

We hereby certify that the vouchers listed on this abstract for this period consisting of these attached pages were audited and allowed in the amounts shown. Authorization is hereby given and direction is made to pay each of the claimants the amount opposite his or her name.

July 10, 2023

Mayor

Trustee

Trustee

Trustee

Trustee

Village of Ballston Spa Abstract of Audited Vouchers

<u>Claimant</u>	<u>Invoice Date</u>	<u>Invoice Description</u>	<u>Voucher #</u>	<u>Distribution Acct</u>	<u>Account Description</u>	<u>A/P Owed</u>	<u>Chk #</u>	<u>Chk Date</u>
Voucher Type: Prepaid								
Arch Insurance	7/01/2023	20230701	1448	TA.0019.000.000	Disability	424.27	0006296	7/06/2023
<u>Arch Insurance Total</u>						<u>424.27</u>		
Colonial	6/27/2023	3757580-0607668	1414	TA.0010.000.000	Consolidated Payroll	125.24	0006297	7/06/2023
<u>Colonial Total</u>						<u>125.24</u>		
Equitable- Axa	5/30/2023	574.95	1415	TA.0020.000.000	Group Insurance	574.95	0006298	7/06/2023
<u>Equitable- Axa Total</u>						<u>574.95</u>		
G A Bove & Sons, Inc.	5/01/2023	146914 past due invoice.	1413	AA.3120.403.000	Police CE - Fuel	551.30	0006299	7/06/2023
	5/01/2023	146914 past due invoice.		AA.3412.403.000	Union Fire Dept CE - Fuel	358.98	0006299	7/06/2023
	5/01/2023	146914 past due invoice.		AA.3410.403.000	Fire Chiefs CE - Fuel	100.24	0006299	7/06/2023
	5/01/2023	146914 past due invoice.		AA.5110.403.000	Street Administration CE - Fuel	563.83	0006299	7/06/2023
<u>G A Bove & Sons, Inc. Total</u>						<u>1,574.35</u>		
Mvp Health Plan, Inc.	6/10/2023	18275602	1416	AA.9089.800.000	Other EB (Sect. 125) EB	2,122.44	0006300	7/06/2023
<u>Mvp Health Plan, Inc. Total</u>						<u>2,122.44</u>		
National Grid #00302-11100	7/01/2023	20230701	1425	AA.3411.401.000	E.M.L. Fire Dept CE - Utilities	67.74	0006301	7/06/2023
<u>National Grid #00302-11100 Total</u>						<u>67.74</u>		
National Grid #04680-43012	7/01/2023	20230701	1429	AA.5110.401.000	Street Administration CE - Utilities	20.13	0006302	7/06/2023
<u>National Grid #04680-43012 Total</u>						<u>20.13</u>		
National Grid #05150-26007	7/01/2023	20230701	1428	AA.5182.400.000	Street Lighting CE	52.71	0006303	7/06/2023
<u>National Grid #05150-26007 Total</u>						<u>52.71</u>		
National Grid #05290-90006	7/01/2023	20230701	1438	AA.3120.401.000	Police CE - Utilities	41.25	0006304	7/06/2023
<u>National Grid #05290-90006 Total</u>						<u>41.25</u>		

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National Grid #06650-72006			1437					
	7/01/2023	20230701		AA.3120.401.000	Police CE - Utilities	43.71	0006305	7/06/2023
<u>National Grid #06650-72006 Total</u>						<u>43.71</u>		
National Grid #06786-00005			1436					
	7/01/2023	20230701		AA.5182.400.000	Street Lighting CE	12.25	0006306	7/06/2023
<u>National Grid #06786-00005 Total</u>						<u>12.25</u>		
National Grid #07102-11117			1427					
	7/01/2023	20230701		AA.7110.401.000	PARKS - Wiswall & Iron Spring CE - Utilities	55.88	0006307	7/06/2023
<u>National Grid #07102-11117 Total</u>						<u>55.88</u>		
National Grid #07902-11102			1426					
	7/01/2023	20230701		AA.7110.401.000	PARKS - Wiswall & Iron Spring CE - Utilities	39.19	0006308	7/06/2023
<u>National Grid #07902-11102 Total</u>						<u>39.19</u>		
National Grid #19782-62011			1430					
	7/01/2023	20230701		AA.7110.401.000	PARKS - Wiswall & Iron Spring CE - Utilities	21.72	0006309	7/06/2023
<u>National Grid #19782-62011 Total</u>						<u>21.72</u>		
National Grid #22302-11106			1422					
	7/01/2023	20230701		AA.7110.401.000	PARKS - Wiswall & Iron Spring CE - Utilities	47.93	0006310	7/06/2023
<u>National Grid #22302-11106 Total</u>						<u>47.93</u>		
National Grid #23352-17119			1445					
	7/01/2023	20230701		AA.8340.401.000	Transmission & Distribution - CE - Utiliti	21.02	0006311	7/06/2023
<u>National Grid #23352-17119 Total</u>						<u>21.02</u>		
National Grid #23730-27002			1421					
	7/01/2023	20230701		AA.5110.401.000	Street Administration CE - Utilities	24.35	0006312	7/06/2023
<u>National Grid #23730-27002 Total</u>						<u>24.35</u>		
National Grid #26440-07109			1446					
	7/01/2023	20230701		AA.3412.401.000	Union fire Dept CE - Utilities	555.44	0006313	7/06/2023
<u>National Grid #26440-07109 Total</u>						<u>555.44</u>		
National Grid #27040-07109			1447					
	7/01/2023	20230701		AA.8340.401.000	Transmission & Distribution - CE - Utiliti	1,589.00	0006314	7/06/2023
<u>National Grid #27040-07109 Total</u>						<u>1,589.00</u>		

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National Grid #33952-17109	7/01/2023	20230701	1432	AA.8340.401.000	Transmission & Distribution - CE - Utili	23.12	0006315	7/06/2023
<u>National Grid #33952-17109 Total</u>						<u>23.12</u>		
National Grid #34552-95103	7/01/2023	20230701	1439	AA.5182.400.000	Street Lighting CE	5,269.57	0006316	7/06/2023
<u>National Grid #34552-95103 Total</u>						<u>5,269.57</u>		
National Grid #36300-04011	7/01/2023	20230701	1440	AA.8340.401.000	Transmission & Distribution - CE - Utili	1,678.79	0006317	7/06/2023
<u>National Grid #36300-04011 Total</u>						<u>1,678.79</u>		
National Grid #39652-22103	7/01/2023	20230701	1431	AA.7180.401.000	Spec Rec Fac CE - Utilities	463.28	0006318	7/06/2023
<u>National Grid #39652-22103 Total</u>						<u>463.28</u>		
National Grid #41352-17108	7/01/2023	20230701	1424	GG.8120.401.000	Sanitary Sewers CE - Utilities	74.07	0006319	7/06/2023
<u>National Grid #41352-17108 Total</u>						<u>74.07</u>		
National Grid #43186-94007	7/01/2023	20230701	1423	AA.8340.401.000	Transmission & Distribution - CE - Utili	225.64	0006320	7/06/2023
<u>National Grid #43186-94007 Total</u>						<u>225.64</u>		
National Grid #58830-37004	7/01/2023	20230701	1433	AA.5110.401.000	Street Administration CE - Utilities	23.71	0006321	7/06/2023
<u>National Grid #58830-37004 Total</u>						<u>23.71</u>		
National Grid #70081-15023	7/01/2023	20230701	1442	AA.8340.401.000	Transmission & Distribution - CE - Utili	671.80	0006322	7/06/2023
<u>National Grid #70081-15023 Total</u>						<u>671.80</u>		
National Grid #77952-17101	7/01/2023	20230701	1434	AA.3411.401.000	E.M.L. Fire Dept CE - Utilities	369.52	0006323	7/06/2023
<u>National Grid #77952-17101 Total</u>						<u>369.52</u>		
National Grid #80502-10107	7/01/2023	20230701	1420	AA.1620.401.000	Shared Services CE- Front St.- Utilities	272.59	0006324	7/06/2023
<u>National Grid #80502-10107 Total</u>						<u>272.59</u>		

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National Grid #82302-10105	7/01/2023	20230701	1419	AA.7110.401.000	PARKS - Wiswall & Iron Spring CE - Utilities	33.76	0006325	7/06/2023
<u>National Grid #82302-10105 Total</u>						<u>33.76</u>		
National Grid #86140-11100	7/01/2023	20230701	1418	LL.7410.401.000	Library CE - Utilities	646.03	0006326	7/06/2023
<u>National Grid #86140-11100 Total</u>						<u>646.03</u>		
National Grid #86540-11102	7/01/2023	20230701	1441	AA.1640.401.000	Central Garage CE - Utilities	284.92	0006327	7/06/2023
<u>National Grid #86540-11102 Total</u>						<u>284.92</u>		
National Grid #87340-11108	7/01/2023	20230701	1417	AA.1621.401.000	Municipal Bldg CE - 30 Bath St Utilitie	275.46	0006328	7/06/2023
<u>National Grid #87340-11108 Total</u>						<u>275.46</u>		
National Grid #94502-10106	7/01/2023	20230701	1435	AA.1621.401.000	Municipal Bldg CE - 30 Bath St Utilitie	87.68	0006329	7/06/2023
<u>National Grid #94502-10106 Total</u>						<u>87.68</u>		
National Grid #99114-24102	7/01/2023	20230701	1443	AA.8340.401.000	Transmission & Distribution - CE - Utiliti	1,783.01	0006330	7/06/2023
<u>National Grid #99114-24102 Total</u>						<u>1,783.01</u>		
National Grid #99314-24108	7/01/2023	20230701	1444	AA.8340.401.000	Transmission & Distribution - CE - Utiliti	1,994.22	0006331	7/06/2023
<u>National Grid #99314-24108 Total</u>						<u>1,994.22</u>		
Total for Voucher Type: Prepaid						<u>21,590.74</u>		
Voucher Type: PriorYear								
Saratoga Flag Company	5/23/2023	P0523-5	1531	AA.7550.400.000	Celebrations CE	997.00		
<u>Saratoga Flag Company Total</u>						<u>997.00</u>		
Town Of Ballston	1/30/2023	1-101	1533	AA.1420.400.000	Attorney CE	2,833.33		
<u>Town Of Ballston Total</u>						<u>2,833.33</u>		
Total for Voucher Type: PriorYear						<u>3,830.33</u>		

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Voucher Type: Regular								
Amazon Business			1506					
	6/26/2023	1XCV-VNTP-TYTX		AA.7140.404.000	Playgrounds/Kelly Park CE - Repair & Maint	17.89		
	6/27/2023	1GDX-1TXH-VNT4		AA.7140.404.000	Playgrounds/Kelly Park CE - Repair & Maint	53.67		
	6/30/2023	1JCD-DN3G-		AA.5110.404.000	Street Administration CE - Repairs & Mai	53.00		
	6/30/2023	1111-x37m-gvcd		AA.8340.404.000	Transmission & Distribution - CE - Repair	34.98		
						<u>159.54</u>		
Amazon Business Total								
Baker & Taylor			1510					
	6/08/2023	5018397413		LL.7410.405.000	Library CE - Supplies	4.84		
Baker & Taylor Total						<u>4.84</u>		
Bartlett, Pontiff, Stewart & Rhodes,			1493					
	6/28/2023	1411170		AA.1420.400.000	Attorney CE	10,000.00		
	6/28/2023	1411171		AA.1420.400.000	Attorney CE	112.50		
Bartlett, Pontiff, Stewart & Rhodes, P.C. Total						<u>10,112.50</u>		
Bulldog Fire And Emergency App			1521					
	5/26/2023	P0132404		AA.3412.405.000	Union fire Dept CE - Supplies	210.00		
	6/26/2023	RA089004		AA.3412.404.000	Union Fire Dept CE - Repairs & Maint.	202.50		
Bulldog Fire And Emergency App Total						<u>412.50</u>		
Butler Rowland Mays Architects			1530					
	7/01/2023	2 May- June 2023 Library		LL.7410.400.000	Library CE - Contracts	5,500.00		
Butler Rowland Mays Architects Total						<u>5,500.00</u>		
Clardon Pool Service, Inc.			1499					
	6/07/2023	86098		AA.7180.404.000	Spec Rec Fac CE - Repairs & Maint	79.95		
Clardon Pool Service, Inc. Total						<u>79.95</u>		
County Waste - Clifton Park			1517					
	7/01/2023	32663087W910		AA.7180.400.000	Spec Rec Fac CE - Contracts	12.50		
	7/01/2023	32663087W910		AA.1640.400.000	Central Garage CE - Contracts	242.00		
	7/01/2023	32663087W910		AA.3412.406.000	Union Fire Dept CE - Other	60.00		
	7/01/2023	32663087W910		AA.3411.406.000	E.M.L. Fire Edpt CE - Other	60.00		
County Waste - Clifton Park Total						<u>374.50</u>		

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Cummins Sales & Service			1491					
	6/20/2023	V9-98727		AA.3411.405.000	E.M.L. Fire Dept CE - Supplies	111.06		
Cummins Sales & Service Total						<u>111.06</u>		
Curtis Lumber Company, Inc.			1507					
	6/29/2023	2306-249842		LL.7410.404.000	Library CE - Repairs & Maint	4.36		
Curtis Lumber Company, Inc. Total						<u>4.36</u>		
Daigle Cleaning Systems, Inc			1513					
	7/01/2023	22128		AA.1620.400.000	Buildings CE - 66 Front St. - Contracts	345.00		
Daigle Cleaning Systems, Inc. Total						<u>345.00</u>		
Dival Safety Equipment, Inc			1487					
	6/03/2023	3302837		AA.3412.200.000	Union Fire Dept EQ	4,690.00		
	6/05/2023	3298104		AA.3412.200.000	Union Fire Dept EQ	335.00		
	6/12/2023	3302224		AA.3412.200.000	Union Fire Dept EQ	116.50		
	6/19/2023	3305826		AA.3412.200.000	Union Fire Dept EQ	60.15		
	6/22/2023	3308594		AA.3412.200.000	Union Fire Dept EQ	20,664.00		
	6/29/2023	3312317		AA.3412.200.000	Union Fire Dept EQ	2,952.00		
Dival Safety Equipment, Inc Total						<u>28,817.65</u>		
Doyle Security Systems Inc			1508					
	7/01/2023	1478216		LL.7410.405.000	Library CE - Supplies	78.48		
Doyle Security Systems Inc Total						<u>78.48</u>		
Hoffman Car Wash, Inc			1519					
	6/30/2023	0021023-in		AA.3410.400.000	Fire Chiefs CE - Contracts	55.00		
Hoffman Car Wash, Inc Total						<u>55.00</u>		
James, Reddem			1527					
	7/01/2023	20230701 uniform allowance		AA.3120.408.000	Police CE - Uniforms	625.00		
James, Reddem Total						<u>625.00</u>		
Mahoneynotify-Plus, Inc.			1522					
	7/01/2023	0328077-IN		AA.3412.406.000	Union Fire Dept CE - Other	28.50		
	7/01/2023	0328284-IN		AA.3411.406.000	E.M.L. Fire Edpt CE - Other	85.50		
Mahoneynotify-Plus, Inc. Total						<u>114.00</u>		
Marshall And Sterling Ins.			1532					
	5/30/2023	20230701		AA.1910.400.000	Unallocated Insurance CE	38,436.60		
	5/30/2023	20230701		AA.1910.400.000	Unallocated Insurance CE	38,436.60		

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Marshall And Sterling Ins. Total	5/30/2023	20230701		LL.1910.400.000	Unallocated Insurance	38,436.61		
			1529			115,309.81		
	7/01/2023	20230701		AA.9060.800.000	Medical Insurance (Village Share) EB	9.90		
						9.90		
Monaco'S Automotive Services I			1515					
	7/01/2023	20230701		AA.5110.404.000	Street Administration CE - Repairs & Mai	55.42		
						55.42		
Monaco'S Automotive Services I Total			1452					
NAPA *Saratoga Auto Supply								
	4/28/2023	933469		AA.1640.404.000	Central Garage CE - Repairs & Maint.	39.48		
	5/02/2023	934566		AA.1640.404.000	Central Garage CE - Repairs & Maint.	8.70		
	5/03/2023	934921		AA.1640.405.000	Central Garage CE - Supplies	65.97		
	5/04/2023	935251		AA.5110.404.000	Street Administration CE - Repairs & Mai	117.17		
	5/05/2023	935694		AA.5110.404.000	Street Administration CE - Repairs & Mai	15.18		
	5/08/2023	936270		AA.1640.405.000	Central Garage CE - Supplies	593.70		
	5/08/2023	936366		AA.1640.405.000	Central Garage CE - Supplies	13.87		
	5/08/2023	936401		AA.5110.404.000	Street Administration CE - Repairs & Mai	54.04		
	5/09/2023	936803		AA.5110.404.000	Street Administration CE - Repairs & Mai	4.28		
	5/09/2023	936917		AA.5110.404.000	Street Administration CE - Repairs & Mai	89.52		
	5/11/2023	937457		AA.5110.404.000	Street Administration CE - Repairs & Mai	71.18		
	5/12/2023	937807		AA.5110.404.000	Street Administration CE - Repairs & Mai	157.03		
	5/12/2023	937811		AA.5110.404.000	Street Administration CE - Repairs & Mai	-18.00		
	5/12/2023	937911		AA.8340.404.000	Transmission & Distribution - CE - Repair	5.57		
	5/12/2023	938030		AA.5110.404.000	Street Administration CE - Repairs & Mai	5.99		
	5/12/2023	997883		AA.8340.404.000	Transmission & Distribution - CE - Repair	9.38		

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Pitney Bowes (Lease)	6/20/2023	3317608532 April - July 2023 lease	1528	AA.1410.400.000	Village Clerk CE - Contracts	216.42		
<u>Pitney Bowes (Lease) Total</u>						<u>216.42</u>		
Power Plan	5/27/2023	20230701	1451	AA.5110.405.000	Street Administration CE - Supplies	60.27		
<u>Power Plan Total</u>						<u>60.27</u>		
Rudnick'S Uniforms	6/30/2023	149.00 badge	1518	AA.3120.408.000	Police CE - Uniforms	149.00		
<u>Rudnick'S Uniforms Total</u>						<u>149.00</u>		
Seeley Office Systems	6/22/2023	0111108-001	1511	LL.7410.405.000	Library CE - Supplies	94.54		
<u>Seeley Office Systems Total</u>						<u>94.54</u>		
Slack Chemical Company	6/20/2023	201469	1496	AA.8340.404.000	Transmission & Distribution - CE - Repair	-1,004.00		
	6/20/2023	456675		AA.8340.404.000	Transmission & Distribution - CE - Repair	4,669.59		
<u>Slack Chemical Company Total</u>						<u>3,665.59</u>		
Sprint	6/28/2023	155060087-255	1449	AA.3620.402.000	Safety Inspectors CE - Phone & Internet	101.28		
	6/28/2023	155060087-255		AA.8340.402.000	Transmission & Distribution - CE - Phone	100.76		
	6/28/2023	155060087-255		AA.3413.402.000	Fire Police CE- Phone & Internet	50.64		
	6/28/2023	155060087-255		AA.3120.402.000	Police CE - Phone & Internet	207.92		
	6/28/2023	155060087-255		AA.5110.402.000	Street Administration CE - Phone & Internet	101.80		
<u>Sprint Total</u>						<u>562.40</u>		
Ti Sales, Inc	6/23/2023	INV0159067	1498	AA.8340.420.000	Transmission & Distribution - CE - Speci	1,840.68		
<u>Ti_Sales, Inc Total</u>						<u>1,840.68</u>		
Town Of Ballston	7/01/2023	20230706	1516	AA.5680.400.000	Transportation (Shuttle Bus) CE	31.27		
<u>Town Of Ballston Total</u>						<u>31.27</u>		

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United Laboratories	6/20/2023	INV381231	1497	AA.7180.405.000	Spec Rec Fac CE - Supplies	45.02		
United Laboratories Total						<u>45.02</u>		
Verizon Wireless	7/01/2023	9938077060 FIRE DEPTMENTS	1450	AA.3410.402.000	Fire Chiefs CE - Phone & Internet	97.60		
	7/01/2023	9938077060 FIRE DEPTMENTS		AA.3412.402.000	Union Fire Dept CE - Phone & Internet	97.60		
	7/01/2023	9938077060 FIRE DEPTMENTS		AA.3411.402.000	E.M.L. Fire Dept CE - Phone & Internet	97.61		
Verizon Wireless Total						<u>292.81</u>		
W.B. Mason Co, Inc.	6/19/2023	239180228	1526	AA.1410.400.000	Village Clerk CE - Contracts	53.92		
W.B. Mason Co, Inc. Total						<u>53.92</u>		
	6/26/2023	20230626	1514	AA.9060.800.000	Medical Insurance (Village Share) EB	45.00		
						<u>45.00</u>		
Wells Fargo Vendor Fin Serv	6/17/2023	5025559904 POLICE	1512	AA.3120.400.000	Police CE - Other	107.35		
Wells Fargo Vendor Fin Serv Total						<u>107.35</u>		
Witmer Associates, Inc.	6/28/2023	INV281906	1524	AA.3412.200.000	Union Fire Dept EQ	517.37		
	6/28/2023	INV282009		AA.3412.200.000	Union Fire Dept EQ	8.39		
Witmer Associates, Inc. Total						<u>525.76</u>		
Wolberg Electrical Supply Co.	5/09/2023	2563985	1500	AA.5110.404.000	Street Administration CE - Repairs & Mai	19.50		
	6/19/2023	2576994		AA.7140.404.000	Playgrounds/Kelly Park CE - Repair & Maint	340.80		

Village of Ballston Spa Abstract of Audited Vouchers

<u>Claimant</u>	<u>Invoice Date</u>	<u>Invoice Description</u>	<u>Voucher #</u>	<u>Distribution Acct</u>	<u>Account Description</u>	<u>A/P Owed</u>	<u>Chk #</u>	<u>Chk Date</u>
	6/20/2023	2577377		AA-7140-404-000	Playgrounds/Kelly Park CE - Repair & Maint	4.90		
<u>Wolberg Electrical Supply Co. Total</u>						<u>365.20</u>		
Total for Voucher Type: Regular						<u>173,618.44</u>		
Total:								
Prepaid						21,590.74		
PriorYear						3,830.33		
Regular						173,618.44		
Total						<u>199,039.51</u>		

Village of Ballston Spa A/P Distribution Summary by Fund

<u>Fund</u>	<u>District</u>	<u>Amount</u>
AA - General	000	153,076.12
<u>AA Fund Total</u>		<u>153,076.12</u>
GG - Sewer	000	74.07
<u>GG Fund Total</u>		<u>74.07</u>
LL - Library	000	44,764.86
<u>LL Fund Total</u>		<u>44,764.86</u>
TA - Trust & Agency	000	1,124.46
<u>TA Fund Total</u>		<u>1,124.46</u>
Grand Total		199,039.51

Village Clerk

From: Ed Hersh <lionedhersh@gmail.com>
Sent: Friday, June 30, 2023 1:43 PM
To: Village Clerk
Subject: Fair Parking

Hi Teri,

The Ballston Spa Lions Club is looking for permission to park cars during the County Fair July 18-23 in the village right of way along the fence line on fairground ave. We have submitted our insurance certificate to cover us during this time frame. Let me know if there is anything else we need. Thank you.

Ed

Lion Ed Hersh
P.O. Box 294
Burnt Hills, NY 12027
518-496-6162 (cell)



Virus-free www.avg.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/26/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER DSP Insurance Services, Inc. 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams		FAX (A/C. No.): 847-934-6186
	PHONE (A/C. No. Ext.): 1-800-316-8705	E-MAIL ADDRESS: lionsclubs@dspins.com	
INSURED BALLSTON SPA LIONS CLUB Ballston Spa New York	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: ACE American Insurance Company		22667
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR VWD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			HDO G47352241	09/01/2022	09/01/2023	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000						PERSONAL & ADV INJURY \$ 1,000,000
	GENL. AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 10,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
A	AUTOMOBILE LIABILITY			ISA H10761220	09/01/2022	09/01/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/> NON-OWNED AUTOS					BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
							\$
	DED						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WG STATU-TORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y/N	N/A				OTHER
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: Saratoga County Fair Parking July 18 - 23, 2023

The following persons or organizations granting use of real property, including structures thereon are included as Additional Insured(s), but only with respect to General Liability arising out of the use of premises by the insured shown above and not out of the sole negligence of said additional insured.

*** Village of Ballston Spa property on Fairground Avenue, Ballston Spa ***

PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES

CERTIFICATE HOLDER Village of Ballston Spa 66 Front Street Ballston Spa New York 12020	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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Eagle - Matt Lee Fire Co.#1

Est. 1816

John J. Morrissey, Recording Secretary
P.O. Box 4, Ballston Spa NY 12020

June 29, 2023.

The Board of Trustees
Village of Ballston Spa, New York

Trustees,

The members of The Eagle - Matt Lee Fire Co.#1 request permission to hold a " Tag Day " on Saturday, July 22, 2023. From 8:00 o'clock AM to 4:00 o'clock PM.

Thank you for your consideration.

Yours,



John J. Morrissey
Recording Secretary



June 13, 2023

Mayor Frank Rossi Jr.
Village of Ballston Spa
66 Front Street
Ballston Spa, New York 12020

Dear Mayor Rossi,

The Ballston Spa Business & Professional Association would like permission to hold the 21st Annual "The Way We Were" Car Show in downtown Ballston Spa on Sunday, October 8, 2023, from 9:00 am to 4:00 pm. The rain date for this event will be Sunday, October 15, 2023. Set up will start at 6:00am on the day of the event.

Because of the success of past car shows, we would again like to close **Front Street from Milton Avenue up to Charlton Street and Low Street to Walnut Street**. We will be lining the streets with cars and trucks as well as food vendors from our membership and community groups. We would like to close **Bath St. from Front to East High St** for car parking. The BSBPA will be submitting press releases to various media sources and will additionally let the businesses located on Front Street and Low Street know of the street closings. In the past, the show had over 400 registered vehicles. If the weather is favorable, we may find our numbers this year to be close to 500. Because of this, we will also need to **close Charlton Street** to accommodate the overflow, as well as **Science St. and Court St.** up to **Walnut St** to accommodate for overflow. We would also like to use grass areas at the Old Iron Spring and Wiswall Park and the lot of the Ballston Spa Public Library.

Lastly, we would like to request fire company and police assistance for the following areas where pedestrians will be crossing: Front Street/Milton Avenue, Front Street/Bath Street and Charlton Street at the Iron Springs from 8:00 am to 4:00 pm. Additionally, we will need to coordinate with the DPW to have roadblocks for the side streets leading onto Front Street so traffic can come down those streets but not onto Front Street. A map will be provided showing the show route and road closures.

Your support of this event is greatly appreciated. If you have any other questions, please feel free to contact either Dana or me directly.

Sincerely,

Christine Kernochan
Ballston Spa Business & Professional Association
Chairperson, Car Show Committee
518-885-2772

Dana Womer

SPECIAL EVENTS NOTIFICATION

- 1. A Special Event Notification must be filled out for any public or private gathering of 500 or more people and less than 5,000 people.
- 2. This is for notification purposes only.
- 3. Authorization will be issued at the time the written notice is completed and submitted to The Village of Ballston Spa Clerk’s office.
- 4. If event(s) is for more than one scheduled day, a schedule shall be attached to the application. Only one application will be required.
- 5. Any event involving street closures will require Village review prior to approval.

SPECIAL EVENT NOTIFICATION: The special event notice must include the following information · Date of Notice: June 14, 2023

- Date(s) of Event: October 8, 2023 (rain date October 15)
- Event Starting Time: Set up 6 am, event starts 9 am
NOT BEFORE 7:00 am
- Event Ending Time: 4pm_
NOT AFTER 12:00 am
- Name of Event: 21st Annual “The Way We Were” Car Show
- Location of Event: Front Street, Low Street, Charlton Street, Wiswall & Iron Spring Park
- Name of Owner of Facilities or Property: Village of Ballston Spa
- Facilities manager or contact information:_____

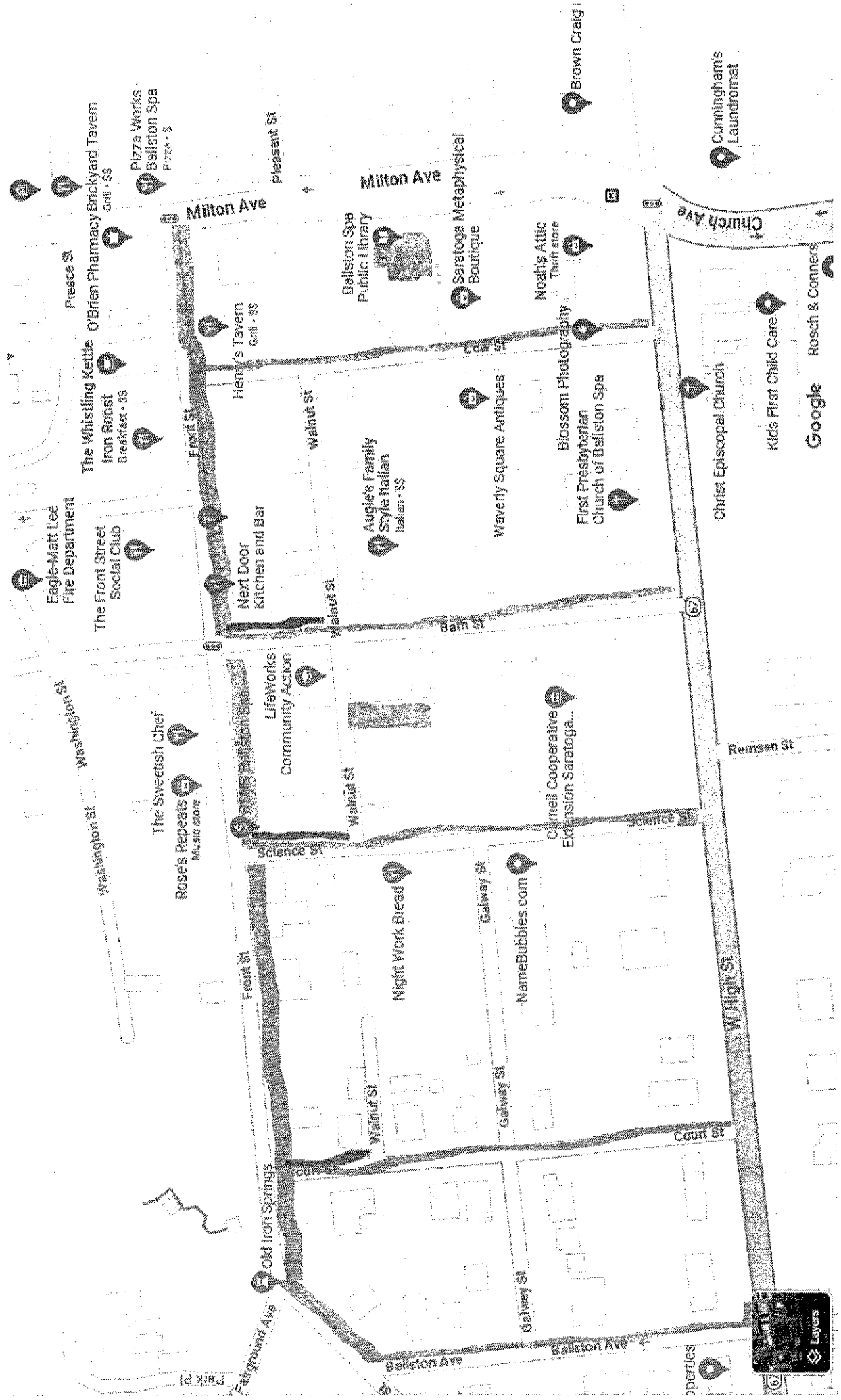
List of roads and routes of travel to event: See Map Included

- If closing roads, attach a map and list locations of traffic controls an detours along with closing and opening time: Show Route Map included
- Name, title and contact information of person filing application:
Dana Womer, Executive Administrator, BSBPA 518-887-2772 Dana@ballston.org
- If application is a corporation, list name of corporation, contact person and contact information:

· If applicant resides outside Saratoga County, list name, address and contact information:

- Name, address, contact Information of promoter: BSPBA PO Box 386; Ballston Spa, NY 12020
- Number of people expected to attend event:700-1000

SIGNATURE OF PERSON FILLING OUT NOTICE:_____



Pizza Works - Ballston Spa
Grill - \$\$

The Whisking Kettle O'Brien Pharmacy Brickyard Tavern
Grill - \$\$

The Front Street Social Club
Breakfast - \$\$

Eagle-Matt Lee Fire Department

The Sweetish Chef

Rose's Repeats Music store

Next Door Kitchen and Bar

Henry's Tavern Grill - \$\$

Ballston Spa Public Library

Ballston Spa Public Library

Saratoga Metaphysical Boutique

Noah's Attic Thrift store

Blossom Photography

Christ Episcopal Church

Kids First Child Care

Waverly Square Antiques

Augie's Family Style Italian Italian - \$\$

Ballston Spa Public Library

Ballston Spa Public Library

Saratoga Metaphysical Boutique

Noah's Attic Thrift store

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Noah's Attic Thrift store

Blossom Photography

Christ Episcopal Church

Kids First Child Care

Waverly Square Antiques

Augie's Family Style Italian Italian - \$\$

Ballston Spa Public Library



Village Clerk

From: Dana Womer <dana@ballston.org>
Sent: Tuesday, June 27, 2023 6:01 PM
To: Village Clerk
Cc: 'Bernadette VanDeinse'
Subject: FW: BSBPA 2023 Car Show Request
Attachments: 2023 Binder for Car Show.pdf

Hi, Teri!

Just wanted to make sure you received this request for the 2023 Car Show!

Thanks – have a good rest of your week!

Dana

*Dana Womer
Executive Administrator
Ballston Spa Business & Professional Association
dana@ballston.org ; info@ballston.org
518-885-2772
www.ballston.org
PO Box 386
Ballston Spa, NY 12020*

From: Dana Womer <dana@ballston.org>
Sent: Wednesday, June 14, 2023 11:03 AM
To: 'Village Clerk' <villageclerk@villageofballstonspa.org>
Subject: BSBPA 2023 Car Show Request

Hi, Teri!

Attached is a binder for our request to submit to the trustees for our 2023 Car Show, to be held on Sunday, October 8. **Our insurance binder is not included, as our policy rolls over the beginning of September. I will send you our COI as soon as I receive it from our insurance company in Sept.

Thank you!

Dana

*Dana Womer
Executive Administrator
Ballston Spa Business & Professional Association
dana@ballston.org ; info@ballston.org
518-885-2772
www.ballston.org
PO Box 386
Ballston Spa, NY 12020*

June 29, 2023

David Bush
Chief of Police
Ballston Spa Police Department
30 Bath St., Ballston Spa, NY 12020

Dear Chief Bush,

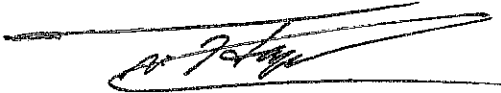
This letter is meant to serve as a formal notice of resignation. I will be ending my full-time employment with the Ballston Spa Police Department as of July 15, 2023.

I have had nothing but a positive experience working as a member of the police department. I accepted a position with another police agency in the nearby area. I appreciate the opportunity you presented to me and I am sincerely grateful for everything you have done.

I request all of my Compensatory time, Personal leave, Vacation time, and Sick time paid out Per the CBA.

I would like to remain employed in a part-time status to continue to help fill shifts and continue the additional specialty functions that I currently perform for the agency.

Regards,



Timothy J. Hajec

REC'D

2023 JUN 30 A 8:36

VILLAGE OF
BALLSTON SPA, NY

Village of Ballston Spa

Saratoga County Seat
66 FRONT STREET
Ballston Spa, NY 12020

SPECIAL EVENTS APPLICATION

Today's Date : July 6, 2023

EVENT INFORMATION:

Name, Title and contact information for Event: Plein Air Painting / Catherine Hackett
Ballston Spa Committee on the Arts /

Purpose of Event: outdoor adult/teen art experience

Name of Event: Plein Air in Ballston Spa

Location of Event: Old Iron Spring + Brookside Museum 8/1 rain
8/2

Date of Event: Old Iron 9/1 rain 9/2 Time of Event: 6-8 pm

Date and Time for Set Up: 5 pm Date and Time for Take Down: 8 pm

Event Activities: outdoor painting led by artist Gail Talmadge who brings all needed supplies.

(Entertainment, vending, gaming, fireworks, etc. Please attach any additional information. Please be advise that all outside vendors and entertainment shall fill out a vendor permit application)

Name of Owner of Facilities or Property: Village of Ballston Spa / Saratoga County History Center

Facilities Manager and contact information: Catherine Hackett 518-469-8516

Number of people expected to attend event: no more than 20 each date

Will Alcoholic Beverages be served? Yes / No Sold? Yes / No

Does the Event require Fire/EMT equipment? Yes / No Does the Event require DPW employees? Yes / No

ADDITIONAL REQUIREMENTS:

- Attach Site Map of event, which includes a sketch or map, schedule of events and/or parade routes showing street closures/barricades, booths, beer garden, stage set-up or any other activities relating to the event and event site. Please include street names, boundaries marked on map, placement of any barricades, fencing, tables, tents etc.
- Attach Certificate of Insurance with a minimum of \$2 Million and naming the Village of Ballston Spa as additional insured.
- Attach other permits (DOH, SLA, etc)

I shall indemnify and hold the County/Village, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions in performance of this Application.

Catherine Hackett
Authorized Event Signature

7-6-23
Date

Will you need assistance from the Village? No

Use of Village owned property Power Water

Will you need assistance from the Department of Public Works (DPW)? No

Installation Maintenance
Deconstruction Delivery and Pick-Up of Barriers/Cones

Will you need assistance from the Ballston Spa Police? No

Road Closures Police for Traffic Control/Crowd Control

Other: _____

What is your budget for the assistance requested?

Please describe your funding sources (Attach copies of grants, grant acceptance letters and/or sponsorship information with written confirmation of sponsorship guarantees): funded by Village of Ballston Spa through it's Committee on the Arts.

Will you be selling products/merchandise at your event?

Yes No

If yes, please provide the information below and attach a copy of your NYS Tax ID.

Describe the products/merchandise: _____

NYS Tax ID#: _____ **A copy of your tax ID should be brought to the event.**

Do you have liability insurance?

Yes No

If yes, please provide the information below and attach a copy of the policy.

Carrier's Name: HISCOX Insurance Co. Inc

Please include any other information you feel the Committee may find useful: Brookside location is confirmed with SCHC.

Thank you for taking the time to provide the requested information. Incomplete applications will not be accepted. Please note, additional forms may also need to be completed. A Ballston Spa Committee on the Arts representative will contact you with further information.

Catherine L Hackert
Applicant's Name (Printed)

Catherine L. Hackert
Signature

7-6, -2023
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/05/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hiscox Inc. 5 Concourse Parkway Suite 2150 Atlanta GA, 30328	CONTACT NAME: PHONE (A/C, No. Ext): (888) 202-3007	FAX (A/C, No):	
	E-MAIL ADDRESS: contact@hiscox.com		
INSURED Gail Talmadge 31 DEWITT ST AMSTERDAM, NY 12010	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Hiscox Insurance Company Inc		10200
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y	Y	P100.971.410.2	03/21/2023	03/21/2024	EACH OCCURRENCE \$ 2,000,000
	<input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						MED EXP (Any one person) \$ 5,000
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ S/T Gen. Agg.
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The Village of Ballston New York is listed as additional insured subject to policy terms and conditions. Plain air painting class on August 1st or raindate August 2nd at Saratoga County Historical Center at Brookside Museum 6-8 pm and September 1st, raindate September 2nd at Old Iron Spring from 6-8 pm

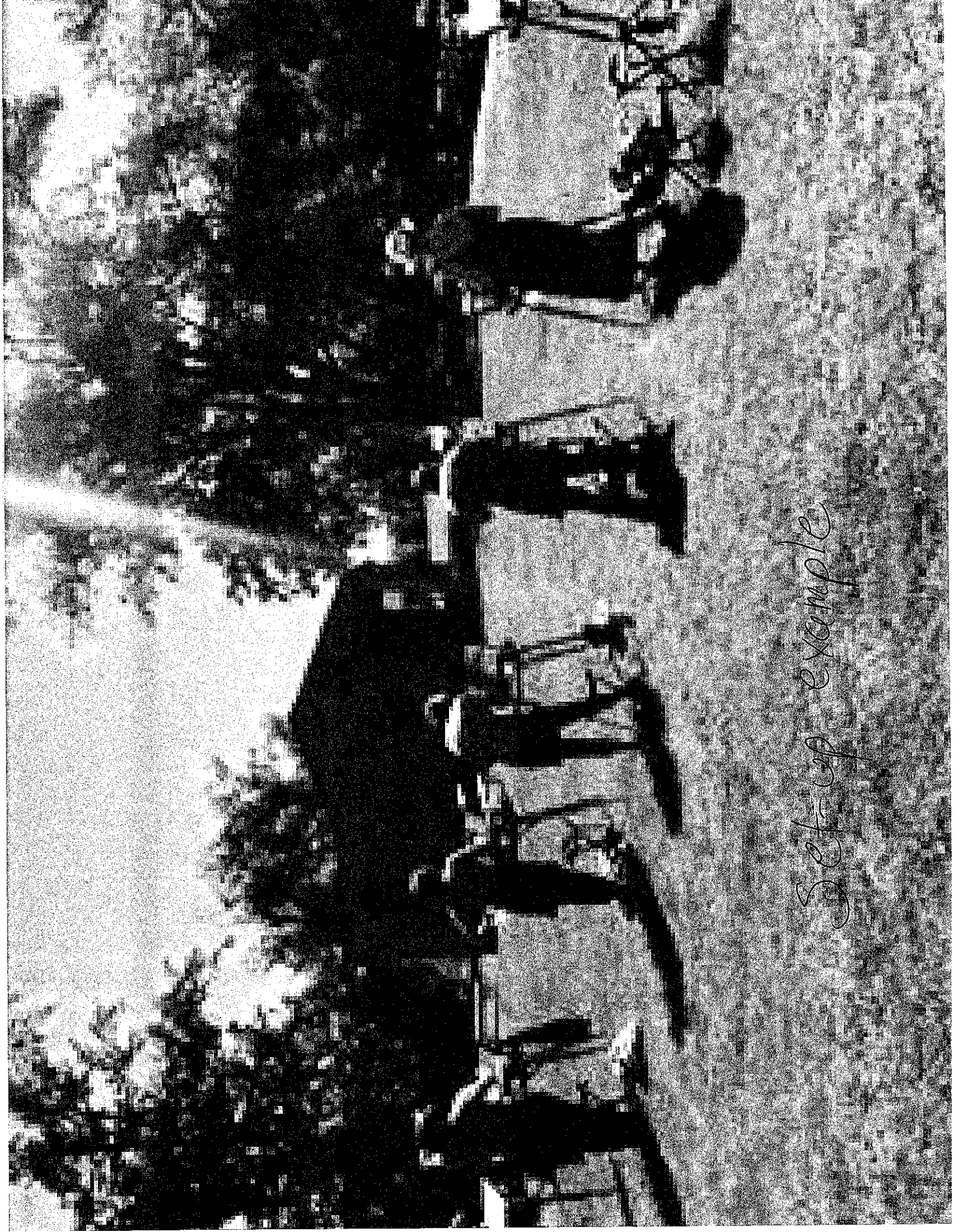
CERTIFICATE HOLDER

THE VILLAGE OF BALLSTON SPA NEW YORK
 66 Front St.
 Ballston Spa, NY 12020

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Set-up example

§27-1: Purposes; applicability

- A. Purposes. The proper operation of a Village government requires that its officers and employees be independent, impartial, and accountable to the people; that government decisions and policy be made in the proper channels of the governmental structure; that the public office not be used for personal gain; and that the public officers and employees observe in their official acts the highest standards of ethics and discharge faithfully the duties of their public office regardless of personal consideration.

- B. All officers and employees shall conduct themselves in a professional and respectable manner towards the public and one another. Realizing what is legal is not necessarily ethical, it is the policy of the Village of Ballston Spa and the purpose of this chapter to establish standards and guidelines for the ethical conduct of officers and employees. Though assurance of such conduct will continue to rest primarily on personal integrity and community vigilance, the establishment of standards is another step toward providing the highest caliber of public administration for the Village and ensuring that government decisions are arrived at impartially and free from conflicts of interest, thereby increasing confidence in public officials.

- C. It is also the purpose of this chapter to protect officials and employees from unwarranted accusations that impugn their integrity by distinguishing material conflicts of interest from those that are inconsequential, recognizing that for local government to attract and hold competent and professional public servants public service must not require a complete divesting of all proprietary interests. In recognition of these goals, there is hereby established a Code of Ethics for all officers and employees of the Village of Ballston Spa. In the event of any conflict or inconsistency between the provisions of this Code and the provisions of Article 18 of the General Municipal Law, this Code shall prevail, except that nothing in this Code shall authorize conduct otherwise prohibited by Article 18 of the General Municipal Law.

- D. Applicability. This Code of Ethics is enacted pursuant to Section 806 of the General Municipal Law and Section 10 of the Municipal Home Rule Law. Officers and employees of the Village must comply with the provisions of the Code of Ethics, as well as the conflict of interest standards prescribed by Article 18 of the General Municipal Law. The Code of Ethics is an addition to the standards contained in the Article 18 of the General Municipal Law.

§27-2: Definitions

As used in this chapter, the following terms shall have the meanings indicated:

APPOINTEE: Village Board-appointed members of Village Advisory Committees.

CONFIDENTIAL: Personnel matters and financial matters which, if disclosed, would be of detrimental interest to the Village and a violation of the trust placed in that person.

EMPLOYEES: Any person that receives a salary or wage from the Village of Ballston Spa. Includes all employees of the Village and of all governmental bodies created under the provisions of the Village Law.

ETHICS BOARD: The Board of Ethics appointed by the Village Board of Trustees.

FAMILY MEMBER. A parent, stepparent, sibling, stepsibling, spouse, child (including children of spouse or domestic partner), stepchild, grandparent, grandchildren, uncle, aunt, nephew, niece, first cousin, household member, or domestic partner of a municipal officer or employee and individuals having any of these relationships to the spouse of the officer or employee.

INTEREST: A direct or indirect financial or material benefit, including private financial benefit or interest other than financial, arising from blood or marriage relationships or close business or political association. It does not include any benefit arising from the provision or receipt of any services generally available to all the residents or all the taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers.

A municipal officer, employee or appointee is deemed to have an interest in any matter involving:

A. Any firm, partnership, association, or private organization of which they, their family member, or a member of their household is an owner, partner, director, officer or employee; and
B. Any corporation of which any such person, family member, or member of their household is a director, officer or employee, or directly or indirectly owns or controls more than 5% of the corporation's outstanding stock.

MUNICIPAL OFFICER: Includes elected and appointed officials and officers, whether paid or unpaid, and members of all governmental bodies created under the provisions of the Village Law and all other Village ordinances and applicable statutes (i.e. members of the Planning Board, Zoning Board of Appeals, Library Board, Ethics Board, Park and Tree Board)

MUNICIPALITY. The Village of Ballston Spa. The word "municipal" refers to the municipality.

PARTICIPATING: Includes the rendering of advice or recommendation, investigation, approval, disapproval or otherwise influencing a decision or action.

§27-3: Acting in the Public Interest; Appearance of Impropriety

No municipal officer or employee shall use his or her municipal position or perform his or her official powers and duties for the purpose of benefitting family, household members,, private business or organization in which they have an interest, nor create an appearance of impropriety by giving the impression that he or she will exercise or perform his or her official powers or duties on the basis of any consideration other than the best interests of the municipality.

§27-4: Use of Position for Personal or Private Gain

- A. No municipal officer or employee may use their position to secure personal or private gain for themselves, or for any other person or any organization in which they are deemed to have an interest. Personal or private gain does not include payment, benefit, or opportunity that is customarily and legally provided to any of the following groups of people or a lawful class of such groups:
 - 1. All municipal officers or employees;
 - 2. All residents or taxpayers of the municipality or an area of the municipality; or
 - 3. The general public.
- B. No municipal officer or employee shall cause the municipality to expend more money and/or Village resources than is reasonably necessary for transportation, meals, or lodging in connection with official travel.
- C. This section does not prohibit a municipal officer or employee from:
 - 1. Voting to approve the municipality's annual budget;
 - 2. Receiving lawful compensation for services as a municipal officer or employee;
 - 3. Receiving payment or reimbursement for actual and necessary expenses reasonably incurred in the performance of official duty;
 - 4. Receiving payments under a lawful municipal contract;
 - 5. Using municipal personnel, vehicles, equipment, material, supplies, or property for any municipal business purposes pursuant to law; or
 - 6. Performing a ministerial function that does not require the exercise of discretion.

§27-5: Treatment of the Public

An officer or employee of the Village of Ballston Spa shall treat all members of the public, whether a person, firm or corporation, or other organization, including Village officers, employees, and appointees with equal consideration and without special favor or prejudice in carrying out his or her official duties.

§27-6: Disclosure of Interest in Legislation and Other Matters

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- A. Whenever a matter requiring the exercise of discretion comes before a municipal officer, employee, or an appointee either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to themselves, a family or household member or any private organization in which they are deemed to have an interest, the municipal officer or employee shall disclose, in writing, the nature of the interest.
- B. The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.
- C. In the case of a person serving in an elective office, the disclosure must be made publicly and shall be filed with the Village Board of the municipality. In all other cases, the disclosure must be made publicly and shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee, or board having the power to appoint to the person's position. In addition, in

the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made at a public meeting of the board and must be included in the minutes of the meeting.

- D. For purposes of this section, a “matter requiring the exercise of discretion” includes any matter coming before the Board of Trustees, or any administrative board, commission, or other agency of the municipality in which a vote of a body of municipal officers is required regarding a local law, ordinance, resolution, motion or any other decision, issue, or question.

§27-7: Holding of Investments in Conflict with Official Duties

- A. No municipal officer or employee may acquire the following investments:
1. Personal investments that will be directly affected by the exercise or performance of the person’s official powers and duties; or
 2. Personal investments that would otherwise impair a reasonable person’s independence of judgment in the exercise or performance of his or her official powers and duties.
 3. No officer, employee or official shall engage in or participate in any business or transaction or shall have an interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his/her independent judgment or action in the performance of his/her official duties.

§27-8: Private Employment in Conflict with Official Duties

- A. No municipal officer or employee may accept employment or engage in any business or professional activity which:
1. Impairs the person’s independence of judgment in the exercise or performance of his or her official powers and duties;
 2. Is likely to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee; or
 3. Requires representation of a person or organization other than the municipality in connection with litigation, negotiations, or any other matter to which the municipality is a party.
 4. Can be reasonably expected to require more than sporadic recusal and abstention pursuant to § 36-7 of this code;
- B. No municipal officer or employee may in a private capacity represent another person or organization before the Village of Ballston Spa, or any officer, administrative board, commission, or other agency of the municipality.

§27-9: Future Employment

- A. No municipal officer or employee may ask for, pursue, or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal office or employee, either individually or as a member of a board, while the matter is pending or within the 90 days following final disposition of the matter.

- B. No municipal officer or employee, for the one-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department, or comparable organizational unit for which he or she served.
- C. No municipal officer or employee at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

§27-10:Recusal and Abstention

- A. Except as otherwise required by law or as provided by this section, no municipal officer or employee may participate in the discussion, vote on any matter, or exercise or perform any other official powers or duties in connection with any matter when they have an interest in the matter and knows or should know that the action could confer a direct or indirect financial or material benefit on themselves, family member, household member, or any private organization in which they are deemed to have an interest.

Any such officer, employee or official shall also be required to disclose said interest to the Village Clerk, Village Board, and Board of Ethics in the manner, time and form set forth in § 27-6 of this chapter.

- B. In the event that Subsection A of this section prohibits a municipal officer or employee from exercising or performing his or her official powers or duties:
 1. If the person is an officer servicing as a member of a body of municipal officers, the power or duty shall be exercised or performed by the other members of the body who are not prohibited by Subsection A from exercising or performing the power or duty;
 2. If the person is an officer, and does not serve as a member of a body of municipal officers, and has a deputy who is not prohibited by Subsection A from exercising or performing the power or duty, the deputy shall exercise or perform the power or duty; or
 3. If the person is an employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty that is not prohibited from doing so by Subsection A of this section.
 4. Per Section 27-6, the nature of such interest causing the recusal must be disclosed in writing and made public.
- C. Exceptions (use of position, disclosure, recusal, and abstention)
 1. This Code's prohibition on use of a municipal position, disclosure requirement, and requirements relating to recusal and abstention shall not apply with respect to the following matters:
 - a. Adoption of the municipality's annual budget.
 - b. Any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:

- i. All municipal officers or employees;
 - ii. All residents or taxpayers of the municipality or an area of the municipality; or
 - iii. The general public.
 - c. Any matter that does not require the exercise of discretion.
- 2. Recusal and abstention shall not be required with respect to any matter:
 - a. Which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by §27-10(A) above of this Code.
 - b. Which comes before a municipal officer when the officer would be prohibited from acting by §27-10(A) above of this Code and the matter cannot be lawfully delegated to another person.

§27-11:Interests in Contracts

- A. No municipal officer or employee may have an interest in a contract that is prohibited by § 801 of the General Municipal Law.
- B. Every municipal officer and employee shall disclose interest in contracts with the municipality at the time and in the manner required by § 803 of the General Municipal Law.

§27-12:Personal Representations and Claims Permitted

This Code shall not be construed as prohibiting a municipal officer or employee from:

- A. Representing himself or herself, or his or her spouse or minor children, before the municipality; or
- B. Asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

§27-13:Use of Municipal Property

No officer, employee or appointee of the Village of Ballston Spa may request or permit the use of municipal personnel and the municipality's funds, Village-owned vehicles, equipment, materials, resources, or property for a non-Village purpose, except when such use:

- A. Is available to the public generally and on the same terms as a member of the public;
- B. Is provided as written Village policy for the use of the officer or employee in the conduct of official duties;
- C. Is deemed an appropriate purpose by the Village Board through a motion and vote to approve a use of Village property.

§27-14:Nepotism

- A. No municipal officer or employee may participate in any decision whether to appoint, hire, promote, discipline, or discharge a family member from any position at, for or within the Village of Ballston Spa or an administrative board, commission, or other agency of the municipality.
- B. No municipal officer or employee may directly supervise a family member in the performance of the family member's official powers or duties.

§27-15:Political Solicitations

- A. No municipal officer or employee shall directly or indirectly compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service, or other thing of value.
- B. No municipal officer or employee may act or decline to act in relation to appointing, hiring, promoting, discharging, or disciplining, or in any manner changing the official rank, status, or compensation of, any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to may any contribution of money or service or any other valuable thing for any political purpose.
- C. No employee shall engage in political campaign activities during his or her official Village of Ballston Spa workday.
- D. No employee or municipal official shall use official Village correspondence for the purposes of political activity.
- E.

No Village official shall serve as an officer or like position in a political party or political organization.

§27-16:Confidential Information

No municipal officer, employee, or appointee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers or duties.

§27-17:Gifts

- A. No municipal officer or employee shall solicit, accept, or receive a gift in violation of § 805-a(1)(a) of the General Municipal Law as interpreted in this section.
- B. No municipal officer or employee may directly or indirectly solicit any gift.
- C. No municipal officer or employee may accept or receive any gift, or multiple gifts, from the same donor, having an annual aggregate value of \$75 or more when:
 - 1. The gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
 - 2. The gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
 - 3. The gift is intended as a reward for any official action on the part of the officer or employee.
- D. For purposes of this section, a gift includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed \$75 must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift. A gift does not include a lawful campaign contribution.
- E. Gifts intended to influence or reward

- a. A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.
 - b. A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding 12 months.
- F. This section does not prohibit:
- 1. Gifts made to the municipality;
 - 2. Gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that it is that personal relationship, rather than the recipient's status as a municipal officer or employee, that is the primary motivating factor for the gift.
 - 3. Gifts which are de minimus, reasonable and customary, given on special occasions, such as marriage, illness, or retirement which are modest, reasonable and customary
 - 4. Unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, notepads, and calendars; or
 - 5. Awards and plaques having no resale value which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community.
 - 6. Meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

27-18 Annual Financial Disclosure

- A. All Village of Ballston Spa Officials and each member of the Village's Ethics Board shall file with the Village Clerk a financial disclosure statement within 30 days after taking office and no later than May 30 of each year thereafter.
- B. Disclosure statements shall be maintained for a minimum period of seven years from the date of filing.
- C. Matters to be disclosed on the financial disclosure form:
 - (1) The official's home address, phone number and email address (if any)
 - (2) The family member, relationship, tax ID, address, and type of interest, control or ownership of any real property within the Village in which the Village official or family member has an ownership or other financial interest.
 - (3) The name, address and phone number of every employer other than your government employment from which you or your spouse received more than a \$1,000 within the past 12 months.
 - (4) The name, address and phone number of any partnership, unincorporated association or other unincorporated business of which the Village official or family member is an officer, employee, partner and has a proprietary interest with the partnership, association or business and such entity has engaged in within the past 12 months, or is anticipated to have, any business dealings with the Village.
 - (5) The name, address and phone number of any corporation of which the Village official or family member is an officer or director or employee or in which the Village official or

spouse legally or beneficially owns or controls more than 5% of the outstanding stock, and any such entity that he or she has engaged within the past 12 months or with which he or she is anticipated to have any business dealings with the Village, and the Village official's and spouse's position, if any, with the corporation.

(6) The name, address and phone number of any persons from whom the Village official or family member has derived income in excess of \$10,000 whereby such income was derived from a business dealing with the Village of Ballston Spa.

(7) The name, address, relationship, title and department of each family member who is an officer or employee of the Village of Ballston Spa, whether paid or unpaid.

(8) Any official leadership position you currently hold in any political party, political committee or political organization.

27-19 Public access

The Village of Ballston Spa recognizes that public access to the disclosure statements which are filed by village officials and employees will enhance the public confidence thereof and shall deter conflicts of interest and assist in their uncovering.

A. Any person or news media desiring to review the disclosure statement of any official or employee shall submit as a request pursuant to the Freedom of Information Law^[1] or written request to the Village of Ballston Spa's Village Board which shall include the following:

(1) Name and address.

(2) Name and address of any person or organization on whose behalf the statement is being requested.

[1] Editor's Note: See Public Officers Law § 84 et seq.

B. Any official or employee whose disclosure statement has been inspected or copied shall be notified of the identity and the address of the person(s) who or organization(s) which requested to view or to copy such statement.

C. It shall be unlawful for any person or organization to inspect or to copy a statement for:

(1) Any unlawful purpose.

(2) The use, directly or indirectly, in the solicitation of the official or employee for political, charitable or business purposes.

D. A civil action may be brought by the Village of Ballston Spa's Village Board against any person or organization that violates the provisions of Subsection C of this section or for the willful withholding of the information requested in Subsection A of this section.

§27-18:Board of Ethics

A. Membership

1. The Board of Ethics members shall be appointed by the Board of Trustees. The Board of Ethics shall consist of five members approved by a minimum of four members of the Board of Trustees.
2. Each of the five members of the Board of Ethics shall serve a term of four years.

3. Terms shall be staggered so that no more than three members shall have their terms end simultaneously. Existing terms shall continue without interruption with the adoption of this Code.
4. Members may be appointed for not more than two consecutive four-year terms.
5. If a vacancy shall occur otherwise than by expiration of term, the Mayor shall appoint a new member for the unexpired term with Village Board approval.
6. It is the responsibility of the Village Board to solicit new applicants to fill current and upcoming vacancies on the Ethics Board in a timely manner. Solicitation includes, at minimum, placing vacancy on the Village of Ballston Spa Board of Trustees agenda for at least one (1) meeting and on Village of Ballston Spa website and social media until the vacancy is filled. The Ethics Board shall conduct the initial review of applicants and then recommend to the Board of Trustees any prospective members.
7. The Board of Trustees has the discretion to accept or reject the recommendations of the Ethics Board regarding the appointment of prospective new members.

B. Qualifications of Board Members

1. All members of the Board of Ethics must be residents of the Village of Ballston Spa.
2. No member of the Board of Ethics shall be a political committee person, hold office in a partisan political organization, or hold elective office in the Village of Ballston Spa. A Board of Ethics member may make campaign contributions, display campaign signage, and vote.
3. Not more than two members of the Board of Ethics may be members of the same political party.
4. No current officer or employee of the Village of Ballston Spa is eligible to serve on the Board of Ethics.
5. All candidates seeking appointment to the Board of Ethics must agree to:
 - a. Maintain an email account which they agree to monitor at least once per week during their appointed term of office.
 - b. Respond to requests for communication from the Board of Ethics members and the Village Board of Trustees within 48 hours of receiving a communication. Exceptions may be made for vacations, illness, family emergencies, extended leave of absence, acts of God, and other actual emergencies.
 - c. Disclose any prior felony or misdemeanor convictions, and any current pending criminal charges or otherwise consent to and authorize a background check. Convictions and pending charges are not immediate grounds for ineligibility to serve.
 - d. Maintain and inhabit a primary physical residence in the Village of Ballston Spa for no less than seven months of any year in which appointed to Board of Ethics. Board of Ethics members that are not physically present for less than seven months of the year may make virtual appearances at the Board of Ethics meetings to maintain appointed duties.
 - e. Have no clear and present significant conflicts of interest.
 - f. Disclose their registered political affiliation so as not to conflict with the provision of § 27-18(B)(3).

6. The minimum age for applicants to the Board of Ethics is 21 years at the time of appointment.
7. All candidates seeking appointment to the Board of Ethics must complete the Committee Interest Form, disclose any current direct business dealings within and with the Village of Ballston Spa and complete the annual financial disclosure form.

C. Powers and Duties of the Board of Ethics:

1. The Board of Ethics shall select its own Chairperson from within the Board for a one-year term and delegate authority to the Chairperson to act in the name of the Board between meetings of the Board of Ethics provided that the delegation is in writing and the specific powers to be delegated are enumerated, and further provided that the Board may not delegate the power to conduct hearings, determine violations, recommend disciplinary action, impose civil fines, refer any matter to a prosecutor or render advisory opinions, except as stated in Section 27-21. If the Chairperson leaves prior to the end of the one-year term, the Board of Ethics will select a chair to serve the remainder of the term.
2. Prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner not inconsistent with this section or any state or federal law.
3. Conduct investigations pursuant to the Village of Ballston Spa Code of Ethics.
4. Issue advisory opinions pursuant to the Village of Ballston Spa Code of Ethics.
5. Conduct hearings, recommend disciplinary action and initiate appropriate actions and proceedings pursuant to the Village of Ballston Spa Code of Ethics.
6. In the case of a hearing held by the Board, the due process procedural mechanisms shall be substantially similar to those set forth in Article 3 of the State Administrative Procedure Act. The Ethics Board shall conduct and complete the hearing with reasonable promptness, unless, in its discretion, the Ethics Board refers the matter to the authority or person or body authorized by law to impose disciplinary action or unless the Ethics Board refers the matter to the appropriate prosecutor. If such a referral is made, or if a matter is the subject of another governmental inquiry investigation or judicial proceeding, the Ethics Board may adjourn the matter pending a final determination of such matter by the other authority, person, body, or law enforcement agency.
7. The Ethics Board of the Village of Ballston Spa may act only with respect to officers and employees of the municipality and persons having business dealings with the municipality. The termination of a Village officer's or employee's term of office or employment with the Village shall not affect the jurisdiction of the Village Ethics Board with respect to requirements imposed by this chapter on former Village officers or employees to the extent permitted by law.
8. The Village Ethics Board may refer any matter within its jurisdiction to the county Ethics Board in its discretion. The Ethics Board shall refer to the appropriate law enforcement agency any facts or evidence that comes into its possession that reasonably indicates possible criminal violations.

9. Where necessary and indicated, the Ethics Board will retain and utilize the attorney for the Village or, when required or there is a decided conflict, will request permission from the Village Board of Trustees to retain outside counsel.
10. Any formal communication from the Board of Ethics to the Village Board of Trustees shall be in written form. Any majority opinions/recommendations issued by the Board of Ethics will require the signatures of a majority of the members of the Board of Ethics. While not required, a dissenting opinion/recommendation may be written, signed, and attached to the majority opinion/recommendation if the members in the minority so choose.
11. The Ethics Board will hold meetings in order to carry out its power and duties. Other than meetings focused on confidential investigations, meetings of the Board shall be subject to the requirements of the New York State Open Meetings Law. This includes meetings, or parts of meetings, to add members, make recommendations for code changes, and any other business that does not require confidentiality.

D. Removal of appointed Ethics Board Members.

1. Appointed members of the Ethics Board may voluntarily vacate from their appointed office upon submission of a letter of resignation to the Village Board of Trustees.
2. Members of the Ethics Board may be removed from their office if the following occurs:
 - a. By being found in violation of the Code of Ethics and being subsequently removed from office by Village Board of Trustees. The Village Board must give the Board member written notice and an opportunity to reply.
 - b. By receiving a unanimous vote from the remaining members of the Board of Ethics and recommendation made to the Village Board of Trustees for removal from office for violations of B above.

- E. Training of the Board of Ethics. Each member of the Board of Ethics shall be required to complete at least three hours of ethics training per year either in-person or on-line. Each member shall provide proof of such training to the Village Clerk and such proof shall be maintained in the office of the Village Clerk as a municipal record. Failure to complete required training for more than one year may result in dismissal from the Ethics Board. Newly appointed members must complete their initial training within 120 days of appointment.

§27-19: Complaints and Investigations

- A. Upon receipt of a form duly sworn by the person requesting an investigation of an alleged violation of this chapter or upon the Board determining on its own initiative that a violation of this chapter may exist, the Ethics Board shall have the power and duty to conduct any investigation necessary to carry out the provisions of this section. In conducting any such investigation, the Board may administer oaths or affirmations, subpoena witnesses and compel their attendance and require the production of any books or records which it may deem relevant or material. The form to be utilized in requesting

an investigation of an alleged violation of this chapter shall be the form available in the office of the Village Clerk and on the Village of Ballston Spa website.

- B. All complaints, hearings and proceedings of the Board of Ethics shall be kept confidential until such time as a final determination is made. Thereafter, the Village Ethics Board shall state in writing its disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition to the Village Board of Trustees. Any findings of violations of this chapter or other applicable law shall be served upon the subject of the investigation within seven days of such service of any findings of violations of this chapter, and violations shall be made a public record and shall be indexed and maintained on file by the Village Clerk.
- C. All employees of the Village of Ballston Spa and all officials (whether paid or unpaid) are required to fully cooperate with the reasonable requests of the Village of Ballston Spa Ethics Board during all formal ongoing investigations. Notwithstanding the above requirement, the following conditions will also apply:
 - 1. The Ethics Board shall advise the employee or officer of their right to confer with or obtain outside legal (or other) counsel. No individual shall be denied his/her right to obtain and to utilize outside legal (or other) counsel. A reasonable period of time will be provided to retain outside counsel (as a general rule, no less than 30 calendar days).
 - 2. Any individual questioned in connection with any investigation will be advised whether he or she is a target and/or subject of that investigation as soon as possible within 5 days after a complaint has been made.

§27-20: Enforcement - Penalties for Offenses

Employee-Related Enforcement: In its discretion and after a hearing in accordance with Article 3 of the State Administrative Procedure Act (SAPA), and subject to § 75 of the Civil Service Law and any collective bargaining agreements, to the extent practicable, the Village Ethics Board may recommend for action to the Board of Trustees appropriate disciplinary action which may include a written warning, or reprimand, forfeiture of accrued leave with pay, required attendance at ethics training seminars, suspension or termination of employment to the authority or person or body authorized by law to impose such sanctions, reimbursement for any costs incurred directly by the Village as a result of the ethical violation, or other costs associated with addressing the ethical violation

B. Enforcement against Appointees and Public Officials other than Board of Trustees: The Ethics Board may recommend for action to the Board of Trustees removal from office and/or censure. The Ethics Board can also, under its own action issue a public statement of censure.

C. Enforcement against Members of the Board of Trustees: The Ethics Board can issue a public resolution of censure against members of the Board of Trustees.

Such resolution will be read at a public Board of Trustees meeting and entered into the public record.

- B. The Village Ethics Board shall conduct and complete the hearing with reasonable promptness and shall not act without notice and opportunity to be heard and shall observe appropriate due process.

§27-21:Ethics Advisory Opinions

- A. The Board of Ethics shall render confidential advisory opinion to officers and employees, and appointees of the Village of Ballston Spa with respect to Article 18 of the General Municipal law and this Code of Ethics. Officers, employees, and appointees of the municipality are encouraged to seek advisory opinions whenever they are uncertain whether their conduct may violate the Code of Ethics.
- B. The Board of Ethics will prepare an advisory opinion based on a thorough review of the facts and applicable law. The Board's opinion is to be based primarily on the facts presented in the request or subsequently submitted in a written signed document. The opinion will be rendered, in writing, to the requester as expeditiously as is practicable, with special attention to the time requirements of a given case.
- C. An officer or employee of the municipality whose conduct or action is the subject of an advisory opinion will not be subject to penalties or sanctions by virtue of acting, or failing to act, due to a reasonable reliance on the opinion, unless material facts were omitted or misstated in the material submitted by the requester.
- D. The Village Ethics Board shall state, in writing, its disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition to the Village Board. The findings of the Ethics Board will be sent to the subject of the investigation within seven (7) days after such findings become final.
- E. The Board of Ethics will maintain a confidential indexed file of all advisory opinions issued by the Board, which will be kept and maintained by the Village Clerk.

§27-22:Posting and Distribution of Code

- A. The Village of Ballston Spa must promptly cause a copy of this Code of Ethics and a copy of Article 18, §§ 800-809, of the General Municipal Law, and a copy of any amendment to this Code of Ethics, to be posted publicly and conspicuously in each building under the municipality's control and on the Village of Ballston Spa website. The Code must be posted within 10 days following the date on which the Code takes effect. An amendment to the Code must be posted within 10 days following the date on which the amendment takes effect.
- B. The Village of Ballston Spa must promptly cause a copy of this Code of Ethics and a copy of Article 18, §§ 800-809, of the General Municipal Law, and a copy of any amendment to this Code of Ethics, to be distributed to every person who is or becomes an officer or employee of the Village of Ballston Spa. Such distribution can be via electronic mail.

- C. As a part of a municipal officer or employee onboarding process, each officer or employee shall complete the financial disclosure form and receive a copy of this Code of Ethics and must acknowledge receipt in writing. All present municipal officers and employees shall receive a copy of this Code and must acknowledge receipt in writing within 90 days of its ratification. Officers and employees shall receive copies of any amendments to the Code and must acknowledge receipt in writing. Such acknowledgements must be filed with the Village Clerk, who must maintain such acknowledgements as a public record.
- D. The failure to post this Code of Ethics or an amendment to the code does not affect either the applicability or enforceability of the Code of Ethics or the amendment. The failure of a municipal officer or employee to receive a copy of this Code of Ethics or an amendment to the Code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the Code or amendment to the Code.

§27-23 Effective date.

This code takes effect on filing with the Department of State.

§27-1: Purposes; applicability

A. Purposes. The proper operation of a Village government requires that its officers and employees be independent, impartial, and accountable to the people; that government decisions and policy be made in the proper channels of the governmental structure; that the public office not be used for personal gain; and that the public officers and employees observe in their official acts the highest standards of ethics and discharge faithfully the duties of their public office regardless of personal consideration.

B.

C. All officers and employees shall conduct themselves in a professional and respectable manner towards the public and one another. Realizing what is legal is not necessarily ethical, it is the policy of the Village of Ballston Spa and the purpose of this chapter to establish standards and guidelines for the ethical conduct of officers and employees. Though assurance of such conduct will continue to rest primarily on personal integrity and community vigilance, the establishment of standards is another step toward providing the highest caliber of public administration for the Village and ensuring that government decisions are arrived at impartially and free from conflicts of interest, thereby increasing confidence in public officials.

D.

It is also the purpose of this chapter to protect officials and employees from unwarranted accusations that impugn their integrity by distinguishing material conflicts of interest from those that are inconsequential, recognizing that for local government to attract and hold competent and professional public servants public service must not require a complete divesting of all proprietary interests. In recognition of these goals, there is hereby established a Code of Ethics for all officers and employees of the Village of Ballston Spa. In the event of any conflict or inconsistency between the provisions of this Code and the provisions of Article 18 of the General Municipal Law, this Code shall prevail, except that nothing in this Code shall authorize conduct otherwise prohibited by Article 18 of the General Municipal Law.

A.

B.E. Applicability. This Code of Ethics is enacted pursuant to Section 806 of the General Municipal Law and Section 10 of the Municipal Home Rule Law. Officers and employees of the Village must comply with the provisions of the Code of Ethics, as well as the conflict of interest standards prescribed by Article 18 of the General Municipal Law. The Code of Ethics is an addition to the standards contained in the Article 18 of the General Municipal Law.

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§27-2: Definitions

As used in this chapter, the following terms shall have the meanings indicated:

APPOINTEE: Village Board-appointed members of Village Advisory Committees.

CONFIDENTIAL: Personnel matters and financial matters which, if disclosed, would be of detrimental interest to the Village and a violation of the trust placed in that person.

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EMPLOYEES: - Any person that receives a salary or wage from the Village of Ballston Spa. Includes all employees of the Village and of all governmental bodies created under the provisions of the Village Law.

Ethics Board. The Board of Ethics appointed by the Village Board of Trustees.

Family Member. A parent, stepparent, sibling, stepsibling, spouse, child (including children of spouse or domestic partner), stepchild, grandparent, grandchildren, uncle, aunt, nephew, niece, first cousin, household member, or domestic partner of a municipal officer or employee and individuals having any of these relationships to the spouse of the officer or employee.

Interest. A direct or indirect financial or material benefit, including private financial benefit or interest other than financial, arising from blood or marriage relationships or close business or political association. It does not include any benefit arising from the provision or receipt of any services generally available to all the residents or all the taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers.

A municipal officer, employee or appointee is deemed to have an interest in any matter involving: A. Any firm, partnership, association, or private organization of which they, their family member, or a member of their household is an owner, partner, director, officer or employee; and

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B. Any corporation of which any such person, family member, or member of their household is a director, officer or employee, or directly or indirectly owns or controls more than 5% of the corporation's outstanding stock.

Municipal Officer: Includes elected and appointed officials and officers, whether paid or unpaid, and members of all governmental bodies created under the provisions of the Village Law and all other Village ordinances and applicable statutes (i.e. members of the Planning Board, Zoning Board of Appeals, Library Board, Ethics Board, Park and Tree Board)

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PARTICIPATING: Includes the rendering of advice or recommendation, investigation, approval, disapproval or otherwise influencing a decision or action.

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Board. The Village Board of Trustees and any municipal administrative board (e.g., Planning Board, Zoning Board of Appeals, Library Board, Ethics Board, Park and Tree Board); commission, committees, or any other agency or body comprised of two or more municipal officers or employees people Board of Trustees (referred to herein as 'appointees').

Code of Ethics. This Code of Ethics.

Municipality. The Village of Ballston Spa. The word "municipal" refers to the municipality.

§27-3: Acting in the Public Interest: Appearance of Impropriety

No municipal officer or employee shall use his or her municipal position exercise or perform his or her official powers and duties for the purpose of benefitting family, household members, on the basis of family, or private business or organization in which they have an interest, nor create an appearance of impropriety by giving the impression that he or she will exercise or perform his or her official powers or duties on the basis of any consideration other than the best interests of the municipality.

§27-4: Use of Position for Personal or Private Gain

- A. No municipal officer or employee may use their position to secure personal or private gain for themselves, or for any other person or any organization in which they are or she is are deemed to have an interest. Personal or private gain does not include payment, benefit, or opportunity that is customarily and legally provided to any of the following groups of people or a lawful class of such groups:
 - 1. All municipal officers or employees;
 - 2. All residents or taxpayers of the municipality or an area of the municipality; or
 - 3. The general public.
- B. No municipal officer or employee shall cause the municipality to expend more money and/or Village resources than is reasonably necessary for transportation, meals, or lodging in connection with official travel.
- C. This section does not prohibit a municipal officer or employee from:
 - 1. Voting to approve the municipality's annual budget;
 - 2. Receiving lawful compensation for services as a municipal officer or employee;
 - 3. Receiving payment or reimbursement for actual and necessary expenses reasonably incurred in the performance of official duty;
 - 4. Receiving payments under a lawful municipal contract;
 - 5. Using municipal personnel, vehicles, equipment, material, supplies, or property for any municipal business purposes pursuant to law; or
 - 6. Performing a ministerial function that does not require the exercise of discretion.

§27-5: Treatment of the Public

An officer or employee of the Village of Ballston Spa shall treat all members of the public, whether a person, firm or corporation, or other organization, including Village officers, employees, and appointees with equal consideration and without special favor or prejudice advantage in carrying out his or her official duties.

§27-6: Disclosure of Interest in Legislation and Other Matters

~~All municipal officers or employees will be required to complete an annual statement of financial disclosure.~~

- A. Whenever a matter requiring the exercise of discretion comes before a municipal officer, employee, or an appointee either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to themselves, a family or household member or any private organization in which they are deemed to have an interest, the municipal officer or employee shall disclose, in writing, the nature of the interest.

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- B. The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.
- C. In the case of a person serving in an elective office, the disclosure must be made publicly and shall be filed with the Village Board of the municipality. In all other cases, the disclosure must be made publicly and shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee, or board having the power to appoint to the person's position. In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made at a public meeting of the board and must be included in the minutes of the meeting.
- D. For purposes of this section, a "matter requiring the exercise of discretion" includes any matter coming before the Board of Trustees, or any administrative board, commission, or other agency of the municipality in which a vote of a body of municipal officers is required regarding a local law, ordinance, resolution, motion or any other decision, issue, or question.

§27-7: Holding of Investments in Conflict with Official Duties

- A. No municipal officer or employee may ~~have or acquire~~ the following investments:
 - 1. Personal investments that will be directly affected by the exercise or performance of the person's official powers and duties; or
 - 2. Personal investments that would otherwise impair a reasonable person's independence of judgment in the exercise or performance of his or her official powers and duties;
 - 3. No officer, employee or official shall engage in or participate in any business or transaction or shall have an interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his/her independent judgment or action in the performance of his/her official duties. (from current law)
- 2. _____
- B. ~~This section does not prohibit a municipal officer or employee from acquiring any of the following assets:~~
 - 1. ~~Real property located within the municipality. Such a transaction must be publicly disclosed to the Board of Trustee within 5 business days of executing a contract to purchase or option to buy;~~
 - 2. ~~The stock of a publicly traded corporation; or~~
 - 3. ~~Bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.~~

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§27-8: Private Employment in Conflict with Official Duties

- A. No municipal officer or employee may accept employment or engage in any business or professional activity which:
 - 1. Impairs the person's independence of judgment in the exercise or performance of his or her official powers and duties;

2. Is likely to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee; or
3. Requires representation of a person or organization other than the municipality in connection with litigation, negotiations, or any other matter to which the municipality is a party.

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3.4. Can be reasonably expected to require more than sporadic recusal and abstention pursuant to § 36-7 of this code;

- B. No municipal officer or employee may in a private capacity represent another person or organization before the Village of Ballston Spa, or any officer, administrative board, commission, or other agency of the municipality.

§27-9:Future Employment

- A. No municipal officer or employee may ask for, pursue, or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal office or employee, either individually or as a member of a board, while the matter is pending or within the 90 days following final disposition of the matter.
- B. No municipal officer or employee, for the one-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department, or comparable organizational unit for which he or she served.
- C. No municipal officer or employee at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

§27-10:Recusal and Abstention

- A. Except as otherwise required by law or as provided by this section, no municipal officer or employee may participate in the discussion or vote on any matter, or exercise or perform any other official powers or duties in connection with any matter when they have an interest in the matter and knows or should know that the action could confer a direct or indirect financial or material benefit on themselves, a family member, household member, or employer has an interest in the matter or any private organization in which they are deemed to have an interest.

Any such officer, employee or official shall also be required to disclose said interest to the Village Clerk, Village Board, and Board of Ethics in the manner, time and form set forth in § 27-6 of this chapter.

A.

- B. In the event that Subsection A of this section prohibits a municipal officer or employee from exercising or performing his or her official powers or duties:
 1. If the person is an officer servicing as a member of a body of municipal officers, the power or duty shall be exercised or performed by the other members of the body who are not prohibited by Subsection A from exercising or performing the power or duty;

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2. If the person is an officer, and does not serve as a member of a body of municipal officers, and has a deputy who is not prohibited by Subsection A from exercising or performing the power or duty, the deputy shall exercise or perform the power or duty; or
3. If the person is an employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty that is not prohibited from doing so by Subsection A of this section.
- 3.4. Per Section 27-6, the nature of such interest causing the recusal must be disclosed in writing and made public.

C. Exceptions (use of position, disclosure, recusal, and abstention)

1. This Code's prohibition on use of a municipal position, disclosure requirement, and requirements relating to recusal and abstention shall not apply with respect to the following matters:
 - a. Adoption of the municipality's annual budget.
 - b. Any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 - i. All municipal officers or employees;
 - ii. All residents or taxpayers of the municipality or an area of the municipality; or
 - iii. The general public.
 - c. Any matter that does not require the exercise of discretion.
2. Recusal and abstention shall not be required with respect to any matter:
 - a. Which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by §27-10(A) above of this Code.
 - b. Which comes before a municipal officer when the officer would be prohibited from acting by §27-10(A) above of this Code and the matter cannot be lawfully delegated to another person.

§27-11: Interests in Contracts

- A. No municipal officer or employee may have an interest in a contract that is prohibited by § 801 of the General Municipal Law.
- B. Every municipal officer and employee shall disclose interest in contracts with the municipality at the time and in the manner required by § 803 of the General Municipal Law.

§27-12: Personal Representations and Claims Permitted

This Code shall not be construed as prohibiting a municipal officer or employee from:

- A. Representing himself or herself, or his or her spouse or minor children, before the municipality; or
- B. Asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

§27-13: Use of Municipal Property

No officer, employee or appointee of the Village of Ballston Spa may request or permit the use of municipal personnel and the municipality's funds, Village-owned vehicles, equipment, materials, resources, or property for a non-Village purpose, except when such use:

- A. Is available to the public generally and on the same terms as a member of the public;
- B. Is provided as written Village policy for the use of the officer or employee in the conduct of official duties;
- C. Is deemed an appropriate purpose by the Village Board through a motion and vote to approve a use of Village property.

§27-14: Nepotism

- A. No municipal officer or employee may participate in any decision whether to appoint, hire, promote, discipline, or discharge a family member from any position at, for or within the Village of Ballston Spa or an administrative board, commission, or other agency of the municipality.
- B. No municipal officer or employee may directly supervise a family member in the performance of the family member's official powers or duties.

§27-15: Political Solicitations

- A. No municipal officer or employee shall directly or indirectly compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service, or other thing of value.
- B. No municipal officer or employee may act or decline to act in relation to appointing, hiring, promoting, discharging, or disciplining, or in any manner changing the official rank, status, or compensation of, any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to may any contribution of money or service or any other valuable thing for any political purpose.
- C. No employee shall engage in political campaign activities during his or her official Village of Ballston Spa workday.
- D. No employee or municipal official shall use official Village correspondence for the purposes of political activity.
- E.
- ~~D.~~ No Village official shall serve as an officer or like position in a political party or political organization.

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§27-16: Confidential Information

No municipal officer, employee, or appointee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers or duties.

§27-17: Gifts

- A. No municipal officer or employee shall solicit, accept, or receive a gift in violation of § 805-a(1)(a) of the General Municipal Law as interpreted in this section.
- B. No municipal officer or employee may directly or indirectly solicit any gift.
- C. No municipal officer or employee may accept or receive any gift, or multiple gifts, from the same donor, having an annual aggregate value of \$75 or more when:
 - 1. The gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
 - 2. The gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
 - 3. The gift is intended as a reward for any official action on the part of the officer or employee.
- D. For purposes of this section, a gift includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed \$75 must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift. A gift does not include a lawful campaign contribution.

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E. Gifts intended to influence or reward

a. A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

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D.b. A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding 12 months.

E.F. This section does not prohibit:

- 1. Gifts made to the municipality;
- 2. Gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that it is that personal relationship, rather than the recipient's status as a municipal officer or employee, that is the primary motivating factor for the gift.
- 3. Gifts which are de minimus, reasonable and customary, given on special occasions, such as marriage, illness, or retirement which are modest, reasonable and customary;
- 4. Unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, notepads, and calendars; or
- 5. Awards and plaques having no resale value which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community;
- 5.6. Meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

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27-18 Annual Financial Disclosure

- A. All Village of Ballston Spa Officials and each member of the Village's Ethics Board shall file with the Village Clerk a financial disclosure statement within 30 days after taking office and no later than May 30 of each year thereafter.
- B. Disclosure statements shall be maintained for a minimum period of seven years from the date of filing.
- B. Matters to be disclosed on the financial disclosure form:
 - (1) The official's home address, phone number and email address (if any)
 - (2) The family member, relationship, tax ID, address, and type of interest, control or ownership of any real property within the Village in which the Village official or family member has an ownership or other financial interest.
 - (3) The name, address and phone number of every employer other than your government employment from which you or your spouse received more than a \$1,000 within the past 12 months.
 - (4) The name, address and phone number of any partnership, unincorporated association or other unincorporated business of which the Village official or family member is an officer, employee, partner and has a proprietary interest with the partnership, association or business and such entity has engaged in within the past 12 months, or is anticipated to have, any business dealings with the Village.
 - (5) The name, address and phone number of any corporation of which the Village official or family member is an officer or director or employee or in which the Village official or spouse legally or beneficially owns or controls more than 5% of the outstanding stock, and any such entity that he or she has engaged within the past 12 months or with which he or she is anticipated to have any business dealings with the Village, and the Village official's and spouse's position, if any, with the corporation.
 - (6) The name, address and phone number of any persons from whom the Village official or family member has derived income in excess of \$10,000 whereby such income was derived from a business dealing with the Village of Ballston Spa.
 - (7) The name, address, relationship, title and department of each family member who is an officer or employee of the Village of Ballston Spa, whether paid or unpaid.
 - (8) Any official leadership position you currently hold in any political party, political committee or political organization.

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27-19 Public access

The Village of Ballston Spa recognizes that public access to the disclosure statements which are filed by village officials and employees will enhance the public confidence thereof and shall deter conflicts of interest and assist in their uncovering.

- A. Any person or news media desiring to review the disclosure statement of any official or employee shall submit as a request pursuant to the Freedom of Information Law[1] or written request to the Village of Ballston Spa's Village Board which shall include the following:

- (1) Name and address.
- (2) Name and address of any person or organization on whose behalf the statement is being requested.

[1] Editor's Note: See Public Officers Law § 84 et seq.

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B. Any official or employee whose disclosure statement has been inspected or copied shall be notified of the identity and the address of the person(s) who or organization(s) which requested to view or to copy such statement.

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C. It shall be unlawful for any person or organization to inspect or to copy a statement for:

(1) Any unlawful purpose.

(2) The use, directly or indirectly, in the solicitation of the official or employee for political, charitable or business purposes.

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D. A civil action may be brought by the Village of Ballston Spa's Village Board against any person or organization that violates the provisions of Subsection C of this section or for the willful withholding of the information requested in Subsection A of this section.

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§27-18:Board of Ethics

A. Membership

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1. The Board of Ethics members shall be appointed by the Board of Trustees. The Board of Ethics shall consist of five members approved by a minimum of four members of the Board of Trustees.
2. Each of the five members of the Board of Ethics shall serve a term of four years.
3. Terms shall be staggered so that no more than three members shall have their terms end simultaneously. Existing terms shall continue without interruption with the adoption of this Code.
- 3.4. Members may be appointed for not more than two consecutive four-year terms.
- 4.5. If a vacancy shall occur otherwise than by expiration of term, the Mayor shall appoint a new member for the unexpired term with Village Board approval.
- 5.6. It is the responsibility of the Village Board Ethics Board to solicit new applicants to fill current and upcoming vacancies on the Ethics Board in a timely manner. Solicitation includes, at minimum, placing vacancy on the Village of Ballston Spa Board of Trustees agenda for at least one (1) meeting and on Village of Ballston Spa website and social media until the vacancy is filled. The Ethics Board shall conduct the initial review of applicants and then recommend to the Board of Trustees any prospective members.
- 6.7. The Board of Trustees has the discretion to accept or reject the recommendations of the Ethics Board regarding the appointment of prospective new members.

B. Qualifications of Board Members

1. All members of the Board of Ethics must be residents of the Village of Ballston Spa.
2. No member of the Board of Ethics shall be a political committeeperson, hold office in a partisan political organization, or hold elective office in the Village of Ballston Spa. A Board of Ethics member may make campaign contributions, display campaign signage, and vote.

3. Not more than ~~three~~two members of the Board of Ethics may be members of the same political party.
4. No current officer or employee of the Village of Ballston Spa is eligible to serve on the Board of Ethics.
5. All candidates seeking appointment to the Board of Ethics must agree to:
 - a. Maintain an email account which they agree to monitor at least once per week during their appointed term of office.
 - b. Respond to requests for communication from the Board of Ethics members and the Village Board of Trustees within 48 hours of receiving a communication. Exceptions may be made for vacations, illness, family emergencies, extended leave of absence, acts of God, and other actual emergencies.
 - c. Disclose any prior felony or misdemeanor convictions, and any current pending criminal charges or otherwise consent to and authorize a background check. Convictions and pending charges are not immediate grounds for ineligibility to serve.
 - d. Maintain and inhabit a primary physical residence in the Village of Ballston Spa for no less than ~~seven~~six months of any year in which appointed to Board of Ethics. Board of Ethics members that are not physically present for less than ~~seven~~six months of the year may make virtual appearances at the Board of Ethics meetings to maintain appointed duties.
 - e. Have no clear and present significant conflicts of interest.
 - f. Disclose their registered political affiliation so as not to conflict with the provision of § 27-18(B)(3).
6. The minimum age for applicants to the Board of Ethics is 21 years at the time of appointment.
7. All candidates seeking appointment to the Board of Ethics must complete the Committee Interest Form, disclose any current direct business dealings within and with the Village of Ballston Spa and complete the annual financial disclosure form.

C. Powers and Duties of the Board of Ethics:

1. The Board of Ethics shall select its own Chairperson from within the Board for a one-year term and delegate authority to the Chairperson to act in the name of the Board between meetings of the Board of Ethics provided that the delegation is in writing and the specific powers to be delegated are enumerated, and further provided that the Board may not delegate the power to conduct hearings, determine violations, recommend disciplinary action, impose civil fines, refer any matter to a prosecutor or render advisory opinions, except as stated in Section 27-21. If the Chairperson leaves prior to the end of the one-year term, the Board of Ethics will select a chair to serve the remainder of the term.
2. Prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner not inconsistent with this section or any state or federal law.
3. Conduct investigations pursuant to the Village of Ballston Spa Code of Ethics.

- 3.
4. Issue advisory opinions pursuant to the Village of Ballston Spa Code of Ethics.
 5. Conduct hearings, recommend disciplinary action and initiate appropriate actions and proceedings pursuant to the Village of Ballston Spa Code of Ethics.
 6. In the case of a hearing held by the Board, the due process procedural mechanisms shall be substantially similar to those set forth in Article 3 of the State Administrative Procedure Act. The Ethics Board shall conduct and complete the hearing with reasonable promptness, unless, in its discretion, the Ethics Board refers the matter to the authority or person or body authorized by law to impose disciplinary action or unless the Ethics Board refers the matter to the appropriate prosecutor. If such a referral is made, or if a matter is the subject of another governmental inquiry investigation or judicial proceeding, the Ethics Board may adjourn the matter pending a final determination of such matter by the other authority, person, body, or law enforcement agency.
- 5.
7. The Ethics Board of the Village of Ballston Spa may act only with respect to officers and employees of the municipality and persons having business dealings with the municipality. The termination of a Village officer's or employee's term of office or employment with the Village shall not affect the jurisdiction of the Village Ethics Board with respect to requirements imposed by this chapter on former Village officers or employees to the extent permitted by law.
- 6.
- 7.8. The Village Ethics Board may refer any matter within its jurisdiction to the county Ethics Board in its discretion. The Ethics Board shall refer to the appropriate law enforcement agency any facts or evidence that comes into its possession that reasonably indicates possible criminal violations.
 - 8.9. Where necessary and indicated, the Ethics Board will retain and utilize the attorney for the Village or, when required or there is a decided conflict, will request permission from the Village Board of Trustees to retain outside counsel.
 10. Any formal communication from the Board of Ethics to the Village Board of Trustees shall be in written form. Any majority opinions/recommendations issued by the Board of Ethics will require the signatures of a majority of the members of the Board of Ethics. While not required, a dissenting opinion/recommendation may be written, signed, and attached to the majority opinion/recommendation if the members in the minority so choose.
 - 9.11. The Ethics Board will hold meetings in order to carry out its power and duties. Other than meetings focused on confidential investigations, meetings of the Board Such meetings shall be subject to the requirements of the New York State Open Meetings Law. This includes meetings, or parts of meetings, to add members, make recommendations for code changes, and any other business that does not require confidentiality.

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D. Removal of appointed Ethics Board Members.

1. Appointed members of the Ethics Board may voluntarily vacate from their appointed office upon submission of a letter of resignation to the Village Board of Trustees.

2. Members of the Ethics Board may be removed from their office if the following occurs:
 - a. By being found in violation of the Code of Ethics and being subsequently removed from office by Village Board of Trustees. The Village Board must give the Board member written notice and an opportunity to reply.
 - b. By receiving a unanimous vote from the remaining members of the Board of Ethics and recommendation made to the Village Board of Trustees for removal from office for violations of B above.

E. Training of the Board of Ethics. Each member of the Board of Ethics shall be required to complete at least three hours of ethics training ~~biannually~~ per year either in-person or on-line. Each member shall provide proof of such training to the Village Clerk and such proof shall be maintained in the office of the Village Clerk as a municipal record. Failure to complete required training for more than one year may result in dismissal from the Ethics Board. Newly appointed members must complete their initial training within 120 days of appointment.

§27-19: Complaints and Investigations

- A. Upon receipt of a form duly sworn by the person requesting an investigation of an alleged violation of this chapter or upon the Board determining on its own initiative that a violation of this chapter may exist, the Ethics Board shall have the power and duty to conduct any investigation necessary to carry out the provisions of this section. In conducting any such investigation, the Board may administer oaths or affirmations, subpoena witnesses and compel their attendance and require the production of any books or records which it may deem relevant or material. The form to be utilized in requesting an investigation of an alleged violation of this chapter shall be the form available in the office of the Village Clerk and on the Village of Ballston Spa website.
- B. All complaints, hearings and proceedings of the Board of Ethics shall be kept confidential until such time as a final determination is made. Thereafter, the Village Ethics Board shall state in writing its disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition to the Village Board of Trustees. Any findings of violations of this chapter or other applicable law shall be served upon the subject of the investigation within seven days of such service of any findings of violations of this chapter, and violations shall be made a public record and shall be indexed and maintained on file by the Village Clerk.
- C. All employees of the Village of Ballston Spa and all officials (whether paid or unpaid) are required to fully cooperate with the reasonable requests of the Village of Ballston Spa Ethics Board during all formal ongoing investigations. Notwithstanding the above requirement, the following conditions will also apply:
 1. The Ethics Board shall advise the employee or officer of their right to confer with or obtain outside legal (or other) counsel. No individual shall be denied his/her right to obtain and to utilize outside legal (or other) counsel. A reasonable period of time will be provided to retain outside counsel (as a general rule, no less than 30 calendar days).

2. Any individual questioned in connection with any investigation will be advised whether he or she is a target and/or subject of that investigation ~~as soon as possible~~ within 5 days after a complaint has been made.

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§27-20: Enforcement - Penalties for Offenses

A. ~~Employee-Related Enforcement:~~ In its discretion and after a hearing in accordance with Article 3 of the State Administrative Procedure Act (SAPA), and subject to § 75 of the Civil Service Law and any collective bargaining agreements, to the extent practicable, the Village Ethics Board may recommend for action to the Board of Trustees appropriate disciplinary action which may include a written warning, or reprimand, forfeiture of accrued leave with pay, required attendance at ethics training seminars, suspension or termination of employment to the authority or person or body authorized by law to impose such sanctions, reimbursement for any costs incurred directly by the Village as a result of the ethical violation, or other costs associated with addressing the ethical violation.

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B. Enforcement against Appointees and Public Officials other than Board of Trustees: The Ethics Board may recommend for action to the Board of Trustees removal from office and/or censure. The Ethics Board can also, under its own action issue a public statement of censure.

C. Enforcement against Members of the Board of Trustees: The Ethics Board can issue a public resolution of censure against members of the Board of Trustees. Such resolution will be read at a public Board of Trustees meeting and entered into the public record.

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B. The Village Ethics Board shall conduct and complete the hearing with reasonable promptness and shall not act without notice and opportunity to be heard and shall observe appropriate due process.

Penalties for offenses.

~~Any municipal officer or employee who violates this code may be censured, fined, suspended or removed from office or employment in the manner provided by law.~~

§27-21: Ethics Advisory Opinions

A. The Board of Ethics shall render confidential advisory opinion only to officers and employees, and appointees of the Village of Ballston Spa with respect to Article 18 of the General Municipal law and this Code of Ethics. Officers, and employees, and appointees

of the municipality are encouraged to seek advisory opinions whenever they are uncertain whether their conduct may violate the Code of Ethics.

- B. The Board of Ethics will prepare an advisory opinion based on a thorough review of the facts and applicable law. The Board's opinion is to be based primarily on the facts presented in the request or subsequently submitted in a written signed document. The opinion will be rendered, in writing, to the requester as expeditiously as is practicable, with special attention to the time requirements of a given case.
- C. An officer or employee of the municipality whose conduct or action is the subject of an advisory opinion will not be subject to penalties or sanctions by virtue of acting, or failing to act, due to a reasonable reliance on the opinion, unless material facts were omitted or misstated in the material submitted by the requester.
- C.D. The Village Ethics Board shall state, in writing, its disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition to the Village Board. The findings of the Ethics Board will be sent to the subject of the investigation within seven (7) days after such findings become final.
- D.E. The Board of Ethics will maintain a confidential indexed file of all advisory opinions issued by the Board, which will be kept and maintained by the Village Clerk.

§27-22: Posting and Distribution of Code

- A. The Village of Ballston Spa must promptly cause a copy of this Code of Ethics and a copy of Article 18, §§ 800-809, of the General Municipal Law, and a copy of any amendment to this Code of Ethics, to be posted publicly and conspicuously in each building under the municipality's control and on the Village of Ballston Spa website. The Code must be posted within 10 days following the date on which the Code takes effect. An amendment to the Code must be posted within 10 days following the date on which the amendment takes effect.
- B. The Village of Ballston Spa must promptly cause a copy of this Code of Ethics and a copy of Article 18, §§ 800-809, of the General Municipal Law, and a copy of any amendment to this Code of Ethics, to be distributed to every person who is or becomes an officer or employee of the Village of Ballston Spa. Such distribution can be via electronic mail.
- C. As a part of a municipal officer or employee onboarding process, each officer or employee shall complete the financial disclosure form and receive a copy of this Code of Ethics and must acknowledge receipt in writing. All present municipal officers and employees shall receive a copy of this Code and must acknowledge receipt in writing within 90 days of its ratification. Officers and employees shall receive copies of any amendments to the Code and must acknowledge receipt in writing. Such acknowledgements must be filed with the Village Clerk, who must maintain such acknowledgements as a public record.
- D. The failure to post this Code of Ethics or an amendment to the code does not affect either the applicability or enforceability of the Code of Ethics or the amendment. The failure of a municipal officer or employee to receive a copy of this Code of Ethics or an amendment to the Code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the Code or amendment to the Code.

§27-23 Effective date.

This code takes effect on filing with the Department of State.

RULES OF PROCEDURE – VILLAGE OF BALLSTON SPA

Regular meetings are held the second and fourth Monday of the month at 7:00 PM in the Ballston Spa Library, 21 Milton Avenue. The schedule of meetings with any exceptions noted is approved annually at the Organizational meeting at the Library the at 7:00 PM on the first Monday in January, unless that is January 1st, in which instance it shall be the second Monday~~April each year at 7:00 PM unless the Village changes its official year, at which point the Organizational meeting shall be held the first Monday in January.~~ The official newspaper is notified of the schedule of meetings. The Clerk contacts Trustees and Department Heads if a meeting has to be cancelled due to lack of a quorum. The official newspaper is notified and said cancellation is posted in the Village Hall and on the Village website and social media pages.

The Mayor shall preside at meetings and in his/her/their absence the Deputy Mayor shall preside.

A quorum shall be required to conduct business. A quorum of the five (5) member Board of Trustees shall be three (3). Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie. An abstention or silence shall be considered a negative vote for the purpose of determining the final vote on a matter. Ayes or nays shall take a vote upon any question, and the names of the members present and their votes shall be entered in the minutes.

The presiding officer may debate, move and take other action that may be taken by other members of the Board.

The following shall apply to all Village Board of Trustee meetings including special and emergency meetings:

The presiding officer must recognize board members before making motions and speaking. A member, once recognized shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, were called to order, he/she should cease speaking until the question of order is determined, and, if in order, he/she shall be permitted to proceed.

There is no limit to the number of times a member may speak on a matter.

Motions and resolutions require a majority vote to be approved.

Special meetings are called by the Mayor or by any two (2) Board members. The Clerk contacts the members and if a quorum is available, notifies the official newspaper at least 24 hours in advance of the special meeting.

Emergency meetings are called by the Mayor or by any two (2) Board members. The Clerk contacts the members and if a quorum is available, notifies the official newspaper and posts a notice in the Village Hall.

Executive sessions shall be held in accordance with the NYS Public Officers Law 105. All executive sessions shall be commenced in a public meeting.

The agenda for Village Board meetings shall be set by noon on the Friday before the Monday meeting.

All members of the Board have the right to place items on the agenda provided same is presented to all board members by noon on the Thursday before the Friday meeting.

Each member of the Board shall have their own microphone.

The Clerk or ~~their-his/her~~ designee transcribes minutes of regular, special, emergency and executive meetings from audiotapes. They shall consist of: name of the Board, date, place and time of meeting, notation of presence or absence of Board members and time of arrival or departure if different from time of call to order or adjournment, name and title of other Village officials and employees present, brief summary of public comments, questions & concerns, record or summary of all motions, proposals, resolutions and other matters formally voted upon and the vote thereon, record of communications presented to the Board, record of reports made by Board or other village personnel, time of adjournment, and signature of Clerk or designee. Draft Minutes are placed in Board member mail slots or sent via official Village member email within ten business days with the exception of executive minutes, which are available within five days. The draft minutes shall also be placed on the Village website and shall be labeled "DRAFT." The minutes with any amendments are approved at the next Board meeting.

The Public shall be allowed to speak during any public comment period of the meeting or in the event a motion is made and up for discussion that has not been listed on the agenda. There shall be no public comment allowed for proposed amendments to motions that are listed on the agenda. Speakers shall be limited to a specific period of time as prescribed below. Speakers are requested to must give their name, address and organization, if any. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. The only time in which additional public comment may be permitted is in the event a new motion in the opinion of the Presiding Officer is made that is not identified on the agenda. In those cases, Public Comment on only that motion-only may be permitted, limited to 90 seconds per speaker after which the Board may vote on the motion. Where there is a public hearing, speakers are limited to five (5) minutes, and the minutes cannot be ceded to another speaker.

The Board recognizes the need for a non-threatening atmosphere in which legitimate discussion of issues may be pursued in a collegial manner. Inappropriate or offensive behavior by Board members, staff members or anyone in attendance at a meeting of the Ballston Spa Board of Trustees is strictly prohibited.

The following rules will be enforced. These rules will be posted at all board meetings. and will be included on the printed agenda. One or more of the following rules, as relevant and appropriate, may be read by the Presiding Officer or a Trustee if requested by any Board member at any point in the meeting.

"The Board of Trustees welcomes Village residents, and other interested persons to its meeting. Community involvement at Board meetings is encouraged so that the Board can better understand and represent the views of its constituents. The following rules will apply:

1. Speakers will be called upon individually, and when recognized by the presiding officer please state your name and residence address and organization if any.
2. Statements are restricted to a maximum of five minutes, and speakers will be notified by the presiding officer when their time has expired.
3. All comments and questions from the public shall be directed to the Board only, not specific department heads, consultants or other members of the public, unless specifically permitted by the Presiding Officer.
4. Speakers will not make statements during the meeting that involve personal, impertinent, or slanderous attacks on any group, organization or individual, a member of the Board, an employee of the Village, a member of the audience or a member of the public regardless of

- whether the individual sought to be named is present. Speakers will not use profane, vulgar, threatening or racial or ethnic slurs and will at all times maintain a professional decorum.
5. No one will disrupt the meeting with loud outbursts or other disruptive conduct or behavior including, but is not limited to, obscenity, heckling, taunting/cheering, physical threats, abusive language, etc. either during the Speaker's assigned time or at any other time during the meeting.
 6. Speakers understand that a failure to comply with the foregoing rules may result in early termination of the Speaker's allotted time, a denial of future requests to speak, removal from the meeting if they are being overly disruptive and threatening, and any other actions deemed necessary by the presiding officer or by majority vote of the board.
 7. Violators of the rules will be warned of their first violation, warned at their second violation with an admonition if they violate the rule a third time they may be removed from the meeting."

~~Board members may interrupt a speaker during their comments, but only for the purpose of clarification or information. Interested parties or their representatives may address the Board by written communications. All comments and questions from the public shall be directed to the Board only, not specific department heads, consultants or other members of the public unless specifically permitted by the Presiding Officer.~~

~~For the 2022-2023 year pursuant to the legislation S.50001/A.40001, meetings of the Board of Trustees may be held via video conference and such meetings shall be seen to meet the requirements of the New York State Open Meetings Law. In the event the Board holds virtual meetings or members of the Board appear virtually, they shall be on camera at all times during the videoconference with panelist authority unless there are extenuating circumstances. In accordance with the law, the public will be provided with the ability to view and participate in the meeting just as if the meeting were wholly in person. In addition to minutes, the Village shall prepare a transcript at a later date as required by the law. This procedure shall be effective until such time as the state of emergency is ended and the law repealed.~~

The agenda is the order of business for Village Board meeting and shall include:

- 1) Call to Order
- 2) Pledge to the Flag (Led by a Rotation of Board Members and/or Community Members)
- 3) Approval of Prior Meeting Minutes
- 4) Mayor Announcements
- 5) Liaison Reports
- 6) Treasurer's Report
- 7) Presentations
- 8) Old Business
- 9) New Business
- 10) Public Comment (5-3 Minutes per Speaker; limited to one comment time per Speaker per meeting)
- 11) Board Response to Public Comment
- 12) Agenda Items for Consideration/Vote
- 13) Other Business
- 14) Executive Session, if necessary
- 15) Adjournment/Voucher Audit

~~The only time in which additional public comment may be permitted is in the event a new motion in the opinion of the Presiding Officer is made that is not identified on the Agenda. In those cases, Public~~

~~Comment on that motion only may be permitted, limited to 90 seconds per speaker after which the Board may vote on the motion.~~

~~Where there is a public hearing, speakers are limited to five (5) minutes, and the minutes cannot be eeded to another speaker.~~

All members of the public and all public officials are allowed to record public meetings with the exception of executive sessions. The recording shall be done in a manner which does not interfere with the meeting. The presiding officer may make a determination that the recording is being done in an intrusive matter and request an accommodation to avoid the interference and if not complied with the individual will be asked to leave the meeting room.

~~The board and the public shall comport themselves with decorum at all times, speaking one individual at a time. Comments and interjections shall not be permitted. The purpose of this is to make certain that all individuals are given the same amount of respect during speaking, and to allow the Clerk to properly record the minutes.~~

The above Rules of Procedures shall be the rules for the meetings of the Village Board of Trustees.

The foregoing procedures may be amended from time to time by resolution of the Village Board.

Adopted:

April 4, 2022

Revised:

June 27, 2022

Revised:

July 11, 2022

Revised:

November 28, 2022

Revised:

July __, 2023

**VILLAGE OF BALLSTON SPA
NOTICE OF PUBLIC HEARING
TO CONSIDER ADOPTION OF LOCAL LAW**

NOTICE IS HEREBY GIVEN pursuant to Section 20 of the Municipal Home Rule Law of the State of New York that a public hearing will be held by the Board of Trustees of the Village of Ballston Spa on Monday, July 26, 2023, at 7:01 p.m. at the Ballston Spa Public Library, located at 21 Milton Avenue, Ballston Spa, New York, for the purpose of considering the adoption of Local Law No. 4 of 2023. If adopted, Local Law No. 4 of 2023 would repeal Section 2 of Chapter 174 Streets and Sidewalks of the Village of Ballston Spa and replace it in its entirety with new Section 2 of Chapter 174 Streets and Sidewalks as follows: "Whenever sidewalks are constructed, repaired, or replaced on the streets of said Village with the consent of the Village Clerk, of approved material and of the width and cost provided by law, the owner or occupant of the premises adjoining such walk who shall have constructed, repaired, or replaced the same will be paid, with approval of the Board of Trustees, 50 percent of the cost of such sidewalk and/or curb construction, repair, or replacement, up to \$3,500 per property (which shall be adjusted annually on June 1st based on the prior calendar year's Consumer Price Index change to account for inflation). Receipts and bills of items of the cost thereof must accompany all claims for such payment."

Written comments on Local Law No. 4 of 2023 can be submitted to the Village Clerk up and through the time of the public hearing. A copy of proposed Local Law No. 4 of 2023 can be obtained at the Village Offices and on the Village's website.

Teri O'Connor
Village Clerk

Published: _____