

A public hearing was held by the Town Board of the Town of Ballston on Thursday evening, January 25, 2018 at the Town Hall located at 323 Charlton Road, Ballston Spa, New York.

PRESENT:	Tim Szczepaniak	Supervisor
	Bill Goslin	Councilman
	John Antoski	Councilman
	Kelly Stewart	Councilwoman
	Chuck Curtiss	Councilman
	Carol Gumienny	Clerk
ABSENT:	Deb Kaelin	Counsel

The Pledge of Allegiance was recited at 6:03 p.m. and the public hearing was opened.

The Town Clerk read the public hearing notice for the record:

NOTICE OF PUBLIC HEARING. The Town of Ballston will conduct a Public Hearing on the proposal to establish the Ballston Route 50 Southern Watershed Sewer District on January 25, 2018 at 6:00 p.m. at Ballston Town Hall, 323 Charlton Road, Ballston Spa, New York.

ORDER SETTING PUBLIC HEARING ON ESTABLISHMENT OF PROPOSED BALLSTON ROUTE 50 SOUTHERN WATERSHED SEWER DISTRICT

WHEREAS, on October 24, 2017, the Town Board of the Town of Ballston, New York (“the Town”) duly adopted a resolution directing Adirondack Mountain Engineering P.C. to prepare a Map, Plan and Report for providing sewer facilities, improvements and/or services in that portion of the Town wherein the proposed Ballston Route 50 Southern Watershed Sewer District is proposed to be established; and

WHEREAS, on November 28, 2017 the Town Board accepted a Map, Plan and Report from Adirondack Mountain Engineering P.C. with respect to the proposed Ballston Route 50 Southern Watershed Sewer District subject to approval by the Town’s Sewer Committee and legal counsel; and

WHEREAS, following review by the Town’s Sewer Committee, the Town’s Engineer and the Town’s legal counsel, the Map, Plan and Report prepared by Adirondack Mountain Engineering P.C. and dated December 24, 2017 was accepted by the Town Board as being in conformance with the requirements of the Town Law subject to minor changes being made to said Map, Plan and Report as specified in the Town Board’s resolution of December 28, 2017; and

WHEREAS, the Map, Plan and Report has been made available for public inspection in the Town Clerk’s Office and online at http://www.ballstonsewers.org/wp-content/uploads/2016/08/Route-50-Southern-MPR-Final-12_28_2017.pdf; and

WHEREAS, the boundaries of the proposed Ballston Route 50 Southern Watershed Sewer District include parcels along Route 50 from the Glenville Town line to Larkin Drive and incorporates the hamlet of Route 50 centered at the intersection of Lakehill Road and Route 50. The District includes properties on Midline Road (Route 146A) from Gartner Drive north to Larkin Drive, parcels on Nolan Road, Magnolia Lane, Sherwood Lane, Sherwood Park Drive, Townley Drive, Lawmar Lane, Kohlner Drive, Roseland Blvd, Brynal Road, Ridge Terrace, Ramble Lane, Mott Drive, Hollister Way, Longcreek Drive, Longcreek Drive Extension, Lafferts Way, Seelye Road, Fireman’s Lane and Denty Road. The District also includes parcels on Route 50 from Midline Road south to the Glenville Town Line, parcels on Lake Hill Road from Goode Street to Jacob Street, parcels on the east side of Goode Street between Lake Hill Road and Sherwood Lane, parcels on Kingsley Road from Route 50 to Blue Barns Road and parcels near the intersection of Blue Barns Road and Kingsley Road; and

WHEREAS, the improvements proposed are as follows: the installation of approximately 43,580 linear feet of sewer line including low pressure sewers and gravity sewers, improvements to the pump station to be constructed at 22 Main Street as part of the Ballston Lake Sewer District, increase in the size of the force main and the addition of low-pressure sewers on Westside Drive and, should it not be feasible to install gravity sewers between the

backlots of Route 50 to Blue Barns Road as proposed, the installation of a separate pump station with a force main on Route 50; and

WHEREAS, the maximum amount proposed to be expended for such improvements is \$15,780,000.00; and

WHEREAS, the proposed method to be employed for financing such improvements is as follows: The Town intends to issue bonds through the New York State Environmental Facilities Corporation and secure project financing through the Clean Water State Revolving Fund (CWSRF) program; and

WHEREAS, while the Town will not charge a hook-up fee for this improvement, the Saratoga County Sewer District No. 1 imposes a one-time permit inspection fee up to \$500.00 for each service connection which fee is subject to increase along with the standard fee schedule that applies to the entire county-wide sewer system; and

WHEREAS, the cost of plumbing connections to the sewer main, as well as decommissioning of an existing on-site septic system, shall be borne by each property owner individually; and

WHEREAS, it is estimated that the cost of the plumbing connection from the structure to the sewer main and decommissioning of the on-site septic system may range from \$3,500 to \$10,000 or more depending on whether a grinder pump is required and the distance from the structure to the sewer main; and

WHEREAS, the estimated annual cost of the Ballston Route 50 Southern Watershed Sewer District to the typical property is \$926.00; and

NOW THEREFORE, IT IS:

ORDERED, that the Town Board shall meet at the Town Hall, 323 Charlton Road, Town of Ballston, State of New York on the 25th day of January 2018 at 6:00 p.m. for the purpose of conducting a public hearing on the proposal to establish the Ballston Route 50 Southern Watershed Sewer District with the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same; and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to publish a copy of this order in The Daily Gazette, being the official Town newspaper, and to post a copy of the same on the signboard of the Town, in the time and manner required by law.

ORDERED, that in compliance with Town Law Section 209-d, the Town Clerk shall file a certified copy of this order with the Office of the State Comptroller on or about the date of the publication of the order as set forth above.

Dated: January 10, 2018

Carol Gumienny
Town Clerk

The Town Clerk also stated that the affidavit of publication of this notice from the Daily Gazette will also be entered into the record.

The Supervisor introduced Kim Kotkoskie, the project manager for the proposed sewer district for a quick overview of the project.

Kim Kotkoskie stated she is a NYS licensed professional environmental engineer, a resident of the Town, and serves on the Sewer Committee. The Sewer Committee began this project last year due to recognizing that the Ballston Lake Sewer district will be constructed. There is an opportunity to reach more parcels in the watershed and physically connect, at the same time, into the already formed Ballston Lake Sewer District. This is a unique one-time opportunity. A preliminary engineering study was completed to see if it was feasible. It was; therefore, a Map, Plan and Report was prepared and adopted on December 28, 2017. Ms. Kotkoskie highly recommended reading this report. It identifies every parcel in the proposed district and the number of EDUs (equivalent dwelling unit) assigned to each parcel. The typical residential home

has one EDU. The cost per EDU annually will be \$926 plus one-time estimated connection costs. An environmental review required by NYS is in the process to see if the project will have a negative impact on the environment. The Sewer Committee will take comments received tonight for consideration; and on February 13, 2018 the Town Board will vote on the establishment of the district. This project will connect with the Ballston Lake Sewer Project; however, the two districts are funded separately. If you do not tie this project with the Ballston Lake Sewer Project this project would be significantly more expensive in the future. This project is high on the list for the Clean Water State Revolving Fund Intended Use Plan which will position the Town to receive a low interest rate. Grant applications are also being submitted. Every year the Office of the State Comptroller releases a threshold value for creating sewer districts. This year the annual amount is \$996; this project is below this amount. The project is driven by three factors: environmental - issues with Ballston Lake and tributary to the Alplaus Kill; community development – this is needed and will be consistent with the zoning and Town’s Comprehensive Plan; and failing septic systems. The Sewer Committee has set up four (4) informational meetings and a public forum at the high school. She encouraged everyone to attend one of these meetings; these meetings will involve a more detailed presentation with a question and answer period at the end. If the Board decides to proceed with the district formation it will be subject to a public referendum and everyone in the proposed sewer district will be able to vote. There is no date set for this.

Supervisor Szczepaniak thanked Ms. Kotkoskie for presenting and reviewed the protocol for a public hearing. Each person will come up to the microphone and have five minutes to speak. There will not be a two-way dialogue with the Board. The Board is only here to listen.

Richard Bublak is not a Town resident but has a multi-unit rental property in the proposed district. He will pay \$926 for each unit. He is concerned with the annual cost and hookup fees. He suggested when informing the residents state on the card “*This applies to you*” People he spoke to thought it only applied to people on Route 50 and had no effect on them.

Katherine Weis of Townley Drive, in the proposed district, supports the sewer district. She is new to the Town and is here for the long run. She would like to see some growth in the community and the commercial tax revenue will be a benefit.

Charlie Morris, Town resident and Town business owner in the proposed district, thanked the Town Board for considering this project. He remembers many years ago in the 70’s when the Town had an opportunity for sewers with 78% of the project federally funded – it was voted down. This project gives the Town another opportunity for sewers. Sewers will allow positive, conservative growth. How can anyone own a restaurant in Town without sewers? He is in complete support and hopes the project moves forward.

Bill Lonergan of Lawmar Lane, since 1978, in the proposed district, stated he is affected by the project. He wanted sewers back in 1978. He has many questions about the proposed district and stated this is moving too fast without answering all the questions. He is in favor of sewers but for public health reasons.

Arthur Weeks of Hollister Way is in the proposed district and is generally in support of the sewer project; however, he has specific questions of the true cost of hookup fees, the timing of the project, decommissioning an old septic system and hardship cases.

Sue Robbiano owns two properties in the proposed district on Kingsley Road, she likes the idea for the Town; however, recent construction of a new septic system would be a waste of money and not fair to the owner. She proposes that people in this category be excluded until the septic needs upgrading.

Kathy Wilcox of Nolan Road is in the proposed sewer district. She stated her main concern is the cost. The hookup fee is \$3,500 to \$10,000. Most people don’t have this kind of money. \$900 a year extra on top of county taxes is a lot of money. Will our school taxes increase with this added cost for the schools in the district? She is not in favor due to the cost.

Joanne DeVoe is not in the district but has been a resident of Ballston since 1968. She stated our downtown has not had the appropriate growth that would come with sewers. Sewers are

expensive, as she is in the Ballston Lake Sewer district, but it will be worth it and sewers will benefit the whole Town.

Kurt Bedore is not in the proposed sewer district. He is a member of the BPA and is on their Visioning Committee. This Committee envisions what the community will look like in the future, including the hamlet area in Burnt Hills. Sewers are crucial for the improvements needed on the Route 50 corridor. The Committee has worked closely using the Town's Comp Plan and the proposed zoning to ensure there is no rampant growth. He wishes the density of the project would expand. He is in favor of the proposed sewer project.

Angelo Pastizzo owns commercial property at 803 Route 50 (Extra Mart and Dino's). He totally supports the project as do both tenants. As the owner since 1993, he would like to do improvements to the building but can't due to there is no room for leech fields or to upgrade the septic.

Will Farmer of Kelley Meadow Road is not in the proposed sewer district. He is not in favor of sewers. He does not want our Town to grow; he likes it just the way it is. He asked if the vote town wide or just in the district?

Art Shillito of Kingsley Road has an extremely low income and does not need sewers, his septic is fine. He also owns a business on Kinglsey Road and will be hit twice with the cost of having sewer. Is there a way to get the cost way down so it is not a burden?

Jon Andersen, of family-owned Andersen Boat on Route 50, is in favor of sewers. It would be great to have a grocery store or a restaurant. It will only cost \$2.50 a day to pay for this.

Kelly Shaginaw of Long Creek Drive is in the proposed sewer district. She has a 22-year-old septic system that works fine. She is not against more business in Town and trusts the Planning and Zoning Board to do their job; however, she is most concerned with residents who truly cannot afford this and are losing sleep over it. She asks the Board to consider those vulnerable above all.

Sara Hill of Randall Road, former alternate Planning Board member and lifelong Town resident supports the sewers for the Route 50 area hamlet; however, it is too soon for other areas. There are alternatives for sewers such as making sure all septic systems are working properly and up to date, change the way we fertilizer our lawns and require larger developments to have one large system instead of individual septic systems.

Tom Shaginaw of Long Creek Drive is in the sewer district. He stated there are two rationales cited – economic development and environmental. He had numerous questions, for example: What economic analysis has been performed to determine the return on this investment? What is the added revenue? What is the added expense? Can Route 50 handle the additional traffic? Can the Visioning Committee's work be reviewed? What environmental assessment has been performed to determine the areas to be transitioned to sewer, contribute to pollution? What properties are included for reasons other than environment or economic? How much will school taxes increase? Will the Town be involved in maintenance?

John Fantauzzi of Beechwood Drive is not in the proposed district but is in favor of sewers. He inquired about replacing his septic system and it will cost \$16,000.

Kelly Lozier, 56 Midline Road, stated there is a ton of information on the website to answer a lot of questions being asked tonight. The added sewer cost will be more than his county tax bill. He will pay twice as much to be a Town resident. He asks the Board to better communicate to the residents before the vote so they are fully informed on what they are voting on.

Jim Picard of Nolan Road asked about the pump stations and also he has a brand new septic system – will he be required to hook up?

Gary Mlodzianowski of Long Creek Drive asked if the \$926 was mandatory in the district and are you required to hook up to the sewer? He doesn't want the Town to grow.

Supervisor Szczepaniak stated there will be four public information sessions at Town Hall: February 13th and March 14th at 10 a.m.; March 1st and 20th at 6 p.m. A community forum will be held at the high school on March 8th at 6:30 p.m. He also mentioned to look on the website (ballstonsewers.org) for more detailed information about the project.

Councilman Goslin closed the session with the following remarks. He thanked everyone for attending this evening and that the Board needed to hear your comments. The Board is considering the formation of this district. If the district is formed there will be a referendum. The informational meetings will be more involved and answer many questions that were asked this evening. He strongly encouraged everyone to attend one of these meetings. This is a unique opportunity for the Town; sewers will only be more expensive in the future. Ed Hernandez, engineer for the proposed project and Ms. Kotkoskie are available to answer your questions.

Supervisor Szczepaniak stated we will close the oral portion of the public hearing but leave the record open to receive written comments until February 5th. The Sewer Committee plans to respond to the comments received tonight by February 5th.

Respectfully submitted,

Carol A. Gumienny
Town Clerk