

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

**June 13, 2011
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 – present, Councilman James Jennings – present

Also present: Deputy Town Clerk Linda McCabe, Zoning Officer Gil Albert, Highway Superintendent Dave Hall, Tax Collector Jim Gorham, Assessor Victoria Hayner, Geraldine Freedman, Don Ormsby Jr., Mayor Jim Sullivan, Attorney Matt Jones, Paul Tommell, John Muse, Kirby Van Vleet, Debbie McKenna, Sherry Doubleday, Doug Niles, Gail Taras, and Lisa Taras

Recognitions/Presentations/ Bid openings/ Public Hearings:

- ❖ **Saratoga Development LLC, Brown Road Planned Unit Development (PUD) Presentation** – Attorney Matt Jones addressed the board explaining that there will be 14 residential lots and 1 Homeowner’s Association lot on the 83 +/- acre development on Brown Road. He stated that they have reduced the residential lots from 14 to 12 on the pond side of Brown Road, making them larger due to field conditions with the separation of water and septic, and there will be 2 lots on the Lake side. He added that the 2 on the Lake side may become one. All the lots will have access to the pond by easement or through the Homeowner Association’s lot.

The board questioned him about the problems with neighboring wells after hydrofracking was done to obtain water for the development. He responded that they have come to agreement for compensation with all but one neighbor.

Town Attorney Bill Reynolds stated that in the law, language will be included forbidding any further hydrofracking of wells in this PUD. Attorney Matt Jones agreed to that stipulation.

Approval of Minutes: A motion was made by Councilman James Jennings and seconded by Councilman Charles Hanehan to accept the minutes of the May 9th 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 May 2011: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$98.00. Fees paid to New York

D.E.C. for hunting and fishing licenses \$169.12. Fees paid to the New York State Health Department for Marriage licenses \$90.00. Dog license fees to Supervisor Thomas Wood \$435.00. Clerk fees to Supervisor Thomas Wood \$236.88. Total State, County, and Local Revenues received were \$1,029.00.

Zoning Officer's report for May 2011: 5 Building Permits, 7 Building Inspections, 2 Certificates of Occupancy, 1 Junk Yard Permit, 1 Complaint, 0 Fire inspections, 4 Orders to Remedy, 3 misc. appointments, 0 Building Permit Renewals, and 0 Property Maintenance Inspections. A check for \$650.00 was given to Supervisor Thomas Wood.

Dog Control officer's report for May 2011: The report was read by Supervisor Thomas Wood: answered 33 complaints, took 1 dog to the shelter, 0 bite cases, issued 18 warnings, 7 summonses were issued, and traveled 86 miles.

Town Court report for May 2011: The following were closed: 83 Vehicle & Traffic, 14 Criminal/Penal Law, 1 DEC/ENCON, 4 Dog cases, 3 DWI's, 0 Town & Village Ordinances, 2 Small Claim/Civil, 1 Eviction, 0 Bench trials, 3 (case transfers) Divestiture Forms sent to County Court, 0 attended the Science of Speed School, 0 Defendants sentenced to probation, 41 hours of community service issued, 0 days of jail time issued, 0 Orders of Protection issued, and \$8,137.50 in fees were paid to the NY State Comptroller.

Historian's report: Sean Kelleher submitted the following report: May has been busy in the Historian's office. We have the National Park reopening the Saratoga Monument and the Schuyler House. In addition, this year the NPS has increase staffing which will include an "ambassador ranger" who will be roving through the Old Saratoga region especially the tow path in the Village of Schuylerville. I have a meeting in June with the NPS on this important project which will become a model for how the NPS can help spur economic development in our community through heritage tourism.

I also participated in another session with the Historic Saratoga/Washington on the Hudson Partnership on the sword surrender site. I think we are scoping in a good plan for that site with links to the Schuyler House and Victory. There will be a public hearing on the plan at the Partnership meeting on June 27 at 10 am at Saratoga Town Hall.

The Old Saratoga Happening project continues.

In the town board package is a copied an Associated Press news story from the Columbus Indiana paper, "The Republic" (and I am sure there will be many other articles) about Civil War Colonel Elmer Ellsworth including the role that the Town of Saratoga played role in preserving the Jackson Flag.

Assessor's report: Victoria Hayner submitted the following for June 2011: The Board of Assessment Review met on May 24th between 4 and 8 p.m. Eleven town residents attended to grieve their assessments. There were also 2 mail-in grievances and a couple of corrections presented for consideration by the Board.

After receiving the decisions by the Grievance Board, we will input sales for next year's roll. The Final Roll for 2011 will be available July 1st.

We will launch the Revaluation Project the 2nd week in June and Data Mailers will be sent to every property owner in the Town. Property owners are requested to review this information and send in corrections by July 10th. This first step information will be used in our field review later this summer into early fall. If residents do not want the assessor in their driveways updating pictures, checking for new additions, decks, sheds or barns etc. they should notify the Assessor's Office. The valuation will be worked on after the field review process is completed. Change of Assessment notices will go out around February 1, 2012. Informal hearings will take place in mid-February through the end of March, as necessary. The new tentative roll at 100% will be ready May 1. Grievance Day will be held May 22, 2012.

The Assessor's Office will be open from June – mid-September on Tuesday and Thursday from 9:00 AM until 1:00 PM. The Assessor will be in the office those days and we will not use a clerk for the summer.

It was suggested that articles should be placed in the local papers regarding the upcoming revaluation project. Supervisor Thomas Wood noted that it is on the town's website.

Highway Superintendent's report for May:

- ❖ Patching of roads and mowing of roadsides will continue.
- ❖ The state has been working on Fitch Road. The state will fix all the bad spots with binder. I am working with the state to have a new top put on the whole road.
- ❖ Spook Hollow Road has been fiber sealed.
- ❖ We will be replacing culverts on Fitch Road and Ruckytuck Road. Plastic culverts are now being used.

Supervisor's report: SUPERVISOR'S REPORT MAY 2011

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand MAY 1	\$ 1,176,579.88
MAY Revenues	+ 80,893.17
MAY Disbursements	- <u>46,482.79</u>
Balance MAY 31	\$ 1,210,990.26

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand MAY 1	\$ 423,218.39
MAY Revenues	+ 2,868.55
MAY Disbursements	- <u>4,064.79</u>
Balance MAY 31	\$ 422,022.15

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand MAY 1	\$ 968,634.52
MAY Revenues	+ 88,539.73
MAY Disbursements	- <u>35,028.03</u>
Balance MAY 31	\$ 1,022,146.22

SCHUYLER PARK CAPITAL PROJECT	MAY 31	\$ 103,536.37
YOUTH RECREATION & SERVICE	MAY 31	\$ 1,661.69
HIGHWAY EQUIPMENT RESERVE	MAY 31	\$ 12,806.54
BUILDING RESERVE	MAY 31	\$ 150,255.50
SCENIC BY WAYS GRANT	MAY 31	\$ 309.85
PARK RESERVE	MAY 31	\$ 51,956.55
CDBG2 FUND	MAY 31	\$ 0.00

- ❖ **Sales Tax Received – May 2011 - \$88,121.00**
- ❖ **Mortgage Tax –May 2011 - \$6,234.00**
- ❖ **Tax Collector’s Statement of Settlement from the Saratoga County Treasurer has been received and all is well.**

Public comments on agenda items: No one addressed the board.

Committee reports:

Landfill: Phoenix Lab testing results have been sent to Town Engineer Kenneth Martin for review.

Insurance: Supervisor Thomas Wood reported on the CDPHP Insurance Renewal Review. If the policy stays the same there will be 5% increase in the family coverage premium and a 6% increase in a 2 person or single person premium. If the co-pay increases from \$25 to \$30, there would be a 2% increase in premiums. Supervisor Thomas Wood will gather more quotes from other insurers. Phil Klein will come to the July agenda meeting to present. Supervisor Thomas Wood also noted the Liability Policy is also due in August and the premium should remain the same or possibly go lower.

Youth: Councilman Michael McLoughlin stated that the town is contracting with the Christ the King Spiritual Life Center on Burton Road, Town of Easton, to run the swim program. The program will run Monday thru Friday from July 5th through August 5th. Lessons will be given between 9 a.m. – 11 a.m. **Registration for the Town of Saratoga Swim Program will be held at the Town Hall, 12 Spring St., on Monday, June 27th from 9:00 a.m. to noon. The free program is for any student in the Schuylerville Central School District. Following registration students will be notified of the time at which their one-half hour long lesson will be scheduled. Registration forms will be distributed at the Schuylerville Central School.**

Senior Citizens: The Quaker Springs Seniors met today with 31 members attending. A trip to Williamstown, MA is scheduled for June 14th with 30 members signed up. A fall trip to Connecticut is being planned. The new officers are: Kris Drumm – President,

Roberta Hewitt – Vice-President, Virginia Cornell – Secretary, and Marie Burch - Treasurer

Park Committee: Councilman Fred Drumm stated that the Friends of Schuyler Park are focusing on a playground and the Schuyler Park Committee's goal is to build a pavilion.

Office of Emergency Management: Sherry Doubleday reported that classes on the defibrillator are being planned. The committee will meet on June 22nd.

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

GSES, QSFD, SLPID/SLA Reports:

General Schuyler Emergency Squad: Sherry Doubleday stated that their open house was held on June 4th. It was well attended. The public was impressed. Sherry noted that with the help of many donations it was made possible.

Quaker Springs Fire Department: Councilman James Jennings noted that last week a former Chief, Larry Ormsby, passed away. The board extended condolences to Don Ormsby, who was present, and to all the Ormsby family.

SLPID/SLA (Saratoga Lake Association): Doug Niles reported on the water flow study that is now in the second part along the Kayaderosseras Creek. He added that the gates are in and the water is almost back to normal. He noted that there is new sensing equipment installed at the new bridge to help regulate the water with just a phone call. He stated that the diversity of birds and animals along Fish Creek never ceases to astound him. He reported that the new weed harvester is great and does fit under the new 9P bridge. Aside from the operators of the harvester, many volunteers help with the effort to control the weeds.

Doug Niles asked if there is a motor vehicle noise ordinance in the town. Town Attorney Bill Reynolds responded that we have a noise ordinance but not for motor vehicles. It would be difficult for the town to enforce. It would be best to call the Sheriff or State Police if a problem occurs.

Saratoga County Farm Bureau (SCFB): Councilman Charles Hanehan reported that it has been one of the most challenging springs for farmers with the very wet conditions. There are areas in fields where crops will need to be replanted.

Old business:

Taras Concerns: Lisa Taras asked the board if there is a town law that would prevent personal vendetta's that use town resources to help aid their cause? Supervisor Thomas Wood stated that there are none. Town Attorney Bill Reynolds stated that the town is obligated to hear and investigate concerns of its residents. He added that there is a Civil Law remedy called Abuse of Process.

Gail Taras addressed the board with concerns regarding Assessor Victoria Hayner. She stated that she has a petition with 30 signatures that requests that the assessor go back to the 3 day week she was hired to work. She stated that there are CO's being given out

with wrong codes and files are not updated. She noted that Disability Exemptions are not being given and the income guidelines are not with the application. She stated with more time, 3 days per week instead of 2, the assessor could correct errors, update her files and further train her clerk.

Gail Taras asked for the codes that Zoning Officer Gil Albert uses and he will provide them for her. It was noted that they are different than the codes that the assessor uses.

Gail Taras suggested that when the revaluation project is announced it would be helpful if all exemptions available to town residents are also listed.

Supervisor Thomas Wood stated that the goal of the revaluation project is that errors and inconsistencies will be corrected. He added the board will talk with Assessor Victoria Hayner and report at the next meeting.

Member Item Grant Extension – Supervisor Thomas Wood reported that two \$5,000 member item grants were awarded to help purchase the old town hall by the Saratoga/Washington on the Hudson Partnership and they were not spent. A one year extension has been applied for and with Senator Roy McDonald's and Assemblyman Tony Jordan's approval the grant could be amended to provide for improvements at the current town hall.

New business:

On a motion by Councilman Michael McLoughlin and seconded by Councilman Charles Hanehan the following **Resolution #11-55 - Appointment of a Second Part-Time Uniform Court Officer** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

WHEREAS, the Court is in need of a part-time Uniform Court Officer for District Attorney (DA) nights and to cover the sick or vacation time of Uniform Court Officer Bernie Wood; therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to appoint Glen Decker as a part-time Uniform Court Officer effective June 13, 2011 through December 31, 2011 at the rate of \$37.33 per court night from the court's 2011 budgeted account numbers A3120.4 and A3120.41.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #11-56 – Lead Agency Designation –Saratoga Development LLC, Brown Road PUD** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

WHEREAS, the Town Board of the Town of Saratoga has received an application to amend the Saratoga Development LLC, 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 James Jennings and seconded by Councilman Fred Drumm the following **Resolution #11-57 – Saratoga Development LLC, Brown Road PUD to Planning Board** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, 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 (Local Law #1 of 2009 and Local Law #2 of 2010), 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.

Communications:

- ❖ **2011 Saratoga County Farmland Protection and Open Space Preservation Grant Applications are now available online at www.saratogacountyny.gov or at the town clerk’s office.**
- ❖ **Saratoga County’s 16th Annual “Sundae on the Farm”, Sunday, June 19, 2011, Noon – 4:00 p.m. at Clear Echo Farm, 800 Rte. 32 N., Schuylerville (Town of Northumberland)**

Privilege of the floor: Victory Mayor Jim Sullivan and Gail Taras addressed the board.

Upcoming meetings:

- ❖ **Agenda meeting – Thursday, July 7, 2011 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, July 11, 2011 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #11-58 Approving the payment of bills in Abstract 6G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye Carried 5 – 0.

RESOLVED, by the Town Board of the Town of Saratoga to authorize payment of the bills listed in Abstract 6G (06/13/2011) in the following amounts:

General Fund A	Voucher No. 167 through 190	\$ 8,801.95
General Fund B	Voucher No. 39 through 46	\$ 3,459.42
Highway DB	Voucher No. 106 through 136	\$ 27,031.35
CDBG CD2	Voucher No. 3 through 4	\$ 22,010.00
Youth Y	Voucher No. 1	\$ 369.75

Schuyler Park H

Voucher No. 4 through 7

\$ 4,887.35

Grand Total \$66,559.82

A motion to adjourn at 9:31 p.m. was made by Councilman Charles Hanehan and seconded by Councilman James Jennings. Supervisor Thomas Wood – aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan - aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye
Carried 5 – 0.

Respectfully Submitted,

Ruth Drumm
Town Clerk