

**REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, NY** held on June 26, 2023.

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

Absent: Attorney Buettner

**1) Call to Order**

**2) Pledge to the Flag**

**3) Minutes**

a) Motion made by Trustee\_\_\_\_n/a\_\_\_\_\_, seconded by Trustee\_\_n/a\_\_\_\_\_ that the minutes of the 06/12/23 meeting be approved.

**Tabled**

**4) Mayor Announcements**

a) The Mayor asked for a moment of silence to be held in honor of former Mayor Jim Capasso.

**5) Liaison Reports**

Trustee Kormos noted that the Park and Tree Board has motions on the agenda.

Trustee VanDeinse-Perez reported that the outdoor BSBPA events are starting up.

Trustee Raymond reported that new lighting and security cameras have been installed in Kelley Park, and security cameras at Iron Spring Park.

Trustee Raymond noted that the traffic signal at the intersection of Front and Bath Streets will be repaired when the parts come in.

Trustee Baskin stated that the Arts Committee did not meet last week.

**6) Treasurer's Report**

Mayor Rossi stated that he is appointing the current Deputy Treasurer Melissa McCann to Treasurer. We will be looking for a Deputy Treasurer.

Mayor Rossi will be working with EFPR on an agreement.

Taxes and water meter cards are due at the end of the month.

**7) Presentation**

a) Park/Outdoor Smoking Policies (Chris Bradley – Adirondack Health Institute)

Mr. Bradley spoke about the "Clear the Air in the Southern Adirondacks" program, whose goals are to reduce the impact of tobacco marketing on youth and adults, as well as laws regarding smoking in parks.

**8) Old Business**

a) Treasurer Update (Mayor Rossi)

Update given during Treasurer report.

Trustee Baskin would like profit and loss statements.

b) EFPR Accounting (Trustee Kormos)

Trustee Kormos asked for some clarification on the EFPR agreement.

**c) Sidewalk Code Special Meeting (Trustee Kormos)**

Trustee Kormos stated that it seems apparent that there are some options other than putting the onus on the homeowner.

Trustee Kormos wants to schedule a special meeting to discuss creating a special assessment.

Mayor Rossi noted we are still waiting for Trustee Kormos to provide a summary of her conversation with NYCOM Attorney Wade Beltramo and he would prefer to see that before scheduling a special meeting.

The Mayor suggested the Board have some email conversation on the matter, noting that it's tough to schedule due to vacations.

Trustee Kormos said that Attorney Beltramo advised that Attorney Buettner should take it from here.

Trustee Baskin feels creating a meeting date will set a deadline for Attorney Buettner to speak with Attorney Beltramo.

The Board agreed to wait until the next meeting to see if we have the information we need and then discuss whether or not to set a special meeting.

**d) CDTA Stop Locations, Bump-Outs, & Social Services Access (Mayor Rossi) & Bus Shelters (Trustee Kormos)**

Trustee Kormos noted we had a presentation by CDTA with some preliminary concepts on bus shelter locations.

Trustee Kormos stated that CDTA wants an indication from the Board, not as to which location, but that the Board is comfortable having a minor reduction in parking and potentially tightening turning radii.

Mayor Rossi spoke about CDTA's idea to install a shelter on Milton Avenue in front of Pizza Works and another on Front Street in front of O'Brien Pharmacy.

As this location has been met with controversy from the public, Mayor Rossi mentioned possibly putting a shelter at Doubleday Woods, where it wouldn't require a bump out.

Mayor Rossi spoke with Saratoga County Board of Supervisor's about restoring the bus line to the Social Services building. A meeting to discuss this will be held with CDTA.

The Mayor received some opinions from some other licensed traffic engineers who suggested we have check some of the turning radii ourselves, as we have not been provided with that information from CDTA.

Mayor Rossi shared a handout from Village Engineers LaBella, showing that the firetrucks would not be able to make a turn with bump outs. (attached)

Trustee Raymond thinks the bump out could be modified to soften the radius.

Firefighter Dick Duffy stated that having a bump out on Front Street is very concerning for firetrucks turning; as it is, if there is a car parked in front of O'Brien's, the truck has to wait for them to move.

Firefighter Rob Roy agreed.

Trustee Raymond questioned why other routes can't be taken.

The firefighters explained that any of the streets can be a challenge.

Trustee VanDeinse-Perez is concerned about limiting any points of access, as are our volunteer firefighters.

Trustee Raymond asked for call averages as well as how long it takes to go through an intersection.

Mr. Duffy responded that you can't make up engineering scenarios, each time through the Village is different.

Referring to Trustee Raymond's interest in averages, Trustee VanDeinse-Perez is concerned for people's safety and that we are not listening to the Firefighters who deal with this every day.

Trustee VanDeinse-Perez noted that second's matter to saving lives.

Trustee VanDeinse-Perez felt that CDTA was pressuring for a decision during their presentation.

The Trustee thanked Dana and the BSBPA for working with us to get a questionnaire out to their members.

Trustee VanDeinse-Perez said preliminary results show that concerns are about bump outs as well as loss of parking spaces. (preliminary results attached).

Trustee Kormos thanked Trustee VanDeinse-Perez for doing the survey, but thinks it was done to soon as no site has been picked.

Trustee Baskin is disappointed he was not included in preparing the survey; there was no teamwork.

Trustee VanDeinse-Perez responded that this was done by herself is due to some businesses fear of repercussions if they spoke their minds about this proposed plan, whether for or against.

Trustee Baskin said he is sensitive to turning radius and fire issues.

Trustee Raymond stated that the Village has no jurisdiction on Route 50; CDTA's business model is their riders are 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup>.

Continuing, Trustee Raymond said that the reason CDTA gave only two options is because they are the only two options that make sense to their business model of benefitting the riders.

Trustee Raymond agreed with Trustee Baskin that if a bump out interferes with the ladder truck turning right, it needs to be addressed.

Mayor Rossi pointed out that CDTA would not exist without taxpayer money and would want to make sure the taxpayers are satisfied.

#### 9) New Business

There was none.

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

Anna Stanko, 32 Kent Street noted that it is curious that by law, tobacco products cannot be advertised within 1500 feet of a school, but pedophiles can live within 1000 feet of a school.

Regarding the sidewalks, Ms. Stanko wants everyone to be aware that a special assessment is a tax and asked who will be responsible for taking down the trees in the right-of-way that cause the sidewalk to bust up.

Ms. Stanko feels CDTA did not do their homework regarding bus stops and shelters.

Additionally, Ms. Stanko appreciates the cameras being installed in the parks and stressed the importance of having them at the pool too.

Dick Duffy, former Village resident appreciated the Boards' civility tonight.

Mr. Duffy, a Village Firefighter, is also concerned about bump outs and urges more studying be done.

Gina Marozzi, of 10 Old Glory Lane asked how CDTA initially got involved.

Mayor Rossi said they reached out at the same time we were discussing the impassibility issue ourselves; we asked Trustee Kormos to work with Ray Otten and Colby Krogh to discuss the emergency services aspects.

Ms. Marozzi asked who was on the walkthrough prior to the 6/12 meeting and asked the Mayor if he was aware of the walkthrough.

Mayor Rossi said he was not aware.

Trustee Kormos answered herself, Trustee Raymond, and Ross (CDTA) and the consultant from CHA.

Ms. Marozzi asked Trustee Kormos if any residents were on the walk.

Trustee Kormos could not remember.

Trustee Baskin stated nothing secretive or inappropriate has happened.

Mayor Rossi pointed out that Trustee Kormos' email to CDTA and CHA stated that a majority of the Board wanted them to move forward and were ok with the loss of parking and the tightening of turning radii before any public discussion was even held.

Trustee Kormos denied designing was the next stop, that it was public input.

Mayor Rossi stated that is untrue, he read the email to the crowd twice.

Trustee Raymond said the next step was to test it.

Mr. Marozzi told the Board it is their job to represent their constituents and not overrule the majority of what the residents and taxpayers want.

Jared Iacolucci, 24 Chapman Street is in favor of testing this, adding that Malta Avenue/ Washington Street and Milton Avenue intersections have the busiest stop on the 450 line, therefore why would CDTA want to construct bus stops at other locations?

Mr. Iacolucci refuted Mayor Rossi's statement that the average stop takes 60 to 120 seconds, not the 23 seconds that CDTA says it is.

Ray Otten of 16 Middlebrook Avenue, former head of the ambulance corps, spoke about his concerns about getting through the Village in a timely manner, stating it is essential that the firefighters get whatever they need.

Mr. Otten doesn't understand what the issue is with riders having to walk an additional couple or few hundred feet if the stop is moved.

There was extended discussion about distances and the time that each stop takes.

Michele Bechard, 14 Bath Street noted that businesses do care about the bus issue, noting that she does not believe that the 23 second stop stated by CDTA is accurate.

Addressing Trustee Kormos, Ms. Bechard said she does not appreciate her calling people's reactions to this "Chicken Little"; people are not against shelters, it's the placement of where.

Ms. Bechard agreed that CDTA will not lose riders due to moving a stop.

Tim Turbiak of Chesterwood Court supports the potential CDTA plans.

Karen Avenarius, owner of Spa Cleaners and Cunninghams Laundromat and both locations are impacted by bus stop locations.

Ms. Avenarius is in favor of moving the stops and spoke about the negative issues that happen inside their buildings with loitering at the stops.

Mike Iacolucci of 9 Russell Street feels it's a basic question of a trade off between enhancing pedestrian safety and ridership on CDTA.

Judy Esposito, 48 Chapman Street, noted that she would like to ask the DPW to remove yews and bishops weed from Wiswall Park, put new dirt down and lay landscape fabric.

Ms. Esposito stated there is evidence of smoking on the Tedisco Trail and suggested signage be installed.

Lastly, when a more professional rendering of ideas for Wiswall Park is done, it will be taken to the public.

Jason Gurtler, Rowland Street expressed his support for the Avenarius's, as they are most affected.

Mr. Gurtler finds it unrealistic to think that encouraging bus usage will minimize traffic.

Mr. Gurtler also pointed out that parking around bumps out will be nearly impossible due to snow plowing and asked who would be responsible for shelter maintenance.

Mayor Rossi answered based on call, the property owner would be responsible for bump outs maintenance according tour code.

Paul Miller, 524 Victory Circle would like to see visible bus stop coverage.

Eve Kenyon, 50 North Street, doesn't understand why CDTA is choosing Ballston Spa and wonders if there is a hidden agenda.

Ms. Kenyon sees quite a number of riders waiting for the bus at Ricketts and at Aldi and suggested they would be good spots for shelters.

Ms. Kenyon thanked the Rotary Club for installing benches installed at West High Street and in front of Aldi.

Additionally, Ms. Kenyon stated that our emergency vehicles should have priority in this process and thanked the volunteers for the job they do so well and the Board for taking the time to listen.

Ryan Johnson asked why the 1<sup>st</sup> proposal came from CDTA without suggestions from the Board and input from the businesses and Village residents.

Mr. Johnson asked why we would put shelters at the busiest intersections and noted we don't need Trustee Raymond's scientific method to see where shelters should be.

Mr. Johnson also reminded the Board they are elected to do what their constituents you represent tell you to do, you don't represent CDTA.

Mr. Johnson asked Trustee Kormos or Jared have considered the released prisoners that are released there every morning.

Christine Fitzpatrick, 31 Chapman Street is in support of further study by CDTA but does not support Motion "E".

Ms. Fitzpatrick is disappointed that the BSBPA did not supply her with a survey.

Trustee VanDeinse-Perez said the survey was provided to businesses and the main contact of organizations.

Christin Iacolucci of 24 Chapman Street wants to see improvements at the intersection of Front Street and Milton Avenue.

Ms. Iacolucci also wants shelters and more convenient bus stops for her neighbors, like Ms. Fitzpatrick.

Ms. Iacolucci stated she agrees with the majority of the Board to test out the proposed options for shelters.

Caitlin Parwana of 86 South Street noted that yew berries are poisonous and was a motivating factor in asking for them to be removed from the park.

Mayor Rossi would appreciate the DPW being included in discussions before passing the edict on, as they may have other ideas on the best way to handle it.

Ms. Parwana agreed.

Donna Roner of 203 Sunset Avenue concurs with those who feel we do not need a bus stop on Front Street and agrees we need shelters, but not where proposed.

Regarding funding for events, Ms. Roner said her eyes have been opened to the bias of certain members of this Board.

Noting that 2 members of this Board, including the Mayor are out hitting the pavement, talking to people, Ms. Roner said the others should be ashamed and advised that it is not only Village residents that are watching.

Trustee Baskin said events were significantly increased by this Board.

Claire Superak, 1 Hyde Blvd. supports bus shelters.

Nathan Ward, 1 Hyde Blvd. reminded everyone about BSBPA events.

Mr. Ward would like to see all demonstrations that CDTA is offering and stated he is in favor of a shelter at the current stop location.

Mayor Rossi thanked Mr. Ward for assisting with the survey.

Keith Lewis of 38 East High Street noted he wishes the Board would have taken as much interest in the potential move of the Saratoga County buildings.

Mr. Lewis stated that the report about the move is “being buried through the election” and “not being released until after the election”.

Mr. Lewis feels data is important regarding the bus shelter issue.

Addressing Mr. Lewis’s statements about the County, Mayor Rossi noted that he “has never heard the idea that the Social Services is the only function of the County that if they were ever to make a move, would stay and stated “ the reason there is no movement in the report discussion with the County is because there is nothing to report on, I speak to them at least once a month about the topic and I attend the meetings to ensure that we are going to be heard in the proper times”.

Mayor Rossi also stated he spoke to the County the bus route to Social Services and has spoken to them no less than a dozen times about the County move and encouraging them not to do so and If God forbid they were to do so, they would have to do something to make that the Village is made whole in the interim while those are undevelopable properties.

Continuing, Mayor Rossi said that he and Trustee VanDeinse-Perez “have done everything they could to make sure that is known and the mischaracterization or discussion that we do not care about the County move and the impact it would have on this community is completely disgusting”.

Trustee Baskin said it is true that more can be done in developing a community conversation around this issue.

Michele Juda, 34 Van Tassel Lane encouraged the Board to think about overall accessibility in the Village.

Lori O’Connor of 199 Milton Avenue believes most people support shelters; it is the location that is the issue.

Ms. O’Connor noted other concerns such as defacing of the shelters, garbage left behind and shoveling around the shelters.

Ms. O'Connor expressed her concerns for business owners who pay for visibility and would lose that if a shelter were put in front of their business.

Trustee Kormos stated that if a shelter is placed by O'Brien's, it would be on the wall side; the one at Pizza Works would be where the parking spot is.

Ms. O'Connor noted it will still be a visibility issue.

Mayor Rossi agreed.

Kris DuBuque, 6 Kaleen Drive is against motions "E" and "F", noting it gives CDTA too much of a pass by saying we are comfortable with reduction of parking spaces and tightening of turning radii.

Mr. DuBuque advised the Board to ask more questions and do what's right for the public and taxpayers.

As for bus access to Social Services, Mayor Rossi noted the county has committed to working to moving forward with CDTA.

Dave Avenarius is hopeful for other bus shelter options, noting that no one business would want to see a shelter right in front of their business.

Mr. Avenarius is concerned about the Fire Dept. getting around the corners.

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

Trustee VanDeinse-Perez will reach out to the BSBPA to make sure they are not missing anyone.

Trustee Raymond emphasized that CDTA has bus stops at existing locations that will not change; the only modification will be moving from the Malta, Washington and Milton Avenue stops to Front Street.

Trustee Raymond said the reason CDTA didn't present anything else is because of ridership.

Trustee Raymond said the Village can't tell CDTA where to put a bus stop, due Route 50 being a State Road; they would need permission from the State, however.

Referring to fire trucks having a longer response time due the bump outs, Trustee Raymond feels that the likelihood of a pedestrian vehicle conflict probability is higher than whether a few seconds would make a difference in life or death.

Mayor Rossi expressed his concern about bump outs putting people closer to traffic.

Trustee Raymond feels supporting the proposal represents a majority of Village residents, since they are low income.

Mayor Rossi would himself and Trustee VanDeinse-Perez like to the same site visit with Ross and CHA that Trustees Raymond and Kormos did.

Trustee Kormos responded she thinks we need to move forward first.

Trustee Raymond said he doesn't know what the aversion is to testing the mock -up.

Mayor Rossi is concerned that CDTA was not given all of the information to present the core issue.

Trustee Raymond said he did not request moving the bus stop north.

Asking Trustee Kormos if she did, she answered she doesn't remember.

Mr. Avenarius shared that in his own conversation with Ross Farrell, Mr. Farrell indicated that going 288 feet in one direction is or the other is a possibility.

Trustee VanDeinse-Perez stated we need to put more effort into telling CDTA to look at other locations, noting that the Milton Avenue is wider towards the north.

Trustee VanDeinse-Perez noted we need to work with CDTA on something that is going to work for all people.

Trustee Baskin suggested a special meeting of the Board with Mr. Farrell, stating he would like to discuss this further with him.

Trustee Kormos wants to move forward with a vote.

Mayor Rossi noted that we have to work together with CDTA, just as we do with the school district.

Mayor Rossi emphasized the importance of listening to what the community wants.

Mayor Rossi suggested tabling motions "E" and "F", ask CDTA for some data, have the 3 that didn't go on the site visit included in a new one, and ask more questions.

There was a lot of back and forth on how to proceed, with the Board deciding to have a discussion with Mr. Farrell.

## 12) Agenda Items for Consideration

a) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin that the Park and Tree Board be allowed to organize and schedule workdays in ANY of the Village of Ballston Spa parks that fall under their jurisdiction. This approval would only be valid if scheduling conflicts are confirmed with the Village Clerk ahead of time. (Requested by Mayor Rossi)

Ayes All

b) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin that Emily Swalan be appointed as a cleaner for Eagle-Matt Lee Fire Co. #1. (Requested by Trustee VanDeinse-Perez)

Ayes All

c) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Library be authorized to expend the amount of \$1,564.00 for an AED package. (Requested by Mayor Rossi)

Ayes All

d) Motion made by Trustee, VanDeinse-Perez seconded by Trustee Raymond that the Mayor shall execute the attached phone system agreement to allow for sufficient phone lines and for a dial-by-number switchboard message for callers. (Requested by Mayor Rossi)

Ayes All

e) Motion made by Trustee \_\_\_\_\_ n/a \_\_\_\_\_, seconded by Trustee \_\_\_\_\_ n/a \_\_\_\_\_ that the Mayor shall request CDTA, prior to further work on the three proposals for the existing Milton Ave./Malta Ave./Washington St. bus stops, that CDTA prepare and provide the Village an assessment on the following: 1) potential locations to the north of the existing stops for the potential relocation of that stops with low-profile bus shelters, minimized, if any, bump-outs, and potential bus pull-offs; 2) potential location of low-profile bus shelters with minimized or no bump-outs at the former NAPA, former Rickett's, Aldi's, and Prospect St./Milton Ave. bus stop sites; 3) use of a low-profile bus shelter without a bump-out at the existing Doubleday Woods Drive/Church Ave. bus stop; and 4) evaluation of the existing southbound bus stop location near Doubleday Woods Drive/Church Ave. for potential relocation near McMaster St., and a potential low-profile bus shelter (with minimized or no bump-out), and potential crosswalk at that location. In addition, the Mayor shall request from CDTA ridership data and bus stop time data in CDTA's possession from the last two years for all bus stops currently located in the Village. (Requested by Mayor Rossi)

Withdrawn

f) Motion made by Trustee \_\_\_\_\_ n/a \_\_\_\_\_, seconded by Trustee \_\_\_\_\_ n/a \_\_\_\_\_ for the Board of Trustees to inform CDTA that they are comfortable to some minor reduction in on-street parking spaces and some tightening of turning radii / roadway width. Final approval of any locations and



designs of bus shelters will be provided after analysis, testing and public feedback. (Requested by Trustee Kormos)

Withdrawn

g) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin for the DPW to evaluate and determine how to remove the invasive and poisonous (berries) Yew bushes and bishops weed around those bushes at Wiswall Park. Area should be graded, and landscape cloth placed over the area. Work was approved by the Park and Tree Board at their June 20, 2023, meeting. (Requested by Trustee Kormos)

Ayes All

h) Motion made by Trustee Kormos, seconded by Trustee Baskin for the Mayor to execute the attached scope of work for Studio A to do a landscape master plan for Wiswall Park. Work was approved by the Park and Tree Board at their June 20, 2023, meeting. (Requested by Trustee Kormos)

Ayes All

i) Motion made by Trustee Kormos, seconded by Trustee Raymond for the last two versions of the Wiswall plan to be shared with LaBella for their opinion on the location of permanent structures in relation to underground utilities. Request Labella Associates to amend the scope of work of the proposal for the sewer replacement in Wiswall Park to include review of the proposed two conceptual landscape plans to determine their impacts to design and construction of the sewer replacement in regards to feasibility and cost with the understanding that a change in fee may be necessary. Work was approved by the Park and Tree Board at their June 20, 2023, meeting. (Requested by Trustee Kormos)

ii) After discussion:

iii) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that the motion be tabled.

Ayes All

j) Motion made by Trustee Kormos, seconded by Trustee Baskin to approve the attached revised Village Committee Policy. (Requested by Trustee Kormos)

Trustee Baskin-yes

Trustee Raymond-yes

Trustee VanDeinse-Perez-no

Trustee Kormos-yes

Mayor Rossi-no

Motion Passed

k) Motion made by Trustee \_\_\_\_\_ n/a \_\_\_\_\_, seconded by Trustee \_\_\_\_\_ n/a \_\_\_\_\_ to approve the attached revised Rules and Procedures. (Requested by Trustee Kormos)

Withdrawn

13) Other Business

Trustee Kormos would like the abstracts to have more descriptions.

14) Executive Session (If Needed)

None 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 11:31pm.

General Fund	\$ 254,955.20
Sewer Relevy	2,033.29
Library Fund	4,106.64
Trust & Agency	<u>2,458.33</u>
Total	\$ 263,458.46

Ayes All

**Respectfully Submitted,**

**Teri L. O'Connor  
Village Clerk**