

MALTA TOWN BOARD MEETING
Monday, April 17, 2017
6:00 PM
Malta Town Hall

BOARD MEMBERS AND ELECTED OFFICIALS PRESENT: Vincent DeLucia, Supervisor; Timothy Dunn, Councilman; John Hartzell, Councilman; Craig Warner, Councilman; Patricia Ruggles, Town Clerk; Tom Peterson, Town Attorney

OTHERS PRESENT: Audrey Ball, Director of Parks & Recreation; Anthony Tozzi, Director of Building & Planning; Kevin King, Town Comptroller; Roger Crandall, Highway Superintendent; Sharon Farley Schiera, Tax Receiver

PUBLIC PRESENT: Woody Sloat, Ken Claflin, Marian Crandall, Peter Shaw, Patty Heidelberg

SALUTE TO THE FLAG AND SILENT PRAYER: 6:00PM

Supervisor DeLucia took a moment to address a few topics first being a press release about the reassessment project. As follows

PRESS RELEASE-FOR IMMEDIATE RELEASE

TOWN OF MALTA

Reassessment Project Information

The Town Assessor's Office has recently completed the 2017 Reassessment (Re Valuation) Project that began in 2016. Reassessment notices were mailed on March 31, 2017 and you should have received your notice by now. The goal of the project is to maintain fair and equitable assessments based on market conditions.

The Town Assessor is responsible for the determination of each parcel's assessment and all questions concerning your assessment should be directed to the Town Assessor's Office at 518-899-2584 or rdussault@malta-town.org. Please keep in mind that NYS assessment regulations prohibit elected officials (i.e. Town Board members) from attempting to influence assessment procedures.

Informal reviews can be scheduled with the Assessor through April 19th. The purpose of the informal review is to present any additional information to the assessor. That information will be considered in determining if a change (i.e. reduction) is warranted.

The Town of Malta web site also has a 2017 Reassessment Project Link <http://townofmalta.sdgny.com/search.aspx>. This link provides an abundance of information regarding the project such as individual property assessments, sales and assessment information, informal review application, etc.

If you are still dissatisfied with your assessment notice, after you participated in an informal hearing, New York State Real Property Tax Law provides a formal process for an additional step in your right to challenge.

That step is provided on May 23rd 2017 (Grievance Day) when a property owner can protest their assessment before an independent grievance board comprised of residents from the Town of Malta. A grievance application must be submitted to the grievance board by close of business on that date. Please call 518-899-2584 to schedule an appointment and complete the brief grievance application. The Board of Assessment Review (BAR) will hear your complaints, review all applications, make a determination and follow-up by providing the applicant with their decision. Please remember New York State has established the policies and procedures that must be followed relating to property assessments.

Vincent R. DeLucia, Town of Malta Supervisor

Second being the "Town Wide Bulk Trash Pick Up" does not include surrounding towns. Open

to Malta residents only. Lastly Mr. DeLucia wanted to recognize a few key people that were in error, not mentioned for their committee efforts in the “Malta Times”. Mr. Tom Peterson, Town Attorney, Councilman Tim Dunn, and Tax Receiver Sharon Farley- Schiera are appreciated by Supervisor DeLucia for all their efforts.

PUBLIC HEARINGS:

Rescind Chapter 89 Sprinkler Code- Town Attorney Tom Petersen explained that the hearing was open for questions/comments regarding the proposed repeal of Article 89 of the Malta Town Code (requirements for sprinkler systems in certain commercial structures). A Local Law was enacted into town code that is ineffective due to it was not filed in a timely manner with NYS Code Division. Fire chief Peter Shaw said he would like to see the Town board go forward with the proper steps, that he will back with full support, in order to put life and safety at the forefront of the matter. Councilman Dunn asked what improvements, would Chief Shaw, like to see. Chief Shaw said he would like to see residential structures be included in the sprinkler code when revised.

PRESENTATIONS: 1. Town Financial Audit- Ken Claflin Auditor stated the financial report for Malta meets / exceeds County Principal Standards and Government Auditing Standards. The adequate fund balance should comfortably be 17% of monies. Town of Malta’s was 18.4 % in 2015 and 19.3% in 2016. The financial report is posted on the Town Website as well as on file in the Town Clerk’s Office.

2. Parkside Senior Living (291 Plains road) PDD Proposal- David Adams presented to the Town Board the concept of a senior living center for the property cornering Plains and Cramer Road. The majority of the Town Board liked the idea of senior living they are steering away from PDD and trying to maintain grid zoning. Councilman Dunn encouraged Mr. Adams to consult with the Planning Board to see what areas in town would comply with his concept

3. Sewer & Water Committee Engineering Services Proposals
Recommendations- Councilman Warner presented findings on proposals and recommendations for Water & Sewer. Area 3 of the survey that was conducted April of 2016 was the main focus. The area includes Maltaville, Rt.9 heading east, from Cold Springs Rd down Knapp Rd and up Rt.9 to Curry Plaza. This area was the main focus due to the lack of adequate water and water quality of that area. The household income in this area exceeds the states average that will greatly affect a grant for this proposal. Low interest loans are being investigated at this time. Wednesday the 12th of April the Water & Sewer Committee voted 6-1 on both proposals (apples to apples) from engineering services. They chose to go with the lowest bid if the recommendations and proposals meet all aspects of the Committee and Town Board. Information that has been gathered at this point has made it possible to put together an implemental plan in order to potentially move forward on this project. Both proposals are on file in the Town Clerks Office.

COMMENTS OR QUESTION FROM TOWN RESIDENTS: None

ACCEPT MINUTES OF 04/03/2017:

Motioned by: Councilman Dunn **Seconded by:** Councilman Hartzell
Vote: Ayes-4 Nays-0 **Absent:** Councilwoman Ruisi

OLD BUSINESS:

RESOLUTION NO 102 APRIL 17, 2017

REPEAL LOCAL LAW #1 OF 2015 SPRINKLER CODE

Motion by: Councilman Warner **Seconded:** Councilman Dunn
Vote: Ayes-4 Nays-0 **Absent:** Councilwoman Ruisi

WHEREAS the Town Board of the Town of Malta enacted “The Town of Malta Fire Sprinkler Law”, a Local Law creating a new Article 89 to the Malta Town Code, on March 2, 2015, said new Article requiring that sprinkler systems be installed in certain new commercial structures; and

WHEREAS the Local Law establishing Article 89 of the Town Code has not been approved by the New York State Department of State Codes Council as required by NYS Executive Law §379(1)&(2); and

WHEREAS a public hearing was held with respect to the proposed repeal of Article 89 of the Town Code of the Town of Malta (which Article includes the requirement for sprinkler systems in certain commercial structures) on the 17th of April, 2017, at 6:00PM, at the Malta Town Hall, 2540 Route 9, Malta, New York, at which time all persons wishing to be heard on the proposal were heard; now, therefore be it

RESOLVED that the Town Board of the Town of Malta finds that the proposed action will not have negative environmental consequences and issues a negative declaration with respect to the rescinding Article 89 to the Malta Town Code; and it is

RESOLVED that the Town Board of the Town of Malta be and hereby adopts the local law annexed hereto rescinding Article 89 to the Malta Town Code in its entirety, and directs the Malta Town Clerk to file the same with the NYS Secretary of State forthwith.

NEW BUSINESS:

RESOLUTION NO 103 APRIL 17, 2017

WAIVE FEES FOR BALLSTON SPA CENTRAL SCHOOL DISTRICT

Motion by: Councilman Hartzell **Seconded:** Councilman Dunn
Vote: Ayes-4 Nays-0 **Absent:** Councilwoman Ruisi

WHEREAS the Town has promulgated rules, regulations and fees for the use of Town buildings; and

WHEREAS the Town has received a request to waive the rental fees for the use of the David R. Meager Malta Community Center on the 10th day of May, 2017 from the Ballston Spa Central School District to hold a public budget presentation from 6:00pm to 8:00pm; and

WHEREAS this forum will provide the public benefit by giving it an opportunity to review and become familiar with the proposed budget prior to voting on it; now, therefore be it

RESOLVED that the Town Board of the Town of Malta waives the rental fee and approves the use of the David R. Meager Community Center on the 10th day of May, 2017 from 6:00pm to 8:00pm for the Ballston Spa Central School District.

RESOLUTION NO 104 APRIL 17, 2017

POLICY REGARDING PREVIOUSLY APPROVED SUBDIVISION RECREATION FEES

Motion by: Councilman Dunn **Seconded:** Councilman Hartzell
Vote: Ayes-4 Nays-0 **Absent:** Councilwoman Ruisi

WHEREAS the Town of Malta has updated SEQRA mitigation fees to be paid in connection with certain construction activities; and

WHEREAS the Town Board of the Town of Malta wishes to clarify which mitigation construction fees apply to particular projects; now, therefore, it is

RESOLVED that residential subdivision projects approved by the Town prior to January 02, 2017 shall be charged residential subdivision recreation fees as identified in Town Code Section 88 which were in effect during 2016.

RESOLUTION NO 105 APRIL 17, 2017

AUTHORIZE MUNICIPAL COOPERATION HOUSEHOLD HAZARDOUS WASTE

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

Vote: Ayes-4 Nays-0 **Absent:** Councilwoman Ruisi

WHEREAS the Town of Clifton Park has established a successful household hazardous waste collection program; and

WHEREAS the Town of Malta has contacted the Town of Clifton Park regarding possible municipal cooperation for the collection and disposal of household hazardous waste of the Towns; and

WHEREAS the Town of Clifton Park has agreed to allow Town of Malta residents to participate in the Town of Clifton Park household hazardous waste collection program which has been tentatively scheduled for September 23, 2017 from 8:00 am to 2:00 pm; and

WHEREAS pursuant to General Municipal Law Article 5-G, Section 119, the Town of Malta desires to enter into a municipal cooperation agreement with the Town of Clifton Park relating to the collection and disposal of household hazardous waste; now, therefore, be it

RESOLVED the Town Board of the Town of Malta does hereby authorize the Town of Malta to participate in Town of Clifton Park Household Hazardous Waste Day pursuant to the following:

- X Town of Clifton Park will be responsible for the proper administration of the program and will be responsible for the registration process.
- X Town of Malta residents desiring to participate in the program will be charged a user fee of **\$50** which represents the estimated net cost to the Town of Malta for the administration and disposal of the household hazardous waste.
- X Town of Malta Town Clerk's Office will accept the Town of Malta resident's applications and collect the user fees. Applications will then be forwarded to the Town of Clifton Park on a weekly basis and the fees collected will be remitted to the Town Supervisor in the Clerk's monthly report.
- X Town of Malta will reimburse the Town of Clifton Park a pro-rata share of the net cost based upon the number of Malta residents participating to the total number including an administration fee for each registered participant from the Town of Malta.
- X

RESOLUTION NO 106 APRIL 17, 2017

APPROVE LIQUOR LICENSE 30-DAY WAIVER – TAPATIOS, INC.

Motion by: Councilman Hartzell **Seconded:** Councilman Warner
Vote: Ayes-4 Nays-0 **Absent:** Councilwoman Ruisi

WHEREAS persons notifying the Town of Malta of applications for liquor licenses and/or renewal of liquor licenses must wait thirty days following notification of the Town of such application unless the Town waives such thirty-day period; and

WHEREAS it has been notified by Tapatios, Inc., 2955 Route 9, Malta, NY 12020, of its application, and has notified the NYS Liquor Authority of receipt of the same by letter dated April 7, 2017; and

WHEREAS it has received a request from Tapatios, Inc. that the Town waive the 30-day period otherwise required by the NYS Liquor Authority; and

WHEREAS the Town Board of the Town of Malta will take no further action as a result of its notification by Tapatios, Inc. of its application to the NYS Liquor Authority; now, therefore, it is

RESOLVED that the Town of Malta waives the 30-day waiting period with respect to the application to the NYS Liquor Authority of Tapatios, Inc.

COMMENTS: None

ADJOURN:

Motioned by: Councilman Hartzell **Seconded by:** Councilman Dunn
Vote: Ayes-4 Nays-0 **Absent:** Councilwoman Ruisi

Respectfully Submitted