

**DRAFT MINUTES
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF SARATOGA, 12 SPRING ST.,
SCHUYLERVILLE, NY**

**April 12, 2010
7:00 P.M.**

Supervisor Thomas Wood opened the meeting with the Pledge of Allegiance at 7:00 p.m.

Roll call: Ruth Drumm, Town Clerk, called the roll. Supervisor Thomas Wood- present, Councilman Fred Drumm - present, Councilman Charles Hanehan- present, Councilman James Jennings - present, and Councilman Michael McLoughlin – present

Also present: Deputy Town Clerk Linda McCabe, Town Attorney William Reynolds, Highway Superintendent Dave Hall, Zoning Officer Gil Albert, Tax Collector Jim Gorham, Justice Jack Ditch, Town Historian Sean Kelleher and other interested persons.

Recognitions/Presentations/ Bid openings/ Public Hearings:

A **presentation** was given by **Stephanie Ferradino on the Brown Road PUD amendment**. She explained that the look of the 84 acre +/- development will not change from what was approved on January 12, 2009. The main change is that six of the sixteen lots need alternate septic systems which required them to have larger lots. It is really only the deeds that will change. There will be a hydro geologic study done to determine the quality and quantity of water and if the wells will have an impact on neighboring wells. Further review will be done by the Planning Board if the town board determines it merits further consideration.

A **presentation** was given by **Shelby Schneider with Saratoga Economic Development Corp. (SEDC)**. She discussed the planning and marketing activities the SEDC uses to promote Saratoga County and all of its communities. With Global Foundries locating in the Luther Forest Technology Campus there will be many opportunities and it is important that each communities assets and needs be defined so that they can be explored. A Community Assets and Needs Worksheet was left with the board and residents attending for their input.

Public Hearing: Mass Gathering Permit #1 & 2 of 2010 – Saratoga Rowing Association’s Regattas – May 8th & 9th and May 28th & 29th .

Proof of advertising having been provided Supervisor Thomas Wood opened the public hearing at 8:52 p.m. No one wished to speak. On a motion by Supervisor Thomas Wood and seconded by Councilman Charles Hanehan the public hearing was closed at 8:53 p.m. Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings - aye. Carried 5 – 0.

Bid Opening: 2000 Sterling Tandem Dump Truck

Proof of advertising having been provided Supervisor Thomas Wood opened the bids for the 2000 Sterling Tandem Dump Truck as follows:

- ❖ **JSSJR Enterprises, 800 Cheshire Road, Lanesboro, MA 01237 - \$14,690.00**
- ❖ **Dado's Inc., 723 State Highway 29, Broadalbin, NY 12025 - \$11,276.00**

Approval of Minutes: A motion was made by Councilman James Jennings and seconded by Councilman Michael McLoughlin to accept the minutes of the March 8th regular meeting as written.

Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings - aye. Carried 5 – 0.

Town Clerk's report for March 2010: Fees paid to the County Treasurer for Dog Licenses \$155.87. Fees paid to the NYS Dept. of Agriculture and Markets for the spay/neuter program \$42.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$141.09. Fees paid to the New York State Health Department for Marriage licenses \$67.50. Dog license fees to Supervisor Thomas Wood \$418.13. Clerk fees to Supervisor Thomas Wood \$114.16. Total State, County, and Local Revenues received were \$938.75.

Zoning Officer's report: Gil Albert's March 2010 report: 7 Building Permits, 8 Building Inspections, 7 Certificates of Occupancy, 0 Fire inspections, 0 Complaints, 4 Misc. and 0 Building Permit Renewals. A check for \$1,036.25 was given to Supervisor Thomas Wood.

Dog Control officer's report for March 2010: The report was read by Supervisor Thomas Wood: answered 16 complaints, took 1 dog to the shelter, 0 bite cases, traveled 103 miles, issued 10 warnings and 0 summons were issued.

Town Court report for March 2010: The following were closed: 193 Vehicle & Traffic, 23 Criminal/Penal Law, 4 DEC/ENCON, 0 Dog cases, 4 DWI's, 0 Town & Village Ordinance, 2 Small Claims/Civil, 2 Evictions, 0 Bench trials, 2 Divestiture Forms (case transfers) sent to County Court, 10 attended the Science of Speed School, 0 Defendants sentenced to probation, 20 hours of community service issued, 10 days of jail time issued, 2 Orders of Protection issued, and \$9,778.00 in fees were paid to the NY State Comptroller.

Tax Collector's report: Tax Collector Jim Gorham reported that he has collected \$2,771,180.40 on 2,733 parcels through March 31st. Of that \$328 was collected for fees and \$6,860.91 for penalties. There are 239 tax bills returned uncollected to the County Treasurer. Tax Collector Jim Gorham thanked Mayor John Sherman for picking up and delivering the tax collector mail every day during January, February and March.

Historian's report: Sean Kelleher submitted the following report:

The local historical collection of the Historian's office continues to expand. We recently received some newspaper clippings from former Historian Ostrander that gives great insight into the 1950s in the region. In addition, Tom Miller brought in a number of photos to be scanned. Those scans will be added to the collection. Our largest collection addition is a number of items for the local Drum Corp – the Green Sabers. For years, the Green Saber items were held in private homes and the American Legion. Now they will be stored in the Town's local historical collection under climate controls and some conservation. This will help preserve the history of this local institution for future generations.

There will be two local programs of historical interest. Heritage Hunters, the local genealogical association will be meeting on Saturday, April 17 at 1 pm at Town Hall. The speakers will be Art Young on researching Irish ancestors. The Old Saratoga Historical Association will have a program meeting on Reminiscences of World War II on Thursday, April 22 at 7:30 pm at the Town Hall.

Assessor's report: Victoria Hayner submitted the following report:

March was a busy month in the Assessor's Office. We spent the month evaluating our Assessment roll. The various tasks required for update were adding exemptions, reviewing building permits and making sure valuation on completed as well as partially completed projects was updated. We also met with property owners requesting a conference to discuss their concerns regarding their property valuation.

In reviewing sales statistics and in cooperation with the New York State Real Property Board, we have determined that our Level of Assessment for the coming year will be 66% of full market value (which is an increase of 2% from last year). The increase indicates that sales have declined 2% from last year so our Equalization Rate increases. Currently the Equalization rate is based on our Residential values as well as our vacant land values and our Commercial Values. NYS did an appraisal of our vacant lands in 2007 which determined that they are being assessed at 48% of Full Market Value. That number brings our total valuation down. These discrepancies continue to indicate the need for a Town-wide Revaluation. However current economic conditions seem to prohibit the ability to consider this as a possibility for the immediate future. I would, however, request that the Board keep it in mind in its planning for the future.

The first two weeks in April will be spent in getting all things ready for submitting the Tentative Roll for 2010 to the County for reproduction. We anticipate receiving the 2010 roll by May 3rd at which time it will be available for public inspection. The public is invited to review their property information and assessment Monday through Friday between the hours of 9:00 AM and 1:00 PM. The Assessor will be available on Monday and Thursdays between the hours of 10:00 AM and 1:00 AM. The Assessor will also "sit with the Roll" on Monday, May 10th from 4:00 PM – 7:00 PM and Saturday, May 15th between the hours of 9:30 AM and 12:30 PM.

Highway Superintendent's report: Highway Superintendent Dave Hall reported that they will be cutting dead trees when the weather permits. Patching of roads will start as soon as the blacktop plants open up. They have started ditching Neilson Road. He added

that fifteen **Sharp and Spicy 4-H club members** had their Earth Day Clean-Up on Wednesday and they did a great job cleaning up 3 roads. Highway Superintendent Dave Hall asked the board for approval to have the 2002 Freightliner sand blasted and painted. He attained three quotes and noted that there is money in the budget. This would help to extend its useful life to the town and the plan would be that it will eventually replace the spare truck. The board gave its approval.

Supervisor's report:

SUPERVISOR'S REPORT MARCH 2010

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand MAR. 1	\$ 1,274,703.64
MAR. Revenues	+ 75,993.12
MAR. Disbursements	- 55,238.54
From Park Reserve to Sch. Park	- 20,000.00
Balance MAR 31	\$ 1,275,458.22

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand MAR. 1	\$ 268,699.34
MAR. Revenues	+ 1,100.00
MAR. Disbursements	- 6,579.99
Balance MAR 31	\$ 263,219.35

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand MAR. 1	\$ 791,091.49
MAR. Revenues	+ 72,215.00
From Machinery Reserve	+188,345.00
MAR. Disbursements	- 246,930.06
Balance MAR 31	\$ 804,721.43

SCHUYLER PARK CAPITAL PROJECT MAR 31 \$ 98,723.13

YOUTH RECREATION & SERVICE MAR 31 \$ 1,583.12

HIGHWAY EQUIPMENT RESERVE MAR 31 \$ 12,732.03

BUILDING RESERVE MAR 31 \$ 149,381.23

SCENIC BY WAYS GRANT MAR 31 \$ 309.08

- ❖ **Sales Tax Received – March 2010 - \$72,215**
- ❖ **Mortgage Tax – February 2010 - \$7,483**

Public comments on agenda items: Roger Sherman addressed the board.

Committee reports:

Landfill: Supervisor Thomas Wood reported that Town Engineer Ken Martin has drafted an RFP for testing of the monitoring wells at the landfill. It has been sent to six labs and proposals should be returned by April 23rd.

Insurance: No report.

Youth: Councilman Michael McLoughlin reported that they will be advertising for a Red Cross Certified Swimming Instructor/Director for the Youth Swim Program.

Senior Citizens: Councilman James Jennings reported that the **Old Saratoga Seniors** met for a casserole luncheon on April 7th with 44 members and a guest attending. They had a hat contest and John and Lil Bodnar provided entertainment. A trip is planned in May to Turning Stone. A day trip is scheduled for July 28th to the Mac Hayden Theater to see Damn Yankees. The next meeting will be on April 21st. A teacup auction and the election of officers are planned. A selection will also be made for *Senior of the Year*.

The **Quaker Springs Seniors** met on March 8th with 31 attending the luncheon. Linda White, a Ranger with the Saratoga National Park, spoke. A trip is planned to the Perthshire Dinner Theater near Amsterdam on June 9th. Contact Rose Thievierge or Julia Hanehan for reservations. The next meeting on April 12th is the Anniversary Meeting.

Park Committee: Supervisor Thomas Wood reported that the first game was played this afternoon and it went well. There will be a press conference on Wednesday. A formal ribbon cutting ceremony will be held in a few weeks. An application for a Driveway Permit onto Rt. 29 was submitted, once obtained then signage will follow. On April 15th a fundraiser will be held at Longfellows Restaurant. The website (schuylerpark.com) is up and running and contains a calendar of scheduled games.

Office of Emergency Management: No report.

Committee to Honor Volunteer Firefighters & Emergency Medical Service Workers: No report.

GSES, QSFD, SLPID/SLA, SCFB Reports:

Lois White gave the following report for the General Schuyler Emergency Squad.

- ❖ There were a total of 55 calls in March; 15 were in the Town of Saratoga; 5 in the Town of Northumberland; 17 in the Village of Schuylerville; 11 in the Village of Victory Mills and 4 Mutual Aid calls.
- ❖ General Schuyler obtained financing from the Glens Falls National Bank for the new building project. Closing was completed and work started at the site. The building is now scheduled for delivery on April 16th. Thank you for your continued support of this project.
- ❖ During the month of March our volunteers logged a total of 987 volunteer hours.
- ❖ On April 17th, GSES will be participating in a farm rescue class with the Quaker Springs Fire Department at the Turning Point Dairy.

- ❖ On April 21st, at 7 p.m., GSES will be hosting a MCI triage training class.
- ❖ GSES will be the agency in charge at the Regattas at the Route 9P boat launch on Fish Creek on April 24th and 25th.
- ❖ Coming up on May 15th, GSES will be sponsoring the annual Blood Drive at the building. If you are able, please help the Red Cross and GSES give the gift of life.

QSFD: Sean Kelleher reported that they will be having their Chicken Barbeque on May 2nd from noon – 3:00 p.m. Reservations are required. They will be conducting Farm Rescue training at the Turning Point Dairy on April 17th.

Old business: None

New business:

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #10-41 – Granting Mass Gathering Permit #1 of 2010- SRA Regattas, May 8th and 9th**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

WHEREAS, the Town Board of the Town of Saratoga has received and reviewed the application for a Mass Gathering Permit by the Saratoga Rowing Association for the State Rowing Championships as follows:

Permit #1: Saratoga Rowing Association
543 Union Avenue
P.O. Box 750
Saratoga Springs, NY 12866
Contact: Christopher Chase, Regatta Director

Rowing Regatta, on Saturday, May 8th and Sunday, May 9th at Fish Creek, Saratoga Lake with approximately 5,000 +/- people attending over the two day event; and

WHEREAS, the required information has been submitted, as required by Local Law #2 of 2006, and

WHEREAS, the Town Board of the Town of Saratoga has held a public hearing on April 12, 2010 for input by interested persons, and

WHEREAS, the event is desirable for the town, therefore be it,

RESOLVED, by the Town Board of the Town of Saratoga that the permit is granted conditional upon the Town of Saratoga receiving a Certificate of Insurance for the above event naming the Town of Saratoga as additional insured in the amount of \$2 million, at least 5 business days prior to the event; that the event is found to be in compliance with the NYS Department of Health regulations of Chapter 1, Title 10, Part 18 by the NYS DOH when required; and that the review of the information required by Local Law #2 of 2006, Section 3 is found to be adequate.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #10-42 – Granting Mass Gathering Permit #2 of 2010- SRA Regattas, May 28th and 29th**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

WHEREAS, the Town Board of the Town of Saratoga has received and reviewed the application for a Mass Gathering Permit by the Saratoga Rowing Association for the Rowing National Championships as follows:

Permit #1: Saratoga Rowing Association
543 Union Avenue
P.O. Box 750
Saratoga Springs, NY 12866
Contact: Christopher Chase, Regatta Director

Rowing Regatta, on Saturday, May 28th and Sunday, May 29th at Fish Creek, Saratoga Lake with approximately 5,000 +/- people attending over the two day event; and

WHEREAS, the required information has been submitted, as required by Local Law #2 of 2006, and

WHEREAS, the Town Board of the Town of Saratoga has held a public hearing on April 12, 2010 for input by interested persons, and

WHEREAS, the event is desirable for the town, therefore be it,

RESOLVED, by the Town Board of the Town of Saratoga that the permit is granted conditional upon the Town of Saratoga receiving a Certificate of Insurance for the above event naming the Town of Saratoga as additional insured in the amount of \$2 million, at least 5 business days prior to the event; that the event is found to be in compliance with the NYS Department of Health regulations of Chapter 1, Title 10, Part 18 by the NYS DOH when required; and that the review of the information required by Local Law #2 of 2006, Section 3 is found to be adequate.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #10-43 Lead Agency Designation – Brown Road PUD** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

WHEREAS, the Town Board of the Town of Saratoga has received an application to amend the Brown Road Planned Unit Development District, the “Action”, and

WHEREAS, this is an Action subject to the provisions of the New York State Environmental Quality Review Act (S.E.Q.R.) and the regulations promulgated to implement said Environmental Quality Review Act, and

WHEREAS, the provisions of S.E.Q.R. require the designation of a “Lead Agency” to determine the environmental significance of the Action, and

WHEREAS, this agency has complied with the provisions of S.E.Q.R. pertaining to “Lead Agency” designation, now, therefore, be it

RESOLVED, that the Town Board of the Town of Saratoga is hereby designated the “Lead Agency” for the purpose of conducting the S.E.Q.R. review of the referenced Action.

On a motion by Councilman Charles Hanahan and seconded by Councilman Fred Drumm the following **Resolution #10-44 Brown Road PUD Application to Planning Board**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye,

Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

WHEREAS, the Town Board of the Town of Saratoga has received an application for an amendment to the PUD rezoning, project of Saratoga Development LLC on Brown Road, S/B/L# 206.-1-34; and

WHEREAS, the Town Board of the Town of Saratoga has determined that the proposal merits review, therefore be it,

RESOLVED by the Town Board of the Town of Saratoga to refer the application to the Planning Board for its review and recommendation.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #10-45 – Accepting 2000 Sterling Dump Truck Bid**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

WHEREAS, the Town Board of the Town of Saratoga received bids via solicitation of bids by public advertising for the sale of a 2000 Sterling Tandem Dump Truck, and JSSJR Enterprises Inc. was the highest bidder at \$14,690.00; therefore, be it

RESOLVED, by the Town Board of the Town of Saratoga to accept the bid of \$14,690.00 from JSSJR Enterprises, Inc., 800 Cheshire Road, Lanesboro, MA 01237.

On a motion by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin the following **Resolution #10-46 – Support for NYS Nonpoint Source Pollution Abatement and Control Program Grant Application**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

WHEREAS, agriculture is the number one industry in the Town of Saratoga; and

WHEREAS, the 2002 Town Comprehensive Plan contains goals and objectives that encourage the preservation of the existing level of agricultural land use and open space; and

WHEREAS, the Town of Saratoga supports activities and projects which promote and encourage agriculture; now therefore be it

RESOLVED, that the Town of Saratoga supports the Saratoga County Soil and Water Conservation District’s grant application proposal for a New York State 2010 Agricultural Nonpoint Source Pollution Abatement and Control Program (Round 16) for The Sucker Brook Water Quality Project, to install conservation measures on dairy farms in the Sucker Brook Watershed for the improvement and protection of Sucker Brook and its tributaries.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #10-47 Approving Lease to Tetra-Tech Inc.**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

WHEREAS, the Town has excess space in the Town Hall at 12 Spring Street, Schuylerville, NY which is unneeded for Town purposes, and which has been leased previously, and

WHEREAS, the Town Board desires to lease such excess space for fair and adequate consideration, it is hereby

RESOLVED, that approximately 2,500 square feet of space in the North wing, first floor of the Town Hall be leased to Tetra Tech, Inc., 3475 E. Foothill Blvd., Pasadena, CA 91107 for a term of two years at an annual base rental of \$25,000 (exclusive of “triple net charges”), said rent and other terms to be as set forth under a form of lease agreement presently in use for other business tenants in the Town Hall, and it is further,

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement to carry out this resolution subject to approval of the Town Attorney as to form.

The board discussed the disposition of the shed/garage at the old town hall site.

Supervisor Thomas Wood made a motion to place an ad for the sale of the shed/garage at the old town hall site, seconded by Councilman Fred Drumm.

Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

Councilman Michael McLoughlin discussed the options for replacing the present sink in the kitchen with a deeper and/or single sink. He is collecting estimates.

Councilman Michael McLoughlin thanked the Zetterstroms for cleaning up the Fairmount Cemetery and the highway department for chipping the brush.

Mike Fay and Wendy Lukas from the Schuylerville Dissolution Committee gave an update as follows:

Michael Fay reported that the Fairweather Consultants are looking at the finances and they will be reporting their findings at the April 26th committee meeting. Once true costs are compiled then they will study the impacts and look at the alternatives and the cost of those. The vote on the dissolution will be at the next village election in March of 2011. If the vote is to dissolve, then a plan will be drawn up. They are forming subcommittees to study fire protection and garbage. They have asked for volunteers; one town councilman for each subcommittee. There will be a public comment meeting at town hall on May 13, 2010.

Communications:

- ❖ **Saratoga County Department of Employment and Training – Summer Youth Employment Program – Applications Available in Town Clerks Office – Questions call 884-4147. Deadline for Applications is May 7, 2010.**
- ❖ **Notification by the Village of Schuylerville that Beagle Lane is now a one way street in a Southerly direction from Spring Street to Saratoga Street.**

- ❖ **Thank you received from the Friends of Saratoga Battlefield, Eastern National, and Saratoga National Historical Park for the use of the Schuyler Room for their 18th Century Fashion Show and Tea.**

Privilege of the floor: John Deyoe addressed the board.

Upcoming meetings:

- ❖ **Saratoga County Department of Employment and Training – Summer Jobs – Applications Available in Town Clerks Office – Questions call 884-4147. Deadline for Applications is May 7, 2010.**
- ❖ **Partnership Stewardship Plan Meeting – May 5th at 7:00 p.m. in the Schuyler Room**
- ❖ **Agenda meeting – Thursday, May 6, 2010 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, May 10, 2010 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Michael McLoughlin and seconded by Councilman James Jennings the following **Resolution #10-40 Approving the payment of bills in Abstract 4G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 4 – 0. **RESOLVED**, by the Town Board of the Town of Saratoga to authorize payment of the bills listed in Abstract 4G (04/12/2010) in the following amounts: General A \$24,503.93, General B \$1,106.96, HUD \$28,675.00, Youth \$369.73, Schuyler Park \$13,981.95, and Highway Outside DB \$21,182.27 for a total of \$89,819.84.

A motion to adjourn at 10:10 p.m. was made by Councilman Fred Drumm and seconded by Councilman Charles Hanehan. Supervisor Thomas Wood – aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan - aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings - aye. Carried 5 – 0.

Respectfully Submitted,

Ruth Drumm
Town Clerk