

An agenda meeting was held by the Town Board of the Town of Ballston on Tuesday evening, June 30, 2015 at the Town Hall on Charlton Road, Ballston Spa.

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

Supervisor Ziegler called the meeting to order at 6:40 p.m. and the Pledge of Allegiance was recited.

RESOLUTION 15-94

AUDIT OF CLAIMS

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

General Fund	No. 225 - 288	\$35,903.42
Highway Fund	No. 242 - 305	32,506.27
Gravel Pit Fund	No. 6 - 10	13,832.88
Park Fund	No. 8 - 16	4,784.10
Library	No. 183 - 216	14,352.89
Water Fund District 2 (SW)	No. 68 - 77	75,156.93
Blue Barnes Rd Dist. No.2 Ext# 13 (BBR)	No. 47 - 52	1,435.72
Brookline Rd Rte. 67 No.2 Ext#12 (BRW)	No. 48 - 53	10,050.03
Goode St Dist. No.2 Ext#14 (GSW)	No. 54 - 60	7,611.63
Paradowski Rd Water Dist. No.5 (RW)	No. 20 - 23	2,859.48
Route 50 Water No.2 Ext#7 (RTW)	No. 47 - 53	36,211.33
Scotchbush Water Dist. No.6 (WW)	No. 19 - 22	2,577.82
Silver Ln Water Dist. No.6 Ext#1 (WX)	No. 19 - 21	75.59
Chapel Hill Water Dist. No.2 Ext # 18 (CH)	No. 48 - 53	10,050.03
Brooks Heritage Dist. No.2 Ext #21 (RL)	No. 47 - 52	4,307.16
Stonebridge Enclave No.2 Ext #19	No. 47 - 52	2,870.95
Morningdale Court No.2 Ext#24	No. 48 - 53	1,435.72
Mourningkill No.2 Ext#22	No. 45 - 50	1,435.72
Trust and Agency	No. 21 - 23	12,702.50

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

RESOLUTION 15-95

APPROVE THE CLOSURE OF ROADS IN BUELL HEIGHTS ON SEPTEMBER 19, 2015 AT 10 A.M. FOR THE FUN RACE SPONSORED BY THE BURNT HILLS-BALLSTON LAKE SCHOOL DISTRICT.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to approve the closure of roads in Buell Heights on September 19, 2015 at 10 a.m. for the fun race sponsored by the Burnt Hills-Ballston Lake School District.

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

RESOLUTION 15-96

APPROVE A RESOLUTION HONORING ROBERT HODGSON ON THE OCCASION OF HIS RETIREMENT.

Motion: Councilman Goslin
Seconded: Councilman Antoski

WHEREAS, the Town of Ballston, a small town in Saratoga County, provides a host of services to our community, including blacktopping

new roads, maintain our roadsides, maintaining our town properties, plowing snow, providing water to our residents; and

WHEREAS, the Town of Ballston has maintained a professional and dedicated highway department to provide these services; and

WHEREAS, Robert Hodgson, has served his community for the past 20 years being a dedicated employee of the Highway Department; and

WHEREAS, Robert Hodgson, is to be commended for his tireless effort to respond to snow events 24/7 including weekends, evenings, vacations and holidays; providing reliable public works emergency response for windstorms, ice storms, flooding events, and traffic accidents; and assisting with every town highway and water project during his tenure; and

WHEREAS, Robert Hodgson, also has gone beyond the call of duty when it comes to remodeling town hall, improving the highway garage or improving our town parks; and

WHEREAS, Robert Hodgson, along with his fellow highway workers have maintained an excellent safety record and whose efforts keep our roads and water safe for our residents; and

WHEREAS, Robert Hodgson, who also served his community by volunteering for over 40 plus years in the fire service; and

WHEREAS, Robert Hodgson, was viewed a recent fire event, wearing many hats, and seemed to simultaneously manage fighting the fire, maintaining the water level in the water tower, providing traffic control, locating utilities and shutting off water; and

NOW, THEREFORE, BE IT RESOLVED that the Supervisor and the Town Board, join the residents of our community on this June Thirtieth Two Thousand Fifteen in expressing our sincere appreciation for his service to our town and our community and extend our best wishes as he begins his well-deserved retirement.

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

The Town Clerk read the list of agenda items for the July 14, 2015 Meeting:

RESOLUTION 15-99 FINANCIAL REPORT FOR JUNE 2015

OLD BUSINESS

PRIVILEGE OF THE FLOOR ON ITEMS TO BE CONSIDERED FOR ACTION AT THE JULY 14, 2015 MEETING

NEW BUSINESS FOR CONSIDERATION AND ACTION FOR THE JULY 14TH MEETING

15-100 CONSIDER APPROVING THE RENEWAL OF THE TOWN'S INSURANCE POLICY

DISCUSSION

1. Sewer District

PRIVILEGE OF THE FLOOR

COMMITTEE AND DEPARTMENT REPORTS

Town of Ballston Community Library Report

Library Director Karen DeAngelo reported the following:

1. The summer reading program is in full swing.
2. There will be a YMCA program on Jack and the Beanstalk
3. The Library received a letter from Senator Farley stating that they have been approved to receive \$10,000.
4. Ms. DeAngelo has a meeting with the architect concerning the library renovation project and grant funding.
5. Director DeAngelo has received an estimate from the movers for outside storage units to be used during the renovation project.

Planning Board Report

Chairman Richard Doyle reported that Mr. & Mrs. Katz submitted a request for a minor subdivision of their property on White Beach Road. The Planning Board has a problem with this subdivision since it is a single access road. A road with a single access has 21 units as the maximum number of units allowed. There are now 31 units on White Beach Road with the addition of the units on Saunders Lane. Also, Powers Lane has a similar situation. Mr. Doyle asked the Board to come up with possibilities to resolve these issues. It should be noted that Mr. & Mrs. Katz gave the property for a connector road to Saunders Lane.

Councilman Goslin said our Town Attorney and the Attorney for Planning and Zoning will need to look at the zoning and the changes that need to occur so the Town Board can consider appropriate relief for these roads.

BUILDING DEPARTMENT

Building Inspector Thomas Johnson reported he received the name of David Near to add to his list of third party electrical inspectors. He asked the Town Board to pass a resolution at the July 14th Town Board Meeting to add David Near to list of electrical inspectors.

HIGHWAY AND WATER DEPARTMENT REPORT

Highway Superintendent Whalen reported the following:

1. There were two water main breaks; one was on Rosedale Court and the other on Goode Street.
2. There will be two miles of road paved next week. The roads, or parts of roads, that will be paved are Lake Road, Ballston Avenue, Thomas Avenue, Garrett Road and Morningdale Court.
3. The project replacing the fuel lines began this week.
4. The Railroad Company will be replacing the Outlet Road Railroad crossing. The road will be closed July 6th through July 10th. Emergency Services have been contacted.

TOWN ATTORNEY REPORT

Town Attorney Walsh reported on the following:

1. Richard Wickerham Esq., Attorney for the Hawkwood Estate, is present this evening with the contract for the Supervisor to sign for the Hawkwood Property. The recommendations to Saratoga PLAN have been met with reasonableness and all issues have been addressed. They have finalized the language so that the snowmobilers concerns are addressed and so are the concerns for overnight camping for educational and conservational groups.

RESOLUTION 15-97

AUTHORIZE THE SUPERVISOR TO SIGN THE CONTRACT FOR THE HAWKWOOD PROPERTY ON BEHALF OF THE TOWN OF BALLSTON.

A motion was made by Councilwoman Stewart and seconded by Councilman Szczepaniak to authorize the Supervisor to sign the contract for the Hawkwood Property on behalf of the Town of Ballston.

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

Councilwoman Stewart asked about the trails for the snowmobilers and the environmental approvals that need to be completed on the Hawkwood Property.

Councilman Szczepaniak asked about the posting of that property as a Town property. He is concerned about safety issues. He thanked Town Attorney Walsh for all his hard work.

Town Attorney Walsh replied that the contract is subject to environmental issues or problems. There will be a plaque thanking Mr. Schidzick for his contribution to the Town of Ballston and the name of the park will be Anchor Diamond Park at the Town of Ballston. The final details will be worked out. Town Attorney Walsh thanked Attorney Wickerham for all his hard work on this project.

Attorney Wickerham thanked Town Attorney Walsh, Supervisor Ziegler, Board Members and the community for all your support and courtesy. Attorney Wickerham said the purchase price for the Hawkwood Property was thirty-eight percent of the value of the property. The financial reserve will be placed in trust and that should help with your expenses. The environmental studies for Phase I and Phase II will begin tomorrow. We want to make sure the property is environmentally safe. There is a provision in the conservation easement for signage. The Town is the owner of the property and the day-to-day management of the park is exclusively with the Town.

Supervisor Ziegler thanked Town Attorney Walsh and Mr. Wickerham and said generations in the Town of Ballston will appreciate your hard work.

2. The accounting for the money in the Schidzick Estate has been filed with the Court and Town Attorney Walsh is comfortable with the report.
3. He gave an update on Connolly Road. There is a problem with the chain of title on one property. They are trying to resolve this issue without doing a survey that will cost the Town between \$2,500 and \$3,000. All the easements have been drafted. He may request money for the survey cost at the next Town Board Meeting.

Attorney Matthew Chauvin said they have hired an additional title search company to clear this chain of title on the one property. They will know in a week's time if they need to do a survey.

Supervisor Ziegler asked the Town Attorney to get Connolly Road completed as soon as possible. We cannot have another winter with that situation.

4. The Board should add a discussion on moratorium for the July 14th meeting.
5. There is a pending lawsuit Alan Poremba vs the Town of Ballston and New York Development Group. They met today and have adjourned for sixty days. There is a possible resolution with the recommendation of a zoning change. He will update the Town Board on the lawsuit at a future meeting.

COUNCIL MEMBERS REPORTS

Councilwoman Stewart reported that Dr. Kelley, the Town's Health Officer, was unavailable to do testing due to health reasons. Dr. Buckley has agreed to provide services on pressing issues.

Councilman Szczepaniak stated that the personnel committee and Building Inspector Thomas Johnson will interview two more candidates for Assistant Building Inspector before the next Town Board Meeting. They will also look at a backup for Dog Control Officer.

DISCUSSION

1. 2 MAGNOLIA LANE

Councilman Szczepaniak was contacted by residents concerning the tall grass on 2 Magnolia Lane. The Zoning Enforcement Officer cited the owners of the property for tall grass. Building Inspector Johnson believes no response was received from the owners. Also, 21 Edgewood Drive was cited due to tall grass and the grass was cut.

2. Air Conditioning for the Meeting Room

Councilman Szczepaniak said there was an adjustment to one of the bids. The Meeting Room is used by many boards, committees and the community. The use of window units will create too much noise and it will be difficult for residents to hear during the meeting and for the Town Clerk to do her minutes. The Board agreed to go with the low bidder Suburban Services, a local business.

RESOLUTION 15-98

APPROVE THE INSTALLATION OF THREE DUCTLESS SPLIT AIR CONDITIONING UNITS IN THE MEETING ROOM. THE LOW BIDDER WAS SUBURBAN SERVICES GROUP AT A BID OF \$8100.

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve the installation of three ductless split air conditioning units in the Meeting Room. The low bidder was Suburban Services Group at a bid of \$8100.

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

3. Sewer District

Supervisor Ziegler said the Town Board has reached out to outside expertise for additional help in reviewing the map, plan and report for the Sewer District. Attorney Matthew Chauvin has agreed to review these documents for the Town. C T Male Engineer Kathryn Serra has agreed to review the documents on the engineering side.

Councilman Goslin said there was considerable expertise on the committee with Richard Doyle and James DiPasquale. He would like them to continue to work on the sewer district as we go forward and help to evaluate the path to get us to where we want to go.

Supervisor Ziegler asked Attorney Chauvin for his review of the map, plan and report. Attorney Chauvin had legal concerns with the draft document. There were items missing from the report. We have had productive meetings with Delaware Engineering and additional information was provided. Kathryn Serra also met with Delaware Engineering and addressed individual items. On the request of the Town Attorney, Attorney Chauvin reached out to Clifton Park to see how the sewer district was progressing. He is comfortable with the Intermunicipal Agreements. He is waiting for Ms. Serra to give her comment letter before he completes his review of the documents.

Ms. Bianconi, Project Manager of the Sewer District for Delaware Engineering, said that Kathryn Serra had concerns over technical items. She didn't know that the Board came up with a policy for EDUs and she asked for Delaware Engineering to provide a detailed scope of work. Delaware Engineering completed a report with billing rates and hours worked. Also, the additional cost of the final report was based on the grants level of expected work for this project. There will be a reduced cost for the final report since they do not have the time available for additional work on this project.

Supervisor Ziegler reviewed the bid documents for the sewer district. The language in the report states the final engineering and the map, plan and report are included in the bid.

Ms. Bianconi will review the details and scope of the plan with the Supervisor.

Councilman Goslin said a month ago we learned we had a tight timetable for the Board to file the paperwork necessary for the NYS Revolving Fund to lock in the interest rate. We are chasing the interest rate and funding for August 1st. There is a sequence of events that need to occur in order to meet the deadline. The project could cost millions of dollars more if we miss the window for funding. The review by the Town engineer is impacting our deadline.

Supervisor Ziegler stated they did not have the appendixes of the report until June 23rd. The Board was not holding up the process. We needed to see more detailed cost estimates for the project. Clifton Park will have a public information meeting on July 8th. Clifton Park has done many projects of this type. This is the first infrastructure project of its kind for the Town of Ballston. The cost of the project is ten million dollars and there is a lot of pressure to do this right. If we do not receive that interest rate under the grant, the cost per year at 2% would be \$920 and at 2.25% the cost would be \$944 instead of \$910. As Councilman Goslin has said this is the most important project in years.

Councilman Szczepaniak asked if it is possible to pass a resolution approving the map, plan and report contingent on the attorney's review.

Town Attorney Walsh would not advise the Board to consider that resolution. The Board has taken that action on routine minor agreements. Under Section 209C of Town Law this is the Board's map, plan and report and you should not cede your fiduciary duty to another individual.

Ms. Bianconi said the resolution to approve the map, plan and report requires a set statue to adopt. We can do that at the July 14th meeting and still be within the time frame to apply for funding. We can then conduct a public hearing subject to SEQRA and adopt the sewer district subject to referendum.

Councilman Antoski said we have hired experts, an engineering firm and the Town engineer, who is to say who is correct. The bottom line is the dollars that people will have to pay each year.

Councilman Szczepaniak asked to set a meeting to discuss the map, plan and report for Monday, July 6th at 6 p.m. The Board agreed with the meeting time.

A discussion was held on the date for the public hearing and referendum. Town Attorney Walsh stated the Town has to publish a notice of referendum 45 days before the referendum so we are looking at late September with the public hearing in the middle of August. The special election is run by the Town Clerk's Office.

A motion was made by Supervisor Ziegler and seconded by Councilman Szczepaniak to adjourn the meeting. The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Carol R. Shemo
Town Clerk