

**REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, NY held on May 22, 2023.**

Present: Mayor Rossi, Trustee Kormos, Trustee VanDeinse-Perez, Trustee Raymond, Village Clerk O'Connor, Village Administrator Moskowitz Attorney Buettner

Absent: Trustee Baskin

**1) Call to Order**

**2) Pledge to the Flag**

**3) Public Hearing (Proposed Local Law No. 2 of 2023 – Sidewalk Code)<sup>1</sup>**

Mayor Rossi opened the public hearing at 7:02pm.

Mayor Rossi announced that the Public Hearing will temporarily stop at 7:20 in order to have the BSCSD presentation.

Attorney Buettner explained the process of the Public Hearing and filing a Local Law and was followed by Mayor Rossi sharing some highlights of the proposed sidewalk law.

Trustee Raymond spoke about sidewalk continuity, noting that he feels this proposed law is woefully incomplete and he cannot in good conscience vote for it.

Trustee Kormos commented that the main purpose of this proposed law is to improve walkability.

When the Economic Development Survey, sidewalks were the number one issue.

Trustee Kormos agrees with Trustee Raymond about sidewalk continuity and feels that if the sidewalk is buckled due to a street tree, it should be the Village's responsibility.

Trustee VanDeinse-Perez thinks things that are included in the law should be part of fee schedule.

Trustee Raymond added that pedestrian safety is at stake when pedestrians are forced to walk in the street due to lack of sidewalks.

Motion made by Mayor Rossi, seconded by Trustee Raymond to temporarily adorn the public hearing at 7:19pm.

Trustee Raymond-yes

Trustee VanDeinse-Perez-yes

Trustee Kormos-yes

Mayor Rossi-yes

**Motion Passed**

**4) Presentation**

a) Ballston Spa Central School District (Superintendent Gianleo Duca & School Board President Jason Fernau)

**Motion Passed**

Dr. Duca and Mr. Fernau gave a brief summary of the school district and its mission, noting the goal is always a meaningful diploma.

Pete Martin of 20 Chesterwood Court, Ray Otten of 16 Middlebrook Avenue, Paul Farnan and Kris DuBuque of 6 Kaleen Drive praised the school district.

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<sup>1</sup> This Public Hearing is scheduled to begin at 7:01pm. After a brief discussion by the Mayor concerning highlights of the proposed code, public comments will be heard. Each speaker will be allowed to speak for up to five minutes. If the Public Hearing has not concluded by 7:20pm, it will be temporarily adjourned to allow our presentation to occur, and then it will resume after the presentation. As such, we ask those who cannot stay past 7:40pm to speak first during the Public Hearing and ask those who can remain at the meeting or on our Zoom stream to give priority to those who may not be able to. Thank you.

Mary Price-Bush, 105 McLean Street thanked Dr. Duca for the school’s participation with the bird house project.

Trustee VanDeinse-Perez stated that BSCSD has some of the most well rounded children and asked how people without children can be involved.

Dr. Duca suggested through clubs and community outreach.

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos to resume the public hearing on proposed Local Law #2 of 2023 at 7:51pm.

Trustee Raymond-yes

Trustee VanDeinse-Perez-yes

Trustee Kormos-yes

Mayor Rossi-yes

Motion Passed

Paul Farnan, 27 McLean Street feels that residents should remain responsible for their own sidewalks.

Marilyn Stephenson of 45 West High Street feels that the Village will have a lack of follow through regarding sidewalk compliance because that is the way it’s always been.

Ms. Stephenson urged the Trustees to assume responsibility for the sidewalks as Village property.

Mayor Rossi spoke about the costs of having the Village maintain the sidewalks, which would increase taxes approximately 21-22%.

Mayor Rossi noted we are responding to sidewalk complaints; we take all complaints seriously.

Ray Otten, 16 Middlebrook Avenue is looking forward to seeing the ADA study done.

Discussion ensued about putting in sidewalks where there hasn’t been any, such as in certain whole neighborhoods, filling in sidewalk gaps and having sidewalks on both sides of the street.

Gina Marozzi, 10 Old Glory Lane feels a sidewalk tax is unfair since neighborhoods that may be exempt from sidewalks would have to pay the tax as well.

Mary Price-Bush of 105 McLean Street feels the top priority should be the sidewalks where kids have to walk to school, such as Malta and Ballston Avenues.

Ms. Price would also like to see the sidewalks in the Central Business District fixed.

As far as wanting residents to clear snow from sidewalks withing 8-12 hours, Ms. Price stated that is an unfair burden to certain people.

James Jurcsak, 196 Malta Avenue is against forcing residents to install sidewalks.

Pete Martin of 20 Chesterwood Court feels that homeowners need more than 8-12 hours to clear their sidewalks of snow and ice and feels that the proposed sidewalk law needs more work.

Mayor Rossi suggested having a phase 1, removing the reimbursement rate and specs so that we can adjust them to be ADA compliant and create schedules, so that these things can be changed by Board resolution from time to time.

Christine Fitzpatrick, 31 Chapman Street noted she would not support that, but would support a sidewalk tax.

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Public Hearing related to proposed Local Law #2 related to sidewalk code be closed at 8:53pm.

Trustee Raymond-yes

Trustee VanDeinse-Perez-yes

Trustee Kormos-abstained

Mayor Rossi-yes

**Motion Passed**

**5) Minutes**

a) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that the minutes of the 5/8/23 meeting be approved.

**Ayes All**

**6) Mayor Announcements**

a) Eve Kenyon will be appointed to the Park and Tree Board.

b) Thank you to our DPW staff, Evolution Paving, LaBella Engineering and the Towns of Milton, Ballston Spa, Malta, Stillwater, and Greenfield for helping with the paving of Front Street

c) The timing of the traffic light at the intersection of Bath and Front Streets has been reduced.

d) Thank you to National Grid for working with us on the timing of their work that involved a sidewalk.

e) We will have a small ceremony and flag hanging on June 1<sup>st</sup> in honor of Pride month.

f) Regarding attorney fees, we do not pay per phone call, we pay Attorney Buettner's firm a monthly retainer and Attorney Buettner goes well beyond the call of duty.

**7) Liaison Reports**

Trustee Kormos reported that Friends of Wiswall will have workdays on June 2<sup>nd</sup> and 3<sup>rd</sup>.

The Garden Club provides gardening bags, and the Audubon Society is providing bird bags for children that contain books and activities and can be picked up at the Library, Trustee Kormos noted.

Trustee VanDeinse-Perez noted that the BSBPA is tremendously thankful for how the Front Street paving went.

Trustee Raymond commended DPW staff for the excellent job they did on Front Street and noted that yard debris pick up will be resuming.

**7) Treasurer's Report**

Mayor Rossi gave a reminder that tax bills will be going out this week.

Don Traver has been helping out with tax bills and payroll matters regarding the retroactive pay for the Police.

**8) Old Business**

None

**9) New Business**

None

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

Ms. Marozzi stated she thinks Trustee Kormos owes Attorney Buettner an apology for misrepresenting her fees.

Ray Otten, 16 Middlebrook Avenue asked about the status of CDTA doing a study of our bus stops.

Lisa Speidel of 106 Prospect Street is upset that her leaves have not been picked up and also that the noon and 6pm fire whistle is still not working.

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

Trustee Kormos stated that CDTA has been asked to do a presentation.

**12) Agenda Items for Consideration**

**a) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that Union Fire Co. #2 be granted permission to utilize the Union Firehouse on Sunday 6/18/23 for a seminar. (Requested by Trustee VanDeinse-Perez)**

**Ayes All**

**b) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that Malta Avenue Elementary School be granted permission to close Grove Street from 11:00am until 12:15pm on 6/16 for their Annual Egg Drop. (Requested by Mayor Rossi)**

**Ayes All**

**c) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that Saha Yoga be granted permission to conduct "Yoga in the Park" in Iron Spring Park each Sunday in June, July, and August (except 6/11 and 8/20 due to conflicting events in the park) from 10:45am to 12:15pm (includes set up and take down time). Proof of insurance has been provided. (Requested by Mayor Rossi)**

**Ayes All**

**d) Motion made by Trustee Kormos, seconded by Trustee VanDeinse-Perez that the Deputy Treasurer position temporarily become a full-time role, up to 32 hours per week, until July 1, 2023, which may be renewed by future motion, if necessary. The position will continue to be paid on an hourly wage basis at the current rate. (Requested by Mayor Rossi)**

**Ayes All**

**e) Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi that the following individuals be appointed to the Revenue Advisory Committee: Law Ryan, Alex Funciello, Mary Price-Bush Peter Martin, Paul Farnan, and Kevin Dillon. (Requested by Trustee Kormos)**

Trustee Baskin's pick has not yet been cleared by his employer to join the committee.

Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi that the following individuals be appointed to the Revenue Advisory Committee: Law Ryan, Alex Funciello, Mary Price-Bush Peter Martin, Paul Farnan, and Kevin Dillon. The Revenue Advisory Committee shall not meet until Trustee Baskin's appointment is ratified by this Board.

**Trustee Raymond-yes**

**Trustee VanDeinse-Perez-yes**

**Trustee Kormos-no**

**Mayor Rossi-yes**

**Motion Passed**

**f) Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi that DPW Working Supervisor Scott Kerns, be allowed to cash out his unused Vacation Time of 64.75 hours and his unused Personal Time of 40 hours that he was unable to use due to the Front Street Paving Project. (Requested by Mayor Rossi)**

**Trustee Raymond-yes**

**Trustee VanDeinse-Perez-yes**

**Trustee Kormos-abstained**

**Mayor Rossi-yes**

**Motion Passed**

**g) Motion made by Trustee Raymond, seconded by Trustee Raymond that DPW employees Steve Brooks with 23.25 hours, Michael Morrissey with 33.25 hours, and Ryan West with 5 hours be allowed to convert their unused Vacation Time to Comp Time that will carry over to the next fiscal year as a**

result of the time not being used because of the Front Street Paving Project. (Requested by Mayor Rossi)

Ayes All

h) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that DPW Crew Leader Glen Bowers, and DPW Employees Steve Brooks, Michael Morrissey, Tyler Sherman, and Ryan West be allowed to carry over 40 hours, and DPW Superintendent Jeff Gawrys be allowed to carry over 36.25 hours of unused Vacation time into next year, as a result of the Vacation time not being used due to the Front Street Paving Project. (Requested by Mayor Rossi)

Trustee VanDeinse-Perez sated she is thankful for the DPW, and we should not be dickering over this.

Ayes All

13) Other Business

None

14) Executive Session (If Needed)

None was needed.

15) Adjournment/Voucher Audit:

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Vouchers be audited, and the meeting adjourned at 9:49pm.

General Fund	\$ 31,754.15
Sewer Relevy	74.00
Library Fund	497.70
Trust & Agency	-----
Total	\$ 32,325.85

Ayes All