

**MALTA TOWN BOARD MEETING**

**April 6, 2020**

**6:00 PM**

**Malta Town Hall**

**ELECTED OFFICIALS PRESENT:** Supervisor Darren O'Connor, Councilwoman Cynthia Young, Councilman Tim Dunn, Deputy Supervisor/Councilman Craig Warner (via Zoom Meeting), Councilman John Hartzell, Town Clerk Jennifer Holmes and Highway Superintendent Roger Crandall

**OTHERS PRESENT:** Town Attorney Tom Peterson (via Zoom Meeting), Comptroller Kevin King, Building & Planning Coordinator Jaime O'Neill and Director of Parks & Recreation Alyssa Benway

**PUBLIC PRESENT:** No public present

**SALUTE TO THE FLAG AND SILENT PRAYER:**

**ACCEPT TOWN CLERK MINUTES 3/30/2020:**

**Motioned:** Councilman Dunn      **Seconded:** Councilwoman Young

**Vote:** Ayes-5 Nays-0

**REPORTS FROM TOWN OFFICIALS & DEPARTMENT HEADS:**

Councilman Dunn spoke of the support from the Saratoga County Chamber of Commerce and how to help Malta. Within 24 hours there was a link available for residents, looking to assist the community, to donate to the Malta Food Pantry via online or text. Within a few days the community had donated over \$1,800, that will be converted into gift cards to purchase food for the Food Pantry. The Food Pantry is open from 10 am-1 pm for residents.

Councilman Craig Warner, via Zoom meeting, said a resident had given kudos to the Highway Department for the Malta roads being in outstanding shape.

The Supervisor stated he had received phone calls from residents about crowding in the town parks.

Alyssa Benway, Director of Parks & Recreation responded that signs have been ordered about social distancing and only socializing with family members of the same household. The signs also direct about parking when parking lots are full. The parks are closed at this point and caution tape has been wrapped around pavilions and the playgrounds to deter people from gathering and using equipment.

**COMMENTS OR QUESTIONS FROM RESIDENTS:** No comments from residents that have joined via Facebook live.

**NEW BUSINESS:**

**RESOLUTION NO. 86 APRIL 6, 2020**

**AMEND CHAPTER 167 ARTICLE XVI – RESCHEDULE DATE FOR PUBLIC HEARING**

**Motion by:** Councilman Dunn

**Seconded:** Councilwoman Young

**Vote:** Supervisor O'Connor-Aye

Councilman Dunn-Aye

Councilman Hartzell-Aye

Councilman Warner-Aye

Councilwoman Young-Aye

**WHEREAS**, since through expiration, abandonment or adoption of Local Law No. 2 of 2013, as amended (Article XVI of Chapter 167) establishing the Form Based Code, eleven Planned Development Districts are no longer extant, except as set forth in Appendix "A" to the Form Based

Code, the Town Board proposes their removal from the Town Code (the “Project”); now, therefore, it is

**RESOLVED** that the Town Board finds that the Project, which neither adds nor affects any substantive provisions of law, is a Type II Action pursuant to 6 NYCRR 617.5(c) and, accordingly, no further action is necessary to comply with the State Environmental Quality Review Act (6 NYCRR 617.5(a)) with respect to the Project; and it is further

**RESOLVED** that the proposed legislation was provided to the Saratoga County Planning Board for its review and comment; and it is further

**RESOLVED** that the Town Board of the Town of Malta shall postpone the previously scheduled public hearing for the 4<sup>th</sup> day of May, 2020 and will hold a public hearing pertaining to amendment of Chapter §167, Article XVI, to remove certain superseded provisions related to Planned Development Districts, on the 1st day of June, 2020, at 6:00 o’clock P.M., at the Town Hall of the Town of Malta, 2540 Route 9, Malta, New York 12020, and at which hearing all persons desiring to be heard thereon will be heard; and it is lastly

**RESOLVED** that the Town Clerk of the Town of Malta be and she hereby is directed to publish notification of the said public hearing as required by law.

**RESOLUTION NO. 87 APRIL 6, 2020**

**ESTABLISH WEIGHT LIMIT ON DESIGNATED TOWN ROADS – SET DATE FOR PUBLIC HEARING**

**Motion by:** Councilman Dunn

**Seconded:** Councilwoman Young

**Vote:** Supervisor O’Connor-Aye

Councilman Dunn-Aye

Councilman Hartzell-Aye

Councilman Warner-Aye

Councilwoman Young-Aye

**WHEREAS** pursuant to section 1660(a) (28) of the New York Vehicle and Traffic Law, the Town Board of the Town of Malta may by ordinance, order, rule or regulation, exclude trucks or commercial vehicles in excess of any designated weight from town highways, excepting the delivery or pickup of property along the highways; and

**WHEREAS** the Town Board by Resolution 90 of 2018 imposed a restriction pursuant to section 1660(a) (11) of the New York Vehicle and Traffic Law on the use of vehicles weighing over four tons from operating on town roads during the time signs stating such restrictions are posted; and

**WHEREAS** the Town Board finds that town roads are harmed by the operation of heavy vehicles, and that adequate federal, state and county roads exist in the Town of Malta for the efficient passage of truck and commercial traffic through the Town and to and from neighboring communities; and

**WHEREAS** the Town Board of the Town of Malta wishes to amend Chapter 162 of the Code of the Town of Malta to contain a new section pursuant to section 1660(a) (28) of the New York Vehicle and Traffic Law excluding from Town roads trucks and commercial vehicles exceeding four tons gross weight, and excepting those vehicles engaged in local delivery or pickup of property; now, therefore, it is

**RESOLVED** that the Town Board finds that the Project is an unlisted action as defined by 6 NYCRR 617.2(al) and, accordingly, an Environmental Assessment Form shall be prepared and reviewed by the Town Board pursuant to 6 NYCRR 617.2(m) and 617.7; and it is further

**RESOLVED** that the Town Board of the Town of Malta will hold a public hearing concerning the proposed amendment to Chapter 162 of the Code of the Town of Malta as it pertains truck and commercial vehicle weight restrictions on Town roads; said hearing to be held on the **1<sup>st</sup> day of June, 2020, at 6:05 o’clock P.M.**, at the Town Hall of the Town of Malta, 2540 Route 9, Malta,

New York 12020, at which time and place all persons desiring to be heard thereon will be heard; and it is lastly

**RESOLVED** that the Town Clerk of the Town of Malta be and she hereby is directed to publish notification of the said public hearing as required by law.

### **RESOLUTION NO. 88 APRIL 6, 2020**

#### **AMEND CHAPTER 88 – SET DATE FOR PUBLIC HEARING**

**Motion by:** Councilman Dunn

**Seconded:** Councilman Hartzell

**Vote:** Supervisor O’Connor-Aye

Councilman Dunn-Aye

Councilman Hartzell-Aye

Councilman Warner-Aye

Councilwoman Young-Aye

**WHEREAS** the Town Board of the Town of Malta wishes to clarify the source of, and authority for, environmental impact mitigation fees for building within the Town, and to ensure that reference to the studies conducted by the Town which set forth the factors considered in determining those fees, it proposes an amendment to Chapter 88 of the Malta Town Code in the form set forth below; now, therefore, it is

**RESOLVED** that the Town Board finds that the Project, which neither adds nor affects any substantive provisions of law, but rather interprets an existing code, rule or regulation which has already involved the drafting and revision of a full environmental impact statement and the issuance of a statement of findings, is a Type II Action pursuant to 6 NYCRR 617.5(c)(37) and, accordingly, no further action is necessary to comply with the State Environmental Quality Review Act (6 NYCRR 617.5(a)) with respect to the Project; and it is further

**RESOLVED** that the Town Board of the Town of Malta shall hold a public hearing pertaining to amendment of Chapter 88 of the Malta Town Code regarding development mitigation fees, on the **4<sup>th</sup> day of May, 2020, at 6:00 o’clock P.M.**, at the Town Hall of the Town of Malta, 2540 Route 9, Malta, New York 12020, and at which hearing all persons desiring to be heard thereon will be heard; and it is lastly

**RESOLVED** that the Town Clerk of the Town of Malta be and she hereby is directed to publish notification of the said public hearing as required by law.

#### **Article II Mitigation Fees**

##### **§ 88-8 Purpose, Legislative Authority and Inconsistent Provisions**

The purpose of this Article is to more clearly articulate existing Town law and policy regarding the imposition of mitigation fees. The legislative authority for this Article is §§ 10(1)(ii). Any provision of the Malta Town Code or NYS Town Law, to the extent it is in conflict with this Article, is hereby superseded and amended.

##### **§ 88-9 Findings**

In 2005 and 2006 the Town of Malta conducted an environmental study of the entire Town with respect to future development, and on April 3, 2006 issued a *Final Townwide Generic Impact Statement* and, on June 5, 2006, its *Statement of Findings*. The Town Board quantified the financial impact of development and adopted formulas to allocate the cost fairly. Impact mitigation fees were imposed regarding recreation (for residential dwelling development), open space, traffic and GEIS preparation, which were summarized in the *Statement of Findings*. Since that time, these environmental documents have been updated, supplemented and amended to take into account changes within the Town and thereby be as accurate as reasonably possible. The mitigation fees assessed are and shall be as set forth in the most recent *Statement of Findings* (and as adjusted for inflation), a copy of which is and shall continue to be posted on the Town of Malta web-site and on file in the Town Planning Department.

**§ 88-10 Determination of Fees**

Mitigation fees for GEIS preparation, open space, traffic and residential recreation are imposed as set forth in the fee schedule set forth in Chapter 88 of the Malta Town Code, as the same is from time-to-time amended by Town Board resolution.

**§ 88-11 Residential Recreation Mitigation Fee**

The residential recreation mitigation fee has been and is imposed for the construction of each dwelling unit, whether such unit is in the area covered by the Malta Form Based Code, and whether such unit is a single-family home, a condominium unit, a town home, a cooperative apartment, a rental apartment in an apartment building or complex, or any other single or multiple dwelling. If a development includes recreation facilities available to all Malta residents, the Town Board has the discretion, upon application, to reduce the mitigation fee.

**RESOLUTION NO. 89 APRIL 6, 2020**

**STEWARTS SHOPS PLANNED DEVELOPMENT DISTRICT – HOST BENEFIT IMPLEMENTATION**

**Motion by:** Councilman Dunn                      **Seconded:** Councilman Hartzell  
**Vote:** Supervisor O’Connor-Aye              Councilman Dunn-Aye  
            Councilman Hartzell-Aye              Councilman Warner-Aye  
            Councilwoman Young-Aye

**WHEREAS**, the Stewarts Shops Planned Development District (Malta Town Code section 167A-61) includes provisions for the expenditure of a sum of money to assist in the provision of water to the Hamlet of Maltaville; and

**WHEREAS**, the Town Board in Resolution No. 87, dated March 21, 2016, determined that those provisions providing for the expenditure of a sum of money (\$200,000.00) to assist in the provision of water to the Hamlet of Maltaville be implemented through the terms of a Host Community Benefit Agreement (the “Agreement”) between the Town and the Applicant; and

**WHEREAS**, the Agreement provides that the funds shall be disbursed only for the purpose of assisting with supplying potable water to Maltaville (for example, but not limited to: preparation of a map, plan and report for a water supply district; engineering studies; factual or legal research; installation of piping beneath Routes 9 or 67; grants to individual land-owners or residents of/within Maltaville with respect to purification or supply of water); and

**WHEREAS**, by public referendum of February 4, 2020, the property owners within the boundaries of a proposed Maltaville water district voted not to create the water district; and

**WHEREAS**, \$190,000 remains in the fund (after expenditures associated with developing the proposal for the water district), and is therefore available for grants of funds received from the developer to individual land-owners or residents of/within Maltaville with respect to purification or supply of water; now, therefore, be it

**RESOLVED** that the Maltaville Water Benefit Committee (the “Committee”) is hereby formed, consisting of the Chair of the Water and Sewer Committee (currently Deputy Supervisor Craig Warner), the Comptroller (currently Kevin King) and the Building and Planning Coordinator (currently Jaime O’Neill); and it is further

**RESOLVED** that the \$190,000 remaining in the fund is reserved for grants to owners of Maltaville parcels (specified in the attached list) under the following conditions: (1) such parcel owner may apply to the Committee, on a form developed by the Committee, for a grant reimbursing the owner for amounts actually spent after January 1, 2020 and before the date of the application; (2) grants are available for proven expenditures directly related to obtaining potable water in adequate quality and quantity for the needs on the parcel (including but not limited to wells, pumps, water lines, water treatment equipment); (3) grants are available for up to fifty percent of the owner’s expense, but the grant cannot exceed \$2,500 for any single parcel; (4) the Committee shall review each

**RESOLUTION NO. 89 APRIL 6, 2020**

**STEWARTS SHOPS PLANNED DEVELOPMENT DISTRICT – HOST BENEFIT IMPLEMENTATION**

**Motion by:** Councilman Dunn                      **Seconded:** Councilman Hartzell  
**Vote:** Supervisor O’Connor-Aye              Councilman Dunn-Aye  
            Councilman Hartzell-Aye              Councilman Warner-Aye  
            Councilwoman Young-Aye

**WHEREAS**, the Stewarts Shops Planned Development District (Malta Town Code section 167A-61) includes provisions for the expenditure of a sum of money to assist in the provision of water to the Hamlet of Maltaville; and

**WHEREAS**, the Town Board in Resolution No. 87, dated March 21, 2016, determined that those provisions providing for the expenditure of a sum of money (\$200,000.00) to assist in the provision of water to the Hamlet of Maltaville be implemented through the terms of a Host Community Benefit Agreement (the “Agreement”) between the Town and the Applicant; and

**WHEREAS**, the Agreement provides that the funds shall be disbursed only for the purpose of assisting with supplying potable water to Maltaville (for example, but not limited to: preparation of a map, plan and report for a water supply district; engineering studies; factual or legal research; installation of piping beneath Routes 9 or 67; grants to individual land-owners or residents of/within Maltaville with respect to purification or supply of water); and

**WHEREAS**, by public referendum of February 4, 2020, the property owners within the boundaries of a proposed Maltaville water district voted not to create the water district; and

**WHEREAS**, \$190,000 remains in the fund (after expenditures associated with developing the proposal for the water district), and is therefore available for grants of funds received from the developer to individual land-owners or residents of/within Maltaville with respect to purification or supply of water; now, therefore, be it

**RESOLVED** that the Maltaville Water Benefit Committee (the “Committee”) is hereby formed, consisting of the Chair of the Water and Sewer Committee (currently Deputy Supervisor Craig Warner), the Comptroller (currently Kevin King) and the Building and Planning Coordinator (currently Jaime O’Neill); and it is further

**RESOLVED** that the \$190,000 remaining in the fund is reserved for grants to owners of Maltaville parcels (specified in the attached list) under the following conditions: (1) such parcel owner may apply to the Committee, on a form developed by the Committee, for a grant reimbursing the owner for amounts actually spent after January 1, 2020 and before the date of the application; (2) grants are available for proven expenditures directly related to obtaining potable water in adequate quality and quantity for the needs on the parcel (including but not limited to wells, pumps, water lines, water treatment equipment); (3) grants are available for up to fifty percent of the owner’s expense, but the grant cannot exceed \$2,500 for any single parcel; (4) the Committee shall review each application, seek additional information if necessary, and make a recommendation regarding the application to the Town Board; (5) the Committee may, in its discretion, require the applicant to furnish independent reports as to the improvement in quantity and/or quality of the water as a result of the work performed; (6) payment will be made to the owner only after approval by the unanimous vote of the Town Board; and (7) applications will be reviewed and processed as they are received, and the grants end when the fund is exhausted.

**Maltaville Homeowner Grant Water Application (Separate attachment) On File in the Town Clerks Office**

**Maltaville Parcels (separate attachment) On File in the Town Clerks Office**

**RESOLUTION NO 90. APRIL 6, 2020**

**APPROVE SERVICE AWARD PROGRAM – ROUND LAKE HOSE COMPANY**

**Motion by:** Councilman Hartzell                      **Seconded:** Councilman Dunn  
**Vote:** Supervisor O’Connor-Aye                      Councilman Dunn-Aye  
                 Councilman Hartzell-Aye                      Councilman Warner-Aye  
                 Councilwoman Young-Aye

**WHEREAS** the Round Lake Hose Company has certified that the attached\* is a list of all 2019 active members of the Round Lake Hose Company and indicates which members earned a year of service credit for 2019 under Town of Malta Volunteer Firefighter Service Award Program Point System adopted and approved by the Town Board of the Town of Malta; and

**WHEREAS** the Town of Malta’s Comptroller has performed a limited review of the Round Lake Hose Company Service Award Program’s Records for the year ended December 31, 2019 of active members qualifying for the program based on 2019 service and issued a report thereon, a copy of which is attached; and

**WHEREAS** the Town Board of the Town of Malta must approve the Round Lake Hose Company - Volunteer Firefighter Service Award Program list of all 2019 active volunteer firefighters for posting in the fire stations for a period of at least 30 days for review by members; now, therefore, be it

**RESOLVED** that the Town Board of the Town of Malta hereby approves the Round Lake Hose Company - Volunteer Firefighter Service Award Program list of all 2019 active volunteer firefighters (as on file with the Town Comptroller) for posting in the fire stations for a period of at least 30 days for review by members, with such list to be returned to the Town Board of the Town of Malta after the expiration of the 30 day period with all changes to the listing fully documented.

\*will be on file in the Town Clerks Office

**RESOLUTION NO. 91 APRIL 6, 2020**

**APPROVE SERVICE AWARD PROGRAM – MALTA RIDGE VOLUNTEER FIRE COMPANY**

**Motion by:** Councilman Dunn                      **Seconded:** Councilman Hartzell  
**Vote:** Supervisor O’Connor-Aye                      Councilman Dunn-Aye  
                 Councilman Hartzell-Aye                      Councilman Warner-Aye  
                 Councilwoman Young-Aye

**WHEREAS** the Malta Ridge Volunteer Fire Company has certified that the attached\* is a list of all 2019 active members of the Malta Ridge Volunteer Fire Company and indicates which members earned a year of service credit for 2019 under Town of Malta Volunteer Firefighter Service Award Program Point System adopted and approved by the Town Board of the Town of Malta; and

**WHEREAS** the Town of Malta’s Comptroller has performed a limited review of the Malta Ridge Volunteer Fire Company Service Award Program’s Records for the year ended December 31, 2019 of active members qualifying for the program based on 2019 service and issued a report thereon, a copy of which is attached; and

**WHEREAS** the Town Board of the Town of Malta must approve the Malta Ridge Volunteer Fire Company - Volunteer Firefighter Service Award Program list of all 2019 active volunteer firefighters for posting in the fire stations for a period of at least 30 days for review by members; now, therefore, be

**RESOLVED** that the Town Board of the Town of Malta hereby approves the Malta Ridge Volunteer Fire Company - Volunteer Firefighter Service Award Program list of all 2019 active volunteer firefighters (as on file with the Town Comptroller) for posting in the fire stations for a period of at least 30 days for review by members, with such list to be returned to the Town Board of the Town of Malta after the expiration of the 30 day period with all changes to the listing fully documented.

\* will be on file in the Town Clerks Office

**RESOLUTION NO. 92 APRIL 6, 2020**

**APPROVE HISTORICAL INFORMATIONAL MARKER – MALTA RIDGE GRANGE BUILDING - 4000 SILVER BEACH ROAD**

**Motion by:** Councilman Dunn                      **Seconded:** Councilman Hartzell  
**Vote:** Supervisor O’Connor-Aye              Councilman Dunn-Aye  
            Councilman Hartzell-Aye                  Councilman Warner-Aye  
            Councilwoman Young-Aye

**WHEREAS** the Historic Preservation Review Commission has requested that an historic informational marker, with permission granted by the property owner, be placed located at Grange Hall, 4000 Silver Beach Road, Malta, N.Y. as presented to the Town Board of the Town of Malta in a memorandum from the Town Historian on behalf of the Malta Historic Preservation Review Committee (HPRC) dated the 10<sup>th</sup> day of April, 2020; and

**WHEREAS** the historic informational marker will read as follows:

**Home of Malta Ridge Grange  
1923-1989  
Center of the Social Life  
Of the Malta Ridge Neighborhood**

Now, therefore be it

**RESOLVED** that the Town Board of the Town of Malta be and hereby approves the historic informational for Malta Ridge Grange Building, 4000 Silver Beach Road, and directs the Town Historian and HPRC to coordinate with the Highway Superintendent to schedule the placement of said historic informational marker, and expresses its thanks to the Town Historian and HPRC for their dedication and diligence in this matter; and it is further

**RESOLVED** that the Town Board of the Town of Malta recognizes that the historic marker is for *information purposes only* and does not constitute a designation of the site as a landmark as referenced in §167-72 of the Malta Town Code, Article XV, Historic Preservation, or the Town of Malta Historic Preservation Review Commission 2009 Landmarks and Commemorations Policy.

**RESOLUTION NO. 93 APRIL 6, 2020**

**AWARD ANNUAL LAWN HEALTHCARE PROGRAM**

**Motion by:** Councilwoman Young                      **Seconded:** Councilman Dunn  
**Vote:** Supervisor O’Connor-Aye                      Councilman Dunn-Aye  
            Councilman Hartzell-Aye                          Councilman Warner-Aye  
            Councilwoman Young-Aye

**WHEREAS** the Department of Parks, Recreation and Human Services solicited proposals for the provision of an annual lawn care program for grounds owned by the Town of Malta; and

**WHEREAS** the Town has received bids for the annual lawn healthcare program; and

**WHEREAS** the Recreation Director of Parks Recreation and Human Services has reviewed the bids and has recommended the bid be awarded to Cedar Tree Properties in the amount of \$16,070.00 which have been determined to be the lowest bid submitted that conformed to the specifications; now therefore, be it

**RESOLVED** that the Town Board of the Town of Malta does hereby accepts the aforementioned bid for the Annual Lawn Healthcare Program

**RESOLUTION NO. 94 APRIL 6, 2020**

**APPOINTMENT OF ACTUARY**

<b>Motion by:</b> Councilman Hartzell	<b>Seconded:</b> Councilman Dunn
<b>Vote:</b> Supervisor O'Connor-Aye	Councilman Dunn-Aye
Councilman Hartzell-Aye	Councilman Warner-Aye
Councilwoman Young-Aye	

**WHEREAS** the Town requires actuarial valuation services in order to determine the Town's other postemployment benefits liability in accordance with Government Accounting Standards; and

**WHEREAS** Jefferson Solutions Inc. of Clifton Park, New York has provided the Town with a proposal to perform said actuarial services in an amount not to exceed \$2,700 to calculated the liability for December 31, 2020 and 2021; and

**WHEREAS** Jefferson Solutions has provided actuarial services for the Town for the year ending December 31, 2019 and prior years; and

**WHEREAS** the Town of Malta desires to engage the services of Jefferson Solutions to perform all necessary actuarial services relating to the calculation of the other postemployment health benefits liability as set forth in their proposal; now, therefore, be it

**RESOLVED** that the Town Board of the Town of Malta hereby accepts the proposal of Jefferson Solutions to provide actuarial services as set forth in their proposal for calendar years 2020 and 2021.

**RESOLUTION NO. 95 APRIL 6, 2020**

**APPOINTMENTS TO PLANNING BOARD**

<b>Motion by:</b> Councilman Dunn	<b>Seconded:</b> Councilman Hartzell
<b>Vote:</b> Supervisor O'Connor-Aye	Councilman Dunn-Aye
Councilman Hartzell-Aye	Councilman Warner-Aye
Councilwoman Young-Aye	

**RESOLVED** that Planning Board Alternate, *Joseph Lopez* is hereby appointed to the Town of Malta Planning Board to fill the vacated term of Dave Wallingford expiring December 31, 2024 until the 2025 Organizational Meeting.

**RESOLUTION NO. 96 APRIL 6, 2020**

**INCREASE CORPORATE CREDIT CARD LIMIT**

<b>Motion by:</b> Councilman Dunn	<b>Seconded:</b> Councilman Hartzell
<b>Vote:</b> Supervisor O'Connor-Aye	Councilman Dunn-Aye
Councilman Hartzell-Aye	Councilman Warner-Aye
Councilwoman Young-Aye	

**WHEREAS** the Town Board of the Town of Malta has implemented a corporate credit card business program to streamline and simplify the requisitioning, purchasing and payment process for small dollar transactions; and

**WHEREAS** the Town Board of the Town of Malta has previously authorized a \$5,000 credit limit for Kevin T. King, Town Comptroller; and



**WHEREAS** the Town Board of the Town of Malta desires to increase the credit limit of the aforementioned individual; now, therefore, be it

**RESOLVED** the Town Board of the Town of Malta hereby authorizes to increase the credit limit of Kevin T. King, Town Comptroller up to \$25,000, during a declaration of emergency by the Malta Town Supervisor, and authorizes the Town Comptroller and the Town Supervisor to complete the appropriate documents.

**RESOLUTION NO. 97 APRIL 6, 2020**

**OPPOSING THE SEIZURE OF VENTILATORS FROM UPSTATE FACILITIES**

**Motion by:** Councilman Hartzell      **Seconded:** Councilman Dunn

**Vote:** Supervisor O'Connor-Aye      Councilman Dunn-Aye

          Councilman Hartzell-Aye      Councilman Warner-Aye

          Councilwoman Young-Nay

**WHEREAS**, on March 7, 2020, the Governor of the State of New York issued Executive Order Number 202, declaring a disaster emergency for the entire State of New York due to the transmission of SARS-CoV-2; and

**WHEREAS**, since the first New York case of the disease COVID-19 in early March, the virus has spread rapidly throughout the State, and the number of cases in Saratoga County is rising; and

**WHEREAS**, health care providers and hospitals in the Capital Region are treating many people suffering from COVID-19, whether or not they are residents of the area, and recognize the need to share resources with providers located elsewhere to the extent consistent with good medical practice and the responsibility to serve Capital Region residents; and

**WHEREAS**, the Governor has announced that he will issue an executive order to seize ventilators and personal protective devices and redistribute such equipment, and it has been reported that the Governor intends to use the National Guard to conduct such seizures; and

**WHEREAS**, the Malta Town Board believes that hospitals and health care providers in the Capital Region, as well as local officials, are in the best position to balance the need to retain equipment to meet the spread of the disease in the area against the need for medical equipment in other areas; now, therefore be it

**RESOLVED**, that the Town Board of Malta strongly opposes the Governor's plan to forcibly confiscate ventilators and other medical equipment from area health care providers and redistribute them to other areas, and urges the Governor and State Health officials to pursue a more cooperative path toward fighting this outbreak.

**RESOLUTION NO. 98 APRIL 6, 2020**

**AUTHORIZING CANCELLATION OF WATER DISTRICT AGREEMENT WITH THE TOWN OF STILLWATER**

**Motion by:** Councilman Hartzell      **Seconded:** Councilman Dunn

**Vote:** Supervisor O'Connor-Aye      Councilman Dunn-Aye

          Councilman Hartzell-Aye      Councilman Warner-Aye

          Councilwoman Young-Aye

**WHEREAS**, by Resolution 139, dated September 30, 2019, the Town Board authorized the Supervisor to execute on behalf of the Town of Malta and the Proposed Maltaville Water District an agreement with the Town of Stillwater regarding the administration, operation and maintenance of the proposed water district; and

**WHEREAS**, the Supervisor executed such an agreement; and

**WHEREAS**, the proposed water district was defeated by permissive referendum pursuant to Article 12-A of the Town Law; now, therefore be it

**RESOLVED**, that the Town Board of Malta authorizes the Supervisor to execute an agreement with the Town of Stillwater terminating the agreement, substantially in the form annexed to this resolution.

**RESOLUTION NO. 99 APRIL 6, 2020**

**BUDGET TRANSFERS**

**Motion by:** Councilman Hartzell      **Seconded:** Councilman Dunn  
**Vote:** Supervisor O'Connor-Aye      Councilman Dunn-Aye  
          Councilman Hartzell-Aye      Councilman Warner-Aye  
          Councilwoman Young-Aye

**WHEREAS**, the Town Comptroller has submitted his Comptroller's Report which identifies the disbursements for the Town; and

**WHEREAS** the Town Board of the Town of Malta has adopted the 2020 Town Budget; and

**WHEREAS** the Town Board of the Town Board of Malta desires to amend the 2020 Town Budget for estimated revenues and appropriations and amend budgetary appropriations between department and intradepartment line items; now, therefore, be it

**RESOLVED** that the Town Board of the Town of Malta hereby authorizes the 2020 Town-wide General Fund, Part-town General Fund and Highway Fund to be amended as follows:

Increase Election Contractual	A1450.4	\$ 500
Decrease Town Board Miscellaneous	A1110.44	\$ 500
Increase County Grants (2)	B2389	\$ 3,107
Increase Parks Maintenance	B7110.43	\$ 3,107
Increase Highway Equipment (1)	DB5130.2	\$189,000
Increase Appropriated Reserves	DB0511	\$189,000
Increase GF Donations (3)	A2705	\$ 50,000
Increase Emergency Preparedness	A3640.4	\$ 50,000
Decrease Sales Tax (3)	B1120	\$125,000
Decrease Planner	B8020.150	\$ 45,800
Decrease PT Code Enforcement	B8010.170	\$ 22,900
Decrease Planning Intern	B8020.1601	\$ 3,500
Decrease Social Security	B9030.8	\$ 5,500
Decrease Retirement	B9010.8	\$ 4,100
Decrease Hospitalization	B9060.8	\$ 10,200
Decrease Operating Transfers	B9950.9	\$ 23,000
Decrease Engineering	B8020.41	\$ 10,000
Decrease Sales Tax (3)	DB1120	\$200,000
Decrease Highway Equipment Transfers	DB9950.9	\$200,000
Decrease Sales Tax (3)	A1120	\$ 93,000
Decrease PT Deputy Clerk	A1410.130	\$ 14,800
Decrease CC Payroll	A7989.1	\$ 30,000
Decrease Social Security	A9030.8	\$ 3,500
Decrease Retirement	A9010.8	\$ 2,700
Decrease Hospitalization	A9060.8	\$ 1,000
Decrease Sidewalk Contractual	A5410.4	\$ 14,000
Decrease Operating Transfers	A9950.8	\$ 27,000
Decrease Appropriated Reserves (3)	A0511	\$ 30,000
Decrease Court Facility Fees	A1110.2	\$ 30,000
Increase FEMA Aid (3)	A4960	\$ 5,250
Decrease CC Programs	A7989.50	\$ 750
Increase Emergency Preparedness	A3640.4	\$ 6,000

- (1) Purchase of Bucket Truck
- (2) Malta Nature Preserve Trail Rehab
- (3) COVID-19

**COMMENTS OR QUESTIONS FROM THE TOWN BOARD, TOWN STAFF & TOWN RESIDENTS:**

Supervisor O'Connor inquired if the TB had any comments or suggestions to the reduced town staff.

Councilman Dunn wanted to thank town staff, volunteers and the Supervisor for his leadership during these very difficult circumstances.

Councilwoman Young asked if there has been consideration for one meeting a month instead of two.

The Supervisor said that could be a consideration over the next few weeks.

Jaime O'Neill wanted to let everyone know that the draft stormwater management report was available online during the next 30 days.

Sharon Pineo, a resident viewing on Facebook live, queued in stating that an Assemblyman has assured that the Governor Cuomo will not be seizing ventilators. He will request ventilators when needed, but that there is enough for now.

**ADJOURN:** 6:35 PM

**Motioned by:** Councilman Dunn

**Seconded:** Councilwoman Young

**Vote:** Ayes-5

Nays-0

Respectfully Submitted,

Jennifer Holmes  
Malta Town Clerk