

A Town Board Agenda Meeting was held by the Town Board of the Town of Ballston on Tuesday evening, April 25, 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.

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

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

### **National Award for Planning Excellence**

The Supervisor stated that the Town will receive a national award this evening for planning excellence. He stated that a lot of hard work went into this, and it was a group effort consisting of Jackie Hakes of M.J. Engineering, Nan Stolzenburg, Building Inspectors Jeff Stickles and Matt Vaverchak, and the Town Board. Our guest, Mary Howard, Vice Chairperson of Programs for the Small Town and Rural Division of the American Planning Association, stated that the division is a collaborate group of rural small-town planners, citizen planners and allied professionals dedicated to the fiscal, social, and economic diversity of North America's non-metropolitan areas. As a division, they do their best to keep an eye on issues that challenge the ever-changing face of small-town America and share ideas and success stories from the rural heartland of the United States and abroad. The John Keller Award for Planning Initiative is given to an outstanding initiative or program in public education, workshops, ordinances, or enforcement that promotes planning in small towns and rural areas. The award committee considered the following: innovation and quality, implementation strategies, role of elected officials, transferability, which is the ability to replicate it elsewhere, creative public engagement collaboration and public involvement, long-term sustainability and the promotion of diversity, equity and inclusion. Ms. Howard expressed how pleased she was to present this award as she is from New York. She stated that Ms. Hakes nominated the Town for this award. It is Ms. Howard's honor to present to the Town of Ballston the John Keller Honor Award for Planning Initiative for Purchase of Development Rights and Green Energy Program. Supervisor Connolly asked how many nominations there were this year? Ms. Howard stated that they received 29 applications. Ms. Stolzenburg congratulated the Town and hopes that all the hard work that was put in place will serve the Town over the years and that it will meet the Town's goals. Ms. Hakes stated that it was a fun process in collaboration with the Town and she is glad to see that it is being implemented.

### **Ballston Lake Sewer Update**

Ed Hernandez, project engineer for the Ballston Lake Sewer project, was not present this evening to give an update on the project; however, the Supervisor received an email from Mr. Hernandez. Councilwoman Jasinski stated from the email that the sewer district residents can hook up to sewer after May 15th; a letter from the Town will be sent out soon. The paving on Lazur Road and Buell Heights is tentatively scheduled for the beginning of June and notices will be mailed to residents regarding this in May.

### **Grants Update**

Supervisor Connolly asked Ms. Hakes of M.J. Engineering to give an update on the grant for a possible sewer system for downtown Burnt Hills. Ms. Hakes stated that last Friday she submitted a letter of interest on behalf of the Town to the Northern Border Regional Commission which allows for grant applications on a variety of projects. It was submitted under the catalyst program for infrastructure improvement (sewer expansion to the Burnt Hills area) to support environmental and public health regarding failing septic systems, and to help promote the expansion of new and expanding businesses. The program is administered through the Dept. of State. The process is as follows: the letter of interest is submitted and if the community meets the requirements the Town will be invited to submit a full grant application. It is Ms. Hake's hope to hear by May 15<sup>th</sup> if the Town will be allowed to submit a full grant application which would be due June 2<sup>nd</sup>. The grant would cover up to 80% of the project cost. 20% would be paid by the

district (EDUs) for the costs that the grant does not cover. A draft of the early feasibility shows the cost to be approximately \$20 million. If the Town moves forward and receives the grant, the district pays the 20% which hopefully would be below the annual dollar amount allowed by the NYS Comptroller. The Supervisor stated that currently there is no sewer district, only inquiries for one. There was no charge to the Town from M.J. Engineering to do this letter of intent. If the Town does not get the grant, then it may be a dead project. The Supervisor looks at the big picture. The Town has a Purchase of Development Rights Program; the maximum square footage a developer could develop is 10,000 sq. ft. per our zoning. If they want more density, they can get up to 40,000 sq. ft. by purchasing density credits for \$2 per sq. ft. Should the sewer move forward, it will directly benefit the rural district, farmland, and open space protection as more funding will come in from developers who would have to purchase development rights. He believes if the sewer goes in there will be a demand for additional development and we would work hard to redo the design standards which need to be changed in the downtown Burnt Hills area if the grant is awarded in the Town's favor. All new developments will look the same. The Burnt Hills Forward grant would benefit if the sewer moved forward; the Town must show 2x of spending. The sewer district alone would fulfill this. He is excited about this possibility. This would be a Town Board vote should a sewer district come to fruition. There are protections in place as to what type of businesses are allowed and protections against sprawl.

Supervisor Connolly stated that the Town did not get the Bridge New York grant for the Finley Road bridge. He will address this problem at the County level with the hope that the Town gets to the top of the list in 2024 for assistance. The bridge was red flagged by the Department of Transportation recently. The Town does not have the money to replace the bridge and the Town would benefit from receiving a grant. Supervisor Connolly does not know if the bridge will be closed. M.J. Engineering is being tasked to remediate the flagged status of the bridge. Ms. Jasinski asked a few questions but the Supervisor did not want to give incorrect information so she will contact Highway Superintendent Joe Whalen for her answers.

The Supervisor stated that there is an effort with the school to make the area around Ballston Avenue and Thomas Avenue more pedestrian friendly. It may be possible to put a sidewalk on the east side of Ballston Avenue from Adirondack Trust to Thomas Avenue. There would be more strategic crosswalks and the school could train their students to only use the push button crosswalks there. He asked M.J. Engineering to revise our Safe Pathways to School grant application. He spoke to the school superintendent and there is talk of a possible second exit leaving the school. The grant will help make this area very walkable.

The trail grant application may open soon, and we will revise the cost due to working with the Champlain Hudson Power Express. They will leave the crusher run and may be able to do more for our Town.

### **Parks and Recreation Committee Report – Diseased Trees in Anchor Diamond Park**

Councilman Fendrick stated that there will be a presentation this evening on the diseased hemlock trees. The fishing pier will be completed in mid-May. The committee is working on creating an unloading kayak zone on Outlet Road. There are Department of Environmental Conservation (DEC) buffer zones in this area and there is no way to build an unloading zone without it being in the buffer area. They are working with DEC. The dog park fence will be voted on at the May 9<sup>th</sup> meeting. He thanked the public for all their comments. Workdays are scheduled for May and June in Anchor Diamond Park. Police patrol has been requested more frequently in Jenkins Park as there have been kids hanging in the park after hours.

Mary Alice Nyhan, member of the Parks and Rec Committee, stated that an invasive aphid known as the Hemlock Woolly Adelgid (HWA) has made its way to our area and they are infesting the hemlock trees in Anchor Diamond Park. This poses a serious threat. HWA damages hemlocks through its feeding mechanism. When HWA inserts its straw-like mouthparts into the twig, it creates a wound in the tree's woody tissue. As HWA populations grow, the density of HWA individuals increases, and the damage is compounded. Eventually, this impedes the flow of water and nutrients to the ends of the twigs, killing emerging buds and preventing new growth. There are many reasons why we should save the hemlocks. The towering, majestic hemlocks at ADP, as old as 150 years, provide dense shade and a cooler, darker, pleasing environment. The water-cleansing ability, and slowly decomposing trunks create unique microclimates for the many terrestrial and aquatic species that depend upon them. Nearly 96 bird species and 47 mammal species are tied to hemlock forests, as well as insects and amphibians. Hemlock trees store and slowly release water. Scientists warn that marginally cold-water streams may dry up if they lose their hemlock buffer. Attempts to replace dead hemlocks with fir, spruce and pine trees have proven that they are inadequate substitutes. Hemlocks have a specialized niche in our forests that is irreplaceable. They are a

foundational species. The treatment for the HWA is chemical insecticides which can be used to treat an already infested tree or as a preventive measure in a high-risk infestation area. Two insecticides that have shown promising results are Imidacloprid and Dinotefuran. Both must be applied by a licensed pesticide applicator, and either can kill HWA on its own. Applying both insecticides to an infested tree, however, combines the immediate effectiveness of the fast-acting Dinotefuran with the long-term protection of Imidacloprid, leaving the tree adelgid free for up to seven years. Ms. Nyhan stated that in 2019 there was an HWA infestation of hemlocks, and they were treated by the State. This was a one-time gift. These trees are well today. The Committee obtained a list of 11 businesses who treat these insects. Only two businesses were able to meet or provide a quote. Of the two, only one was willing to do the permitting process, mark the trees, and complete the job in one day. This company is from Orange County. CGL Arbor Services - Angelo Schembari. The quote is for \$3.44/inch of DBH (diameter at breast height), treating up to 5813 inches of DBH of hemlocks at a cost of \$19,996.72. Ms. Nyhan stated that there is an urgency to get this done because the DEC permitting process can take five to six months. The most effective time to treat HWA is late August through the fall. When a tree becomes infected, health declines and the trees will die in four to ten years. It will need to be decided in May if the Board will act on saving the hemlock forest in Anchor Diamond Park.

Kris Williams of Capital Region Invasive Species Management stated that this company is fully funded by NYS DEC. He works with the Division of Lands and Forest and is a financial resource specialist. He works with many other State agencies. His office has a lot of experience with HWA treatments and currently has partners with contracts doing applications. He is also a certified technician. The value for protecting hemlock trees is for cultural, social, and aesthetic reasons. The hemlock tree is facing extinction. Many hemlocks in ADP are healthy. He has evaluated the trees that were treated in 2019 and they are vibrant and healthy. Without treatment mortality is between three and 10 years. NYS Law stated that you can only treat up to 256 inches of the tree diameter per year per acre. The best trees are picked to protect. Councilman Fendrick asked how long the untreated trees have been infested. Mr. Williams stated that in 2019, the diseased hemlock trees were treated by his office. The trees were infested two to three years prior to that. Councilwoman Jasinski asked if the trees are showing any resistance to the treatments? Mr. Williams stated "No".

Supervisor Connolly asked if the trees would die without this treatment. Mr. Williams stated that they will. Supervisor Connolly stated that there is a balance in the ADP trust fund and asked for the approximate balance. Comptroller Urkevich stated that the last balance he had seen is approximately \$300,000, but it is all invested in stocks and is less than that amount. Mr. Williams stated that hemlock trees hold snow and ice and slowly release water to keep the waters cool; there is a lot more at stake than just saving trees. Water quality and wildlife are impacted. Councilman Frederick stated that the State treated 250 trees in 2019; the Parks & Rec Committee are making a recommendation to the Board to approve the treatment for the diseased trees. The DEC permits need to be obtained so the treatments can be done in the fall. This should handle the bulk of the trees in the entire park. Supervisor Connolly thanked the Committee for their work.

### **Champlain Hudson Power Express**

Supervisor Connolly stated that this topic is on the agenda this evening to inform the Board that he is in touch with people on Kaleen Drive who are very concerned about this project. He received another call from another resident, who lives on the other side of the railroad tracks near the bike trail, who also had a lot of concerns. They spoke for an hour about what the Board can do to lessen the pain for these residents. The Champlain Hudson Power Express would like cooperation from the residents, but they don't necessarily need it. After talking with this resident, they decided on action points: a page was created on the website with information; the minutes were posted from a meeting that Supervisor Connolly had with Champlain Hudson Power Express reps, the town resident's number is listed for a point person for other residents to talk to, the Supervisor's phone number and a contact phone number for Champlain Hudson Power Express are available. He suggested that the residents speak amongst each other and if they do have to meet with him, they can discuss what can be done to make this a better situation. Residents may meet with Champlain Hudson Power Express and negotiate individually or as a group. He offered to attend any of these meetings. The Board had no previous knowledge when they passed the resolution that there would be a need for 29 easements: temporary and permanent. They had no knowledge of the inconvenience this may cause the property owners. Councilman Carota stated that the Town cannot help with negotiations but will support the residents in other ways; he understands their concerns. He appreciated the Supervisor meeting the company and residents. The

Supervisor stated that the page can be found on the home page of the Town website on the left-hand side under “Quick Links”.

**Ballston Lake Fire Department Memorial Park (BLFDMP) - Alcohol Use**

Supervisor Connolly stated that currently BLFDMP allows alcohol. He asked the Clerk to do a little research of other nearby Town parks and their policy on alcohol. All Town of Glenville parks, Shenantaha Park in Malta, and Burgess Kimball Memorial Park in Milton do not allow any alcohol. Supervisor Connolly stated that he is in favor as he feels people can be responsible. Councilman Curtiss does not have a problem with it. Councilman Fendrick stated that as long as the correct insurance is in place, and the Town can't be held liable, he is in favor. Councilwoman Jasinski asked what the policy is at Jenkins Park. The Clerk answered that there is no alcohol allowed. Supervisor Connolly stated that we will speak to our insurance agent for his opinion.

The Supervisor announced the availability of the Town of Ballston 2023 SPDES MS4 Stormwater Permit Annual Report for public review and comment. The Report will be available for public review and comment April 26, 2023 through May 24, 2023 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 23-84**

**APPROVE THE SUPERVISOR TO EXECUTE A CHANGE ORDER FOR CONTRACT #5 SPRING ELECTRIC FOR THE BALLSTON LAKE SEWER DISTRICT. THE PURPOSE OF THE CHANGE ORDER IS TO DEDUCT UNUSED QUANTITIES FROM THE CONTRACT AMOUNT. THE CHANGE ORDER RETURNS \$4,411 BACK TO THE TOWN AS THE CONTRACT CAME IN UNDER BUDGET AND UNDER THE BID PRICE.**

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

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

**RESOLUTION 23-85**

**APPROVE FINAL PAYMENT TO SPRING ELECTRIC IN THE AMOUNT OF \$8,471.73 FOR THE BALLSTON LAKE SEWER PROJECT FOR WORK COMPLETED.**

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

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

**RESOLUTION 23-86**

**APPROVE THAT THE TOWN BOARD FINDS THAT THE ELECTION OF THE LIBRARY'S TRUSTEES BY THOSE RESIDING IN THE DISTRICT TAXED TO SUPPORT IT IS A DESIRABLE UNIFICATION OF RESPONSIBILITY AND ACCOUNTABILITY FOR FUNDING AND OPERATING THE LIBRARY. THE TOWN BOARD SUPPORTS THE SUBMISSION OF THE DRAFT LEGISLATION TO THE TOWN'S DULY ELECTED NYS REPRESENTATIVES TO BE PUT FORWARD IN THE CURRENT LEGISLATIVE SESSION.**

**WHEREAS**, the boundaries of the geographic area supporting the Ballston Community Public Library (the "Library") were established by Chapter 203 of the Laws of 1957 (the "Act") and include that area created by the geographic boundaries of the Town of Ballston excluding the village of Ballston Spa (the "District"); and

**WHEREAS**, the electors of the District voted to create the library on the 5th day of November 1957, creating a library district pursuant to Section 1 of the Act; and

**WHEREAS**, since the time the District was created on November 5, 1957, the Education Law enabling the creation of "special district public libraries" has been amended; and

**WHEREAS**, the amendments to the Education Law enable the property owners of the district to support a library and to elect directly the trustees of said library; and

**WHEREAS**, the amendments to the Education Law enable the elected Board of Trustees of such a library to submit a budget for the library to a vote directly by the electors of the supporting district; and

**WHEREAS**, the Town by and through its elected officials has conferred with the Board of Trustees of the Library and identified legislative amendments (the "Draft Legislation") to enable the Library to operate in conformity with the Education Law of the state of New York; and

**WHEREAS**, a copy of the Draft Legislation is attached hereto and made a part hereof; and

**WHEREAS**, after review and due consideration of the Draft Legislation by the Town Board,

**IT IS THEREFORE:**

**RESOLVED**, the Town Board finds that the election of the Library's trustees by those residing within the district taxed to support it is a desirable unification of responsibility and accountability for funding and operating the Library; and it is further,

**RESOLVED**, that the Town Board of the Town of Ballston supports the submission of the Draft Legislation to the Town's duly elected New York State representatives to be put forward in the current legislative session; and it is further,

**RESOLVED**, that the Attorney to the Town is authorized and directed to generate a letter bearing a copy of this resolution to any authority who requests it in furtherance of such Draft Legislation becoming law.

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

Discussion: Attorney Ryan stated that there are two parts to this – the resolution and the legislation that was the result of his negotiations with the library’s attorney. He thanked the Clerk for putting this together and for her patience. Councilman Carota stated that this can now be passed off to the next group. This was a tremendous team effort and he thanked everyone in the process. The Supervisor also gave his thanks to our former Town Attorney Deb Kaelin (who recently passed away). She had put a lot of time and effort into this.

A Roll Call Vote was as follows:

	AYES	NOES
Michael Carota, Councilmember	Aye	
Chuck Curtiss, Councilmember	Aye	
Rob Fendrick, Councilmember	Aye	
Kelly Jasinski, Councilmember	Aye	
Eric Connolly, Supervisor	Aye	

ADOPTED 5-0

Dated: April 25, 2023  
Ballston, New York

Section 1. Notwithstanding the provisions of any general or local law to the contrary, the town of Ballston, Saratoga County, is hereby authorized, by action of a majority of its electors residing outside of the limits of the village of Ballston Spa, to establish a Public Library with or without branches, and such town is hereby authorized to raise money by tax, to equip and maintain such library or libraries and to provide a building or rooms for its or their use. Such tax shall be a charge upon the taxable property of that part of the town outside of the limits of the village of Ballston Spa. Such town is hereby authorized to acquire real property or personal property for the purposes of such library or libraries by gift, grant, devise, bequest or condemnation. Except as otherwise provided by this act, the provisions of the education law relating to public libraries shall be applicable to a Public Library established in pursuance of this act.

Section 2. This act shall take effect immediately.

Section 3. Creation of public library district.

A vote having been held on the 5th day of November 1957, creating a library district per Section 1 of this act, there was hereby created and established in the county of Saratoga, a public library district that includes the area created by the geographic boundaries of the town of Ballston excluding the village of Ballston Spa. The public library district has been operating as the Ballston Community Public Library.

Section 4. Election.

1. The public library district described in this amended act shall not operate as proposed in Sections 4 through 9 of this act unless and until the budget to be proposed per this act is approved and the initial proposed budget is approved by a vote of the majority of the qualified voters voting in an election held pursuant to the following provisions: Upon receipt of a petition signed by not less than twenty-five voters qualified to vote at a general town election, the board of trustees of the existing Ballston Community Public Library shall give notice and hold a public hearing regarding this proposal to create a public library district, not less than thirty days prior to an election to be held on or before November 15, 2023, or if the budget does not pass, November 15, 2024. If a majority of the voters approve the formation of the district, then the district shall come into existence on the terms and conditions set forth in this act. At such election the issue shall be: (a) whether the initial budget proposed by the board of trustees of the Ballston Community Public Library shall be created or not; and (b) the election of seven trustees as provided by this act. The trustees of the Ballston Community Public Library shall give notice of such election by the publication of a notice in one or more newspapers having a general circulation in the district to be served. The first publication of such notice shall be not less than thirty days prior to the date of such election. In addition, the board of trustees of the Ballston Community Public Library shall cause copies of such notice to be posted conspicuously in three public places in the district at least thirty days prior to the date of such election and on the Library's web page. Such notice shall specify the time when and the place where such election will be held, the issues to be decided at such election and the hours during which polls will be open for the receipt of ballots thereof at all elections from 7:00 a.m. until 9:00 p.m. The board of trustees of the Ballston Community Public Library shall designate a resident qualified voter of such district to act as chairperson of any election of such district and shall designate not less than two nor more than four resident qualified voters to act as election inspectors and ballot clerks at such elections. No trustee shall serve as chairperson or as an election inspector or ballot clerk. The board of trustees may adopt a resolution providing that such chairperson, election inspectors and ballot clerks shall be paid for their respective services at the initial election. Such resolution, if adopted, shall fix reasonable compensation for the services of such officials. Every voter of the district, otherwise qualified to vote at a town election shall be qualified to vote at such election. After the polls have closed at such election, the election inspectors and the ballot clerks shall immediately canvass publicly the ballots cast and the chairperson of the election shall publicly announce the result. Within seventy-two hours thereafter, the chairperson, election inspectors and ballot clerks shall execute and file a certificate of the result of the canvass with the board of trustees and the town clerk of Ballston.

2. In the event that the budget is authorized, there shall thereafter be an annual election conducted by the board of trustees of the Ballston Community Public Library in accordance with the provisions of subdivision one of this section, at a time to be set by the board, at which election vacancies on the board of trustees shall be filled and at which any proposed budget

which the board shall determine to submit to the voters pursuant to section four of this act shall be submitted to the voters.

3. Candidates for the office of member of the board of trustees of the Ballston Community Public Library shall be nominated by petition. No vacancy on the board of trustees to be filled shall be considered a separate specific office. A separate petition shall be required to nominate each candidate for a vacancy on the board. Each petition shall be directed to the secretary of the board of trustees, shall be signed by at least twenty-five qualified voters of the district, shall state the residence of each signer, and shall state the name and residence of the candidate. In the event that any such nominee shall withdraw his/her candidacy prior to the election, such person shall not be considered a candidate unless a new petition nominating such person in the same manner and within the same time limitation applicable to other candidates is filed with the secretary of the board of trustees. Each petition shall be filed with the secretary of the board of trustees between the hours of 9:00 a.m. and 5:00 p.m., not later than the thirtieth day preceding the election at which time the two candidates nominated are to be elected. In the event the Ballston Community Public Library levy is approved, petitions nominating candidates for the board of trustees after the initial election shall be filed with the secretary of the Ballston Community Public Library.

4. At any election in such district, the voters may adopt a proposition providing that, in all subsequent elections, vacancies on the board of trustees shall be considered separate specific offices and that the nominating petitions shall describe the specific vacancy upon the board of trustees for which the candidate is nominated, which description shall include at least the length of the term of the office and the name of the last incumbent, if any. No person shall be nominated for more than one specific office. Such procedure shall be followed with respect to all nominations and elections in subsequent years until and unless such proposition is repealed by the electors of the district at a regular election by adoption of a proposition to repeal the same.

#### Section 5. Organization and structure.

The Ballston Community Public Library shall be managed, operated and controlled by a board of trustees consisting of seven members, but in no event shall the board of trustees consist of fewer than five members or more than fifteen. The trustees shall at the first regular meeting of the board determine by lot the year in which each of their terms of office expire, and the terms shall expire as follows: after one year two trustees; after two years two trustees; after three years three trustees. As vacancies occur trustees shall be elected at the annual election provided for by this act to serve three year terms by the voters of the public library district hereby created, such terms to commence on the first day of the month next following the election. Only qualified voters of the district shall be eligible for election to the board of trustees. The board of trustees at its first meeting each year shall elect or appoint a president and vice-president who shall be members of the board and a secretary, treasurer and such other officers as they deem necessary. If the board so determines, the offices of secretary and treasurer may be held by individuals who are not members of the board of trustees and, in that event, such officer may, if the board so determines, receive compensation as fixed by resolution of the board.

#### Section 6. Finances.

1. The initial budget for the Ballston Community Public Library to be levied upon the special district per this act shall be determined by a vote of the voters of the district in the initial election as hereinafter provided. All future budgets that increase the Ballston Community Public Library proposed total operating expenditures over the total operating expenditures in the last preceding fiscal year's budget shall be submitted to the residents voting at the annual election of trustees pursuant to section two of this act. Funds voted for library purposes at the initial election and at all future budget elections shall be considered an annual appropriation therefor and shall be levied and collected yearly in the same manner and at the same time as other taxes in the town of Ballston.

2. The board of trustees of the Ballston Community Public Library shall annually file with the clerk of the town of Ballston on or before the first day of August an estimate of the proposed budget, including costs of library services, to be raised by levy for the library district in the fiscal year beginning on the first day of January of the following year. The town shall not make any change in the estimate of revenues or expenditures submitted by the board of the

library district in preparation of its preliminary budget. The town board of the town of Ballston shall levy a tax against the real property lying within the district for the amount to be raised by tax as contained in the annual budget of the Ballston Community Public Library.

3. The town board of the town Ballston shall have the power to authorize, sell and issue bonds, notes and other evidences of indebtedness pursuant to the local finance law in order to permit the Ballston Community Public Library to provide facilities or improved facilities for library purposes. Upon written request from the board of trustees of the Ballston Community Public Library, after approval by the qualified voters of such district, the town board shall authorize, sell and issue such bonds, notes or other evidences of indebtedness as are necessary to accomplish the improvements specified in the notice; the resolution, or any agreement with the library, may provide that the library shall remunerate the town for the costs incurred by effecting such bonds, notes and other evidences of indebtedness. The proceeds of such bonds, notes or other evidences of indebtedness shall be paid to the treasurer of the Ballston Community Public Library and maintained in a segregated account in accordance with section 165.00 of the local finance law and expended by the treasurer only on specific authorization by the board of trustees.

4. The board of trustees of the Ballston Community Public Library may accept on behalf of the district any absolute gift, devise or bequest of real or personal property and such conditional gifts, devises or bequests as by resolution approved.

5. The treasurer of the Ballston Community Public Library shall be custodian of all funds of the library district, including gifts and trust funds paid over to the trustees. The board of trustees may authorize the investment of funds in the custody of the treasurer in the same manner in which school district funds may be invested. Proceeds of obligations received from the town may be invested in accordance with section 165.00 of the local finance law. The town of Ballston shall promptly pay over to the Ballston Community Public Library all moneys which belong to or are raised for the library district. No moneys shall be disbursed by the treasurer of the library district except after audit by the board of trustees. The board of trustees of the Ballston Community Public Library district shall audit all claims and shall order the payment thereof, except as otherwise provided by this section. No such claims shall be audited or ordered paid by the trustees unless an itemized voucher therefor shall be presented to the board of trustees for audit and allowance. The provisions of this section shall not be applicable to payment of claims of fixed salaries and amounts which the library district may be required to pay on account of retirement contributions for past or current services to officers and employees of the library district. The treasurer shall keep such records in such manner as the board of trustees may require.

#### Section 7. Charter, bylaws, and transfer.

The current charter of the Ballston Community Public Library is consistent with this legislation. The initial elected trustees shall, within thirty days from the date of approval of the library budget and new trustees by the voters of the district, adopt revised bylaws consistent with this legislation. The library, which has operated as a special district library since 1957, shall continue to operate, uninterrupted, regardless of whether the budget and election of trustees goes into effect. The town may transfer title to any existing or future real property to the library, or grant a 99-year lease for an agreed upon rental rate, with optional renewal and right of first refusal in the event of transfer, for the purposes of operating a library or branch of the library within the district.

#### Section 8. Ad valorem levy.

The several lots and parcels of land within the area of such public library district are hereby determined to be benefited by the library facilities and devices existing as of the effective date of this act and the town of Ballston is hereby authorized to assess, levy and collect the necessary expenses of operation, maintenance and repair of such facilities and services and such capital improvements, including debt service on bonds, notes or other evidences of indebtedness issued for the purpose of the Ballston Community Public Library as may be hereafter authorized pursuant to the provisions of this act from such lots and parcels of land within the library district in the same manner and at the same time as other town charges.

Section 9. Education law. Except as otherwise provided by this act, the provisions of the Education Law relating to public libraries shall be applicable to the Ballston Community Public Library operating as established by this act.



*Privilege of the floor on any topic*

*Library Director Rebecca Verhayden* thanked the Board for making this happen (last resolution); she appreciated it and said that she is looking forward to handing it to the New York State legislators.

*Library Board of Trustee Julia Stone* also thanked the Board; she appreciated all the efforts.

The Supervisor forgot to speak about the Burnt Hills Forward grant and reported that there was a meeting held at the high school last week with over 50 people who attended. There was a lot of good input. He is feeling good about the grant effort. There will be another pop-up event held on Flag Day to receive more input from residents. Councilwoman Jasinski stated that it was a great meeting and if anyone has any feedback don't wait for a pop-up event, please email her or the Supervisor.

A motion was made by Councilman Fendrick and seconded by Councilwoman Jasinski to adjourn the meeting. All Board members were in favor. The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Carol Gumienny  
Town Clerk