

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

**August 10, 2015  
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 Michael McLoughlin - absent (arrived at 7:40 pm), Councilman Charles Hanehan- present, Councilman James Jennings – present

**Also present:** Deputy Town Clerk Linda McCabe, Highway Superintendent Don Ormsby Jr, Zoning Officer Gil Albert, Attorney for the Town Bill Reynolds, Pat Temple, Paul Getz, Gary Squires, Kate & Hub Miller, Jean Seiler, Randall N. Odell, and Pat & Tom Harrison

**Recognitions/Presentations/ Bid openings/ Public Hearings:**

**Presentation by Paul Getz of SaxBST Auditors:** Paul Getz thanked the board for engaging SaxBST for their audits over a three year period. He reviewed the audit findings with the board.

**Supervisor Thomas Wood responded for the board and suggested the following:**

- ❖ The large, healthy fund balances will be reserved for specific uses such as a self-insurance, landfill, and long term healthcare costs. An Actuary will be hired to determine the long term healthcare costs for retirees and active employees.
- ❖ A minimum Fund Balance Policy will be proposed next month.
- ❖ Fixed Assets will be inventoried. A 5 year replacement schedule for highway equipment will be provided.
- ❖ The modified accrual basis of accounting will be used instead of the cash basis.

**Paul Getz** stated he will return next year in early May to do the 2015 audit.

**Public Hearing: Local Law #2 of 2015- Temporary Increase of Justice's Salary** Proof of Advertising having been provided **Supervisor Thomas Wood opened the Public Hearing for Local Law #2 of 2015- Temporary Increase of Justice's Salary at 7:29 pm. No one spoke. A motion was made by Supervisor Thomas Wood and seconded by Councilman Charles Hanehan to close the public hearing at 7:30 pm.** Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent (arrived at 7:40 pm), Councilman Charles Hanehan – aye, Councilman James Jennings – aye. Carried 4 – 0.

**Approval of Minutes:** A motion was made by Councilman James Jennings and seconded by Councilman Charles Hanehan to accept the minutes of the July 13<sup>th</sup> regular meeting as written. Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent (arrived at 7:40 pm), Councilman Charles Hanehan – aye, Councilman James Jennings – aye. Carried 4 – 0.

**Town Clerk's report for July 2015:** Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$83.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$850.84. Marriage License fees to NYS Department of Health \$135.00. Dog license fees to Supervisor Thomas Wood \$370.00. Clerk fees to Supervisor Thomas Wood \$264.41. Total State and Local Revenues received were \$1,703.25. Town Clerk Ruth Drumm added that they have been busy issuing *Certificates of Residence* for Community College bound students. She also added that Hunting Licenses are now on sale, Monday, August 10<sup>th</sup>, with Doe permits available through close of business, October 1<sup>st</sup>.

**Zoning Officer's report for July 2015:** 12 Building Permits, 15 Building Inspections, 5 Certificates of Occupancy, 0 Junk Yard Permits, 0 Complaints, 0 Fire inspections, 1 Order to Remedy, 7 misc. appointments, 2 Building Permit Renewals, and 0 Property Maintenance Inspections. A check for \$2,778.75 was given to Supervisor Thomas Wood.

**Dog Control Officer's report for July 2015:** answered 20 complaints, took 2 dogs to the shelter, 0 bite cases, issued 8 warnings, 3 summonses were issued, and traveled 158 miles.

**Town Court report for July 2015:** The following were closed: 32 Vehicle & Traffic, 5 Criminal/Penal Law, 4 DEC/ENCON, 0 Dog cases, 2 DWIs, 0 Town & Village Ordinances, 1 Small Claim/Civil, 0 Evictions, 0 Bench trials, 2 (case transfers) Divestiture Forms sent to County Court, 0 Defendants sentenced to probation, 0 hours of community service issued, 2 Orders of Protection issued, and \$4,606.00 in fees were paid to the NY State Comptroller.

**Historian's report:** No report.

**Assessor's report: Victoria Hayner** submitted the following for August 2015: During the month of June and July we processed 16 sales transfers. 8 transfers were valid sales and 8 were non-valid. The sales represented (16) residential properties.

I have 3 small claims hearings all of which are located on Trask Lane, near Saratoga Lake. We did receive our 100% equalization rate for the 2015 assessment roll.

The Assessor's Office is open Tuesday and Wednesday mornings from 9:00 AM – 1:00 PM through November and we continue to make ourselves available to property owners that may have a concern regarding the inventory on their property.

**Highway Superintendent's report for July:**

- ❖ Working on mowing, sign replacement and pothole repairs
- ❖ Limb and tree clean-up from storms
- ❖ Used our drag box on Wilbur Rd for shimming
- ❖ Blacktopped Wilbur Rd from Rte 4 to Duell Rd
- ❖ Had to have truck 2 air compressor replaced, broken leaf springs on trucks 1 and 6 and a steering line on truck 6 and 3
- ❖ Done ditching on Loudon Rd and Hillandale
- ❖ Had 1 overhead door broken spring replaced and other doors serviced
- ❖ Used one man from Schuylerville for 2 days for traffic control
- ❖ Graded and rolled Towpath Rd for Schuylerville
- ❖ Sent 3 trucks to Town of Providence to help with black top
- ❖ Added 3 feet to the Town Hall sign

**Supervisor's report: SUPERVISOR'S REPORT JULY 2015****GENERAL FUND – TOWNWIDE (A FUND)**

Balance on hand JULY 1	\$ 1,127,783.21
JULY Revenues	+ 12,910.28
JULY Disbursements	<u>- 64,874.03</u>
Balance JULY 31	\$ 1,075,819.46

**GENERAL FUND – OUTSIDE VILLAGE (B FUND)**

Balance on hand JULY 1	\$ 1,211,577.60
JULY Revenues	+ 3,856.11
JULY Disbursements	<u>- 6,297.71</u>
Balance JULY 31	\$ 1,209,136.00

**HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)**

Balance on hand JULY 1	\$ 855,380.77
JULY Revenues	+ 136,209.82
JULY Disbursements	<u>- 37,061.89</u>
Balance JULY 31	\$ 954,528.70

**SCHUYLER PARK CAPITAL PROJECT JULY 31 \$ 192,466.90**

**YOUTH RECREATION & SERVICE JULY 31 \$ 2,506.13**

**HIGHWAY EQUIPMENT RESERVE JULY 31 \$ 72,951.16**

**BUILDING RESERVE JULY 31 \$ 154,612.61**

**SCENIC BY WAYS GRANT JULY 31 \$ 310.89**

**PARK RESERVE JULY 31 \$ 51,956.55**

**FIRE PROTECTION JULY 31 \$ .34**

<b>PARK RESERVE JULY 31</b>	<b>\$ 51,956.55</b>
<b>FIRE PROTECTION JULY 31</b>	<b>\$ 0.34</b>
<b>TRUST &amp; AGENCY JULY 31</b>	<b>\$ 49,822.60</b>
<b>MOBILE HOME GRANT JULY 31</b>	<b>\$ 10,874.32</b>
<b>HOME IMPROVEMENT GRANT JULY 31</b>	<b>\$ 81,780.80</b>
<b>CDBG GRANT JULY 31</b>	<b>\$ 3.19</b>

- ❖ **Sales Tax Received – July 2015 - \$136,137**
- ❖ **Mortgage Tax – June 2015 - \$12,630.50**

**Councilman Michael McLoughlin arrived at 7:40 pm.**

**Public comments on agenda items: No one spoke.**

**Committee reports:**

**Landfill:** No report.

**Insurance:** No report.

**Youth: Supervisor Thomas Wood** reported that the summer swim program has concluded with 14 students completing the program.

**Senior Citizens:** No report. The seniors will meet again in the Fall.

**Schuyler Park Committee: Supervisor Thomas Wood** stated he has had conversations with Laurie Griffen regarding having a Food Truck at Schuyler Park. A contract would be between the Old Saratoga Athletic Association and the Vendor with a split of the profits between them. Supervisor Thomas Wood stated that they will carry insurance and be inspected by the NYS Department of Health. This vendor has a food truck at activities at the Schuylerville Central School and it has been working out well. The board had no objections to the arrangement.

**Office of Emergency Management: Sherry Doubleday submitted the following:**  
July 23, 2015- The Town of Saratoga had a tornado warning for the entire town. There was no injuries reported and minor damage due to hail, fallen trees and wires. We were very lucky. There was a funnel cloud seen in Quaker Springs. A very large tree broke three feet from the ground falling onto the roof of a duplex on Burgoyne Street. There is now a recorded message on Hyper-Reach. If we should need it again I won't hesitate to use it. A more detailed report was given to Tom.

July 27, 2015- OEM Table Top Exercise of the Dam Breach.

We had a successful exercise even with a couple of key players absent. Nash Alexander, who led the exercise, reviewed the time line and the events as they happened. The time frame for the incident itself was a short duration. The more important scenario to concentrate on was the recovery portion. Tom was given a more detailed report of the exercise.

September is National Preparedness month. We will sit at the Glens Falls National Bank on a Friday to show the OEM to the public. No date has been set as of 8/8. This year we will emphasize "Go Bags". Back Packs that can be kept in a closet you can grab at a moments' notice in case of an evacuation. Lists of items will be available for distribution.

Sign up information was brought down to Phil and Judy Dean for their tenants to sign their cell phones up for reverse 911 with the county.

**GSES, QSFD, SLPID/SLA Reports:**

**General Schuyler Emergency Squad: Joanne Hanna reported:**

Total Number of calls for July	57
Town of Saratoga	21
Town of Northumberland	5
Schuylerville	15
Victory Mills	4
Mutual Aid Easton Greenwich	3
Mutual Aid Wilton	2
Mutual Aid Stillwater	1
Mutual Aid Saratoga	2
Standby Wilton	3
ALS Intercept Easton Greenwich	1

During the month of July we finalized plans to standby at the fireworks and participate in the Turning Point Parade pending any emergency calls. On August 15<sup>th</sup> we will have our annual coin drop. This has always been a major fund raiser and we are looking for volunteers to help us. Please support this drive so that we can continue excellent emergency care to our patients.

**Quaker Springs Fire Department: Chief Don Ormsby Jr.** reported that there have been 50 calls year-to-date. He added they will be having a coin drop on Traver's Day.

**Old business: None**

**New business:**

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #15-78 - Adopt Local Law #2 of 2015 - Temporary Increase in Justice Salary** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanehan – aye, Councilman James Jennings – aye. Carried 5 – 0.

**WHEREAS**, Justice Timothy Williams has resigned effective June 23, 2015; and  
**WHEREAS**, the Town Board of the Town of Saratoga has held a public hearing and received input from the townspeople on the temporary increase in salary for the remaining justice; now therefore be it

**RESOLVED**, by the Town Board of the Town of Saratoga to adopt **Local Law #2 of 2015 - Temporarily Increasing the Compensation of the Town Justice.**  
(Local Law #2 of 2015 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. \_\_\_\_\_ 2 \_\_\_\_\_ of the year 2015

A local law to temporarily increase the compensation of the  
Town Justice \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Be it enacted by the \_\_\_\_\_ Town Board \_\_\_\_\_  
\_\_\_\_\_ of the

*(Name of Legislative Body)*

Town of \_\_\_\_\_ Saratoga \_\_\_\_\_

as follows:

### **Section 1 – Legislative Findings**

Due to the resignation of one of the two town justices of the Town of Saratoga, effective June 23, 2015, the remaining town justice will assume additional duties on a temporary basis until the appointment or election of a new justice. In consideration of these

additional duties the Town Board finds it fair and reasonable to increase the compensation of the remaining justice during this time.

### **Section 2 – Increase In Compensation**

The annual compensation of Justice Daniel Waldron shall be increased to an annual amount of \$29,483.44, effective June 24, 2015, only until such time as a new town justice is elected and assumes his or her duties.

### **Section 3 – Effective Date and Permissive Referendum**

This local law is subject to permissive referendum, and shall become effective 30 days from the date of its adoption, if no petition for referendum is filed.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #15-79 - Accept Audit Findings** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanahan – aye, Councilman James Jennings – aye. Carried 5 – 0.

**WHEREAS**, the Town Board of the Town of Saratoga had the Town’s 2014 financial operations and procedures audited by SaxBST, 26 Computer Drive West, Albany, NY 12205; 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 Councilman Fred Drumm the following **Resolution #15- 80 - Cooperative Agreement with Saratoga County - Gateway Visitor Center** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanahan – aye, Councilman James Jennings – aye. Carried 5 – 0.

**WHEREAS**, the Town is the owner of certain real property located at 30 Ferry Street (Route 29) in the Village of Schuylerville, NY; and

**WHEREAS**, the Town has entered into a Cooperative Agreement and License with the Historic Hudson-Hoosic Rivers Partnership (HHHP) permitting HHHP to construct a Gateway Visitor Center on the property; and

**WHEREAS**, the Town has agreed to act as the Assigned Payee under a grant agreement entered into between the HHHP and the State to facilitate the payment of grant funds by making the Town responsible for paying the contractors and vendors designing and constructing the Gateway Visitor Center, subject to the Town being reimbursed by the State out of the grant funds for the project; and

**WHEREAS**, for the purpose of assisting and enabling the Town and the HHHP to fulfill their administrative responsibilities under the State grants, the Town and the Partnership have requested that Saratoga County advance the sum of \$200,000 to the Town for the purpose of the Town paying the retained contractors and vendors, after which the Town shall submit claims for reimbursement to the State to be paid out of the

grant funds, and then fully reimburse the County for all monies advanced by the County; and

**WHEREAS**, the County has approved this request, has enacted a resolution of approval (Resolution 140-2015), and in order to carry out this arrangement it is necessary for the Town and County to enter into a Cooperative Agreement; it is therefore

**RESOLVED**, that Supervisor Thomas N. Wood, III be authorized to enter into and sign a Cooperative Agreement with Saratoga County, the form of which shall be subject to review and approval by the Attorney for the Town.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #15-81 Authorization for Legal Action - Boldt** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanehan – aye, Councilman James Jennings – aye. Carried 5 – 0.

**WHEREAS**, the Town has been made aware of violations of the Zoning and Building Code Laws of the Town by Joshua Boldt at 101 Brown Road, as regards to a building permit; and

**WHEREAS**, the Zoning Officer has been unable to resolve this issue with Mr. Boldt; it is now, therefore

**RESOLVED**, by the Town Board of the Town of Saratoga to authorize legal action by the attorney for the Town to enforce the Town laws.

**Supervisor Thomas Wood made a motion, seconded by Councilman Fred Drumm to go into Executive Session to discuss possible litigation regarding a building permit issue with Nick Scialdone and a tenant issue regarding dogs in the building. Supervisor Thomas Wood invited Pat and Tom Harrison, Zoning Officer Gil Albert, Attorney Bill Reynolds, Town Clerk Ruth Drumm, and Deputy Town Clerk Linda McCabe to attend.**

Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanehan – aye, Councilman James Jennings – aye. Carried 5 – 0.

A motion was made by Supervisor Thomas Wood, seconded by Councilman Charles Hanehan to come out of Executive Session at 8:32 pm.

Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanehan – aye, Councilman James Jennings – aye. Carried 5 – 0.

The following board actions were taken:

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #15-82 - Authorization for Legal Action - Scialdone** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanehan – aye, Councilman James Jennings – aye. Carried 5 – 0.



**WHEREAS**, the Town has been made aware of violations of the Zoning and Building Code Laws of the Town by Nick Scialdone at 649 Rt. 29, in regards to a building permit; and

**WHEREAS**, the Zoning Officer has been unable to resolve this issue with Mr. Scialdone; it is now, therefore

**RESOLVED**, by the Town of Saratoga of the Town of Saratoga to authorize legal action by the attorney for the Town to enforce the Town laws.

On a motion by Supervisor Thomas Wood and seconded by Councilman Fred Drumm the following **Resolution #15-83 - No Pets Allowed** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanehan – aye, Councilman James Jennings – aye. Carried 5 – 0.

**WHEREAS**, due to a recent incident at the Town Hall building, 12 Spring St., involving dog barking at a person in the building; and

**WHEREAS**, the Town Board of the Town of Saratoga is concerned for public health and safety on Town owned property, now therefore be it

**RESOLVED**, by the Town Board of the Town of Saratoga that there shall be no dogs, pets or other animals permitted in the Town Hall Building, 12 Spring Street, Schuylerville, NY, with the exception of duly certified service animals.

**Communications:**

- ❖ **Thank you to the Board for their support of the 6th Hudson Crossing Triathlon on June 7, 2015 at Hudson Crossing Park.**
- ❖ **Thank you to the Board from Matthew Sickles, Schuylerville High School Principal, for the donation in support of the annual graduation awards.**
- ❖ **Thank you from Elizabeth Pumiglia, to the Board for the Town of Saratoga Award she received at graduation.**

**Privilege of the floor: No one addressed the board.**

**Upcoming meetings:**

- ❖ **A Budget Workshop is scheduled for Wednesday, August 19th at 6:30 p.m. at town hall.**
- ❖ **Agenda meeting – Thursday, September 10, 2015 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, September 14, 2015 at 7:00 p.m.**

**Audit the Bills:** On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #15- Approving the payment of bills in Abstract 8G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanehan – 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 8G (08/10/2015) in the following amounts:

<b>General Fund A</b>	<b>Voucher No. 266 through 298</b>	<b>\$ 24,902.61</b>
<b>General Fund B</b>	<b>Voucher No. 42 through 46</b>	<b>\$ 1,063.22</b>
<b>Schuyler Park H</b>	<b>Voucher No. 23 through 28</b>	<b>\$ 17,370.48</b>
<b>Highway DB</b>	<b>Voucher No. 136 through 159</b>	<b>\$ 50,189.67</b>
<b>Home Improvement H21</b>	<b>Voucher No. 11 through 12</b>	<b>\$ 28,947.00</b>
<b>Mobile Home MH</b>	<b>Voucher No. 15 through 19</b>	<b>\$ 10,441.00</b>
<b>CDBG</b>	<b>Voucher No. 13 through 20</b>	<b><u>\$ 28,085.00</u></b>
	<b>Grand Total</b>	<b><u>\$160,998.98</u></b>

**A motion to adjourn at 9:25 p.m.** was made by Councilman Fred Drumm and seconded by Councilman James Jennings. Supervisor Thomas Wood – aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – aye, Councilman Charles Hanehan - aye, Councilman James Jennings – aye Carried 5 – 0.

Respectfully Submitted,

Ruth L. Drumm  
Town Clerk