

A regular meeting was held by the Town Board of the Town of Ballston on Tuesday evening, June 14, 2016 at the Town Hall on Charlton Road.

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.

Supervisor Szczepaniak read the following resolution recognizing W.M. Schultz Construction, Inc.

**RESOLUTION 16-111  
HONORING W.M. SCHULTZ CONSTRUCTION, INC.  
FOR THEIR COMMITMENT TO WORKER SAFETY**

**WHEREAS**, W.M. Schultz Construction Inc., located in the Curtis Industrial Park in the Town of Ballston, can trace its roots to Schultz Construction founded by William J. Schulz in 1968. In 2000, Schultz Construction became W.M. Schultz Construction, Inc. under the ownership of William M. Schultz; and

**WHEREAS**, the W.M. Schultz Construction Company is involved in the heavy civil construction industry with projects ranging from transportation and infrastructure to waste and water treatment plants and pump stations; and

**WHEREAS**, the company understands the inherent risks to the safety and well-being of employees involved in this industry and has strived to make safety a priority; and

**WHEREAS**, the company has implemented changes in order to involve employees at all levels in the creation of a safe work environment. For example, every member of the company is involved in a two-day safety awareness training meeting in order to highlight programs designed to ensure employee safety and launch new safety initiatives. It also serves as a venue to discuss “near misses” with the hope that programs can be implemented to stave off potential accidents; and

**WHEREAS**, understanding the physical demands employees face at job sites, and being committed to a proactive approach to health and safety, the company instituted a “Flex and Stretch” program for every employee so as to reduce on the job soft tissue injuries; and

**WHEREAS**, as a result of their vision and focus on safety, W.M. Schultz has been the recipient of more than a half dozen industry awards thanks to their below average incident rates; and

**THEREFORE, BE IT RESOLVED**, that the Town of Ballston would like to recognize and congratulate the W.M. Schultz Construction, Inc. for their dedication and commitment to ensuring a healthy and safe environment for every employee in the company.

Dated: June 14, 2016

William Schultz, president of the company, brought in several old wooden water pipes that were taken from Saratoga near Congress Park that are dated 1850 and earlier. Mr. Schultz graciously received this recognition presented by Supervisor Szczepaniak.

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

The next resolution recognizing Jason Morris was read by the Town Clerk:

**RESOLUTION 16-112  
HONORING JASON MORRIS FOR HIS ACCOMPLISHMENTS  
AND DEDICATION TO HIS COMMUNITY**

**WHEREAS**, Jason Morris is a 1985 Burnt Hills-Ballston Lake High School graduate, where he was an inaugural member of the Burnt Hills-Ballston Lake Athletic Hall of Fame in 2011; and

**WHEREAS**, Jason has achieved international success for Judo having won over 60 international medals at events around the world including the Pan Am Games and World Championships; and

**WHEREAS**, Jason Morris attended four Olympic Games- 1988 in Seoul, South Korea; 1992 in Barcelona, Spain, where he achieved a silver medal; 1996 in Atlanta, Georgia; and 2000 in Sydney, Australia; and

**WHEREAS**, for his many personal achievements in the sport of Judo, Jason Morris was inducted into the U.S. Judo Hall of Fame in 2010; and

**WHEREAS**, in addition to his athletic success, he has also achieved notoriety as a coach, earning the 2007 U.S. Olympic Committee Coach of the Year for Judo, achieving the position as head coach of the 2008 U.S. Judo Olympic Team in Beijing China, and being named head coach of the year several times by Real Judo Magazine; and

**WHEREAS**, Jason is owner and head instructor of the Jason Morris Judo Center, where he has coached numerous athletes who have gained national and international titles, and where the 15<sup>th</sup> annual Morris Cup will take place in the Fall of 2016 with athletes traveling from around the U.S. and Canada to compete in this prestigious event; and

**WHEREAS**, Jason Morris has generously donated his time and skills to share the love of Judo at Camp Abilities in Saratoga, where judo instructions are very popular and have become an integral part of the week long, overnight camp for blind and visually impaired teens; and

**THEREFORE, BE IT RESOLVED**, that the Town of Ballston hereby congratulates and recognizes Jason Morris on his many achievements, and commends him for the commitment he has to his community.

Dated: June 14, 2016

Councilman Szczepaniak read a Citation from the NYS Assembly Office of Jim Tedisco. Mr. Morris, his wife and two children were present to receive these acknowledgements.

The next resolution was read by Councilman Curtiss:

**RESOLUTION 16-113  
PROCLAIMING JULY 2016 AS SARATOGA COUNTY FAIR MONTH**

**WHEREAS**, on May 15, 1841 the New York State Legislature passed an act to provide for the formation of County Agricultural Societies; and

**WHEREAS**, 175 years ago Archibald Smith, then Saratoga County Clerk, held the first meeting of the Saratoga County Agricultural Society June 24, 1841 in the Village of Ballston Spa. Following Executive approval, it was resolved “that an Agricultural Society would be formed in Saratoga County, pursuant to the provisions of said statute.” That Society would be responsible for the annual presentation of the Saratoga County Fair; and

**WHEREAS**, two representatives from each town in the County of Saratoga formed the first Executive Committee; and

**WHEREAS**, the first officers chosen were:

President - Howell Gardiner, Greenfield  
First Vice President - Calvin Wheeler, Providence  
Second Vice President - Jacob Denton, Saratoga Springs  
Treasurer - Hiram E. Howard, Milton  
Corresponding Secretary - Archibald Smith, Saratoga Springs  
Recording Secretary - John A. Corey, Saratoga Springs; and

**WHEREAS**, every generation of the Merchant Family on Charlton Road in the Town of Ballston, has been involved in the Saratoga County Fair since 1841; and

**WHEREAS**, the Saratoga County Agricultural Society has been an integral part of the community, celebrating and promoting Agriculture for those 175 years; and

**THEREFORE, BE IT RESOLVED**, that the Town of Ballston hereby declares July 2016 as Saratoga County Fair Month.

Dated: June 14, 2016

The following Saratoga County Fair committee members were present to receive this recognition: Sarah Welch, Kevin Veitch, Audrey Poitras, Colleen Luke, Jeff Townsend and Frank Griffen.

Councilman Curtiss read the following resolution:

**RESOLUTION 16-114  
CONGRATULATING MELANIE LUKE  
ON BECOMING THE 2016 SARATOGA COUNTY DAIRY PRINCESS**

**WHEREAS**, Melanie Luke is the daughter of Matthew and Colleen Luke of the Town of Ballston, and;

**WHEREAS**, Melanie plays an active role on the family farm, in addition to owning 15 dairy cows of her own which include Holsteins, Jerseys, and Ayrshires, and;

**WHEREAS**, Melanie will be entering her cows in 4-H and open shows at the Saratoga County Fair, and for the fourth year will be entering the open show at the Rensselaer County Fair, and;

**WHEREAS**, Melanie has been involved in Saratoga County 4-H for eleven years, and is currently the secretary for the 4-H Dairy Club in Saratoga County, and;

**WHEREAS**, Melanie is a member of the New York State Junior Ayrshire Club where she helps prepare the animals for sale at the annual spring Ayrshire sale, and;

**WHEREAS**, she completed the Dairy Visions program under the direction of Sandy Ferry, and hopes to be accepted in Cornell University's Junior Dairy Leader Program so as to learn more about careers in the dairy industry, and;

**WHEREAS**, Melanie was named 2016 Saratoga County Dairy Princess where she will be a proud representative of dairy farmers in Saratoga County and throughout New York State, and;

**THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Ballston hereby congratulates Melanie Luke on becoming the 2016 Saratoga County Dairy Princess, and commends her for dedication to the dairy industry.

Dated: June 14, 2016

Miss Luke was present to accept this recognition presented by Supervisor Szczepaniak.

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart to accept **RESOLUTIONS 16-112, 16-113, AND 16-114.**

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

### **EAGLE SCOUT PROJECT**

Eagle Scout Christopher Kelch presented a proposal to improve the current Ballston Lake sign on Main Street (Route 146) in front of the fire department in Ballston Lake. The sign will be vinyl with aluminum posts and will be wired for electric for future use. He plans to build a block planter around the sign with some plants in it. Christopher has discussed his project with the Town of Clifton Park and Superintendent Joe Whalen. The project will cost an estimated \$2825. He plans on doing some fund raising. Councilman Goslin spoke to Superintendent Whalen about this project. Mr. Whalen has some additional money in his budget to help with this project.

### **PRESENTATIONS**

Rich Straight from Ambit Energy gave a ten minute presentation of how the Town can save almost \$3,000 to \$4,000 per year on electricity costs. Councilman Goslin suggested this topic be discussed by the Building Committee, have the Committee bring a recommendation to the Board at the Agenda meeting and make a final decision at the July Board meeting. All agreed. Councilman Curtiss recused himself from any discussion and vote on this due to a personal interest in the company.

Matthew Spataro, insurance advisor and consultant of Arthur J. Gallagher & Co. for the Town for a number of years, gave a 20 minute presentation reviewing his proposal for the renewal of the Town's insurance. The Town is on a two year renewal term. Mr. Spataro highlighted important changes and aspects of the policy including items a competitor can't offer. The Town's insurance will be reduced by \$5300.

### **REPORTS OF TOWN OFFICIALS**

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Dog Control Officer Thomas Shambo, and Town Clerk Carol Gumienny submitted reports for May 2016 and they are on file in the Town Clerk's office.

### **LIBRARY REPORT**

Cathy Hayden, member of the Board of Trustees reported:

- Rebecca Darling has visited the middle school and every class in the BH-BL elementary schools to talk about this year's NYS Summer Reading Program
- After careful consideration and benchmarking fines charged by similar libraries in our region, we are implementing a modest increase that will go in effect with material borrowed on or after July 1, 2016 or returned after August 1, 2016.
- Working on a plan for getting long overdue materials back to the library and will be offering a fine free fine period in the fall for materials returned. We will be sending letters to patrons to let them know.

Councilwoman Stewart stated Senator Farley's office announced some additional aide will be given to the library to help with repairs of the leaky roof. The proposal needs to be put in by the end of July.

### **COMMITTEE REPORTS**

Dave Decker, member of the Ballston Lake Watershed Management Plan Development Committee, stated several members have met throughout the spring and developed a synopsis of the previously adopted Watershed plan prepared by the Committee in 2001. They looked at what is still current, what recommendations were acted upon, which ones may not have been, and resources needed to update and/or supplement that plan in light of development since that time, degradation of water quality in the lake and promulgation of plans related to the sewer district formed by the Town Board. The Committee resolved to the following actions: complete the review of the 2001 plan within the next two weeks, outline a special plan of public participation and involvement, engage the Town of Clifton Park and seek authorization from the Town Board to submit an application for grant funding assistance in response to the CFA program announcement.

## **RESOLUTION 16-115**

### **APPROVE THE SUPERVISOR'S FINANCIAL REPORT FOR THE MONTH OF MAY 2016**

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

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

Nays 0

### **SUPERVISOR'S REPORT**

Supervisor Szczepaniak reported:

- Attended the County Public Health Committee Meeting this week and has signs on how to prevent Lyme disease to give to Councilwoman Stewart to post in the park. He also reached out to Jenkins Park Chair Lynnette Ziskin in regards to the signs.
- There are mosquito dunks available at the Town Clerk's office. We have a limited supply.

### **COUNCIL MEMBERS REPORTS**

Councilman Curtiss reported:

- Sundae on the Farm was a success this past Sunday. This has been an ongoing program for 21 years and the largest agriculture event in the County.
- Councilman Curtiss would like to extend an invitation to all Saratoga County Supervisors to the opening ceremony of the 175<sup>th</sup> Anniversary of the Saratoga County Fair. It will be held Tuesday, July 19<sup>th</sup> from 4 to 6 p.m. This is an opportunity to recognize supervisors and mayors who have been instrumental with our various programs including what the county contributes financially.

Councilwoman Stewart reported:

- The Town will be receiving a capital grant of \$350,000 for building and/or fixing a project. The Town will look at various needs. The application for the project(s) needs to be in quickly; the projects chosen need to be ready to go for completion. She will give all the particulars to the Board members.
- She is waiting for Supervisor Whalen to contact her about the parking lot at the Hawkwood property. The trails have been marked and will be cut shortly.
- The Park Committee will meet tomorrow evening.
- Jenkins Park is holding a music and arts festival on Saturday, June 25<sup>th</sup>, Noon to 6 p.m. She will work with Jenkin's Park Chairperson Lynnette Ziskin to work out the details.
- An archeological dig will take place at Hawkwood Park on July 9<sup>th</sup> and July 23<sup>rd</sup>.

Councilman Antoski asked the Planning Board Chairman Dick Doyle what is happening at the old gas station on the corner of Route 50 and Lake Hill Road. Mr. Doyle replied there is oil contamination in the ground and heavy metals were found. It is a major clean up and DEC is involved. The issue is being addressed by the applicant of the project.

Councilman Goslin reported:

- He will be attending a conference next month out of town and will not be able to physically attend the July meeting; however, he is requesting to participate remotely, if possible. Counsel will check on this.

Supervisor Szczepaniak noted that the grand reopening for Stewarts on Church Avenue will be on July 9<sup>th</sup>. This is the location of the very first Stewarts store. The president of Stewart's, Mr. Dake will be attending the event by helicopter, along with Mrs. Dake. Free helicopter rides were given when this very first store opened.

### **NEW BUSINESS**

#### **Beacon Hill PUDD**

Counsels stated that a Town resident sued the Town and NY Development (Beacon Hill PUDD) and they are approaching a resolution. There is proposed language. The two parties must agree on this language before Counsel can advise the Town. The agreement may ask the Town to change the PUDD which would be a local law and will have to go through all the necessary steps



**RESOLUTION 16-119**

**APPROVE THE APPOINTMENT OF DANIEL SHOREY AS FIRST ALTERNATE MEMBER OF THE PLANNING BOARD COMMENCING JUNE 14, 2016.**

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

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

Nays 0

Supervisor Szczepaniak thanked Mr. Shorey for joining the Planning Board.

**RESOLUTION 16-120**

**AMEND RESOLUTION 16-002 NAMING JEANETTE BORTHWICK AS THE BUDGET OFFICER FOR 2016.**

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 16-121**

**APPROVE THE EAGLE SCOUT PROJECT BY CHRISTOPHER KELCH USING TOWN FUNDS FROM THE HIGHWAY DEPARTMENT AT A COST NOT TO EXCEED \$3000.**

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

No 0

**RESOLUTION 16-122**

**AUTHORIZE RAY SUPPLY TO INSTALL A SOUND SYSTEM FOR THE MEETING ROOM AT A COST NOT TO EXCEED \$8000.**

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

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

Nays 0

Councilman Curtiss wanted to set a public hearing for the TDR. After discussion among Board members, it is unclear if notification to residents is required. If so, this will require additional time and will effect when the hearing can be held. Counsel will investigate and report at the agenda meeting.

**PRIVILEGE OF THE FLOOR (limit 5 minutes)\***

*Dr. Pierce* thanked the Highway Department for mowing the bike path. He suggested to Councilman Curtiss to look back on the minutes when Nan Stolzenberg says to look at the zoning first before you jump into a TDR. Dr. Pierce expressed a concern for the streams near the parking lot at Hawkwood. Councilwoman Stewart stated C.T. Male did all the ground work and there are no streams close to the parking lot. He also stated that most Eagle Scouts don't get their money from Towns for projects. The scouting program teaches the person how to work with people, do fundraisers, and manage money.

*Peter Bardunias*, president of the Saratoga County Chamber, has pledged his continued support to the Town. The Chamber is here to help any way they can.

*Joan Pott*, stated that there are still misconceptions about the TDR. It does not set a property's value of being more valuable than the other. It is not a requirement to participate; it is a choice and up to the land owner. She agrees that discussion needs to be had regarding our zoning and that Nan sent a proposal of doing these zoning changes for the Town.

**RESOLUTION 16-123**

**ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER AND PENDING LITIGATION.**

A motion was made by Councilwoman Stewart and seconded by Councilman Antoski to enter into Executive Session.

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

The Town Board entered into Executive Session at 8:55 p.m. and returned to Regular Session at 9:20 p.m.

**RESOLUTION 16-124**

**RETURN TO REGULAR SESSION**

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

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

No action was taken by the Board concerning the items discussed in Executive Session.

A motion was made by Councilman Goslin and seconded by Councilman Antoski to adjourn the meeting. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Carol A. Gumienny  
Town Clerk