

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

**February 11, 2013
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 Michael McLoughlin – absent (arrived at 7:04 p.m.), and Councilman James Jennings - absent

Also present: Deputy Town Clerk Linda McCabe, Town Attorney William Reynolds, Zoning Officer Gil Albert, Highway Superintendent Don Ormsby Jr., Tax Collector Jim Gorham, Paul Galcik, Brandon Myers, Geraldine Freedman, Sherry Doubleday, Albert Weils, Thomas R. Drew Sr., Paul Shaver, Ian Murray, Shiloh Murray, Chris Benn, Clarence Fosdick, Roger Sherman, Danielle LeBaron, Evan Zeno, David Williams, Mike Schwerd, and Doug Niles.

Recognitions/Presentations/ Bid openings/ Public Hearings:

Paul Galcik, retired State Trooper and gun dealer, addressed the board on the types of firearms that are being outlawed by the *NY Safe Act*. He showed the board today's most popular modern sporting rifle that has a higher capacity magazine than allowed. It is used for hunting, target shooting and in 3 gun competitions. The higher capacity magazines are mostly used when target shooting or in competitions. Some of the banned features on rifles are a folding or telescoping stock, a protruding pistol grip, a thumbhole stock, a second handgrip or protruding grip that can be held by the non shooting hand, and a bayonet mount. He added that the very popular Ruger 22 Pistol now can't be shipped into NY because it has a 10 round clip. The law prohibits any new gun with more than a 7 round capacity from being shipped into NY. There is also the ammo issue and questions on the procedures including background checks required to purchase ammunition.

He explained that the law is 78 pages long and full of problematic issues. It was rushed through the legislature in the middle of the night with no public input. Currently it is not known where gun owners will be registering their assault weapons but he thinks it will be with the State Police. It has not been determined how the costs associated with registration and regulation will be paid for either.

Brandon Myers showed the board a video showing how removal of firearms from Australia's citizens affected the citizens and the crime rate. Many types of crimes went way up after the loss of firearms; it did not have a positive outcome. He feels that this is the direction that we are going with the passage of the *NY Safe Act*. Brandon added that it was done wrong and passed without the 3 day wait misusing the *Message of Necessity*, an emergency provision. He stated laws that have been in place: no firearm may be possessed by a felon; no firearm can be possessed by a mentally defective person;

no handgun can be purchased without a permit; no firearm can be purchased from a store or show without an FBI background check; and no assault weapon can be possessed by anyone without a special federal firearms dealer license.

He thanked the board for bringing a resolution opposing the passage of the *NY Safe Act* to the floor tonight. He feels that it honors all that have fought for our freedoms around the world. We need to preserve those freedoms.

The board thanked Paul Galcik and Brandon Myers for all the information they provided.

Approval of Minutes: A motion was made by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin to accept the minutes of the January 14th regular meeting as written.

Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, and Councilman James Jennings – absent Carried 4 – 0.

Town Clerk's report for January 2013: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$68.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$116.21. Fees paid to the New York State Health Department for Marriage licenses \$22.50. Dog license fees to Supervisor Thomas Wood \$300.00. Clerk fees to Supervisor Thomas Wood \$235.04. Total State and Local Revenues received were \$741.75.

Zoning Officer's report for January 2013: Gil Albert reported: 9 Building Permits, 12 Building Inspections, 4 Certificates of Occupancy, 0 Orders to Remedy, 0 Fire inspections, 0 Complaints, 0 Building Permit Renewals, 0 Property Maintenance Inspections, and 1 misc. appointment. A check for \$650.00 was given to Supervisor Thomas Wood.

Dog Control officer's report for January 2013: The report was read by Supervisor Thomas Wood: answered 14 complaints, took 4 dogs to the shelter, 0 bite cases, traveled 110 miles, issued 11 warnings and 10 summonses were issued.

Town Court report for January 2013: The following were closed: 63 Vehicle & Traffic, 16 Criminal/Penal Law, 2 DEC/ENCON, 3 Dog cases, 1 DWI, 0 Town & Village Ordinance, 2 Small Claims/Civil, 4 Eviction, 0 Bench trials, 0 (case transfer) Divestiture Forms sent to County Court, 0 Defendants sentenced to probation, 0 hours of community service issued, 120 days of jail time issued, 4 Orders of Protection issued, and \$8,898.50 in fees were paid to the NY State Comptroller.

Tax Collector's report: Tax Collector Jim Gorham reported that through February 11, 2013 he has collected \$2,327,521.71 on 2,442 parcels (81.8%).

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

The Historian's office is working with the historians of Saratoga County, Ballston, Halfmoon and Stillwater on celebrating our community's 225th Anniversary. I have started to take the photos for the winter that symbolize the Town of Saratoga.

The next meeting of the Heritage Hunters of Saratoga County will meet on Saturday, February 15, at 1pm at Town Hall, "Time of Immigrant Young Women in the Textile Industry and their Respite at Wiawaka House, Lake George" will be the topic presented by Wiawaka House Director Christine Dixon. For information call 587-2978. The Old Saratoga Historical Association will meet Thursday, February 28 at 7:30 pm at the Town Hall the subject will be Trolleys.

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

January has been busy receiving renewal exemption applications for Senior STAR exemptions, low-income senior exemptions and agricultural exemptions. All exemption applications and renewals must be received in our office by March 1, 2013 in order to receive the exemption benefit on the 2013 assessment roll.

We have continued entering sales and in January we had 21 sales of which 18 were residential sales and 3 vacant land sales. The sales consisted of 13 valid sales and 3 non-valid sales

We have staffed the office Monday through Fridays for the months of January and February and we continue to be available for property owners to discuss the value of their properties in preparation for the next assessment roll.

Highway Superintendent's report: Highway Superintendent Don Ormsby Jr. reported:

- ❖ We have started a.m. road checks for icy areas, down trees or branches.
- ❖ Ongoing pothole repair and culvert clean outs.
- ❖ Truck 5 and Pick-up 2 have new sets of tires.
- ❖ Truck 1 has had front springs replaced and upgraded to 22,000 lb. load.
- ❖ The Case Loader has had its 100 hour oil and filter change.
- ❖ General truck maintenance is ongoing.
- ❖ We have been watching DVDs on safety and training.
- ❖ We sent two men out to check on the progress of our new truck. Delivery should be in the second week of March.
- ❖ We have addressed 8 storms.

Highway Superintendent Don Ormsby Jr. asked the board for authorization to purchase a 7' salt spreader for the second pickup. This will be used for salting the cul-de-sac's in the town and Chestnut Street where it is hard to get through with a large plow truck.

Supervisor's report:

SUPERVISOR'S REPORT JANUARY 2013

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand JAN. 1	\$ 734,790.22
JAN. Revenues	+ 33,992.55
JAN. Disbursements	- <u>59,140.87</u>
Balance JAN. 31	\$ 709,641.90

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand JAN. 1	\$ 924,931.68
JAN. Revenues	+ 1,987.66
JAN. Disbursements	- <u>7,725.58</u>

Balance JAN. 31 \$ 919,193.76

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand JAN. 1	\$ 979,962.94
JAN. Revenues	+ 161.45
JAN. Disbursements	- 67,112.51
Balance JAN. 31	\$ 913,011.88

SCHUYLER PARK CAPITAL PROJECT JAN. 31 \$ 113,928.88

YOUTH RECREATION & SERVICE JAN. 31 \$ 1,688.81

HIGHWAY EQUIPMENT RESERVE JAN. 31 \$ 12,870.35

BUILDING RESERVE JAN. 31 \$ 44,192.19

SCENIC BY WAYS GRANT JAN. 31 \$ 310.49

PARK RESERVE JAN. 31 \$ 51,956.55

CDBG2 FUND JAN. 31 \$ 0.00

- ❖ **Sales Tax Received – January 2013 - \$113,402**
- ❖ **December Mortgage Tax - \$11,382**
- ❖ **Grant Dollars Received for Heating and Air Conditioning – \$10,000**

Public comments on agenda items: No one spoke.

Committee reports:

Landfill: No report.

Insurance: No report.

Youth: No report.

Senior Citizens: Supervisor Thomas Wood read the reports submitted. The Old Saratoga Seniors met on January 16th with 31 members attending. Justice Tim Williams was the guest speaker. The seniors met again on February 6th with 53 members attending and 7 guests. A March 27th trip to Lake Wallenpaupack, PA is planned.

Parks/Schuyler Park Committee: Ian Murray reported that they are finishing an RFP for field maintenance. There will be a fundraiser in March. He thanked Highway Superintendent Don Ormsby Jr. for plowing the park's parking lot.

Office of Emergency Management: Sherry Doubleday reported that she attended a County OEM session on January 23rd along with Supervisor Thomas Wood. Reverse 911 was stressed. Sign up calls have all but stopped. People need to register their cell phone number, land line number and/or their e-mail address on the County web site www.saratogacountyny.gov or call 885-2232. Sherry stated that both National Grid and

NYSEG have web sites where people can monitor power outages. She added that the CAD program will soon be in the town hall.

**GSES, QSFD, SLPID/SLA, SCFB Reports:
GENERAL SCHUYLER EMERGENCY SQUAD:**

January Numbers

Town of Saratoga and Town of Northumberland:

Total number of calls for January 2013	46
Total Town of Saratoga	13
Town of Northumberland	3
Village of Schuylerville	16
Village of Victory Mills	6
Mutual Aid to Easton/Greenwich	2
Mutual Aid Saratoga	0
Mutual Aid Wilton	6
Mutual Aid Stillwater	0
ALS Assist Stillwater	0

- ❖ Chris Benn reported that the Rose Fundraiser is this week, Tuesday, Wednesday and Thursday from 11 a.m. to 6 p.m.
- ❖ The Stop and Shop Fundraiser is scheduled for Saturday, March 16th.
- ❖ Four new volunteers have started orientation.

Old business: None

New business:

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #13-38 - Employee Benefits – Floating Holidays & Employee Birthday Redefined as Personal Days and Adding One More Personal Day** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent Carried 4 – 0.

WHEREAS, the Town Board has determined that it is in the town’s interest to adopt a fair policy regarding personal days for full-time employees of the Town, and

WHEREAS, to accomplish this purpose, an amendment is needed to the Town of Saratoga Employee Handbook, it is now therefore

RESOLVED, that Section 801 of the Employee Handbook, **Holidays** is amended to read **Holidays/Personal Days**, removing the provision for the Employee’s Birthday and 2 Floating Holidays and replacing them with four **Personal Days**. The four Personal Days will be credited for full-time employees each January 1 which must be used during that calendar year. A newly hired full-time employee will be granted two personal days for use during the first calendar year of employment only if the employee’s date of hire is prior to July 1. An employee must receive prior approval from the employee’s Department Head to take the personal day, and, it is further

RESOLVED, that this amendment shall take effect January 1, 2013.

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #13-39 –2012 Budget Amendment – 100,000 to Appropriated Fund Balance & Interfund Transfer** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan –

aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent
Carried 4 – 0.

WHEREAS, a budget amendment is needed to appropriate funds to purchase the 2013 Peterbilt Tandem Axle Diesel Powered Cab and Chassis budgeted for in 2012 to be paid for in 2013, therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to amend the 2012 Budget Appropriated Fund Balance B599 and Interfund Transfers B9950.9 by \$100,000.

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #13-40 – 2013 Budget Amendment – Increase by 100,000 Highway Machinery & Interfund Transfer** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent
Carried 4 – 0.

WHEREAS, a budget amendment is needed to increase the 2013 Budget to purchase the 2013 Peterbilt Tandem Axle Diesel Powered Cab and Chassis with Dump Spreader Body & Plow; therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to increase the 2013 Budget Machinery and Equipment Account DB5130.2 and Interfund Transfer B9950.9 by \$100,000.

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #13-41 – Fund Transfer – Up to \$200,000 from Interfund Transfer to Highway Machinery** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent
Carried 4 – 0.

RESOLVED, by the Town Board of the Town of Saratoga to transfer up to \$200,000 from Interfund Transfer B9950.9 to Highway Machinery Account DB5130.2 for the purchase of the 2013 Peterbilt Tandem Axle Diesel Truck and the Dump Spreader Body & Plow as budgeted.

The Town Board voiced the following reasons for opposing the NY Safe Act:

- ❖ Passed in a rush with only 20 minutes to look over the 78 page document and without a chance for public input.
- ❖ Doesn't address the real issue- mental disorders and the lack of help for those affected.
- ❖ Restricts law abiding citizens and their 2nd Amendment Rights.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Fred Drumm the following **Resolution #13-42 - Opposition to the NY Safe Act passed 01/14/2013** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent Carried 4 – 0.

WHEREAS, the Town Board of the Town of Saratoga endorses and upholds the 2nd Amendment to the United States Constitution: “A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed”; now therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to oppose the law passed on January 14, 2013, referred to as the **NY Safe Act**. We condemn the action

taken and the way in which the New York Secure Firearms Enforcement Act of 2013 was enacted and the governor's use of **Message of Necessity** to limit the debate and input on the proposal.

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #13-43 – 2012 Budget Transfer – Contingency to Street Lighting** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent Carried 4 – 0.

WHEREAS, a 2012 budget transfer is needed; therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to transfer \$169.10 from Contingency A1990.4 to Street Lighting A5182.4 to cover additional expenses.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Fred Drumm the following **Resolution #13-44 – 2012 Budget Transfer – Buildings CE to Buildings PS** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent Carried 4 – 0.

WHEREAS, a 2012 budget transfer is needed, therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to transfer \$1,717.68 from Buildings CE A1620.4 to Buildings PS A1620.1 to cover maintenance payroll expenses.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Charles Hanehan the following **Resolution #13-45 – Authorization to Purchase Salt Spreader** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent Carried 4 – 0.

WHEREAS, the Highway Superintendent Don Ormsby Jr. has requested to purchase a salt spreader for the second pick- up truck and has obtained three quotes; now therefore be it

RESOLVED, that the Town Board authorizes Highway Superintendent Don Ormsby Jr. to purchase a new 7' Fischer PolyCaster Salt Spreader from Arrowhead Equipment for \$3,850, the lowest quote.

Communications:

- ❖ **Village of Victory Board of Trustees will be presenting the Final Study and Plan for Dissolution at a public hearing on February 12, 2013 at 7:00 p.m. in the Village of Victory's Village Meeting Room.**
- ❖ **Seventh Annual "Take a Shot for Breast Cancer" event on March 24th, Alcove Marina, 866 Route 4 South, Schuylerville, NY, 695-6079.**
- ❖ **Saratoga County Soil and Water Conservation District has made available their 2013 Spring Bare Root Seedling Order Form. Forms are available at the town clerk's office. Call 885-6900 with questions. The order deadline is April 2nd.**

Privilege of the floor: The following residents addressed the board opposing the passage of the NY Safe Act: Mike Schwerd, David Williams, Paul Shaver, Doug Niles and Sherry Doubleday.

The following residents spoke in support of the passage of the NY Safe Act: Thomas R. Drew Sr., and Roger Sherman.

Upcoming meetings:

- ❖ **Agenda meeting – Thursday, March 7, 2013 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, March 11, 2013 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #13-46 Approving the payment of bills in Abstract 2G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – absent Carried 4 – 0.

RESOLVED, by the Town Board of the Town of Saratoga to authorize payment of the bills listed in Abstract 2G (02/11/2013) in the following amounts:

General Fund A	Voucher No. 40 through 77	\$ 24,180.42
General Fund B	Voucher No. 6 through 11	\$ 5,715.58
Highway DB	Voucher No. 22 through 39	\$ 27,668.82
Schuyler Park H	Voucher No. 2	\$ <u>109.20</u>
Grand Total \$		57,674.02

A motion to adjourn at 9:04 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, Councilman James Jennings – absent Carried 4 – 0.

Respectfully Submitted,

Ruth Drumm
Town Clerk