

A public hearing was held by the Town Board of the Town of Ballston on Tuesday evening, November 10, 2015 at the Town Hall on Charlton Road, Ballston Spa, New York.

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

Supervisor Ziegler opened the public hearing at 6:03 p.m. The purpose of this public hearing was to offer the public an opportunity to give their comments to the Town Board about the proposed Consolidation of the Town of Ballston Water District 2 and its ten extensions.

The Town Clerk read the following legal ad for the public hearing.

## NOTICE OF PUBLIC HEARING FOR CONSOLIDATING THE TOWN OF BALLSTON WATER DISTRICTS AND EXTENSIONS

### RESOLUTION 15-158

A RESOLUTION AUTHORIZING THE SCHEDULING OF A PUBLIC HEARING CONSOLIDATING THE TOWN OF BALLSTON WATER DISTRICTS, AND EXTENSIONS, TO WIT: WATER DISTRICT #2 (MAIN DISTRICT, HAMLET OF BURNT HILLS); WATER DISTRICT #2, EXT. 7 (ROUTE 50); WATER DISTRICT #2, EXT. 12 (ROUTE 67 & BROOKLINE ROAD); WATER DISTRICT #2, EXT. 13 (BLUE BARNS ROAD); WATER DISTRICT #2, EXT. 14 (GOODE STREET); WATER DISTRICT #2, EXT. 18 (CHAPEL HILL SUBDIVISION); WATER DISTRICT #2, EXT. 19 (STONEBRIDGE PLANNED UNIT DEVELOPMENT DISTRICT); WATER DISTRICT #2, EXT. 21 (TIMBER CREEK PRESERVE PHASE 1); WATER DISTRICT #2, EXT. 22 (MOURNINGKILL MEADOWS); WATER DISTRICT #2, EXT. 23 (TIMBER CREEK PHASE 2); WATER DISTRICT #2, EXT. 25 (TIMBER CREEK PHASE 3 & ABELE WOODS) INTO ONE CONSOLIDATED WATER DISTRICT SUBJECT TO THE COMPLETION OF PROCEEDINGS PURSUANT TO ARTICLE 17A OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

Motion by: Councilman Goslin

WHEREAS, there exists within the Town of Ballston, Town of Ballston Water Districts and Extensions to wit: Water District #2 (Main District, Hamlet of Burnt Hills); Water District #2, Ext. 7 (Route 50); Water District #2, Ext. 12 (Route 67 & Brookline Road); Water District #2, Ext. 13 (Blue Barns Road); Water District #2, Ext. 14 (Goode Street); Water District #2, Ext. 18 (Chapel Hill Subdivision); Water District #2, Ext. 19 (Stonebridge Planned Unit Development District); Water District #2, Ext. 21 (Timber Creek Preserve Phase 1); Water District #2, Ext. 22 (Mourningkill Meadows); Water District #2, Ext. 23 (Timber Creek Phase 2); Water District #2, Ext. 25 (Timber Creek Phase 3 & Abele Woods).

WHEREAS, the aforesaid Water Districts and Extensions have been created for a similar purpose; and

WHEREAS, the Town Board is desirous of conducting a Public Hearing pursuant to the provisions of Article 17A of the General Municipal Law for the purpose of hearing all persons upon the question of consolidating Town of Ballston Water District #2 and the ten water district extensions into one consolidated district subject to the completion of proceedings pursuant to Article 17A of the General Municipal Law of the State of New York, and

WHEREAS, in the event of consolidation, all expenses for debt repayment, water usage rates and for operation and maintenance of the Consolidated District shall be equally distributed among the existing Water Districts and any future debts shall be paid from taxes levied on an

ad valorem basis on all real property within the Consolidated District and such other revenue as shall be received from sources without the Consolidated District.

**NOW, THEREFORE,** it is ORDERED that the Town Board of the Town of Ballston shall meet and hold a Public Hearing at the Town Hall, 323 Charlton Road, Ballston Spa, New York at 6:00 o'clock p.m. on the 10th day of November, 2015, to consider the consolidation of the Town of Ballston Water Districts and Extensions to wit: Water District #2 ( Main District, Hamlet of Burnt Hills); Water District #2, Ext. 7 (Route 50); Water District #2, Ext. 12 (Route 67 & Brookline Road); Water District #2, Ext. 13 (Blue Barns Road); Water District #2, Ext. 14 (Goode Street); Water District #2, Ext. 18 (Chapel Hill Subdivision); Water District #2, Ext. 19 (Stonebridge Planned Unit Development District); Water District #2, Ext. 21 (Timber Creek Preserve Phase I); Water District #2, Ext. 22 (Moumingkill Meadows); Water District #2, Ext. 23 (Timber Creek Phase 2); Water District #2, Ext. 25 (Timber Creek Phase 3 & Abele Woods) into a single Consolidated Water District, known as the Town of Ballston Consolidated Water District and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as shall be required or authorized by law, and

The Joint Consolidation Agreement is proposed to consolidate the Town of Ballston Water Districts and Extensions, Water District #2 ( Main District, Hamlet of Burnt Hills); Water District #2, Ext. 7 (Route 50); Water District #2, Ext. 12 (Route 67 & Brookline Road); Water District #2, Ext. 13 (Blue Barns Road); Water District #2, Ext. 14 (Goode Street); Water District #2, Ext. 18 (Chapel Hill Subdivision); Water District #2, Ext. 19 (Stonebridge Planned Unit Development District); Water District #2, Ext. 21 (Timber Creek Preserve Phase I); Water District #2, Ext. 22 (Moumingkill Meadows); Water District #2, Ext. 23 (Timber Creek Phase 2); Water District #2, Ext. 25 (Timber Creek Phase 3 & Abele Woods) pursuant to the provisions of Article 17A of the General Municipal Law.

It is proposed as of January 1, 2016 to consolidate the eleven existing Water Districts located within the Town of Ballston pursuant to Article 17A of the General Municipal Law of the State of New York.

The purpose of the consolidation is to combine the eleven districts in order to provide for uniform ad valorem tax rates and to charge equally for water use, operation and maintenance.

It is anticipated the eleven districts will function as one.

The proposed Joint Consolidation Agreement is on file in the Town of Ballston, Town Clerk's Office at 323 Charlton Road, Ballston Spa, New York. A copy of the proposed Joint Consolidation Agreement and a summary thereof are displayed upon and available for public inspection at the Ballston Town Clerk's Bulletin Board in the Town of Ballston Town Hall, 323 Charlton Road, Ballston Spa, New York, and upon the Town of Ballston website.

Seconded by: Councilwoman Stewart

**Roll Call:**

Patrick Ziegler, Supervisor	YES
John Antoski	Absent
William Goslin	YES
Timothy Szczepaniak	YES
Kelly Stewart	YES

Carried.

Attorney William Ryan of the firm Tabner, Ryan and Keniry, LLP gave a short presentation or overview on the information reviewed at previous Town Board meetings. He stated that consolidation was done according to Article 17A of the General Municipal Law of the State of New York. This article provides municipalities a means to consolidate different forms of government into one entity. If the consolidation is approved by the Town Board, Water District 2 and its ten extensions will be known as Town of Ballston Consolidated Water District. Before, different districts were paying different rates; now, the Consolidated District will be paying the new rate of .56 per \$1,000 of assessment. The water customer will be responsible for the ad valorem, water usage rate and the hookup fee.

*Mr. Lonergan* said if he understands this correctly, the consolidation will add .56/\$1000 to what he is paying now.

Councilman Goslin said that the rate is .56/\$1000 so that every resident in the water district pays a fair share of the debt to maintain the water district. This includes the painting of the water tower, the purchase of the pump house, the infrastructure of Route 50 and Route 67 system that allows the water to be brought to the district, water repair and the cost of water loss. We are looking to reduce the debt, so that water customers are only paying for water rates.

Supervisor Ziegler replied that most people are paying some debt already. Water Consolidation will combine old debt and new debt with everyone paying their share.

No one else wished to speak.

The public hearing was closed at 6:15 p.m.

Respectfully submitted,

Carol R. Shemo  
Town Clerk