

A special meeting was held by the Town Board of the Town of Ballston on Thursday evening, November 5, 2015 at the Town Hall on Charlton Road, Ballston Spa.

PRESENT:	Patrick Ziegler	-----	Supervisor
	Timothy Szczepaniak	-----	Councilman
	William Goslin	-----	Councilman
	John Antoski	-----	Councilman
	Kelly Stewart	-----	Councilwoman
	Carol Shemo	-----	Clerk
	James Walsh	-----	Counsel

Supervisor Ziegler called the meeting to order at 6:10 p. m. and the Pledge of Allegiance was recited. The Town Board has reviewed the documentation on the Application to the Office of the New York State Comptroller for permission to establish the Ballston Lake Sewer District.

RESOLUTION 15-170

RESOLUTION TO CERTIFY APPLICATION TO THE OFFICE OF THE NEW YORK STATE COMPTROLLER FOR PERMISSION TO ESTABLISH THE BALLSTON LAKE SEWER DISTRICT

Councilman Goslin made the motion for consideration and action

WHEREAS, after extensive study and analysis of present conditions in and around Ballston Lake, after the preparation of a Map, Plan and Report which was approved by the Town of Ballston Town Board (hereinafter, "Town Board") on July 9, 2015 and after conducting a public hearing to receive public comment on the proposed sewer system, the Town Board, by resolution dated August 11, 2015, approved the Ballston Lake Sewer District (hereinafter, "Sewer District" or "District") as set forth in the Map, Plan and Report subject to a referendum of eligible voters and also subject to the approval of the Office of the New York State Comptroller; and

WHEREAS, the Town Board, upon its own motion in accordance with Town Law § 94 and Town Law § 209-e(3), submitted to eligible voters within the District, a proposition to be voted on at a special election as follows: Shall Town Board Resolution 15-114, unanimously approved by the Town of Ballston Town Board on August 11, 2015, authorizing the creation of the Ballston Lake Sewer District which encompasses a sewer collection system in the Towns of Ballston and Clifton Park in accordance with a Map, Plan and Report approved by the Town Board on July 9, 2015, with properties benefitted by the system generally located around Ballston Lake as well as the Buell Heights neighborhood and the Main Street area of Ballston Lake, at an estimated and maximum cost of \$10,203,729.00, and which project is to be financed through the issuance of a bond by the Town of Ballston to secure a 30-year leveraged loan from the New York State Clean Water State Revolving Fund, with properties to be assessed costs on a benefit basis and with the estimated cost of the district to the typical property, a single family home, being \$907.00 per year, and which sewer district is further subject to the review and approval of the Office of the New York State Comptroller, be approved?; and

WHEREAS, a special election for purposes of voting on the referendum was held on October 14, 2015; and

WHEREAS, the eligible voters voting at the special election approved the creation of the Sewer District; and

WHEREAS, thereafter, the Town Board directed its engineers and attorneys to prepare an application to the Office of the New York State Comptroller seeking permission to establish the District which application is required because (i) debt will be issued by the Town to pay for detailed engineering, surveying, studies and legal costs associated with the District and (ii) the cost of the District to the typical property, a single family home, is above the average annual threshold for similar types of districts as computed by the New York State Comptroller; and

WHEREAS, the Town's engineers and attorneys have prepared the application to be submitted to the Office of the New York State Comptroller, and said application, in its final form is attached to this Resolution as "**Exhibit A**"; and

WHEREAS, the Town Board has had an opportunity to review the application in detail and to discuss the contents thereof; and

WHEREAS, the Town Board has reviewed the application to ensure compliance with the provisions of Town Law § 209-f and Part 85 of the regulations of the Office of the New York State Comptroller; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The application attached hereto as "Exhibit A" was prepared at the direction of the Town Board.
2. The Town Board believes the contents of "Exhibit A" to be accurate.
3. The Sewer District and the sewer improvements to be built pursuant thereto are in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof.
4. The real property to be assessed within the Sewer District will be benefitted by the proposed sewer improvements.
5. No property benefitted by the sewer improvements has been excluded from the Sewer District.

Councilwoman Stewart seconded this motion.

Roll Call

Councilman Szczepaniak	YES
Councilman Goslin	YES
Councilwoman Stewart	YES
Councilman Antoski	YES
Supervisor Ziegler	YES

ADOPTED.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to adjourn the meeting.

Respectfully submitted,

Carol R. Shemo
Town Clerk