

A regular meeting was held by the Town Board of the Town of Ballston on Thursday evening, September 15, 2016 at the Town Hall on Charlton Road.

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 6:35 p.m. and the Pledge of Allegiance was recited. It is the Supervisor's privilege to announce the Town will honor a deceased veteran of our Town.

The Town Clerk read the following resolution:

**RESOLUTION 16-164 HONORING DECEASED VETERAN
DONALD EVERETT CHAMPAGNE**

WHEREAS, Donald Everett Champagne was born in the Town of Galway in New York on August 22, 1916. He attended Ballston Spa High School where he graduated in 1935. While in high school and upon graduation, Donald worked alongside his father Fred Champagne learning the building and remodeling trade; and

WHEREAS, in 1940 Donald and his wife Elizabeth were married in Ballston Spa, New York, and had three wonderful children; Peter, Susan and Michael; and

WHEREAS, on June 5, 1943, Donald E. Champagne entered the Navy and courageously served his country during World War II. Using his experience prior to the war, he joined the ranks of the Naval "Seabees" whose motto is "We build, we fight", achieving the rank of Chief Carpenter's Mate. The Navy Seabees were instrumental in building airstrips, bridges, roads, warehouses, hospitals, gasoline storage tanks and housing in the Pacific Theater during the War. Donald built and fought alongside the Navy, Army, Air Force and Marines during the Battle of the Philippines from 1944 to 1945; and

WHEREAS, in recognition of his valiant service during the War, Donald was awarded the Philippine Liberation Medal, the Asiatic Pacific Campaign Medal and the American Campaign Medal; and

WHEREAS, Donald's service did not end with the conclusion of World War II. Upon returning home from the Navy, Donald began his own construction company serving the residents of Ballston and surrounding communities. He was also fortunate during this time to have his father Fred working by his side; and

WHEREAS, Donald also became a very active member of the VFW and The Ballston Spa Lions Club. As a member of the Lions Club, Donald and his employees graciously volunteered their time, talents and energy and in 1956 built the first community pool in the Village of Ballston Spa; and

WHEREAS, Donald sadly passed away at the age of 55 on March 25, 1972. His legacy continues on to this day with his three children, six grandchildren and six great-grandchildren;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board on behalf of all the residents of the Town of Ballston, in grateful recognition of his service and sacrifice in defense of our great nation, hereby honors the memory of Donald E. Champagne.

Supervisor Szczepaniak asked in recognition of Mr. Champagne that everyone rise, turn to the flag and pause for a moment of silence in his memory. Supervisor Szczepaniak introduced Donald's son Peter, who introduced the rest of his family members. A framed resolution was presented to the family by Supervisor Szczepaniak.

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

CORRESPONDENCE

The Town Clerk received notice from the Town of Malta that they are changing the zoning on Route 67 between Eastline Road and the Northway. They will conduct a public hearing on Monday, September 19, 2016 at 5:45 p.m. Detailed information on these zoning changes can be found on the Town of Malta's website.

REPORTS OF TOWN OFFICIALS

Building Inspector Thomas Johnson, Stormwater Management Officer, Kim Kotkoskie, Highway/Water Superintendent Joseph Whalen, Dog Control Officer Thomas Shambo, and Town Clerk Carol Gumienny submitted reports for August 2016 and they are on file in the Town Clerk's office.

LIBRARY REPORT

Library Board of Trustee, Michelle Hernandez reported:

- An article called "Locally Grown", written by Mrs. DeAngelo, is featured on the Library Trustees Association of New York State website for September, 2016. The article discusses the positive relationship between the library and local businesses and communication organizations and how our library has worked to foster these alliances.
- There are 38 adult library programs scheduled between Labor Day and Christmas. This includes computer classes, a "a paint and sip", program with "mocktails", an adult cooking program, and a blood drive.
- The Friends Book Sale will be held October 12 -15 during library hours. The Friends are also participating in Boscov's "Friends Helping Friends" fundraiser. Stop by the library to purchase a ticket for \$5.00 which will be good for 25% off at Boscov's on Tuesday, October 18, 2016.

COMMITTEE REPORTS

Chairman Rob Davis of the Emergency Management Committee stated the grant application for a generator for the water pump station has been submitted. The Committee has been working on estimates for the upcoming 2017 budget.

RESOLUTION 16-165

APPROVE THE SUPERVISOR'S FINANCIAL REPORT FOR THE MONTH OF AUGUST 2016.

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

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

Councilman Goslin stated there was some improvement in the reports this month over last month, but are not where we need to be. We do have numbers for 2015 and look to be in good shape with fund balances.

SUPERVISOR'S REPORT

Supervisor Szczepaniak reported:

- Had our first meeting for the 2017 budget. Budget officer Jeanette Borthwick did an outstanding job preparing and presenting. We have real numbers to work with this budget season. He also wanted to thank our bookkeeper, Joanne Bouchard, for all her extremely hard work she has put forth with our financials and her assistance to the budget officer. This is the first time in his 9 years serving on the Town Board that the budget was user friendly and easy to understand.
- There will be a referendum at the Burnt Hills Fire Department on Tuesday, September 20, 2016 from 2 p.m. to 9 p.m. to allow an easement to the proposed CVS.
- Would like to enter into Executive Session to discuss a contract.

COUNCIL MEMBERS REPORTS

Councilman Curtiss:

- Due to his absence at the last Board meeting, he acknowledged that the Saratoga County Fair had 100,000 attendees. It was the best turn-out ever and a huge success.
- He also has correspondence that he would like to read and would like further information regarding these letters.

The first letter was from NYS Agriculture & Markets, dated June 24, 2016. The letter stated that the Town could be in violation of Resolution 04-46, allowing the lateral connection of Town water to two subdivisions on Goode Street.

- The second letter he read was from NYS Agriculture and Markets dated July 29, 2016 stating the Town passed resolutions in May to extend the use of water service to non-agriculture uses located within an agriculture district.

Councilman Curtiss has been in contact with the County and the State. He wants to know where we stand on this.

Counsel is working with the State on this matter. Counsel states where we stand is the Dept. of Ag & Markets states the town passed resolutions allowing lateral water extensions that are in violation of their agreement. Counsel asks the State to please show the agreement. They are stating we violated our resolution. We can't violate our resolution because a resolution is the opinion of the Board at the given time the resolutions are passed. There is no lateral agreement. The Board can decide at any time to say yes or no to something. He wants to work with State. The resolution is not to have a lawsuit. NYS has not shown the agreement we have allegedly violated.

Councilman Goslin states we have developers who have spent a lot of money on their projects. The Katz project has almost a million dollars invested. They deserve to have resolutions. We are trying to stop people from building using water as a weapon. Zoning controls what they can do on property and the zoning has been met. A developer could put a meter on the street and run their own water. They can put in their own service and the fees they collect do not go to the Town. In five years the Town will end up owning the water system. The developers have made an investment in our Town based on zoning. The right thing to do is allow water, sewer, electric, etc. and let them do what the law provides.

Councilman Curtiss totally disagrees with Councilman Goslin.

Councilman Antoski asked about resolutions. Counsel stated that Town Code is law. Resolutions are the opinions of the Board at that time. A resolution passed or not.

Counsel believes this can all be resolved in the next four weeks.

Councilwoman Stewart reported:

- Parks & Rec Committee have received numerous paper surveys filled out and over 400 responses online. Please fill out a survey; the Committee is looking for a lot of feedback. She has received a lot of email from people regarding grants, however we can't apply for grants until we have a master plan for the entire town for parks. Thank you to Mr. Hagen and the scout group for repairing the bridges. An eagle project has come before the Committee with plans to expand the bridge and make it more useful. PLAN trail stewards will repair the second bridge which is a foot bridge, on Monday. Thank you to all the Committee members for working so hard. Signage is being worked on for the park and a plaque will be done for the donor of the land, Mr. Schizdick.

Councilman Antoski stated:

- Attended a State meeting on available grants for infrastructure such as sidewalks. There are a couple of issues. The first being the preliminary grant needs to be submitted by the end of September, which can be done; however, the issue is the project can't be any less than \$250,000. If we can increase the project to include other areas for sidewalks the grant is a 20% match. We need to get prices for three locations: Lakehill Road, Route 50 at the V-corners in the northern end of town and Route 50 south. C.T. Male will do a cost estimate for \$1035 that is needed for the grant deadline. It is the Board's consensus to spend the money. Resolution 16-171 will be added at the end of the meeting.
- Emailed the Board with some final thoughts regarding increasing the price of renting the Community Room.

Councilman Goslin will discuss sewers and introduce our presenter, Ed Hernandez, of Adirondack Mountain Engineering.

OLD BUSINESS

377 Goode Street

Counsel reported there are several maintenance and other code violations. The owner of the property passed away at the end of 2012. Taxes have been paid, but no change in records have been done. He believes one of the family members is paying the taxes. He will send a letter to the family member of the situation and suggest having a meeting to clarify some issues that are at hand.

857 Route 50

Supervisor Szczepaniak stated the power has been shut off. No further action will have to be taken by the Board due to the transfer of ownership on the property. The new owner has worked out a payment plan with National Grid.

NEW BUSINESS

Route 50 Sewer Options

Councilman Goslin gives an update on sewers. The Ballston Lake Sewer project has been in the making almost four years consisting of properties in Buell Heights and around the Lake. This past summer we were informed that a \$2.5 million grant will be received to help with this project. This grant allows the project to move forward. The Board needs to think about and provide some direction of where we are going with sewers in our Town. He introduced our speaker this evening, Ed Hernandez of Adirondack Mountain Engineering and thanked him for volunteering his time tonight to speak about sewers on Route 50.

Mr. Hernandez showed a proposed map of what a Route 50 sewer district project could look like. The proposed Ballston Lake sewer district lies between the Route 50 corridor and any potential connection with the Saratoga County Sewer district. It is important to do long term planning now so we know who and what to serve and have the right capacity. Infrastructure tying into the Ballston Lake sewer project can be financed separately or in conjunction with the Ballston Lake project. This could decrease the long term cost for residents. It is beneficial to the Town to include other sewer projects to fully utilize the grant that was given for the Ballston Lake sewer project. The Route 50 sewer project is like a Phase 2 sewer project. Grants would be possible for this as well. One option of the Route 50 sewer project shows sewers from the Glenville town line to Whites Beach Road; other options are to extend sewers to McCreahill Road and tie into Saratoga County sewers. Preliminary cost estimates are \$4.25 per thousand dollars of assessed value. This amount does not include any pending development projects such as CVS or the Little Farm. If the Town of Glenville tied into the infrastructure, that could also decrease the cost. Supervisor Szczepaniak states the Route 50 corridor is a one-time opportunity to have sewers. Teaming up with developers on the Route 50 corridor will bring more business for the Town and drive the cost for sewers down for residents. The Town needs commercial tax base.

Councilman Goslin feels we need to do a study and possibly poll the community. We have had contact with developers that want to help with sewers in Town, such as the senior housing. He feels at a minimum a study should be done. Councilman Goslin suggested a professional services agreement between the Town and Ed Hernandez for a feasibility study of the Route 50 corridor. Councilman Curtiss feels the same way. Sewers need to be done, it won't get any cheaper. There is not much residential in the area that will be affected.

Councilwoman Stewart is in favor of sewers on Route 50. When septic systems start failing, sewers are very appealing. Our commercial tax base needs to improve. She cautions polling the public until there are cost numbers available. It is premature.

Councilman Antoski cautions the Board about additional residential in the ag district like the Little Farm. There may be an issue because of the Comp Plan.

The Board all agrees a study needs to be done. A proposal to do a Route 50 sewer study will be presented by Mr. Hernandez at the agenda meeting.

Supervisor Szczepaniak asked members of the audience to speak on sewers for Route 50:

Ann Pierce, resident of Lake Road, has concerns on a comment that Nan stated last month "if you build it, they will come", causing more traffic than there is now. She encouraged the Board to look at the whole picture and how sewers will affect everyone.

Charlie Morris, owner of Morris Ford, is in favor of sewers. He spends \$300 every other week to have his car wash water pumped out and has been doing this a long time. We need some growth

in the Town to help pay for these type of projects. Sewers are good for the community. Tax dollars will be brought to the Town. Regarding traffic problems, we have had traffic in Town for a very, very long time. Traffic patterns can possibly be changed on Route 50. He doesn't believe sewers will affect the ag districts. He applauds the Board for taking steps on this project.

Rick Noel, of East Glenville, is part of the BH-BLBPA and the Visionary Committee. The budget for schools went up but taxes slightly down. He is interested in what the sewer study will show. He is in favor of sewers, and hopes it will help with school taxes.

Developer *Morgan Ruthman* of the Spinney Group spoke as an owner of property on Route 50, has an interest in sewers. The cost for sewers may be lower than what Mr. Hernandez presented due to projects such as his to help defer the cost. He looks forward to working with the Town to have a win-win for all. He is here to listen and learn about our community. The Spinney Group is a housing community for people 55+ years old. The proposed project is 220-240 unit cottage style living which will be a tax contribution to the Town and have no burden on the school district. This is alternative living without residents leaving their town and only a conceptual plan.

Developer *Mark Katz*, owner of property on Route 50 currently being developed, states he has over \$900,000 invested in this project. He has lived in the Town 40+ years. He invests in the Town and puts money back into the community. He has received a lot of heat from farmers about his project. He has never been against farms and is offended by comments regarding his project. He has paid \$40,000 in taxes on property with no special exemptions. He commented on traffic stating traffic is traffic, why are people in such a rush? There is traffic everywhere you go.

Kurt Bedore, of KB Engineering, is very vested in the Town. He is on the Visionary Committee and his children attend BHBL schools, and gives as much back to the community as he can. Tonight's discussion is very encouraging to all involved. He states Nan should look at the Route 50 corridor when doing zoning, all aspects tie in together – zoning, sewers, water, sidewalks, etc. Balance is needed. Sidewalks are important as a safety issue. He states the cost to install sidewalks between Lakehill and Kinglsey Roads is approximately \$60,000. Sewers are the key to the revitalization for the Town and a master plan is needed. He feels with the commercial entities coming in, it is a good start. Traffic problems will always be here even if we don't do another thing in this town. It is a regional issue and a lot of it is transient - early morning and early evening. DOT needs to take a look at this on long term projections.

Privilege of the floor

No one wished to speak.

NEW BUSINESS FOR CONSIDERATION AND ACTION

RESOLUTION 16-166

APPROVE THE PURCHASE OF A NEW COMPUTER FOR THE BUILDING DEPARTMENT AT A COST NOT TO EXCEED \$800.

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

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

No 0

RESOLUTION 16-167

APPROVE BST & COMPANY TO COMPLETE THE 2013-2015 AUD'S (ANNUAL UPDATE DOCUMENT) AT A COST NOT TO EXCEED \$3000.

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

No 0

Resolution 16-168

APPROVE AMENDING RESOLUTION 16-144 TO CHANGE THE DATES OF THE OCTOBER 11TH AND 25TH BUDGET MEETINGS TO OCTOBER 12TH AND OCTOBER 27TH AT 6 P.M.

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

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

No 0

