

A Town Board Agenda Meeting was held by the Town Board of the Town of Ballston on Tuesday evening, September 27, 2022, in the Meeting Room at Town Hall located at 323 Charlton Road, Ballston Spa, New York.

PRESENT:	Eric Connolly	Supervisor
	Kelly Jasinski	Councilwoman
	Rob Fendrick	Councilman
	Michael Carota	Councilman
	Carol Gumienny	Town Clerk
	Debra Kaelin	Town Attorney
	David Urkevich	Town Comptroller
ABSENT:	Chuck Curtiss	Councilman

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

PRESENTATION

Ballston Area Rec Commission (BARC)

Executive Director Nora Osuchowski stated that BARC has been a recreation organization for 70 years. They currently provide nine different programs such as sports, enrichment, arts, and theatre. The programs offer the opportunity to any child to try a sport. Fees are low and the programs are non-competitive. Scholarships are also available. The data that Ms. Osuchowski presented showed the Towns that participated in BARC over the last few years. (Ballston, Malta, Milton, and the Village of Ballston Spa). The Town of Ballston has roughly the same number of participants over the last few years. The total municipal funding for 2023 is \$64,000. There were 1624 participants served in the 2022 program year. 146 of which were residents of Ballston. Ballston's share of the funding would be \$5,760 (9%).

OLD BUSINESS

Ballston Lake Sewer Project Update

Ed Hernandez, project manager, stated that the project continues to move forward. One contractor has been closed out; another will close out tonight. Contract #3 is working on repairs for homeowners and is expected to close out next month. Contract #1 continues; they are 60 days behind schedule and expect to finish in November. There are two change orders on the agenda to close out contracts. There are three payment items on the agenda, and he recommends that the Board approve them. Drilling Technologies and Tech Industries both have a change order. A change order occurs when the project is bid out in the beginning, it is an estimate. The contracts need to be adjusted for what the final payments really are. The Supervisor asked the Town Attorney to give an update on the easement.

Ms. Kaelin stated that as part of the eminent domain process that the Board approved, there have been productive discussions with National Grid. They asked for a proposal which has been given to them. The language also includes a place for a sign indicating "Ballston Lake Fire Department Memorial Park". She is hopeful and will give another update when she has more information.

Grants Update

Supervisor Connolly stated that he is part of a group of motivated people that consists of members of the BH-BL Business and Professional Association, school officials, business owners, engineers, attorneys, Councilwoman Jasinski, and others. They are discussing to apply for a grant to revitalize the hamlet of Burnt Hills. Burnt Hills Forward is the name of the group. They will apply for the New York Forward Grant, which is designed to use the money towards revitalizing small downtown areas, in the spring of 2023. There are two subcommittees: data collection and community outreach. There is a \$4.5 million and (2) \$2.5 million grants available. There will be a small engineering fee to assist the Town with a competitive grant application. The Supervisor has spoken with LaBerge Engineering about this. The Town must show a 5 to 1 ratio for the grant. Items that would count towards the grant are the County putting in a crosswalk (\$80,000), applying for a sidewalk grant for sidewalks on Route 50, and the cleanup of the Old Magnum Gas Station. This grant would be used only for Burnt Hills. The area is in the shape of the letter "A". It runs from Denty Road (including Kingsley Road to a location to be determined) to Ballston Spa National Bank, over to the library and over to Goode Street from Route 50.

Supervisor Connolly also stated that there are three grants available from the County totaling \$34,200. These have been applied for; and Supervisor Connolly believes that the Town will receive them. Councilman Fendrick worked on two of the grants and the Supervisor worked on the other. The grant money will go toward the design work by MJ Engineering for the extension of the bike bath.

Parks and Rec Committee Report

Councilman Fendrick stated that at the last Parks and Rec Committee meeting, the Committee put the Goode Street extension project on hold. They ran into some unforeseen circumstances that they are in the process of working through. He will keep the Board updated. They are going to meet with a couple of fencing companies to discuss the committee's goal of what can be done with the fencing in Jenkins Park. He asked for the next Board meeting agenda to include the appointment of Lynnette Ziskin as an alternate member. She was the chairwoman for Jenkins Park Advisory Board for 20 years and has a wealth of knowledge on Jenkins Park. On October 22, 2022, there will be a workday in Anchor Diamond Park. The story walk and book reading are still available in Anchor Diamond Park. He submitted two grants on September 16th and the Committee will be working on a 10-year plan for the parks in our Town. The Committee may have prematurely gone into the Goode Street extension project without knowing all the facts. They will avoid this again by coming up with a solid plan. The Supervisor appreciated the Committee stepping back to reevaluate; big mistakes can occur when going too fast.

Purchase of Development Rights Map

Supervisor Connolly stated that he received the initial map with the criteria that Nan Stolzenburg and her team created. There is an updated map ready for the Board to review. Councilwoman Jasinski will email it to everyone. He asked the Board for their feedback before it is considered for acceptance at a future meeting.

NEW BUSINESS

Phase 1 and Phase 2 - Trail Connection MJ Engineering Proposal

Supervisor Connolly stated that in Phase 1 the trail extension will go from Outlet Road and head north. When the trail is even with the road in the Curtis Industrial Park it will tuck under the railroad track and connect to the road in Curtis Industrial Park on the northeast side. It will tuck in where Curtis Industrial Park wants us to go. We will not follow the road to the Zim Smith for safety reasons. The trail will cut in before the Zim Smith. The design work is in the proposal for Phase 2. When applying for NYS grants, we will apply for Phase 1 and Phase 2. Phase 2 will be when you turn right to go under the railroad track you veer a little bit north along the old trolley line where you can see Beacon Hill neighborhood on the left. We have a paper street but will need an easement on one or two properties. Beacon Hill residents can get on the trail easily. Phase 2 will also have a push button stop light to cross Brookline Road, to Route 50, with a push button stop light, to cross. Phase 3 could be to extend from there. Phase 4 would be long, going from the other side of Route 50 to Garrett Road. The proposal from MJ Engineering is in the amount of \$236,200 for Phase 1 and Phase II for engineering services only. The money will be from Parkland Deposits fund. Phase 1 is \$221,900 and Phase 2 is \$14,300. The Parkland Deposits fund balance, after the fishing pier appropriations, is approximately \$500,000. This expense would reduce the fund to approximately \$300,000. Connection to the Zim Smith trail was the #1 item from residents during the Comprehensive Plan update. Councilwoman Jasinski stated that without the engineering design you will not get grants. It is a lot of money. She asked how much of the project would the grant cover for Phase I? What grants are available? This is \$2.2 million project. What is the outcome of future expenses? Does the Town have to contribute? Supervisor Connolly would get more information to address these questions. Councilman Carota stated that cost is his concern as well, it is worth looking into these questions. Ms. Jasinski stated that all the parks have "to do" lists; grants require engineering design, and this money could potentially be spent on the parks that we already have. A lot depends on if the public is willing to pay to upkeep our parks (\$100 per year), which will be a referendum next year.

Planning Board Alternate Candidate

The Supervisor stated that Andrew Collar is present this evening. He and Planning Board Chairman John Van Vorst sat and spoke with Mr. Collar for over an hour. Supervisor Connolly supports this appointment. The Board will consider his appointment as an Alternate for the Planning Board at the October 11th meeting.

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 22-258

APPROVE THE SUPERVISOR TO EXECUTE CHANGE ORDERS FOR CONTRACT #3 TECH INDUSTRIES WITH A DECREASED AMOUNT OF \$13,120.53 AND CONTRACT #4 DRILLING TECHNOLOGIES WITH AN INCREASED AMOUNT OF \$10,676.27 FOR THE BALLSTON LAKE SEWER DISTRICT TO RESOLVE FINAL ESTIMATED QUANTITIES WITH ACTUAL QUANTITIES CONSTRUCTED AND TO CLOSE OUT THE CONTRACTS.

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

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

Nays 0

Absent 1 Councilman Curtiss

RESOLUTION 22-259

APPROVE PAYMENT TO TRINITY CONSTRUCTION UNDER CONTRACT #1 FOR THE BALLSTON LAKE SEWER DISTRICT IN THE AMOUNT OF \$374,008.20 FOR WORK COMPLETED.

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

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

Nays 0

Absent 1 Councilman Curtiss

RESOLUTION 22-260

APPROVE PAYMENT TO TECH INDUSTRIES UNDER CONTRACT #3, FOR THE BALLSTON LAKE SEWER DISTRICT IN THE AMOUNT OF \$166,129.01 FOR WORK COMPLETED.

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

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

Nays 0

Absent 1 Councilman Curtiss

RESOLUTION 22-261

APPROVE PAYMENT TO DRILLING TECHNOLOGIES UNDER CONTRACT #4 FOR THE BALLSTON LAKE SEWER DISTRICT IN THE AMOUNT OF \$100,132.67 AS FINAL PAYMENT FOR WORK COMPLETED.

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

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

Nays 0

Absent 1 Councilman Curtiss

RESOLUTION 22-262

ACCEPT THE 2023 TENTATIVE BUDGET FOR THE TOWN OF BALLSTON FROM THE TOWN CLERK.

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

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

Nays 0

Absent 1 Councilman Curtiss

RESOLUTION 22-263

CONSIDER AMENDING RESOLUTION 22-257 TO CORRECT THE TAX MAP NUMBER. THE RESOLUTION SHOULD READ AS FOLLOWS: CONSIDER DISAPPROVING THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR WESTSIDE DRIVE, TAX MAP #249.-1-33.1 IN THE BALLSTON LAKE SEWER DISTRICT. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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

ADOPTED Ayes 4 Councilman Carota, Councilman Fendrick, Councilwoman
Jasinski and Supervisor Connolly
Nays 0
Absent 1 Councilman Curtiss

RESOLUTION 22-264

AMEND RESOLUTION 22-252 TO CORRECT THE ADDRESS OF THE PROPERTY. THE RESOLUTION SHOULD READ AS FOLLOWS: CONSIDER DISAPPROVING THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR 299 LAKE ROAD, TAX MAP #239.-2-4.136 IN THE BALLSTON LAKE SEWER DISTRICT. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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

ADOPTED Ayes 4 Councilman Carota, Councilman Fendrick, Councilwoman
Jasinski and Supervisor Connolly
Nays 0
Absent 1 Councilman Curtiss

RESOLUTION 22-265

DISAPPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR HICKORY GROVE LANE TAX MAP # 249.10-2-1 FOR THE BALLSTON LAKE SEWER DISTRICT. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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

ADOPTED Ayes 4 Councilman Carota, Councilman Fendrick, Councilwoman
Jasinski and Supervisor Connolly
Nays 0
Absent 1 Councilman Curtiss

Privilege of the Floor on any topic

No one wished to speak.

A motion was made by Councilwoman Jasinski and seconded by Councilman Fendrick to adjourn the meeting. All Board members were in favor. The meeting adjourned at 7:25 p.m.

Respectfully submitted,

Carol Gumienny
Town Clerk