A regular meeting was held by the Town Board of the Town of Ballston on Tuesday evening, July 9, 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 Murry Brower ----- Counsel

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

The Town Clerk reported on the correspondence that was received for the month of July. She received an email from Mr. Myers of Timber Creek Preserve stating that the trails in the Timber Creek development should remain private, for residents use only. Mr. Pustolka's letter addressed his concerns about the execution of the gift under the Estate of Frank Schizdick. Joan Pott, Chairwoman of the Farmland Protection and Preservation Committee, presented the case for the preservation of the Hawkwood property.

The presentation on the Town Insurance by Matt Spataro was cancelled due to receiving a late quote. The insurance will be reviewed at a special meeting.

Mr. Jason Dell, engineer with Lansing Engineering and spokesman for Timber Creek Preserve Phase IV, reviewed the updates made to the development. He stated that Timber Creek Phase IV is proposed in accordance with the Traditional Neighborhood Design (TND). The proposal is before the Town Board due to the creation of more than 100 lots but they have not asked for any additional density. The development is underneath the density threshold for a TND with 2.5 units per acre instead of the 6 units per acre as allowed. At the last Town Board Meeting the issue of public benefit was discussed. Mr. Brooks listed the improvements he has made with the development of this property: one mile of 16" water line, new sewer line, lighting area, trails.

Councilman Szczepaniak said the Town Board recognizes that the trail system in Timber Creek is private and is Homeowner Association owned. He received a copy of the flyer about these trails. The Chairman of the Parks and Recreation Committee explained to Mr. Szczepaniak that at the last Town Board Meeting, he only wanted to offer his assistance to Mr. Brooks.

Councilwoman Hynes welcomed all the residents from Timber Creek. She stated that the Town Board could not take over these trails, nor do they want to. She asked Mr. Brooks about the possibility of a community pool. There was a discussion concerning the type of the public benefit to be given to the Town. Councilwoman Hynes thanked Mr. Brooks for providing the four phase review of the development; it informs the public of the overall plan. Also, that Mr. Brooks listened to the Town Board concerns and removed the six houses and squared off Raylinsky Road intersection.

Councilman Goslin was very worried about the inflammatory nature of the flyer. It is not true. Who on the Town Board stated that they wanted to make the private trails public?

Mr. Brooks replied that the notice voiced his opinion and the need to keep the residents informed of what was happening. He stated that it was too early in the process to comment on the community pool. He stated that he will give a one hundred thousand dollar donation to the Town as his public benefit.

Councilwoman Hynes asked that it be recorded in the minutes that this \$100,000 donation to the Town is used to preserve open space or encourage park and recreation development. This donation will be amortized by property and at the time of the payment of the building permit. She is concerned that it not be absorbed into the General Fund and be used to balance the budget since that is not the intent of the donation.

#### **Resolution 13-185**

### TIMBER CREEK PRESERVE PHASE IV PUDD BE SENT TO THE PLANNING BOARD FOR REVIEW

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart that Timber Creek Preserve Phase IV PUDD be sent to the Planning Board for their review.

The Town Clerk called roll call vote:

Councilman Szczepaniak yes
Councilwoman Stewart yes
Councilman Goslin yes
Councilwoman Hynes yes
Supervisor Southworth yes

Motion Carried.

*Mr. VanPelt* of Timber Creek Preserve Development said he understands the misunderstanding with the trails, but he wonders if it is a potential issue with the County trail system.

Supervisor Southworth answered that the trails could not be made public without your permission. She advised Mr. VanPelt to contact Mr. Richardson, Chairman of the Trail Committee for the Saratoga County Board of Supervisors, with his concerns the County trail system.

*Ms. Roberti* asked about the Park and Recreation fee that the developer pays per unit. She asked the recreational facilities these have been constructed with these funds.

### **REPORTS OF TOWN OFFICIALS**

Building Inspector Thomas Johnson, Highway/Water Superintendent Joseph Whalen, Supervisor Patricia Southworth, Dog Control Officer John Christopher, Library Trustee Jean Botta and Town Clerk Carol Shemo submitted reports for June and they are on file in the Town Clerk's Office.

### **RESOLUTION 13-186**

### APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT FOR JUNE.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to approve the Town Supervisor's report for June.

ADOPTED Ayes 5 Supervisor Southworth, Councilwoman Hynes,

Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

Nays 0

### **Supervisor Report for July**

**Supervisor Southworth** explained the changes to the financial report for June. She asked the Board for their suggestions or complaints for the new format.

Councilman Goslin said that the reports are great. He would like to see the balances in reserve with these funds but this is a step in the right direction. Instead of printing the reports, he suggests that the Town of Ballston monthly financial reports be listed on the website so all can have easy access and save printing costs.

Supervisor Southworth reviewed the Parade and fireworks details. She listed the upcoming events: the Saratoga County Fair, horseshoe decorating contest and the chicken barbecue on July 28<sup>th</sup>.

### **Council Reports:**

Councilman Szczepaniak reported that Mike Lonegrin is interested in serving on the Parks and Recreation Committee. He had a consultation with Attorney Nicholas D'Ambrosio of the law firm of Bond, Schoeneck and King to assist with the legal negotiations on the Teamsters Union contract with the Highway Department. Councilman Szczepaniak requested that the Town Board go into Executive Session due to a personnel matter.

**Councilman Goslin** said that he reviewed the Annual Report to the State Comptroller and compared year end results from 2011 and 2012. The news is very positive. Our cash

position has increased and the sales tax and the mortgage tax show increases as well. He said that Joe Whalen did an incredible job with fixing the bridge and applying for disaster funds. The Planning Board expenses show a significant increase from \$91,000 to \$243,000 and this increase needs to be addressed.

Supervisor Southworth stated that the increase in Planning Board expenses is due to the billing to applicants. We accept letters of credit instead of escrow funds. The Town pays the bills and then sends bills to the developers. It is time consuming and a hassle to get our money with the letters of credit.

Councilwoman Hynes replied that the Town should not be fronting money for developers.

Councilman Szczepaniak said we need to have a change in policy and procedures. He would like a list of developers' outstanding fees from the bookkeeper.

### PRIVILEGE OF THE FLOOR

Ms. Lescault asked that the legislation concerning the changes to the Industrial Zone be put on the Town website and that the scheduled public hearing be put online as soon as possible.

Ms. Draina asked the Town Board to review the speed limit on Outlet Road.

Supervisor Southworth replied the speed limit was reviewed in 2009. The issue is not with the speed limit; the issue is with speed enforcement. Supervisor Southworth has asked for help from the sheriff. The sheriff has been very helpful and increased patrols on those roads but when the patrols leave, the speeding problem resumes.

Councilman Goslin said we have received multiple complaints concerning speeding on a number of roads in the Town. We are researching into the expenses in hiring a Town Constable or to have a contract with the Sheriff's department for additional services.

Mr. Giaquinto asked the possibility of getting a radar speed sign.

Supervisor Southworth said with the shoulder problem and drainage on the Outlet Road it is not a good place for a radar sign.

Ms. Draina said she would give permission for the sign to be placed on her property.

Ms. Windels stated the intersection of Middle line Road and Brookline Road has a stop sign but the traffic does not stop and it has a potential for accidents. She said it is her understanding that Town Board members should be liaisons to a committee and not chairpersons.

Mr. Igoe asked about the Town holding a household hazardous waste recycling day.

Supervisor Southworth said the cost of holding a household hazardous waste day is very expensive. The Town has joined with Clifton Park to collect household hazardous waste and electronics at the Ballston Lake Volunteer Ambulance Service on Rt 146A, Ballston Lake on Saturday, September 7, 2013 from 8 a.m. to 4 p.m. Residents need to register by August 30<sup>th</sup> and pay a \$50 registration fee. For the Town to have County Waste do a junk pickup, the cost is \$30,000. This is the most affordable way to provide some service at one half the costs.

*Mr. Voehringer* asked the outcome of the June 13<sup>th</sup> court conference meeting on the Schizdick estate. He would like to know about the will, the possible transfer of property and since it is a subdivision, will it go before the Planning Board. Let the people know what is going on.

### **OLD BUSINESS**

### 1. 14 Lakehill Road

Town Attorney Brower is waiting for the investigator's report before he asked the Judge's permission to serve the unsafe structure notification to the owner of 14 Lakehill Road in another way.

Councilman Goslin asked that the Town make this a priority to move forward.

- 2. Estate of Frank Schizdick and Anchor Diamond Park see resolution below.
- 3. <u>Sewer Study</u> see resolution below
- 4. <u>Hawkwood Proposal</u> no update
- 5. Bike Path Extension

Councilwoman Hynes received an email from National Grid that the Bike Path Extension is on hold due to the litigation on Connolly Road. She spoke with CT Male since this property is not involved in the lawsuit and will follow up with National Grid.

### 6. Water District Consolidation

Supervisor Southworth report that CT Male stated that a new grant is available and they will be doing a grant application for the Town.

### 7. White Beach Road

The road is closed for widening for the crossing and the connector road is ready.

- 8. <u>Connolly Road</u> in litigation
- 9. <u>Industrial Zoning Legislation see</u> the Resolution to set a public hearing on this legislation.

### 10. Security Cameras for the Town Hall

This will be reviewed in the upcoming budget workshops.

### 11. Financial Workshops

Meetings are on Tuesday at 6:30 p.m., on the off nights of the Town Board meetings. The renewal of the Town's insurance policy needs to be addressed.

### 12. Bridgewater Apartments

Councilman Goslin received information that Bridgewater Apartments was not part of Water District Extension. HUD had issues that added taxes would impact the rents.

Supervisor Southworth stated that we need to talk with the Housing Authority and they need to provide information to allow Bridgewater Apartments to be in the district. Then Bridgewater will need engineering reports, map and plan.

The Town Attorney will speak with the representative for Bridgewater Apartments.

Mr. Brower stated that the Town Board will have to decide the cost for them to be part of the district.

### 13. Lake Road Water District

At the last discussion on the Lake Road Water District, it was decided that the Town Board needed to compare the same numbers on every proposal submitted by CT Male. Our Assessor is now working with CT Male on this project.

### 14. LED Signs – no update

### 15. Route 50 Turn Lane

The Town released Mrs. Johnson's payment and the Town has engaged Bond Counsel.

### NEW BUSINESS FOR CONSIDERATION AND ACTION:

#### **RESOLUTION 13-187**

## SET A PUBLIC HEARING FOR PROPOSED CHANGES TO INDUSTRIAL DISTRICT ZONING REGULATIONS IN THE TOWN OF BALLSTON FOR JULY 30, 2013 AT 7:00P.M.

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to set a Public Hearing for proposed changes to Industrial District Zoning Regulations in the Town of Ballston for July 30, 2013 at 7:00p.m.

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

## AUTHORIZE THE BONDING OF THE BURNT HILLS-BALLSTON LAKE WATER DISTRICT NO.2 EXT.#24, MORNINGDALE COURT WATER DISTRICT FOR AN AMOUNT NOT TO EXCEED \$163,000 AFTER THE EXPIRATION OF THE MANDATORY WAITING PERIOD.

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to approve the following resolution.

### BOND RESOLUTION DATED July 9, 2013

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF EXTENSION NO. 24 TO THE WATER DISTRIBUTION SYSTEM OF THE BURNT HILLS-BALLSTON LAKE WATER DISTRICT NO. 2, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$163,300 OF THE TOWN OF BALLSTON, SARATOGA COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID CONSTRUCTION

BE IT RESOLVED, by the Town Board of the Town of Ballston, Saratoga County, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of Extension No. 24 to the water distribution system of the Burnt Hills-Ballston Lake Water District No. 2 (the "Water District"), such extension to include all properties on Morningdale Court, all properties on the West Side of East Line Road from Chapel Hill subdivision to Round Lake Road and all properties on Round Lake Road from the intersection with East Line Road West to and including the Gaydushek property, including necessary site work and the acquisition and installation of equipment, machinery and apparatus for the foregoing purpose. The estimated maximum cost of said purpose, including preliminary costs and costs incidental thereto and the financing thereof, will not exceed \$163,300 and said amount is hereby appropriated therefore.

SECTION 2. The Town Board plans to finance the Town's maximum estimated cost of said purpose by the issuance of \$163,300 serial bonds of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law and the cost of such improvement is to be paid by assessments upon benefited real property in a area less than the area of said Town.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law and the period of probable usefulness of said purpose is forty (40) years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7. The Town Supervisor is authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof,

as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8. The Town Board has issued a negative declaration determining that the construction of Extension No. 24 to the water distribution system of the Water District will not have a significant effect on the environment.

SECTION 9. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if

(I) (a)Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

b)The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2)Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 10. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in *The Daily Gaz'ette*, a newspaper having a general circulation in the Town of Ballston in the County of Saratoga, and hereby designated as the official newspaper of said Town for such publication.

SECTION 11. The expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Water District Fund. The Town then reasonably expects to reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse such expenditures, as required by the United States Treasury Regulations, Section 1.150-2.

SECTION 12. This resolution shall take effect immediately -upon its adoption.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Patricia Southworth	VOTING	Yes
William Goslin	VOTING	Yes
Mary Beth Hynes	VOTING	Yes
Kelly Stewart	VOTING	Yes
Timothy Szczepaniak	VOTING	Yes

The foregoing resolution was thereupon declared duly adopted.

### ESTABLISH THE TOWN OF BALLSTON CLEAR WATER INITIATIVE COMMITTEE

A motion was made by Councilwoman Hynes and seconded by Councilman Szczepaniak to establish the committee structure of the Town of Ballston Clear Water Initiative with Co-Chairmen Richard Doyle and Arnold Azarow. Committee Members are: Arnold Azarow, Crystal Hamelink, J.T. Pollard, Jack Frame, Jim DiPasquale, Jim Legnante, Joe Pollard, Patrick Ziegler, Richard Doyle, Suzanne Bishop, Wes Devoe, William Goslin and Dick Carusone and David Pierce. Councilman Goslin will be the Town Board liaison to this committee.

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

Nays (

Supervisor Southworth asked Councilman Goslin to outreach to residents who live in the area of Buell Heights, behind the Library and Carpenter's Acres to participate in this committee. She said he should send a letter to the County Sewer Commission to see if they would fund the upgrade to our sewer study.

#### **RESOLUTION 13-190**

### AUTHORIZE PAYMENT OF FUNDS FOR AN ENVIRONMENTAL SURVEY OF THE LANG PROPERTY

A motion was made by Councilman Goslin and seconded by Councilwoman Hynes to authorize payment of funds for an environmental survey for the Lang property. This will involve a transfer of funds from Contingency Account 19904.01 to Environmental Control Contractual Account 80904.01.

Resolution Authorizing the Payment of Environmental Survey of the Lang Property

**Whereas,** the Town Board of the Town of Ballston has determined that it wishes to establish a park to be known as Diamond Anchor Park, and

**Whereas,** the Town Board has determined that it desires that the Trustee of the Diamond Anchor Trust purchase 100 acres of land currently owned by Mr. and Mrs. Lang, and

Whereas, the Surrogate Court has indicated to the Trustee and to the Town of Ballston that he wishes that the park be purchased as soon as possible and has indicated that the Trustee could reimburse the Town for an expenditure for the environmental survey as proposed by C.T. Male Associates and

Whereas, the Town of Ballston Board has determined that it wishes that the project move forward as quickly as possible,

Therefore, be it resolved, that pursuant to Town Law section 64 (8) and Town Law § 220 (4), the Town Board authorizes the expenditure of funds to be paid to C.T. Male Associates in an amount not to exceed \$3,000.00 and authorizes the Supervisor to seek reimbursement of this expenditure from the Trust or to reimburse the Town with money provided to the Town by the Diamond Anchor Trustee upon completion of the purchase and release of all remaining funds to the Town by the Surrogate, and it is further resolved that the Parks And Recreation Committee is authorized to coordinate with C.T. Male Associates for the survey as proposed by C. T. Male Associates.

Yes No

Abstain Supervisor, Patricia Southworth

Councilperson, Mary Beth Hynes Yes

Councilperson, Timothy Szczepaniak Yes

Councilperson, William Goslin Yes

Councilperson, Kelly Stewart Yes

ADOPTED Councilwoman Hynes, Councilman Szczepaniak, Ayes

Councilman Goslin and Councilwoman Stewart

0 Nays

Abstain 1 Supervisor Southworth

Supervisor Southworth abstained from voting on this resolution because she did not remember if soil testing is required under this survey and she feels it is absolutely necessary.

At the court meeting concerning the Estate of Frank Schizdick on June 13<sup>th</sup>, the Judge has not made a decision concerning the reimbursement of the fees.

The Town Board did not have sufficient time to consider the information on the new lighting district in Stonebridge Estates Development and they agreed to table the following resolution.

### **RESOLUTION 13-191**

### CREATE A NEW LIGHTING DISTRICT IN THE STONEBRIDGE ESTATES **DEVELOPMENT**

A motion was made by Councilwoman Hynes and seconded by Councilman Szczepaniak to table the resolution to create a new lighting district in the Stonebridge Estates Development.

ADOPTED Ayes Supervisor Southworth, Councilwoman Hynes

Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

0 Nays

Supervisor Southworth stated that the funds that were earmarked for the Flag Day Fireworks will be used for the fireworks for the 225<sup>th</sup> Celebration. All money spent for the parade and the events for the 225<sup>th</sup> celebration will be paid with donations with no use of Town money. Any additional money will be to help pay for the fireworks.

### **RESOLUTION 13-192** AUTHORIZE THE FIREWORKS DISPLAY FOR THE TOWN OF BALLSTON 225<sup>TH</sup> CELEBRATION.

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to authorize the Supervisor to hire Alonzo Fireworks Display, Inc. for a display for the 225th Celebration of the Town of Ballston to be held at Firemen's Grove on July 12th, after the parade or rain date July 13<sup>th</sup>. Building Inspector Johnson inspected and approved the site.

Supervisor Southworth, Councilwoman Hynes **ADOPTED** Ayes Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

### ACCEPT DONATIONS FOR THE PARADE AND FIREWORKS FOR THE 225<sup>TH</sup> TOWN OF BALLSTON CELEBRATION.

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to accept the following donations for the 225<sup>th</sup> Town of Ballston Celebration: Hudson Mohawk Pediatrics \$100, Gil's Garage Inc. \$250, Burnt Hills Café \$50, Chong Hyo Tae Kwon Do & Sword Art \$50, Purdy Realty \$100, Ballston Lake Pottery \$25, Regular's Liquor Cabinet \$25, Charlie Morris \$1,000, Anthony Hynes \$1,000 and Supervisor Southworth and Mr. Southworth \$1,000. Increase the Appropriate Revenue and Budget Lines in the Parade and Fireworks Accounts.

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

Councilwoman Stewart

Nays 0

#### **RESOLUTION 13-194**

### ACCEPT THE T-SHIRT DONATIONS OF \$110 FOR THE SUPPORT OF THE BALLSTON 225<sup>TH</sup> CELEBRATION.

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to accept the T-Shirt donations of \$110 for the support of the Ballston 225<sup>th</sup> Celebration. Increase the Revenue and Budget Lines for the 225<sup>th</sup> Celebration Account.

ADOPTED Ayes 5 Supervisor Southworth, Councilwoman Hynes

Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

Nays 0

### **RESOLUTION 13-195**

### <u>AUTHORIZE THE SUPERVISOR TO HIRE ONE BH-BL SCHOOL BUS WITH DRIVER FOR A COST OF \$100.</u>

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to authorize the Supervisor to hire one BH-BL school bus with a driver for a cost of \$100, expenditure to be deducted from the appropriate Expenditure Line Account.

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

Councilwoman Stewart

Nays 0

### **RESOLUTION 13-196**

### <u>AUTHORIZE THE SUPERVISOR TO HIRE THE UNCLE SAM CHORUS AT A COST OF \$475.</u>

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to authorize the Supervisor to hire the Uncle Sam Chorus at a cost of \$475, expenditure to be deducted from the appropriate Expenditure Line Account.

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

Councilwoman Stewart

Nays 0

### **RESOLUTION 13-197**

### APPROVE RENTAL OF FIREMEN'S GROVE FROM THE BALLSTON LAKE FIRE DEPARTMENT FOR A COST OF \$375.

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve rental of Firemen's Grove from the Ballston Lake Fire Department for a cost of \$375, expenditure to be deducted from the appropriate Expenditure Line Account.

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

### APPROVE THE RENTAL OF FOUR PORTABLE TOILETS AT FIREMEN'S **GROVE AT A COST OF \$75 EACH.**

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to approve the rental of four portable toilets at Firemen's Grove at a cost of \$75 each, expenditure to be deducted from the appropriate Expenditure Line Account.

ADOPTED Ayes Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

0 Nays

#### **RESOLUTION 13-199**

### APPROVE PAYMENT OF \$700 TO HIRE THE SCOTIA PIPE BAND FOR THE

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve payment of \$700 to hire the Scotia Pipe Band for the Parade, expenditure to be deducted from the appropriate Expenditure Line Account.

**ADOPTED** Supervisor Southworth, Councilwoman Hynes Ayes Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

0 Nays

#### **RESOLUTION 13-200**

### AUTHORIZE THE LETTER OF SUPPORT FOR A CONSOLIDATED FUNDING APPLICATION FOR THE TOWN OF MALTA LUTHER FOREST FIELDS.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to authorize the Supervisor to sign a letter of support for a consolidated funding application for the Town of Malta Luther Forest Fields.

ADOPTED Ayes Supervisor Southworth, Councilwoman Hynes

Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

Nays 0

### **RESOLUTION 13-201**

### ESTABLISH A PETTY CASH FUND OF \$50 FOR THE BUILDING **DEPARTMENT.**

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to establish a petty cash fund of \$50 for the Building Department.

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

Councilwoman Stewart

0 Nays

The Town Board has been working on the Corrective Action Plan Draft in response to the Report of Examination for the Town of Ballston Water Fund Financial Operation January 1, 2010 to December 31, 2011 for the Office of the New York State Comptroller. Timelines for the final report need to be established and will be addressed at the next financial workshop.

### **RESOLUTION 13-202**

### AUTHORIZE THE CORRECTIVE ACTION PLAN FOR THE OFFICE OF THE NEW YORK STATE COMPTROLLER.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to authorize the Corrective Action Plan for the Office of the New York State Comptroller.

**ADOPTED** Supervisor Southworth, Councilwoman Hynes Ayes

Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

0 Nays

Cornell has decided to discontinue the Local Roads Program. Highway Superintendent Joseph Whalen has asked the Town Board for a resolution in support of the continuation of this program which is vital to the training of Highway Superintendents.

### APPROVE A RESOLUTION IN SUPPORT OF THE CONTINUATION OF THE LOCAL ROADS PROGRAM.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to approve a resolution in support of the continuation of the Local Roads Program.

ADOPTED Aves

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and

Councilwoman Stewart

Nays 0

### **RESOLUTION 13-204**

### AMEND RESOLUTION 13-164, FUNDS FOR THE SEWER STUDY.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Stewart to amend Resolution 13-164 approving the additional cost of \$77.50 for the Sewer Study, transfer funds from the Contingency Account 19904.02 to Planning Contractual Account 81974.02.004.30.

**ADOPTED** 

Ayes

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart

Nays 0

There was a discussion concerning the Town Bookkeeper's contract. The length of the contract was considered and it was noted that the contract contains a 30 day change notice. Also the additional monthly tasks were to include the cash report, supervisor's report, bank statements reconciliation, and 2 monthly financial workshops.

Councilman Goslin stated that we are making progress with our finances. The Town needs to hire auditors to perform an audit of all Town finances and departments. Councilman Goslin volunteered to write a document listing the professional services required.

### **RESOLUTION 12-205**

### APPROVE THE RENEWAL OF THE BOOKKEEPER'S CONTRACT SUBJECT TO TOWN ATTORNEY'S REVIEW.

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart to approve the renewal of the Bookkeeper's contract subject to Town Attorneys review.

ADOPTED Ayes

S

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart

Nays 0

### **RESOLUTION 12-206**

### TABLE THE RENEWAL OF THE TOWN INSURANCE POLICY.

A motion was made by Councilwoman Hynes and seconded by Councilwoman Stewart to table the renewal of the Town Insurance Policy.

ADOPTED

Ayes

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart

Nays 0

### **RESOLUTION 12-207**

# APPROVE THE EXPENDITURE OF FUNDS FROM THE 225<sup>TH</sup> COMMITTEE DONATIONS FOR TROPHIES OR AWARDS FOR THE PARTICIPANTS IN THE PARADE. THE REMAINDER OF THE DONATIONS TO BE USED FOR THE FIREWORKS DISPLAY.

A motion was made by Councilman Goslin and seconded by Councilman Szczepaniak to approve the expenditure of funds from the 225<sup>th</sup> Committee donations for trophies or awards for the participants in the parade. The remainder of the donations will be used for the fireworks display, expenditure to be deducted from the appropriate Expenditure Line Account.

**ADOPTED** 

Ayes

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart

Councilman Goslin thanked the Supervisor for all her work to put together a great parade. He hoped the parade is a great success.

Supervisor Southworth thanked all the people who worked so hard on the parade. She gave a special mention to the Burnt Hills and Ballston Lake Fire Departments, Maggie Falkstog and Steve Merchant.

### **RESOLUTION 13-208**

### ACCEPT THE \$200 PARADE DONATION FROM COUNCILMAN GOSLIN.

A motion was made by Councilwoman Hynes and seconded by Councilwoman Stewart to accept the \$200 parade donation from Councilman Goslin to help pay for the awards or trophies for the parade participants.

ADOPTED

Ayes

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart

Nays 0

### **RESOLUTION 13-209**

## ENGAGE THE SERVICES OF THE LAW FIRM OF BOND, SCHOENECK AND KING FOR ASSISTANCE WITH THE TEAMSTER NEGOTIATIONS FOR THE HIGHWAY DEPARTMENT CONTRACT AT A RATE OF \$235 HR., NOT TO EXCEED 50 HOURS.

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to engage the services of the Law Firm of Bond, Schoeneck and King for assistance with the Teamster negotiations for the Highway Department Contract at a rate of \$235 hr., not to exceed 50 hours.

**ADOPTED** 

Ayes

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart

Nays 0

### **DISCUSSION AND POSSIBLE VOTE:**

- 1. Oliver Property The Town Board received a report from Mr. Johnson
- **2.** Water Disconnection Fee No update

### **RESOLUTION 13-210**

### ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE CONCERNING COMPLAINTS FROM TWO DIFFERENT DEPARTMENTS.

A motion was made by Councilman Szczepaniak and seconded by Councilwoman Hynes to enter into Executive Session to discuss a personnel issue concerning the complaints from two different departments.

ADOPTED

Ayes

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart

Nays 0

### RESOLUTION 13-211

### RETURN TO REGULAR SESSION

A motion was made by Councilman Goslin and seconded by Councilwoman Stewart to return to regular session.

**ADOPTED** 

Ayes

5 Supervisor Southworth, Councilwoman Hynes Councilman Szczepaniak, Councilman Goslin and Councilwoman Stewart

Nays 0

No action was taken on the item discussed in Executive Session.

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

Respectfully submitted,

Carol R. Shemo Town Clerk