

**TOWN OF SARATOGA TOWN BOARD  
MEETING DRAFT MINUTES  
12 SPRING ST., SCHUYLERVILLE, NY  
April 10, 2023  
6:00 P.M.**

Supervisor Thomas Wood opened the meeting with the pledge of allegiance at 6:03 p.m.

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

**Also present:** Deputy Supervisor Ian Murray, Deputy Town Clerk Michelle Conover, Building Inspector/Zoning Officer Gil Albert, Daniel Nedwell, Chris Benn, Libby Coreno, Steven Winney, Craig Dempsey, Maribeth & Chris Macica, Jan & Paul Murphy, T. Yannios, Roxanne Fonda, Alicia & Louis Farone, Jennifer Clayton, Ralph Dimeglio, Hubert Miller and Chris Koval. (Sign In sheet is on file in the Town Clerk’s office)

**Recognitions/Presentations/ Bid openings/Public Hearings**

Supervisor Thomas Wood stated Attorney Libby Coreno was present to review to update the Board and share additional information concerning the Cedar Bluff Conservation Subdivision. He then asked Attorney Libby Coreno to address the Board.

Attorney Libby Coreno stated she was before the Board due to the provision in the Town Code as it relates to Conservation Subdivisions, which are the preferred method per the Town’s Comprehensive Plan. As Deputy Supervisor Ian Murray stated last month, Section 400-14, H-1 of the Town Code is a provision that when the Planning Board contemplates a Conservation Subdivision, as you know, it requires a substantial amount of the acreage to be preserved in one form or another. The ownership of that land only comes before this Board when there is a mechanism that otherwise provides for another code. The Applicant is proposing that all of the conservation area be tied to the farmstead, Lot 32, illustrated in section 400-14, H-1. The graphic indicates that in a Conservation Subdivision, the farmstead lot is the mechanism. She then showed all the open space of the proposed subdivision and added other than ownership, use and maintenance of open space doesn’t require a public hearing. She read section 400-14, H-1 to the Board: ‘Ownership and maintenance of open space lands shall occur under the following conditions:

- (a) through a homeowners’ associations; or
- (b) conveyed to the Town with the approval of the Town Board; or
- (c) held by the developer; or
- (d) another ownership as approved by the Town Board.

She stated it is not appropriate for an HOA, as it will be an agriculture parcel with significant deed restrictions; 22.5+/- acres on the westside and 39+/- acres on the eastside. There will be no further subdivision of these lands and significant deed language and restrictions will be clear.

Supervisor Thomas Wood stated, to clarify, there can never be further subdivision?

Attorney Libby Coreno responded that is correct. She then said also the deed restrictions will also require the language that exists in the Town Code. The ‘open space shall be for wildlife habitat and conservation, historic preservation, education, outdoor education, recreation, park purposes, agriculture, horticulture, forestry, or a combination of these uses and shall be served by suitable access for such purpose. Wastewater and stormwater management systems serving the CSD may also be located within the open space.’ That is directly from Town Code and that is what will be in the deed restrictions.

Supervisor Thomas Wood questioned that the original farmhouse and barns are included and Attorney Libby Coreno said yes, with improvements.

Maxine Lautenberg questioned what else is actually in the works, how many more buildings, if farm use, what other development?

Attorney Libby Coreno responded agriculture buildings and what is allowed for such, but no other homes.

Supervisor Thomas Wood asked if there were any further questions of the Board; there were none.

Attorney Libby Coreno stated if this is acceptable to the Board, she’ll draft the appropriate language and get it to the Town’s attorney for approval.

Supervisor Thomas Wood responded the Town Board has a prepared resolution to authorize movement in this area.

Supervisor Thomas Wood thanked her very much and said the Board appreciated her appearing before them.

Public Hearing on the Mass Gathering Permits for **Saratoga Rowing Association’s Regattas scheduled for April 29 & 30, 2023, May 5 & 6, 2023 and May 12 – 14, 2023.** Supervisor Thomas Wood reviewed the measures taken to ensure the public’s safety at the Saratoga Rowing Association’s Regattas.

Proof of notice in the *Saratogian* on April 1<sup>st</sup> having been provided, **Supervisor Thomas Wood opened the Public Hearing on the Mass Gathering Permits for the April 29 & 30, 2023, May 5 & 6, 2023 and May 12 – 14, 2023 at 6:12 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, **A motion was made by Supervisor Thomas Wood, seconded by Councilmember Ruth Drumm, to close the public hearing at 6:14 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.**

**Approval of Minutes:** A motion was made by Councilmember Ruth Drumm and

seconded by Councilmember Gary Squires, **to accept the minutes of the March 9<sup>th</sup> Agenda meeting, the March 13<sup>th</sup> Regular Town Board and March 24<sup>th</sup> Special meetings 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 March 2023:** Fees paid to the NYS Dept. of Agriculture and Markets for the Animal Population Control Program \$53.00. Fees paid to New York D.E.C. for hunting and fishing licenses \$4.72. Fees paid to the New York State Health Department for Marriage licenses \$22.50. Dog license fees to Supervisor Thomas Wood \$240.00. Clerk fees to Supervisor Thomas Wood \$197.78. Total State and Local Revenues received were \$518.00.

**Zoning Officer’s report for March 2023:** 6 Building Permits, 20 Building Inspections, 3 Certificates of Occupancy, 1 Junkyard Permits, 2 Complaints, 0 Fire Inspections, 0 Order to Remedy, 1 misc., 3 Building Permit Renewals and 1 Property Maintenance Inspections. A check for \$2,101.25 was given to Supervisor Thomas Wood.

**Dog Control officer’s report for March 2023:** The following report was read by Supervisor Thomas Wood: Ed Cross, Dog Control Officer answered 13 complaints, took 0 dogs to the shelter, 1 bite case, traveled 20 miles, issued 8 warning and 8 summons’ were issued.

**Town Court report for March 2023:** Closed Traffic Tickets - 13, Closed Criminal/Penal Law cases – 6, Closed Civil Cases – 2, Closed Encon/DEC – 3, Closed DWI’s – 0, Closed Town & Dog cases – 0. The following checks for fines and fees were submitted to Supervisor Thomas Wood:

Justice Charles Sherman -\$1,985.00

Justice John McCarron - \$495.00

**Tax Collector’s report for March 2023:** 90% of taxes have been collected, with a total to date of \$3,712,659.85. A total of 2,071 mailed in their payments, 160 made on-line payments and 655 payments were made by wire transfer.

*Please Note: Property taxes must now be paid at the Saratoga County Treasurer’s office, as our tax collector has turned in her books.*

**Historian’s report for March 2023:** No report.

**Assessor’s report March 2023:** No report.

**Highway Superintendent’s report for March 2023**

- ❖ Road checks, pothole patching and sign repairs
- ❖ Chipping of trees, limbs and culvert clearing
- ❖ Hauling stone dust and scalpings for shoulders
- ❖ Started sweeping roads
- ❖ Truck 1 – repaired plow shoe
- ❖ Truck 2 – replaced fuel filters, hydraulic hose, air valve and fixed exhaust leak
- ❖ Truck 5 – replaced serpentine belt and tensioner
- ❖ Pick-up Truck 1 – replaced thermostat, heater core and inspection completed

- ❖ Replaced battery in New Holland tractor (under warranty)
- ❖ Replaced alternator in deck mower
- ❖ Picked up new Volvo chassis from dealer and took in to have box & plow frame installed
- ❖ Plowed for 3 storms

Highway Superintendent Don Ormsby stated they have begun their 4 day work week as of April 10, 2023.

**Supervisor’s report:**

**SUPERVISOR’S REPORT MARCH 2023**

**GENERAL FUND – TOWNWIDE (A FUND)**

Balance on hand 3/1/2023	\$1,877,683.67
Revenues	+ 74,690.47
Disbursements	<u>- 199,371.16</u>
Balance 3/31/2023	\$ 1,753,002.98

**GENERAL FUND – OUTSIDE VILLAGE (B FUND)**

Balance on hand 3/1/2023	\$2,628,685.81
Revenues	+ 5,088.96
Disbursements	<u>- 7,739.93</u>
Balance 3/31/2023	\$2,626,034.84

**HIGHWAY FUND – OUTSIDE VILLAGE (DB FUND)**

Balance on hand 3/1/2023	\$1,148,499.12
Revenues	+ 166,646.47
Disbursements	<u>- 256,617.37</u>
Balance 3/31/2023	\$1,058,528.22

SCHUYLER PARK CAPITAL 3/31/2023	\$ 122,898.53
YOUTH RECREATION & SERVICE 3/31/2023	\$ 8,673.85
HIGHWAY EQUIPMENT RESERVE 3/31/2023	\$ 704.48
BUILDING RESERVE 3/31/2023	\$ 483,286.33
SCENIC BY WAYS QRTRLY 3/31/2023	\$ 312.09
PARKS RESERVE 3/31/2023	\$ 376,956.55
TRUST & AGENCY 3/31/2023	\$ -----
CDBG Project 3/31/2023	\$-----
GFNB Certificate of Deposit 3/31/2023	\$ 754,057.09
NYCLASS 3/31/2023	\$ 720,153.83
CDPHP & HRA 3/31/2023	\$ 3,107.65

**March 2023 Sales Tax Received - \$145,180.00**

**March Mortgage Tax Received – \$13,112.00**

**Public comments on agenda items:** The following addressed the Board:

Alicia Farone, Jennifer Clayton, Ralph Demeglio, Louis Farone, Hub Miller, Craig Dempsey, Gilman Albert, Paul Murphy, Marybeth Macica, Dan Nedewell, Steve Winney. The Board heard all who wished to be heard. Any and all submittals from those who spoke are on file in the Clerk's office.

**Committee reports:**

**Landfill:** No report.

**Insurance:** No report.

**Youth:** No report.

**Senior Citizens:** Councilwoman Maxine Lautenberg submitted the following: The Old Saratoga Seniors met for a luncheon meeting on March 15, 2023 with 37 in attendance. The Schuylerville Central School Elementary Band & Chorus entertained all. The April calendar of events and April newsletter were distributed on their April 5<sup>th</sup> meeting.

Future Trips: Massachusetts in May for a Lobersterfest & Beatles show.

Niagara Falls in June for an overnight trip.

Contact Pat Temple or Peg Jennings for reservation details.

Next meeting: April 19, 2023

**Park Committee:** No report.

**Office of Emergency Management (OEM):** Supervisor Thomas Wood stated a couple of people have called him concerning the position of OEM and he will return their calls.

**WEMS, QSF D Reports:** Fire Chief Don Ormsby stated Quaker Springs Fire Department has had 17 calls to date for 2023 and their banquet took place on Saturday, April 8<sup>th</sup>.

**Old business:** Supervisor Thomas Wood stated the Town has worked with Flatley Read in getting out the RFPs for the roof repairs and the acoustic issues in the Schuyler Room. He said he will also have them put out an RFQ for a parttime/as needed planner, individual and business proposals will be accepted. He reminded the Board that they've already put the money in place for this. Once Flatley Read has received all proposals, the Board will go forward.

**New business:** Board members were able to do a sound experiment testing decibels at the Dempsey property on Rt. 29. The testing proved sound mitigation could be established. Supervisor Thomas Wood questioned if the Board would consider Local Law 2 of 2023 or postpone it. Councilmember Gary Squires said to split them into two separate laws and go forward with the finishing shop tonight, but without legal guidance he's unsure what to do.

Supervisor Thomas Wood asked Deputy Supervisor Ian Murray what the Town Attorney, Mark Schachner's opinion was, as he spoke with him earlier.

Deputy Supervisor Ian Murray said he was told the Board can remove it by motion, they can go less than the original proposed law and vote and that would be fine, but if the

Board adds more to the original law, they cannot vote on it tonight as it will take another public hearing. He then added SEQR on this is for legislative action only. When/if an application goes to the Planning Board, SEQR will be gone through again.

Supervisor Thomas Wood and the Board decided to have a one topic special meeting for the public to speak to that portion of the law (which would become proposed Local Law #3 of 2023) and give comments on that proposed law.

Councilmember Maxine Lautenberg questioned if it has to be written as 2 acres or can it be made larger and can the building be 3 stories. She was told the acreage is in accordance with Town Code and one could go 3 stories, but that's not efficient for this.

**A motion was made by Councilmember Gary Squires, seconded by Ruth Drumm, to remove Commercial Event Venue from Local Law #2 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.**

On a motion by Councilmember Gary Squires, seconded by Councilmember Michael McLoughlin, the following **Resolution #23-38 – Adopting Local Law #2, 2023 – amending the Town of Saratoga Zoning Ordinance by adding Commercial Finishing Shops to the Town's Zoning Ordinance**, 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.**

**WHEREAS**, there is a need to amend the Town's Zoning Ordinance with the addition of allowable use for Commercial Finishing Shops, under Special Use Permits; 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 2023, adding Commercial Finishing Shops to the Town's Zoning Ordinance. (Said law is on file in the Clerk's office.)

On a motion by Councilmember Gary Squires and seconded by Councilmember Maxine Lautenberg, the following **Resolution #23-42 – Mass Gathering Permit of 2023 Saratoga Rowing Association Regattas**, 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.**

**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 29 – 30, 2023**, Saratoga Invitational with approximately 4,000+ people attending and 1,500+ vehicles.
- ❖ **May 5 – 6, 2023**, Liberty League Champions & NYS College Champions with approximately 1,500 people attending and 300+/- vehicles.
- ❖ **May 12 – 14, 2023**, NYS High School Champs & NAAC, CAA & A10- Champions with approximately 4,000+ attending and 1,000 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 10, 2023 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.

On a motion by Councilmember Ruth Drumm, seconded by Councilmember Gary Squires, the following **Resolution #23-43 – Approving Ownership of Conservation Subdivision Development Farmstead Land**, 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.**

**WHEREAS**, the Town regulations definition for Conservation Subdivision Development state it is the preferred technique, per the Comprehensive Land Use Plan, when requesting subdivision approval in the Rural, Rural Residential and Rural District 2 zoning districts and per the Conservation Subdivision Development design standards, ownership and maintenance of open space lands requires approval from the Town Board; and

**WHEREAS**, the Applicant, Witt Construction for the Cedar Bluff Conservation Subdivision Development, requests from the Town Board, that Lot 32, the 50% set-aside lands per Conservation Subdivision Development regulations, be approved as a Farmstead Lot for the purpose and use for agriculture, horticulture, sustainable forestry, historic preservation and education; now, therefore, be it

**RESOLVED**, that the Town Board approves lot #32 of the Cedar Bluff Conservation Subdivision, as the Farmstead lot and that 50% of the open space lands, are hereby deed restricted from any further subdivision.

On a motion by Councilmember Ruth Drumm, seconded by Councilmember Gary Squires, the following **Resolution #23-44 – Approving Request of \$884.55 from the American Legion to cover the cost of American Flags for the cemetery and for the United States Military Flags for the flagpoles at the American Legion Post #278**, 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.**

**WHEREAS**, the American Legion has requested \$884.55 for the purpose of purchasing American Flags for the cemetery and large U.S.A. Military Flags for the flagpoles at the American Legion, Post #278; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of Saratoga, authorizes the funding of \$884.55 to the American Legion for the purchase of requested flags.

On a motion by Councilmember Gary Squires, seconded by Councilmember Maxine Lautenberg, the following **Resolution #23-45 – Authorization to Enter into Contract with Pinnacle Roofing Inc. for the Town Hall Roofing 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 response for the Town Hall roofing project, authorize the Town Supervisor to enter into contract with Pinnacle Roofing Inc. at a total cost of \$119,615.00, including the additional 10 year NDL (no dollar limit) warranty, to be paid from ARPA money.

On a motion by Councilmember Ruth Drumm, seconded by Councilmember Gary Squires, the following **Resolution #23-46 – Authorization to Enter into Contract with Downey Sales Associates (DSA) for Colorsonix Sound Absorption Panels for sound attenuation issues of the Schuyler Room**, 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 Schuyler Room acoustical issues and obtaining the following sound absorption panel quotes:

- ❖ \$7,434.46 – Acoustical Solutions
- ❖ \$7,421.85 – Downey Sales Associates (DSA)

opted for and authorizes the Town Supervisor to enter into contract with Downey Sales Associates for the Colorsonix Sound Absorption Panels for the Schuyler Room, at a total amount of \$7,421.85.

**Communications:** None

**Privilege of the floor:** The following addressed the Board: Hub Miller, Tom Yannios and Paul Murphy.

**Upcoming meetings taking place at the Town Hall:**

- ❖ Special Workshop Meeting - May 1, 2023 at 6:00 p.m.
- ❖ Agenda Meeting – Thursday, May 4, 2023 at 6:00 p.m.
- ❖ Regular Town Board meeting – Monday, May 8, 2023 at 6:00 p.m.

**Audit the Bills:** On a motion by Councilmember Michael McLoughlin and seconded by Councilmember Gary Squires, the following **Resolution #23-47 - 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 4G of 2023 in the following amounts:**

<b>General Fund DB</b>	<b>No. 185, 207 - 225</b>	<b>\$ 36,196.62</b>
<b>General Fund A</b>	<b>No. 182 – 184, 186, 188, 203, 205, 226 - 252</b>	<b>\$ 23,100.49</b>



<b>General Fund B</b>	<b>No. 189, 206, 253 - 256</b>	<b>\$ 4,398.87</b>
<b>General Fund H</b>	<b>No. 204</b>	<b>\$ 24.43</b>
<b>CDBG</b>	<b>No. 257</b>	<b><u>\$ 21,000.00</u></b>
	<b>Grand Total</b>	<b>\$ 84,720.41</b>

A motion was made by Councilmember Gary Squires and seconded by Councilmember Michael McLoughlin, **to adjourn the meeting at 8:03 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