

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

**October 12, 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, Highway Superintendent Dave Hall, Town Attorney Bill Reynolds, Tax Collector Jim Gorham, Don Ormsby Jr., Rose Ormsby, Geraldine Freedman, Sal and Sue DiSiena, Rick Anderson, Mike Phinney, Sherry Doubleday and Jim Sullivan

Recognitions/Presentations/ Bid openings/ Public Hearings:

Proof of advertising in the *Saratogian* on September 26, 2011 having been furnished, Supervisor Thomas Wood opened the Public Hearing at 7:02 p.m. on the Saratoga Rowing Association’s Regattas scheduled for October 29th & 30th. No one came forward. **On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the public hearing was closed at 7:03 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.

Proof of advertising in the *Saratogian* on September 29, 2011 having been furnished, Supervisor Thomas Wood opened the Public Hearing on Local Law #3 of 2011, a Zoning Amendment adding Vertical Axis Wind Energy Conversion Systems to the Zoning regulations at 7:06 p.m.

No one came forward. **On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the public hearing was closed at 7:07 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.

Highway Bid Openings- Proof of advertising in the *Saratogian* on September 19, 2011 having been furnished, the following bids were opened on Friday, October 7, 2011, at 10:00 a.m. by Highway Superintendent Dave Hall, Town Clerk Ruth Drumm and Supervisor Thomas Wood:

- **Item 4 Gravel**
 - ❖ BJ Farms, 647 Wilbur Ave., Greenwich, NY 12834 - \$5.50/T.
 - ❖ Peckham Materials, 430 Coy Rd., Greenfield Center, NY 12833 - \$4.25 /T.

- ❖ Jointa Galusha LLC, 269 Ballard Rd., Wilton, NY 12831 - \$7.00/T at Ft. Ann Plant
- ❖ Pallette Stone, 269 Ballard Rd., Wilton, NY 12831 - \$7.00T. at So. Corinth Plant; No Bid at Saratoga Springs Plant
- **Screened Winter Sand**
 - ❖ **BJ Farms, 647 Wilbur Ave., Greenwich, NY 12834 - \$6.50/T.**
 - ❖ Peckham Materials, 430 Coy Rd., Greenfield Center, NY 12833 - \$7.00 /T.
 - ❖ Jointa Galusha LLC, 269 Ballard Rd., Wilton, NY 12831 - \$8.00/T at Ft. Ann Plant
 - ❖ Pallette Stone, 269 Ballard Rd., Wilton, NY 12831 - \$8.00T. at So. Corinth Plant; \$10.00/T at Saratoga Springs Plant
- **Low Sulfur Premium Diesel Fuel with factory additive**
 - ❖ **Main Brothers Oil Co., 1 Booth Ln., Albany, NY - .1900 differential**
 - ❖ G.A. Bove Fuels, 76 Railroad St., Mechanicville, NY 12118 - .2000 differential
 - ❖ Seymour's Service, 265 Rt. 32 S., Schuylerville, NY 12871 – No Bid
- **#2 Fuel Oil**
 - ❖ **Main Brothers Oil Co., 1 Booth Ln., Albany, NY - .1350 differential**
 - ❖ G.A. Bove Fuels, 76 Railroad St., Mechanicville, NY 12118 - .2500 differential
 - ❖ Seymour's Service, 265 Rt. 32 S., Schuylerville, NY 12871 – .2200 differential

Approval of Minutes: A motion was made by Councilman Charles Hanehan and seconded by Councilman James Jennings to accept the minutes of the September 12th 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 September 2011: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$44.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$5,672.23. Dog license fees to Supervisor Thomas Wood \$210.00. Clerk fees to Supervisor Thomas Wood \$423.02. Total State, County, and Local Revenues received were \$6,416.75.

Zoning Officer's report for September 2011: 9 Building Permits, 13 Building Inspections, 2 Certificates of Occupancy, 0 Junk Yard Permits, 0 Complaints, 0 Fire inspections, 1 Order to Remedy, 3 misc. appointments, 1 Building Permit Renewal, and 6 Property Maintenance Inspection. A check for \$1,550.00 was given to Supervisor Thomas Wood.

Dog Control Officer's report for September 2011: The report was read by Supervisor Thomas Wood: answered 21 complaints, took 1 dog to the shelter, 1 bite case, issued 10 warnings, 7 summonses were issued, and traveled 78 miles.

Town Court report for September 2011: The following were closed: 78 Vehicle & Traffic, 11 Criminal/Penal Law, 3 DEC/ENCON, 1 Dog case, 2 DWIs, 0 Town & Village Ordinance, 1 Small Claims/Civil, 1 Eviction, 1 Bench trial, 0 (case transfers) Divestiture Forms sent to County Court, 0 attended the Science of Speed School, 0 Defendants sentenced to probation, 53 hours of community service issued, 0 days of jail time issued, 3 Orders of Protection issued, and \$9,115.00 in fees were paid to the NY State Comptroller.

Historian's report: Sean Kelleher reported:
The Old Saratoga Happenings project continues. The Old Saratoga Happenings for September is on the website, townofsaratoga.com.

Assessor's report: Victoria Hayner submitted the following:

During the month of September we processed 8 sales transfers that consisted of 4 valid sales and 4 non-valid sales. Five of the transfers were residential property. There were 2 vacant land transfers and one commercial property transfer.

I took a Land Valuation class for my Continuing Education credits at the end of September.

We are in the process of hiring a new clerk for this office. We expect the new person to begin the week of October 17th.

I am continuing with the Valuation portion of the Revaluation Project. Field review is almost complete and I will be working on determining value of all properties for the next couple of months.

For the remainder of the month of October, I anticipate having the office open on Tuesdays and Thursdays (to allow for training time with me) and the clerk will begin the 3-4 day/week schedule in November.

Highway Superintendent's report:

- ❖ Patching of roads will continue.
- ❖ We have been top dressing dirt roads.
- ❖ We have extended the culvert on Hathaway Road and installed light rock for new head walls.
- ❖ We have finished hauling winter sand.
- ❖ Russell Road has been settling, creating uneven pavement. Signs have been placed so travelers are warned of the hazard. The situation is being looked at by our town engineer to see what the next step is.

Supervisor's report: SUPERVISOR'S REPORT SEPTEMBER 2011

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand SEPT 1	\$ 907,567.75
SEPT Revenues	+ 24,957.57
SEPT Disbursements	- 101,016.37
Balance SEPT 30	\$ 831,508.95

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand SEPT 1	\$ 416,353.21
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SEPT Revenues	+ 2,084.57
SEPT Disbursements	- 2,881.41
Balance SEPT 30	\$ 415,556.37

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand SEPT 1	\$ 998,425.79
SEPT Revenues	+232,250.31
SEPT Disbursements	- 55,987.46
Balance SEPT 30	\$1,174,688.64

SCHUYLER PARK CAPITAL PROJECT SEPT 30	\$ 105,541.17
YOUTH RECREATION & SERVICE SEPT 30	\$ 3,252.02
HIGHWAY EQUIPMENT RESERVE SEPT 30	\$ 12,827.39
BUILDING RESERVE SEPT 30	\$ 150,500.22
SCENIC BY WAYS GRANT SEPT 30	\$ 310.19
PARK RESERVE SEPT 30	\$ 51,956.55
CDBG2 FUND SEPT 30	\$ 0.00

- ❖ **Sales Tax Received – September 2011 - \$92,249**
- ❖ **Mortgage Tax Received – September 2011 - \$5,656.44**
- ❖ **Tentative Budget has been completed – Supervisor Thomas Wood reported that two workshops have been held and one more is scheduled for Thursday, October 20th. The tentative budget is conservative and with some cutting will stay under the 2% cap. Some areas that have risen are health insurance, retirement and a cost of living adjustment of 2% for employees.**
- ❖ **The audit of 2010 finances has been completed with no recommendations.**

Tenant Updates:

- ❖ **Unit 1, Annex Building-** Empire Building Products moved out and Don and Michelle DeGarmo are renting the space for storage as of 10/01/2011.
- ❖ **Rebuilding Together** is moving out of their space in the annex building at the end of November. The Community Theater and the Schuylerville Area Chamber of Commerce are both interested in leasing the space or possibly sharing the space.
- ❖ **Upstairs Tenant Wing-** Supervisor Thomas Wood and Councilman Fred Drumm met with Bill Moreau and toured the space gathering ideas on how to proceed with modifying and improving the space. The improvements will be put out to bid. Once repairs are done then it will be advertised for lease. Wayne Conover capped and recessed pipes in the walls left from the labs in preparation for painting the walls.

- ❖ **Labs 1 & 2**– The power usage needs to be determined so that the lab pays its fair share of the electric bill.

Public comments on agenda items:

Geraldine Freedman addressed the board regarding the budget and fuel bids.

Committee reports:

Landfill: No report.

Insurance: No report.

Youth: Youth Day was held on September 24th, 4 – 7 p.m. at Ft. Hardy Park. Attendance was down. This is a joint effort of the Village of Schuylerville, the Town of Saratoga and the Town of Northumberland.

Senior Citizens:

Councilman James Jennings reported that the **Old Saratoga Senior's** met on September 21st with 48 members attending. A boat trip to Vermont is planned for October 13th with 32 people signed up. They met again on October 5th with 47 members attending. Trips for next year were discussed. The Christmas Party was planned for December 14th at Longfellows.

Councilman James Jennings reported that the **Quaker Springs Seniors** met on October 11th with 28 members attending. A trip to Williamstown, MA is planned for October 19th, contact Rose Thivierge for details.

Park Committee: Councilman Fred Drumm reported that Hayes Construction is putting up the pavilion, and may be done next week.

Office of Emergency Management: Sherry Doubleday reported:

- ❖ An application to FEMA is being made for the cost of culvert repairs due to the storm.
- ❖ Public Access Defibrillator (PAD) training, hands only, will begin on October 24th with the Zoning Board members.
- ❖ Booklets are being compiled for procedures to be following in case Sherry Doubleday cannot be reached in an emergency.

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

GSES, QSFD, SLPID/SLA Reports:

GSES: Sherry Doubleday reported that on October 15th the old squad building will be put on the market for sale. She added that this week is ER nurses week.

Quaker Springs Fire Department: No report.

SLPID/SLA (Saratoga Lake Association): No report.

Saratoga County Farm Bureau (SCFB): No report.

Old business: None.

New business:

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #11-86 – Mass Gathering Permit – SRA – Oct. 29 & 30th** 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 and reviewed the application for a Mass Gathering Permit by the Saratoga Rowing Association for a Rowing Regatta as follows:

Permit #3: Saratoga Rowing Association
543 Union Avenue
P.O. Box 750
Saratoga Springs, NY 12866
Contact: Christopher Chase, Regatta Director

Rowing Regatta, on Saturday, October 29th and Sunday, October 30th at Fish Creek, Saratoga Lake with approximately 9,000 people attending the two day event; and

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

WHEREAS, the Town Board of the Town of Saratoga has held a public hearing on October 12, 2011 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, and 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 Subpart 14-2 of the NYS Sanitary Code.

On a motion by Councilman Michael McLoughlin and seconded by Councilman James Jennings the following **Resolution #11-87 – Item 4 Gravel Bid Acceptance** 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 received bids via solicitation of bids by public advertising for **ITEM 4 GRAVEL** per Specification TS 01-11, and Peckham Materials, 430 Coy Road, Greenfield Center, NY, was the lowest bidder for **ITEM 4 GRAVEL**; therefore, be it

RESOLVED by the Town Board of the Town of Saratoga to accept the bid from Peckham Materials, 430 Coy Road, Greenfield Center, NY, of \$4.25 per ton at plant or the county bid price with them if lower for **ITEM 4 GRAVEL** providing the specifications in TS 01-11 are met.

On a motion by Councilman James Jennings and seconded by Councilman Charles Hanehan the following **Resolution #11-88 – Screened Winter Sand** 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 received bids via solicitation of bids by public advertising for screened **Winter Sand** per Specification TS 01-11, and BJ Farms, 647 Wilbur Avenue, Greenwich, NY , was the lowest bidder for screened **Winter Sand**; therefore, be it

RESOLVED by the Town Board of the Town of Saratoga to accept the bid from BJ Farms, 647 Wilbur Avenue, Greenwich, NY, of \$6.50 per ton at plant, for screened **Winter Sand** providing the specifications in TS 01-11 are met.

Supervisor Thomas Wood reported that the SEQR review for Local Law #3 of 2011, Zoning Amendment to include Vertical Axis Wind Energy Conversion Systems was done at the agenda meeting on October 5th.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #11-89 – Negative Declaration - Local Law #3 of 2011 – Zoning Amendment – Vertical Axis Wind Energy Conversion Systems** 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, Saratoga County, New York (the "Town") is considering enacting a certain amendment to the Zoning Ordinance of the Town of Saratoga (the "Action"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-b of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York ("DEC"), being 6 NYCRR Part 617, as amended (the "Regulations"), the Town Board as lead agency desires to determine whether this Action may have a significant effect on the environment and therefore require the preparation of an environmental impact statement; and

WHEREAS, there has been prepared a full environmental assessment form for the Project (the "EAF"), a copy of which was presented to and reviewed by the Town at this meeting and a copy of which is on file in the office of the Town Clerk; and

WHEREAS, pursuant to the Regulations, the Town has examined the EAF in order to make a determination as to the potential environmental significance of Action; and

WHEREAS, the Action appears to constitute a "Type I Action" (as defined by the Regulations);

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SARATOGA, SARATOGA COUNTY, NEW YORK AS FOLLOWS:

1. Based on an examination of the EAF and based further upon the Town's knowledge of the area and such further investigation of the proposed zoning amendment and its environmental effects as the Town has deemed appropriate, the Town makes the following findings:

- (a) **The zoning amendment is described in the EAF;**
- (b) **The Action constitutes a "Type 1 Action" (as defined in the Regulations);**
- (c) **No potentially significant effect on the environment is noted in the EAF for this Action, and none are known to the Town;**

(d) This Action will not have a significant effect on the environment; and the Town will not require the preparation of an environmental impact statement with respect to the Action; and

(e) As a result of the foregoing, the Town has prepared a negative declaration with respect to the Action.

2. The Town Clerk is hereby directed to file a negative declaration with respect to the Action (said negative declaration attached hereto); and a copy of the negative declaration shall be maintained in the office of the Town Clerk in a file that will be readily accessible to the public.

3. This resolution shall take effect immediately.

The foregoing resolution was thereupon declared duly adopted.

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number: 3

Date: October 12, 2011

This notice is issued pursuant to a Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Saratoga Town Board as lead agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Enactment of Local Law Amending Town of Saratoga Zoning Ordinance

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Enactment of Local Law amending Town of Saratoga Zoning Ordinance by amending Local Law #1 of 1981 to amend Section 1 Definitions, and Section 400-16.1 for Vertical Axis Wind Energy Conversion Systems.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.) Town of Saratoga

Reasons Supporting This Declaration:

(See 617.7(a)-(c) for requirements of this determination; see 617.7(d) for Conditioned Negative Declaration)

There are no potentially significant effects on the environment noted in the EAF for this action, and none are known to the Town. The action will not have a significant effect on the environment.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Thomas N. Wood, Supervisor
Address: Saratoga Town Hall, 12 Spring Street, Schuylerville, NY 12871
Telephone Number: (518) 695-3644

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer, Town/City/Village of Saratoga
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany, NY 12233-1750
(Type One Actions Only)

On a motion by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin the following **Resolution #11-90 – Adoption of Local Law #3 of 2011 – Zoning Amendment – Vertical Axis Wind Energy Conversion Systems** 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 recognized the need to amend the Zoning Ordinance to include **Vertical Axis Wind Energy Conversion Systems**; and

WHEREAS, the Town Board of the Town of Saratoga has held a public hearing and received input from the townspeople; now therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to adopt **Local Law #3 of 2011 – Zoning Amendment – Vertical Axis Wind Energy Conversion Systems**.
(Local Law #3 of 2011 is attached.)

Local Law Filing

41 STATE

STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Saratoga

Local Law No. 3 of the year 2011

A local law amending the Zoning Ordinance of the Town of Saratoga to permit vertical axis wind energy conversion systems

Be it enacted by the _____ Town Board
_____ of the
(Name of Legislative Body)
Town of _____ Saratoga

as follows:

The Zoning Ordinance of the Town of Saratoga is hereby amended in the following respects:

Section 1 – Definitions

Appendix A of the Zoning Regulations of the Town of Saratoga (section 400 et. seq. of the Town of Saratoga Code) is hereby amended to add the following definition:

WECS, VERTICAL AXIS – A WECS where the primary orientation of the shaft supporting the rotating blades or rotor cage is perpendicular to the ground.

Section 2 – Safety

Section 400-16.1 (H) is amended to add the following:

(4) For a vertical axis WECS, the minimum distance between the ground and any part of the rotating blades or rotor cage shall be 12 feet, except in the case of a roof-mounted unit.

Section 3 – Height

Section 400-16.1 (J) is amended to add the following:

(2) A vertical axis WECS shall not exceed a total height from the ground of 50 feet overall, including the rotor blades or rotor cage. This overall height limitation shall also apply to roof-mounted units.

Section 4 – Abatement

Section 400.16-1 is amended to add the following:

L. Abatement

If any WECS remains inoperative for a continuous period of twelve months, the owner shall remove said system within 60 days upon notice by the Town of Saratoga Code Enforcement Officer. Such removal shall include at least the entire above ground structures from the property.

Section 5 – Setback

Section 400.16-1(E) is amended to read as follows:

E. Setback. The minimum required setback for any WECS tower (except for a vertical axis WECS) from property lines, overhead utility lines, or other WECS shall

be equal to 1.5 times the proposed structure height, including blades. The minimum setback for a vertical axis WECS shall be the overall height of the WECS plus 10 feet.

Section 5 – Effective Date

This local law shall take effect immediately.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #11-91 – Advertise for sale by bid- 2006 John Deere 450J LT Industrial Crawler/Bulldozer** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – no Carried 4 – 1.

WHEREAS, the Town Board of the Town of Saratoga is seeking to sell via solicitation of bids by public advertising the **2006 John Deere 450J LT Industrial Crawler- Bulldozer**; therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to advertise the **2006 John Deere 450J LT Industrial Crawler/ Bulldozer** for bid with a minimum bid of \$45,000.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #11-92 – Assessor’s Clerk Appointment** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

RESOLVED, that the Town Board of the Town of Saratoga hereby appoints Dorothy Lavazzo as a probationary, part-time Assessor’s Clerk from 10/12/2011 – 12/31/2011 at the rate of \$12.75 per hour.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #11-93 – Building Reserve – Up to \$25,000 for Heating, Air Conditioning and Renovations to the North Wing, Second Floor** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

WHEREAS, the Town Board of the Town of Saratoga recognizes the need for improvements to the north wing, second floor space including interior renovations and heat and air conditioning improvements; now therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to authorize payment for such improvements in the amount of up to \$25,000 from the Building Reserve Account # H 1620.4 following the 30 day requirement of Permissive Referendum rules and procedures.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Fred Drumm the following **Resolution #11-94 – Accept Audit Findings** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

WHEREAS, the Town Board of the Town of Saratoga had the Town’s 2010 financial operations and procedures audited by Richard H. Dinolfo, CPA; and

WHEREAS, the Town Board of the Town of Saratoga has reviewed the findings, therefore be it,

RESOLVED, by the Town Board of the Town of Saratoga to accept the findings as presented (the audit is on file in the Town Clerk's office).

On a motion by Councilman Michael McLoughlin and seconded by Supervisor Thomas Wood the following **Resolution #11-95- Authorization to Apply for a Canalway Grant – Coveville Trail** was defeated by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – no, Councilman Charles Hanahan – no, Councilman Michael McLoughlin – aye, Councilman James Jennings – no. Defeated 3-2.

WHEREAS, the Town Board recognizes and supports the continued development of the Towpath Trail along the Old Champlain Canalway to both increase the quality of life for residents and to serve as an economic development tool; and

WHEREAS, the Saratoga Town Board shall designate Supervisor Thomas Wood as lead contact person and authorize Supervisor Wood to submit an application through the NYS Consolidated Funding Application for funding through the Canalway Grants Program and to do so by the October 31, 2011 application due date. The resolution shall authorize Supervisor Wood to execute all financial and/or administrative processes relating to the grant program; and

WHEREAS, the Project is the construction of the Champlain Canalway Trail known as the "Coveville Trail" from Fulani Drive north to Coveville Road; and

WHEREAS, the funding request will depend on detailed cost estimates but will be between \$50,000 (the minimum grant request) and \$150,000 (the maximum grant request) permitted under this program; and

WHEREAS, the Local Share is 50 percent which will be provided in cash or in kind work match; now therefore be it

RESOLVED, that the Town Board authorizes hiring the LA Group of Saratoga Springs to provide professional services to complete the grant application at an hourly cost plus reimbursable expenses not-to-exceed \$3,000.

Communications:

- ❖ **Saratoga County Public Health is sponsoring a Flu Clinic – Monday, November 14, 2011 – 9 a.m.- 11:00 a.m. – Town Hall, Schuyler Room. Call 584-7460 with questions.**

Privilege of the floor:

Mike Phinney of Phinney Design an architectural firm, spoke regarding Uri Kaufman's planned \$20.6 million Victory Mill Project of 98 apartments. He noted that they are looking for the town to enact Section 485a of the Real Property Law that would hold the assessment of the property at its current level for eight years as construction takes place and then would gradually go up over the next five years until they are assessed fully. He stressed that it is critical for the project that the tax breaks are granted. He added that Uri Kaufman is very experienced with projects of this nature. He stressed that it is not a HUD project. It is a mixed use project with luxury apartments and a café, gym, gallery, and a Day Care/Preschool with 5 classrooms and a playground area. He estimated that it would take 13 mos. from start to finish to build. It is expected to be converted to condominiums in five years. Questions were asked regarding the sewer system's ability to accommodate such a large project. He responded that the issue has been discussed at length with Victory and a plan was discussed with a considerable contribution to be made

from the project to help it along. They are also asking the IDA for additional tax breaks on sales taxes and mortgage recording tax. The board will make a decision before the IDA's public hearing on November 14th.

Upcoming meetings:

- ❖ **Budget Workshop – Thursday, October 20, 2011 at 7:00 p.m.**
- ❖ **Agenda meeting – Thursday, November 3, 2011 at 7:00 p.m.**
- ❖ **Regular town board meeting – Thursday, November 10, 2011 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanahan the following **Resolution #11-96 Approving the payment of bills in Abstract 10G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan – 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 10G (10/12/2011) in the following amounts:

General Fund A	Voucher No. 299 through 343	\$ 26,556.01
General Fund B	Voucher No. 65 through 78	\$ 10,703.67
Highway DB	Voucher No. 209 through 237	\$ 34,866.64
CDBG CD2	Voucher No. 34 through 38	\$ 26,988.00
Schuyler Park H	Voucher No. 23 through 26	\$ <u>5,775.50</u>
Grand Total		\$104,889.82

A motion to adjourn at 9:32 p.m. was made by Councilman Fred Drumm and seconded by Councilman James Jennings. Supervisor Thomas Wood – aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan - aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye Carried 5 – 0.

Respectfully Submitted,

Ruth Drumm
Town Clerk