

TOWN OF CLIFTON PARK

TOWN BOARD MEETING

March 21, 2016

- 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

March 21, 2106

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Sole Assessor	Schedule Public Hearing to consider renewing existing Term Easements pursuant to Section 125-10 Conservation Easements of the Town Code	P. Barrett
2. Supervisor	Establish the Town Board as Lead Agent pursuant to 6 NYCRR 617.3 for capital improvement projects along Nottingham Way South and Barney Road	P. Barrett
3. Supervisor	Appoint James Bridges to the Highway Safety Committee	P. Barrett
4. Supervisor	Authorize the Supervisor to sign an agreement with Fruitful Vine Church for lease renewal at Burning Bush Clubhouse	P. Barrett
5. Supervisor	Bond Resolution of the Town of Clifton Park, NY authorizing the issuance of \$500,000 Serial Bonds to finance the cost of reconstruction and improvement of storm water drainage facilities in Town	P. Barrett
6. Parks & Recreation	Authorize the hiring of a Coordinator for the CPR Grant and Instructors for the advanced and basic American Red Cross training	P. Barrett
7. Parks & Recreation	Authorize the hiring of an attendant at the Clifton Park Action Park for the 2016 season through October 31, 2016	P. Barrett
8. Supervisor	Authorize the Town Board to award the bid for pool chemicals to be used a the Barney Road, Locust Lane and Burning Bush Pools to Surpass Chemical Company for the 2016 season	P. Barrett
9. Parks & Recreation	Authorize the hiring of summer office staff in the Parks & Recreation office	P. Barrett

Resolution No. _____ of 2016, a resolution scheduling a public hearing to consider renewing existing Term Easements pursuant to Section 125-10 Conservation Easements of the Town Code.

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

WHEREAS, the Town initiated a Term Conservation Easement Program in 1996, with Term Easements issued with a Minimum 15 Year Term thereafter; and

WHEREAS, the first Term Conservation Easements issued pursuant to Town Code Chapter 125 expired in 2011, and

WHEREAS, on February 6, 2012, the Town Board adopted Local Law No. 1 of 2012 providing for the streamlining of the process for holders of existing Term Conservation Easements to re-apply for Terms of their choice; and

WHEREAS, applications were received from holders of Conservation Easements to renew their existing Conservation Easements, per the attached list, and

WHEREAS, pursuant to Chapter 125-10 (C) the Town Board is required to hold a single Public Hearing on all applications for renewal annually, and act upon all applications for renewal of existing term conservation easements by April 10th, now therefore be it

RESOLVED, the Town Board hereby schedules a public hearing on April 4, 2016 at 7:05 P.M. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York to consider all applications submitted for renewing existing, expiring, Conservation Easements, pursuant to Chapter 125-10 (C) of the Town Code, and be it further

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

Resolution No. _____ of 2016, a resolution declaring The Town Board lead agency for SEQRA review for the financing, design and construction of a capital improvement project to replace and improve certain drainage infrastructure along Nottingham Way South and Barney Road in the Town of Clifton Park.

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

WHEREAS, the Town of Clifton Park plans to complete a capital improvement project to replace an existing culvert and stormwater catch basin in-kind, along Nottingham Way South, and

WHEREAS, by Resolution 221 of 2015, the Town Board authorized McDonald Engineering to prepare bid documents for drainage improvement projects at Nottingham Way and Barney Road, and

WHEREAS, the projects are necessitated due to failing stormwater management, to improve water quality and to prevent impacts to traffic and safety, and

WHEREAS, John Scavo, Director of Planning has recommended that both projects be classified as Type II actions under SEQRA; now therefore be it

RESOLVED that the Town Board declares itself lead agent pursuant to 6 NYC RR 617.3 et seq., and be it further

RESOLVED, that the proposed drainage infrastructure projects at Nottingham Way and Barney Road are determined to constitute Type II Actions pursuant to 6 NYC RR 617.5(c)(4) & (5) and will have no adverse environmental impact.

Resolution No. _____ of 2016, a resolution to appoint James P. Bridges to the Town of Clifton Park Highway Safety Committee.

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

WHEREAS, Highway Safety Committee Member Warren Shaw has relocated and resigned his membership; and

WHEREAS, James P. Bridges, 24 Sterling Heights Drive, Clifton Park has been recommended by the Highway Safety Committee to become a member of the Committee; and

WHEREAS, Mr. Bridges' background and experience in civil and highway engineering will be an asset to the community; now, therefore be it

RESOLVED, that the Town Board hereby appoints James P. Bridges to the Town of Clifton Park Highway Safety Committee to replace and serve out the remaining term of Warren Shaw, term to expire December 31, 2017.

Resolution No. _____ of 2016, a resolution authorizing the Supervisor to sign a Lease Agreement with Fruitful Vine Christian Church, for rental of the top floor of the Burning Bush Clubhouse.

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

WHEREAS, pursuant to Town Law 64 2 (a) the Town Board is authorized to lease Town owned property; and

WHEREAS, Fruitful Vine Christian Church wishes to rent the top floor of the Burning Bush Clubhouse for a term of twelve (12) months, lease to expire on March 19, 2017, at an annual rent of \$21,600; and

WHEREAS, the Tenant may elect to remain in possession of the property after March 19, 2017 as a month to month Tenant for up to twelve (12) consecutive months; now therefore be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the attached Lease Agreement with Fruitful Vine Christian Church for rental of the top floor of the Burning Bush Clubhouse, provided that the Town is provided a Certificate of Insurance in the amount of \$1,000,000 naming the Town of Clifton Park as additionally insured.

RESOLUTION NO. ____ of 2016

BOND RESOLUTION DATED MARCH 21, 2016 OF THE TOWN OF CLIFTON PARK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$500,000 SERIAL BONDS TO FINANCE THE COST OF THE RECONSTRUCTION AND IMPROVEMENT OF STORM WATER DRAINAGE FACILITIES IN THE TOWN.

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

Section 1. The Town of Clifton Park, New York (the "Town") is hereby authorized to undertake the reconstruction and improvement of storm water drainage facilities in the Town, including original furnishings, equipment, machinery or apparatus required in connection therewith, at an estimated maximum cost of \$500,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$500,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$500,000 in serial bonds (the "Bonds") of the Town authorized to be issued pursuant to this resolution and the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance law. The proposed maturity of the Bonds will not be in excess of five years measured from the date of the Bonds or from the date of the first bond anticipation note issued in anticipation of the Bonds, whichever date is earlier.

Section 4. Pursuant to Section 107.00(3)(l) 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.

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. Pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the Town Board hereby determines that the project authorized by this Resolution consists of the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. Therefore, the project is a "Type II Action" under 6 NYCRR § 617.5(c)(2) and no further action under the SEQR Act and the Regulations is required.

Section 14. This Bond Resolution is not subject to a permissive referendum pursuant to Section 35.00(b)(1) of the Local Finance Law and shall take effect immediately upon its adoption.

ROLL CALL VOTE

Ayes:

Noes:

Absent:

DECLARED ADOPTED

March 21, 2016

Patricia O'Donnell, Town Clerk

STATE OF NEW YORK)
) SS.:
COUNTY OF SARATOGA)

I, PATRICIA O'DONNELL, Clerk of the Town of Clifton Park, Saratoga County, New York (the "Town"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Town Board, held on the 21st day of March, 2016, including the Resolution contained therein, with the original thereof on file in my office, and the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that the full Town Board consists of five (5) members; that ____ () members of the Town Board were present at such meeting; and that ____ () of such members voted in favor of the above Resolution.

I FURTHER CERTIFY that (i) all members of the Town Board had due notice of the meeting, (ii) pursuant to Article 7 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public, and due notice of the time and place of such meeting was duly given in accordance with Article 7 of the Public Officers Law, and (iii) the meeting was in all respects duly held.

I FURTHER CERTIFY that the Resolution has not been amended, modified or repealed and is in full force and effect on the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this ____ day of March, 2016.

Patricia O'Donnell, Clerk
Town of Clifton Park
Saratoga County, New York

(SEAL)

ESTOPPEL NOTICE

The Town Board of the Town of Clifton Park, Saratoga County, New York (the "Town") duly adopted on March 21, 2016 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 reconstruction and improvement of storm water drainage facilities in the Town, including original furnishings, equipment, machinery or apparatus required in connection therewith.
2. Period of Probable Usefulness – forty (40) years. The proposed maturity of the Bonds will not be in excess of five years.
3. Maximum Amount of Obligations to be Issued - \$500,000.

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.

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

Resolution No. _____ of 2016, a resolution hiring Amy Price as a the Coordinator for the CPR Grant and as an instructor for advanced American Red Cross training for summer recreation staff.

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

WHEREAS, each year the Town of Clifton Park receives a CPR Grant from the New York State Office of Children and family Services through the Saratoga Youth Bureau to hire a Coordinator for the CPR Grant and as an instructor for advanced American Red Cross training and an instructor for an instructor for advanced and basic American Red Cross training for summer recreation staff, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that Amy Price, 902 Solomon Avenue, Clifton Park be hired as the Coordinator for the CPR Grant and as an instructor for advanced American Red Cross training for summer recreation staff, now therefore be it

RESOLVED, that authorization is hereby granted to hire Amy Price, Clifton Park as the Coordinator for the CPR Grant and an instructor for advanced American Red Cross training for summer recreation staff, to be paid at Grade 5, Step 5 (\$23.70 per hour) effective immediately through December 31, 2016, to be paid from A-7310-0001 (Summer Recreation-Training/Conference) and A-7320-001 (Summer Recreation Full Day – Training/Conference, and A-7309-83 (Community Programs-JR CPR Grant Expense).

Resolution No. _____ of 2016, a resolution authorizing the hiring of staff for the Clifton Park Action Park.

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

WHEREAS, an opening exists for an Attendant for the Clifton Park Action Park; and

WHEREAS, Myla Kramer, Director of the Office of Parks, Recreation and Community Affairs has recommended that Connor Peters be hired to fill the positions; now therefore be it

RESOLVED, that authorization is hereby given to hire Connor Peters, 20 Maplewood Drive, Ballston Lake, as an attendant for the Clifton Park Action Park, effective April 1, 2016 through October 31, 2016 at Step 1 (\$8.50/hour) to be paid from Action Park Staff A-7200-E4000).

Resolution No. _____ of 2016, a resolution awarding the bid for pool chemicals for the Barney Road, Locust Lane and Burning Bush pools for the 2016 Season.

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

WHEREAS, on March 3, 2016, bids were received for the above referenced contract, and

WHEREAS, the Supervisor has recommended that the bid for pool chemicals for the three town pools be awarded to Surpass Chemical Co. Inc., of Albany, New York for the following amounts:

- | | | |
|-----------------------|--------------------|-----------------|
| • Sodium Hypochlorite | Per Gallon | \$1.214 p/gal |
| • Car Boy | 5 Gallon Container | \$1.36 p/gal |
| • Muriatic Acid | Per Gallon | \$3.80 p/gal |
| • Muriatic Acid | 15 Gallons | \$1.72 p/gal |
| • Muriatic Acid | 4/1 Gallon | \$15.20 |
| • Drum Deposit | Car Boy/ 15 Gallon | \$8.00/ \$40.00 |

Now, therefore be it

RESOLVED, that the Town of Clifton Park hereby accepts and awards the above referenced bid to Surpass Chemical Co. Inc. of Albany New York for an estimated cost of \$13,504.90, to be paid as follows; \$5,289.50 from line A-7150-045 (Barney Road Pool – Supplies), \$3,286.40 from line A-7152-045 (Locust Lane Pool – Supplies) and \$4,249.00 from line SP5-7151-045 (Country Knolls Pool – Supplies), in accordance with the amount used at each pool.

Resolution No. _____ of 2016, a resolution authorizing the hiring of summer staff for the Parks, Recreation and Community Affairs Office.

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

WHEREAS, an additional staff member is required to staff the Office of Parks, Recreation and Community Affairs during the summer months; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that MacKenzie Woods, 26 Garrison Lane, Ballston Lake, be hired as a summer office staff member; now therefore be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby authorized to hire MacKenzie Woods as a member of the summer office staff, effective April 11, 2016 through August 5, 2016, at Grade 1, Step 1, \$14.49 per hour, to be paid from A7021-E4000 (Parks and Recreation-Administration).