

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

**July 13, 2009  
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, Councilwoman Betty Koval - present, and Councilman Michael McLoughlin – absent (arrived at 7:04 p.m.)

**Also present:** Deputy Town Clerk Linda McCabe, Town Attorney William Reynolds, Zoning Officer Gil Albert, Highway Superintendent Dave Hall, Historian Sean Kelleher, and other interested persons.

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

**Diane Metz, Saratoga P.L.A.N.,** gave a presentation on **the Battles of Saratoga Preservation and View Shed Protection Plan** prepared by Saratoga P.L.A.N. for the National Park Service. A copy of the Plan is on file in the Town Clerk's Office and it is available on Saratoga P.L.A.N.'s website - [www.saratogaplan.org](http://www.saratogaplan.org).

**Approval of Minutes:** A motion was made by Councilwoman Betty Koval and seconded by Councilman Charles Hanehan to accept the minutes of the June 8<sup>th</sup> regular meeting as written.

Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.

**Town Clerk's report for June 2009:** Fees paid to the County Treasurer for Dog Licenses \$126.90. Fees paid to the NYS Dept. of Agriculture and Markets for the spay/neuter program \$51.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$831.79. Fees paid to the New York State Health Department for Marriage licenses \$90.00. Dog license fees to Supervisor Thomas Wood \$328.10. Clerk fees to Supervisor Thomas Wood \$230.21. Total State, County, and Local Revenues received were \$1,658.00.

**Zoning Officer's June 2009 report:** Gil Albert reported: 13 Building Permits, 14 Building Inspections, 6 Certificates of Occupancy, 0 Fire inspections, 2 Orders to Remedy, 0 Junk Yard Permits, 0 Complaints, 4 misc., 2 Property Maintenance

Inspections, and 0 Building Permit Renewals. A check for \$1,105.00 was given to Supervisor Thomas Wood.

**Dog Control officer's report for June 2009:** Ed Cross' report was read by Supervisor Thomas Wood: answered 37 complaints, took 0 dogs to the shelter, 0 bite cases, issued 23 warnings, 9 summonses and traveled 167 miles.

**Town Court report for June 2009:** Supervisor Thomas Wood read the report and the following were closed: 57 Vehicle & Traffic, 20 Criminal/Penal Law, 12 DEC/ENCON, 10 Dog cases, 1 DWI, 0 Town & Village Ordinance, 2 Small Claim/Civil, 1 Eviction, 0 Bench trials, 0 (case transfer) Divestiture Forms sent to County Court, 11 attended the Science of Speed School, 0 Defendants sentenced to probation, 30 hours of community service issued, 145 days of jail time issued, 2 Orders of Protection issued, and \$7,803.00 in fees were paid to the NY State Comptroller.

**Town Historian: Sean Kelleher submitted the following report:**

The Town is working with the two villages – Schuylerville and Victory and many community organizations including the Schuylerville Area Chamber of Commerce, Turning Point Parade Committee, Schuylerville Public Library, Hudson Crossing Park, Old Saratoga Historical Association, Mohawk Hudson Cycling Club, and Saratoga National Historical Park to commemorate History Week and focused on the 400<sup>th</sup> Anniversary from August 1 through the August 9. The calendar of events are below:

**Saturday, August 1, 10 am** – Quadricentennial Bike Tour of the Hudson. Gather along Cemetery Avenue just south of the Saratoga Monument, near the intersection of Burgoyne Road, Victory Mills

**Saturday, August 1, Noon** – Turning Point Festival: Fort Hardy Park, Schuylerville

**Sunday, August 2, 2009, 1pm** – Turning Point Parade; Broad Street, Schuylerville

**Sunday, August 2, 2009, 2:30 pm** – Turning Point Festival: Fort Hardy Park, Schuylerville

**Monday, August 3, 2009, 10am – 8pm** – The Great Champlain Hudson Paddle Festival; Fort Hardy Park, Schuylerville

**Tuesday, August 4, 2009, 10am** - Discover your Schuylerville Area Ancestors; Genealogy with Pat Peck, Deputy Historian for the Town of Saratoga; Schuylerville Public Library, Ferry Street, Schuylerville

**Tuesday, August 4, 2009, 7 pm** – Making a Cardboard Boat; Schuylerville Public Library, Ferry Street, Schuylerville

**Wednesday, August 5, 7 pm** - Walking Tour of Victory with Sean Kelleher, Village of Victory Historian, 7pm, Village Hall/Community Center, 23 Pine Street, Victory Mills

**Thursday, August 6, 10 am** - History Story Time for children, Schuylerville Public Library, Ferry Street, Schuylerville

**Friday, August 7, 7 pm** - Walking tour of the North Broad Street Cemetery with Kristina Saddlemire, Village of Schuylerville Historian

**Saturday, August 8 starts 8 am, racing 1 pm** – Hudson Crossing Cardboard Boat Race, Fort Hardy Park Beach, and Schuylerville

**Saturday, August 8 11 am – 3 pm** - Spin 'til You Dye, Schuyler House, Route 4, Schuylerville

**Sunday, August 9 Noon – 5 pm** - 18th Century Day at the Schuyler House, Schuyler House, Route 4, Schuylerville

**Assessor’s report:** Victoria Hayner submitted the following June report:  
The month of June found our office finalizing the 2009 Assessment Roll that included entering any changes by the Board of Assessment Review. The Final 2009 Assessment Roll has been received and is available for public inspection and review.

During the month of June we processed sixteen sales transfers of which 8 were non-valid sales and 8 were valid sales.

Our office is Monday – Thursday from 9:00 AM – 1:00 PM, the Assessor is present on Mondays and Thursdays, the clerk will be present Tuesday and Wednesdays to answer town people’s questions on their land ownership.

I am scheduled for a Continuing Education class in Cornell the week of July 13<sup>th</sup>. We will try to have the clerk “man” the office all four days if possible.

**Highway Superintendent’s report:**

Highway Superintendent Dave Hall stated that the paving of Walsh Road is done and today they finished stage two of Sweet Road. The shoulders will be done on both roads when the machine is available. Highway Superintendent Dave Hall noted that he has provided the board with prices and specifications on a Western Star and a Freightliner dump truck. After board discussion and recommendation by Highway Superintendent Dave Hall the Western Star was determined to be the best choice. **Councilman Charles Hanehan made a motion, seconded by Councilman Michael McLoughlin to authorize Highway Superintendent Dave Hall to order the Western Star Dump Truck on state contract with delivery next year.**

**Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.**

**Supervisor’s report:**

**Financial Report: SUPERVISOR’S REPORT JUNE 2009**

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand JUNE 1	\$ 1,215,042.03
JUNE Revenues	+ 22,059.49
JUNE Disbursements	- 50,482.30
Balance JUNE 30	\$ 1,186,619.22

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand JUNE 1	\$ 266,225.23
JUNE Revenues	+ 2,652.77
JUNE Disbursements	- 3,793.19
Balance JUNE 30	\$ 265,084.81

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand JUNE 1	\$ 723,025.56
JUNE Revenues	+ 76,832.68
JUNE Disbursements	- 43,850.49
Balance JUNE 30	\$ 756,007.75

YOUTH RECREATION & SERVICE JUNE 30 \$ 9,869.21

HIGHWAY EQUIPMENT RESERVE JUNE 30 \$ 909.13

BUILDING RESERVE JUNE 30 \$ 148,821.61

SCENIC BY WAYS GRANT JUNE 30 \$ 308.51

- ❖ **Sales Tax Received – June 2009 - \$76,545**
- ❖ **Tenant Update** – Supervisor Thomas Wood asked Town Attorney William Reynolds to give a summary of where we are at with the tenant, Saratoga Labs. The bankruptcy trustee has made an agreement with Burlington Laboratories Inc., who wishes to occupy the space and purchase the assets there subject to court approval in August. The trustee has also agreed to pay rent to the town for the space from June 15<sup>th</sup> to August 15<sup>th</sup>.

**Public comments on agenda items:** The following residents addressed the board on agenda items: Geraldine Freedman and Ian Murray

**Committee reports:**

**Landfill:** Town Engineer Kenneth Martin has sent his analysis of the last ten years of samplings to the DEC. DEC has notified the town that they can go to semi-annual testing and in two years they will reevaluate and possibly go to annual testing.

**Insurance:** Supervisor Thomas Wood reported that a Request for Proposals has been advertised for Liability Insurance for the town. There are two companies that are responding so far. The bids are due August 3<sup>rd</sup>, they will be opened at the August agenda meeting and a decision will be made at the regular August meeting.

The board is also reviewing variations to our current Health Insurance policy which is up for renewal on August 1<sup>st</sup>. The current MVP policy is going up 12 %. The board looked at two other plans and after consideration decided that the MVP EPO 20 plan is closest to our current plan and would only be a 7% increase. A plus is that the plan offers employees a broader base of participating physicians and a drawback is that it requires the employee to pay \$100 towards each ambulance charge. **Supervisor Thomas Wood made a motion seconded by Councilman Fred Drumm to purchase the EPO 20 Plan. Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.**

**Youth:** Supervisor Thomas Wood reported that the Swimming Program began giving lessons today with 130 participating in the two summer sessions.

**Senior Citizens: Councilwoman Betty Koval** reported that the **Quaker Springs Seniors** will meet again in September. A trip is planned for October 7<sup>th</sup> to Herkimer where they will visit a gift shop, take a boat ride, and visit a cheese factory.

The **Schuylerville Senior Citizens** had their annual birthday party in June at the American Legion. Discussion continues regarding the preferred site for meetings, Town Hall versus the American Legion building. Meetings resume in the fall.

**Schuyler Park Committee:**

Laurie Griffen, Co-Chair, reported that progress continues at the park. The perimeter fencing parallel to Route 29 is in place. A mesh cloth will be hung on the fence to further prevent dust problems. A berm and landscaping will be done in the future. The well that Rosick Well Drillers drilled tested at 72 gallons per minute at 108.5' with a 95% recovery in 18 hours. Next a pump will be put in place and an RFP for the irrigation system will be advertised. The goal for these is September 1<sup>st</sup>. Additional organic matter is being piled for replenishing the soil. Billy Morris Excavating will help with the final grade and to reengineer the retention pond. *Friends of Schuyler Park* will be doing some Public Relations work in the fall. She also reported that their booth and food stand at "Sundae on the Farm" was a success and netted \$1,600.00.

**National Incident Management System (NIMS): No report.**

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

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

**Quaker Springs Fire Department:** Stephen Bodnar reported that the fire department responded to 11 calls in June. There will be a large water rescue drill on July 18<sup>th</sup>. A banner has been placed on the substation looking for volunteers. So far one person has come forward.

**General Schuyler Emergency Squad: Lois White read Dee Macica's report as follows:**

- ❖ Answered 40, 911 calls in the month of June.
- ❖ Had 3 new volunteer applications accepted.
- ❖ General Schuyler successfully participated in the "Sundae on the Farm" event held at the Koval Farm on Father's Day. There were no incidents.
- ❖ Extra staffing was in place for the Dave Matthews Band weekend and several calls resulted from the large crowds gathered in the Lee's Park Campground.
- ❖ Participated in a Firefighter Rehabilitation drill with Schuyler Hose Co. at the school.
- ❖ General Schuyler hosted a tour for local children during their Library Learning Series.

**Old business:**

- ❖ **Reminder that the Saratoga County's Farmland/Open Space Preservation Program** applications are still available at the Town Clerk's Office. Deadline for applications is July 30, 2009

**New business:**

On a motion by Councilwoman Betty Koval and seconded by Councilman Charles Hanehan the following **Resolution #09-64 Pravda Action** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.

**RESOLVED**, that the Town Board of the Town of Saratoga authorizes Town Attorney William Reynolds to bring any necessary legal action against George Pravda for Local Law and State Building Code violations due to his failure to comply with the **Orders to Remedy** issued on June 16, 2009 by Zoning Officer Gil Albert regarding his property at 1460 Route 9P.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Fred Drumm the following **Resolution #09-65 Authorization to apply for a Justice Court Assistance Program Grant** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.

**WHEREAS**, the Town Board of the Town of Saratoga recognizes the need for additional and upgraded office equipment, security equipment, and computer support items for the town court, therefore be it

**RESOLVED**, that the Town Board of The Town of Saratoga authorizes Justice David Mathis to apply for a **Justice Court Assistance Program Grant** for up to \$30,000 to purchase and install additional and upgraded office equipment, security equipment, and computer support items for the town court.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #09-66 Purchase of Development Rights – Hoogeveen** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – abstain, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 4 – 0.

**WHEREAS**, John and Barbara Hoogeveen landowners in the town of Saratoga, intend to participate in the Saratoga County Farmland and Open Space Preservation Program seeking to permanently preserve 408+/- acres of active farmland on County Rte 70 in the Town of Saratoga; and

**WHEREAS**, the Town Board views the preservation of agriculture as vital to the quality of life and economy of the town as evidenced by the Town of Saratoga Comprehensive Plan, Saratoga County Farmland Protection Plan, and Saratoga County Green Infrastructure Plan which recommends the use of conservation easements purchase of development rights as a tool to preserve agriculture and recognizes the importance of protection farmland and open spaces; and

**WHEREAS**, the Town Board finds that the grant application is worthy and will provide funding to permanently preserve the Hoogeveen parcel for agricultural uses only; and

**WHEREAS**, the Town is an eligible applicant under the grant program and may hold and monitor the conservation easement, now, therefore be it

**RESOLVED**, that the Town of Saratoga fully supports this application and shall act as the applicant, holding a conservation easement consisting of the development rights of the Hooegeveen parcel, and shall periodically monitor conformance with the terms of the easement, and be it

**FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to contract with Saratoga County and execute any documents necessary to accept and redistribute Farmland Protection funds, should the grant application be successful.

On a motion by Councilman Charles Hanahan and seconded by Councilman Fred Drumm the following **Resolution #09-67 Purchase of Development Rights – Hanna** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanahan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – abstain. Carried 4 – 0.

**WHEREAS**, Edwin Hanna landowner in the town of Saratoga, intends to participate in the Saratoga County Farmland and Open Space Preservation Program seeking to permanently preserve 108+/- acres of active farmland on Wilbur Road in the Town of Saratoga; and

**WHEREAS**, the Town Board views the preservation of agriculture as vital to the quality of life and economy of the town as evidenced by the Town of Saratoga Comprehensive Plan, Saratoga County Farmland Protection Plan, and Saratoga County Green Infrastructure Plan which recommends the use of conservation easements purchase of development rights as a tool to preserve agriculture and recognizes the importance of protection farmland and open spaces; and

**WHEREAS**, the Town Board finds that the grant application is worthy and will provide funding to permanently preserve the Hanna parcel for agricultural uses only; and

**WHEREAS**, the Town is an eligible applicant under the grant program and may hold and monitor the conservation easement, now, therefore be it

**RESOLVED**, that the Town of Saratoga fully supports this application and shall act as the applicant, holding a conservation easement consisting of the development rights of the Hanna parcel, and shall periodically monitor conformance with the terms of the easement, and be it

**FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to contract with Saratoga County and execute any documents necessary to accept and redistribute Farmland Protection funds, should the grant application be successful.

On a motion by Councilman Charles Hanahan and seconded by Councilwoman Betty Koval the following **Resolution #09-68 Purchase of Development Rights - Drumm** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – abstain, Councilman Charles Hanahan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 4 – 0.

**WHEREAS**, Fred and Ruth Drumm landowners in the town of Saratoga, intend to participate in the Saratoga County Farmland and Open Space Preservation Program seeking to permanently preserve 32+/- acres of active farmland on Burgoyne Road in the Town of Saratoga; and

**WHEREAS**, the Town Board views the preservation of agriculture as vital to the quality of life and economy of the town as evidenced by the Town of Saratoga Comprehensive Plan, Saratoga County Farmland Protection Plan, and Saratoga County Green Infrastructure Plan which recommends the use of conservation easements purchase of development rights as a tool to preserve agriculture and recognizes the importance of protection farmland and open spaces; and

**WHEREAS**, the Town Board finds that the grant application is worthy and will provide funding to permanently preserve the Drumm parcel for agricultural uses only; and

**WHEREAS**, the Town is an eligible applicant under the grant program and may hold and monitor the conservation easement, now, therefore be it

**RESOLVED**, that the Town of Saratoga fully supports this application and shall act as the applicant, holding a conservation easement consisting of the development rights of the Drumm parcel, and shall periodically monitor conformance with the terms of the easement, and be it

**FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to contract with Saratoga County and execute any documents necessary to accept and redistribute Farmland Protection funds, should the grant application be successful.

On a motion by Councilman Michael McLoughlin and seconded by Councilwoman Betty Koval the following **Resolution #09-69 Purchase of Development Rights - Schultz** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.

**WHEREAS**, John and Gertrude Schultz landowners in the town of Saratoga, intend to participate in the Saratoga County Farmland and Open Space Preservation Program seeking to permanently preserve 51+/- acres of active farmland on County Rte 67 in the Town of Saratoga; and

**WHEREAS**, the Town Board views the preservation of agriculture as vital to the quality of life and economy of the town as evidenced by the Town of Saratoga Comprehensive Plan, Saratoga County Farmland Protection Plan, and Saratoga County Green Infrastructure Plan which recommends the use of conservation easements purchase of development rights as a tool to preserve agriculture and recognizes the importance of protection farmland and open spaces; and

**WHEREAS**, the Town Board finds that the grant application is worthy and will provide funding to permanently preserve the Schultz parcel for agricultural uses only; and

**WHEREAS**, the Town is an eligible applicant under the grant program and may hold and monitor the conservation easement, now, therefore be it

**RESOLVED**, that the Town of Saratoga fully supports this application and shall act as the applicant, holding a conservation easement consisting of the development rights of the Schultz parcel, and shall periodically monitor conformance with the terms of the easement, and be it

**FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to contract with Saratoga County and execute any documents necessary to accept and redistribute Farmland Protection funds, should the grant application be successful.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #09-70 – Salary Increase -Swimming Instructor** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.

**WHEREAS**, the Joint Youth Summer Swimming Program’s work duties and responsibilities of Instructor, Cory Seymour, have increased; therefore be it **RESOLVED**, that the 2009 Joint Youth Recreation and Services Budget code A7320.1 Instructor, be increased from \$1,684.00 to \$2,332.00.

On a motion by Councilman Fred Drumm and seconded by Councilwoman Betty Koval the following **Resolution #09-71 – Transfer of Funds to Joint Recreation and Services Fund** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.

**RESOLVED**, by the Town Board of the Town of Saratoga to transfer funds from Joint Youth A7145.4 – \$1,100.00 for Recreation – to the Youth Recreation and Services Fund Y5031.9.

**Communications:**

- ❖ **Turning Point Parade – Sunday, August 2, 2009 at 1:00 p.m.**
- ❖ **The Great Champlain Hudson Paddle Festival -Monday, August 3, 2009, 10am – 8pm – Fort Hardy Park, Schuylerville**
- ❖ **No Cost Cancer Screenings for Uninsured Men and Women -The Bellevue Mobile Van at Schuylerville Family Health – Saturday, September 12<sup>th</sup> from 10 am – 2 pm. Call 695-3668 for an appointment.**

**Privilege of the floor:** The following residents addressed the board: Jim Jennings and Stephen Bodnar

**Upcoming meetings:**

- ❖ **Agenda meeting – Thursday, August 6, 2009 at 7:00 p.m.**
- ❖ **Regular town board meeting – August 10, 2009 at 7:00 p.m.**

**Audit the Bills:** On a motion by Councilman Fred Drumm and seconded by Councilwoman Betty Koval the following **Resolution #09-72 Approving the payment of bills in Abstract 7G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin – aye. Carried 5 – 0.  
**RESOLVED**, by the Town Board of the Town of Saratoga to authorize payment of the bills listed in Abstract 7G (07/13/2009) in the following amounts: General A \$13,492.79, General B \$1,358.03 , HUD \$43,560.00, Youth \$894.77, Schuyler Park \$4,191.26, and Highway Outside DB \$75,647.69 for a total of \$139,144.54.

**A motion to adjourn at 9:01 p.m.** was made by Councilman Charles Hanehan and seconded by Councilman Fred Drumm. Supervisor Thomas Wood – aye, Councilman

Fred Drumm – aye, Councilman Charles Hanehan - aye, Councilwoman Betty Koval – aye, and Councilman Michael McLoughlin - aye. Carried 5 – 0.

Respectfully Submitted,

Ruth Drumm  
Town Clerk