



Town Board Meeting
January 3, 2012

The regular meeting of the Town Board of the Town of Ballston was held Tuesday evening, January 3, 2012 at the Town Hall on Charlton Road. Members present were Supervisor Patricia Southworth, Councilwoman Mary Beth Hynes, Councilman Jeremy Knight, Councilman Timothy Szczepaniak and Councilman William Goslin. Also present were Town Attorney Murry Brower and Town Clerk Carol Shemo.

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

The first item on the agenda was the Organizational Resolutions and Appointments for 2012. Supervisor Southworth noted some new changes: Deputy Supervisor will be Mareline Camp, Deputy Town Clerk will be Carrie Fisher, the Ballston Journal requested to be the official newspaper, and the Chairman of the Ethics Board will be Merrill McColl.

Councilwoman Hynes made a motion and Councilman Szczepaniak seconded the motion to have separate and individual votes on some of the organizational resolutions.

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

Supervisor Southworth read the list of Town Board Committees for 2012. She added Councilwoman Hynes to the Trail Extension Project.

Councilman Szczepaniak requested that he be added to the Highway Committee since he has a lot of experience in this area.

Supervisor Southworth stated that the committee assignments are her appointments and they will stand as is, but she will notify Councilman Szczepaniak of each of those meetings and you are welcome to attend.

Supervisor Southworth read Resolution 1, 2 and 3 and there were no changes to those resolutions.

RESOLUTION #1 – BE IT RESOLVED by the Town Board of the Town of Ballston that all meetings of the Town Board shall be held in accordance with the latest edition of Robert's Rules of Order.

RESOLUTION #2 – BE IT RESOLVED by the Town Board of the Town of Ballston that all regular meetings of the Town Board shall be held in the Town Offices located on Charlton Road, Town of Ballston and Saratoga County at 7:30 p.m. on the First Tuesday of each month, except in November when it shall be the first Thursday at 7:30 p.m. A special meeting will be held on the last Tuesday of each month (Agenda Meeting) for the purpose of paying monthly bills and any other business requiring immediate attention.

RESOLUTION #3 – BE IT RESOLVED by the Town Board of the Town of Ballston that the Ballston Spa National Bank shall be the official depository for Town funds and, **BE IT FURTHER RESOLVED** that the funds may be withdrawn and checks may be signed by Supervisor, Patricia A. Southworth or by Deputy Supervisor, Mareline Camp, in accordance with provisions of the Town Law and the procedures established by the Town Board and, **BE IT FURTHER RESOLVED** that electronic transfers may be made in accordance with Town Law and the procedures established by the Town Board and, **BE IT FURTHER RESOLVED** that checks drawn on the Town Clerk's account may be signed by the Town Clerk, Carol Shemo or the Deputy Town Clerk, Carrie Fisher, in accordance with the provisions of the Town Law and the procedures established by the Town Board and, **BE IT FURTHER RESOLVED** that checks drawn on the Tax Collector's account may be signed by the Tax Collector, Anne Hogue or the Deputy Tax Collector, Glenn Hogue and, **BE IT FURTHER RESOLVED** that checks drawn on the Town Justice accounts may be signed by the Justice assigned to that account or the Town



Supervisor and BE IT FURTHER RESOLVED that the Town Supervisor and Deputy Town Supervisor be additional signatories on all accounts allowed by Town Law.

After Resolution #3, Councilwoman Hynes asked the new Deputy Supervisor Mareline Camp if she was a Town resident and if it would be her intent to be a backup signor on payroll checks, if the supervisor was unable to do so. Ms. Camp responded that she is a Town resident and it is her intent to be a backup signor on the payroll checks.

RESOLUTION #4 – BE IT RESOLVED by the Town Board of the Town of Ballston that salaries for elected officials for 2012 are approved as listed and established in the 2012 budget and that all other salaries and hourly rates for 2012 be approved as in 2011 with the exception of new employees whose rate will be established at the time of hire.

And BE IT FURTHER RESOLVED that the payroll schedule be biweekly for all hourly, elected officials and salaried employees.

In Resolution #4 the salaries and hourly rates of employees were not listed due to time restraints. Councilman Szczepaniak and Councilwoman Hynes will approve the resolution as written but want the salaries and hourly rates of employees published at the next meeting and they can amend this resolution then.

Resolution #5, #6 and & #7 had no changes.

RESOLUTION # 5 - BE IT RESOLVED by the Town Board of the Town of Ballston that The Planning and Zoning Board Chairpersons receive \$49 per meeting and the Planning and Zoning Board Members and Alternates receive \$45 per meeting to be paid upon the proper submission of a completed town voucher.

RESOLUTION #6 – BE IT RESOLVED by the Town Board of the Town of Ballston that the Water Superintendent, Joseph Whalen Jr. is authorized to make purchase on his own up to a limit of \$3,000 and, BE IT FURTHER RESOLVED that the Water Superintendent will notify the Water Commissioners of said expenditures in excess of that amount.

RESOLUTION #7 – BE IT RESOLVED by the Town Board of the Town of Ballston that a petty cash account of \$300.00 be authorized for use by each of the following: Town Clerk, Tax Collector and Town of Ballston Town Library and, BE IT FURTHER RESOLVED that an audit report of those funds be provided to the Town Board Monthly.

RESOLUTION #8 – BE IT RESOLVED by the Town Board of the Town of Ballston that the official newspaper as required by Town Law shall be the Ballston Journal.

Supervisor Southworth stated she had given the Town Board a memo with a list of the rates of the Ballston Journal, the Spotlight Newspapers and the Schenectady Gazette. Resolution #8 named the Ballston Journal as the official newspaper of the Town. Councilman Szczepaniak said that although the Ballston Journal rates are very appealing, it is a weekly paper vs. a daily paper and it is a business need for legal notices to have that couple of extra days for publication. Councilman Szczepaniak recommends we stay with the Gazette.

A motion was made by Councilwoman Hynes and seconded by Councilman Szczepaniak to modify Resolution 8 to read that the official newspaper shall be the Schenectady Gazette as it has been in the past.

Supervisor Southworth thought that the Ballston Journal as the official newspaper would keep the money in the County and to give a little support to a local business.

Councilwoman Hynes replied that the needs of running the Town necessitates that we have maximum flexibility with the legal notices.



Roll Call: Councilwoman Hynes – aye; Councilman Knight – aye; Councilman Szczepaniak – aye; Councilman Goslin – aye; Supervisor Southworth – no. Resolution 8 is amended by the above motion.

Resolution #9 BE IT RESOLVED that the Town Board of the Town of Ballston that Town Officers shall be compensated at the rate of .555 cents per mile for the use of their personal automobiles in the performance of their official duties.

Supervisor Southworth stated the IRS show the mileage rate to be .555 cents per mile.

Councilwoman Hynes stated that the Federal government has not adjusted their mileage rate to reflect the increase in fuel cost; they show the mileage rate as .51 per mile. There appears to be two conflicting rates.

The Town Board voted to use the IRS rate of .555 cents per mile.

Roll Call: Ayes – all; Noes – none. Resolution #9 remains the same.

RESOLUTION #10 - BE IT RESOLVED by the Town Board of the Town of Ballston that all elected and appointed officers of the Town shall be authorized to attend the Saratoga County Planning Conference and shall be reimbursed for necessary expenses at the approved rate upon submission of a proper voucher within the limits of the budget and, BE IT FURTHER RESOLVED overnight trips shall require prior approval by the Town Board and, BE IT FURTHER RESOLVED all other conference attendance shall require prior authorization of the Budget Officer. Any conference enrollee who cannot attend without just cause will reimburse the Town. Any late fee is the responsibility of the conference attendee.

Supervisor Southworth noted that last year the Town Board amended the resolution to read all other conference attendees shall require prior authorization of the Town Board if the cost was over \$100.

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to amend the resolution to read all other conference attendees shall require prior authorization of the Town Board.

Roll Call: Ayes – all; Noes – none. Resolution #10 is amended by the above motion.

RESOLUTION #11 - - BE IT RESOLVED by the Town Board of the Town of Ballston that the preliminary agenda be posted on the Town Website and the Town Bulletin Board 5 days prior to the meeting.

Roll Call: Ayes – all; Noes – none. Resolution #11 remains unchanged.

RESOLUTION #12 – BE IT RESOLVED by the Town Board of the Town of Ballston that the following individuals are appointed to the following positions for a term of one year commencing January 3, 2012 said term ending at the organizational meeting of the Town of Ballston held on January 2013:

Budget Officer – Patricia Southworth

Deputy Supervisor – Mareline Camp

Town Attorney – Murry Brower

Building Inspector and Fire Marshall – Thomas Johnson

Stormwater Management Coordinator and Deputy Building Inspector – Lester Bonesteel

Dog Control Officer – John Christopher

Animal Control Officer – Thomas Shambo



Deputy Town Clerk – Carrie Fisher

Deputy Town Clerk – Muriel Swatling

Deputy Tax Collector – Glenn Hogue

Town Historian – Richard Reynolds

Chairman, Board of Ethics –Merrill McColl

Court Clerks – Jane Curtiss and Kathleen O’Donnell

Deputy Highway Superintendent – John Hollowood

Water Superintendent for Water Districts 2, 3,4,5,6 – Joseph Whalen Jr.

Water District Clerk for Districts 2,3,4,5 and 6 Debora Bradt

Assessor’s Clerk- Sharlene Gillan

Representative to Milton Terrace Water District – Patricia Southworth

Representative to the Ballston Area Recreation Commission – Michael Myers

Zoning Enforcement Officer – Anton Rohrmeier

Chairman, Zoning Board of Appeals – Michael Lesniak

Vice-Chairwoman, Zoning Board of Appeals – Marilyn Bell

Chairman, Planning Board – Richard Doyle

Vice-Chairman, Planning Board – Jeffrey Cwalinski

Secretary, Zoning Board of Appeals- Michelle Dingman

Secretary, Planning Board – Michelle Dingman

Health Officer – Dr. William Kelley

Marriage Officer - Charles Merriam

Farmland Protection Committee – Joan Pott, Freida Garrison, Charles Curtiss Jr., Andrew VanVorst, Robert Pustolka, Laura Conrad, Garth Ellms

Debris Committee - Councilman Timothy Szczepaniak, Richard Doyle, Michael Lesniak

Audit Committee: Edward Swanson



The Following Reappointments for 2012:

Planning Board – Richard Doyle – 1/1/12 – 12/31/18

Zoning Board – Michael Lesniak – 1/1/12 – 12/31/18

Ethics Board – Merrill McColl - 1/1/12 – 12/31/16

Steven Zarelli – 1/1/12 – 12/31/16

Councilwoman Hynes noticed there was an opening for Chairman of the Ethics Board on the list of appointments. She asked Michael Prezioso, who was formerly Chairman of the Ethics Board, if he was willing to serve the Town and come back to the Ethics Board. Councilwoman Hynes asked Ethics Board members Charlie Merriam and Lee-Ann Mertzluft about this appointment and they were in favor of his appointment. Councilwoman Hynes would like to see him come back as the Chairman of Ethics Board.

Supervisor Southworth stated that the Chairman of the Ethics Board is her appointment as is the Town Historian. She has no problem with the appointment of Michael Prezioso to the Ethics Board, but the Chairman of the Ethics Board will be Merrill McColl.

A motion was made by Councilwoman Hynes and seconded by Councilman Goslin to amend Resolution #12 to appoint Michael Prezioso to the Ethics Board.

Roll Call: Ayes – all; Noes – none. Resolution #12 amended by the above motion.

RESOLUTION # 13 - BE IT RESOLVED by the Town Board of the Town of Ballston that the official holidays for the Town are:

New Year's Day – Monday January 2, 2012

Martin Luther King Jr. Day – Monday, January 16, 2012

Presidents' Birthday – Monday, February 20, 2012

Memorial Day – Monday, May 28, 2012

Independence Day – Wednesday, July 4, 2012

Labor Day – Monday, September 3, 2012

Columbus Day – Monday, October 8, 2012

Veterans Day – Monday, November 12, 2012

Thanksgiving Day – Thursday, November 22, 2012

Day After Thanksgiving – Friday, November 23, 2012

Christmas Day – Tuesday, December 25, 2011



Supervisor Southworth stated that in previous years, there was a separate holiday for Washington and Lincoln's Birthday. We went with the County's schedule of just Presidents' Day.

Roll Call: Ayes – all; Noes – none. Resolution remains the same.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to waive the reading of Resolution #14 and that there are no changes. Roll Call: Ayes – all; Noes – none. Carried.

RESOLUTION # 14 – BE IT RESOLVED by the Town Board of the Town of Ballston that all official meeting minutes must be written and mailed or otherwise distributed to appropriate parties within seven days of applicable meeting. Town Board minutes must, at a minimum be sent to : all Town Board members, Town Attorney, Highway Superintendent, Building Inspector, Water Superintendent, Zoning Enforcement Officer, Assessor, Tax Collector, Town Justices, Town Librarian, Dog Control Officer, Animal Control Officer, Town Historian, Zoning Board of Appeals Chairperson, Planning Board Chairperson, Jenkins Park Advisory Board Chairperson, Parks and Recreation Committee Chairperson, Farmland Protection Committee Chairperson, Engineer to the Town, Attorney to the Zoning Board of Appeals and Planning Board, and others as required by the Town Board in special circumstances and, BE IT FURTHER RESOLVED the Zoning Board of Appeals (ZBA) minutes must be sent to all ZBA members, all Town Board Members, Chairperson and Secretary of the Planning Board, Highway Superintendent, Building Inspector, Zoning Enforcement Officer, Assessor, Engineer to the Town, Attorney to the ZBA, Town Attorney, Water Superintendent, applicants before the ZBA, Chairperson of the Parks and Recreation Committee, Chairperson of the Farmland Protection Committee and other persons as needed and, BE IT FURTHER RESOLVED the Planning Board minutes must be sent to all Planning Board members, Town Board members, Chairperson and Secretary to the ZBA, Highway Superintendent, Building Superintendent, Zoning Enforcement Officer, Assessor, Engineer to the Town, Attorney to the Planning Board, Town Attorney, Water Superintendent, applicants before the Planning Board, Chairperson of the Parks and Recreation Committee, Chairperson of the Farmland Protection Committee and other persons as needed. All other committee minutes must be sent to the Town Clerk and other persons as needed.

Supervisor Southworth read Resolution #15, Resolution #16 and Resolution #17. There were no changes to these resolutions.

RESOLUTION # 15 – BE IT RESOLVED by the Town Board of the Town of Ballston that the Town Attorney (representing the Town Board) and the Attorney to the ZBA and Planning Board appointed or contracted for services by the Town Board, will not represent clients before any of the standing boards of the Town or undertake criminal defense before the Courts of the Town of Ballston.

RESOLUTION #16 – BE IT RESOLVED by the Town Board of the Town of Ballston that the fee schedule be amended to include a fee for checks returned by any bank for insufficient funds is to be \$25.00.

RESOLUTION #17 – BE IT RESOLVED by the Town Board of the Town of Ballston that the firm of C.T. Male is hereby appointed as Engineer to the Town and BE IT FURTHER RESOLVED the Engineer to the Town agrees not to represent any clients within the Town of Ballston before any duly established town board (i.e. Town Board, Planning Board, Zoning Board of Appeals).

RESOLUTION # 18 BE IT RESOLVED by the Town Board of the Town of Ballston authorizes the Supervisor to make transfers between accounts in the current budget in order to keep accounts properly funded and the Supervisor will report transfers monthly to the Town Board.



Councilman Goslin asked what is meant by accounts.

Supervisor Southworth answered that we are talking about bank accounts and budget adjustments. The budget adjustments need to be done on a more regular basis.

Councilman Goslin is concerned that we are moving funds from account to account.

Supervisor Southworth stated we are moving within a fund to another line in the budget.

Councilman Goslin asked if we have moved funds like this in the past year.

Supervisor Southworth answered that we have moved the funds for budget purposes to balance the budget. It is done multiple times a year.

Councilman Goslin asked if they have been reported to the Board.

Supervisor Southworth stated they haven't been done so they need to be done on a regular basis.

Councilman Goslin stated that it is a problem working with the complexity of 24 funds. There is a lot going on, money moving from place to place without notifying the Board. With one particular issue, he has a concern that General Fund B was funded last year by \$100,000 of sales tax money that was moved without notifying the Board. I am concerned about this, if funds are moved within a fund that is ok but it needs to be added here. Also the following sentence was omitted from Resolution #18 that was added to this resolution and passed unanimously last year: Be It Further Resolved that the Town Supervisor provide on a monthly basis an audit report of the Town Budget showing both monthly disbursements and receipts as well as a running tally with the year to date status including accounts that are running a negative balance and making such reports available on the Town Website to the public.

Supervisor Southworth said we can add that; it was omitted because it was not in the original resolution list she was using from last year but it was in the minutes of last year.

The Town Attorney advised the Board by reading from Section #113 of Town Law that it does provide for transfers and the Town Board can authorize the transfers in Resolution #18 in accordance with Town Law Section #113.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to amend Resolution #18 to read that transfers between accounts may be made in accordance with Section #113 of Town Law and BEIT FURTHER RESOLVED that the Town Supervisor provide on a monthly basis an audit report of the Town Budget showing both monthly disbursements and receipts as well as a running tally of the year to date status including accounts that are running a negative balance and making such reports available on the Town Website to the public.

Roll Call: Ayes – all; Noes – none. Resolution #18 amended by the above motion.

Supervisor Southworth asked if the Town Board wanted separate votes on any of the Organizational Resolutions. Seeing there is no call for separate votes, Supervisor Southworth asked for motion to approve the Organizational Resolutions.

12-001: A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes that the Organizational Resolutions of 2012 be approved.

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



Councilwoman Hynes had a correction to the December 6, 2011 minutes. On page 461, change name to read Lisa Doan.

A motion was made by Councilman Knight and seconded by Councilman Goslin to approve the minutes of the November 30, 2011 Special Meeting and the December 6, 2011 Town Board Regular Meeting as corrected.

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

The Town Clerk read the correspondence. The first was a letter from Senator Hugh Farley informing the Town Board that he was able to secure a multi-modal grant of up to \$75,000 to assist the Town in implementing a plan that will improve safety at certain railroad crossings. This funding is contingent on having the property deeded over to the Town and a copy of the deed should be forwarded to DOT as soon as possible. We received three letters from Bob Somers, Greg Moran and Steven Hopsicker in support of the Heroes Rush event at the Ellms Family Farm. We received a letter from Joan Pott, Chairperson of the Farmland Preservation and Protection Committee, reiterating some of the concerns the committee has regarding the proposed mass gathering event scheduled for September 8, 2012 at the Ellms Family Farm.

Supervisor Southworth asked the Town Attorney what needs to be done, copies of deeds, direction we need to take and how we handle it.

Town Attorney Brower stated that this Board has never agreed to take over any land there. He has not looked at any deeds and no one has come forward who owns those properties.

Supervisor Southworth asked what we need to do to get started.

Town Attorney Brower answered that he would need: copies of the deeds for the lands that would be part of the road, right- of-ways and surveys, if there are current ones. He needs an action by the Board that shows their willingness to take that course of action if there are sufficient funds available. The letter from Senator Farley states the possibility of funds up to \$75,000 for this project. Current land owners donated their land to the Town and the funds of up to \$75,000 would go towards upgrades necessary to bring that road up to standards where Highway Superintendent Joe Whalen would accept it as a Town road.

Councilman Goslin inquired if someone could consolidate what needs to be done so we have the same understanding and can move this forward.

Town Attorney Brower will draft a memo and send it to the Town Board.

Supervisor Southworth will get copies of the deeds and surveys.

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

Supervisor Southworth presented her financial report for December.

A motion was made by Councilman Knight and seconded by Mary Beth Hynes that the Supervisor's report be approved.

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



Supervisor Southworth stated that there will be a public hearing on natural gas line at the Malta Town Hall at 2pm and 6pm on January 10, 2012.

The railroad hearing date will be posted on the Town website.

The Ballston Lake Fire Commissioners pass the resolution for Special District Agriculture Exemption and she will be working with the Burnt Hills Fire Commissioners on this resolution.

The County Chairman is Tom Wood and the Vice-Chairman is Alan Grattidge. They will be visiting towns in Saratoga County and would like feedback from the Town residents concerning County issues. Supervisor Southworth will be on the following committees: Public Works, Public Health, Public Safety, Racing and Technology.

There will be a Job Fair on January 12th at 40 McMaster Street from 4-7 p.m. concerning present and future jobs and training at Global Foundaries.

Councilman Szczepaniak reported that there was increase in taxes by 3 1/2%.

Supervisor Southworth said that was a difficult decision caused by issues of Landfill, County Nursing Home, Airport and employees health care. The County cut capital improvements and funds to outside agencies.

Councilman Goslin is concerned that the County is outspending neighboring counties. He feels the County spending is out of control and he opposes any tax increase.

Supervisor Southworth stated that the tax increase was necessary to balance the budget. With the high cost of health care and state mandates, there is no quick fix.

Councilman Goslin said an increase in sales tax is not good government.

Privilege of the Floor:

David Pearce of the Ballston Lake said a year ago the Town Board enabled the Ballston Lake Improvement Association to buy measuring equipment that we put on the Lake. I have my report, developed by Bob Duncan with the help from Scott Miller, which shows the relationship of rainfall, lake level, lake temperature and the dynamics of the lake. He noted the effects of Hurricane Irene on the lake. Mr. Pearce will give the report to the Board so it can be posted on the Town website. He spoke concerning the Hudson River Watershed. What we can do to help the Hudson River Watershed and what other towns are doing.

Lisa Doan thanked the Town Board for their discussion on solar panels. She submitted a letter from a local realtor stating the negative impact of 5-10% on the property values of the homes on Long Creek Drive.

Councilman Szczepaniak would like to see a moratorium on solar panels and their installation until the Board can put together a good policy.

Supervisor Southworth stated that this is a deed restriction not enforceable by the Town.

Town Resident Stephen Merchant read a letter detailing his family history in the Town of Ballston. He would like to see the Town Board work together to achieve common goals that are best for the people of the Town of Ballston as his Grandfather and Great-Grandfather did years ago.



George Seymour said the Town Board may have disagreements, but they need to talk and discuss things and get some answers.

David Stern supports the Heroes Rush event; it will benefit the Town, County and local business. These businesses have the need to find different revenue streams in order to continue. We need to realize that with traffic problems, it is a one day event.

Eileen Lofthouse asked the Town Board to limit the number of Mass Gathering Permits. She does not appreciate the noise level.

Terri Breen asked the Town Board to work together so things can get accomplished.

Earlier this evening we had a Public Hearing to consider approving the Special District Agriculture Exemption. Supervisor Southworth thanked Joan Pott and Robert Pustolka for their work on this resolution.

12-002: A motion was made by Councilwoman Hynes and seconded by Councilman Szczepaniak to approve the Special District Agriculture Exemption. Councilman Knight abstained from the vote because he owns agricultural property. Roll Call: Ayes – all; Noes – none. Carried.

12-003: A motion was made by Councilman Szczepaniak and seconded by Councilman Knight to approve the annual contracts with the Office for the Aging for 2012. The Nutrition Contract will be \$2167 and the Transportation contract will be \$2176. Councilwoman Hynes abstained from the vote since she works for the County Attorney's Office and they review contracts.

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

12-004: A motion was made by Councilman Szczepaniak and seconded by Councilman Knight to approve the annual Animal Shelter contract for 2012 for \$ \$1052. Councilwoman Hynes abstained from the vote since she works for the County Attorney's Office and they review contracts.

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

12-005: A motion was made by Councilwoman Hynes and seconded by Councilman Knight to appoint Supervisor Southworth as the Voting Delegate for the Association of Towns Annual Meeting on February 19th – 22nd 2012. Supervisor Southworth is attending at her own expense.

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

12-006: A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve the Mass Gathering Permit to allow the Ellms Family Farm to host Heroes Rush with the following Stipulations: 1)The Town Board approves the Declaration Sheets pertaining to the insurance requirements. 2) The Town Board approves the wording in regards to how the Town of Ballston and the Ellms Family Farm LLC are protected in the negligence of the organizer. 3) The Town Board approves the wording in regards to being a third party beneficiary. 4) The Town Board approves the acceptable traffic plan and emergency services plan.

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

Councilman Szczepaniak thinks this is a great thing for our community, appreciates their effort and hopes there will be a good attendance.



Supervisor Southworth reported that there was a lot of communication with the Town Board during this process and she hopes it will continue so that we are on the same page throughout this process.

Councilman Goslin thanked the people at the agenda meeting who spoke about their concerns. We should support a business person who is trying to be innovative and willing to take a risk. The Building Inspector has informed me that events at the Ellms Family Farm have gone well and that they are very cooperative to work with.

Councilwoman Hynes supports the Heroes Rush event. There needs to be support within the agricultural community. There are lots of ways to show support for farming and we need to take a broader look. I think the information provided is almost all we need to complete it.

Supervisor Southworth stated some of the concerns have been about how many events will take place. She asked Councilman Goslin to take a look at our Mass Gathering Permit and pick up where Councilwoman Ireland left off. I asked him to bring us a draft proposal with some possible changes.

Councilman Goslin hopes to speak with people from Curtis Lumber and Lakeside Farms that hold some of these activities. His intent is to bring the Mass Gathering Permit up to date and business friendly that meet the requirements of the Town Building Inspector and Zoning Enforcement Officer.

The Town of Ballston has an agreement with the Town of Malta to provide water to their residents.

12-007: A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to approve the water hookup for property of Carl and Margaret Palmer on the corner of Round Lake Road and Eastline Road, Town of Mata, SBL 250.-1-6.2

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

The Town of Ballston has received junkyard applications and fees from Mangino Pontiac-Buick – Route 50, Ballston Spa, Doug Davey – Round Lake Road, Ballston Lake and Kyle Dieterle – Eastline Road, Ballston Spa. Zoning Enforcement Officer Tony Rohrmeier stated all the junkyards are in compliance.

12-008: A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to approve the Junkyard license for one year to Mangino Pontiac-Buick – Route 50, Ballston Spa, Doug Davey – Round Lake Road, Ballston Lake and Kyle Dieterle – Eastline Road, Ballston Spa.

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

Supervisor Southworth has given the Town Board the following information: civil service description of bookkeeper position, ADP Workforce Now Technology Services, and GTM Payroll Services.

Councilman Goslin said to let things settle and see what the position really needs. There seems to be needed a bookkeeper and a clerk.

A motion was made by Councilman Goslin that we not consider a bookkeeper position at this time. We need to discuss possible alternatives to fill this position as soon as possible. We need to look at opportunities to save the Town some money with our budget issues.

There was not a second to this motion.



A motion was made by Councilman Knight that the Board establish a Civil Service Bookkeeper Position.

Roll Call: Councilman Knight – aye, Councilman Szczepaniak – no, Councilman Goslin – no, Councilwoman Hynes – no and Supervisor Southworth – aye. Motion denied.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak that Supervisor Southworth and Councilwoman Hynes, the Personnel Committee, work together to identify a candidate for bookkeeper, who can be hired immediately to fill the position on a 6 month basis while the Board evaluates the need for a full-time position and looks at options like outsourcing our payroll and accounting services.

Councilwoman Hynes asked to amend the above motion to hire a bookkeeper for one year basis.

Supervisor Southworth agreed that one year basis would be a better idea.

12-009: A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak that Supervisor Southworth and Councilwoman Hynes, the Personnel Committee, work together to identify a candidate for a bookkeeper, who can be hired immediately to fill the position for one year basis while the Board evaluates the need for a full-time position and looks at options like outsourcing our payroll and accounting services.

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

The next item of business was a discussion on Solar Panels. Supervisor Southworth thanked Mr. Doyle for his efforts for proposed legislation on 6 month moratorium on stand alone solar units.

There will be a Public Hearing on Proposed Local Law to Establish a Six Month Moratorium on the Installation and or Construction of Stand Alone Solar Systems on Tuesday, January 31, 2012 at 7 p.m.

Councilwoman Hynes thinks this moratorium is a good idea. She would like Peter Reilly, the Attorney for Zoning and Planning, to review this draft legislation. She approves the stand alone solar panels in a rural setting but not in a dense residential development.

Councilman Szczepaniak feels the Town Board is obligated to approve a 6 month moratorium on stand alone solar panels so this cannot happen in other areas of the Town.

Councilman Knight is against the layers of government regulation. The Town needs to be really careful with our zoning. Green Energy is in our future. We need to review it, but we do not need a moratorium. We should encourage the homeowner association to word it into their deed restrictions.

Councilman Goslin would not like these solar panels in his neighborhood if he lived on Long Creek Drive. He thinks the moratorium is a good idea.

Supervisor Southworth stated the Board needs to work on this project. The Board can focus and get the work done. I don't like a moratorium. People want less government, not more government. The Board should stipulate an exemption on agricultural property.

Councilman Goslin asked to discuss two items before the Board this evening.



The first item is the financial condition of the Town. Who on the Board, outside of the Supervisor, knows the financial condition of the Town? No member on the Board knows the financial condition of the Town, yet we are supposed to be governing the Town and the Town's finances. How will we fund General Fund B, General Fund A or the Water Fund? We are using rollover dollars that aren't there. We need full disclosure to the Board. Reporting consistent month to month and have a one page summary. It is a Town Law requirement that every January we have an internal audit.

Councilwoman Hynes finds the operating statements very confusing. The Board has passed resolutions looking for reports to lay out the finances so they can understand the numbers and Town's finances so they can explain it to Town residents. She is on the Water Authority Board and receives a one page summary that is very easy to understand.

Supervisor Southworth stated that the Water Authority has a Comptroller to do their financial reports. The last full blown financial audit of the Town was in 2005. We have an annual report done every year. The NYS Comptroller's Office will be doing a risk assessment.

The second item Councilman Goslin wishes to discuss is the sewer project. Councilman Goslin would like to set up a citizen committee to assist the Town of Ballston upgrade their sewer study, investigate the need for services in the Town of Ballston, work to identify funding for the project and inform the residents on the economic impact of the sewer study.

A motion was made by Councilman Szczepaniak and seconded by Councilman Knight to adjourn the meeting.

Respectfully submitted,

Carol R. Shemo
Town Clerk

