

An agenda meeting was held by the Town Board of the Town of Ballston on Tuesday evening, August 30, 2016 at the Town Hall on 323 Charlton Road, Ballston Spa, New York.

**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. There will be no discussion on sewers this evening. There will be a sewer presentation at the September 15<sup>th</sup> Town Board Meeting at 6:30 p.m.

**AUDIT OF CLAIMS**

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

General Fund	No. 393 - 444	\$72,079.70
Highway Fund	No. 337 - 391	29,913.53
Gravel Pit Fund	No. 33 - 41	7,778.11
Park Fund	No. 24 - 30	2,705.57
Library	No. 256 - 293	26,171.66
Water Fund District 2 (SW)	No. 103 - 112	4049.13
Currie Court Water #3	No. 1 - 1	41.00
Milton Terrace Water	No. 1 - 1	18.00
Paradowski Road Water #5	No. 38 - 41	48.17
Thomas Avenue #4	No. 1 - 1	18.00
Scotchbush Water Dist. No.6 (WW)	No. 36 - 39	35.32
Silver Ln Water Dist. No.6 Ext#1 (WX)	No. 36 - 39	28.17
Morningdale Court No.2 Ext#24	No. 75 - 82	39.96
Trust and Agency	No. 33 - 51	34,950.73

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

**DEPARTMENT REPORTS**

**HIGHWAY**

Superintendent Highway Joe Whalen reports:

- Working on the 2017 budget and had several meetings with Jeanette, our Budget Officer.
- Updating the five-year paving plan and 10-year equipment plan.
- Paving on Mann Road tomorrow
- Continue to work to get water reading from customers who have not read their meter.
- Repaired playground equipment at Jenkins Park.
- Parking lot at the Anchor-Diamond Park complete
- Meeting with two Eagle Scouts for projects in the Town. A new sign will replace the old one near the firehouse in Ballston Lake on Route 146. The project will begin the week of September 12. The other project, to repair a bridge in Anchor Diamond Park, will be presented to the Board in the near future.

**WATER**

Water Clerk Deb Bradt wanted to thank Kaitlynn Kennedy-Loos for the tremendous assistance entering the meter readings. There are 66 non-read meter readings. This number would have been higher without the assistance of Kaitlynn. This allowed Ms. Bradt to contact people who have not read their meter. She thanked Henry, Russ, and Bob of the Water Department for going out in the field and knocking on doors to get the readings. 14 of these 66 are repeat offenders. Ms. Bradt is asking the Board to take further action on these 14 customers. The Board approved Ms. Bradt to send a letter notifying these chronic offenders that their water will be shut off if the

Town does not receive a water reading. There will be another Board discussion before shutting off water.

Councilman Goslin makes a motion:

**RESOLUTION 16-157**

**ACCEPT THE RECOMMENDATION OF THE WATER DEPARTMENT TO NOTIFY 14 CHRONIC REPEAT OFFENDERS BY SENDING A LETTER INDICATING WATER WILL BE SHUT OFF WATER IF A METER READING IS NOT SUPPLIED. WATER WILL BE TURNED OFF BY BOARD APPROVAL AND ATTORNEY REVIEW.**

Councilwoman Stewart will second the motion.

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

**CODE ENFORCEMENT**

Deb Bradt, Code Enforcement Office, states that 377 Goode Street is an abandoned property that needs to be addressed. There is tall grass, garbage and three abandoned vehicles on the property. The property owner listed on the tax roll is deceased; therefore the Town can't serve a violation notice. The taxes have been paid but don't know by whom. She asks how far the Town wants to go with this and how to handle this? Counsel stated many other towns are facing the same problems. He will work with Ms. Bradt and report back at the September Board meeting. Tom Johnson, Building Inspector received a complaint about 856-857 Saratoga Road, the Ballston Lake Motel. There is a very large pile of garage on the property. This is one of many constant problems over the years. The electric company has sent a letter to the Town stating to discontinue service Thursday for non-payment. The same issue occurred last year. Supervisor Szczepaniak recommends waiting to see if the electric bill is paid by Thursday. Councilman Antoski asked if there are structure issues. It was stated yes. This has been a constant issue. Councilman Goslin suggests Mr. Johnson come to the Board with a recommendation and the reasons why.

**STORMWATER MANAGEMENT**

Kim Kotkoskie reports there are 21 active construction sites in Town. She is working on changes to Chapter 91 of the Code and will sit with Counsel on this. She has been working on the budget for 2017 and will ask for additional funds for sampling costs, reactivate the GIS, and outreach funds. The Capital District Regional Planning Commission will hold a workshop on October 5<sup>th</sup>. They are also funding some of the mapping for storm water. Ms. Kotkoskie plans on attending.

**LIBRARY**

Director Karen DeAngelo reported the following:

- Accepting surveys through Labor Day for the library's long range plan.
- Budget recommendations to the budget officer on Thursday after the library board meeting Wednesday evening
- 2015-2016 reports for the NYS Library Construction Grant were accepted by DASNY as complete. This means we will receive the last 10% of the funding from each grant.
- Submitted a grant for the roof top repairs needed.

**TOWN CLERK'S OFFICE**

- Met with the budget officer and is currently working on 2017 budget
- Preparing for the upcoming primary and presidential elections.
- Town wide mailing for the Park and Rec Committee survey
- Reminder that hunting licenses are on sale and the office is open Thursday evenings until 7:30.

**COMMITTEE REPORTS**

**BALLSTON LAKE IMPROVEMENT ASSOCIATION**

Dr. Pierce completed the third round sampling for chloroform around the lake. The results are within the standards of NYS. The findings on the eastside of the lake were the highest, but within the acceptable range. Dr. Pierce feels this may be due to 60+ ducks in that area. Councilman

Antoski asked how this compares to last year. Dr. Pierce did not have the information with him and will email the data to the Board.

#### **EMERGENCY MANAGEMENT COMMITTEE**

Dennis Pokrzywka stated the draft is done for the emergency plan. The Committee is establishing better communications with the County. They have applied for a grant for a generator. There will be an appointment of a chair and vice chair at tonight's meeting.

#### **FARMLAND PROTECTION COMMITTEE**

Councilman Curtiss states the Committee does not meet in the summer months.

#### **PARKS AND REC COMMITTEE**

Councilwoman Stewart, liaison for the Committee, reports the parking lot is done at Anchor Diamond Park. She wanted to thank everyone involved for their hard work repairing the bridge. An Eagle Scout will present a project to the Parks and Rec Committee on repairing another bridge. The trails are mapped out and will be blazed before the opening goal date of October 1<sup>st</sup>. The trail designer felt it would not be feasible to have horse trails due to the trails will not be wide enough to accommodate both walkers and riders. Saratoga PLAN agreed. The trails will only be used for walking and hiking. The next step for the Committee will be the long range plan. This will require feedback from the residents who complete the survey. The Committee will keep the name Anchor Diamond Park per the wishes of the will of Mr. Schizdick. The new playground equipment for Reita Park is ordered and will be in next month. The basketball courts will be repaired as well.

Councilwoman Stewart requests going into Executive Session to discuss a personnel issue.

#### **SEWER COMMITTEE**

Councilman Goslin stated the contract from the low bidder, Adirondack Mountain Engineering, for the feasibility study for Carpenter's Acres sewer project, is signed. The next step for the Ballston Lake project is working on the RFP for engineering firms. He would like to discuss sewers in the rest of the town. We have an opportunity with the Ballston Lake project to connect to other areas in the Town. There is a possibility of a developer bringing sewers down Route 50, which will make the cost much less to the residents. The Board will need to make some decisions in the near future.

Supervisor Szczepaniak stated at the September 15<sup>th</sup> Board meeting there will be a presentation on sewers from Ed Hernandez of Adirondack Mountain Engineering and Mary Beth Bianconi of Delaware Engineering. They will show us different options and answer a lot of questions.

Councilman Goslin also discussed Town finances. He feels this is the #1 issue in the Town. He stressed how important it is to have real numbers before going into budget time. He will continue to address the financial issue at every meeting.

Supervisor Szczepaniak stated that our Budget Officer is working very hard on our financials. She has been an outstanding asset. He feels confident the Board will have accurate numbers to work with this budget season. He is encouraged and will keep all informed. He also stated he received a notice from the State Comptroller's Office that the Summer Recreation Program will be audited in the next couple of weeks. Brian Bold who is our chair for the program will be involved as well as Joanne, our bookkeeper. Supervisor Szczepaniak received a letter today from DOT stating there is funding available for transportation and related projects. He gave the information to Councilman Antoski to research to see if this applies to the possibility of a side walk on Lake Hill near Route 50.

Supervisor Szczepaniak stated we will take care of business starting with Resolution 16-159. We will skip Resolution 16-158 and go back to it after the zoning discussion with Nan.

#### **RESOLUTION 16-158**

Approve the contract with Nan Stolzenburg to update the town's zoning at a cost not to exceed \$26,650.

After a lengthy discussion\* the resolution is amended to read as follows:

**APPROVE THE CONTRACT WITH NAN STOLZENBURG TO UPDATE THE TOWN'S ZONING AT THE CURRENT COST ESTIMATE OF UP TO \$26,650. PRICE MAY**

**CHANGE DURING PROCESS DUE TO FUTURE INPUT OF THE BOARD WITH POSSIBLE ADDED SERVICES.**

Councilman Goslin made a motion and seconded by Councilman Curtiss.

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

Nan asked the Board what is their expectations of getting the Board the first submission of recommendations? Nan will meet with Supervisor Szczepaniak and Councilman Goslin. There should be a continuous flow of work.

**RESOLUTION 16-159**

**APPROVE THE ASSESSOR TO ATTEND THE NYS ASSESSOR'S ANNUAL CONFERENCE SEPTEMBER 18<sup>TH</sup> - SEPTEMBER 21<sup>ST</sup> AT A COST OF \$600.**

Councilman Goslin made a motion and seconded by Councilwoman Stewart.

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

**RESOLUTION 16-160**

**CONSIDER APPROVING THE APPOINTMENT OF ROBERT DAVIS AS CHAIRPERSON OF THE TOWN OF BALLSTON LOCAL EMERGENCY PLANNING EXECUTIVE COMMITTEE EFFECTIVE AUGUST 30, 2016.**

Councilman Goslin made a motion and seconded by Councilwoman Stewart.

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

**RESOLUTION 16-161**

**CONSIDER APPROVING THE APPOINTMENT OF ERICA DEBIE AS VICE CHAIRPERSON OF THE TOWN OF BALLSTON LOCAL EMERGENCY PLANNING EXECUTIVE COMMITTEE EFFECTIVE AUGUST 30, 2016.**

Councilman Goslin made a motion and seconded by Councilwoman Stewart.

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

**\*DISCUSSION**

Supervisor Szczepaniak stated he and Councilman Goslin met with Nan Stoltzenburg on zoning issues. Our zoning needs to be corrected. The Board needs to assess and give direction to Nan. Nan suggests a coordinated look at the information, given earlier to adjust the zoning, to incorporate items, look at the PUDDs, have open space on both sides of the town, etc. It makes sense to do all the zoning changes at one time. The changes need to work together and meet the goals in the Comprehensive Plan. There are ways to adjust the proposed TDR receiving and sending areas. Her proposal did not include the Route 50 corridor. It concerns Nan there are a lot of loose areas in our zoning which makes it difficult for the developers, the Planning, Zoning and Town Boards, and other committees in Town. There are items that are not clear. She will make sure all the pieces fit together to make it clear. Nan's proposal will also look at updating the GEIS in order to incorporate these changes.

Councilman Goslin stated he put forth a proposed vision to look at all the components and update the GEIS to incorporate the changes. He didn't think his proposal was included in Nan's proposal. He wants to make sure the zoning is done correctly. The vision needs to be clear. We must look at the "barbell area" on the Route 50 corridor for commercial development and the development on the eastside of the lake. The vision and the intent needs to be done first. Nan commented to Councilman Goslin that the vision of the Town is the Comprehensive Plan, which has already been adopted.

Supervisor Szczepaniak stated he was clearly seeing that the TDR is causing a major division in our town. We cannot have this in our town. Councilman Antoski stated if you are going to have a receiving area it needs the infrastructure which certain areas have. Nan states the TDR warrants a

re-look at the receiving and the sending areas to fine tune and locate other places. This is also in her proposal.

As part of the process, Nan will bring different options to consider along with the negatives and the positives for each one. All the different techniques need to balance. Nan states regarding the issue of sewers along Route 50; infrastructure is a huge part of planning. Where you put infrastructure needs to be consistent with where you want growth to be.

Councilwoman Stewart agrees with Nan; unless we are going to redo our Comprehensive Plan, the vision is in the Plan. Nan can work with the vision. Councilwoman Stewart's concern is that we don't piecemeal it. It needs to be comprehensive that is why we have Nan.

Nan states except for PUDDs, we have the right tools, they are just not working together. It is imperative that the Planning, Zoning and Town Boards, code enforcement and town attorney be involved with input by identifying the issues that need to be addressed. The writing of the language, once we accomplish the goals, is relatively easy.

Councilman Goslin wants to provide input to Nan as to what the Town Board wants Nan to do. The Town Board's input is different than the other parties.

Nan has outlined this back in November and has an idea of the Town Board's goals. The answers are not that complicated. Nan recommends the first step is taking the specifics of the Comprehensive Plan. This is what the zoning states; here is what needs to be changed. When amending zoning, there needs to be a connection between the tools and what needs to be accomplished; then adjustments can be made.

The Board will accept the contract by Nan as a start and it can be adjusted as needed as we move forward. Councilman Goslin makes a motion to accept Resolution 16-158 with an amendment. (see above for resolution).

#### **TENTATIVE AGENDA FOR TOWN BOARD MEETING Thursday, September 15, 2016:**

1. Pledge of Allegiance
2. Presentation: Deceased Veteran Recognition (Mr. Champagne) **Resolution 16-164**
3. Correspondence
4. Reports
5. Financial Report for August 2016 Resolution **16-166**
- 6 Supervisor's Report
7. Council Members' Reports

#### **OLD BUSINESS:**

Ballston Lake sewer update

#### **NEW BUSINESS:**

Route 50 sewer options

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

#### **NEW BUSINESS FOR CONSIDERATION AND ACTION ON SEPTEMBER 15<sup>TH</sup>**

None as of this evening.

*Privilege of the floor (limit 5 minutes)*

*The above is a tentative agenda for the September 15th Town Board meeting and is subject to change.*

#### **RESOLUTION 16-162**

#### **ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE IN THE BUILDING DEPARTMENT AND A PENDING LAWSUIT UPDATE.**

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 16-163**

#### **RETURN TO REGULAR SESSION**

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

The Board entered into Executive Session at 8:10 p.m. and returned to Regular Session at 8:25 p.m. There was no action taken by the Board on the items discussed in Executive Session.

A motion was made by Councilwoman Stewart and seconded by Councilman Curtiss to adjourn the meeting. The meeting was adjourned at 8:27 p.m.

Respectively submitted,

Carol A. Gumienny  
Town Clerk