

An Agenda meeting was held by the Town Board of the Town of Ballston on Tuesday evening, April 26, 2016 at the Town Hall on 323 Charlton Road, Ballston Spa, New York.

PRESENT: Timothy Szczepaniak ----- Supervisor
William Goslin ----- Councilman
John Antoski ----- Councilman
Chuck Curtiss ----- Councilman
Carol Gumienny ----- Clerk
James Walsh ----- Counsel

ABSENT: Kelly Stewart ----- Councilwoman

Supervisor Szczepaniak called the meeting to order at 6:30 p.m.

PRESENTATIONS

BLAIR SUPPLY: REMOTE WATER METERS

John Murphy, distributor for Blair Supply, spoke about new remote water meters. The Town services 2400 water customers. Approximately 1200 of these meters are 20 to 40 years old. These are not operating 100% accurately; therefore, readings are incorrect causing a revenue issue for the water department. 1100 meters could be Badger meters designed in 1958 and 600 are radio read which entails driving by the home and doing a reading; however, the Town currently does not have the equipment for this type of reading. The system consists of a hand held computer that collects data and reads patterns. The reads show patterns of consumption, tampering, theft of water, and non-stop usage such as a running toilet or leaky faucet.

Mr. Murphy proposed a step beyond radio technology and spoke of the newest and advanced technology, rather than the current radio chip. The new device has a cell chip which uploads data to a cellular platform. This system will alert you of leaks, high flow, reverse flow, non-stop usage. All of this data can be reported through the "cloud" and accessed from a lap top computer. The one-time engagement fee for the software is less than \$6,000. The investment of the cellular drive by system is about \$13,000 with annual software maintenance of .10 cents per meter, per month. The cellular system is the most reliable software for uploading the information. There is access to a daily dashboard to see what is going on in the system and indicates where leaks are located.

Water Superintendent Joe Whalen stated approximately 1200 meters are only reading at 85% correct. He is losing 15-20% due to unregistered readings. He is capable of reading 600 meters now. 1200 need a complete change and 400-500 need major upgrading. Superintendent Whalen calculated he is losing approximately \$21,000 in revenue for incorrect readings.

Councilman Goslin asked who pays for the cellular use. Mr. Murphy stated you can pay the rate upfront good for 10 years which is .89 cents per month, per meter, per year. Mr. Antoski asked if you can still manually read the meters. Mr. Murphy replied yes. Deborah Bradt, Water Clerk, inquired about the cost of the hand held readers. The cost is \$13,000 with no monthly fees and comes with three years of maintenance. The annual service agreement for software is .10 cents per meter, per month and includes all updates. Councilman Goslin wants to know how much money is in the water fund and if we can afford to do this. Supervisor would like to have a plan put together and present to the Board to move forward with this.

WATER STUDY EAST SIDE OF BALLSTON LAKE PRESENTATION

Town engineer, Kathryn Serra presented her findings of the cost of providing water for the East side of Ballston Lake focusing on Lake Road area and the lakeside area including some Town of Clifton Park residents. Option one provides water to everyone around the lake with the exception of Sweet Road and a portion of Schaubert Road due to the lack of density. Ms. Serra used a water study done by Clifton Park in 2014 for Eastside Drive area but changed the figures due to the increased cost of putting utilities in the ground. This option will include the creation of a loop to effectively receive water from our two water sources. The NYS Comptroller has a limit on a special district being formed and how much it will cost the average user. Currently the limit is \$902 per year. Supplying water to approximately 350 average Ballston users would cost \$2700. The 116 properties in Clifton Park would pay \$2300. This amount is based on assessed value not a flat fee. The second option would serve a more dense area on Eastside Drive from 146A, Lundy Lane, France Lane, Pierce Lane, Zani Lane and Hickory Grove. This is 2 miles of water main. For approximately 200 parcels the cost is \$2300 for Ballston residents and \$1700 for

Clifton Park residents. Option 3 was to take Option 1 and remove the residents on Lake Road, south of Hickory Grove. The cost is for the average Ballston owner would be \$2800. Ms. Serra also looked at the option of all users in the Town to bear the cost of the \$2.6 million project to run the loop. It would cost \$56 per year. If this was done it would cost the Option 1 lake residents \$600 less per year. This would be 2.5 times to 3 times over the cost of what the State Comptroller allows. Long term options are not nearly close to the limit allowed by the Comptroller. We now have the answers to what people are asking. There will be a written report available.

BALLSTON LAKE SEWER UPDATE

Mary Beth Biaconi, of Delaware Engineering, stated currently we are at the finance portion of the procedure. In March, the Town submitted an application for low interest financing with the NYS Clean Water State Revolving Fund. The fund works by NYS allocating funds to communities in a “list format” for all types of communities. Funds are allocated by the lists and scored by needs. Our score is good because our sewer project is an environmental issue; however, the town is one spot below the line for funding. Projects in other Towns may not have completed all the necessary steps which could cause our town to go above the line. A year ago NYS approved a new program called Water Construction Improvement Act. This is state money which brings “new” money in the system. This helps the Town indirectly because some Towns will not take advantage of this money in the fiscal year which creates movement in the list. We should know in May or early June if we receive low interest rate funding. The Town will receive a letter stating it can receive the low interest rate financing or market rate financing which is currently high 3s - 4%. If we receive market rate financing the Board has some options and decisions to make. Options are secure market rate financing, including short term financing; hold out for potential subsidized financing in 2017 which may cost more for the project due to increase in costs; stay on the list, secure a BAN to advance the project with the hope of receiving low financing; or the Town could also take an action on their own such as securing a BAN on the initial cost of the project and advance the project. Ms. Biaconi will keep the Town informed. Councilman Goslin stated the options do not fit in with the dollar amount that was given to the residents; we need to secure the low finance rate.

SPINNEY/BORDEAU BUILDERS/KATZ PROJECTS

Scott Lansing, with Lansing Engineering, represents three different developers and their three different projects along Route 50. Each of these projects will require sewers. The Katz PUDD, which is south of McCreahill Road, will consist of 23,000 sq. ft. of office retail space, 161 apartments and 57 residential properties. The Spinney Group, south of the Katz project will have commercial/retail frontage and a 55+ housing community with one floor living; and the third piece of property is the Little Farm parcel that consists of a retail commercial front and an apartment complex of approximately 500-600 units. The three developers have decided to work together to bring sewers to their projects down Route 50. It would not only benefit their projects but also the Route 50 commercial corridor. This is a concept.

Councilman Goslin disapproved the project. It didn't interconnect with the Ballston Lake Sewer project and doesn't take any advantage of the proposed infrastructure. He was hoping to get some relief for the residents in the sewer district, he doesn't see the advantage. Town engineer Kathryn Serra stated the Ballston Lake Sewer project would not have the capacity for these three projects.

Mark Katz joined forces due to this sewer proposal and all the benefits. He is looking for ideas from the Board just as they did for his project, which has been six years in the making.

Gary Bordeau, of Bordeau Builders, stated the area benefits from the Little Farm proposal. There will be a dry line put in for future use to the south which can build up the business district area. The areas to the west have a lot of heavy soil and people are paying \$20,000 for new raised bed septic systems. Sewers will help these people. It also is a benefit by creating a new business district heading north. The project is a numbers project. The numbers are needed to pay for the sewer. If you don't have it, there will not be a benefit down the road to provide sewers south of there, and eventually you will need it. There is a need for commercial development along Route 50. It will supply tax dollars. Route 50 is a corridor built for traffic. Supervisor Szczepaniak feels these projects tie in with the Economic Development Visioning Committee working on the Route 50 corridor. Mr. Bordeau says if a green light was given for this project, you can have sewers in a year, paid for by the developers. Councilman Curtiss believes this project is in the Agriculture District. The Comprehensive Plan states there is no water or sewer allowed in this district. We need to abide by this Plan. He feels it is a dead issue. Mark Katz states we need commercial development on Route 50. The Town only has 4%.

Supervisor Szczepaniak feels there is a disconnection between the Economic Development Visioning Committee and reactions to what is being proposed. He feels this potential project could be beneficial to the Route 50 business corridor. He would like the Board to think about it. Councilman Antoski states it does say in the Comprehensive Plan that a certain portion of this project is commercial; however, he feels we need to reexamine the Plan. It is 11 years old and it may need updating. You can bypass it with a PUDD; however some PUDDs in the past have caused problems.

Morgan Ruthman, owner of The Spinney Group, spoke about his portion of the project. The Spinney Group is a local property management group and developing company based in Delmar. They are currently active in the development of 55+ adult communities. Senior housing is in high demand including in the Town of Ballston. The project is a combination of density and rural development. The community benefit is strong with the proposed project. It provides senior housing and keeps residents in their communities. There is no burden on the school district. There is no burden to the Town for infrastructure. All road maintenance, plowing, and landscaping is done by the company. Yes, there will be a PUDD involved and a zoning change. Out of the 64 acres, 8 acres is in the business highway district. The largest benefit factor is sewer. The Spinney Group knows what it is to be a responsible developer. He is very comfortable working with municipalities and land owners to achieve a reasonable balance. The proposal is 186-224 units. Currently, they are working with Lansing Engineering, Mr. Katz and Mr. Bordeau to discuss a scenario which the Town could help achieve their goals with sewer service, as well as achieve their own goals. Supervisor Szczepaniak inquired about how many phases this project would be? There are about 40-50 homes in each phase therefore would be a 3 to 4 Phase project.

Samatha Raynor, of the Spinney Group, spoke about the Cottages and the type of community setting. All are one floor living. There are no stairs, and no one ever lives above or below you. Cottages range from 900-2,000 sq. ft. and include granite counter tops, wood flooring, cathedral ceilings, and washer and dryers. All have cable, internet and trash removal as well as its own private driveway, front porch and back patio. An oversized 1 car garage with remote entry and extra loft for storage are standard features. 24 hour emergency maintenance is included as well as landscaping and snow removal. There are community features such as walking trails, gardens, gazebos, a community center with a fitness center, and pool table. Active life styles are promoted and there are many social event evenings. Pets are acceptable too. There is green space within all units. Typical rents are \$999 (900 sq. ft.) to \$2,140 (2,000 sq. ft.). There are no entrance fees. Just pay rent, gas and electric. Everyone is welcome any time to come see the development in Delmar.

Gary Bordeau, of Bordeau Builders, is proposing 400-600 2 story apartment units. Walking trails, community center and meeting rooms where people can meet, will be included. Price point is \$1.20 sq. ft. per 750 - 1000 sq. ft. for units. This project will meet more diverse target points for rent. The town is underserved for apartment rentals. The project will have no debt service to the Town. The entire infrastructure is paid by the developer. This type of density will fuel the Route 50 corridor. Change is hard but needed. Apartments are owned and maintained by the developer. All units are highly efficient. It will be a beautiful community. This project is in the incubation phase, there are no plans in place. We want all the Boards total approvals and will do what they ask.

Council leaves the meeting at 8:05 p.m.

RESOLUTION 16-083

AUDIT OF CLAIMS

A motion was made by Councilman Goslin and seconded by Councilman Antoski to approve the payment of the bills on the April Abstract. The bills were approved for payment as follows:

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| General Fund | No. 161 – 228 | \$38,316.41 |
| Highway Fund | No. 153 - 199 | 44,861.28 |
| Gravel Pit Fund | No. 3 – 5 | 2288.64 |
| Park Fund | No. 2 - 5 | 648.98 |
| Library | No. 117 - 149 | 29,838.43 |
| Water Fund District 2 (SW) | No. 52 - 66 | 66,425.92 |
| Brookline Rd. Rte. 67 No. 2 Ext#12 (BRW) | ----- | 0.00 |
| Paradowski Rd. Water Dist. No. 5 (RW) | No. 21 - 26 | 77.98 |
| Scotchbush Water Dist. No. 6 (WW) | No. 21 - 24 | 23.34 |

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| Silver Ln. Water Dist. No. 6 Ext#1 (WX) | No. 21 - 24 | 11.68 |
| Morningdale Court No. 2 Ext#24 | No. 41 - 50 | 665.73 |
| Trust and Agency | No. 14 - 17 | 11,672.75 |

ADOPTED: Ayes 4 Supervisor Szczepaniak, Councilman Curtiss, Councilman
Nays 0 Goslin, and Councilman Antoski

DEPARTMENT REPORTS

LIBRARY

Library Director Karen DeAngelo, reported the following:

- Cooper Construction is coming on Saturday to do the silicone patch on the roof
- Some training requirements for the highway will be conducted at the library.

BUILDING DEPARTMENT

Tom Johnson, Building Inspector reports:

- His report is on file in the Town Clerk's office.
- Update on 1241 Route 50. The owner of the property appeared in court however the case was adjourned for one month. Tom heard from the owner of the property and discussed what the owner needed to rectify the violations. There is proposed legislation in NYS to make it a felony for people to illegally convert property into multi-units without going through the proper procedure.

WATER/HIGHWAY DEPARTMENT

Water/Highway Superintendent Joe Whalen reported the following:

- Meetings attended by Superintendent: Saratoga Co. Town Highway Superintendents' NYS Emergency Services, Homeland security, Advanced Information Management GEO Pal, LEMP
- Complete town wide street sweeping and keeping track of loads for MS4 report DEC
- Work in garage on maintenance, painting and repair of machinery and equipment, store winter equipment including sanders and plows, shoulder machine, prepare seasonal equipment and spring cleaning
- Plow, salt and/or sand all Town roads when necessary including parking lots, library, pump stations, cul-de-sacs, intersections, Outlet Rd. facility, Bike Path, fire houses, clearing around hydrants, catch basins as well as removal of snow and sand lanes
- Help Towns of Charlton, Malta and Greenfield haul material from Pompa and Pallette to work sites
- Clean up fallen trees, debris from storms, chip and check washouts
- Cut trees along 4 Buell Ave. in drainage swale area
- Work with Earth Care cutting trees on Tiffault and Mann Roads.
- DEC Outlet Road. inspection
- Mailbox and post repairs
- Street sign repair/replacement
- Change batteries in radar signs
- Employee DOT vehicle training
- Transport voting machines

BALLSTON LAKE WATER QUALITY PROTECTION MANAGEMENT COMMITTEE

Dr. Pierce and members of the Committee are developing a Management Plan and it should be completed by the end of June and will present it to the Town Board at the end of the summer. Dr. Pierce also noted that Committee members needed to be reappointed this year. He also mentions Resolution 16-087 on tonight's agenda is lake water testing only for coliform bacteria.

FARMLAND PROTECTION COMMITTEE

Joan Pott, Chairperson, heard from Nan our Planner and was informed that NYS accepted our TDR Plan and will have it before the next meeting on the 10th so we can move forward. As soon as she receives it, she will email it to the Board. She also stated the definition of “agri-tourism” and “agri-tainment” is being worked on by the Committee and will present this to the Board in the near future.

TOWN CLERK’S OFFICE

Deputy Town Clerk Jodi Hollowood and the Town Clerk attended the Annual Town Clerk’s Association yearly conference in Saratoga Springs last week. There will soon be another notary at Town Hall due to Jodi passing the test. Local Law 6 has been filed (residency requirements for Deputy Highway Superintendent) with the State and recent notification was received of the State’s filing of the law on April 20th.

Supervisor Szczepaniak attended a fire department drill with Life-Net helicopter. This drill was performed on the property of the Old Homestead. Supervisor Szczepaniak has a four minute video of the drill and will try to put it on the website. Life-Net was recently utilized for an accident victim on Route 50.

DISCUSSION:

Community Room: Councilman Antoski reported that there are reoccurring issues with the system. He has two solutions: Keep the system in place. This has been a good system it just needs to be followed through completely with the point of contact person in the Clerk’s office. The second option is hire a point of contact to be in charge of the room rental. Whichever way we go, the fee structures including cleaning deposit need to be increased. Councilman Goslin suggested utilizing Mr. Help to check the room on the weekends when there is more than one event scheduled. A cleaning deposit fee will be required of all renters including non-profits.

Sound System Update: Councilman Antoski has contacted the same people who installed the projector system. The company is interested in doing the job, we are waiting for an estimate.

Carpenters Acres Sewer: Councilman Goslin has a RFP (Request for Proposals), and asks the Clerk and Town Attorney to review it. He would like to release it at the next meeting with the Board’s approval.

2014 Finances: Supervisor Szczepaniak reported that our bookkeeper, Joanne Bouchard, is through all of 2014 records down to the penny and is currently working on 2015. The auditor is here this week and she is assisting them too.

Building Department Positions: Supervisor Szczepaniak states that we are advertising for Building Inspector, Assistant Building Inspector and Stormwater Management positions. He has received some resumes. It will be a challenge to find someone to fill Tom Johnson’s shoes; the Town has been very spoiled.

Playground Equipment: Supervisor reports Councilwoman Stewart is out of town. She would like to purchase some playground equipment for Reita Park at a cost of \$10,000-\$15,000. She will discuss this further at the next meeting. A plan, with pricing, needs to be completed.

NEW BUSINESS FOR CONSIDERATION AND ACTION:

RESOLUTION 16-084

APPROVE SETTING A PUBLIC HEARING FOR EXTENDING WATER TO PARCEL 238.-1-39.2 (FALCONER LANE SUBDIVISION OFF GOODE STREET) FOR TUESDAY, MAY 31ST AT 6:00 P.M.

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

ADOPTED: Ayes 4 Supervisor Szczepaniak, Councilman Curtiss, Councilman Goslin and Councilman Antoski
Nays 0

RESOLUTION 16-085

APPROVE SETTING A PUBLIC HEARING ON THE TRANSFER DEVELOPMENT RIGHTS (TDR) FOR TUESDAY, MAY 31ST, AT 6:15 P.M.

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

ADOPTED: Ayes 3 Supervisor Szczepaniak, Councilman Curtiss, and Councilman Antoski
Nays 1 Councilman Goslin

Councilman Goslin did not approve of scheduling a public hearing due to not seeing the language beforehand.

RESOLUTION 16-086

APPROVING SATURDAY, MAY 7TH AS CLEAN UP DAY IN THE TOWN OF BALLSTON.

The Town Clerk read the following resolution:

PROCLAIMING MAY 7, 2016 AS CLEAN UP DAY IN THE TOWN OF BALLSTON

WHEREAS, the Town of Ballston in partnership with the Ballston Lake Improvement Association (BLIA) and the Burnt Hills Ballston Lake Business & Professional Association have joined together in support of a Clean Up Day; and

WHEREAS, it is a point of great community pride that the effort, started back in the early 1970s by a small group from BLIA, continues over 40 years later and has become an annual tradition for many and;

WHEREAS, scores of local residents, including youth, from the Town of Ballston and the lake environs participate as volunteers in this clean sweep of accumulated winter debris on local roadways and;

WHEREAS, the project serves as a practical example of community service, environmental awareness and volunteerism for future generations and;

WHEREAS, this community beautification project is scheduled for Saturday, May 7, 2016 with volunteers to meet at the Ballston Lake Fire House at 8 a.m. and

THEREFORE, BE IT RESOLVED, that the Ballston Town Board congratulate and appreciate all who are involved and proclaim Saturday, May 7th as Clean Up Day in the Town of Ballston.

Dated: April 26, 2016

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

ADOPTED: Ayes 4 Supervisor Szczepaniak, Councilman Curtiss, Councilman
Goslin and Councilman Antoski
Nays 0

RESOLUTION 16-087

APPROVE AUTHORIZING THE CONTINUATION OF WATER SAMPLING OF BALLSTON LAKE AT A COST NOT TO EXCEED \$500.

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

ADOPTED: Ayes 4 Supervisor Szczepaniak, Councilman Curtiss, Councilman
Goslin and Councilman Antoski
Nays 0

RESOLUTION 16-088

APPROVE INCREASING THE MARRIAGE LICENSE FEES FROM \$35 TO \$40 TO BE CONSISTENT WITH THE NYS GUIDELINES EFFECTIVE MAY 1, 2016.

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

ADOPTED: Ayes 4 Supervisor Szczepaniak, Councilman Curtiss, Councilman
Goslin and Councilman Antoski
Nays 0

RESOLUTION 16-089

APPROVE THE 2016 STANDARD WORKDAY RESOLUTION.

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

ADOPTED: Ayes 4 Supervisor Szczepaniak, Councilman Curtiss, Councilman
Goslin and Councilman Antoski
Nays 0

Councilman Curtiss introduces language for a moratorium.

RESOLUTION 16-090

CONSIDER SETTING A PUBLIC HEARING FOR A MORATORIUM FOR MAY 31ST AT 6:30 P.M.

Councilman Curtiss made a motion to approve the setting of the public hearing. No one seconded the motion.

It was suggested by the Supervisor to wait until the May Town Board meeting to schedule this due to the early dismissal of the Town Attorney (to receive his advice), and timing aspects of publishing deadlines for notice of the public hearing.

Councilman Curtiss withdrew his motion and the resolution has been tabled until May 10th.

Councilman Antoski brought up due to the recent death that occurred on Route 50, we need to try again to have the state reduce the speed limit on Route 50. We were denied in the past, but suggested going through the process again. The entire Board agreed.

TENTATIVE AGENDA FOR TOWN BOARD MEETING May 10, 2016:

Ballston Lake Rescue Recognition – Resolution **16-091**

EMS Recognition - **Resolution 16-092**

Presentation from Saratoga Disabilities (Michelle Larkin)

1. Pledge of Allegiance
2. Correspondence
3. Reports
4. Financial Report for April 2016 – **Resolution 16-093**
5. Supervisor's Report
6. Council Members' Reports

OLD BUSINESS:

RFP Carpenter's Acres Sewer (Goslin)

Moratorium (Curtiss)

NEW BUSINESS:

Speed Limit Reduction on Route 50

Ag Grant (Supervisor)

NEW BUSINESS FOR CONSIDERATION AND ACTION ON MAY 10TH:

Resolution 16-094

Consider approving extending Burnt Hills-Ballston Lake Water District No. 2, to include parcel 239.00-1-1 (Katz PUDD).

A motion was made by Councilman Antoski and seconded by Councilman Curtiss to adjourn the meeting. The meeting was adjourned at 9:05 p.m.

Respectively submitted,

Carol A. Gumienny
Town Clerk