

TOWN BOARD MEETING
Monday February 22, 2021
6:00 PM
Via Zoom

ELECTED OFFICIALS PRESENT: Supervisor Darren O'Connor, Councilwoman Cynthia Young, Councilman Tim Dunn, Councilman Craig Warner, Councilman John Hartzell, Superintendent of Highways Roger Crandall, Town Justice Ellwood Sloat and Town Clerk Jennifer Holmes

OTHERS PRESENT: Town Assessor Rae-Lyn Dussault, Town Comptroller Kevin King, Stormwater Management Floria Huizinga, Town Attorney Steven Gottmann, Parks & Recreation Director Alyssa Benway, Building & Planning Coordinator Jaime O'Neill and Executive Secretary to the Supervisor Roseanne Clavin

PUBLIC PRESENT: Bob Stromberg, Tracy DeRagon, Scott Skinner, Jeff Margan, Richard Russell, Ted Willette, Paul Loomis, John Winters, Michael Zurlo, Ann Klotz, Travis Fealy, Barbara Conner, Sandra Crandall, Murray Eitzmann, Michael Bortell, Michael Ponticello, Neal Kramer, Michael Williams, Ludmila Popova, Gary Putman, Samantha Miller, Bernhard Schiel, Ed Cameron, Pete Bardunias, Michele Reilly, Helen Endres, Stephanie Ferradino, Marian Crandall, David Rosenberg, Ian Danforth, William LaMay, Rob Rosborough, Kathy Eitzmann

SALUTE TO THE FLAG & SILENT PRAYER:

ACCEPT TOWN CLERKS MINUTES 2/1/2020:

Motioned by: Councilman Dunn Seconded: Councilwoman Young

Vote: Ayes-5 Nays-0

COMMENTS FROM TOWN BOARD & DEPARTMENT HEADS:

Supervisor O'Connor said that the first item tonight is not on the agenda. But it deserves recognition. And that is to wish a happy birthday to both Tim Dunn and Mark Hammond, both on the same day. So Happy Birthday guys. Many happy returns. Do we have any announcement or comments from Town Board members?

Councilman Warner said Yes, Darren, I have one. I would like to thank our planners and our Code Inspectors for helping out. They're always doing something that they aren't asked to, and they always have a smile. Thank you, guys, and gals. Thank you very much, very often.

Councilwoman Young said at the risk of sounding like a broken record, I want to commend the Parks & Rec. again, I got a group together we went on the snowshoeing event last week, it was a super cold day. But we were also accompanied by a couple of naturalists, and it was really interesting and fun. I now know how to identify two similar looking woodpeckers when they come to my feeder by the length of their beaks. Believe it or not, wow, I learned a lot. And I'm really looking forward to more if there's anybody out there that has nothing to do, please look at the brochure. There's something there for everybody.

Supervisor O'Connor said good, sounds great. Anyone else? Okay. Roger, given the weather, as you can imagine is out on his rounds and trying to keep ahead of this weather, but we have his cell phone. So, he says that if anybody needs to ask him any questions or anything, I can just give him a shout out on the cell phone. Any other department have any comments or questions or announcements? Okay, hearing none, we'll move to the next item on the agenda and that's comments or questions from Town residents. Would anyone like to address the Board? Jamie you'll tell me whether we have any hands up. I see Gary's but anyone else?

Jaime O'Neill said yes, Tracy's hand was up first.

Supervisor O'Connor said okay. We'll do Tracy and then Gary. Okay, Tracy.

COMMENTS OR QUESTIONS FROM TOWN RESIDENTS: *

Tracy DeRagon said hi and thank you very much for this opportunity to speak. This is in regards to Mr. Warner statements from the last meeting. I do not agree with his comments regarding Ms. Pineo, and I apologize if I misspelled her name or mispronounced her name. Her actions were not standing up for me, my family or a number of my friends who were also shocked that he thanked someone who took part in that insurrection that caused the death of a police officer and caused injuries to over 140 other police officers in the capital. I can't thank someone for participating in something like this. My question to the rest of the Board is, do you agree with Mr. Warner's statements?

Supervisor O'Connor said thank you. Okay, next, Gary your next with your hand up. You're muted, Gary. You're still muted.

Gary Putman, Village of Round Lake Mayor, said yep, got it, thank you. At the last Town Board meeting Mr. Dunn referring to the Gnip property said the following. I'm not so sure I'm a big fan of purchase of development rights as a general policy tool. And there are ways to protect these properties without using taxpayer monies. Malta in the very first use of its PDR funds partnered with Saratoga PLAN to conserve 129 acres of the Malta Ridge Orchard and Gardens. The State Department of Ag & Markets Hudson Valley Agricultural Enhancement Program provided \$476,000 which seems a wonderful return on investment of Malta's \$41,000 investment of developer provided PDR funds. There are many other local examples of Towns partnering with organizations like Saratoga PLAN to leverage state funds for the duration of local farmland or woodlands. Regarding his comments that there are ways to protect these properties without using taxpayer money, and if these funds are not provided by the taxpayer, but by the developers as mitigation fees, I'd like Mr. Dunn to; one, explain his opposition to using PDR's as a general policy tool, two, explain why you think that mitigation fees are taxpayer monies, and three, outline the other ways to protect properties without using taxpayer monies, keeping in mind that spot zoning is not an acceptable or legal policy tool. Thank you.

Supervisor O'Connor said thanks, Mayor. Jamie, does anyone else have his or her hands up?

Jaime said no.

Supervisor O'Connor said all right, I'll give people just a couple of moments here just in case somebody is muted and doesn't think they're muted. Okay, I think we're good. So, we'll move to the next item on the agenda. And that's to discuss the items that are going to be in front of the Board at our regular meeting, which is a week from today. And you might have noticed a slight change to the format of our agenda statements. And that's because what we're going to do from now on at the Agenda Meetings is we'll be just discussing what might come up with the next meeting. Because the discussion by the Board, may inform you to know how these items on the regular meeting's agenda are phrased, or whether they're kept on the agenda or whether they're going to result in a resolution etc.

*There are five letters from residents that were submitted to the Town Board prior to the meeting that are on file in the Town Clerks Office

DISCUSSION ITEMS FOR 3/1/2021 TOWN BOARD MEETING:

1. PUBLIC HEARINGS (3/1/2021) 6:00 PM

1. Chapter 139 Streets & Sidewalks Amendment

The Supervisor said so, the first item that is actually on for next week is the public hearing that's already been determined by the Board. Two Public Hearings. One, is the Highpointe Sidewalks and Streets Project and the Board has been discussing that for some time. And so, we have a Public Hearing on that when we'll be hearing from anyone in the public who wants to address the Board on that matter.

2. Hearn Road Rezoning-2/1/21 Public Hearing STILL OPEN

The Supervisor said the second one is the Hearn road rezoning. The Public Hearing is already underway. It was kept open on February 1st for the purposes of written comment only. So that hearing is in force. But I expect that it will probably be concluded on Monday, next Monday. But it's still going on. So, if anyone wants to submit any written comment on that, they're welcome to do so, within the next week, if the Board decides to close this meeting, close the public hearing.

DISCUSS FOR POSSIBLE ACTION-3/1/2021 TOWN BOARD MEETING:

- a) Action for Chapter 139 Streets & Sidewalks Amendment
- b) Highpointe Sidewalk Project

Okay. Depending on what happens at the Public Hearing for Highpointe, the next item on the agenda will be for the Board to deal with that situation, the possible amendment to our Town Code and the potential repair or other work done on the sidewalks and walkways within the Highpointe Development.

Councilwoman Young asked Darren, do we have any more information about the costs of what I guess we see is two options either taking them out or repairing them.

Supervisor O'Connor responded we know more information, than what we got before from Evolution, I think that put in a bid. And I think one thing that the Board may want to consider is putting a cap on the amount of money that we're going to spend just to be, you know, specific about what's going on there. And so, that's one thing for the Board to think about this week is if we go down this path, we might want to think about putting in the resolution, a cap on the amount. Councilwoman Young said I know at one point, we talked about a couple of different options, doing it all in one year, doing it over the course of a few years. I think the assumption is that we're operating under here, is that it would be over the course of a limited number of years, not a few years. I mean, I personally would like to be able to get it all done in one year and be you know, be done with it. But again, not knowing are the implications on our budget for that.

Supervisor O'Connor said right, I totally agree. I would love to have it all done if that's the way the Board wants to go. I'd love to have it all done by the end of this season. You know before the late fall. You know, we have to see what our budget looks like later on in the year. I think Kevin, I'm using Kevin's computer so please.....

Kevin King took over the conversation saying keep in mind for Town Board that estimate was very, very specific okay, relate to this. So, where we definitely identified that, you know, we had a lot of large problems there with heaving sidewalks and also identified the need to put in the handicap. Let's do the right thing in the morning. Yeah, handicap warning strips at the intersections, you know, that cost could go up, it could go down, it all depends on the final scope of the project. And, you know, if there's other areas that are identified by all parties that are in need of replacement, that would add to the cost. Just want to make sure that, you know, that's just a very rough estimate on a very specific area, which is those two things I mentioned when I first started talking.

Councilwoman Young asked did we put some money aside in our budget this year?

Kevin said yeah, there's I think, \$15,000, \$14 or \$15,000 in 2021. And there's already \$50,000 set aside in a Sidewalk/Bikeway Capital Project Fund.

Councilwoman Young said okay, thank you.

Supervisor O'Connor okay, any other discussion on the Highpointe situation?

Councilman Dunn said we're hoping that in that hearing that we'll have heard from the HOA the results of their survey, correct?

Supervisor O'Connor replied we'll definitely hear from them. And we'll hear what the input from the HOA members, you know, is or was. I'm not exactly sure you know, what, what the nature of that input will be Good Shepherd is also aware of the public hearing, I call them and notify them. So, you know, if they want to be heard on it, they'll participate in the meeting. Okay, thanks.

- c) Hearn Road Rezoning

The Supervisor said the next item on the possible action next week follows up on the Public Hearing and that pertains to Hearn Road. So, we've discussed that among the Board members for a long time. One of the possibilities is the current zoning is a split zoning with a diagonal line

drawn from one corner of the property to the other. We've discussed the pros and cons of that, of that drawing. There is a lawsuit on this matter pending. Another possible way that the Board might want to go on is to put a modified East West kind of line to divide the LC zoning from the commercial zoning. I think there are good points on both of those, as well as even an R8 which the Board discussed some time ago, I'm going to propose the modified East West line because I think it matches up a little bit better with the contours of the landscape and that will be under the Board consideration for next week. If the Board decides to go that way, then I think the proper approach would be to schedule another public hearing. Because the public hearing that's currently ongoing, deals with the line drawn from one corner to the opposite corner.

Councilman Dunn said Yeah, I agree with that proposal. Darren, I think that makes the most sense and we can continue on from there and hopefully get this thing resolved and move forward.

Councilman Hartzell asked where are we at with the SEQRA process then? Sorry, where are we at with the SEQRA process that we started and did not finish? Well, I mean, we'll have to complete whatever SEQRA process, you know, is needed to complete? Are we going to see another long form completed for this latest iteration, then?

Supervisor O'Connor responded we will comply with whatever SEQRA requires John, I mean, you know, we'll talk to Steve and Leah about it and you know, determine what's required if that's the way the Board wants to go. Any other discussion on Hearn? Okay.

d) Maltaville Water Assistance Program Application

The Supervisor said the next item is the Malta Water Assistant Program applications. Kevin, I think we have at least one other application. Yeah. So, we have one other application for the Board's consideration next week.

e) Malta Meadows Apartments PILOT Agreement

The Supervisor said the next item on the agenda is the Malta Meadows Apartments pilot agreement, and I think we've been circulating some documents on that and among Board members, we have a draft a proposed agreement that's been signed by the owner. And this, this proposal for the Board would authorize and direct me to sign that to countersign for that pilot.

Councilwoman Young said so there was a lot of stuff going around today, like, from John, that I really wasn't quite understanding, is there? Is there an issue or question, John, you're having about proceeding with renewing the pilot agreement?

Councilman Hartzell responded no, it's there's two ways that acts or pilot money comes from a project like this. One is a pilot agreement, such as we've had in effect. The other is, because they're affordable housing, they have a particular way they have to be assessed, if they are taxable. And the concern I had was to look at the two different approaches to see, you know, are they left to Malta? And it looks like the pilot agreement is, in fact, fair arrangement for us based on the calculations that, Kevin on the financial statements. The other, the other concern is, how long will this project be affordable housing? You know, it looks like there is a commitment out to the middle of this decade. But you know, at that point in time, the project, we don't know what's going to happen. My question for all was addressed.

Councilwoman Young said okay, I'm satisfied.

Supervisor O'Connor asked if there was any other discussion on your side? Okay.

f) Highway Heavy Equipment Operator Positions

Supervisor O'Connor said we had a couple of departures from some good people in Roger's Highway department. But fortunately, Roger has been able to recruit two other good replacements. So hopefully, we'll be in good shape there. And this would just kind of acknowledge Rogers hiring of them and set the rates I believe. Any discussion on that?

Councilwoman Young said yeah, well, we will have information on these two people that he wants to hire, just not that I'm going inject to Roger's hiring, but we seem to be losing a lot of highway guys. Is there a reason for that?

Supervisor O'Connor yes, um, and I think the reason is that these particular young men found higher paying positions, you know, with heavy equipment, in other places. And, you know, that's an issue that, you know, the Board has to deal with at some point. Now, I think we've been fortunate, we have a lot of long-term employees who receive the benefits that, you know, government employees, government employment carries with it. So, we're very happy that we're able to retain a lot of these long-term employees. But, you know, sometimes when we have new employees, they come in and they have a skill, heavy equipment or something else, and something else comes up and they're lured away. So, you know, that's, I think what happened here?

Councilwoman Young responded that as they're younger, they don't understand the real benefit of New York State Retirement System.

Supervisor O'Connor jokingly said yeah, exactly. Plus, they hate me, but it's also twofold, though. Kevin King said one other comment is that a couple of these individuals, okay, they were not younger, okay? They weren't old either. Okay, they're, you know, they've been in the career for a little while, but they don't have any longevity here either. Okay, in which you know, you don't have the benefit, you know, you haven't accumulated sick time vacation time and personal time, you know, they just started so for them to move from one job to another, they're in essence, you know, starting over again, but only two years later, so to speak.

Supervisor O'Connor said I'm just going to stick with they don't like me. That's my story, and I'm sticking to it.

g) Building Permit Fees

Supervisor O'Connor alright, the next item for the Board's consideration next week is building permit fees and the Board has to discuss this issue before, one of the problems is that our fees are based on the square footage. And that number rises very, very quickly as the square footage gets into a big, big building, you know, haven't had to deal with that kind of situation in Malta, and, you know, under consideration our applications for, you know, large distribution centers, last mile centers, warehouse centers. And so, the idea is that it doesn't, once you get up to a certain level of square footage, you know, it's not fair to keep on imposing costs at that rate. And so, you know, the proposal here is going to be to cap the building permit fee for any building, any commercial building at \$250,000.

Councilman Dunn said and I just want to underscore that, you know, we, I think Darren shared a few examples in the past of how other Towns have done this. And, you know, there aren't a lot of Towns around the state that have encountered this with really large. But I know, from my work in Economic Development, I've talked to a handful that has this and, and they have different ways of trying to solve the conundrum, because the building permit is really supposed to be a fee that covers the cost of our staff time and processing these, these activities, not as I've referred to it in the past as a lottery ticket. And, you know, we have seen around the state where other communities will do it based on an investment model. I've even seen in some places where an applicant or investor had not realized the size of the bill, they were going to get for this building permit fee until they were ready to break ground. And we're surprised by fees and the hundreds of 1000s of dollars. I know when a project in the Mohawk Valley this occurred in the Herkimer County IDA stepped in and covered the cost of the building permit fee. I think if we've gone through the process of due diligence, and done all are a huge bill that gets thrown on to an unsuspecting investor, it certainly isn't the right way to go about doing business and a smart long-term strategy. So, I think this is a really smart approach, Darren. We don't have a lot of precedents to follow around the state, because not a lot of folks have encountered this, but I think it's a smart approach to take.

Councilwoman Young said okay, you know, what happens with confidence, that cap will cover any expenses we have? I mean, obviously, sounds like a lot of money to me, but I mean, because the idea is those fees should cover what it costs to put a project together.

Supervisor O'Connor said Yeah, we've talked, you know, we've had discussions with Jamie on it. And we feel that \$250,000 is a very safe number in terms of covering the expenses for the Town, in Remember, this is just one of many fees that occur when they come in, you know, I've heard some projects joke about how it's the, you know, for the luxury of doing business in Malta, some of the fees that they get imposed upon them. So, I think from what I've heard from Jamie, we

should be in good shape with this. And it seems like it's going to be a rather infrequent occurrence. I don't suspect that we would have so many that would trigger this cap.

Councilman Hartzell said hopefully, we have, I mean, do we have equity, and I understand the point about a large project, but is these fees are, as Tim says, supposed to be reflective of our costs to actually do the inspection work. And that includes both direct and indirect costs and are in our overhead for people in such, you know, down in the lower ranges of projects. Are the fees equitable at that level? You know, as somebody looked at that one? Well, I mean, they're the same fees that we've had for a long time. And they are, you know, I don't think they're that in terms of per square footage. I don't think they're out of kilter with, you know, other municipalities. So, we haven't I mean, we haven't had a complaint. Right, Jamie, has anyone ever complained that those fees at that level are unfair, because they're more than the cost?

Jaime O'Neill replied no, not to my knowledge, of course, the highest fees that I have notes on for over Ellsworth buildings and that was in the neighborhood of \$67,386. You know, the hospital's new building was \$24,452 most times, if we do get complaints, it's directly related to the traffic mitigation fees, which, you know, we undertook re looking at finding statements and trying to narrow on some. So, I think it's not lost on the development community that the Town Board's cognizant of the fees. But I would say that, you know, to date we haven't had any complaints that I've been aware of, and also, I think that, you know, it's definitely covering our costs that we associate, even administrative and, and so on.

Councilman Hartzell said so are they, are those numbers approximate to the cost involved in actually doing the work? Or are we overcharging it? Those are your two examples, that, you know, does that bear some rational proximity to the actual cost of doing the work? Because if we're, you know, if that's our concern, to try and more closely align our fees with our actual expense. Let's do it and not just pick out one particular project that might happen and benefit them.

Jaime O'Neill responded right, I think another thing to take into consideration is the type of construction that permit fees are related to so a warehouse, although it's large, you know, footprint wise, is very different inspection wise than one of the medical buildings and so forth to so you'd actually have to kind of group it down into the types of buildings and the types of inspections that are needed, you know, for the different types of buildings, like Mohawk Chevrolet, for instance, is a large building. Greg, one of the code enforcement officers dedicated his lunch hour, every day of the week, for a month, maybe two months, you know, it was just a standing appointment at noon, to be there every day at that site for whatever they needed. Finally, like GlobalFoundries in a way, you know, having somebody right on site all the time, which they were very appreciative of. But you know, I mean, I could calculate out some numbers, but it's kind of difficult, depending upon the type of building so these warehouses are larger than the warehouses that we're talking about, if they get to that point, are large and square footage, but I'm not sure you know, how much inspection interior will be needed to depend on every time they have a fit up, you know, because you have a building permit, and you have setup fees.

Councilman Hartzell asked so, Jamie, how would the cap work in your concept would apply only to these large warehouse buildings? Or is it an across the board cap?

Councilman Warner said good point.

Jaime O'Neill responded well, it would be across the Board. But you know, in this case, we're directly relating it to these warehouse buildings, because we haven't had, you know, square footages that big. I mean, I don't know if I have the square footages written down. But certainly, I mean, aside from GlobalFoundries, of course, these warehouses are pretty sizable, as proposed that who knows what will actually be on the ground.

Councilman Hartzell said to your point that you're making there, what happens when, you know, another GlobalFoundries type, advanced manufacturing project comes forward, where you have a large building envelope and, you know, some fairly intricate systems in the building? Right? Where does that leave us with a \$250,000 cap?

Jaime O'Neill responded well, in that case, I would say that we would probably have Chazan involved to be helping out with doing some of the inspection work for the intricate pieces, like the medical building. Well, one of the medical buildings, you know, some of it, we're not qualified to do, because it's extremely specific with surgery centers and things. And so, we enlist, help from Chazen, and get a, you know, escrow put together an estimate from them. So, you know, that's kind of how we would go through the building permit fee basically pays for our department, and

what we're able to do, and then if there's something above and beyond, then it usually goes into an escrow situation, like most things, you know, engineering legal that. So I don't think it would put us in an alert if we were to cap it, but I also think it's hard to know what the right number is at the same time, some of the surrounding Towns have coefficients and things based upon the type of building, and that, and I had said to Darren that I really don't recommend that calculating and so many opportunities for error, and we're already calculating a lot of fees in addition to a straight you know, square footage fee.

Councilman Dunn said and this appears to be the simplest most straightforward approach for real world scenarios that we may fit.

Councilman Hartzell said but to be clear, the \$250,000 cap is not an absolute cap, as would be for our job inspections. For inspections, which we could not complete, there would be additional charges to the applicant for them. My understanding.

Jaime O'Neill that's what past practices event, but it's only been when it's a situation where we don't have the expertise or the knowledge to properly inspect what has to go in there, like a medical building. There are some systems in there that we just don't, we don't have the knowledge.

Councilman Hartzell said right, and nor could you be, so that there's going to be a carve out to the \$250. To address this particular concern, that the question is, is there going to be a carve out to the \$250,000 cap, for projects where we cannot do the inspections and have to enlist the third party to do them on our behalf?

Jaime O'Neill responded well, I think that there's an opportunity to do that it's not the way that we do it now, you know, we collect the building permit fee, and then if we need additional Inspection Services, we get an estimate from Chazen and then collect money from the applicant, it would just be a matter of keeping track of time, on our end to try and figure out of that \$250,000. You know, if we have a code enforcement or two that are out there every day, for a certain amount of time, for a certain period of time, you know, what we have left? So, I think there's a unity, to do it, to carve out money out of that \$250, if we needed specialized inspections, it would just take a different type of tracking time, you know, on our end that we haven't really done that I know of.

Councilman Warner asked hey Jamie, what actually triggers hiring a separate engineering firm for that, and is that a separate fee that gets put back on the developer.

Jaime O'Neill responded so like the medical buildings that I was mentioning, one of them, I can't remember which number, the surgery center, I don't know if it's six or eight. But you know, there's a lot of specialized systems in there dealing with gases and different things directly connected to their laparoscopic machinery and such. And so we don't necessarily have that knowledge to go in there and inspect, we can do the footings foundation, the walls, like you know, different things, but those systems, that's when we have to call even looking at the drawings, for instance of the drawings over there, you know, we enlisted Chazen to help us look at the drawings to make sure there weren't things we were missing because of the type of construction that it is. So, you've got sometimes the drawing portion that you need help with, and sometimes it's also the inspection piece, too. So, it depends, that's what everything's a little bit different. But that's what triggers it. You know, if the guys get a permit in, and they look at it and say, oh, gee, you know, these are some things that we don't have training for, we're going to need some help we reach out to Chazen, because they're our Town designated engineer, and ask them to look at these things. And it always gets charged back to, you know, the developer, we don't bare any of that cost. If we're looking at plan review and things, you know, depending upon how much it is, you know, I remember collecting fees, but it's the same thing as our other escrow. Right. If we don't use it, we give it back.

Councilman Dunn asked Jaime this legislation that's proposed, do you have any concerns about it?

Jaime O'Neil responded I don't, no.

Councilman Dunn said thanks.

Councilman Hartzell said well, I do, and the concern is that if we had, it's not clear to me, if I'm a developer, and I come in, and I happen to have some of these intricate, you know, features to my building, and I look and I see \$250,000 is my max permit fee. I don't know that I'm potentially going to work with additional inspection charges, right.

Jaime O'Neill mm hmm.

Councilman Hartzell said I don't know that unless our, our building permit fee system has some kind of criteria, that allows a determination to be made that extra charges will apply. Right. So, if

we are going to apply extra charges, under some circumstances, our fee structure should provide for that, right.

Jaime O'Neill mm hmm.

Councilman Hartzell continued okay, you know, I'm thinking of the next GlobalFoundries which we all you know, their next bill, which we all hope happens, you know, we have to have a fee system that will accommodate that.

Supervisor O'Connor said I thought our present code did that. But, you know, I haven't checked it. You know, I'm not absolutely sure.

Kevin King asked, Jamie, isn't that the system's fee. That's, you know, I know we get it in from GlobalFoundries. Currently that they have a system building permit fee. Isn't that that fee?

Jaime O'Neill responded Yeah, I think it's called, it's called something else. But yes, right. Yes. Yes.

Councilman Hartzell said so our system has that, that opening that flexibility then to charge applicants for out of pocket costs for engineers?

Kevin King said I believe it does. We'll get back to you. We'll get back to the Board tomorrow to show you the language.

Councilman Hartzell said okay, thank you.

Supervisor O'Connor said all right. Any other discussion on the building permit fee?

h) Budget Transfers

Supervisor O'Connor said the next item is budget transfers. I think we'll have a few proposed budget transfers next week. Right, Kevin?

Kevin King answered yes, currently, there's two, two proposed budget transfers that I'm aware of. One is to recognize the fact that we got a New York State Justice Court grant that was larger anticipated in our budget. So, we're going to increase that by \$3,000, both revenues and expenses. The other component is to provide the necessary estimated cost to obtain the right, the potential cost of the right away for the Old Post Road Project, which we have had to appraise the narrow strip taking that we need to take through the right away. And we're trying to proceed to concluding acquisition of that so that we can get this project out on the streets for bid.

Supervisor O'Connor said alrighty. Thanks, Kevin. All right, before we get to other Town Board business, we, you know, we talked about our budget, both during the budget negotiations and the budget formulation. And we talked about the budget cuts that we took, and are the representation, the promise was that we were going to revisit that to the extent that we have more experience in our sales tax revenues from the county, we have a little bit of experience so far. And, you know, what we'll be putting together this week. And finalizing is a proposal for the Board's consideration next week to, you know, try to rectify some of these cuts, especially in terms of personnel, you know, and this goes back to, you know, some of the loss of personnel that we have in the Town. So, we'll put that together during the week, and, you know, we'll get it out to the Board so that they can consider it before Monday's meeting. All right, next, any other business?

i) Other Town Board Business

Councilwoman Young said I just want to ask about something late. Last year, we authorized a second map plan and report for a potential ambulance district, I know that most of our Malta/Stillwater Ambulance is anxious to find out where we are with that, and how we plan to proceed forward. So, I wonder if, you know, first of all, is the map planning report prepared yet? And when can we expect to see it? And are there any other new nuances towards the district?

Supervisor O'Connor answered Yeah, and, you know, we're working on that, you know, it's a, you know, a major project, we are trying to figure out, you know, what kind of ways we can, that such a district might be formed. So, you know, possibly that, you know, not all of the expenses for the ambulance service would be paid through a district, but we could still pay for some of it through, you know, our sales tax revenues. And, Steve, I think, you know, you're getting together a letter to the Controller to see what the parameters are and kind of a hybrid structure like that, right?

Town Attorney Steve Gottmann answered yes, I drafted a letter made some changes today.

I don't think it got out in the mail today, but I have prepared a letter to the Controller to ask some questions regarding the formation of the district, for example, limited to equipment purchase, and in the general ambulance, versus emergency medical services, if that would allow for different treatment of payment through ad valorem taxes versus general sales tax. So that letter either went today in the mail or it'll be going tomorrow?

Councilwoman Young said I know, I know, our appropriation to them is really twofold. One of them is, you know, for operations and personnel and all that and the other one is partly to pay their mortgage. Right. A mortgage. So, have we thought about that sort of split?

Supervisor O'Connor responded yeah, I mean, I think displayed under consideration has to do with you know, equipment versus other expenses. We tossed around the mortgage deal. And we know when that mortgage comes to an end, you know, arguably well once one mortgage comes to an end, there's repairs and all of the sudden you're incurring more debt just to pay the repairs for a building. So, you know, we're not, sure what's going to be the right way to split this up or if it's even possible. But yeah, we're looking at two kind of divided along some sort of logical line.

Councilman Warner asked so when is that report going to be finished?

Supervisor O'Connor replied as soon as we get the answer from the Controller, we're basically ready to incorporate that and proceed to the next step with a report.

Councilman Warner replied sounds good. Thank you. Hey, Darren, I got something. Okay. I would like to address reaction to the statement last meeting, that has been so controversial. Let me start by saying Joe Biden and I do have some things in common. One of this is we both stutter. If any of you understand this speech impediment you would understand that words don't always come out the way you want them to. It has taken me many years to be able to speak in public. I think I do a pretty good job. Most of the time, not all So, with this being said, let me clarify. I oppose violence of any kind. And I do not condone the violence that happened at the Capitol January 6, or from any other violent acts. Let me repeat, I am against the violence in the breaching of the Capitol on January 6, my intention was to state because Sharon was not charged with any crime, and from what I understand, she was there to peacefully protest. I was trying to separate the person that I have come to know, from this incident. When I said she stood up for our rights, I was referring to our right to free speech, and the right to peacefully protest, which is within our First Amendment. This right has been exercised in this country, for a good part of the summer. Most people attend these marches to peacefully protest. Unfortunately, many times there are bad people that commit violent acts, which is very unfortunate. Many are those who peacefully protest. I see this as two separate things. Violence versus peaceful protest. I know that many of us have different political views. But that's what makes this country so great. We're able to debate freely and openly. I apologize for any confusion that my statement may have caused and hope, the hate and the threats to my life, and my family will end here. My prayer is, we can learn to respect one another, as we all move forward. Thank you, Supervisor.

Supervisor O'Connor said Thanks, Craig. Thank you, Craig. All right. Next item on the agenda is additional comments. Do we have any additional comments from the public later like to make to the Town Board?

Councilman Hartzell said Darren before you move ahead, I'm going to put you on the spot here. Is there any general update you could give us with respect to the County's efforts with supporting the vaccination of citizens in Town?

Supervisor O'Connor answered that the County is putting together an internet-based list and, you know, people who are eligible or anybody can just put their names on that list, too, you know, have it recorded someplace and to the extent, you know, the County is provided with additional vaccinations, we can resort to that list on a countywide basis. Now the Town of Malta, you know, has been taking names all along, and, you know, I have a list that Kathy Eitzmann and I have been dealing with and making sure it's complete of names, ages, and whether there are other comorbidities. So, we are going to be working in the next few days of getting all those people on the County list. Now, we kind of have to do that by contacting the people on the list and either being on the phone with them when we're entering the data, or having them do it themselves, because they have to kind of certify that the answers to these questions are the truth, and you know, we can't make that certification for anybody. We're going to be moving forward on that. And yes, so the County has done that thing. As you probably know, they're having regular press conferences, by the Commissioner, the new Commissioner of Health, Dr. Kuhns. He's an Epidemiologist that

was just hired by the county. And so, they are giving regular updates to the public, via, you know, the press conferences, and also, you know, the data that comes out on pretty much a daily basis from the County.

Councilman Hartzell responded I appreciate your efforts and Kathy's efforts to, you know, make sure that people in Malta, get the best that they can when it comes to access to that.

Councilman Warner asked is that separate from the State sign up? Or is it inclusive? Separate?

Supervisor O'Connor responded It's separate, I believe. And so, what we're encouraging people is to, you know, when they sign up for something, don't just rely on that, you know, they got it, they got to keep on, you know, stabbing away and keep on kind of hovering on the internet. I've heard some people kind of hover and wait for vacancies. And is it a pain? Yep, it's a pain. But we're encouraging everybody whose name we take to keep on trying to get it through any available means.

Councilman Warner asked so, if I signed up out in Utica, could I also keep on trying to sign up for something closer? Without it hurting that other date that I have out in March?

Supervisor O'Connor answered so, I believe the answer is yes. And that's because if you get it, then you'd be off that list. And then that would be an opening, and people who are waiting for an opening would quickly fill that slot. So, I think that's the answer to that question.

Councilman Warner said thank you.

Councilwoman Young replied Darren, just for information. If you try to sign up on the from the Saratoga County website, it does redirect you to the state site. But it redirects you to the state's site to try to sign up in Saratoga County. So, it's all the same kind of process it actually if you can find an available appointment, it's easy. It's just getting there when it doesn't say no appointments available.

Supervisor O'Connor said fair enough.

Councilwoman Young said and you can sign up and keep that other appointment and eventually you'll get a notice that says, you have two appointments, so cancel one.

Councilman Warner said okay, good. Thank you.

Supervisor O'Connor continued anything else from Board members? Okay, then we'll move on to public comment. Does anyone have anything I know I saw Kathy Eitzmann's hand up so if anyone in the public has anything they'd like to address the Board. And so, I see Kathy, Kathy's hand up. So, Kathy?

COMMENTS OR QUESTIONS FROM TOWN RESIDENTS:

Kathy Eitzmann addressed the Board. Yes. Good evening. Thank you for teaming up with me to get these seniors taken care of in the area. And I probably had 25 names recently. These people have no transportation. They have no computer, and they have no family to help them make appointments. So, I will dedicate Tuesday, Wednesday, getting these people on that Saratoga list, but I'm very disappointed that CVS Rite Aid, Walgreens, these are where these people are getting their prescriptions. And not one of these entities is addressing the senior apartments. There are over 150 seniors that I know of living senior apartments, low income and they cannot get an appointment. And I've offered to drive them to Albany wherever they need to go, not Utica, but I have to drive them. But it's so difficult. So, I will dedicate time to try to get this done as soon as possible. If you do schedule a second appointment, what they'll do is they'll notify you that you either have to tell them which appointment you're going to keep or they will cancel the one further out, if you have to know keep the one closest to up and they will cancel the one farthest out. Okay, so that answers that question. We've had a small influx of new members, probably seven or eight, and all but one of those live in the boundaries of Malta. And I'm very excited about that. We do exercise two times a week, I said last month, it was one time a week now we're exercising twice a week, we're getting strong, we're staying healthy. It's a nice group of ladies and gentlemen. And we really are enjoying that. Our March 1st meeting will be on sight. So, every three months, we tried to do a luncheon. We've been doing takeout. But this time, we are going to go off site to long fellows, and we've got 68 attending in two seating's. And they've done a good job there under the COVID protocol. So, we're going to try that and see how that works out. But that's pretty much all that's new with the seniors. We're staying healthy. Tired of the snow. Marie offered to take me

someplace warm but said he could never get me back here if he did that. So, I guess we're staying put.

Supervisor O'Connor said alrighty. Thank you, Kathy. And, yeah, then the problem with people who are kind of homebound is a real one. I know that, you know, a few weekends ago the County had reached out over to that. And Scott, I see Scott's on the meeting. So, thank you very much to your team, Scott, for going out. And, you know, getting vaccines to a lot of these homebound seniors that we have here in Malta. So really nice work. Kathy, you have your hand up again?

Kathy Eitzmann said yes, yes, that was what I wanted to say thank you for that. That has been wonderful. I think the most disappointing thing that I'm seeing is in all of the news, all the media that's out there, they're talking about everybody getting shots, and they have totally eliminated the 65 and over as far as we have 200 shots, 100 going here, 100 are going there. They never say and we've saved some for seniors. Now from what I understand, that's what the pharmacies are doing. But the problem with that is those pharmacies are kind of only taking care of their clients that come in and get prescriptions, and not necessarily with appointment. So, I'm going to do what I can. We've got a lot of seniors that are very, very worried. And we need to get them taken care of as soon as possible.

Supervisor O'Connor said alrighty, thank you. Would anyone else like to address the board? I see Michael Ponticello's hand up.

Michael Ponticello addressed the Board saying yeah, my name is Michael Ponticello. Thank you, Supervisor O'Connor. I'm a new resident of the area just purchased the property at 53 Admirals Way in November. My wife and I are retired school principal from Fulton County area, served on a Board of Supervisors in Fulton County for a few years. So, I'm just trying to get up to snuff on issues. I appreciate you giving me the time. Thank you. Thanks. Thanks.

Supervisor O'Connor said thank you anyone else? Jamie, do we have any other hands up?

Jamie responded not that I see. No.

Supervisor O'Connor said give it just a moment. Okay, I think we're good. Do we have a motion to adjourn?

ADJOURN: 7:00 PM

Motioned by: Councilman Dunn **Seconded:** Councilman Hartzell

Vote: Ayes-5 Nays-0

Respectfully Submitted,

Jennifer Holmes
Malta Town Clerk