

**REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, NY held on June 12, 2023.**

Present: Mayor Rossi, Trustee Kormos, Trustee Baskin, Trustee VanDeinse-Perez, Trustee Raymond, Village Clerk O'Connor, Village Administrator Moskowitz, Attorney Teresi (via Zoom until 8:03pm) Attorney Buettner (arrived via Zoom @ 8:03pm)

**1) Call to Order**

**2) Pledge to the Flag**

**3) Minutes**

**a) Motion made by Trustee Raymond, seconded by Trustee Kormos that the minutes of the 06/12/23 meeting be approved.**

	<b>Trustee Baskin-abstained</b>	<b>Trustee Raymond-yes</b>	
<b>Trustee VanDeinse-Perez-yes</b>		<b>Trustee Kormos-yes</b>	<b>Mayor Rossi-yes</b>

**Motion Passed**

**4) Mayor Announcements**

- a) The Trumbull /Rosewood crosswalk may be moved slightly south due to a tree. The homeowner near the new location has given approval, we are awaiting DOT approval.**
- b) The Wiswall Park will move forward with their Master Plan in steps due to the relocating the sewer pipe.**
- c) The Union Fire apron costs are being bid out in order to reduce costs.**
- d) Meter cards and tax payments are due this month.**
- e) Our insurer does not recommend taking over sidewalks. (see attached)**
- f) The Bird House Festival was awesome. Thank you to Mark Blech, ASCC and all of the volunteers. Additionally, thank you to the BSBPA for their cooperation.**

**5) Liaison Reports**

**Trustee Kormos reported that the Library has raised \$230,665.00 so far for renovations. Trustee Kormos noted that the community read-aloud is scheduled for 6/17 from 11am-4pm and summer reading registrations will start on 6/23. Mayor Rossi added that special thanks go out to the Alfred Z. Solomon Trust and for their contributions to the Bird House Festival. Additionally, we have submitted a grant application to Senator Gillibrand for funds for the Library renovation.**

**Trustee VanDeinse-Perez reported that the 1<sup>st</sup> Farmer's Market held last Saturday went well, as did the Movie in the Park.**

**Trustee Raymond noted that the DPW has been doing brush pick-up. Grass clippings will need to be bagged, and brush cut and bundled for the rest of the summer grass clippings will need to be bagged and brush will need to be cut and bundled.**

**Trustee Raymond announced that additional security cameras are being worked on at Kelley Park.**

Trustee Baskin stated that the DPW did a great job paving Front Street  
The Trustee noted that there will be a plein air event at the Brookside Museum in September.  
Trustee Baskin thanked the Park and Tree Board for all of the volunteers who came out to clean up the park and plant flowers. Donations are being sought to buy new benches.

#### 6) Treasurer's Report

Mayor Rossi suggested people who have misplaced their meter reading card either take a picture of the meter reading or write the reading down and provide it to the Deputy Clerk.  
Police Dept. retroactive.

#### 7) Presentation – CDTA Bus Shelter Concept (Ross Farrell of CDTA & Brian Healey of CHA)

Mr. Farrell and Mr. Healy spoke about possible bus shelter/bump out locations citing the intersection of Milton Avenue and Front Street as one. (see attached power point presentation)

Ray Otten, 16 Middlebrook Avenue is very concerned about the proposed locations making the street even narrower, citing emergency vehicles being able to turn the corner and also the loss of parking spots on Milton Avenue.

Judy Esposito of 48 Chapman Street suggested turning the parking spots into a lane for the buses to pull over.

Jennifer Andersons, 51 Russell Street, is concerned about riders sitting on the curb while waiting for the bus and suggested a bench be installed.

Darlene McGraw of 4 North Pointe in Halfmoon said the bus route to Social Services should be restored, it's an ADA law.

Gina Marozzi, 10 Old Glory Lane is also concerned about emergency vehicle issues that would be caused by bump outs, encouraging CDTA and CHA to talk to the Fire Dept. in addition to the businesses that will be affected.

Mayor Rossi encouraged people to also send written comments.

Mark Blech of 10 Thompson Street suggested CDTA help the Village build a parking structure.

Natasha Pernicka, 56 Hyde Blvd., thanked CDTA for wanting to improve their services and feels pedestrian safety and protecting bus riders from the elements are most important.

Christine Fitzpatrick of 31 Chapman Street noted she is a lifetime public transportation user favors bus stops/bump outs at the Front Street and Milton Avenue location over the other option presented.

Jared Iacolucci, 24 Chapman Street is in favor of bump outs.

Keith Lewis of 38 East High Street thinks the left turns on Front and Washington Streets is causing traffic delays and bump outs would help.

Trustee Raymond added that before any of this is done, an operational capacity analysis.

Trustee Baskin said he is a strong supporter of pedestrian safety and providing good bus transit and shelter.

Mayor Rossi suggested that this be discussed further with more public input.

Trustee Kormos likes the idea of doing a trial.

#### 8) Old Business

##### a) Woods Hollow (Trustee Kormos)

Trustee Kormos wants to know the status of the Woods Hollow purchase and is concerned because this sale has to be approved by the Assembly.

##### b) Sidewalk Code (Trustee Kormos)

Trustee Kormos thinks a special session is needed to discuss the idea of a sidewalk fee; she thinks there seems to be a fair amount of support for spreading the cost of sidewalks amongst everybody.

Mayor Rossi asked Trustee Kormos to provide a transcript of Trustee Kormos' conversation with NYCOM Attorney Wade Beltramo on this subject.

Trustee Baskin agrees with Trustee Kormos on further exploring spreading the sidewalk costs among the taxpayers.

Mayor Rossi reminded the Board that our insurer uses our current sidewalk law as an example to other municipalities of liability protection.

Trustee Raymond agrees with a special meeting and understands that the Village's liability could increase significantly if we take over sidewalks but doesn't feel that's a reason to force people out into the roadway by leaving sidewalk gaps.

Trustee VanDeinse-Perez also wants written comments from Wade to see if there's any missed nuance.

Trustee VanDeinse-Perez feels this subject needs to be discussed much further.

Mayor Rossi is especially concerned that the term eminent domain was brought up by Trustee Kormos.

Trustee Kormos said she doesn't believe that would be the case for the majority.

The Board discussed right -of-way regarding sidewalks and feels that eminent domain should be a last resort.

Trustee Baskin is interested in this model as a potentially superior model and thinks we need to explore the liability implications.

**c) EFPR Contract (Trustee Baskin)**

Trustee Baskin asked for updates on the contract.  
Mayor read some of the hi-lights.

**d) Monthly Financial Statements (Trustee Baskin)**

Mayor Rossi said EFPR is waiting for a couple of clarifications in order to produce that.

**e) Status of Treasurer Position (Trustee Baskin)**

Mayor Rossi said this would need an executive session to discuss.

**f) Route 50 Crosswalk Labella Work Product (Trustee Baskin)**

Mayor Rossi explained that a tweak is needed.

**g) Wiswall Park Design (Trustee Baskin)**

Judy Esposito explained that they are looking to hire a company for the next phase.

**h) Presentations by Department Heads (Trustee Baskin)**

Presentations will begin 7/26.

**i) Birdhouse Project Structures in Wiswall Park (Trustee Baskin)**

Mayor Rossi excused himself from this conversation.

Trustee Baskin congratulated Mark Blech on another successful event, noting the large decorative structures are quite impressive, but is concerned about them being up for 5 months and should have received special approval from the Board.

Mr. Blech said the DPW will take the structures down in September, as their schedule allows.

There was discussion about insurance and contract extension.

**9) New Business**

**a) Creating Insurance Policy Guide (Trustee Baskin)**

The Board discussed what should be provided with a certificate of liability insurance.

**b) Creating Donor Recognition Policy (Trustee Baskin)**

Trustee Baskin questioned the legalities of donor recognition on Village properties.

**c) Use of the Agenda and Village Board Meetings To Focus More on Issues of Health, Safety, and Welfare of the Community, Such as Developments Related to the John St. Water Tower, Completing Work on Increased Sidewalk Reimbursements, Potential Police Department Relocation Ideas, etc., Instead of an Attempt To Exert Micromanagement, Political Public Embarrassment on the Mayor and Village Staff, and Continuous Nonsensical Increase of the Village Attorney's Workload (Mayor Rossi)**

Trustees were asked to stop politicizing certain non-profits, events and the BSBPA.

#### **10) Public Comment (5-Minute Limit per Speaker)**

**Ms. McGraw spoke about the importance of this Village to her and suggested that Saratoga county employees be involved in the CDTA discussions.**

**Ms. Andersons thanked the Board for having CDTA.**

**Mr. Otten is concerned not only about public safety, but also about making this a usable Village citing already narrow streets.**

**Additionally, Mr. Otten stressed the importance of doing what's best for the greater good.**

**Mr. Otten asked if after next January, can a new regime change the rules and regulations that have been enacted.**

**Attorney Buettner said yes.**

**Mr. Iacolucci appreciated the CDTA presentation and is in favor of bump outs due to concern for pedestrian safety.**

**Regarding sidewalks, he feels a fee assessment for sidewalks is worth looking into.**

**Ms. Fitzpatrick gave kudos for the Front Street work and also noted that she has heard many positive comments about the Birdhouse Project.**

**Commenting on sidewalks, Ms. Fitzpatrick thinks there should be a special meeting on sidewalks and agrees with looking into an assessment fee.**

**Michele Bechard of 14 Bath Street is also pleased with the Front Street work.**

**Ms. Bechard praised the Bird House Project and Festival and the "unofficial" garage sale weekend noting they bring business into the Village.**

**James Jurcsak, 196 Malta Avenue expressed his concerns about the financial burden that would be placed if there is a fee assessment for sidewalks.**

**Christin Iacolucci of 24 Chapman Street added her support for making it easier to ride the bus and have continuous sidewalks for a walkable Village.**

**Ms. Marozzi, regarding the large Bird House structure, asked the Board what is being done wrong and noted no other group has ever been treated this way.**

**Ms. Marozzi chastised Trustee Kormos for encouraging the vendors at the Farmers Market to complain about the bird houses.**

**Kris DuBuque of 6 Kaleen Drive stated the Bird House Festival was great and thanked everyone involved.**

Mr. DuBuque noted that one of the reasons he and his family moved from Milton to Ballston Spa was due to the community; these events contribute to that.

#### 11) Board Comments, Questions, & Concerns

Trustee VanDeinse-Perez shared that Todd Shimkus of the Saratoga County Chamber loved everything about the Bird House Festival.

Trustee Baskin feels that Ms. Marozzi politicizes events and said the Board does not, they are doing due diligence.

Mark Blech, Mayor Rossi and Trustee Baskin thanked the DPW for their help with the festival.

Trustee Raymond said his biggest concern about sidewalks is gaps.

As for the relocation of the bus stops, Trustee Raymond thinks it needs to be more fleshed out.

Regarding attacking family members of the Board and micromanaging, Mayor Rossi encouraged it to stop and urged supporting each other.

#### 12) Agenda Items for Consideration

a) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that Moxxi Women's Foundation be granted permission to hold a women-owned business Trade Show at the Saratoga County Fairgrounds on June 17 from 10am until 5pm. Proof of Liability Insurance has been provided. (Requested by Mayor Rossi)

Ayes All

b) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Police Dept. be granted permission to apply for a federal grant for bulletproof vests through the Department of Justice. (Requested by Mayor Rossi)

Ayes All

c) Motion made by Trustee Baskin, seconded by Trustee VanDeinse-Perez that the Park and Tree Board be authorized to expend the amount of \$1,137.72 for two benches for Victory Park. (Requested by Mayor Rossi)

Ayes All

d) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that Ribbon Cafe be granted permission to conduct the "Ballston Spa Sunshine Kids Lemonade Stand," a charity event on 7/29 from 10:00am to 5:00pm and shut down Prospect Street from the edge of the parking lot to the west of Ribbon to Bath Street. This would cause no interference for the gas station as entrance from both Prospect Street and Route 50 would still be accessible. Proof of Liability Insurance has been provided. (Requested by Mayor Rossi)

Ayes All

e) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that Union Fire Co. #2 be granted permission to participate in four out-of-district parades with Engine Rescue 14-4 (parade list attached). (Requested by Trustee VanDeinse-Perez)

Ayes All

f) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that Swimming Under the Stars be held on 8/12 from 7pm until Midnight. (Requested by Mayor Rossi)

Ayes All

g) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the attached list of pool staff be approved for hire with pay rates as follows: Director - \$18.00 per hour, Asst. Director - \$15.75 per hour, Guards and Instructors - \$15.00 per hour. (Requested by Mayor Rossi)

Ayes All

h) Motion made by Trustee VanDeinse Perez, seconded by Trustee Kormos that the attached pool schedule and schedule of fees be approved. (Requested by Mayor Rossi)

Ayes All

i) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin that the Village observe Juneteenth as a National holiday, and that all Village Staff be granted Monday, June 19, 2023, as a holiday in observance. (Requested by Mayor Rossi)

Ayes All

j) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Village Board approve of the expenditure of \$16,919.50 through the use of ARPA funds (located in unallocated General Fund Balance) for the emergency repair work performed by TKC near the Lowell St. Pump Station off Doubleday Avenue to eliminate a persistent leak and flooding condition (Requested by Mayor Rossi)

Ayes All

k) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond approving the engineering proposal from LaBella Associates for work to be performed in proposing best relocation options and designing a replacement for the sewer pipe located under Wiswall Park. (Requested by Mayor Rossi)

Ayes All

l) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos approving a water hookup for the property located at 40 Glen Street (Inside the Village). (Requested by Mayor Rossi)

Ayes All

m) Motion made by Trustee\_\_\_\_n/a\_\_\_\_\_, seconded by Trustee\_\_\_\_n/a\_\_\_\_\_ to have all Wiswall Park conceptual design alternatives reviewed by the village engineer (LaBella Associates) for constructability and any conflicts with existing utilities, structures and landscaping. (Requested by Trustee Raymond)

Tabled

n) Motion made by Trustee Kormos, seconded by Trustee Raymond that all submittals by consultants, engineers, service providers or contractors pertaining to subject matter that will subsequently require board approval be shared with all Village Board members within one business day of receipt by village staff or elected officials. (Requested by Trustee Raymond)

Trustee Raymond-yes

Trustee Baskin-yes

Trustee VanDeinse-Perez-no

Trustee Kormos-yes

Mayor Rossi-no

Motion Passed

**o) Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi that liaisons must inform the Mayor of all activities with any group that they are a liaison to within 1 business day of such meetings, phone calls, etc.**

**Ms. McGraw reminded the Board that all of their email communications are FOILable.**

**Addressing Trustee Raymond, Mr. DuBuque spoke about Trustee Raymond blaming the public for the length of the meetings, and pointed out that these motions are the sole reason these meetings go so long and requested that the previously removed 2<sup>nd</sup> public comment period be reinstated.**

**Mr. DuBuque also noted that Trustee Baskin was incorrect when he stated that he was not privy to discussion regarding a 3<sup>rd</sup> party to provide us with a baseline drawing for Wiswall Park.**

**Mr. Iacolucci fails to see why this motion would be necessary.**

**Mr. Otten is tired of all of the 3-2 votes.**

**There was much discussion about obligations of Board members duties.**

**Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi to table the spontaneous motion just made.**

**Ayes All**

**p) Motion made by Trustee Kormos, seconded by Trustee Raymond to reconsider motion “n”**

**Ayes All**

**q) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that repeals motion “n” that was formerly approved the moved to reconsider.**

**Ayes All**

**r) Motion made by Trustee Baskin seconded by Trustee Raymond to have legal counsel create contracts with ASCC for 2023 Family Fun Day, FY 2023-2024 Birdhouse project, and FY 2023-2024 Banners, for Board review prior to the July 10 village board meeting. (Requested by Trustee Baskin)**

**After discussion:**

**Motion Made by Trustee Baskin, seconded by Trustee Raymond to table the motion.**

**Ayes All**

**s) Motion made by Trustee Baskin, seconded by Trustee Kormos to nominate Richard Annis to the Revenue Committee. (Requested by Trustee Baskin)**

**Ayes All**

**t) Motion made by Trustee Kormos, seconded by Trustee Raymond to approve the attached revised Village Committee Policy. (Request by Trustee Kormos)**

**Regarding appointments, Trustee VanDeinse-Perez pointed out that the Mayor appoints committee vacancies and liaisons and find it an encroachment of the legislature on an Executive.**



Trustee VanDeinse-Perez also feels that this Board does not need to put their hands in something for no reason.

Trustee VanDeinse-Perez praised the job that Mayor Rossi is doing and wants the other Trustees to stop cutting him off at the knees and this is why she does not support this.

Trustee Kormos stated she feels we work in a representative government and there are a few tweaks. Trustee VanDeinse-Perez clarified that her issue is with the proposal to remove the Mayor's right to appoint vacancies on committees, not appointing the whole committee.

Attorney Buettner will look into this matter.

Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi that the motion be tabled.

Trustee Raymond-yes

Trustee Baskin-no

Trustee VanDeinse-Perez-yes

Trustee Kormos-no

Mayor Rossi-yes

Motion Passed

u) Motion made by Trustee Kormos, seconded by Trustee Raymond to approve the attached revised Rules and Procedures. (Requested by Trustee Kormos)

Trustee Kormos noted she did add Attorney Buettner's changes into a copy she has there.

Attorney Buettner noted she has not seen the changes.

After discussion:

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond to table the motion.

Ayes All

13) Other Business

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin approving the LaBella contract related to the Union Fire Co. #2 apron.

Ayes All

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond approving an expenditure of \$3,000.00 in DWI funds that are now in unallocated fund balance for use to complete investigations by the Police Dept.

Ayes All

14) Executive Session (If Needed)

None needed.

15) Adjournment/Voucher Audit:

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin that the Vouchers be audited, and the meeting adjourned at 11:21pm.

General Fund	\$ 193,164.51
Sewer Relevy	2,491.46
Library Fund	13,760.16
Trust & Agency	<u>4,052.78</u>
Total	\$ 213,468.91

Ayes All

Respectfully Submitted,

Teri L. O'Connor  
Village Clerk