zlogar; Paul, Pelagalli; Phil Barrett; Jean, Spiegel; Mark Heggen; Darlene, Allen; Lynda Walowit; Anthony Morelli; Zabeed, Manir; Agatha, Reid; John Scavo; Christine Pagniello; Teresa Brobston; Walter Smead  
**Subject:** New Resolution Request #712

A new resolution request has been submitted. The details of this resolution request are included below.

**Department:** Supervisor

**Your Name:** czlogar

**Your Email:** [czlogar@gmail.com](mailto:czlogar@gmail.com)

**Sponsor:** P. Barrett

**Agenda Session Date:** 04/01/2024

**Board Meeting Date:** 04/01/2024

**Alternate Date:** 04/01/2024

**Budget Number:** N/A

**Budget Description:** N/A

**Amount:** N/A

**Brief Description:** A resolution to schedule a public hearing on a proposal to amend Chapter 73 of the Town Code to provide homeowners with legal protection against unauthorized occupations of homes and other residential property within the Town.

**Add Supporting Docs:**

[5df952fdaeebe9d3\\_09.1\\_Squatters\\_law.pdf](#)

**Additional Comments/Details:** n/a

**Agree to Terms:** Agree

[unsubscribe](#)

## Chapter 73

### Article IV- Residential Property

#### 73-30 A. Legislative Intent

Findings and determinations.

The Town Board finds and determines that the right to exclude unauthorized persons from the occupancy of Residential Real Property is a substantive and critical component of the right of quiet enjoyment inherent in the ownership of such property. The Board further finds that the government, protection, order, conduct, safety, health and well-being of persons and property therein requires that adequate and efficient remedies are available to the owners of such real property within the Town to ensure the enforcement of such property rights. The legislative intent of the following provisions is to provide local code enforcement as well as law enforcement with procedures to investigate and to provide a remedy to owners of real property within the Town and to protect such owners against unauthorized occupation of residential property within the Town to the maximum extent authorized by Municipal Home Rule Law § 10 (12).

#### 73-30 B.

1. A person who takes up occupancy in an uninhabited or vacant dwelling and such occupancy is without permission and consent of the owner of the dwelling or an authorized representative of the owner shall be deemed to unlawfully occupy the dwelling.
2. A person is presumed to know that their occupancy of the dwelling is without the permission and consent of the owner unless the person provides a written and notarized lease agreement signed by the owner or the owner's authorized representative and includes the current address and telephone number of the owner or the owner's authorized representative.
3. In the event that a person unlawfully occupies the dwelling without the owner's permission and consent such person shall not be deemed to be a tenant and shall be deemed to be a squatter who is trespassing on such property.
4. In the event that a person unlawfully occupies the dwelling without the owner's permission and consent, the rightful owner of such dwelling may execute an affidavit attesting to the fact that they are the owner of the dwelling in question; that they have not given any person their permission and consent to occupy or damage the dwelling; that they authorize law enforcement to remove such person or persons occupying the dwelling from said dwelling and/or arrest such person or persons; and that they will hold harmless and indemnify the law enforcement agency and the municipality by which they are employed in the event that a claim is made based upon any misrepresentation in such affidavit or the affiant's failure to give written notice to the law enforcement agency of any changes or amendments to the status of the subject property or any amendments to the representations made in the affidavit.



5. Penalties for offenses; enforcement

A. Specific penalties

Any person occupying a dwelling in violation of this chapter shall, upon conviction, be punished as follows:

(a) Upon a first conviction, by a civil penalty of not less than \$250 and not more than \$500.

(b) Upon a second conviction, by a civil penalty of not less than \$500 and not more than \$1,000.

(c) Upon a third or subsequent conviction, by a civil penalty of not less than \$1,000 and not more than \$1,500.

(d) Any penalties provided for in N.Y.S. Town Law Sec. 135.

B. The continuation of a violation on each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violations may be punished as provided for herein for each separate offense.

C. An action or proceeding in the name of the Town of Clifton Park may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the provisions of this chapter.

D. This chapter shall be enforced by the Director of Building and Development, Building Inspectors, and Code Enforcement Officers, and by referrals to local law enforcement agencies.