

An agenda meeting was held by the Town Board of the Town of Ballston on Tuesday evening, August 25, 2015 at the Town Hall on Charlton Road, Ballston Spa, New York.

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 6:35 p.m.

RESOLUTION 15-122

AUDIT OF CLAIMS

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

General Fund	No. 348 - 388	\$23,716.05
Highway Fund	No. 338 - 376	151,793.68
Gravel Pit Fund	No. 15 - 19	1,824.54
Park Fund	No. 22 - 25	6,385.94
Library	No. 271 - 307	12,971.88
Water Fund District 2 (SW)	No. 93 - 98	1,249.99
Blue Barnes Rd Dist. No.2 Ext# 13 (BBR)	No. 66 - 68	23.39
Brookline Rd Rte. 67 No.2 Ext#12 (BRW)	No. 67 - 69	163.80
Goode St Dist. No.2 Ext#14 (GSW)	No. 74 - 79	4,991.57
Paradowski Rd Water Dist. No.5 (RW)	No. 30	30.07
Route 50 Water No.2 Ext#7 (RTW)	No. 67 - 69	523.18
Scotchbush Water Dist. No.6 (WW)	No. 30	30.07
Silver Ln Water Dist. No.6 Ext#1 (WX)	No. 28	15.03
Chapel Hill Water Dist. No.2 Ext # 18 (CH)	No. 67 - 69	163.80
Brooks Heritage Dist. No.2 Ext #21 (RL)	No. 66 - 68	70.20
Stonebridge Enclave No.2 Ext #19	No. 66 - 68	46.81
Morningdale Court No.2 Ext#24	No. 67 - 69	23.39
Mourningkill No.2 Ext#22	No. 64 - 66	23.39
Trust and Agency	No. 30 - 45	43,348.34

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

COMMITTEE AND DEPARTMENT REPORT

JENKINS PARK ADVISORY BOARD/ EMERGENCY PLANNING COMMITTEE

Mr. Pokrzywka was the spokesman for both the Jenkins Park Advisory Board and the Emergency Planning Committee. The Eagle Scouts are eager to do projects at the park. He will bring a letter to the next Town Board meeting outlining the projects and asking for the Town Board's approval and support. The Realty Check event held at the park was a great success.

The Emergency Planning Committee submitted a grant application for a generator at Eastline Pump Station. There are opportunities for state resources in IT, cybersecurity and other areas but the committee needs support help from volunteers to file for these grants.

BALLSTON LAKE WATERSHED PROTECTION COMMITTEE

Dr. Pierce reported that Dave Decker filed a grant application to develop a Ballston Lake Management and Protection Plan. The engineering firm will prepare the plan; the Town Board will approve it and send it to the Department of State. This will become part of the sewer project and we can apply for funding.

Dr. Greg Boyer did a data study of the Ballston Lake Shoreline. The purpose of the study was to measure the input from the septic systems along the lake. Dr. Pierce will share the full report with the Board and it should be available before the referendum.

LIBRARY REPORT

Director DeAngelo reported that she has submitted an application for a small construction grant for the two roof top units at the library. She is looking to replace the units with more efficient units since the repairs are frequent and costly. NYS will pay up to 75% of the cost and the remainder will be covered by matching funds available in the library budget.

WATER DEPARTMENT

Water Superintendent Joseph Whalen and Water Clerk Debra Bradt reported that fifty letters were mailed to water customers who consistently have not read their water meters. The letter states they could be potentially disconnected from the service unless they follow the regulations of the water department and read their meter. She has received readings from fifteen of the fifty customers in response to the letters.

HIGHWAY DEPARTMENT

Highway Superintendent Joseph Whalen reported that his department has finished the road paving for the year. They will be working on drainage issues and cleaning ditches.

He has attended a number of meetings for Timber Creek Phase II. There is still an outstanding punch list of thirteen items that need to be addressed before the Town takes over the road. He and Town Engineer Kathryn Serra need to be onsite to do some of the inspections. He added that blacktop and repairs need to be fixed on Timber Creek Phase I.

Mr. Whalen has hired Northeast Landscaping to take care of the mowing of 2 Magnolia Lane. He hopes the Town Board finds a better way to deal with abandoned properties. He is concerned with the number of times the lawn will have to be mowed.

Zoning Enforcement Officer Debra Bradt has also sent violation notices for tall grass, ten inches and over, to 1 Charlton Road and 227 Round Lake Road. She had a response from 227 Round Lake Road; the foreclosed property will be put on a list to be mowed.

Town Attorney Walsh said the Town was responding to neighbors' calls concerning the tall grass; it was a public safety concern.

BUILDING DEPARTMENT

Building Inspector Thomas Johnson gave an update on 857 Route 50. The power and gas has been restored. He issued the owner a Notice of Violation and the owner has not responded. This is still an open situation.

Supervisor Ziegler received a letter from National Grid that the services have been restored to 857 Route 50.

Town Attorney Walsh had contacted the Saratoga County Department of Social Services concerning the tenants at 857 Route 50 who needed to vacate the property due to unsafe conditions. He reported that counsel at the Department of Social Services is addressing the issue.

TOWN ATTORNEY

Town Attorney Walsh received the conservation easement regarding the Hawkwood Property. The easement allows occasional overnight camping but does not allow campfires. He will work on this issue and he hopes to have the closing on this property in September.

The environmental studies have been completed and the only non-significant issue of note was lead utilized with the old homestead.

DISCUSSION

1. WATER CONSOLIDATION

Attorney William Ryan sent the draft resolution for Water Consolidation and the draft Joint Consolidation Agreement. Copies of these documents have been given to the Town Board for their review for the September 8th Town Board Meeting. Town Engineer Kathryn Serra will be making revisions to the map, plan and report. Supervisor Ziegler will reach out to Ms. Serra and ask that we have the updated map, plan and report by September 1st. He will ask Attorney Ryan to do a presentation at the meeting so he can review the documents with us and answer any questions.

2. MORATORIUM, LOCAL LAW 3 OF 2015

Building Inspector Johnson said he is the official who decides whether an incoming project is covered by the moratorium. He confirmed that any dispute, concerning his decision on a property covered by a moratorium, will be heard by the Town Board. He is unclear on the language of the moratorium. Mr. Johnson said he is looking at the process as a two part process. First process is to go before the Town Board and have the concept approved. The second part is to go before the Planning Board for site plan review. If a PUDD is approved by the Town Board, it can move ahead with the process but it will be stopped by site plan.

Town Attorney Walsh said that the PUDD is not included in the moratorium. Once the Town Board has given a PUDD approval, then they can proceed to the Planning Board.

Mr. Johnson asked about a PUDD that is approved but has not been acted on for years. Is that PUDD approved for site plan review?

Town Attorney Walsh replied that the moratorium does not apply to PUDDs that have final approval. If it doesn't have final approval, then it will be stopped. He will meet with Building Inspector Johnson to review the language of the moratorium so that it is clear what the moratorium will affect.

Supervisor Ziegler said the PUDDs were not included in the moratorium because the Town Board has control over them. The moratorium allows the Town to take a step back while we consider zoning changes.

3. REFERENDUM FOR THE BALLSTON LAKE SEWER DISTRICT

- Stephanie Vetter, the Engineer from Delaware Engineering, distributed the Preliminary Engineering Report to the Town Board at the last meeting. The report needs to be submitted to the Clear Water State Revolving Fund by September 4th to be considered for a low interest loan. She asked the Board to send their comments that need to be reflected in the report itself to Delaware Engineering by August 28th. The Town of Clifton Park has approved the map, plan and report and it coincides with the Town of Ballston's map, plan and report.

At the last Town Board Meeting, the Board passed a resolution with the date of the referendum but the resolution did not designate the time and location of the vote. It was decided that the referendum would be held at the Town Hall from noon to 8 p.m. Ms. Vetter from Delaware Engineering will contact the Supervisor from the Town of Clifton Park since he wants to hold their referendum on the same day.

Councilwoman Stewart confirmed that absentee ballots are not allowed in the special election under New York State Law.

5. ZONING AMENDMENT FOR BUSINESS DISTRICT 2, LOCAL LAW 4 OF 2015

Town Attorney Walsh stated that the Board will consider adding motor vehicle service and repair to the permitted use chart for Business District 2 in the Town Code. The Town Board will hold a public hearing on October 13th at 6:20 p.m. The Town Clerk will send

the information to the Zoning Board of Appeals for their October 7th Meeting, the Saratoga County Planning Board for their September 17th Meeting and to surrounding towns for their comments at the public hearing.

6. ZONING CHANGES, LOCAL LAW 5 OF 2015

Attorney for Planning and Zoning Peter Reilly is reviewing the zoning changes and the Board will receive his input at the September 8th meeting.

7. CONNOLLY ROAD

Town Attorney Walsh will have an update at the next meeting.

8. POWERS LANE

Building Inspector Johnson reported that a resident on Powers Lane has erected a commercial fence on his property that is also in the middle of the road. In addition, debris has been added to the side of the road. This is a problem for firefighter access to the road. He has been asked to remove the structure and he has not complied.

Supervisor Ziegler said he would discuss this issue with the Town Attorney Walsh.

The Town Clerk reviewed the agenda for the September 8, 2015 Town Board Meeting.

TOWN BOARD MEETING September 8, 2015

RESOLUTION 15- 123 FINANCIAL REPORT FOR AUGUST 2015

OLD BUSINESS

- 1. Update on the Bike Path Extension**
- 2. Eastline Commons PUDD Amendment**
- 3. Ballston Lake Sewer District**

PRIVILEGE OF THE FLOOR ON ITEMS TO BE CONSIDERED FOR ACTION AT THE SEPTEMBER 8, 2015 MEETING.

NEW BUSINESS FOR CONSIDERATION AND ACTION FOR SEPTEMBER 8, 2015 MEETING:

- 1. CONSIDERING REAPPOINTING JASON BIKOWICZ TO THE BOARD OF ASSESSMENT REVIEW FOR A TERM COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2020.**
- 2. CONSIDER AMENDING RESOLUTION 15-002 NAMING THE BUDGET OFFICER FOR 2015 BUDGET.**
- 3. CONSIDER ABOLISHING THE SENIOR LIBRARY CLERK POSITION AT THE TOWN OF BALLSTON COMMUNITY LIBRARY.**
- 4. CONSIDER ABOLISHING THE YOUTH SERVICES LIBRARIAN I POSITION AT THE TOWN OF BALLSTON COMMUNITY LIBRARY.**
- 5. CONSIDER ABOLISHING THE HALF-TIME ADULT SERVICES LIBRARIAN I POSITION AT THE TOWN OF BALLSTON COMMUNITY LIBRARY.**
- 6. CONSIDER CREATING A LIBRARIAN II HEAD OF CIRCULATION AND ADULT SERVICES LIBRARIAN POSITION AT A SALARY OF \$45,000 PER YEAR.**
- 7. CONSIDER CREATING A LIBRARIAN II HEAD OF YOUTH SERVICES POSITION AT AN ANNUAL SALARY OF \$45,000.**

8. CONSIDER APPOINTING REBECCA DARLING LIBRARIAN II HEAD OF YOUTH SERVICES, EFFECTIVE IMMEDIATELY AT AN ANNUAL SALARY OF \$45,000, PLUS HER LONGEVITY RAISE FOR A SALARY OF \$45,900.

9. CONSIDER DECLARING THE TOWN BOARD AS LEAD AGENCY FOR WATER DISTRICT CONSOLIDATION

10. CONSIDER CLASSIFYING WATER DISTRICT CONSOLIDATION AS A SEQRA ACTION

11. CONSIDER SETTING THE PUBLIC HEARING FOR WATER DISTRICT CONSOLIDATION

12. CONSIDER SETTING THE TIME AND THE POLLING PLACE FOR THE REFERENDUM FOR THE BALLSTON LAKE SEWER DISTRICT

13. CONSIDER DECLARING THE TOWN BOARD AS LEAD AGENCY FOR LOCAL LAW 3 OF 2015, MORATORIUM.

14. CONSIDER CLASSIFYING LOCAL LAW 3 OF 2015, MORATORIUM, AS AN UNLISTED SEQRA ACTION

15. CONSIDER SETTING THE PUBLIC HEARING ON LOCAL LAW 3 OF 2015, MORATORIUM.

PRIVILEGE OF THE FLOOR

RESOLUTION 15-123

ENTER INTO EXECUTIVE SESSION TO DISCUSS THE APPOINTMENT OF A LIBRARY EMPLOYEE

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to enter into Executive Session to discuss the appointment of a library employee

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

RESOLUTION 15-124

RETURN TO REGULAR SESSION

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

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

The Town Board entered into Executive Session at 7:45 p.m. and returned to Regular Session at 7:55 p.m. No action was taken 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 8:00 p.m.

Respectfully submitted

Town Clerk