

An agenda meeting was held by the Town Board of the Town of Ballston on Tuesday evening, May 26, 2015 at the Town Hall on Charlton Road, Ballston Spa.

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

Supervisor Ziegler called the meeting to order at 6:35 p.m. and the Pledge of Allegiance was recited.

RESOLUTION 15-78
AUDIT OF CLAIMS

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

General Fund	No. 178 - 224	\$31,423.39
Highway Fund	No. 200 - 241	23,878.44
Gravel Pit Fund	No. 3 - 5	1,738.15
Park Fund	No. 5 - 7	925.80
Library	No. 153 - 182	14,565.46
Water Fund District 2 (SW)	No. 53 - 67	5,622.92
Blue Barnes Rd Dist. No.2 Ext# 13 (BBR)	No. 37 - 46	57.93
Brookline Rd Rte. 67 No.2 Ext#12 (BRW)	No. 38 - 47	395.57
Goode St Dist. No.2 Ext#14 (GSW)	No. 42 - 53	995.76
Paradowski Rd Water Dist. No.5 (RW)	No. 17 - 19	19.06
Route 50 Water No.2 Ext#7 (RTW)	No. 37 - 46	1,313.53
Scotchbush Water Dist. No.6 (WW)	No. 16 - 18	38.13
Silver Ln Water Dist. No.6 Ext#1 (WX)	No. 16 - 18	19.06
Chapel Hill Water Dist. No.2 Ext # 18 (CH)	No. 38 - 47	405.57
Brooks Heritage Dist. No.2 Ext #21 (RL)	No. 37 - 46	163.81
Stonebridge Enclave No.2 Ext #19	No. 37 - 46	105.41
Morningdale Court No.2 Ext#24	No. 38 - 47	57.93
Mourningkill No.2 Ext#22	No. 36 - 44	47.93
Trust and Agency	No. 18 - 20	11,981.50

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

The Town Clerk read the list of agenda items for the June 9, 2015 Meeting:

6:20 p.m. Public Hearing on Local Law #2 of 2015, an amendment to the Solar Collection System

OLD BUSINESS :

- Schidzick Estate
- Bowling Alley Cleanup
- Bike Path Extension

FINANCIAL REPORT FOR MAY 2015 **RESOLUTION 15-82**

PRIVILEGE OF THE FLOOR ON ITEMS TO BE CONSIDERED FOR ACTION AT THE JUNE 9, 2015 MEETING

NEW BUSINESS FOR CONSIDERATION AND ACTION

RESOLUTION 15-83 CONSIDERING APPROVING THE TOWN ASSESSOR'S
ATTENDANCE AT THE CORNELL SEMINARS OFFERED BY THE
NYS ASSESSORS ASSOCIATION FROM JULY 11 – 17, 2015.

RESOLUTION 15-84 CONSIDER APPROVING THE REAPPOINTMENT OF CATHY
HAYDEN TO THE TOWN OF BALLSTON COMMUNITY LIBRARY
BOARD OF TRUSTEES FOR A TERM COMMENCING
JULY 1, 2015 AND ENDING JUNE 30, 2020.

RESOLUTION 15-85 CONSIDER APPROVING LOCAL LAW 1 OF 2015, NOTIFICATION
CHANGE

RESOLUTION 15-86 CONSIDER APPROVING LOCAL LAW 2 OF 2015, AN
AMENDMENT TO THE SOLAR COLLECTION SYSTEM

DISCUSSION

1. CREDIT CARD SYSTEM
2. AIR CONDITIONING FOR THE MEETING ROOM
3. AUDIOVISUAL EQUIPMENT

PRIVILEGE OF THE FLOOR

Committee and Department Reports for May 26, 2015

Town of Ballston Community Library Report

Director Karen DeAngelo spoke concerning the library renovation project. The opening date for the bids on the project will be June 2nd at 3 pm at the Town Hall Meeting Room. Butler, Rowland and Mays, the architect of the project, will review the bids and present them to the Library Board of Trustees for their consideration and recommendation. The Library Board of Trustees will forward their recommendation to the Town Board for their consideration for the July Town Board Meeting. Ms. DeAngelo reported that the Friends of the Library had their book sale and raised \$963 and \$1,898 from their raffle. Director DeAngelo thanked everyone who participated in the fund raising events.

Highway Report

Highway Superintendent Joseph Whalen had the fuel tanks tested as part of the 5 year testing program. The fuel tanks are fine but the fuel lines are corroded and will need to be replaced. The fuel lines that need to be replaced are from 1986. The quotes he received were between \$10,000 and \$12,000. He has notified our insurance company.

Councilwoman Stewart asked if this project was in the budget.

Mr. Whalen answered that it is not included in the budget.

ITEMS FOR DISCUSSION AT THIS MEETING

1. Proposed Goode Street Development

Travis Mitchell, from EDP and representing Tom Benuscak, reported that Mr. Benuscak will be submitting a proposed subdivision to the Planning Board at their June meeting. It is a 36 acre subdivision on Goode Street, south of Vienna Court. This property is zoned rural and there will be 12 lots on the site with septic and wells. Mr. Benuscak is looking at the possibility of connecting to municipal water but the density will remain the same. This project has come before the Town Board first before going to the Planning Board and Mr. Benuscak will follow the Town Board's direction on how to proceed.

Supervisor Ziegler stated that Goode Street Water District has a resolution that states we cannot extend the water district for non-agricultural uses. He realizes connecting to the water district will provide them with health and fire benefits.

Councilwoman Stewart stated that the cost of a hookup in this area is \$9100 for each house.

Councilman Goslin said we look forward to working with you with this type of density for your project.

Councilman Szczepaniak said two acre lots are great; the type of proposal the Town likes to see.

2. Water District Consolidation

Town Attorney James Walsh reported that he has contacted law firms to work on water consolidation. Also, he has discussed water consolidation with Town Engineer Kathryn Serra. He recommends the law firm of Tabner, Ryan and Keniry LLP., who has expertise in this area. Attorney Ryan estimates the cost to review all documents and handle procedures will be \$25,000. Mr. Walsh stated that this is a difficult process but with water consolidation, we hope to streamline and consolidate the water system to help with the accounting and the budget process. Attorney Ryan and Town Engineer Kathryn Serra will give an overview of the water consolidation process at the June 9th Meeting. The Town Board will need to pass a resolution at the June Meeting to authorize the Town Attorney to enter into a professional service agreement on behalf of the Town.

3. Sewer District

Councilman Szczepaniak said he sees the Sewer District in two phases. The first phase is to provide sewers around the lake; we have the support, good outlook and cost for that project. The second phase is the Business District Corridor. The Town needs to make sure we have the capacity to meet the current needs of the Town and the needs of the business district. Councilman Szczepaniak noted that the Zoning Committee has made significant progress with the design standards and we are working together to improve the business district. The Board is still in support of the sewer project. The cost of the sewer project is ten million dollars. The Town had a referendum for the addition to the Town Hall at one million dollars. It will be an issue for some people to add \$900 to their tax bill for 30 years. He believes the residents in this proposed district will need to go to the polls for that amount of money. It is important to put the sewer project to vote on the November ballot.

Supervisor Ziegler agreed with Councilman Szczepaniak that he supports a referendum in November. If we follow Article 12A, we are asking the people to go through the complexity and confusion of the process of obtaining signatures for a permissive referendum. In speaking with former Town Board members, they said the Town has never had a proposal for this much money without a referendum.

Councilwoman Stewart said she supports going out to referendum in November. The process will get stalled by a permissive referendum. It will be a smoother way to go to start with a referendum.

Councilman Szczepaniak added that Town Attorney Walsh has a recommendation for an attorney with expertise in this area to oversee the project and start the process.

Town Attorney Walsh said he recommends Matthew Chauvin P.C., with the law firm of Ianniello and Anderson, P.C. He has sent to the Board a written estimate of \$40,000 for the creation of this new district. This cost will be included in the bonding of this district. The first part of the process involves a minimal amount of cost for the drafting of documents, attendance at meetings, public hearings, and planning sessions with other agencies, completion of the SEQRA and EAF. The expensive part of the process is obtaining access to resident's property for the necessary easements.

Councilman Antoski said that this is the most logical way to go and it is important to look into a system that will allow for expansion for different phases of the project.

Councilman Goslin asked what is the resolution the Board will consider concerning the sewer district. He is very disappointed by the change the Board has taken. He said that

the Board supported the sewer district and the committees work in earlier Town resolutions.

Mr. Hamelink, Chairman of the Sewer Committee, said that he is shocked that the Board is not ready to vote on the sewer district at the next meeting. We have documented the health concerns about Burnt Hills and Ballston Lake area. In addition, the lake is recognized as an impaired water body. We have also shown significant support for the project with our informal petitions.

Supervisor Ziegler said the Board is not against the sewers. He has stated before that if \$900 was added to his tax bill, he would be very upset by the process. He has not reversed his position. We have residents asking questions on the sewer district; they are not aware of the process and the costs. What is your real concern with a referendum?

Councilwoman Stewart asked what steps need to be done for the sewer project. What has changed in the process by beginning with the referendum?

Ms. Mary Beth Bianconi, project manager with Delaware Engineering, answered that either way the following steps will need to be done:

- Adopt the map, plan and report
- Schedule a public hearing. Notification of the public hearing with the description and the new cost.
- SEQRA
- Resolution by the Town Board to do one of the following:
 1. Adopt a resolution that ends the sewer district proposal since the people are not benefited from the district
 2. Adopt a resolution for the creation of a sewer district subject to permissive referendum
 3. Adopt a resolution mandating a referendum for creation of the sewer district

Ms. Bianconi said the change to the district by mandating a referendum would concern the funding. We are looking to receive funding from the Clear Water State Revolving Fund and the deadline date is October 1st to be considered for funding in October 2016. If we have a November referendum, that is a tight schedule and we will miss the funding opportunity for next year. If the referendum was held in September at Primary Election, it would still be a tight timeframe to go through all the steps and get approval from the NYS Comptroller's Office.

Ms. Pott, Chairperson of the Farmland Protection and Preservation Committee, asked if the decommission of the septic system is a separate cost to the resident and if there is an opt-out clause for the sewer district.

Ms. Bianconi replied that the cost of the decommission of the septic system is included in the connection fee. New York State recommends residents, whose property line is not more than 200 ft. from the sewer line, to connect to the sewers.

Supervisor Ziegler asked to have a meeting with the Sewer Committee on June 1, 2015 at 7 pm.

4. Schidzick Estate

Town Attorney Walsh met with the Trustees of the Estate, Saratoga PLAN and the Assistant State Attorney General to discuss the contract for the Town to purchase the Hawkwood Property with the proceeds of the Schidzick Estate. A conservation easement to Saratoga PLAN was discussed at length and this easement will help maintain the forever wild intent of Mr. Schidzick. There will be a meeting on June 9th and an accounting from the trustees will be provided at that time.

Councilman Goslin thanked the Town Attorney for all his efforts and for keeping the Town Board well informed. We now have a path to move forward.

The Town Board entered into Executive Session at 8:05 p.m. The Town Board returned to Regular Session at 8:30 p.m.

RESOLUTION 15-81

RETURN TO REGULAR SESSION

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

ADOPTED: Ayes 4 Supervisor Ziegler, Councilman Szczepaniak, Councilman
Goslin and Councilman Antoski

Nays 0

No action was taken by the Town Board concerning 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 8:35 p.m.

Respectfully submitted,

Carol R. Shemo
Town Clerk