

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

**May 14, 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, Zoning Officer Gil Albert, Highway Superintendent Don Ormsby Jr., Tax Collector Jim Gorham, Geraldine Freedman, Thomas R. Drew Sr., Clarence Fosdick, Sherry Doubleday, Chris Benn

Recognitions/Presentations/ Bid openings/ Public Hearings:

Public Hearing: Proof of notice in the Saratogian having been provided, Supervisor Thomas Wood opened the **public hearing** on the adoption of **Local Law #1 of 2012 the Enhanced Zoning District Map at 7:05 p.m.**

Clarence Fosdick explained that he researched the past maps and found that some of the specific boundary clarifications had been left off of the map. The new map restores, clarifies and enhances the boundaries with no changes being made to the districts.

Town Attorney Bill Reynolds reviewed the enhancements with Clarence and thanked Clarence Fosdick for all his efforts improving the Zoning District Map.

All persons desiring to be heard, having been heard, the hearing was closed on a motion by Supervisor Thomas Wood, seconded by Councilman Fred Drumm, at 7:07 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.

The Asbestos Removal Bids for the old highway garage were opened at the agenda meeting, May 10th with the following results:

- ❖ Greenland Enterprises LLC, PO Box 160, 400 21st Avenue, Paterson, NJ 07513- \$ 107,200
- ❖ **ERSI, 311 Rotterdam Industrial Park, Schenectady, NY 12306-\$67,776**
- ❖ Danair Inc. , 70 Snyder Drive, Lehighton, PA 18235 - \$161,700

Approval of Minutes: A motion was made by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin to accept the minutes of the April 9th regular meeting as written.

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

Town Clerk's report for April 2012: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$97.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$228.02. Fees paid to the New York State Health Department for Marriage licenses \$22.50. Dog license fees to Supervisor Thomas Wood \$438.00. Clerk fees to Supervisor Thomas Wood \$58.73. Total State, County, and Local Revenues received were \$844.25.

Zoning Officer's report for April 2012: 11 Building Permits, 5 Building Permit Renewals, 10 Building Inspections, 10 Certificates of Occupancy, 0 Fire inspections, 1 Complaint, 0 Orders to Remedy, 0 Property Maintenance Inspections, and 2 misc. appointments. A check for \$1,986.35 was given to Supervisor Thomas Wood.

Dog Control officer's report for April 2012: The report was read by Supervisor Thomas Wood: answered 20 complaints, took 1 dog to the shelter, 0 bite cases, issued 14 warnings, 6 summonses were issued, and traveled 129 miles.

Town Court report for April 2012: The following were closed: 51 Vehicle & Traffic, 14 Criminal/Penal Law, 5 DEC/ENCON, 2 Dog cases, 3 DWI's, 1 Town & Village Ordinance, 1 Small Claim/Civil, 1 Eviction, 2 Bench trials, 3 (case transfers) Divestiture Forms sent to County Court, 7 attended the Science of Speed School, 0 Defendants sentenced to probation, 0 hours of community service issued, 0 days of jail time issued, 3 Orders of Protection issued, and \$6,750.00 in fees were paid to the NY State Comptroller.

Historian's report: Sean Kelleher submitted the following report:
This month I participated in a meeting with Paul Hawke, Historian from the American Battlefield Protection Program on our project with Saratoga National Historical Park on researching Saratoga from just before European occupation to the end of the American Revolution. It was exciting to hear that our efforts are seen on the National level as exciting and exemplary on the integration of primary source material, archeology, cartography, computer technology and art.

On April 28, Pat Peck and I participated in Saratoga County History Faire in Ballston Spa. This fair attracted a number of people and was organized by Heritage Hunters of Saratoga County.

The next meeting of the Old Saratoga Historical Association will be Thursday, May 17 at 7:30 pm at the Battlefield Visitors Center. The program is journalist and author Paul Post will present local veterans featured in his book, "Soldiers of Saratoga County: From Concord to Kabul" This is the annual joint meeting with the Stillwater Historical Society.

The next meeting of Heritage Hunters is Saturday, May 19, at 1pm at the Town of Saratoga Town Hall. Program speaker will be Erica Burke the archivist at the Crandall Library on the 1940 census.

Assessor's report: Victoria Hayner submitted the following for May 2012:
The 2012 Tentative Assessment Roll was available May 1st for the Public to view. I will sit with the roll Tuesday, May 1st, from 4:00 PM – 7:00 PM, Tuesday and Thursdays from 9:00 AM – 1:00 PM and Saturday, May 19th from 10:00 AM – 1:00 PM, as required by law.

The Board of Assessment Review is scheduled to meet on May 22nd between 1:00 PM and 4:00 PM and 5:00 PM – 9:00 PM. We will be scheduling appointments for hearings this year to hopefully serve the public better. Property owners may also come in without an appointment and wait for their turn or submit their grievance forms by mail.

This will conclude our Revaluation year in the Assessor's office. We will move to the Assessor's Office being open on Tuesdays and Thursdays the week following Memorial Day and continue with that schedule until September.

I would like to extend my thanks and appreciation to Dorothy Lavazzo, my clerk, who has been a real support to this office and the townspeople. She is truly a treasure and I enjoy working with her. She will have a well-deserved summer off, but anticipates returning in the fall.

Highway Superintendent's report for April:

- ❖ Russell Road has been repaired and reopened for traffic.
- ❖ We have started mowing the shoulders of the roads.
- ❖ We will be preparing Hayes Road and Cemetery Road this month for topping in June. Re-ditching and culverts will be replaced.
- ❖ The updating of equipment maintenance and repairs is ongoing.
- ❖ The brush dump will be open this year by appointment only, Monday-Saturday from 7:00 a.m. to 3:00 p.m. Call the highway garage at 695-3904 to make an appointment.

Supervisor's report: SUPERVISOR'S REPORT APRIL 2012

| | |
|---|-----------------|
| GENERAL FUND – TOWNWIDE (A FUND) | |
| Balance on hand APRIL 1 | \$ 1,142,136.85 |
| APRIL Revenues | + 23,139.33 |
| APRIL Disbursements | - 49,584.12 |
| Balance APRIL 30 | \$ 1,115,692.06 |

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|--|---------------|
| GENERAL FUND – OUTSIDE VILLAGE (B FUND) | |
| Balance on hand APRIL 1 | \$ 608,275.70 |
| APRIL Revenues | + 6,522.46 |
| APRIL Disbursements | - 3,408.49 |
| Balance APRIL 30 | \$ 611,389.67 |

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|---|----------------|
| HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND) | |
| Balance on hand APRIL 1 | \$1,105,190.45 |
| APRIL Revenues | + 120,912.70 |
| APRIL Disbursements | - 45,748.23 |
| Balance APRIL 30 | \$1,180,354.92 |

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| SCHUYLER PARK CAPITAL PROJECT | APRIL 30 | \$ 93,809.94 |
| YOUTH RECREATION & SERVICE | APRIL 30 | \$ 1,670.28 |
| HIGHWAY EQUIPMENT RESERVE | APRIL 30 | \$ 12,850.93 |
| BUILDING RESERVE | APRIL 30 | \$ 125,752.46 |
| SCENIC BY WAYS GRANT | APRIL 30 | \$ 310.35 |
| PARK RESERVE | APRIL 30 | \$ 51,956.55 |
| CDBG2 FUND | APRIL 30 | \$ 0.00 |

- ❖ **Sales Tax Received – April 2012 - \$120,735**
- ❖ **Mortgage Tax – March 2012 - \$7,693**

Public comments on agenda items: Thomas R. Drew Sr. and Sherry Doubleday addressed the board.

Committee reports:

Landfill: Phoenix Lab testing results have been sent to Town Engineer Kenneth Martin for review.

Insurance: No report.

Youth: Councilman Michael McLoughlin stated that the town will contract with the Christ the King Spiritual Life Center, Town of Easton, to run the swim program. The program will run from July 2nd through August 3rd.

Senior Citizens: The Old Saratoga Seniors met for a regular meeting April 18th with 47 attending. June luncheon plans were discussed. Trips to Turning Stone and Plattsburg in September were discussed. The Old Saratoga Seniors met again on May 2nd with 43 attending.

The Quaker Spring's Seniors met on May 14th with 20 attending. The guest speakers were Master Gardeners. The trip to the Glens Falls House in the Catskills was enjoyed by the 44 members who participated. The next trip is planned for September 13, 2012.

Park Committee: No report.

Office of Emergency Management: Sherry Doubleday stated that shirts and a banner will be ordered.

Committee to Honor Volunteer Firefighters & Emergency Medical Service Workers: Sherry Doubleday stated that the committee has reorganized and the plans are coming together for the Memorial Park. The bricks will be displayed and there will

be plaques, flags, benches and the steel beam from the Twin Towers will be displayed. A schematic of the park will be provided to the board. Councilman James Jennings will work with Sherry on stakes to secure the beam, plaques etc.

GSES, QSFD, SLPID/SLA Reports:

GENERAL SCHUYLER EMERGENCY SQUAD: Chris Benn reported the following monthly report for March 2012/April 2012
Town of Saratoga & Town of Northumberland

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|---|-----------|
| Total number of calls for March 2012 | 58 |
| Total Town of Saratoga | 28 |
| Town of Northumberland | 1 |
| Village of Schuylerville | 21 |
| Village of Victory Mills | 2 |
| Mutual Aid Wilton | 4 |
| ALS Assist Easton/Greenwich | 2 |

| | |
|---|-----------|
| Total number of calls for April 2012 | 64 |
| Total Town of Saratoga | 22 |
| Town of Northumberland | 6 |
| Village of Schuylerville | 26 |
| Village of Victory Mills | 6 |
| ALS Assists | 3 |
| Standby for Wilton | 1 |
| Mutual aid Wilton | 1 |

Highlights:

- ❖ We are planning a car show for June 3rd with prizes, a 50/50, trophies and food.
- ❖ On May 12, we held our yearly Red Cross Blood Drive at the building.
- ❖ We have accepted an offer on the sale of our old building and are hoping to finalize and close the sale by the end of May.

Old business: None.

New business:

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #12-52 – Adoption of Local Law #1 of 2012 – Zoning Amendment – Zoning District Map Revision** 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, it has come to the attention of the Town Board that the present official zoning map of the Town has several mapping errors that need correction;
WHEREAS, the Town Board of the Town of Saratoga has held a public hearing and received input from the townspeople on the revised map; now therefore be it **RESOLVED**, by the Town Board of the Town of Saratoga to adopt **Local Law #1 of 2012 - Adopting a new official Zoning Map.**

(Local Law #1 of 2012 is attached and adopted map is on file in the Town Clerk's Office.)

Local Law Filing

DEPARTMENT OF STATE

NEW YORK STATE

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. 1 of the year 2012

A local law adopting a revised official zoning map for the Town of Saratoga

Be it enacted by the Town Board of the
(Name of Legislative Body)

Town of Saratoga

as follows:

The Code of the Town of Saratoga is hereby amended in the following respects:

Section 1 – Legislative Findings

It has come to the attention of the Town Board that the present official zoning map of the Town has several mapping errors that need correction. Following careful review, the Board wishes to adopt a new official map to appear as Appendix B of the Zoning Ordinance. This map makes no changes in any previously established zoning district boundaries.

Section 2 – Adoption of New Official Zoning Map

Pursuant to Section 400-5 of the Town Code, the Town Board of the Town of Saratoga adopts and certifies a Zoning Map for the Town, said map dated May, 2003, and revised March, 2012, prepared by the LA Group.

Section 3 – Effective Date

This local law takes effect immediately.

On a motion by Councilman Charles Hanahan and seconded by Councilman James Jennings the following **Resolution #12-53 – Schuyler Park Committee Appointment – 3 yr. – Councilman Fred Drumm** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – abstained, Councilman Charles Hanahan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

WHEREAS, the Town of Saratoga and the Town of Northumberland have entered into a municipal cooperation agreement for the operation of Schuyler Park; and

WHEREAS, the Schuyler Park Municipal Cooperation Agreement requires the establishment of a six person committee three of which are to be residents of the Town of Saratoga and three of which are to be residents of the Town of Northumberland; and

WHEREAS, one of the three members from each town shall be a member of the town board; now therefore be it

RESOLVED, that Councilman Fred Drumm be appointed for a three year term from May 12, 2012 to May 11, 2015, to the Schuyler Park Committee.

On a motion by Councilman Charles Hanahan and seconded by Councilman Fred Drumm the following **Resolution #12-54 – Mandate Relief** 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, the State of New York mandates the delivery of State programs using local resources; and

WHEREAS, these State mandates are the root cause of high county property taxes in New York State; and

WHEREAS, the State’s failure to provide the mandate relief promised when State lawmakers enacted a property tax cap in 2011 is rapidly eroding the ability of county elected officials to implement the tax cap locally while maintaining essential services and passing responsible budgets; and

WHEREAS, when the State enacted a property tax cap, a Mandate Relief Council was established to review specific mandates and advance legislative proposals to reduce the statutory and regulatory burden on municipalities; and

WHEREAS, the Mandate Relief Council’s membership consists of seven appointees who serve as State Executive Branch officials, four appointees of the State Legislature, and no members who have direct responsibility over a county budget; and

WHEREAS, Saratoga County’s 2012 Adopted Budget anticipates a net cost to the County of \$23.3 million for Medicaid, \$8.4 million for additional Social Services, \$12.3 million for pensions, \$7.4 million for Early Intervention and Pre-School Special Education, \$6.9 million for community college tuitions, \$1.8 million for probation, and \$1.4 million for indigent legal defense; and therefore be it

RESOLVED, that the Town of Saratoga hereby declares May 15, 2012 to be “Mayday for Mandate Relief” to further demonstrate that the decisions made in Albany have a direct impact on the property tax levy and local community services in Saratoga County; and be it further

RESOLVED, that the Town of Saratoga calls upon Governor Cuomo and the State Legislature to amend the law that established the Mandate Relief Council to ensure that the Council includes county elected officials who have direct responsibility over county budgets; and be it further

RESOLVED, that the Town of Saratoga urges Governor Cuomo and the State Legislature to establish specific budgetary targets for the Mandate Relief Council that quantify the relief that must be delivered to counties, and ensure that the Council's mandate relief proposals actually hit these targets; and be it further

RESOLVED, that the Town of Saratoga calls upon the Mandate Relief Council take swift action in submitting a package of mandate relief proposals to Governor Cuomo and the State Legislature to be voted upon by our State Representatives during 2012; and be it further

RESOLVED, that the Town of Saratoga urges that these proposals include all of the mandate relief proposals contained in the 2012 Legislative Program adopted by the Saratoga County Board of Supervisors, and be it further

RESOLVED, that the Clerk of the Town of Saratoga forward a certified copy of this Resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, each member of the Mandate Relief Council, and Saratoga County's representatives in the State Legislature.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #12-55 – Authorization to Enter Into a Swim Program Contract** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

WHEREAS, the Town Board has determined that it can no longer operate its own summer swim lesson program due to the lack of pool facilities which will satisfy the NYS Department of Health, and

WHEREAS, Christ the King Spiritual Life Center has offered to provide a swim lesson program for Town residents at its facility located at 575 Burton Road, Greenwich NY, it is now therefore

RESOLVED, that the Supervisor is authorized to sign a contract with Christ the King Spiritual Life Center to provide swimming lessons to Town residents for the 2012 summer season, and it is further

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

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #12-56 – Authorization to Enter Into a Customer Agreement with HESS to supply our Natural Gas** 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 has spoken with Gene Salerni of the Municipal Electric and Gas Alliance (MEGA) about its program to procure energy at the best prices for municipalities using the competitive bidding process; and

WHEREAS, by changing suppliers, it will result in energy cost savings of about \$2,700.00; now therefore be it

RESOLVED, that the Supervisor is authorized to sign a contract with HESS Corporation to supply natural gas to the town; and it is further

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

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #12-57 - Authorization to Enter Into a Customer**

Agreement with Integrys Energy Services of New York, Inc. to supply our Electric 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 has spoken with Gene Salerni of the Municipal Electric and Gas Alliance (MEGA) about its program to procure energy at the best prices for municipalities using the competitive bidding process; and

WHEREAS, by changing suppliers, it will result in energy cost savings; now therefore be it

RESOLVED, that the Supervisor is authorized to sign a contract with Integrys Energy Services of New York, Inc. to supply the electric to the town; and it is further

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

On a motion by Councilman Michael McLoughlin and seconded by Councilman Fred Drumm the following **Resolution #12-58 – Authorization to Enter Into a Contract with NYS to provide \$35,000 for a Survey, an Archeological Review, and a Phase 1 Environmental Review at the Old Town Hall** 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 Historic Saratoga-Washington on the Hudson Partnership, the State of New York, and the Open Space Institute require updated surveys, and Environmental and Archeological Investigations on property they intend to purchase before property transfers can occur; and

WHEREAS, they are agreeable to pay the Town of Saratoga the money required to perform these surveys and investigations; now therefore be it

RESOLVED, that the Supervisor is authorized to sign a contract with NYS to provide the town with \$35,000 to complete a Survey, Archeological Review, and Phase 1 Environmental Review of the Old Town Hall.

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

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #12-59 – Authorization to Take Legal Actions** 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, that the Town Board of the Town of Saratoga authorizes Town Attorney William Reynolds to bring any necessary legal action against Kenneth Yager, 30 County

Rd 70, Greenwich, NY 12834 for violations of Chapter 182 of the Town Code, Unsafe or Dangerous Buildings and for his failure to comply with the **Order to Remedy** issued on 12/20/2011 by Zoning Officer Gil Albert regarding his property at 124 County Road 67; and be it further

RESOLVED, that the Town Board of the Town of Saratoga authorizes Town Attorney William Reynolds to bring any necessary legal action against John Darrah, 106 Casey Road, Schuylerville, NY for violations of Chapter 182 of the Town Code, Unsafe or Dangerous Buildings and for his failure to comply with the **Order to Remedy** issued on June 22, 2011 by Zoning Officer Gil Albert regarding his property at 106 Casey Road.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #12-60 – Procurement Policy Revision** 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, Section 104-b of the General Municipal Law (GML) requires every Town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, §103 or any other law; and

WHEREAS, comments have been solicited from those officers of the Town involved with procurement; now therefore be it

RESOLVED, that the Town of Saratoga does hereby adopt the following revised procurement policy and procedure sections of Chapter 113- PROCUREMENT POLICY in the Code of the Town of Saratoga;

§ 113-1. Evaluation of purchase.

Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law §103 (GML §103). Every Town Officer, Board, Department Head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other Town departments and past histories to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

§ 113-2. Formal bids required.

All purchases of supplies or equipment which are at or will exceed \$20,000 in the fiscal year or public works contracts at or over \$35,000 shall be formally bid pursuant to GML §103.

§ 113-3. Method of obtaining quotes.

A. All estimated purchases of:

- (1) Less than \$20,000 but at or greater than \$5,000 require a written request for a proposal (RFP) and written/fax quotes from 3 vendors.

(2) Less than \$5,000 but at or greater than \$3,000 require an oral request for the goods and oral/fax quotes from 2 vendors.

(3) Less than \$3,000 is left to the discretion of the Purchaser.

B. All estimated public works contracts of:

(1) Less than \$35,000 but at or greater than \$10,000 require a written RFP and fax/proposals from 2 contractors.

(2) Less than \$10,000 but at or greater than \$3,000 require a written RFP and fax/proposals from 2 contractors.

(3) Less than \$3,000 is left to the discretion of the Purchaser.

C. Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

D. All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

§ 113-4. Award to lowest responsible proposal or quote; exception.

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the lowest bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

§ 113-5. Inability to obtain proposals or quotes.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

§ 113-6. Exceptions.

Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- A) Acquisition of professional services
- B) Emergencies
- C) Sole source situations
- D) Goods purchased from agencies for the blind or severely handicapped
- E) Goods purchased at auction
- F) Goods purchased from correctional facilities
- G) Goods purchased from another governmental agency

- H) Goods purchased from state and/or county bid.
- I) Goods purchased for less than \$3,000.
- J) Public works contracts for less than \$3,000.

§ 113-7. Annual review.

This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan the following **Resolution #12-61 – Appointment as Alternate to Planning Board** 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 appoints George Olsen as Alternate Member of the Planning Board for the remainder of the term of Brandon Myers from 05/14/2012 – 12/31/2015.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Fred Drumm the following **Resolution #12-62 - Accept Bid for Asbestos Removal at Old Highway Garage** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

WHEREAS, the town board of the Town of Saratoga recognizes the need to remove the asbestos hazard at the old town highway garage; and

WHEREAS, bids were solicited via advertising in the *Saratogian* on April 20th; therefore be it

RESOLVED, that the lowest proposal from ERSI, 311 Rotterdam Industrial Park, Schenectady, NY 12306 in the amount of \$67,776 be accepted for the asbestos removal pending review and approval by Engineer Ken Martin and Attorney William Reynolds that the bid specifications are met.

On a motion by Councilman Fred Drumm and seconded by Councilman Michael McLoughlin the following **Resolution #12-63 – Transfer of Funds – Parks to Schuyler Park** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

RESOLVED, by the Town Board of the Town of Saratoga to transfer \$20,000 from Parks #A7110.4 to Schuyler Park #H5031 as budgeted.

On a motion by Councilman Charles Hanehan and seconded by Councilman James Jennings the following **Resolution #12-64 – Transfer of Funds – Contingent to Unemployment Ins.** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 5 – 0.

RESOLVED, by the Town Board of the Town of Saratoga to transfer \$2,000 from Contingent A1990.4 to Unemployment Insurance A9050.8.

Communications:

- ❖ 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.
- ❖ Invitation to the Board to take part in the **Eighteenth Annual Turning Point Parade** scheduled for Sunday, August 5th at 1:00 p.m.

Privilege of the floor: Sherry Doubleday and Thomas Drew Sr. addressed the board.

Upcoming meetings:

- ❖ **Agenda meeting – Thursday, June 7, 2012 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, June 11, 2012 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman James Jennings and seconded by Councilman Fred Drumm the following **Resolution #12- 65 Approving the payment of bills in Abstract 5G** 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 5G (05/14/2012) in the following amounts:

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|------------------------|------------------------------------|----------------------|
| General Fund A | Voucher No. 132 through 170 | \$ 17,304.98 |
| General Fund B | Voucher No. 25 through 31 | \$ 3,326.03 |
| Highway DB | Voucher No. 70 through 89 | \$ 17,094.40 |
| Schuyler Park H | Voucher No. 2 through 4 | \$ 1,252.76 |
| CDBG CD2 | Voucher No. 9 through 13 | \$ 80,462.00 |
| | Grand Total | \$ 119,440.17 |

A motion to adjourn at 9:05 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, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye Carried 5 – 0.

Respectfully Submitted,

Ruth Drumm
Town Clerk