

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

**May 9, 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, Geraldine Freedman, Wendy Lukas, Don Ormsby Jr., Laurie Griffen, Mayor Jim Sullivan, Gail Taras, Lisa Taras, Walter Taras, Andy Sheeran, and Michele McClure.

Recognitions/Presentations/ Bid openings/ Public Hearings: None

Approval of Minutes: A motion was made by Councilman Michael McLoughlin and seconded by Councilman Charles Hanehan to accept the minutes of the April 11th 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 April 2011: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$107.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$326.27. Fees paid to the New York State Health Department for Marriage licenses \$45.00. Dog license fees to Supervisor Thomas Wood \$490.00. Clerk fees to Supervisor Thomas Wood \$75.98. Total State, County, and Local Revenues received were \$1,044.25.

Zoning Officer's report for April 2011: 7 Building Permits, 2 Building Permit Renewals, 8 Building Inspections, 4 Certificates of Occupancy, 0 Fire inspections, 4 Complaints, 5 Orders to Remedy, 1 Property Maintenance Inspection, and 8 misc. appointments. A check for \$2,373.00 was given to Supervisor Thomas Wood.

Dog Control officer's report for April 2011: The report was read by Supervisor Thomas Wood: answered 36 complaints, took 4 dogs to the shelter, 1 bite case, issued 19 warnings, 5 summonses were issued, and traveled 254 miles.

Town Court report for April 2011: The following were closed: 107 Vehicle & Traffic, 10 Criminal/Penal Law, 4 DEC/ENCON, 3 Dog cases, 3 DWI's, 0 Town & Village Ordinances, 2 Small Claim/Civil, 0 Evictions, 0 Bench trials, 3 (case transfers)

Divestiture Forms sent to County Court, 0 attended the Science of Speed School, 0 Defendants sentenced to probation, 65 hours of community service issued, 0 days of jail time issued, 0 Orders of Protection issued, and \$9,400.00 in fees were paid to the NY State Comptroller.

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

April was a quiet month in the Historian's office. The Old Saratoga Happenings project continues. In April, our photo scanning was the focus of a story in the Post Star.

I am starting to work on a display for the County Fair on the service and recruitment of the 77th Regiment Company from Schuylerville. I am also continuing my efforts on the interpretive sign on the role of the USS Saratoga in the War of 1812.

Our various family history projects have been very popular. I have to admit that the family history bug had finally bitten me. I have been spending hours researching my family and learning various things that I never knew including that my 3rd great grandfather (who was about my age - mid 40's) enlisted to serve in the Union Army. It is nice to know that the Town of Saratoga supports this type of research with our monthly research workshop at the library hosted by Deputy Historian Pat Peck and the monthly Heritage Hunters program in this room on the 3rd Saturday of the month.

Assessor's report: Victoria Hayner submitted the following for May 2011:

The 2011 Tentative Assessment Roll was completed during the month of April and available for public viewing on May 2nd, 2011. I will be sitting with the Roll on Tuesdays from 9:00 – 1:00 PM and Thursdays from 9:00 AM – 1:00 PM. I will also sit with the roll on Monday evening May 9th from 4:00 – 7:00 PM and on Saturday, May 7th from 1:00 PM – 5:00 PM. I will also make myself available by appointment if necessary.

The Board of Assessment Review is scheduled to meet on May 24th 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 (www.orps.state.ny.us).

Next year's roll will be created soon and we will be entering sales for March and April.

The Assessor's Office continues to be open Monday through Thursday from 9:00 AM – 1:00 PM through the month of May. In June, we will go to a summer schedule of Tuesday and Thursday from 9:00 AM – 1:00 PM. We will be closed on Monday, Wednesday, and Fridays until September.

Highway Superintendent's report for May:

- ❖ Hot patching of roads has started.
- ❖ The sander has been installed on the new pickup.
- ❖ I have met with the state to help determine the repairs needed on Fitch Road. The state will fix all the bad spots as soon as they can.
- ❖ Russell Road has been shimmed where the pavement heaved.
- ❖ We will be scraping dirt roads when they dry out.
- ❖ River Road has been cleaned after flooding.

❖ The 9P Bridge will be opened on time, Memorial Day.

Supervisor's report: SUPERVISOR'S REPORT APRIL 2011

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand APRIL 1	\$ 1,191,779.01
APRIL Revenues	+ 19,537.78
APRIL Disbursements	- <u>34,736.91</u>
Balance APRIL 30	\$ 1,176,579.88

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand APRIL 1	\$ 424,624.19
APRIL Revenues	+ 1,862.51
APRIL Disbursements	- <u>3,268.31</u>
Balance APRIL 30	\$ 423,218.39

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand APRIL 1	\$ 901,028.84
APRIL Revenues	+109,123.49
APRIL Disbursements	- <u>41,517.81</u>
Balance APRIL 30	\$ 968,634.52

SCHUYLER PARK CAPITAL PROJECT APRIL 30	\$ 103,756.87
YOUTH RECREATION & SERVICE APRIL 30	\$ 1,660.98
HIGHWAY EQUIPMENT RESERVE APRIL 30	\$ 12,801.10
BUILDING RESERVE APRIL 30	\$ 150,191.71
SCENIC BY WAYS GRANT APRIL 30	\$ 309.85
PARK RESERVE APRIL 30	\$ 51,956.55
CDBG2 FUND APRIL 30	\$ 0.00

- ❖ **Sales Tax Received – April 2011 - \$108,759**
- ❖ **Mortgage Tax – March 2011 - \$10,047, April 2011 - \$10,156**
- ❖ **Recycling Program**

Supervisor Thomas Wood announced that the Town of Saratoga is participating in the Community Paper Recycling Program. Dumpsters have been placed at the Town Hall, 12 Spring Street and at the Town Highway Garage, 213 Route 32 South. Acceptable items are newspapers, cereal boxes, phonebooks, magazines, office paper, brown paper bags, cardboard and construction paper. Please do not put anything in plastic bags. The program is going well and an announcement will come out soon in the paper.

Public comments on agenda items: Geraldine Freedman and Wendy Lukas addressed the board.

Committee reports:

Landfill: No report.

Insurance: No report.

Youth: Councilman Michael McLoughlin stated that the town will contract with the Christ the King Spiritual Life Center, Town of Easton, to run the swim program. The program will run from June 27th through July 22nd.

Senior Citizens: The Old Saratoga Seniors met for a regular meeting on May 4th with 41 attending. Their next meeting, May 18th, is the last one until fall. Meetings will resume on September 21st. The seniors thanked Supervisor Thomas Wood, Justice David Mathis and the town board for everything they do for the seniors.

Park Committee: Laurie Griffen reported:

- ❖ The Schuyler Park Use Policy was drafted and approved by the Town of Northumberland's board. It was noted that it was also approved by the Town of Saratoga's board this evening.
- ❖ The park has seen increased use since the Ft. Hardy fields flooded. The Ft. Hardy fields are beginning to be used again.
- ❖ Volunteers are doing the maintenance of the fields until it is put out to bid again.
- ❖ The irrigation system is up this week and it will be expanded to care for the perimeters that were seeded in the fall.
- ❖ The Friends of Schuyler Park are focusing on building a playground. Planned fundraisers, along with a grant and donations will enable it to happen.
- ❖ The Schuyler Park Committee's goal is to build a pavilion.
- ❖ Two concerns, one is for a right hand turn lane at the park entrance for safety purposes and the other is that solicitation at the park is causing a hazard with traffic. Supervisor Thomas Wood will talk with Town Attorney Bill Reynolds regarding options and the vendor causing the problem. Laurie will order *No Solicitation* signs and Highway Superintendent Dave Hall will put them up at the park.

Office of Emergency Management: Sherry Doubleday submitted the following report. Hudson River flooding closed Route 29 from 3:00 p.m. Friday, April 30th, until 10:00 a.m. Saturday morning, May 1st. She reported that if Mayor John Sherman declares an emergency both Supervisor Thomas Wood and Emergency Manager Sherry Doubleday will be notified. Many pictures were taken of several hard hit areas. Schuyler Island residents were mandated to evacuate according to Mayor John Sherman. One family was evacuated from Furlani Drive. They took shelter with relatives. Supervisor Thomas Wood was contacted regarding the possibility of opening a shelter. Electricity was out in a small area of the Village of Schuylerville. Sherry checked with Byron Peregrin,

Byron's Market, regarding obtaining items should a shelter be opened. Two of his employees volunteered to help in emergencies.

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

GSES, QSFD, SLPID/SLA Reports: No reports.

Old business:

- ❖ **Sale of the old town hall – Supervisor Thomas Wood reported he continues to be in contact with Senator Roy McDonald and that the sale is moving along, the money has been moved from the Office of the Budget to the Office of Parks.**
- ❖ **The NYS DOT's Rt. 9P culvert replacement, 100 feet south of the Brown Road intersection, will take place between June 25th and July 22nd. The road will be closed and the detour route will be State Route 423, County Route 70 and County Route 71.**
- ❖ **The NYS DOT has determined that the existing speed limit, reduced to 45 MPH in 2006, on Hathaway Road is appropriate for the conditions experienced and a further reduction of the speed limit is not warranted at this time.**

New business:

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #11-51 – Approval of the Schuyler Park Use Policy** 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 Schuyler Park Municipal Cooperation Agreement allows the Schuyler Park Committee to decide on the policies of the park and may determine the rules of its use; now therefore be it

RESOLVED, that the following Schuyler Park Use Policy is approved by the town board:

Park Use Policy

The Schuyler Park facilities are primarily for use by Town of Saratoga and Town of Northumberland residents and either town's recreational programs. Use by other organizations, groups or non-resident individuals is subject to availability.

The public is welcome to enjoy the use of any unscheduled field space or facilities at any time.

Organizations, leagues or teams with scheduled activities, approved by the park scheduler, have precedence over the field space or facility in question.

Organized leagues, teams and outside parties are asked to contact the park scheduler via our website (www.schuylerpark.com) to coordinate field space and facility usage.

The Schuyler Park Committee reserves the right to cancel any and all activities for reasons such as, but not limited to, field conditions, failure to comply with rules and

regulations, damage, continual misconduct or behavior problems of participants. This decision is final.

The Schuyler Park Committee reserves the right to refuse any group or organization which promotes indecent or unlawful behavior.

Facility Fees

All Schuyler Park fees are determined by the Saratoga and Northumberland town boards.

RESIDENTS OF THE TOWN OF SARATOGA AND TOWN OF NORTHUMBERLAND:

Not for profit organizations, Leagues and/or Teams where a majority of participants are from the Town of Saratoga or Town of Northumberland may use Schuyler Park field space or facilities free of facility fees after submitting the necessary usage request form, insurance documents and fee waiver form.

The fee waiver form must include a roster of all participants' names and addresses. The roster will be used as verification of residency.

NON-RESIDENTS OF TOWN OF SARATOGA OR TOWN OF NORTHUMBERLAND:

Not for profit organizations, Leagues and/or Teams where a minority or no members are from the Town of Saratoga or Town of Northumberland may use Schuyler Park field space or facilities at a rate of \$25 per hour per field or facility requested. All fees will be paid up front and be submitted with the necessary usage request form and insurance documents.

SCHUYLERVILLE CENTRAL SCHOOL DISTRICT FUNCTIONS:

The Schuylerville Central School District has a contractual agreement with Schuyler Park for field space from 3:00 to 6:00, Monday through Friday during the school year and additional space as requested and scheduled. This contractual arrangement is in place until 2015.

FOR PROFIT ORGANIZATIONS:

For Profit Organizations, Leagues and/or Teams, regardless of residential make-up may use Schuyler Park field space or facilities at a rate of \$50 per hour per field or facility requested. All fees will be paid up front and be submitted with the necessary usage request form and insurance documents.

There are no usage fees for individuals.

Current usage policies and fees are subject to change.

A \$25.00 fee will be charged for all returned checks.

All fees are nonrefundable.

HOLD HARMLESS AND INSURANCE REQUIREMENTS

ALL ORGANIZATIONAL USERS will provide a certificate of insurance with minimum limits of:

\$1,000,000.00 BODILY INJURY PER OCCURRENCE
\$1,000,000.00 PROPERTY DAMAGE PER OCCURRENCE
\$2,000,000.00 AGGREGATE, OR
\$1,000,000.00 COMBINED SINGLE LIMIT

The Town of Saratoga and Town of Northumberland shall be named additional insured on all general liability policies.

Users may also be required to provide a hold harmless agreement.

Insurance certificate and hold harmless agreement are to be submitted with all field-pavilion use request forms.

SCHUYLER PARK USER INSTRUCTIONS

Contact the Schuyler Park Committee, via schuylerpark.com, for availability. It is recommended that requests be submitted at least two weeks in advance.

Complete the request and fee waiver forms, then submit them with necessary fees and proper insurance/hold harmless documentation to:

Town of Saratoga
Schuyler Park Committee
12 Spring Street
Schuylerville, NY 12871

Make checks payable to “Town of Saratoga” and attach certificate of insurance if you are an organization, league or team.

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #11-52 – Authorization to Enter Into Red Cross Shelter Agreement** 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, that the Supervisor is authorized to sign a Red Cross Shelter Agreement with the Town of Saratoga, and it is further

RESOLVED, that the form of such contract shall be subject to prior review and approval by the Town Attorney.

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #11-53 – Authorization to Enter Into a Swim Program Contract** 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 has determined that it can no longer operate its own summer swim lesson program due to the lack of pool facilities which will satisfy the NYS Department of Health, and

WHEREAS, Christ the King Spiritual Life Center has offered to provide a swim lesson program for Town residents at its facility located at 575 Burton Road, Greenwich NY, it is now therefore

RESOLVED, that the Supervisor is authorized to sign a contract with Christ the King Spiritual Life Center to provide swimming lessons to Town residents for the 2011 summer season, and it is further

RESOLVED, that the form of such contract shall be subject to prior review and approval by the Town Attorney.

Notification that a speed zone request has been made by the NYS Police Troop G Traffic Supervisor for Rt. 29 by The Farmer's Daughter, Homestead Road, Schuyler Park and Loudon Road.

Request for a Letter of Support for the passage of NYS legislation which would allow for the transfer of non-essential NYS Canal Corporation lands to Hudson Crossing Park, Inc. for the development of an environmental education center at Hudson Crossing Park. The board would like language added that states the land would revert back to the state in case of dissolution of the 501C3, Hudson Crossing Park, Inc. Supervisor Thomas Wood will send the Letter of Support.

Lisa Taras, Walt Taras, and Gail Taras spoke to the board regarding the many FOIL requests and complaints made against them by their neighbors, Michele McClure and Andy Sheeran, to the town and the Department of Environmental Conservation (DEC) about their mining of sand on their property. Lisa Taras asked the board if they have their letter stating the many complaints and requests and they responded that they do. The Taras' stated that they are being harassed by their neighbors for everything they do in their business and would like the town to stop answering their FOIL's and complaints. They have also requested that anyone coming to their property following up on a complaint should call first and set an appointment.

Supervisor Thomas Wood responded that the town is required to answer FOIL requests and to investigate complaints. Zoning Officer Gil Albert added that he will contact them first. Supervisor Thomas Wood added it is a civil matter.

The Board has received an invitation to participate in the **Turning Point Parade** on Sunday, August 7th. This year's theme is **HONORING THOSE WHO SERVE** and Mayor John Sherman will be Grand Marshall.

Communications:

- ❖ **Notification that the Alcove Marina & Pub, 886 Rt. 4 South, is renewing their NYS Liquor License.**

Privilege of the floor: Wendy Lukas addressed the board.

Upcoming meetings:

- ❖ **Agenda meeting – Thursday, June 9, 2011 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, June 13, 2011 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #11-54 Approving the payment of bills in Abstract 5G** 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 5G (05/09/2011) in the following amounts:

General Fund A	Voucher No. 132 through 166	\$ 16,980.30
General Fund B	Voucher No. 30 through 38	\$ 2,320.96
Highway DB	Voucher No. 82 through 105	\$ 9,808.17
Schuyler Park H	Voucher No. 3	\$ 220.50
	Grand Total	\$ 29,329.93

A motion to adjourn at 8:52 p.m. was made by Councilman Fred Drumm 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