

A Town Board meeting was held by the Town Board of the Town of Ballston on Thursday evening, December 28, 2017 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
	Carol Gumienny	Clerk
	Debra Kaelin	Counsel
ABSENT:	Chuck Curtiss	Councilman

The evening began with Judge Brandi Burns swearing into office the newly re-elected officials. Those officials were Councilwoman Kelly Stewart, Councilman John Antoski, Highway Superintendent Joseph Whalen and Supervisor Timothy Szczepaniak. Anne Hogue, Tax Collector could not attend.

The meeting was called to order at 6:40 p.m. by Supervisor Szczepaniak and the Pledge of Allegiance was recited.

**RESOLUTION 17-254**

**AUDIT OF CLAIMS**

A motion was made by Councilwoman Stewart and seconded by Councilman Goslin to approve the payment of the bills on the December abstract. The bills were approved for payment as follows:

General Fund	No. 534 - 613	47,589.34
Highway Fund	No. 596 - 624	26,536.42
Gravel Pit	No. 46 - 50	2,001.63
Park Fund	No. 39 - 43	14,393.79
Library	No. 416 - 458	15,942.07
Water Fund District 2 (SW)	No. 182 - 191	10,125.11
Paradowski Road Water #5	No.	0.00
Scotchbush Water Dist. No. 6 (WW)	No.	0.00
Silver Ln Water Dist. No 6 Ext. #1 (WX)	No.	0.00
Morningdale Court No. 2 Ext. #24	No. 56	9.77
Trust and Agency	No. 83 - 87	5,571.15

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

Nays 0

Absent 1 Councilman Curtiss

**RESOLUTION 17-255**

**RECOGNITION OF THE BURNT HILLS BALLSTON LAKE BOYS CROSS COUNTRY TRACK TEAM.**

The following resolution was read aloud by the Clerk:

**PROCLAMATION HONORING THE BURNT HILLS – BALLSTON LAKE  
2017 BOYS VARSITY CROSS COUNTRY TEAM**

**WHEREAS**, the Burnt Hills-Ballston Lake Boys Varsity Cross Country Team has been a source of pride in the community for years thanks to their long-established tradition of success both locally and state wide; and

**WHEREAS**, the 2017 Burnt Hills-Ballston Lake Boys Varsity Cross Country team consisting of Tyler Berg, Kevin Board, Evan Brennan, Aiden Gillooley, Nick Hunziker, Michael Messere, David Metacarpa, Logan Short, Colin Swain and Dante Ubriaco are continuing that rich legacy by virtue of their outstanding performances during the 2017 Fall Cross Country season, as well as their unprecedented success post season; and

**WHEREAS**, in 2017 the team boasts a 14-1 Suburban Council dual meet record, as well as wins at the Guilderland Invitational, the Baldwinsville Invitational, the McQuaid Invitational, and the Suburban Council Cross Country Championships with team members Tyler Berg, Evan Brennan, Aiden Gillooley, and David Metacarpa being named Suburban Council Cross Country All-Stars, and Tyler Berg being named the Times Union Runner of the Year with Aiden Gillooley joining him as First Team All-Star and Evan Brennan and David Metacarpa being named Second Team; and

**WHEREAS**, the team also demonstrated their dominance locally by winning the 2017 Cross Country Section 2 Championship, the nineteenth time the team has won the title; and

**WHEREAS**, on November 12, 2017 the team demonstrated their dominance state wide by winning the New York State Class B Championship at Wayne High School near Rochester, NY, with Aiden Gillooley, Tyler Berg, Evan Brennan, David Metacarpa and Michael Messere achieving medalist honors with their 3<sup>rd</sup>, 4<sup>th</sup>, 12<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup> respective finishes, and the team scoring an astounding State Meet program low total of 25 points; and

**WHEREAS**, their exciting season continued with the team achieving a first ever win by a Burnt Hills-Ballston Lake Boys Cross Country team at the New York State Federation Championship on November 18, 2017 in Bowdoin Park, Wappinger Falls, and followed it up with the team finishing third the following weekend at the Nike Cross Country New York Regionals, where Tyler Berg achieved a second place finish thereby earning a trip to the Nike Cross Country Nationals in Portland, Oregon where he finished in the top third of elite runners from across the country; and

**WHEREAS**, the tremendous accomplishments achieved by the team would not have been possible were it not for the outstanding coaching they received from head Coach Chip Button, and 27-year veteran of the cross-country program with an impressive record of achievement, and who was recently named Coach of the Year by the Times Union; and

**WHEREAS**, their athletic success and determination is only outshined by their academic excellence, where they have earned an enviable 93.15% team wide grade point average; now

**THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Ballston hereby congratulates the Burnt Hills-Ballston Lake Boys Cross Country Team and Coach Chip Button for their impressive achievements, and wishes them continued success in their future athletic and academic endeavors.

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

ADOPTED	Ayes	4	Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski and Councilwoman Stewart
	Nays	0	
	Absent	1	Councilman Curtiss

## **REPORTS OF TOWN OFFICIALS**

Highway/Water Superintendent Joseph Whalen, Dog Control Officer Thomas Shambo and Town Clerk Carol Gumienny submitted reports for November 2017 and they are on file in the Town Clerk's office.

## **LIBRARY REPORT**

Colleen Smith Library Director, reported:

- The BHBL BPA, the Rotary, Burnt Hills Fire Department and the Library hosted a community tree lighting, on December 5<sup>th</sup> with caroling and Santa at the Library.
- A total of 50 people attended two cookie decorating classes held at the Library.
- The Library will offer two cooking classes this winter – an adult session in January and a kid's session in February.
- A winter reading challenge runs January 1<sup>st</sup> through February 17<sup>th</sup>. All ages are welcome.

## **SEWER COMMITTEE REPORT**

Kim Kotkoskie gave a monthly update on the sewer projects.

**Ballston Lake Sewer Project Update:** The Committee discussed the local Sewer Use Law and conservation easements. OSC stated once a district is formed all the parcels in that district are determined to be benefited and are assigned an EDU; from that point, no parcels will be removed from a district; however, the Town Board can review on an annual basis whether that assignment is still appropriate depending on what happens to the parcel. The O&M Agreement is almost ready to be signed in January. The intermunicipal agreement between Ballston and Clifton Park is on target for signing in January/February. Adirondack Mountain Engineering has been working on technical responses and easement resolutions. The engineering subcommittee is targeting agency review by the end of January and reviewing the easement resolutions. There are 218 total easements, 201 have been mailed. 257 people attended the public information meetings.

**Proposed Route 50 Southern Watershed Sewer District Update:** The Map, Plan and Report for the proposed Route 50 Sewer Project was reviewed by the Sewer Committee, C.T. Male and counsel. The Clean Water State Revolving Fund has a plan called an Intended Use Plan which shows how they will spend money the following year. This sewer project is above their subsidy line which means the Town is eligible and will receive a reduced interest rate for funding on the loan. There was a meeting held with the school district. They support the sewer project and will help with outreach to the community. Four public informational meetings will be held in the future. The annual cost is now \$926 vs. \$990 due to a change in the EDU count and the low financing rate. This amount could be further reduced with grant money which the Town has a great chance of receiving. The Sewer Committee is requesting the Board accept the Map, Plan and Report for the Route 50 project and have the report be available to the public.

Councilman Goslin thanked Kim for all her hard work on the sewer projects this year. He especially thanked her for presenting the four public meetings on the Ballston Lake Sewer Project at Town Hall.

## **BUILDING DEPARTMENT**

Building Inspector Brian Theriault read his building report for the month of November and it is on file with the Town Clerk.

## **FARMLAND PROTECTION PLAN COMMITTEE**

Scott Draina, co-chair of the Committee stated the Committee met and discussed the possibility of having a first annual farmer's winter social. It is in the planning stages.

## **PARKS AND REC COMMITTEE**

Councilwoman Stewart reported she prepared a request for quote for a master plan for parks in Town. The Committee is now reviewing this. Cliff Samson resigned from his committee position therefore one to two members are needed. Councilwoman Stewart received a quote from C.T. Male to do a structural inspection of the pavilion at Fireman's Grove.

Supervisor Szczepaniak praised the Highway Department for keeping the roads clear and safe for residents on Christmas Day. He appreciates all their hard work.

## **FINANCIAL REPORT**

Budget Officer Jeanette Borthwick stated we are on target as we have been the last couple of months with the budget. There will be a few budget adjustments that need to be made. She is meeting with the auditors to prepare to do the 2017 audit.

Councilman Goslin inquired about CHIPS money. Highway Superintendent Joe Whalen stated \$90,000 was received and are still owed \$36,000. We will also be receiving some money for Winter Storm Stella from last year which amounts to approximately \$72,000. This money will help offset the overages of salt and overtime.

## **RESOLUTION 17-256**

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

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 0  
Absent 1 Councilman Curtiss

### **SUPERVISOR'S REPORT**

Supervisor Szczepaniak stated Councilman Curtiss is dealing with a farm issue and may be late or not make the meeting. The annual meeting with the Business Professional Association and four townships (Ballston, Charlton, Clifton Park and Glenville) will be hosted this year at Town Hall on January 3<sup>rd</sup> at 8 a.m. in the Community Room. At the County level, there will be a swearing in ceremony for Supervisors next Tuesday at 3 p.m. He will be appointed on new county committees for the year at that time. The Board will go back to having two Board meetings beginning in January. The 2<sup>nd</sup> Tuesday of the month will be the Board meeting and the last Tuesday of the month will be the Agenda Meeting. A Holiday luncheon held at Town Hall, sponsored by the Board, recognized all the hard work performed by the employees, committees and boards.

### **COUNCILMEMBER REPORTS**

Councilwoman Stewart stated the Microenterprise Grant Program Committee met and reviewed four additional applications and conducted interviews with all five of the applicants to the program. The first application has already been recommended for approval and a resolution was passed. The remaining four applications have been recommended by the Committee and wish to be considered for approval by the Board for this grant this evening. If all applicants meet the requirements all the grant money will be expended.

Councilman Antoski reported that Jenkins Park received clarification on their budget. They will not meet for the next two months.

Councilman Goslin thanked Supervisor Szczepaniak for his leadership with the holiday luncheon. He attended an Eagle Scout Court of Honor and all four of the sewer informational meetings. Councilman Goslin has drafted a water plan and will discuss it later in the meeting.

### **OLD BUSINESS**

#### **Zoning Implementations**

Supervisor Szczepaniak stated there will be a public hearing on January 30, 2018 at 6 p.m. Nan Stolzenburg, our planner, will attend.

#### **Plan for Parks**

Councilwoman Stewart prepared a request for quote for a master plan for the parks in Town. It will be reviewed and emailed to the Board.

#### **Phones**

Councilwoman Stewart inquired about the status of new phones. Supervisor Szczepaniak stated the phones are being taken care of by Councilman Goslin. The Supervisor stated we are going back to the drawing board and getting quotes rather quickly back to the Board. The telephone firm that we originally voted on would not come to our terms of opting out of the lease. Councilman Goslin would like to get a couple of companies in to demo their systems in January and possibly act at the end of January. Councilman Goslin worked with a vendor on the alarm issue and they have made modifications. We are waiting on a quote from the vendor to permanently rectify.

#### **Fireman's Grove**

Councilman Goslin inquired where we are in the process of Fireman's Grove. Town Attorney Deb Kaelin replied she is waiting to hear from the seller's counsel and will not close by the end of the year. The judge stated that the trust can be closed out and the money transferred to the Town to be used only for Anchor Diamond Park. It is approximately \$423,000.

#### **Water Extension for New Firehouse**

The Supervisor asked the Town Attorney to give an overview of extending water to the new fire house to be built on Charlton Road.

Town Attorney Deb Kaelin stated on December 14<sup>th</sup> the Commissioner of Ag and Markets rendered a determination in writing regarding a filing that the fire department made with Ag & Markets requesting water be extended using public district funds for an extension of the water line into our consolidated water district. She met with Fire Commissioners Bonesteel and Johnson

about some of the language in the determination letter from Ag & Markets. Ms. Kaelin wanted to be sure that there was not anything in the letter that would compromise the position of the Town with the current litigation; therefore, a conference call was held with Ms. Kaelin, Mr. Bonesteel, Mr. Johnson and Dr. Robert Sommers from the Dept. of Ag and Markets to clarify some of her concerns. Mr. Sommers provided clarification about the determination; however, the clarifications were not expressed in the determination letter to the fire department. Ms. Kaelin left a voice mail for Dr. Sommers and he responded via an e-mail to Commissioner Bonesteel. The e-mail is part of the record this evening. A clarification from the Dept. of Ag & Markets is about the fire district's request's when they are ready for the town to take over the water line. The Dept. of Ag. & Markets is indicating that the fire district is obligated to request of the Town that certain lateral restrictions be imposed on that water line. This request does not obligate the Town to restrict those laterals; however, it is incumbent upon the fire district to request it of the Town and it is Dr. Sommer's email that clarifies. We do have the approval of the Dept. of Ag. & Markets for the extension of the water line into an ag district.

Greg Bradke, member of the fire department, stated how important water is to their project. It will supply a sprinkler system to protect the building. The fire department is prepared to follow any instructions and looks forward to a positive vote this evening to extend the water line to the firehouse.

Town Attorney Deb Kaelin requested the letter and email from Ag & Markets be entered in the minutes regarding this water extension. (see the last two pages of these minutes)

## **NEW BUSINESS**

### **Highway Truck**

Highway Superintendent Joseph Whalen stated he e-mailed the specs to the Board a month ago which are the same specs for the last three trucks he purchased and requested if the Board had any question to contact him. He received no questions.

### **Water Meters**

Superintendent Whalen filed for a SAMS grant for \$100,000 to begin replacing water meters. He has spoken with Councilman Goslin on a plan to replace these.

Councilman Goslin stated he volunteered to draft a water operations improvement plan. This plan describes the history of the water, where we are now and what we need to do to move forward. He read his plan aloud. He would like the Board to consider adopting his plan which includes a 25-cent increase per gallon beginning with the Fall billing as well as incurring a \$10 water meter charge to each water customer, each billing cycle beginning with the Spring billing to generate revenue for new meters. This additional charge would generate \$56,000 to use for replacing meters. Councilman Goslin states we should do another public hearing on the water rate increase even though the water rate increase was included in the budget and a public hearing was held. This will cost approximately \$1400 for notification. More will be discussed at the next meeting.

Superintendent Whalen stated C.T. Male did a model water line of our water system and Eastline Road is equipped to have another pump therefore we may be able to eventually get all our water from the County. Mr. Whalen will forward this information to the Board.

The Supervisor announced that the Katz PUDD public hearing will continue on January 9, 2018 at 6 p.m.

### ***Privilege of the floor on items for consideration and action this evening (limit 5 minutes)***

*Polly Windels* of Middleline Road commented that the Route 50 sewer extension is a good purpose, businesses need this; however, there is a very small area on Route 50 that allows sewers, the rest is in the ag district. Sewers should not encroach on this. She stated the Town has a problem with flex space and linking PUDDs with flex space is not needed. There is vacant store frontage space all over the county. This is not attractive to the Town. She suggests rewarding the developer with TDR that will benefit the agricultural community. She also encourages working with fire department on solar collectors on roofs and to rethink our solar laws.

*Tim Bashant*, owner of Burnt Hills Hardware, is in favor of the Route 50 sewer project. He thanked Councilman Goslin for his hard work on the sewer projects.

## **NEW BUSINESS FOR CONSIDERATION AND ACTION THIS EVENING**

**RESOLUTION 17-257**  
**APPROVE LOCAL LAW 1 OF 2018 AMENDING THE TOWN CODE CHAPTER 110**  
**TAXATION ARTICLE VI COLD WAR VETERANS EXEMPTION**

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

**LOCAL LAW NO. 1 OF 2018 A LOCAL LAW TO AMEND THE TOWN OF BALLSTON'S**  
**TOWN CODE CHAPTER 110 "TAXATION"**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BALLSTON AS FOLLOWS:

Section 1. The purpose of this law is to provide an extension of the Cold War Veterans Exemption to qualifying owners of qualifying real property for as long as they remain qualifying owners without regard to the ten (10) year limitation in accordance with New York State Real Property Tax Law ss458-b.

Section 2. Chapter 110 of the Town of Ballston's Town Code entitled "Taxation, Article VI entitled "Cold War Veterans Exemption", is hereby amended:

TO DELETE THE ENTIRE SECTION 110-27 DURATION

Section 3. Severability – The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

Section 4. Repealed – All Local Laws or ordinances or parts of Local Laws or ordinances in conflict with any part of this Local Law are hereby repealed.

Section 5. Effective Date: This Local Law shall take effect upon filing in the office of the New York State Secretary of State or as otherwise provided by law.

ADOPTED	Ayes	4	Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski and Councilwoman Stewart
	Nays	0	
	Absent	1	Councilman Curtiss

**RESOLUTION 17-258**  
**APPROVE NAMING THE TOWN BOARD AS LEAD AGENCY FOR PROPOSED**  
**LOCAL LAW AMENDING THE BEACON HILL PUDD AND CLASSIFY SEORA AS A**  
**TYPE II ACTION.**

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	0	
	Absent	1	Councilman Curtiss

**RESOLUTION 17-259**  
**APPROVE LOCAL LAW 2 OF 2018 AMENDING THE BEACON HILL PUDD.**

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

**LOCAL LAW 2 OF 2018 A LOCAL LAW TO AMEND THE BEACON HILL PUDD**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BALLSTON AS FOLLOWS:

Section 1. The purpose of this law is to revise front and rear yard setbacks for Beacon Street only in the Beacon Hill PUDD.

Section 2. The Beacon Hill PUDD is hereby amended as follows:

Appendix C

Restrictive Covenants for Beacon Hill

Section 3 – Site Restrictions

A. Property Line Setbacks - Area A.

1. No principal buildings or accessory structures shall be permitted within the following setbacks:

	Single-Family Lots	Townhouse Lots <sup>4</sup>	Accessory Structures
Front Yard	30'	75'	N/A
Side Yard	10'	10'	10'
Rear Yard	30'	35'	6'
Party Wall	N/A	0'	N/A

2. The minimum lot width at the building line for the single-family residences will be no less than 100 feet, and the minimum lot width at the building line for the townhouse residences will be no less than 125 feet.
3. With respect to Townhouse Structures, there shall be a zero (0) lot line at the common party wall.
4. For the Townhouse Structures on Beacon Street only, the front yard setback shall be 10 feet and the rear yard setback shall be 10 feet.

Section 3. Severability – The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

Section 4. Repealed – All Local Laws or ordinances or parts of Local Laws or ordinances in conflict with any part of this Local Law are hereby repealed.

Section 5. Effective Date: This Local Law shall take effect upon filing in the office of the New York State Secretary of State or as otherwise provided by law.

ROLL CALL VOTE:

Councilman Goslin	Aye
Councilman Antoski	Aye
Councilwoman Stewart	Aye
Supervisor Szczepaniak	Aye
Councilman Curtiss	Absent

ADOPTED 4-0 1 Absent

**RESOLUTION 17-260**

**ACCEPTING BEACON STREET AS A TOWN ROAD.**

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

ROLL CALL VOTE:

Councilman Goslin	Aye
Councilman Antoski	Aye
Councilwoman Stewart	Aye
Supervisor Szczepaniak	Aye
Councilman Curtiss	Absent

ADOPTED 4-0 1 Absent

**RESOLUTION 17-261**





Sewer District reside within the Ballston Lake Watershed Area, with Ballston Lake being classified by the New York State Department of Environmental Conservation (NYSDEC) as a 303(d)-impaired waterbody due to high levels of phosphorous pollutant loading caused by on-site wastewater treatment and stormwater; and

**WHEREAS**, The Ballston Lake Sewer District and construction project has been created to address the immediate sources of impairment around the Lake's waterfront and also offers further opportunities to protect remaining areas of the watershed and a unique cost-effective connection opportunity for the Ballston Route 50 Southern Watershed Sewer District if implemented simultaneous to the Ballston Lake Sewer District construction now, rather than in the future, by constructing a larger pump station and installing enlarged pipes to handle the additional wastewater flow from the Route 50 hamlet area; and

**WHEREAS**, The Alplaus Creek Watershed is currently undergoing an environmental sampling effort to quantify water quality levels subsequent to visual observations and noted odor concerns; and

**WHEREAS**, The Ballston Route 50 Southern Watershed Sewer project has been considered by the Environmental Facilities Corporation as an eligible project for funding under the Clean Water State Revolving Fund (CWSRF) program and has scored favorably above the subsidy line in the 2018 Final Intended Use Plan making it eligible for reduced interest rates for 30-year financing, and positions the project for grant consideration in 2018; and

**WHEREAS**, The Town of Ballston has requested and received positive consideration from Saratoga County Sewer District No. 1 (SCSD #1) in terms of treatment of the wastewater collected in the proposed Ballston Rte 50 Southern Sewer District as well as operation and maintenance of the infrastructure of the proposed sewer system which will be constructed and owned by the Town until the debt service for the system is discharged; and

**WHEREAS**, the Town of Ballston has caused the preparation of the Map, Plan and Report by an engineer licensed in the State of New York describing the boundaries of the proposed Ballston Route 50 Southern Watershed Sewer District, a general plan of improvement and description of facilities including construction of a sewer collection and conveyance system that will connect to the Ballston Lake Sewer District at the Pump Station to be located at 22 Main Street, which will subsequently direct wastewater to the SCSD #1 wastewater treatment plant via the SCSD #1 Interceptor Sewer located in the vicinity of Shenantaha Park, the maximum amount to be expended, regulatory review requirements, the cost of hook-up fees if any, the cost to the typical property, and method of financing the project, and a statement of benefit assessment; and

**WHEREAS**, the Town has commissioned an independent review of the Map, Plan and Report by the engineers for the Town which resulted in the furnishing of a report to the Town Board by said engineers from which revisions were made to the Map, Plan and Report; and

**WHEREAS**, the Town's Sewer Committee has reviewed the Map, Plan and Report and, in cooperation with the project engineer, made changes to the Map, Plan and Report which have culminated in the version of the Map, Plan and Report now before the Town Board for consideration; and

**WHEREAS**, the Town's legal counsel has reviewed the Map, Plan and Report and, in cooperation with the project engineer, made changes to the Map, Plan and Report which have culminated in the version of the Map, Plan and Report now before the Town Board for consideration; and

**NOW THEREFORE, BE IT RESOLVED:**

1. The Town Board hereby accepts the Map, Plan and Report prepared by Adirondack Mountain Engineering, PC and dated December 24th, 2017 as having been prepared in conformance with Section 209-c of Town Law Article 12-A subject to the following minor revisions being made on Page 8 thereof:
  - i) The costs for the District shall read \$9.756 million instead of \$9.76 million; and
  - ii) The contingency costs for the District shall read \$1.715 million instead of \$1.72 million.

2. A copy of the Map, Plan and Report shall be filed and made available for public inspection at the office of the Town Clerk in Ballston Town Hall, 323 Charlton Road, Ballston Spa, New York during regular Town Hall business hours and posted at [http://www.ballstonsewers.org/?page\\_id=326](http://www.ballstonsewers.org/?page_id=326).
3. This resolution shall take effect immediately.

Councilman Goslin thanked the legal team and all parties involved for their hard work. The Supervisor echoed Councilman Goslin’s comments.

**ROLL CALL VOTE:**

Councilman Goslin	Aye
Councilman Antoski	Aye
Councilwoman Stewart	Aye
Supervisor Szczepaniak	Aye
Councilman Curtiss	Absent

ADOPTED 4-0

**RESOLUTIONS 17-265 - 17-268**

**APPROVE THE TOWN OF BALLSTON MICROENTERPRISE GRANT PROGRAM GRANT #2 TOWNLEY & WHEELER FUNERAL HOME \$35,000; GRANT #3 KC WELDING \$35,000; GRANT #4 TERRY’S FLOORS \$35,000; GRANT #5 NY DRONE ZONE \$33,500, - ALL WITH CONDITIONS.**

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

ADOPTED	Ayes	4	Supervisor Szczepaniak, Councilman Goslin, Councilman Antoski and Councilwoman Stewart
	Nays	0	
	Absent	1	Councilman Curtiss

Councilwoman Stewart thanked Mr. Martin from the LA Group and the Committee for all their efforts.

**RESOLUTION 17-265  
TOWN OF BALLSTON MICROENTERPRISE GRANT PROGRAM  
APPROVING GRANT #2 TOWNLEY & WHEELER FUNERAL HOME  
WITH CONDITIONS**

**WHEREAS**, the Town of Ballston applied for, and received approval of funding for a microenterprise grant program through the New York State Department of Homes and Community Renewal; and

**WHEREAS**, the Town of Ballston has appointed volunteer residents of the Town to serve on the Ballston Microenterprise Grant Program Advisory Committee to oversee proper administration of the microenterprise program and in doing so review applications for program funding and provide a recommendation for approval, approval with conditions, or denial of said applications; and

**WHEREAS**, the Town of Ballston has established proper program guidelines, an application process with an associated application form; and

**WHEREAS**, the program is receipt of an application for \$35,000 of available program funds from a microenterprise incorporated as TT Lowes – doing business as (DBA) Townley & Wheeler Funeral Home to purchase embalming equipment for the funeral home facility at 21 Midline Road, Ballston, NY 12019; and

**WHEREAS**, the applicant has indicated that the \$35,000 of microenterprise grant funds as applied for will be expended for qualifying expenditures relating to machinery/equipment; and

**WHEREAS**, the applicant has indicated they will participate in, and complete the entrepreneurial training program as required by the microenterprise program; and

**WHEREAS**, the purchase of the referenced equipment will result in, and comply with a basic program requirement for job creation to the benefit of low and moderate income persons by

creating three (3) new full-time positions and two (2) new part-time positions during the first year after the equipment is purchased; and

**WHEREAS**, all of the jobs as listed in the application will be available to persons of low and moderate income; and

**WHEREAS**, the microenterprise program advisory committee, as appointed by the Town of Ballston Town Board has met, reviewed the application, determined it to be complete, and has recommended a conditional approval; and

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ballston hereby approves the application for grant funds in an amount not-to-exceed \$35,000 with the following conditions being met and documented prior to the disbursement of funds:

- 1) The applicant provide ten percent (10%) cash equity of their own funds to as part of the project funding of project-related costs;
- 2) The applicant attend and complete the entrepreneurial training program as provided through the Town of Ballston Microenterprise Program and administered by the Chamber of Southern Saratoga County;
- 3) The applicant purchase the equipment with their own funds and provide invoices of the purchase made as proper documentation that project funds have been expended prior to the advancement of microenterprise program funds.

**RESOLUTION 17-266  
TOWN OF BALLSTON MICROENTERPRISE GRANT PROGRAM  
APPROVING GRANT #3 KC WELDING WITH CONDITIONS**

**WHEREAS**, the Town of Ballston applied for, and received approval of funding for a microenterprise grant program through the New York State Department of Homes and Community Renewal; and

**WHEREAS**, the Town of Ballston has appointed volunteer residents of the Town to serve on the Ballston Microenterprise Grant Program Advisory Committee to oversee proper administration of the microenterprise program and in doing so review applications for program funding and provide a recommendation for approval, approval with conditions, or denial of said applications; and

**WHEREAS**, the Town of Ballston has established proper program guidelines, an application process with an associated application form; and

**WHEREAS**, the program is receipt of an application for \$35,000 of available program funds from a sole proprietorship microenterprise known as KC Welding to purchase welding equipment for a welding services business at 1 Chase Lane, Burnt Hills, NY 12027; and

**WHEREAS**, the applicant has indicated that the \$35,000 of microenterprise grant funds as applied for will be expended for qualifying expenditures relating to machinery/equipment; and

**WHEREAS**, the applicant has indicated they will participate in, and complete the entrepreneurial training program as required by the microenterprise program; and

**WHEREAS**, the purchase of the referenced equipment will result in, and comply with a basic program requirement for job creation to the benefit of low and moderate income persons by creating one (1) new full-time position in the first year and two (2) new full-time positions by the third year after the equipment is purchased; and

**WHEREAS**, all of the jobs as listed in the application will be available to persons of low and moderate income; and

**WHEREAS**, the microenterprise program advisory committee, as appointed by the Town of Ballston Town Board has met, reviewed the application, determined it to be complete, and has recommended a conditional approval; and

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ballston hereby approves the application for grant funds in an amount not-to-exceed \$35,000 with the following conditions being met and documented prior to the disbursement of funds:

- 1) The applicant provide ten percent (10%) cash equity of their own funds to as part of the project funding of project-related costs;
- 2) The applicant attend and complete the entrepreneurial training program as provided through the Town of Ballston Microenterprise Program and administered by the Chamber of Southern Saratoga County;
- 3) The applicant purchase the equipment with their own funds and provide invoices of the purchase made as proper documentation that project funds have been expended prior to the advancement of microenterprise program funds.

**RESOLUTION 17-267  
TOWN OF BALLSTON MICROENTERPRISE GRANT PROGRAM  
APPROVING GRANT #4 TERRY'S FLOORS WITH CONDITIONS**

**WHEREAS**, the Town of Ballston applied for, and received approval of funding for a microenterprise grant program through the New York State Department of Homes and Community Renewal; and

**WHEREAS**, the Town of Ballston has appointed volunteer residents of the Town to serve on the Ballston Microenterprise Grant Program Advisory Committee to oversee proper administration of the microenterprise program and in doing so review applications for program funding and provide a recommendation for approval, approval with conditions, or denial of said applications; and

**WHEREAS**, the Town of Ballston has established proper program guidelines, an application process with an associated application form; and

**WHEREAS**, the program is receipt of an application for \$35,000 of available program funds from a sole proprietorship microenterprise known as Terry's Floors to purchase additional inventory and to provide working capital for a flooring sales and installation business at 810 Saratoga Road, Burnt Hills, NY 12027; and

**WHEREAS**, the applicant has indicated that the \$35,000 of microenterprise grant funds as applied for will be expended for qualifying expenditures relating to the purchase of inventory and working capital; and

**WHEREAS**, the applicant has indicated they will participate in, and complete the entrepreneurial training program as required by the microenterprise program; and

**WHEREAS**, the purchase of the referenced equipment will result in, and comply with a basic program requirement for job creation to the benefit of low and moderate income persons by creating four (4) new full-time positions and two (2) new part-time positions in first year after the grant is awarded; and

**WHEREAS**, all of the jobs as listed in the application will be available to persons of low and moderate income; and

**WHEREAS**, the microenterprise program advisory committee, as appointed by the Town of Ballston Town Board has met, reviewed the application, determined it to be complete, and has recommended a conditional approval; and

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ballston hereby approves the application for grant funds in an amount not-to-exceed \$35,000 with the following conditions being met and documented prior to the disbursement of funds:

- 1) The applicant provide ten percent (10%) cash equity of their own funds to as part of the project funding of project-related costs;
- 2) The applicant attend and complete the entrepreneurial training program as provided through the Town of Ballston Microenterprise Program and administered by the Chamber of Southern Saratoga County;

- 3) The applicant purchase the inventory with their own funds and provide invoices of the purchase made as proper documentation that project funds have been expended prior to the advancement of microenterprise program funds.

**RESOLUTION 17-268**  
**TOWN OF BALLSTON MICROENTERPRISE GRANT PROGRAM**  
**APPROVING GRANT #5 NY DRONE ZONE WITH CONDITIONS**

**WHEREAS**, the Town of Ballston applied for, and received approval of funding for a microenterprise grant program through the New York State Department of Homes and Community Renewal; and

**WHEREAS**, the Town of Ballston has appointed volunteer residents of the Town to serve on the Ballston Microenterprise Grant Program Advisory Committee to oversee proper administration of the microenterprise program and in doing so review applications for program funding and provide a recommendation for approval, approval with conditions, or denial of said applications; and

**WHEREAS**, the Town of Ballston has established proper program guidelines, an application process with an associated application form; and

**WHEREAS**, the program is receipt of an application for \$33,500 of available program funds from a microenterprise incorporated as NY Drone Zone to purchase equipment and to provide working capital for drone-based service business which provides aerial mapping, 3-dimensional imaging, stockpile management, construction monitoring, and precision agricultural services at 30 Forest Road, Burnt Hills, NY 12027; and

**WHEREAS**, the applicant has indicated that the \$33,500 of microenterprise grant funds as applied for will be expended for qualifying expenditures relating to the purchase of equipment and working capital; and

**WHEREAS**, the applicant has indicated they will participate in, and complete the entrepreneurial training program as required by the microenterprise program; and

**WHEREAS**, the purchase of the referenced equipment will result in, and comply with a basic program requirement for job creation to the benefit of low and moderate income persons by creating two (2) new full-time, seasonal positions and one (1) new part-time, seasonal position in first year after the grant is awarded and four (4) new full-time, seasonal positions and one (1) new part-time, seasonal position by the third year after the grant is awarded; and

**WHEREAS**, all of the jobs as listed in the application will be available to persons of low and moderate income; and

**WHEREAS**, the microenterprise program advisory committee, as appointed by the Town of Ballston Town Board has met, reviewed the application, determined it to be complete, and has recommended a conditional approval; and

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ballston hereby approves the application for grant funds in an amount not-to-exceed \$33,500 with the following conditions being met and documented prior to the disbursement of funds:

- 1) The applicant provide ten percent (10%) cash equity of their own funds to as part of the project funding of project-related costs;
- 2) The applicant attend and complete the entrepreneurial training program as provided through the Town of Ballston Microenterprise Program and administered by the Chamber of Southern Saratoga County;
- 3) The applicant purchase the equipment with their own funds and provide invoices of the purchase made as proper documentation that project funds have been expended prior to the advancement of microenterprise program funds.

**RESOLUTION 17-269**  
**APPROVE THE PURCHASE OF A NEW HIGHWAY TRUCK AT A COST OF**  
**\$212,893.62.**

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

Councilman Goslin is not in favor of the way the trucks are purchased but believes we need the truck. He believes the Town should purchase trucks using competitive bids not county contracts. He does not question the highway superintendent's actions, it has to do with the Board overseeing it. The Board should go out to bid for this amount of money. Supervisor Szczepaniak disagrees with Councilman Goslin. The Highway Superintendent did his due diligence. The bidding work has already been done through the County, why redo the work. Highway Superintendent Joe Whalen stated that this contract has options on it using local vendors; we purchased a truck under the same contract years ago where Councilman Goslin voted yes. Mr. Whalen asked Councilman Goslin what changed back then to now? Superintendent Whalen stated that competitive bidding has already gone out to bid and been awarded, spending additional time and money is not needed. He has been Highway Superintendent for 16 years and knows what is needed in his department and what benefits the people in this town. Councilwoman Stewart doesn't understand Councilman's Goslin's objection.

**ROLL CALL VOTE:**

Councilman Goslin	Nay
Councilman Antoski	Aye
Councilwoman Stewart	Aye
Supervisor Szczepaniak	Aye
Councilman Curtiss	Absent

ADOPTED: 3-1 1 Absent

**RESOLUTION 17-270**

**ACCEPT THE RESIGNATION OF PLANNING BOARD CHAIRMAN JEFFREY CWALINSKI EFFECTIVE DECEMBER 31, 2017.**

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

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

Nays 0

Absent 1 Councilman Curtiss

The Supervisor thanked Mr. Cwalinski for his years of service on the Planning Board.

**RESOLUTION 17-271**

**APPROVE ADIRONDACK MOUNTAIN ENGINEERING TO CREATE SEQRA DOCUMENTS FOR THE PROPOSED ROUTE 50 SOUTHERN WATERSHED SEWER DISTRICT AT A COST OF \$600.**

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 0

Absent 1 Councilman Curtiss

**RESOLUTION 17-272**

**APPROVE THE WATER EXTENSION OF THE TOWN OF BALLSTON CONSOLIDATED WATER DISTRICT FOR THE BURNT HILLS FIRE DEPARTMENT'S NEW FIREHOUSE ON CHARLTON ROAD (TAX MAP ID# 238.1-7-11)**

**RESOLUTION AND DETERMINATION**

**ESTABLISHING an EXTENSION TO THE TOWN OF BALLSTON CONSOLIDATED WATER DISTRICT FOR THE BURNT HILLS' FIRE DISTRICT'S NEW FIREHOUSE LOCATED ON CHARLTON ROAD (TAX MAP # 238.1-7-11) IN THE TOWN OF BALLSTON, COUNTY OF SARATOGA, STATE OF NEW YORK, PURSUANT TO ARTICLE 12 OF THE TOWN LAW OF THE STATE OF NEW YORK**

**WHEREAS**, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of an Extension to the Town of Ballston Consolidated Water District in the Town of Ballston, County of Saratoga, State of New York, has heretofore been filed in the Town Clerk's Office; and

**WHEREAS**, a map, plan and report relating to the establishment of the proposed Extension to the Town of Ballston Consolidated Water District prepared by Napierala Professional Engineering PC, LLC,

competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, has been filed, in accordance with the requirements of the Town Law; and

**WHEREAS**, the order initially set May 30, 2017, at 6:15 p.m. at the Town of Ballston Town Hall, 323 Charlton Road, Ballston Spa, New York 12010, as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject thereof, and to take such action as required and authorized by law; and

**WHEREAS**, a publication error occurred causing the rescheduling of the public hearing originally scheduled for May 30, 2017; and

**WHEREAS**, the town board rescheduled the public hearing for June 13, 2017; and

**WHEREAS**, such revised order was published and posted as required by law; and

**WHEREAS**, a hearing on the matter was held by the Town Board on the 13th day of June, 2017, beginning at 6:15 p.m. and the matter being duly discussed and all interested persons having been duly heard; and

**WHEREAS**, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a meeting of the Town Board to be conducted on the 13<sup>th</sup> day of June 2017, at the Town of Ballston Town Hall; and

**WHEREAS**, the Town Board on June 13, 2017, conditionally approved the creation of the Extension to the Town of Ballston Consolidated Water District conditioned upon the Town of Ballston and or the Burnt Hills Fire District NOT hearing any objection from the New York State Department of Agriculture and Markets by June 28, 2017;

**WHEREAS**, the Town did receive an objection from the New York State Department of Agriculture and Markets on or about June 22, 2017;

**WHEREAS**, as a result of said objection by the New York State Department of Agriculture and Markets, the Burnt Hills Fire District worked with the New York State Department of Agriculture and Markets and filed a Notice of Intent, pursuant to the NYS Agriculture and Markets Law, requesting the Department's approval of the Extension of the Fire District's request for water to their new proposed Fire House because public funds would be utilized;

**WHEREAS**, on December 14, 2017, the Commissioner of the New York State Department of Agriculture and Markets, approved the Extension of Water to the Burnt Hills Fire District and found that "the action of construction of water mains to serve a proposed new fire house.... would not have an unreasonably adverse effect on the continuing viability of farm enterprises within the district...";

**WHEREAS**, the Commissioner of the New York State Department of Agriculture and Markets is requesting that when the Burnt Hills Fire District requests the Town of Ballston to take over the water line, that certain lateral restrictions occur;

**NOW**, upon the evidence given at the hearing, the Notice of Intent of the Burnt Hills Fire Department and the letter dated December 14, 2017 from the Commissioner of the New York State Department of Agriculture and Markets and an e mail dated December 18, 2017, it is

**RESOLVED AND DETERMINED:**

- (a) That the petition is signed and acknowledged or proved as required by law and complies with requirements of Town Law Section 191 as to sufficiency of signers and is otherwise sufficient and notice of hearing was published and posted as required by law, and it is otherwise sufficient;
- (b) That the property and property owners within the proposed district extension are benefited thereby;
- (c) That all the property and property owners benefited are included within the limits of the proposed district extension;
- (d) That it is in the public interest to establish the Extension of the Town of Ballston Consolidated Water District;

**RESOLVED AND DETERMINED**, that the establishment of an Extension to the Town of Ballston Consolidated Water District, as set forth in the map, plan and report, be approved and that the requested improvements be constructed, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district extension shall be known and

designated as part of the Town of Ballston Consolidated Water District in the Town of Ballston, and shall be bounded and described as set forth in the map plan and report; and it is further

**RESOLVED AND DETERMINED**, that the Town Clerk of the Town of Ballston shall, within ten (10) days after the adoption of this Resolution and the expiration of its condition, file a certified copy thereof, in the Saratoga County Clerk's Office and with the Office of the State Comptroller, Department of Audit and Control (if required); and it is further

**RESOLVED AND DETERMINED**, Assessments for future infrastructure capital construction improvements shall be on an ad valorem basis for all users.

**NOW**, upon motion of Councilman Goslin and seconded by Councilwoman Stewart,

The adoption of the foregoing order was duly put to a vote, and upon roll call, the vote was as follows:

Supervisor Szczepaniak	Aye
Councilperson John Antoski	Aye
Councilperson William Goslin	Aye
Councilperson Chuck Curtiss	Absent
Councilperson Kelly Stewart	Aye

Dated: December 28, 2017

### **RESOLUTION 17-273**

#### **APPROVE AUTHORIZING THE TOWN TAX COLLECTOR TO ACCEPT PRE-PAYMENT OF 2018 PROPERTY TAXES.**

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

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

Nays 0

Absent 1 Councilman Curtiss

The Supervisor appreciated all the extra work and time given by the Tax Collector and the Clerk's office that handled an overwhelming large volume of phone calls about prepaying taxes. You may prepay your 2018 county and property taxes Thursday and Friday from 10 a.m. to 1 p.m.

#### ***Privilege of the floor on any item (limit 5 minutes)***

*Tom Johnson*, of Charlton Road and member of the Burnt Hills Fire Department, thanked the Board for extending the water to their project. He especially thanked Town Attorney Deb Kaelin for all her assistance and guidance during this process.

Councilman Goslin apologized to Mr. Johnson for what the fire department had to endure to receive water for their new firehouse.

*Colette Jasinski* wished the Board a Happy New Year and stated Mr. Whalen does an unbelievable job in this Town and she trusts him. If the Board went out to bid for a truck, if it is anything like the phone system when would it get done. She also supports Mr. Whalen in the water department. If you're a homeowner and the water meter needs to be replaced you replace the meter. If the water rate needs to be raised \$2 then do it.

*Bruce Steves*, counsel for the Ballston Route 50 Southern Watershed Sewer District, requested that the Clerk read Resolution 17-264 aloud. The Clerk read the resolution and another roll call vote followed

#### **ROLL CALL VOTE:**

Councilman Goslin	Aye
Councilman Antoski	Aye
Councilwoman Stewart	Aye
Supervisor Szczepaniak	Aye
Councilman Curtiss	Absent

ADOPTED 4-0 1 Absent

*Joanne DeVoe*, of Westside Drive, thanked the Town Board for passing the Map, Plan and Report for the proposed Route 50 Southern Watershed Sewer District, this will help the whole town.







## Agriculture and Markets

ANDREW M. CUOMO  
Governor

RICHARD A. BALL  
Commissioner

December 14, 2017

Les Bonesteel, Commissioner  
Burnt Hills Fire Department  
811 Saratoga Road  
Burnt Hills, NY 12027

Dear Commissioner Bonesteel:

Pursuant to Agriculture and Markets Law (AML) §305(4), the Department of Agriculture and Markets has completed its review of the Notice of Intent submitted by Napierala Consulting, on behalf of the Burnt Hills Fire Department, in connection with the advance of public funds for the construction of water mains to serve a proposed fire house with water from the Town of Ballston's Consolidated Water District No. 2. The proposed action affects land located within Saratoga County Agricultural District No. 2.

The Final Notice of Intent was sent to the Commissioner of Environmental Conservation (DEC), the Advisory Council on Agriculture (ACA), and the Saratoga County Agricultural and Farmland Protection Board (AFPB) for their review of the proposed action. The Commissioner of DEC, the ACA and the AFPB did not submit any comments.

Based on all relevant information before me, I have determined that the proposed action would not have an unreasonably adverse effect on the continuing viability of farm enterprises within the district or State environmental plans, policies and objectives. This determination is due, in part, to the Burnt Hills Fire District's adoption of the Department's construction standards, its commitment to not extend public water beyond the Fire District's property, and its commitment to request from the Town, upon dedication, the restriction of lateral hook-ups to parcels located within the agricultural district.

Please be advised that in order to complete its filing obligations under §305(4), the Burnt Hills Fire District must certify to me at least ten days prior to advancing the funds to construct the waterlines that it has made an explicit finding that the requirements of §305(4) have been met and to the maximum extent practicable, adverse agricultural impacts revealed in the Notice of Intent process will be minimized or avoided. The certification shall set forth the reasons in support of the finding and is more fully set forth in AML §305(4)(f).

Les Bonesteel, Commissioner  
Burnt Hills Fire Department  
2 | Page

Sincerely,



Richard A. Ball

cc: McCrea Burnham, NYS Department of Environmental Conservation  
ACA Members  
Charlie Hannahan, Chair, Saratoga County AFPB  
Matthew Napierala, PE, Napierala Consulting  
File: 17/051 NOI

## Debra Kaelin

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**From:** Tom Johnson <tom.johnson@burnthillsfd.com>  
**Sent:** Monday, December 18, 2017 1:29 PM  
**To:** Debra Kaelin  
**Subject:** Fwd: Commissioner's Determination Lett

Debra

Don't know if this helps.

Tom Johnson

----- Forwarded message -----

**From:** Les Bonesteel <les.bonesteel@burnthillsfd.com>  
**Date:** Mon, Dec 18, 2017 at 1:10 PM  
**Subject:** Fwd: Commissioner's Determination Lett  
**To:** Tom Johnson <tom.johnson@burnthillsfd.com>, Greg <gbradtke@nycap.rr.com>

Fyi.

Tom: Would you kindly forward this to the town attorney.

----- Forwarded message -----

**From:** "Somers, Bob (AGRICULTURE)" <Bob.Somers@agriculture.ny.gov>  
**Date:** 18 Dec 2017 1:02 pm  
**Subject:** Commissioner's Determination Letter  
**To:** "les.bonesteel@burnthillsfd.com" <les.bonesteel@burnthillsfd.com>  
**Cc:**

Commissioner Bonesteel, the language in the letter, as suggested by an attorney representing the town, has nothing to do with the Department's litigation with the Town. The Department routinely requests that lateral restrictions be adopted by a municipality if it is determined that the potential to convert farmland in an agricultural district to non-agricultural uses is present. The Department makes this recommendation all across the State, not just in the Town of Ballston.

In answer to your question, the Commissioner's determination letter, dated 12/14/17, states that once the water main is constructed, the Fire District will request the Town of Ballston, upon dedication of the water main to the Consolidated Water District, that they adopt lateral restrictions on this portion of the main. It is up to the Town whether or not they will adopt a lateral restriction resolution. Regardless of the Town's response, the FD will have fulfilled its obligation under the Notice process.

**Robert Somers, Ph.D.**

Manager, Farmland Protection Unit

**Department of Agriculture and Markets**

10B Airline Drive, Albany, NY 12235

(518) 457-8887 | [bob.somers@agriculture.ny.gov](mailto:bob.somers@agriculture.ny.gov)

<http://www.agriculture.ny.gov>