

A Town Board meeting was held by the Town Board of the Town of Ballston on Thursday evening, March 16, 2023, in the Meeting Room at Town Hall located at 323 Charlton Road, Ballston Spa, New York and via Zoom webinar for the public to view and listen only.

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| PRESENT: | Eric Connolly | Supervisor |
| | Kelly Jasinski | Councilwoman |
| | Chuck Curtiss | Councilman |
| | Michael Carota | Councilman |
| | Rob Fendrick | Councilman |
| | Carol Gumienny | Town Clerk |
| | William Ryan, Jr. | Attorney |
| | David Urkevich | Town Comptroller |
| | Joe Whalen | Highway/Water Superintendent |

The Supervisor called the meeting to order at 6:30 p.m. and the Pledge of Allegiance was recited.

REPORTS

Highway/Water Superintendent Joseph Whalen, Dog Control Officer Thomas Shambo, Town Clerk Carol Gumienny, Building Inspector Jeff Stickles and Library Director Rebecca Darling submitted reports for February 2023. They are on file in the Town Clerk's office.

Library Director Rebecca Darling gave the following report:

- The Library Trustees and the Town are continuing to finalize draft legislation to submit to the Legislature; we are continuing to take steps towards a charter update.
- Small Towns, Big Reads, the Community Reading Program, sponsored by the Library and the Friends of the Library is underway. We've held several programs including a Trivia Night at Cupola Coffee. Join us on Thursday, April 6 at 6:00 PM on Zoom, or in-person in the Library Community Room, for a Zoom discussion with Allison Larkin about being a published author. She will discuss the rewards and challenges associated with being an author, as well as her writing routine.
- The Friends of the Library hosted their most successful Library mini golf ever. They would like to thank the 19 local business sponsors, 30 volunteers and over 500 community members who participated.
- The Library Board of Trustees passed a resolution to appoint Bill Bechtel to complete the unexpired term effective March 8, 2023, to June 30, 2027. Bill brings several years of experience and had previously served on the Jenkins Park Advisory Board.

SUPERVISOR'S REPORT

Supervisor Connolly stated that Saratoga County has grants available to municipalities. One is an Economic Development grant for \$7,100.00. The Town has applied, and the grant money will be used toward a feasibility study for the Route 50 business sewer district, which will cover one third of the cost (\$23,000.00). The Supervisor anticipates that the study will be completed in mid-April. The study will show if the pump station on Main Street can handle the capacity. If it can't, then decisions must be made. Plan B is to look at a sewer line going up Route 50 to the McCrea Hill Road pump station. Only businesses will connect, no residential homes.

The Supervisor stated that he and M. J. Engineering will be meeting with the owner of the Curtis Lumber Industrial Park to discuss where the bike path extension will cut over to connect to the Zim Smith trail. The owner and the Town need to be comfortable with the plan.

The Consolidated Funding Grant applications come out in the spring for many different grants. When available, the Town will apply for the construction for the bike trail extension. The construction cost is \$2-\$3 million.

FINANCIAL REPORT

Town Comptroller David Urkevich stated that we have not received any sales tax revenue as it is always on a delay. He sees no issues year to date. He stated that Deputy Comptroller Erin Hadcock did a free cash analysis and \$1.3 million was moved to NYCLASS (New York Cooperative Liquid Assets Securities System) which earns the Town \$200 per day in interest. Mr. Urkevich stated that expenses are pacing normally; however, operation and maintenance for Town Hall is higher than expected. He sees no major concerns. New investments this year include a \$13,000 server upgrade which will be performed by our IT company, FullScope IT. The bids for the purchase of four trucks came in lower than budgeted for by \$30,000.

COUNCIL MEMBERS REPORTS

Councilman Curtiss stated that the Farmland Protection Committee met last month and decided to meet over the summer. They are getting ideas together. Maple weekend is being held for the next two weekends, promoted by New York State. The sheriff's report for last month had a significant increase in issuing traffic tickets and Mr. Curtiss was happy to see this. The Supervisor stated that there is an issue with people passing school buses on Brookline Road. He is working with the sheriff's department and a resident on Brookline Road is advocating for cameras on school buses so tickets can be issued.

Councilman Carota stated that he will reach out to the library as he missed the last library meeting on the legislature. There is a timeline to get the legislation to the State for consideration this year. He will follow up and he hopes to have a mutual agreement soon. Attorney Bill Ryan stated to Mr. Carota that there is a meeting scheduled for Monday.

Councilman Fendrick stated that the Parks & Rec Committee met last night. They are working through the details on the dog park at Jenkins Park. The plan is to consolidate their three-stage plan into a two-stage plan. The first stage will be the fence and the signage. The second stage will be the key fob entry system and an electronic record keeping software system to track items such as vaccinations, and payments. There is a Public Hearing scheduled for March 28th at 6:15 p.m. for the Jenkins Park Special Park District residents on the fence purchase.; he strongly encouraged people to attend and voice their opinion. The Committee also discussed replacing some playground equipment at Jenkins Park. This is in the early stages, and more information will be passed along in the future. They are looking into NYS contracts and the parameters that are set forth by the State to keep the cost as low as possible. They are looking to improve the jungle gym equipment, swings, metal slide, basketball poles, and obtain pond signage, and playground signage stating the rules.

Councilman Fendrick stated that in Anchor Diamond Park two diseases have been discovered that caused damage to trees. Cornell Cooperative Extension and Saratoga PLAN stewards contacted the Parks and Rec Committee to address this issue and recommend a plan of action to the Town Board in April. The park will need some additional stone dust to help maintain the blue trail, and they also had discussions on the widening of the second bridge on the white trail to be able to bring larger maintenance equipment to that area.

A meeting was held with the company installing the fishing pier and Town representatives on the fishing pier. All the pieces are in at the dock company. The first few sections and the gate will be installed on April 13th and 14th. The rest will be installed May 15th through May 18th. Information is on the Town's website including the plans for this project. The Committee has been also working on a plan for the possible extension of the Outlet Road parking lot to act as a kayak drop off zone. They will also be looking at viable options for a small parking lot for the Ballston Creek Preserve. Grant money is available and being investigated by the Committee. Upgraded equipment is being reviewed for Reita Park and they are looking to do some work in the Ballston Lake Fire Department Memorial Park such as fixing the parking lot and grading where the back buildings were removed.

Councilman Curtiss asked if something will be in place to protect the fishing pier while it is being installed. Councilman Fendrick stated that the gate will close the entire walkway and pier, and the dock maker had a barricade made which bolts into the end of each walkway. After installation this barricade will be left with the Town to use for future closures for repairs.

Supervisor Connolly stated that there is no parking at the Ballston Creek Preserve Trail. Currently, people have to park in the Shenantaha Creek Park and cross a very busy Eastline Road.

There is a \$10,000.00 grant available. He suggested to Councilman Fendrick to include Saratoga PLAN in these discussions. This is a wet area, but there is a small section that could be used for a small parking lot. He supports the kayak drop-off zone plan in place by the Parks & Rec Committee. The fishing pie, and kayak/canoe launch will be easy to use and be handicap accessible.

Supervisor Connolly stated that he looks forward to hearing from the residents in the Jenkins Park Special Park District. The Board wants to do what the Jenkins Park residents want to do. There may be a fence up but that is it. He wants everything in place at once before the dog park is open, there will not be two stages.

Councilwoman Jasinski stated that she did some research since the last Board meeting. She had been in touch with the County on the Route 67, Brookline Road and Middleline Road corridor. She had a discussion with Jason Kemper and submitted a FOIL request for some records. Mr. Kemper will try to find out the number of vehicles on these roads in the past years, hopefully, extending to the period before Middleline Road was widened in the early 2000s, so there is some background on what is going on. Currently, there is a study occurring at the intersection of Eastline Road and Route 67 that affects the Town of Malta. There is a potential project occurring (apartments) near this intersection in the

Town of Malta. Ms. Jasinski was able to see the monopole at the water tower on Route 50. It is a very small fenced-in area; all the space is utilized. She gave her thoughts to the Board: the property is on Route 50 in an advantageous area for coverage for the Burnt Hills hamlet. No one knows what of technology will be in the future. It may be a wise option to maintain ownership so the Town can exercise options in the future that we may not know what they may be. Financially, the Town receives \$70,000 per year for the rent on the monopole. This money is put in the Consolidated Water District Fund. This money relieves the pressure on that fund for the cost for operation and maintenance and bill payments. At this rate, not increasing for inflation, a \$1.6 million loan, paid by the Town to itself would take 22.8 years to pay and we would still have income coming in afterwards. This money will be taken away by the sale of the pole, the services that are getting the money now will not be there. She sees the value in completing a couple of water projects, but she encouraged the Board to look at the whole picture. She believes through responsible leasing agreements the Town can maintain the income and have the lessee be responsible for the maintenance of the pole. The Supervisor asked Ms. Jasinski if any other municipalities have agreements that require the lessee to do the maintenance? She did not know but she will check.

Councilwoman Jasinski attended the Parks and Rec Committee meeting last month. She stated that the Town Board has the ultimate say as to what happens in Jenkins Park but has a responsibility to the Jenkins Park Special District residents to hear what they want for their park. She recalled seeing a tax parcel map for the district and discovered that when the park district was set up, she assumed that the north and west side are butted to the rural district, that no properties on the north side or west side of Jenkins Park are in the Jenkins Park Special District. She went to Jenkins Park, and she is glad that the Committee is working on replacing the playground equipment.

Councilwoman Jasinski stated that the Clean Energies Committee met twice this month and have been going over their yearly task of benchmarking. This requires the Town to post the energy, electricity and fuel oil for our largest public buildings which are Town Hall, the Highway garage and the library. The Highway garage is being constructed, and LED light upgrades were completed at Town Hall and the library. The report will be on the website in about a week or so. The Committee is looking at possible grants and working on their current mission statement. Next month she will have a new mission statement and committee name change for the Board to review. The Committee has started to work on getting information to the public on solar and heat pumps. They have contacted the BH-BL Continuing Education Program for a possible program. The Town needs three more electric vehicle owners to qualify for 200 points towards energy credits. It may be possible to obtain grants with the acquired points. A newsletter has been created by the Committee and it can be found at the library, Town Hall, CoffeeCupola, and on the Town's website.

OLD BUSINESS

Commercial Purchase Development Rights Fees

Supervisor Connolly stated that currently a commercial outfit that wants to construct in Ballston can build up to 10,000 sq. ft. Beyond that and up to 40,000 sq. ft. the fee is \$1.00 per sq. ft. but can be reduced by 50% with green energy credits. He asked if charging a \$1.00 per sq. ft. is too low. The Supervisor stated that personally he feels it is too low. His thought is to keep the Burnt Hills hamlet area at \$1.00 and \$2.00 for the northern end of Town which has water and sewer. The lower fee would incentivize the developers to build in the Burnt Hills hamlet area. He is looking for the Board's thoughts. Councilwoman Jasinski stated that the new businesses who want to come to Town can afford the \$2.00 per sq. ft. She wants to see the same rate across the board. Councilman Fendrick stated that he would like to do more investigating and is in favor of looking at it. Councilman Carota stated that it's a good point to have the price be a little more where it is more developed than some of the other areas to encourage or discourage, and warrants reviewing. Supervisor Connolly stated that the Burnt Hills School District needs commercial tax base to sustain its current programs. Councilman Curtiss agrees with having the \$2.00 per sq. ft. apply across the board. He doesn't see businesses being discouraged to come into Town. His concern is that there won't be enough money to fund the Purchase of Development Rights Program (PDR) down the road. Supervisor Connolly stated that there is an annual County grant for \$100,000 for preserving open space. They also have an annual grant up to \$400,000 for preserving farmland. The solar monies collected are annually for the PDR program. After further discussion, the Supervisor stated that the increase of the fee from \$1.00 to \$2.00 per sq. ft. will be on the agenda for the April Town Board meeting.

Sidewalk Connection from Burnt Hills-Ballston Lake Middle School

Supervisor Connolly stated that there is one homeowner who will not grant an easement for the Town of Glenville to proceed with installing a sidewalk from the middle school to the sidewalk in the Town of Ballston to increase walkability. He will reach out again before eminent domain occurs and is working with the Town of Glenville Supervisor.

Kingsley Road Crosswalk

The Supervisor stated that there is currently not a timeline for this project. He hopes that this will be completed this summer before school begins. Money has been put aside for this project.

Magnum Gas Station

Attorney Bill Ryan stated that there will be a resolution for the next meeting on the property should the Supervisor choose. The property has been foreclosed on, the agreement with the County is completed, and the Department of Environmental Conservation has officially closed the spill investigation. A short form for SEQRA needs to be completed. Supervisor Connolly stated that there is no plan for this property now. The purchase price to buy the property is \$7,000.00 which will go to the oil spill cleanup fund.

NEW BUSINESS

The Supervisor announced that the availability of the Town of Ballston 2022 SPDES MS4 Stormwater Permit Annual Report for public review and comment. The Report is available on the web at: <https://www.townofballstonny.org/1214/Stormwater-Management> or it can be examined at the Building Department between the hours of 9 am – 3 pm, M-F.

Privilege of the floor ONLY on items for consideration and action this evening.

No one wished to speak.

NEW BUSINESS FOR CONSIDERATION AND ACTION THIS EVENING

RESOLUTION 23-49

APPROVE THE SUPERVISOR'S FINANCIAL REPORT FOR FEBRUARY 2023.

A motion was made by Councilman Fendrick and seconded by Councilman Carota.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,
Councilwoman Jasinski and Supervisor Connolly

Nays 0

RESOLUTION 23-50

APPROVE AN EASEMENT BETWEEN THE TOWN OF BALLSTON AND NIAGARA MOHAWK POWER CORPORATION NECESSARY TO INSTALL THE NATURAL GAS LINE TO TOWN HALL AND THE HIGHWAY GARAGE AND AUTHORIZE THE SUPERVISOR TO EXECUTE THE EASEMENT AND ALL DOCUMENTS ASSOCIATED WITH THE EASEMENT.

A motion was made by Councilwoman Jasinski and seconded by Councilman Fendrick.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,
Councilwoman Jasinski and Supervisor Connolly

Nays 0

RESOLUTION 23-51

APPROVE TO AWARD THE BID TO MR2 CONSTRUCTION SERVICES IN THE AMOUNT OF \$88,000 TO REPLACE THE WINDOWS, DOORS, AND SOFFITS IN THE OLD SECTION OF TOWN HALL UPON THE REVIEW OF THE BUILDING INSPECTOR AND AUTHORIZE THE SUPERVISOR TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE PROJECT UPON ATTORNEY APPROVAL. CONSIDER APPROVING A RELATED APPROPRIATION OF \$88,000 FROM THE TOWN'S AMERICAN RESCUE PLAN ACT FUNDS PURSUANT TO THE U.S. TREASURY DEPARTMENT'S FINAL RULES TO ESTABLISH A BUDGET FOR THIS INVESTMENT.

A motion was made by Councilman Carota and seconded by Councilman Curtiss.

Discussion: Mr. Urkevich stated that after this approval there will be \$80,000 left out of the \$1.2 million ARPA money received from the government.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,
Councilwoman Jasinski and Supervisor Connolly

Nays 0

RESOLUTION 23-52

APPROVE THE USE OF A HIGHWAY DUMP TRUCK FOR CLEANUP DAY AROUND

THE TOWN ON SATURDAY, MAY 6, 2023.

A motion was made by Councilman Curtiss and seconded by Councilman Fendrick.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,
Councilwoman Jasinski and Supervisor Connolly

Nays 0

RESOLUTION 23-53

APPROVE TO AWARD THE BIDS TO MORRIS FORD FOR THE PURCHASE OF (4) FOUR TRUCKS: A 2023 FORD F250 TO BE USED FOR PARKS IN THE AMOUNT OF \$48,967.00, A 2023 FORD F250 TO BE USED IN THE HIGHWAY DEPARTMENT IN THE AMOUNT OF \$48,545.00; A 2023 FORD F150 TO BE USED FOR FIRE INSPECTIONS IN THE BUILDING DEPARTMENT IN THE AMOUNT OF \$48,079.78 AND A 2023 F150 TO BE USED BY THE HIGHWAY DEPARTMENT IN THE AMOUNT OF \$55,851.78.

A motion was made by Councilman Fendrick and seconded by Councilman Curtiss.

Discussion: Councilwoman Jasinski stated that she realized that these have been budgeted for and knows an EV truck is difficult to find. She doesn't understand why fire inspections couldn't be done with an electric vehicle. We have free fuel. She will vote yes, but not again unless it is an electric vehicle. Councilman Fendrick stated that when the technology gets to a point where the EV trucks become affordable, he is in favor; however, currently, for the cost of one EV truck, we are buying two vehicles.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick
Councilwoman Jasinski and Supervisor Connolly

Nays 0

RESOLUTION 23-54

APPROVE THE SPECIFICATIONS AND NOTICE TO BID FOR TOWN HALL CLEANING SERVICES WITH A BID OPENING ON MARCH 27, 2023, AT 2 P.M.

A motion was made by Councilwoman Jasinski and seconded by Councilman Carota.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick
Councilwoman Jasinski and Supervisor Connolly

Nays 0

RESOLUTION 23-55

APPROVE THE SPECIFICATIONS AND NOTICE TO BID FOR LANDSCAPING SERVICES FOR JENKINS PARK AND BALLSTON LAKE FIRE DEPARTMENT MEMORIAL PARK FOR THE 2023 SEASON, WITH A BID OPENING ON MARCH 27, 2023, AT 3 P.M.

A motion was made by Councilman Fendrick and seconded by Councilwoman Jasinski.

Discussion: Councilman Fendrick thanked those involved in the last-minute changes today to the document to make it on the agenda this evening.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick
Councilwoman Jasinski and Supervisor Connolly

Nays 0

RESOLUTION 23-56

APPROVE THE HOST COMMUNITY BENEFIT AGREEMENT BY AND BETWEEN THE TOWN OF BALLSTON AND RANDALL ROAD SOLAR I, LLC DATED MARCH 16, 2023, AND AUTHORIZE THE SUPERVISOR TO EXECUTE THE AGREEMENT.

A motion was made by Councilwoman Jasinski and seconded by Councilman Carota.

RESOLVED, the Town of Ballston Town Board approves the Host Community Benefit Agreement by and between the Town of Ballston and Randall Road Solar I, LLC dated March 16, 2023, and it is further

RESOLVED, the supervisor is authorized to execute the Host Community Benefit Agreement with Randall Road Solar I, LLC.

Discussion: Ms. Jasinski stated that this has been a long process. She reviewed the agreement and the payments. It is \$25,000.00 - \$26,000.00 per year. The amount does not go up by a percentage each year. There will be 20 years of deadtime before another agreement is in place. She is disappointed but does not blame the Supervisor. She will not vote in favor of this resolution. She

believes the solar developers should have come forward with better numbers. Councilman Carota stated that after the 15 years of the agreement the life span is 10 years. What happens after the 15 years? It would be reverted to the normal tax status. If there is ever a town tax, they would pay town taxes based on the value. Councilman Curtiss had a concern on the fees, this is a large part of the funding for PDR. The Supervisor gave a history on the \$2,500.00 per megawatt. Once the school got involved and wanted a piece of the pie, usually \$5,000.00 is what the solar developers are paying out per megawatt in total. The County gets \$1,000.00 which is not negotiable, and the school wanted most of the money. The Town put in a lot of work on this and negotiated with the school who wanted a piece of the PILOT (payment in lieu of taxes), giving the Town what was left. It was the best they could do under the circumstances. For 25 years the land is preserved; and then the process can start again. Councilman Carota stated that it is a step in the right direction.

ADOPTED Ayes 3 Councilman Carota, Councilman Fendrick and Supervisor
Connolly
Nays 2 Councilman Curtiss and Councilwoman Jasinski

RESOLUTION 23-57

APPROVE THE HOST COMMUNITY BENEFIT AGREEMENT BY AND BETWEEN THE TOWN OF BALLSTON AND RANDALL ROAD SOLAR II, LLC DATED MARCH 16, 2023, AND AUTHORIZE THE SUPERVISOR TO EXECUTE THE AGREEMENT.

A motion was made by Councilwoman Jasinski and seconded by Councilman Carota.

RESOLVED, the Town of Ballston Town Board approves the Host Community Benefit Agreement by and between the Town of Ballston and Randall Road Solar II, LLC dated March 16, 2023, and it is further

RESOLVED, the supervisor is authorized to execute Host Community Benefit Agreement with Randall Road Solar II, LLC.

ADOPTED Ayes 3 Councilman Carota, Councilman Fendrick and Supervisor
Connolly
Nays 2 Councilman Curtiss and Councilwoman Jasinski

RESOLUTION 23-58

APPROVE THE HOST COMMUNITY BENEFIT AGREEMENT BY AND BETWEEN THE TOWN OF BALLSTON AND THE SPINNEY AT BALLSTON LAKE, LLC DATED MARCH 16, 2023, AND AUTHORIZE THE SUPERVISOR TO EXECUTE THE AGREEMENT.

A motion was made by Councilwoman Jasinski and seconded by Councilman Fendrick.

RESOLVED, the Town of Ballston Town Board approves the Host Community Benefit Agreement by and between the Town of Ballston and The Spinney at Ballston Lake, LLC dated March 16, 2023, and it is further

RESOLVED, the supervisor is authorized to execute Host Community Benefit Agreement with the Spinney at Ballston Lake, LLC.

ADOPTED Ayes 3 Councilman Carota, Councilman Fendrick and Supervisor
Connolly
Nays 2 Councilman Curtiss and Councilwoman Jasinski

RESOLUTION 23-59

ACKNOWLEDGE THE RESIGNATION OF PHILIP DU AS A LIBRARY BOARD OF TRUSTEE EFFECTIVE MARCH 8, 2023.

A motion was made by Councilman Fendrick and seconded by Councilman Carota.

RESOLVED, the Town of Ballston Town Board acknowledges the resignation of Philip Du as a Trustee of the Town of Ballston Community Library effective March 8, 2023.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick
Councilwoman Jasinski and Supervisor Connolly
Nays 0

RESOLUTION 23-60

ACKNOWLEDGE THE APPOINTMENT OF BILL BECHTEL AS A LIBRARY BOARD OF TRUSTEE TO COMPLETE THE UNEXPIRED TERM OF JENNIFER REDINGER (WHO RESIGNED IN NOVEMBER 2022) EFFECTIVE MARCH 8, 2023, AND ENDING JUNE 30, 2027

A motion was made by Councilman Carota and seconded by Councilwoman Jasinski.

RESOLVED, the Town of Ballston Town Board hereby acknowledges the appointment of William Bechtel as a Trustee for the Town of Ballston Community Library for a term of office from March 8, 2023 to June 30, 2027.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick
 Nays 0 Councilwoman Jasinski and Supervisor Connolly

RESOLUTION 23-61

APPROVE THE STIPULATION AND ORDER OF SETTLEMENT IN THE MATTER OF THE APPLICATION FOR A REVIEW UNDER ARTICLE 7 OF THE REAL PROPERTY TAX LAW OF THE TAX ASSESSMENT OF BALLSTON TWO LLC, 149 BALLSTON AVENUE, VILLAGE OF BALLSTON SPA, TOWN OF BALLSTON, COUNTY OF SARATOGA, NY (TAX MAP ID# 216.-3-9) AGAINST THE ASSESSOR OF THE TOWN OF BALLSTON AND THE BOARD OF ASSESSMENT AND REVIEW. THIS RESOLUTION ALSO AUTHORIZES THE ATTORNEY TO THE TOWN TO EXECUTE THIS DOCUMENT.

A motion was made by Councilwoman Jasinski and seconded by Councilman Fendrick.

RESOLVED, the Town of Ballston Town Board approves the Stipulation and Order of Settlement, and it is further,

RESOLVED, the Attorney to the Town is authorized to execute the Stipulation and Order of Settlement.

Discussion: Attorney Ryan stated that this involves the former nursing home. There is no financial impact to the Town because there is no Town tax. The water and sewer districts are not implicated due to the property is in the village. The Village of Ballston Spa and the school district have signed off.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick
 Nays 0 Councilwoman Jasinski and Supervisor Connolly

RESOLUTION 23-62

APPROVE A SUPPLEMENTAL APPROPRIATION TO THE 2023 FINAL BUDGET TO INCREASE CONSOLIDATED WATER DISTRICT FUND'S "BUDGETED FUND BALANCE DRAW" REVENUE ACCOUNT AND "WATER METERS & METER PARTS PURCHASES" EXPENSE ACCOUNT BY \$25,000.00 TO ADJUST FOR HIGHER THAN ANTICIPATED COSTS OF WATER METERS IN 2023. THE SOURCE OF THE FUNDING WILL BE CONSOLIDATED WATER DISTRICT FUND'S 2023 CONTINGENCY EXPENSE ACCOUNT.

A motion was made by Councilman Fendrick and seconded by Councilman Curtiss.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick
 Nays 0 Councilwoman Jasinski and Supervisor Connolly

Privilege of the floor on any topic

Mike Siiss, of Ballston Lake Emergency Services (BLEMS), stated that the metrics set by the County have been met and they are exceeding for March. BLEMS sponsored a hole at the library's mini-golf event. A Saratoga County mass casualty training event will be held on April 30th at the Saratoga Performing Arts Center; police, firefighters and EMS personnel will be attending. This event is to be aware and how to respond. Mr. Siiss stated that as of today, any resident that BLEMS responds to who has overdosed on opioids or is an addict, vials of Narcan are being left with them. Any residents who need Narcan can contact BLEMS in confidence. He looks forward to the recognition of the rescuers for a cardiac arrest survivor at the next meeting.

Josephine Sabin, of Kaleen Drive, stated that she received a letter with easement paperwork from a representative of the Champlain Hudson Power Express Project, a project which consists of high voltage piping going from Canada to New York City. The easement is needed to lay the piping in her backyard. She stated that the Town passed a resolution in 2020 authorizing the project to run through the Town. She stated that the Town did not give notification of this to the residents it affects. She wondered what it will do to her property value. The Supervisor stated that the company gave a path of the project, not a list of properties that may be affected. The Supervisor stated that it poses no danger. Ms. Sabin asked what does it do to the property value and who pays for the easement and the filing? If she does not sign the easement, it will go through eminent domain. The Supervisor gave his sincere apologies, he thought the piping was running along the railroad and would not have an impact on any residents. He will advocate for the residents.

Robert Sabin, of Kaleen Drive, spoke on the same topic discussed prior by his wife. He asked what gives the Town the right to do this (give permission) without homeowners being contacted? He will lose 1/3 of his property value. He asked how you would feel if this was you and losing 15% of your property. He is very discouraged.

Kim Patel of Kaleen Drive, spoke on the same topic as the two prior speakers. She is baffled that there was no notification given. She stated that the Board should be ashamed that more research was not done to make sure that this would not have an impact on the residents.

Ms. Sabin stated that 450 easements are need for this project and if the easements are not signed then the eminent domain process will occur, and the easements will be granted anyway. A meeting will be held with a representative of the company and the homeowners affected on her street. The Supervisor stated that he would like to attend this meeting, if possible.

Carl Thurnau, of Woodside Drive, asked if the Board received his letter (attached) dated March 13, 2023. The Board stated that they did. Mr. Thurnau stated that there are 500 taxpayers paying for this dog park project, most of whom have not heard of this project. He is requesting that the Board hold two information meetings, and then hold a referendum to let the taxpayers of the district decide. No one knows what is going on, we were never contacted about any of this until the Public Hearing Notice came in the mail recently. This is outrageous that there has been no outreach to the Jenkins Park Special District at all. The entire 2023 budget for Jenkins Park will be spent on a fence. The capital projects in Town should have transparency and due process; this has not been received. He asked the Board to delay the resolution. Mr. Thurnau also noted that the public should be able to give feedback after the public hearing. Councilman Fendrick stated that the dog park had been discussed at numerous meetings and during the Parks & Rec Committee meetings. Mr. Thurnau stated to Mr. Fendrick to look around as there are usually only 5 people here, no one attends Board meetings. The Supervisor stated that before the Public Hearing a presentation will be held by the Committee. Mr. Thurnau believes that time should be permitted to comment after a hearing. The Supervisor stated that the Public Hearing can be considering being left open. Mr. Thurnau had been at Jenkins Park recently and had seen very few dogs. It is disgraceful that the Committee did not have any informational meetings on this project.

Kathy Wilcox, Nolan Road, spoke on how dangerous it is for people to make a left hand turn onto Route 146A from Nolan Road due to poor sight visibility caused by a resident's trees. She does not know if the trees are in the right of way. If they are, because Route 146A is a State Road, the State can remove them. Highway Superintendent Joe Whalen took some pictures of the trees and sent them to the State inquiring what can be done to improve the visibility at the intersection as it is very dangerous. Ms. Wilcox stated that there is a lot of speeding on Route 146A, and she has never seen a sheriff around. If the trees can't come down, she will request a sign.

A motion was made by Councilman Fendrick and seconded by Councilwoman Jasinski to adjourn the meeting. All Board members were in favor. The meeting adjourned at 8:34 p.m.

Respectfully submitted,

Carol Gumienny
Town Clerk

HAND DELIVERED

Carl J. Thurnau
12 Woodside Drive
Burnt Hills, NY 12027

March 13, 2023

Town Board Members
Town of Ballston
Burnt Hills, NY 12027

Subject: Jenkins Park Dog Park Project
Ref. Resolution 23-48

Ladies & Gentlemen,

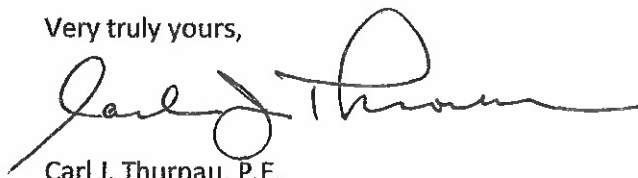
I am unable to be present due to a conflicting meeting and so this letter.

I respectfully object to the vote on the Dog Park Resolution 23-48 without prior due process and transparency being given to the 500+ taxpayer of the Park District. I am sure that the vast majority of them are unaware of the Dog Park Project as I was until February 28, 2023.

What's the rush? The taxpayers need at least 2 informational meetings and a Referendum prior to a vote by the Board to approve or disapprove the project. This would follow past practice of the Town on Capital Project matters.

Please give us taxpayers due process and transparency on this project.

Very truly yours,



Carl J. Thurnau, P.E.

Cc: Town Clerk

RECEIVED

MAR 13 2023

TOWN CLERK'S OFFICE