

REGULAR MEETING

JULY 19, 2018

A Regular Meeting of the Town Board of the Town of Hampton, County of Washington and the State of New York was held at the Town Hall, 2629 State Route 22A, Hampton, New York on the 19th day of July, 2018.

PRESENT: David K. O'Brien-----Supervisor
Tamme Taran-----Councilwoman
Donald Sady-----Councilman
Andrea Sweeney-----Councilwoman - absent
Roger Weeden-----Councilman
Rebecca Jones-----Town Clerk
Camilla Shaw-----Tax Collector/Deputy Town Clerk
Herbert Sady, Jr.-----Highway Superintendent

Planning Board Member(s): Bonnie Hawley, Chair and Ginny Kinsey

Also present: see attached list

The Regular Meeting was called to order by Supervisor O'Brien at 7:30pm, followed by the Pledge of Allegiance. Location of Fire Exits were given. Quorum of board members present.

Supervisor O'Brien asked for a moment of silence in memory of Anthony Poalino.

RESOLUTION NO. 45-2018

APPROVAL OF THE MINUTES

On a motion of Councilman Sady, seconded by Councilwoman Taran, the following resolution

was ADOPTED: Ayes 4 O'Brien, Taran, Sady, Weeden
 Nays 0
 Absent 1 Sweeney

RESOLVED, that the Regular Town Board Minutes for June 21st, 2018 are approved.

Permits/Subdivision

Kevin Perry, Agent for Yorkmont Farms, came before the board regarding a Subdivision to Colin Williams

RESOLUTION NO. 46-2018

SHORT ENVIRONMENTAL ASSESSMENT FORM/NEGATIVE DECLARATION

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution

was ADOPTED: Ayes 4 O'Brien, Taran, Sady, Weeden
 Nays 0
 Absent 1 Sweeney

RESOLVED, that the Short Environmental Assessment Form for Yorkmont Farms, is complete and to adopt a negative declaration and finding that there will be no adverse environmental impacts and to consider it a minor subdivision, therefore waving the public hearing.

RESOLUTION NO. 47-2018

APPROVAL OF SUBDIVISION

On a motion of Councilman Sady, seconded by Councilman Weeden , the following resolution

was ADOPTED: Ayes 4 O'Brien, Taran, Sady, Weeden
 Nays 0
 Absent 1 Sweeney

RESOLVED, to approve Yorkmont Farms subdivision.

Camilla Shaw, Tax Collector- Zero balance. Submitted Bank Statement to the Board for review and signatures.

Larry Carman, Dog Control Officer submitted his reports, which were read by Supervisor O'Brien, copy of reports are attached for 5/18/18-6/18/18 and 6/19/18-7/16/18.

Planning Board...Bonnie Hawley, Chairperson

- Site Plan has been approved for Adirondack Holdings
- Continuing to work on amending Site Plan Law
- Next meeting will be August 8th @ 7:00pm at the Town Hall
- Minutes for Planning Board Meeting held July 11th are attached.

CEMETERY WORK...Johnson Landscaping & Tree Service has taken down several trees in the Warren Cemetery as per discussed with Town Board Members previously. There is one additional tree that he has taken down and has agreed to defer the billing to the Town until January 2019.

The fence by Warren Cemetery...the fence was taken down due to the tree removal, following a discussion it was decided to leave the fence down for now.

RESOLUTION NO. 48-2018

CEMETERY DONATION

On a motion of Councilwoman Taran, seconded by Councilman Sady , the following resolution was ADOPTED:

BY ROLL CALL VOTE:	Supervisor O'Brien	AYE
	Councilwoman Taran	AYE
	Councilman Sady	AYE
	Councilman Weeden	AYE
	Councilwoman Sweeney	ABSENT

RESOLVED, to accept \$2000.00 donation for Cemetery Account from William Cartier.

Following a discussion, regarding a request from Travis & Cesilia Dean the following Resolution was introduced...

RESOLUTION NO. 49-2018

MILLER CEMETERY-MOWING CONTRACT

On a motion of Councilman Weeden, seconded by Councilwoman Taran , the following resolution was ADOPTED:

Ayes	4	O'Brien, Taran, Sady, Weeden
Nays	0	
Absent	1	Sweeney

RESOLVED, to enter into a Contract for 2018 with Travis & Cesilia Dean in regards to the care of the Miller Cemetery on Golf Course Road.

Supervisor O'Brien stated that a work day has been scheduled for September 29th, 2018 to work on the following cemeteries: Warren, Hooker and Burdick.

Herbert Sady, Jr., Highway Superintendent submitted his report, copy of which, is attached.

The Town of Hampton has been awarded a \$100,000.00 Grant toward the purchase of a new Highway Truck. The Town Board and public, that was present, had a lengthy discussion as to what had to be done to secure the Grant.

- Town pays first, then would be reimbursed
- Total cost would be \$191,035
- It will be a 2020 Western Star 4700 Plow Truck with a side discharge sander
- We are piggybacking on Onondaga County Contract, not State Contract
- Order now, Town will receive Truck in March 2019

Herb Sady, Highway Superintendent has authorized and signed the “Order Approving Expenditure from Town of Hampton Highway Equipment Reserve Fund”.

RESOLUTION NO. 50-2018

ACCEPT ORDER FROM HIGHWAY SUPERINTENDENT

On a motion of Councilman Weeden, seconded by Councilman Sady, the following resolution was ADOPTED:

Ayes 4 O'Brien, Taran, Sady, Weeden
Nays 0
Absent 1 Sweeney

RESOLVED, to accept the above mentioned Order from Herb Sady, Highway Superintendent.

RESOLUTION NO. 51-2018

MOTION BY: Councilman Donald Sady
SECONDED BY: Councilwoman Tamme Taran

RESOLUTION AUTHORIZING THE USE OF TOWN OF HAMPTON HIGHWAY EQUIPMENT CAPITAL RESERVE FUND AND ACCEPTANCE OF DORMITORY AUTHORITY OF NEW YORK STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) GRANT IN THE AMOUNT OF \$100,000 FOR THE PURCHASE OF A 2020 WESTERN STAR 4700SF FOR THE HIGHWAY DEPARTMENT OF THE TOWN OF HAMPTON

WHEREAS, after due deliberation thereon, the Town Board (the “Board”) of the Town of Hampton (the “Town”) desires to purchase a 2020 WESTERN STAR 4700SF Truck, plus associated stainless steel all season body, poly spinner, fold up ladder, OWSK9-CT one way plow, W144HD Wing, carbide cutting edges, air gate, bolt on spread apron, pioneer EDD1500 asp tarp w/anti sail bar, Rexroth pressure comp hydraulic system, LED/DOT body warning light system, heated LED plow lights, del carb air controls, 24 ton pintle hitch, ACC54/HCC72/ST/68 wing system, center belly flap, 3m rear reflective tape, wing spinner, tower LED lights, tower mirror, center belly flap, cap sander control, del cab air controls, in accordance with specifications dated February 19, 2018 from Tracey Road Equipment and dated February 9, 2018 from Zwack Inc, a copy of which is filed with the Town Clerk along with this resolution, and in the amount of in the amount of One Hundred Ninety One Thousand Thirty-Five and No/100 US Dollars (\$191,035.00) (the “Project”) and

WHEREAS, the total estimated cost of the Project is One Hundred Ninety One Thousand Thirty-Five and No/100 US Dollars (\$191,035.00); and

WHEREAS, the Town has been the recipient of a State and Municipal Facilities Program grant from the Dormitory Authority of the State of New York in the principal amount of One Hundred Thousand and No/100 US Dollars (\$100,000.00) to help fund the purchase of the above referenced truck and equipment; and

WHEREAS, said grant is a reimbursement grant requiring the Town to issue the funds which will then be reimbursed by grant funds; and

WHEREAS, the Town highway superintendent desires, in accordance with section 6-c(5) of the General Municipal Law to purchase a highway vehicle identified 2020 WESTERN STAR 4700SF Truck, plus associated stainless steel all season body, poly spinner, fold up ladder, OWSK9-CT one way plow, W144HD Wing, carbide cutting edges, air gate, bolt on spread apron, pioneer EDD1500 asp tarp w/anti sail bar, Rexroth pressure comp hydraulic system, LED/DOT body warning light system, heated LED plow lights, del carb air controls, 24 ton pintle hitch, ACC54/HCC72/ST/68 wing system, center belly flap, 3m rear reflective tape, wing spinner, tower LED lights, tower mirror, center belly flap, cap sander control, del cab air controls, in accordance with specifications dated February 19, 2018 from Tracey Road Equipment and dated February 9, 2018 from Zwack Inc, a copy of which is filed with the Town Clerk along with this resolution, to be paid for partially using funds from the capital reserve fund; and

WHEREAS, the Town highway superintendent has issued an order, subject to Town Board audit and approval, authorizing such purchase pursuant to section 6-c(5) of the General Municipal Law; and

WHEREAS, said purchase is to be made pursuant to a “piggy-back” bid from the County of Onondoga, State of New York, bid number 7823; and

WHEREAS, the Town Board, upon due consideration, finds the actions contemplated herein to be in the public interest.

NOW, THEREFORE BE IT:

RESOLVED, that the Town Board hereby audits and approves the expenditure from the Town of Hampton Highway Equipment Capital Reserve Fund for the purchase of 2020 WESTERN STAR 4700SF Truck, plus associated stainless steel all season body, poly spinner, fold up ladder, OWSK9-CT one way plow, W144HD Wing, carbide cutting edges, air gate, bolt on spread apron, pioneer EDD1500 asp tarp w/anti sail bar, Rexroth pressure comp hydraulic system, LED/DOT body warning light system, heated LED plow lights, del carb air controls, 24 ton pintle hitch, ACC54/HCC72/ST/68 wing system, center belly flap, 3m rear reflective tape, wing spinner, tower LED lights, tower mirror, center belly flap, cap sander control, del cab air controls, in accordance with specifications dated February 19, 2018 from Tracey Road Equipment and dated February 9, 2018 from Zwack Inc, a copy of which is filed with the Town Clerk along with this resolution, to be paid for partially using funds from the capital reserve fund; and be it further

RESOLVED, that the Town Board approves of the acceptance of the State and Municipal Facilities Program grant (SAM) from the Dormitory Authority of the State of New York in the principal amount of One Hundred Thousand and No/100 US Dollars (\$100,000.00); and be it further

RESOLVED, that the Town Supervisor and/or the Town Highway Superintendent be authorized to take any steps necessary to carry out said purchase, including but not limited to the execution of any contracts, agreements, forms, and other documents necessary to effect the terms of this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote by roll call, which resulted as follows:

DATED: JULY 19, 2018

<u>Voting:</u>	<u>Ayes:</u>	<u>Nays:</u>	<u>Abstain:</u>	<u>Absent:</u>
David O'Brien, Supervisor	<u> X </u>	_____	_____	
Tamme Taran, Councilperson	<u> X </u>	_____	_____	
Donald Sady, Councilperson	<u> X </u>	_____	_____	
Roger Weeden, Councilperson	<u> X </u>	_____	_____	
Andrea Sweeney, Councilperson	_____	_____	_____	<u> X </u>

The foregoing resolution was thereupon declared duly adopted.

{Seal}

Rebecca S. Jones, Town Clerk
Town of Hampton

RESOLUTION NO. 52-2018

MOTION BY: Councilwoman Tame Taran
SECONDED BY: Councilman Roger Weeden

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF
\$100,000.00 AGGREGATE PRINCIPAL AMOUNT OF SERIAL BONDS OR A
STATUTORY INSTALLMENT BOND OF THE TOWN OF HAMPTON TO PAY THE
COSTS FOR THE PURCHASE OF A 2020 WESTERN STAR 4700SF AND RELATED
ATTACHMENTS FOR THE HIGHWAY DEPARTMENT OF THE TOWN OF
HAMPTON AND AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION
NOTES OF THE TOWN OF HAMPTON FOR THE AFORESAID PURPOSES AND IN
CONNECTION THEREWITH**

WHEREAS, after due deliberation thereon, the Town Board (the "Board") of the Town of Hampton (the "Town") desires to purchase a 2020 WESTERN STAR 4700SF Truck, plus associated stainless steel all season body, poly spinner, fold up ladder, OWSK9-CT one way plow, W144HD Wing, carbide cutting edges, air gate, bolt on spread apron, pioneer EDD1500 asp tarp w/anti sail bar, Rexroth pressure comp hydraulic system, LED/DOT body warning light system, heated LED plow lights, del carb air controls, 24 ton pintle hitch, ACC54/HCC72/ST/68

wing system, center belly flap, 3m rear reflective tape, wing spinner, tower LED lights, tower mirror, center belly flap, cap sander control, del cab air controls, in accordance with specifications dated February 19, 2018 from Tracey Road Equipment and dated February 9, 2018 from Zwack Inc, a copy of which is filed with the Town Clerk along with this resolution, and in the amount of in the amount of One Hundred Ninety One Thousand Thirty-Five and No/100 US Dollars (\$191,035.00) (the “Project”) and

WHEREAS, the total estimated cost of the Project is One Hundred Ninety-One Thousand Thirty-Five and No/100 US Dollars (\$191,035.00) all of which is the responsibility of the Town; and

WHEREAS, in order to finance the costs associated with the Project, the Town anticipates grant funds in the amount of One Hundred Thousand and No/100 US Dollars (\$100,000.00) from the Dormitory Authority of the State of New York through the State and Municipal Facilities Program (SAM) grant, and utilizing funds from the Town of Hampton Highway Capital Reserve Fund, and the Town desires to issue notes or serial bonds or a statutory installment bond, in lieu of serial bonds, in the aggregate principal amount of One Hundred Thousand and No/100 US Dollars (\$100,000.00); and

WHEREAS, no other bond anticipation notes have been previously authorized or issued in anticipation of the issuance of serial bonds authorized by this resolution and the bond anticipation notes authorized by this resolution will not serve to renew any other existing bond anticipation notes.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Town as follows:

Section 1. The specific object and/or purpose of the Project for which the obligations authorized by this Resolution is the purchase a 2020 WESTERN STAR 4700SF Truck, plus associated stainless steel all season body, poly spinner, fold up ladder, OWSK9-CT one way plow, W144HD Wing, carbide cutting edges, air gate, bolt on spread apron, pioneer EDD1500 asp tarp w/anti sail bar, Rexroth pressure comp hydraulic system, LED/DOT body warning light system, heated LED plow lights, del carb air controls, 24 ton pintle hitch, ACC54/HCC72/ST/68 wing system, center belly flap, 3m rear reflective tape, wing spinner, tower LED lights, tower mirror, center belly flap, cap sander control, del cab air controls, in accordance with specifications dated February 19, 2018 from Tracey Road Equipment and dated February 9, 2018 from Zwack Inc, a copy of which is filed with the Town Clerk along with this resolution to replace an existing truck for the Highway Department for the total sum of One Hundred Ninety One Thousand Thirty-Five and No/100 US Dollars (\$191,035.00).

Section 2. The financing of the Project shall be undertaken by the Town through the issuance of a bond anticipation note or notes in accordance with and pursuant to the Local Finance Law of the State of New York in an amount not to exceed One Hundred Thousand and No/100 US Dollars (\$100,000.00). The Town hereby authorizes any bonds, including a statutory installment bond, in lieu of serial bonds, to be issues for this Project in an amount not to exceed One Hundred Thousand and No/100 US Dollars (\$100,000.00).

Section 3. The Town hereby authorizes the Supervisor of the Town (the “Supervisor”) to utilize funds held within the Fund and within the Budget for the purpose of physical public betterment or improvement and the payment of services rendered in connection with the Project and further authorizes the Supervisor to repay any funds expended from the Fund with funds borrowed in connection with any bond anticipation note or bonds, including statutory installment bonds, issued pursuant to and authorized by and through this bond resolution.

Section 4. There are hereby authorized to be issued bond anticipation notes (“Notes”), including the renewal of such Notes, for the aforesaid specific objects or purposes in amounts up to but not exceeding the maximum amount of the Bonds herein authorized. Any such Notes issued shall be approved as to form and executed by the Supervisor and issued in anticipation of the sale of the Bonds herein authorized.

Section 5. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is five (5) years pursuant to Section 11.00(a) (32) of the Local Finance Law.

Section 6. The full faith and credit of the Town is hereby irrevocably pledged for the payment of the principal of and interest on any Bonds or Notes issued in connection with this bond resolution, as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of, and any interest, if applicable, on the Bonds or Notes becoming due and payable in such years.

Section 7. The maximum maturity of the Bonds shall not exceed the periods of probable usefulness set forth above and shall mature on or before the date of the expiration of the aforesaid periods of probable usefulness as measured from the date of the Bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier. If deemed necessary by the Supervisor, the Bonds or Notes to be issued hereunder may be issued in two or more separate series.

Section 8. Any Notes or Bonds issued hereunder shall be payable from the proceeds derived from the issuance and or sale of the Bonds authorized herein or otherwise redeemed in the manner provided by Section 23.00 or Section 62.10 of the Local Finance Law.

Section 9. There are no bond anticipation notes or Bonds outstanding which have been previously issued in anticipation of the sale of the Bonds authorized herein.

Section 10. Subject to the provisions of the Local Finance Law, the power to issue and sell the Bonds and/or Notes, including all powers and duties pertaining or incidental thereto, is hereby delegated to the Supervisor of the Town, except as herein provided. The Bonds and/or Notes shall be of such terms, form and content, and shall be sold in such manner, whether by public or private sale, as may be determined by the Supervisor, pursuant to Local Finance Law, this resolution and any further resolution which the Board may hereafter adopt. The Supervisor is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions of this resolution, including any resolutions, contracts or authorizations necessary to secure any Federal or State issued grant(s) or loan(s).

Section 11. The exact date of issue of the Bonds and/or Notes and the exact date upon which the same shall become due and payable shall be fixed and determined by the Supervisor, provided however, that the maturity of said Notes or renewals thereof shall not exceed one year from the Note's or renewal's date of issue except as permitted by the Local Finance Law.

Section 12. The Supervisor shall prepare, or cause to be prepared, such Bonds and/or Notes and sell the same in accordance with the applicable provisions of the Local Finance Law, and at such sale shall determine the interest rate to be borne by such Bonds and/or Notes, whether fixed or variable.

Section 13. The proceeds of the sale of the Bonds and/or Notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest the proceeds of sale is hereby delegated to the Supervisor and the power to invest in any instruments described in the said Section 165.00 is expressly granted.

Section 14. To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended (the "Code"), the Issuer hereby designates the Bonds and/or Notes as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code. The Issuer hereby covenants that it will (i) take all actions on its part necessary to cause interest on the Bonds and/or Notes be excluded from gross income for purposes of Federal income taxes and (ii) refrain from taking any action which would cause interest on the Bonds and/or Notes to be included in gross income for purposes of Federal income taxes.

Section 15. The validity of such Bonds and/or Notes (collectively "Obligations") may be contested only if:

- (1) Such Obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced with twenty (20) days after the date of such publication, or
- (3) Such Obligations are authorized in violation of the provisions of the constitution.

Section 16. This resolution, or a summary hereof, shall be published in full in the Whitehall Times, which has been designated as the official newspaper 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 17. The adoption of this Resolution is considered an action under the New York State Environmental Quality Review Act (SEQRA). The Town hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(27), and hereby declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

Section 18. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote by roll call, which resulted as follows:

DATED: JULY 19, 2018

<u>Voting:</u>	<u>Ayes:</u>	<u>Nays:</u>	<u>Abstain:</u>	<u>Absent:</u>
David O'Brien, Supervisor	<u>X</u>	_____	_____	
Tamme Taran, Councilperson	<u>X</u>	_____	_____	
Donald Sady, Councilperson	<u>X</u>	_____	_____	
Roger Weeden, Councilperson	<u>X</u>	_____	_____	
Andrea Sweeney, Councilperson	_____	_____	_____	<u>X</u>

The foregoing resolution was thereupon declared duly adopted.

[Seal]

Rebecca Jones
Town Clerk
Town of Hampton

There is a small percentage that something could happen with getting the Grant, a decision at that time would need to be made to go forth with the purchase or cancel.

RESOLUTION NO. 53 - 2018
APPROVAL OF SUPERVISOR'S MONTHLY REPORT

On a motion of Councilman Sady, seconded by Councilwoman Taran, the following resolution was ADOPTED:

Ayes 4 O'Brien, Taran, Sady, Weeden
Nays 0
Absent 1 Sweeney

RESOLVED, that the Supervisor's Monthly report be accepted as submitted for **JUNE 2018**.

	05/30/18			06/30/18
<u>ACCOUNT</u>	<u>BALANCE</u>	<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>	<u>BALANCE</u>
General Fund	\$ 79,519.53	\$ 991.99	\$ 7,399.61	\$ 73,111.91
Highway Fund	\$119,441.59	\$ 4.86	\$ 10,639.88	\$108,806.57
Equipment Reserve	\$ 94,120.77	\$ 3.87	\$ 0.00	\$ 94,124.64
Fire #1	\$ 40,800.00	\$ 0.00	\$ 0.00	\$ 40,800.00
Fire #2	\$ 5,406.00	\$ 0.00	\$ 0.00	\$ 5,406.00
Cemetery	\$ 1,702.03	\$ 1.97	\$ 0.00	\$ 1,704.00
Totals	\$340,989.92	\$ 1,002.69	\$ 18,039.49	\$323,953.12

All Board Members present signed Supervisor's Report.

The Town Clerk's report for June 2018 was submitted to the Board. The Town Clerk had Board Members review and sign bank reconciliation statements for the Town Clerk Account and Special Town Clerk Account dated June 30th, 2018.

Supervisor O'Brien spoke about the Dewatering Facility in Fort Edward and the back taxes that are owed. Opened the discussion to receive the feedback from the Public.

Public Comments/Council Comments:

Resident Leonard Reed made comments about the one day hire for the Highway Department. Supervisor O'Brien commented that he would recommend the same for any Hampton resident that met the same qualifications.

RESOLUTION NO. 54-2018
AUDIT OF CLAIMS

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution was ADOPTED:

Ayes 4 O'Brien, Taran, Sady, Weeden
Nays 0
Absent 1 Sweeney

RESOLVED that the bills have been reviewed by the Town Board and are authorized for payment in the following amounts.

General Fund	No.76 through No.88	\$29,169.47
Highway Fund	No.74 through No.82	<u>\$57,126.03</u>
Total both funds		\$86,295.50

On a motion of Councilman Sady, seconded by Councilwoman Taran, the meeting adjourned at 9:06pm. All in favor Aye.

Respectfully submitted,

Rebecca S. Jones, RMC
Town Clerk