

An Agenda Meeting was held by the Town Board of the Town of Ballston on Tuesday evening, May 30, 2017 at the Town Hall on 323 Charlton Road, Ballston Spa, New York.

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| PRESENT: Timothy Szczepaniak | Supervisor |
| William Goslin | Councilman |
| John Antoski | Councilman |
| Kelly Stewart | Councilwoman |
| Charles Curtiss | Councilman |
| Debra Kaelin | Counsel |
| Carol Gumienny | Clerk |

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

RESOLUTION 17-117

AUDIT OF CLAIMS

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

| | | |
|--|---------------|-----------|
| General Fund | No. 194 - 239 | 40,044.42 |
| Highway Fund | No. 228 - 301 | 33,386.48 |
| BH-BL Lighting Dist. 2 BL | No. 1 - 1 | 1.30 |
| BH-BL Lighting Dist. 1 SL | No. 1 - 1 | 64.35 |
| Ambulance Districts SM | No. 1 - 1 | 260.00 |
| Gravel Pit | No. 2 - 10 | 1,940.76 |
| Park Fund | No. 1 - 6 | 802.62 |
| Library | No. 148 - 189 | 28,179.24 |
| Water Fund District 2 (SW) | No. 57 - 83 | 68,848.53 |
| Paradowski Road Water #5 | No. 12 - 14 | 30.74 |
| Scotchbush Water Dist. No. 6 (WW) | No. 12 - 14 | 61.48 |
| Silver Ln Water Dist. No. 6 Ext#1 (WX) | No. 12 - 14 | 30.74 |
| Stonebridge Lighting Dist. #3 ST | No. 1 - 1 | 64.35 |
| Morningdale Court No.2 Ext#24 | No. 21 - 23 | 32.88 |
| Trust and Agency | No. 28 - 37 | 27,781.81 |

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

The Supervisor introduced Heather LaSalvia from Reality Check. Reality Check strives to produce change in the way our communities allow tobacco companies to target youth, through the means of education, mobilization, political education, and media campaigns. Ms. LaSalvia presented facts on how tobacco companies market their products to youth. Ms. LaSalvia proposes that the Town put a distant restriction on a new tobacco retailer within 1500 feet of a school. The Town has other options such as restricting the marketing of tobacco and tobacco products near schools, reduce the number of tobacco retailers, and limiting the number of retailers selling tobacco. Supervisor Szczepaniak stated at the County level there is discussion of raising the age to 21 to purchase tobacco products. This is an opportunity to act at the Town and County levels.

Councilman Goslin stated that a decision needs to be made on sewers for Route 50 by May of next year. Are we going to have additional capacity on the Ballston Lake sewer project? If you want to develop Route 50, sewers are needed. This could be a revitalization of the Burnt Hills hamlet area of our Town. It is a major expense to put in sewers and the cost will only rise as time progresses. We have options on how to pay for a \$8 to \$10 million-dollar project should we decide to proceed with sewers on Route 50.

Councilman Goslin introduced our next speaker Ed Hernandez of Adirondack Mountain Engineering. Mr. Hernandez stated deadlines are approaching and a plan is needed for sewers on Route 50. Besides the deadline for additional sewer capacity by May, another deadline is for more grant money offered by the State this year that could be used towards this project. The Sewer Committee recently met and discussed options for additional sewers. One option is the project would serve a smaller core part of Route 50 using a gravity system that would flow into the manholes that would be used for the Ballston Lake sewer project, eliminating the pump station, and adding the residents along Lakehill Road and Route 146A. The second option is to do something similar as Option 1 in Seelye Estates. The newer section of Seelye Estates already has

dry sewers. Approximately 50 homes could be tied into the system. The third option is to have the Town of Glenville involved to increase the number of EDUs for the project in a certain area of Route 50. Chairman Mike Hale of the BH-BL BPA Visioning Committee stated members support the sewer projects and the studies. He stated that Town of Glenville officials expressed support for the study and to potentially contribute and act quickly if necessary. This could be a mutual benefit to both Towns. Councilman Goslin stated the recommendation would be to agree to the study, pricing and options in detail at the cost of \$15,000. Councilman Goslin wants to make sure the Board is committed. He would like to proposed to spend \$15,000 for a study of three options for sewers on Route 50 without using the proposed development at the Little Farm presented at a prior meeting. Councilwoman Stewart stated we need all the information to decide on additional capacity for the Ballston Lake sewer project by May. Supervisor Szczepaniak stated that as a Board we have a chance to tie the Route 50 sewer project into the Ballston Lake sewer project; however, we don't want Route 50 to look like Wolf Road. There are options available for this project and he doesn't want to miss the opportunity for sewers on Route 50. Budget Officer, Ms. Borthwick stated there is money in the budget for this study.

Councilman Goslin makes a motion. Councilwoman Stewart will second the motion.

RESOLUTION 17-118

AUTHORIZE AN ENGINEERING STUDY FOR THE THREE OPTIONS FOR SEWERS ON ROUTE 50 AT A COST NOT TO EXCEED \$15,000 DISPERSED FROM GENERAL B FUND 81974.02.004.30.

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

 Nays 0

Councilman Goslin stated that Kim Kotkoskie will be assisting with the sewer project as project manager and a contract is under negotiation. She is a huge asset to the project.

A letter from the Sewer Committee will be going out to the Ballston Lake Sewer project residents asking residents where they want the sewer line on their property.

A one or two-page contract or template will be needed to submit bills to EFC for reimbursement for the Ballston Lake sewer project. Our Town Attorney will compose this.

Councilman Goslin also stated that the residents in Carpenters Acres would like to go to referendum on the sewer project in their area. He suggests trying to do this in late September and asks the Town Clerk to check for available dates.

LIBRARY REPORT

Library Director, Karen DeAngelo, reported:

- The summer reading program is available online to all ages.

BALLSTON LAKE IMPROVEMENT ASSOCIATION

Dr. Pierce asked if Villago gave a response to a proposal for a public restroom for boaters on the lake. Councilman Goslin stated it was discussed; however, he wants to speak to Town Counsel.

BUDGET OFFICER'S REPORT

Jeanette Borthwick stated the auditor will be here for one more day for the 2016 audit and she hopes to see financial statements in June. The 2018 budget season will be here soon and an email will be sent to the Board with a short list of items for consideration when putting the budget together. She attended a seminar in Lake Placid on software called Incode and will discuss this more in depth with the Board.

TOWN ENGINEER REPORT

Kathryn Serra of C.T. Male stated due to rain, the contractor has not been working on refurbishing the water tower since last Thursday. It can't be worked on because of the high humidity in the tank. The additional work the Board approved can be completed in 10 days. The work time schedule has been extended until the end of June. The work is progressing. Money to pay for this extra work will come from the water consolidation fund balance. The Board needs to compose fund balance policies for each fund.

JENKINS PARK ADVISORY BOARD

Liaison for the Committee, Councilman Antoski, stated there are two new appointments for the Jenkins Park Advisory Board. A discussion of a dog park was brought up at their meeting.

PARKS & REC COMMITTEE

Councilwoman Stewart stated this summer Jason Kemper, Director of Saratoga County Planning will be attending the Parks & Rec Committee meeting in June to assist with a long-range plan for parks in our Town.

A site visit was made on the strip of land on Goode Street that runs to the back of Anchor Diamond Park. The survey stakes that were placed by C.T. Male have been removed. There are two property owners involved. A letter and/or meeting will be sent to the homeowners from our Town Attorney that they are encroaching on town property despite the survey markers.

Due to all the rain, a couple of park trails were closed. Scouts have approached the Committee to assist with projects. A bike rack, a bench and a security gate will be completed. Local volunteers are needed.

Councilwoman Stewart stated the annual court audit has been completed. The court clerks are close to capacity of the work they can handle. A conversation about this needs to be held during budget season. The personnel policy needs addressing by the entire Board this summer.

The contract for the Microenterprise Grant Program Administrator has been received and reviewed by the Town Attorney. There are slight modifications.

FARMLAND PROTECTION COMMITTEE

There was no meeting this month; however, through emails Councilman Antoski and members discussed information about rural safety hazard flashing devices. This is an active warning device that can detect slow moving objects traveling at 25 mph or less. This device warns upcoming traffic through a flashing beacon that a slow object may be ahead. He would like to purchase two of these devices to help with the awareness of slow moving farm equipment on roads at a cost not to exceed \$3,000. This will be addressed at the June meeting.

OTHER DISCUSSIONS

Councilman Antoski also attended a presentation with Primelink , a telecommunication system. The system would be a \$200 monthly increase of what we currently are paying and replace our current phone system. This will be discussed at the June meeting.

Supervisor Szczepaniak stated the bulk pickup is this week. Councilman Curtiss asked what recourse do we have against the people taking the scrap metal. It was replied, we do have a law against this; therefore, you can write down the license plate number of the offender and report it to the sheriff.

Our new hire for a senior planner, Sophia Marusso, started today.

The Supervisor stated at the end of the meeting the Board will go into Executive Session for current litigation and proposed acquisition of land in Town.

NEW BUSINESS FOR CONSIDERATION AND ACTION FOR TONIGHT:

RESOLUTION 17-119

APPROVE CHANGING THE TOWN BOARD MEETING SCHEDULE FROM TWO MEETINGS A MONTH TO ONE MEETING A MONTH FOR THE SUMMER. TOWN BOARD MEETINGS WILL BE HELD ON JUNE 27TH, JULY 25TH AND AUGUST 29TH.

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

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

Nays 0

RESOLUTION 17-120

APPROVE THE TRANSFER OF \$5,000.00 FROM 19904.01.000 CONTINGENCY FUND TO 90608.27.000 WATER DISTRICT #2 CONSOLIDATION FUND FOR A RETIREE'S BENEFITS THAT SHOULD HAVE BEEN INCLUDED IN THE 2017 BUDGET.

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

RESOLUTION 17-121

ACKNOWLEDGE THAT THE REQUIRED ANNUAL COURT RECORDS EXAMINATION WAS PERFORMED FOR 2016 ON MAY 25, 2017.

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

WHEREAS, Section 2019-a of the State of New York Unified Court System requires that justices annually provide their court records and dockets to their respective town auditing board and

WHEREAS, these recordings then be examined or audited and that fact be entered into the minutes of the proceedings and

WHEREAS, on May 25, 2017, these records were reviewed by Councilwoman Stewart in compliance with Section 2019-a; now, therefore be it

RESOLVED the annual examination of the court records for 2016 is complete and this resolution and the report will be mailed to the New York State Office of Court Administration.

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

Nays 0

RESOLUTION 17-122

APPROVE THE BALLSTON LAKE EMS EXPENDITURES OF \$37,257.20 FOR A NEW ARGO W/TRAILER.

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

This resolution is for ambulance service revenue that has accumulated in fund balance. It is allowed by Ballston Lake EMS to use this money for capital equipment as needed without taxing the residents.

The next three Resolutions 17-123, 17-124 and 17-125 will be tabled. The public hearing on this water extension will remain open and will continue June 13, 2017 at 6 p.m.

RESOLUTION 17-123

CLASSIFY THE WATER EXTENSION OF BURNT HILLS-BALLSTON LAKE WATER DISTRICT #2 FOR THE NEW BURNT HILLS FIRE DEPARTMENT FIREHOUSE ON CHARLTON ROAD (TAX MAP ID#238.1-7-11) AS AN UNLISTED SEQRA ACTION.

RESOLUTION 17-124

NAME THE TOWN BOARD AS LEAD AGENCY FOR THE WATER EXTENSION OF BURNT HILLS-BALLSTON LAKE WATER DISTRICT #2 FOR THE NEW BURNT HILLS FIRE DEPARTMENT FIREHOUSE ON CHARLTON ROAD (TAX MAP ID#238.1-7-11)

RESOLUTION 17-125

APPROVE THE WATER EXTENSION OF BURNT HILLS BALLSTON LAKE WATER DISTRICT #2 FOR THE NEW BURNT HILLS FIRE DEPARTMENT FIREHOUSE ON CHARLTON ROAD (TAX MAP ID#238.1-7-11)

RESOLUTION 17-126

APPOINT BETHANY FERENGE AS A MEMBER OF THE JENKINS PARK ADVISORY BOARD FOR A TERM COMMENCING MAY 30, 2017 AND ENDING DECEMBER 31, 2021.

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

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

Nays 0

RESOLUTION 17-127

APPROVE AND AUTHORIZE THE SUPERVISOR TO SIGN THE CONTRACT WITH THE LA GROUP FOR A PROGRAM ADMINISTRATOR FOR THE MICRO-ENTERPRISE GRANT PROGRAM.

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 17-128

APPOINT CHRIS RAKUS AS A FIRST ALTERNATE MEMBER OF THE JENKINS PARK ADVISORY BOARD COMMENCING MAY 30, 2017.

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

There is not a term ending date on committee alternate positions.

RESOLUTION 17-129

AMEND RESOLUTION 17-104 TO INCLUDE THE RATE OF PAY OF \$28 PER HOUR FOR THE SENIOR PLANNER, SOPHIA MARUSSO UP TO 25 HOURS PER WEEK.

A motion was made by Supervisor Szczepaniak and seconded by Councilman Curtiss.

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

Nays 0

RESOLUTION 17-130

SET A PUBLIC HEARING FOR JUNE 13TH AT 6 P.M. FOR THE WATER EXTENSION OF BURNT HILLS-BALLSTON LAKE WATER DISTRICT #2 FOR THE NEW BURNT HILLS FIRE DEPARTMENT FIREHOUSE ON CHARLTON ROAD (TAX MAP ID#238.1-7-11) AND A SPECIAL MEETING ON THE SAME EVENING AT 6:15 P.M.

A motion was made by Supervisor Szczepaniak and seconded by Councilman Curtiss.

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

Nays 0

RESOLUTION 17-131

ENTER INTO EXECUTIVE SESSION FOR CURRENT DOLOMITE LITIGATION AND PROPOSED ACQUISITION OF LAND IN TOWN.

A motion was made by Supervisor Szczepaniak and seconded by Councilman Curtiss.

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

Nays 0

RESOLUTION 17-132

RETURN TO REGULAR SESSION.

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

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

Nays 0

RESOLUTION 17-133

RETAIN CARTER CONBOY, PC AS THE LAW FIRM TO CONTINUE THE LEGAL DEFENSE OF A FEDERAL LAWSUIT AGAINST THE TOWN OF BALLSTON BY DOLOMITE AT RATES COMMUNICATED TO THE TOWN ATTORNEY.

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

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

Nays 0

RESOLUTION 17-134

ALLOW THE TOWN ATTORNEY TO RETAIN SERVICES OF OUTSIDE LEGAL SERVICES TO REVIEW THE INSURANCE POLICY THE TOWN HAS WITH SELECTIVE INSURANCE AND THE LETTER DATED MAY 18, 2017 TO DETERMINE IF ACTION SHOULD BE BROUGHT AGAINST THE INSURANCE COMPANY TO DEFEND AND SUBROGATE CLAIMS MADE BY THE DOLOMITE LAW SUIT.

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 17-135

AUTHORIZE THE SUPERVISOR TO ENTER INTO A CONTRACT UNDER THE TOWN ATTORNEY'S ADVICE FOR THE PURCHASE OF THE FIREMAN'S GROVE PARCEL FOR \$145,000. MONEY WILL BE USED FROM THE PARKS AND REC FUND.

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

A roll call was as follows:

| | |
|------------------------|-----|
| Councilman Goslin | Aye |
| Councilman Antoski | Aye |
| Councilman Curtiss | Aye |
| Councilwoman Stewart | Nay |
| Supervisor Szczepaniak | Aye |
| ADOPTED | 4-1 |

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

Respectfully submitted,

Carol A. Gumienny
Town Clerk