

**TOWN OF MALTA  
TOWN BOARD MEETING**

Minutes of the Regular Meeting of the Town Board of the Town of Malta held June 2, 2014, at the Town Hall beginning at 6:55 p.m. with one public hearing.

**BOARD MEMBERS AND ELECTED OFFICIALS PRESENT:** *Paul Sausville, Supervisor; Flo E. Sickels, Town Clerk; Councilperson Maggie Ruisi; Councilperson Tara Thomas; Councilperson John Hartzell; Deputy Supervisor Craig Warner.*

**ABSENT:** *Councilperson Peter Klotz;*

**OTHERS PRESENT:** *Tom Peterson, Town Attorney; Kevin King, Comptroller; Audrey Ball, Parks and Rec. Dir.; Roger Crandall, Highway Superintendent; Tony Tozzi, Building & Planning Coordinator; Woody Sloat; Tim Downey; Peter Balet; David Haight; Lynda Bablin; Peter Brooks; Carol Henry; Sandra Crandall; Jean Tanis; Barbara Connors; Gary Preece; Richard Smith; William Leek; Nikki Eaton; Sean Eaton.*

The first public hearing for the adoption of the Agricultural Protection Overlay District Regulations, was opened by the supervisor at 6:55pm with Supervisor Sausville reading the public notice as it appeared in the town's official newspaper May 8, 2014

**PUBLIC NOTICE  
TOWN OF MALTA**

**PUBLIC NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Malta will hold a public hearing on the 2<sup>nd</sup> day of June, 2014 at 6:55 pm for the adoption of the *Agricultural Protection Overlay District Regulations*, 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.

Dated: May 5, 2014

BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF MALTA  
FLO E. SICKELS, TOWN CLERK

The hearing was opened to the floor.

**Audrey Ball-** This law before the town tonight provides for 7 acres or more for farming that is not in a PDD or the Downtown. The proposed law allows farming by right and supports those practices that support the industry. It provides for regulatory relief for farmers in the Town of Malta. People can have animals and they can grow crops. **David Haight** – Chairman of the OAT committee is present. The committee recommended seven acres because that is the minimum that is set by the NYS Agriculture and Markets for farm protection.

**Carol Henry-** Thanked David and Audrey and the committee for their hard work on this committee. There are a lot of farms that want to sell their own products and this is a good step in the right direction from where we left off with the right to farm law. **Bill Leek-** Thanked David and Audrey and the committee for all of the work they have done. Happy to see this legislation come here and I want a nice family business here. **Peter Brooks-** Here to speak in favor of this law. There is future for agriculture here. Whatever you produce you can provide at retail prices. This is not mass production here. We have a brand and style in selling directly to the customer. **Pete Balet-** 7 acres is going to knock a lot of people out. I think it should be considered to be 5 acres per parcel. There is not one dairy farm left in the town.

There being no further comments and everyone having been afforded an opportunity to speak, the hearing closed at 7:07pm.

The Regular Meeting was opened by Supervisor Sausville at 7:08 p.m. with the Salute to the Flag followed by Silent Prayer. Motion was made by Councilperson Hartzell, seconded by Councilperson Ruisi to approve the minutes of April 28<sup>th</sup> and May 6, 2014 as submitted by the Town Clerk. Motion carried.

**COMMENTS AND OR QUESTIONS FROM TOWN RESIDENTS**

1. Gary Preece- Luther Forest Fields- Would like to look into moving back 70 ft to add two full sized fields instead of one. Audrey and the Town Board will set a workshop date for this project.
2. Tim Downey- 513 residents signed the petition. Remind the Board of their decision to approve the road with the roundabouts at Exit 11. We will not forget.

**REPORTS FROM TOWN OFFICIALS:**

- A. Assessor – Rae-Lyn Dussault – No Report submitted.
- B. Building Dept.-Anthony Tozzi - Permits Issued –34 Fees Collected – \$ 24,710.70
- C. Comptroller- Kevin King - Report on file in the Town Clerk’s Office.
- D. Animal Control – Dominick Refino – No report submitted
- E. Town Clerk- Flo Sickels - Report on file in the Town Clerk’s Office.
- F. Web Master – Candace Schmidt – No report submitted.
- G. Parks, Rec & Bldgs.–Audrey Ball-Report on file in the Town Clerk’s Office.
- H. Historian – Paul Perreault – No report submitted.
- I. Justice Court – No report on file in the Town Clerk’s Office.
- J. Highway –Roger Crandall–Highway Superintendent –

**OFFICE WORK:**

|  |                        |
|--|------------------------|
| Items put on Auction International   | 2 truck bids tabulated |
| Old Post Culvert Job preparation continues   | Sign inventory         |
| Working with vendors for quotes for paving roads   |                        |
| Continual information search for drainage issues and culverts                              |                        |
| Accident damage follow thru continues (tree replacement, light pole in LFTC, 2 town signs) |                        |

**ROADWORK and GROUNDS MAINTENANCE PERFORMED:**

|   |                              |
|---|------------------------------|
| Lawn Repair   | Brush pickup                 |
| Speed Limit Signs added to roads  | Stop signs repaired/replaced |
| Sweeping roads  | Supplies to Parade           |
| Catch basin repairs (Blacksmith, Locust, Hills, Ruhle, Danbury, Blue Spruce, Laural, Northwood) |                              |
| Ditching (Locust, Raylinsky, Homestead, Ruhle Road So.)   |                              |
| Replaced culvert on Ruhle Rd No. and Locust Ct.   |                              |
| Continual checking and cleaning of screens/pipes on roads and beaver activity                   |                              |
| Preparing to close Old Post Road for 2 weeks to replace culverts                                |                              |

**GARAGE WORK PERFORMED:**

Jacobsons and all park equipment gone thru and prepared for season  
More historical signs cleanup/repared  
Saws maintained and serviced  
Finished removing wings and de-winterizing the trucks  
Maintenance of all winter equipment, snowblowers, etc. finished  
Saws and all brush pickup equipment serviced  
Prepared area in new garage for lift

**OTHER:**

- ~ Tony Garland and Pete Ostrander are back to work ~ Geoff Deets still out
- ~Would like to have security cameras around the perimeter of the highway area
- ~ Completion of new garage (finish offices, lunchroom, bathrooms and locker area)
- ~ Add a mechanic to our workforce to keep up with our aging equipment.
- ~ Form Based Code input

[www.Malta-town.org](http://www.Malta-town.org)

**OLD BUSINESS:**

**LOCAL LAW #3 OF 2014**

**RESOLUTION #112-June 2, 2014**

**ADOPT AGRICULTURAL PROTECTION OVERLAY DISTRICT  
REGULATIONS**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Thomas*

**WHEREAS** the Town Board of the Town of Malta wishes to adopt a local law establishing an overlay district within the Town to promote traditional farming uses within the Town; and

**WHEREAS** the Town Board of the Town of Malta designated itself as lead agency for purposes of administration of the State Environmental Quality Review Act and received no objection to the same within the time set by law or regulation; and

**WHEREAS** the Town Planning Board and the County Planning Board have been provided with the proposed legislation and have no objections to the same; and

**WHEREAS** the Town Board of the Town of Malta held a public hearing on the 2<sup>nd</sup> day of June, 2014 at 6:55 o'clock PM., for the adoption of a local law establishing the proposed *Agricultural Protection Overlay District*, 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 were heard, now, therefore be it

**RESOLVED** that the proposed local law establishing an Agricultural Protection District in the form annexed hereto is adopted, and the Town Clerk is directed to file the same with the NYS Secretary of State forthwith.

## *Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being, eliminated and do not use italics or underlining to indicate new matter.

County

City

Town of Malta

Village

Local Law No 3 of the year 2014

A local law establishing an agricultural protection overlay district.

Be it enacted by the Town Board of the

County

City

Town of Malta as follows:

Village

**Section 1. Substantive Law** – A new Article XVII shall be added to Chapter 167 of the Code of the Town of Malta titled: “Agricultural Protection Overlay District Law” which shall read as follows:

**§100 Intent**

It is the intent of this Chapter to encourage a viable farming economy and community and to promote agriculture in the Town of Malta by creating an over-lay district of parcels 7 acres or more in all areas except those regulated by Article XVI – Downtown Malta Form-Based Code Zoning District or in Planned Development Districts. Farms provide jobs and support the local economy, fresh foods and rural character and scenic landscape while requiring fewer community services. Furthermore, farms maintain wildlife habitat and other natural resources. This article seeks to sustain these important contributions provided by local farms to residents of the Town of Malta.

**§101 Purpose and Applicability**

This chapter is enacted pursuant to the authority and power granted by Municipal Home Rule of the State of New York, Chapter 62 of Consolidated Laws, Article 16, in conformance with the Town’s Comprehensive Plan and Agricultural Enhancement Strategy, to promote public health, safety, comfort, convenience, economy, natural, agricultural and cultural resources, aesthetics and the general welfare and for the following additional purposes:

- To encourage agriculture to continue and prosper and to avoid regulating agricultural uses in a manner that unreasonably restricts or regulates farm structures or farming practices.
- To encourage other economic activities such as forestry, recreation, vineyards, orchards, and tree farming, as well as the support services and industries that add value to these uses, such as wood products and tourist facilities.
- Provide an opportunity to balance growth and a viable farming economy with resource protection.
- Provide residential developments in a manner that preserves the rural character of the Town while respecting, conserving and enhancing agricultural opportunities.
- Coordinate the Town of Malta Comprehensive (Master) Plan, Agriculture and Open Space Preservation Study, Open Space and Recreation Needs Assessment Report, Agricultural Enhancement Strategy and other applicable Town, county, state, federal and regional plans and programs;
- Ensure consistency between the Town’s land use policies and the New York State Agricultural Districts Law, Chapter 25AA of the Agriculture and Markets Law, by ensuring that farms are treated fairly and are not unreasonably regulated.

The provisions of this Chapter supersede inconsistent provisions of the Town Code.

**§ 102 Definitions**

Agricultural Overlay District – That portion of the Town of Malta exclusive of the Downtown Malta Form-Based Code District and Planned Development Districts which is constituted of parcels of seven acres or more.

**Agriculture**

The use of land, farm buildings and equipment that contribute to raising, training and boarding of livestock or horses, and the production, preparation and marketing of agricultural products.

**Agricultural Practices**

Those practices which are feasible, lawful, inherent, necessary, reasonable, normal, safe, and typical to the industry or unique to the products as they pertain to the on-farm production, processing and marketing of agricultural products. Examples of such practices include, but are not limited to, operation of farm equipment, proper use of agricultural chemicals and other crop protection methods, manure application, composting and construction and use of farm structures, fences and roadside stands.

### Agricultural Products

Those products that include but may not be limited to the following:

- Field crops, including corn, wheat, rye, barley, hay, potatoes, and dry beans;
- Fruits, including apples, peaches, grapes, cherries and berries;
- Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions;
- Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers;
- Livestock and livestock products, including cattle, sheep, hogs, goats, equids (e.g. horses, donkeys), poultry, camelids (e.g. llamas, alpacas), ratites (e.g. ostriches, emus), farmed deer or buffalo, fur bearing animals, wool bearing animals, milk, cheese, eggs and furs;
- Apiary (bee keeping) operations;
- Woodland products, including maple sap, logs, lumber, posts and firewood;
- Christmas trees derived from a managed Christmas tree operation, whether dug for transplanting or cut from the stump;
- Aquaculture products, including fish, fish products, water plants and shellfish;
- Woody biomass, which means short rotation woody crops raised for bio-energy, and shall not include farm woodland; and/or
- Horse boarding and equine operations.

### Agricultural Tourism

Agriculturally related accessory uses that are subordinate to the growing of crops or the raising of livestock, designed to bring the public to a farm on a temporary or continuous basis, such as U-pick farm sales, retail sales of agricultural products, farm mazes, pumpkin patches, farm animal viewing and petting, wagon rides, farmland and facility tours, horticulture nurseries and associated display gardens, cider pressing, classes or workshops, or wine or cheese tasting.

### Farm

Land, farm buildings and equipment used for the production, maintenance, preparation and marketing of agricultural products such as livestock, dairy, equine, poultry, furbearing animal, aquaculture, apiculture, fruit, vegetable and field crop farms, plantations, orchards, nurseries, greenhouses or other similar operations used primarily for the raising of agricultural or horticultural products or commercial boarding and equine operations.

### Farm Building

Structures such as barns, commodity sheds, farm worker housing, garages, direct farm markets, silos, manure storage facilities, stables, poultry houses and greenhouses used primarily for the production, processing or marketing of Agricultural Products.

### Farmer's Market

Markets open to the public, operated by a governmental agency, a nonprofit corporation, or one or more farmers, at which

1. at least 75 percent of the products sold are agricultural products or value added agricultural products, and
2. at least 75 percent of the vendors regularly participating during the market's hours of operation are producers, or family members or employees of producers.

### Farm Stand

A structure from which are sold predominantly agricultural products and related goods to the general public.

### Farm Sign

A sign erected for a limited period of time for retailing and marketing agricultural products and/or agricultural tourism, that is, seasonally for a period not exceeding two weeks before such items are offered and terminating when such items are no longer offered.

### Farm Worker Dwelling

A structure that is clearly accessory to an agricultural operation and occupied by farm workers employed on the premises and which may include such workers' families.

#### Horse Boarding

The raising, breeding, training, boarding or sale of equids or providing care, housing, health related services and training to such animals kept on the premises.

#### Livestock

Farm animals such as cattle, sheep, hogs, goats, equids (e.g. horses, donkeys), poultry, chickens, turkeys, ducks, geese, camelids (e.g. llamas, alpacas), ratites (e.g. ostriches, emus), farmed deer or buffalo, fur bearing animals, wool bearing animals raised for home use or for profit.

#### Rural Business

An occupation, profession, or commercial use that is customary, incidental or secondary to the agricultural use of a property and is consistent with the character of the neighborhood.

#### Value-Added Agricultural Products

An enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product produced on the Farm to a higher value. The enhancement or improvement includes, but is not limited to marketing, agricultural processing, transforming or packaging, education presentation, activities and tours.

### **§ 103 Right to Engage in Agricultural Practices**

Any owner or possessor of real property covered by this Chapter, as well as those employed, retained or otherwise authorized to act on behalf of such individual, may lawfully engage in agricultural practices, farm-direct marketing and agricultural tourism within the Town of Malta at any and all such times and in all locations as are reasonably necessary to conduct agriculture. For any agricultural practice, in determining the reasonableness of the time, place and methodology of such operation, due weight and consideration shall be given to both traditional customs and procedures in the farming industry, as well as to advances resulting from increased knowledge and improved technology.

There shall exist a presumption that no agricultural use that conforms to all relevant federal, state or local statutes, rules and regulations or ordinances and which does not pose a direct threat to public health and safety shall constitute a public nuisance, nor shall any such use be deemed to otherwise invade or interfere with the use and enjoyment of any other land or property.

The Planning Board and Zoning Board of Appeals shall ensure that the Town follows required procedures from NYS Agriculture and Markets Law 25AA, Section 305 and 305-a prior to all zoning, subdivision and site plan approvals in and within 500 feet of a designated NYS Agricultural District. All requirements including the notice of intent, agricultural impact statement, and review of the application by the Saratoga County Agriculture and Farmland Protection Board shall be followed. The Town shall ensure that local planning approvals recognize the policy and goals of the NYS Agricultural Districts Law and avoid unreasonable restrictions on farm operations with such districts. Furthermore, site plan review shall not be required for allowed agricultural uses as defined herein.

### **§ 104 Uses and Conditions**

#### Uses Allowed in Town of Malta Agricultural Over-Lay District

In addition to the uses allowed in the underlying use district, including any and all types of agricultural production, other uses allowed by right include:

1. Forest, wildlife and game management;
2. Equestrian trails;
3. Nature trails and walks;
4. Agriculture;

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- a. The production, packing and storage of Value Added Agricultural Products is permitted. The management of manure shall be done in a prudent manner consistent with sound agricultural practices.
5. Farm Stand;
6. Farmer's Markets;
7. Agricultural Tourism;
8. Horse Boarding;
9. Farm Sign(s);
  - 9A. Farm Signs on the Farm within the Overlay District shall not be placed in a manner that impairs the safety of adjacent roadways;
  - 9B. Farms Sign(s) located off the Farm, within or without the Overlay District, as is reasonably necessary to direct the public to the Farm. Farm Signs located off the Property shall not be greater than 12 square feet in size and shall not be placed in a manner that impairs the safety of adjacent roadways.
10. Farm Buildings and other detached accessory structures or uses provided that they:
  - a. are not used for human habitation;
  - b. are set back at least 10 feet from front, side or rear lot lines.

Uses Permitted in the Town of Malta Agricultural Overlay District by Special Permit.

In addition to the uses allowed in the underlying district, the following uses may be permitted by special use permit:

1. Farm Worker Dwelling;
2. Rural Business;
  - a. no more than three acres of land shall be devoted to such use, including areas used for structures, parking, storage, display, setbacks, and landscaping. Any lane serving the Rural Business and a home and/or farm contained on the same lot shall not be included as lot area devoted to a Rural Business. No additional lane or curb cut to access the Rural Business shall be allowed.
  - b. No more than 50% of the area devoted to a Rural Business shall be covered by buildings, parking lots, or any other impervious surface.
  - c. The owner or occupant of the Farm must be engaged in the Rural Business.
  - d. No more than two full-time and two part-time persons, other than individuals who reside on the Farm may be employed in the Rural Business.
  - e. The use must be conducted within a completely enclosed building typical of Farm Buildings.
  - f. Any outdoor storage of supplies, materials or products shall be located behind the building in which the Rural Business is conducted.

Prior to issuing a special use permit the Planning Board shall consider, in addition to the criteria set forth in §167-38.1:

1. The statement of purpose of this local law;
2. The proposed use for a location in an area;
3. The availability of alternative locations;
4. Compatibility with existing or permitted uses on adjacent lands;
5. The need for public services created by the proposed use;
6. The effect of the proposed use on water, air or soil resources and on rare or irreplaceable natural or cultural resources;
7. The location of the use so as to minimize the interruption of scenic views;
8. Parking; and
9. Any other site elements which to the Planning Board appear relevant.

Conditions Which May be Attached to Special Permit Approval include, but are not limited to:

1. Increased setbacks and yards;
2. Specifications for water supply, liquid waste and solid waste disposal facilities;
3. Additional landscaping and vegetative buffers and screens;
4. Time of operation;
5. Air pollution controls;
6. Location of the use;

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- 7. Buffers and
- 8. Site Plan Review

**§ 105 Open Space Development and Preservation**

The provisions of the Chapter 167, Article 11, shall apply to all Major Subdivisions of seven acres or more within the Agricultural Overlay District.

**Section 2. Severability** - The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

**Section 3. Repealer** - All Local Laws or ordinances or parts of Local Laws or ordinances in conflict with any part of this Local law are hereby repealed.

**Section 4. Effective Date** - This Local Law shall take effect upon filing in the office of the New York State Department of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2014 of the ~~(County)(City)(Town)(Village)~~ of Malta was duly passed by the Malta Town Board on the 2<sup>nd</sup> day of June, 2014 in accordance with the applicable provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No \_\_\_\_\_ of 20 \_\_\_\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_ and was (approved)(not approved) (repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_.~~  
~~\_\_\_\_\_ (Elective Chief Executive Officer\*)~~

~~In accordance with the applicable provisions of law.~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_ and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_. Such local law was submitted \_\_\_\_\_ (Elective Chief Executive Officer\*) to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_. Such local law was subject to \_\_\_\_\_ (Elective Chief Executive Officer\*) permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.~~

\* Elective Chief Executive Officer means or includes the chief executive officer of a county, elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~**5. (City local law concerning Charter revision proposed by petition.)**~~

~~I hereby certify at the local law annexed hereto, designated as local law No \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of~~



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section (36)(37) of the Municipal Home Rule Law, and having received the affirm majority of the qualified electors of such city voting thereon at the (special)(general) election held \_\_\_\_\_20\_\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law, designated as local law No \_\_\_\_\_ of 20 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_\_, pursuant to subdivision 5 an section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_1.\_\_\_\_ above.

**Clerk of the County legislative body, City, Town or Village  
Clerk or officer designated by local legislative body**

(Seal)

**Date: June 5, 2014**

(Certification to be executed by, County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney, of locality.)

STATE OF NEW YORK                    )  
  )SS:  
COUNTY OF SARATOGA                )

**I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.**

**Signature – Thomas W. Peterson**

**Town of Malta Attorney**  
Title  
County  
City  
**Town of Malta** \_\_\_\_\_  
Village

**Date: June 5, 2014**

**ADOPTED: VOTE – AYES – 4   NAYS – 0**

**RESOLUTION #113-June 2, 2014  
ESTABLISH NYS RETIREMENT REPORTING – ELECTED OFFICIALS**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Ruisi*

**WHEREAS** the New York State Retirement System has enacted regulations for reporting of elected and/or appointed officials service time for those who do not participate in an employer’s time keeping system and the Town of Malta desires to comply with those requirements; now, therefore, be it

**RESOLVED** the Town Board of the Town of Malta hereby established the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the current time studies or recertification of activities that were originally maintained and submitted by these officials:

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| Title                       | Name              | Retirement Number | Standard Work Day | Term Begins/Ends      | Participates in Employer's Time Keeping System | Days/Month (based on Record of Activities) |
|-----------------------------|-------------------|-------------------|-------------------|-----------------------|--|--|
| <b>Elected Officials</b>    |                   |                   |                   |                       |  |  |
| Supervisor                  | Paul Sausville    | N/A               | 6                 | 01/01/2014-12/31/2015 | No   | (1)  |
| Board Member                | John Hartzell     | 2621              | 6                 | 01/01/2014-12/31/2017 | No   | 6.99                                       |
| Board Member                | Maggi Ruisi       | 6317              | 6                 | 01/01/2014-12/31/2017 | No   | 9.58                                       |
| Town Clerk                  | Flo Sickels       | 3903              | 6                 | 01/01/2014-12/31/2015 | No   | 21.67                                      |
| Town Highway Superintendent | Roger Crandall    | 6907              | 6                 | 01/01/2014-12/31/2015 | No   | 21.67                                      |
| Town Justice                | Steven Gottmann   | 9201              | 6                 | 01/01/2014-12/31/2017 | No   | 7.73                                       |
| <b>Appointed Officials</b>  |                   |                   |                   |                       |  |  |
| Town Attorney               | Thomas Peterson   | 6074              | 8                 | 01/01/2014-12/31/2015 | No   | 5.70                                       |
| Health Officer              | Dr. Gayle Buckley | 1794              | 8                 | 01/01/2014-12/31/2015 | No   | (2)  |

(1) Not an active participant in NYS Retirement System

(2) Official is not part of a timekeeping system and **has not submitted or recertified** a record of activities within the 150 days requirement.

**AND BE IT FURTHER RESOLVED** the Town Board of the Town of Malta hereby establishes a standard work day of 8 hours for the following appointed official's positions who submit regular time and attendance records; Town Comptroller, Animal Control Officer, Clerk to the Town Justice and Deputy Town Clerk

Date enacted: On this 2<sup>nd</sup> day of June, 2014

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(Signature of clerk)

I, Florence Sickels, clerk of the governing board of the Town of Malta, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 2nd day of June 2014 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 4 of such members were present at such meeting and that 4 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto  
Set my hand and the seal of the



TOWN OF  
MALTA

Affidavit of Posting: I, Florence Sickels, being duly sworn, deposes and says that the posting of the resolution began on June 3, 2014 and continued for at least 30 days. That the Resolution was available to the public on the

- X Employer’s website at [www.malta-town.org](http://www.malta-town.org)
- X Official sign board at the Town of Malta Town Hall
- X Town Clerk’s Office at 2540 Route 9, Malta, NY

**ADOPTED: VOTE – AYES -4 NAYS – 0**

**RESOLUTION #114 – June 2, 2014**

**TRANSPORTATION ALTERNATIVES GRANT PROGRAM APPLICATION (Route 9)**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Ruisi*

**WHEREAS** the Town of Malta desires to apply for funding from the New York State Department of Transportation (NYSDOT) – Transportation Alternatives Program for the construction of pedestrian improvements and related amenities along Route 9 in the Downtown Malta area; and

**WHEREAS** a goal of the Town’s Form Base Code, 2005 Comprehensive Master Plan Update and prior master plans is the development of a vibrant and unique walk able community; and

**WHEREAS** the extension of sidewalks and linkages is one of the Town’s priorities; and

**WHEREAS** the Town Board recognizes the continued construction of a sidewalk system will provide economic, safety, and historical benefits, has the potential to be the beginning of a urban forestry program, and provide socio-economic benefits by fostering a healthier lifestyle for our residents; and

**WHEREAS** the proposed grant application would further extend the Town’s sidewalk and pedestrian pathway infrastructure;

**WHEREAS** the proposed grant application would provide a portion of the construction funding necessary to build-out the proposed improvements to the Route 9 corridor which will be designed through the use of Capital District Transportation Grant now, therefore be it

**RESOLVED** that the Town Board of the Town of Malta authorizes and directs the Town Supervisor to file an application for funds from the NYSDOT for a Transportation Alternatives Program to construct pedestrian improvements and related amenities along Route 9 in the Downtown Malta area for an estimated total project cost of \$880,000 with a 20% Town match; and be it further

**RESOLVED** upon approval of said grant request authorizes the Town Supervisor to enter into the necessary project agreements with the NYSDOT for such financial assistance.

**ADOPTED: VOTE– AYES-4 NAYS-0**

**NEW BUSINESS:**

**RESOLUTION #115- June 2, 2014**

**UTILITIES ZONING SPECIAL USE PERMIT- SET DATE FOR PUBLIC HEARING**  
**(7/7 6:50PM)**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Thomas*

**WHEREAS** the Town Board of the Town of Malta wishes to enact an amendment to the Town's Zoning Law permitting the siting of certain utilities on lots which would otherwise be sub-standard for the benefit of particular neighborhoods; now, therefore, it is

**RESOLVED** that the Town Board of the Town of Malta designates itself lead agency for purposes of administration of the State Environmental Quality Review Act; and it is further

**RESOLVED** that the Town Planning Board and Saratoga County Planning Board be provided with copies of the proposed legislation for their review and comment; and it is further

**RESOLVED** that the Town Board of the Town of Malta will hold a public hearing on the 7<sup>th</sup> day of July, 2014 at 6:50 o'clock PM., for consideration of adoption of an amendment to the Town's Zoning Law allowing for siting of certain utilities, 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.

**PUBLIC NOTICE**  
**TOWN OF MALTA**

**PUBLIC NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Malta will hold a public hearing on the 7<sup>th</sup> day of July, 2014 at 6:50 pm for consideration of adoption of an amendment to the Town's Zoning Law allowing for siting of certain utilities, 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.

Dated: June 2, 2014

BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF MALTA  
FLO E. SICKELS, TOWN CLERK

**ADOPTED: VOTE – AYES -4 NAYS – 0**

167-22. Utility Lots

A. Purpose.

In the course of development, it may be necessary to site utility facilities on lots separately created for this sole purpose. Strict application of zoning limitations may inadvertently hamper or even prevent utility placement on separately created lots. For example, a utility lot may not be directly contiguous to a public roadway, it may not meet minimum lot size, frontage, setback or minimum lot coverage requirements.

It is the Town's intention to allow creation of otherwise substandard lots for utility facility placement when devoted to facilitating development of surrounding or contiguous lands.

B. Definitions.

1. "Utility" shall mean infrastructure for the distribution of gas, electricity, water, information, or discharge of stormwater or sewage, for a specific residential subdivision or planned development district, delivered by an Integrated Supply Network. "Utility" shall not include water towers, cell towers, power transmission lines, outdoor generation, photo-voltaic arrays, substations, pipelines, satellite dishes, microwave dishes and conversion stations.
2. "Utility Lot" means a lot created within the Town solely for the placement of Utility Facilities.
3. "Integrated Supply Network" means a network intended to supply utilities or other supplies or services where the individual delivery is united with a larger coordinated system.

C. The creation of a Utility Lot is subject to Town Planning Board Subdivision review authority pursuant to Chapter 143 of the Malta Town Code.

D. In all zoning districts of the Town currently existing or hereinafter created, including all Planned Development Districts, in which Utility use is not an allowed use, it shall be a permitted use and will be subject to Town Planning Board Special Use Permit review authority pursuant to Town Code Section 167-38.1.

E. Utility Lots are not subject to any dimensional limitations otherwise established by this Zoning Chapter, including maximum lot coverage limitations, minimum lot size requirements, minimum setback requirements and minimum road frontage requirements. The sufficiency and/or suitability of the lot for its intended purpose will be considered by the Planning Board during Special Use Permit Review.

**RESOLUTION #116- June 2, 2014**

**SET DATE FOR PUBLIC HEARING A PROPOSED LOCAL LAW  
AUTHORIZING CONTRACT AWARDS BASED ON BEST VALUE  
METHODOLOGY, AND SETTING A PUBLIC HEARING THEREON**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Ruisi*

**WHEREAS**, General Municipal Law §103 has been amended to provide local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work, on the basis of best value; and

**WHEREAS**, the amendments to General Municipal Law §103 require Towns to pass a local law authorizing the use of the best value award process; and

**WHEREAS**, with the increased complexity of the goods and services that the Town must obtain in order to service taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense; and

**WHEREAS**, best value procurement links the procurement process directly to the Town's performance requirements, including, but not limited to, selection factors such as useful lifespan, quality and options and incentives for more timely performance and/or additional services; and

**WHEREAS**, even if the initial expenditure is higher using best value procurement, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds; and

**WHEREAS**, best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service; and

**WHEREAS**, the Town Board has indicated its support for the introduction of a local law authorizing contract award based on best value methodology, and the setting of a public hearing on the matter of the adoption of such local law; now, therefore, be it

**RESOLVED**, that a proposed Local Law, entitled "A LOCAL LAW TO AUTHORIZE CONTRACT AWARDS BASED ON BEST VALUE METHODOLOGY", attached hereto and made a part hereof, is hereby introduced before the Town of Malta Town Board and the Town Board of the Town of Malta shall hold a Public Hearing thereon on the **7<sup>th</sup> day of July, 2014 at 6:55 p.m.** at the Town of Malta Town Hall, 2540 Route 9, Malta, New York 12020, on the matter of the adoption of such Local law, and the Town Clerk of the Town of the Malta be and is hereby directed to give notice of such Public Hearing in the manner prescribed by law.

**PUBLIC NOTICE  
TOWN OF MALTA**

**PUBLIC NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Malta will hold a public hearing on the 7<sup>th</sup> day of July, 2014 at 6:55 pm for the adoption of a proposed Local Law, entitled "A LOCAL LAW TO AUTHORIZE CONTRACT AWARDS BASED ON BEST VALUE METHODOLOGY", 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.

Dated: June 2, 2014

BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF MALTA  
FLO E. SICKELS, TOWN CLERK

**ADOPTED: VOTE – AYES – 4 NAYS - 0**

**RESOLUTION #117 - June 2, 2014**

**ADOPT PERFORMANCE EVALUATION FORMS & REVISED JOB DESCRIPTIONS**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Ruisi*

**WHEREAS**, the Town Board of the Town of Malta desires to implement a new Performance Evaluation Program; and

**WHEREAS**, the Town Board of the Town of Malta has previously adopted employee job descriptions for the various positions within the Town of Malta, and

**WHEREAS**, certain of the adopted job descriptions have changed over time due to changes in policies, procedures or other various reasons, and

**WHEREAS**, after several workshops and meetings with Public Sector, the Town Board of the Town of Malta desires to adopt the new Performance Evaluation forms set forth by Public Sector and, in addition, amend said employee job descriptions, now, therefore, be it

**RESOLVED**, the Town Board of the Town of Malta hereby adopts the *Town of Malta Performance Appraisal Forms for Administrative Support Staff, Skilled/Maintenance Staff, Professional/Technical Staff, Senior Management Staff and Employee Self-Appraisal Form*; and be it further

**RESOLVED** the Town Board of the Town of Malta amends the following employee job descriptions and said amended job descriptions are annexed hereto and made a part hereof be and the same hereby is adopted by the Town Board of the Town of Malta.

**Job Description:**

| <b>Office of:</b>   | <b>Title:</b>                            |
|---------------------|--|
| <b>Comptroller</b>  | <b>Account Clerk (Updated)</b>           |
| <b>Assessor</b>     | <b>Assessor (Updated)</b>                |
| <b>Assessor</b>     | <b>Senior Assessment Clerk (Updated)</b> |
| <b>Tax Receiver</b> | <b>FT Deputy Tax Receiver (Updated)</b>  |

**Town of Malta  
Job Description**

|                             |   |
|-----------------------------|---|
| <b>Job Title:</b>           | Senior Assessment Clerk                                   |
| <b>Department:</b>          | Assessor  |
| <b>Report to:</b>           | Town Assessor   |
| <b>Civil Service Class:</b> | Competitive   |
| <b>Full/Part-Time:</b>      | Full  |
| <b>Prepared by:</b>         | Sue Otis 6/22/2010<br>Revised by Rae-Lyn Dussault 5/13/14 |

**JOB SUMMARY:**

Assist Town Assessor in providing public, including taxpayers and appraisers, pertinent assessment information with the use of tax maps, property record cards, final rolls, and the real property tax system and in maintaining current real property tax records and an equitable assessment roll. Duties are performed under the general supervision of the assessor in accordance with prepared guidelines and policies. This position is distinguishable from that of a clerk in that incumbents are expected to require minimal supervision, and to have a thorough understanding of the terminology and procedures involved with real property which will be learned through job training. Related valuation and data collection as well as other duties will be performed as required.

**ESSENTIAL JOB FUNCTIONS:**

Assists the Assessor with valuation of real property using appropriate methodology.  
Assists the Assessor in all phases of data collection and maintenance.  
Answers the telephone and gives out routine information regarding assessments and real property tax data  
Possess knowledge of deeds and tax maps in order to maintain and update assessment data  
Assist public, including taxpayers and appraisers, in providing pertinent information with the use of tax maps, property records, exemptions, final rolls, and the NYS real property system.  
Process property exemption applications and maintain spreadsheets applicable to mobile home parks  
Process all corrections, refunds, and omitted taxes to assessment roll  
Assists assessor in all judicial proceedings such as preparation for small claims hearings and certiorari  
Uses computer valuation programs to enter partial or complete assessments on the Real Property System program, and to adjust assessments  
Changes data on property records files, files changes on RPS program, and modifies tax maps  
Perform word processing for letters and miscellaneous reports and any and all clerical requirements of the job.  
Mail change of assessment notices to property owners  
Process decision notices for property owners regarding tax grievance day

Processes, sorts, indexes, records and files a variety of control records and reports;  
Makes arithmetical computations and compiles simple statistical reports;  
Operate a variety of equipment including a computer, printer, telephone, calculator, copier, fax and postage machine in the performance of regular duties.

**SUPERVISORY RESPONSIBILITIES:**

Employees in this position do not have any supervisory responsibilities.

**WORK IMPACT:**

This position requires a high degree of accuracy and attention to detail. The data maintained is used by the Assessor for determining valuation of property for tax purposes. Good knowledge of office terminology, procedures and equipment; good knowledge of computer systems, business arithmetic and English; thorough knowledge of the principles and terminology involved in real property valuation and tax maps; ability to understand and follow oral and written instructions; neatness, accuracy, tact and courtesy; physical condition commensurate with the demands of the position.

**PHYSICAL ACTIVITIES AND REQUIREMENTS:**

Ability to perform climbing, stooping, balancing, kneeling, crouching, crawling, reaching, sitting, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing and repetitive motions. Ability to exert up to 20 pounds of force occasionally and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects.

**MENTAL AND VISUAL DEMAND:**

Close mental and visual application needed to perform work, such as dealing primarily with preparing and analyzing data and figures.

**ENVIRONMENTAL CONDITIONS:**

The worker is not subject to adverse environmental conditions.

**MINIMUM JOB QUALIFICATIONS:**

Graduation from high school and 4 years of experience in the assessment field or related field, such as but not limited to, title work, government, or legal experience.  
Computer knowledge in word processing and spreadsheets.

**EMPLOYERS DISCLAIMER:**

- \* This Job Description is intended for the internal use by the Town of Malta and does not replace the Job Specification, if any, that has been adopted by the Saratoga County Civil Service Department.
- \* All requirements are subject to possible modification to reasonably accommodate individuals with disabilities.
- \* This Job Description in no way states or implies that these are the only duties to be performed by the employee holding this position. The employee will be required to follow any other job-related instructions and to perform any other job-related duties requested by their supervisor.
- \* This document does not create an employment contract, implied or otherwise, other than an "at will" employment relationship.

**Town of Malta  
Job Description**

**Job Title:** Account Clerk



REGULAR MEETING, MALTA TOWN BOARD, JUNE 2, 2014

**Department:** Comptroller's Office

**Report to:** Comptroller

**Civil Service Status:** Competitive

**Full/Part Time:** Full-time

**Updated/Prepared By:** Kevin T. King 4/30/2014

**Job Summary:** Provide financial, accounting, procurement and administrative activities for the Town Comptroller.

**Essential Job Functions:**

1. Code, check and pre-approve vouchers and review related invoices for accuracy and to supporting purchase orders as required.
2. Enter vouchers into general municipal accounting system
3. Generate accounts payable checks on a bimonthly basis
4. Reconcile accounts payable vendor statements to Town records
5. Review payroll time cards and generate payroll checks through payroll system and make necessary payroll changes for benefits, leave accruals, taxes and other master file components
6. Post payroll transactions to the general municipal accounting system
7. Assist in the procurement of goods and services for the Town including the preparation of purchase orders
8. Assist in the preparation of general entries in order to prepare monthly and year-end financial statements
9. Prepare the monthly New York State Retirement System report
10. Keep abreast of changes to rules, regulations and pronouncements as well as to municipal and industry developments that relate to accounting, labor, benefits and procurement
11. Assist in providing information on employee benefits and withholdings to Town employees
12. Assist in the development and preparation of special reports
13. Reconcile the accounts payable, payroll and other Town bank accounts
14. Maintain the Town Web Page and social media venues including providing support to other Town Departments in maintaining their sections of the Town's Web Page
15. Perform a variety of miscellaneous clerical and administrative functions as requested by the Town Comptroller
16. Operate a variety of office equipment including assisting in the maintenance of the Town's office equipment

**Supervisory Responsibilities:** This position currently does not have any subordinates

**Work Impact:** This position requires a high degree of accuracy and attention to detail. The data maintained by the Comptroller impacts the budget, cash management and operations of the Town.

**Physical Activities and Requirements:** Ability to perform sitting, fingering, talking, hearing and repetitive motions. Ability to exert up to 10 pounds of force occasionally and/or move a negligible amount of force frequently or constantly to move objects.

**Mental and Visual Demand:** Moderate mental and visual application required for performing work.

**Environmental Conditions:** The worker is not substantially exposed to adverse environmental conditions.

**Minimum Job Qualifications:**

- A. Graduation from high school or possession of a high school equivalency diploma and two years of experience in maintaining financial accounts and records; OR
- B. Four years of experience in maintaining financial accounts and records; OR
- C. An equivalent combination of training and experience as defined by the limits of (A) and (B) above.

**Employer's Disclaimer:**

\* This Job Description is intended for the internal use by the Town of Malta and does not replace the Job Specification, if any, that has been adopted by the Saratoga County Civil Service Department.

REGULAR MEETING, MALTA TOWN BOARD, JUNE 2, 2014

- \* All requirements are subject to possible modification to reasonably accommodate individuals with disabilities.
- \* This Job Description in no way states or implies that these are the only duties to be performed by the employee holding this position. The employee will be required to follow any other job-related instructions and to perform any other job-related duties requested by their supervisor.
- \* This document does not create an employment contract, implied or otherwise, other than an “at will” employment relationship.

**TOWN OF MALTA  
JOB DESCRIPTION**

**JOB TITLE:** Deputy Tax Receiver  
**DEPARTMENT:** Tax Receiver  
**REPORT TO:** Tax Receiver  
**CIVIL SERVICE STATUS:** Exempt  
**FULL/PART-TIME:** Full-time  
**PREPARED BY:** Lynda Bablin/Kevin King

**JOB SUMMARY:**

Responsible for performing all of the duties of the Tax Receiver in cases when the Tax Receiver is unavailable, as well assist in performing a variety of administrative and clerical functions associated with the operation of the Tax Receiver’s Office. Additionally, the Deputy Tax Receiver will provide administrative assistance to the Town Assessor’s Office.

**ESSENTIAL JOB FUNCTIONS:**

Greet the public in a friendly, helpful and efficient manner and assist them with the services provided by the Tax Receiver’s Office, and the Assessor’s office.

Compile and sort escrow permission forms and proofread all tax bill mailings prior to sending out to ensure the accuracy of the information.

Mail all tax bills to property owners, mortgage and financial institutions, and other tax services.

Collect tax payments, issue receipts, and make paid entries into the property owner’s computer file.

Record and reconcile tax payments collected and make bank deposits on a regular basis.

Respond to the needs and/or inquiries of both the public and private sector either in person, over the telephone or the computer, or through written correspondence.

Maintain the department inventory and order supplies as necessary.

Assists in the compilation, preparation and analysis of a variety financial and statistical records and reports.

Assists in maintaining and updating of assessment data and exemption administration.

Assists the public, including taxpayers and appraisers, in providing pertinent information with the use of tax maps, property record cards, final rolls, and the Town real property system.

Process property exemption applications

Process all corrections to assessment roll

Process refunds for property taxes paid

Mail change of assessment notices to property owners

Process decision notices for property owners regarding tax grievance day

Ability to operate a personal computer and utilize common office software programs for tax receipts, property assessment, word processing, spreadsheet and databases.

Operate a variety of equipment including a computer, typewriter, copier, telephone, postage meter, calculator, credit card machine, fax machine in the performance of regular duties.

Perform other duties as assigned by the Tax Receiver.

**SUPERVISORY RESPONSIBILITIES:**

Direct supervision over temporary clerical staff employed to assist in the mailing of tax bills.

Ability to plan and schedule work, assign work, instruct and train in methods and procedures, and check and approve work.

**WORK IMPACT:**

Due to the importance of the functions performed by the Tax Receiver Office and Assessor's Office, employees in the position of Deputy Tax Receiver must make every effort to deliver a high quality of service to both the public and private sectors that it serves.

**PHYSICAL ACTIVITIES AND REQUIREMENTS:**

Ability to perform stooping, crouching, kneeling, sitting, walking, lifting, fingering, talking, hearing, and repetitive motions. Ability to exert up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to move objects.

**MENTAL AND VISUAL DEMAND:**

**Light** mental and visual application required for performing work where there is some variety, but actions taken and decisions made are limited to a few possibilities.

**ENVIRONMENTAL CONDITIONS:**

**None:** The worker is not substantially exposed to adverse environmental conditions.

**MINIMUM JOB QUALIFICATIONS:**

- A) Graduation from high school or possession of a high school equivalency diploma; OR
- B) One year of clerical experience which shall have involved account record keeping; OR
- C) An equivalent combination of training and experience.

**EMPLOYER'S DISCLAIMER:**

- \* This Job Description is intended for the internal use by the Town of Malta and does not replace the Job Specification that has been adopted by the Saratoga County Civil Service Department.
- \* All requirements are subject to possible modification to reasonably accommodate individuals with disabilities.
- \* This job description in no way states or implies that these are the only duties to be performed by the employee holding this position. Employees will be required to follow any other job-related instructions and to perform any other job-related duties requested by their supervisor.
- \* This document does not create an employment contract, implied or otherwise, other than an "at will" employment relationship.

**ADOPTED: VOTE – AYES -4 NAYS - 0**

**RESOLUTION #118 – June 2, 2014**

**APPROVE COMPTROLLER'S 2013 JUSTICE COURT ANNUAL REVIEW – MCKEVITT/FAUCI**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Thomas*

**WHEREAS** Section 2019-a of the Uniform Court Act requires the town justices annually provide their court records and dockets to the Town and that such records then be examined; and

**WHEREAS** the Town Board of the Town of Malta has delegated the review of the court records to the Town Comptroller; and

**WHEREAS** the Town Comptroller has completed a review of the court records of Justice McKeVitt and Justice Fauci and prepared a report relating to said review, a copy of which is attached hereto and made a part hereof; now, therefore be it

**RESOLVED** that the Town Board of the Town of Malta hereby accepts the Town Comptroller's report relating to the review of the court records of Justice McKeVitt

and Justice Fauci and directs the Town Comptroller to file said report with the New York State Office of Court Administration.

**ADOPTED: VOTE – AYES -4 NAYS - 0**

**RESOLUTION #119 – June 2, 2014**

**AWARD/REJECT 2014 F350 TRUCK BID**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Thomas*

**WHEREAS** the Town of Malta has solicited and received bids to purchase a 2014 F350 4x4 cab pick-up (or equivalent); and

**WHEREAS** the bid of Metro Ford did not provide for “a sprayed in bed 85s liner” and therefore has been determined to be non-conforming; and

**WHEREAS** the Town of Malta Highway Superintendent has reviewed the remaining bids and recommends to the Town Board of the Town of Malta to accept the bid of Carbone Auto Group, 5700 Horatio Street, Utica, New York in the amount of \$34,997 which was determined to be the lowest bid submitted that conformed to the minimum specifications; now therefore, be it

**RESOLVED** that the Town Board of the Town of Malta does hereby accept the bid of Carbone Auto Group, 5700 Horatio Street, Utica, New York in the amount of \$34,997; and be it further

**RESOLVED** that the Town Supervisor, the Town Highway Superintendent and the Town Comptroller of the Town of Malta be and they hereby are authorized and directed to execute any documents relative to the said purchase as may be appropriate.

**ADOPTED: VOTE – AYES -4 NAYS - 0**

**RESOLUTION #120 – June 2, 2014**

**AWARD/REJECT 2014 F350 TRUCK BID**

*Motion by: Councilperson Hartzell*

*Seconded by: Councilperson Thomas*

**WHEREAS** the Town of Malta has solicited and received bids to purchase a 2014 F550 4x4 cab & chassis (or equivalent); and

**WHEREAS** the Town of Malta Highway Superintendent has reviewed the bids and recommends to the Town Board of the Town of Malta to accept the bid of Metro Ford, 3601 State Street, Schenectady, New York in the amount of \$50,140 which was determined to be the lowest bid submitted that conformed to the minimum specifications; now therefore, be it

**RESOLVED** that the Town Board of the Town of Malta does hereby accept the bid of Metro Ford, 3601 State Street, Schenectady, New York in the amount of \$50,140 which will be funded by the Town of Malta Highway Equipment Reserve; and be it further

**RESOLVED** that this resolution is subject to permissive referendum as provided by General Municipal Law Section 6-c and that this resolution shall not take effect (1) for thirty days, or (2) until approval by the affirmative vote of a majority of the qualified electors of the Town of Malta voting on a proposition, if within thirty days hereafter there be filed with the Town Clerk a petition signed and acknowledged or provided or authenticated by electors of the Town of Malta qualified to vote upon a proposition to raise and expend money in number equal to at least 5% of the total vote cast for governor in the Town of Malta at the last general election held for the election of state officers but

which shall not be less than one hundred persons; and be it further

**RESOLVED** that the Town Supervisor, the Town Highway Superintendent and the Town Comptroller of the Town of Malta be and they hereby are authorized and directed to execute any documents relative to the said purchase as may be appropriate.

**ADOPTED: VOTE – AYES -4 NAYS - 0**

**RESOLUTION #121 – June 2, 2014**

**SUPPORT SARATOGA COUNTY FAIRGROUND SIGN ON TOWN PROPERTY**

*Motion by: Councilperson Thomas*

*Seconded by: Councilperson Ruisi*

**BE IT RESOLVED** that the Town Board of the Town of Malta be and hereby supports the request from the *Saratoga County Agricultural Society* to allow it to place a sign promoting the 2014 Saratoga County Fair, as set forth in a letter dated May 9, 2014 on Town owned property at 2540 Route 9 from the week of June 23, 2014 through the week of July 28, 2014.

**ADOPTED: VOTE – AYES -4 NAYS - 0**

**RESOLUTION #122- June 2, 2014**

**SUPPORT USE OF TOWN ROADS – MBPA 5K RACE (SEPT. 6)**

*Motion by: Councilperson Thomas*

*Seconded by: Councilperson Ruisi*

**WHEREAS** the Malta Business & Professional Association (MBPA) has been in contact with the Department of Parks & Recreation and Human Services and Highway Department for the MBPA to use routes through the LFTC campus for a 5K race on the 6<sup>th</sup> day of September, 2014; and

**WHEREAS** that the MBPA has followed all permit regulations and guidelines and received the proper permission from both Saratoga County and New York State Department of Transportation (NYSDOT); now, therefore be it

**RESOLVED** as required by Vehicle and Traffic Law Section 1660-6 that the Town Board of the Town of Malta grants permission to MBPA to run the 5K race on the 6<sup>th</sup> day of September, 2014 provided Certificates of Insurance are on file with the Town; and it is lastly

**RESOLVED** that the MBPA, by copy of this Resolution, is advised that the Town understands that all safety-related actions have been taken by the MBPA, the County of Saratoga, and the State of New York, and other third parties, and that the MBPA understands that the Town's permission does not imply any active participation on any level in the organizations or execution of these 5K walk/run races.

**ADOPTED: VOTE – AYES -4 NAYS - 0**

**RESOLUTION #123- June 2, 2014**

**BUDGET AMENDMENTS/TRANSFERS AND COMPTROLLER'S REPORT**

*Motion By: Councilperson Hartzell*

*Seconded By: Councilperson Thomas*

**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 2014 Town Budget; and

REGULAR MEETING, MALTA TOWN BOARD, JUNE 2, 2014

**WHEREAS** the Town Board of the Town Board of Malta desires to amend the 2014 Town Budgets 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 2014 Town-wide General Fund, Part-town General Fund and Highway Fund to be amended as follows:

|   |           |            |
|---|-----------|------------|
| Increase Highway Improvements (Old Post Road)       | DB5112.2  | \$ 145,427 |
| Increase Appropriated Reserves                      | DB0598    | \$ 145,427 |
| Increase Planner Payroll                            | B8020.150 | \$ 2,000   |
| Decrease Contingency                                | B1990.4   | \$ 2,000   |
| Increase Attorney Contractual                       | A1420.4   | \$ 2,600   |
| Decrease Contingency                                | A1990.4   | \$ 2,600   |
| Increase Purchasing Contractual                     | A1345.4   | \$ 100     |
| Decrease Judgements & Claims                        | A1950.4   | \$ 100     |
| Increase Accounting Computer Contractual            | A1680.42  | \$ 300     |
| Decrease Miscellaneous Computer                     | A1680.411 | \$ 300     |
| Increase Garage Utilities                           | A5132.41  | \$ 3,000   |
| Decrease Garage Contractual                         | A5132.4   | \$ 1,000   |
| Decrease Garage Telephone                           | A5132.42  | \$ 1,000   |
| Decrease Garage Uniforms                            | A5132.43  | \$ 1,000   |
| Increase Community Center Utilities                 | A7989.41  | \$ 3,000   |
| Decrease Community Center Telephone                 | A7989.42  | \$ 500     |
| Decrease Community Center Water                     | A7989.410 | \$ 400     |
| Decrease Community Center Miscellaneous             | A7989.49  | \$ 600     |
| Decrease Community Center Programming               | A7989.50  | \$ 1,500   |
| Increase Highway Improvements (Bellflower Drainage) | DB5112.2  | \$ 233,000 |
| Increase Appropriated Fund Balance                  | DB0599    | \$ 233,000 |

**AND BE IT FURTHTER RESOLVED** the Town Board of the Town of Malta and the Town Highway Superintendent agree that the Section 284 Highway Agreement shall also be amended accordingly to include the Bellflower Road drainage project.

**ADOPTED: VOTE – AYES -4 NAYS - 0**

**COMMENTS:**

There are no comments to report.

There being no further business to come before the Board, motion was made by Councilperson Hartzell, seconded by Councilperson Thomas to adjourn the Regular Town Board Meeting at 7:45 p. m. Motion carried unanimously.

Respectfully Submitted,

Flo E. Sickels, Town Clerk

\*This meeting has been recorded for future reference.