

**TOWN OF SARATOGA TOWN BOARD
MEETING DRAFT MINUTES
12 SPRING ST., SCHUYLERVILLE, NY
March 13, 2023
6:00 P.M.**

Supervisor Thomas Wood opened the meeting with the pledge of allegiance at 6:02 p.m.

Roll call: Town Clerk, Linda McCabe, called the roll: Supervisor Thomas Wood – present, Councilman Michael McLoughlin – present, Councilwoman Ruth Drumm – present, Councilman Gary Squires – present, Councilwoman Maxine Lautenberg – present.

Also present: Deputy Supervisor Ian Murray, Deputy Town Clerk Michelle Conover, Building Inspector/Zoning Officer Gil Albert, Rick & Sandra Allen, Richard Potiker, Ron & Wendy Simmons, Don & Diana Germain, Rocco & Jan Montesano, Matt Fueston, Tom & Toni Kinsella, Steve & Steven Winney, John Hall, Wayne Terwilliger, Fiona Farnell, Jesse Schwartz, Erik Johnson, Heather Lydecker, Sean Hickey, Daniel Spillane, Craig & Maria Dempsey, Frank Smith, Bill, Sandy & Abbie Casey, Catherine & Doug Flanagan, Bethany & Cory Dempsey, Alan & Marlene Mapes, Maribeth & Chris Macica, Al & Linda Macica, Lauren Kirkwood, Holly & Chelsea Esford, Louis, Alicia, Anna & Addina Farone, Lauren Montesano & son, Daniel Nedwell, Greg Aidala, Stacey McDonald, Brendan Dempsey, Frank & Marge Rodriguez, Chris & Jen Koval, Mary Walsh, Susan Johnson, Jennifer Clayton, Justin Dempsey, Emily Dayter, Shawn Littrell, Diane Fitzgerald, Frank Arcangelo and other interested persons.
(Sign In sheet is on file in the Town Clerk’s office)

Recognitions/Presentations/ Bid openings/Public Hearings: Supervisor Thomas Wood stated he will have Deputy Supervisor Ian Murray speak about proposed Local Law #2, 2023, along with Zoning Officer/ Building Inspector Gil Albert. He will then open the Public Hearing and a SEQR review will be conducted later in the meeting.

Deputy Supervisor Ian Murray read proposed Local Law 2 of 2023 - Zoning Amendments definitions: ‘Commercial Event Venue - A location where events are held and whose primary business is to hold events, including but not limited to weddings, parties, meetings, family reunions, and corporate events/retreats. The event location must include a least one permanent structure as the primary facility, but may also include tents, gazebos or open areas, subject to Planning Board approval. Events for which the owner or operator of the venue receives no fee or other remuneration in connection with the event and no fees charged to attendees, shall not be considered commercial events. All uses however, must meet Special Permit Use Requirements and obtain required permit. Events held by not-for-profit organizations or agriculture business related tourism, shall not be considered commercial events.’ He stated the highpoints are this is similar to the requirements of restaurants, parking standards are in place, lot data is provided, noise and sound regulations are set, maximum occupancy is set by State Code, State Operating Permit-see ‘K’, minimum standards to be met and Planning Board will have further requirements. He then read the definition for Commercial Finishing Shop – ‘An

establishment primarily engaged in the finishing of wood or metal products. Such products may either be in raw material form and/or fabricated.' He stated the lot data is similar to the auto body shop requirements.

Proposed Local Law #2 of 2023 is written as follows:

Section 1: Commercial Event Venue — Allowable Use

Article IV of Chapter 400 of the Code of the Town of Saratoga (the "Zoning Ordinance") is amended by adding the following:

Commercial Event Venue - A location where events are held and whose primary business is to hold events, including but not limited to weddings, parties, meetings, family reunions, and corporate events/retreats. The event location must include a least one permanent structure as the primary facility, but may also include tents, gazebos or open areas, subject to Planning Board approval. Events for which the owner or operator of the venue receives no fee or other remuneration in connection with the event and no fees charged to attendees, shall not be considered commercial events. All uses however, must meet Special Permit Use Requirements and obtain required permit. Events held by not-for-profit organizations or agriculture business related tourism, shall not be considered commercial events.

§400-16.5 - Commercial Event Venue

- A. Restaurants with banquet facilities where commercial event venues are accessory to the restaurant, shall not be subject to this regulation.
- B. No vehicles or equipment associated with the event shall be permitted to be parked on public roadways and highways. All vehicle parking shall be maintained on site unless offsite parking is permitted by the Planning Board. All commercial event venues located on state or county highways, must obtain necessary review and permitting.
- C. A minimum of one parking space for every two persons attending the event shall be provided for on-site parking. The Planning Board may approve, in its discretion, the use of off-site parking as an alternative, with transportation to the site by attendees through a commercial transportation service. All special permitted uses must provide access for emergency services vehicles and equipment.
- D. The parcel size on which event venue is located must be a minimum of five (5) acres. The general event area (the actual location(s) in which the gathering is to occur) and buildings shall be located at least 300 feet from any neighboring residence. All activities associated with the use are to be included within the general event area, the only exception being the parking as allowed by Subsection B. or C. above.
- E. Sources of amplified sound, including recorded music or live musical performances, but excluding spoken word, shall commence no earlier than 12:00 p.m., shall be terminated by 10:00 p.m. and shall be set up within the primary building. Amplified sound shall not at any time exceed 75dBA as measured from an area immediately outside any property lines.
- F. Fireworks, firecrackers are not allowed.
- G. No overnight accommodations shall be provided in temporary structures such as tents or recreational vehicles. Any venues which provide overnight

accommodations (such as motels, inns, or bed and breakfasts) must comply with all applicable codes and laws related to the provision of said accommodations.

- H. Food or alcoholic beverages are permitted to be sold by licensed vendors.
- I. The maximum number of persons at a commercial event venue shall be fixed by the Planning Board and State Code requirements, based on the size of the parcel and event venue, and giving due regard for the character of the neighborhood and any applicable local or State building and public health laws.
- J. Adequate sanitary restroom facilities shall be provided on site, and the type, design and location of such facilities and the method of sewage disposal from restroom facilities shall be subject to the approval of the Planning Board. Permanent structures used to host commercial events must meet all NYS Building Code regulations and public health laws
- K. Subsequent to the special permit approval, a NYS Operating permit will be issued with an annual fee of \$500 plus a \$100 per event fee, to cover the costs of monitoring and enforcement by the Town. A person holding a permit under this section shall submit to the Zoning Officer a Notice of Event not less than 30 days prior to any scheduled event. However, if the registration or booking of the event is made less than 30 days prior to the event date, the Notice of Event shall be submitted as soon as reasonably possible and no less than 7 days prior to the event date. Such submittal to the Zoning Officer shall also include, for each event listed, the name and phone number of the permit holder or agent of the permit holder who shall be on-site for said event, the hours of the event, the number of persons attending, the names and licenses for any food or beverage vendors, and any other information that the Zoning Officer may reasonably require.
- L. All other provisions of Article VII (Special Permitted Uses) of this zoning ordinance shall apply to commercial event venue applications.
- M. Signage must conform to district regulations.

Section 2: Zoning Districts - Commercial Event Venues shall be added as a special permitted use in the Rural, Rural Residential and Conservancy zoning districts of the Town.

Use Requiring Special Use Permit in:
Rural, Rural Residential and Conservancy Districts

Districts: Rural, Rural Res.& Conservancy				Minimum Yard Dimensions of Principal Building				Maximum Building Coverage
Uses Requiring Special Permit	Minimum Lot Area	Minimum Lot Width	Minimum Lot Frontage	Front (feet)	Total 2 Sides (feet)	One Side	Rear	
Commercial Event Venue	5 acres	300'	300'	75	150	50	100	10%

Section 2: Zoning Districts – Commercial Finishing Shop shall be added as a special permitted use in the Rural and Rural Residential districts of the Town.

§400-34 - Rural District & Rural Residential District (Schedule of Uses and Regulations) is amended to read as follows:

Uses Requiring Special Permit:

r - 1. Commercial Finishing Shop

Definition:

Commercial Finishing Shop - An establishment primarily engaged in the finishing of wood or metal products. Such products may either be in raw material form and/or fabricated.

Use Requiring Special Use Permit in:
Rural and Rural Residential District

District: Rural and Rural Residential				Minimum Yard Dimensions of Principal Building				Maximum Building Coverage
Uses Requiring Special Permit	Minimum Lot Area	Minimum Lot Width	Minimum Lot Frontage	Front (feet)	Total 2 Sides (feet)	One Side	Rear	
r.-1 Commercial Finishing Shop	2 acres	200'	200'	75	100	40	75	10%

Zoning Officer/ Building Inspector Gil Albert stressed that they went with NYS Operators Permit in order to have more control over the Special Use Permit. If any issues arise the permit will be pulled immediately and the business shut down. It gives complete control to do this immediately without having to go to court.

Supervisor Thomas Wood stated proposed Local Law #2 has two sections and he'll begin the Public Hearing with comments on the Commercial Event Venues first.

Supervisor Thomas Wood opened the Public Hearing at 6:09 p.m., asking those wishing to speak to please stand at the podium, state their name and address, direct their comments to the Board and keep within the 3 minute time-frame allowed each person.

The following addressed the Board in opposition of proposed Local Law #2, 2023, with concerns of noise pollution, enforcement of permit rules, not wanting this type of business in their neighborhoods:

Marybeth Macica -120 Brown Rd., Sean Hickey - 637 Rt. 29, Dan Nedwell – 1049 Co. Rt. 70, Jennifer Clayton – 687 Rt. 29, Lauren Kirkwood – 26 Hill Rd., Jan & Paul Murphy – 36 Hill Rd., Alicia & Louis Farone – 717 Rt. 29, Matt Fueston – 78 Nielson Rd., Diane Fitzgerald – 32 Condon Rd., Fiona Farrell – 180 Lohnes Rd.

The Board members heard all who wished to be heard.

The following addressed the Board in full support of Local Law #2, 2023, with the belief this is for the betterment of the Town, along with it adding additional tax base revenues, which will help all residents:

Craig Dempsey – 727 Rt. 29, Mary Walsh – 1064 Co. Rt. 70, Bethany Dempsey – 727 Rt. 29, Ian Murray – 188 Swamp Rd., Gilman Albert – 967 Rt. 29, Justin Dempsey – 416 3rd Ave, Watervliet.

The Board members heard all who wished to be heard.

Supervisor Thomas Wood then stated the Board would hear comments to the Commercial Finishing Shop section of proposed Local Law #2, 2023, asking those wishing to speak to please stand at the podium, state their name, address and direct their comments to the Board only and to keep within the 3 minutes allowed each person.

The following addressed the Board in opposition to Commercial Finishing Shops with concerns of parking, quality of life, truck traffic, hazardous chemicals: Steven Winney – 1045 Co. Rt. 70, Paul Murphy – 36 Hill Rd., Marybeth Macica – 120 Brown Rd., Daniel Nedwell – 1049 Co. Rt. 70.

The Board members heard all who wished to be heard.

Supervisor Thomas Wood asked if anyone further wished to speak; seeing none,
Supervisor Thomas Wood closed the Public Hearing at 7:16 p.m.

Approval of Minutes: A motion was made by Councilmember Ruth Drumm and seconded by Councilmember Gary Squires, **to accept the minutes of the February 9th Agenda meeting and February 13th Regular Town Board meeting as written.**

Supervisor Thomas Wood - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg - aye.

Carried 5 – 0

Town Clerk's report for February 2023: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$41.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$47.24. Fees paid to the New York State Health Department for Marriage licenses \$22.50. Dog license fees to Supervisor Thomas Wood \$180.00. Clerk fees to Supervisor Thomas Wood \$364.89. Total State and Local Revenues received were \$673.13.

Zoning Officer's report for February 2023: 5 Building Permits, 22 Building Inspections, 12 Certificates of Occupancy, 0 Junkyard Permits, 0 Complaints, 0 Fire Inspections, 3 Order to Remedy, 12 misc., 16 Building Permit Renewals and 0 Property Maintenance Inspections. A check for \$2,812.50 was given to Supervisor Thomas Wood.

Dog Control officer's report for February 2023: The following report was read by Supervisor Thomas Wood: Ed Cross, Dog Control Officer answered 17 complaints, took 0 dogs to the shelter, 0 bite case, traveled 46.4 miles, issued 16 warning and 0 summons' were issued.

Town Court report for February 2023: Closed Traffic Tickets - 28, Closed Criminal/Penal Law cases – 4, Closed Civil Cases – 3, Closed Encon/DEC – 4, Closed DWI's – 1, Closed Town & Dog cases – 0. A check in the amount of \$1,525.00 was submitted from Justice Charles Sherman to Supervisor Thomas Wood and a check in the amount of \$1,175.00 was submitted by Justice John McCarron to Supervisor Thomas Wood.

Tax Collector’s report: As of March 6, 2023, 85% of taxes have been collected, with a total to date of \$3,540,355.40. 1,975 mailed in their payments, 147 made payments on-line and 655 payments were made by wire transfer.

Please Note: Taxes are to be paid by mail, in the drop box in the Town Hall lobby or on-line.

Historian’s report for February 2023: No report.

Assessor’s report February 2023: No report.

Highway Superintendent’s report for February 2023

- ❖ Clearing limbs out of ditches and fixing signs
- ❖ Making runners for deck mower
- ❖ Road checks for icing and drifting
- ❖ Truck 2 overhead door opener replaced
- ❖ Garage Oil separator cleaned and emptied
- ❖ Truck maintenance greasing and cleaning
- ❖ Rear axle seal on truck six repaired
- ❖ Starter and batteries replaced on truck 4
- ❖ Oil and filter changed on pickups 2 & 4
- ❖ Drive shaft on truck 5 feeder chain replaced
- ❖ Hauling crusher run and stone dust for shoulders
- ❖ Sanded for 4 storms and plowed 2

Supervisor’s report:

SUPERVISOR’S REPORT FEBRUARY 2023

GENERAL FUND – TOWNWIDE (A FUND)

Balance on hand 2/1/2023	\$2,317,032.07
Revenues	+ 43,041.57
Disbursements	- <u>482,389.97</u>
Balance 2/28/2023	\$1,877,683.67

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand 2/1/2023	\$2,639,569.15
Revenues	+ 83.02
Disbursements	- <u>10,966.36</u>
Balance 2/28/2023	\$2,628,685.81

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand 2/1/2023	\$1,083,335.77
Revenues	+ 159,767.48
Disbursements	- <u>94,604.13</u>
Balance 2/28/2023	\$1,148,499.12

SCHUYLER PARK CAPITAL PROJECT 2/28/2023	\$ 122,923.12
YOUTH RECREATION & SERVICE 2/28/2023	\$ 8,673.85
HIGHWAY EQUIPMENT RESERVE 2/28/2023	\$ 145,700.21

BUILDING RESERVE 2/28/2023	\$ 483,269.71
SCENIC BY WAYS QRTRLY 2/28/2023	\$ 312.09
PARKS RESERVE 2/28/2023	\$ 376,956.55
TRUST & AGENCY 2/28/2023	\$ -----
CDBG Project 2/28/2023	\$-----
GFNB Certificate of Deposit 2/28/2023	\$ 754,057.09
NYCLASS 2/28/2023	\$ 717,400.83

February 2023 Sales Tax Received - \$153,816.00

February Mortgage Tax Received - \$8,044.50

Public comments on agenda items: The following residents of the Schuyler Hills subdivision addressed the Board concerning issues with wells of four houses, roads, ditches, erosion and retention ponds: Rick Allan – 207 Patriot Hills Dr., Rocco Montesano – 205 Patriot Hills Dr., Diana Germain – 102 Schuyler Hills Dr., Lauren Montesano & son – 206 Patriot Hills Dr., Tom Kinsello – 104 Patriot Hills Dr. The Board members heard all who wished to be heard.

Committee reports:

Landfill: No report.

Insurance: No report.

Youth: No report.

Senior Citizens: Councilwoman Maxine Lautenberg submitted the following: Quaker Springs Sunshiners met on March 13, 2023 with 16 members in attendance for a potluck luncheon. She updated the group on the Town's 2023 Goals and current proposed legislation and Richard Blair, a member of the Old Saratoga Seniors, reminded them, as always they are very welcome to join the Old Saratoga Seniors for activities and trips. Future trips planned: Quaker Springs will look to join Old Saratoga Seniors
Next meeting: April 10, 2023 at 11:15 a.m.

Park Committee: No report.

Office of Emergency Management (OEM): No report.

WEMS, QSFD Reports: Fire Chief Don Ormsby stated Quaker Springs Fire Department has had 7 calls to date for 2023 and the new Rescue Truck is now in service.

Old business: Supervisor Thomas Wood stated the Board passed a resolution a couple of months ago in support of creating a committee for the 250th Anniversary Celebration of the Revolutionary War. The Town Historian is working on that and to date they've not met, but are hoping to begin in May.

Supervisor Thomas Wood stated there are some serious water issues with four homes in the Schuyler Hills subdivision, which Zoning Officer/Building Inspector Gil Albert and Deputy Supervisor Ian Murray have been working tirelessly trying to find resolution for those homeowners. He said he personally went there on Saturday and spoke with some of those homeowners and he understands their frustrations with the builder. They also have issues with the road and ditches. Verbally, the developer has agreed to correct the issues and to correct the ditches and complete the roads, but to date has not done so. One way or another the road will be done correctly, even if the town ends up having to do it. They are awaiting NYS DOH to help with the water and have contacted Carrie Woerner's office, hoping she will be able to get the Department of Health to step up.

Zoning Officer/ Building Inspector Gil Albert stated he's spoken with Gary Houlihan and was told he's waiting for NYS DOH and will fix the problem and is sending a letter confirming that and will also put a 2" topcoat on the road. He said they've been working trying to get this resolved for them.

Deputy Chairman Ian Murray stated a major player here is NYS DOH and we have to work with them to get resolution with this issue; as a Town, we aren't allowed to supersede State law, which binds our hands.

Supervisor Thomas Wood agreed. He added that often times a pounder drill can get water at a shallower depth than others. No one should be drinking the water at those four homes. He suggested they use a pounder drill and go no deeper than 200'; doing that can open a crack which can then possibly fill the well. It's worth a try. He said mistakes get made, but must go forward to resolve the well and road issues. He then stated he appreciates the owners coming to him.

Tom Kinsello said Cerrone's not contacted them in 5 months. Hawk Drilling Co. tested his home and took pictures without permission; he has limited confidence with NYS DOH – nothing is happening.

Supervisor Thomas Wood stated the Town won't abandon this; they know those issues need resolution. Councilmember Gary Squires and the Board agreed with Supervisor Thomas Wood.

Supervisor Thomas Wood said Shane Drumm is looking to sell his property development rights (PDR) with Saratoga Plan and needs the Town's endorsement. A resolution will follow later in the meeting.

New business: Deputy Supervisor Ian Murray then went through SEQR line by line with the Board for both sections of proposed Local Law #2, 2023, which found in favor of the proposed law.

A motion was made by Councilmember Gary Squires, seconded by Councilmember Ruth Drumm **to declare SEQR review complete and to make a Negative Declaration, for both parts of proposed Local Law # of 2023.** Supervisor Thomas Wood - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg - aye.
Carried 5 – 0

Supervisor Thomas Wood stated he feels it's premature to go with event venues at this time. It's not a bad thing, but perhaps some changes are needed. He'd like to separate the proposed law and focus on finishing shops. He said it needs to be amended as prepared and have a resolution just for the finishing shop.

A motion was made by Councilmember Michael McLoughlin, seconded by Councilmember Gary Squires **to amend Resolution #23-38 and remove the event venue portion and go with finishing shop only**. A short discussion ensued.

A motion was made by Gary Squires, seconded by Ruth Drumm, **to table Resolution #23-38 at this time**. Supervisor Thomas Wood – aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg - aye.
Carried 5 – 0

On a motion by Councilmember Maxine Lautenberg and seconded by Councilmember Ruth Drumm, the following **Resolution #23-39 – Authorizing Highway Superintendent to Enter into Contract with Garage Kings for the Highway Garage Epoxy Flooring Project** was adopted by vote: Supervisor Thomas Wood - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg - aye.
Carried 5 – 0.

RESOLVED, that the Town Board of the Town of Saratoga, after reviewing the RFP responses for the highway flooring project and obtaining the following floor quotes:

- ❖ \$65,400.00 – Tuff Kote Flooring, LLC
- ❖ \$98,642.00 – Valley Performance Floors
- ❖ \$126,000.00 – Gimondo Epoxy & Concrete
- ❖ \$84,500.00 – Garage Kings

opted for and authorizes the Highway Superintendent to enter into contract with Garage Kings for a total cost of \$84,500.00 for the highway garage epoxy flooring project.

On a motion by Councilmember Michael McLoughlin and seconded by Councilmember Gary Squires, the following **Resolution #23-40 – Endorsement of Drummland Farm's application via Saratoga Plan for NYS Department of Agriculture and Markets Farmland Protection Implementation Purchase of Developments (PUD) grant**, was adopted by vote: Supervisor Thomas Wood - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – recused, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg - aye.

Carried 4– 0, 1 recusal.

WHEREAS, Shane Drumm is the owner of certain real property consisting of approximately 159 acres of viable agricultural land in tax map parcels #182.-2-19.11 located on Hathaway and Swamp Roads in the Town of Saratoga, Saratoga County, New York and collectively referred to herein as “Drummland Farm” or the “Property”. Shane Drumm intends to permanently protect his farmland for agricultural purposes by conveying a permanent conservation easement on the Property.

WHEREAS, the Property is in active agricultural production as Drummland Farm and features productive agricultural soils, including 29 acres Prime Soils, 29 acres of statewide importance and 46 acres prime soils if drained, as defined by the US Department of Agriculture Natural Resources Conservation Services;

WHEREAS, The Property is located within Saratoga County’s Agricultural District #1, created pursuant to Article 25-AA of the New York State Agriculture and Markets Law (the “AML”). Section 300 states: “It is hereby found and declared that many of the agricultural lands in New York State are in jeopardy of being lost for any agricultural purposes. When nonagricultural development extends into farm areas, competition for limited resources results, it is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products. It is the purpose of this article to provide a locally-initiated mechanism for the protection and enhancement of New York State’s agricultural lands as a viable segment of the local and state economies and as an economic and environmental resource of major importance;”

WHEREAS, Article 25-AAA, Section 321 of the AML states: “It is hereby found and declared that agricultural lands are irreplaceable state assets. In an effort to maintain the economic viability, and environmental and landscape preservation values associated with agriculture”, the Commissioner is authorized to administer programs to assist counties in developing agricultural and farmland protection plans to assist both county and municipal governments in the implementation of such plans. The Commissioner gives priority to projects that will preserve viable agricultural land, are located in areas facing significant development pressure and serve as a buffer for a significant natural public resource containing important ecosystem or habitat characteristics;”

WHEREAS, Saratoga County adopted an Agricultural and Farmland Protection Plan in December 1997 that recommends supporting local farmland conservation projects by encouraging “partnerships between landowners, local governments, private organizations and county to leverage access to existing state and federal funds for purchase of development rights”, and by encouraging landowners to learn more about private conservation options like conservation easements and promote public-private partnerships to expand these efforts: and

WHEREAS, Saratoga County adopted a Green Infrastructure Plan in November 2006 that recommends the County to “help county municipalities and other partners create protection priorities, goals and strategies for the conservation of natural heritage” and create farmland core areas, which the Property is located within and contributes to;

WHEREAS, the Town of Saratoga, which adopted a Comprehensive Land Use Plan (the “Plan”) in March 2002 that recognizes “the irreplaceability of the Town’s ‘Prime’ agricultural soils, the importance of actively farmed lands to the agricultural industry, the rural landscape character of the community, and the inherent susceptibility to development.” The long-term goal is to preserve the prime goal of the Town “to preserve the ‘Prime’ agricultural soils and actively-farmed land to the greatest extent possible.”

WHEREAS, the Town of Saratoga adopted an Agricultural and Farmland Protection Plan in December 2018 which states “the Town of Saratoga leadership continues to be highly supportive of the agricultural community...adopting new strategies to help sustain the future of agriculture in the Town The plan recommends participation in purchase of development rights programs in partnership with Saratoga Plan and supports “an expanded use of flexible conservation easements that provide farmers more options to hold on to their land and protect farmland affordability.”

WHEREAS, Saratoga PLAN is a New York not-for-profit corporation within the meaning of Article 49, Title 3 or the Environmental Conservation Law of the State of New York (together with any successor statute, the “ECL”), is organized for, among other purposes, conserving real property, is a tax exempt and qualified organization within the meaning of Sections 501(c)(3), 509(a) and 170(b)(1)(A)(vi) of the Internal Revenue Code (the “Code”), and is a “qualified organization” to accept, purchase, and hold conservation easements under Section 170(h) of the Code of Treasury Regulation Section 1.170A-14(c).

WHEREAS, Saratoga PLAN determined that accepting a conservation easement on the Property will enhance the long-term agricultural values of the Property and promote the use of soil conservation practices, which will further Saratoga PLAN’s charitable purposes of protecting the distinctive rural character of Saratoga County and its lands and waters of a significant historic and ecological value; and

WHEREAS, the Grantors and Saratoga PLAN agree that the purpose of the agricultural

conservation easement will be to conserve Viable Agricultural Land by preventing the conversion of the Property to non-farm uses. In achieving such prevention, the Property shall be forever reserved for continued Agricultural Use; now, therefore, be it

RESOLVED, that the Town of Saratoga Town Board endorses the submission of an application from Saratoga Plan to the New York State Department of Agriculture and Markets for funding to Purchase Developments Rights on the Drummland Farm Property and for Saratoga Plan to hold and uphold a perpetual conservation easement on the land.

Communications: None

Privilege of the floor: The following addressed the Board: Lauren Kirkwood, Marybeth Macica, Craig Dempsey, Paul Murphy, Louis & Alicia Farone.

Upcoming meetings:

- ❖ Agenda Meeting – Thursday, April 6, 2023 at 6:00 p.m.
- ❖ Regular Town Board meeting – Monday, April 10, 2023 at 6:00 p.m.

Audit the Bills: On a motion by Councilmember Ruth Drumm and seconded by Councilmember Gary Squires, the following **Resolution #23-41 - Approving the Payment of Bills in Abstract 3G of 2023**, was adopted by vote: Supervisor Thomas Wood - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg – aye.

Carried 5– 0.

RESOLVED, by the Town Board of the Town of Saratoga to authorize payment of the bills listed in **Abstract 3G of 2023 in the following amounts:**

General Fund DB	No. 130, 134 - 149	\$187,740.05
General Fund A	No. 113, 128, 131, 150 – 177	\$ 29,906.04
General Fund B	No. 179 & 180	\$ 426.86
General Fund H	No. 129	\$ 24.59
General Fund FS	No. 178	\$ 39,982.00
CDBG	No. 181	\$ 36,065.94
	Grand Total	\$294,145.48

A motion was made by Councilmember Michael McLoughlin and seconded by Councilmember Gary Squires, **to adjourn the meeting at 8:50 p.m.** Supervisor Thomas Wood - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg - aye.

Carried 5 – 0

Meeting Adjourned

Respectfully Submitted,

Linda A. McCabe
Town Clerk