

A Town Board meeting was held by the Town Board of the Town of Ballston on Tuesday evening October 11, 2022, in the Meeting Room at Town Hall located at 323 Charlton Road, Ballston Spa, New York.

PRESENT:	Eric Connolly	Supervisor
	Kelly Jasinski	Councilwoman
	Chuck Curtiss	Councilman
	Rob Fendrick	Councilman
	Michael Carota	Councilman
	Carol Gumienny	Town Clerk
	David Urkevich	Town Comptroller
	Joe Whalen	Highway Superintendent
	Debra Kaelin	Town Attorney (attended via FaceTime)

The Supervisor called the meeting to order at 6:31 p.m. and the Pledge of Allegiance was recited.

### **REPORTS**

Highway/Water Superintendent Joseph Whalen, Dog Control Officer Thomas Shambo, Town Clerk Carol Gumienny, and Building Inspector Jeff Stickles submitted reports for September 2022. They are on file in the Town Clerk's office.

Library Director Rebecca Darling stated that the construction of the Local History Room and the LED lighting upgrade continues. The Local History Room is almost complete and work on the lighting will continue throughout the month. The library is offering several programs for adults in October. Sorella Spa & Wellness is offering weekly exercise classes, there are three adult book clubs, a painting class and cookie decorating happening. Anyone interested can register online or by calling the library. The Story Walk will be up in Anchor Diamond Park through the end of the month. Mother Bruce by Ryan T. Higgins is displayed on the Blue Trail. This was made possible by a partnership with the Ballston Parks Committee, the Friends of the Library, and the Sheridan Family.

### **FINANCIAL REPORT**

Town Comptroller David Urkevich stated that the financial reports for the month are looking good. Revenue is higher than anticipated and expenses are on pace for A, B and Highway. Mr. Urkevich still predicts an \$800,000 surplus in sales tax revenue; however, some of this money has already been accounted for. On the agenda this evening, supplemental appropriations are needed to adjust budgets for Jenkins Park and Lighting District #1 for higher than anticipated operating costs. Next month, the NYS Tax and Finance Department will do another adjustment. In July, there was a massive drop in sales tax revenue that was unexplained at the County and State level. The Highway garage expansion will be moving into a long-term debt situation. Mr. Urkevich would like to keep up the pace of adding \$230,000 to \$240,000 a year to the reserve, which is currently at \$1.6 million.

### **SUPERVISOR'S REPORT**

Supervisor Connolly stated that there have been some burglaries reported on Westside Drive and Eastside Drive. He had posted on Facebook a picture of the suspected persons. He is certain that they will be caught. Supervisor Connolly also stated that there are three projects in the works to assist with cell phone service: a land lease for a tower to be built at Town Hall, a potential tower off Dominic Drive, and Dish Network will be going on the tower in Burnt Hills. This should greatly improve cell service in Town.

### **COUNCIL MEMBERS REPORTS**

Councilwoman Jasinski stated that the Town's EV stations are required to run software on the stations for five years after installation; therefore, the stations have been brought back online to stay in compliance. Mr. Urkevich was able to acquire a four-year contract. A maintenance agreement is not needed; PlugIn Stations will take care of maintenance.

There is a change order for the Ballston Lake Sewer District project on the agenda this evening and she asked Ed Hernandez, project engineer, to explain. Mr. Hernandez stated that when projects such as these occur, all the existing utilities need to be located and their locations are put on a survey. The utility companies mark out where they believe the utilities are and this information is used to put the project together. For this change order, a water line in a certain section is not supposed to be where it is; it is in the sewer line easement; therefore, it needs to be relocated to where it should be. The cost of \$55,000 will be absorbed by the project. There is enough grant money to cover the cost. He

recommends that the work be done as does Water Superintendent Joe Whalen. Mr. Hernandez also stated that he will be receiving a proposal for paving the roads in Buell Heights. He will present this to the Board in the future. The cost will be paid for using the extra grant money given to the Ballston Lake sewer project. Any monies not spent will be returned to the State.

Ms. Jasinski stated that she will work with the Building and Assessor's offices on the EDU deferral applications received for the Ballston Lake Sewer project. They will be presented to the Board at a future meeting.

The Carpenter's Acres Sewer Operation and Maintenance Agreement is on the agenda tonight for the Board to consider approving. Once approved, the residents can start the process of connecting.

Ms. Jasinski also stated that she will meet this week with National Grid on the LED upgrade for streetlights.

Councilman Fendrick stated that volunteers from Immaculate Conception Church will be working in Anchor Diamond Park on October 22<sup>nd</sup>. The Parks and Rec Committee needs one alternate member. The Committee is currently working on a 10-year plan. Resolution 22-286 is a proposal to rescind a prior resolution for the Goode St. extension project. After doing additional research, the Committee will not be proceeding with this project at this time.

Councilman Carota reported that the project at the library is progressing. He looks forward to the project being completed.

Councilman Curtiss stated that the Farmland Protection Committee will be meeting soon. They are looking for Committee members. People do not have to be farmers to be part of the committee. He is frustrated that the Committee has not done much lately.

## **OLD BUSINESS**

### **Phase 1 and Phase 2 Trail Extension – MJ Engineering Proposal**

The Supervisor stated that this proposal will pay for the engineering, permitting, and getting everything in place for the grant application process. This will show that work has been done and is in place for the project. The proposal is for approximately \$236,000. There is a good possibility that the Town will receive a \$34,500 County grant which will reduce the cost to an approximate \$200,000 investment. The danger is that we may never get a grant; however, if we don't take this step, the Town won't get any grants. He believes it is a good investment. Ms. Jasinski thanked the Supervisor for getting the information on how much a grant would cover if the Town was to receive one. It would cover 80% of the project cost. This is a large cost for a project that may not happen; however, this step will show that the Town has a plan. Her thought is to make sure that we have the right of ways before investing \$200,000. There are 9 easements that would be needed including one from National Grid. There may also be additional costs such as going out to bid, added engineering costs, or if a Type 1 SEQRA is needed. The Supervisor suggested that the resolution be tabled to make sure that acquiring these easements is not a stumbling block and get it in writing. Councilman Carota stated that this is something that should be investigated.

## **NEW BUSINESS**

### **Ballston Lake Emergency Squad (BLEMS)**

Supervisor Connolly stated that the Ballston Lake Emergency Squad is a proud organization that has served our Town admirably. This is a tough, emotional topic but fact related, that needs to discuss and confront. Prior, there had been concerns about BLEMS calls that were mishandled that the Town investigated. The claims were unfounded. All items had justifiable reasons why things were done the way they were. This was not on the Town's radar anymore. The Supervisor was very surprised on September 28<sup>th</sup> when speaking to Mike McEvoy, the head of Saratoga County EMS, he learned that staffing issues were real; for the last six months BLEMS had been kicking MAs (mutual aid). MAs occur when agencies are busy and need help, the neighboring agencies will assist. 5% of calls kicked to MAs is acceptable for agencies; BLEMS has been over 20% for the last 6 months. When this occurs, other municipalities must pick up the slack; 20% is significant. They are offering services to us, and they are paying for these services when this should not happen beyond 5%. Mr. McEvoy stated to the Supervisor that he felt that the County is liable at this point because the County is aware of the situation. The County met with BLEMS unbeknownst to the Supervisor that any struggles were occurring. The high percentage of MAs create a ripple effect. For example, if Clifton Park sends an ambulance to Ballston, there is one less ambulance for Clifton Park. This can cause serious problems and delays in service for our Town and surrounding towns. Mr. McEvoy addressed his concerns with BLEMS, and the high volume of MAs continued. This made him nervous that the County would be open for a lawsuit, as would the Town. The next day, (September 29<sup>th</sup>) the Town

attorney reviewed the contract the Town has with BLEMS. The contract stated that terminating the contract would need to be done by mailing a letter by September 30<sup>th</sup>. As Supervisor, he needs to make sure that residents are safe and being served. The special district that pays for these services are not being upheld. He spoke to the Supervisors of Clifton Park and Charlton, and they all signed (including Mr. Connolly) a letter sent to BLEMS which requested a response from BLEMS as to what they were going to do immediately about the situation. The Supervisor also signed a letter to terminate the contract with BLEMS postmarked on September 30<sup>th</sup>. This had to be done due to timing. Tonight, there is a resolution before the Board to formalize his action. A letter was received from BLEMS who responded to the letter from the three Supervisors, who are served by the agency, and the response was not acceptable. The blame is being put on E5, an outside agency that supplies medics to BLEMS. The blame does not lie with that agency; the Town did not contract with E5. Casting the blame on E5 is something that won't be acknowledged as a reason. Supervisor Connolly does not have his dates aligned, but he knows that Mr. McEvoy reached out early in the process when the high volume of MAs was discovered. At that point, it was their Board's responsibly to take immediate action to come into compliance with the contract and to make sure that the MAs start to come down swiftly. BLEMS chose to continue to work with E5, which was a mistake. Currently, BLEMS is working towards a plan. The County has lost confidence in the leadership of BLEMS. Supervisor Connolly knows that these are tough words to hear, and this is not easy for him to deal with. There are things that will be discussed further in Executive Session. The termination letter stands. The Supervisor stated that he will table the resolution and revisit it after Executive Session.

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

*Mike Siiss* stated that he is the EMS Director of Ballston Lake EMS and added that the meeting that was referenced (by the Supervisor) with Mr. McEvoy occurred in the beginning of this summer and unbeknownst to the Board, Mr. McEvoy and the community, the Board of Directors took that very seriously and formed a committee. It is very difficult to find a way to terminate a contract with someone (E5) that they have partnered with for almost eight years. For the first seven years, they were fantastic. They had a great partnership, they provided medics and EMTs and they were answering calls. E5 sited some staffing issues that started with the COVID pandemic, and they were unable to provide some staff. In the beginning of the year, they pleaded to try to get them new people, our volunteers were doing the best they could to supplement that staffing. Once that meeting with Mr. McEvoy took place, BLEMS knew that something had to change. A committee was formed, a lot of research was done and on September 6th, they opted to hire Mr. Siiss as their EMS Director. Mr. Siiss stated that they are fully staffed beginning on November 1st. The reason for starting on November 1<sup>st</sup> is instead of pulling people from other surrounding agencies, which does nothing for the Town, he needs to get past the scheduling that people were already committed to at other locations to fully staff the schedule. They have an entire crew of paid EMTs, paramedics, and 14 volunteers that will be supplementing the staff to allow an ambulance and a flag car to respond to emergencies. On September 30th, he received a letter from the three Supervisors and promptly responded as instructed. He believes they have a plan, and believe it is 100% sustainable. There are additional applications on file from people who want to work for our agency. They have changed the culture, changed the bi-laws and have restructured the entire organization so that the Board of Directors of BLEMS handles the fiscal responsibilities and Mr. Siiss will oversee the operations of the agency with other supervisors. They have staff. Mr. Siiss stated that if you speak to Mr. Envoy the culture in EMS is very difficult. People are overworked and underpaid, there is drama and toxicity. If you speak to surrounding agencies, they are generally running with less staff than they should. He apologized to them for the undue burden that they have placed on them. He can assure the Town Board that mutual aid requests will be under the 5% and that they are already studying the numbers for a second crew to allow them to respond and reciprocate mutual aid to our neighboring communities. He believes that given the opportunity, he can do the Board very proud, and the Town Board will be very impressed with the changes. He asked for 90 days to look at the numbers. It would be a shame to remove three ambulances, a flag car, and a fully stocked staff with an agency that is a ½ mile of the Town line. He asked for this opportunity. Councilman Fendrick asked if E5 is completely gone. Mr. Siiss stated that the contract with E5 is terminated effective on November 1st. They could no longer partner with hope that they will fix their staffing issue. Councilman Fendrick asked what kind of training the new people need before November 1<sup>st</sup>. Mr. Siiss stated that they are completely trained and come from other agencies throughout the entire area. Councilman Fendrick also asked how Mr. Siiss feels the pay structure will be in comparison with other places and is it set up for employee retention, or will people look for a higher paying job somewhere else? Mr. Siiss stated that this was researched. He looked at the pay in the Ballston Spa community, Malta, and

Clifton Park. The pay is a little higher in the Ballston Spa community but is a little lower than Clifton Park and Malta because they do transports out of urgent care, it is about \$1 an hour more. BLEMS is a nice agency with great equipment and people have sought us out. It is anticipated to add another crew during peak hours. The Supervisor asked Mr. Siiss his prior role at E5? Mr. Siiss stated that he was staff paramedic for the last eight years, he covered staffing and a couple of agencies for them. The Supervisor also asked if there was a non-compete clause in the contract that ended up with termination there? Ms. Siiss stated no. Mr. Siiss welcomed the questions. He is hoping for an opportunity to prove it. Supervisor Connolly stated that the contract ends on December 31, 2022. Mike McEvoy has a plan on how the Town would be covered should the Board decide to end the contract. The Town would be covered by Clifton Park, Jonesville, Malta, and Community Emergency. The Supervisor stated that a 5% increase in the budget is not much of a big deal, but the ask for an increase for an administrative position, which comes with a descent salary, and good pay for the medics; he asked what the increase is in the BLEMS special district for 2023. Mr. Urkevich stated that overall, it is about 15% higher than last year. Mr. Siiss stated that the financials have been examined and he is willing to be prepared to cancel the budget increase for 2023, go flat for 2022, and a potential renegotiation that would be financially beneficial to the Town of Ballston. They would be prepared to discuss this as well.

*Herb Jackson*, of Waverly Road, stated that has been a member of BLEMS for 35 - 40 years. In all the years, he does not know of another problem that they have (besides the complaints that were discussed by the Supervisor and resolved). It is stated in the contract (with E5) that medics will be provided 24/7. They did not do this. BLEMS started working on what to do. Mr. Siiss turned down the offer four times to become the BLEMS director. Mike McEvoy came to the committee with Clifton Park and Malta. The agency didn't know but knew they were shorthanded. In April, Mr. Jackson went to the agency and the BLEMS Board meeting and stated that they are low in pay. BLEMS gave a \$5 an hour raises retroactive to people in E5 to make this organization work. Clifton Park and Malta stated that they could not help BLEMS if they needed assistance; they stated that they could not fill their own cars with staff. How are the people going to feel in the community when an ambulance comes from who knows where. BLEMS has some of the best equipment in Saratoga County. They look after their funds. They spent \$300,000 to redo three chassis on the ambulances over the last few years; the ambulances are like new. They are trying. He doesn't think it's fair that Mr. McEvoy has a better plan. Clifton Park told BLEMS that they can't help. Mr. Siiss has a two-year contract. BLEMS has a plan to get the organization back on track. There are no more volunteers. BLEMS finances are better than other agencies in the county. They have no debt or mortgages.

*Ashley Edwards*, of Thompson Street, and the Executive Director of Emergency Corps., stated that she attended this evening to introduce herself to the Board. She stated that they provide service to part of the Town, and they are willing to help in any way that they can.

*Mark Barkyoumb*, of Chase Lane, spoke on Resolution 22-286. He is happy that this resolution will be rescinded. He is a newer homeowner and recently learned about the project. He is not keen on this idea. He has spoken to his neighbors, and they feel the same way. Spending \$60,000 of tax money to put in a road in the middle of properties on Chase Lane and Carriage Run does not make sense. He does not agree with this expense and the issues that come along with it such as dust and drainage issues. The parking spots planned are for people to do who knows what - drugs, parties in the middle of the woods. He already has issues with people and snowmobilers on his property. There is an access to the park on Middleline Road. This (project) has not been planned out and it does not make any sense to him. He feels it may be brought up again next year. He stated that the \$60,000 could be spent on something more resourceful than a dirt road. He was told it was for access; if so, then why is it public? To allow random people to drive down his property does not make sense.

*Vince Santandrea* of Carriage Run, spoke on Resolution 22-286. He spoke with Mr. Barkyoumb who brought this project to his attention. He is not thrilled with the idea. When he purchased his home four years ago, he was told that there was an easement for a trail; he was not under the impression it was for a gravel road. He is not familiar with the plan. He just invested \$100,000 on a pool in his back yard and does not want dust, stone, or anything else, at who knows what time of the day, in his yard. There is access already to the park and he doesn't see an overflow. He asked about the Town notifying residents about this. The Supervisor stated that the two homeowners have been notified. Councilman Fendrick stated that letters went out in the past and that the project had been discussed at numerous Town Board and Park & Rec Committee meetings for months. Mr.

Santandrea asked, if the resolution is rescinded, will it be reapproached in the spring. The Supervisor stated that it will be reevaluated by the Parks & Rec Committee.

**NEW BUSINESS FOR CONSIDERATION AND ACTION THIS EVENING**

**RESOLUTION 22-266**

**APPROVE THE SUPERVISOR'S FINANCIAL REPORT FOR SEPTEMBER 2022.**

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

The following resolution was tabled on a motion by Councilman Fendrick and seconded by Councilwoman Jasinski. All Board members were in favor. This will need further discussion during Executive Session this evening. It will be revisited with anticipated action after Executive Session.

**Resolution 22-267**

Consider approving the notice of termination of the contract with the Ballston Lake Emergency Medical Squad, Inc., retroactive to September 30, 2022. This contract will expire on December 31, 2022.

**RESOLUTION 22-268**

**APPROVE A SHORT-TERM INTERFUND LOAN FROM A FUND TO BH-BL LIGHTING DISTRICT #1 IN THE AMOUNT OF \$5,000.00 TO ACCOUNT FOR HIGHER THAN ANTICIPATED ELECTRIC UTILITY COSTS TO BE REPAID WITH 2023 TAX LEVY. CONSIDER A RELATED SUPPLEMENTAL APPROPRIATION TO THE 2022 FINAL BUDGET TO INCREASE BH-BL LIGHTING DISTRICT #1'S "INTERFUND LOAN REVENUES" REVENUE ACCOUNT AND THE "UTILITIES – ELECTRIC" EXPENSE ACCOUNT BY THE SAME AMOUNT. THE SOURCE OF THE FUNDS WILL BE THE ABOVE INTERFUND LOAN FROM A FUND. CONSIDER A RELATED SUPPLEMENTAL APPROPRIATION TO THE 2023 TENTATIVE BUDGET TO INCREASE THE "REAL PROPERTY TAXES" REVENUE ACCOUNT AND THE "INTERFUND LOANS" EXPENSE ACCOUNT BY THE SAME AMOUNT TO REPAY A FUND. THE SOURCE OF THE FUNDING WILL BE THE BH-BL LIGHTING DISTRICT #1 2023 TAX LEVY.**

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

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

Nays 0

**RESOLUTION 22-269**

**APPROVE A SUPPLEMENTAL APPROPRIATION TO THE 2022 FINAL BUDGET TO INCREASE B FUND'S "BUDGETED FUND BALANCE DRAW" REVENUE ACCOUNT AND "OTHER PUBLIC SAFETY – CONTRACTUAL NOT SPECIFIED" EXPENSE ACCOUNT BY \$5,945.23 FOR 11 ADDITIONAL DAYS OF SPECIALIZED LAW ENFORCEMENT SERVICE FROM SARATOGA COUNTY SHERIFF'S DEPARTMENT AS PREVIOUSLY APPROVED VIA RESOLUTION 22-180. THE SOURCE OF THE FUNDS WILL BE B FUND, FUND BALANCE.**

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 22-270**

**APPROVE A SUPPLEMENTAL APPROPRIATION TO THE 2022 FINAL BUDGET TO INCREASE JENKINS PARK'S "BUDGETED FUND BALANCE DRAW" REVENUE ACCOUNT AND "PARKS FACILITIES EXPENDITURES" EXPENSE ACCOUNT BY \$10,000.00 TO ACCOUNT FOR HIGHER THAN ANTICIPATED GROUNDS MAINTENANCE AND MATERIALS COSTS. THE SOURCE OF THE FUNDS WILL BE JENKINS PARK FUND, FUND BALANCE.**

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

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

**RESOLUTION 22-271**

**APPROVE A SUPPLEMENTAL APPROPRIATION TO THE 2022 FINAL BUDGET TO INCREASE B FUND'S "BUDGETED FUND BALANCE DRAW" REVENUE ACCOUNT AND "ZONING – OUTSIDE PROFESSIONAL SERVICES" EXPENSE ACCOUNT BY \$188,080.00 FOR THE COMPLETION OF THE TOWN'S COMPREHENSIVE PLAN BY M.J. ENGINEERING. THE M.J. PROPOSAL RELATING TO PHASE 4 OF THE COMPREHENSIVE PLAN WAS APPROVED BY THE TOWN BOARD ON OCTOBER 26, 2021, VIA RESOLUTION #21-280. THE SOURCE OF THE FUNDS WILL BE B FUND, FUND BALANCE.**

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

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

The following resolution was tabled on a motion made by Councilman Fendrick and seconded by Councilman Curtiss. All Board members were in favor.

**Resolution 22-272**

Consider approving a proposal dated September 6, 2022, from M.J. engineering to provide surveying, engineering, right of way acquisition, and permitting services related to the extension of the Veteran's Memorial Bike Trail in the amount of \$236,200. Consider a related supplemental appropriation to the 2022 Final Budget and 2023 Tentative Budget to increase A Fund's "Budgeted Fund Balance Draw" Revenue Account and the "Contractual Expenditures – Parks & Rec" account by \$236,200.00 to adjust for this investment. the source of the funds will be Parkland Deposit Reserve. Grant opportunities are present and will offset the impact of Parkland Deposit Reserve, if successful.

**RESOLUTION 22-273**

**APPROVE A SUPPLEMENTAL APPROPRIATION TO THE 2022 FINAL BUDGET TO INCREASE HIGHWAY FUND'S "BUDGETED FUND BALANCE DRAW" REVENUE ACCOUNT AND "HIGHWAY EQUIPMENT & CAPITAL OUTLAY" EXPENSE ACCOUNT BY \$6,542 TO ADJUST FOR THE PURCHASE OF A 2022 JOHN DEERE 624P WHEEL LOADER. THIS PURCHASE FROM UNITED CONSTRUCTION & FORESTRY WAS APPROVED BY THE TOWN BOARD ON DECEMBER 14<sup>TH</sup>, 2021, VIA RESOLUTION 21-324. THE SOURCE OF THE FUNDS WILL BE HIGHWAY FUND, FUND BALANCE.**

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 22-274**

**APPROVE THE TOWN OF BALLSTON'S 2023 TENTATIVE BUDGET.**

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

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

**RESOLUTION 22-275**

**SET A PUBLIC HEARING FOR THE 2023 WATER RATES FOR THE BALLSTON CONSOLIDATED WATER DISTRICT FOR TUESDAY OCTOBER 25, 2022, AT 6 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 22-276**

**SET A PUBLIC HEARING FOR THE 2023 WATER RATE FOR THE PARADOWSKI ROAD WATER DISTRICT FOR TUESDAY, OCTOBER 25, 2022, AT 6:05 P.M.**

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 22-277**

**SET A PUBLIC HEARING FOR THE 2023 WATER RATE FOR THE MORNINGDALE COURT WATER DISTRICT FOR TUESDAY, OCTOBER 25, 2022, AT 6:10 P.M.**

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

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

Nays 0

**RESOLUTION 22-278**

**SET A PUBLIC HEARING FOR THE 2023 PRELIMINARY BUDGET FOR TUESDAY, OCTOBER 25, 2022, AT 6:15 P.M.**

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

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

Nays 0

**RESOLUTION 22-279**

**APPROVE THE SUPERVISOR TO EXECUTE A FIVE (5) YEAR LEASE AGREEMENT WITH DISH WIRELESS, LLC FOR PLACEMENT OF COMMUNICATION EQUIPMENT ON THE MONOPOLE OWNED BY THE TOWN AND LOCATED ON NYS ROUTE 50. THIS LEASE REPLACES LEASED SPACE ON THE TOWN'S MONOPOLE WITH SPRINT. THE LEASE PROVIDES FOR AN INITIAL FIVE (5) YEAR TERM WITH FOUR (4) ADDITIONAL FIVE (5) YEAR AUTOMATIC RENEWALS OF BOTH THE TERM AND THE ADJUSTED RENT. THE FIRST YEAR OF THE LEASE SHALL PROVIDE FOR RENTAL PAYMENTS IN THE AMOUNT OF \$1,650 PER MONTH WITH AN ANNUAL 2% INCREASE. THIS RESOLUTION AND THE AUTHORITY TO SIGN SHALL NOT BE EFFECTIVE UNTIL THIRTY (30) DAYS HAVE PASSED SINCE IT IS SUBJECT TO A PERMISSIVE REFERENDUM UNDER TOWN LAW.**

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 22-280**

**APPROVE THE OPERATIONS AND MAINTENANCE AGREEMENT FOR THE CARPENTER'S ACRES SEWER DISTRICT BETWEEN THE TOWN OF BALLSTON AND THE SARATOGA COUNTY SEWER AUTHORITY AND AUTHORIZE THE SUPERVISOR TO EXECUTE THE AGREEMENT.**

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

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

Nays 0

**RESOLUTION 22-281**

**APPROVE TO APPOINT JESSICA MISHAGA AS A MEMBER OF THE SIDEWALK COMMITTEE FOR A TERM BEGINNING OCTOBER 11, 2022, AND ENDING DECEMBER 31, 2022.**

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

Discussion: The Supervisor stated that the term is short due to it is a yearly appointment and a reappointment will occur during the Organization Meeting. The Committee is currently not too active due to that there are no funds for installing sidewalks.

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

Nays 0

**RESOLUTION 22-282**

**APPROVE THE RESIGNATION OF DALE KING AS A PLANNING BOARD MEMBER EFFECTIVE OCTOBER 11, 2022.**

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 22-283**

**APPROVE THE APPOINTMENT OF MICHAEL ZURITIS AS A MEMBER OF THE PLANNING BOARD FOR A TERM BEGINNING OCTOBER 11, 2022, AND ENDING DECEMBER 31, 2023. MR. ZURITIS WILL COMPLETE THE TERM OF MR. KING.**

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

Discussion: The term was questioned. Mr. King was completing the term of a former member; therefore Mr. Zuritis will complete this term.

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

Nays 0

**RESOLUTION 22-284**

**APPROVE THE APPOINTMENT OF ANDREW COLLAR AS FIRST ALTERNATE FOR THE PLANNING BOARD EFFECTIVE OCTOBER 11, 2022.**

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 22-285**

**APPROVE THE APPOINTMENT OF DALE KING AS SECOND ALTERNATE FOR THE PLANNING BOARD EFFECTIVE OCTOBER 11, 2022.**

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

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

Nays 0

**RESOLUTION 22-286**

**APPROVE TO RESCIND RESOLUTION 22-242 REGARDING CONSTRUCTION OF A REAR ENTRANCE OFF GOODE STREET TO ANCHOR DIAMOND PARK.**

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

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

Nays 0

**RESOLUTION 22-287**

**APPROVE THE SUPERVISOR TO EXECUTE A CHANGE ORDER FOR CONTRACT#1 TRINITY CONSTRUCTION IN THE AMOUNT OF \$55,000 FOR THE BALLSTON LAKE SEWER DISTRICT TO RELOCATE APPROXIMATELY 250 FEET OF WATER MAIN.**

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

Discussion: Highway Superintendent Joe Whalen stated that the new pipe will be detectable.

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

Nays 0

*Privilege of the floor on any topic (limit 3 minutes)*

*No one wished to speak.*

A motion was made by Councilman Fendrick and seconded by Councilman Carota to enter Executive Session to discuss a contract with possible anticipated action when returning to Regular session. All Board members were in favor.

