

A regular meeting was held by the Town Board of the Town Ballston on Tuesday evening, July 14, 2015 at the Town Hall on 323 Charlton Road, Ballston Spa, New York.

**PRESENT:**

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

**ABSENT:**

John Antoski	-----	Councilman
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Supervisor Ziegler called the meeting to order at 6:37 p.m. and the Pledge of Allegiance was recited.

**CORRESPONDENCE**

The Town Clerk reported that there was no correspondence for the Month of June.

**REPORTS OF TOWN OFFICIALS**

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Library Board of Trustee Member Beth Bechtel, Dog Control Officer Thomas Shambo, and Town Clerk Carol Shemo submitted reports for June and they are on file in the Town Clerk's Office.

**Clear Water Committee Report**

Drew Hamelink, Chairman of Clear Water Committee, reported that he is adding FAQs, frequently asked questions, to the ballstonsewers.org webpage. He has five questions on the FAQs and would like the Board to email him generic questions to add to this information. He said the Town of Clifton Park is progressing with their process. They have completed the map, plan and report and are receiving responses to their letter asking for the residents in the proposed district to vote on the sewer district. With fewer than fifty percent of the residents responding, the results are quite favorable in response to the sewer district.

**The Proposed Town of Ballston Local Emergency Planned Executive Committee**

Dennis Pokrzywka, co-chairman of the proposed Town of Ballston Local Emergency Planned Executive Committee, introduced the members of the committee who were present at the meeting. He acknowledged: Joseph Whalen co-chair and Town Highway/Water Superintendent, Fred Willig Ballston Lake Fire Chief designee, John Goddard Burnt Hills Fire Police Captain, Jeff Fendick DOE West Milton Site, Retired Naval Nuclear Engineer, Lee Ramsey BH Fire Commissioner and local business owner and Michelle Dingman administrative support assistant, records management and data management coordinator. Mr. Pokrzywka reported that the committee will reassess the Town's risks and update the emergency response plan. The emergency response plan and preparedness is mandated by federal statute. The committee appreciates the Town Board's support.

**RESOLUTION 15-100**

**APPROVE THE SUPERVISOR'S FINANCIAL REPORT FOR THE MONTH OF JUNE 2015.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to approve the Supervisor's Financial Report for the month of June.

ADOPTED Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, and Councilwoman Stewart

Nays 0

**SUPERVISOR'S REPORT**

**Supervisor Ziegler** reported the following:

1. The Saratoga County Fair will be held July 21st- 26<sup>th</sup>.

2. Attorney Chauvin tracked down the ownership of every section of lower Connolly Road and Powers Lane. The Town needs all residents of these roads to sign the reciprocal agreements to allow everyone legal access to their piece of land. With clear title on these properties, we can now secure funding from the Railroad. We will have a public hearing on this issue. He thanked Attorney Chauvin and Town Attorney Walsh for all their hard work.

Attorney Walsh said the process took a year to address. It was necessary to secure the chain of title on the parcel of land owned by Mr. Connolly showing no gap in ownership. He believes that eighty-five percent of the property owners will sign at the public hearing and the remainder of the documents he will get signed.

## **COUNCIL MEMBERS REPORTS**

**Councilman Szczepaniak** reported the following:

1. He thanked Joseph Whalen, Water and Highway Superintendent, for addressing the fuel line replacement, arranging for air conditioning of the Meeting Room and for the sealing of the Town Hall Parking Lot.
2. He thanked Building Inspector Thomas Johnson for his proposal concerning reaching the threshold number of properties on White Beach Road with a single road access. Town Attorney Walsh will review the proposal.
3. Councilman Szczepaniak will ask the Board to consider a part-time maintenance position at the Town for help with small, routine jobs at the Town Hall, Highway and the Library. Mr. Whalen's Highway Department is very busy and it is time to consider additional maintenance help for all three facilities.
4. He thanked the Town Clerk for providing him with a list of procedures regarding changes to the zoning and creation of a local law. In the spirit of economic development, there are commercial opportunities for developing the Business Highway District 2. He will be speaking to the Town Attorney about drafting the language for a motor vehicle repair shop and service center.

**Councilwoman Stewart** reported the following:

1. The Workplace Violence Training Program will be held for staff members over the summer.
2. We are looking for more members on the Parks and Recreation Committee. With the creation of a Town Park at the Hawkwood property and the extension of the Bike Path, the committee will be very busy.

## **OLD BUSINESS**

1. Bike Path Extension

Town Attorney Walsh has reviewed the language with Attorney Mary Beth Hynes concerning the memo of agreement for the use of the National Grid Right-of-Way. The language will be available at the next meeting.

2. Audio-visual Equipment for the Meeting Room

Councilman Antoski will have an update at the next meeting.

## **PRIVILEGE OF THE FLOOR ON ITEMS FOR CONSIDERATION AND ACTION AT THIS MEETING**

*Mr. Pokrzywka* said he is happy the Board is addressing the Connolly Road area. The proposed Emergency Planning Committee will be looking into the egress and ingress in all areas of the Town.

## **NEW BUSINESS FOR CONSIDERATION AND ACTION**

It is time for the Town to renew the Insurance Policy. Last year the cost of the Town's insurance was \$67,223.02. The Supervisor is recommending the addition of flood and earthquake insurance for an additional cost of \$1,054. The total cost of the Town's insurance for this year will be \$69,101.02 this included an increase due to having to insure more costly equipment.

**RESOLUTION 15-101**

**APPROVE THE RENEWAL OF THE TOWN'S INSURANCE POLICY AT A COST OF \$69,101.02**

A motion was made by Councilwoman Stewart and seconded by Councilman Szczepaniak to approve the renewal of the Town's Insurance Policy at a cost of \$69,101.02

ADOPTED Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, and Councilwoman Stewart

Nays 0

**RESOLUTION 15-102**

**APPROVE THE CLOSURE OF THE ROADS FOR THE DAN RAN RACE SCHEDULED FOR AUGUST 8, 2015 AT 9 A.M. THE ROADS TO BE CLOSED ARE LAKEHILL ROAD, KINGSLEY ROAD AND THE ROADS OF SEELYE ESTATES.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve the closure of the roads for the Dan Ran Race scheduled for August 8, 2015 at 9 a.m. The roads to be closed are Lakehill Road, Kingsley Road and the roads of Seelye Estates.

ADOPTED Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, and Councilwoman Stewart

Nays 0

**RESOLUTION 15-103**

**APPROVE THE TOWN OF BALLSTON LOCAL EMERGENCY PLANNING EXECUTIVE COMMITTEE FOR 2015.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to approve the Town of Ballston Local Emergency Planning Executive Committee for 2015 with the following members: Dennis Pokrzywka, Joseph Whalen, Fred Willig, John Goddard, Les Bonesteel, Steve Petersen, Herb Jackson, Jeff Fendick, Philip Potier, Robert Davis, Lee Ramsey, Clem Schimlkowski, Jack Thomas and Michelle Dingman.

ADOPTED Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, and Councilwoman Stewart

Nays 0

**RESOLUTION 15-104**

**APPROVE THE TRANSFER OF \$11,500 FROM THE FUND BALANCE TO BUILDING AND GROUNDS ACCOUNT FOR THE FUEL LINE REPLACEMENT.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to approve the transfer of \$11,500 from the fund balance to Building and Grounds Account for the fuel line replacement.

ADOPTED Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, and Councilwoman Stewart

Nays 0

**DISCUSSION**

1. Sewer District

Councilman Goslin reported that postcards will be sent to residents within the proposed sewer district notifying them of the public hearing on July 23, 2015. The Board has determined to go out to referendum in September. Any sewer questions should be directed to Drew Hamelink and may be answered at the ballstonsewers.org website.

2. White Beach Road, the Katz Minor Subdivision and Powers Lane

Town Attorney Walsh will talk to the Attorney for Planning and Zoning Peter Reilly concerning the proposal by Building Inspector Thomas Johnson and Planning Board Chairman Dick Doyle. Also, they will reach out to Ballston Lake Fire Commissioner Ross Sangster to get his thoughts on the White Beach Road project.

3. Moratorium

Town Attorney Walsh has a draft of the language for the moratorium and it will be made available to the public. It is a moratorium on high density housing and multi-family residential units town-wide. It will not affect commercial development or Planned Unit Development Districts as written. The time period for the moratorium will be six months with an ability to opt for an additional six months. The moratorium is necessary for the

Town to maintain its rural character as outlined in the Comprehensive Plan and provide the level of services throughout all Town departments. At this time, there are one thousand units awaiting the issuance of a building permit which will result in a twenty-four percent increase in population. The finalized language will be provided at the July 28<sup>th</sup> Agenda Meeting.

4. Back-up for the Dog Control Officer

Supervisor Ziegler stated that at present, the Dog Control Officer, Tom Shambo, is on duty 24/7 at a salary of \$6,000 per year. The Saratoga County Sheriff is the backup for Tom for his vacation time. In prior years, the Town had a Dog Control Officer and a Deputy Dog Control Officer. We have looked at many options for part-time help as outsourcing outside his hours and sharing services with other towns. Supervisor Ziegler recommends hiring a part-time Dog Control Officer to help with his off hours and his vacation. This would mean an increase to the Dog Control Budget of \$6,000. The Dog Control Officer's salary would be \$9,000 and the Backup Dog Control Officer's salary would be \$3,000.

**RESOLUTION 15-105**

**AUTHORIZE THE HIRING OF A BACKUP DOG CONTROL OFFICER AND INCREASE THE DOG CONTROL BUDGET TO \$12,000, PRORATED FOR 2015. THE DOG CONTROL OFFICER'S SALARY INCREASES FROM \$6,000 TO \$9,000 AND THE BACKUP DOG CONTROL OFFICER'S SALARY WILL BE \$3,000.**

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to authorize the hiring of a Backup Dog Control Officer and increase the Dog Control Budget to \$12,000, prorated for 2015. The Dog Control Officer's salary increases from \$6,000 to \$9,000 and the Backup Dog Control Officer's Salary will be \$3,000.

ADOPTED Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, and Councilwoman Stewart

Nays 0

**PRIVILEGE OF THE FLOOR**

*Mr. Hamelink* asked the Board if the moratorium will provide the time to reevaluate the zoning. Some people are concerned that the proposed sewer district will cause overdevelopment. If the zoning doesn't allow for overdevelopment, the sewers cannot cause it.

Councilman Goslin answered that is exactly what the moratorium is meant to do.

**RESOLUTION 15-106**

**ENTER INTO EXECUTIVE SESSION TO DISCUSS THE TEAMSTERS CONTRACT NEGOTIATIONS FOR THE HIGHWAY DEPARTMENT.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to enter into Executive Session to discuss the Teamster Contract negotiations for the Highway Department.

ADOPTED Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, and Councilwoman Stewart

Nays 0

The Town Board entered into Executive Session at 7:30 p.m. and returned to Regular Session at 8:15 p.m.

**RESOLUTION 15-107**

**RETURN TO REGULAR SESSION**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to return to Regular Session.

ADOPTED Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman Goslin, and Councilwoman Stewart

Nays 0

No action was taken by the Town Board concerning the item discussed in Executive Session.

A motion was made by Councilwoman Stewart and seconded by Councilman Goslin to adjourn the meeting. The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Carol R. Shemo  
Town Clerk