

TOWN OF CLIFTON PARK TOWN BOARD MEETING

April 15, 2019

- 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**
 - **NYSDOT update on intersection improvements at NYS Route 146/146A/Vischer Ferry Road**
 - **Recipient of the NYS Recreation and Park Society's Distinguished Citizen Award – Frank Berlin**
 - **Public Hearing – Stony Creek #1 Park District Bond for Playground Renovation 7:05 PM**
 - **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**

NOTICE OF PUBLIC HEARING

The Town Board of the Town of Clifton Park (the "Town") proposes to undertake the renovation and improvement of the Stony Creek Park District No. 1, including playground equipment upgrades and the acquisition of original furnishings, equipment, machinery and apparatus required in connection therewith and estimates in connection with the improvements required in connection therewith (the "Project"), as described in the Engineering plans, drawings and bid documents prepared by MJ Engineering and dated July 23, 2018, which is posted at <https://cliftonpark.org/projects.html>, and is also on file with the Town Clerk

The total estimated maximum cost of the Project is \$ 150,000 to be funded through the proceeds of obligations issued by the Town, the debt service on which will be paid from assessments levied on properties within the Stony Creek Park District No. 1

The Town Board has scheduled a public hearing regarding the Project, as required by Town Law Section 202-b;

Town Board will hold a **Public Hearing** to hear all persons interested in the Project, which public hearing shall be held at Town of Clifton Park, Town Hall, One Town Hall Plaza, Clifton Park, New York, in the Town of Clifton Park on April 15, 2019 at 7:05 P.M. and be it further

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.

Resolutions for Consideration
Clifton Park Town Board Meeting
April 15, 2019

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Authorize the issuance of a Mass Gathering Permit to SingleCut Brewery to be held on May 4, 2019	P. Barrett
2. Parks & Recreation	Authorize the hiring of James Harding as attendant at the Barney Road Golf Course for the 2019 golf season	P. Barrett
3. Comptroller	Authorize year end budget transfers for 2018	P. Barrett
4. Supervisor	Accept the list of Alternate Lifeguards to be hired as needed for the 2019 Pool Season	P. Barrett
5. Buildings & Grounds	Authorize the hiring of Ray Pillow for seasonal summer staff	P. Barrett
6. Supervisor	Approve the renovation and improvement of the Parks within the Stony Creek 1 Park District	P. Barrett
7. Supervisor	Bond resolution authorizing the renovation and improvements of parks within Stony Creek 1 Park District, and to issue \$150,000 serial bonds	P. Barrett
8. Supervisor	Award the bid for the Clifton Park Highway 2019 paving contract pursuant to General Municipal Law Section 103	P. Barrett

Resolution No. _____ of 2019, a resolution authorizing the issuance of a Mass Gathering Permit to SingleCut Brewery for a fundraising event to be held for the benefit of the owners of Common Roots Brewing Company in South Glens Falls, NY.

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

WHEREAS, DoubleCut, LLC has requested that the Town issue a Mass Gathering Permit for a party to be held at the SingleCut Brewery located at 6 Fairchild Square, and

WHEREAS, the gathering will be held on Saturday, May 4, 2019, from 5:00PM to 8:00PM, with attendance estimated at 700± people in attendance, and

WHEREAS, a one day permit was issued to the Brewery by the New York State Liquor Authority, and

WHEREAS, Section 64-3 of the Town Code requires a mass gathering permit for one day events where admission is charged, and

WHEREAS, the Town has been provided with information concerning this activity, and

WHEREAS, the Town has been named as an additional insured on the required insurance policy; now, therefore, be it

RESOLVED, that the Town Board is satisfied with the information provided and that the proposed public assemblage will have no effect upon the public health, safety and welfare of the people and property of the Town of Clifton Park; and be it further

RESOLVED, that the Town Board hereby directs that a permit be issued to DoubleCut, LLC dba SingleCut North to take place on May 4, 2019 from 5:00PM to 8:00PM, upon compliance with Section 103-16 of the Town Code, for a Tent Permit.

Resolution No. _____ of 2019, a resolution hiring returning part-time Golf Course Attendants for the Barney Road Golf Course for the 2019 Season.

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

WHEREAS, the Town Board wishes to hire seasonal staff for the upcoming season at the Barney Road Golf Course,

WHEREAS, Myla Kramer, Director of the Office of Parks, Recreation and Community Affairs has recommended that James Harding, 19 Casablanca Court, Clifton Park and David Trifilo, 621 Englemore Road, Clifton Park be hired to fill the positions, now therefore be it

RESOLVED, that authorization is hereby given to hire the James Harding and David Trifilo, as part-time attendants for the Barney Road Golf Course, effective April 1, 2019 through November 18, 2019, to be paid \$9.75/hour from A-7190-E4000.

Resolution No. _____ of 2019, a resolution authorizing 2018 Final Budget Adjustments as specified in Exhibit A.

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

WHEREAS, the Comptroller has recommended that certain budget adjustments contained in Exhibit A be made to address the needs of all funds as well as other miscellaneous expenditures as set forth in Exhibit A; now therefore be it

RESOLVED, that the Budget Adjustments specified in Exhibit A be adopted per the Comptroller's recommendations.

Resolution No. _____ of 2019, a resolution accepting the attached list of alternate Lifeguards to be hired as needed, for the three Town owned Pools.

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

WHEREAS, Supervisor Barrett has recommended that the list of individuals listed as Schedule "A", be accepted as alternate Lifeguards for the 2019 season; now, therefore, be it

RESOLVED, that the attached Schedule "A", be accepted as the list of alternate Lifeguards, to be hired if needed, and be it further

RESOLVED, that the alternate Lifeguards shall be paid \$10.25/hour from the appropriate fund: A-7150-E4690 (Barney Road Life Guards), A-7152-E4690 (Locust Lane Life Guards), or SP5-7151-E4000 (Longkill Park District #1 Guards).

Resolution No. _____ of 2019 a resolution authorizing the hiring of 2019 summer help for the Buildings and Grounds Department.

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

WHEREAS, an opening exists for seasonal help in the Buildings and Grounds Department;
and

WHEREAS, Daniel Clemens, Superintendent of Buildings and Grounds, has recommended that Ray E. Pillow, 178 Milton Ave., #2, Ballston Spa, be hired to fill the position; now therefore be it

RESOLVED, that Ray Pillow be hired as a seasonal worker for Buildings and Grounds for the summer of 2019, at \$11.10 per hour, effective immediately, to be budgeted from A7110-E4000.

Resolution No. _____ of 2019, a resolution approving the renovation and improvement of the Parks within the Stony Creek 1 Park District.

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

WHEREAS, pursuant to Town Law Section 202-b, the Town Board of the Town of Clifton Park (the "Town") proposes to undertake the renovation and improvement of the Aspenwood, Huntwood, Aspenwood Haystack Loop, and Presidential Estates Parks within the Stony Creek I Park District, including the acquisition and installation of playground equipment and apparatus (the "Project"), as described in the Engineering plans, drawings and bid documents prepared by MJ engineering dated July 23, 2018 which is on file in the Town Clerk's office and posted on the Town's website; and

WHEREAS, the total estimated maximum cost of the Project is \$150,000; and

WHEREAS, on April 15, 2019, the Town Board held a public hearing regarding the Project, as required by Town Law Section 202-b.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby determines that it is in the public interest to undertake the Project; and be it further

RESOLVED, that the Town Board hereby authorizes the Town Supervisor and Planning Department to proceed with the Project provided, however, that the financing of the Project shall not occur until the Town Board has adopted a Bond Resolution in accordance with the New York Local Finance Law.

Resolution No. _____ of 2019, a Bond Resolution authorizing the renovation and improvement of parks within the Stony Creek 1 Park District in the Town of Clifton Park, Saratoga County, New York, at a maximum estimated cost of \$150,000 and authorizing the issuance of not to exceed \$50,000.00 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 renovation and improvement of the Aspenwood, Huntwood, Aspenwood Haystack Loop, and Presidential Estates Parks within the Stony Creek 1 Park District (the "District"), including the renovation and acquisition of new playground equipment and apparatus, (the "Project"), is hereby authorized at an estimated maximum cost of \$150,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$150,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of \$100,000 from Stony Creek 1 Park District contribution and the issuance of up to \$50,000 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 19(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. This resolution is not subject to a referendum on petition in accordance with Section 35.00(b)(2) of the Local Finance Law.

Section 12. 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 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.

Resolution No. _____ of 2019, a resolution awarding the bid for the Clifton Park Highway paving contract pursuant to General Municipal Law Section 103.

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

WHEREAS bids for the Highway Department's 2019 Paving contract were opened on March 20, 2019, and

WHEREAS, Best Paving & Seal Coating, Inc., Albany, New York, submitted a bid of 6F Grade Asphalt, \$56.75 per ton in place, and Grade 7F, \$57.25 per ton in place, and Dense Binder Grade, \$49.50 per ton in place, and

WHEREAS, Dahn Bull, Superintendent of Highways recommends that the contract be awarded to Best Paving & Seal Coating, Inc., as the lowest bidder, and

WHEREAS, Best Paving & Seal Coating has performed paving work in other municipalities, and through discussions with previous and current customers, Best Paving has demonstrated the qualifications and ability to perform the duties and expectations outlined in the contract for which they bid, now, therefore be it

RESOLVED, that the 2019 Clifton Park Highway Bid for Paving is awarded to Best Paving and Seal Coating, Inc. of Albany, New York, at \$56.75 per ton in place for 6F Grade asphalt, \$57.25 per ton in place for Grade 7F Asphalt, and \$49.50 per ton in place for Binder Grade asphalt, per the bid documents and successful responsive bid, and be it further

RESOLVED, that the Town Board Authorizes Dahn Bull, Superintendent of Highways to sign a contract for these services with Best Paving & Seal Coating.