

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

**October 16, 2013
7:00 P.M.**

Supervisor Thomas Wood opened the meeting with the Pledge of Allegiance at 7:00 p.m.

Roll call: Ruth Drumm, Town Clerk, called the roll. Supervisor Thomas Wood- present, Councilman Fred Drumm - present, Councilman Charles Hanehan- present, Councilman Michael McLoughlin – present, Councilman James Jennings – present

Also present: Deputy Town Clerk Linda McCabe, Town Attorney Bill Reynolds, Highway Superintendent Don Ormsby Jr., Zoning Officer Gil Albert, Tylor Sherman, Joe Sherman, Julie Hagan, Mikayla Sherman, John and Martha Sherman, John and Karen Hayes, Sherry Doubleday, Dan McCabe, Town Historian Sean Kelleher, and Wendy Lukas

Recognitions/Presentations/ Bid openings/ Public Hearings:

Recognition: Supervisor Thomas Wood presented the following Resolution Honoring Tylor John Sherman as his family looked on and also presented him with a framed Hero Award:

On a motion by Supervisor Thomas Wood and seconded by Councilman Fred Drumm the following **Resolution #13-102 - Recognition of Tylor Sherman** 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 of Saratoga wishes to recognize and honor Tylor John Sherman for his recent demonstration of courage and heroism; and

WHEREAS, Tylor Sherman is a 16 year old resident of Burgoyne Road in the Town of Saratoga; and

WHEREAS, Tylor Sherman spent the weekend of September 20th at his friend Gary O'Donnell's house on 24 Eddy Street in the Village of Greenwich; and

WHEREAS, on Saturday morning September 21st at approximately 6:00 am Tylor and his friends were awoken to the smell of smoke and escaped from the burning house; and

WHEREAS, upon exiting the burning building Tylor realized that his friend and the owner of the building, Gary O'Donnell was still inside and not accounted for; and

WHEREAS, without hesitation Tylor Sherman ran to the rear of the building, smashed a bedroom window with his fist so that he could enter the bedroom in which Gary O'Donnell was soundly sleeping and re-entered the building through the broken out window without regard to his own life or safety; and

WHEREAS, Tylor Sherman found Gary O'Donnell sleeping in his bedroom; and

WHEREAS, Tylor Sherman woke Gary O'Donnell up, carried him to a window which he had just smashed out, and dragged Gary out of the burning bedroom; and

WHEREAS, once Gary was out of the building and safe, Tylor and another individual moved a nearby car so that it would not catch fire and blow up causing further injury and damage; and

WHEREAS, Gary suffered major burns and smoke inhalation and is hospitalized he will survive; and

WHEREAS, Tylor suffered injuries to his hand and smoke inhalation causing bronchitis, he survived the incident and later went to his home with his parents; and

WHEREAS, it is fitting that the courage and bravery shown by Tylor Sherman and his concern for the life of his friend Gary O'Donnell be honored, recognized and remembered by the Town of Saratoga; now, therefore be it,

RESOLVED, that Tylor John Sherman be named a hero for his bravery and courage that resulted in the saving of a human life; and be it further

RESOLVED, that the day of October 16, 2013, is hereby dedicated to Tylor John Sherman in recognition by the Town Board of the Town of Saratoga.

Public Hearing: Proof of advertising in the Saratogian on October 9, 2013 having been furnished, Supervisor Thomas Wood opened the Public Hearing at 7:11 p.m. on the Saratoga Rowing Association's Regattas scheduled for October 26th & 27th. No one came forward. On a motion by Supervisor Thomas Wood and seconded by Councilman Charles Hanehan the public hearing was closed at 7:12 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.

Approval of Minutes: A motion was made by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin to accept the minutes of the September 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 September 2013: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$45.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$2,358.64. Dog license fees to Supervisor Thomas Wood \$211.00. Clerk fees to Supervisor Thomas Wood \$222.36. Total State and Local Revenues received were \$2,882.00.

Zoning Officer's report for September 2013: 8 Building Permits, 13 Building Inspections, 10 Certificates of Occupancy, 0 Junk Yard Permits, 3 Complaints, 0 Fire inspections, 0 Orders to Remedy, 4 misc. appointments, 7 Building Permit Renewals, and 1 Property Maintenance Inspection. A check for \$200.00 was given to Supervisor Thomas Wood.

Dog Control Officer's report for September 2013: The report was read by Supervisor Thomas Wood: answered 30 complaints, took 2 dogs to the shelter, 1 bite case, issued 17 warnings, 0 summonses were issued, and traveled 118 miles.

Town Court report for September 2013: The following were closed: 49 Vehicle & Traffic, 11 Criminal/Penal Law, 4 DEC/ENCON, 0 Dog cases, 2 DWIs, 0 Town & Village Ordinance, 0 Small Claims/Civil, 2 Evictions, 0 Bench trials, 0 Defendants sentenced to probation, 0 hours of community service issued, 0 days of jail time issued, 1 (case transfers) Divestiture Forms sent to County Court, 4 Orders of Protection issued, and \$7,169.00 in fees were paid to the NY State Comptroller.

Historian's report: Sean Kelleher stated that the Surrender Ceremony will be held tomorrow at 10:00 a.m. at Fort Hardy Park. He will be speaking at the Old Saratoga Historical Association giving the History of the Town and on Saturday, Oct. 19th the Heritage Hunters will meet with Joseph Brophy speaking.

Assessor's report: Victoria Hayner reported the following:

During the month of September we had no sales to process. We continue to receive these weekly (when they happen) from the County via email. We did have one small claim hearing and the hearing officer ruled in the Town's favor.

I will be on vacation from October 9 – October 21. Dorothy will be "manning" the office in my absence and begins her service to the town in October. We will be involved in answering questions regarding the new STAR registration with NYS Dept of Tax and Finance, preparing for the annual renewal process of all exemptions and entering sales and building permits as they are received. We are also available to discuss property owner's concerns regarding their property value, inventory or exemptions.

The office continues to be open in October on Tuesday and Wednesday mornings from 9:00 AM – 1:00 PM.

Highway Superintendent's report: September 2013

- ❖ Evans St. has been shimmed and nova chipped from Rt. 4 to Hill St.
- ❖ Schuyler St has been nova chipped from Evans St. to Lafayette St.
- ❖ Re-shouldered along Evans St.
- ❖ Have done some repairs on Wagman's Ridge Rd. and Hill St.
- ❖ Have been ditching on Hanehan Rd.
- ❖ Mowing back roadsides and ditches.
- ❖ Working on sign replacement and repairs.
- ❖ Had a new mobile radio installed in truck 3 and had 10 old ones reprogrammed to meet our licensing.
- ❖ Used our chipper with Schuylerville DPW for one day.

Supervisor's report: SUPERVISOR'S REPORT SEPTEMBER 2013

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand SEPT 1	\$	817,451.25
SEPT Revenues	+	23,350.22
SEPT Disbursements	-	64,235.48
Balance SEPT 30	\$	776,565.99

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand SEPT 1	\$	724,711.46
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SEPT Revenues	+ 104,110.88
SEPT Disbursements	- <u>4,076.75</u>
Balance SEPT 30	\$ 824,745.59

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand SEPT 1	\$ 1,124,675.74
SEPT Revenues	+170,960.48
SEPT Disbursements	- <u>77,709.46</u>
Balance SEPT 30	\$1,217,926.76

SCHUYLER PARK CAPITAL PROJECT SEPT 30 \$ 197,159.42

YOUTH RECREATION & SERVICE SEPT 30 \$ 1,278.15

HIGHWAY EQUIPMENT RESERVE SEPT 30 \$ 12,885.28

BUILDING RESERVE SEPT 30 \$ 40,682.92

SCENIC BY WAYS GRANT SEPT 30 \$ 310.61

PARK RESERVE SEPT 30 \$ 51,956.55

❖ **Sales Tax Received – September 2013 - \$102,566**

❖ **Mortgage Tax –August 2013 - \$11,850.51**

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

Committee reports:

Landfill: No report.

Insurance: Supervisor Thomas Wood reported that Phil Klein, Adirondack Trust Ins., will be at the next agenda meeting discussing the Health Insurance Policies available for our retirees. The retirees’ policy renewal date is January 1st, 2014.

Youth: No report.

Senior Citizens: Councilman James Jennings reported that the Old Saratoga Seniors met on September 18th with 41 members attending. A trip is being planned for September 25th.

The Old Saratoga Seniors met on October 2nd with 59 members attending. Bingo was played.

Park Committee: No report.

Office of Emergency Management: Sherry Doubleday reported that she attended an Emergency Management Conference in Malta on September 18th which was very interesting. She stated that on September 27th they sat at the Glens Falls National Bank

and gave out packets of information regarding weather related emergencies. They discussed what they are and what they do. There were a couple of people who expressed an interest and took applications to join. Sherry reported that tomorrow there will be a tabletop exercise with Brookfield Power regarding emergency procedures if the dam at the south end of the village should fail. Sherry is attending the Town of Stillwater's Emergency Management meetings and is learning a lot. Sherry will be meeting with the seniors in November regarding the PAD program and will demonstrate the AED. She added that the regular meetings will begin this month on Wednesday, October 30th from 2:00 to 3:00 pm. and continue on the last Wednesday of each month.

GSES, QSFD, SLPID/SLA Reports:

Quaker Springs Fire Department: Chief Don Ormsby Jr. reported that they have had 68 calls year-to-date.

Old business:

Supervisor Thomas Wood reported that the old town hall was demolished today and is now a pile of rubble that will be hauled away starting tomorrow. Highway Superintendent Don Ormsby Jr. and the highway crew will then remove the blacktop. The cellar will be filled in and then the lot reseeded. The old highway garage is next and should be going down next week.

New business:

On a motion by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin the following **Resolution #13-99 – Fund Transfer \$7,000 to Highway Buildings A5132.4** 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 expenditures for the Highway Buildings Account A5132.4 has exceeded the budgeted amounts; therefore be it

RESOLVED, by the Town Board of the Town of Saratoga to transfer \$7,000 from Contingency A 1990.4 to Highway Buildings A5132.4.

Supervisor Thomas Wood explained that the SRA Regatta Mass Gathering application was reviewed by the Saratoga County Sheriff, the town engineer and Saratoga County Emergency Management staff with no concerns identified.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #13-100 – Mass Gathering Permit #5 – SRA Regatta, Oct. 26th & 27th** 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 the NYS Championships 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 26th through Sunday, October 27th at Fish Creek, Saratoga Lake with approximately 8,000+/- people attending over the two day event; and

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

WHEREAS, the Town Board of the Town of Saratoga has held a public hearing on October 16, 2013 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; 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 that the review of the information required by Local Law #2 of 2006, Section 3 is found to be adequate.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Charles Hanehan the following **Resolution #13-101 – Lease – Room 103 – 1080 Education, Inc.** 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 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 600 square feet of space in the North wing, first floor of the Town Hall (Suite 103) be leased to 1080 Education, Inc., Schuylerville, NY 12871, for \$620 per month, month to month tenancy, 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.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Fred Drumm the following **Resolution #13-103 – Fund Transfer \$611 from Jt. Rec. Projects to Youth Rec. and Services Fund** 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 transfer \$611.00 from Jt. Rec. Projects A7145.4 to Youth Recreation and Services Fund Y5031.9 for Youth Fund 2013 Programs.

On a motion by Supervisor Thomas Wood and seconded by Councilman Charles Hanehan the following **Resolution #13-104 Authorization to Apply for a JCAP Grant**

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 recognizes the need for additional office equipment and computer support items for the town court, therefore be it

RESOLVED, that the Town Board of The Town of Saratoga authorizes Justice Timothy Williams to apply for a **Justice Court Assistance Program Grant** for up to \$30,000 to purchase and install additional office equipment and computer support items for the town court, subject to approval by the town board.

On a motion by Councilman James Jennings and seconded by Councilman Michael McLoughlin the following **Resolution #13-105 Authorization to Enter Into a New DEC Licensing Agent Agreement 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 DEC will be transitioning to a new vendor, Accela, for the sale of sporting licenses beginning January 1, 2014; and

WHEREAS, there is a new Agent Agreement with the NYS Department of Environmental Conservation that needs to be signed in order to continue to have the privilege to sell licenses; therefore be it

RESOLVED, that Town Clerk Ruth Drumm as the License Issuing Agent, is authorized to enter into the new Agent Agreement.

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

Justice Jack Ditch and Justice Timothy Williams appointed Lisa Relyea as a Part-Time Court Clerk from October 11, 2013 – December 31, 2013.

Supervisor Thomas Wood reported that talks have occurred regarding **shared services with General Schuyler Emergency Squad (GSES) and the City of Saratoga Springs for coverage in the outside district of the City of Saratoga Springs.**

Councilman James Jennings reported on the progress of the **Route 4 paving project.** He stated that the first coat is 2/3 of the way up to Schuylerville from Bemis Heights. They are now starting the final coat at Bemis Heights. Councilman James Jennings added that Route 32 needs work. Supervisor Thomas Wood stated that work is also needed on Route 29. Supervisor Thomas Wood will call Dominick Gabriel, Resident Engineer NYS DOT, Saratoga County, to see if some work can be done.

Supervisor Thomas Wood reported that **Stafford's Bridge** is scheduled for major pier and deck work in 2015. Commissioner of Public Works, Saratoga County, Keith Manz stated that when the work commences the bridge will have one lane open with red lights at both ends.

Communications:

- ❖ **The Saratoga County Office of the Aging will hold a Public Hearing to obtain input, suggestions and comments relative to programs for the aging for the year 2014. It will be held Wednesday, October 30, 2013, 1:00 pm – 3:00 pm at the Saratoga Springs Public Library, 49 Henry St., Saratoga Springs**
- ❖ **2nd Annual Saratoga County Veterans Service Agency Trust Fund 5K Race and Children’s ½ Mile Nature Run – Saturday, November 9th, 2013 at Hudson Crossings Park, 138 Route 32, Schuylerville**

Privilege of the floor: No one spoke.

Upcoming meetings:

- ❖ **Budget Workshop – Tuesday, October 22, 2013 at 6:00 p.m.**
- ❖ **Agenda meeting – Wednesday, October 30, 2013 at 7:00 p.m. (Due to Halloween)**
- ❖ **Regular town board meeting – Thursday, November 7, 2013 at 7:00 p.m. (Thursday following Election Day)**

Audit the Bills: On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #13-106 Approving the payment of bills in Abstract 10G** 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 10G (10/16/2013) in the following amounts:

General Fund A	Voucher No. 346 through	\$ 19,182.87
General Fund B	Voucher No. 44 through	\$ 4,189.19
Highway DB	Voucher No. 189 through	\$ 52,602.07
Schuylker Park H	Voucher No. 19 through	\$ 1,669.16
	Grand Total	\$ 75,643.29

A motion to adjourn at 8:41 p.m. was made by Councilman James Jennings and seconded by Councilman Michael McLoughlin. 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