

A regular meeting was held by the Town Board of the Town of Ballston on Tuesday evening, July 30, 2013 at the Town Hall on Charlton Road.

PRESENT:	Patricia Southworth	-----	Supervisor
	Mary Beth Hynes	-----	Councilwoman
	Timothy Szczepaniak	-----	Councilman
	William Goslin	-----	Councilman
	Kelly Stewart	-----	Councilwoman
	Carol Shemo	-----	Clerk
	Peter Reilly	-----	Attorney for Planning & Zoning
ABSENT	Murry Brower	-----	Town Attorney

Supervisor Southworth called the meeting to order at 7:40 p.m. and the Pledge of Allegiance was recited.

The Insurance Presentation by Matt Spataro was cancelled. Supervisor Southworth reviewed the information concerning the insurance. She noted that there was a \$1400 increase this year due to the increase in the building assessment replacement value and the additional umbrella insurance required for the Bike Path Extension.

Councilwoman Stewart proposed to vote on the renewal of the Town insurance before approval of the Town Claims since the claim for insurance renewal was included. She questioned the expense of \$500 for the Farmland Banner.

Councilman Goslin said all committees should submit their expenditures to the Board for review.

**RESOLUTION 13-212**

**AUDIT OF CLAIMS**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve the payment of the bills on the July Abstract. The bills were approved for payment as follows:

General Fund	No. 283 - 338	\$139,443.53
Highway Fund	No. 285 - 349	39,866.36
Gravel Pit Fund	No. 17 - 22	3,170.05
Park Fund	No. 20 - 22	3,149.32
Library	No. 275 - 326	23,611.80
Water Fund District 2 (SW)	No. 73 - 90	73,936.31
Blue Barnes Rd Dist. No.2 Ext# 13 (BBR)	No. 55 - 67	1,538.17
Brookline Rd Rte 67 No.2 Ext#12 (BRW)	No. 58 - 71	13,593.76
Goode St Dist. No.2 Ext#14 (GSW)	No. 55 - 67	4,929.17
Paradowski Rd Water Dist. No. 5 (RW)	No. 29 - 32	693.67
Route 50 Water No.2 Ext#7 (RTW)	No. 54 - 66	29,342.76
Scotchbush Water Dist. No.6 ((WW)	No. 29 - 33	1,002.70
Silver Ln Water Dist. No 6 Ext#1 (WX)	No. 29 - 32	390.96

Chapel Hill Water Dist. No. 2 Ext # 18 (CH)	No. 54 - 66	8,626.06
Brooks Heritage Dist. No.2 Ext #21 (RL)	No. 43 - 55	1,538.17
Stonebridge Enclave No.2 Ext #19	No. 34 - 46	1,232.31
Trust & Agency	No. 24 - 27	3,554.95

ADOPTED: Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart.  
Nays 0

## SUPERVISOR'S REPORT

**Supervisor Southworth** will be giving the Town Board the full Budget Calendar next meeting. Town of Ballston residents will be able to participate in the Hazardous Waste Day in Clifton Park on September 7<sup>th</sup> from 8 a.m. to 4 p.m. at the transfer station on Ray Road. Interested residents will need to complete a registration form and pay a fee of \$50 at the time of registration. The registration forms are available at the Town Clerk's office. Supervisor Southworth thanked all who assisted with the parade and all the businesses that donated to make the parade and fireworks possible. A special note of thanks was expressed to the Burnt Hills Fire Department and the Ballston Lake Fire Department for their cooperation and extensive amount of work. Also, the Cheap Geek business was recognized for all their hard work in organizing the Street Fest. Supervisor Southworth had a meeting with Business Automated Services. They will be providing the Town with extensive upgrades to our utility software. She thanked all those who worked so hard on the Horse Farm Tour. It was a great success.

## COUNCIL MEMBERS' REPORTS

**Councilman Szczepaniak** will be holding a Fishing Education Seminar on Saturday, August 3<sup>rd</sup> at 9 a.m. at the Town of Ballston Community Library, followed by a trip to the Fishing Pier for grades K through 5. Councilman Szczepaniak asked the Supervisor for the list of outstanding balances owed by contractors to the Town.

**Councilwoman Stewart** reported the Court audit is scheduled for July 31<sup>st</sup>. She will provide the Town Board with a report.

**Councilman Goslin** thanked Supervisor Southworth and all those who worked so hard on the parade. Also, he recognized the Ballston 225<sup>th</sup> Celebration. It was a wonderful success and a great community event. The Board had a resolution of appreciation written to the Ballston 225<sup>th</sup> Committee and he feels the volunteers on that committee should be honored. The Town should look at some way to honor all the volunteers, including the group volunteers in the fire departments and ambulance squads. Mr. Merriam suggested honoring our volunteers by planting a tree on Town Hall grounds. We should see what other Towns are doing to express their appreciation.

Councilman Goslin introduced the businessmen who are interested in locating a micro-distillery in the Town of Ballston. The location of the micro-distillery on Route 50 and

Brookline Road would require a zoning change since it is not a permitted use in that area. As an agricultural related business, they would be using at least 50% of local produce. He asked the Board to consider future action on this business and the need to review the Agriculture and Market Law.

### **PRIVILEGE OF THE FLOOR**

*Mr. Heusen* spoke on behalf of his business partners about the High Rock Distillery. They are called a Craft Distillery and their license is a Farm Distillery License that allows them to produce the maximum of 36,000 gals of product a year. The idea of a distillery was to find revenue to pay their farm taxes to be able to keep their family farms. They choose the Town of Ballston for the location of their business due to the small town feel. They hope to provide jobs in the Town with the expansion of their company.

*Mr. Pierce* spoke concerning the parking problems on Outlet Road. He suggested additional signage for 15 minute standing or unloading zone.

*Ms. Windels* cautioned the Board that most volunteers don't like recognition, so she suggested a simple once year recognition for all. She has a concern with the location of the distillery since it will be at a very difficult intersection.

### **OLD BUSINESS**

#### 1. 14 Lakehill Road

Attorney Brower will have a report at the next meeting.

#### 2. Estate of Frank Schizdick and Anchor Diamond Park

The Environmental Survey is in progress and information has been sent to CT Male.

#### 3. Sewer Study

Councilman Goslin reported that the committee will meet Monday, August 19<sup>th</sup> and Monday, September 16<sup>th</sup>.

#### 4. Hawkwood Proposal – no update

#### 5. Bike Path Extension – no update

#### 6. Water District Consolidation – no update

#### 7. White Beach Road – in progress

#### 8. Connolly Road Proposed Closure – in litigation

#### 9. Industrial Zoning Legislation – see below

#### 10. Security Cameras for the Town Hall – no update

11. Financial Workshop Councilman Goslin thanked the Supervisor for completing the Corrective Action Plan. Supervisor Southworth asked the Board to get their wish list to her as soon as possible for the preparation of the tentative budget. The bookkeeper will have the fund balances and the bank reconciliation from the beginning of the year available for the Board.

#### 12. Bridgewater Apartments Water - no update

#### 13. Lake Road Water District

Supervisor Southworth met with a resident of this district, CT Male and the Assessor and they are working on a proposal that will be ready in September.

#### 14. LED Signs

Councilwoman Stewart gave information to the Board on signs and billboards.

15. Route 50 Turn Lane

The project is waiting on the information for DOT from Mr. Mack.

**AGENDA ITEMS FOR CONSIDERATION AND ACTION:**

**RESOLUTION 13-214**

**APPROVE THE ZONING AND PLANNING CONFERENCE IN MALTA AS AN AUTHORIZED CLASS.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve the Zoning and Planning Conference in Malta as an authorized class.

ADOPTED: Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart.

Nays 0

Rifenburg Construction Inc. has asked for labor and material escalation increase for the NYS Route 50 Left Turn Lane Addition. The total Cost will be \$3084. The intent of this project was to be completed in Fall of 2012.

**RESOLUTION 13-215**

**AUTHORIZE THE INCREASE IN THE RIFENBURG CONSTRUCTION CONTRACT FOR THE ROUTE 50 TURN LANE PROJECT**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to authorize the increase in the Rifenburg Construction Contract for the Route 50 Turn Lane Project, provided that it is consistent with all the wording and regulations that was previously approved in the contract.

ADOPTED: Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart.

Nays 0

**RESOLUTION 13-216**

**APPOINT MICHAEL LONERGAN TO THE PARKS AND RECREATION COMMITTEE.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to appoint Michael Lonergan to the Parks and Recreation Committee.

ADOPTED: Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart.

Nays 0

**RESOLUTION 13-217**

**APPROVE THE PURCHASE OF ADOBE CONTRIBUTE 6.5 SOFTWARE FOR THE TOWN WEBSITE.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve the purchase of adobe contribute 6.5 software for the Town Website.

ADOPTED: Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart.

Nays 0

**RESOLUTION 13-218**

**APPROVE THE UPDATE AND DESIGN CHANGES TO THE TOWN WEBSITE AT A COST NOT TO EXCEED \$2,000.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve the update and design changes to the Town Website at a cost not to exceed \$2,000.

ADOPTED: Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart.

Nays 0

**RESOLUTION 13-219**

**APPROVE THE DATE OF TUESDAY, SEPTEMBER 3<sup>RD</sup> FOR THE BUDGET ESTIMATES TO BE GIVEN TO THE SUPERVISOR.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve the date of Tuesday, September 3<sup>rd</sup> for the budget estimates to be given to the Supervisor.

ADOPTED: Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart.

Nays 0

**RESOLUTION 13-220**

**ACCEPT THE CHAPEL HILL PHASE II EASEMENT OVER LOTS 4 AND 6 ON KINGSBRIDGE COURT. ACCEPTANCE OF THE EASEMENT IS SUBJECT TO THE APPROVAL BY THE HIGHWAY SUPERINTENDENT AND THE TOWN ENGINEER.**

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to accept the Chapel Hill Phase II Easement over Lots 4 and 6 on Kingsbridge Court. Acceptance of the easement is subject to the approval by the Highway Superintendent and the Town Engineer.

ADOPTED: Ayes 5 Supervisor Southworth, Councilwoman Hynes, Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart.

Nays 0

## **FOR DISCUSSION AND POSSIBLE ACTION:**

### **1. Changes to the Industrial Zoning.**

Councilman Goslin thanked all the residents who spoke at the public hearing this evening. The Town Board has worked on this concept for eighteen months. There have been two workshops and 2 public hearings. The Board has revised the legislation to reflect the additional concerns of the Curtis Lumber Industrial Park. Mr. Brick's favorable comments at the Public Hearing show that the workshops were successful. Councilman Goslin needed to clarify his comments in prior Board meetings that this legislation does not affect the Dolomite application. He believed that changes to the zoning would not affect an application that was before the Planning Board. In meetings with the Attorney for the SEQRA Process and Mr. Reilly, the Attorney for Zoning and Planning, he learned that this legislation can stop the Dolomite application. Also, the changes to the Industrial Zoning will be reviewed by the Saratoga County Planning Board at their August 15<sup>th</sup> Meeting. The Town Board will need to postpone the vote on this legislation until the Board has additional conversations with the attorneys to discuss the legal perspective of these zoning changes and to have time to review the findings of the Saratoga County Planning Board.

Councilwoman Stewart does realize this may be a frustrating and a long, slow process to the residents. The Town has not been threatened, but promised, with a lawsuit by Dolomite. It is the Town Board's job to protect the Town against costly lawsuits that could be prevented. We are moving cautiously so that we do not misstep.

### **2. Oliver Property**

Mr. Johnson has submitted his report. Consideration of the resolution will be next in the process.

### **3. Water Disconnection Fee**

Councilwoman Stewart volunteered to review the policies.

### **4. Traffic complaint on Schauber Road**

Supervisor Southworth will send a request to Saratoga County to take a look at this area.

Councilman Goslin made a motion and Councilwoman Stewart seconded the motion to adjourn the meeting.

Respectfully submitted,

Carol R. Shemo  
Town Clerk