

# TOWN OF CLIFTON PARK TOWN BOARD MEETING

July 3, 2017

- 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 – Town Historian Annual Report**
  - **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  
**July 3, 2017**

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Justice Court	Increase revenues and expenditures for the Justice Court Assistance Program Grant	P. Barrett
2. Supervisor	Award the contract for the Upper Quad Pavilion Drainage Project at Clifton Common to Tholin Trucking & Excavating, Inc.	P. Barrett
3. Highway	Authorize the residents of Tipperary Way in Fairway Woods Subdivision to conduct a Block Party on July 29, 2017	P. Barrett
4. Highway	Repeal Resolution # 101 of 2017 relative to the transfer of funds for the Highway Paving Budget	P. Barrett
5. Highway	Declare High Paving Project to be a Type II action under SEQRA	P. Barrett
6. Highway	Authorize bond resolution for Highway Paving	P. Barrett
7. Highway	Reschedule time trials for Capital Bicycle Race Club	P. Barrett
8. Supervisor	Appoint Susan Leonard as Senior Citizen Center Director	P. Barrett
9. Supervisor	Award the contract for design and engineering related services for the Sitterly and Woodin Road intersection project to M. J. Engineering and Land Surveying	P. Barrett
10. Supervisor	Appoint Terrance Cosgrove to the Zoning Board of Appeals	P. Barrett
11. Supervisor	Authorize expenditure for new carpet at Clifton Park Senior Community Center	P. Barrett

Resolution No. \_\_\_\_\_ of 2017, a resolution increasing revenues and expenditures to reflect a \$2,500 Justice Court Assistance Program Grant that the Clifton Park Town Court has received.

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

WHEREAS, the Clifton Park Town Court has received a \$2,500 Justice Court Assistance Program Grant to purchase computer hardware; and

WHEREAS, Grant requirements call for the transfer and recognition of funds prior to expenditure; now therefore, be it

RESOLVED, that the budget will be increased by \$2,500 in appropriations, A-3089 and expenditures will be increased the same \$2,500 in A-1110-4.

Resolution No. \_\_\_\_\_ of 2015, a resolution awarding the contract to Tholin Trucking & Excavation, Inc. for the Upper Quad Pavilion Drainage Project at Clifton Common.

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

WHEREAS, Michael Handerhan, Director of Building and has recommended that drainage in the upper quad area of the baseball fields be improved; and

WHEREAS, on June 21, 2017, bids were received for the completion of the Drainage Project, per specifications proposed by McDonald Engineering, and

WHEREAS, McDonald Engineering has recommended that the bid of Tholin Trucking & Excavation, Ballston Spa, NY be accepted as the lowest most responsible bidder in an amount of \$8,800.00; now therefore be it

RESOLVED, that the contract for the Upper Quad Pavilion Drainage Project at Clifton Common be awarded to Tholin Trucking & Excavation in an amount not to exceed \$8,800, and be it further

RESOLVED that authorization is hereby granted to the Comptroller to transfer \$8,800 from Committed Fund Balance (A-00913) to budget (A-07112-00200), and increasing appropriation and expenditures to budget by the same amount.

Resolution No. \_\_\_\_\_ of 2017, a resolution authorizing the residents of Tipperary Way in Fairway Woods Subdivision to conduct a Block Party on July 29, 2017.

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

WHEREAS, the residents of the Fairway Woods Subdivision plan to conduct a block party within the subdivision on July 29, 2017 from 3:00 P.M. to 8:00 P.M. and have requested permission to use the cul-de sac of Tipperary Way, for their party activities; now therefore be it

RESOLVED, that the Town Highway Superintendent, recommends that the request be approved, for the use of a portion of Tipperary Way in front of #63, July 29, 2017 from 3:00 P.M. to 8:00 P.M. to be used for party activities, so long as those activities do not block off the streets, and make sure emergency vehicles can gain access to the street if needed; and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on Town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps., the Sheriff's Department and the State Police.

Resolution No. \_\_\_\_\_ of 2017, a resolution repealing Resolution No. 101 of 2017 which authorized the transfer of up to \$600,000 from Unassigned General Funds to Highway Paving Account for 2017 paving projects.

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

WHEREAS; the Town Board has determined that additional funds should be made available to complete the 2017 paving project as presented by the Highway Superintendent; and

WHEREAS, in order to reconsider the funding mechanisms needed to complete the highway paving required for the 2017 season, the Town Board wishes to return funds committed to the Highway Funds by Resolution 101 of 2017; now therefore be it

RESOLVED, that authorization granted to the Comptroller by Resolution 101 of 2017 for the transfer of funds from the General Fund to the Highway Fund is hereby rescinded, and be it further

RESOLVED, that Resolution 101 of 2017 is hereby repealed.

Resolution No. of 2016, a resolution determining that the proposed project for the reconstruction and resurfacing of various Town streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, and grading or improving the rights of way, is a Type II Action for purposes of the New York State Environmental Quality Review Act.

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

WHEREAS, The Town Board is considering a project for the reconstruction, repaving, and resurfacing of various Town streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, and grading or improving the rights of way, at an estimated maximum cost of \$1,000,000, and

WHEREAS, 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 desires to comply with the SEQR Act and the Regulations with respect to the Project; and

RESOLVED, by the members of the Clifton Park Town Board as follows:

1. The Project constitutes a "Type II Action" under 6 NYCRR § 617.5(B)(4), as it constitutes the resurfacing and repaving of existing Highways not involving the addition of new travel lanes;
2. The Project is not subject to further review pursuant to SEQRA.
3. This Resolution shall take effect immediately.

Resolution No. \_\_\_\_\_ of 2017, a bond resolution authorizing the reconstruction and resurfacing of various Town streets and roads, in the Town of Clifton Park, Saratoga County, New York, at a maximum estimated cost of \$1,000,000 and authorizing the issuance of not to exceed \$1,000,000 serial bonds to pay the cost thereof.

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

BE IT RESOLVED by the Town Board of the Town of Clifton Park, Saratoga County, New York (the "Town"), as follows:

Section 1. The Town of Clifton Park, Saratoga County, New York (the "Town") is hereby authorized to undertake the reconstruction and resurfacing of various Town streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, and grading or improving the rights of way, with flexible pavement of a type described in Local Finance Law Section 11(a2)(20)(c), at an estimated maximum cost of \$1,000,000, and to issue not to exceed \$1,000,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid class of objects or purposes.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$1,000,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of up to \$1,000,000 serial bonds (the "Bonds") of the Town authorized to be issued pursuant to this bond resolution and the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subparagraph 20(c) of Section 11.00(a) of the Local Finance Law. The proposed maturity of the Bonds will be in excess of five years.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided 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 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. 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 determines to be especially benefited by the Project, an amount sufficient to pay the principal of and interest on such obligations as the same becomes 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 of 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 sell and deliver the Bonds and any bond anticipation notes providing for 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 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 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 10. This resolution, or a summary hereof, 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 11. The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to

time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the Town to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 12. 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 13. This resolution is subject to permissive referendum pursuant to Article 7 of the Town Law of the State of New York. The Town Clerk is hereby authorized and directed to within ten (10) days after the adoption of this resolution by the Town Board to post and publish a notice in the manner and form prescribed by Article 7 of the Town Law.

Section 14. This resolution shall take effect immediately.

Resolution No. \_\_\_\_\_ of 2017, a resolution authorizing North American Cycle Sports to use Town roadways for time trials for three evenings in July 2017.

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

WHEREAS, Resolution No. 134 of 2017 authorized the Capital Bicycle Race Club to use the Town of Clifton Park roadways for the purpose of time trials to qualify for future races on Wednesdays, June 7<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup>, and 28<sup>th</sup> starting at 6:15 PM until the last participant finishes, and

WHEREAS, due to inclement weather, the majority of these trials were postponed; and

WHEREAS, North American Cycle Sports has requested that the trials be rescheduled for July 5<sup>th</sup>, 12<sup>th</sup>, and 26<sup>th</sup>, 2017, and that NACS be substituted for the Capital Bicycle Race Club as sponsoring body, and

WHEREAS, the Highway Superintendent recommends the approval of these events with times rescheduled as above; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes NACS to use Town roadways as specified in the attachment hereto, for three Wednesdays in July, 2017, at 6:15 PM, for the purpose of holding time trials, and be it further

RESOLVED, that this approval is expressly conditioned upon the roads not being closed but members of the Capital Bicycle Race Club are permitted to raise awareness of the trials at the intersection of Van Vranken and Riverview Roads and each end of the course, and be it further

RESOLVED, that this authorization is contingent upon receipt by the Highway Department of proof of adequate insurance naming the Town as additionally insured.

Resolution No. \_\_\_\_\_ of 2017, a resolution hiring Susan H. Leonard as Director of the Clifton Park Senior Community Center.

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

WHEREAS, an opening in the position of Senior Citizen Center Director, and

WHEREAS, Supervisor Phil Barrett recommends Ms. Leonard, 21 Spruce Street, Clifton Park, as the Senior Citizen Center Director; now, therefore, be it

RESOLVED, that Susan H. Leonard, 21 Spruce Street, Clifton Park is hired as Senior Citizen Center Director, effective immediately, at Grade 5, Step 6, \$48,558 per year, estimate to be paid from a transfer of \$25,000 from A-6772-15 to A-6772-Exxxx.

Resolution No. \_\_\_\_\_ of 2017, a resolution awarding the contract for professional engineering design services and create a capital project budget for the improvements to the Sitterly and Woodin Roads intersection project.

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

WHEREAS, the town has previously been awarded a NYSDOT Transportation Improvement Grant, awarding federal funding for improvements to the Sitterly and Woodin Roads intersection, PIN#1759.84, and

WHEREAS, the Sitterly Road Improvement project will connect the Town of Clifton Park with the Town of Halfmoon, and

WHEREAS, on By Resolution 206 of 2015, The Town Board accepted the submission of interest and qualifications of M.J. Engineering and Land Surveying for preliminary engineering, design and construction management and inspection services for the Sitterly and Woodin Roads Congestion Mitigation and Intersection Improvements project; and

WHEREAS, M.J. Engineering and Land Surveying has prepared a scope of work and estimated cost schedule consistent with NYSDOT guidelines, in the amount of \$244,000, for Engineering and Design services including professional engineering/design; ROW Incidentals; and ROW Acquisition for the Sitterly Road Project; and

WHEREAS, Town staff have reviewed the proposed Engineering and Design Services Contract and scope of work, which is consistent with the proposal which MJ Engineering has submitted to the Town of Halfmoon for their own acceptance and own approval as a joint signee; and,

WHEREAS, the project is now eligible for combined funding of through NYSDOT's "Intelligent Transportation System" (ITS) program totaling \$132,000 which will be shared: as an 80% federal/ 20% local match, with local matching funds shared between the Towns of Clifton Park and Halfmoon through an Inter-Municipal agreement; with the remainder of the project costs estimated at \$1.821 million to be funded through state and Federal funds, and

RESOLVED, that the Town Board authorizes the Town Supervisor to sign this Agreement; and submit the fully executed, signed agreement to the NYS Department of Transportation to activate the preparation and execution of a State-Local Agreement with the State of New York for the funding award, per NYS DOT's Local-Federal Aid Project Protocols, and be it Further

RESOLVED that the Comptroller is authorized to create Capital projects Fund H48- "Sitterly and Woodin Road Traffic Improvements" to fund the Town's local match obligation for the Engineering and Design services so authorized.

Resolution \_\_\_\_\_ of 2017 a resolution appointing Terrance Cosgrove as a member of the Zoning Board of Appeals

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

WHEREAS, a Vacancy exists on the Zoning Board of Appeals due to the resignation of Randy Gifford, and

WHEREAS, Mr. Gifford's term of Office expires December 31, 2019; and

WHEREAS, Terrance Cosgrove, 8 Wall Street, #316, was appointed alternate member of the ZBA by Resolution No. 28 of 2017, and

WHEREAS, Supervisor Barrett recommends that Terrance Cosgrove be appointed as a member of the Zoning Board of Appeals to fill the unexpired term of Randy Gifford,

RESOLVED, that Terrance Cosgrove is hereby appointed to the Clifton Park Zoning Board of Appeals term to expire December 31, 2019.

Resolution No. \_\_\_\_\_ of 2017, a resolution authorizing expenditure for new carpets and accessories at Clifton Park Senior Community Center.

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

WHEREAS, the Department of Buildings and Grounds has received quotes for new carpets at the Clifton Park Senior Community and

WHEREAS, Supervisor Barrett recommends accepting the proposal of Northeast Commercial Interiors, Clifton Park, New York, in the amount of \$6,300 as the lowest responsible bidder, and

WHEREAS, the proposal includes a new, 24' by 24 ft. carpet tile floor, with installation, and removal of existing carpet, now therefore, BE IT

RESOLVED, that the Town Board authorizes Northeast Commercial Interiors to proceed with the proposal, attached, in an amount not to exceed \$6,300.00, to be paid from A-1624-200 (Senior Center-equipment).