

Regular Meeting
June 19, 2013
7:00 P. M.

Present:	Supervisor Lewza Councilman Miranda Councilman Mancini Councilwoman Kerr Town Clerk Mevec
Absent:	Councilman Blaisdell
Also Present:	Town Attorney Craig Comptroller Glastetter

Meeting called to order by Supervisor Lewza.

Pledge to the flag by Councilwoman Kerr.

Milton Matters award presented to Ruth Dibelius by Supervisor and Town Board.

Motion by Miranda seconded by Mancini to accept the June 5, 2013 minutes.
Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

7:05 PM Public Hearing on Local Law 2-2013 to amend Town Code “Defense and Indemnification” Section 11-2.

Notice read by Town Clerk Mevec and filed.

Supervisor opened public hearing.

All persons were given an opportunity to be heard.

Supervisor closed public hearing at 7:08 PM.

Resolution #19 introduced by Miranda seconded by Kerr amending Town Code Chapter 11, entitled “Defense and Indemnification” as follows:

WHEREAS, a motion was duly passed by the Town Board of the Town of Milton to set a public hearing to be held by said Board on June 19, 2013, at 7:00 PM as the Town Hall to hear all interested parties on a proposed Local Law amending Town Code Chapter 11, Entitled “Defense and Indemnification.”

WHEREAS, notice of said public hearing was duly advertised in the Saratogian, the official newspaper of said Town; and

WHEREAS, said public hearing was duly held on June 19, 2013, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, said law will amend Town Code Chapter 11, entitled “Defense and Indemnification” by removing the existing language in Section 11-2, and replace it with new language and sections as set forth in Local No. 2, of the year 2013, attached hereto; and

WHEREAS, the Town Board of the Town of Milton, after due deliberation, finds it otherwise in the best interest of said Town and its residents to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Milton hereby adopts said Local Law No. 2-2013, amending Town Code Chapter 11, entitled “Defense and Indemnification”, Section 11-2, from its existing language and replacing it with new language for Section 11-2 and adding Section 11-3, a copy of which local law is attached hereto and made a part of this Resolution, and be it further

Regular Meeting
June 19, 2013

RESOLVED, that the Town Clerk of the Town of Milton, be and he hereby is directed to have Chapter 11, amended accordingly, and to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Milton, to publish same in accordance with Sections 264 and 265 of the Town Law of the State of New York, and to file due notice of the adoption of said Local Law with the Secretary of State of New York.

Miranda-yes; Mancini-yes; Kerr-yes; Lewza-yes. Resolution adopted.

Motion by Miranda seconded by Kerr to adopt Local Law 2-2013 amending Town Code Chapter 11, entitled "Defense and Indemnification" as follows:

It is the intent of this Local Law to amend Town Code, Chapter 11, Defense and Indemnification, Section 11-2, by removing the existing language in Section 11-2, and replace it with the following language and Sections:

§11-2 Provision of Defense by Town.

The Town shall provide for the defense of any Town Officer or employee in any civil action or proceeding arising out of any alleged act or omission. The Town shall indemnify and save harmless such officer or employee in the amount of any judgment or settlement of claim obtained against such officer or employee. Such legal defense and indemnification shall only be provided where the officer or employee at the time of such alleged act or omission was acting in good faith and within the scope of his public employment, powers, and duties. The provisions of this section shall be in addition to any other statute, local law, or enactment providing legal defense and indemnification in civil actions brought against such officers or employees.

§11-3 Effective Date

This local law shall be effective immediately upon filing with the Secretary of State of the State of New York.

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Motion by Miranda seconded by Mancini to hire RJ Vandy and Scott Hladik as part-time help in the Building and Grounds Department at \$10.00 per hour and Jim DePew at \$8.51 per hour. Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Motion by Miranda seconded by Mancini to hire following people for the summer program:

Lead: Lindsey Lewis, 54 Division Street, Ballston Spa, NY 518-322-8663 **\$10.50/hr;**

Emma Bernier, 219 Whitetail Court, Ballston Spa, NY 646-725-4711 **\$7.50/hr**

Eric Howe, 616 Rock City Road, Ballston Spa, NY 885-3730 **\$7.50/hr**

Mackenzie Kohl, 25 Legend Lane, Ballston Spa, NY 466-6687 **\$7.75/hr**

Kyla Loucks, 14 Amber Way, Ballston Spa, NY 885-3668 **\$7.75/hr**

Maisey Loucks, 14 Amber Way, Ballston Spa, NY 885-3668 **\$8.00/hr**

Iliana Ortega, 33 Milton Heights Blvd, Ballston Spa, NY 518-396-9849 **\$7.75/hr**

Allison Pokrzywka, 3341 Birchton Road, Ballston Spa, NY 884-8206 **\$7.50/hr**

Jennifer Pokrzywka, 3341 Birchton Road, Ballston Spa, NY 884-8206 **\$7.50/hr**

Jenna Seifert, 45 Pinehollow Drive, Ballston Spa, NY 518-860-2397 **\$7.75/hr**

Adam Soden, 371 Lexington St, Ballston Spa, NY 518-321-7260 **\$8.50/hr**

Josh Soden, 371 Lexington St, Ballston Spa, NY 518-928-3189 **\$7.50/hr**

Audrey Whittredge 99 Fairground Ave, Ballston Spa, NY 518-879-8743 **\$7.50/hr**

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Regular Meeting
June 19, 2013

Supervisor Lewza read the following grant description:

Farmland Grant Description

The Town of Milton prides itself on having the best of both worlds – a mixture of Town Center commercial opportunity and beautiful farmland landscapes. Roughly 15% of our town remains as agricultural land, providing attractive meadows, pastures and farms which contribute to the casual country setting of our hometown. However, farms in New York State continue to be under growing financial strain and development pressures. This has led to a decline in active farming statewide and a loss of this important part of our American heritage.

It is our desire to see that local farming operations can continue to thrive in our community alongside our already successful commercial and residential growth. For this reason, the Town of Milton is seeking grant funding from the New York State Department of Agriculture and Markets to develop a guidance document which will encourage and assist local agriculture and farming operations.

If awarded, this grant will assist the town with developing ideas and recommendations to make local agricultural operations more profitable, financially stable and diverse. These recommendations are expected to include: identification of local laws and regulations which stifle or hinder agricultural operations; farm-to-market strategies; value-added entrepreneurship opportunities; end-product development options; agricultural priorities; education on tax abatement opportunities; stewardship programs; increased public awareness and similar recommendations

Sam Becker made a presentation on the Farmland Protection Plan.

Resolution #20 introduced by Miranda seconded by Mancini authorizing the appointment of Behan Planning and design to develop a grant proposal for a municipal agricultural farmland protection plan as follows:

WHEREAS, the New York State Department of Agriculture and Markets invites applications for financial assistance in the development of municipal agricultural farmland protection plans, and which applications need to conform to the format and content specified in a department created request for applications (RFA), and

WHEREAS, it is in the best interest of the municipalities having an interest in processing an RFA to hire a consultant to develop such protection plan, and

WHEREAS, the Town has been in communication with Behan Planning and Design located in Saratoga Springs, New York, who has the necessary expertise and experience to prepare and file an RFA on behalf of the Town of Milton, and

WHEREAS, Behan Planning and Design is willing to complete the RFA in order to determine the possible funding for the Town of Milton to be used to develop an agricultural and farmland protection plan for said Town of Milton, which services will be at no cost to the Town of Milton, but with the understanding that should the Town of Milton receive a grant from the New York State Department of Agriculture and Markets, the Town Board will retain the services of Behan Planning and Design to complete the plan on behalf of the Town of Milton and be paid from the funds received through this grant program.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to contact Behan Planning and Design and advise the company that they are authorized to complete the aforementioned RFA, on behalf of the Town at no cost to the Town, and in order to determine if the Town is eligible and will receive funding from the New York State Department of Agriculture and Markets for the development of an agricultural and farmland protection plan, and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign any grant application (RFA) that may be prepared by Behan Planning and Design pursuant to this resolution.

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Resolution adopted.

Regular Meeting
June 19, 2013

Motion by Miranda seconded by Lewza to cancel the July 3, 2013 meeting. Next meeting will be July 17, 2013.

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Motion by Lewza seconded by Miranda to be Lead Agency to SEQR for the draft of the Comprehensive Plan.

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Correspondence

Supervisor Lewza read the letter from Steve O'Neil ref. to using the Town of Milton Community Center.

Supervisor Lewza read letter from Attorney Donald Zee representing T & B Associates to rezone Carlton Hollow PUD to mixed use or to eliminate the age restriction in the PUD.

Supervisor Lewza read letter from Margaret Prough ref. to donating a bench for the Woods Hollow Nature Preserve in memory of her husband Bob.

Reports

Town Clerk report read by Town Clerk Mevec and filed.

Building Department report read & filed.

Code Enforcement

Justice Calderon

Justice Schroeder

Highway Department report read by Supervisor Lewza and filed.

Historian report by Royann Blodgett and filed.

Animal Control report read by Supervisor Lewza and filed.

Ethics Report

Comptroller report filed.

Motion by Miranda seconded by Mancini to refer Attorney Zee's letter to the Planning Board.
Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Motion by Kerr seconded by Miranda to authorize the Highway Superintendent to have National Grid install a street light on Pole 9 ½, at the intersection of Backstop Lane and Greenfield Avenue to be incorporated into the Town lighting district as recommended by Highway Superintendent.

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Supervisor read a summary of the following 5 projects that are expected to be installed this summer in the Town of Milton: 1. Cottrell-Harrington Park (Rock City Falls Park); 2. Creek Road-Boy Scout property, North of NY route 29; 3. Creek Road-Boy Scout property south of County Road 21; 4. Rock City Road near Sherman Road; 5. Off Northern Pines Boulevard. The Saratoga County Water Authority is responsible for the administration of these projects. All costs related to these projects are being funded at no cost to the Town of Milton.

Public Comment

The following people spoke: Meg Stevens announced Family Fun Day, June 30, 2013; Jim McHale; David Beals; and Tony Zanella who requested a moment of silence for Col. Clark who was killed in Afghanistan.

Regular Meeting
June 19, 2013

Motion by Miranda seconded by Mancini to go to an executive session reference to contract negotiations.

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Motion by Lewza seconded by Miranda to return to the regular meeting.

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Motion by Miranda seconded by Lewza there being no further business to adjourn.

Miranda – yes; Mancini - yes; Kerr - yes; Lewza - yes. Motion carried.

Meeting adjourned at 8:50 PM.

Respectfully submitted,

William J. Mevec
Town Clerk