

An agenda meeting was held by the Town Board of the Town of Ballston on Tuesday evening, February 25, 2014 at the Town Hall on Charlton Road, Ballston Spa.

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

Supervisor Ziegler called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

RESOLUTION 14-034
AUDIT OF CLAIMS

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

General Fund	No. 44 - 93	\$41,015.84
Highway Fund	No. 21 - 67	75,828.49
Gravel Pit Fund	No. -----	-----
Park Fund	No. 1	1,000.00
Library	No. 23 -	13,391.44
Water Fund District 2 (SW)	No. 8 - 16	3,846.69
Blue Barnes Rd Dist. No.2 Ext# 13 (BBR)	No. 8 - 15	69.53
Brookline Rd Rte 67 No.2 Ext#12 (BRW)	No. 8 - 15	417.21
Goode St Dist. No.2 Ext#14 (GSW)	No. 8 - 15	278.13
Paradowski Rd Water Dist. No. 5 (RW)	No. 2 - 4	4.47
Route 50 Water No.2 Ext#7 (RTW)	No. 8 - 15	1,594.82
Scotcbush Water Dist. No.6 ((WW)	No. 2 - 4	8.94
Silver Ln Water Dist. No 6 Ext#1 (WX)	No. 2 -4	4.47
Chapel Hill Water Dist. No. 2 Ext # 18 (CH)	No. 8 - 15	486.74
Brooks Heritage Dist. No.2 Ext #21 (RL)	No. 8 - 15	486.74
Stonebridge Enclave No.2 Ext #19	No. 8 - 15	69.53
Trust & Agency	No. 1 - 3	12,534.60
ADOPTED: Ayes 5	Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, Councilwoman Stewart and Councilman Antoski	
Nays 0		

SUPERVISOR'S REPORT

Supervisor Ziegler reported that there was a change in the bookkeeping department on February 18th. This was as a result of the audit report concerning the Town's finances. There were comments made that headway was being made with the Town's finances the last few years and that simply is not true. The 2012 and 2013 books will require significant work to get them to a point where they can be audited. This is a multi-step process that will take months. The Town hired a municipal auditing firm and we are getting the best advice on how to proceed and avoid Federal sanctions.

The Board has made many appointments and is looking to appoint a member to the Board of Assessment Review and a Chairperson to the Ethics Committee.

Supervisor Ziegler will review the notification process for PUDDs, Zoning Board and Planning Board projects.

COUNCIL MEMBERS' REPORTS

Councilman Szczepaniak spoke with TYCO Securities and he should have a camera quote for the March Town Board Meeting.

He was part of the interview committee, along with Richard Doyle and Councilwoman Stewart. They interviewed six candidates for the Planning Board and Zoning Board of

Appeals. The applicants were well qualified and he appreciates their interest in serving the Town. Councilman Szczepaniak thanked Mr. Doyle for his service.

Councilwoman Stewart said that we are fortunate to have so many people with the time and expertise to help the Town.

Councilman Goslin stated he would like to address the increase in water rates at the next meeting. He asked direction from Town Attorney James Walsh with this issue.

He reported the need to set up a Water Master Plan or a 10 Year Plan that will be concerned with all our water concerns and issues. Water Superintendent Whalen is working with him on this project. They will set up the meetings for the Water Committee to be held at 6:00 p.m., before the Town Board Monthly Meeting.

Councilman Goslin said the Board needs to establish a Capital Water Fund to deposit connection fees.

PRIVILEGE OF THE FLOOR

No one wished to speak at this time.

OLD BUSINESS

1. 14 Lakehill Road

Town Attorney Walsh spoke with the property owner's attorney, Mr. Cromie and an offer has been extended concerning this matter.

2 & 4. Schidzick Estate, Anchor Diamond Park and the Hawkwood Proposal

Town Attorney Walsh reported that the administrators for the estate have received a letter from the former Town Attorney Brower for the need to have an agreement in writing. They are not responding and Mr. Walsh will intercede with the Judge if the agreement is not forthcoming.

3. Sewer Committee

Councilman Goslin reported that the Sewer Committee had their meeting on February 17th and the engineering study is proceeding. The committee will be sending out their mailing shortly. The next meeting will be changed from March 17th to March 24th.

5. Bike Path Extension

Town Attorney Walsh sent an email to the attorney for National Grid introducing himself. He stressed that the biked path extension is a separate issue from the Connolly Road litigation.

6. Water District Consolidation

Supervisor Ziegler is removing this item from the list since it will not proceed until after the audit is completed.

7. Lake Road Water District

Supervisor Ziegler said that he is meeting with a resident from this proposed water district and the Board will not be proceeding with this project at this time.

8. Audit

Councilman Goslin reported that the Town is in need of additional resources to update the 2012 and 2013 books and work with the auditors.

Supervisor Ziegler stated we have a temporary, part-time bookkeeper handling the daily work of paying bills and payroll. The Board is looking to better utilize technology. The auditing firm will help us determine what we need moving forward and the nature of the bookkeeping position.

9. Timber Creek Preserve Phase IV

Timber Creek Preserve Phase IV is before the Planning Board.

10. BH-BL High School Crossing Improvements

Saratoga County Commissioner of Public Works Manz will meet with Councilman Antoski to see what improvements the County allows and what crossing improvements can be made.

Councilwoman Stewart asked the deadline to file the Town's answer to the Dolomite lawsuit.

Town Attorney Walsh stated he will answer the petition from Dolomite by March 5, Dolomite must reply to our answer by March 12th and it will go before the Judge on March 17th.

NEW BUSINESS FOR CONSIDERATION AND ACTION:

RESOLUTION 14-035

REAPPOINT JOHN VAN VORST TO THE PLANNING BOARD.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to reappoint John Van Vorst to the Planning Board for a term commencing February 25, 2014 and ending December 31, 2020.

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

RESOLUTION 14-036

APPOINT AUDELIZ MATIAS TO THE PLANNING BOARD.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to appoint Audeliz Matias to the Planning Board for a term commencing February 25, 2014 and ending December 31, 2020.

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

RESOLUTION 14-037

APPOINT JAMES DIPASQUALE AS FIRST ALTERNATE MEMBER TO THE PLANNING BOARD.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to appoint James DiPasquale as First Alternate to the Planning Board for a term commencing February 25, 2014 and ending at the organizational meeting in January 2015.

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

RESOLUTION 14-038

APPOINT PATRICK MAHER AS SECOND ALTERNATE TO THE PLANNING BOARD.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to appoint Patrick Maher as Second Alternate to the Planning Board for a term commencing February 25, 2014 and ending at the organizational meeting in January 2015.

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

RESOLUTION 14-039

APPOINT DANIEL RUSSELL TO THE ZONING BOARD OF APPEALS.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to appoint Daniel Russell to the Zoning Board of Appeals for a term commencing February 25, 2014 and ending December 31, 2020.

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

RESOLUTION 14-040

APPOINT STEPHEN MERCHANT AS FIRST ALTERNATE TO THE ZONING BOARD OF APPEALS .

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to appoint Stephen Merchant as First Alternate to the Zoning Board of Appeals for a term commencing February 25, 2014 and ending at the organizational meeting in January 2015.

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

Discussion was held on the Transfer of Development Rights and the submission of a grant application for financial assistance to create a Transfer of Development Rights Program (TDR). Farmland Protection Committee Chairperson Joan Pott said that the creation of a program is the first step. The funding is available now, on a first come first served basis. The Comprehensive Plan addressed the sending and receiving districts as well as public resources to support infrastructure. The Town has many of the necessary steps already in place: the Right to Farm Law, the Farmland Protection Plan and the designation of a Farms First Community. Ms. Pott said this is a preservation tool. It provides the opportunity for a retiring farmer to obtain money for his farmland so that it could be sold as another farm and the land stay in agriculture.

RESOLUTION 14-041

TOWN OF BALLSTON, SARATOGA COUNTY
STATE OF NEW YORK
RESOLUTION # 14-041

A Resolution authorizing the submission of a grant application for financial assistance to create a Transfer of Development Rights (TDR) Program.

Introduced By: Councilman Antoski

Seconded By: Councilman Szczepaniak

WHEREAS, the Farmland Protection & Preservation Committee (FLPP) recently completed the 2013 Agriculture and Farmland Protection Plan which recommended establishment of a Transfer of Development Rights (TDR) program, and

WHEREAS, the New York State Department of Agriculture and Markets has invited applications for financial assistance to establish an implementation-ready TDR program for farmland protection, and which applications need to conform to the format and content specified in a department created request for applications (RFA),

WHEREAS, it is in the best interest of the municipalities having an interest in submitting a funding assistance application to utilize the services of a consultant to develop such an application, and

WHEREAS, the FLPP reviewed qualifications of area consultants and recommended selection of Nan Stolzenburg at Community Planning & Environmental Associates (CP&EA) due to her extensive experience as principal consultant for three (3) counties and eleven (11) town-level agriculture and farmland protection plans over the past decade, and

WHEREAS, CP&EA is willing to complete the RFA on behalf of the Town at no cost to the Town with the understanding that if the grant request were to be successful, the Town would retain their services.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to contact CP&EA and advise Nan Stolzenburg at the company that they are authorized to complete the aforementioned RFA on behalf of the Town and at no cost to the Town, and

BE IT FURTHER RESOLVED, that should the Town of Ballston receive a grant from the New York State Department of Agriculture and Markets, the Town Board agrees to retain the services of Nan Stolzenburg at CP&EA to complete development of the TDR program with fees to be paid from the grant, and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to sign any grant application (RFA) that may be prepared by CP&EA pursuant to this resolution.

By order of the Town Board of the Town of Ballston by the following vote thereon:

	YES	NO
Supervisor Ziegler	X	
Councilman Szczepaniak	X	
Councilman Goslin	X	
Councilwoman Stewart	X	
Councilman Antoski	X	

DISCUSSION

1. Notification Process

Supervisor Ziegler said it was brought to the Town Board's attention, at the Public Hearing for the amendment to the Beacon Hill PUDD, that residents were upset because they did not receive notification about this proposed change. Also, another resident complained that he was not notified about Timber Creek Preserve Development and he lives across the street. The Town Board does not follow the same notification process with PUDD as the Planning Board and Zoning Board of Appeals. It is very important to improve communication between the Town and the residents and to streamline the process. We will be looking at notifying all residents within a certain radius for the PUDDs, Planning and Zoning changes.

2. Debris Pickup

The Town has received calls concerning a Debris Pickup. Highway Superintendent Whalen is looking at options for the pickup. Councilman Szczepaniak said the Town Board is aware that the residents really want this and it was discussed last year at budget time. The Town Board may need to enact an ordinance to prevent individuals from picking up the metal that is used to offset the cost of the pickup.

Councilman Goslin said \$20,000 was put in the budget for junk pickup. However, the Board has to be mindful that the sales tax revenue was soft again this month.

Supervisor Ziegler reviewed the items for the March 11th agenda.

AGENDA FOR THE MARCH 11, 2014 TOWN BOARD MEETING:

1. CONSIDER SETTING A BID OPENING FOR THE REMOVAL OF OLD FUEL TANKS AND THE INSTALLATION OF NEW TANKS AT A DATE TO BE DETERMINED.

RESOLUTION 14-042

ENTER INTO EXECUTIVE SESSION TO DISCUSS THREE EMPLOYMENT CONTRACTUAL POSITIONS FOR: BOOKKEEPING, PLANNING/ZONING BOARD OF APPEALS SECRETARY AND ALTERNATE PLANNING /ZONING BOARD OF APPEALS SECRETARY/BOOKKEEPER ASSISTANT.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to enter into Executive Session to discuss three employment contractual positions for: Bookkeeping, Planning /Zoning Board of Appeals Secretary and Alternate Planning/Zoning Board of Appeals Secretary/Bookkeeper Assistant.

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

RESOLUTION 14-043

RETURN TO REGULAR SESSION.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to return to regular session.

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

RESOLUTION 14-044

**AUTHORIZE THE SUPERVISOR TO EXECUTE THE CONTRACT
PROVIDING EMERGENCY TEMPORARY PART-TIME BOOKKEEPING
SERVICE.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to authorize the supervisor to execute the contract providing emergency temporary part-time bookkeeping service.

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

RESOLUTION 14-045

**AUTHORIZE THE SUPERVISOR TO APPROVE THE CONTRACT FOR
PLANNING / ZONING BOARD OF APPEALS SECRETARY.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to authorize the Supervisor to approve the contract for Planning /Zoning Board of Appeals Secretary.

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

RESOLUTION 14-046

**AUTHORIZE THE SUPERVISOR TO APPROVE THE CONTRACT FOR
ALTERNATE PLANNING/ZONING BOARD OF APPEALS SECRETARY.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to authorize the Supervisor to approve the contract for Alternate Planning/Zoning Board of Appeals Secretary.

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

A motion was made by Councilman Goslin and seconded by Councilman Antoski to adjourn the meeting at 8:55 p.m.

Respectfully submitted

Carol R. Shemo
Town Clerk