



TOWN OF BALLSTON TOWN BOARD
Regular Monthly Meeting: March 3, 2009

The regular meeting of the Town Board of the Town of Ballston was held Tuesday evening, March 3, 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 Town Clerk Muriel Swatling.

A motion was made by James Briaddy and seconded by Timothy Szczepaniak that the minutes of the January special meeting, public hearings, and February regular meeting be approved. Roll Call: Ayes – all; Noes – none. Carried.

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

Supervisor Patricia Southworth presented her financial report for February.

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

Supervisor Southworth reported that the clean up of the debris from the December ice storm will be on going. County Waste will not be doing a large item pick up this year. The Town's updated website will be going live on March 16th. The Town has received notification from New York State that the assessment ratio for the Town has gone from 87% to 85.43%. The Town will need help to verify the roads in the Town for the 2010 Census. It was suggested that the Town work with Assessor June Maniacek since she has an up to date list of roads located in the Town. A request has been made that the Town place a portable toilet in the Outlet Road Parking Lot. Highway Superintendent Whalen has a concern that the portable toilet could be removed from the parking lot and dumped into the lake.

Scott Miller stated that he supports the increase in Parks and Rec fees to \$1,000. per unit. He also said that \$1,000 per unit is not going to cover the recreation fees for the Town.

The interviews for applicants who submitted proposals for services to develop a grant application for the Town of Ballston under the New York State Dept. of Agriculture and Markets Municipal Farmland Protection Program will be held March 9th. Mr. Miller suggested that lands to be preserved and a conservation interest map could be done through workshops, help from the County and volunteers.

Arnold Palmer asked if the Agenda Meeting is on the same night as the Planning Board. It was replied that the Planning Board is on Wednesday night, and the Agenda Meeting is on Thursday night.

Joan Eddy asked if a committee is formed to deal with the Farmland Protection Program, could it be a formal committee where meetings are posted and minutes are taken.

Carol Samson asked what is going on with the Lazare property? She said she understands there is a water problem on the Chase property. It was replied that the site is not in violation. There is a proposed stormwater management plan. There is no violation because the drainage is clear water. Ms. Samson stated that permission to



bring water to the proposed subdivision was granted by the previous Board. She said they promised no further development.

Councilwoman Ireland reported that Jenkins Park will have a brush clean up day on March 14 starting at 9:00 a.m. New York State has cut the Parkland funds. How is the pension fund going to play out? Ms. Ireland would like to repeat Community Day this year with an emphasis on safety. Possibly it could be done earlier in the year when there are more daylight hours.

Councilman Szczepaniak suggested that maybe Community Day could be done on a Saturday and possibly at a different location.

Deputy Supervisor George Seymour reported that Nanotech at Albany State is going to do a presentation at the Burnt Hills-Ballston Lake High School on March 19 at 7:00 p.m. on What is Nanotech. He would like to invite anyone who would like to come.

The following items were presented for discussion and/or action:

There is going to be a Special Election for a seat in the 20th Congressional District on March 31, 2009. The Town's Agenda Meeting and Special Meeting is also set for that night. It was suggested to change the Agenda and Special Meeting to Tuesday, March 31 to Thursday, March 26, 2009.

09-23: A motion was made by Kimberly Ireland and seconded by Mary Beth Hynes to change the date of the Agenda Meeting and Special Meeting from Tuesday, March 31, 2009 to Thursday, March 26, 2009 due to the Special Election scheduled for March 31, 2009. Roll Call: Ayes – all; Noes – none Carried.

The Highway Department is going out to bid for plow equipment and a dump body.

09-24: A motion was made by James Briaddy and seconded by Timothy Szczepaniak to set a bid opening for March 26, 2009 at 7:00 p.m. for plow equipment and dump body. Roll Call: Ayes – all; Noes – none. Carried.

There are proposed changes to the Town Code. In order to make these changes, public hearings must be held.

09-25: A motion was made by Kimberly Ireland to set a public hearing for March 26, 2009 at 7:10 p.m. on proposed Local Law No. 7 of 2009 to amend Chapter 104 of the Town Code – Subdivision of Land. There was no second to this motion since there are two proposals and the Town Board has not voted on which proposal it wishes to present.

The choices are to not allow flag lots in minor subdivisions which was presented by the Zoning Review Committee and to leave it to the discretion of the Planning Board presented by Councilwoman Kimberly Ireland.

09-26: A motion was made by Mary Beth Hynes and seconded by Timothy Szczepaniak to take the proposal presented by the Zoning Review Committee which states no flag lots in minor subdivisions and set a public hearing on March 26, 2009 at 7:10 p.m. for proposed Local Law No. 7 to amend Chapter 104 of the Town Code – Subdivision of Land Roll Call: Councilman Briaddy – aye; Councilwoman Hynes – aye; Councilman Szczepaniak – aye; Councilwoman Ireland – no; Supervisor Southworth – aye. Carried.



09-27: A motion was made by Mary Beth Hynes and seconded by James Briaddy to set a public hearing on March 26, 2009 at 7:20 p.m. on proposed Local Law No. 8 of 2009 to amend the Design Standards, Chapter 138, Zoning, Appendix 1, 138-12.3 and 138-9.5. Roll Call: Ayes – all; Noes – none. Carried.

09-28: A motion was made by James Briaddy and seconded by Mary Beth Hynes to renew the contract for the Town Copier with Eastern Copy Products for \$1881.48. Roll Call: Ayes – all; Noes – none. Carried.

The BHBL Theatre for Children is celebrating its 50th Anniversary. The Town Board wishes to pass a resolution honoring this achievement.

09-29: A motion was made by Kimberly Ireland and seconded by James Briaddy to adopt the following resolution celebrating the 50th Anniversary of the BHBL Theatre for Children. Roll Call: Ayes – all; Noes – none. Carried.

WHEREAS, Fifty years ago, Jane Coffey created a neighborhood group called *The Pashley Players* to raise funds for the local PTA; and

WHEREAS, *The Pashley Players* blossomed into a much larger theater group called THE BHBL THEATRE FOR CHILDREN; and

WHEREAS, THE BHBL THEATRE FOR CHILDREN is staffed by over 60 community volunteers from all walks of life united in their tradition of dedication and hard work; and

WHEREAS, THE BHBL THEATRE FOR CHILDREN'S mission is to promote the joys of live theater for our children while providing affordable family entertainment; and

WHEREAS, THE BHBL THEATRE FOR CHILDREN'S plays are a source of interactive fun and educational enrichment beginning with the first production, the opera Hansel and Gretel, to the current production of Grease Jr.; and

WHEREAS, the performances of THE BHBL THEATRE FOR CHILDREN are geared towards elementary school children, but enjoyed by children of all ages; and

WHEREAS, THE BHBL THEATRE FOR CHILDREN is a non-profit community group that donates a portion of their proceeds back to the PTA to support Arts & Ed, has contributed to high school auditorium improvements and has in previous years donated a scholarship to graduating high school seniors and

WHEREAS, The Town Board of the Town of Ballston wishes to recognize this outstanding theater group and the generations of enthusiastic volunteers in its 50th year of operation and to thank THE BHBL THEATRE FOR CHILDREN for its many contributions to our entire community; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ballston honors THE BHBL THEATRE FOR CHILDREN in celebration of 50 years of outstanding commitment to the arts, our children and the community.



09-30: A motion was made by Kimberly Ireland and seconded by Timothy Szczepaniak to compensate the Deputy Town Clerk for work performed as Town Clerk during the Town Clerk's medical leave at \$105.00 per week. Roll Call: Ayes – all; Noes – none. Carried.

In regard to the above motion, Councilman Szczepaniak stated that a policy should be implemented so that it is known ahead of time that this is the procedure.

09-31: A motion was made by James Briaddy and seconded by Mary Beth Hynes to reappoint Arthur Mengel to the Ethics Board for a term ending December 31, 2013. Roll Call: Ayes – all; Noes – none. Carried.

09-32: A motion was made by Mary Beth Hynes and seconded by James Briaddy to set a public hearing on proposed Local Law No. 9 of 2009 for March 26, 2009 at 7:30 p.m. for removal of parcel 248.-1-84 (Palma property on Scotchbush Road) from the Watershed Protection Overlay District. Roll Call: Ayes – all; Noes – none. Carried.

A motion to adjourn the meeting was made by James Briaddy and seconded by Timothy Szczepaniak. Carried.

Respectfully submitted,

Muriel K. Swatling
Town Clerk