

Clifton Park Town Board Meeting Minutes

July 19, 2004

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m., Supervisor Barrett presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Paolucci
Councilman Speckhard
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Roth

Also Present: Town Attorney Trainor
Mark Heggen, Comptroller
Jason Kemper, Director of Planning
Michael O'Brien, Environmental Specialist
Michael Shahan, Town Administrator

MOTION by Councilwoman Walowit, seconded by Councilman Speckhard, to approve the minutes of the July 6, 2004 meeting as presented.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilwoman Walowit, Supervisor Barrett

Noes: None

Abstain: Councilman Paolucci

Absent: Councilman Roth

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the town blood drive will be held August 11, 2004 from noon to 6:00 p.m.

The Supervisor announced the town theater group, Not So Common Players, will present the summer production of "Annie Get Your Gun" on the Clifton Common July 16,17,18

and 22,23,24 at 7:30 p.m.

The Special Collection Day is scheduled for October 2, 2004.

Herb Alfasso, Robert Preville, and David Mica, members of the Mohawk Hudson Cycling Club, and Ivan Vamos, NYS Bicycle Coalition, spoke with regard to the death of bicyclist David Ryan by automobile on Riverview Road, and offered recommendations as to what the town can do with regard to bicycle safety. It was stressed that enforcement needs to be improved and town justices need to play an active role, the importance of education for both motorists and cyclists, as well as extra lines painted to make noticeable paths on roads. Supervisor Barrett said he welcomes any suggestions and appreciates working with the speakers with regard to safety on the roads.

Town Administrator Shahan thanked Buildings and Grounds Supervisor, Mike Handerman and staff for an outstanding job in preparation of the Common for the 4th of July, as well as the International Soccer Tournament, as well as clean up.

Town Comptroller Heggen reported Marvin & Co. is working on the 2003 audit.

Resolution No. 208 of 2004, a resolution authorizing the purchase of a Trimble GPS Unit.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, a need has been identified by the Planning Department and Environmental Specialist to purchase a Global Positioning System, and

WHEREAS, the purchase of this unit will allow the Town of Clifton Park GIS system to continue to expand, and

WHEREAS, the purchase of this unit will benefit numerous Town departments and committees, and

WHEREAS, a quote has been received by Waypoint Technologies for the purchase of the unit at a state contract price of \$13,706, and

WHEREAS, the training and cost of integrating the data into the current G.I.S. system could cost an additional \$3,600, and

WHEREAS, the training will be conducted by Waypoint Technologies and integrating the data into the current G.I.S. system will be conducted by Applied G.I.S.; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the purchase of a GPS unit and necessary training/consulting in the amount of \$17,306 to be paid from Unreserved Fund

Balance.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 209 of 2004, a resolution proclaiming the first week of August 2004 as Clown Week.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, the President of the United States did proclaim that the first week of August would be recognized as International Clown Week, and that all Governors and local officials shall encourage such recognition by their citizens, and

WHEREAS, it is universally known that people recognize the importance of laughter in their lives, and

WHEREAS, clowning encourages laughter in people from young to old, rich to poor, and

WHEREAS, clowns can dissolve thoughts of prejudice and intolerance of others, and

WHEREAS, clowns can make people forget their pain, sadness, illness and distress; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park do hereby proclaim the week of August 1-7, 2004 as CLOWN WEEK and shall encourage all citizens to give fitting recognition to the clowns of the world.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 210 of 2004, a resolution authorizing the Comptroller to refund one half of the fee paid for building permit #41563.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, CGM Construction of Waterford, NY, applied for and obtained a building permit to construct a single family residence at 700 Clifton Park Center Road, and

WHEREAS, CGM Construction paid a building permit fee of \$300, and

WHEREAS the contract for construction was cancelled, construction was never started and is not going to be started, and CGM Construction has requested a refund of the building permit fee, and

WHEREAS it is customary to retain one half of the building permit fee for review fees; now, therefore, be it

RESOLVED, that the Comptroller is hereby authorized to refund one half the building permit fee, not to exceed \$150, to CGM Construction.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 211 of 2004, a resolution in connection with a block party to be held in the Peacock Glen Subdivision.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the residents of the Peacock Glen Subdivision wish to conduct a block party within the subdivision on September 18, 2004, from 2 - 9 pm and have requested permission to use a portion of Chickadee Lane and Bluebird Lane for their party activities; now, therefore, be it

RESOLVED, that the residents with the approval and advice of the Town Highway

Superintendent, have permission to use a portion of Chickadee Lane and Bluebird Lane on September 18, 2004 from 2- 9 pm for their party activities, but must not block off the street 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.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 212 of 2004, a resolution awarding a contract for algaecide treatments for the Clifton Knolls ponds.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Town Environmental Specialist has received two prices for the aquatic vegetation control of the three Town owned ponds in Clifton Knolls, and

WHEREAS, the Town Environmental Specialist has reviewed the proposals submitted for such professional services and recommends that Burden Aquatics of Averill Park be awarded the contract for algaecide treatments; now, therefore, be it

RESOLVED, that the contract to perform professional services relating to algaecide treatments for the Clifton Knolls ponds is hereby awarded to Burden Aquatics of Averill Park, NY, with funds for services not to exceed \$7,800 to come from SP3-7131-024 (Clifton Knolls Park District-General Maintenance).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 213 of 2004, a resolution authorizing Municipal Cooperation-Household Hazardous Waste Collection Day.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, the Town of Clifton Park has established a successful household hazardous waste collection program, and

WHEREAS, the Towns of Malta, Halfmoon and Waterford have contacted the Town of Clifton Park regarding possible inter-municipal cooperation for collection and disposal of household hazardous waste of the Towns, and

WHEREAS, the Town of Clifton Park has agreed to allow Towns of Malta, Halfmoon and Waterford residents to participate in the Town of Clifton Park household hazardous waste collection program with the Towns of Malta, Halfmoon and Waterford being responsible for their fair share of the program's net cost; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park does hereby authorize the Towns of Malta, Halfmoon, and Waterford and the Town of Clifton Park to enter into a municipal cooperation agreement relating to the collection and disposal of household hazardous waste based upon the following understanding:

- Town of Clifton Park will be responsible for the proper administration of the program and will be responsible for the registration process.
- Towns of Malta, Halfmoon and Waterford will reimburse the Town of Clifton Park its fair share of the net cost based upon the number of Malta, Halfmoon and Waterford residents participating to the total participants.
- In addition to the hazardous waste disposal costs, the Towns of Malta and Halfmoon and Waterford agree to pay a \$15 administration fee per registered participants to be paid to the Town of Clifton Park.
- Town of Malta agrees to provide approximately 10 volunteers the day of the program.
- Town of Clifton Park will set aside approximately forty "slots" for Town of Malta residents.
- Town of Clifton Park will set aside approximately sixty "slots" for Town of Halfmoon residents.

- Town of Clifton Park will set aside approximately thirty “slots” for the Town of Waterford residents.

It was noted registration deadline is September 17, 2004.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 214 of 2004, a resolution changing the title of Security Guard to School Crossing Guard.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, James Rood, 228 Lapp Road, Clifton Park, has been employed by the Town of Clifton Park as a Security Officer, and

WHEREAS, the New York State Department of Civil Service has requested that the title of this position be amended to School Crossing Guard; now, therefore, be it

RESOLVED, that the title of Security Guard for James Rood be changed to School Crossing Guard as requested by the New York State Department of Civil Service effective immediately.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 215 of 2004, a resolution authorizing the implementation of internet based Public GIS System.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Town of Clifton Park currently uses an internet based GIS system that is available to all Town employees, and

WHEREAS, making the current system available to the public would provide a significant benefit to the residents of Clifton Park, and

WHEREAS, the implementation of an internet based GIS system that is open to the public will reduce the amount of time dealing with these requests at Town Hall, and

WHEREAS, the implementation of this internet based GIS system will further compliment the current Town Board initiative of providing E-Government services, and

WHEREAS, the cost for implementing and hosting an internet based GIS system that is open to the public will cost \$6,500, plus a yearly hosting fee of \$2,400; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the implementation of a public access internet GIS system at a cost of \$8,900 to be paid from Unreserved Fund Balance.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 216 of 2004, a resolution authorizing the installation of a street light at the entrance to the Emerson subdivision.

Introduced by Councilwoman Walowit who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Emerson subdivision was previously approved by the Town of Clifton Park Planning Board and the installation of a street light is depicted on the approved subdivision plan, and the street light is warranted at this time; now, therefore, be it

RESOLVED, that authorization is hereby granted for the installation of a street light at the entrance to the Emerson subdivision at the Dawson Lane and NYS Rt. 146A

intersection, said subdivision being located on the west side of NYS Rt. 146A in the Town of Clifton Park, and be it further

RESOLVED, that said street light shall be charged to the Town of Clifton Park Lighting District No. 1 and a copy of this authorization shall be forwarded to the Niagara Mohawk Power Corporation.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 217 of 2004, a resolution appointing Kelly Miller, as an Assessment Clerk in the Assessor's Office.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, a vacancy exists in the Assessor's Office for a full time Assessment Clerk, and

WHEREAS, Walter Smead, Assessor, has recommended that Kelly Miller, 13 Kimberly Court, Clifton Park, be hired for the position as a full time, permanent contingent Assessment Clerk and the Town Board has considered the same; now, therefore, be it

RESOLVED, that Kelly Miller, 13 Kimberly Court, Clifton Park, is hereby appointed as a full time, permanent contingent Assessment Clerk in the Assessor's Office at Grade 4, Step 1, with an annual salary of \$26,649, starting July 26, 2004.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 218 of 2004, a resolution appointing James Strozyk to permanent status as Assistant Highway Maintenance Supervisor per Civil Service certification.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, James Strozyk, 56 Lake Road, Ballston Lake, was appointed to the position of Assistant Highway Maintenance Supervisor, and

WHEREAS, James Strozyk successfully passed the Civil Service Exam for the position of Assistant Highway Maintenance Supervisor and was certified as a permanent employee on July 7, 2004; now, therefore, be it

RESOLVED, that James Strozyk, 56 Lake Road, Ballston Lake, is hereby appointed to permanent status as Assistant Highway Maintenance Supervisor for the Town of Clifton Park per Civil Service Certification as of July 7, 2004

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 219 of 2004, a resolution hiring summer help for the Clifton Knolls/Mill Creek Park District.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, a need has been identified for summer help at the Clifton Knolls/Mill Creek Park District to do weeding and light landscaping chores, and

WHEREAS, Dominick Chiappone, 3 South Barney Road, Clifton Park, has been recommended to be hired for this position; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls/Mill Creek Park District, hereby authorizes the summer hiring of Dominick Chiappone, 3 South Barney Road, Clifton Park, for the Clifton Knolls/Mill Creek Park District at \$7.50 per hour, effective July 20th through September 15th, to be paid from SP3-7131-24 (Clifton Knolls/Mill Creek Park District Maintenance).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 220 of 2004, a resolution to increase pay rate for Patrick Gallagher, a counselor at Jonesville Day Camp.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Paolucci,

WHEREAS, Patrick Gallagher was rehired for a third summer as a counselor at Jonesville, and

WHEREAS, Patricia Haffner, Director of Parks, Recreation and Community Affairs, mistakenly submitted a lower rate of pay on her resolution for June 14, 2004, hiring Patrick Gallagher; now, therefore, be it

RESOLVED, that Patrick Gallagher's pay rate is increased from \$6.50 to \$7.00 per hour effective as of his starting date of employment for 2004.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 221 of 2004, a resolution proclaiming that July 20, 2004 be dedicated to the memory of Amato "Matty" Semenza.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, The Town Board of the Town of Clifton Park desires to pause in its deliberations to rightly show its appreciation to those who have given significantly to

their country through their generous acts, and

WHEREAS, the freedom, security and prosperity that the American people have enjoyed throughout the history of our nation have been preserved due to the sacrifice of the men and women who have served in our armed forces, and

WHEREAS, Amato "Matty" Semenza served honorably in the United States Army during WWII and was awarded numerous decorations, citations and commendations, and

WHEREAS, Amato "Matty" Semenza was appointed commanding general of the New York State Guard in 1973, after serving as deputy commanding general, and served as commander until 1987 and served the United States with distinction throughout his military career, and

WHEREAS, it is fitting that Major General Amato "Matty" Semenza, a resident of the Town of Clifton Park, be recognized and remembered by his nation and community; now, therefore, be it

RESOLVED, that the day of July 20, 2004 is hereby dedicated to the memory of Amato "Matty" Semenza in grateful recognition by the Clifton Park Town Board on behalf of all of the citizens of the Town for his service to his country and community.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 222 of 2004, final resolution establishing Miller Road South Water District No. 1.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Town Board of the Town of Clifton Park, Saratoga County, New York (the "Town") previously authorized the formation of Miller Road South Water District No. 1 (the "District") by resolution adopted by the Town Board on February 4, 2004, subject to approval of the New York State Comptroller, and

WHEREAS, on April 20, 2004, the Town Board submitted an application to the New York State Office of the State Comptroller requesting approval of the formation of the

District and construction of improvements to the water system in the District (the "Improvements") consisting of the construction and acquisition of water transmission and distribution mains including ductile iron water mains, service connections and hydrants, and all appurtenances and incidental equipment including the acquisition of rights-of-way, if necessary, all as more particularly described in the maps and plans prepared by John M. McDonald Engineering, P.C. (the "Maps and Plans") which are on file in the office of the Town Clerk, and

WHEREAS, by order dated July 12, 2004, the New York State Comptroller approved the establishment of the District; now, therefore, be it

RESOLVED, that Miller Road South Water District No. 1 in the Town of Clifton Park, Saratoga County, New York, is hereby established in accordance with the Maps and Plans, and the District shall be bounded and described as set forth on Exhibit A attached hereto.

RESOLVED, the construction of the Improvements is hereby authorized at a maximum estimated cost of \$192,000.

RESOLVED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this resolution to be recorded in the office of the Saratoga County Clerk and filed in the office of the State Department of Audit and Control in Albany, in accordance with the provisions of Town Law Section 195.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

RESOLUTION NO. 223 of 2004. A BOND RESOLUTION DATED JULY 19, 2004 OF THE TOWN OF CLIFTON PARK, NEW YORK, AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF A WATER SUPPLY AND DISTRIBUTION SYSTEM AND RELATED EQUIPMENT, MACHINERY AND APPARATUS IN MILLER ROAD SOUTH WATER DISTRICT NO. 1, AT A MAXIMUM ESTIMATED COST OF \$192,000 AND AUTHORIZING THE ISSUANCE OF \$192,000 SERIAL BONDS TO PAY THE COST THEREOF.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilman Paolucci.

Section 1. The Town of Clifton Park, New York (the "Town") is hereby authorized to acquire, construct and install a water supply and distribution system in Miller Road South Water District No. 1 (the "District"), including buildings, land or rights in land, and equipment, machinery and apparatus required in connection therewith, at an estimated maximum cost of \$192,000 and to issue an aggregate \$192,000 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 \$192,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of the issuance of \$192,000 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 1 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(d)(9) 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: Councilman Paolucci, Councilman Speckhard,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, spoke on various subjects, e.g. proposed library buffering, arena audit, Empire Zone, and proposed county water system.

Bob Cohen, 181 Wood Dale Drive, member of the Board of Directors of Mohawk Hudson Wheelman Cycling Club, asked the Town Board to promote road safety and friendliness.

Supervisor Barrett, speaking with regard to the memorial bike rides being held in David Ryan's memory, said if there was large amount of bicyclers at one time the town could, in the essence of safety, have a security car ride in front and escort the group.

Bill Mawer, Delmar, Mohawk Hudson Cycling Club, reported a memorial ride is scheduled for October 9th. He said the town could apply for "Cycling Friendly Community" certification from the National Organization of American Bicyclists. Mr. Mawer said infrastructure, education for motorists and cyclists, and enforcement are the three most important things to consider for bicycle safety. The Supervisor asked that he be notified of the memorial ride details are set.

Beverly Czub, Miller Road, expressed concern with drivers in town.

Norman Goldman said it would be useful to have people report car and plate information

for speeders and illegal handicapped parking to the Sheriff's Department and State Police.

Betty Ayres, Woodcliffe Drive, said there should be a stop sign at Woodcliffe and Woodbine Roads.

Patty Schwankert, Woodcliffe Drive, expressed concern about speed in Woodcliffe Estates.

MOTION by Councilwoman Walowit, seconded by Councilman Speckhard, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8:50 p.m.

Patricia O'Donnell
Town Clerk