

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

April 8th, 2024
7:00 P.M.

Supervisor Ian Murray opened the meeting with the pledge of allegiance at 7:00 p.m.

Roll call: Town Clerk, Michelle Conover, called the roll: Supervisor Ian Murray- present, Councilman Michael McLoughlin – present, Councilwoman Ruth Drumm – present, Councilman Gary Squires – present, Councilwoman Maxine Lautenberg – absent, (arrived at 7:15 pm).

Also present: Deputy Town Clerk Linda McCabe, Building Inspector/Zoning Officer Gil Albert, Highway Superintendent Donald Ormsby and other interested parties.

Recognitions/Presentations/ Bid openings/Public Hearings:

Public Hearing on the Mass Gathering Permits for Saratoga Rowing Association's Regattas scheduled for April 20th, 2024, April 27th-28th, 2024 and May 11th-12th, 2024. Supervisor Ian Murray reviewed the measures taken to ensure the public's safety at the Saratoga Rowing Association's Regattas. Proof of notice in the Saratogian on March 30th having been provided, Supervisor Ian Murray opened the Public Hearing on the Mass Gathering Permits for the April 20th, 2024, April 27th -28th, 2024 and May 11th-12th, 2024 at 7:02 p.m., asking those wishing to speak to please stand at the podium, state their name and address for the record, direct their comments to the Board and keep within the 3 minute time-frame allowed each person. Seeing as no one wished to speak, Supervisor Ian Murray, closed the public hearing at 7:03 p.m.

Public Hearing on the Mass Gathering Permit for 4Life Entertainment, this permit was pulled from this meeting this evening. The Town has reached out to the applicant, in regard to the application fee and have not received a response.

Public Hearing LL#2 of 2024 – Continued Public Hearing for Planning, Zoning and Town Code Updates: Supervisor Ian Murray opened the public hearing at 7:05 p.m. Paul Murphy of Hill Road addressed the board. Mr. Murphy stated he found the definition of restaurant in the Town's Zoning Code. Mr. Murphy asked where are the rules for noise, hours, parking etc. Supervisor Murray stated this would all be determined during the Town Planning Board process; the Planning Board establishes the criteria for that special use. Supervisor Murray stated the Conservancy District has a minimum lot of 2 acres, minimum lot width is 200 feet, minimum frontage is 200 feet, front is 75 feet. The minimum yard dimensions of principal building, total two sides are 150 feet, one side is 50 feet and Maximum lot coverage of the building is 10%.

Diane Fitzgerald asked the districts that are called conservancy, she wants to know why they were given that designation? Ms. Fitzgerald asked if it was an idea that this district be conserved more than the rural areas? Supervisor Murray stated that he did not have the Town of Saratoga Zoning book with him at this meeting. The districts within the Town were established in 1984 when zoning was enacted in the Town of Saratoga. The purpose and intent of each district is at the beginning of that district in the code book,

Supervisor Murray apologized for not having the zoning book with him tonight. Ms. Fitzgerald then asked if it was an area that the Town wanted to conserve more due to the natural habitats because of water ways or things like that. Supervisor Murray said he understands the uses were restricted in the district and it certainly shows with the lot data required. Supervisor Murray said its not as great as the rural district or any other district like that but it wasn't meant to totally conserve or restrict. Supervisor Ian Murray closed the public hearing at 7:08 p.m.

Approval of Minutes: A motion was made by Councilmember Michael McLoughlin and seconded by Councilmember Ruth Drumm, **to accept the minutes of the March 11th, 2024 Regular Town Board meeting as written.** Supervisor Ian Murray - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg - absent.

Carried 4 – 0

Town Clerk's report for March 2024: Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$46.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$28.34. Fees paid to the New York State Health Department for Marriage licenses \$22.50. Dog license fees to Supervisor Ian Murray \$213.00. Clerk fees to Supervisor Ian Murray \$359.16. Total State and Local Revenues received were \$669.00.

Zoning Officer's report for March 2024: 7 Building Permits, 8 Building Inspections, 2 Certificates of Occupancy, 0 Junkyard Permits, 0 Complaints, 0 Fire Inspections, 0 Order to Remedy, 11 misc., 1 Building Permit Renewal and 0 Property Maintenance Inspections. A check for \$945.00 was given to Supervisor Ian Murray.

Dog Control officer's report for March 2024: Ed Cross, Dog Control Officer answered 6 complaints, took 1 dog to the shelter, 0 bite case, traveled 93 miles, issued 5 warnings and 4 summons' were issued.

Town Court report for March 2024: The following checks were submitted to Supervisor Ian Murray for fines & fees: \$80.00 from Justice Charles Sherman - and \$2,040.00 from Justice John McCarron.

Tax Collector's report: As of April 4th, 2024, 90% of taxes have been collected, with a total to date of \$3,810,978.98, 1989 mailed in their payments, 207 made payments on-line and 654 payments were made by wire transfer.

Historian's report for March 2024: No report.

Assessor's report March 2024: No report.

Highway Superintendent's report for March 2024:

- ❖ Clean up ditches of tree limbs and debris
- ❖ Address leaning signs and mailbox repairs
- ❖ Replace broken storm grate cover on Trask Lane
- ❖ Pot hole patching
- ❖ Ditching on Burgoyne Road

- ❖ Ordered filters for equipment spring maintenance
- ❖ Maintenance done on Cat roller
- ❖ Brake checks and filter maintenance done on trucks 2 and 5
- ❖ JD deck tractor maintenance and oil leaks addressed
- ❖ Truck 9 front end and dash light repairs by HL Gage
- ❖ Grading on Swamp and Dodd roads
- ❖ Truck 9 boom inspected
- ❖ Cleaned up ditching material off site
- ❖ Working on repairing and repainting historical signs in town
- ❖ Sanding on 2 and plowing on 1 storm

Councilmember Michael McLoughlin received a request to have the trail at the Surrender site smoothed out for bicyclist, the trail is very rough on the bikes. Supervisor Ian Murray stated the Town will also check with Tim Blanchard and possibly get a drag harrow and drag the trail to help level the area. Highway Superintendent Don Ormsby stated the highway garage has a York rake with an approximate deck of eight feet. Highway Superintendent Don Ormsby said he would go to the trail and inspect it this week.

Supervisor’s report:

**SUPERVISOR’S REPORT MARCH 2024
GENERAL FUND – TOWNWIDE (A FUND)**

Balance on hand 3/1/2024	\$ 1,178,348.70
Revenues	+197,587.76
Disbursements	- (148,630.97)
Balance 3/31/2024	\$ 1,227,305.49

GENERAL FUND – OUTSIDE VILLAGE (B FUND)

Balance on hand 3/1/2024	\$ 2,289,922.38
Revenues	+ 800.00
Disbursements	- (6,961.41)
Balance 3/31/2024	\$ 2,283,760.97

HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)

Balance on hand 3/1/2024	\$ 767,140.79
Revenues	+ -
Disbursements	- (65,999.88)
Balance 3/31/2024	\$ 701,140.91

SCHUYLER PARK 3/31/2024	\$ 113,041.40
YOUTH RECREATION & SERVICE 3/31/2024	\$ 8,673.85
HIGHWAY EQUIPMENT RESERVE 3/31/2024	\$ 80,727.53
BUILDING RESERVE 3/31//2024	\$ 483,599.90

CDPHP & HRA 3/31/2024	\$ 3,097.26
AHC HOME IMPROVEMENT 3/31/2024	\$ 61,990.00
SCENIC BY WAYS QRTLRY 3/31/2024	\$ 312.29
PARKS RESERVE 3/31/2024	\$ 376,956.55
GFNB Certificate of Deposit 3/31/2024	\$ 794,303.08
NYCLASS 3/31/2024	\$ 758,039.68

- 1. February 2024 Mortgage Tax Received** – \$ 7,543.92
- 2. March 2024 Sales Tax Received** - \$154,111.00
- 3. March 2024 (AUC) Adult Use Cannabis Tax Received** –
- 4. Major Solar Collection** – Because this action is for a moratorium, the Town does not have to complete SEQR review. The Town has a revised amended resolution that the Town Board will be go over later in the meeting.
- 5. Website Update-** Supervisor Ian Murray signed a contract a couple weeks ago and the new Town website project has been started. Supervisor Ian Murray passed out the updated costs to each Town Board member.
- 6. Saratoga County Sheriff’s update** – Supervisor Ian Murray handed out to the Town Board members a copy of the Sheriff’s office monthly statistics for March 2024.
- 7. County Squatter’s Legislation** – Supervisor Ian Murray stated at the County level legislation is being drafted to curtail a squatter’s situation, the County Board is trying to keep this type situation at bay. Once the legislation is ready, Supervisor Murray will share it with the Town Board members.
- 8. Amending the Town of Saratoga Zoning Ordinance** – This is a type 2 action and we will do SEQR review prior to the adoption of resolution # 24-44.

Councilmember Maxine Lautenberg arrived at the Town Board meeting at 7:15 p.m.

9. American Legion Request – Jim Weed of the American Legion Post 278 in Schuylerville requested the Town purchase and donate new flags for the Legion again this year. The total cost for the flags will be \$928.77. Supervisor Ian Post Muray of asked that the clerk’s office contact Mr. Weed and have him contact the villages of Schuylerville and Victory to see if they’d be willing to donate as well.

Public comments on agenda items: None.

Committee reports:

Landfill: No report.

Insurance: No report.

Youth: Councilmember Michael McLoughlin recently spoke to the director of Christ the King Center. The center is hoping to have an answer within the next week or two, whether the center will be able to offer the swim program this year.

Park Committee: Supervisor Ian Murray stated that he signed the contracts with the school for the use of Schuyler Park in review: The contract between Schuyler Park and the school district ran out in 2023. The school has agreed to a \$10,000.00 payment for the 2023-2024 season. Then from 2024-2029 the school agreed to increase their amount to \$15,000.00 a year. This goes to the maintenance and operational costs of Schuyler Park.

The Town recently received the revised turfgrass and maintenance schedule for Schuyler Park from Laurie Griffen. The Town sent out an RFP on April 6th that ran in the Saratogian and is posted on the Town's website. All proposals are due by Monday, April 15th, 2024 by 3:00 p.m.

Office of Emergency Management (OEM): Supervisor Ian Murray is working on the updates of OEM. Councilmember Maxine Lautenberg asked Supervisor Murray if he was still looking for someone for the OEM position. Supervisor Murray stated that he feels as if can manage that position. The management plan has been written and Supervisor Murray has been working on the updates and he is content with continuing with it.

WEMS, QSFD Reports: No report on WEMS. Highway Superintendent Donald Ormsby stated QSFD has had approximately 15 calls for the year.

Old business:

New business:

On a motion by Councilmember Michael McLoughlin and seconded by Councilmember Gary Squires, the following **Resolution #24-42 Mass Gathering Permit of 2024 Saratoga Rowing Association Regatta's** was adopted by vote: Supervisor Ian Murray - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires -aye, Councilmember Maxine Lautenberg - aye.

Carried 5-0.

WHEREAS, the Town Board of the Town of Saratoga has received and reviewed the application for a Mass Gathering Permit by the Saratoga Rowing Association for the following Regattas on Fish Creek, Saratoga Lake:

- ❖ April 20th, 2024, 6 a.m. – 6 p.m. – New York State Collegiate Championship. Estimated number of people attending is 1500 with a minimum of 300 vehicles.
- ❖ April 27th-28th, 2024 – 6 a.m. – 6 p.m. – Saratoga Invitational. Estimated number of people attending is 5,000 with minimum of 1,500 vehicles.
- ❖ May 11th-12th, 2024, 6 a.m. – 6 p.m. – NYS High School Championships. Estimated number of attendees is 5,000 with 1,500 vehicles.

and

WHEREAS, the required information has been submitted, as required by Local Law #2 of 2006; and

WHEREAS, the Town Board of the Town of Saratoga has held a public hearing on April 8, 2024 for input by interested persons; and

WHEREAS, the event is desirable for the town, now, therefore be it,

RESOLVED, that the Town Board of the Town of Saratoga grants the permit for said regattas, conditional upon the Town of Saratoga receiving a Certificate of Insurance for the above event naming the Town of Saratoga as additional insured in the amount of \$2 million, at least 5 business days prior to the event; that the events are found to be in compliance with the NYS Department of Health regulations of Chapter 1, Title 10, Part 18 by the NYS DOH when required; and that the review of the information required by Local Law #2 of 2006, Section 3 is found to be adequate.

Resolution #24-43 Mass Gathering Permit of 2024 4Life Entertainment 2 Day Camping and Arts Gathering – Supervisor Ian Murray pulled this resolution from tonight’s meeting.

Legislative SEQR Concerning Resolution # 24-44 -Supervisor Ian Murray stated that this next resolution is a type two action so the Town will have to do SEQR. Supervisor Murray said that this is not project specific, this is just for legislation, so we don’t have to get into the details of SEQR. The Town Board will have to get through it and make a determination on SEQR because this is just legislation updating the Town of Saratoga’s Zoning Codes. Supervisor Murray read SEQR line by line. Supervisor Ian Murray made a motion seconded by Councilmember Ruth Drumm to declare SEQR complete and declared a negative declaration. Supervisor Murray again stated that this is for legislation only. All in favor Supervisor Ian Murray - 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 Michael McLoughlin and seconded by Councilmember Gary Squires, the following **Resolution #24-44 Adoption of Local Law #2 of 2024 – Amending the Town of Saratoga’s Zoning Ordinance** was adopted by vote: Supervisor Ian Murray - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires -aye, Councilmember Maxine Lautenberg –nay

Carried 4–1

WHEREAS, there is a need to amend the Town’s Zoning Ordinance with the addition of updated fees, adding restaurant as an allowable use to conservancy district, adding roadside stands as a By Right use to Rural District 2, and language to Water Regulations, 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 2 of 2024.

Proposed Local Law #2, 2024: Town of Saratoga
Zoning Regulations Amendments/Updates

1. 400-63. Fees – Revised and updated fees for Building Permits, ZBA Applications and Planning fees. Fees have not been updated since 2016.
(See attached proposed fee schedule)
2. 400-39. Conservancy District – Add Restaurant as an allowable use requiring a special use permit to the Conservancy District. Restaurant definition in Section 400, Attachment 1.

3. 400-36. Rural District 2 – Add Roadside Stand as a By Right Use to the Rural District 2.
Roadside Stand definition is in Section 400, Attachment 1.

400-15. Water Regulations – Section 400-15. B (3) (9) of the current Town Zoning Code does not allow the well casing to be calculated as part of storage. The Town wants this sentence removed and further state that the Town will follow NYS DOH Part 5, Subpart 5-1 Standards for water wells when referencing well casing storage.

Conservancy					Minimum Yard Dimension of Principal Building			
Permitted Use Requiring Special Permit	Minimum Lot	Minimum Lot Width (feet)	Minimum Frontage (feet)	Front (feet)	Total Two Sides (feet)	One Side (feet)	Rear (feet)	Maximum Lot Coverage Of Building
Restaurant	2 acres	200	200	75	150	50	75	10%

Rural District 2								
Permitted Use								
Road Side Stands By Right								

INSTRUCTIONS FOR A BUILDING PERMIT

- A. Fill out an application for a Building Permit.
- B. Have two copies of a plot plan, showing dimensions of the lot, the actual size and the location on the lot of the building to be erected, the location of the septic tank and drain field and the location of the well.
- C. One set of plans showing footing and foundations, walls, joists, windows, doors, etc. Must be submitted in a form adequate to ensure compliance with the State Building Construction Code. Plans must bear the stamp of a New York State Architect or Engineer when the floor plan is over 1,500 square feet, or if the construction exceeds \$10,000.00.
- D. A perc test to be taken before a permit is issued.
- E. If the construction is in the flood plain area, a special Building Permit must be issued by the Building Inspector before a Town Building Permit can be issued.
- F. A special water well report must be filled out and returned to the Building Inspector shortly after the well is drilled.
- G. A Certificate of Insurance must be supplied by the contractor before the permit is issued.
- H. Fees:

Floor plans up to 2,000 square feet (residential) base fee	\$ 400.00 + \$.20
additional fee of \$.20 per square foot over 2,000 sq. ft.	
Each 100 square feet over 2,000 square feet	\$ 20.00
Buildings for agricultural pursuits	\$ 100.00

Additions & Accessory Use building permit base fee additional fee of \$.20 per square foot	\$ 100.00 + \$.20
Swimming Pools	\$ 100.00
Improvements that don't have quantifiable floor areas, including decks & septic systems	\$ 100.00
Telecommunication Tower	\$2,000.00
Flood Plain	\$ 100.00
Commercial Buildings base fee additional fee of \$.25 per square foot	\$ 250.00 + \$.25
Demolition	\$ 50.00
Signs	\$ 50.00
Timber Harvest	\$ 50.00
Mobile Home - per foot	\$.20
Certificate of Occupancy inspection	\$ 75.00

**All Permits valid for 1 year with the exception of swimming pools.
Swimming Pool permits are valid for 6 months.**

Inspections

Footing forms before pouring, foundations before back fill, framing and plumbing together, insulations. Final inspection when all major systems are completed. The electrical system must have a complete inspection by a certified electrician and a certificate to the Building Inspector. Septic system – all boxes and pipe lines must be inspected before covered.

Councilmember Maxine Lautenberg has concerns regarding the extension of this PUD, in the next resolution, since this originally got approved in 2005. Councilmember Maxine Lautenberg asked it if this was still comparable or has something changed in the last nineteen years since this was approved originally. Councilmember Maxine Lautenberg then asked for a little more background on the project. Supervisor Ian Murray stated this project was reviewed by the Town's Planning Board and recommendations were made by the Planning Board and sent back to the Town Board. Supervisor Murray stated the Town has more control with this PUD project, for example the Town will have controls over the architecture, height and size of the buildings, etc. The PUD is included in the Town of Saratoga General Code/ecode360 on the Towns website, so it's available for anyone to review.

On a motion by Councilmember Michael McLoughlin and seconded by Councilmember Gary Squires, the following **Resolution #24-45 Resolution for Extending Construction of Saratoga Country Inn PUD until May 12, 2026** was adopted by vote: Supervisor Ian Murray - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires -aye, Councilmember Maxine Lautenberg – aye
Carried 5–0.

WHEREAS, on February 14, 2005, the Town Board of the Town of Saratoga granted final approval for the Saratoga Country Inn PUD, by amending the Zoning Ordinance of the Town; and

WHEREAS, Article X, Section 3(J) of the Zoning Ordinance provides that approval for a PUD development project shall become null and void if construction has not begun within two years of the Town Board approval; and

WHEREAS, due to circumstances beyond control of the owner and applicant, said construction work has not begun as planned, and for good cause shown to the Town Board; it is therefore

RESOLVED, that there is hereby granted an extension of time until May 12, 2026, within which construction work must begin for the Saratoga Country Inn PUD and such construction must be completed on or before eighteen (18) months of issuance of the first building permit, and it is further

RESOLVED, that if the aforesaid time limitations are not met, then the approval for this development project shall become null and void.

On a motion by Councilmember Michael McLoughlin and seconded by Councilmember Gary Squires, the following **Resolution #24-46 Amendment to Local Law #1 of 2024 – A temporary Moratorium on Major Solar Collection Systems in the Town of Saratoga for a period of Six Months** was adopted by vote: Supervisor Ian Murray - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires -aye, Councilmember Maxine Lautenberg – aye
Carried 5–0.

WHEREAS, the Town Board of the Town of Saratoga acknowledges the need to place a temporary moratorium on major solar collection systems for 6-months to adequately study, review and plan for legislation on major solar collection systems, and if more time is needed to complete the task this moratorium may be further extended, and

WHEREAS, this moratorium affects all major solar collection systems that currently do not have Planning Board preliminary approval and negative declaration on SEQR.

WHEREAS, a public hearing was held and input was received from the townspeople, now therefore be it,

RESOLVED, by the Town Board of the Town of Saratoga, to adopt Amended Local Law # 1 of 2024, placing a temporary moratorium on major solar collection systems for six months, effective immediately.

Communications:

Privilege of the floor: The following address the Board: Diane Fitzgerald, Brianne Mulligan and Patience Davidson address the board with their concerns.

Supervisor Ian Murray asked Councilmember Maxine Lautenberg if she would like to give an update on the Clean Energy Committee. Councilmember Lautenberg stated that paperwork has been done and submitted that the Town had changed out all the streetlights to LED's. With that changeover it put the Town in the running for a \$10,000 grant. The committee was notified that the Town can receive that grant and the Town has until the end of June to determine how the Town will best use the money toward making improvement in infrastructure

or other places in the Town. This particular grant is specific with the criteria for the grant, NYSERDA wants to make sure the funds are being used in a way that helps with an environmentally sound way to reduce greenhouse gas emissions.

Councilmember Lautenberg went on to say that with Zoning Officer Gil Albert had completed training on clean energy and the Town also completed benchmarking of the Town buildings. Councilmember Lautenberg stated once is proved to NYSERDA that the information is on the Town website, the Town will qualify for another \$5,000 community grant.

The Clean Energy Committee is also working on a clean heat pump technology campaign. The committee has partnered with other community organizations. The Clean Energy Committee gave a presentation to the Old Saratoga Seniors program this past week. If anyone has any question please don't hesitate to contact Councilmember Lautenberg.

Upcoming meetings:

- ❖ Regular Town Board meeting – Monday, May 13th, 2024 at 7:00 p.m.

Audit the Bills: On a motion by Councilmember Ruth Drumm and seconded by Councilmember Michael McLoughlin, the following **Resolution #24-47 - Approving the Payment of Bills in Abstract 4G of 2024** was adopted by vote: Supervisor Ian Murray - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - absent, 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 4G of 2024 in the following amounts:**

General Fund DB	No. 211-228	\$ 20,173.91
General Fund A	No. 164-165, 170-171, 183-205	\$ 23,823.68
General Fund B	No. 207-210	\$ 5,527.83
General Fund H	No. 172	\$ 25.12
General Fund SF	No. 206	<u>\$ 14,426.00</u>

Grand Total \$ 63,976.54

A motion was made by Councilmember Gary Squires and seconded by Councilmember Ruth Drumm, **to adjourn the meeting at 7:58 p.m.**

Supervisor Ian Murray - aye, Councilmember Michael McLoughlin – aye, Councilmember Ruth Drumm – aye, Councilmember Gary Squires - aye, Councilmember Maxine Lautenberg - aye.

Carried 5 – 0

Meeting Adjourned

Respectfully Submitted,

Michelle Conover
Town Clerk