

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

**November 10, 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 - absent, Councilman Charles Hanehan- present, Councilman Michael McLoughlin – present, Councilman James Jennings – present

**Also present:** Deputy Town Clerk Linda McCabe, Zoning Officer Gil Albert, Town Attorney Bill Reynolds, Tax Collector Jim Gorham, Don Ormsby Jr., Geraldine Freedman, Clarice Brill, Helen Post, Marguerite Scott, Kerstin Strainer, Matt Strainer, Wendy Lukas, Gail Taras, Michele McClure, and Andy Sheeran

**Public Hearings:**

**Supervisor Thomas Wood** reported that the board has met on three occasions to work on the budget. He then reviewed some basic information concerning the proposed 2012 budget. He noted that a cost of living salary increase of 2% is proposed and following the county's lead, a one-time payment of \$600 to full time employees has also been included. He added there were also increases in the cost of health insurance and state retirement obligations. Spending was cut from many departments and he is budgeting closer to actual costs.

He noted that it is a lean and responsible budget. The town tax rate will increase by an estimated \$.029 or 1.78% per thousand of assessment. The estimated tax rate will be \$1.649.

**Proof of advertising in the *Saratogian* on October 26, 2011 having been furnished, Supervisor Thomas Wood opened the Public Hearing at 7:10 p.m. on the 2012 budget.**

**Wendy Lukas**, 77 Green St., had many questions for the board on budget items and Supervisor Thomas Wood provided her with clarification.

**On a motion by Supervisor Thomas Wood and seconded by Councilman Michael McLoughlin the public hearing was closed at 7:32 p.m.** Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**Supervisor Thomas Wood** explained that during the revision of the zoning laws and adoption of the Code of the Town of Saratoga, mining was mistakenly omitted as a Special Permitted Use in the Rural Zoning District.

**Proof of advertising in the *Saratogian* on October 28, 2011 having been furnished,** Supervisor Thomas Wood opened the public hearing at 7:35 p.m. on **Local Law #4 of 2011, a Zoning Amendment adding mining as a Special Permitted Use in the Rural Zoning District.**

**Michele McClure**, County Road 69, spoke with concerns that mining is in conflict with the noise ordinance, as the trucks are at a 91dba and a bigger buffer is needed. Town Attorney Bill Reynolds will check the noise ordinance. She also pointed out that in the District Preamble in the zoning regulations anything other than agriculture is discouraged.

**Andy Sheeran**, County Road 69, spoke of concerns over the noise and the need for a bigger buffer.

**Gail Taras**, Rt. 32 South, noted that the noise ordinance applies to all trucks.

**On a motion by Supervisor Thomas Wood and seconded by Councilman Michael McLoughlin the public hearing was closed at 7:40 p.m.**

Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**Approval of Minutes:** A motion was made by Councilman James Jennings and seconded by Councilman Charles Hanehan to accept the minutes of the October 12<sup>th</sup> regular meeting as written. Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**Town Clerk's report for October 2011:** Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$59.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$1,040.32. Dog license fees to Supervisor Thomas Wood \$276.00. Clerk fees to Supervisor Thomas Wood \$331.18. Total State, County, and Local Revenues received were \$1,819.00.

**Zoning Officer's report for October 2011:** 9 Building Permits, 18 Building Inspections, 4 Certificates of Occupancy, 0 Junk Yard Permits, 0 Complaints, 0 Fire inspections, 0 Orders to Remedy, 1 misc. appointment, 0 Building Permit Renewals, and 1 Property Maintenance Inspection. A check for \$1,005.00 was given to Supervisor Thomas Wood.

**Dog Control Officer's report for October 2011:** The report was read by Supervisor Thomas Wood: answered 32 complaints, took 2 dogs to the shelter, no bite cases, issued 13 warnings, 3 summonses were issued, and traveled 181 miles.

**Town Court report for October 2011:** The following were closed: 59 Vehicle & Traffic, 11 Criminal/Penal Law, 2 DEC/ENCON, 1 Dog case, 0 DWIs, 0 Town & Village Ordinance, 1 Small Claims/Civil, 0 Evictions, 1 Bench trial, 0 (case transfers) Divestiture Forms sent to County Court, 5 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 \$4,470.00 in fees were paid to the NY State Comptroller.

**Historian's report:** Sean Kelleher submitted the following:  
The Old Saratoga Happenings project continues. The Old Saratoga Happenings for October is on the website, townofsaratoga.com.

**Assessor's report:** Victoria Hayner submitted the following for November:  
Initial field review is complete for the Revaluation project. We are now focused on valuation and data input. The project is right on schedule. Property owners are advised to talk to the Assessor before February 1<sup>st</sup> if they have questions or concerns regarding their properties.

We are pleased to welcome Dorothy Lavazzo as our new Assessor Clerk. She is being immersed in assessor work and is learning well.

We are preparing for the Exemption renewal season. Renewal applications will be mailed in mid-December. Exemptions must be filed with our office by March 1, 2012. If you have questions regarding exemptions, please call our office.

The Assessor's Office is open Monday through Thursday from 9:00 AM until 1:00 PM. I am in the office on Tuesdays and Thursdays from 9:00 AM until 1:00 PM. As always, I am willing to set up appointments if necessary.

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

- ❖ We are working on dirt roads as they dry out.
- ❖ We have installed shoulders on Fitch Road where needed.
- ❖ We have installed a 4" drainage pipe on the shoulder of Fitch Road where the telephone company has been working and caused a water problem.
- ❖ Russell Road has been looked at by Ken Martin and we have gotten a second opinion. We will be in touch with DEC about rerouting the creek bed.

**Supervisor's report: SUPERVISOR'S REPORT OCTOBER 2011**

GENERAL FUND – TOWNWIDE (A FUND)

|                       |                    |
|-----------------------|--------------------|
| Balance on hand OCT 1 | \$ 831,508.95      |
| OCT Revenues          | + 15,150.80        |
| OCT Disbursements     | - <u>52,108.17</u> |
| Balance OCT 31        | \$ 794,551.58      |

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

|                       |                    |
|-----------------------|--------------------|
| Balance on hand OCT 1 | \$ 415,556.37      |
| OCT Revenues          | + 1,709.78         |
| OCT Disbursements     | - <u>13,313.28</u> |
| Balance OCT 31        | \$ 403,952.87      |

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

|                       |                    |
|-----------------------|--------------------|
| Balance on hand OCT 1 | \$1,174,688.64     |
| OCT Revenues          | + 388.10           |
| OCT Disbursements     | - <u>59,936.11</u> |
| Balance OCT 31        | \$1,115,140.63     |

|                               |        |               |
|-------------------------------|--------|---------------|
| SCHUYLER PARK CAPITAL PROJECT | OCT 31 | \$ 99,765.67  |
| YOUTH RECREATION & SERVICE    | OCT 31 | \$ 3,253.12   |
| HIGHWAY EQUIPMENT RESERVE     | OCT 31 | \$ 12,831.75  |
| BUILDING RESERVE              | OCT 31 | \$ 150,551.36 |
| SCENIC BY WAYS GRANT          | OCT 31 | \$ 310.19     |
| PARK RESERVE                  | OCT 31 | \$ 51,956.55  |
| CDBG2 FUND                    | OCT 31 | \$ 0.00       |

- ❖ **Sales Tax Received – October 2011 - \$105,349**
- ❖ **Mortgage Tax Received – October 2011- no figure yet.**
- ❖ **Sale of old town hall - \$115,000- Supervisor Thomas Wood reported that the money is being released and a copy of the deed and appraisal has been provided. A resolution authorizing the sale is on the agenda.**
- ❖ **Tenant Updates**
  - **Dr. Rosano has requested a one year lease so that he can pursue a contract with an outside company for the collection of urine for testing at his lab site. There is still an issue with the electricity usage of the labs and how it should be allocated.**
  - **Saratoga Surveillance would like to rent office space in the upper north wing. Supervisor Thomas Wood will talk further with them.**
- ❖ **Supervisor Thomas Wood has submitted the bills to our insurance carrier from the flood damage to the basement during the storms, Lee and Irene.**
- ❖ **Supervisor Thomas Wood reported that Saratoga Surveillance has installed nine cameras in and around the town hall building for security purposes. These were paid for with a grant obtained by Justice David Mathis.**

**Public comments on agenda items:**

**Clarice Brill**, 267 Wilbur Road, addressed the board with ongoing complaints of a dog running at large in the neighborhood. Dog Control Officer Ed Cross has been called numerous times and there are 10 appearance tickets outstanding.

**Matt Strainer**, Wilbur Road, complained that the dog meets him at his truck barking when he goes to work. He also noted he can't let his Corgi out due to the dog.

**The board asked Town Attorney Bill Reynolds to represent the neighbors at town court on Tuesday, November 15<sup>th</sup>. Town Attorney Bill Reynolds stated that there are things that can be done if he does not appear; a bench warrant can be issued. He added if they do not pay the fine they can be held in contempt of court.**

**Geraldine Freedman** addressed the board regarding the budget.

**Wendy Lukas** addressed the board with a question on the Lakes to Locks payment of \$250. Supervisor Thomas Wood noted that Lakes to Locks works for the town to support grant programs and visitor promotions. She also questioned the salary of the assessor. Supervisor Thomas Wood stated it is within the range of salaries of assessors in the county.

**Gail Taras** addressed the board regarding the codes put on Building Permits and Certificates of Occupancy issued by Zoning Officer Gil Albert. She asked why she has not been given an answer about the origin of the codes. Supervisor Thomas Wood assured her that he would call our software provider to have the computer generated codes removed so that no further errors will occur.

Gail was provided a proposed revised schedule of incomes and percentages for **Disability Tax Exemptions** that the board has under consideration. She felt the new schedule was fair. The board will propose a law to implement the new guidelines next month.

**Committee reports:**

**Landfill: No report.**

**Insurance: No report.**

**Youth:**

**Senior Citizens:**

**Councilman James Jennings** reported that the **Old Saratoga Senior's** met on November 2<sup>nd</sup> with 51 members attending. Twelve veterans attended and were honored.

**Quaker Springs Seniors-** No report. Councilman James Jennings noted that they are mourning the loss of member George Cassier.

**Park Committee:** No report.

**Office of Emergency Management:** No report.

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

**GSES, QSFD, SLPID/SLA Reports:** No reports.

**Old business: None.**

**New business:**

Supervisor Thomas Wood reported that the bids for Diesel Fuel and #2 Fuel Oil were opened at the agenda meeting on October 6<sup>th</sup>. Highway Superintendent Dave Hall requested to wait on awarding the bids until the county bids for the fuels were known.

On a motion by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin the following **Resolution #11-97 Bid Acceptance – Low Sulfur Premium Diesel Fuel** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred

Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**WHEREAS**, the Town Board of the Town of Saratoga received bids via solicitation of bids by public advertising for **Ultra Low Sulfur Premium Diesel Fuel with factory additive** per Specification TS 02-11, and **Main Brothers Oil, 1 Booth Lane, Albany, NY, was the lowest bidder at \$0.1900/gallon differential**; therefore be it

**RESOLVED** by the Town Board of the Town of Saratoga to accept the bid from Main Brothers Oil Company, 1 Booth Lane, Albany, NY at a \$0.1900/gallon differential and using Journal of Commerce Albany Reseller Tank Car Average Price posted which was \$3.0083 per gallon, for a net bid per gallon of \$3.1983, for Ultra Low Sulfur Premium Diesel Fuel with factory additive providing the specifications in TS 02-11 are met and contingent on review of the bid by the Highway Superintendent.

On a motion by Councilman James Jennings and seconded by Councilman Charles Hanehan the following **Resolution #11-98 Bid Acceptance - #2 Fuel Oil** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**WHEREAS**, the Town Board of the Town of Saratoga received bids via solicitation of bids by public advertising for **#2 Fuel Oil per Specification TS 02-11. Main Brothers Oil Company, 1 Booth Lane, Albany, NY, was the lowest bidder at \$0.1350/gallon differential**; therefore be it

**RESOLVED**, by the Town Board of the Town of Saratoga to accept the bid from Main Brothers Oil Company, 1 Booth Lane, Albany, NY, with a \$0.1350/gallon differential and using the Journal of Commerce Albany Reseller Tank Car Average Price posted on 9/30/2011 of \$3.066, for a net bid per gallon of \$3.2010 for #2 Fuel Oil providing the specifications in TS02-11 are met and contingent on review of the bid by the Highway Superintendent.

On a motion by Councilman Michael McLoughlin and seconded by Councilman Charles Hanehan the following **Resolution #11-99 Adoption of the 2012 Annual Town Budget** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**WHEREAS**, this Board having, on November 10, 2011 at 7:00 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2012, and having heard all persons desiring to be heard in the matter, and the matter of the budget for this Town for such fiscal year having been fully discussed and considered, it is

**RESOLVED**, that said preliminary budget approved and filed as aforesaid, is hereby adopted and established as the annual budget for this Town for the fiscal year beginning January 1, 2012, and that such annual budget as so adopted is detailed in the minutes of the proceedings of this Town Board, and be it further

**RESOLVED**, that the Town Clerk of this Town shall prepare and certify as provided by law, duplicate copies of said annual budget hereby adopted, and deliver one of such copies to the Supervisor of the Town, and that he shall present such copy to the Board of Legislators of the County as required by law.

**The 2012 annual budget, in its entirety, is in the official minute book at the town clerk's office and on the website, townofsaratoga.com.**

On a motion by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin the following **Resolution #11-100 – Sale of Property –Old Town Hall for \$115,000** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**WHEREAS**, the Town is the owner of certain real property located on Ferry Street (Route 29) in the Village of Schuylerville, NY, on which is built the former Town Hall building; and

**WHEREAS**, due to the purchase of a new town hall building, it is determined that the Town no longer has any need for this parcel for any Town purpose whatsoever; and

**WHEREAS**, the Town has determined the fair market value of the property through a professional appraisal and has secured an interested buyer at a price in excess of the appraised value thereof; it is now, therefore

**RESOLVED**, that the Town of Saratoga, by its Supervisor, Thomas N. Wood III, be authorized to enter into a contract of sale, and to sell the aforesaid real property to Friends of the Saratoga Battlefield for the sum of \$115,000.00.

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

On a motion by Councilman Michael McLoughlin and seconded by Councilman James Jennings the following **Resolution #11-101 – Lead Agency Designation – Local Law #4 of 2011** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**WHEREAS**, the Town Board of the Town of Saratoga has determined that a Zoning Amendment is needed to add mining as a special permitted use in the Rural District, the “Action”, and

**WHEREAS**, this is an Action subject to the provisions of the New York State Environmental Quality Review Act (S.E.Q.R.) and the regulations promulgated to implement said Environmental Quality Review Act, and

**WHEREAS**, the provisions of S.E.Q.R. require the designation of a “Lead Agency” to determine the environmental significance of the Action, and

**WHEREAS**, this agency has complied with the provisions of S.E.Q.R. pertaining to “Lead Agency” designation, now, therefore, be it

**RESOLVED**, that the Town Board of the Town of Saratoga is hereby designated the “Lead Agency” for the purpose of conducting the S.E.Q.R. review of the referenced Action.

On a motion by Councilman James Jennings and seconded by Councilman Michael McLoughlin the following **Resolution #11-102 – Negative Declaration - Local Law #4 of 2011 – Zoning Amendment – Mining** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**WHEREAS**, the Town Board of the Town of Saratoga, Saratoga County, New York (the "Town") is considering enacting a certain amendment to the Zoning Ordinance of the Town of Saratoga (the "Action"); and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-b of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York ("DEC"), being 6 NYCRR Part 617, as amended (the "Regulations"), the Town Board as lead agency desires to determine whether this Action may have a significant effect on the environment and therefore require the preparation of an environmental impact statement; and

**WHEREAS**, there has been prepared a full environmental assessment form for the Project (the "EAF"), a copy of which was previously reviewed by the Town Board, and a copy of which is on file in the office of the Town Clerk; and

**WHEREAS**, pursuant to the Regulations, the Town has examined the EAF in order to make a determination as to the potential environmental significance of Action; and

**WHEREAS**, the Action appears to constitute a "Type I Action" (as defined by the Regulations);

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SARATOGA, SARATOGA COUNTY, NEW YORK AS FOLLOWS:**

1. Based on an examination of the EAF and based further upon the Town's knowledge of the area and such further investigation of the proposed zoning amendment and its environmental effects as the Town has deemed appropriate, the Town makes the following findings:

- (a) The zoning amendment is described in the EAF;
- (b) The Action constitutes a "Type 1 Action" (as defined in the Regulations);
- (c) No potentially significant effect on the environment is noted in the EAF for this Action, and none are known to the Town;
- (d) This Action will not have a significant effect on the environment; and the town will not require the preparation of an environmental impact statement with respect to the Action; and
- (e) As a result of the foregoing, the Town has prepared a negative declaration with respect to the Action.

2. The Town Clerk is hereby directed to file a negative declaration with respect to the Action (said negative declaration attached hereto); and a copy of the negative declaration shall be maintained in the office of the Town Clerk in a file that will be readily accessible to the public.

3. This resolution shall take effect immediately.

The foregoing resolution was thereupon declared duly adopted.

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

Project Number: 4

Date: November 10, 2011

This notice is issued pursuant to a Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Saratoga Town Board as lead agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

**Name of Action:** Enactment of Local Law Amending Town of Saratoga Zoning Ordinance

**SEQR Status:** Type 1   
Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

Enactment of Local Law amending Town of Saratoga Zoning Ordinance by amending Local Law #1 of 1981 to add mining as a special permitted use in the rural zoning district.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.) Town of Saratoga

**Reasons Supporting This Declaration:**

(See 617.7(a)-(c) for requirements of this determination; see 617.7(d) for Conditioned Negative Declaration)

There are no potentially significant effects on the environment noted in the EAF for this action, and none are known to the Town. The action will not have a significant effect on the environment.

**If Conditioned Negative Declaration,** provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

**For Further Information:**

Contact Person: Thomas N. Wood, Supervisor  
Address: Saratoga Town Hall, 12 Spring Street, Schuylerville, NY 12871  
Telephone Number: (518) 695-3644

**For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer, Town/City/Village of Saratoga  
Other involved agencies (if any)  
Applicant (if any)  
Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany, NY 12233-1750  
(Type One Actions Only)

On a motion by Councilman Charles Hanehan and seconded by Councilman Michael McLoughlin the following **Resolution #11-103 – Adoption of Local Law #4 of 2011 – Zoning Amendment – Mining** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

*WHEREAS*, the Town Board has recognized the need to amend the Zoning Ordinance to include mining as a special permitted use in the rural zoning district; and

*WHEREAS*, the Town Board of the Town of Saratoga has held a public hearing and received input from the townspeople; now therefore be it

*RESOLVED*, by the Town Board of the Town of Saratoga to adopt **Local Law #4 of 2011 – Zoning Amendment Adding Mining as a Special Permitted Use in the Rural Zoning District.**

## *Local Law Filing*

41 STATE

STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

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

Local Law No. \_\_\_\_\_ 4 \_\_\_\_\_ of the year 2011

A local law amending the Zoning Ordinance of the Town of Saratoga to add mining as a special permitted use in the rural zoning district.

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

(Name of Legislative Body)

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

as follows:

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

**Section 1 – Rural District – Schedule of Uses**

Section 400-34 (B), Schedule of Uses and Regulations, is amended by adding “mining” as a “Use Requiring Special Permit”, as shown below:

|   |          |     |     |   |   |   |   |   |
|---|----------|-----|-----|---|---|---|---|---|
| <u>USES<br/>REQUIRING<br/>SPECIAL PERMIT</u>  |          |     |     |   |   |   |   |   |
| x. Mining<br>____(see also<br>Section 400-11) | 10 acres | 400 | 400 | - | - | - | - | - |

**Section 2 – Definitions**

Chapter 400, Appendix A – Definitions, is amended as to the definition of mining to read as follows:

MINING — The extraction or removal of minerals from the ground or the breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, including any activities or processes or parts thereof for the extraction or removal of minerals from their original location and the preparation, washing, cleaning or other processing of minerals so as to make them suitable for commercial, industrial or construction use, and includes the infrastructure for transportation of the minerals off site to a public highway. The term "mineral" shall include natural gas and oil.

**Section 2 – Effective Date**

This local law shall take effect immediately.

On a motion by Councilman Michael McLoughlin and seconded by Councilman James Jennings the following **Resolution #11-104 – Donation to Lakes to Locks -\$250** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanahan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

**WHEREAS**, Lakes to Locks Passage works for the Town of Saratoga to support grant programs and visitor promotions; and

**WHEREAS**, these supports have generated significant benefits for revitalization and economic developments; now, therefore be it

**RESOLVED**, by the Town Board of the Town of Saratoga to authorize a payment of \$250 to Lakes to Locks from account # A1010.4.

On a motion by Councilman Michael McLoughlin and seconded by Councilman James Jennings the following **Resolution #11-105 – Lease Agreement with Schuylerville**

**Area Chamber of Commerce** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

*WHEREAS*, the Town has excess space in the Town Hall Annex Building at 12 Spring Street, Schuylerville, NY which is unneeded for Town purposes, and which has been leased previously, and

*WHEREAS*, the Town Board desires to lease such excess space for fair and adequate consideration, it is hereby

*RESOLVED*, that Unit 4 of the Town Hall Annex Building be leased to Schuylerville Area Chamber of Commerce on a month to month basis for a monthly rental amount of \$ 50.00 and other terms to be as set forth under a form of lease agreement presently in use for other business tenants in the Annex Building, and it is further,

*RESOLVED*, that the Town Supervisor is authorized to enter into said lease agreement to carry out this resolution, subject to approval of the attorney for the Town as to form.

On a motion by Councilman James Jennings and seconded by Councilman Michael McLoughlin the following **Resolution #11-106 – Transfer of Funds - \$5,000 to Buildings A1620.4** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

*WHEREAS*, expenditures in Buildings account #A1620.4 have exceeded the budgeted amounts; therefore be it

*RESOLVED*, by the Town Board of the Town of Saratoga to transfer \$5,000.00 from Contingency Account # A1990.4 to Buildings account #A1620.4.

On a motion by Councilman James Jennings and seconded by Councilman Charles Hanehan the following **Resolution #11-107 – Transfer of Funds -\$100 to Highway Superintendent A5010.4** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye. Carried 4 – 0.

*WHEREAS*, expenditures for the Highway Superintendent account # A5010.4 have exceeded the budgeted amounts; therefore be it

*RESOLVED*, by the Town Board of the Town of Saratoga to transfer \$100.00 from Contingency Account # A1990.4 to Highway Superintendent account# A5010.4.

#### **Communications:**

- ❖ **Saratoga County Public Health is sponsoring a Flu Clinic – Monday, November 14, 2011 – 9 a.m.- 11:00 a.m. – Town Hall, Schuyler Room. Call 584-7460 with questions.**
- ❖ **Saratoga County Industrial Development Agency- Public Hearing on Nov. 14<sup>th</sup> at 8:00 a.m. in the Village of Victory Village Hall regarding Riverview Realty, LLC – Victory Mill Development**
- ❖ **Village of Victory invites the Town Board to a meeting at Village of Victory Village Hall, November 15<sup>th</sup> at 7:00 p.m. to discuss the Victory Mill Development.**

❖ **Intermunicipal Notification – Special Use Permit and Site Plan Review  
Application of Cellco Partnership DBA Verizon Wireless – Radar Road,  
Town of Stillwater – Install and operate a new communications  
facility/tower.**

**Privilege of the floor:**

**Gail Taras** addressed the board regarding Zoning Officer Gil Albert’s codes on the Building Permits and Certificates of Occupancy. Supervisor Thomas Wood stated that he will see that the codes are removed by next month’s meeting.

**Upcoming meetings:**

- ❖ **Agenda meeting – Thursday, December 8, 2011 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, December 12, 2011 at 7:00 p.m.**
- ❖ **Special Meeting – End of Year Audit of Bills – Wednesday, December 28, 2011 at 11:00 a.m.**

**Audit the Bills:** On a motion by Councilman James Jennings and seconded by Councilman Charles Hanehan the following **Resolution #11-108 Approving the payment of bills in Abstract 11G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan – aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye Carried 4 – 0.

**RESOLVED**, by the Town Board of the Town of Saratoga to authorize payment of the bills listed in Abstract 11G (11/10/2011) in the following amounts:

|                        |                                    |                      |
|------------------------|------------------------------------|----------------------|
| <b>General Fund A</b>  | <b>Voucher No. 344 through 385</b> | <b>\$ 69,890.10</b>  |
| <b>General Fund B</b>  | <b>Voucher No. 79 through 84</b>   | <b>\$ 7,242.67</b>   |
| <b>Highway DB</b>      | <b>Voucher No. 238 through 266</b> | <b>\$ 91,528.36</b>  |
| <b>Schuyler Park H</b> | <b>Voucher No. 27 through 30</b>   | <b>\$ 1,676.72</b>   |
| <b>Youth Y</b>         | <b>Voucher No. 3</b>               | <b>\$ 1,121.46</b>   |
|                        | <b>Grand Total</b>                 | <b>\$ 171,459.31</b> |

**A motion to adjourn at 9:45 p.m.** was made by Councilman Michael McLoughlin and seconded by Councilman Charles Hanehan. Supervisor Thomas Wood – aye, Councilman Fred Drumm – absent, Councilman Charles Hanehan - aye, Councilman Michael McLoughlin – aye, Councilman James Jennings – aye Carried 4 – 0.

Respectfully Submitted,

Ruth Drumm  
Town Clerk