

# TRAILS & OPEN SPACE Transcript 10/6/2021

## **SPEAKERS**

Mike Horn, Ed Kinowski, Mo Wright, Phil Barrett, Jason Kemper, Michael Hartnett, Benny Zlotnick, Several Supervisors, Therese Connolly, Tom Richardson

### **Tom Richardson**

Good afternoon, everybody. Welcome to the Trails Committee meeting. And I believe attendance has been taken. So we'll move right into the agenda. Jason, I'm going to turn this over to you with the Farmland Protection and Open Space preservation. So go ahead.

### **Therese Connolly**

We just need to get the minutes.

### **Tom Richardson**

Oh, I'm sorry. We need to approve the minutes of the August 4 meeting. I apologize. We have any, Benny is going to make a motion. Phil will second it. Any additions or deletions? If not all in favor?

### **Several Supervisors**

Aye.

### **Tom Richardson**

Any opposed? So now I'll turn it over to Jason. Go ahead, Jason. Thank you.

### **Jason Kemper**

Thank you, Chairman. In front of you all, you should have my memo to the Committee as well as copies of all the applications that were received. I do want to note in attendance in the back of the room is Mike Horn from Saratoga Plan, they were intimately involved in all three of these applications. So if there's a question I can't answer, I'm going to turn over Tom, we could rely on Mike for those. Also at your desk

### **Tom Richardson**

Yes Therese?

### **Therese Connolly**

I believe we just had Supervisor Kinowski join the meeting.

### **Tom Richardson**

Ed you're on the line?

### **Ed Kinowski**

Yes, I am. Thank you.

**Tom Richardson**

Okay, welcome.

**Jason Kemper**

Okay, so also in front of you, you have a chart that briefly describes, looks like this, briefly describes each project with the parameters. As far as parcel number, cost per acre, total found funding requests, total project cost in that. So just in brief, in the 2021 budget, there's \$100,000 devoted to Open Space Preservation. Those projects were sent out in early this year with a due date of August 6, 2021. This year we received three applications. One from the Town of Corinth to one combo from the Town of Greenfield and the Town of Wilton, and one from the Town of Malta. So, a summary of those is in front of you, along with this chart here, and I'll just briefly explain. I want to just quickly update everyone on the Open Space Reserve account. So right now we have an Open Space Reserve account. That's, if the projects are not closed within that calendar year they go into the Open Space Reserve account. You'll see the numbers in my memo, what the current balance is, that's \$571,685, of which 311,000 of that is committed to previously approved projects. We do have a couple projects, the Town of Milton and the Town of Greenfield that recently withdrew their applications, so that freed up some money. You'll remember, we also have the Community Forest Project that's been in front of this committee a couple times. And I anticipate we'll be back in front of the Board, probably in November, December to finalize that project. We've tentatively earmarked 100 to 120,000, for that project out of the Open Space Reserve fund. So therefore, uncommitted in the reserve fund, we have \$139,738. So there's a couple of different scenarios here for the committee to evaluate. Sometimes, it's been sort of the low end of this, the high end, or anywhere in between. So you have the applications in front of you. The first request was Town of Corinth, for \$32,900. The second one was the Town of Greenfield Town of Wilton \$100,000, and then the Town of Malta, as well for \$100,000. Also, when we approve past projects, there's a contingency in the resolution that allows this committee to approve up to 10% of the grant award for an increase in a project cost without going back to the full Board. So with the scenarios, I lay in front of you, I would be hesitant in my current position to totally expend the reserve account. Only because if one of those projects, and we do have some large projects still outstanding. If one of those comes back for an increase, we would not be able to handle it within the reserve account if it was depleted, and we would have to go back to the Board and do fund balance or some other mechanism for that. So I'm just putting that caveat out there.

**Tom Richardson**

So I think, I know myself, I'm not sure how the other members of this committee feel. But we certainly don't want to use all the reserve, for obvious reasons. So Jason, do you have some scenarios for us how this this is going to work?

**Jason Kemper**

So let's first just go down through what the request is to the County. And one of the things the committees traditionally would have looked at is, you know, what's the total project cost? So how much are we on the hook for out of the total project costs? So we'll go down through the Town of Corinth, their request in \$32,900, for a total project cost of \$387,900. So comes out to about, we're funded about eight and a half percent of that project. We also look at the per acre cost. Obviously, in our rural, less developed areas, the per acre cost is usually significantly less, less development pressure. So you can

oftentimes purchase much more acreage for a reduced amount. So your per acre cost in this project is about \$2,500 per acre. Go down to the Town of Greenfield and Town of Wilton, this is a combination project we do allow, our open space projects have a \$50,000 project limit, because this is a joint application they've applied for \$100,000. So of the \$100,000 in county requests, the total project cost there is \$544,861. So we would be funding about 18% of that project, if it came to fruition. And these are if we fully funded the request. Go down to the Town of Malta, they've got to Boulder Brook Farm application. They're requesting \$100,000 of a \$227,585 total project cost. So they're requesting 44% of the total project cost. Now their acreage, per acreage cost is \$6,750. But obviously much more development pressure Malta area and that's understandable. And again, I'll emphasize these are all prior to us closing on any of the project or the municipality closing, there's a set of criteria we have to go through for the Auditor's Office, there's a full appraisal submitted and all that. So oftentimes these costs will change when we when we approach the closing, which is one of the reasons I'm hesitant, and I'm glad you agreed to totally deplete the reserve fund. So that's 44% of the project costs for the town of Malta but I do want to add you know, Malta also has a Town Board resolution, they're willing to provide up to \$100,000 in local funds as a match to this project. Okay, so there's several different scenarios. The Town of Corinth is not requesting the full amount, \$32,900. You know, I'm just gonna open it up to committee and sort of get some recommendations there. I would ask you, I believe if some of these were reduced a little bit, whether it be one project or all, we may, I mean, we can move that forward, but it would be up to the Town and the applicant Saratoga Plan, just to verify with the landowners if a reduced amount did work. Sometimes, and I know Supervisor Barrett's done this at some committee meetings, you know, the Supervisor can speak up at that meeting, and see if it would move forward or not with a reduced amount. We don't have all those Supervisors here in attendance. So I'll just throw it out there for questions. I think the one, just looking at it. If you went off from our share then obviously, I think you could trim probably the Town of Malta projects lately. However, you do have the Town of Malta that put \$100,000 into this, and others are just, are just local. I mean, they're moving it through the municipality without a local contribution. Contributions are coming from Saratoga Plan, the landowners, and various other sources.

**Tom Richardson**

Mo has a question.

**Mo Wright**

Yeah. Just a quick question, Jason, on that Malta? You said Malta is going to or is willing to put 100,000. Is that in this chart?

**Jason Kemper**

Yes.

**Mo Wright**

Is that part of 127,000 of outside funding?

**Jason Kemper**

Yes.

**Mo Wright**

So the other outside funding is only \$27,000. All the other outside funding for that project?

**Jason Kemper**

Yes. Is that correct Mike? Like I said, one municipality, that's a significant contribution from the Town of Malta. I would prefer if we worked backwards, you know, at least, I'd say in the \$15,000 to \$20,000 range left in the reserve account that allow us to, you know, if some of those projects did go up a little bit. So something has to give with these projects.

**Tom Richardson**

So let's talk about the Corinth one first, because they're looking for such a minimal amount of money, right? Only looking for 32,900, is that correct?

**Jason Kemper**

\$32,900 of a \$387,000 project, 8.5% contribution from us.

**Tom Richardson**

So I'm just looking at that, like they're right on the cusp of being able to do that. Why wouldn't I mean, I would think that we should fund that. So unless somebody has another thought or idea. Benny, no? So can we pass a resolution one at a time here for these?

**Jason Kemper**

Yeah.

**Michael Hartnett**

Yes, sure.

**Tom Richardson**

So unless there's any objections or whatever, I think I'd like to see a motion on the floor for Corinth to begin. Then we can talk about the other two projects just because of the minimal amount of money that's.. Benny's get the motion on the floor?

**Phil Barrett**

I think I was gonna say I think it'd be better to come up with an overall game plan first.

**Tom Richardson**

Okay.

**Mo Wright**

Jason, how come the outside funding for that Malta project is so low? I mean, \$27,000 doesn't, when the other ones have come up with you know, Corinth has 355 and Wilton/Greenfield has 144. And Malta has only come up with \$27,000 of outside funding, it seems low.

**Jason Kemper**

But keep in mind that it's also the municipalities putting 100 in.

**Mo Wright**

I understand that but I mean, you're telling me Wilton Greenfield and Corinth neither one of those municipality is not putting any money at correct?

**Jason Kemper**

Exactly.

**Mo Wright**

So you take that \$100,000 out of Malta? I mean, how come there's only \$27,500 coming from outside funding? I mean, besides the municipality? It just seems low.

**Jason Kemper**

Okay. Mike do you want to clarify?

**Tom Richardson**

Yea, the microphones right there Mike.

**Jason Kemper**

It's set for short people. You might have to get a chair.

**Mike Horn**

Yeah. Is this for Jason here? He has his own microphone. It does have to be on the record. First of all, thank you to Saratoga County for this funding stream. It really empowers us to partner with municipalities to further their Open Space and Farmland protection plans and goals in their communities and to work with willing landowners and part of the answer your question, sir, has to do with willing landowners. The Malta project is a purchase of development rights project on a farm, where the landowner is looking for compensation for those development rights that they're going to retire to keep that farm forever available for farming. The Corinth project by contrast, part of the reason the funding is so low, is that the family there is generously willing to donate the land, all the land. And so really there we're looking for County funding is going to fund transaction costs, things like survey, etc., to be able to facilitate that project. So it creates, they're fundamentally different financial structures for these projects. Similar outcomes as far as protected land that benefits the county and the county populace in different ways. The Greenfield Wilton project is a bit of a hybrid. It is the purchase of a conservation easement, the landowners are making a generous contribution or bargain sale of that, the value of that conservation easement, and we're also seeking outside funding through some New York State opportunities for that project. So again, they're not necessarily directly comparable in their structure. It's a fair question. It's a little bit difficult to answer. I'd be happy to give more color if it would be beneficial.

**Tom Richardson**

Thanks, Mike. Thank you.

**Ed Kinowski**

Mr. Chair?

**Tom Richardson**

Yes, Ed. Go ahead.

**Ed Kinowski**

Yeah, is there also for consideration of the approvals of these, as Phil has indicated, let's come up with a game plan to put off until the new year, with new funding potentially available for support of this action section?

**Jason Kemper**

Supervisor Kinowski are you saying, don't spend the 2021 allocated amount? Or have these applicants, if they aren't fully funded, come back in 2022?

**Ed Kinowski**

Well, do they have to do a whole new presentation? I mean, we have their presentation, we don't have all the funds and we don't want to deplete our reserves. So if we're not going to come up with how much we want to spend out of reserves, we'd rather. Then why not kick one of them to the following fiscal year, with new funding? Or leftover funding from this year and some from next, I'm only asking.

**Jason Kemper**

Yeah, I think, if you look at the balance, that we have an open space reserve fund 139. If we took, worst case scenario, some of the projects on the table, if they did come in and ask for the 10%, I think if we were to set aside, let's say, I'm saying ballpark 15,000 out of that, that would allow us to fund these, almost to the fullest extent, probably, 90%, at least, and still fully fund them in 2021 fiscal year, but leave us just a little bit of a buffer in case any of these projects, or the previously approved one's going back to 2015. If any of them needed additional funds. I think we're close enough that depending on the purview of the Board, you know, I'm not a committee member, we could trim some of these slightly and still leave us enough earmark, if we did that.

**Phil Barrett**

Why don't we just take half of the 140? It gives us 170.

**Jason Kemper**

We could do that. Yeah, and like I said, we could even go a little, if the Supervisors were amenable to it, we could go a little more, we haven't had a project come back for the full 10% yet.

**Mo Wright**

What would happen to these three projects if we funded them at 90%. Each one at 90%. And maybe this is a better question for this gentleman here in the audience. What would happen to the project? Would it kill the project to if we say funding them, all three projects at 90%?

**Mike Horn**

Again, good question. I think the obvious answer is we need to go back to the landowners that we're working with and see if that possibly could work with them. It would put Saratoga Plan in a position to potentially need to fundraise. And I might go sort of project by project and talk about that dynamic, a little bit deeper. In the Corinth project where we're really looking for the transaction costs to facilitate otherwise a very generous donation. I feel like that would be a little bit short sighted. Just to be bold. That we would then have to go out and fundraise around that. The landowners are already putting in the land itself, right? To ask them to fund the transaction costs would be challenging, and it's not really that large of an amount as was brought up by a committee member before. When we get to the Greenfield Wilton project, it really is a fairly large project. I can't say for sure which way it would go, it almost might depend on what other funding sources we come up with., and those are still coming in the future. For the Malta project, we basically have tapped out the sources and the Town really stepped up to help fund this, I think. So I mean, let's say for the Corinth Project 100% really would probably be the way to go. For the other two, 90 percent, likely still would go, I think there's just a couple of open questions and moving parts, and in the end, that will result in a value to landowners that we need to explore with them. So there's a bit of uncertainty, I can't say 100% for sure.

**Tom Richardson**

Anybody have any other questions for Mike? So I guess what I'm hearing is that we should fully fund the Corinth project. And then if we fund 90% of the other two projects, actually, could we fund 100% of the project, what we have two communities going and then 90, maybe only 90% of the Malta project? Anybody have any thoughts about that? Phil your lights on b, thought or question?

**Phil Barrett**

Well, how important is it to keep this 140 in?

**Jason Kemper**

Well, I would be comfortable, and just from my perspective, I'd be comfortable significantly depleting that, as long as we had enough reserve. And I think you could do that with either of those two combinations, just outlined. To find any previously approved projects that may come back for additional project costs. But keep in mind, some of those projects are already at their limit. So that also, some of the municipalities can't come back for any more money, because they're already at the limit for project limits. So I think if we did, either of the suggestions outlined, I would be comfortable that either, any of these projects, or the previously approved, we'd be able to close them. And it'd be up to Saratoga plans involved on a lot of those, we've got, one in Clifton Park and a couple other municipalities, with the caveat that they would just, know that our funds to fund additional increases would be limited.

**Tom Richardson**

So, back to the scenario I just mentioned, fully funding the Corinth project. And giving the funds for the Greenfield Wilton project, and then 90% of the Malta project, we'd have about 10,000, am I correct?

**Jason Kemper**

10,000 plus the difference (inaudible) extra, so you'd be up around, 17,000-18,000 if someone came in for an increase in the future. Now, that's not counting too, that's if every one of these come in fully

funded. We fund 50% of the project costs for open space project. So we just had one for the Town of Milton, that we were able to deposit back into the reserve account, some extra funds because we fund up to a certain level, and for open space projects, it's only 50% of the total project costs. So you know, in that case, there was a couple thousand dollars that went back to the reserve account.

**Mike Horn**

Yeah, if I could, Jason. That was our project, the appraisal of the value of the development rights came in a little bit less than expected. Also, we were able to save money on the transaction costs. So we brought that back to the County and decreased the amount we needed.

**Jason Kemper**

So that's a scenario to Mo, I didn't outline is maybe one of these already approved projects. That's the first one I've ever seen come in low, you know, but, in short, I would be safe if we had, I would think we would be safe, the county would be safe if we had you know, that 17 or so as a buffer for future projects. If they went over I'd be comfortable with that.

**Mo Wright**

So you're looking to basically cut \$10,000 out of these. Find \$10,000 out of these three projects, correct then? So we could go 100% in Corinth, 95 and 95. And that's your \$10,000 right? I mean, that's an extra \$5,000 for each project, but it doesn't seem like a huge lift for either project to make up that difference when we're already putting, basically depleting our whole reserve account at that time.

**Tom Richardson**

Well that that's a good point. And I see Mike shaking his head yes. So that sounds like a good, possibly a good scenario, Benny you have a?

**Benny Zlotnick**

I just had a question. Earlier we were talking. And Jason, maybe I misheard you. You said the municipality limit is \$50,000?

**Jason Kemper**

For open space.

**Benny Zlotnick**

Open Space. Okay.

**Jason Kemper**

Yeah, open space. And if there's two municipalities you can go for twice that. So 100,000.

**Benny Zlotnick**

Okay, so then so how was Malta getting to ask for 100,000?

**Jason Kemper**

It's a farmland protection project.



**Benny Zlotnick**

Okay, thank you.

**Jason Kemper**

So those are 100,000. I'm sorry Supervisor.

**Benny Zlotnick**

That's alright. Thank you.

**Jason Kemper**

Yep. 100,000.

**Tom Richardson**

Okay, so any other discussion? Any other thoughts? So it looks like, Mo if you want to put this as a resolution, fully fund Corinth then 95% the other two projects?

**Mo Wright**

Yeah, I mean, I would move that. I think it would work. I think it's the less painful for everybody I think at this point, if everybody else agrees, I'll put that as a motion on the floor.

**Benny Zlotnick**

Well, let's ask

**Tom Richardson**

He was shaking, Mike was shaking his head, yes.

**Benny Zlotnick**

Watching you guys, I'm trying to watch you.

**Jason Kemper**

And I'll just say, I will say as you know, wearing the Director of Planning hat. This is tough. I understand the position Mike's in, he's worked with all three applicants, and four different municipalities. So I just,

**Tom Richardson**

God bless him.

**Jason Kemper**

Take it easy on him to make a decision on this because, you know, ultimately, it'll come back to those to those Supervisors.

**Mike Horn**

Right. So we need to work with the municipalities, we need to work with landowners. The proposal sounds as reasonable as any solution that could be put forth. I can't say that where people will fall out and so forth. It sounds equitable. We're certainly willing to take that back and present it to the powers

that be, and I'd say, I'm cautiously optimistic that would work out in both cases, but it's not our decision. And I can't give that certitude right now.

**Tom Richardson**

Thank you, Mike,

**Jason Kemper**

What I could do Supervisor Wright is just, I work with Mike long before Law and Finance to make sure that these funding scenarios work to before it goes in front of the Board.

**Mo Wright**

That's fair enough.

**Jason Kemper**

And I would just ask one thing for the motion, just to be clear, we do put in the motion that this Committee has the approval, as we've done in the past, to approve either increases or decreases in total project costs by 10%.

**Mo Wright**

Yes, that's fine.

**Tom Richardson**

Is that good? So Mo, we have a motion on the floor. We need a second.

**Benny Zlotnick**

Second.

**Tom Richardson**

Benny, thank you. All in favor.

**Several Supervisors**

Aye.

**Tom Richardson**

Anyone opposed? Okay, seeing that. Thank you so much for helping us straighten that out. Mike, appreciate your input on that. Thank you.

**Mike Horn**

Happy to do it and thank you for your support.

**Tom Richardson**

Okay, number four open space. Go ahead, Jay.

**Jason Kemper**

Yeah, so I'll just, I think this will be a good practice every month for the Board. I'll give an update on exactly what's happened with our, we have dozens of ongoing projects at any given time so I'll just on a reoccurring basis, I'll provide the Committee with an update on everything that has happened since the last time we met. So we can just try to keep status on these projects. So first on the Open Space and Farmland trails grants. August 17th the Board fully approved funding all those applications for the 2021 grants. That was \$82,011.44. We process those contracts with the Attorney's office. Thank you, Mike, and his staff, and those are in the boxes of everyone that received awards and they were mailed out yesterday. This 2015 City Saratoga Springs project has been completed and closed. 2018 Town of halfmoon Vosburgh Trail Grant has been completed and closed. The 2018 City of Saratoga Springs Bog Meadow trail. There was some significant issues here with engineering and increased costs. They have redesigned that, got a different engineering proposal and they should begin this work in 2021 it was a very big project. The 2019 Town of Halfmoon Crescent trail has been completed and closed. The 2020 Town of Greenfield Middlegrove grant is being reviewed right now by the County Auditor's Office. 2020 Town of Galway contract has been executed. The 2020 Town of Ballston contract has been executed. 2020 Town of Wilton project should be completed by the end of 2021. The 2019 Town of Milton Smassanow farm protection project has been recently completed and closed. Thank you Supervisors Zlotnick and Saratoga plan for that. And on September 14, we received withdrawal letters from the Town of Greenfield for their open space project, as well as from the Town of Milton, the Boyhaven camp for their open space project which, that in turn led us to the increased balance in the reserve account to do some of these projects. And total pending farmland open space projects has been reduced to five. We've made a tremendous amount of progress in the last couple months. Thank you, Jeff, in my office for that, and also, Mike at Saratoga Plan is intimately involved in a lot of those. So, of those five, three of those could be closing in late 2021 or early 22. And one is already closed and is waiting for reimbursement. So made a lot of progress in the last couple months on all these projects.

**Tom Richardson**

Outstanding, very good. Thank you, Jason. Thank you to your staff too. On to the next County Forest and Zim Smith trail updates.

**Jason Kemper**

I'll do the same thing. We currently manage about 3,000 acres of County Forest land as well as all the Zim Smith trail and numerous other trail systems throughout the County. So there is money placed in the budget every year for this. And I did make a request for that to be increased in 2022. So I will do the same thing for the County Forest land and the trail projects that we've got going, just to sort of update this Committee and let them know what's going on. So we have an RFP out to replace the fencing at the beginning of the Zim Smith trail, those RFPs are back. The cost come in lower than anticipated. So we'll be replacing about 400 linear feet of the fencing as soon as you enter the Zim Smith trail from Oak Street. We're going to be making major improvements at the Loudon Road parking lot this fall. I'm working with DPW bringing in some millings, moving the machine up, they're fixing the drainage up there, as well as some potholes in the parking lot. One of the issues we've faced in the past is the vandalism on a lot of our signs. They are just paper signs or laminated signs. So they're oftentimes torn down, they don't weather well. So we have ordered all new aluminum signs for the County Forest land and Zim Smith trail. Four of those came in today. They'll be starting to be installed on the on the sites

as well. So the signage will be much improved. The Champlain Canalway Trail construction project in Waterford. Saratoga County is a sponsor for this for the Hudson River Valley Greenway. That project has been initiated, is ahead of schedule, and should be open easily this fall. So that project's going. And we have begun the clearing and grubbing on the East mitigation site in the Town of Northumberland that was on the County Forest land parcel. That is also part of the mitigation for their karner blue butterfly habitat. That's all we have.

**Tom Richardson**

Thanks, Jason. Anybody have any questions for Jay? Seeing none, is there any other business to come before us here today?

**Mo Wright**

Motion to adjourn.

**Tom Richardson**

Okay. You've got it. Benny, want to second that?

**Benny Zlotnick**

Okay.

**Tom Richardson**

Thanks. All in favor, aye.

**Several Supervisors**

Aye.

**Tom Richardson**

We're out of here. Thanks, Jason. Great job.