

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

**June 8, 2009
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, Councilwoman Betty Koval - present, and Councilman Michael McLoughlin - absent

Also present: Deputy Town Clerk Linda McCabe, Town Attorney William Reynolds, Zoning Officer Gil Albert, Justice Jack Ditch, Justice David Mathis, Historian Sean Kelleher, and other interested persons.

Recognitions/Presentations/ Bid openings/ Public Hearings:

Supervisor Thomas Wood presented the extended family of Lawrence Ernest Ruff with the following resolution:

On a motion by Supervisor Thomas Wood and seconded by Councilman Fred Drumm the following **Resolution #09-59 -Veteran Recognition – Lawrence Ernest Ruff** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – absent. Carried 4 – 0.

WHEREAS, Lawrence Ernest Ruff was the youngest son of nine children born to William G. and Josephine Bott Ruff born on July 7, 1905 in Troy, NY; and

WHEREAS, he was raised and educated in the Village of Schuylerville, Town of Saratoga; graduating from Schuylerville High School Class of 1923; and

WHEREAS, he enlisted in the Navy on September 21, 1923, receiving his basic training at Newport, Rhode Island; and

WHEREAS, in the fall of 1924 he entered the Naval Academy Preparatory School in Hampton Roads, Virginia; and

WHEREAS, he then received an appointment to the Naval Academy at Annapolis graduating with honors June 4, 1930; and

WHEREAS, following assignments on the ships USS Trenton, Arizona, MacLeish, Hovey and Sirius, in 1936 he returned to Annapolis for post graduate course work in communications graduating in 1938; and

WHEREAS, he was then assigned to the Pacific Fleet aboard the USS Idaho and on February 1941 was assigned to the USS Nevada, which received several bomb and torpedo hits causing the ship to be beached in Pearl Harbor on December 7, 1941; and

WHEREAS, in September, 1942 as a Lieutenant Commander he was assigned to the staff of Battleship Commander Division I of the Fifth Fleet under Admiral Spruance in which he participated in the capture of Attu and Kiska in the Aleutian Islands; and

WHEREAS, in May, 1943 he was promoted to the rank of Commander and served in support of General MacArthur's invasions of Rabaul and Saipan; and

WHEREAS, in September, 1944 he was assigned as the Commanding Officer of the USS Dyson; and

WHEREAS, he received the Bronze Star Medal with Combat, for Heroic service as Commanding Officer of the USS Dyson during a series of fueling operations in support of the Third Fleet attacks in the South China Sea from January 9 to January 20, 1945; and

WHEREAS, he received the Silver Star for conspicuous gallantry and intrepidity in action against enemy forces near Okinawa Jima from May 16 to June 21, 1945 during which time his ship was attacked relentlessly by hostile torpedoes and dive bombing Kamikaze aircraft; and

WHEREAS, he received the Gold Star for Meritorious Achievement as Commanding Officer of the USS Dyson against Japanese enemy forces on Corregidor Island, and Phillipene Island from February 19 to 26, 1945 maneuvering his ship in waters made dangerous by shoals and enemy mines directing his ship's gun fire in support of army forces engaged in the recapture of the island; and

WHEREAS, in September, 1945 he was assigned to protect the first US Troops to fly to Japan for occupation duty; and

WHEREAS, his subsequent duties were in Washington DC and in December 1945 he was promoted to the rank of Captain of the Joint Logistic Plan Group; and

WHEREAS, other assignments included Commander of Naval Communications at San Diego, and Staff Member of the Commander Training Command; and

WHEREAS, in 1953 he was put in command of the USS Menard bringing back from Korea a group of five ships transporting 4,000 marines and army personnel; and

WHEREAS, he was then assigned duty with the Office of the Chief of Naval Operations serving as Commander of the Military Sea Transportation Service in Washington DC; and

WHEREAS, he ended his 30 year navy career with the rank of Rear Admiral in 1958; and

WHEREAS, following his discharge from the Navy he earned a Masters Degree in Education at UCLA and taught in schools for several years; and

WHEREAS, he died on October 20, 1978 and is buried in the National Cemetery at Fort Rosecrans in Point Loma, San Diego, California; now therefore be it

RESOLVED, that the Town of Saratoga extends our belated condolences to all of the members of the Ruff Family; and be it further

RESOLVED, that the Town Board of the Town of Saratoga does hereby recognize and honor to the highest degree possible Lawrence Ernest Ruff for his patriotism, devotion, service and sacrifice for his country; and be it further

RESOLVED, that the Town of Saratoga will never let his name and the sacrifice that he made for his country be forgotten and that he will always be held in the highest esteem and remembered as a member of the greatest generation and one of the Town of Saratoga's best.

Presentation: Intern Recognition Program

Justice David Mathis and **Justice Jack Ditch** explained the Saratoga Town Court Internship Program and how it is expanding. Justice David Mathis proudly announced that in April 2009 the Saratoga Town Court Intern Program received the annual Liberty Bell Award from the Saratoga County Bar Association. He then presented Certificates of Completion to the following participants during the Winter and Spring of 2009 and recognized their advisors:

Saratoga Springs High School: Advisor Stacy Ralston and Intern Heather Priest

Whitehall High School: Advisor Kristen Carey and Intern Shelby Cuomo

South Glens Falls High School: Advisor Stacy Lloyd and Intern Katrina Brown

BOCES School: Advisors John Major and David Foldi; Interns Andrew Cooley, Brandin DeSautels, and Mike Pucunas

Skidmore College: Advisor Greg Pfitzer and Interns Samantha Levine and Charles Crawford

Albany Law School: Intern Dana Caswell

Approval of Minutes: A motion was made by Councilman Charles Hanehan and seconded by Councilwoman Betty Koval to accept the minutes of the May 11th regular meeting as written.

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

Town Clerk's report for May 2009: Fees paid to the County Treasurer for Dog Licenses \$118.67. Fees paid to the NYS Dept. of Agriculture and Markets for the spay/neuter program \$27.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$234.60. Fees paid to the New York State Health Department for Marriage licenses \$22.50. Dog license fees to Supervisor Thomas Wood \$341.33. Clerk fees to Supervisor Thomas Wood \$58.90. Total State, County, and Local Revenues received were \$803.00.

Zoning Officer's May 2009 report: Gil Albert reported: 9 Building Permits, 20 Building Inspections, 5 Certificates of Occupancy, 0 Fire inspections, 0 Junk Yard Permits, 1 Complaint, 7 misc., and 0 Building Permit Renewals. A check for \$1,739.50 was given to Supervisor Thomas Wood.

Dog Control officer's report for May 2009: The report was read by Supervisor Thomas Wood: answered 38 complaints, took 2 dogs to the shelter, 2 bite cases, issued 23 warnings, 0 summons and traveled 211 miles.

Town Court report for May 2009: Supervisor Thomas Wood read the report and the following were closed: 124 Vehicle & Traffic, 22 Criminal/Penal Law, 2 DEC/ENCON, 0 Dog cases, 4 DWI's, 0 Town & Village Ordinance, 2 Small Claim/Civil, 6 Eviction, 2 Bench trials, 2 (case transfer) Divestiture Forms sent to County Court, 15 attended the Science of Speed School, 0 Defendants sentenced to probation, 145 hours of community

service issued, 26 days of jail time issued, 4 Orders of Protection issued, and \$11,163.00 in fees were paid to the NY State Comptroller.

**Town Historian: Sean Kelleher submitted the following reports:
Monthly Report of the Town of Saratoga Hudson-Fulton-Champlain
Quadricentennial Celebration Committee**

There are a number of activities in the work for early August as part of the Town and Village Quadricentennial Celebration. We will have more information next month.

Monthly Report of the Town Historian

Many of the questions we get in the Historian's office are focused on genealogy – this is always an issue for Historians as New York State Arts and Cultural Affairs Law states: “Neither Town Law nor any other statute authorizes a town to make expenditures for the benefit of individuals seeking information about their ancestry. . . The local historian's duties are defined in relation to the history of the political subdivision, in this case a town, and there is no authority to conduct research with respect to biographical or genealogical matters which are unrelated to the town's history.” However, we do try to provide access to our limited collect to inquiries. In addition, we try to direct people to other collections in our historian's role as an advocate and organizer of local public history. In addition, our Deputy Historian, Pat Peck encourages others to research local history through genealogy by working with the Schuylerville Public Library on co-hosting the monthly genealogy meetings on the third Tuesday of the month in June 16 at 10 am at the library.

The Old Saratoga Historical Association will be hosting a walking tour of the newest National Park unit at Victory Woods on Thursday, June 25 at 7:30 pm for details call 698-3211.

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

The 2009 Tentative Assessment Roll was completed during the month of April and available for public viewing on May 1st, 2009. I will be sitting with the Roll on Mondays from 9:00 – 1:00 PM and Thursdays from 10:00 AM – 1:00 PM. I will also sit with the roll on Monday evening May 11th from 4:00 – 7:00 PM and on Saturday, May 9th from 9:30 AM – 12:30 PM. I will also make myself available by appointment if necessary.

The Board of Assessment Review is scheduled to meet on May 26th between 4:00 PM and 8:00 PM. Concerned property owners wishing to grieve their assessment will be seen on a first-come, first serve basis. Forms necessary to grieve are available in our office or online at the NYS ORPS website.

Next year's roll has been created and we are currently entering sales for April. We have also been requested by the County to review our photos to be submitted to them for inclusion on the County website.

The Assessor's Office continues to be open Monday through Thursday from 9:00 AM – 1:00 PM. We will be closed on Fridays.

Supervisor Thomas Wood reported that the **Equalization Rate has been set at 64%**, down from 65% a year ago.

Highway Superintendent's report: No report.

Supervisor's report:

Supervisor Thomas Wood reported that Councilman Michael McLoughlin and Councilwoman Betty Koval conducted interviews and following their recommendations he is making the following Swim Program Appointments- Kim Macica, Director; Nikolaus Lunmann, Instructor; and Corey Seymour, Assistant Instructor.

Supervisor Thomas Wood announced the appointment of Stephanie Booth as part-time payroll clerk.

Financial Report:

SUPERVISOR'S REPORT MAY 2009

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand MAY 1	\$ 1,163,937.21
MAY Revenues	+ 95,158.87
MAY Disbursements	- 44,054.05
Balance MAY 31	\$ 1,215,042.03

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand MAY 1	\$ 267,623.76
MAY Revenues	+ 1,907.50
MAY Disbursements	- 3,306.03
Balance MAY 31	\$ 266,225.23

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand MAY 1	\$ 689,112.87
MAY Revenues	+ 74,799.00
MAY Disbursements	- 40,886.31
Balance MAY 31	\$ 723,025.56

YOUTH RECREATION & SERVICE MAY 31 \$ 996.51

HIGHWAY EQUIPMENT RESERVE MAY 31 \$ 908.76

BUILDING RESERVE MAY 31 \$ 148,760.46

SCENIC BY WAYS GRANT MAY 31 \$ 308.32

❖ **Sales Tax Received – May 2009 - \$74,799**

- ❖ **Mortgage Tax Received – April 2009 - \$70,255.73**
- ❖ **Tenant Update** – Supervisor Thomas Wood explained that after a meeting with the trustee assigned to the bankruptcy of Saratoga Labs, the town has a temporary rental contract with him effective June 15th for the space. Supervisor Thomas Wood is optimistic that in a month they will be gone and the space will be leased to a new tenant, Burlington Laboratories Inc.

Public comments on agenda items: The following residents addressed the board on agenda items: Jim Jennings

Committee reports:

Landfill: Town Engineer Kenneth Martin has sent his analysis of the last ten years of samplings to the DEC. He is waiting for word from the NYS DEC to see if we can change from quarterly testing to semi-annual or annual testing to save money.

Insurance: The board is reviewing variations to our current Health Insurance policy which is up for renewal in August. A decision will be made at the July meeting.

Youth: No report.

Senior Citizens: Councilwoman Betty Koval reported that the **Quaker Springs Seniors** met today. Frank Pemberton from the Cornell Cooperative Extension spoke to the group following lunch. The next meeting will be in September.

The **Schuylerville Senior Citizens** met May 26th and held a tea cup auction. Tomorrow the members will meet at the American Legion for their annual birthday dinner. There has been discussion regarding whether members wish to meet at the Legion or in the facilities at the town hall. Members state that the kitchen at the Legion is preferred. There is a \$30 rental fee. The general meeting schedule is the 2nd Tuesday will be a business meeting with members bringing a casserole dish and the 4th Tuesday will be a sandwich gathering with entertainment but no business meeting.

Schuyler Park Committee:

Ian Murray reported that Dave Rosick, from Rosick Well Drillers, drilled a 180' well last Thursday with great results as it looks like we'll have 50+ gallons per minute. Ian Murray thanked Marty Hanehan for his help towing the drilling rig in and out of the park after they got stuck in the sand. A four hour pump test will be conducted next Wednesday. The paperwork with National Grid for an ESO for power is being completed. After some calls from neighbors regarding blowing sand, CaroVail came and seeded the area. Swartwout Construction has been paid in full for the excavation work and will remove their equipment sometime this week. *Friends of Schuyler Park* gathered three quotes for the fencing of the perimeter behind the houses along Rt. 29. Anvil Fence Co. will be installing the fence. Quotes to reshape the Storm water retention area should be back by Wednesday. An irrigation design RFP will be in by the next meeting and an irrigation system in place in time for fall seeding. Dan Gale and Ian are continuing with plans for driveway and access parking and trying to secure donations for the stone that is

needed. Ian reported that the *Friends of Schuylers Park* are planning fundraisers and are having a food stand at “Sundae on the Farm”.

National Incident Management System (NIMS):

Jim Miers reported that they are beginning to get results on the “R. U. O.K. Plan” which identifies persons with special needs so they can be aided during a disaster. A database will be established and shared with the Fire Departments, Emergency Squad, and the county.

He stated he had the last meeting with FEMA/SEMO on getting reimbursement for winter storm damage costs. He hopes to have a preliminary dollar amount of the reimbursement tomorrow.

Jim Miers reported that he has been approached by Saratoga Bridges to host a seminar for First Responders to educate them on handling folks with special needs during an emergency. They would like to hold it at the town hall. Jim will gather more information.

Committee to Honor Volunteer Firefighters & Emergency Medical Service Workers: Sean Kelleher submitted the following:

- We have sold over 100 commemorative bricks for the memorial and have issued press releases.
- The Committee met on 5/27, we are finalizing our plans and expect to put the project out to bid in the next month.

GSES, QSFD, SLPID/SLA, SCFB Reports:

Quaker Springs Fire Department: Stephen Bodnar reported that the fire department responded to 18 calls in May. The meeting time for the Commissioners’ meeting has been changed to 8:00 pm on the third Monday of the month. On June 20th a water rescue drill is being set up on Saratoga Lake. Progress is being made on the substation on Route 9P.

Marty Hanehan added that there is a picture on the QSFD website of the new fire station. He reported that most of the steel structure is up, a lot of the underground work is done and drains are going in. It should be done by August.

General Schuylers Emergency Squad: Dee Macica reported that they had 70 calls and 518 volunteer man hours in the month of April. In May, they had 51 calls and 765 volunteer man hours. Year-to-date there has been 274 calls. They worked at the Regattas, the Red Cross Blood Drive, Memorial Day Parades in Schuylerville and Greenwich. They had 5 members successfully complete the Emergency Vehicle Operator’s Course. There are 2 new applicants. They will be participating in EMS support for Sundae on the Farm. They will be placing additional staffing for coverage of the Dave Matthews Concert. Fundraisers will be held, coin drops, and a Comedy Show at the Fish Creek Rod & Gun Club. They will be participating in the Turning Point Parade and Festival at Ft. Hardy Park in August.

Saratoga County Farm Bureau: Marty Hanehan, Turning Point Dairy, reported:

Hello, Supervisor, Town Board, and neighbors. I would like to give a short Agricultural Report for the Town. I’ll talk about Spring/Summer Agriculture in our Town.

Since my last report wholesale prices for milk have crashed, Dairymen are doing major planning, The County's largest business, (Agriculture) is facing the loss of Farms due to this. Agribusinesses are also feeling the effects of this unprecedented downturn. The whole economy is going to feel this loss of revenue from Dairying because revenue is usually turned over 3-5 times.

Most of the Spring planted crops are off to a very good start thanks to the nice Spring we had. Heavy traffic continues to be a concern for Farmers traveling the roads. The public should know tractors only go 20-30 MPH and we might need a little extra room from time to time.

Don't forget, Sundae on the Farm is June 21st at Koval Bros. Dairy from noon to 4, come see Betty's farm, get some food, drinks, a free tour and maybe a wagon ride.

Lastly, Turning Point Dairy would like to thank the Town for supporting the Hoogeveen PDR that was recently awarded by the State that will help preserve over 400 acres in this Town.

Old business: None

New business:

On a motion by Councilman Fred Drumm and seconded by Councilwoman Betty Koval the following **Resolution #09-60 Change to Biweekly Payroll** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – absent. Carried 4 – 0.

WHEREAS, the Town Board of the Town of Saratoga has agreed, as a cost saving measure, to change to a bi-weekly payroll for employees normally paid on a weekly basis, therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to amend the Town of Saratoga's Employee Handbook, Section 704 Pay Period and Check Distribution - Payday to change that employees that are paid on a weekly basis to a bi-weekly basis and that under normal circumstances, paychecks will be issued every other Thursday. This will take effect with the pay period beginning June 29, 2009.

On a motion by Councilman Charles Hanahan and seconded by Councilwoman Betty Koval the following **Resolution #09-61 Approving Lease to Burlington Laboratories, Inc. was introduced.**

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 3000 square feet of space in the North wing, second floor of the Town Hall be leased to Burlington Laboratories, Inc., 2 Church Street, Suite

3F, Burlington, Vermont 05401 for a term of three years at a current **monthly** rental of nine dollars per square foot (inclusive 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.

Supervisor Thomas Wood asked if there was any further discussion and Town Attorney William Reynolds asked that they amend the resolution to correct the rental rate to read annual not monthly.

On a motion by Supervisor Thomas Wood and seconded by Councilman Fred Drumm **Resolution #09-61 Approving Lease to Burlington Laboratories**, was **amended to read annual not monthly rent** and adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – absent. Carried 4 – 0.

On a motion by Supervisor Thomas Wood and seconded by Councilman Fred Drumm the following **Resolution #09-62 Transfer of Funds from Joint Youth A7145.4 – \$600 for Youth Services and \$3,300 for Recreation – to the Youth Recreation and Services Fund Y5031.9** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – absent. Carried 4 – 0. **RESOLVED**, by the Town Board of the Town of Saratoga to transfer funds from Joint Youth A7145.4 – \$600 for Youth Services and \$3,300 for Recreation – to the Youth Recreation and Services Fund Y5031.9.

Supervisor Thomas Wood reported that Kurt Mausert, 135 Hathaway Road, has requested “Children at Play” signs be put up in close proximity of his home. Supervisor Thomas Wood noted that he has discussed this with Highway Superintendent Dave Hall and he will look into it further. Councilman Charles Hanehan suggested that we could move signs that are in already in place in the town, but no longer needed since the children have grown, to his location.

- ❖ **A State of NY Dept. of Agriculture & Markets Farmland Conservation Grant was awarded to John & Barbara Hooegeven for \$2,052,255 to protect over 400 acres of farmland.**
- ❖ **Saratoga County’s Farmland/Open Space Preservation Program Applications are now available at the Town Clerk’s Office. Deadline for applications is July 30, 2009**

Communications:

- ❖ **Schuylerville Lions Club - Wine & Food Tasting at the Schuyler Yacht Basin, June 20th, 4-8 p.m. Tickets are \$20**
- ❖ **Sundae on the Farm – Sunday, June 21, 2009, noon to 4:00 p.m.**
- ❖ **Turning Point Parade – August 2, 2009 at 1:00 p.m.**
- ❖ **Saratoga County Public Health Nursing Service has provided information on the current outbreak of swine flu and the surveillance measures in place. Individuals can call the NYS 24-hour hotline # 1-800-808-1987 with questions on swine flu.**

Privilege of the floor: The following residents addressed the board: John Deyoe, Jim Jennings, and Stephen Bodnar.

Upcoming meetings:

- ❖ **Agenda meeting – Thursday, July 9, 2009 at 7:00 p.m.**
- ❖ **Regular town board meeting – July 13, 2009 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Charles Hanehan and seconded by Councilwoman Betty Koval the following **Resolution #09-63 Approving the payment of bills in Abstract 6G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – absent. Carried 4 – 0. **RESOLVED**, by the Town Board of the Town of Saratoga to authorize payment of the bills listed in Abstract 6G (06/08/2009) in the following amounts: General A \$18,562.78, General B \$971.77, HUD \$18,664.00, Youth \$369.75 and Highway Outside DB \$13,337.23 for a total of \$51,905.53.

A motion to adjourn at 8:50 p.m. was made by Councilman Fred Drumm and seconded by Councilwoman Betty Koval. Supervisor Thomas Wood – aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan - aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin - absent. Carried 4 – 0.

Respectfully Submitted,

Ruth Drumm
Town Clerk