



Town of Ballston  
Town Board Minutes  
June 2, 2009

The regular meeting of the Town Board of the Town of Ballston was held Tuesday evening, June 2, 2009 at the Town Hall on Charlton Road. Members present were Supervisor Patricia Southworth, Councilman James Briaddy, Councilwoman Mary Beth Hynes, Councilman Timothy Szczepaniak and Councilwoman Kimberly Ireland. Also present were Town Attorney Murry Brower and Deputy Town Clerk Carol Shemo. Town Clerk Muriel Swatling was absent.

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

Councilman Briaddy made a motion to approve the minutes of the April 28, 2009 Special Meeting and the May 5, 2009 Regular Town Board Meeting. Councilman Timothy Szczepaniak seconded this motion.

Roll Call: Ayes – all; Noes – none. Carried.

The Deputy Town Clerk read the correspondence into the record. Mr. John J. Tomasko addressed a letter to the Town Board to express his concerns about the possible restrictions of future assignments of registered level one or level two sex offenders to his hotel by the Department of Social Services. He believes this action is in response to a Town Board member making inquiries concerning the home placement process of registered sex offenders. These restrictions could force him to go out of business. Mr. Tomasko believes that New York State is capable of handling this situation.

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Dog Control Officer John Christopher, Animal Control Officer Thomas Shambo, Supervisor Patricia Southworth and Town Clerk Muriel Swatling submitted reports for May, and they are on file in the Town Clerk's office.

Library Director Karen DeAngelo gave the library report for the month of May. Director DeAngelo thanked Emily Brower and Kelly Stewart for their service on the Library Board of Trustees. Emily Brower is not renewing her completed term and Kelly Stewart is resigning from hers. She introduced the two prospective Library Board Members, Jean Botta and Keith Fieldhouse. Also, Library Trustee Sonja Olson's term ends June 30, 2009 and Director DeAngelo asked that she be reappointed for another five year term. The Library Director has received formal notification of \$5,000 grant from Senator Hugh Farley. She expressed her gratitude to Senator Hugh Farley for all he does for the library. Youth Services Librarian Rebecca Darling has over 70 programs scheduled for this summer.

Councilman Szczepaniak replied to Mr. Tomasko's letter that was read into this evening's correspondence. On May 29<sup>th</sup> he attended a public safety meeting with Councilwoman Hynes and a Town resident. They had a listing of 12 registered sex offenders in the Town; eight of the twelve registered sex offenders lived at the Westwood Motel. Councilman Szczepaniak is totally against any sex offenders staying at the Westwood Motel since the bike path is right behind the motel.

Councilwoman Hynes also replied to Mr. Tomasko's letter. She stated that she and Councilman Szczepaniak were responding to a request from the community. She gathered information about the placement process of registered sex offenders. Councilwoman Hynes is concerned that families with young children, may be placed by Department of Social Services at the Westwood Motel and could be at risk.



Supervisor Southworth reported that the Saratoga County's 14<sup>th</sup> annual "Sundae on the Farm" will be Sunday, June 21<sup>st</sup> from noon to 4:00 p.m. at Koval Bros. Dairy. It is a fun day for children and a great way to introduce them to farming. The Town received a memo from Governor Patterson, Senate Majority Leader Malcolm Smith and State Assembly Speaker Sheldon Silver that the State will be levying an assessment of 4 % on health care which will mean another \$12,000 for health care expense to be included in the Town budget for this year. Sales tax revenues are down 10% from last year's figures at this time, but the mortgage tax has increased to offset some of the sales tax loss. Her projected budget deficit, if current trends continue, is \$227, 135. Supervisor Southworth reviewed the budget memo with the Town Council members; she noted areas to consider for possible budget savings. Councilwoman Ireland asked if the Saratoga County Treasurer has the same projection deficit. The Supervisor replied that the Treasurer feels there is no need to panic, but serious attention needs to be paid to the budget on an ongoing basis. The Town funds were helped by the \$135,733 for FEMA reimbursement. Councilwoman Hynes asked about the \$600,000 in the contingency fund that was to be used for possible future open space acquisition. Supervisor Southworth replied that the Town has approximately 2,500,000 in the fund balance.

Supervisor Southworth presented her financial report for the month of May.

A motion was made by Councilwoman Hynes and seconded by Councilwoman Ireland to approve the Supervisor's report.

Roll Call: Ayes – all; Noes – none. Carried.

The following comments were noted during Privilege of the Floor:

Resident Paul Simpson thanked the Town Water Department for the good job they did in fixing the water main break on Westside Drive.

Resident Robert Boyce thanked the Highway Department for repaving Westside Drive but wondered why they stopped paving at the old road.

Councilman Briaddy stated that the road was paved last year and this year just the top coat was applied.

Resident Lee-Ann Mertzlufft questioned the choice of the Chairman of the Ethics Board.

Supervisor Southworth replied that six people were interviewed for the Ethics Board positions to fill the two vacancies. She chose the Chairman from the list of members not affiliated with a political committee.

Councilman Briaddy stated that the appointees are highly qualified.

The following items were presented for discussion and action.

The annual Flag Day Celebration will be held June 11, 2009. The Town is sponsoring the evening fireworks display. Building Inspector Thomas Johnson has approved the firework site and permit.



09-80: A motion was made by Councilwoman Ireland and seconded by Councilman Szczepaniak to approve the fireworks permit for the Flag Day Celebration on June 11, 2009.

Roll Call: Ayes – all; Noes – none. Carried.

The Town Assessor, June Maniacek, requested to attend the annual school for assessors in Ithaca, New York from July 13<sup>th</sup> to 17<sup>th</sup> 2009. The courses will be fully reimbursed by the State of New York Department of Taxation and Finance. If budget cuts impact this reimbursement, the Assessor will not attend the school.

09-81: A motion was made by Councilwoman Ireland and seconded by Councilman Briaddy to authorize the Town Assessor, June Maniacek, to attend the annual school for assessors in Ithaca, New York from July 13<sup>th</sup> to 17<sup>th</sup> 2009.

Roll Call: Ayes – all; Noes – none. Carried.

There are two vacancies on the Town of Ballston Ethics Board. Appointments need to be made to complete the unexpired terms of Mr. Arthur Mengel, Chairman of the Ethics Board and Mr. Robert Russell.

09-82: A motion was made by Councilman Briaddy and seconded by Councilman Szczepaniak to approve the appointment of Michael Prezioso to the Town of Ballston Ethics Board to complete the unexpired term of Arthur Mengel commencing June 3, 2009 and ending December 31, 2013.

Roll Call: Ayes – all; Noes – none. Carried.

09-83: A motion was made by Councilman Briaddy and seconded by Councilman Szczepaniak to approve the appointment of Michael Prezioso as Chairman of the Town of Ballston Ethics Board to complete the unexpired term of Arthur Mengel commencing June 3, 2009 and ending December 31, 2009.

Roll Call: Ayes – all; Noes – none. Carried.

09-84: A motion was made by Councilman Briaddy and seconded by Councilman Szczepaniak to approve the appointment of Steven Zarelli to the Town of Ballston Ethics Board to complete the unexpired term of Robert Russell commencing June 3, 2009 and ending December 31, 2011.

Roll Call: Ayes – all; Noes – none. Carried.

Building Inspector, Thomas Johnson, advised the Town Board that a structure located at 204 Sunset Avenue had sustained fire damage in the beginning of February of 2009. Some fire damaged material was piled in the front yard. The Building Inspector sent a notice to the property owner acknowledging the fire loss and possible building permits requirements. Two months later, a notice of violation was sent to the property owner; both notices were not acknowledged. Under the Town Code Section 73-19, as more than 48 hours have passed since the return of the notice of violation, the Town Board can authorize the Highway Superintendent to correct this violation and the Town can recoup the cost of remediation.

09-85 A motion was made by Councilman Briaddy and seconded by Councilman Szczepaniak to authorize the Town Highway Department to remove the fire damage debris at 204 Sunset Avenue and to charge the cost of the removal of the debris to the Town tax bill in January 2010.

Roll Call: Ayes – all; Noes – none. Carried.



At the May regular Town Board meeting, Marcia Szablewski, representing her son, Timothy Szablewski who was ill, was present to explain her son's Eagle Scout project.

09-86: A motion was made by Councilwoman Ireland and seconded by Councilman Szczepaniak to approve Timothy Szablewski's Eagle Scout project to build bat houses and bluebird houses at Jenkins Park.

Roll Call: Ayes – all; Noes – none. Carried.

Library Director Karen DeAngelo has submitted to the Town Board Sonja Olson's name for reappointment to the Town of Ballston Community Library Board of Trustees for another 5 year term.

09-87: A motion was made by Councilman Briaddy and seconded by Councilwoman Ireland to approve the reappointment of Sonja Olson to the Town of Ballston Community Library Board of Trustees for a term commencing July 1, 2009 and ending June 30, 2014.

Roll Call: Ayes – all; Noes – none. Carried.

There will be two vacancies on the Town of Ballston Community Library Board of Trustees. Emily Brower is not renewing her completed term and Kelly Stewart is resigning from hers. Library Director DeAngelo recommends the appointment of Jean Botta and Keith Fieldhouse to the Library Board.

09-88: A motion was made by Councilman Briaddy and seconded by Councilwoman Hynes to approve the appointment of Jean Botta to the Town of Ballston Community Library Board of Trustees for a term commencing July 1, 2009 and ending June 30, 2014.

Roll Call: Ayes – all; Noes – none. Carried.

09-89: A motion was made by Councilwoman Hynes and seconded by Councilman Briaddy to accept with regret the resignation of Kelly Stewart from the Town of Ballston Community Library Board of Trustees.

Roll Call: Ayes – all; Noes – none. Carried.

09-90: A motion was made by Councilman Briaddy and seconded by Councilwoman Hynes to approve the appointment of Keith Fieldhouse to the Town of Ballston Community Library Board of Trustees to complete the unexpired term of Kelly Stewart commencing July 1, 2009 and ending June 30, 2012.

Roll Call: Ayes – all; Noes – none. Carried.

The Town Board has interviewed five candidates to develop the General Environment Impact Statement. The Town Board members have had time to review their notes and are ready to discuss their choice(s).

Councilman Szczepaniak stated that all five are great companies and would serve the Town's needs. Considering their experience with our Town, C T Male is his first choice, second choice is Clough Harbour and third choice is Elan.

Councilwoman Ireland stated C T Male and Clough Harbor are her top two candidates. She feels they know our zoning rules and regulations and there will be pressure on building in this Town with the development of Malta's chip factory. She would like to re-interview C T Male and Clough Harbor.



Councilwoman Hynes agrees that both C T Male and Clough Harbour have the experience and the best approach. The Town Board needs to work on the scope of services and be concerned with the cost of GEIS. She would like to re-interview these two candidates.

Councilman Briaddy also agrees that C T Male and Clough Harbour are his top choices. Both companies exhibit a team approach and have the expertise.

Supervisor Southworth would like to have a totally fresh set of eyes working on the GEIS. Clough Harbour has Town residents involved in this project. Chazen Company has done impressive work in neighboring communities. She likes the energy exhibited by Elan. The next step in this process is to set up a workshop or a list of questions for these companies.

Councilwoman Hynes feels the Town Board should workshop it.

Councilman Briaddy believes the Town Board needs to discuss time and costs.

Councilwoman Ireland believes we need more than a list of questions.

Supervisor Southworth asked the Town Board members to give her their availability for a few weeks out so she can match the Board's schedule with the two companies.

Councilwoman Hynes stated we need to ask questions on traffic, sewer and water.

Supervisor Southworth said that the Town is not ready to design a plan for sewers.

Councilwoman Ireland stated the Town Board needs to scope ideas and have a list of questions. In addition, the Town Board needs to have discussions with people who are dealing with this on a daily basis.

Councilman Briaddy added the Board needs to study traffic issues in certain parts of Town and also water issues.

Supervisor Southworth added that a two phase project would be more economically feasible with the scoping part in the first phase. We do not want the GEIS to cost more than we budgeted.

The Jenkins Park Advisory Board has submitted an agreement for annual park maintenance with Norman and Eileen Collins at a cost of \$6,600, form and content subject to Town Attorney approval.

09-91: A motion was made by Councilman Briaddy and seconded by Councilwoman Ireland to approve the agreement for Jenkins Park Maintenance and Mowing between the Town of Ballston and Norman & Eileen Collins at a cost of \$6600 for the year.

Roll Call: Councilman Briaddy	yes
Councilwoman Hynes	yes
Councilwoman Ireland	yes
Councilman Szczepaniak	no
Supervisor Southworth	yes



Councilman Szczepaniak stated that Norman & Eileen Collins are doing a great job with the maintenance of Jenkins Park. His opposition to this resolution has nothing to do with their job performance. Councilman Szczepaniak noted that this agreement gives a raise in pay from \$15 per hour to \$20 per hour and Mr. Collins never requested an increase in his hourly wages.

The Jenkins Park Advisory Board has asked for \$400 for the beautification project at the east side entrance way to the park.

09-92: A motion was made by Councilwoman Ireland and seconded by Councilman Briaddy to approve the request by the Jenkins Park Advisory Board for the beautification project at the east side entrance way to the park.

Roll Call: Ayes – all; Noes – none. Carried.

Mr. Palmer had comments about the GEIS for the Town Board. He stated that the Town Board never specified what they wanted in the GEIS. Only Elan was concerned about the retention ponds.

Councilman Briaddy responded that the Town Board wanted to see each company's experience with the GEIS.

Councilwoman Ireland replied that the interviews with these applicants were not to look at specifics but to look at their qualifications.

Planning Board member Joan Eddy also commented on the GEIS applicants. She feels the Town Board should look for an applicant without huge ties to the Town. Therefore, C T Male should not be selected unless the Town gets a great reduction in fees. The Town could use an applicant with a fresh approach.

A motion to adjourn the meeting was made by Councilman Briaddy and seconded by Councilwoman Ireland. Carried.

Respectfully submitted,

Carol R. Shemo  
Deputy Town Clerk

