

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

**February 14, 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, Town Attorney William Reynolds, Zoning Officer Gil Albert, Highway Superintendent Dave Hall, Tax Collector Jim Gorham, Geraldine Freedman, Marty Hanehan, Sherry Doubleday, Wendy Lucas, Jim Carey, Lois White, Roger Sherman, John Deyoe, Bernie Gabriel, and Susan Britain and other interested persons.

Recognitions/Presentations/ Bid openings/ Public Hearings:

On a motion by Supervisor Thomas Wood and seconded by Councilman Fred Drumm the following **Resolution #11-37 – James E. Carey Sr.** 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, James E. Carey Sr. was the middle son of Raymond Thomas and Mary V. Kelley Carey Sr. born on July 16, 1918 in Glens Falls Hospital and was a lifelong resident of the Village of Schuylerville; and

WHEREAS, he was active in numerous school activities including Treasurer of his Senior Class, member of the Debate Team, Service Club, Glee Club, and member of the school baseball, football, track and basketball teams; and

WHEREAS, he graduated from Schuylerville High School in the Class of 1936; and

WHEREAS, he began attending Syracuse University in 1936 and graduated from Syracuse University following his service in the army in 1948 with a Bachelor of Arts Degree in Journalism and Political Science and while at Syracuse University was President of the Sigma Delta Chi Honorary Journalism Fraternity and was a sports columnist for the university newspaper, the Daily Orange; and

WHEREAS, he enlisted in the United States Army on September 4th 1941 attaining the rank of Staff Sergeant; and

WHEREAS, he was a member of the 5th Air Force Division, 78th Airdrome Squadron Supply; and

WHEREAS, he served in the South Pacific Theater including New Guinea and the Philippine Islands; and

WHEREAS, upon his discharge from the Army he worked for the New York State Department of Taxation and Finance as a tax compliance agent retiring in 1983; and **WHEREAS**, he was active in numerous community organizations including serving as commander of the General Philip Schuyler VFW Post 7699, member of the Old Saratoga American Legion Post 278, member of Lodge 2223 BPO Elks of Greenwich, member and past Grand Knight of Council 1735 Knights of Columbus in Schuylerville, member of Monsignor Curtin 4th Degree General Assembly in Glens Falls, Schuylerville Lions Club, Battenkill Country Club, Schuylerville Chamber of Commerce; and

WHEREAS, he was a member of the local Democratic Committee serving as Party Chairman and Vice Chairman; and

WHEREAS, he was active in Village of Schuylerville government serving as Mayor for 14 years from 1957 to 1971, Village Trustee for two years, Village Clerk, and Town Committeeman; and

WHEREAS, he died on September 30th, 1990 at the age of 72 years in Ellis Hospital; now therefore be it

RESOLVED, that the town of Saratoga extends our belated condolences to all of the members of the Carey Family and expresses our thanks and gratitude for the life and service of James E. Carey Sr.; and be it further

RESOLVED, that the Town Board of the Town of Saratoga does hereby recognize and honor to the highest degree possible James E. Carey Sr. for his patriotism, devotion, service and sacrifice for his country; and be it further

RESOLVED, that the Town of Saratoga will never let his name and the sacrifice that he made for his country be forgotten and that he will always be held in the highest esteem and remembered as a member of the greatest generation and one of Schuylerville's best.

On a motion by Supervisor Thomas Wood and seconded by Councilman Fred Drumm the following **Resolution #11-38 – William F. Carey** 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, William Francis Carey was the youngest son of Raymond Thomas and Mary V. Kelley Carey and was a lifelong resident of the Village of Schuylerville born on September 18, 1920 in Glens Falls Hospital; and

WHEREAS, he attended Schuylerville High School and enlisted in the U.S. Army before high school graduation; and

WHEREAS, he received an Honorary Degree from Schuylerville Central School in 2001; and

WHEREAS, he enlisted in the United States Army Air Corps on July 10th, 1942 attaining the rank of corporal; and

WHEREAS, he was a munitions worker specialist serving in England as a member of the 326th Bomb Squadron 92nd Bombardment group; and

WHEREAS, he received the European-African-Middle Eastern Service Medal, a Presidential Citation, Four Battle Stars, the Distinguished Unit Badge and the Good Conduct Medal; and

WHEREAS, he was discharged September 24, 1945; and

WHEREAS, he worked for thirty years as a highway Maintenance Worker with the New York State Department of Transportation; and

WHEREAS, he was a member of numerous community organizations including the Old Saratoga Post #278 of the American Legion serving as Commander for several years, the Greenwich VFW Post #7291, K of C, Ancient Order of Hibernians, Lodge # 2223 B.P.O.E. in Greenwich, Town of Saratoga Democratic Committeeman, Village of Schuylerville Trustee for four years, Life member of Schuyler Hose Company, member and Grand Marshall of the Turning Point Parade, Communicant of Notre Dame/Visitation Church in Schuylerville, and member of The Saratoga National Cemetery Honor Guard; and

WHEREAS, he was a founding member of the Green Sabres Drum and Bugle Corps marching in both the Inaugural Parades of President John F. Kennedy and Lyndon Johnson; and

WHEREAS, he died on April 14, 2008 at the age of 87 years in the Glens Falls Hospital; now therefore be it

RESOLVED, that the Town of Saratoga extends our belated condolences to all of the members of the Carey Family and expresses our thanks for the life and service of William F. Carey; and be it further

RESOLVED, that the Town Board of the Town of Saratoga does hereby recognize and honor to the highest degree possible William F. Carey for his patriotism, devotion, and service to his country; and be it further

RESOLVED, that the Town of Saratoga will never let his name and the sacrifice that he made for his country be forgotten and that he will always be held in the highest esteem and remembered as a member of the greatest generation and one of Schuylerville's best.

On a motion by Supervisor Thomas Wood and seconded by Councilman Michael McLoughlin the following **Resolution #11-39 – Doris Alida Reaulo Rustin** 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 Doris Alida Reaulo Rustin on her 99th birthday; and

WHEREAS, Doris Rustin was born February 21, 1912, in Troy, NY; and

WHEREAS, Doris Rustin married Charles E. Rustin on January 11, 1931; and

WHEREAS, Doris Rustin lived in the Village of Hudson Falls where she raised her 9 children, and

WHEREAS, Doris Rustin and her husband lived in Videl, California from 1983 to 1991 where they were caretakers of “The Earp House”; and

WHEREAS, due to poor health Doris Rustin moved to the Village of Victory in 1991 to be with family that lived in the village; and

WHEREAS, in 2004 due to poor health, Doris moved to Maplewood Manor, the County Infirmary; and

WHEREAS, Doris Rustin was a stay at home mom giving her full attention to raising her children; and

WHEREAS, Doris made hand sewn quilts and crocheted mittens for her family and children in the neighborhood; and

WHEREAS, Doris Rustin demonstrated in her daily life the qualities and attributes which are highly desired and valued by our society; and

WHEREAS, Doris Rustin was a caring and giving individual; and

WHEREAS, it is fitting that the longevity and quality of the life of Doris Rustin be honored, recognized, and remembered by the Town of Saratoga; now, therefore be it,

RESOLVED, that the day of February 21, 2011, is hereby dedicated to the life of Doris Rustin in grateful recognition by the Town Board of The Town of Saratoga on behalf of all the residents of the town.

Approval of Minutes: A motion was made by Councilman James Jennings and seconded by Councilman Michael McLoughlin to accept the minutes of the January 10th regular meeting as written.

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

Town Clerk's report for January 2011: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$62.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$109.60. Fees paid to the New York State Health Department for Marriage licenses \$0.00. Dog license fees to Supervisor Thomas Wood \$285.00. Clerk fees to Supervisor Thomas Wood \$66.65. Total State, County, and Local Revenues received were \$523.25.

Zoning Officer's report for January 2011: 2 Building Permits, 8 Building Permit Renewals, 9 Building Inspections, 9 Certificates of Occupancy, 0 Fire inspections, 0 Complaints, and 2 misc. appointments. A check for \$2,457.50 was given to Supervisor Thomas Wood.

Dog Control officer's report for January 2011: The report was read by Supervisor Thomas Wood: answered 18 complaints, took 1 dog to the shelter, 2 bite cases, traveled 164 miles, issued 7 warnings and 7 summonses were issued.

Town Court report for January 2011: The following were closed: 59 Vehicle & Traffic, 17 Criminal/Penal Law, 3 DEC/ENCON, 1 Dog case, 0 DWIs, 0 Town & Village Ordinance, 2 Small Claim/Civil, 1 Eviction, 0 Bench trials, 2 (case transfers) Divestiture Forms sent to County Court, 0 attended the Science of Speed School, 1 Defendant sentenced to probation, 25 hours of community service issued, 0 days of jail time issued, 3 Orders of Protection issued, and \$4,280.00 in fees were paid to the NY State Comptroller.

Tax Collector's report: Tax Collector Jim Gorham reported for January 3, 2011 through February 10, 2011, he collected \$2,377,023.26 on 2,462 parcels (82.7%).

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

In the past month, I have been working on the Old Saratoga Happenings. I am pleased to announce that the collation includes Hudson Crossing Park, Old Saratoga Historical

Association, Saratoga National Historical Park, Schuylerville Area Chamber of Commerce, and the Schuylerville Public Library. The schedule of events for February is posted on the town's website. You will notice the variety of programs that the Historian's office is involved in. The photo scanning is moving along as I was expecting I have acquired some new photos and items for our collection. We had two inquires for items in our collection to support the county. We are also getting about 60 participants in the Heritage Hunters program so I think we can point to Town of Saratoga leading the way with historic and cultural programs in the region.

I have launched a new project called Reflections of Old Saratoga that will video record the memories and stories of local people for posterity. The Historian will videotape recollections, stories and interesting facts from current and former residents of the community. A videotaping session is planned for Tuesday, February 22 at 9:30 am in the Victory Village Hall on Pine Street in Victory. As some of you may be aware, my initial career was in television production so I am using that experience to record reflections of living, working, going to school, social events and family stories that have been passed down through the generations of the community. The videos will be archived for research and for the future generations. As a long-term goal, the Historian's Office is to produce a series of videos for public release. Persons or groups interested in having their reflections recorded should contact 698-3210.

Assessor's report: Victoria Hayner submitted the following:

January has been busy receiving renewal exemption applications for Senior STAR exemptions, low-income senior exemptions and agricultural exemptions. We have also received a couple new Veteran exemptions. All exemption applications and renewals must be received in our office by March 1, 2011 in order to receive the exemption benefit on the 2011 assessment roll.

We have continued entering sales and in January we had 9 sales of which 8 were residential sales and one vacant lot. The sales were 7 invalid sales and 2 valid sales.

We continue to be available for property owners to discuss the value of their properties in preparation for the next assessment roll.

Highway Superintendent's report:

- ❖ Busy plowing and removing snow at intersections.
- ❖ Patching of roads will continue.

Supervisor's report:

SUPERVISOR'S REPORT – JANUARY 2011

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand Jan. 1	\$ 781,654.60
Jan. Revenues	+ 20,849.24
Jan. Disbursements	- 38,672.36
Balance Jan. 31	\$ 763,831.48

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand Jan. 1	\$ 452,804.40
Jan. Revenues	+ 848.55

Jan. Disbursements	- 2,669.13
Balance Jan. 31	\$ 450,983.82

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand Jan. 1	\$ 868,662.64
Jan. Revenues	+ 105,959.70
Jan. Disbursements	-34,841.91
Balance Jan. 31	\$ 939,780.43

SCHUYLER PARK CAPITAL PROJECT Jan. 31	\$ 88,976.87
YOUTH RECREATION & SERVICE Jan. 31	\$ 1,658.96
HIGHWAY EQUIPMENT RESERVE Jan. 31	\$ 12,785.51
BUILDING RESERVE Jan. 31	\$ 150,008.71
SCENIC BY WAYS GRANT Jan. 31	\$ 309.66
PARK RESERVE Jan. 31	\$ 51,956.55

- ❖ **Sales Tax Received – January 2011 - \$105,588**
- ❖ **December Mortgage Tax - \$12,171**

Public comments on agenda items: Geraldine Freedman and John Deyoe addressed the board.

Committee reports:

Landfill: No report.

Insurance: No report.

Youth: Councilman Michael McLoughlin reported that three Schuylerville Central School students, Sarah Palmer, Samantha Watson, and Courtney Pierce, are going to Division 1 Colleges.

Senior Citizens: Councilman James Jennings reported that the **Quaker Springs’ Sunshiners** met on February 14, 2011 with 24 members attending. Don Brooks spoke on the 55 Plus Driving Course that is planned for March 11th. Tentative plans are being made for a one day trip in early June.

The Old Saratoga Seniors met on January 19, 2011 with 30 members attending. George Preston gave a slide presentation on Ecuador. The following trips are planned:

- ❖ March 17th – a St. Patrick Festival in Hawley, PA
- ❖ May 3rd – Turning Stone Casino
- ❖ June 22nd – Dock & Dine in Saybrook, CT

Park Committee: No report.

Office of Emergency Management: Sherry Doubleday reported that their booklet *Are You Ready for Emergencies* is being printed and will be distributed in schools for 5th and 6th graders.

Committee to Honor Volunteer Firefighters & Emergency Medical Service

Workers: Sean Kelleher, Committee Co-chair, reported: We are still working on acquiring the steel from the World Trade Center. The Port Authority has identified a 100 lb. piece of steel for us that is about two feet tall. Quaker Springs Fire Department has donated a truck and some manpower to pick up the steel at JFK airport. We are working through the final logistics on this project. With the Town Board's permission, we would like to exhibit this piece of steel in Town Hall until the park is built.

Sherry Doubleday added that they will be picking up the steel on February 24th.

The board agreed that it would be fine to exhibit the piece in the Town Hall until the park is built.

GSES, QSFD, SLPID/SLA Reports:

General Schuyler Emergency Squad: Sherry Doubleday reported that they moved into their new building on January 30th. They have lots of room and it is great. The tour given on Friday, February 11th was well attended by the boards and local businessmen. They received many positive comments. There will be an open house in the spring.

Quaker Springs Fire Department: Marty Hanehan submitted the following report:

QSFD Commissioners have changed their meeting night to the 3rd Monday of the month at 7:00 p.m. so that it does not conflict with the Town Board meeting.

QSFD had about 90 calls for 2010. We have adapted very well to responding and training out of two firehouses.

Our membership continues to grow. We are at about 60 right now including a good group of Junior Firefighters. Chris and Mike DiSiena finished Firefighter 1, a 100 hour course that makes them interior qualified at 18. Chris is over 18.

Don Ormsby is our Chief for 2011. Our installation banquet is coming up next month.

We have a new air filling station up and running at the new firehouse and the training on it will be starting Wednesday and Thursday. This will save time and will benefit other departments if needed.

We have a new truck coming in the spring that was bought with our equipment savings that is set aside yearly.

Old business:

Supervisor Thomas Wood reported that the speed limit request for Hathaway Road is under consideration by the NYS Regional Traffic Engineer, Mark Kennedy.

Supervisor Thomas Wood reported that the new appraisal of the old town hall came in at \$115,000. This new appraisal was required by the Saratoga/Washington on the Hudson Partnership because the previous one was over a year old.

New business:

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #11-33– Appointment to Planning Board- Joe Lewandowski** 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 Planning Board; therefore be it **RESOLVED**, that the Town Board of the Town of Saratoga hereby appoints Joe Lewandowski for a 7 year term as a regular member of the Planning Board from 01/01/2011 – 12/31/2017.

On a motion by Councilman James Jennings and seconded by Councilman Fred Drumm the following **Resolution #11-34 – Alternate Appointment to Planning Board – Brandon Myers** 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, Joe Lewandowski has been appointed as a regular member, the alternate position to the Planning Board he held is vacant; therefore be it **RESOLVED**, that the Town Board of the Town of Saratoga hereby appoints Brandon Myers as the alternate to the Planning Board from January 1, 2011 to December 31, 2015, the remainder of the 7 year term.

On a motion by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin the following **Resolution #11-35 – Highway Fund Budget Amendment** 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, a budget amendment is needed; therefore be it **RESOLVED**, by the Town Board of the Town of Saratoga to increase appropriations in the Machinery Equipment Account # DB 5130.2 by \$100,000 from B fund as budgeted.

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #11-36 - Extension of Saratoga Country Inn PUD** 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, on February 14, 2005, the Town Board of the Town of Saratoga granted final approval for the Saratoga Country Inn PUD, by amending the Zoning Ordinance of the Town, and

WHEREAS, Article X, Section 3(J) of the Zoning Ordinance provides that approval for a PUD development project shall become null and void if construction has not begun within two years of the Town Board approval, and

WHEREAS, due to circumstances beyond control of the owner and applicant, said construction work has not begun as planned, and for good cause shown to the Town Board, it is therefore

RESOLVED, that there is hereby granted an extension of time until May 12, 2013 within which construction work must begin for the Saratoga Country Inn PUD and such construction must be completed on or before eighteen (18) months of issuance of the first building permit, and it is further

RESOLVED, that if the aforesaid time limitations are not met, then the approval for this development project shall become null and void.

Supervisor Thomas Wood stated that an Aquatic Invasive Species Prevention Law is being reviewed by the board.

Communications:

- ❖ **The Alcove Marina in Coveville is hosting a skeet shooting event – “Take a Shot for Breast Cancer” on March 20, 2011.**
- ❖ **Schuyler Park will be holding a fundraiser at Longfellow’s Restaurant on March 10th.**

Privilege of the floor:

Roger Sherman inquired about the old GSES building on Ferry Street. Sherry Doubleday responded that it will be sold. Presently they are taking inventory of what’s in the building so it can be sold off, then the building will be appraised and put up for sale.

He then asked how the Rt. 9P Bridge repair is coming along. Supervisor Thomas Wood responded that it is slightly ahead of schedule.

Bernie Gabriel, Moon Way, spoke about the water problems he is experiencing due to the hydrofracking done with the Brown Road Development. There is cloudiness and methane gas in their water. He has been bringing water in and storing it in tanks. He will need a Culligan System. He asked the board to consider legislation to control hydrofracking in the town. There will be a meeting with Attorney Matt Jones, representing the developer, and all the neighbors with water problems on March 8th at 7:00 p.m. at the town hall. The developer intends to make those affected whole.

Geraldine Freedman inquired where the Saratoga Country Inn is located. Supervisor Thomas Wood responded Wagman’s Ridge Road and County Road 68.

John Deyoe inquired about the renewal of the Saratoga Country Inn’s PUD. Supervisor Thomas Wood stated that due to the economy he needs more time. The project will have a large assessed value and is seasonal so it should not impact the school. It is a good thing and in the meantime it remains farmland.

Wendy Lucas spoke on hydrofracking. She thanked the board and Town Attorney Bill Reynolds for attending the dissolution public hearing. She asked about what services

could be consolidated if the Village of Schuylerville doesn't dissolve. The items suggested were webpage, salt shed and health insurance for a start.

Upcoming meetings:

- ❖ **Agenda meeting – Thursday, March 10, 2011 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, March 14, 2011 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #11-40 Approving the payment of bills in Abstract 2G** 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 2G (02/14/2011) in the following amounts:

General Fund A	Voucher No. 23 through 69	\$ 38,109.38
General Fund B	Voucher No. 3 through 14	\$ 4,417.48
Highway DB	Voucher No. 1 through 23	<u>\$ 81,029.95</u>
	Grand Total	\$ 123,556.81

A motion to adjourn at 9:10 p.m. was made by Councilman James Jennings and seconded by Councilman Charles Hanehan. 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