

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

**July 13, 2015
7:00 P.M.**

Supervisor Thomas Wood opened the meeting with the Pledge of Allegiance at 7:02 p.m.

Roll call: Ruth Drumm, Town Clerk, called the roll. Supervisor Thomas Wood- present, Councilman Fred Drumm - present, Councilman Michael McLoughlin – absent, Councilman Charles Hanahan- present, Councilman James Jennings – present

Also present: Deputy Linda McCabe, Attorney Bill Reynolds, Zoning Officer Gil Albert, Highway Superintendent Don Ormsby, Chris Benn, Thomas R. Drew Sr., Sherry Doubleday and Brie Waldron

Recognitions/Presentations/ Bid openings/ Public Hearings:

Phil Klein, Health Insurance- Phil Klein addressed the board explaining the policies to consider for eligible employees and pre-medicare retirees. A resolution will be introduced later in the meeting.

Public Hearing - Time Warner Cable Television Franchise Renewal Agreement - After proof of advertising in the Saratogian on July 2nd was reviewed, Supervisor Thomas Wood opened the public hearing at 7:25 p.m. No one spoke. On a motion by Supervisor Thomas Wood and seconded by Councilman Charles Hanahan the hearing was closed at 7:26 p.m. Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanahan – aye, Councilman James Jennings – aye. Carried 4 – 0.

Public Hearing - Local Law #1 of 2015 - Zoning Amendments- Supervisor Thomas Wood explained the changes being made to the zoning laws. (A copy of Local Law # 1 is attached to Resolution #15-66 which will be voted on under New Business.) After proof of advertising in the Saratogian on June 30th was reviewed, Supervisor Thomas Wood opened the public hearing at 7:28 p.m. No one spoke . On a motion by Supervisor Thomas Wood and seconded by Councilman Charles Hanahan the hearing was closed at 7:29 p.m. Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanahan – aye, Councilman James Jennings – aye. Carried 4 – 0.

Approval of Minutes: A motion was made by Councilman James Jennings and seconded by Councilman Charles Hanahan to accept the minutes of the June 8th regular meeting as written. Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanahan – aye, Councilman James Jennings – aye Carried 4 – 0.

Town Clerk's report for June 2015: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$81.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$274.95. Fees paid to the New York State Health Department for Marriage licenses \$0. Dog license fees to Supervisor Thomas Wood \$370.00. Clerk fees to Supervisor Thomas Wood \$99.55. Total State and Local Revenues received were \$825.50.

Zoning Officer's report for June 2015: 19 Building Permits, 19 Building inspections, 15 Certificates of Occupancy, 0 Complaints, 0 Fire inspections, 0 Orders to Remedy, 3 misc. appointments, 1 Building Permit Renewal, and 0 Property Maintenance Inspections. A check for \$3,592.50 was given to Supervisor Thomas Wood.

Dog Control Officer's report for June 2015: The report was read by Supervisor Thomas Wood: answered 21 complaints, took 1 dog to the shelter, 1 bite case, issued 18 warnings, 6 summonses were issued, and traveled 58 miles.

Town Court report for June 2015: The following were closed: 42 Vehicle & Traffic, 5 Criminal/Penal Law, 6 DEC/ENCON, 2 Dog cases, 2 DWI, 1 Town & Village Ordinance, 0 Small Claims/Civil, 0 Evictions, 1 Bench trial, 4 (case transfer) Divestiture Forms sent to County Court, 0 Defendants sentenced to probation, 0 hours of community service issued, 3 Orders of Protection issued, and \$5,186.00 in fees were paid to the NY State Comptroller.

Historian's report: No report.

Assessor's report:

The Final Assessment Roll is available for public inspection as of July 1st, 2015.

During the past few months we have processed several sales – 12 valid sales and 18 non-valid sales which were 21 residential properties, 8 vacant land and 1 commercial sale.

The Assessor's Office will be open from June 1 – November 1st on Tuesday and Wednesday from 9:00 AM until 1:00 PM. The Assessor will be in the office those days and we will not use a clerk for that period of time.

Highway Superintendent's report for June:

- Roadside mowing is ongoing
- Addressing trees and limbs in ditches
- Storm drain repairs at Saratoga Knolls
- Road signs being replaced or repaired
- Ditching on Cahill and Hillandale
- Truck brakes have been inspected and repaired where needed
- Excavator maintenance complete
- Crack sealed at Haas, Mennen and Town hall parking lot
- Parking lot striping has been done
- Cleared trees and brush at the Siege trail
- 4 men took an air brake class and 2 took a electrical and filtration tech class
- Used our Cat roller with Northumberland

- Replaced footings at the Quaker Springs Mineral Spring building

Supervisor's report:

JUNE 2015

GENERAL FUND – TOWNWIDE (A FUND)

| | |
|------------------------|--------------------|
| Balance on hand JUNE 1 | \$ 1,164,067.22 |
| JUNE Revenues | + 13,889.11 |
| JUNE Disbursements | - <u>50,173.12</u> |
| Balance June 30 | \$ 1,127,783.21 |

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

| | |
|------------------------|-------------------|
| Balance on hand JUNE 1 | \$ 1,214,715.90 |
| JUNE Revenues | + 1,491.13 |
| JUNE Disbursements | - <u>4,629.43</u> |
| Balance JUNE 30 | \$ 1,211,577.60 |

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

| | |
|------------------------|---------------------|
| Balance on hand JUNE 1 | \$ 986,313.12 |
| JUNE Revenues | + 97,784.23 |
| JUNE Disbursements | - <u>228,716.58</u> |
| Balance June 30 | \$ 855,380.77 |

| | |
|---------------------------------------|---------------|
| SCHUYLER PARK CAPITAL PROJECT JUNE 30 | \$173,069.67 |
| YOUTH RECREATION & SERVICE JUNE 30 | \$ 2,505.92 |
| HIGHWAY EQUIPMENT RESERVE JUNE 30 | \$ 72,944.96 |
| BUILDING RESERVE JUNE 30 | \$ 154,599.48 |
| SCENIC BY WAYS GRANT JUNE 30 | \$ 310.89 |
| PARK RESERVE JUNE 30 | \$ 51,956.55 |
| FIRE PROTECTION JUNE 30 | \$ 0.34 |
| TRUST & AGENCY JUNE 30 | \$ 55,108.93 |
| MOBILE HOME GRANT JUNE 30 | \$ 10,873.19 |
| HOME IMPROVEMENT GRANT JUNE 30 | \$ 14,211.36 |
| CDBG GRANT JUNE 30 | \$ 1.25 |

The board received bank statements and reconciliations from all fund accounts for their review.

- ❖ Sales Tax Received – June 2014 - \$94,869
- ❖ Mortgage Tax – May 2014 - \$14,245.50

Public comments on agenda items: No one addressed the board.

Committee reports:

Landfill: No report.

Insurance: Phil Klein gave his presentation on Health Insurance Plans available to the town. They are up for renewal in August. Supervisor Thomas Wood noted he will be meeting with Dave Meager regarding our liability policy tomorrow which is up for renewal in August.

Youth: Supervisor Thomas Wood reported that 29 students have signed up for the swim program being held at the Christ the King Spiritual Life Center on Burton Road, Town of Easton.

Senior Citizens: No report.

Park Committee: No report.

Office of Emergency Management (OEM): Sherry Doubleday submitted the following:

At our July 27 meeting, we will have our table top exercise. Nash Alexander will be leading the team. Tom will be in touch with the Schuylerville Mayor, DPW and Highway Superintendent explaining how important it is they attend.

I attended a County Emergency Operations Workshop at the County Training Center. Topics included:

Emergency Management Overview, Emergency Operations Center (EOC), Situation Rooms and Low level EOC Activations, Utilizing the Incident Command System ICS in an EOC, Review of the ICS Sections and their Responsibilities, Information Management and Response Control, EOC facility Operations and Best Operations.

Following the workshop the last hour was devoted to breaking into groups and practicing an actual scenario.

GSES, QSFD Reports:

General Schuyler Emergency Squad: Joann Hanna reported:

| | |
|--------------------------------|----|
| Total number of calls for June | 51 |
| Town of Saratoga | 16 |
| Town of Northumberland | 7 |
| Schuylerville | 17 |
| Victory Mills | 3 |
| Mutual Aid Easton/Greenwich | 4 |
| Mutual Aid Wilton | 4 |

There were no incidents to report during Dave Matthews week-end and Lee's Trailer Park was very quiet for EMS workers. All the spring regattas were successful with only minor situations for EMS.

Quaker Springs Fire Department: Chief Donald Ormsby Jr. reported that there have been 51 calls year-to-date.

Old business: Councilman James Jennings asked for an update on how the Salt Shed Plans & Shared Service Agreement with the villages are coming. Supervisor Thomas Wood replied that once the plans are received a meeting will take place with himself, Highway Superintendent Don Ormsby, the Mayor's and the Village DPW foremen. The meeting will be scheduled before our August meetings so that an update can be given.

New business:

Victory Mill Pilot Program through the Saratoga County IDA: Board discussion on the revised Pilot Program which changes the amount of property taxes paid in years 3 through 7 to \$45,000, down from \$147,500 per year. Councilman Charles Hanehan, also a member of the Saratoga County IDA's board, stated he didn't receive the requested information regarding the funding of the project and the need for additional tax breaks from the banks that Uri Kaufman had applied to. He added because of that he will not support the amended Pilot Program.

On a motion by Supervisor Thomas Wood and seconded by Councilman James Jennings the following **Resolution #15-61 - Support of Pilot Program through the Saratoga County IDA for the Victory Mill Project**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – no, Councilman James Jennings – aye Carried 3 – 1

WHEREAS, the Mill in Victory has been abandoned for several years; and

WHEREAS, Riverview Realty, LLC, 90 State Street Albany, NY 12207 has applied to The Saratoga County IDA (the agency) and requested that the Agency undertake a project (the “Project”) consisting of (a) the acquisition of an interest in an approximately 6.57 acre parcel of land located at 42 Gates Avenue in the Village of Victory, Town of Saratoga, Saratoga County, New York (the “Land”), (b) the reconstruction thereon of an approximately 220,000 square foot building (the “Facility”) to constitute 98 residential rental units together with a pre-school, and (c) the acquisition and installation therein of certain machinery and equipment (the “Equipment” and together with the Land and the Facility, the Project Facility”). The total cost associated with the acquisition, construction and installation of the Project Facility is presently estimated to equal \$26,056,000; and

WHEREAS, the Agency is considering whether to undertake the Project and to finance the Project by executing; and delivering a mortgage or mortgages (the “Mortgage”) to secure a borrowing or borrowings by the Applicant (the “Loan”) in an aggregate principal amount sufficient to finance all or a portion of the cost of the acquisition, reconstruction and installation of the Project Facility and the cost of the Loan, which principal amount is currently estimated to be approximately Twenty Five Million and 00/100 Dollars (25,000,000); and

WHEREAS, If the application is approved, (A) the Project may be granted such exemptions with respect to state and local sales tax, mortgage recording tax and real property taxes as are applicable to commercial service facilities as set forth in the Agency’s Uniform Tax Exemption Policy adopted on March 11,1999, as amended, subject to deviation as provided therein, (B) the Project Facility will be acquired, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Applicant or its designee pursuant to a project agreement (the “Agreement”), (C) the Applicant will be the initial user of the Project Facility, and (D) the Mortgage will be a special obligation of the Agency payable solely out of certain of the proceeds of the Agreement and certain other assets of the Agency pledged to the repayment of the Loan; and

WHEREAS, the Saratoga County Industrial Development Agency is considering an application from Riverview Realty, LLC for financial assistance for a project that involves the reconstruction of the vacant Victory Mill at 42 Gates Avenue in the village of Victory into 98 residential rental units and a daycare/preschool facility. The total project cost is estimated at twenty six million dollars (\$26,000,000); and

WHEREAS, a public hearing on the project has been scheduled for July 20, 2015, at 8:00 a.m., at the village hall in the Village of Victory. The financial benefits under consideration include the granting of abatement on NYS sales tax on materials, supplies, tools, equipment and services to be used in the construction or equipping of the facility. In addition, the Agency is considering a deviation of its Uniform Tax Exemption Policy, which would provide for an annual Payment in Lieu of Property Tax, for the property structured as follows: for the first two (2) years during the construction period the project would pay property taxes based on the assessed value of the property; from year three (3) to and including year seven (7) the project would make annual PILOT payments of \$45,000; from year eight (8) through ten (10) the project would pay property taxes based on a percentage of the existing assessment at that time at the following rates: 50%; 70% and 90%; thereafter, the project will make annual payments based on full value assessment; and

WHEREAS, all payments made to the Agency under a future PILOT Agreement would be redistributed to the local tax jurisdictions on a prorated basis based on the percentage of their respective tax rates to the cumulative tax rate for the property and the proposed deviation is under consideration because the proposed tax abatements are a necessary inducement to offset the significant cost associated with the reconstruction of the obsolete and abandoned mill property into a viable economic use and it is also anticipated that the future economic benefits to the community and local tax revenues generated will be substantial and would justify the granting of tax abatements over the short term; now, therefore, be it

RESOLVED, that the Town Board of the Town of Saratoga supports the application as submitted and encourages the Saratoga County IDA and to approve the application.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #15-62 - Lease for 4W - Chris Koskinen**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, the Town has excess space in the Town Hall 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 approximately 80 square feet of space in the north wing, second floor of the Town Hall, Suite 203, Room 4W, be leased to the Christopher E. Koskinen, P.O. Box 35, Schuylerville, NY 12871, annually starting July 1, 2015 for a monthly rental amount of \$82.00 and other terms to be as set forth under a form of lease agreement presently in use for other business tenants in the Town Hall; and it is further

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement to carry out this resolution, subject to approval of the Town Attorney as to form.

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm the following **Resolution #15-63 - Amending Road Lengths for the Local Highway Inventory Listing**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, the Town has been notified by the NYSDOT Highway Data Services Bureau that three roads in the town appear to have additional length that can be claimed on the LHI; therefore be it

RESOLVED, that Wooley Road, currently 0.38 miles, will be increased by 0.10 miles to 0.48 miles; Corrine Court, currently 0.02 miles, will be increased by 0.18 miles to 0.20 miles; and Dan's View Road, currently 0.03 miles, will be increased by 0.18 miles to 0.21 miles; and it is further

RESOLVED, that the Town will have both legal and maintenance responsibility on these roads.

On a motion by Councilman James Jennings and seconded by Councilman Fred Drumm the following **Resolution #15-64 - Designating a "Lead Agency" for the Purpose of Conducting an Environmental Review of a Proposed Action, Local Law #1 of 2015 - Zoning Amendments - Definitions, Mixed Use and Garage Apartments**, was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – 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 certain definitions and uses in the zoning districts, 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 Charles Hanehan and seconded by Councilman Fred Drumm, the following **Resolution #15-65 - Determination of Negative Declaration - Local Law #1 of 2015** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – 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.

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanahan, the following **Resolution #15-66- Adoption of Local Law #1 of 2015 - Zoning Amendments** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanahan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, the Town Board has recognized the need to amend the Zoning Ordinance pertaining to certain definitions and uses in the zoning districts; 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 #1 of 2015 – Zoning Amendments** to certain definitions and uses in the zoning districts; (Local Law #1 of 2015 is attached.)

Local Law Filing
STATE DEPARTMENT OF STATE
STREET, ALBANY, NY 12231

NEW YORK

41 STATE

(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 2015

A local law amending the Zoning Ordinance of the Town of Saratoga.

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 – Definitions

Section 400-74 – Appendix A is amended to add the following definitions:

MIXED USE – More than one use of a structure, site or parcel that may include a mixture of residential, commercial or public uses as permitted in the respective zoning district.

ACCESSORY BUILDING APARTMENT – A one-family dwelling unit located in a detached accessory building on a lot. Septic and well requirements of Section 400-16.3 must be met.

RENTAL SERVICES – A business facility engaged in the retail renting or leasing of consumer goods and equipment to the general public.

ADDITIONAL ONE-FAMILY DWELLING UNIT – A one-family dwelling unit (other than an accessory building apartment) located on a lot containing an existing one-family dwelling unit.

Section 2 – Schedule of Uses in the Rural District

Section 400-34 (B) is amended by adding the following:

| RURAL DISTRICT | MIN. LOT AREA | MIN. LOT WIDTH | MIN. FRNT G | MINIMUM YARD DIMENSIONS IN FEET OF THE PRINCIPAL BLDG. | | | | MAX. LOT COVERAG E OF BLDGS. (%) |
|--|--------------------|----------------|-------------|--|----------------|----------------|-----------|----------------------------------|
| | | | | FRON T | TOTA L 2 SIDES | ONE SIDE YAR D | REAR YARD | |
| USES | (SF) | (FT) | (FT) | (FT) | (FT) | (FT) | (FT) | (%) |
| <u>PERMITTED USES</u> g. Accessory building apartment * | - | - | - | - | - | - | - | - |
| <u>USES REQUIRING SPECIAL PERMIT</u> y. Rental services z. Additional one-family dwelling unit * Must meet well and septic requirements of Section 400-16.3 | 2 acres 4 acres | 200 400 | 200 400 | 75 75 | 150 100 | 50 40 | 75 50 | 10 10 |

Section 3 – Schedule of Uses in Rural Residential District

Section 400-35 (B) is amended by adding the following:

| RURAL RESIDENTIAL DISTRICT | MIN. LOT AREA | MIN. LOT WIDTH | MIN. FRNT G | MINIMUM YARD DIMENSIONS IN FEET OF THE PRINCIPAL BLDG. | | | | MAX. LOT COVERAG E OF BLDGS. (%) |
|--------------------------------------|---------------|----------------|-------------|--|----------------|----------------|-----------|----------------------------------|
| | | | | FRON T | TOTA L 2 SIDES | ONE SIDE YAR D | REAR YARD | |
| USES | (SF) | (FT) | (FT) | (FT) | (FT) | (FT) | (FT) | (%) |
| <u>USES REQUIRING SPECIAL PERMIT</u> | 2 acres | 200 | 200 | 75 | 150 | 50 | 75 | 10 |

| | | | | | | | | |
|---|---------|-----|-----|----|-----|----|----|----|
| l. Rental services m. Additional one –family dwelling unit | 4 acres | 400 | 400 | 75 | 100 | 40 | 50 | 10 |
|---|---------|-----|-----|----|-----|----|----|----|

Section 4 – Schedule of Uses in the Rural District 2

Section 400-36 (B) is amended by adding the following:

| RURAL DISTRICT 2 | MIN. LOT AREA | MIN. LOT WIDTH | MIN. FRNT G | MINIMUM YARD DIMENSIONS IN FEET OF THE PRINCIPAL BLDG. | | | | MAX. LOT COVERAG E OF BLDGS. (%) |
|--|--------------------|----------------|-------------|--|----------------|----------------|-----------|----------------------------------|
| | | | | FRON T | TOTA L 2 SIDES | ONE SIDE YAR D | REAR YARD | |
| USES | (SF) | (FT) | (FT) | (FT) | (FT) | (FT) | (FT) | (%) |
| <u>PERMITTED USES</u> | | | | | | | | |
| b. Accessory building apartment * | - | - | - | - | - | - | - | - |
| <u>USES REQUIRING SPECIAL PERMIT</u> | 2 acres 4 acres | 200 400 | 200 400 | 75 75 | 150 100 | 50 40 | 75 50 | 10 10 |
| c. Home occupation d. Additional one-family dwelling unit * Must meet well and septic requirements of Section 400-16.3 | | | | | | | | |

Section 5 – Schedule of Uses in the Hamlet District

Section 400-38 (C) is amended by adding the following:

| HAMLET | MIN. LOT AREA | MIN. LOT WIDTH | MIN. FRNTG | MINIMUM YARD DIMENSIONS IN FEET OF THE PRINCIPAL BLDG. | | | | MAX. LOT COVERAG E OF BLDGS. (%) |
|--------------------------------------|---------------|----------------|------------|--|---------------|----------------|-----------|----------------------------------|
| | | | | FRONT | TOTAL 2 SIDES | ONE SIDE YAR D | REAR YARD | |
| USES | (SF) | (FT) | (FT) | (FT) | (FT) | (FT) | (FT) | (%) |
| <u>USES REQUIRING SPECIAL PERMIT</u> | 60,000 | 300 | 300 | 75 | 150 | 50 | 50 | 10 |

| | | | | | | | | |
|--|--------|-----|-----|----|-----|----|----|----|
| k. Gasoline Station l. Retail business or service | 60,000 | 300 | 300 | 75 | 150 | 50 | 50 | 10 |
|--|--------|-----|-----|----|-----|----|----|----|

Section 6 – Schedule of Uses in the Conservancy District

Section 400-39 (B) is amended by adding the following:

| CONSERVANCY | MIN. LOT AREA | MIN. LOT WIDTH | MIN. FRNT G | MINIMUM YARD DIMENSIONS IN FEET OF THE PRINCIPAL BLDG. | | | | MAX. LOT COVERAG E OF BLDGS. (%) |
|--|---------------|----------------|-------------|--|-------------|---------------|-----------|----------------------------------|
| | | | | FRONT | TOTAL SIDES | ONE SIDE YARD | REAR YARD | |
| USES | (SF) | (FT) | (FT) | (FT) | (FT) | (FT) | (FT) | (%) |
| <u>PERMITTED USES</u> | | | | | | | | |
| e. Accessory building apartment * | - | - | - | - | - | - | - | - |
| <u>USES REQUIRING SPECIAL PERMIT</u> | 3 acres | 300 | 300 | 75 | 200 | 75 | 75 | 10 |
| e. Rental services | 3 acres | 300 | 300 | 75 | 200 | 75 | 75 | 10 |
| f. Retail business or service | 4 acres | 400 | 400 | 75 | 100 | 40 | 50 | 10 |
| g. Additional one-family dwelling unit | | | | | | | | |
| * Must meet well and septic requirements of Section 400-16.3 | | | | | | | | |

Section 7 – Septic and Well Regulations for Accessory Building Apartments

Section 400-16.3 is added to the Zoning Ordinance as follows:

Section 400-16.3 – Septic and Well Regulations for Accessory Building Apartments

A. For the addition of an accessory building apartment, it must be shown either by the primary sanitary system as-built drawings or a field investigation that the septic tank and the sanitary disposal field have been sized adequately for the additional sanitary flow. If the existing system does not meet the additional requirements, the existing system may be expanded, including an adequately sized septic tank and sanitary field or a separate sanitary system may designed and submitted to the zoning officer for the garage apartment for approval.

The provision for a 50% future expansion of the sanitary disposal field must be provided.

B. Notwithstanding any other provision, no building permit for the installation of an accessory building apartment, the use of which requires the disposal of sewage, shall be issued by the Zoning Officer until such time as a proof of the existing sanitary system

being sufficiently sized for the additional number of bedrooms or a separate system being submitted and accepted by the zoning officer.

C. If a separate sanitary system is required;

(1) All percolation tests shall be conducted in accordance with the New York State Waste Treatment Handbook, Individual Household Systems.

(2) Should percolation tests result in a standard percolation test rate greater than 30 minutes, or in a finding of bedrock at a depth less than five feet, or groundwater at a depth of less than two feet below the designated bottom of a proposed tile field, a conventional in-ground septic system is not acceptable. In such instances, the owner of said lot shall submit to the Zoning Officer a plan for an alternative system. Such alternative system plan shall conform with an alternative system outlined in the New York State Waste Treatment Handbook, Individual Household Systems.

(3) In the event an alternative system plan is required, no building permit shall be issued by the Zoning Officer until the alternative plan is approved by the Zoning Officer. If deemed appropriate, the Zoning Officer and/or the applicant should consult with the New York State Health Department on the best alternative system to be utilized.

D. Water Well

If the primary home water well has a sustained yield below 5 gpm a full day of enclosed water storage should be provided per NYS DOH Individual Water Supply Wells - Fact Sheet #2 . A 5 gpm booster pump should deliver water from storage to the users through a hydropneumatic tank. Any required treatment should occur prior to storage at the low discharge rate of the well pump. A drilled well containing at least 400 gallons of usable storage in the casing (i.e., from the static water level to four feet above the pump intake) and having a well yield of 2 to 5 gpm may be equipped with a 5 gpm well pump discharging directly to household plumbing through a hydropneumatic tank (i.e., a separate storage day tank and booster pump are not necessary).

Section 8 – Effective Date

This local law shall take effect immediately.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings, the following **Resolution #15-67 - Transfer of Funds- \$20,000 from Parks A7110.4 to Schuyler Park H5031** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanahan – aye, Councilman James Jennings – aye Carried 4 - 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 Hanahan and seconded by Councilman Fred Drumm, the following **Resolution #15-68 - Lease for 8W - John McCarron** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanahan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, the Town has excess space in the Town Hall 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 approximately 80 square feet of space in the north wing, second floor of the Town Hall, Suite 203, Room 8W be leased annually to John McCarron, 8 Hilda Drive, Mahopac, NY 10541 starting August 1, 2015 for a monthly rental amount of \$82.00 with terms to be set forth under a form of lease agreement presently in use for other business tenants in the Town Hall; and it is further,

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement to carry out this resolution, subject to approval of the Town Attorney as to form.

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan, the following **Resolution #15-69 - Time Warner Cable Television Franchise Renewal Agreement** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm - aye, Councilman Michael McLoughlin - absent, Councilman Charles Hanehan - aye, Councilman James Jennings - aye Carried 4 - 0

WHEREAS, an application has been duly made to the board of the Town of Saratoga, County of Saratoga New York, by Time Warner Cable Northeast LLC ("Time Warner Cable"), a limited liability company organized and existing in good standing, under the laws of the State of Delaware ("Grantee") doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850 for the approval of an initial agreement for the Time Warner Cable's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing will be held in the Town of Saratoga, New York on July 13, 2015, at 7:00 P.M. and notice of the hearing was published in the Saratogian on July 2, 2015.

NOW, THEREFORE, the Board of the Town of Saratoga finds that:

1. Time Warner Cable has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED, that the Board of the Town of Saratoga hereby grants the cable Television franchise of Time Warner Cable in the Town of Saratoga for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED, that the Board of the Town of Saratoga hereby confirms Acceptance of this Franchise Renewal Agreement.

On a motion by Councilman James Jennings and seconded by Councilman Charles Hanehan, the following **Resolution #15-70 - Acknowledging Farnan Road as a Town Road** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, it has come to the attention of the Town that the official Saratoga County Tax Map shows Farnan Road in the Town as being a private road, and

WHEREAS, New York State DOT has requested clarification from the Town as to the status of Farnan Road, it is now therefore,

RESOLVED, that the Town Board of the Town of Saratoga acknowledges that Farnan Road is a public highway by use due to public use and maintenance by the Town for a period in excess of 10 years, within the meaning of Section 189 of the Highway Law, and it is further,

RESOLVED, that a copy of this resolution be provided to the County of Saratoga and New York State DOT.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings, the following **Resolution #15-71 - Rename Lohnes Road - Firehouse Road** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, it has come to the attention of the Town that there exists two town highways in the Town of Saratoga know as “Lohnes Road”, and

WHEREAS, the Town Board wishes to remove any public confusion regarding mapping, travel, State highway improvement funding and delivery of emergency services in the Town, it is now therefore,

RESOLVED, that the Town Board of the Town of Saratoga renames “Lohnes Road” as it runs between Spring Road and Blodgett Road, to be hereinafter officially known as “Firehouse Road”, and it is further,

RESOLVED, that a copy of this resolution be provided to the County of Saratoga and New York State DOT.

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm, the following **Resolution #15-72 - Change Health Ins. Policies** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, on an annual basis the town board enters into an insurance contracts to provide health insurance coverage for eligible employees; and

WHEREAS, the board has reviewed proposals for contracts to commence August 1, 2015; now, therefore be it

RESOLVED, that the Town Supervisor is authorized to sign a contract for health insurance benefits for eligible active employees with Capital District Physicians Health Plan for their CDPHP HDEPO QUALIFIED 310 SILVER PLAN with a high deductible effective August 1, 2015 for a one year term. The high deductible will be reimbursed by the town through a special account that CDPHP can withdraw deductibles from as needed. Due to the increase of premium, the town will pay the first \$1,500 of deductibles

for single plans and the first \$3,000 for family plans as currently being done. In the future, if the deductibles increase beyond the \$1,500/\$3,000, then the employee and the town will each pay 50% of the increased deductible; and be it further

RESOLVED, that the Town Supervisor is authorized to sign a contract for health insurance benefits for pre-medicare retirees with Capital District Physicians Health Plan for their CDPHP GOLD EPO PLAN 203 with the town and employee splitting the \$500 deductible 50/50; \$250 town, \$250 insured for the single plan employee.

On a motion by Councilman Fred Drumm and seconded by Councilman Charles Hanehan, the following **Resolution #15-73 - Identifying Matching Funds for a Saratoga County Industrial Development Agency (IDA) Grant** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, The Hudson-Hoosic Rivers Partnership’s mission is to preserve, enhance, and develop the historic, agricultural, scenic, natural, and recreational resources and the significant waterways within the Partnership region; and

WHEREAS, through the tradition of municipal home rule, the Partnership will foster collaborative projects with pertinent non-profit and governmental entities with an emphasis on both agricultural and open space protection, economic, and tourism development, and the protection and interpretation of our natural and cultural heritage; and

WHEREAS, in support of its mission, the Partnership has been working to create a Saratoga Turning Point Gateway Visitor Center; and

WHEREAS, the creation of this visitors center will not only increase the level of economic activity in the region, but it will also act as the next step in creating an educational and historic site for the region; and

WHEREAS, The Partnership, the Saratoga County IDA, and the Town of Saratoga agree to enter a contract with Saratoga Associates to design the visitor’s center and the Saratoga County IDA will serve as a fiduciary agent for the Partnership and the Town of Saratoga; and

WHEREAS, in order to fund the design of the visitor center, the Partnership applied for funds through the Saratoga County IDA; and

WHEREAS, The Saratoga County IDA has agreed to grant the Hudson-Hoosic Rivers Partnership \$132,000 to pay for the design work of a visitor center which will serve as funding for pending grants; and

WHEREAS, The Town of Saratoga and the Partnership In the Reappropriations section of the New York State 2015-2016 Aid to Localities Budget, were reappropriated funding from the 2006, 2007, and 2013 fiscal years for “services and expenses associated with the Historic Hudson-Hoosic Rivers Partnership” that total \$517,700. Of this allocation, \$132,000 will be used to satisfy the requirements of the IDA funds; therefore be it

RESOLVED, The Town of Saratoga hereby approves the use of reappropriated funding to satisfy matching requirements for the Saratoga County IDA funds.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings, the following **Resolution #15-74 - Lease for S.A.F.E.R. - Annex -1R** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, the Town has excess space in the Town Hall 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 1R in the Annex be leased to S.A.F.E.R., annually starting July 1, 2015 for a monthly rental amount of \$100.00 and other terms to be as set forth under a form of lease agreement presently in use for other business tenants in the Town Hall; and it is further

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement to carry out this resolution, subject to approval of the Town Attorney as to form.

On a motion by Councilman Charles Hanehan and seconded by Councilman Fred Drumm, the following **Resolution #15-75 - Adopting the Comprehensive Emergency Management Plan for the Town of Saratoga** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, the Town must provide leadership and direction to prepare for, mitigate and respond to and recover from emergencies in the town; it is hereby

RESOLVED, that the Town of Saratoga's Comprehensive Emergency Management Plan be adopted to provide preparedness in emergencies. A copy will be available on the town's website, www.townofsaratoga.com.

On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings, the following **Resolution #15-76 - Lease for 2E - VL Executive Services** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 - 0

WHEREAS, the Town has excess space in the Town Hall 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 Suite 203, Room 2E, be leased to VL Executive Services, 1668 County Route 64, Salem, NY 12865, annually starting August 1, 2015 for a monthly rental amount of \$241.00 and other terms to be as set forth under a form of lease agreement presently in use for other business tenants in the Town Hall; and it is further

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement to carry out this resolution, subject to approval of the Town Attorney as to form.

Health Officer- Supervisor Thomas Wood stated that Dr. Christopher Thomas, our Health Officer, is no longer at the Schuylerville Family Health Office. Councilman Charles Hanehan will contact Dr. Thomas to see if he will continue as our Health Officer.

Communications:

- ❖ The **2015 Turning Point Parade** is on **Sunday, August 2, 2015 at 1:00 p.m.**

Privilege of the floor: No one addressed the board.

Upcoming meetings:

- ❖ **Agenda meeting – Thursday, August 6, 2015 at 7:00 p.m.**
- ❖ **Regular town board meeting – Monday, August 10, 2015 at 7:00 p.m.**

Audit the Bills: On a motion by Councilman Fred Drumm and seconded by Councilman James Jennings the following **Resolution #15- 77 Approving the payment of bills in Abstract 7G** was adopted by vote: Supervisor Thomas Wood - aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan – aye, Councilman James Jennings – aye Carried 4 – 0.

RESOLVED, by the Town Board of the Town of Saratoga that the bills be paid on Abstract #7G (07/13/2015) in the following amounts:

| | | |
|-----------------------------|------------------------------------|---------------------|
| General Fund A | Voucher No. 218 through 265 | \$ 16,367.24 |
| General Fund B | Voucher No. 35 through 41 | \$ 3,597.71 |
| Highway DB | Voucher No. 113 through 135 | \$ 9,610.47 |
| Schuyler Park H | Voucher No. 19 through 22 | \$ 787.30 |
| CDBG | Voucher No. 8 through 12 | \$ 60,447.00 |
| Home Improvement H21 | Voucher No. 9 through 10 | \$ 14,932.00 |
| Mobile Home MH | Voucher No. 7 through 14 | \$ 73,920.00 |
| | Grand Total | \$179,661.72 |

A motion to adjourn at 9:32 p.m. was made by Councilman James Jennings and seconded by Councilman Charles Hanehan. Supervisor Thomas Wood – aye, Councilman Fred Drumm – aye, Councilman Michael McLoughlin – absent, Councilman Charles Hanehan - aye, Councilman James Jennings – aye Carried 4 – 0.

Respectfully Submitted,

Ruth L. Drumm
Town Clerk