

# **TOWN OF CLIFTON PARK**

## **TOWN BOARD MEETING**

**October 21, 2013**

- I. Call to Order/7:00 P. M.**
- II. Pledge to Flag**
- III. Roll Call**
- IV. Approval of Town Board Minutes**
- V. Communications/Announcements**
- VI. Business**
  - **Presentation by Rick Barber-Deanna Rivers Memorial Sign**
  - **“Shen Community Coalition Underage Drinking/Security Patrol Partnership Update”**
  - **Resolutions for Consideration**
  - **Other Business**
- VII. Open Public Privilege**

NOTE:

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

October 21, 2013

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Schedule Public Hearing to consider the 2014 Preliminary Budget	P. Barrett
2. Supervisor	Authorize the Assessor to re-levy the expense of repairs or demolition against the land on which such building is located, as provided for in Section 77-12 of the Town Code	P. Barrett
3. Buildings & Grounds	Accept the Quote of The PlayPro in an amount of \$6,694.00 for the purchase of three sets of Bleachers for use at Clifton Common	P. Barrett
4. Town Justice	Authorize the Town Supervisor to sign an application on behalf of the Justice Court, with the Office of Court Administration, to apply for a Grant of State funds to purchase equipment, office furniture and supplies	P. Barrett
5. Supervisor	Bond Resolution authorizing improvements to Water Distribution Facilities benefiting the Rexford Water District No. 2 Extension No. 2 at a maximum estimated cost of \$66,000 and authorizing the issuance of \$66,000 Serial Bonds to pay the cost thereof	P. Barrett
6. Supervisor	Authorize the Supervisor to sign Change Order No.1, Contract No.2, Electrical, with Capital District Electric, decreasing the Contract by \$6,000.00	P. Barrett

Resolution No. \_\_\_\_\_ of 2013, a resolution scheduling a public hearing to consider the 2014 Preliminary Budget.

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

WHEREAS, the Town Board wishes to obtain comment regarding the 2014 Preliminary Budget; now therefore be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 7, 2013 at 7:00 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York to consider the 2014 Preliminary Budget; and be it further

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

Resolution No. \_\_\_\_\_ of 2013, a resolution authorizing the Assessor to re-levy the expense of repairs or demolition against the land on which such building is located, as provided for in Section 77-10 of the Town Code.

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

WHEREAS, in February of 2012, the Town Board adopted Resolution No. 40 to respond to isolated incidents where the abandonment of properties or extended foreclosure process results in neglect to real property; and

WHEREAS, newly adopted Section 77-12 of the Town Code requires that records of costs and expenses incurred in providing such maintenance be reported to the Town Board no later than November 1<sup>st</sup> of each year; and

WHEREAS, the Code Enforcement Officer has reported the identification of nineteen, vacant, abandoned, or foreclosure properties meeting criteria outlined in Section 77-10, as amended, and

WHEREAS, maintenance performed by the Buildings and Grounds Departments pursuant to Section 77 of the Town Code has been completed by the Department of Buildings and Grounds on all nineteen properties at a cost of \$12,187.50, per the attached exhibit; and

WHEREAS, the Code requires that the Town Board authorize the assessor to re-levy the unpaid bills on affected properties for the 2014 tax roll to ensure re-payment to the Town consistent with Resolution No. 40 of 2012, now therefore be it

RESOLVED, that the Town Board authorizes the Assessor to re-levy the unpaid bills on the respective properties as delineated on Attachment 1 to this resolution for the 2014 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Town of Clifton Park.

Resolution No. \_\_\_\_\_ of 2013, a resolution accepting a quote from The PlayPro for the purchase of three sets of Bleachers for the Clifton Common.

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

WHEREAS, quotes were received for the purchase of three sets of Bleachers for use at the Clifton Common, and

WHEREAS, The PlayPro, 5 Krey Boulevard, Rensselaer, New York submitted the lowest quote in the amount of \$6,694.00 for the purchase of the three Bleachers, and

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds has reviewed the Quotes and recommends accepting the quote of The PlayPro as the lowest responsible vendor, now therefore be it

RESOLVED, that the Town Board accepts the quote of The PlayPro for the purchase of three sets of Bleachers in an amount of \$6,694.00, to be paid from A7112-200 (Clifton Common).

Resolution No. \_\_\_\_\_ of 2013, a resolution authorizing the Town Supervisor to sign a Grant Application on behalf of the Justice Court, for the purchase of Equipment for the Justice Court.

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

WHEREAS, the 2013 Justice Court Assistance Program provides state funding for local Courts to purchase necessary equipment; and

WHEREAS, Judge Robert A. Rybak and Judge James F. Hughes would like to file an application to purchase a variety of equipment, office furniture, and supplies, and

WHEREAS, such equipment will enable the Justice Court to better serve the needs of the public; now therefore be it

RESOLVED, that the Clifton Park Town Board supports the submission of a Grant Application to purchase a variety of equipment, office furniture and supplies, and be it further

RESOLVED, that the Town Supervisor is authorized to sign a Grant Application on behalf of the Justice Court, for the purchase of Equipment for the Justice Court.

RESOLUTION NO. \_\_\_\_ of 2013

BOND RESOLUTION DATED OCTOBER 21, 2013 OF THE TOWN OF CLIFTON PARK, NEW YORK, AUTHORIZING IMPROVEMENTS TO WATER DISTRIBUTION FACILITIES BENEFITTING THE REXFORD WATER DISTRICT NO. 2, EXTENSION NO. 2 AT A MAXIMUM ESTIMATED COST OF \$66,000 AND AUTHORIZING THE ISSUANCE OF \$66,000 SERIAL BONDS TO PAY THE COST THEREOF.

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

Section 1. The Town of Clifton Park, New York (the "Town") is hereby authorized to construct improvements to the Rexford Water District No. 2, Extension No. 2 necessary and incidental to construction of water distribution facilities and other improvements in connection therewith, at an estimated maximum cost of \$66,000 and to issue an aggregate \$66,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the costs of the aforesaid object or purpose.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$66,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$66,000 in serial bonds (the "Bonds") of the Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law. The proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

Section 4. Pursuant to Section 107.00(3) (1) of the Local Finance Law, no down payment is required prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any Bond Anticipation Notes issued in an anticipation of the Bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any Bond Anticipation Notes issued in anticipation of the Bonds, shall be general obligations of the Town, payable as to both

principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds and any Bond Anticipation Notes issued in anticipation of the Bonds. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land within the District, which the Town Board shall determine to be especially benefited by the improvements, an amount sufficient to pay the principal of and interest on such obligations as the same become due and payable, but if not paid from such source, all the taxable real property in the Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal and interest on such obligations when due.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Town's General Fund. It is intended that the Town shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2.

Section 9. The Serial Bonds and Bond Anticipation Notes authorized to be issued by this Resolution are hereby authorized to be consolidated, at the option of the Town Supervisor, the chief fiscal officer of the Town, with the serial bonds and bond anticipation notes authorized by other bond resolutions adopted by the Town Board for purposes of sale in one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolution. All matters relating to the sale of the Bonds, including the date of the Bonds, the consolidation of the Bonds and Bond Anticipation Notes with other issues of the Town, and the serial maturity of the Bonds, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 10. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this resolution or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized to enter into an undertaking for the benefit of holders of the Bonds from time to time, and any bond anticipation notes issues in anticipation of the sale of the Bonds, requiring the Town to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15(c)2-12.

Section 12. This resolution, or a summary of this resolution, shall be published in the official newspapers of the Town for such purpose, together with a notice of the Clerk of the Town in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. The Town Board hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 14. This resolution shall take effect immediately upon its adoption.

ROLL CALL VOTE

Ayes:

Noes:

Absent:

DECLARED ADOPTED

October \_\_\_\_ 2013

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Patricia O'Donnell, Town Clerk



## **ESTOPPEL NOTICE**

The Town Board of the Town of Clifton Park, Saratoga County, New York (the "Town") duly adopted on October 21, 2013, the Bond Resolution summarized below, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town is not authorized to expend money or the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the New York State Constitution.

### **Summary of Bond Resolution**

1. Class of Objects or Purposes – the improvements to the Rexford Water District No. 2, Extension No. 2 constituting Water mains along Route Madison Avenue in the vicinity of Glenridge Road, Rexford, NY.

2. Period of Probable Usefulness - forty (40) years.

3. Maximum Amount of Obligations to be Issued - \$66,000.

The Bond Resolution herein summarized shall be available for public inspection during normal business hours at the office of the Town Clerk at One Town Hall Plaza, Clifton Park, New York.

The Town Board has determined that the project described above will not have a significant effect on the environment and constitutes an "Unlisted Action" under the New York State Environmental Quality Review Act.

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Clerk, Town of Clifton Park,  
Saratoga County, New York

Resolution No. \_\_\_\_\_ of 2013, authorizing the Supervisor to sign Change Order No. 1, Contract No. 2, Electrical, with Capital District Electric, Inc. for Sanitary Sewer Replacement.

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

WHEREAS, Resolution No. 200 of 2012 authorized a contract with Capital District Electric, Inc. for the electrical contract associated with the Sanitary Sewer Replacement Project, and

WHEREAS, a Change Order was prepared by McDonald Engineering which provides the breakdown of individual item costs; and

WHEREAS, the Change Order results in a decrease of \$6,000.00 in Contract price and 167 day increase in contract times, to arrive at a new contract amount of \$39,500.00 and a new contract Substantial Completion Date of May 16, 2013, now therefore be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 1, Contract No. 2 with Capital District Electric, Inc., dated June 17, 2013, for a decrease of \$6,000.00 and 167 day increase in contract times; and be it further

RESOLVED, that the decreased contract amount of \$6,000.00 is to be released from encumbrance from G7-8111-200(Clifton Park Sewer District No. 1-Equipment).