

**REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, NY** held on September 12, 2022.

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

Absent: Treasurer Smith

**1) Call to Order**

**2) Pledge to the Flag**

**3) Motion made by Trustee Baskin, seconded by Trustee Kormos that the minutes of the 8/22/22 meeting be approved with the addition of the word "equipment" after DPW in the public comment section of Bob Cavanaugh's statement.**

|                    |                             |                           |
|--------------------|-----------------------------|---------------------------|
| Mayor Rossi-yes    | Trustee VanDeinse-Perez-yes | Trustee Raymond-abstained |
| Trustee Baskin-yes | Trustee Kormos-yes          |                           |

**Motion Passed**

**4) Mayor Announcements**

a) Thank you to Gina Marozzi, Mark Blech, Ray Otten, the Fire Dept, the Police Dept., the DPW and many others for a great 9/11 ceremony.

b) Thank you to the Comprehensive Plan Committee for their work

c) It has been determined that Doubleday Woods Drive (also known as Eleanor Street) belongs to the Village.

d) The DOT does not support flashing beacons on Route 50 without a marked crosswalk.

e) There may be a need to drain the John Street tank for a deeper evaluation.

f) Repairs to the retaining wall are estimated to be around \$85,000.00 and vault repairs are estimated at around \$35,000.00. The numbers are lower than expected because the building is not considered historical.

g) Thank you to the BSBPA for the Ice Cream Social.

**5) Liaison Reports**

Trustee VanDeinse-Perez stated that the BSBPA received a \$15,000.00 grant.

The Car Show is scheduled for 10/9/22.

Trustee Raymond noted that the DPW will be paving in October and into November, so please hold off on piling leaves in the street.

Trustee Baskin said the Pedal the Creek Fundraiser will take place on 9/17/22, put on by Friends of the Kayaderosseras.

The Arts Committee is working on their charter.

Trustee Baskin noted that BACC is relaunching their teen program and wants to discuss reopening the skate park.

Trustee Kormos said Friends of the Library is sponsoring a presentation, "Exploring Foraging" on 9/24/22.

Trustee Kormos attended the County Building and Grounds meeting on 9/6/22.

**6) Treasurer's Report**

In the Treasurers absence, Mayor Rossi stated that Teal Becker is not willing to provide us with an audit without a financial statement. The audit will cost an additional \$23,000.00 per year.

Trustee Kormos feels an audit is wise.

The Mayor noted that the DPW sweeper is half the price of the vac truck and thinks it is a good idea to move forward with that purchase first.

Motion made by Trustee s Raymond, seconded by Trustee Kormos to approve a purchase order with Timco for a 435 sweeper standard equipment for a price not to exceed \$198,095.00 (this reflects State Contract Pricing as verified by the USDA) and to authorize the Mayor to execute the agreement or purchase order related to this motion.

Public Comment related to this motion:

Gina Marozzi, 10 Old Glory Lane is in favor of it.

Ayes All

## 7) Presentations

a) Downtown Central Business District Broadband/Wi-Fi (Kevin Lynch - Slic Network Solutions, Inc./Westelcom Companies)

Mr. Lynch spoke about the benefits of fiber optics.

b) FEMA Required Courses (Ray Otten)

Mr. Otten stated that elected officials are required to have FEMA training. The 4 course training session can be done online.

## 8) Old Business

a) Updates on Code Rewrites/Amendments (Mayor Rossi / Attorney Buettner with Updates)

Attorney Buettner is working on all of the code amendments and plans to have them all ready in the next 2 weeks.

## 9) New Business

a) Crosswalk Safety (Trustee Raymond)

Trustee Raymond noted that the DPW has been painting crosswalks. Safety signs are being looked into.

b) NY Forward Discussion / Public Comments (Trustee VanDeinse-Perez)

Trustee VanDeinse-Perez explained that the NY Forward Grant is a smaller version of a downtown revitalization program. If selected, the Village could receive either a 2.5 or a 4.5 million dollar grant to help revitalize a targeted area of our downtown.

Low Street and the Library will be added to the target area.

Andy Manion, President of the Library Board read a statement (attached).

Judy Esposito, 48 Chapman Street said the Friends of Wiswall have gathered information that she is willing to share.

Trustees Kormos, Baskin and Raymond feel they haven't had enough involvement in this grant.

Natalia Martinez, 9 Pheasant Run stated we all want to do right, and information will be coming, we are working hard.

Keith Lewis of 38 East High Street is disappointed that the Historic District Commission was not consulted.

Gina Marozzi, 10 Old Glory Lane would like the Board to work together and make the flow as easy as possible.

Bob Bush Jr, 71 Church Avenue asked the Board what the purpose of having a committee is if the Trustees want to be involved; let the committee do their work.

Chris DeBuke of 6 Kaleen Drive is very happy living in the Village and feels the grant will be a huge potential for the Village.

Mark Blech, 10 Thompson Street would like to see a Community Center.

Mr. Blech thinks the current police/court building would be a good spot for it.

Donna Dardaris of 64 Middle Street thinks our businesses have done a fantastic job improving and beautifying.

Ms. Dardaris would like to see improvements to Village owned buildings, specifically the Village Office and supports Mr. Blech's idea for the Community Center.

Mayor Rossi would also like to see work done to the office.

Christine Fitzpatrick of 31 Chapman Street supports having the Library be an anchor project for the grant and gave the Board kudos for taking this on.

Ms. Fitzpatrick stated she is most concerned with water and sewer pipes, as well as storm water.

Ray Otten of 16 Middlebrook spoke about the need for accessibility.

Mr. Otten also pointed out the need for signage directing people to the business district.

Courtney Ellis, 68 Chapman Street thanked the Board for taking this grant on and supports Library improvements.

Mayor Rossi pointed out that the Library also has access to SALS grants.

#### 10) Public Comment #1 (3-Minute Limit per Speaker)

Ms. Esposito spoke about safety issues at the entrance to Doubleday Woods.

Ellie Dillon of 116 Malta Avenue is pleased that the Village is on good financial footing.

Ms. Dillon, on behalf of The National Bottle Museum thanked Mark Blech for the sand bottles he set up on Family Fun Day, and also said she felt the thank you banner was political.

Ms. Marozzi stated again that the people thanked on the banner were donors. There was no politics involved.

Mr. Otten stated he feels that the motion regarding committees is complicated and also feels that we do not need a policy for everything as it will just complicates things.

Mr. DeBuke finds the motion regarding committees disturbing.

Mr. Lewis said he heard great things about Family Fun Day but feels not every sponsor is right for every relationship.

Ms. Fitzpatrick said this is all a learning process, but feels the donor banner was political.

Mr. Bush expressed concern about the committee motion being a means of micromanage; people will not volunteer if they have to go through that.

Mr. Blech stated that there would not have been a need to have donors if the Village had given enough money for Family Fun Day.

Trustee Baskin feels the donor banner was inappropriate.

#### 11) Consent Agenda

Motion made by Trustee Raymond, seconded by Trustee VanDeinse-Perez that

The attached budget transfers be approved. (Requested by Mayor Rossi)

Ribbon Café be granted permission to conduct a Cancer Awareness event on 10/1/22 from 1:00pm to 5:00pm. Closure of the adjoining alley and Prospect Street from Route 50 to Bath Street is also requested beginning at 11:00am. A permit will be issued upon proof of insurance. (Requested by Mayor Rossi)

the Village approves the purchase of a fully outfitted 2021 Dodge Durango Pursuit Police vehicle under a municipal lease. Details of this lease are in the attachments. (A.3120.2) (Requested by Mayor Rossi)

The Mayor be authorized to sign the municipal lease agreement for the Police Department's 2021 Dodge Durango. (Requested by Mayor Rossi)

the Police Department be authorized to submit a grant through GlobalFoundries/Town of Malta Foundation for the 2022 Community Benefit Grant Application for the purchase of vehicle mobile radios. This is a no-match grant. (See attached.) (Requested by Mayor Rossi)

Ballston Spa House and Garden Club have DPW remove two shrubs by the lower entrance that the club will replace with two new bushes at no charge to the Village and that the club be allowed to repaint the lower entrance door. The color will be approved by the library. (Requested by Trustee Kormos)

Ayes All

Motion made by Trustee \_\_\_n/a\_\_\_\_\_, seconded by Trustee \_\_\_n/a\_\_\_\_\_, that the Village approves the purchase of a fully outfitted 2021 Dodge Durango Pursuit Fire vehicle under a municipal lease. (A.3410.2) (Note: As of Friday, details of this lease are being finalized.) (Requested by Trustee VanDeinse-Perez)

Withdrawn

Motion made by Trustee \_\_\_n/a\_\_\_\_\_, seconded by Trustee \_\_\_n/a\_\_\_\_\_, that the Mayor be authorized to sign the municipal lease agreement for the Fire Department's 2021 Dodge Durango. (Requested by Trustee VanDeinse-Perez)

Withdrawn

Motion made by Trustee \_\_\_n/a\_\_\_\_\_, seconded by Trustee \_\_\_n/a\_\_\_\_\_, that the Mayor be authorized to submit an application for the NY Forward grant to the Department of State on or before September 23, 2022. This submission is contingent upon a draft being provided to the Board of Trustees on or about September 19, 2022, and consideration of and potential inclusion of proposed edits from the Board of Trustees, to be determined in good faith by the members of the NY Forward Local Planning Committee. (Requested by Trustee VanDeinse-Perez)

Withdrawn

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Village of Ballston Spa enter into an agreement with Lumac Company for the purpose of Timber Management/Harvest for Woods Hollow Nature Preserve, and that the Mayor be authorized to execute the agreement after

approval by the Village Attorney of any necessary minor modifications to the attached agreement.  
(Requested by Mayor Rossi)

Ayes All

Motion made by Trustee Kormos, seconded by Trustee Baskin that the Village adopt the following policy:

Any committee, board or other ad hoc group (hereafter collectively referred to as “committee”), that is not already described in Village code, including committees, boards, and ad hoc groups required for grants, or that is convened for the purpose of generating recommendations to the Village Board, or results in actions to be taken by the Village Board, shall have its membership determined by the Village Board as follows: The village staff will publicize on the village web site and social media that members are sought, including a description of purpose and duties. Any potential committee member is required to provide to the village clerk a letter of interest that includes their background and why they want to be on the committee. People have a maximum of ten business days from the posting to respond. All Village Board members will have the opportunity to nominate members of the committee from among those who have submitted letters. Committee members should be selected based on committee requirements and applicant qualifications. The maximum number of people on the committee and the specific members will be approved by the majority of the Village Board. All committees, boards, and official ad hoc groups shall follow open meetings law unless otherwise stated in the code. To clarify - any Village Board member can form their own ad hoc committees, but these committees will serve no official Village Board function. (Requested by Trustee Kormos)

Trustee Kormos said the purpose of this motion is because of the NY Forward Grant Committee was not appointed based on the Board’s input.

Trustee Kormos also feels this would allow more residents to be on a board.

Mayor Rossi explained why committee members were or were not chosen.

Trustee Raymond envisions creating a broader outreach.

Trustee Baskin supports this motion because it promotes inclusion and also feels that the Village Board should be involved with the creation of any committee that requires Village Board action.

Attorney Buettner said this shouldn’t be a motion but could be a policy.

Attorney Buettner stated that an opinion rendered by the Attorney General states that Mayor’s are allowed to have advisory committees, but they cannot use Village property without Board approval.

The Board agreed to table the motion so that Attorney Buettner can look further into its legality.

Motion made by Trustee Raymond, seconded by Trustee Baskin that the motion be tabled.

Ayes All

## 12) Other Business

None

## 13) Public Comment #2 (3-Minute Limit per Speaker)

Mr. DeBuke expressed his frustration at the Board being indecisive and stonewalling; move forward with the NY Forward grant and also let committees do their job.

Mr. Blech noted that at the next meeting the Family Fun Day Committee would like to put forth a proposal to do Christmas banners and ornaments.

## 14) Board Comments, Questions, and Concerns

Trustee Kormos questioned how much is in the budget for Christmas.

Trustee Baskin questioned why there were 2 presentations at this meeting when there was also a public hearing.

Mayor Rossi set a Special Meeting on NY Forward to be held on 9/21/22 at 2:00pm at the Village Office.

**15) Executive Session**

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Board enter into Executive Session at 11:15pm to discuss land, litigation, and labor issues.

**Ayes All**

**16) Adjournment/Voucher Audit:**

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond, that Vouchers 22-01637 to 22-02241 & 22-01902 to 23-00657 be approved & the meeting be adjourned at 11:36pm.

|      |                  |                    |
|------|------------------|--------------------|
| FY22 | General Fund     | \$ 9,530.00        |
|      | <b>Total</b>     | <b>\$ 9,530.00</b> |
| FY23 | General Fund     | \$67,766.26        |
|      | Sewer Fund       | \$ 4,663.30        |
|      | Capital Projects | \$ 9,429.31        |
|      | Library Fund     | \$ 1,539.31        |
|      | TA Fund          | \$ 1,076.97        |
|      | <b>Total</b>     |                    |

**Ayes All**

Respectfully Submitted,

Teri L. O'Connor  
Village Clerk