

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.

August 28, 2023

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Mayor

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Trustee

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Trustee

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Trustee

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Trustee

# Village of Ballston Spa Abstract of Audited Vouchers from 8/15/2023 to 8/28/2023

| <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> |
|--------------------------------------------------|---------------------|--------------------------------------------|------------------|--------------------------|---------------------------------------------|------------------|--------------|-----------------|
| <b>Voucher Type: Prepaid</b>                     |                     |                                            |                  |                          |                                             |                  |              |                 |
| <b>Empire Bluecross</b>                          |                     |                                            | <b>1892</b>      |                          |                                             |                  |              |                 |
|                                                  | 8/21/2023           | Group# D00798<br>Sept 2023 Coverage        |                  | TA.0020.000.000          | Group Insurance                             | 1,951.59         | 0006535      | 8/23/2023       |
|                                                  | 8/21/2023           | Group# D00798<br>Sept 2023 Coverage        |                  | LL.9060.800.000          | Medical Ins (Village Share)<br>PUBLIC LIBR  | 1,605.40         | 0006535      | 8/23/2023       |
|                                                  | 8/21/2023           | Group# D00798<br>Sept 2023 Coverage        |                  | AA.9089.800.000          | Other EB (Sect. 125) EB                     | 18,566.24        | 0006535      | 8/23/2023       |
|                                                  | 8/21/2023           | Group# D00798<br>Sept 2023 Coverage        |                  | LL.9089.800.000          | Other EB                                    | 1,185.08         | 0006535      | 8/23/2023       |
|                                                  | 8/21/2023           | Group# D00798<br>Sept 2023 Coverage        |                  | AA.9060.800.000          | Medical Insurance (Village Share)<br>EB     | 23,278.32        | 0006535      | 8/23/2023       |
|                                                  | 8/21/2023           | Group# D00798<br>Sept 2023 Coverage        |                  | GG.9060.800.000          | Medical Insurance (Village Share)<br>EB     | 1,872.97         | 0006535      | 8/23/2023       |
|                                                  |                     |                                            |                  |                          |                                             | <u>48,459.60</u> |              |                 |
| <b>Empire Bluecross Total</b>                    |                     |                                            |                  |                          |                                             |                  |              |                 |
| <b>Fun1 Entertainment Svcs, LLC</b>              |                     |                                            | <b>1889</b>      |                          |                                             |                  |              |                 |
|                                                  | 8/18/2023           | 08182023<br>Family Fun Day 2023            |                  | AA.7550.400.000          | Celebrations CE                             | 850.00           | 0006530      | 8/17/2023       |
|                                                  | 8/21/2023           | 08212023<br>2023 Family Fun Day            |                  | AA.7550.400.000          | Celebrations CE                             | 6,200.00         | 0006533      | 8/21/2023       |
|                                                  |                     |                                            |                  |                          |                                             | <u>7,050.00</u>  |              |                 |
| <b>Fun1 Entertainment Svcs, LLC Total</b>        |                     |                                            |                  |                          |                                             |                  |              |                 |
| <b>Generations Bank CARDMEMBER</b>               |                     |                                            | <b>1952</b>      |                          |                                             |                  |              |                 |
|                                                  | 8/23/2023           | 20230822<br>STREETS AND CHECKER            |                  | AA.5110.404.000          | Street Administration CE - Repairs<br>& Mai | 594.15           | 0006539      | 8/23/2023       |
|                                                  | 8/23/2023           | 20230822<br>STREETS AND CHECKER            |                  | AA.1325.400.000          | Treasurer CE                                | 80.23            | 0006539      | 8/23/2023       |
|                                                  |                     |                                            |                  |                          |                                             | <u>674.38</u>    |              |                 |
| <b>Generations Bank CARDMEMBER SERVICE Total</b> |                     |                                            |                  |                          |                                             |                  |              |                 |
| <b>National Grid #01688-15101</b>                |                     |                                            | <b>1890</b>      |                          |                                             |                  |              |                 |
|                                                  | 8/11/2023           | 20230821<br>Bath St PD Lite 7/13-8/11      |                  | AA.1621.401.000          | Municipal Bldg CE - 30 Bath St<br>Utilitie  | 23.99            | 0006536      | 8/23/2023       |
|                                                  |                     |                                            |                  |                          |                                             | <u>23.99</u>     |              |                 |
| <b>National Grid #01688-15101 Total</b>          |                     |                                            |                  |                          |                                             |                  |              |                 |
| <b>State Comptroller</b>                         |                     |                                            | <b>1943</b>      |                          |                                             |                  |              |                 |
|                                                  | 8/14/2023           | 23INT_MCCANN_2<br>online class-Treasurer   |                  | AA.1325.406.000          | Treasurer CE - Other                        | 85.00            | 0006537      | 8/23/2023       |
|                                                  | 8/14/2023           | 23pri_mccann_216<br>online class-Treasurer |                  | AA.1325.406.000          | Treasurer CE - Other                        | 85.00            | 0006537      | 8/23/2023       |
|                                                  |                     |                                            |                  |                          |                                             | <u>170.00</u>    |              |                 |
| <b>State Comptroller Total</b>                   |                     |                                            |                  |                          |                                             |                  |              |                 |

# Village of Ballston Spa Abstract of Audited Vouchers from 8/15/2023 to 8/28/2023

| <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>          |
|---------------------------------------------|---------------------|--------------------------------------------|------------------|--------------------------|------------------------------|------------------------------------------------------|--------------|--------------------------|
| Stone Industries, LLC                       | 8/16/2023           | 08162023<br>2023 Family Fun Day            | 1887             | AA.7550.400.000          | Celebrations CE              | 1,274.00                                             | 0006529      | 8/16/2023                |
| <b>Stone Industries, LLC Total</b>          |                     |                                            |                  |                          |                              | <u>1,274.00</u>                                      |              |                          |
| The Refrigerators                           | 8/18/2023           | 08182023<br>Family Fun Day 2023            | 1888             | AA.7550.400.000          | Celebrations CE              | <del>2,300.00</del>                                  | 0006531      | 8/17/2023 <i>deleted</i> |
|                                             | 8/21/2023           | 08212023<br>Family Fun Day 2023 Revised    |                  | AA.7550.400.000          | Celebrations CE              | 2,650.00                                             | 0006534      | 8/21/2023                |
| <b>The Refrigerators Total</b>              |                     |                                            |                  |                          |                              | <u><del>2,300.00</del><br/>5,450.00<br/>2,650.00</u> |              |                          |
| Underfloor music                            | 8/12/2023           | 20230821<br>music Swimming under the stars | 1891             | AA.7550.400.000          | Celebrations CE              | 600.00                                               | 0006538      | 8/23/2023                |
| <b>Underfloor music Total</b>               |                     |                                            |                  |                          |                              | <u>600.00</u>                                        |              |                          |
| <b>Total for Voucher Type: Prepaid</b>      |                     |                                            |                  |                          |                              | <u>63,701.97</u>                                     |              |                          |
| <b>Voucher Type: PriorYear</b>              |                     |                                            |                  |                          |                              |                                                      |              |                          |
| Motorola Solutions, Inc.                    | 3/11/2023           | 1187072150<br>Portable Radios              | 1899             | AA.3410.200.000          | Fire Chiefs EQ               | 9,255.36                                             |              |                          |
| <b>Motorola Solutions, Inc. Total</b>       |                     |                                            |                  |                          |                              | <u>9,255.36</u>                                      |              |                          |
| <b>Total for Voucher Type: PriorYear</b>    |                     |                                            |                  |                          |                              | <u>9,255.36</u>                                      |              |                          |
| <b>Voucher Type: Regular</b>                |                     |                                            |                  |                          |                              |                                                      |              |                          |
| Adirondack Sign Co.                         | 8/18/2023           | 30859<br>FFD                               | 1934             | AA.7550.400.000          | Celebrations CE              | 60.00                                                |              |                          |
| <b>Adirondack Sign Co. Total</b>            |                     |                                            |                  |                          |                              | <u>60.00</u>                                         |              |                          |
| Agway Of Ballston Spa                       | 8/17/2023           | 080938<br>hay                              | 1938             | AA.7550.400.000          | Celebrations CE              | 72.00                                                |              |                          |
| <b>Agway Of Ballston Spa Total</b>          |                     |                                            |                  |                          |                              | <u>72.00</u>                                         |              |                          |
| <b>Allerdice Building Supply, Inc</b>       | 8/21/2023           | 2308-127195<br>rope                        | 1974             | AA.1640.405.000          | Central Garage CE - Supplies | 38.99                                                |              |                          |
| <b>Allerdice Building Supply, Inc Total</b> |                     |                                            |                  |                          |                              | <u>38.99</u>                                         |              |                          |
| <b>Allied Universal Security Svcs</b>       | 8/06/2023           | 14593016<br>security officer               | 1966             | AA.1110.400.000          | Justices CE                  | 521.30                                               |              |                          |
| <b>Allied Universal Security Svcs Total</b> |                     |                                            |                  |                          |                              | <u>521.30</u>                                        |              |                          |

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| <u>Claimant</u>                                 | <u>Invoice Date</u>                       | <u>Invoice Description</u> | <u>Voucher #</u> | <u>Distribution Acct</u> | <u>Account Description</u>               | <u>AP Owed</u>  | <u>Chk #</u> | <u>Chk Date</u> |
|-------------------------------------------------|-------------------------------------------|----------------------------|------------------|--------------------------|------------------------------------------|-----------------|--------------|-----------------|
| <b>Amazon Business</b>                          |                                           |                            | 1909             |                          |                                          |                 |              |                 |
| 8/09/2023                                       | 1763-vtp4-9lkm signature pad/PD           |                            |                  | AA.3120.405.000          | Police CE - Supplies                     | 189.99          |              |                 |
| 8/10/2023                                       | 1ML1-KT7W-XGJ4 Family Fun Day 2023        |                            |                  | AA.7550.400.000          | Celebrations CE                          | 706.12          |              |                 |
| 8/11/2023                                       | 1JHJ-GP6F-XN9F Family Fun Day 2023        |                            |                  | AA.7550.400.000          | Celebrations CE                          | 65.27           |              |                 |
| 8/14/2023                                       | 16D3-9KVL-7GM7 pencils                    |                            |                  | AA.1410.405.000          | Village Clerk CE - Other                 | 6.19            |              |                 |
| 8/14/2023                                       | 1K3M-7P1J-6WK9 Certificate holders        |                            |                  | AA.1210.400.000          | Mayor CE                                 | 18.99           |              |                 |
| 8/14/2023                                       | 1r7f-6jh-jq3w item returned/did not order |                            |                  | AA.1410.405.000          | Village Clerk CE - Other                 | -6.19           |              |                 |
| 8/15/2023                                       | 1xqp-rcwh-drd3 markers                    |                            |                  | AA.7550.400.000          | Celebrations CE                          | 6.75            |              |                 |
| 8/16/2023                                       | 149p-wy6t-m71x batteries                  |                            |                  | AA.7550.400.000          | Celebrations CE                          | 77.20           |              |                 |
| 8/16/2023                                       | 1klk-VYQV-L4D6 cardstock/Mayor            |                            |                  | AA.1210.406.000          | Mayor CE - Other                         | 4.79            |              |                 |
| <b>Amazon Business Total</b>                    |                                           |                            |                  |                          |                                          | <u>1,069.11</u> |              |                 |
| <b>American Delivery Solutions</b>              |                                           |                            | 1967             |                          |                                          |                 |              |                 |
| 7/11/2023                                       | 761 chlorine                              |                            |                  | AA.7180.404.000          | Spec Rec Fac CE - Repairs & Maint        | 760.00          |              |                 |
| 8/08/2023                                       | 898 chlorine                              |                            |                  | AA.7180.404.000          | Spec Rec Fac CE - Repairs & Maint        | 705.00          |              |                 |
| 8/15/2023                                       | 926 chlorine                              |                            |                  | AA.7180.404.000          | Spec Rec Fac CE - Repairs & Maint        | 925.00          |              |                 |
| 8/22/2023                                       | 955 CHLORINE POOL                         |                            |                  | AA.7180.404.000          | Spec Rec Fac CE - Repairs & Maint        | 732.50          |              |                 |
| 9/23/2023                                       | 673 chlorine                              |                            |                  | AA.7180.404.000          | Spec Rec Fac CE - Repairs & Maint        | 1,282.50        |              |                 |
| <b>American Delivery Solutions Total</b>        |                                           |                            |                  |                          |                                          | <u>4,405.00</u> |              |                 |
| <b>Axon Enterprises</b>                         |                                           |                            | 1898             |                          |                                          |                 |              |                 |
| 7/26/2023                                       | INUS173935 Spare battery pack/PD          |                            |                  | AA.3120.405.000          | Police CE - Supplies                     | 288.00          |              |                 |
| <b>Axon Enterprises Total</b>                   |                                           |                            |                  |                          |                                          | <u>288.00</u>   |              |                 |
| <b>B.D.B Paving &amp; General Contrac</b>       |                                           |                            | 1945             |                          |                                          |                 |              |                 |
| 8/04/2023                                       | 140111 RED PAINT                          |                            |                  | AA.5110.404.000          | Street Administration CE - Repairs & Mai | 2,750.00        |              |                 |
| <b>B.D.B Paving &amp; General Contrac Total</b> |                                           |                            |                  |                          |                                          | <u>2,750.00</u> |              |                 |

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| <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> |
|----------------------------------------------------|---------------------|---------------------------------------------------------|------------------|--------------------------|------------------------------------------|-----------------|--------------|-----------------|
| <b>Baker &amp; Taylor</b>                          | 7/26/2023           | 5018459706<br>books for Library                         | 1917             | LL.7410.405.000          | Library CE - Supplies                    | 561.94          |              |                 |
|                                                    | 8/08/2023           | 5018473001<br>books                                     |                  | LL.7410.405.000          | Library CE - Supplies                    | 58.46           |              |                 |
| <b><u>Baker &amp; Taylor Total</u></b>             |                     |                                                         |                  |                          |                                          | <u>620.40</u>   |              |                 |
| <b>Ballston Spa Fire Police Squad</b>              | 8/23/2023           | 20230823<br>S.U.T.STARS                                 | 1986             | AA.7550.400.000          | Celebrations CE                          | 500.00          |              |                 |
|                                                    | 8/28/2023           | 20230822<br>Swim under stars supplies                   |                  | AA.7550.400.000          | Celebrations CE                          | 202.27          |              |                 |
| <b><u>Ballston Spa Fire Police Squad Total</u></b> |                     |                                                         |                  |                          |                                          | <u>702.27</u>   |              |                 |
| <b>BY GEORGE FOOD SPECIALTIES</b>                  | 8/24/2023           | 20230824<br>under the stars                             | 1991             | AA.7550.400.000          | Celebrations CE                          | 1,358.91        |              |                 |
| <b><u>BY GEORGE FOOD SPECIALTIES Total</u></b>     |                     |                                                         |                  |                          |                                          | <u>1,358.91</u> |              |                 |
| <b>Capital Tractor Inc.</b>                        | 8/04/2023           | wr29926<br>repair mower                                 | 1975             | AA.5110.404.000          | Street Administration CE - Repairs & Mai | 250.00          |              |                 |
| <b><u>Capital Tractor Inc. Total</u></b>           |                     |                                                         |                  |                          |                                          | <u>250.00</u>   |              |                 |
| <b>Center Point Large Print</b>                    | 8/01/2023           | 2031294<br>BOOKS                                        | 1922             | LL.7410.405.000          | Library CE - Supplies                    | 97.08           |              |                 |
| <b><u>Center Point Large Print Total</u></b>       |                     |                                                         |                  |                          |                                          | <u>97.08</u>    |              |                 |
| <b>Curtis Lumber Company, Inc.</b>                 | 8/09/2023           | 2308-131878<br>supplies                                 | 1976             | AA.5110.404.000          | Street Administration CE - Repairs & Mai | 39.38           |              |                 |
|                                                    | 8/11/2023           | 2308-147988<br>Pool/2 canopies                          |                  | AA.7180.405.000          | Spec Rec Fac CE - Supplies               | 259.98          |              |                 |
|                                                    | 8/14/2023           | 2308-157080<br>TENTS                                    |                  | AA.7550.400.000          | Celebrations CE                          | 649.95          |              |                 |
|                                                    | 8/14/2023           | 2308157113<br>Credit for lower price quoted on canopies |                  | AA.7550.400.000          | Celebrations CE                          | -65.00          |              |                 |
|                                                    | 8/14/2023           | 2308B57172<br>tent                                      |                  | AA.7550.400.000          | Celebrations CE                          | 584.95          |              |                 |
|                                                    | 8/15/2023           | 2308-162076<br>supplies                                 |                  | GG.8140.404.000          | Storm Sewer Drainage CE - Repairs & Main | 155.22          |              |                 |
|                                                    | 8/15/2023           | 2308-162171<br>mortar                                   |                  | AA.5110.404.000          | Street Administration CE - Repairs & Mai | 19.58           |              |                 |
|                                                    | 8/16/2023           | 2308-168410<br>mortar                                   |                  | AA.5110.404.000          | Street Administration CE - Repairs & Mai | 34.99           |              |                 |

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|---------------------------------------------|---------------------|----------------------------------------|------------------|--------------------------|--------------------------------------------|------------------|--------------|-----------------|
|                                             | 8/17/2023           | 2308-173205 tents                      | 1915             | AA.7550.400.000          | Celebrations CE                            | 718.05           |              |                 |
|                                             | 8/17/2023           | 2308-174202 wood                       |                  | AA.5110.404.000          | Street Administration CE - Repairs & Mai   | 61.10            |              |                 |
|                                             | 8/17/2023           | 2308-174328 screws                     |                  | AA.5110.404.000          | Street Administration CE - Repairs & Mai   | 62.78            |              |                 |
| <u>Curtis Lumber Company, Inc. Total</u>    |                     |                                        |                  |                          |                                            | <u>2,520.98</u>  |              |                 |
| <u>De Lage Landen Financial Svce</u>        | 8/06/2023           | 80617160 PRINTER                       | 1915             | LL.7410.406.000          | Library CE - Other                         | 136.50           |              |                 |
| <u>De Lage Landen Financial Svce Total</u>  |                     |                                        |                  |                          |                                            | <u>136.50</u>    |              |                 |
| <u>Eagle-Matt Lee Fire Co. #1</u>           | 8/28/2023           | 20230822 FOREIGN FIRE - BALLSTON & NYS | 1956             | AA.0630.000.000          | Due to Other Funds                         | 24,442.03        |              |                 |
| <u>Eagle-Matt Lee Fire Co. #1 Total</u>     |                     |                                        |                  |                          |                                            | <u>24,442.03</u> |              |                 |
| <u>Equitable- Axa</u>                       | 8/28/2023           | 20230824 salary allotment              | 1988             | TA.0020.000.000          | Group Insurance                            | 574.95           |              |                 |
| <u>Equitable- Axa Total</u>                 |                     |                                        |                  |                          |                                            | <u>574.95</u>    |              |                 |
| <u>F.W. Webb Company</u>                    | 8/11/2023           | 81919716 SUPPLIES                      | 1958             | AA.8340.404.000          | Transmission & Distribution - CE - Repair  | 313.92           |              |                 |
| <u>F.W. Webb Company Total</u>              |                     |                                        |                  |                          |                                            | <u>313.92</u>    |              |                 |
| <u>G &amp; G Municipal Consulting</u>       | 8/10/2023           | 1161 EFC Report                        | 1896             | AA.8340.406.000          | Transmission & Distribution - CE - Other   | 145.00           |              |                 |
|                                             | 8/10/2023           | 1161 EFC Report                        |                  | GG.8120.406.000          | Sanitary Sewers CE - Others                | 145.00           |              |                 |
| <u>G &amp; G Municipal Consulting Total</u> |                     |                                        |                  |                          |                                            | <u>290.00</u>    |              |                 |
|                                             | 8/22/2023           | 20230822 medical                       | 1926             | AA.9060.800.000          | Medical Insurance (Village Share) EB       | 65.00            |              |                 |
| <u>Home Depot Credit Services</u>           | 7/28/2023           | 3024591 KELLEY PARK                    | 1953             | AA.7140.404.000          | Playgrounds/Kelly Park CE - Repair & Maint | 394.83           |              |                 |
| <u>Home Depot Credit Services Total</u>     |                     |                                        |                  |                          |                                            | <u>394.83</u>    |              |                 |

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|--------------------------------|---------------------|-------------------------------------------------------|------------------|--------------------------|------------------------------------------|-----------------|--------------|-----------------|
| Jc Smith, Inc.                 | 6/30/2023           | 1686142<br>SUPPLIES                                   | 1954             | AA.5110.404.000          | Street Administration CE - Repairs & Mai | 220.12          |              |                 |
| Jc Smith, Inc. Total           | 8/09/2023           | 1695290<br>SUPPLIES CREDIT                            |                  | AA.5110.404.000          | Street Administration CE - Repairs & Mai | -220.12         |              |                 |
| Ks Statebank                   | 7/13/2023           | 60945-9-2023<br>Installment Pmt 2021 Dodge Durango/PD | 1895             | AA.3120.200.000          | Police EQ                                | 13,701.74       |              |                 |
| Ks Statebank Total             |                     |                                                       |                  |                          |                                          | 13,701.74       |              |                 |
| Labella Associates, Dpc        | 7/31/2023           | 202793<br>union                                       | 1939             | AA.3412.406.000          | Union Fire Dept CE - Other               | 4,600.00        |              |                 |
|                                | 7/31/2023           | 202795<br>wiswall park                                |                  | AA.7110.406.000          | PARKS - Wiswall & Iron Spring CE - Other | 1,300.00        |              |                 |
|                                | 7/31/2023           | 202983<br>water services                              |                  | AA.8340.400.000          | Transmission & Distribution - CE - Contr | 5,158.00        |              |                 |
| Labella Associates, Dpc Total  |                     |                                                       |                  |                          |                                          | 11,058.00       |              |                 |
| Mahoneynotify-Plus, Inc.       | 5/19/2023           | 0523719-IN<br>Ret Check fee                           | 1897             | AA.1325.400.000          | Treasurer CE                             | 45.00           |              |                 |
| Mahoneynotify-Plus, Inc. Total |                     |                                                       |                  |                          |                                          | 45.00           |              |                 |
| Mangino Chevrolet, Inc         | 8/15/2023           | 90525<br>OIL CHANGE                                   | 1912             | AA.3120.404.000          | Police CE - Repairs & Maint.             | 97.15           |              |                 |
| Mangino Chevrolet, Inc Total   |                     |                                                       |                  |                          |                                          | 97.15           |              |                 |
| Marozzi, Gina                  | 8/24/2023           | 20230824<br>reimbursement- ffd                        | 1987             | AA.7550.400.000          | Celebrations CE                          | 185.60          |              |                 |
| Marozzi, Gina Total            |                     |                                                       |                  |                          |                                          | 185.60          |              |                 |
|                                | 8/28/2023           | * 8/28/23<br>REIMBURSEMENT                            | 1925             | AA.1325.406.000          | Treasurer CE - Other                     | 6.59            |              |                 |
|                                |                     |                                                       |                  |                          |                                          | 6.59            |              |                 |
| Midwest Tape                   | 8/07/2023           | 504196713<br>BOOKS                                    | 1921             | LL.7410.405.000          | Library CE - Supplies                    | 89.46           |              |                 |
|                                | 8/15/2023           | 504209944<br>BOOKS                                    |                  | LL.7410.405.000          | Library CE - Supplies                    | 191.44          |              |                 |
| Midwest Tape Total             |                     |                                                       |                  |                          |                                          | 280.90          |              |                 |

# Village of Ballston Spa Abstract of Audited Vouchers from 8/15/2023 to 8/28/2023

| <u>Claimant</u>                                    | <u>Invoice Date</u> | <u>Invoice Description</u>    | <u>Voucher #</u> | <u>Distribution Acct</u> | <u>Account Description</u>                    | <u>AP Owed</u>  | <u>Chk #</u> | <u>Chk Date</u> |
|----------------------------------------------------|---------------------|-------------------------------|------------------|--------------------------|-----------------------------------------------|-----------------|--------------|-----------------|
| Moe'S Mowing                                       | 8/21/2023           | 8/21/23<br>MOWING #2          | 1924             | AA.7140.404.000          | Playgrounds/Kelly Park CE -<br>Repair & Maint | 9,750.00        |              |                 |
| <b><u>Moe'S Mowing Total</u></b>                   |                     |                               |                  |                          |                                               | <u>9,750.00</u> |              |                 |
| <b><u>NAPA *Saratoga Auto Supply</u></b>           | 6/05/2023           | 944261<br>parts               | 1971             | AA.3411.405.000          | E.M.L. Fire Dept CE - Supplies                | 479.60          |              |                 |
|                                                    | 6/22/2023           | 949112<br>parts               |                  | AA.3120.404.000          | Police CE - Repairs & Maint.                  | 13.49           |              |                 |
|                                                    | 7/13/2023           | 954455<br>parts               |                  | AA.5110.404.000          | Street Administration CE - Repairs<br>& Mai   | 36.19           |              |                 |
|                                                    | 6/25/2025           | 941717<br>auto parts          |                  | AA.3411.404.000          | E.M.L. Fire Dept CE - Repairs &<br>Maint.     | 62.96           |              |                 |
| <b><u>NAPA *Saratoga Auto Supply Total</u></b>     |                     |                               |                  |                          |                                               | <u>592.24</u>   |              |                 |
| <b><u>North Country Printing And Gra</u></b>       | 8/21/2023           | 7627                          | 1989             | AA.7550.400.000          | Celebrations CE                               | 104.75          |              |                 |
| <b><u>North Country Printing And Gra Total</u></b> |                     |                               |                  |                          |                                               | <u>104.75</u>   |              |                 |
|                                                    | 8/15/2023           | 20230821<br>MEDICAL           | 1911             | AA.9060.800.000          | Medical Insurance (Village Share)<br>EB       | 15.00           |              |                 |
|                                                    |                     |                               |                  |                          |                                               | <u>15.00</u>    |              |                 |
| <b><u>Otten, Raymond</u></b>                       | 8/28/2023           | 20230822<br>REIMBURSEMENT FFD | 1959             | AA.7550.400.000          | Celebrations CE                               | 65.88           |              |                 |
| <b><u>Otten, Raymond Total</u></b>                 |                     |                               |                  |                          |                                               | <u>65.88</u>    |              |                 |
| <b><u>Overhead Door Co. Of Glens Fal</u></b>       | 8/28/2023           | 65100<br>repair               | 1930             | AA.3412.404.000          | Union Fire Dept CE - Repairs &<br>Maint.      | 1,140.51        |              |                 |
| <b><u>Overhead Door Co. Of Glens Fal Total</u></b> |                     |                               |                  |                          |                                               | <u>1,140.51</u> |              |                 |
| <b><u>Pallette Stone Corporation</u></b>           | 8/07/2023           | 537307<br>riser               | 1982             | GG.8140.404.000          | Storm Sewer Drainage CE -<br>Repairs & Main   | 555.00          |              |                 |
| <b><u>Pallette Stone Corporation Total</u></b>     |                     |                               |                  |                          |                                               | <u>555.00</u>   |              |                 |
| <b><u>Pollard Water</u></b>                        | 8/04/2023           | WW044487<br>WATER             | 1961             | AA.8340.404.000          | Transmission & Distribution - CE -<br>Repai   | 189.00          |              |                 |
| <b><u>Pollard Water Total</u></b>                  |                     |                               |                  |                          |                                               | <u>189.00</u>   |              |                 |



## Village of Ballston Spa Abstract of Audited Vouchers from 8/15/2023 to 8/28/2023

| <u>Claimant</u>                                   | <u>Invoice Date</u> | <u>Invoice Description</u>             | <u>Voucher #</u> | <u>Distribution Acct</u> | <u>Account Description</u>               | <u>AP Owed</u>  | <u>Chk #</u> | <u>Chk Date</u> |
|---------------------------------------------------|---------------------|----------------------------------------|------------------|--------------------------|------------------------------------------|-----------------|--------------|-----------------|
| Ricci, Brian                                      | 8/28/2023           | 20230822<br>REPAIR TO TRAFFIC SIGNAL   | 1949             | AA.5110.404.000          | Street Administration CE - Repairs & Mai | 87.50           |              |                 |
|                                                   | 8/28/2023           | 20230822-1<br>REPAIR TO TRAFFIC SIGNAL |                  | AA.5110.404.000          | Street Administration CE - Repairs & Mai | 3,851.00        |              |                 |
| <b><u>Ricci, Brian Total</u></b>                  |                     |                                        |                  |                          |                                          | <u>3,938.50</u> |              |                 |
| Saratoga County Central Serv                      | 8/09/2023           | 20230823<br>envelops                   | 1965             | AA.1110.405.000          | Justices - Supplies                      | 45.22           |              |                 |
| <b><u>Saratoga County Central Serv. Total</u></b> |                     |                                        |                  |                          |                                          | <u>45.22</u>    |              |                 |
| Seeley Office Systems                             | 8/16/2023           | 01111824-001<br>SUPPLIES               | 1919             | LL.7410.405.000          | Library CE - Supplies                    | 241.89          |              |                 |
|                                                   | 8/17/2023           | 0111304-002<br>CREDIT                  |                  | LL.7410.405.000          | Library CE - Supplies                    | -70.00          |              |                 |
| <b><u>Seeley Office Systems Total</u></b>         |                     |                                        |                  |                          |                                          | <u>171.89</u>   |              |                 |
| Simmons Elevator Company                          | 7/27/2023           | 47601<br>ELEVATOR REPAIR               | 1923             | LL.7410.400.000          | Library CE - Contracts                   | 358.25          |              |                 |
| <b><u>Simmons Elevator Company Total</u></b>      |                     |                                        |                  |                          |                                          | <u>358.25</u>   |              |                 |
| Slack Chemical Company                            | 8/04/2023           | 202766<br>credit                       | 1984             | AA.8340.404.000          | Transmission & Distribution - CE - Repai | -400.00         |              |                 |
|                                                   | 8/04/2023           | 202958<br>credit                       |                  | AA.8340.404.000          | Transmission & Distribution - CE - Repai | -544.00         |              |                 |
|                                                   | 8/04/2023           | 459664<br>water treatment              |                  | AA.8340.404.000          | Transmission & Distribution - CE - Repai | 5,760.95        |              |                 |
| <b><u>Slack Chemical Company Total</u></b>        |                     |                                        |                  |                          |                                          | <u>4,816.95</u> |              |                 |
| Stanko And Sons                                   | 8/28/2023           | 20230822<br>furnace repair             | 1929             | AA.3411.404.000          | E.M.L. Fire Dept CE - Repairs & Maint.   | 643.00          |              |                 |
| <b><u>Stanko And Sons Total</u></b>               |                     |                                        |                  |                          |                                          | <u>643.00</u>   |              |                 |
| Stanley Paper Company, Inc.                       | 8/09/2023           | 595568<br>SUPPLIES                     | 1946             | AA.1640.405.000          | Central Garage CE - Supplies             | 659.55          |              |                 |
| <b><u>Stanley Paper Company, Inc. Total</u></b>   |                     |                                        |                  |                          |                                          | <u>659.55</u>   |              |                 |
| T-Shirt Graphics                                  | 8/11/2023           | 13288<br>FFD                           | 1913             | AA.7550.400.000          | Celebrations CE                          | 839.72          |              |                 |



# Village of Ballston Spa Abstract of Audited Vouchers from 8/15/2023 to 8/28/2023

| <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> |
|--------------------------------------------|---------------------|----------------------------|------------------|--------------------------|---------------------------------------------|-------------------|--------------|-----------------|
| Wolberg Electrical Supply Co.              | 8/07/2023           | 2593800<br>TRAFFIC LIGHT   | 1951             | AA-5110-404-000          | Street Administration CE - Repairs<br>& Mai | 7.27              |              |                 |
| <b>Wolberg Electrical Supply Co. Total</b> |                     |                            |                  |                          |                                             | <u>7.27</u>       |              |                 |
| <b>Total for Voucher Type: Regular</b>     |                     |                            |                  |                          |                                             | <u>124,939.28</u> |              |                 |

**Total:**

Prepaid  
Prior Year  
Regular  
Total

63,704.97  
9,255.36  
124,939.28  
197,899.61

61

63,673.97  
195,091.61

**Village of Ballston Spa**  
**A/P Distribution Summary by Fund from 8/15/2023 to 8/28/2023**

| <u>Fund</u>          | <u>District</u> | <u>Amount</u>     |
|----------------------|-----------------|-------------------|
| AA - General         | 000             | 187,963.98        |
| <u>AA Fund Total</u> |                 | <u>187,963.98</u> |
| GG - Sewer           | 000             | 2,728.19          |
| <u>GG Fund Total</u> |                 | <u>2,728.19</u>   |
| LL - Library         | 000             | 4,677.90          |
| <u>LL Fund Total</u> |                 | <u>4,677.90</u>   |
| TA - Trust & Agency  | 000             | 2,526.54          |
| <u>TA Fund Total</u> |                 | <u>2,526.54</u>   |
| <b>Grand Total</b>   |                 | <b>197,896.61</b> |

Village of Ballston Spa  
Cash Summary  
7/31/2023

GENERAL LEDGER

| FUND #          | FUND ACCOUNT                          | BANK Acct. # | 6/30/2023    | DEBITS       | CREDITS    | 7/31/2023    |
|-----------------|---------------------------------------|--------------|--------------|--------------|------------|--------------|
| AA.0200.000.000 | Cash- ATC General CKG 6022228         | ATC #2228    | 2,027,515.13 | 690,097.72   | 508,325.82 | 2,209,287.03 |
| AA.0200.001.000 | Cash - Police Services BSNB/ATC       | ATC #1655    | 638.15       | 3,000.23     | -          | 3,638.38     |
| AA.0200.002.000 | CASH                                  | ATC 2228     | 47,462.88    | -            | -          | 47,462.88    |
| AA.0200.003.000 | Cash - Payroll                        | ATC #1684    | 50,000.00    | -            | -          | 50,000.00    |
| AA.0202.001.000 | Cash- Generations Savings 60001041850 | GEN #1850    | 1,509,949.70 | 767.74       | -          | 1,510,717.44 |
| AA.0203.000.000 | Cash- NYCLASS Investment              | NYC #001     | 1,305,246.84 | 5,536.75     | -          | 1,310,783.59 |
| AA.0210.000.000 | Petty Cash                            | NA           | 200.00       | -            | -          | 200.00       |
| CD.0200.001.000 | Cash- Housing Plus Escrow- ATC        | ATC #1626    | 39,267.76    | 1,545.42     | -          | 40,813.18    |
| CD.0200.002.000 | Cash - Section 8 Housing- ATC         | ATC #1642    | 3,886.05     | 98,390.88    | 101,304.00 | 972.93       |
| GG.0200.000.000 | Cash-ATC General CKG 6022228          | ATC#2228     | 44,482.38    | 4,482.22     | 9,380.64   | 39,583.96    |
| HH.0200.000.000 | Cash- ATC General CKG 6022228         | ATC#2228     | (104,928.64) | -            | -          | (104,928.64) |
| LL.0200.000.000 | Cash-ATC General CKG 6022228          | ATC#2228     | (194,334.47) | 21,664.32    | 107,332.20 | (280,002.35) |
| LL.0200.001.000 | Cash - ATC 1668                       | ATC #1668    | 21,493.71    | 1.83         | -          | 21,495.54    |
| LL.0200.002.000 | Cash - ATC 1639                       | ATC #1639    | 8,930.86     | 0.76         | -          | 8,931.62     |
| TA.0200.000.000 | Cash-ATC General CKG 6022228          | ATC#2228     | 17,483.66    | -            | 3,955.66   | 13,528.00    |
| TA.0200.001.000 | Cash - Payroll ADK #1684              | ATC#1684     | 32,797.39    | 237,524.37   | 234,197.70 | 36,124.06    |
| TOTAL           |                                       |              | 4,810,091.40 | 1,063,012.24 | 964,496.02 | 4,908,607.62 |

BANK RECONCILIATION

|                                                                              |                     |
|------------------------------------------------------------------------------|---------------------|
| BANK STATEMENT BALANCES                                                      | 5,010,062.43        |
| DEPOSITS IN TRANSIT                                                          | 6,153.95            |
| TRANSFERS IN TRANSIT                                                         | -                   |
| OUTSTANDING CHECKS (Operating Checks)                                        | (107,520.68)        |
| Identified Difference - Deposit was not for the Village and will be returned | (88.08)             |
| <b>CALCULATED BALANCE ON GENERAL LEDGER</b>                                  | <b>4,908,607.62</b> |
| <b>DIFFERENCE</b>                                                            | <b>-</b>            |

| BANK ACCOUNTS     |              | BANK ACCOUNTS |               |                |             |           |         |          |
|-------------------|--------------|---------------|---------------|----------------|-------------|-----------|---------|----------|
| Adirondack        |              | HOUSING +     |               |                | Section 8   |           | PUBLIC  |          |
| Adirondack Trust  | Generations  | NYCLASS       | ESCROW ACCT - | Housing Acct - | POLICE DEPT | PUBLIC    | LIBRARY | PUBLIC   |
| Checking #6002228 | Bank #1850   | #001          | ATC #1626     | ATC #01642     | ATC #1655   | LIBRARY   | #1668   | LIBRARY  |
|                   |              |               |               |                |             |           |         | #1639    |
| 2,209,287.03      |              |               |               |                |             |           |         |          |
| 47,462.88         |              |               |               |                | 3,638.38    |           |         |          |
| 50,000.00         | 1,510,709.31 | 1,310,783.59  |               |                |             |           |         |          |
|                   |              |               | 40,813.18     | 972.93         |             |           |         |          |
| 39,583.96         |              |               |               |                |             |           |         |          |
| (104,928.64)      |              |               |               |                |             |           |         |          |
| (280,002.35)      |              |               |               |                |             |           |         |          |
| 13,528.00         |              |               |               |                |             | 21,495.54 |         | 8,931.62 |
| 36,124.06         |              |               |               |                |             |           |         |          |
| 1,924,930.88      | 86,124.06    | 1,510,709.31  | 40,813.18     | 972.93         | 3,638.38    | 21,495.54 |         | 8,931.62 |
| 2,017,860.25      | 94,649.50    | 1,510,709.31  | 40,813.18     | 972.93         | 3,638.38    | 21,495.54 |         | 8,931.62 |
| 6,153.95          |              |               |               |                |             |           |         |          |
| (98,995.24)       | (8,525.44)   |               |               |                |             |           |         |          |
| (88.08)           |              |               |               |                |             |           |         |          |
| 1,924,930.88      | 86,124.06    | 1,510,709.31  | 40,813.18     | 972.93         | 3,638.38    | 21,495.54 |         | 8,931.62 |
|                   |              |               |               | (0.00)         |             |           |         |          |

# Treasurer's Report

## August 28, 2023

### Balance Sheet

- Bank accounts were reconciled as of July 31, 2023.

### Revenues and Expenses

- **Revenues**
  - Total Year-to-date Revenues on the Statement of Revenues and Expenditures in the General Fund are \$639,961.24.
  - Major revenues recorded in July were:
    - Sales Taxes of \$124,165.00 were collected (see detail below).
    - Real Property Tax of \$440,066.44 were collected.
    - Non-Property Tax Distribution by County was \$139,014.00.
    - Gross Utilities \$19,572.81.
    - Pool Fees of \$11,967.00 were collected.
    - Public Works Charges of \$3,050.00 were received.
    - Rental of Real Property for \$2,164.86 were received.
    - Licenses and Permits were 100.00.
    - City of Saratoga Landfill \$13,243.67.
- **Expenses**
  - General Fund:
    - Year to date expenses are \$783,524.41 compared to the annual budget of \$5,928,025.77 or 13.22% of the budget
  - Sewer Fund:
    - Year to date expenses are \$29,358.22 compared to the annual budget of \$276,664.61 or almost 11% of the annual budget.
  - Library Fund:
    - Year to date expenses are \$70,544.86 compared to the annual budget of \$287,409.00 or 24.55%

### Saratoga County Sales Tax Distribution

#### *August Distribution -*

County Total Tax and Interest Received \$14,322,858. This amount was approximately \$1.1 million (8.72%) higher than the \$13.1 million received in August of last year.

Village Total August Distribution \$124,165, an increase from the amount we received in August 2022 Sales Tax of \$112,982.

*Year-to-Date:*

Sales Tax 2023 Year-to-Date (6 months) was up over \$3.3 million, or 4.31% from \$78.2 million for the previous year (2022) to \$81.6 million the current year (2023).

The next Quarterly Report and distribution will be in October when we can expect New York State Department of Taxation and Finance to apply adjustments for the current Quarter (August-October). We will not know the amount of direction of any adjustments until that time.





**City of Saratoga Springs**  
**OFFICE OF PUBLIC SAFETY**

Jason H. Tetu  
Deputy Commissioner

**Commissioner Jim Montagnino**

**CITY HALL**  
474 Broadway  
Saratoga Springs, NY 12866  
Telephone 518-587-3550

TO: MAYOR KIM

FR: JIM MONTAGNINO

DA: August 7, 2023

Dear Mayor Kim:

Please accept this as my response to your request brought under Saratoga Springs City Charter Title 3(H) and dated August 7, 2023 regarding the "Proud Boys" incident of Saturday, August 5, 2023. I have reproduced each of your questions and provide these responses:

- 1) What information was provided to the Department and/or Saratoga Springs Police Department prior, during, and after this group marched(?)

No information was provided to the Department and/or Saratoga Springs Police Department prior to the group's marching. During the group's march, one of our dispatchers received a call from a citizen about the march. A member of SSPD promptly responded to the scene, interviewed one or more of the members of the group, and recorded the license plate(s) of at least one vehicle. After the march, the responding member of SSPD immediately alerted dispatch and directed them to inform State and County law enforcement agencies of the group's activities and direction of travel in order to provide advance notice of other potential demonstrations. A copy of the police report generated by the responding Officer is attached hereto.

- 2) What actions were taken by the Department and/or the Saratoga Springs Police Department when it became aware of the march(?)

Please see the response to Question 1 for the immediate actions taken. As to actions taken subsequently, both myself and Deputy Commissioner of Public Safety Jason Tetu, on the morning of the first business day following the incident, spoke with members of law enforcement; spoke with witnesses; retrieved the police report generated; observed a member of SSPD reviewing surveillance and other video evidence of the incident; and researched relevant provisions of State and local law to determine whether any offenses were committed by any of the participants in the march.

3) What relevant regulations and/or laws were violated by the march(?)

While I am not the City Attorney nor do I pretend to be, I have been duly admitted to practice law for 35 years and have participated in the prosecution, defense and adjudication of thousands of criminal and civil matters over the course of that time. Based upon my experience and upon the information currently available, I am unaware of any offense committed under New York State or federal law. However, the march would, in my opinion, qualify as a "parade" as that term is defined in the City Code under § 151-1(A): "A 'parade' is any procession of any kind in a public place in the City of Saratoga Springs that is intended to attract public attention and that does not comply with normal traffic regulations and control." As such, a permit would need to have been applied for and granted by the Commissioner of Accounts for the march to have been legal under § 151-5. If such a permit was not obtained in advance of the march, the organizers and participants of the march may be subject to the penalties prescribed in the City Code under § 151-17.

4) Any departmental recommendations to prevent a repeat of this incident in the future.

I recommend that the organizers of and participants in the August 5, 2023 be charged with violations of the City Charter as outlined above. This will require the Commissioner of Accounts to sign a supporting deposition, as only a person with direct knowledge of the lack of a parade permit application would be competent under the Criminal Procedure Law to sign a facially sufficient accusatory instrument. I pledge the full cooperation of the Department of Public Safety in such a prosecution.

Please note, however, that a prosecution for this particular incident may well be met with a claim of selective prosecution, inasmuch as certain groups are routinely allowed to demonstrate and march in Saratoga Springs without having applied for, qualified for, or been granted parade permits. That said, the proper course of action should include a firm commitment on the part of the City to adhere equitably to the requirements of City Code Title 151 as to any and all groups who wish to demonstrate peacefully in our City.

Respectfully submitted,

  
Jim Montagnino

Hawk Drilling Co., Inc.  
 354 Stone Church Rd.  
 Ballston Spa, NY 12020  
 518-885-7952



# INVOICE

**BILL TO**

Village of Ballston Spa  
 66 Front St  
 Ballston Spa, NY 12020

**SHIP TO**

Village of Ballston Spa  
 66 Front St  
 Ballston Spa, NY 12020

INVOICE # 5407

DATE 08/25/2023

DUE DATE 08/25/2023

**SITE ADDRESS**

Medbury Inn and Spa

**PHONE NUMBER**

518-857-6621 Scott

| DESCRIPTION                                             | QTY | RATE     | AMOUNT   |
|---------------------------------------------------------|-----|----------|----------|
| Service Call                                            | 1   | 200.00   | 200.00   |
| Flexcon FL17 Pressure tank                              | 1   | 1,270.00 | 1,270.00 |
| Flexcon Pressure tank tee package - replacement install | 1   | 351.60   | 351.60   |
| Hourly rate                                             | 3   | 200.00   | 600.00   |
| 3/4 HP, 230V Control Box                                | 1   | 190.90   | 190.90   |
| 40/60 Pressure Switch                                   | 1   | 32.96    | 32.96    |
| 12/3 w/ Ground UF wire                                  | 17  | 2.68     | 45.56    |
| Stainless Steel Clamp                                   | 20  | 3.41     | 68.20    |
| 1" x Close Brass Nipple                                 | 1   | 11.00    | 11.00    |
| 1" Brass Union                                          | 1   | 51.79    | 51.79    |
| 1" x 3/4" Brass Reducing Coupling                       | 1   | 28.25    | 28.25    |
| 3/4" Brass Ball Valve                                   | 1   | 22.60    | 22.60    |
| 3/4" Brass Barb x thread                                | 2   | 17.66    | 35.32    |
| 1-1/4" Brass Coupling Ins x Ins                         | 1   | 81.77    | 81.77    |
| 1" Brass Elbow (90) Barb x thread                       | 1   | 23.54    | 23.54    |
| 1" Brass Elbow (90) Barb x barb                         | 2   | 23.54    | 47.08    |
| 3/4" x 3" Brass Nipple                                  | 1   | 11.77    | 11.77    |
| 3/4" Brass Tee                                          | 1   | 18.83    | 18.83    |
| 1" Brass Elbow (90)                                     | 1   | 23.54    | 23.54    |
| Tax-exempt                                              | 1   | 0.00     | 0.00T    |

Credit Card processing is subject to a 2.5% service charge. The fee is waived if payment is received within 2 business days of invoice date.

|             |                   |
|-------------|-------------------|
| SUBTOTAL    | 3,114.71          |
| TAX         | 0.00              |
| TOTAL       | 3,114.71          |
| BALANCE DUE | <b>\$3,114.71</b> |

Interest 1.5% per month, 18% per year on 30 days past due.

Hawkdrillingcompany@gmail.com  
 Hawkdrillingcompany.com

## Two Minor Edits to Village of Ballston Spa Comprehensive Plan

1)

Under Section: **Historic Overview of the Village of Ballston Spa**

After this sentence on page 3-

"Comprehensive Plan Advisory Committee Member, John Cromie, a local history expert, prepared the overview of village history that follows."

Below the graphic images add this sentence:

**"To begin, the people of Ballston Spa want to respectfully acknowledge that we are on the traditional land of the Mohawk people. With this Land Acknowledgement, we honor, with gratitude, this community."**

**And:**

2)

On Page 41: **9. Accommodate affordable housing opportunities.**

After this sentence; "Consider appropriate mechanism in the zoning code to permit accessory dwelling units throughout the village."

**Delete this sentence:** "Recognize opportunities to be responsive to potential population increase from outside the region due to "climate migration" from coastal areas, etc. and provide infrastructure and services to accommodate migrants from climate damaged locations. "

**And add this sentence in its place:**

**"Recognize opportunities to provide affordable housing in response to the ongoing affordable housing crisis, the increasing size of the elderly population and their need for accessible housing, and the need from migration due to climate change and other conditions."**

GET IT FAST! ASK ONE OF OUR EXPERTS ABOUT OUR QUICK SHIP PRODUCTS!

SITE FURNISHINGS FOR COMMERCIAL & MUNICIPAL FACILITIES




HOME



EMAIL US 877-393-8609

# SHOPPING CART > CHECKOUT DETAILS > ORDER COMPLETE

Shipping costs updated.

| PRODUCT                                                                                                                                                                                                                                             | PRICE      | QUANTITY | TOTAL      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------|------------|
|  ACPT16-4 Hexagon Recycled Plastic Picnic Table<br>CONFIGURATION: STANDARD MOUNTING KIT;<br>SURFACE MOUNT HARDWARE COLOR: BROWN SLATS FRAME COLOR:<br>BLACK FRAME | \$1,234.00 | - 1 +    | \$1,234.00 |

[← CONTINUE SHOPPING](#)

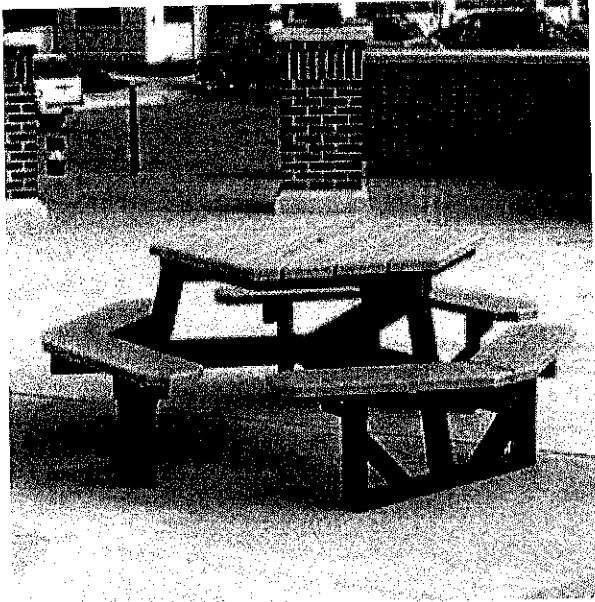
## CART TOTALS

|          |                                                                                                |
|----------|------------------------------------------------------------------------------------------------|
| Subtotal | \$1,234.00                                                                                     |
| Shipping | Freight: \$355.29<br>Shipping to Ballston Spa, NY, NY 12020.<br><a href="#">Change address</a> |
| Tax      | \$0.00                                                                                         |
| Total    | \$1,589.29                                                                                     |

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**§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. 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. 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.
- B. **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:

**Board.** The Village Board of Trustees and any municipal administrative board (e.g., Planning Board, Zoning Board of Appeals), commission or any other agency or body comprised of two or more municipal officers or employees.

**Code of Ethics.** This Code of Ethics.

**Employee.** Any person that receives a salary or wage from the Village of Ballston Spa.

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

**Family Member.** A parent, stepparent, sibling, stepsibling, spouse, child, stepchild, grandparent, 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, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, a member of his or her household, or family is an owner, partner, member, director, officer, or employee or directly or indirectly owns or controls more than 5% of the organization outstanding stock.

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

**Municipal officer or employee.** A paid or unpaid officer or employee of the Village of Ballston Spa, including but not limited to, the members of any municipal board.

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

No municipal officer or employee shall exercise or perform his or her official powers and duties on the basis of family or private business, 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 his or her position to secure personal or private gain for himself or herself, or for any other person or any organization. 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 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, without special advantage in carrying out his or her official duties.

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

- A. Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, 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 himself or herself, a relative or any private organization in which he or she is 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 shall be filed with the Village Board of the municipality. In all other cases, the disclosure 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.
- 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;
  - 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.

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

## Motion "D"

- 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.
- 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 serves.
- 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 he or she has an interest in the matter and knows or should know that a family member or employer has an interest in the matter.
- 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

## Motion "D"

person to exercise or perform the power or duty that is not prohibited from doing so by Subsection A of this section.

### 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 or employee of the Village of Ballston Spa may request or permit the use of 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;

## Motion "D"

- 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.

### **§27-16:Confidential Information**

No municipal officer or employee 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.

## Motion "D"

- 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. 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;
  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.

### §27-18:Board of Ethics

#### A. Membership

1. 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. At the time of the adoption of this Code and for the two years subsequent to enactment, the membership shall be termed as follows:
  - a. Two members shall serve through April \_\_, 2023
  - b. Three members shall serve through April \_\_, 2024, or the last day of the Village's official year in 2024, but in no event later than April \_\_, 2024.
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, no less than four members of the Village Board shall appoint a new member for the unexpired term.
6. It is the responsibility of the 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. The Ethics Board shall then recommend to the Board of Trustees any prospective members.

## Motion "D"

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 municipality.
  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 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 a primary physical residence in the Village of Ballston Spa for no less than six months of any year in which appointed to Board of Ethics. Board of Ethics members that are not physically present for less than 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 disclose any current direct business dealings within and with the Village of Ballston Spa.
- 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.
  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.

## Motion "D"

5. Conduct hearings, recommend disciplinary action and initiate appropriate actions and proceedings pursuant to the Village of Ballston Spa Code of Ethics.
6. 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.
7. The Village Ethics Board may refer any matter within its jurisdiction to the county Ethics Board in its discretion.
8. 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.
9. 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.

### 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
  - 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 two hours of ethics training biannually 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 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,

## Motion "D"

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 after a complaint has been made.

### **§27-20: Enforcement**

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 of the Village of Ballston Spa with respect to Article 18 of the General Municipal law and this Code of Ethics. Officers and employees 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.



Motion "D"

- D. 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 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.



Motion "E"

**§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.

Motion "E"

**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 their municipal position or perform their official powers and duties for the purpose of benefitting family, household members, private business or organizations in which they have an interest, nor create an appearance of impropriety by giving the impression that they will exercise or perform their official powers or duties on the basis of any consideration other than the best interests of the municipality.

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**§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 Others by Officers, Employees, and Appointees**

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 their 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, employee, or appointee 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, employee, or appointee, or when the municipal officer, employee, or appointee 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,

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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, committee, 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 their 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 their independent judgment or action in the performance of their official duties.

C.B. This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:

1. Real property located within the municipality and used as their personal residence, or residence of a family member.
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.

**§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.

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**§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, or exercise or perform any other official powers or duties in connection with any matter when they have an interest in the matter and know or should know that the action could confer a direct or indirect financial or material benefit on themselves, a family member, a household member, or any private organization in which they are deemed to have an interest.
- B. In the event that Subsection A of this section prohibits a municipal officer or employee from exercising or performing their official powers or duties:
  - 1. If the person is an officer serving 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, they must refer the matter to their 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.
- 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:

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- 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 themselves, or their spouse or minor children, before the municipality; or
- B. Asserting a claim against the municipality on their own behalf, or on behalf of their 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**



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- 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 officers, employees, or appointees shall engage in political campaign activities during their official Village of Ballston Spa workday, or while conducting official village business.
- D. No employee, municipal official or appointee shall use official Village correspondence or other Village resources 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 their 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 their official powers or duties.

**§27-17: Adherence to Approved Motions and Laws**

- A. Every officer and employee must comply with all legal motions and laws passed by the Village Board.
- B. No officer, employee, or appointee shall take any action, or through inaction or withholding of information, impede the ability of other officers, employees and appointees to properly and fully perform their duties.

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**§27-18: 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 their official powers or duties; or
  - 2. The gift could reasonably be expected to influence the officer or employee in the exercise or performance of their 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

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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:

1. A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of their 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.
2. 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.

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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.

**§27-19: Annual Officer Disclosure Form**

- A. All Village of Ballston Spa Officers 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. Current Officers shall file with the Village Clerk a financial disclosure statement within 30 days after the effective date of this code as defined in section 27-26.
- 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 officer's phone number, email, and home address.
  - (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.

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(3) The name and address of every employer from which the officer or officer's spouse received more than \$1,000 within the past 12 months. If self-employed, include the name and address of the officer's business or LLC (such as the name filed on the IRS Schedule C Form).

(4) The name, address and phone number of any partnership, unincorporated association or other unincorporated business of which the Village officer or family member is an officer, employee, or 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.

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(5) The name, address and phone number of any corporation of which the Village officer or family member is an officer or director or employee, or in which the Village officer or family member legally or beneficially owns or controls more than 5% of the outstanding stock, and any such entity that they have engaged in business dealings with the Village within the past 12 months, or with which they are anticipated to have any business dealings with the Village, and the Village officer's and family member'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 the officer currently holds in any political party, political committee or political organization.

**§27-20: Public access**

The Village of Ballston Spa recognizes that public access to the Officer Disclosure Forms which are filed by village officers 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 officer shall submit as a request pursuant to the Freedom of Information Law<sup>[1]</sup> or written request to the Village of Ballston Spa's Village Board, which shall include the following:

(1) Name, address, email and phone number

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

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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.

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.

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**§27-21: 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 three 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

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- 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.
  - e. Board of Ethics members that are not physically present for a meeting may make a virtual appearance at the Board of Ethics meeting to maintain appointed duties, provided that a quorum is present in person.
  - f. Have no clear and present significant conflicts of interest.
  - g. 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 Officer Disclosure Form upon appointment or the effective date of this code as defined in section 27-26 and annually thereafter

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 of Ethics 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 of Ethics, 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.

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7. The Ethics Board of the Village of Ballston Spa may act only with respect to officers, employees, and appointees 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 be heard.
  - 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.

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Newly appointed members must complete their initial training within 120 days of appointment. The Village Clerk will identify and disseminate training resources and opportunities to the members.

**§27-22: 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 and appointees of the Village of Ballston Spa and all officers (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, officer, or appointee of their right to confer with or obtain outside legal (or other) counsel. No individual shall be denied their 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 they are a target and/or subject of that investigation within 5 days after a complaint has been made.
- 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.

**§27-23: 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

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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 Officers other than Board of Trustees: The Ethics Board may file an application with the Supreme Court for removal from office. It may recommend censure by the Board of Trustees. 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.
- D. The Village Ethics Board shall conduct and complete the hearing with reasonable promptness and shall not act without notice and opportunity for the target or subject of the investigation to be heard and shall observe appropriate due process.

**§27-24: Ethics Advisory Opinions**

- A. The Board of Ethics shall render confidential advisory opinions to officers, 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, employee, or appointee 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 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.

**§27-25: 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



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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, employee, or appointee of the Village of Ballston Spa. Such distribution can be via electronic mail.
- C. As a part of the onboarding process, each officer shall complete the Officer Disclosure Form and each municipal officer, employee, and appointee will 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, employee, or applicant 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.

**§27-26 Effective date.**

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

## **Two Minor Edits to Village of Ballston Spa Comprehensive Plan**

1)

**Under Section: Historic Overview of the Village of Ballston Spa**

After this sentence on page 3-

"Comprehensive Plan Advisory Committee Member, John Cromie, a local history expert, prepared the overview of village history that follows."

Below the graphic images add this sentence:

**"To begin, the people of Ballston Spa want to respectfully acknowledge that we are on the traditional land of the Mohawk people. With this Land Acknowledgement, we honor, with gratitude, this community."**

**And:**

2)

**On Page 41: 9. Accommodate affordable housing opportunities.**

After this sentence; "Consider appropriate mechanism in the zoning code to permit accessory dwelling units throughout the village."

**Delete this sentence:** "Recognize opportunities to be responsive to potential population increase from outside the region due to "climate migration" from coastal areas, etc. and provide infrastructure and services to accommodate migrants from climate damaged locations. "

**And add this sentence in its place:**

**"Recognize opportunities to provide affordable housing in response to the ongoing affordable housing crisis, the increasing size of the elderly population and their need for accessible housing, and the need from migration due to climate change and other conditions."**

August 28, 2023

Resolution # \_\_\_ To Authorize the Filing and Notice of SEQRA NEGATIVE DECLARATION AND THE ADOPTION OF THE VILLAGE OF BALLSTON SPA COMPREHENSIVE PLAN

SEQRA NEGATIVE DECLARATION  
AND THE  
ADOPTION OF THE VILLAGE OF BALLSTON SPA COMPREHENSIVE PLAN

**WHEREAS**, the Village Board of the Village of Ballston Spa, Saratoga County, NY (“Village Board”) proposes to adopt an updated Comprehensive Plan (the “Action”); and

**WHEREAS**, this negative declaration is prepared in accordance with Article 8 of the Environmental Conservation Law: the NY State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth in 6 NYCRR Part 617 (“Regulations”); and

**WHEREAS**, the Village Board designated itself Lead Agency for review of the comprehensive plan and LWRP under the New York State Environmental Quality Review Act (“SEQRA”) and issued a Full Environmental Assessment Form (EAF) pursuant to 6 NYCRR Part 617; and

**WHEREAS**, the Full EAF has been prepared in conformance with the regulations at 6NYCRR Part 617 implementing the New York State Environmental Quality Review Act to review the Village of Ballston Spa Comprehensive Plan; and

**WHEREAS**, the Comprehensive Plan has been developed as part of an extensive public process including a series of advisory committee meetings conducted over the past two years, including community and public review meetings; and

**WHEREAS**, the Village Board, with the assistance of its planning consultant Behan Planning and Design with guidance from the village-appointed advisory committee, has prepared the Comprehensive Plan, and the Village Board has been actively engaged in the process of the development of the draft Comprehensive Plan; and

**WHEREAS**, the Village Board determined that the information submitted in the Full Environmental Assessment Form was complete pursuant to 6NYCRR Part 617 and circulated the EAF to involved agencies; and

**WHEREAS**, the advisory committee that was actively engaged in the preparation of the Comprehensive Plan has recommended the adoption of the plan by the Village Board; and

**WHEREAS**, The Saratoga County Planning Board conducted favorable review of the Comprehensive Plan at its meeting on July 20, 2023; and

**WHEREAS**, The Village Board conducted a duly noticed Public Hearing on the draft Comprehensive Plan on August 14, 2023, and August 28, 2023, where public comment was heard; and

**WHEREAS**, the Village Board, as lead agency for the environmental review of the Action, has reviewed the Action and all relevant comments, supporting information and documentation, has considered the criteria set forth in 6 NYCRR § 617.7 and has determined that there will be no significant adverse environmental impacts associated with the Action; and

**WHEREAS**, this negative declaration is supported and substantiated by the following conclusions of the Lead Agency:

In the policy judgment of the Village Board, as documented in the Comprehensive Plan and Full EAF, that the proposed Comprehensive Plan will provide beneficial impacts to the village toward continued revitalization of the unique village setting, improving access to the Kayaderosseras Creek, enhancements to the pedestrian environment and the transportation system, investment in infrastructure needs to support current residents and appropriate new development, recognition of the importance of the village's historic and cultural resources, fostering a mix of housing opportunities to support a diverse community and the protection of the village's natural resources.

The recommendations put forth in the Comprehensive Plan were derived with significant input from the community and were made after consideration of the village's demographic trends, economic setting and natural and cultural resources and the adoption of the Comprehensive Plan would best ensure that the community's goals for the future of the village are achieved. As a result the Comprehensive Plan guides village policies and future decision making so that the character of Ballston Spa is maintained and enhanced in a manner consistent with the community's shared vision.

The adoption of the Comprehensive Plan will not directly result in the approval of any development activity, either private or public. The plan and Full EAF took into consideration the land uses, management of development, and maintenance of resources for the areas involved, and provided a platform to analyze the proposed action.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Ballston Spa Village Board makes the following findings based upon the conclusions identified above:

1. The adoption of Comprehensive Plan is not anticipated to have a significant adverse impact on the environment including land and water resources, air quality, plants and animals, agricultural land resources, aesthetic, historic and archaeological resources, open space and recreation resources, critical environmental areas, transportation, energy, noise, odor, public health, and growth and community character.
2. The adoption of the Comprehensive Plan will have a beneficial effect on transportation in the village by advocating for the policies and investments outlined in the plan and related village transportation plans.
3. The adoption of the Comprehensive Plan as proposed would provide the best combination of appropriately scaled growth, community enhancement, and natural resource protection in accordance with the shared goals of the village residents; and

**BE IT FURTHER RESOLVED**, future land use, zoning and related land use decisions considered for adoption by the village or other lead agencies shall be guided by the goals and land use recommendations set forth in the Comprehensive Plan; and

**BE IT FURTHER RESOLVED**, that the Village Board, acting as lead agency, has examined the impacts which may be reasonably anticipated to result from the Action, and has determined that it will not have any significant adverse impact on the environment as set forth in the Full EAF; and

**BE IT FURTHER RESOLVED**, that the Village Board hereby issues this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and its implementing Regulations; and

**BE IT FURTHER RESOLVED**, that the Village Board hereby authorizes the filing this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and 6 NYCRR § 617.12 of its implementing Regulations; and

**BE IT FURTHER RESOLVED**, that the Village of Ballston Spa hereby adopts the Village of Ballston Spa Comprehensive Plan dated April 11, 2023, pursuant to New York State Village Law and shall file a copy of the Comprehensive Plan with the village clerk and the Saratoga County Planning Board.

The foregoing resolution was voted upon with all Village Board members voting as follows:

Mayor Frank Rossi, Jr.

Trustee Ben Baskin

Trustee Liz Kormos

Trustee Sean Raymond

Trustee Bernadette VanDeinse-Perez

This Negative Declaration and the Comprehensive Plan are adopted this \_\_\_\_ day of \_\_\_\_\_, 2023 and is ordered into the record of the Village of Ballston Spa Village Board with respect to the adoption of Resolution No. \_\_\_\_ of 2023.

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Teri L. O'Connor VILLAGE CLERK

**Interested Agencies** – the following interested agencies shall receive a copy of this notice:

Village of Ballston Spa Planning Board

Saratoga County Planning Board

Town of Milton

Town of Ballston

New York State Department of Environmental Conservation: Environmental Notice Bulletin, NYSDEC. <http://www.dec.state.ny.us>

Department of Environmental Conservation, Division of Environmental Permits, 625 Broadway,  
Albany, NY, 12233-1750

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

|                                                                                                                                                                                                                                                            |           |                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------------------------------|
| Name of Action or Project:<br>Adoption of a Comprehensive Plan                                                                                                                                                                                             |           |                                        |
| Project Location (describe, and attach a general location map):<br>Village of Ballston Spa, Saratoga County, New York                                                                                                                                      |           |                                        |
| Brief Description of Proposed Action (include purpose or need):<br>The Action involves the intended adoption of the Village of Ballston Spa Comprehensive Plan. The comprehensive plan serves as a guide for future land use decisions within the village. |           |                                        |
| Name of Applicant/Sponsor:<br>Frank Rossi, Jr., Mayor                                                                                                                                                                                                      |           | Telephone: (518) 885-5711              |
|                                                                                                                                                                                                                                                            |           | E-Mail: mayor@villageofballstonspa.org |
| Address: 66 Front Street                                                                                                                                                                                                                                   |           |                                        |
| City/PO: Ballston Spa                                                                                                                                                                                                                                      | State: NY | Zip Code: 12020                        |
| Project Contact (if not same as sponsor; give name and title/role):<br>John J. Behan, Principal, Behan Planning and Design                                                                                                                                 |           | Telephone:                             |
|                                                                                                                                                                                                                                                            |           | E-Mail: jbehan@behanplanning.com       |
| Address:<br>112 Spring Street, Suite 306                                                                                                                                                                                                                   |           |                                        |
| City/PO: Saratoga Springs                                                                                                                                                                                                                                  | State: NY | Zip Code: 12866                        |
| Property Owner (if not same as sponsor):                                                                                                                                                                                                                   |           | Telephone:                             |
|                                                                                                                                                                                                                                                            |           | E-Mail:                                |
| Address:                                                                                                                                                                                                                                                   |           |                                        |
| City/PO:                                                                                                                                                                                                                                                   | State:    | Zip Code:                              |

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

| Government Entity                                                                                                             | If Yes: Identify Agency and Approval(s) Required                                                     | Application Date (Actual or projected)                              |
|-------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | Village Board of Trustees, Adoption of Plan                                                          | August-September 2023                                               |
| b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No                | Village Planning Board, review (approval not required)                                               | February 2023                                                       |
| c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No          | Village Comprehensive Plan Advisory Committee, Resolution Recommending Adoption to V. Board          | December 2022                                                       |
| d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                   | Towns adjacent/underlying Village: Town of Milton and Town of Ballston: Review (approval not req'd.) | April, 2023                                                         |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                        | County Planning Board Regional Review NYS Law Sec. 239 M Review                                      | July, 2023                                                          |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                      |                                                                                                      |                                                                     |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                         |                                                                                                      |                                                                     |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                       |                                                                                                      |                                                                     |
| i. Coastal Resources.                                                                                                         |                                                                                                      |                                                                     |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?                         |                                                                                                      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?                      |                                                                                                      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area?                                                                |                                                                                                      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):  
 Remediation Sites:V00487, Remediation Sites:546060, Remediation Sites:546021, Remediation Sites:C546055, Remediation Sites:546058, NYS Heritage Areas:Mohawk Valley Heritage Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

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**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
The village has zoning that includes a full array of zoning districts, including Residential, Commercial, Central Business District, Industrial, Cultural/Economic Enhancement and Adult-Oriented or Adult Use.

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Ballston Spa Central School District

b. What police or other public protection forces serve the project site?  
Village Police Department

c. Which fire protection and emergency medical services serve the project site?  
Ballston Spa Fire Department, Village Emergency Services

d. What parks serve the project site?  
Kelley Park, Veterans Park, Wiswall Park, Iron Spring Park

**D. Project Details Note--Sections D. and E. not required.**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No

If Yes, show numbers of units proposed.

|                             | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
|-----------------------------|-------------------|-------------------|---------------------|---------------------------------------|
| Initial Phase               | _____             | _____             | _____               | _____                                 |
| At completion of all phases | _____             | _____             | _____               | _____                                 |

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No

If Yes,

- i. Total number of structures \_\_\_\_\_
- ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length
- iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No

If Yes,

- i. Purpose of the impoundment: \_\_\_\_\_
- ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_
- iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_
- iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres
- v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length
- vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

- i. What is the purpose of the excavation or dredging? \_\_\_\_\_
- ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
  - Volume (specify tons or cubic yards): \_\_\_\_\_
  - Over what duration of time? \_\_\_\_\_
- iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_
- iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
If yes, describe. \_\_\_\_\_
- v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres
- vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres
- vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet
- viii. Will the excavation require blasting?  Yes  No
- ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

Yes  No

ii. Will the proposed action obtain water from an existing public water supply?

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

Yes  No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
\_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
\_\_\_\_\_  
\_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

ii. Describe types of new point sources. \_\_\_\_\_  
\_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
\_\_\_\_\_  
\_\_\_\_\_

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
\_\_\_\_\_

- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
\_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
\_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
\_\_\_\_\_  
\_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

---

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

---

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

|                                                                                                                                                                                          |                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> | <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration: \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No

Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No

Describe: \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s): \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action** Section E. Is not required for this action. Selected subsections completed per NYSDEC Mapper

**E.1. Land uses on and surrounding the project site**

- a. Existing land uses.
  - i. Check all uses that occur on, adjoining and near the project site.
    - Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)
    - Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_
  - ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

| Land use or Covertypes                                                                   | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|------------------------------------------------------------------------------------------|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces                               |                 |                                  |                    |
| • Forested                                                                               |                 |                                  |                    |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) |                 |                                  |                    |
| • Agricultural (includes active orchards, field, greenhouse etc.)                        |                 |                                  |                    |
| • Surface water features (lakes, ponds, streams, rivers, etc.)                           |                 |                                  |                    |
| • Wetlands (freshwater or tidal)                                                         |                 |                                  |                    |
| • Non-vegetated (bare rock, earth or fill)                                               |                 |                                  |                    |
| • Other Describe: _____                                                                  |                 |                                  |                    |

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  Yes  No  
i. Has the facility been formally closed?  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  Yes  No  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): V00487, 546060, 546021, C54...  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): V00487, 546060, 546021, C546055, 546058  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_



v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

---

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 941-166.1, 941-158, 941-125, 941-124 Classification C, C(T)
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No

If Yes:  
i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
\_\_\_\_\_  
ii. Source(s) of description or evaluation: \_\_\_\_\_  
iii. Extent of community/habitat:  
• Currently: \_\_\_\_\_ acres  
• Following completion of project as proposed: \_\_\_\_\_ acres  
• Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No

If Yes:  
i. Species and listing (endangered or threatened): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No

If Yes:  
i. Species and listing: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
\_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
i. If Yes: acreage(s) on project site? \_\_\_\_\_  
ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
If Yes:  
i. Nature of the natural landmark:  Biological Community  Geological Feature  
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
If Yes:  
i. CEA name: \_\_\_\_\_  
ii. Basis for designation: \_\_\_\_\_  
iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: Eligible property: Village Hall. 19th c; high-style Italianate, Eligible property: mid 19th c, 3 bay temple front w/fla...

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

---

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

---

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

---

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

**See Part F. Additional Information**

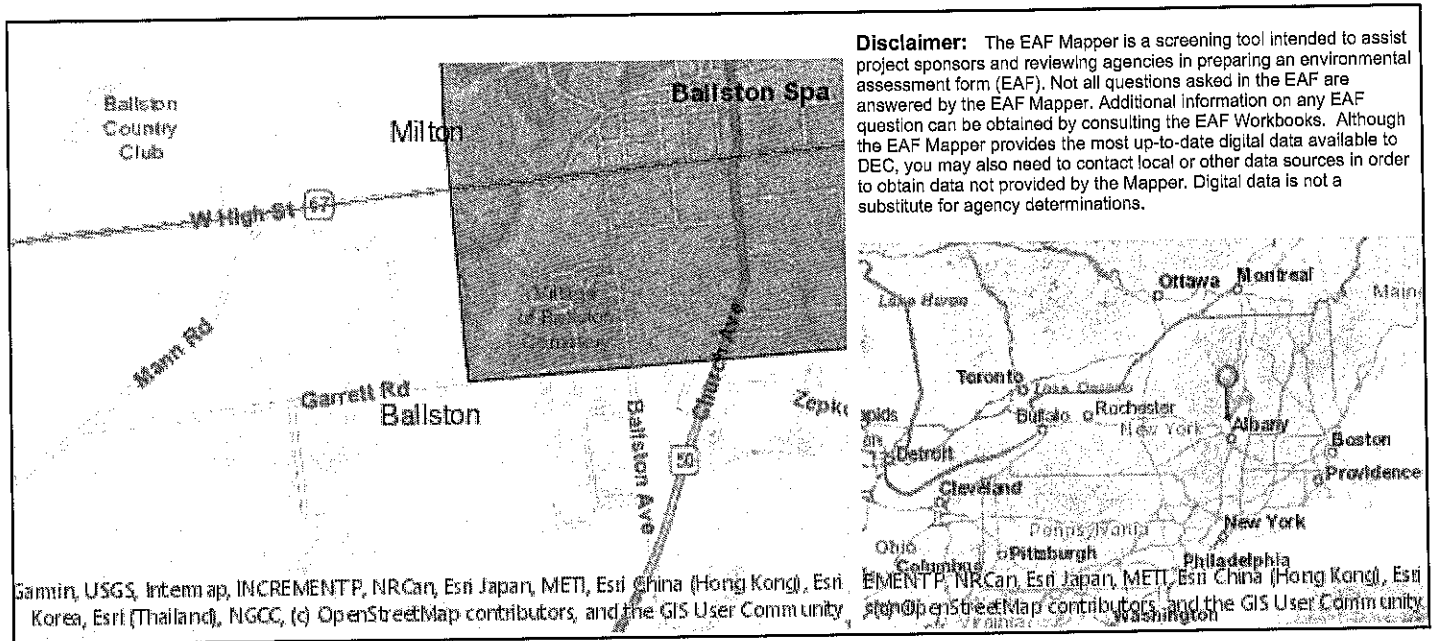
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Frank Rossi, Jr. Date \_\_\_\_\_

Signature \_\_\_\_\_ Title Mayor, Village of Ballston Spa



|                                                                                    |                                                                                                                                                                                       |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| B.i.i [Coastal or Waterfront Area]                                                 | No                                                                                                                                                                                    |
| B.i.ii [Local Waterfront Revitalization Area]                                      | No                                                                                                                                                                                    |
| C.2.b. [Special Planning District]                                                 | Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.                                                                               |
| C.2.b. [Special Planning District - Name]                                          | Remediation Sites:V00487, Remediation Sites:546060, Remediation Sites:546021, Remediation Sites:C546055, Remediation Sites:546058, NYS Heritage Areas:Mohawk Valley Heritage Corridor |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History]           | Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.                                                                           |
| E.1.h.i [DEC Spills or Remediation Site - Listed]                                  | Yes                                                                                                                                                                                   |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Yes                                                                                                                                                                                   |
| E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]                           | V00487, 546060, 546021, C546055, 546058                                                                                                                                               |
| E.1.h.iii [Within 2,000' of DEC Remediation Site]                                  | Yes                                                                                                                                                                                   |
| E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]                         | V00487, 546060, 546021, C546055, 546058                                                                                                                                               |
| E.2.g [Unique Geologic Features]                                                   | No                                                                                                                                                                                    |
| E.2.h.i [Surface Water Features]                                                   | Yes                                                                                                                                                                                   |
| E.2.h.ii [Surface Water Features]                                                  | Yes                                                                                                                                                                                   |
| E.2.h.iii [Surface Water Features]                                                 | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.                                                     |
| E.2.h.iv [Surface Water Features - Stream Name]                                    | 941-166.1, 941-158, 941-125, 941-124                                                                                                                                                  |
| E.2.h.iv [Surface Water Features - Stream Classification]                          | C, C(T)                                                                                                                                                                               |

|                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E.2.h.iv [Surface Water Features - Wetlands Name]                                       | Federal Waters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| E.2.h.v [Impaired Water Bodies]                                                         | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E.2.i. [Floodway]                                                                       | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| E.2.j. [100 Year Floodplain]                                                            | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| E.2.k. [500 Year Floodplain]                                                            | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| E.2.l. [Aquifers]                                                                       | Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| E.2.l. [Aquifer Names]                                                                  | Principal Aquifer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| E.2.n. [Natural Communities]                                                            | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E.2.o. [Endangered or Threatened Species]                                               | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E.2.p. [Rare Plants or Animals]                                                         | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E.3.a. [Agricultural District]                                                          | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E.3.c. [National Natural Landmark]                                                      | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E.3.d [Critical Environmental Area]                                                     | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites]          | Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.                                                                                                                                                                                                                                                                                                                                                                                                            |
| E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name] | Eligible property:Village Hall. 19th c; high-style Italianate, Eligible property:mid 19th c, 3 bay temple front w/flanker, Eligible property:Lustron house, Westchester model, intact, Eligible property:Malta Ave. Elementary School; 1900, 1913, 1928 neoclassical brick, Eligible property:Residence, Eligible property:brick house, Federal, Eligible property:Gothic Revival house, Eligible property:BALLSTON SPA ARSENAL/ARMORY, Brookside, Union Mill Complex, US Post Office--Ballston Spa, Verbeck House |
| E.3.f. [Archeological Sites]                                                            | Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| E.3.i. [Designated River Corridor]                                                      | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]

Project :

Date :

|  |
|--|
|  |
|  |

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

| <b>1. Impact on Land</b><br>Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)<br><i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i> |                                    | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------|-------------------------------------------|
|                                                                                                                                                                                                                                         | <b>Relevant Part I Question(s)</b> | <b>No, or small impact may occur</b>   | <b>Moderate to large impact may occur</b> |
| a. The proposed action may involve construction on land where depth to water table is less than 3 feet.                                                                                                                                 | E2d                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| b. The proposed action may involve construction on slopes of 15% or greater.                                                                                                                                                            | E2f                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.                                                                                                | E2a                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.                                                                                                                              | D2a                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| e. The proposed action may involve construction that continues for more than one year or in multiple phases.                                                                                                                            | D1e                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).                                                                               | D2e, D2q                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| g. The proposed action is, or may be, located within a Coastal Erosion hazard area.                                                                                                                                                     | B1i                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| h. Other impacts: _____                                                                                                                                                                                                                 |                                    | <input type="checkbox"/>               | <input type="checkbox"/>                  |

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

|                                                                                                                                                       | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. Identify the specific land form(s) attached: _____<br>_____                                                                                        | E2g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark.<br>Specific feature: _____ | E3c                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. Other impacts: _____<br>_____                                                                                                                      |                             | <input type="checkbox"/>      | <input type="checkbox"/>           |

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

|                                                                                                                                                                                | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may create a new water body.                                                                                                                            | D2b, D1h                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.                 | D2b                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.                                                                | D2a                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.                             | E2h                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.                                              | D2a, D2h                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.                                                           | D2c                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).                                                     | D2d                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies. | D2e                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.                                               | E2h                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| j. The proposed action may involve the application of pesticides or herbicides in or around any water body.                                                                    | D2q, E2h                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.                                                         | D1a, D2d                    | <input type="checkbox"/>      | <input type="checkbox"/>           |

|                                  |  |                          |                          |
|----------------------------------|--|--------------------------|--------------------------|
| 1. Other impacts: _____<br>_____ |  | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

**4. Impact on groundwater**  
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.  NO  YES  
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)  
 If "Yes", answer questions a - h. If "No", move on to Section 5.

|                                                                                                                                                                | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.                           | D2c                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer.<br>Cite Source: _____ | D2c                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may allow or result in residential uses in areas without water and sewer services.                                                      | D1a, D2c                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may include or require wastewater discharged to groundwater.                                                                            | D2d, E2l                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.            | D2c, E1f, E1g, E1h          | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.                                         | D2p, E2l                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.                   | E2h, D2q, E2l, D2c          | <input type="checkbox"/>      | <input type="checkbox"/>           |
| h. Other impacts: _____<br>_____                                                                                                                               |                             | <input type="checkbox"/>      | <input type="checkbox"/>           |

**5. Impact on Flooding**  
 The proposed action may result in development on lands subject to flooding.  NO  YES  
 (See Part 1. E.2)  
 If "Yes", answer questions a - g. If "No", move on to Section 6.

|                                                                                                            | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in development in a designated floodway.                                 | E2i                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in development within a 100 year floodplain.                             | E2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may result in development within a 500 year floodplain.                             | E2k                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may result in, or require, modification of existing drainage patterns.              | D2b, D2e                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may change flood water flows that contribute to flooding.                           | D2b, E2i, E2j, E2k          | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade? | E1e                         | <input type="checkbox"/>      | <input type="checkbox"/>           |



|                                  |  |                          |                          |
|----------------------------------|--|--------------------------|--------------------------|
| g. Other impacts: _____<br>_____ |  | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

| <b>6. Impacts on Air</b><br>The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES<br>(See Part 1. D.2.f., D.2.h, D.2.g)<br>If "Yes", answer questions a - f. If "No", move on to Section 7.                                                                                                                                                                                                                                                                                                                                    |                                        |                                                                                                                                                                      |                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Relevant Part I Question(s)            | No, or small impact may occur                                                                                                                                        | Moderate to large impact may occur                                                                                                                                   |
| a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:<br>i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> )<br>ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O)<br>iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)<br>iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> )<br>v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions<br>vi. 43 tons/year or more of methane | D2g<br>D2g<br>D2g<br>D2g<br>D2g<br>D2h | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |
| b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.                                                                                                                                                                                                                                                                                                                                                                                                                                | D2g                                    | <input type="checkbox"/>                                                                                                                                             | <input type="checkbox"/>                                                                                                                                             |
| c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.                                                                                                                                                                                                                                                                                                                                                                         | D2f, D2g                               | <input type="checkbox"/>                                                                                                                                             | <input type="checkbox"/>                                                                                                                                             |
| d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | D2g                                    | <input type="checkbox"/>                                                                                                                                             | <input type="checkbox"/>                                                                                                                                             |
| e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | D2s                                    | <input type="checkbox"/>                                                                                                                                             | <input type="checkbox"/>                                                                                                                                             |
| f. Other impacts: _____<br>_____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                        | <input type="checkbox"/>                                                                                                                                             | <input type="checkbox"/>                                                                                                                                             |

| <b>7. Impact on Plants and Animals</b><br>The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES<br>If "Yes", answer questions a - j. If "No", move on to Section 8. |                             |                               |                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
|                                                                                                                                                                                                                                                                        | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.                            | E2o                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.                                                                              | E2o                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.           | E2p                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.                                                                    | E2p                         | <input type="checkbox"/>      | <input type="checkbox"/>           |

|                                                                                                                                                                                             |     |                          |                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------------|--------------------------|
| e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.                               | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.<br>Source: _____                                  | E2n | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.              | E2m | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat.<br>Habitat type & information source: _____ | E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.                                                                        | D2q | <input type="checkbox"/> | <input type="checkbox"/> |
| j. Other impacts: _____                                                                                                                                                                     |     | <input type="checkbox"/> | <input type="checkbox"/> |

|                                                                                                                                                                                                                              |                                    |                                        |                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------|-------------------------------------------|
| <b>8. Impact on Agricultural Resources</b>                                                                                                                                                                                   |                                    |                                        |                                           |
| The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)                                                                                                                                           |                                    | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES              |
| <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>                                                                                                                                                      |                                    |                                        |                                           |
|                                                                                                                                                                                                                              | <b>Relevant Part I Question(s)</b> | <b>No, or small impact may occur</b>   | <b>Moderate to large impact may occur</b> |
| a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.                                                                                                       | E2c, E3b                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).                                                                      | E1a, E1b                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.                                                                                                           | E3b                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District. | E1b, E3a                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| e. The proposed action may disrupt or prevent installation of an agricultural land management system.                                                                                                                        | E1 a, E1b                          | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.                                                                                                       | C2c, C3, D2c, D2d                  | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.                                                                                                                               | C2c                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| h. Other impacts: _____                                                                                                                                                                                                      |                                    | <input type="checkbox"/>               | <input type="checkbox"/>                  |

**9. Impact on Aesthetic Resources**  NO  YES

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)  
*If "Yes", answer questions a - g. If "No", go to Section 10.*

|                                                                                                                                                                                                                      | Relevant Part I Question(s) | No, or small impact may occur                        | Moderate to large impact may occur                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------------------------------|------------------------------------------------------|
| a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.                                                                                              | E3h                         | <input type="checkbox"/>                             | <input type="checkbox"/>                             |
| b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.                                                                        | E3h, C2b                    | <input type="checkbox"/>                             | <input type="checkbox"/>                             |
| c. The proposed action may be visible from publicly accessible vantage points:<br>i. Seasonally (e.g., screened by summer foliage, but visible during other seasons)<br>ii. Year round                               | E3h                         | <input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/> |
| d. The situation or activity in which viewers are engaged while viewing the proposed action is:<br>i. Routine travel by residents, including travel to and from work<br>ii. Recreational or tourism based activities | E3h<br>E2q,<br>E1c          | <input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/> |
| e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.                                                                                       | E3h                         | <input type="checkbox"/>                             | <input type="checkbox"/>                             |
| f. There are similar projects visible within the following distance of the proposed project:<br>0-1/2 mile<br>1/2 -3 mile<br>3-5 mile<br>5+ mile                                                                     | D1a, E1a,<br>D1f, D1g       | <input type="checkbox"/>                             | <input type="checkbox"/>                             |
| g. Other impacts: _____<br>_____                                                                                                                                                                                     |                             | <input type="checkbox"/>                             | <input type="checkbox"/>                             |

**10. Impact on Historic and Archeological Resources**  NO  YES

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)  
*If "Yes", answer questions a - e. If "No", go to Section 11.*

|                                                                                                                                                                                                                                                                                                                                                                                                           | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places. | E3e                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.                                                                                                                                                                  | E3f                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory.<br>Source: _____                                                                                                                                                                                                                               | E3g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |

|                                                                                                                                                              |                            |                          |                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|--------------------------|--------------------------|
| d. Other impacts: _____                                                                                                                                      |                            | <input type="checkbox"/> | <input type="checkbox"/> |
| e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3: |                            |                          |                          |
| i. The proposed action may result in the destruction or alteration of all or part of the site or property.                                                   | E3e, E3g, E3f              | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. The proposed action may result in the alteration of the property's setting or integrity.                                                                 | E3e, E3f, E3g, E1a, E1b    | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.   | E3e, E3f, E3g, E3h, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |

**11. Impact on Open Space and Recreation**  NO  YES

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.  
(See Part 1. C.2.c, E.1.c., E.2.q.)  
*If "Yes", answer questions a - e. If "No", go to Section 12.*

|                                                                                                                                                                                                                         | Relevant Part I Question(s)       | No, or small impact may occur | Moderate to large impact may occur |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat. | D2e, E1b, E2h, E2m, E2o, E2n, E2p | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in the loss of a current or future recreational resource.                                                                                                                             | C2a, E1c, C2c, E2q                | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may eliminate open space or recreational resource in an area with few such resources.                                                                                                            | C2a, C2c, E1c, E2q                | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may result in loss of an area now used informally by the community as an open space resource.                                                                                                    | C2c, E1c                          | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. Other impacts: _____                                                                                                                                                                                                 |                                   | <input type="checkbox"/>      | <input type="checkbox"/>           |

**12. Impact on Critical Environmental Areas**  NO  YES

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)  
*If "Yes", answer questions a - c. If "No", go to Section 13.*

|                                                                                                                                                    | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA. | E3d                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.  | E3d                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. Other impacts: _____                                                                                                                            |                             | <input type="checkbox"/>      | <input type="checkbox"/>           |

**13. Impact on Transportation**  
 The proposed action may result in a change to existing transportation systems.  NO  YES  
 (See Part 1. D.2.j)  
*If "Yes", answer questions a - f. If "No", go to Section 14.*

|                                                                                                       | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|-------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. Projected traffic increase may exceed capacity of existing road network.                           | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in the construction of paved parking area for 500 or more vehicles. | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action will degrade existing transit access.                                          | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action will degrade existing pedestrian or bicycle accommodations.                    | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may alter the present pattern of movement of people or goods.                  | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. Other impacts: _____<br>_____                                                                      |                             | <input type="checkbox"/>      | <input type="checkbox"/>           |

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

|                                                                                                                                                                                                            | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action will require a new, or an upgrade to an existing, substation.                                                                                                                       | D2k                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use. | D1f, D1q, D2k               | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.                                                                                                                          | D2k                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.                                                                                | D1g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. Other Impacts: _____<br>_____                                                                                                                                                                           |                             |                               |                                    |

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

|                                                                                                                                                | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may produce sound above noise levels established by local regulation.                                                   | D2m                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home. | D2m, E1d                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may result in routine odors for more than one hour per day.                                                             | D2o                         | <input type="checkbox"/>      | <input type="checkbox"/>           |

|                                                                                                         |          |                          |                          |
|---------------------------------------------------------------------------------------------------------|----------|--------------------------|--------------------------|
| d. The proposed action may result in light shining onto adjoining properties.                           | D2n      | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions. | D2n, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____<br>_____                                                                        |          | <input type="checkbox"/> | <input type="checkbox"/> |

|                                                                                                                                                                                                                                                                        |                                    |                                        |                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------|-------------------------------------------|
| <b>16. Impact on Human Health</b><br>The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)<br><i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> |                                    |                                        |                                           |
|                                                                                                                                                                                                                                                                        |                                    | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES              |
|                                                                                                                                                                                                                                                                        | <b>Relevant Part I Question(s)</b> | <b>No, or small impact may occur</b>   | <b>Moderate to large impact may occur</b> |
| a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.                                                                                                                  | E1d                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| b. The site of the proposed action is currently undergoing remediation.                                                                                                                                                                                                | E1g, E1h                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.                                                                                                                | E1g, E1h                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).                                                                                                                                | E1g, E1h                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.                                                                                                | E1g, E1h                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.                                                                  | D2t                                | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| g. The proposed action involves construction or modification of a solid waste management facility.                                                                                                                                                                     | D2q, E1f                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| h. The proposed action may result in the unearthing of solid or hazardous waste.                                                                                                                                                                                       | D2q, E1f                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.                                                                                                                                                               | D2r, D2s                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.                                                                                                                     | E1f, E1g<br>E1h                    | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.                                                                                                                                            | E1f, E1g                           | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| l. The proposed action may result in the release of contaminated leachate from the project site.                                                                                                                                                                       | D2s, E1f,<br>D2r                   | <input type="checkbox"/>               | <input type="checkbox"/>                  |
| m. Other impacts: _____<br>_____                                                                                                                                                                                                                                       |                                    |                                        |                                           |

**17. Consistency with Community Plans**  
 The proposed action is not consistent with adopted land use plans.  NO  YES  
 (See Part 1. C.1, C.2. and C.3.)  
 If "Yes", answer questions a - h. If "No", go to Section 18.

|                                                                                                                                                                      | Relevant Part I Question(s)       | No, or small impact may occur | Moderate to large impact may occur |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------------------|------------------------------------|
| a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).                                | C2, C3, D1a<br>E1a, E1b           | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.                     | C2                                | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action is inconsistent with local land use plans or zoning regulations.                                                                              | C2, C2, C3                        | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action is inconsistent with any County plans, or other regional land use plans.                                                                      | C2, C2                            | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure. | C3, D1c,<br>D1d, D1f,<br>D1d, E1b | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.                       | C4, D2c, D2d<br>D2j               | <input type="checkbox"/>      | <input type="checkbox"/>           |
| g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)                    | C2a                               | <input type="checkbox"/>      | <input type="checkbox"/>           |
| h. Other: _____<br>_____                                                                                                                                             |                                   | <input type="checkbox"/>      | <input type="checkbox"/>           |

**18. Consistency with Community Character**  
 The proposed project is inconsistent with the existing community character.  NO  YES  
 (See Part 1. C.2, C.3, D.2, E.3)  
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

|                                                                                                                                    | Relevant Part I Question(s)    | No, or small impact may occur | Moderate to large impact may occur |
|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------|------------------------------------|
| a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. | E3e, E3f, E3g                  | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)                       | C4                             | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.         | C2, C3, D1f<br>D1g, E1a        | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.            | C2, E3                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action is inconsistent with the predominant architectural scale and character.                                     | C2, C3                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. Proposed action is inconsistent with the character of the existing natural landscape.                                           | C2, C3<br>E1a, E1b<br>E2g, E2h | <input type="checkbox"/>      | <input type="checkbox"/>           |
| g. Other impacts: _____<br>_____                                                                                                   |                                | <input type="checkbox"/>      | <input type="checkbox"/>           |

**PRINT FULL FORM**

Project: Date: 

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type 1  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3



Upon review of the information recorded on this EAF, as noted, plus this additional support information  
As noted in the attachment Part F.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Village of Ballston Spa, Village Board as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: The adoption of the Comprehensive Plan for the Village of Ballston Spa

Name of Lead Agency: Ballston Spa Village Board

Name of Responsible Officer in Lead Agency: Frank Rossi, Jr.

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer) John J. Behan (signed electronically)

Date:

7/31/2023

**For Further Information:**

Contact Person: John J. Behan, Principal, Behan Planning and Design

Address: 112 Spring Street, Suite 305, Saratoga Springs, NY 12866

Telephone Number: (518) 583-4335

E-mail: [jbehan@behanplanning.com](mailto:jbehan@behanplanning.com)

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**

# **Village of Ballston Spa**

## **Comprehensive Plan**

State Environmental Quality Review (SEQR)

Full Environmental Assessment Form (EAF)

Part F. Additional Information (Prepared December 7, 2022)

### **Overview**

This full Environmental Assessment Form (EAF) provides the Village of Ballston Spa and Village Board of Trustees, interested agencies, and the public with an understanding of the potential environmental impacts that may result from the proposed action.

A full EAF is appropriate when an action is classified as a Type 1 action under SEQR. A comprehensive plan is a village-wide plan for the future and establishes a set of policies and projects to advance the vision and goals established in the plan. This EAF is an analysis of the proposed adoption of the comprehensive plan, and does not supplant any site-specific environmental analysis that would typically be required for development projects subject to SEQR review. Being more general than a site-specific process, the EAF can be used to consider and examine broad-based actions and does not address individual projects which may be proposed in the future.

The SEQRA process allows a municipality and the public to analyze effects of the proposed actions and the potential aggregate impacts of the proposed actions. The proposed action by the Village of Ballston Spa is to adopt a comprehensive plan. In general, the adoption of the plan by the village will not have an adverse environmental impact.

The adoption of the plan will not result in the approval of any development activity, either private or public. All proposed new projects would be subject to specific SEQR review, determination of significance, permitting (if necessary) and compliance with the precepts and policies of the comprehensive plan.

The additional information that follows takes into consideration the land uses, management of development, and maintenance of resources for the areas involved in order to make the analysis of the proposed action clearer.

### **Anticipated Impacts**

The proposed action of adoption of the comprehensive plan is anticipated to provide benefits to the village and the community, the plan is not expected to result in any significant adverse environmental impacts, and will not result in a direct physical change to the area. The comprehensive plan carefully considers the environmental and contextual setting of the village which is reflected in the policies and

recommendations and it is anticipated that the plan will result in an overall beneficial impact to the environment within the Village of Ballston Spa.

Much of Ballston Spa's history is directly tied to its proximity to the Kayaderosseras Creek and the natural springs that are in the village. The creek bisects the village, separating the north and south end by steep slopes. A goal of the plan is to reconnect Ballston Spa, both visually and physically, with the creek and itself. The comprehensive plan recommends growth and conservation in ways that are in balance with one another and are beneficial to the village and the environment.

#### **Impact on Land**

Adoption of the comprehensive plan is not anticipated to have any adverse impact on land resources in the village. The plan aims to conserve and add to open spaces in the village, when and where appropriate, and to focus any new residential development into areas that are already zoned for that use. Any new commercial uses added to currently residential areas is meant to be context based and limited to uses that will mix well with residences and not cause a nuisance. While there may be an increase in density and intensity of development in these areas, the critical open spaces that currently exist in Ballston Spa will remain.

#### **Impact on Water**

Adoption of the comprehensive plan by the will have no adverse impact of the existing water resources in the study area. The plan proposes a trail along Kayaderosseras Creek, a tributary to the Hudson River. This trail would effectively create a greenway along the creek where no development may occur. Buffers surrounding streams play a key role in improving water quality, and the buffer created by this trail will serve to reduce runoff and pollutants entering the creek and ultimately reaching the Hudson River. Additionally, open spaces play a critical role in maintaining water quality by way of infiltration which reduces stormwater runoff, improves aquifer recharge and reduces the level of pollutants that ultimately reach the waterways.

The comprehensive plan includes recommendations for stormwater management to help protect and enhance the quality of water resources.

#### **Impact on Air**

The adoption of the comprehensive plan is not foreseen to have any adverse impact to the air quality in the village. In fact, the document encourages the enhancement and permanent protection of open space and the enhancement of non-motorized transportation including planning of additional land for public trails in the village. In addition to improvements to the village sidewalk system, the projects proposed in the comprehensive plan recommend landscaping and planting street trees to improve the aesthetics of the street and act as visual cues to calm traffic. Trees and natural vegetation also play the added role of improving air quality in the area.

### **Impact on Plants and Animals**

The adoption of the comprehensive plan should have no adverse impacts on plants and animals in the study area. In fact, the plan promotes the conservation of the Kayaderosseras Creek and other natural areas in the village. Preserving large tracts of open land reduces fragmentation of habitat for plants and animals which will benefit these species in the long-term. While the plan does advise for the creation of a trail network in the village, this would have a very slight impact on habitat as a narrow trail for walking and cycling promotes the use and appreciation of plants and animals.

### **Impact on Agricultural Land Resources**

Adoption of the comprehensive plan by the Village of Ballston Spa will not adversely impact agricultural resources, as there are not any located in the study area. The village does host a twice weekly farmers' market in the summer months, which may be enhanced by improvements to the Central Business District of the village that the plan espouses.

### **Impact on Aesthetic Resources**

By advocating for the enhancement and protection of the aesthetic resources that give the village its charm and walkability, the comprehensive plan would both help maintain the character of the Village of Ballston Spa and add to it over time through policies of contextual growth. Aesthetic improvement projects and funding initiatives would potentially be subject to subsequent review under SEQR.

### **Impact on Historic and Archaeological Resources**

The comprehensive plan will have a beneficial impact on the historic and archaeological resources in the village. One of the stated goals of the comprehensive plan is to preserve and enhance the historic central business district that the village is known for. This includes any archaeological resources. The plan go on to recommend an inventory of historic protections and the development of a village-specific set of historic preservation design guidelines . Identifying the important elements of the village's historic and archaeological resources is the first step to enhancing and protecting them.

### **Impact on Open Space and Recreation**

Overall, adoption of the comprehensive plan will have a beneficial impact on open space and recreational resources throughout the community. A project advocated by the comprehensive plan is improvements to Kelley, Wiswall, Iron Spring and Victory Circle Parks, which include open space for recreation, viewing areas, a dog park, playgrounds and walking trails around the Kayaderosseras Creek. Another goal is for the creation of a village wide trail network that also connects to the Zim Smith Trail.

### **Impact on Critical Environmental Areas**

The adoption of the comprehensive plan will have no adverse impact as no Critical Environmental Area (CEA) have been established in the Village of Ballston Spa.

### **Impact on Transportation**

The adoption of the comprehensive plan will have a beneficial effect on transportation by advocating for improvement to the pedestrian and bicycle infrastructure including a village-wide trails network and connection to the Zim Smith Trail. Continued improvements for compliance with the Americans with Disabilities Act (ADA) is one of the elements that was recognized as important during the development of the plan. Improvement to the streetscape and walkability of the village overall and additional signage about the location of existing parking in the central business district to improve the flow of traffic are also mentioned in the plan.

Opportunities to connect with the region's expanding trail system, including cooperative projects with the Town of Milton and Town of Ballston and Saratoga County will provide long-term transportation benefits. By connecting Ballston Spa residents with important nearby destinations, and vice versa, by connecting nearby communities to downtown Ballston Spa, the economic vitality of the village can be enhanced.

### **Impact on Energy**

Adoption of the comprehensive plan will have a beneficial impact on energy resources as a stated goal of the plan is to embrace "smart technology" in government buildings and street lighting, and to assist residents to harness renewable energy and switch from fossil fuels. The plan also states that the village should ensure local laws will not unreasonably restrict residents from producing their own electric power from renewable resources, without sacrificing aesthetics.

### **Impact on Noise, Odor or Light**

Adoption of the comprehensive plan will not result in adverse impacts from noise, odors or light. The plan encourages enhancing adherence to the existing village codes, especially on property maintenance, and in adding code enforcement. These conditions will create a decrease in odors and noises in residential areas. Of course, any new development will create noise and some supplemental lighting, but the areas pinpointed by the plan for compatible development are in vacant parcels or areas that will benefit from investment.

### **Impact on Human Health**

Adoption of the comprehensive plan will have a beneficial effect on human health by increasing the walkability of the village, and adding public open space and walking trails. Access to these amenities has been shown to have multiple benefits on public health.

### **Impact on Community Character**

Adoption of the comprehensive plan will have a beneficial effect on the character of the community. One of the stated goals is to enhance communication and participation among community members, especially youth. The plan will also have a positive effect on growth as the plan provides a path for considered and contextual growth, to improve how growth occurs through design standards.

## Alternatives

There are three alternative actions that the village can pursue. These are:

1. Adopt the comprehensive plan as proposed
2. Adopt an altered plan
3. Do not adopt the comprehensive plan.

Of the available alternatives, adoption of the comprehensive plan as proposed would provide the best combination of appropriately scaled growth, recreational and waterfront resource enhancement, and natural resource protection in accordance with the shared goals of the village. The overriding goal of the community, stated in comprehensive plan is to *protect the character of the village while allowing growth*. The comprehensive plan, as proposed, would go the farthest toward achieving this goal.

It is difficult to anticipate possible alternatives to a plan, as opposed to specific projects proposed within. The most obvious alternative would be to take “no action.” This, essentially, means that that the village would not adopt the comprehensive plan.

Another alternative action for the village is to adopt an altered comprehensive plan. This document was written with substantial community input, in the form of a Steering Committee and a community survey with over 800 responses, and after careful analysis of the study area’s natural and cultural resources. Much thought and care were put in to create a balance of the community goals of protecting architectural and natural resources and allowing for downtown revitalization and growth. Altering any of the main aspects of the comprehensive plan would result in a disruption of this balance.

Adoption of the comprehensive plan, as proposed, would best ensure that the community’s shared vision and goals for the village are achieved. As the plan is implemented over time, the strategic actions identified in the plan will help enhance the economic vitality, livability and unique character of the Village of Ballston Spa.

## **Village of Ballston Spa Zoning Advisory Committee Charter**

August 20, 2023

The Village of Ballston Zoning Advisory Committee (ZAC) shall be formed to assist the Village Board of Trustees in developing and updating village zoning. With support from one or more zoning experts contracted by the Village, the ZAC will provide recommendations for updating zoning using the Comprehensive Plan as guidance, as well as input from village residents, stakeholders, zoning from similar municipalities, and model zoning from relevant professional bodies.

The final product of the ZAC will be a revised zoning code for Village Board consideration for all areas of the village. The primary goals of the zoning recommendations will be the preservation of village character, the enhancement of quality of life, and the promotion of economic growth, as described in the Comprehensive Plan.

The ZAC will consist of 13 members in total, ten members appointed by the Board of Trustees following the Committee Policy approved by the Village Board, the Building Inspector/Code Enforcement Officer, and the Chairs of the Zoning Board of Appeals and the Planning Board. No member of the Board of Trustees may select a member of the Board of Trustees for membership on the ZAC, including themselves.

The members of the ZAC will choose a Chair who will be responsible for convening and presiding over meetings, keeping ZAC records, and presenting its recommendations. The committee will meet at such times as the majority may determine. The ZAC will keep minutes of its meetings and record all such data as is necessary to provide information for such recommendations. ZAC records shall be available to the Village at any time, including for production to the public upon request.

The ZAC will have complete access to otherwise public records of the Village. The members of ZAC may also meet with department heads and other village staff as deemed appropriate by a majority of the ZAC members.

The ZAC will conduct its meetings with notice of meetings, and public attendance is welcomed. The ZAC can meet without a quorum but cannot vote on matters without a quorum. A quorum shall be defined as seven members of the 13-member committee. ZAC members shall have the option to participate in ZAC meetings remotely.

# Village of Ballston Spa Zoning Advisory Committee Charter

## Purpose and Duties

August 28, 2023

The Village of Ballston Zoning Advisory Committee (ZAC) shall be formed in order to assist the Village Board of Trustees in developing and updating village zoning. The ZAC, with support from one or more zoning experts contracted by the Village, will provide recommendations for updating zoning using the Comprehensive Plan as guidance, as well as input from village residents, stakeholders, zoning from similar municipalities, and model zoning from relevant professional bodies. The final product of the ZAC is a revised zoning code for Village Board consideration for all areas of the village, which will have as its primary goals the preservation of village character, the enhancement of quality of life, and the promotion of economic growth, as described in the Comprehensive Plan.

The ZAC will consist of ten members appointed by the Board of Trustees following the Committee Policy approved by the Village Board. The members of the ZAC will choose a Chair, who will be responsible for convening and presiding over meetings, keeping ZAC records and presenting its recommendations. The committee will meet at such times as the majority may determine. The ZAC will keep minutes of its meetings and record all such data as is necessary to provide information for such recommendations, and its records shall be available to the Village at any time, including for the production to the public upon request.

The ZAC will have full and complete access to otherwise public records of the Village. The members of ZAC may also meet with department heads and other village staff as deemed appropriate by a majority of the ZAC members.

The ZAC will conduct its meetings with notice of meetings and attendance by the public is welcomed. The ZAC can meet without a quorum, but cannot vote on matters without a quorum. A quorum shall be defined as seven members of the 10-member committee. ZAC members shall have the option to participate in ZAC meetings remotely. Meetings will be held approximately every two weeks.