

The regular meeting of the Town Board of the Town of Ballston was held Tuesday evening, August 3, 2010 at the Town Hall on Charlton Road. Members present were Supervisor Patricia Southworth, Councilwoman Mary Beth Hynes, Councilman Jeremy Knight, Councilman Timothy Szczepaniak and Councilwoman Kimberly Ireland. Also present were Town Attorney Murry Brower and Town Clerk Muriel Swatling.

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

A motion was made by Mary Beth Hynes and seconded by Jeremy Knight that the minutes for the bid openings, the June special meeting, the July regular meeting and the July 13th special meeting be approved. Roll Call: Ayes – all; Noes – none. Carried.

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Library Trustee Barbara Wilson, Dog Control Officer John Christopher, Animal Control Officer Thomas Shambo, Town of Ballston representative to BARC, Michael Myers, Supervisor Patricia Southworth, and Town Clerk Muriel Swatling submitted reports for July, and they are on file in the Town Clerk's office.

Daniel Russell, Chairman of the Parks and Recreation Committee, reported that the Schidzick Estate accounting will not be known until September 14, 2010. The property, that is ranked number one on the list of proposed park locations, is the Clark property located on Scotchbush Road. There are 52 acres of a good mix of land. It also has good access, several hundred feet of road frontage and is connected to Jenkins Park. The price is set at \$416,000. Someone asked which piece of property was the most centrally located. The reply was property located on Route 50 owned by Thomas Kramlick. The front section is composed of about 30 acres priced at \$17,000. per acre. This parcel is wetter than the back parcel. The back parcel is composed of about 30 acres priced at \$13,000 – 14,000. per acre. The back parcel is sloping and steep as well as being landlocked. The Committee feels that maybe it can solicit donations to go toward purchasing additional property and improvements.

Joan Pott, Chairperson of the Farmland Protection Committee, gave a report for their committee. There isn't much funding to hire consultants to help with writing the Farmland Protection Plan, so the Farmland Protection Committee is going to research other communities Farmland Protection Plans. They will then draft a plan, put it together and present it to the Town Board. The plan will facilitate farming and maintain agriculture.

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

A motion was made by Timothy Szczepaniak and seconded by Jeremy Knight that the Supervisor's report be approved. Roll Call: Ayes – all; Noes – none. Carried.

Supervisor Southworth reported that the Board of Supervisors will be sponsoring a Band Concert in September. A representative from the Board of Elections will be at Ballston Town Hall on August 11th from 3:00 p.m. – 8:00 p.m. to instruct residents how to use the new voting machines. The new Animal Shelter will probably be open in late August and it is coming in under budget. Recycling is up by 68% but the tonnage is down. The Highway CHIPS money from New York State has been received. The new SWCA Pump Station is waiting for meters and then will be ready to go. The addendum to the contract is ready and has been revised to the original wording.

Kathy Wilcox thanked the Town Board for following up with the house on Nolan Road that is falling into disrepair. She also stated that she was very disappointed on how her dog complaint was handled. She said the forms were not readily available from the Dog Control Officer and he did not help her fill them out. Ms. Wilcox feels the Dog Control Law lacks enforcement.

Frank Shipp asked if the Town of Ballston is going to have a hazmat day. Supervisor Southworth answered that the Town did not budget for a hazardous waste pick up day this year. The Town will hopefully schedule a pick up day in the future. Mr. Shipp said he hoped it would be sooner rather than later.

The Parks and Recreation Committee would like to collect donations to be used for park improvements. Frank Shipp gave an overview of options that could be used to accomplish this.

The three options presented were 501 (c)(3) Corporation, Field of Interest Fund with CFGRC, or the Town's Trust and Agency Account.

The Field of Interest Fund with CFGRC has a 2% fee connected with it. The CFGRC's investment committee makes all the investment decisions.

Councilwoman Hynes asked if there are other organizations to piggyback on. Mr. Shipp replied that there may be, but why not pay the 2%. Mr. Shipp also stated that Community Foundation of Greater Capital Region will pass muster very readily. If the Town Board is interested, the CFGRC will come and make a formal presentation. The question was asked if the 2% is paid on an annual basis. Mr. Shipp acknowledged that it is paid on an annual basis.

Councilwoman Hynes said that it looks like the 501(c)(3) has some administration costs and potential liability. Ms. Hynes thanked Mr. Shipp for providing this information.

It was also pointed out that Saratoga Springs is establishing a 501(c)(3) to furnish their new recreation center.

Joan Eddy asked if this is a good way to keep from paying for the Park on our tax bills.

Mr. Shipp stated that is a good question. It would be up to everyone to help raise money.

Councilwoman Hynes feels that if the Town gives the community a vehicle, people will donate to help fund a park.

Mr. Shipp said that Town and the Committee are going to have to work at it.

Attorney Brower said that it is not up to the Town Board to have to run the donation segment.

Mr. Shipp said that the Park and Recreation Committee is responsible for the marketing.

Councilwoman Hynes stated that the money will be invested so we hope it will make more.

Councilman Szczepaniak said that the Parks and Recreation Committee is doing a great job. Don't delay. Keep this in the forefront and keep it moving. We now have another delay for getting the money from the Schidzick estate. If we get partial funding, what is the Town's commitment?

Attorney Brower replied that the Town would fund a park with part of the funds and the rest would go for scholarships.

Councilwoman Ireland said that before we can make a decision, we have to have a full accounting to see what we are dealing with. As long as there is value to the people of the Town, she is on board.

Councilwoman Hynes stated that the Town is being given money. She feels we should advocate to get the money the Town is entitled to.

Councilwoman Ireland reiterated that the money has to be used to purchase property.

Councilwoman Ireland thanked Frank Shipp on his presentation regarding donations.

Councilwoman Ireland feels the Community Fund is a good idea. What about the Trust and Agency Fund?

Supervisor Southworth answered that the money would be accepted as part of the General Fund. It can't be put into a specific account. There would be a potential that the money could get used wherever it was needed and not for the specific purpose for which it was given.

Attorney Brower stated that the accounting should be available on September 14th. The accounting gets filed. It then goes to the Judge and the Attorney General. The accounting is then reviewed. The Town would then have a specific time to state objections.

Councilman Szczepaniak said we have to keep the project going.

Supervisor Southworth replied that we are waiting for the accounting. We can't do anything until then.

Councilwoman Ireland asked if the account could run the park? We can't count on this.

Councilwoman Hynes agreed.

The following items were presented for discussion and action.

The Tax Collector position in the Standard Work Day and Reporting Resolution which was approved on July 13, 2010 needs to be amended. The Days/Month should be changed from 2.4 to .43.

10-104: A motion was made by Mary Beth Hynes and seconded by Kimberly Ireland to amend Resolution 10-95 by changing the Tax Collection position Day/Month from 2.4 to .43. Roll Call: Ayes – all; Noes – none. Carried.

10-105: A motion was made by Mary Beth Hynes and seconded by Timothy Szczepaniak to accept the Saratoga County Sales Tax in cash. Roll Call: Ayes – all; Noes – none. Carried.

The Budget Calendar for the 2011 Town Budget was presented.

10-106: A motion was made by Timothy Szczepaniak and seconded by Kimberly Ireland to approve the Budget Calendar for the 2011 Town Budget as follows:

Budget Estimate to Supervisor	Wednesday, September 1
Board Meeting on Salaries	Monday, September 13
Preliminary Budget to Clerk	Thursday, September 30
Preliminary Budget to Town Board	Tuesday, October 5
Budget Workshops	Tuesday, October 12 – 7:00 p.m. Thursday, October 14 – 7:00 p.m. Tuesday, October 19 – 7:00 p.m. Thursday, October 21 – 7:00 p.m.
Budget Hearing on Budget	Thursday, November 4 – 7:30 p.m.

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

Trinity Construction has presented Payment Application #1 for work related to the connection to Saratoga County Water Authority at a cost of \$9,512.35.

10-107: A motion was made by Mary Beth Hynes and seconded by Kimberly Ireland to approve Payment Application #1 to Trinity Construction for work related to the connection to the Saratoga County Water Authority at a cost of \$9,512.35. Roll Call: Ayes – all; Noes – none. Carried.

10-108: A motion was made by Jeremy Knight and seconded by Timothy Szczepaniak to accept the bid from Mr. Help, LLC for cleaning services of the Town buildings. Roll Call: Ayes – all; Noes – none. Carried. (For amounts, see minutes of Bid Opening on June 29, 2010.)

The Town has received a request for a water district extension for the Bontiatibus subdivision. More information is needed before a public hearing can be held.

10-109: A motion was made by Mary Beth Hynes and seconded by Kimberly Ireland to table resolution 10-109 setting a public hearing concerning a proposed water extension for the Bonitatibus subdivision for August 31, 2010 at 7:15 p.m. Roll Call: Ayes – all; Noes – none. Carried.

Arnold Palmer asked how much the bid for cleaning was. Supervisor Southworth replied that there were separate bids for different services. She read off the main ones and informed Mr. Palmer that the amounts were broken out in the Bid Opening minutes for June 29, 2010.

Councilman Szczepaniak stated that the silo on the Sisler farm fell into the road. The Town took action and the property owner did not respond. Does the Town have any recourse?

Town Attorney Brower said that the property owner lucked out that no one was hurt or there was no property damage.

Building Inspector Thomas Johnson responded that there is a process that has to be followed. The property owner had a designated time to either fix the silo or have it taken down. The time was almost up and then the Town would have followed through with the next step.

Mr. Johnson said that the barn on the property located at 439 Devils Lane is being monitored.

A motion was made by Mary Beth Hynes and seconded by Jeremy Knight to adjourn the meeting. Carried.

Respectfully submitted,

Muriel K. Swatling
Town Clerk