

**RESOLUTION 37 OF 2022**

At a regular meeting of the Town Board of the Town Clinton duly held at the Town Hall, Centre Road in the Town of Clinton on the 13<sup>th</sup> day September 2022. Upon the calling of the roll by the Clerk the following members were:

Present: Supervisor Whitton  
Councilman Eliot Werner  
Councilman Juliano  
Councilman Michael  
Councilwoman Mustello

Absent: None

The following resolution was offered for adoption by Supervisor Whitton which resolution was seconded by Councilman Michael:

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXPEND AN AMOUNT NOT TO EXCEED THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00) FROM THE CAPITAL PROJECTS FUND A/K/A RECREATION TRUST FUND, ACCOUNT NO. TA335, SUBJECT TO PERMISSIVE REFERENDUM, FOR THE PURPOSE OF FUNDING CERTAIN IMPROVEMENTS AT FRIENDS PARK.**

**WHEREAS**, the Town Board has determined that certain improvements are necessary to the recreational facilities at Friends Park, specifically replacing fencing at the park’s baseball field and installing an Americans with Disabilities Act (ADA) compliant walkway and restroom;

**WHEREAS**, the Town Board, after duly noticing and soliciting bids to construct these improvements, engaged the lowest responsible qualified bidder at a total cost of One Hundred Fifty-Seven Thousand Three Hundred Forty-One and 00/100 Dollars (\$157,341.00);

**WHEREAS**, the Town has received a Community Development Block (CBD) grant in the amount of Ninety-Eight Thousand Seven Hundred and 00/100 Dollars (\$98,700.00) which the Town Board intends to utilize to cover part of the cost for these improvements;

**WHEREAS**, the Town has received funds from the American Rescue Plan Act of 2021 (ARPA) which the Town Board intends to utilize to cover part of the cost of these improvements;

**WHEREAS**, additional funds are necessary to cover the cost of these improvements and the Town Board has determined that the necessary funds should be drawn from the Town’s Capital Projects Fund a/k/a Recreation Trust Fund, Account No. TA335;

**WHEREAS**, the Town Board established the Capital Projects Fund a/k/a Recreation Trust

Fund in 1992 for the purpose of funding improvements to its recreational facilities;

**WHEREAS**, the Town Board desires to expend an amount not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00) from the Capital Projects Fund a/k/a Recreation Trust Fund, Account No. TA335 for the purpose of funding the remaining costs necessary to construct the improvements;

**WHEREAS**, the probable useful life of the proposed improvements exceeds five years pursuant to Section 11.00 of the Local Finance Law;

**WHEREAS**, General Municipal Law Section 6-c requires a permissive referendum when the probable usefulness of the improvements paid for from a reserve fund exceeds five years;

**WHEREAS**, the permissive referendum is governed by Article 7 of the Town Law; and

**WHEREAS**, Article 7 of the Town Law requires the Town Clerk within ten days of adoption to post and publish a notice of adoption along with an abstract concisely stating the purpose and effect of the resolution.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

(1) The Town Supervisor is authorized, directed and empowered to expend an amount not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00) from the Capital Projects Fund a/k/a Recreation Trust Fund, Account No. TA335, for the purpose of funding recreational improvements to Friends Park, specifically replacing fencing at the park's baseball field and installing an Americans with Disabilities Act (ADA) compliant walkway and restroom, subject to the Town meeting the permissive referendum requirement; and

(2) The Town Clerk is hereby authorized, empowered and directed to post and publish a notice of adoption of this resolution within ten (10) days hereof along with an abstract concisely stating the purpose and effect of this resolution in accordance with the requirements of Article 7 of the Town Law.

The vote having been taken upon such resolution the result was as follows:

Michael Whitton, Town Supervisor voting	AYE
Eliot Werner, Councilman voting	AYE
Dean Michael, Councilman voting	AYE
Chris Juliano, Councilman, voting	AYE
Katherine Mustello, Councilwoman voting	AYE

There being a majority of the Town Board voting to approve the resolution, the resolution was declared by the Town Supervisor to have been adopted, subject to permissive referendum.

**IN WITNESS WHEREOF**, I affix the seal of the Town of Clinton as the Clerk thereof, this 13<sup>th</sup> day of September, 2022.

TOWN OF CLINTON, NEW YORK



Town Clerk: \_\_\_\_\_  
Carol- Jean Mackin