

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

**April 9, 2012
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 William Reynolds, Zoning Officer Gil Albert, Highway Superintendent Don Ormsby Jr., Tax Collector Jim Gorham, Planning Board Chairman Ian Murray, Mayor John Sherman, Mayor Jim Sullivan and many other town and village residents and interested parties. (The sign-in sheet is on file in the town clerk's office).

Recognitions/Presentations/ Bid openings/ Public Hearings:

Bid opening: Proof of advertising on March 24th for the lease of 5 +/- acres was provided. The bid was opened at the Agenda Meeting, April 5th, and the sole bidder was Thomas A. Gorsky Jr., Gorsky Farm, 16 Putnam Rd., Stillwater, NY 12170 for \$325.00 on an annual basis. Supervisor Thomas Wood noted that action will be taken later on in the meeting.

Public Hearings: Background- Victory Mill Project- Uri Kaufman, Riverview Realty, is proposing an apartment building in the Victory Mill consisting of 98 units. There will be 18 one bedroom apartments, 62 two bedroom, and 18 three bedroom apartments. A pre-school is planned at the first floor for 3 and 4 year olds. He has asked for tax relief under NYS Real Property Tax Law Section 485a. Supervisor Thomas Wood explained that **the law freezes the property taxes at the pre-conversion level for eight years, with a gradual phasing out of the exemption after that so that by year thirteen it is taxed at its fair market valuation.**

Proof of notice in the Saratogian on March 28, 2012 having been provided, Supervisor Thomas Wood opened the **public hearing on the adoption of NYS Real Property Law Section 485 a** at 7:05 p.m.

The following spoke in **favor** of adopting Local Law #1 - NYS Real Property Tax Law Section 485a's property tax break for mixed use developers:

George Sullivan- He stated that the assessment stays at what it is now for eight years then it will increase. Supervisor Thomas Wood added that the current assessment on the mill is \$360,000 which is taxed at the town rate of \$1.649 per thousand. Later in the hearing, George Sullivan added that after listening to the pros and cons, he asked us to look to the future, if it doesn't go through, the mill will deteriorate and the county will get it back after three years. It needs a chance to happen.

Gail Blake- It would be wonderful to do something with the old mill and people coming into the town will spend money here and help keep the businesses going.

Pat Dewey- The sewer is not an issue, studies have been done. The county has signed off on the project. Due diligence has been done. The school has to pass it on their own. This is not a HUD project. Harmony Mills provides a good track record. We are not losing anything in this as they will be paying the same taxes they are now. It will be a very valuable asset. Later in the meeting he added that he doesn't know anybody who would spend that kind of money without a good idea that it will be successful.

Peter Healy- Natural gas will be brought to Victory and that will help all Victory residents. The school taxes are hurting us. We need to complain to the school board.

Thomas Drew- If it doesn't go forward who will pay to have it removed?

Bill Lloyd- Stated that he's for adoption of the Law.

Terrie Wolcott- The project will help local businesses and is an eyesore as is. The developer deserves a chance. You need to give something to get something back and I feel we will get something back.

Nadine Battaglia- The project will draw people from all over due to the beauty and history of the area.

Heather Steele – The Daycare will provide jobs. Many people come to the area for a short period of time and want something nice and will pay. I think it will work.

Dennis Hogan, Harmony Group – Harmony Mills, Cohoes, has 248 apartments today, and we have placed zero children in the school system. It has been successful and that's what we do refurbish dinosaurs and put them back on the tax rolls. We are starting another 110 more apartments at Harmony Mills. There are local people who no longer want to mow the lawn and just want to enjoy life; these are the people we get.

The following spoke **against** adopting Local Law #1 - NYS Real Property Law Section 485 a's property tax break for mixed use developers:

Clarence Fosdick – Asked if there were other avenues to get exemptions short of giving up 10 years of taxes? Supervisor Thomas Wood stated they submitted to the IDA for a pilot but were not eligible because it's mainly residential. Other categories were looked at but the only applicable one is RPTL 485a. Clarence added later in the hearing that it's not the right thing.

Mayor John Sherman- The sewer plant cannot take any more sewage and is under a consent order from the DEC. A new contract with the Village of Victory is needed since the current one is obsolete. The Village of Victory still owes The Village of Schuylerville \$117,000 for operating and maintenance costs and another \$100,000 or more for capital improvements which needs to be taken care of before we can do anything. It needs to go back to arbitration.

Ralph Pascucci – He asked if this is a PUD and will the town oversee? Where are the checks and balances? Supervisor Thomas Wood responded that the purview stays with the Village of Victory. Ralph stated that he agrees that the density of residences should remain in the villages according to the master plan. The impact on the school system is a worry along with the sewage problems. Later in the hearing, Ralph Pascucci noted that the demographic makeup of Victory and economic climate now is not the same as it was when Harmony was built. The value and potential is there but if it's a private sector venture why is the public sector involved.

Martin Mittlemark, the previous owner of the mill, stated that this is what will happen; the developer will make \$7 to \$9 million just for building it out, which he cannot do without this break. There will be a 20 to 25 million dollar mortgage on the property.

The apartments will rent for \$1,300 or \$1,400 plus heat. There will be large heating bills because of 18' ceilings and a large amount of glass exposure. The way I see it is he will make his millions with an incentive to keep it going for 5 years to avoid recapture and then it will go into bankruptcy and then to low income housing. It is a bad deal for the community. There will be a hundred more students in the school system which we will be paying for while they walk away with their free lunch, which is really your lunch. He later added that when you have a developer who is going to build a project it's like a marriage but in this case we have seen the present owners letting the building fall apart. Nothing has been done and children can get into it. In the main building, the big windows fell out last fall and nothing has been done to protect the open area. Check with Amsterdam and you will see that he has had problems there. We should know more about this developer. Apartment houses cost the community money even if they are paying the full taxes and this project will not be paying the full taxes.

Rich Furlani- Asked if there has been adequate testing for chemicals or pollution of Fish Creek over the years from the mill. Has there been an EPA study done? Should an old factory dinosaur be renovated into residential housing and add that burden onto the community and the school system. He also questioned how that massive building could only be assessed at \$385,000 while his little house is assessed at \$300,000. Later in the hearing Rich Furlani added that Harmony Mills is at the end of 787 and in the Capital District where there are lots of amenities. This project does not provide jobs it provides people. Taxes are too high now and residents move away to escape the high taxes. Grants should be sought to help bring Natural Gas to Victory Mills.

Bob McConnell – He stated that we cannot assume it will be successful; there are houses all around us that are not moving at all. For us to go ahead and approve this for luxury apartments we are daydreaming a lot. The school system cannot handle the influx of students.

Dan McCabe- I am definitely against this as it sets a bad precedent at a time when we are swamped with unfunded mandates. I would be for a project that is industrial in nature that would create jobs.

Brandon Myers- I attended an agenda meeting a few weeks ago where it was agreed to have a Cost of Community Services Study done to address the viability of the project. There are lots of questions here tonight about this project that need to be answered. I estimated the tax break to be around \$7,222,000 over the thirteen years. The point is it's a lot of money and it's a decision with public tax money which then will not be available to pay for community services. We don't even know what the cost of those services are. There are layers of complexity. There has not been a coordinated review done with the Village of Schuylerville, Village of Victory, Saratoga County, and the Town of Saratoga to answer the questions and what ifs. The foundation has not been built for this project. I would not vote tonight without answers and my answer tonight would be no.

Ian Murray- He stated that he is against the local law but in favor of the mill being developed with private funds only, capitalism. There is a lack of information and a Cost of Community Services Study by an independent party should be done before it goes any further. There will be major impacts on the villages, town and school district. There is no shortage of homes or apartments in our town either for rent or sale. Taxpayers should not subsidize residential housing. This is only for their profitability. If everything is tax exempt how are we going to keep paying for services? There are layoffs at the school, a dissolution study of the Village of Victory; the Village of Schuylerville is under a consent order. We need to practice fiscal responsibility; to pass this would be reckless and irresponsible. He later added that that they should phase the project with no tax breaks.

He also stated that there was a leasee that was looking to start a daycare in this building but found the market did not support it.

Wendy Lukas- She stated that she attended workshops and attended the IDA meeting on the project and it is not a good decision for the town or its residents. The individual assessments were increased in the town; it's not fair to pass a law to benefit millionaires while we shoulder the burden. Tax breaks for twelve years is too long. Why aren't local builders asking for this law? They have investors that believe their projects will be successful. The building needs to be inspected by the town and possibly condemned. The revised project has not been brought before the County Planning Board. She later asked if this law is in the best interest of the town.

Gil Albert- He stated that the rents won't fly in this area; they are too high. There are no amenities here for them, feasibility matters. There is nothing here to draw the kind of people that can afford those rents. A Cost of Community Services Study is needed and no decision should be made until the answers are given.

James Gorham – I worked in Schenectady for 17 years and would travel through Cohoes to get there. I would go by the Harmony Mill and think that looks like crap. I was in Latham last fall and having read about the Harmony Mill Project, I thought I'd go by and have a look and it still looked like crap. As I drive to work now through Victory on Route 32, I go past the Victory Mill and it looks like crap. Now I wonder when it's all done what it will look like when I drive through on Route 32. He added later in the meeting that it is better to do nothing than to do the wrong thing.

Mark Solan - I am opposed to this without having more information. The sewage treatment plant puts a continuous cost on the Village of Schuylerville to improve that infrastructure. Passage by the town boards will sway the School Board to pass it too. My taxes have skyrocketed in the 10 years I have lived here, my house has tripled. It has got to slow down; we can't keep paying for these things. If it was commercial, I could be in favor of it. I don't want to subsidize any more residential properties. No Daycare in this area will provide 25 jobs.

Milissa Monroe- We're not Cohoes, we just don't have the services to attract the people. I don't see them coming to Victory.

Ken Monroe – If it's such a good idea to spend 25 million dollars why does he need a tax break? Why can't he pay his taxes? Would you respect your neighbor if he didn't pay his school or property taxes? I wouldn't.

All persons desiring to be heard, having been heard, the hearing was closed on a motion by Councilman Charles Hanehan, seconded by Councilman Michael McLoughlin, at 8:06 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.

Public Hearing on the Mass Gathering Permits for Saratoga Rowing Association's Regattas scheduled for April 28th & 29th, and May 11th & 12th. Supervisor Thomas Wood reviewed the measures taken to ensure the public's safety at the **Saratoga Rowing Association's Regattas scheduled for April 28th & 29th, and May 11th & 12th. Proof of notice in the Saratogian on March 31, 2012 having been provided**, Supervisor Thomas Wood opened the public hearing on the Mass Gathering Permits for April 28th & 29th, and May 11th & 12th at 8:07 p.m.

Thomas Drew – questioned if their application fee had been paid yet, as it had not been received at the time of the agenda meeting on April 5th. Supervisor Thomas Wood responded yes and it is in the bank.

All persons desiring to be heard, having been heard, the hearing was closed on a motion by Councilman Fred Drumm, seconded by Councilman Michael McLoughlin, at 8:09 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 March 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 March 2012: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$102.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$114.32. Fees paid to the New York State Health Department for Marriage licenses \$0. Dog license fees to Supervisor Thomas Wood \$445.00. Clerk fees to Supervisor Thomas Wood \$75.93. Total State, County, and Local Revenues received were \$737.25.

Zoning Officer's report for March 2012: 4 Building Permits, 6 Building Permit Renewals, 8 Building Inspections, 3 Certificates of Occupancy, 0 Fire inspections, 1 Complaint, and 3 misc. appointments. A check for \$1,413.50 was given to Supervisor Thomas Wood.

Dog Control officer's report for March 2012: The report was read by Supervisor Thomas Wood: answered 24 complaints, took 0 dogs to the shelter, 0 bite cases, issued 14 warnings, 10 summons were issued, and traveled 50 miles.

Town Court report for March 2012: The following were closed: 70 Vehicle & Traffic, 8 Criminal/Penal Law, 2 DEC/ENCON, 4 Dog cases, 1 DWI, 3 Town & Village Ordinances, 0 Small Claim/Civil, 1 Eviction, 2 Bench trials, 1 (case transfers) Divestiture Form sent to County Court, 7 attended the Science of Speed School, 1 Defendant sentenced to probation, 48 hours of community service issued, 60 days of jail time issued, 5 Orders of Protection issued, and \$7,677.50 in fees were paid to the NY State Comptroller.

Tax Collector's report: Tax Collector Jim Gorham reported that he has collected \$2,906,706.20 through April 3, 2012, on 2,752 parcels. He stated that \$6,861.81 in penalties and \$298.00 in fees were collected. On April 5th, the books were turned over to the County. (A full report is on the town's website).

Historian's report: Sean Kelleher submitted the following April report:
This month I have been researching archeology in the area of Winnie's Reef.
This area seems to be an archeology "hot spot". I am researching conflicting

published reports from the 1970 and 1980s. If anyone has any Native American information to share on this area, please contact the office at Town Hall.

We are continuing the efforts with the National Park Service on researching Saratoga from just before European occupation to the end of the American Revolution. Last month, I meet with artist Len Tantillo in his studio in Nassau, NY. It was exciting morning talking about the research in the area. In a short period, we will have a computer model on the site.

The other issue that has been taking some time is view shed protection involving cell towers under Section 106 of the National Historic Preservation Act of 1966. My office has been contacted about a proposed cell phone tower in Stillwater. This took some coordination since the company did not contact the Town of Stillwater or the neighboring National Park. I expect that I will comment saying that the proposed action has a limited effect on the historic properties in the Town of Saratoga. The proposed action may affect some pre 1866 structures and the Friends Meeting House on Route 32.

The next meeting of the Old Saratoga Historical Association will be Thursday, April 26 at 7:30 pm at town hall. The program is “Remembering Old Dance Halls” and residents are requested to come and share their memories.

The next meeting of Heritage Hunters is Saturday, April 21, at 1pm at the Town of Saratoga Town Hall. Program speaker will be “indentured Children and Warning Out” by Loretta Bates the Washington County Deputy Historian.

Assessor's report: Victoria Hayner submitted the following:

March was an extremely busy month in the Assessor's Office. We spent the month evaluating our Assessment roll. The various tasks required for update were adding exemptions, reviewing building permits and making sure valuation on completed as well as partially completed projects was updated. We also met with approximately 250 property owners requesting a conference to discuss their concerns regarding their 2012 property valuation.

Sales for the month of February and March were added to our assessment roll. We had 11 invalid sales and 9 valid sales; of those sales, 18 residential sales, 1 vacant land sale and 1 commercial sale.

The first two weeks in April will be spent in getting all things ready for submitting the Tentative Roll for 2012 to the County for reproduction. We anticipate receiving the 2012 roll by May 1st at which time it will be available for public inspection. Letters will be mailed in late April to all persons who either had an informal review or sent in their information for review.

The Tentative Assessment Roll for 2012 will be available after May 1st in the Town Hall.

Highway Superintendent's report:

- ❖ Most town roads and intersections have been cleaned of sanding materials.
- ❖ We have been ditching on Paterson Road.

- ❖ We cleaned out the ends of culverts on Swamp and Casey Roads to prevent water backup.
- ❖ Patching of potholes continues.
- ❖ We removed the existing blacktop from the repair site at Russell Road and replaced it with a new base of item 4.

Supervisor's report: MARCH 2012

GENERAL FUND – TOWNWIDE (A FUND)

| | |
|-------------------------|-----------------|
| Balance on hand MARCH 1 | \$ 1,180,035.37 |
| MARCH Revenues | + 10,082.89 |
| MARCH Disbursements | - 48,193.53 |
| Balance MARCH 31 | \$ 1,141,924.73 |

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

| | |
|-------------------------|---------------|
| Balance on hand MARCH 1 | \$ 617,970.15 |
| MARCH Revenues | + 650.00 |
| MARCH Disbursements | - 10,458.67 |
| Balance MARCH 31 | \$ 608,161.48 |

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

| | |
|-------------------------|----------------|
| Balance on hand MARCH 1 | \$1,065,998.26 |
| MARCH Revenues | + 82,880.06 |
| MARCH Disbursements | - 43,687.87 |
| Balance MARCH 31 | \$1,105,190.45 |

SCHUYLER PARK CAPITAL PROJECT MARCH 31 \$ 94,272.62

YOUTH RECREATION & SERVICE MARCH 31 \$ 1,670.01

HIGHWAY EQUIPMENT RESERVE MARCH 31 \$ 12,848.82

BUILDING RESERVE MARCH 31 \$ 125,731.85

SCENIC BY WAYS GRANT MARCH 31 \$ 310.27

PARK RESERVE MARCH 31 \$ 51,956.55

CDBG2 FUND MARCH 31 \$ 0.00

- ❖ Sales Tax Received – March 2012 - \$81,722
- ❖ Mortgage Tax – February 2012 - \$17,819

Public comments on agenda items: George Sullivan and Clarence Fosdick addressed the board.

Committee reports:

Landfill: No report.

Insurance: No report.

Youth: Councilman Michael McLoughlin will contact the Spiritual Life Center, Town of Easton, to set up the swim program.

Senior Citizens: Councilman James Jennings reported that the Old Saratoga Seniors met on March 21st with 45 members attending. They met again on April 4th with 45 members attending. Mr. and Mrs. Don Young were the guest speakers. A trip to Turning Stone Casino is planned for May 9th.

The Quaker Springs Seniors are planning a Mystery Trip on May 8th. Reservations can be made with Rose Thivierge at 695-3638. The cost is \$32.

Park Committee: Councilman Fred Drumm reported that there was no meeting in March. The next meeting is scheduled for April 24th.

Office of Emergency Management: Sherry Doubleday reported that she talked with Jennifer from FEMA regarding Hurricane Irene's storm damage claims on Monday, April 9th. She stated our information has been in the system for 3 to 4 weeks. We should be receiving a blue packet from the Federal government and when it is signed and returned we should receive a check in about 3 to 4 weeks.

The state will take longer because they are debating whether to pay their regular 12 1/2% or the full 25%. When that is decided we will receive our packet to fill out sign and return.

We will be ordering shirts and a banner to show our presence in the community when there are parades or other opportunities.

Committee to Honor Volunteer Firefighters & Emergency Medical Service

Workers: Sherry Doubleday reported that letters were sent to the three fire departments and Ronnie Myers for their availability for a meeting. I would like to have it done by the fall. We will have a meeting this month to begin the process.

GSES, QSFID, SLPID/SLA Reports:

General Schuyler Emergency Squad: Chris Benn reported that there have been 159 calls from 1/1/12 through 4/8/2012 and during the same period in 2011 there were 144 calls, an increase of 24% in 2012. Response time from the new squad building is 3.45 minutes. They have had to reach out to other agencies and local hospitals for certain prescription drugs due to a nationwide shortage. National organizations are pushing for legislation to alleviate the problem. As spring and summer arrive, there are more accidents as more motorcycles and ATV's are being used. Training is being given to be ready for these situations. He stated that there is a large increase in non-emergency coverage requests for regattas, and standby requests for sporting events.

Old business:

- #### ❖ Old Highway Garage Asbestos Removal RFP:

Supervisor Thomas Wood reported that Engineer Ken Martin is working on the RFP. Alpine Environmental Services is working on an asbestos variance with DEC, once approved the RFP can go out. It is a couple of months away.

- #### ❖ Sale of the old Town Hall:

Supervisor Thomas Wood stated that things are moving along. Two separate contracts will be drafted. The first will be between the town and NYS and will provide \$35,000 for a survey, a Phase 1 Environmental Review and an Archeological Review. Supervisor Thomas Wood will contact the LA Group to do the work. It was noted that the contract can be amended if more money is needed to complete these steps. The second is the contract for sale to the Open Space Institute (OSI) for \$115,000.

New business:

Supervisor Thomas Wood stated that **Resolution #12-44 – Adoption of Local Law #1 of 2012 - NYS Real Property Law Section 485 a** is next on the agenda. The board further discussed the need for a **Cost of Community Services Study**, paid for by the developer and done by an independent party that was one of the issues brought up in the public hearing and at past agenda meetings. That study would provide answers to many of the questions and concerns that were brought up during the public hearing. **A motion was made by Councilman Charles Hanehan, seconded by Councilman Michael McLoughlin to lay Resolution #12-44 – Adoption of Local Law #1 of 2012 - NYS Real Property Law Section 485 a on the table until further information is gathered.** Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #12-45 –Standard Work Day Reporting** 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.

BE IT RESOLVED, that the Town of Saratoga hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

| Officials | | | | | | | | | |
|----------------------------|-------------------|------|----------|---|------------------------|---|-------|--|--|
| Town Clerk | Ruth L. Drumm | 3132 | 40599490 | 6 | 01/01/12 – 12/31/15 | N | 22.42 | | |
| Council-man | Fred Drumm | 6203 | 41007725 | 6 | 01/01/12 – 12/31/15 | N | 2.53 | | |
| Council-man | Charles Hanehan | 2207 | 41068487 | 6 | 01/01/12- 12/31/15 | N | 1.26 | | |
| Highway Supt. | Donald Ormsby Jr. | 0233 | 41094632 | 8 | 01/01/12 – 12/31/15 | N | 25.10 | | |
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| | | | | | | | | | |
| Appointed Officials | | | | | | | | | |
| Zoning Officer | Gilman Albert | 4744 | 42340364 | 6 | 01/01/2012- 12/31/2012 | N | 11.00 | | |
| Deputy Town Clerk | Linda McCabe | 6475 | 41052796 | 6 | 01/01/2012- 12/31/2012 | N | 21.33 | | |
| Justice Clerk | Bonnie Williams | 4494 | 40982720 | 6 | 01/01/2012- 12/31/2012 | Y | | | |
| Justice Clerk | Anna Coleman | 7670 | 50030782 | 6 | 01/01/2012- 12/31/2012 | Y | | | |
| Historian | Sean Kelleher | 1060 | 38892964 | 6 | 01/01/2012- 12/31/2012 | N | 5.00 | | |
| | | | | | | | | | |

On a motion by Councilman James Jennings and seconded by Councilman Michael McLoughlin the following **Resolution #12-46 –Accept Proposal for Leasing 5 +/- Acres** 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 has 5 +/- acres of agricultural land at 213 Rt. 32 S, Schuylerville, next to the Town of Saratoga's Highway Garage that is not currently needed for town purposes; and

WHEREAS, the Town Board of the Town of Saratoga received proposals via advertising in the Saratogian on March 24, 2012 and opened on April 5th as follows:

The sole bidder was Thomas A. Gorsky, Jr., Gorsky Farm, 16 Putnam Rd., Stillwater, NY 12170 for \$325 for the annual lease of the 5 +/- acres next to the Highway Garage, Rt. 32 S. ; now therefore be it

RESOLVED, that the highest proposal from **Thomas A. Gorsky, Jr.** for \$325 be accepted pending review and approval by Town Attorney William Reynolds.

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #12-47 – Lease for 5 +/- Acres** 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 has 5 +/- acres of agricultural land at 213 Rt. 32 S, Schuylerville, next to the Town of Saratoga's Highway Garage, that is currently not needed for town purposes; and

WHEREAS, the Town Board desires to lease such excess land for fair and adequate consideration and proposals for annual leasing have been received; it is hereby

RESOLVED, that 5 +/- acres of agricultural land at 213 Rt. 32 S, Schuylerville, next to the Town of Saratoga's Highway Garage be leased to **Thomas A. Gorsky Jr., Gorsky Farm, 16 Putnam Rd., Stillwater, NY 12170** on an annual basis for \$325.00 and other terms to be as set forth under a form of lease agreement; 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 Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #12-48 – Appointment to Zoning Board of Appeals- John Deyoe** 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, there is a vacancy on the Zoning Board of Appeals; therefore be it

RESOLVED, that the Town Board of the Town of Saratoga appoints **John Deyoe** as a full member for the remainder of the five year term of Barbara Faraone from 4/9/2012 – 12/31/2012.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Fred Drumm the following **Resolution #12-49 – Granting Mass Gathering Permit #1 of 2012- SRA Regattas, April 28th & 29th** 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 State Rowing Championships as follows:

Permit #1: Saratoga Rowing Association

543 Union Avenue

P.O. Box 750

Saratoga Springs, NY 12866

Contact: Christopher Chase, Regatta Director

Rowing Regatta, on Saturday, April 28th and Sunday, April 29th 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 April 9, 2012 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 Charles Hanehan and seconded by Councilman James Jennings the following **Resolution #12-50 – Granting Mass Gathering Permit #2 of 2012- SRA Regattas, May 11th & 12th** 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 State Rowing Championships as follows:

Permit #2: Saratoga Rowing Association
543 Union Avenue
P.O. Box 750
Saratoga Springs, NY 12866
Contact: Christopher Chase, Regatta Director

Rowing Regatta, on Saturday, May 11th and Sunday, May 12th at Fish Creek, Saratoga Lake with approximately 2,000+/- 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 April 9, 2012 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.

Communications:

- ❖ Schuylerville Jr.-Sr. High School request for board donations for the **Town of Saratoga Award** that will be presented to two seniors having earned the most points under the Student Council Point System.
- ❖ Invitation to the Board to participate in the Post #278 Olde Saratoga American Legion **Memorial Day Parade** on Monday, May 28th at 9:00 a.m.
- ❖ Notice from Saratoga County Department of Public Works that the following roads will be used for the **Hudson Crossing Triathlon** on June 10th between 8 a.m. - 10 a.m.: CR 29 and West River Road.

Privilege of the floor: Thomas Drew addressed the board.

Upcoming meetings:

- ❖ **Agenda meeting – Thursday, May 10, 2012 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, May 14, 2012 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin the following **Resolution #12-51 Approving the payment of bills in Abstract 4G** 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 4G (04/09/2012) in the following amounts:

| | | |
|------------------------|-----------------------------------|----------------------|
| General Fund A | Voucher No. 97 through 131 | \$ 21,811.65 |
| General Fund B | Voucher No. 21 through 24 | \$ 397.80 |
| Highway DB | Voucher No. 47 through 69 | \$ 23,115.89 |
| Schuyler Park H | Voucher No. 1 | <u>462.68</u> |
| Grand Total | | \$ 45,788.02 |

A motion to adjourn at 9:32 p.m. was made by Councilman Charles Hanehan 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