

TOWN OF CLIFTON PARK

TOWN BOARD MEETING

October 19, 2015

- 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**
 - **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 19, 2015

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Authorize Clifton Park Sewer District #1 to sell surplus equipment at auction	P. Barrett
2. Supervisor	Schedule public hearing to consider 2016 Preliminary Budget	P. Barrett
3. Comptroller	Authorize the increase of the Riverview Park District budget by \$16,981 for upgrades and repairs in 2015.	P. Barrett
4. Supervisor	Authorize the establishment of Ballston Lake Sewer District #1 pending the election results of vote on 10/14/2015	P. Barrett
5. Supervisor	Approve an inter-municipal agreement between the Town of Ballston and the Town of Clifton Park for the Ballston Lake Sewer District #1	P. Barrett
6. Planning	Authorize the hiring of Melinda Acker as Senior Typist to the Planning Department	P. Barrett

Resolution No. _____ of 2015, a resolution authorizing the sale of equipment declared surplus by the Board and authorizing the Sewer Department to sell the surplus equipment at public auction.

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

WHEREAS, Mike O'Brien, the Collection Systems Manager, has identified the 2000 Ford 150 van used by the Town of Clifton Park Sewer District #1 as surplus property and;

WHEREAS, based upon the recommendation of Mike O'Brien, the Town Board declares the 2000 Ford 150 van used by the Clifton Park Sewer District #1 as surplus; now therefore be it

RESOLVED, that the Town Board authorizes the Sewer District to sell the surplus equipment, as is, through an upcoming online Public Auction.

Resolution No. _____ of 2015, a resolution scheduling a public hearing to consider the 2016 Preliminary Budget.

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

WHEREAS, the Town Board wishes to obtain comment regarding the 2016 Preliminary Budget; now therefore be it

RESOLVED, that a public hearing is hereby scheduled for Wednesday, November 4, 2015 at 7:00 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York to consider the 2016 Preliminary Budget; and be it further

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

Resolution No. _____ of 2015, a resolution to increase the Riverview Park District Budget by \$16,981

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

WHEREAS, the Riverview Park District has had additional expenditures in 2015 for installation of picnic tables, bike racks and cutting down of trees to upgrade the parks, now, therefore, be it

RESOLVED, that the comptroller is authorized to increase the budget by \$16,981, with a transfer from the Assigned Fund Balance, and therefore, be it further

RESOLVED that the transfers on the attached schedule are hereby approved.

Resolution Establishing the Ballston Lake Sewer District No. 1 following receipt of election results on a proposition submitted to eligible voters pursuant to New York State Town Law Section 94.

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

WHEREAS, in response to studies resulting in the addition of Ballston Lake to New York State's list of priority water bodies as an impaired lake, the Town of Ballston initiated engineering studies and sought public opinion concerning the establishment of a sewer district in the area surrounding the Ballston Lake Watershed, and

WHEREAS, the Town Board of Clifton Park was approached by residents regarding the establishment of a similar sewer district within Clifton Park to finance and construct sewer improvements within the Clifton Park portion of the Ballston Lake Watershed, and

WHEREAS, the project was designed and engineered as a joint project, to be financed through the issuance of bonds by the Town of Ballston, with Clifton Park assessing properties within Clifton Park which benefit from the project to contribute toward a debt service on the bonds used to finance the project, and

WHEREAS, on , September 8, 2015, the Town Board accepted a Map, Plan and Report prepared by an Jack McDonald Engineering describing the boundaries of the proposed Ballston Lake Sewer District No. 1 (hereinafter "District" or "Proposed District"), a general plan of improvement and description of facilities including construction of a sewer collection and conveyance system that will connect to sewer improvements being made within the Town of Ballston for ultimate conveyance to the SCSD #1 Interceptor Sewer in the vicinity of Shenentaha Park that directs wastewater to the SCSD #1 wastewater treatment plant, the maximum amount to be expended, regulatory review requirements, the cost of connection fees, if any, the cost to the typical property, and method of financing the project, and a statement of benefit assessment; and

WHEREAS, the Town has made the Map, Plan and Report available for public inspection at the Office of the Town Clerk in Ballston Town Hall during regular Town Hall business hours, and

WHEREAS, the Town Board held a Public Hearing on September 8, 2015, to receive public comment on the proposed sewer district; and

WHEREAS, notice of the Public Hearing was provided to residents in accordance with New York State Law; and

WHEREAS, the Town Board adopted a resolution at its meeting of September 8, 2015 identifying its findings with respect to the proposed Ballston Lake Sewer District No. 1 ("Proposed District") as follows: (i) that the Notice of Public Hearing was published and posted as required by law, and was otherwise sufficient; (ii) that all of the properties and property owners within the Proposed District are benefitted thereby; (iii) that all of the properties and property owners benefitted by the proposed sewer collection system are included within the

limits of the Proposed District; and (iv) the establishment of the Proposed District is in the public interest; and

WHEREAS, based on its findings, the Town Board approved the establishment of the Proposed District as the boundaries shall be finally determined and approved the construction of the sewer collection system within the District as set forth in the Map, Plan and Report adopted on September 8, 2015, to referendum of eligible voters pursuant to NYSTL § 94, and

WHEREAS, the Town Board, upon its own motion in accordance with Town Law § 94 and Town Law § 209-e(3), submitted to eligible voters within the District, a proposition to be voted on at a special election as follows:

1. Shall Town Board Resolution No. 192 of 2015, approved by the Clifton Park Town Board on September 8, 2015, authorizing the establishment of the Ballston Lake Sewer District No. 1, which encompasses a sewer collection system in the Town of Clifton Park, in conjunction with a similar system within the Town of Ballston, in accordance with a Map, Plan and Report adopted by the Town Board on September 8, 2015, with properties benefitted generally described as beginning at the southern end at the boundary line between Clifton Park and the Town of Ballston near the intersection of Schauber Road and Ballston Lake Road, including four parcels with frontage on Ballston Lake Road and/or Mill Road (SBL # 257-1-24;SBL 257-1-3;SBL 257-1-30; and SBL 257-1-6.1), at an estimated maximum cost of \$1,450,000, which is to be financed by the issuance of Bonds of the Town of Ballston to secure a 30 year loan from the New York State Clean Water State Revolving Fund, with properties within the Clifton Park District assessed costs on a benefit basis and with the estimated cost of the district to the typical property, a single family home, being \$910.00 per year, and which sewer district is dependent upon an affirmative referendum vote in the Town of Ballston and ultimately will require the review and approval of the New York State Office of the State Comptroller, Be Approved?

WHEREAS, Resolution 193 of 2015, adopted on September 8, 2015 established that the special election for purposes of voting on the proposition would be held on October 14, 2015 at The Ballston Lake Fire House 1125 Ballston Lake Road, Ballston Lake NY from noon until 8:00 p.m.; and

WHEREAS, the Town Clerk published notice of the special election in accordance with Town Law § 82; and

WHEREAS, the special election was held on October 14, 2015 in accordance with the Town Board's resolution of September 8, 2015; and

WHEREAS, in accordance with Town Law § 209-e(4)(b), the Town Clerk has prepared a certificate certifying the vote on the proposition submitted as follows: 55 in favor, 27 opposed and

WHEREAS, a copy of the Town Clerk's Certificate is attached hereto and made a part hereof as "**Exhibit A**"; and

WHEREAS, the eligible voters voting at the special election have approved the creation of the Ballston Lake Sewer District No. 1 as a joint project with Sewer District improvements

being financed and constructed within the project area as set forth in the Map, Plan and Report; and

WHEREAS, eligible voters within the Town of Ballston have also approved a referendum forming a sewer District within the Town of Ballston for the purpose of financing and constructing sewer improvements within the Town of Ballston, which Sewer District is subject to approval of the NYSD Department of Audit and Control, (the state comptroller),

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Town Board acknowledges receipt of the certificate from the Town Clerk certifying the vote on the proposition submitted with respect to the District and based on the results set forth therein, the Town Board hereby re-affirms its establishment of the Ballston Lake Sewer District No. 1, described generally to include the following:

properties benefitted are generally described as beginning at the southern end at the boundary line between Clifton Park and the Town of Ballston near the intersection of Schauber Road and Ballston Lake Road, including four parcels with frontage on Ballston Lake Road and/or Mill Road (SBL # 257-1-24;SBL 257-1-3;SBL 257-1-30; and SBL 257-1-6.1),

2. The improvements in said District as specified in the Map Plan & Report shall be constructed upon the required funds being made available or provided for the District.
3. The proposed improvements shall be financed as set forth in the Map Plan & Report.
4. The Town Clerk be and she hereby is authorized and directed to file a certified copy of this resolution, in duplicate, in the office of the State Department of Audit and Control, at Albany, New York.
5. The Town Supervisor be and he hereby is authorized and directed to execute said application on behalf of the Town.
6. The Town Clerk be and she hereby is authorized to file the certificate attached hereto as "Exhibit A" in the Office of the Saratoga County Clerk and the State Department of Audit and Control, at Albany, New York in accordance with Town Law § 209-e.
7. This resolution shall take effect upon approval of the State Comptroller for the Town of Ballston Sewer District, resulting in Comptroller approval for the Joint sewer improvement project as set forth in resolutions 181 and 192 of 2015.

Resolution No. _____ of 2015, a resolution approving an intermunicipal agreement between the Town of Ballston and the Town of Clifton Park for the Ballston Lake Sewer District No. 1.

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

WHEREAS, by authority of Section 119-O of General Municipal Law of the State of New York, the parties hereto are enabled to enter into binding agreements for the cooperative performance of various municipal projects, contracts and functions, and

WHEREAS, the Town has approved the establishment of the Ballston Lake Sewer District No. 1, after referendum, and

WHEREAS the Town of Ballston has approved the establishment of a sewer district within the Ballston Lake Watershed area, and has caused engineering reports to be prepared in advance of the construction of sewer improvements within both towns, and

WHEREAS, the Town Board wishes to memorialize and document its understandings and agreements with the Town of Ballston regarding the Town's assessments and payments of this proportionate share of the costs of the sewer improvements within the Town, now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached intermunicipal agreement with the Town of Ballston regarding the construction and financing of the sewer system improvements.

Resolution No. _____ of 2015, a resolution authorizing the hiring of Melinda Acker as Senior Typist to the Planning Department.

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

WHEREAS, an opening exists for the position of Senior Typist in the Planning Department, and

WHEREAS, the Planning Department interviewed eligible candidates from the Senior Typist Candidates List maintained by the Saratoga County Department of Personnel, and

WHEREAS, after interviewing Melinda Acker, 15 Forest Drive, Ballston Lake, and reviewing her qualifications, John Scavo, Director of Planning has recommended that Melinda be hired to fill the position; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes the hiring of Melinda Acker, to fill the position of Senior Typist, at Grade 5, Step 1, (\$43,172) per year (\$23.63) per hour, effective immediately. The amount of \$8,800 needed for the balance of 2015, to be paid with a transfer per the attached schedule to A-8021-Exxx (General Fund–Planning Department–Melinda Acker); and be it further

RESOLVED, that Melinda Acker shall commence employment on October 19, 2015, with the Town of Clifton Park.