

A Special Meeting was held by the Town Board of the Town of Ballston on Tuesday evening, June 13, 2017 at 6:15 p.m. at Town Hall on Charlton Road.

PRESENT: Tim Szczepaniak Supervisor
Bill Goslin Councilman
John Antoski Councilman
Chuck Curtiss Councilman
Debra Kaelin Counsel
Carol Gumienny Clerk
ABSENT: Kelly Stewart Councilwoman

The Supervisor called the meeting to order at 6:20 p.m.

RESOLUTION 17-136

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

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

A roll call was as follows:

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

ADOPTED 4-0

RESOLUTION 17-137

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

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
Supervisor Szczepaniak Aye
Councilman Stewart Absent

ADOPTED 4-0

RESOLUTION 17-138

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

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

Supervisor asked for discussion:

Councilman Antoski stated that he understands the request; however, his concern is litigation with Ag and Markets. He asked if there is a way to have a contingency of two weeks for a reply rather than pass the resolution and have Ag & Markets come to us and state they have a problem with this request. Supervisor Szczepaniak stated the letter was sent to Ag & Markets on March 31st. It has been over two months waiting for a reply. Councilman Antoski would like to have a revised resolution with a stipulation. He would approve it on a contingency that we receive some confirmation from Ag & Markets that they are not against this. He is not against the water for the fire department; he is against the ligation that may come because of this approval and wants to be comfortable with his vote.

Supervisor Szczepaniak commented on a letter dated 75 days ago with no response, to him it can't be much of an issue. Councilman Antoski would normally agree but this is from a state agency with a different time frame. The Supervisor asked Counsel if we can reflect the wording of the resolution to add Councilman Antoski's contingency. Council stated yes, it would be saying that I am approving it unless there is an objection within two weeks.

Councilman Goslin stated supporting the volunteer firefighters in our community by giving them water is the right thing to do. We should provide leadership and pass this resolution with flying colors. These are our neighbors who volunteer to take care of our Town residents and their properties. He understands both sides of the argument but there comes a time that you need to support the volunteer firefighters.

Councilman Curtiss stated there is water on the property. It can be drilled. This an option. It is not doomsday if they don't get water, they are still getting a new firehouse. Councilman Curtiss has had serious issues at his property where he will be forever grateful for what they did for him. He has a lot of respect for the firefighters.

The recommendation from the Supervisor is to add the contingency to the resolution.

The resolution was amended and new motions were made:

RESOLUTION 17-138

APPROVE THE WATER EXTENSION OF BURNT HILLS BALLSTON LAKE WATER DISTRICT #2 FOR THE BURNT HILLS FIRE DEPARTMENT'S NEW FIREHOUSE ON CHARLTON ROAD (TAX MAP ID# 238.1-7-11) UNLESS WE HEAR FEEDBACK FROM AG AND MARKETS BY JUNE 28, 2017.

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

A roll call vote was as follows:

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

ADOPTED 4-0

RESOLUTION 17-139

APPROVE THE PURCHASE AND SET UP OF A LAPTOP COMPUTER FOR THE TOWN ATTORNEY AT A COST NOT TO EXCEED \$1,000.00.

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

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

RESOLUTION 17-140

APPROVE THE PAYMENT NOT TO EXCEED \$600 TO MAIL N MORE FOR THE RECENT BALLSTON LAKE SEWER PROJECT MAILING.

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

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

RESOLUTION 17-141

APPROVE CHANGING THE TUESDAY, JUNE 27TH TOWN BOARD MEETING TO THURSDAY, JUNE 29TH AT 6:30 P.M.

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

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

Supervisor Szczepaniak asked the Board if Nan should attend our meeting on the June 29th. Everyone agreed she should. Time lines should be set on passing this local law during the next meeting.

The Supervisor stated that the results from DEC for the property on the corner of Lake Hill and Route 50 showed there are no contaminants. This means the hole can be filled. The property owner needs to be contacted to put the tanks in and fill the hole as soon as possible. The project is still waiting for approval on the curb cuts from DOT. Supervisor Szczepaniak understands Mr. Bloomer's (he lives next door) concerns with the project. Councilman Goslin would like to write a letter to the property owner stating the problems, and get a time schedule as to when will these

problems will be corrected.

Privilege of the Floor

Tom Johnson, of Charlton Road, has to report back to the Board of Commissioners. For clarity, he stated that the vote was passed for water; however, the fire department cannot do anything until June 28, 2017. It was replied that was correct.

Gary Bloomer, of Lake Hill Road, lives next to the property for the proposed gas station on the corner of Route 50 and Lake Hill Road. He had sent emails of his concerns for the project and wants to know how the Planning Board can exceed the rules in place. C.T. Male asked for 35% green space for the project - it was 10% short. The Planning Board allowed the applicant to count the parking spots at the pumps. The applicant fell short on parking as well as green space and the project still was approved. As a tax payer and resident of this Town for 72 years, he asked what good did it do to attend every single Planning Board meeting pertaining to this project when the Planning Board approved it anyway. He has no recourse unless he decides to sue the Town. Mr. Bloomer had all his concerns in writing. Councilman Goslin suggests having those concerns be addressed by the Planning Board. Mr. Bloomer stated he did not get any response from anyone on the Planning Board when he emailed his concerns. Supervisor Szczepaniak will follow up with Mr. Bloomer.

Jim Fantauzzi, owner of Northeast Fire on Charlton Road, has no problem with the fire department getting water; he only has a concern of the use of it. Improper usage can cause a problem especially during training. Fire commissioner, Tom Johnson explained there will not be a hydrant on the site and this won't be an issue.

Collette Jasinski, of Middleline Road, complained of truck noise in the middle of the night on her road. She asked if there is a way to get a restriction on trucks using this road during certain times. Supervisor Szczepaniak will follow up at the county with this question. She also stated the gas station at the corner of Route 146 and Route 146A is a nightmare driving in and out. It sounds like the project on Lake Hill and Route 50 will be worse.

Scott Draina, of Outlet Road, supports Ms. Jansinski's statement of truck noise on Middleline Road.

RESOLUTION 17-142

ENTER INTO EXECUTIVE SESSION FOR CURRENT DOLOMITE LITIGATION

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

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

RESOLUTION 17-143

RETURN TO REGULAR SESSION

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

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

There was no action on the item discussed in Executive Session.

A motion was made by Councilman Goslin and seconded by Councilman Antoski to adjourn the meeting. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Carol A. Gumienny
Town Clerk