

An agenda meeting was held by the Town Board of the Town of Ballston on Tuesday evening, February 23, 2016 at the Town Hall on Charlton Road, Ballston Spa, New York.

PRESENT: Timothy Szczepaniak ----- Supervisor
William Goslin ----- Councilman
John Antoski ----- Councilman
Kelly Stewart ----- Councilwoman
Chuck Curtiss ----- Councilman
Carol Gumienny ----- Clerk
James Walsh ----- Counsel

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

RESOLUTION 16-039
AUDIT OF CLAIMS

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

General Fund	No. 63 - 109	\$72,563.32
Highway Fund	No. 53 - 99	45,505.12
Gravel Pit Fund	No. 2	200.00
Park Fund	-----	0.00
Library	No. 37 - 74	228,849.17
Water Fund District 2 (SW)	No. 15 - 30	12,395.49
Brookline Rd Rte. 67 No.2 Ext#12 (BRW)	-----	0.00
Paradowski Rd Water Dist. No.5 (RW)	No. 5 - 8	10.79
Scotchbush Water Dist. No.6 (WW)	No. 5 - 8	21.57
Silver Ln Water Dist. No.6 Ext#1 (WX)	No. 5 - 8	10.79
Morningdale Court No.2 Ext#24	No. 12 - 24	87.13
Trust and Agency	No. 3 - 7	10,634.00

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

RESOLUTION 16-040
APPROVE AUTHORIZING THE SUBMISSION OF THE TOWN'S APPLICATION TO THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION ("NYSEFC") CLEAN WATER STATE REVOLVING FUND SEEKING SUBSIDIZED FINANCING FOR THE BALLSTON LAKE SEWER DISTRICT PROJECT.

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

The following resolution was read:

RESOLUTION 16-040
RESOLUTION AUTHORIZING THE SUBMISSION OF THE TOWN'S APPLICATION TO THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION ("NYSEFC") CLEAN WATER STATE REVOLVING FUND SEEKING SUBSIDIZED FINANCING FOR THE BALLSTON LAKE SEWER DISTRICT PROJECT

WHEREAS, pursuant to authorization from the Town Board of the Town of Ballston ("Town Board"), Delaware Engineering prepared a Map, Plan and Report for providing the facilities, improvements and/or services in a portion of the Town wherein a sewer district, hereinafter described, was proposed to be established (hereinafter, the "Project"); and

WHEREAS, at a special meeting of the Town Board held on July 9, 2015, the Town of Ballston ("Town") accepted said Map, Plan and Report prepared by Delaware Engineering describing the boundaries of the Ballston Lake Sewer District (hereinafter "District"), a general plan of improvement and description of facilities including construction of a sewer collection and conveyance system that will connect to the SCSD #1 Interceptor Sewer in the vicinity of Shenentaha Park that directs wastewater to the SCSD #1 wastewater treatment plant, 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, said Map, Plan and Report, at Section 11 thereof, describes the method for financing the Project through application for subsidized financing to the NYSEFC Clean Water State Revolving Fund, and

WHEREAS, following a public hearing, the Town Board, by resolution dated August 11, 2015, established the District in accordance with the Map, Plan and Report as the boundaries shall be finally determined and approved the construction of the sewer collection system subject to the approval of the same by the Office of the New York State Comptroller and also subject to a referendum of eligible voters; and

WHEREAS, the eligible voters voting on the referendum held at a special election on October 14, 2015 approved the creation of the District; and

WHEREAS, following submission of an application to the Office of the New York State Comptroller seeking permission to create the District, the State Comptroller issued an Order granting its consent for the creation of the District in all respects on February 10, 2016; and

WHEREAS, all conditions upon the Town Board's approval of the District having been satisfied, the Town Board, at a special meeting held on February 16, 2016, issued an Order finally approving the District; and

WHEREAS, Delaware Engineering has prepared an application to the NYSEFC Clean Water State Revolving Fund which seeks approval for subsidized financing for the Project at an interest rate of 1.84% for a term of 30 years as was set forth in the Map, Plan and Report; and

WHEREAS, the approval of the Town's application to the NYSEFC Clean Water State Revolving Fund will result in Project financing that will keep the total cost of the Project below the maximum amount to be expended of \$10,203,729; and

WHEREAS, the application prepared by Delaware Engineering has been reviewed and approved by the Town's counsel for the Project; and

WHEREAS, the Town Board has reviewed the application in detail and discussed the same; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Town Supervisor is hereby authorized to execute the Town's application to the NYSEFC Clean Water State Revolving Fund for subsidized financing of the Project in the form as the application has been presented to the Town Board.
2. Delaware Engineering and/or the Town Clerk is hereby directed to submit the application to the NYSEFC Clean Water State Revolving Fund no later than February 29, 2016.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Timothy J. Szczepaniak	VOTING	Yes
John Antoski	VOTING	Yes
Charles Curtiss	VOTING	Yes
William Goslin	VOTING	Yes
Kelly Stewart	VOTING	Yes

The foregoing resolution was thereupon declared duly adopted this 23rd day of February, 2016.

RESOLUTON 16-041

APPROVE THE APPOINTMENT OF HEATHER LANSING AS A MEMBER OF THE PARKS & REC COMMITTEE COMMENCING FEBRUARY 23, 2016 AND ENDING AT THE 2017 ORGANIZATIONAL MEETING.

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

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

Nays 0

RESOLUTION 16-042

APPROVE SUPPORTING ANNUAL FUNDING TO MUNICIPALITIES FOR WATER AND SEWER UPGRADES AND IMPROVEMENTS.

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

Supervisor Szczepaniak read the following resolution:

Resolution 16-042, a resolution supporting annual funding to municipalities for infrastructure upgrades and improvements.

Introduced by Supervisor Szczepaniak, who moved its adoption, seconded by the entire Town Board.

WHEREAS, communities within the State of New York maintain extensive networks of intertwined infrastructure that is critical to public health, and to the state and local economies, and

WHEREAS, many municipalities are responsible for water systems, sewer systems, storm water facilities, and other infrastructure which were constructed decades ago under earlier regulatory standards, and

WHEREAS, these systems are owned and maintained at various levels of government, but require consistent maintenance, monitoring and upgrades, and

WHEREAS, while the State of New York provides application based funding assistance on a case by case basis, the need for improvements to the state's infrastructure impacts the public health of all of our communities on an annual basis, and

WHEREAS, the state initiated the Consolidated Local Street and Highway Improvement Program (CHIPs) in 1981, which provides consistent funding assistance for the maintenance of local roads, and

WHEREAS, the CHIPs Program provides a successful model for the distribution of statewide assistance through a fair and equitable formula that can ensure that every municipality receives funding assistance for sanitary sewer, drinking water and storm water systems; now, therefore, be it

RESOLVED that the Town Board of the Town of Ballston hereby supports a New York State annual infrastructure funding program to provide a fair and equitable formula to distribute funds to municipalities to ensure the integrity and solidity of municipal infrastructure.

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

RESOLUTION 16-043

APPROVE ACCEPTING THE AGREEMENT ENTERED INTO BETWEEN LOCAL UNION #294 AFFILIATED WITH INTERNATIONAL BROTHERHOOD OF TEAMSTERS, HEREINAFTER REFERRED TO AS THE "UNION" AND TOWN OF BALLSTON LOCATED IN BALLSTON, NY, HEREINAFTER KNOWN AS THE "EMPLOYER", SHALL BE IN EFFECT JANUARY 1, 2016 TO DECEMBER 31, 2018.

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

After an entire year of negotiations, a contract has been agreed upon. It is a win-win for all parties. A roll call vote was as follows:

Timothy J. Szczepaniak	VOTING	Yes
John Antoski	VOTING	Yes
Charles Curtiss	VOTING	Yes
William Goslin	VOTING	Yes
Kelly Stewart	VOTING	Yes

ADOPTED

RESOLUTION 16-044

APPROVE PAYMENT OF \$20,200 TO SAXBST FOR 2013 FINANCIALS.

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

Councilman Goslin inquired about the \$10,000 that was authorized in January. Supervisor Szczepaniak stated that money was for the reconstruction; the \$20,200 is for the audit. A quote will be given to do 2014 and 2015.

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

PRESENTATION

The first presentation was from Reality Check, a group who promotes living tobacco-free.

Heather LaSalvia, program coordinator of Reality Check Chapter in Glens Falls, and Connor Clarendon, a junior at Burnt Hills-Ballston Lake High School spoke about places near schools where students smoke, such as the church across from the BH-BL High School, and noted how school administrators cannot control outside of school grounds where kids smoke and buy their tobacco products. There are numerous places that are near the schools for these purchases. The goal is to have legislation from the Town stating products cannot be sold within a 1500 foot area around schools. This will help limit where items can be purchased. Keep products out of sight - out of mind. The tobacco companies market their products to students. Reality Check has a Policy Center to help the Town, at no charge, with legislation of tobacco licensing for retailers. Supervisor Szczepaniak stated that a resolution will be presented so all parks in the Town of Ballston are smoke-free and will take advantage of the Policy Center for legislation for future retail establishments selling tobacco products.

COMMITTEE AND DEPARTMENT REPORTS

WATER DEPARTMENT

Water Superintendent Joe Whalen reported the following:

- Water meter readings are generating bills to be mailed in March. 78 customers have not returned a reading. Half of these are repeat offenders; therefore, they will be assessed a \$100 penalty.
- Notification was received from the railroad company. There will be lane closures and road closures to fix the bridge on Route 67 for approximately 16 days, beginning Saturday. Work will be done in the evening and there will be detour signs.

EMERGENCY MANAGEMENT COMMITTEE

- Dennis Pokrzywka, co-chair, states there has been improved communications with the County. The Committee will not meet this week or next and is currently working on the emergency plan. He would like to thank Karen at the library for assisting in getting a small grant of \$4000 for emergency management technology tools to assist everyone.

LIBRARY REPORT

Library Director Karen DeAngelo, reported the following:

- Southern Adirondack Library System gave a \$4000 grant to help support the emergency technology service for the Town.
- The library renovations are done. The ribbon cutting ceremony is March 5th at 10 a.m. All are invited to attend. She also wanted to thank all parties involved in this transition, especially the assistance of the Highway Department.
- 300 people attended the mini-golf outing.

Dr. Pierce, town resident, asked if the motorcycle from the lake was retrieved when the person riding it went through the ice. Counsel stated it was.

Supervisor Szczepaniak stated in the future the Town will be recognizing the people who helped rescue two people who fell through the ice in separate instances.

Councilman Antoski leaves the meeting at 7:15 p.m.

PRESENTATION:

Supervisor Szczepaniak introduced speakers Mike Hale and Jim Martin from The LA Group.

Mike Hale and Jim Martin gave an overview of a farm agricultural grant. There are potential grant systems that could benefit the agriculture area in our community. Jim Martin, a planner, presented a block grant program. This grant disperses money for three things: housing development, public facility and economic development. Microenterprise assisted programs provide funding to enterprises that employ five or fewer persons. Under this system, it provides assistance, for example, to rural farmers looking to purchase equipment. The Town applies for these funds and sets up a revolving fund which stays in the community. Funds can be used for equipment. The loans have flexible terms and rates; however, income limits must be met. Funds are dispersed and repaid to town. The Town does not have to pay back the State. The funds stay

in the community with the purpose of replenishing the fund. This could be a great opportunity for the farmers in our Town. The cost to the Town is an application fee of \$5500 and the grant program delivery administration is approximately \$35,000. Most awards are \$200,000. In the application Mr. Martin suggests the Town try to get 6 to 7 farmers interested in this program and write a letter stating so. The notice of funding availability is in May with a July submission date. This will be adequate time to find prospective applicants and have them write a letter of interest for the application. We will need to conduct a public hearing and notify the public of the program.

Mr. Martin also spoke of the future changes in the Building Department. Builder inspector, code enforcement, and zoning and planning administrations are very important aspects of the Building Department. All factors need to run smoothly in each process. In addition to the above, The LA Group can assist with site plan reviews, grant writing, park planning, design work, and zoning ordinance revisions, among other duties. This can be done on a contractual basis.

Councilwoman Stewart would like to sit with Supervisor Szczepaniak, Tom Johnson and Dick Doyle to make sure all functions of the Building Department are filled.

Supervisor Szczepaniak thanked Mr. Martin and Mr. Hale for presenting tonight.

DISCUSSION:

Water Connection Fee Increase:

Water Superintendent Joe Whalen needs clarification on the new water connections fee increase. Counsel stated the new rate will go in effect to everyone once the Board passes the resolution. The public hearing is March 8th at 6:20 p.m. and action is expected that evening to accept the new connection fee rate of \$2,000.

GEIS:

Supervisor Szczepaniak wanted to make sure we did not lose sight of this. Councilman Goslin stated we have not gone out to seek professional services. A lot of zoning issues have been recently addressed in this area. He feels an overall plan for zoning is needed.

Solar Farms:

Councilman Goslin feels we should call this Community Solar and the concept should be discussed. There is a lot of benefit to the community. He will try to set up a speaker for the March agenda meeting.

Connolly Road:

Counsel is still waiting for the approval on the language presented to the title insurance company. He expects an answer relatively soon.

Grant Writer:

Supervisor Szczepaniak asked if the Board feels there is a need for this. Councilman Goslin said we need to ask: is the money really available to us? What is the cost vs. what is the benefit? He is in favor of a grant writer for specific opportunities. Counsel attended the Association of Towns meeting last week and met a individual who specializes in getting a community's median income lowered, with evidence, so the Town has a better chance of getting grants. He feels a onversation would be beneficial.

Web Design:

Supervisor Szczepaniak asks the Board if we should bring our previous web designer Deb Drake, back on board. Councilwoman Stewart stated if the needs of the Town Clerk's office will benefit by this change, to do so. Councilman Goslin wants to see a plan to create a sound and secure site. Deb Drake can come in and discuss how she can help the Town. He also suggested talking to other towns to see how they maintain their website.

Interim Park Rules for Hawkwood:

The Parks & Rec Committee has met and will have some interim rules for the park to protect the park and the public. There is no name yet for the park. Counsel encourages the Committee to let him know soon so he can approach the court to change the name of the park. He does not anticipate a problem. The Parks & Rec Committee minutes for the meeting will be posted as soon as they are completed. The parking area needs to have exact steps to create. A decision

needs to be made about where to put it, approve the curb cut before the busy summer, and get approval by PLAN. The Parks & Rec Committee meets every third Wednesday of every month at 7 p.m. in the Community Room at Town Hall.

Density Bonus:

Councilman Goslin stated we have a zoning policy that is creating dense development. This kind of development is attractive to developers. No one uses any of our other zoning tools because it is not as attractive. We allow this and give away our open space to developers because of the Density Bonus. We have to start now and take it out of the Code. The Comprehensive Plan states to “maintain a rural character”. We have nothing without rural character. He wants the Board to come to a vote.

Councilman Curtiss disagreed. Density Bonus it is not mandatory. Each application is determined, examined, and discussed by the Planning Board. His suggestion is leave Density Bonus and enforce a moratorium. This gives a temporary time out to examine our current zoning and discuss and change through workshops. Yes, we need TDR and GEIS; however, this won't happen until every application is reviewed and let the Planning Board do their job with our help.

Councilwoman Stewart stated there is no definition for the Planning Board to say” if you want this, we need this”. If we remove Density Bonus what does it leave you with? Are we left with PUDs? Councilman Goslin answered until getting rid of Density Bonus nothing else will be chosen because it is doesn't require conserving land. The developers choose it because it is the most attractive for the least amount of cost or benefit.

Councilman Goslin stated to Supervisor Szczepaniak that a long form of SEQRA will be done and then a vote will be taken at the next meeting. Supervisor Szczepaniak stated that is correct.

RESOLUTION 16-045

ENTER INTO EXECUTIVE SESSION TO DISCUSS THE RETIREE HEALTH PLAN.

A motion was made by Supervisor Szczepaniak and seconded by Councilwoman Stewart.

ADOPTED Ayes 4 Supervisor Szczepaniak, Councilman Goslin, Councilwoman Stewart and Councilman Curtiss.

Nays 0

The Town Board entered into Executive Session at 8:40 p.m. and returned to Regular Session at 9:05 p.m.

RESOLUTION 16-046

RETURN TO REGULAR SESSION

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

ADOPTED Ayes 4 Supervisor Szczepaniak, Councilman Goslin, Councilwoman Stewart and Councilman Curtiss.

Nays 0

The Town Board entered into Executive Session at 8:40 p.m. and returned to Regular Session at 9:05 p.m. No action was taken on the item 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 9:10 p.m.

Respectfully submitted,

Carol A. Gumienny
Town Clerk