

A regular meeting was held by the Town Board of the Town of Ballston on Tuesday evening, January 10, 2017 at the Town Hall on Charlton Road.

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| PRESENT: | Tim Szczepaniak | Supervisor |
| | Bill Goslin | Councilman |
| | John Antoski | Councilman |
| | Kelly Stewart | Councilwoman |
| | Chuck Curtiss | Councilman |
| | James Walsh | Counsel |
| | Carol Gumienny | Clerk |

Supervisor Szczepaniak called the meeting to order at 6:30 p.m. and the Pledge of Allegiance was recited. A moment of silence followed in memory of the police officers shot in the line of duty in Florida and also the shooting victims at the airport in Ft. Lauderdale.

Supervisor Szczepaniak introduced our new Senator - Jim Tedisco. He came to recognize the four recent Town employees who retired and presented each with a citation from his office. The Senate will recognize the BH-BL Boys Cross Country team on February 7th. Supervisor Szczepaniak thanked the senator for attending these recognitions.

Supervisor Szczepaniak read the following Town resolutions for the four retirees, Shirley Palmer, Les Bonesteel, Tom Johnson and Dick Doyle.

RESOLUTION 17-01

HONORING SHIRLEY PALMER ON HER RETIREMENT FROM THE TOWN OF BALLSTON ASSESSOR'S OFFICE

WHEREAS, Shirley Palmer was born in Ballston Spa, New York in 1942 and graduated from Ballston Spa High School; and

WHEREAS, in 1962 Shirley married Bernie Palmer and together they had four beautiful daughters, and she is also the proud grandmother of four grandchildren; and

WHEREAS, Shirley Palmer worked very hard as co-owner of Palmer's Acres View Farm, the family dairy farm, for 42 years; and

WHEREAS, she became a very active member in the local farming community by serving on the Saratoga County Dairy Promotion Committee, being a member of the Saratoga County Farm Bureau, and by opening and running Palmer's Country Feed and Supply Store for ten years; and

WHEREAS, Shirley is also an active member of the Charlton Freehold Presbyterian Church; and

WHEREAS, Shirley has been an asset to the Town of Ballston Assessor's Office for years as she always approached her job in a conscientious and thoughtful manner, and was more than willing to help any town resident in need of assistance and always with a smile; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ballston thanks Shirley Palmer for her hard work and dedication to the residents of the Town of Ballston, and we hereby congratulate her on the occasion of her well-earned retirement.

RESOLUTION 17-02

HONORING RICHARD DOYLE ON HIS RETIREMENT FROM THE TOWN OF BALLSTON PLANNING BOARD

WHEREAS, Dick Doyle was born in Schenectady, New York in 1934, graduated from Draper High School in Rotterdam, New York and attended Union College where he graduated in 1954 with a Bachelor of Science degree in Mechanical Engineering, a Master of Science Degree in Mechanical Engineering in 1957, and a Bachelor of Science degree in Electrical Engineering in 1958; and

WHEREAS, Dick served his country by joining the Naval Reserve Officer Training Corps in 1950, continued his service in the Navy where he achieved the rank of Commander, and went on to serve in the Naval Reserves until 1986; and

WHEREAS, Dick Doyle worked as an Engineering Manager at General Electric, where he retired after 48 years; and

WHEREAS, Dick married his wife Sheila in 1961, and together they have three children, nine grandchildren and are eagerly awaiting the birth of their first great-grandchild; and

WHEREAS, Dick Doyle has served his community in various capacities, including serving as a member of the Burnt Hills-Ballston Lake Board of Education for twelve years, being a member of the Republican Committee in the Town of Ballston, and serving as the Chairman of the Town of Ballston Planning Board since 2007; and

WHEREAS, Dick Doyle has been an invaluable asset to the Town through his work on the Planning Board, where he has logged countless hours of meetings in order to evaluate proposed projects and their impact on the community, always maintaining a high degree of professionalism and decorum; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ballston sincerely thanks Dick Doyle for his years of hard work and dedication while serving as Chairman of the Planning Board, and wishes him all the best in his retirement.

RESOLUTION 17-03

HONORING LESTER BONESTEEL ON HIS RETIREMENT

WHEREAS, Lester Bonesteel was born in Troy, New York in 1948; he graduated from Keveny Memorial High School where upon graduation he continued his education at Hudson Valley Community College where he received a degree in drafting in 1967; and

WHEREAS, Les faithfully served his country as a sergeant in the Army from 1967 to 1969, serving overseas in Germany during that time; and

WHEREAS, Les married his wife Georgia in 1986, and together they have a son Michael, and are proud grandparents of two grandchildren; and

WHEREAS, for 36 years Lester worked at the New York State Department of Health Bureau of Architectural and Engineering Services, where he was for a time acting as assistant bureau director; and

WHEREAS, Les has been an extremely active member in the Town of Ballston for decades, where he graciously volunteered his time and talents as a member of the Town of Ballston Zoning Board of Appeals from 2001 to 2003; and

WHEREAS, Les has been an indispensable member of the Burnt Hills Fire Department since 1989, serving as chief from 1999 to 2003, being named "Firefighter of the Year" in 2005, and currently serving as a commissioner of the Burnt Hills Fire District; and

WHEREAS, he also serves all the residents of Saratoga County by currently being on the Board of Directors of the Saratoga County Fire Officer's Association, currently being a senior fire investigator with the Saratoga County Fire Officer's Association Cause and Origin Team, and being a former president of the Saratoga County Fire Officer's Association; and

WHEREAS, Les has been an integral member of the Town of Ballston Building Department serving as Deputy Building Inspector since 2003, and after a long and distinguished career he has decided that the time has come to retire; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ballston hereby congratulates Lester Bonesteel on his well-deserved retirement, and our best wishes to him and his family for continued success, happiness and good health in the years to come.

RESOLUTION 17-04

HONORING THOMAS JOHNSON ON THE OCCASION OF HIS RETIRMENT AS BUILDING INSPECTOR FOR THE TOWN OF BALLSTON

WHEREAS, Tom is the devoted husband of Deborah Johnson, the loving father of Peter and Katrina, and is the proud grandfather of Gideon, Ava, and Evelyn; and

WHEREAS, Tom has faithfully served his community by being a member of the Burnt Hills Fire Department for 40 years, where for a time he was fire chief, and is currently a newly elected Commissioner of the Fire District; and

WHEREAS, Tom spent several years working for Dr. Stanley Garrison on his farm, and eventually Tom and his wife Deborah went on to start their own dairy farm where he was able to further develop his interest in farming and his enormous affection for John Deere Tractors; and

WHEREAS, Tom is also very interested in photography, and many outdoor activities including boating, camping and fishing; and

WHEREAS, Tom began working in the Town of Ballston Building Department in 1994, and since that time has issued well over 5,000 building permits, and has been instrumental in making sure that construction in the Town follows guidelines and codes so as to ensure the safety and well-being of all the residents in the Town; and

WHEREAS, one of Tom's essential tasks as building inspector was to stay informed of any changes to building codes and standards, which he did with great efficiency; and

WHEREAS, Tom has spent countless hours poring over blue prints and building plans and always with an unprecedented level of professionalism; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ballston sincerely thanks Thomas Johnson for his years of service and unending commitment to the Town of Ballston, and wishes him all best in his well-deserved retirement.

RESOLUTIONS 16-01, 16-02, 16-03, 16-04

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart to accept these four resolutions.

ADOPTED Ayes 5 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski,
Councilwoman Stewart and Councilman Curtiss.
Nays 0

Supervisor Szczepaniak read and presented the following resolution to the BH-BL Boys Cross Country team and their coach:

RESOLUTION 17-05

RECOGNIZING AND HONORING THE BURNT HILLS-BALLSTON LAKE BOYS VARSITY CROSS COUNTRY TEAM ON THEIR FALL 2016 SEASON

WHEREAS, The Burnt Hills-Ballston Lake Varsity Boys Cross Country Team has been a dominant force in the eleven team Suburban Council for decades; and

WHEREAS, the 2016 Boys Varsity Cross Country team consisting of Michael Bashant, Tyler Berg, Kevin Board, Evan Brennan, Luke Gobel, Aidan Gillooley, Nick Hunziker, Ryan Leech, Michael Messere and David Metacarpa have furthered the team’s legacy by their many achievements during the post season this year, including winning their eighteenth Section 2 Championship and their sixth State Championship, tying the best finish ever by a Burnt Hills-Ballston Lake Boys Cross Country team by placing second at the New York State Federation Championship, finishing second in the State for the third time, and culminating in a tie for sixth place at the Nike Cross Country New York Regionals; and

WHEREAS, the team also enjoyed considerable success throughout the regular season including first place finishes at the Guilderland Invitational, the Baldwinsville Invitational, the McQuaid Invitational and the Burnt Hills Invitational, as well as a Suburban Council dual meet record of 13-2 with team members Tyler Berg, Evan Brennan, Aiden Gillooley, and Nick Hunziker being named Suburban Council Cross Country All Stars; and

WHEREAS, the Boys Varsity Cross Country team is fortunate to receive guidance, instruction and encouragement from the boys’ head coach Chip Button and to be under the direction of a coach with a wealth of knowledge and a tremendous win record to show for his efforts; and

WHEREAS, in addition to their athletic success, they should also be commended for their academic achievements boasting an impressive team wide grade point average of 94.85%; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ballston congratulates the Burnt Hills-Ballston Lake Varsity Boys Cross Country Team for their hard fought victories during the Fall 2016 season, and wishes them continued success in both their future athletic and academic challenges in the years to come.

A motion was made by Councilman Goslin and seconded by Councilman Curtiss.

ADOPTED Ayes 5 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski,
Councilwoman Stewart and Councilman Curtiss.

Nays 0

The next resolution read by Supervisor Szczepaniak recognizes “School Choice Week”.

RESOLUTION 17-06

A PROCLAMATION COMMEMORATING THE TOWN OF BALLSTON SCHOOL CHOICE WEEK

WHEREAS, all children in the Town of Ballston should have access to the highest-quality education possible; and

WHEREAS, the Town of Ballston recognizes the important role that an effective education plays in preparing all students in Ballston to be successful adults; and

WHEREAS, quality education is critically important to the economic vitality of the Town of Ballston; and

WHEREAS, the Town of Ballston is home to a multitude of excellent education options from which parents can choose for their children; and

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and

WHEREAS, our area has many high-quality teaching professionals who are committed to educating our children; and

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ballston does hereby recognize January 22-28, 2017 as the Town of Ballston School Choice Week, and calls this observance to the attention of all of our citizens.

A motion was made by Councilman Goslin and seconded by Councilman Curtiss.

ADOPTED Ayes 5 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski,
Councilwoman Stewart and Councilman Curtiss.

Nays 0

REPORTS OF TOWN OFFICIALS

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Dog Control Officer Thomas Shambo, Library Board of Trustees member Michelle Hernandez, and Town Clerk Carol Gumienny submitted reports for December 2016 and they are on file in the Town Clerk's office.

Supervisor Szczepaniak distributed to the Board a new financial report. Our financial administrator Jeanette Borthwick put a lot of time and effort into this report. The report is an overview of General A and B, library, highway, water districts and special districts. The Board will have until the Monday after the meeting to email the Supervisor and Ms. Borthwick with questions, concerns and feedback. Ms. Borthwick and the Supervisor will meet a week and a day after the Board meeting and go over the financials and address any issues, questions, etc. the Board members have and will tweak the report as we move forward. Their meeting will be presented to the Board at the agenda meeting. Councilman Goslin stated this is step in the right direction. He asked when will fund balances be available. Ms. Borthwick stated they will be ready at the agenda meeting. Councilman Goslin stated this is a good report and with fund balances coming shortly, this is a good way to start off the new year. He suggested that the financials be posted on the website. Councilwoman Stewart thanked Ms. Borthwick for all her hard work and effort.

RESOLUTION 17-07

APPROVE THE SUPERVISOR'S FINANCIAL REPORT FOR THE MONTH OF DECEMBER 2016.

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart.

ADOPTED Ayes 5 Supervisor Szczepaniak, Councilman Goslin, Councilman
Antoski, Councilwoman Stewart and Councilman Curtiss

Nays 0

SUPERVISOR'S REPORT

Supervisor Szczepaniak stated:

- Attended the Organizational Meeting at the County. He is on six committees. The Economic Development as chairman, Public Health, Public Safety, Human Resources & Insurance, Water Authority and the Tourism Advisory.
- There is a citizen preparedness meeting being held in the Community Room, on Thursday, March 9th at 7 p.m. The County Emergency Committee is working in conjunction with the Army National Guard to present this meeting. It will give residents the knowledge and tools to prepare for an emergency disaster
- Received a letter from Mayor Romano. It stated the last remaining artifacts from the World Trade Center tragedy, two sections of the steel Port Authority Trans Hudson rail that ran beneath the center transporting people to and from the buildings, has been awarded to the Village. The Village is raising funds for a permanent memorial to be built on Front Street. He asked the Town Clerk to put the information on the website.
- Attended a dinner and performed the swearing in of new officers of the Burnt Hills Fire Department.
- Attended the annual State of the Towns address in Glenville. The Supervisors from Ballston, Charlton, Clifton Park and Glenville gave their State of the Town address presenting their challenges and work for 2017.
- The State of the Town address for Ballston will be held on January 19th at 6:30 p.m. in the Meeting Room. The overview will be approximately 30 minutes and time afterwards for questions and answers.

- There will be a zoning workshop in the Community Room on Saturday, January 21st with Nan Stolzenburg to discuss her previous recommended zoning changes for the Town.
- Met with Mass Mutual and received an overview of life insurance options for Town employees. This does not cost the Town any money; it is just an option for the employees. He is looking for feedback from the Board.

COUNCILMEMBERS REPORTS

Councilman Curtiss reported:

- Discussed the following 2016 year-end report from the Farmland Protection Committee.
- January: Presentation by Isabel Prescott of Riverview Orchards describing the ongoing process of Farmland Preservation in the Town of Clifton Park. FLPP Committee submitted a letter of request to the Town Board for a moratorium. FLPP Committee reprioritized the remaining tasks outlined in the FLPP Plan as follows:
Completion of Transfer of Development Rights Program; speed limit reduction in the ag district; ag marketing; ag education; mitigation of impacts from development/500' buffer around all farms/legislation to permit Ag access to funds paid by developers.
- February: Snow postponed the monthly meeting to March. David Behm from Ag & Markets informed us that the State was still reviewing the TDR contract and would send documentation when complete.
- March: Nan Stolzenburg and Don Meltz of Community Planners and Environmental Associates attended the FLPP Committee meeting and conducted a workshop to review the necessary work of the Committee vis-à-vis the work of the planners. An outline detailing each was prepared. (Chair was absent due to husband's hospitalization in Boston)
- April: Work continued via email compilation of Committee members input. More discussion on moratorium. Received reaffirmation from Attorney Ryan, of his opinion, that the restrictions of the water in an ag district are retained with the consolidation of the water district. The proposed legislation that would have allowed each community to set its own speed limits remain stalled on the floor of the Assembly.
- May: A joint letter to Assemblyman Tedisco was drafted by Kathy and Jeremy Knight of Knight Orchards following a meeting in his office to address wildlife management and remediation and mitigation of impact from development on the Ag District, including a request for legislative change to allow Ag access to developer fees fund. Ongoing joint activity with the Zoning Workshop Committee.
- June –
- September: Committee does not traditionally meet for the months of planting and harvest.
- October: Full Committee review with Nan Stolzenburg and Don Meltz of Community Planning and Environmental of the first full draft of the Transfer of Development Rights Program and the map overlays of the sending and receiving districts. Met with the BPA and had a good discussion on the vision for the Route 50 corridor.
- November: Compilation and submission to planner of all comments and input for final revision of the draft of the TDR. Concerns relating to Sewer and Water Districts Consolidation addressed at Town Board. Discussed having a spring farm tour in May, possibly the 20th.
- December: Sadly, due to illness, no exhibit was entered by the FLPP Committee BH-BL Women's Club Festival of Trees.

Councilwoman Stewart reports:

- As liaison for the Parks and Rec Committee, the Committee is working on a master plan for parks in the Town. Mike Gauge will be attending their next meeting. Anchor Diamond Park is used frequently; therefore, the Committee decided to keep rest room facilities in place for the winter. She would like to have an Eagle Scout recognition for a project completed at Anchor Diamond Park in the near future.

Councilman Antoski had no new reports this evening.

Councilman Goslin reported:

- He frequently visits Anchor Diamond Park and was thinking about how to promote it. This is an attraction in Town and it should be promoted using a website and/or have a trifold brochure available at Town businesses about the park; also set up a brochure stand at the park promoting local businesses to visit. Councilman Goslin offered his services to Kelly to work on a web page. A sign on Route 50 would be another idea to promote the park
- He had a few complaints from residents who do not have internet access and broadband. He has mailed a letter to Time Warner requesting a meeting for January to discuss our broadband contract and how the Town's needs have changed. Time Warner merged with Charter and promised many changes, we need to find out what this means to the Town. He sent a letter to our senator and assemblywoman to rally for our cause.

NEW BUSINESS

Supervisor Szczepaniak stated our Highway Superintendent has received many complaints from residents of Chapel Hill development about heavy equipment traffic going through the development. This is now a safety hazard to the residents that live there. A letter had been sent to the developer in December and unfortunately we have not received any response to date. Supervisor is seeking legal advice. Counsel spoke to the developer who assured him the access road for truck traffic would be completed by a certain date. The time has come and gone. Town engineer, Kathryn Serra stated there is a rough road cut on Eastline Road now that could be used for heavy truck traffic. The Board will vote on a resolution this evening to restrict trucks travelling through Chapel Hill.

Councilman Curtiss stated in effort to get our zoning language in place and to help all Boards, with the help of Attorney Walsh and Nan Stolzenburg, he has language for a proposed moratorium. The language has been finalized and distributed to the Board today and he does not expect any decisions until the Board has time to review it. Right before the meeting, he did receive some small edits from Nan to be included. What he would like to do now is, as a motion, to put the language forward, include Nan's edits and set a date for a public hearing. Supervisor Szczepaniak recommends letting the entire Board review the proposed language, allowing input back to Councilman Curtiss and then proceed from there. Councilman Curtiss wants to set a timeline. Supervisor Szczepaniak suggested discussing this during our workshop with Nan present. The intent at the workshop is to put a project plan together on how to move forward. For clarity, Counsel recommends if you are going to discuss this at the workshop then put it on the next Town Board meeting agenda as 'new business', adopt the language as stated and pick a date for a public hearing. It will be at least six weeks out. This is a local law and there is a lot of work to do before holding a public hearing. It will be at the earliest an April or May public hearing. Councilman Goslin would like to discuss the merits of this before talking about a timeline. After glancing briefly through the language he states there is some strong and very strict language. He would hate to put the Town through a six-week process if we're not going to have an affirmative vote to begin with. There is strong language; for example: "During the effective period of this Local Law, no board, officer, code enforcement officer, employee or other person acting on behalf of the Town will process any applications for a zoning permit or other land use approval. During the effective period of this Local Law, the review of any building and/or zoning permit applications or other land use approval applications that were submitted prior to the effective date of this Local Law and which have not received preliminary approval shall be suspended." In other words, all building in the Town will cease. Councilman Goslin asks what's wrong with current zoning that we need a moratorium or what was built over the last year that someone is opposed to? We have been talking over the last year about a moratorium. What's been built that we missed and what's wrong with the current zoning where we can't spend 3-6 months to solve? Councilman Curtiss replied it's not what's been built, but the applications coming in. Councilman Goslin asks for an example from Councilman Curtiss. Councilman Curtiss stated he has not seen the applications. Councilman Goslin asks what do we have to fix? Councilman Curtiss replies to take a time out to correct our zoning. This language does not apply to all building only certain things. He also restated he has a few edits from Nan to include. Supervisor Szczepaniak reminds the Board that we have the authority to vote down a large PUDD should it come before us, as reminded by Nan. Councilman Curtiss stated this is another reason for this moratorium, so we are all on the same page. Counsel states this moratorium language is a conversation piece for the workshop on Saturday, the Town Board can decide to move forward or not. Councilman Goslin suggests at the workshop on Saturday we dissect the items in Nan's proposal and move forward on all the items we can get done immediately and act on those. A

moratorium complicates the zoning process. Councilwoman Stewart states we have looked at this (moratorium) several times before. Details are key in language. We are being asked to hold a public hearing but the document contradicts itself and is only three pages long. She asks Councilman Curtiss to help us understand exactly what we are targeting and be very specific. Councilman Curtiss will put together the added edits and forward the language to everyone for the workshop on Saturday. He does not want to stop swinging hammers in the Town. It is far less restrictive and will have everyone going in the same direction. Councilman Antoski asks is it really the issue that there could be zoning changes and in this interim you could have people applying for things that the Zoning or Planning Board have no recourse to say no? Is this why we need a moratorium or is there some other option that is available that could allow the Planning Board to be able to say this is not a “no” this is pending the outcome of our new zoning? Curtiss asks what is stopping things now from coming in because our language is not correct? Council states the Boards need a reason to say no and it is up to the Board to use their discretion. You have to be careful it could cause litigation.

OLD BUSINESS

Ballston Lake sewer project

Councilman Goslin asks if we have heard from our outside attorney handling this? Counsel answers there has been some email exchange to set up a meeting and this has not been done yet. Councilman Goslin is disappointed. Counsel will follow up with the law firm and get back to Councilman Goslin.

Micro-Grant Enterprise Program

Supervisor Szczepaniak stated there will be a webinar conducted by NYS next week and it will show the whole process. The deadline is February 9 for completing the process to allocate the grant.

Hawkwood - update

Counsel stated he worked with the attorney for the Comptroller’s Office and we would have settlement language that asks the judge to rule to transfer all the money in the trust to the Town of Ballston, in the account that is set up specially for this, to benefit Hawkwood Anchor Diamond Park. He is anticipating this will happen hopefully within 30 days.

Trustco – update

Counsel stated we had settlement discussion on this challenge of assessment. The Board has already authorized Counsel to settle this. He is waiting for the paperwork and will file copies with the Clerk when he has it completed.

Village Fire Contract - update

Counsel stated we have a fire contract with the Village. The contract we have refers to a public hearing and a set dollar amount. This was changed by a prior administration and the mayor from a set amount that changed annually, to be a dollar amount per household. He will sit with the Assessor to get this per household dollar amount change. Our contract continues to stay in place so households are covered by their services. We have the terms, but not a signed agreement. The document will get completed.

Gaetani – update

Counsel reports we made an offer to settle, the offer was not accepted; therefore, we will go to trial.

Katz Project – update

Counsel stated the proposed Katz PUDD is on Route 50. The Town originally extended water to the project; however, NYS Ag & Markets stated we couldn’t do that. We passed some resolutions a couple of months ago stating to Ag & Markets this is what we intend to do regarding the water extension, and asked to provide feedback. To date, there has been no feedback; therefore, we will proceed as intended. Mary Beth Slevin, counsel for the Katz project, is requesting the Board proceed due to no response from Ag & Markets, with three resolutions this evening - the adoption of the Final Notice of Intent, Declare the Town Board as Lead Agency for SEQRA and the setting of a date and time for a public hearing. This is a critical component to the project and appreciate the Board’s consideration of the request. Town Council

stated notification of the intent was also sent to the Saratoga County Farmland Protection Board.

Supervisor Szczepaniak stated a letter was sent to the Town of Glenville requesting a meeting to discuss the water contract the Town currently has with Glenville. He attended the State of the Town address in Glenville where there was mention of this letter by the Glenville Supervisor and the Water Superintendent. They are reviewing it and may have alternatives and ideas to present to us. Councilman Goslin suggests a follow up letter and no ad valorem payments be made until we receive a response. He believes Glenville may owe us money.

Privilege of the Floor on New Business to be Considered for Action this Evening:

Colette Jasinski, of Middleline Road, stated Mark Katz is a long time member of our community. She thanked him for attending the Farmland Protection Committee meeting to hear our voices and explain his voice. As a member of the community, Mr. Katz and the Board should be well versed with the Comprehensive Plan. The current zoning does not necessarily reflect and protect the values that our plan expresses. The issues she has with Mr. Katz's project are: Rural portion of 8 acres was not removed from the Ag district and should have before the PUDD was developed; three-story buildings are not in character with the Town; there is no buffer zone in the western part of the property; the request for a water lateral is still an issue; the parcel sits on top of a hill where density is a concern. This property should be developed to service the rural character of our Town and not another apartment complex. She feels the property should be developed but properly.

Nancy Cappiello Larson also doesn't mind someone building but would like to bring up a few points and hopes there will be a public hearing on this project as a matter of principal. As you all know her father had Cappiello Farms and gave the Town a beautiful jewel for 50 years. When he wanted to sell his property, the Board in 1997 put a moratorium in place. She feels everyone should have every right to build but put something in place. There is language (zoning) now. It's time to put building on hold until the zoning is straightened out and not create any lawsuits.

Councilman Goslin commented on statements from Ms. Cappiello-Larson. He takes offense to the comments directed at the Board when no current members were there at the time she was referring to 10 years ago. He believes we are trying to do the right thing and have passed the days of gridlock. We are trying to right the wrongs of ten years ago. The reason we are having problems with our zoning is that it was never finished. Councilman Curtiss states this is a challenge to this Board and to stop sitting on our hands and let's do it (moratorium). Councilman Goslin stated we have the most comprehensive zoning changes this Town has even seen in ten years on the table, we have a workshop on Saturday. Yes, government works slow but he feels we are doing what we are supposed to be doing. Councilman Curtiss disagrees because the zoning is not correct and is misinterpreted. This is why we have had a few lawsuits because we don't have our ducks in a row.

NEW BUSINESS FOR ACTION AND CONSIDERATION THIS EVENING

RESOLUTION 17-08

APPROVE THE ORGANIZATIONAL RESOLUTIONS AND APPOINTMENTS FOR 2017.

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart.

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| ADOPTED | Ayes | 5 | Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski, Councilwoman Stewart and Councilman Curtiss |
| | Nays | 0 | |

The Supervisor highlighted a few important items in this resolution such as the Supervisor Appointments and Town Board Committees. This year he added dual signatures on all checks more than \$5,000 and the Planning and Zoning Board chairs had an increase and will receive \$65 per meeting. He also stated we have a few vacancies on some Boards and are looking for people to fill these vacancies.

Councilman Curtiss suggested a year ago that we approve and acknowledge the minutes. He knows we are not required to do this, but it recognizes it. It is just a formality. This will be discussed at an agenda meeting after the Board thinks this over. Councilman Goslin thanked the Clerk for doing a good job on her very detailed minutes.

Councilman Antoski wanted clarification that these Board member committee appointments are not members but only liaisons. Supervisor Szczepaniak stated that is correct.

ORGANIZATIONAL RESOLUTIONS AND APPOINTMENTS FOR 2017

Supervisor Appointments:

Deputy Supervisor – Joe Whalen

Budget Officer/ Financial Administrator – Jeanette Borthwick

Town Board Committees for 2017:

Buildings and Grounds – Curtiss and Antoski

Highway – Curtiss and Antoski

Personnel – Szczepaniak and Stewart

Insurance – Antoski

Library – Stewart

Audit – Town Board

Jenkins Park – Antoski

Parks and Recreation - Stewart

Sewer – Goslin

Collective Bargaining – Szczepaniak and Whalen

Farmland – Antoski

Planning/Zoning – Curtiss and Goslin

Economic Development – Szczepaniak and Stewart

Emergency Services – Szczepaniak and Whalen

Ballston Lake Management Plan & Protection – Goslin

IT – Goslin and Intern

Microenterprise Grant – Stewart

Debris Committee – Councilman Antoski, Jeffrey Cwalinski, Michael Lesniak

RESOLUTION #1 – BE IT RESOLVED by the Town Board of the Town of Ballston that all meetings of the Town Board shall be held in accordance with the latest edition of Robert’s Rules of Order.

RESOLUTION #2 – BE IT RESOLVED by the Town Board of the Town of Ballston that the meetings of the Town Board shall be held in the Town Offices located at 323 Charlton Road, Town of Ballston and Saratoga County. The regular meeting shall be held at 6:30 p.m. on the second Tuesday of each month. The agenda meeting will be held the last Tuesday of the month at 6:30 p.m. and at this last meeting of the month the Town Board will pay the monthly bills.

RESOLUTION #3 – BE IT RESOLVED by the Town Board of the Town of Ballston that the Ballston Spa National Bank shall be the official depository for Town funds and, BE IT FURTHER RESOLVED that the funds may be withdrawn and checks may be signed by Supervisor, Timothy Szczepaniak or by Deputy Supervisor, Joseph Whalen, in accordance with provisions of the Town Law and the procedures established by the Town Board and BE IT FURTHER RESOLVED dual signatures will be required on all checks greater than \$5,000, BE IT FURTHER RESOLVED that electronic transfers may be made in accordance with Town Law and the procedures established by the Town Board and, BE IT FURTHER RESOLVED that checks drawn on the Town Clerk’s account may be signed by the Town Clerk, Carol Gumienny, or the Deputy Town Clerk I, Jodi Hollowood, in accordance with the provisions of the Town Law and the procedures established by the Town Board and, BE IT FURTHER RESOLVED that checks drawn on the Tax Collector’s account may be signed by the Tax Collector, Anne Hogue or the Deputy Tax Collector, Glenn Hogue and, BE IT FURTHER RESOLVED that checks drawn on the Town Justice accounts may be signed by the Justice assigned to that account or the Town Supervisor and BE IT FURTHER RESOLVED that the Town Supervisor and Deputy Town Supervisor be additional signatories on all accounts allowed by Town Law.

RESOLUTION #4 – BE IT RESOLVED by the Town Board of the Town of Ballston that salaries for elected officials for 2017 are approved as listed and established in the 2017 budget and that all other salaries and hourly rates for 2017 be approved as listed below with longevity awards to be applied during the year as earned:

NAME:

| | | |
|-------------------|-----------|-------|
| Antoski, John | S- Salary | 9,272 |
| Aschmutat, Robert | H- Hourly | 22.65 |

| | | |
|----------------------------|-----------------|--------|
| Bumback, Mary Jane | H- Hourly | 12.24 |
| Bishop, Erin | H- Hourly | 12.17 |
| Bouchard, Joann | S- Salary | 48,547 |
| Bradt, Debora | H- Hourly | 19.33 |
| Bull, Victoria | H- Hourly | 9.70 |
| Burns, Brandi | S- Salary | 15,405 |
| Center, Meghan | H- Hourly | 10.57 |
| Cook, David | H- Hourly | 20.10 |
| Curtiss, Chuck | S- Salary | 9,272 |
| Curtiss, Jane M. | S- Salary | 9,925 |
| Dalakos, Joanne | H- Hourly | 15.30 |
| Darling, Rebecca | S- Salary | 49,393 |
| DeAngelo, Karen | S- Salary | 63,437 |
| Dingman, Michelle | H- Hourly | 16.89 |
| Fantauzzi, John | S- Salary | 15,405 |
| Fiedler, Deborah | H- Hourly | 11.22 |
| Gillan, Sharlene | H- Hourly | 18.10 |
| Goslin, William | S- Salary | 9,272 |
| Gumienny, Carol | S- Salary | 47,858 |
| Hogue, Anne | S-Salary | 7,627 |
| Hogue, Glenn | S- Salary | 600 |
| Hollowood, Jodi | H- Hourly | 15.61 |
| Hollowood, John | H- Hourly | 28.00 |
| Hollowood, Timothy | H- Hourly | 23.91 |
| Holt, Heather | H- Hourly | 15.30 |
| Hotaling, Peter | S- Salary | 38,665 |
| Johnson, Thomas | H- Hourly | 27.00 |
| Kaplan, S. Judith | H- Hourly | 12.17 |
| Kotkoskie, Kim | H-Hourly | 27.54 |
| Lafergola, Elizabeth | H- Hourly | 9.90 |
| Lambiase, Jennifer | H- Hourly | 11.00 |
| Little, Phillip | H- Hourly | 24.56 |
| Madej, Kenneth | H- Hourly | 10.27 |
| Mancuso, Madylin | H- Hourly | 9.70 |
| Moore, Hannah | H- Hourly | 10.28 |
| Nelson, Russell | H- Hourly | 17.28 |
| Newsom III, William | H- Hourly | 9.70 |
| O'Donnell, Kathleen | S- Salary | 9,925 |
| Orzel, Alexander | H- Hourly | 19.67 |
| Pericone, Patricia | H- Hourly | 11.94 |
| Port, Juliane | H- Hourly | 17.50 |
| Reynolds, Richard | S- Salary | 2,861 |
| Richard, Jennifer | S- Salary | 47,476 |
| Riley, Terry | H- Hourly | 14.28 |
| Roberts-Delamater, Deborah | H- Hourly | 13.31 |
| Shaginaw, Kelly | H- Hourly | 10.13 |
| Shambo, Thomas | S- Salary | 9,180 |
| Shatley, Henry | H- Hourly | 24.18 |
| Smithgall, Jacob | H- Hourly | 9.70 |
| Stewart, Kelly | S- Salary | 9,272 |
| Stickles, Jeffery | H- Hourly | 17.99 |
| Szczepaniak, Timothy | S- Salary | 20,864 |
| Theriault, Brian | S- Salary | 59,160 |
| Tomik, Ruta | H- Hourly | 9.90 |
| Voehringer, James | H- Hourly | 23.57 |
| Walsh, James | S- Salary | 37,500 |
| Whalen, Joseph | S- Salary Water | 19,689 |
| | S- Salary H'way | 64,851 |
| Wojtowecz, Scott | H- Hourly | 20.63 |
| Zablocki, Katya | H- Hourly | 9.70 |
| Zorn, Leslie | H- Hourly | 18.85 |

and BE IT FURTHER RESOLVED that the payroll schedule be biweekly for all hourly, elected officials and salaried employees.

RESOLUTION # 5 - BE IT RESOLVED by the Town Board of the Town of Ballston that the Planning and Zoning Board Chairpersons receive \$65 per meeting and the Planning and Zoning Board Members and Alternates receive \$50 per meeting to be paid upon the proper submission of a completed Town voucher.

RESOLUTION #6 – BE IT RESOLVED by the Town Board of the Town of Ballston that the Water Superintendent, Joseph Whalen Jr, is authorized to make purchases on his own up to a limit of \$3,000 and, BE IT FURTHER RESOLVED that the Water Superintendent will notify the Water Commissioners of said expenditures within 24 hours and, BE IT FURTHER RESOLVED that the Water Superintendent will notify the Water Commissioners of any overtime within 24 hours.

RESOLUTION #7 – BE IT RESOLVED by the Town Board of the Town of Ballston that a petty cash account of \$300.00 be authorized for use by each of the following: Town Clerk and the Tax Collector. The petty cash account for the Town of Ballston Town Library be authorized in the amount of \$500 and the petty cash account for the Building Department be authorized in the amount of \$100, BE IT FURTHER RESOLVED that an audit report of those funds be provided to the Town Board Monthly.

RESOLUTION #8 – BE IT RESOLVED by the Town Board of the Town of Ballston that the official newspaper as required by Town Law shall be the Daily Gazette.

RESOLUTION #9 – BE IT RESOLVED that the Town Board of the Town of Ballston that Town Officers shall be compensated at the rate of 53.5 cents per mile for the use of their personal automobiles in the performance of their official duties.

RESOLUTION #10 - BE IT RESOLVED by the Town Board of the Town of Ballston that all elected and appointed officers of the Town shall be authorized to attend the Saratoga County Planning Conference and shall be reimbursed for necessary expenses at the approved rate upon submission of a proper voucher within the limits of the budget and, BE IT FURTHER RESOLVED overnight trips shall require prior approval by the Town Board and, BE IT FURTHER RESOLVED all other conference attendance shall require prior authorization of the Budget Officer. Any conference enrollee who cannot attend without cause will reimburse the Town. Any late fee is the responsibility of the conference enrollee.

RESOLUTION #11 - BE IT RESOLVED by the Town Board of the Town of Ballston that the tentative agenda be posted on the Town Website and the Town Bulletin Board 5 days prior to the meeting.

RESOLUTION #12 – BE IT RESOLVED by the Town Board of the Town of Ballston that the following individuals are appointed to the following positions for a term of one year commencing January 10, 2017, said term ending at the organizational meeting of the Town of Ballston held in January 2018:

Building Inspector and Fire Marshall – Tom Johnson
Deputy Fire Marshall – to be determined
Stormwater Management Coordinator - Kim Kotkoskie
Deputy Building Inspector – Brian Theriault
Dog Control Officer – Tom Shambo/Shared services with Village
Deputy Town Clerk I – Jodi Hollowood
Deputy Town Clerk II – Joanne Dalakos
Deputy Tax Collector – Glenn Hogue
Town Historian – Richard Reynolds
Court Clerks – Jane Curtiss and Kathleen O’Donnell
Deputy Highway Superintendent – John Hollowood
Highway Clerk – Leslie Zorn
Water Superintendent – Joseph Whalen Jr.
Water Clerk – Debora Bradt
Assessor’s Clerks – Sharlene Gillan, Heather Holt

Representative to Milton Terrace Water District – Timothy Szczepaniak
Representative to the Ballston Area Recreation Commission – Michael Myers
Chairman, Zoning Board of Appeals – Michael Lesniak
Vice-Chairwoman, Zoning Board of Appeals – Marilyn Bell
Chairman, Planning Board – Jeffrey Cwalinski
Vice-Chairman, Planning Board – John VanVorst
Planning and Zoning Board Clerk – Debora Bradt
Health Officer – to be determined
Marriage Officer – Keith Kissinger
Zoning Enforcement Officer – Debora Bradt
Farmland Protection Committee – Chairperson – to be determined; Mark Sacco, Joan Pott, Richard Voehringer, Robert Pustolka, Garth Ellms, Stephen Merchant, Collette Jasinski, Julie Murray and Scott Draina.
Ballston Clear Water Committee – Drew Hamelink, Chairperson; Crystal Hamelink, Judy Brodeur, Jim DiPasquale, Suzanne Bishop, Wes DeVoe, Joanne DeVoe, David Pierce, and Dick Doyle.
Ballston Lake Water Quality Protection & Management Committee – Dave Decker, Scott Miller, Blue Neils, William Goslin, David Pierce, Daniel Harp, Jr., Kathryn Serra, Peter Herman, Robert Streeter, Dustin Lewis, Joseph Whalen, Scott Kishbaugh, Bill Goslin, Jim Walsh, Mark Sacco, Kimberly Kotkoskie and Randy Galusha.

RESOLUTION # 13 – BE IT RESOLVED by the Town Board of the Town of Ballston the following positions are available:

- (2) Planning Board Alternates
- (1) Zoning Board of Appeals Alternate
- (1) Jenkins Park Advisory Board Member (2) Alternate Board members

RESOLUTION #14 – BE IT RESOLVED by the Town Board of the Town of Ballston that the official holidays for the Town are:

New Year's Day – Monday, January 2, 2017
Martin Luther King Jr. Day – Monday, January 16, 2017
Presidents' Birthday – Monday, February 20, 2017
Memorial Day – Monday, May 29, 2017
Independence Day – Tuesday, July 4, 2017
Labor Day – Monday, September 4, 2017
Columbus Day – Monday, October 9, 2017
Veterans' Day – Friday, November 10, 2017
Thanksgiving Day – Thursday, November 23, 2017
Day after Thanksgiving – Friday, November 24, 2017
Christmas Day – Monday, December 25, 2017
1 Floating Holiday in place of Lincoln's Birthday

RESOLUTION # 15 – BE IT RESOLVED by the Town Board of the Town of Ballston that all official meeting minutes must be written and mailed or electronically distributed to appropriate parties within seven days of applicable meeting. Town Board minutes must, at a minimum be sent to: all Town Board members, Town Attorney, Highway Superintendent, Building Inspector, Water Superintendent, Zoning Enforcement Officer, Assessor, Tax Collector, Town Justices, Town Librarian, Dog Control Officer, Town Historian, Zoning Board of Appeals Chairperson, Planning Board Chairperson, Jenkins Park Advisory Board Chairperson, Parks and Recreation Committee Chairperson, Farmland Protection Committee Chairperson, Engineer to the Town, Attorney to the Zoning Board of Appeals and Planning Board, and others as required by the Town Board in special circumstances and, BE IT FURTHER RESOLVED the Zoning Board of Appeals (ZBA) minutes must be sent to all ZBA members, all Town Board Members, Chairperson and Secretary of the Planning Board, Highway Superintendent, Building Inspector, Zoning Enforcement Officer, Assessor, Engineer to the Town, Attorney to the ZBA, Town Attorney, Water Superintendent, applicants before the ZBA, Chairperson of the Parks and Recreation Committee, Chairperson of the Farmland Protection Committee and other persons as needed and, BE IT FURTHER RESOLVED the Planning Board minutes must be sent to all Planning Board members, Town Board members, Chairperson and Secretary to the ZBA, Highway Superintendent, Building Superintendent, Zoning Enforcement Officer, Assessor, Engineer to the Town, Attorney to the Planning Board, Town Attorney, Water Superintendent,

WHEREAS, the Town Board is an “involved agency” in that the Town Board is responsible for approving the Petition for extension of the Water District; and

WHEREAS, by resolution dated November 10, 2016, the Town Board indicated its intent to act as Lead Agency and notice was sent to all “Involved Agencies” and to “Interested Agencies”. No other Involved Agency has objected to the Town Board acting as SEQRA Lead Agency.

NOW, THEREFORE BE IT RESOLVED that the Town Board is hereby established as SEQRA Lead Agency for the Petition for the Extension of the Water District for the Katz – Route 50 PUDD Project and will conduct a “Coordinated Review” under section 617(b)(3) of the SEQRA regulations; and be it

FURTHER RESOLVED, that the Town Board will “determine the significance” of the Petition for the Extension of the Water District for the Katz – Route 50 PUDD Project within twenty days of receiving all of the information it may reasonably need, in accordance with 6 NYCRR 617(6)(b)(3)(ii).

A motion was made by Councilwoman Stewart and seconded by Councilman Goslin.

Vote: Ayes 4 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski and Councilwoman Stewart

 Nays 1 Councilman Curtiss
MOTION CARRIED 4-1

The above Resolution was duly adopted on January 10, 2017 by the Town of Ballston Town Board.

RESOLUTION 17-11

APPROVE THE FINAL NOTICE OF INTENT AND AGRICULTURE IMPACT STATEMENT FOR THE PROPOSED PETITION FOR EXTENSION OF WATER DISTRICT FOR THE KATZ-ROUTE 50 PUDD PROJECT.

RESOLUTION 17-11. AUTHORIZING ADOPTION OF FINAL NOTICE OF INTENT AND AGRICULTURAL IMPACT STATEMENT

WHEREAS, the Town Board of the Town of Ballston, (the "Town Board") acting for and on behalf of the Burnt Hills – Ballston Lake Consolidated Water District No. 2 (the "District") received a Petition proposing an extension of the Burnt Hills – Ballston Lake Consolidated Water District No. 2 (“Water District”) to service the Katz-Route 50 Planned Unit Development together with a supporting Map Plan and Report prepared by Lansing Engineers (the "Project") and

WHEREAS, the Town Board has considered the Resolution 04-46 passed by the Town Board of the Town of Ballston in 2004, in reviewing this application and has determined that the review of the Petition for the Katz – Route 50 PUDD is nonetheless appropriate and consistent with the Town’s Comprehensive Plan and the Saratoga County Comprehensive Plan, Farmland Protection Plan and Green Infrastructure Plan for lands located along the Route 50 Corridor in the Town and with the applicable provisions of the New York State Agriculture and Markets Law; and

WHEREAS, an Agricultural Data Statement has been prepared and submitted in connection with the Project and it has been considered by the Town Board; and

WHEREAS, because the Town of Ballston will not acquire an interest in any land by eminent domain or purchase as a result of any action on the Petition; nor will the Town construct any portion of the proposed improvements, nor advance public funds for construction; and further, no acres of land, or any interest therein, is expected to be acquired from an actively operated farm or farms within an agricultural district or a parcel or parcels of land within an agricultural district as a part of this proposed action, and , as a consequence, it does not appear that Agriculture and Markets Law Section 305(4) would be applicable to this matter, but out of

a measure of conservative review, the Town Board has nonetheless referred the matter to the New York State Department of Agriculture and Markets and filed a Preliminary Notice of Intent pursuant to Section 305(4) and a Final Notice of Intent pursuant to Section 305(4) in the form attached hereto; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF BALLSTON, in regular session duly convened that said Board, acting for and on behalf of the Burnt Hills – Ballston Lake Consolidated Water District No. 2 of said Town, that the Town Board hereby adopts the Final Notice of Intent attached hereto.

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart.

Vote: Ayes 3 Councilman Goslin, Councilwoman Stewart and Supervisor Szczepaniak

 Nays 2 Councilman Antoski and Councilman Curtiss

MOTION CARRIED 3-2

RESOLUTION 17-12

SET A PUBLIC HEARING FOR MARCH 14, 2017 AT 6 P.M. FOR THE PROPOSED PETITION FOR EXTENSION OF WATER DISTRICT FOR THE KATZ-ROUTE 50 PUDD.

RESOLUTION 17-12
AUTHORIZING PUBLIC HEARING AND REVIEW OF PETITION
FOR EXTENSION OF WATER DISTRICT

WHEREAS, the Town Board of the Town of Ballston, (the "Town Board") acting for and on behalf of the Burnt Hills – Ballston Lake Consolidated Water District No. 2 (the "District") received a Petition proposing an extension of the Burnt Hills – Ballston Lake Consolidated Water District No. 2 ("Water District") to service the Katz-Route 50 Planned Unit Development together with a supporting Map Plan and Report prepared by Lansing Engineers (the "Project") and

WHEREAS, this Town Board has reviewed said Petition and Map Plan and Report on [date], reciting the filing of said map, plan and report, and herein determines that it has been prepared in the manner and in such detail as has been determined to be necessary for further review by this Town Board, and it has been duly filed with the Town Clerk, in accordance with the requirements of Article 12A of the Town Law; and

WHEREAS, the Town Board has considered the Resolution 04-46 passed by the Town Board of the Town of Ballston in 2004, in reviewing this application and has determined that the review of the Petition for the Katz – Route 50 PUDD is nonetheless appropriate and consistent with the Town’s Comprehensive Plan and the Saratoga County Comprehensive Plan, Farmland Protection Plan and Green Infrastructure Plan for lands located along the Route 50 Corridor in the Town and with the applicable provisions of the New York State Agriculture and Markets Law; and

WHEREAS, an Agricultural Data Statement has been prepared and submitted in connection with the Project and it has been considered by the Town Board; and

WHEREAS, because the Town of Ballston will not acquire an interest in any land by eminent domain or purchase as a result of any action on the Petition; nor will the Town construct any portion of the proposed improvements, nor advance public funds for construction; and further, no acres of land, or any interest therein, is expected to be acquired from an actively operated farm or farms within an agricultural district or a parcel or parcels of land within an agricultural district as a part of this proposed action, and , as a consequence, it does not appear that Agriculture and Markets Law Section 305(4) would be applicable to this matter, but out of a measure of conservative review, the Town Board has nonetheless referred the matter to the New York State Department of Agriculture and Markets and file a Preliminary Notice of Intent pursuant to Section 305(4) and a Final Notice of Intent pursuant to Section 305(4) in the form attached hereto; and

WHEREAS, the Town Board shall conduct the required review under the New York State Environmental Quality Review Act (“SEQRA”), has declared its intent to act as Lead Agency, and has accepted and reviewed the Full Environmental Assessment Form submitted with the Petition and shall consider the same in its review of this Type 1 Action; and

WHEREAS, the improvements proposed in the Petition and Map Plan and Report, the boundaries of the proposed extension of the district, the proposed method of financing, are all outlined in the Map, Plan and Report describing the same which shall be on file in the Town Clerk's Office for public inspection, and the Town Board hereby specifies March 14, 2017 as the date, at 6:00 p.m. in the evening on said day, as the time, at the Town of Ballston Town Hall, 323 Charlton Road, Ballston Spa, New York 12020 as the place where this Town Board will meet and consider said Petition and Map, Plan and Report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, Carol Gumienny, Clerk of the Town, shall provide such Notice of said public hearing as is required;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF BALLSTON, in regular session duly convened that said Board, acting for and on behalf of the Burnt Hills – Ballston Lake Consolidated Water District No. 2 of said Town, that the Town Board hereby adopts the Final Notice of Intent attached hereto and authorizes the Town Clerk to submit the Final Notice of Intent and to provide the Notice of Public Hearing in the form attached hereto and in the manner required by law.

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart.

ADOPTED Ayes 4 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski, and Councilwoman Stewart
 Nays 1 Councilman Curtiss

Councilman Curtiss asked why we are proceeding when Ag and Markets stated previously that we violated the law. Counsel replied that Ag & Markets determined that we did not follow the process the first time. We are now stating to Ag & Markets our intent and following the correct procedure.

RESOLUTION 17-13

APPROVE THE EXCLUSION OF ANY VEHICLE WITH A GROSS WEIGHT OF OVER SIX TONS FROM CHAPEL HILL BOULEVARD AND KNOTTINGLY PLACE.

A motion was made by Councilwoman Stewart and seconded by Councilman Goslin.

ADOPTED Ayes 5 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski, Councilwoman Stewart and Councilman Curtiss
 Nays 0

Superintendent Whalen noted that this will need to be posted in the newspaper.

RESOLUTION 17-14

APPROVE COUNCILMAN CURTISS TO ATTEND THE ASSOCIATION OF TOWNS MEETING IN NYC FEBRUARY 19-22, 2017.

A motion was made by Councilwoman Stewart and seconded by Councilman Goslin.

ADOPTED Ayes 4 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski, Councilwoman Stewart.
 Nays 0
 Abstain 1 Councilman Curtiss

RESOLUTION 17-15

APPOINT COUNCILMAN CURTISS TO BE THE VOTING DELEGATE FOR THE ASSOCIATION OF TOWNS MEETING IN NYC IN FEBRUARY 2017.

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart.

ADOPTED Ayes 4 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski, Councilwoman Stewart.
 Nays 0
 Abstain 1 Councilman Curtiss

RESOLUTION 17-16

AMEND RESOLUTION 16-238 TO INCLUDE THE REAPPOINTMENTS OF ELLEN BROWN AND ROBIN KANE, MEMBERS OF THE ZONING BOARD OF APPEALS FOR A TERM COMMENCING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2023

A motion was made by Councilman Goslin and seconded by Councilman Antoski.

ADOPTED Ayes 5 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski, Councilwoman Stewart and Councilman Curtiss
Nays 0

RESOLUTION 17-17

APPROVE THE 2017 ANNUAL CONTRACT WITH THE OFFICE FOR THE AGING NUTRITION AND TRANSPORTATION CONTRACTS. EACH CONTRACT IS FOR \$2,167.

A motion was made by Councilwoman Stewart and seconded by Councilman Goslin.

ADOPTED Ayes 5 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski, Councilwoman Stewart and Councilman Curtiss
Nays 0

RESOLUTION 17-18

APPOINT DANIEL SHOREY AS A REGULAR MEMBER OF THE PLANNING BOARD FOR A TERM COMMENCING JANUARY 10, 2017 AND ENDING DECEMBER 31, 2023.

A motion was made by Councilwoman Stewart and seconded by Councilman Goslin.

ADOPTED Ayes 5 Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski, Councilwoman Stewart and Councilman Curtiss
Nays 0

PRIVILEGE OF THE FLOOR

David Pierce, of Lake Road, wrote a letter to the Town Board on December 22nd on the pending used car lot on Route 50 near the Burnt Hills Café. He quoted parts of the minutes from the Planning Board meeting that was held in December. These examples reflect on the meeting scheduled for the zoning workshop Saturday: “Planning Board vice-chairman, Mr. Cwalinski, stated he did not feel that a used car lot is a good use for this section of town. This is a Town Center, people come in and see it and a used car lot does not have that attractiveness as a retail center would. He did not think that it fits with our vision for the town.” Dr. Pierce then quoted Chairman Dick Doyle he stated “legislation is being prepared by the Town Board to not allow this type of business; right now it’s allowed with a special use permit. Chairman Doyle stated under the new zoning it will not be allowed and there is no moratorium and wishes there were a moratorium, but the Town Board has not finalized on that.” Planning Board member Mr. Mahar stated: “we (the Board) are cognizant that this is an allowed use in this district with a special use permit, but as a Planning Board we are looking at what we (the town) are planning for that district or that area of the Town going forward”. Mr. Maher stated “that is really not what we (the Town) are looking for and all the changes are pending with the Town Board, but are looking forward into the future and is not what we (the Town) want for the Town Center”. Planning Board member, Mr. Van Vorst, stated: “he would have a hard time approving a use when it has been made clear by the Town Board that they want to zone this to prohibit this use; so it was to be approved for a temporary period of time would not have a problem”. Dr. Pierce states that the Planning Board is confused. He recommends to the Board to act fast on the zoning items that all agree on approve. Dr. Pierce quotes Chairman Doyle again: “he wishes the Town Board would move faster and declare a moratorium because it is extremely difficult for the Planning Board and Zoning Board to operate under these conditions. The Planning Board is doing their best to enforce the new changes that are coming forth.”

Ann Pierce, of Lake Road, stated we should have had a moratorium in place as soon as Nan had the zoning changes. Not having a moratorium, we will have the used car lot on Route 50. It was stated that there is no legal way the Planning Board can stop them. She agrees with Councilman Goslin to act on the zoning changes that all agree to and work on the hard ones.

Colette Jasinski, of Middleline Road, asked why the zoning workshop is on a three-day holiday. It was replied that this meeting was announced at the agenda meeting and was put on the calendar. This is a work shop for the Board to discuss the changes that Nan Stolzenburg previously presented. The public is invited to the workshop; however, there will be no public comment.

A motion was made by Councilman Goslin and seconded by Councilman Antoski to adjourn the meeting. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Carol A. Gumienny
Town Clerk