

A Town Board meeting was held by the Town Board of the Town of Ballston on Tuesday evening, May 9, 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
	Michael Carota	Councilman
	Kelly Jasinski	Councilwoman
	Chuck Curtiss	Councilman
	Rob Fendrick	Councilman
	Carol Gumienny	Town Clerk
	William Ryan, Jr.	Attorney
	David Urkevich	Town Comptroller
	Joe Whalen	Highway/Water Superintendent

Supervisor Connolly 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 Stickle, and Library Director Rebecca Verhayden submitted reports for April 2023. They are on file in the Town Clerk's office.

Library Director Rebecca Verhayden stated that the Bill for the library legislation has been introduced to the New York State Senate and the Assembly. It has been pushed to the Senate Library Committee. There will be a ribbon cutting ceremony at the library for the History Room and LED project at 6 p.m. on May 31st. In April, Burnt Hills-Ballston Lake student art was on display. For the month of May, the Charlton Heights School student art will be on display. There will be an artist reception on May 31st.

FINANCIAL REPORT

Comptroller David Urkevich stated that we are 2/12 through the fiscal year; it is too early to make any predictions; the economy is uncertain. April sales tax was subject to a New York State Department of Tax and Finance adjustment; the results were not great, less than average. Year to date we are above last year's number by 5%. In April, Ballston had the highest mortgage tax receipts county-wide. This is good news for the future of the year. The Comptroller's office is auditing 2022, planning for certain recommendations from the Office of the State Comptroller, creating documentation, and renewing insurance policies. Comptroller Urkevich stated that his office is also working with New York State Environmental Facilities Corporation (EFC) on the Ballston Lake sewer project to be a part of their bond issuance in December to leverage their borrowing power to get a good interest rate for a 30-year debt partially subsidized by EFC. Councilwoman Jasinski asked if the payment will change for the Ballston Lake Sewer District. Mr. Urkevich stated that it depends. If EDUs decrease, these will have to be absorbed by the district. He believes that interest rates will continue to rise throughout the year and not decrease until early next year. The Supervisor stated that the Finance office is doing great work.

SUPERVISOR'S REPORT

Supervisor Connolly stated that the fishing pier will be completed upon fulfilling all New York State Department of Environmental Conservation (NYSDEC) requirements. He is still hoping for it to be completed in mid-May.

The Supervisor stated that a letter of interest was sent to the Northern Borders Regional Commission by M.J. Engineering for the possibility to submit a full grant application for sewer along Route 50. The Town was recently notified that they are invited to submit a full application. There is a resolution this evening to have M.J. Engineering complete the full application for the grant. We will see what the grant can provide for us. The County hired a firm in 2022 to help them with grants. The firm does not write the grant but calls attention to a grant that they think the County could take advantage of. They review the grant written by the County and make suggestions on how to improve it. Once the grant is submitted, they lobby for the grants. The Town can utilize these services. Moving forward, all grant applications will be reviewed by this firm who will lobby for the Town.

Supervisor Connolly attended a meeting with County Planning and other key players involved in the effort to extend the Zim Smith Trail to the State Park. It currently stops at Oak Street in the Town.

The County is in the preliminary design phase to extend the trail. Segment 1 and Segment 2 will consist of running in the Village of Ballston Spa to Malta Avenue. Segment 3 goes to Northline Road. Segment 4 completes the path to the State Park. We have residents on Oak Street, and he will advocate for our residents. The plan is to put a small parking lot on the front end of Oak Street on the left. The Village and the Town of Milton are figuring out how to get people safely onto the trail. This is a big project. He is also on the Trails and Open Space Committee at the County; he is kept up to date on what is happening with the Zim Smith Trail.

The Supervisor stated that \$80,242.00 of ARPA funds remain which could possibly be used to improve walkability in Town. One idea is to work with the Town of Malta to create sidewalks on Round Lake Road. We may also use the money for the sidewalks up north, depending on if we receive the grant and budget for the other sidewalks.

The Board approved a land lease behind the Town Hall for a 150 ft. cell phone tower. the Supervisor was able to connect the developer with Dish Network. The developer needs to secure a couple of carriers before the tower is constructed; cell service will improve drastically.

COUNCIL MEMBERS REPORTS

Councilwoman Jasinski stated that the Clean Energies Committee will dissolve this evening and a new committee will be formed, the Green Community Committee. The Committee needs more members. Information has been submitted to the Burnt Hills Ballston-Lake Continuing Education for two informal courses to be offered in the fall to homeowners. One course will be on solar installations and the other on heat pumps.

Ms. Jasinski stated that there will be a letter going out to the Ballston Lake sewer district residents on May 15th notifying the residents on the west side of the lake that they can begin to connect to the sewer.

Councilman Fendrick stated that the Parks & Rec Committee decided that the unloading zone across the street from the fishing pier is on hold until everything is satisfactory with DEC for the completion of the fishing pier. Stone dust was delivered to Anchor Diamond Park; he thanked our Comptroller for organizing. Resolution 23-98 is for treating the diseased trees in the park. He hopes everyone got a chance to review the estimate. The resolution to approve the fencing for the dog park at Jenkins Park is on the agenda for consideration. He thanked Suzanne Brunelle for her generous donation. There was a considerable amount of public involvement on this topic, and he truly appreciated everyone's thoughts and opinions. He understands that not everyone has a dog nor is in favor of the project, they have received an outpouring of support from the public and want to proceed. The Committee has taken a lot into consideration, many valid points, and the Committee has thought these through. He received all the information for the signs for the park from AJ Signs. He will have the language reviewed by the Dog Control officer, Clerk, legal counsel, and insurance agent before moving forward. Sally Draina, chairperson of the committee, has completed a parks equipment webinar. They will be addressing all the equipment in the parks that need attention and will budget for what is needed.

Councilman Carota asked the Supervisor if the company hired by the County to assist with grants can help with the Finley Road bridge grant. The Supervisor stated that they can. The library legislation is moving forward. The Bill can be tracked online. The Assembly and Senate website has Bill trackers. On May 4th, the library proposed Bill by Tedisco was referred to the Library Committee at the NYS Senate. The Bill number is S06669.

Councilman Curtiss stated that he is glad to see that the violations from the sheriff's report are positive. Incidents are down. This is working other than writing tickets. It seems to be better to him. He asked that the public respect each other on the road. He supports the extra patrolling. Regarding the Farmland Protection Committee, the Committee has a desire to create a farm trail and the funding involved. It is being discussed.

The Supervisor inquired about the timeline for installing the new windows, doors, and soffits. Highway Superintendent stated that he does not have a date. M.J. Engineering will give us that date as they will be overseeing the project.

The Highway Superintendent gave an update on the construction of the new addition of the highway garage. It is under budget. The office space is being finished, and they are waiting on power and the new addition for the offices. He hopes to see steel being put up in another week. The Supervisor asked if the thermal was installed. It was replied that the drilling will be done next week to make the connections. The contractors have struggled with getting materials, causing the schedule to change

Discussion: Councilman Curtiss inquired about this resolution. Highway Superintendent Joe Whalen stated that this is for the brush dump. The company that was hired by NYSDEC is seeking permission to go on Town property to install monitoring wells to monitor the ground water. He referred them to counsel. Counsel reviewed the agreement, and it is satisfactory. Mr. Whalen stated that the brush dump is used for residents to drop off their leaves and grass clippings. The Highway Department takes this material and grinds it up into mulch and gives it back to the residents.

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

Nays 0

RESOLUTION 23-89

ACKNOWLEDGE THAT THE ANNUAL EXAMINATION OF THE COURT RECORDS FOR 2022 HAS BEEN COMPLETED.

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

Discussion: Councilman Fendrick stated that he performed the audit. He thanked the Court Clerks for having everything ready to make it a smooth process. Councilman Carota stated that, based on his full-time profession, he will abstain from the vote.

WHEREAS, Section 2019-a of the State of New York Unified Court System requires that justices annually provide their court records and dockets to their respective town auditing board and

WHEREAS, these records then be examined or audited, and that fact be entered into the minutes of the proceedings and

WHEREAS, on April 18, 2023, these records were reviewed by Councilman Fendrick in compliance with Section 2019-a;

WHEREAS all fines collected have been turned over to the proper officials of the Town as required by law; now, therefore, be it

RESOLVED the annual examination of the court records for 2022 is complete and this resolution and the report will be mailed to the New York State Office of Court Administration

ADOPTED Ayes 4 Councilman Fendrick, Councilwoman Jasinski, Councilman Curtiss, and Supervisor Connolly

Nays 0

Abstain 1 Councilman Carota

RESOLUTION 23-90

APPROVE ASSESSOR PETER HOTALING TO ATTEND THE CORNELL SEMINARS OFFERED BY THE NYS ASSESSOR'S ASSOCIATION IN ITHACA, NY ON JULY 17, 2023 – JULY 21, 2023. THE APPROXIMATE TOTAL COST IS \$1,436 WHICH INCLUDES TUITION \$380, LODGING FOR 4 NIGHTS \$536, MEALS \$320, AND MILEAGE \$200; BECAUSE OUR ASSESSOR IS THE ASSESSOR FOR ANOTHER MUNICIPALITY, HALF OF THE COST (\$718) WILL BE PAID FOR BY THEM FOR HIS ATTENDANCE. THE SOURCE OF THE FUNDS WILL BE "A" FUND'S 2023 FINAL BUDGET. THERE WILL BE NO IMPACT TO FUND BALANCE.

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

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

Nays 0

RESOLUTION 23-91

APPROVE VALUATION ASSISTANT MICHAEL PANDOLFO TO ATTEND THE CORNELL SEMINARS OFFERED BY THE NYS ASSESSOR'S ASSOCIATION IN ITHACA, NY ON JULY 17, 2023 – JULY 21, 2023. THE COST IS \$1,761.00, WHICH INCLUDES TUITION \$470.00, 5 NIGHTS OF LODGING \$670.00, MEALS \$400.00, MILEAGE \$200.00 AND TOLLS \$21.00. THE SOURCE OF THE FUNDS WILL BE "A" FUND'S 2023 FINAL BUDGET. THERE WILL BE NO IMPACT TO FUND BALANCE.

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

Discussion: The Supervisor stated that Mr. Pandolfo is working hard to obtain credentials to be in an assessor's role as our current assessor sees retirement in his future.

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

RESOLUTION 23-92

**APPROVE THE DISSOLUTION OF THE CLEAN ENERGIES COMMITTEE
EFFECTIVE IMMEDIATELY.**

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

Discussion: Councilwoman Jasinski stated that the Clean Energies Committee did a great job in three years. The Committee was able to achieve their goals and she thanked all the members for their time and effort. They also qualified the Town for three grants for the LED upgrades at Town Hall.

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

RESOLUTION 23-93

**APPROVE THE FORMATION OF THE TOWN OF BALLSTON GREEN COMMUNITY
COMMITTEE EFFECTIVE MAY 9, 2023.**

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

Discussion: Ms. Jasinski stated that this allows the Committee to continue the same course but branch out on other ways besides clean energy.

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

RESOLUTION 23-94

**APPROVE THE APPOINTMENT OF THE FOLLOWING MEMBERS TO THE TOWN
OF BALLSTON GREEN COMMUNITY COMMITTEE EFFECTIVE MAY 9, 2023: JON
MESH AND SILVER GUDBRANDSEN. THE TOWN BOARD LIAISON WILL BE
COUNCILWOMAN JASINSKI.**

Discussion: Ms. Jasinski stated that these two members are terrific. She is hoping for more members.

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

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

RESOLUTION 23-95

**APPROVE AN INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF
BALLSTON AND SARATOGA COUNTY DATED MAY 9, 2023, FOR THE
CONSTRUCTION AND INSTALLATION OF A PEDESTRIAN CROSSWALK AT THE
CORNER OF LAKE HILL ROAD AND KINGSLEY ROAD. THIS RESOLUTION ALSO
AUTHORIZES THE SUPERVISOR TO EXECUTE THE AGREEMENT.**

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

Discussion: The Supervisor stated that ARPA funds will be used to do this project. There is no time frame on when this will occur. It is with hope that it will be completed before school starts in September.

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

RESOLUTION 23-96

**APPOINT JUSTIN ZAMPELLA AS A REGULAR MEMBER OF THE ZONING BOARD
OF APPEALS (ZBA) FOR A TERM BEGINNING MAY 9, 2023, AND ENDING
DECEMBER 31, 2026, TO COMPLETE THE TERM OF FORMER ZBA MEMBER
JOANNE HULL.**

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

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

RESOLUTION 23-97

APPROVE AN ESTIMATE DATED APRIL 16, 2023, FROM CGL ARBOR SERVICES TO PERFORM A TREATMENT ON DISEASED HEMLOCK TREES IN ANCHOR DIAMOND PARK FOR AN AMOUNT NOT TO EXCEED \$19,996.72 AND AUTHORIZE THE SUPERVISOR TO SIGN. CONSIDER A RELATED SUPPLEMENTAL APPROPRIATION TO THE 2023 FINAL BUDGET TO INCREASE A FUND'S "BUDGET FUND BALANCE DRAW" REVENUE ACCOUNT AND "PARKS & REC ADMIN – CONTRACTUAL" EXPENSE ACCOUNT BY THE SAME AMOUNT. THE SOURCE OF THE FUNDS WILL BE PARKLAND DEPOSIT FUNDS TO BE REIMBURSED BY THE ANCHOR DIAMOND TRUST.

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

Discussion: Ms. Jasinski asked about receiving the funds from the trust. Counsel stated that is a huge undertaking and a lot of documents to review. It involves working with the Attorney General's Office. Councilman Carota stated that from his experience whenever there is a bequest to government the Attorney General's office needs to be involved which is an added layer of government. In past practices, they are not the easiest to deal with as he did this quite a bit. He can empathize with Mr. Ryan. There is so much to sort out. Unfortunately, this is part of the process. Mr. Ryan stated that this is at the top of his list to have this completed this year.

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

Nays 0

RESOLUTION 23-98

APPROVE A REALLOCATION OF APPROPRIATIONS IN CONSOLIDATED WATER FUND'S 2023 FINAL BUDGET TO DECREASE THE "CONTINGENCY BUDGETING" EXPENSE ACCOUNT AND INCREASE THE "AUDITOR – PROFESSIONAL SERVICES" EXPENSE ACCOUNT BY \$8,000 TO ADJUST FOR HIGHER THAN ANTICIPATED AUDIT EXPENSES IN 2023. THE SOURCE OF THE FUNDS WILL BE A REALLOCATION OF EXPENDITURES WITHIN CONSOLIDATED WATER FUND'S 2023 FINAL BUDGET. THERE WILL BE NO IMPACT TO FUND BALANCE.

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

Discussion: Comptroller Urkevich stated that this has no impact on fund balance and that this is for the 2022 financial year. When it comes to accounting, there is only one correct way to do this by the guidelines set by the Governmental Accounting Standards Board. They implemented new rules that went into effect. This allows for accurate reporting now and for future reporting.

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

Nays 0

RESOLUTION 23-99

SET A PUBLIC HEARING FOR TUESDAY, MAY 30, 2023, AT 6:15 P.M. ON THE APPROVAL OF A NEW FRANCHISE AGREEMENT WITH SPECTRUM NORTHEAST, AN INDIRECT SUBSIDIARY OF CHARTER COMMUNICATIONS, INC.

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

Discussion: Counsel stated that the franchise agreement allows Spectrum to use the telecommunication lines for internet and cable service in Town. The agreement has been reviewed and awaits a response. We can still move forward to set the Public Hearing. Councilman Curtiss asked why we don't get other companies. The Supervisor stated that there are no other private companies looking to compete.

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

Nays 0

RESOLUTION 23-100

APPROVE A SUPPLEMENTAL APPROPRIATION FOR THE JENKINS PARK FUND'S 2023 FINAL BUDGET TO INCREASE THE "BUDGETARY FUND BALANCE DRAW" AND "GIFTS AND DONATION" REVENUE ACCOUNTS BY \$19,725 AND \$25, RESPECTIVELY, AND INCREASE THE "CONSTRUCTION SERVICES" EXPENSE ACCOUNT BY \$19,750. THE SOURCE OF THE FUNDS WILL BE JENKINS PARK FUND'S UNRESTRICTED FUND BALANCE.

A motion was made by Councilman Fendrick and seconded by Supervisor Connolly.

Discussion: Councilwoman Jasinski asked Mr. Urkevich if, once funds are removed from unrestricted fund balance, can they be moved back? He stated that in theory they can go back if unspent. If the project does not move forward the appropriation becomes fund balance again.

ADOPTED Ayes 4 Councilman Fendrick, Councilman Curtiss, Councilman Carota
and Supervisor Connolly
Nays 1 Councilwoman Jasinski

RESOLUTION 23-101

DESIGNATE THE TOWN BOARD OF THE TOWN OF BALLSTON AS LEAD AGENCY PURSUANT TO PART 617 OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT WITH RESPECT TO THE ENVIRONMENTAL REVIEW ASSOCIATED WITH THE INSTALLATION OF NEW FENCING BENEFITTING PARK DISTRICT NO. 1 (JENKINS PARK) FOR A POTENTIAL DOG PARK AND CLASSIFY AS AN UNLISTED ACTION. THIS RESOLUTION ALSO AUTHORIZES THE SUPERVISOR TO SIGN ANY AND ALL DOCUMENTS RELATED TO THIS ENVIRONMENTAL REVIEW.

A RESOLUTION DESIGNATING THE TOWN OF BALLSTON AS LEAD AGENCY WITH RESPECT TO A SECTION 202-b PROCEEDING OF THE TOWN LAW OF THE STATE OF NEW YORK FOR THE BENEFIT OF PARK DISTRICT NO. 1

WHEREAS, New York State Town Law Section 202-b establishes that whenever the Town Board shall determine it to be in the public interest, after a public hearing, the Town may construct additional improvements on behalf of a park district or other special districts; and

WHEREAS, the Town of Ballston Park District No. 1 was created by Town Board Order dated September 7, 1954; and

WHEREAS, Section 202-b 2 of the Town Law provides in part that “the town board may, on behalf of a park.....district.....acquire additional apparatus and equipment and replace obsolete, inadequate, damaged, destroyed or worn out apparatus and equipment, and it may construct additional facilities and appurtenances thereto or reconstruct or replace obsolete, inadequate, damaged, destroyed or worn out facilities and appurtenances thereto;” and

WHEREAS, Park District No. 1 requires the removal of existing fencing and the installation of new fencing and other appurtenances for the creation of a dog park.

NOW, THEREFORE, IT IS:

RESOLVED, that the town board of the Town of Ballston be designated as lead agency with respect to the environmental review associated with the installation of new fencing and other appurtenances for the benefit of Park District No. 1, pursuant to Part 617 of the State Environmental Quality Review Act; and it is further,

RESOLVED, that the installation of new fencing and other appurtenances is an Unlisted Action under Part 617 of the State Environmental Quality Review Act Regulations; and it is further,

RESOLVED, that the town supervisor be authorized to sign any and all documents associated with the environmental review regarding the reconstruction of facilities and

appurtenances for the benefit of Park District No. 1, New York pursuant to Part 617 of the State Environmental Quality Review Act.

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

Discussion: Councilwoman Jasinski thanked the Parks & Rec Committee for doing their due diligence. There are a lot of layers in this situation that go deeper than a dog park. She asked for a map of Jenkins Park at the County, and they didn't have time, so she made her own. The first map showed Jenkins Park, the parcels that are Town or school owned, and the Jenkins Park Special Park District (573 residences) who pay a park tax, and the second map showed all the parcels in Town and a very tiny area which is the Jenkins Park District residents who pay a park tax. One tenth of the parcels in Town are paying a park tax. The Board just approved spending from the Jenkins Park fund (\$21,000) for a fence for a dog park, yet it needs playground equipment and drainage work. The district needs to accumulate money in their fund balance to do these projects. The tax levy was reduced for the Jenkins Park District during COVID, thus not accumulating much money in their fund balance for these types of projects. She is not against dog parks; she wants it done correctly. The bottom line is that either no one pays a park tax, or everyone pays a park tax. Jenkins Park District residents have been paying a park tax since 1954. Supervisor Connolly stated that they were looking at the possibility of expanding the park district to include the whole Town, excluding the Village, and contemplated a referendum in November to expand the district; however, legally we cannot exclude the Village. At that time, inflation didn't look good, and the Board didn't feel it was fair to implement a tax. We will possibly look at this again next year. He has consulted with legal regarding the playground, and the insurance company's concern about the playground equipment, and we feel like we're in a decent position there. Ms. Jasinski's comments make a lot of sense, and he was on board with some of her thinking; however, he is in favor of this project, the other items will have to wait. If it takes 2 or 3 years, until maybe we make a move on the expansion of the Parks District, the money will be there if that does occur. If whoever is in office when that's contemplated, and goes to a referendum, and if the public votes in favor, a modest park tax would be approved to maintain all our parks. The bike path is a park, and we plan on expanding it. Councilman Curtiss stated that the next few resolutions, in his opinion, reflect what Ms. Jasinski stated. He made a motion to table these, one at a time or all three until we get things lined up a little better. Councilman Fendrick stated that he fully understands and agrees that the tax district could be better laid out; however, if you live in the tax district, you bring your dog to the park for free. If you do not live in the tax district you pay. If the tax district gets bigger, you are going to pay your monthly fee and your yearly taxes, but now you're not going to have to pay to bring your dog to the park. He agreed that this needs some reform and in the future it should be. The actual park district is the Park District, and you're either going to pay it in your yearly membership to bring your dog if you're not a resident or going to pay it in your taxes; either way the Town gets the money. This is a moot point, in his opinion.

Councilwoman Jasinski stated that the Town Board members may change. How does she know that this is going to get addressed. Who are we, five people who don't even live in the district, to make this decision? There should be a referendum among the residents that live in that district as to whether they want a dog park. She is not against a dog park, but the playground equipment needs a serious upgrade and the drainage project needs to be completed. This is a lot of money for items that need to be taken care of. There will not be another project next year. This situation reminds her of the pavilion being torn down in Fireman's Grove. There was no plan before it was taken down and a new one put up. The foundation of Jenkins Park needs to be fixed before anything is done. She drove over to Jenkins Park three times to look at the situation. It's attractive to have the dog park right there and it's a fence that is made fit to a certain degree. If that fence had been torn down, would the dog park have gone there or would it have been set back maybe another 50 yards; so, if a family was having a picnic at the pavilion and there were a bunch of barking dogs in the dog park there wouldn't be any kind of conflict. Maybe now there isn't a conflict, but once this gets approved every dog license that goes out will know that they can go to the dog park. There's going to be more traffic at the dog park because up until now it's just been a community that's been using it by word of mouth. That will change. Are we putting something in a place because it took that place? She feels beyond that, the bare foundation needs to be done.

Councilman Fendrick stated that he believes that they are putting something in place for the community in a cost-effective way that utilizes some of the existing infrastructure that's there. It saves money. It helps bring people together.

Supervisor Connolly stated that the comparison between Jenkins Park and Fireman's Grove, in his opinion, is not similar at all. He stated that the public was not involved at all in the Fireman's

Grove decision to knock down the pavilion. There wasn't a lot of public involvement to buy it. It didn't go to a referendum. Jenkins Park is a highly used park and we heard from the residents during a public hearing and through email and written correspondence. There are a lot of people who live in that district who would like to see a dog park. He is in favor of moving forward with it, and not in favor of tabling it. He asked if someone wanted to second Councilman Curtiss's motion. Councilwoman Jasinski seconded the motion to table.

Counsel stated that there's a motion on the floor with respect to Lead Agency motioned by Councilman Fendrick and seconded by Councilman Carota; therefore, you need to have a vote on the resolution.

Eric Connolly, Town Supervisor	Aye
Michael Carota, Town Board Member	Aye
Chuck Curtiss, Town Board Member	Nay
Rob Fendrick, Town Board Member	Aye
Kelly Jasinski, Town Board Member	Nay

ADOPTED 3-2

DATED: Town of Ballston, New York
May 9, 2023

Attorney Ryan stated that the next resolution deals with the negative declaration associated with the environmental impact, if any, associated with the improvement that's to be made. He will go over the Environmental Impact Statement, then move on to whether instructing and installing the fence will have an effect on the environment and the last resolution is the consideration of the improvement being made and before that resolution is moved, ask for a motion to table.

RESOLUTION 23-102

APPROVE THE DETERMINATION AND DECLARE THE POTENTIAL PURCHASE OF A FENCE TO USE FOR A DOG PARK LOCATED IN PARK DISTRICT NO. 1 (JENKINS PARK) AS A NEGATIVE DECLARATION. THIS IS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, AS THE POTENTIAL PURCHASE WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

Attorney Ryan went over the Short Environmental Assessment Form and asked all of the questions (attached).

WHEREAS, New York State Town Law Section 202-b establishes that whenever the Town Board shall determine it to be in the public interest, after a public hearing, the Town may construct additional improvements on behalf of a park district or other special districts; and

WHEREAS, the Town of Ballston Park District No. 1 was created by Town Board Order dated September 7, 1954; and

WHEREAS, Town of Ballston Park District No. 1 requires the acquisition of fencing and other equipment in order to improve the existing infrastructure.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Ballston as lead agency has determined that the reconstruction of existing park facilities is necessary and that it will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of

Ballston be authorized to execute the Short Environmental Assessment Form confirming this determination;

2. Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;
3. The notice to proceed with the reconstruction of the park facilities will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;
4. A negative declaration is to be signed by the supervisor;
5. The Town Clerk of the Town of Ballston is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public, and the clerk shall email copies, to:

Office of the Commissioner
Department of Environmental Conservation
625 Broadway
Albany, New York 12233

and Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, New York 12233-1750

6. All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

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

Eric Connolly, Town Supervisor	Aye
Michael Carota, Town Board Member	Aye
Chuck Curtiss, Town Board Member	Aye
Rob Fendrick, Town Board Member	Aye
Kelly Jasinski, Town Board Member	Aye

ADOPTED 5-0

DATED: Ballston, New York
May 9, 2023

Attorney Ryan stated that the park district was formed in 1954 and from his research it's been in effect ever since. Under Article 12 of the Town Law Section 202-b, Town Boards can vote after a Public Hearing on the expenditure of money for a district for improvements and this is what that does.

with Supervisor Connolly that this year he thinks it would be tone deaf to move to consolidate a town-wide parks district. He thinks that if some of these projects start to come to fruition, whether it's the bike trail or other factors that come into play, it would make sense to move to consolidate the parks. Councilwoman Jasinski thinks that it is sad that we're willing to let a small portion of our population continue to pay a park tax in favor of not having a Town-wide park tax.

The adoption of the foregoing resolution and determination was duly put to a vote, and upon roll call, the vote was as follows:

Michael Carota, Town Board Member	Aye
Chuck Curtiss, Town Board Member	Nay
Rob Fendrick, Town Board Member	Aye
Kelly Jasinski, Town Board Member	Nay
Eric Connolly, Town Supervisor	Aye

ADOPTED: 3-2

DATED: Ballston, New York
May 9, 2023

RESOLUTION 23-104

APPROVE THE SPECIFICATIONS AND NOTICE TO BID FOR THE PURCHASE OF VARIOUS HVAC UPKEEP AND UPGRADE IMPROVEMENTS WITH A BID OPENING DATE OF TUESDAY, MAY 23, 2023, AT 2 P.M.

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 23-105

APPROVE A JUNK DROP-OFF AT TOWN HALL ON JUNE 10, 2023, AT A COST OF \$3,600.00 PLUS \$100 PER TON. SERVICES WILL BE PROVIDED BY TWIN BRIDGES. THE SOURCE OF THE FUNDS WILL BE "A" FUND'S 2023 FINAL BUDGET. THERE WILL BE NO IMPACT TO FUND BALANCE.

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

Discussion: Councilman Fendrick asked Mr. Whalen how much it would cost to physically pick up people's junk. He wants the public to know that the Board is being fiscally responsible. Highway Superintendent Joe Whalen stated that two years ago it was \$36,000; it would be at least \$40,000, most likely more. There will be a dumpster and a crew to assist at Town Hall on June 10th from 8 to 3. Supervisor Connolly stated that there will not be any junk all over the town, people illegally leaving items at the entrance of private roads, or people picking through other people's junk looking for steel. A lot more was thought out than just the financial piece.

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

RESOLUTION 23-106

ACCEPT A PROPOSAL DATED APRIL 24, 2023, FROM M.J. ENGINEERING FOR ENGINEERING SERVICES RELATED TO FLAG REMEDIATION ISSUED BY NYS DEPARTMENT OF TRANSPORTATION FOR THE FINLEY ROAD BRIDGE IN THE AMOUNT OF \$16,600.00. THE SOURCE OF FUNDS FOR THE \$16,600.00 WILL BE THE HIGHWAY FUND'S 2023 FINAL BUDGET. THERE WILL BE NO IMPACT TO FUND BALANCE.

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

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

RESOLUTION 23-107

APPROVE TO HIRE STEFFEN BUCK AS A PART TIME COURT OFFICER FOR THE TOWN OF BALLSTON COURT AT A RATE OF \$22 PER HOUR, UP TO 8 HOURS PER WEEK, EFFECTIVE MAY 10, 2023. CONSIDER APPROVING A RELATED REALLOCATION OF APPROPRIATIONS WITHIN A FUND'S 2023 FINAL BUDGET TO DECREASE "MUNICIPAL COURT SECURITY SERVICES" BY \$6,000, INCREASE "MUNICIPAL COURT PERSONAL SERVICES" BY \$5,500, INCREASE "SOCIAL SECURITY CONTRIBUTION COSTS" BY \$400, AND INCREASE "MEDICARE CONTRIBUTION COSTS" BY \$100. THE SOURCE OF THE FUNDS WILL BE "A" FUND'S 2023 FINAL BUDGET. THERE WILL BE NO IMPACT TO FUND BALANCE.

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 23-108

APPROVE THE TWO AGREEMENTS FOR 2023 BETWEEN THE SARATOGA COUNTY DEPARTMENT OF AGING AND YOUTH SERVICES OFFICE OF THE AGING AND THE TOWN OF BALLSTON. THE TRANSPORTATION AGREEMENT IS \$2,586.00 AND THE NUTRITION AGREEMENT IS \$2,586.00. THESE SERVICES PROVIDE MEALS AND TRANSPORTATION FOR SENIORS IN THE TOWN. CONSIDER APPROVING A RELATED REALLOCATION OF APPROPRIATIONS WITHIN "B" FUND'S 2023 FINAL BUDGET TO DECREASE "CONTINGENCY BUDGETING ACCOUNT" BY \$838 AND INCREASE "PROGRAMS FOR THE AGING – SARATOGA COUNTY TRANSPORTATION PROGRAM" AND "PROGRAMS FOR THE AGING – SARATOGA COUNTY NUTRITION PROGRAM" BY \$419 EACH. THE SOURCE OF THE FUNDS WILL BE "B" FUND'S 2023 FINAL BUDGET. THERE WILL BE NO IMPACT TO FUND BALANCE.

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

Discussion: This amount is based on the senior population in the Town per the last census (2020).

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

Nays 0

RESOLUTION 23-109

ACCEPT A PROPOSAL DATED MAY 9, 2023, FROM M.J. ENGINEERING FOR GRANT WRITING ASSISTANCE FOR THE NORTHERN BORDER REGIONAL COMMISSION CATALYST GRANT IN THE AMOUNT OF \$5,000.00. THE SOURCE OF THE FUNDS WILL BE "A" FUND'S 2023 FINAL BUDGET. THERE WILL BE NO IMPACT TO FUND BALANCE.

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

Discussion: The Supervisor stated that Jackie Hakes of M.J..Engineering is working closely with CHA Engineering, who was authorized to do a feasibility study for a business sewer district. Ms. Hakes submitted a letter of intent with just enough data from that feasibility study. CHA Engineering is still working on the feasibility study; they had to complete just enough of it for Ms. Hakes to do the letter of intent. The next step is for the firms to work together and put together a strong application. The wild card in this whole thing is Glenville. They believe that they are next in line to possibly be awarded X number of millions of dollars. The engineers do the math by taking the total EDUs (equivalent dwelling unit) to figure out what the cost is going to be per EDU and if it's above the threshold per EDU that the State allows, is the Town done or do we go to Glenville and see how many businesses would like to participate in a potential sewer project and do an inner municipal grant application which would increase the points that you get in the grant application. There are a few businesses just over the Glenville border. Sewers stop at Price Chopper in Glenville. The residents do not want to pay for sewers. No one wants to shoulder that extra expense, but there are many businesses who are interested in hooking up to a sewer system, so that may or may not come into play. This is a moving target, and there's a lot of pieces to figure out. He is going to meet on a regular basis just to make sure that he's doing his due diligence to try to figure this out if it's doable. The Town has made investments already: \$30,000 on the feasibility study and \$5,000 to submit a grant application. We are chasing a \$1,000,000 grant or it could be more. Ms. Jasinski asked if there would be an additional cost to do this extra step from CHA. The Supervisor stated that there has been no mention of extra costs from CHA. If this comes into play with Glenville, they will pay the

costs. The Supervisor of Glenville has been interested in this; however, Ballston is interested in the Town of Ballston. There are a lot of pieces to this scenario and time will tell how this all goes. The grant application is due June 2, 2023. The Supervisor's top priority is the Town of Ballston. Ms. Jasinski asked if the updated feasibility study includes residents as well as businesses. The Supervisor stated that he will double check as he was not sure if all the parcels along Route 50 will be included. Councilman Curtiss stated that, as he as stated in the past, he will not support sewers.

ADOPTED	Ayes	4	Councilman Fendrick, Councilwoman Jasinski, Councilman Carota and Supervisor Connolly
	Nays	1	Councilman Curtiss

Privilege of the floor on any topic

No one wished to speak.

A motion was made by Councilman Fendrick and seconded by Councilman Carota to adjourn the meeting. All Board members were in favor. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Carol Gumienny
Town Clerk