

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, NY held on October 11, 2022.

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

1) Call to Order

2) Pledge to the Flag

3) Minutes - Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that the minutes of the 09/26/22 meeting be approved.

Ayes All

4) Mayor Announcements

a) The car show was phenomenal

b) Eleanor Street (Doubleday Woods entrance) has been paved

c) Street paving begins tomorrow

d) Leaf pick up will begin once paving is done

e) School street safety was discussed with Superintendent Duca

f) Thank you for your services to Engineer Eric Johnson who is leaving LaBella

g) Thank you to Treasurer Smith and Account Typist Denise Bardino, who have both taken new positions elsewhere. Don Traver will be helping out in the office until both positions are filled

h) The Town of Malta is willing to work with us on access to our land on Malta Avenue that will be used by CHPE for the underground line

5) Liaison Reports

Trustee VanDeinse-Perez thanked the BSBPA, noting that the car show had 485 cars this year and free press coverage, which is great for our community.

Christine Kernochan, BSBPA Vice President thanked the volunteers, the support of this Board means a lot.

Trustee VanDeinse-Perez indicated that rather than one mural (due to the condition of the wall), there may be smaller murals throughout the Village.

Trustee Baskin noted that the Arts Committee is planning to put out a box offering free crafts.

Trustee Baskin shared that the Arts Committee has a website, Ballstonspaarts.com.

Trustee Kormos stated that a tree guide will be mailed to all Village residents. Costs will be covered by the Urban Forestry Grant.

Trustee Raymond estimates that paving will be done in 3 weeks and asked that grass clippings are separated from brush so as not to clog the vac truck.

6) Treasurer's Report (attached)

Treasurer Smith stated that she feels very at home here and it is going to be difficult to leave.

The Mayor and Trustees thanked Treasurer Smith and wished her well.

7) Presentations

a) Ballston Spa Elks Lodge #2619 (Proposed Renovations & Grant Opportunities)

Mr. Wayne VanValkenburgh shared a power point of the proposed renovations to the interior and exterior of the lodge.

b) Greenlight Networks (Village-wide Fiber Installation – Casey Henninger via Zoom))

Ms. Henninger presented on fiber optics.

8) Old Business

a) Arts Contracts (Trustee Baskin)

Trustee Baskin is working on the newsletter.

Trustee Baskin brought up the birdhouse project again, wanting to know the number of birdhouses and a timeline.

Mark Blech of ASCC noted that they are unsure of the exact number as they are still looking for funding; the Town of Ballston declined to donate funds.

Trustee Baskin wants ASCC to have liability insurance and is concerned about the use of DPW time to install and take down the birdhouses.

Mr. Blech explained the process and stated it does not take that much time.

There was a lot of discussion regarding liability, indemnification and who will clean up the birdhouses on the Tedisco Trail.

9) New Business

None

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

Christine Pyle read a statement on behalf of Ribbon Café. (attached)

Ms. Pyle submitted a petition in support of the Café's fundraisers.

Trustee Kormos denied she is against the Café's events and that she suggested the events be moved to the parking lot on Bath Street.

Ms. Pyle offered to share the email with the suggestion.

Trustee Kormos said it is her job to ask questions or make suggestions.

Mayo Rossi stated that Trustee Kormos told the Ribbon Café that it was his idea to move the event to the parking lot.

Trustee Kormos said that's not true, however Ms. Pyle said it is true, she has the emails to back it up.

Michael Bashore, 1st Assistant Fire Chief, reminded everyone that this is Fire Protection Week.

Mr. Bashore expressed his gratitude to Treasurer Smith.

Christin Iacolucci, 24 Chapman Street thanked the Board for the prompt action on the crosswalks.

Ms. Iacolucci appreciated the Village issues and events being highlighted on social media.

Christine Fitzpatrick, 31 Chapman Street read a statement regarding the resignations from the Treasures office.(attached)

Renee Russell, Director of The Radiation and Oncology Center at Saratoga Hospital spoke in support of the Ribbon Café's Cancer Benefits, noting the numerous donations they make.

Gina Marozzi of 10 Old Glory Lane asked about the committee policy.

Bob Bush Jr., 71 Church Avenue also spoke in support of Ribbon Café.

Mr. Bush stated that several members of the public have spoken against the committee resolution, and he urged the Board to vote accordingly.

Laurie Hurley of 10 Lakewood Drive also spoke on behalf of Ribbon Café.

Kris DuBuque of 6 Kaleen Drive also supports Ribbon Café as well as the birdhouse project.

Mr. DuBuque stated the committee motion is a control measure.

Keith Lewis, 38 East High Street would like the rhetoric to stop.

11) Agenda Items for Consideration

a) Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi that the attached budget transfers be approved. (Requested by Mayor Rossi)

Trustee Raymond-no

Trustee Kormos-no

Trustee Baskin-yes

Trustee VanDeinse-Perez-yes

Mayor Rossi-yes

Motion Passed

b) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin that Eagle-Matt Lee Fire Co. #1 be authorized to expend the amount of \$1,250.00 for a smoke machine. (A3411.2) (Requested by Trustee VanDeinse-Perez)

Ayes All

c) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that that Union Fire Co. #2 be authorized to expend the amount of \$1,250.00 for a smoke machine. (A3412.2) (Requested by Trustee VanDeinse-Perez)

Ayes All

d) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin that the Fire Chief be authorized to expend the amount of \$2,250.00 for a fast board. (A3410.2) (Requested by Trustee VanDeinse-Perez)

Ayes All

e) Motion made by Trustee VanDeinse-Perez seconded by Trustee Raymond that the Village approves the purchase of a 2021 Dodge Durango Pursuit vehicle under a municipal lease (purchase is for the Fire Department). Details of this purchase are attached (A.3410.2) (Requested by Trustee VanDeinse-Perez)

Ayes All

f) Motion made by Trustee Baskin, seconded by Trustee Raymond that the Mayor be authorized to sign the municipal lease agreement for the Fire Department's 2021 Dodge Durango. (Requested by Trustee VanDeinse-Perez)

Ayes All

g) Motion made by Trustee Baskin, seconded by Trustee Kormos to send the Park and Tree Board letter on Village tree management to all Village addresses using money from the Community Forest Management Grant. (Final Version Pending) (Requested by Trustee Baskin)

Ayes All

h) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the resignation of Julia Smith be accepted effective October 14, 2022, for the positions of Treasurer, Deputy Clerk, and Deputy Registrar of Vital Statistics. (Requested by Mayor Rossi)

Ayes All

i) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that Donald Traver be approved as Interim Treasurer for the Village of Ballston Spa, effective October 17, 2022. His role shall be in a part-time capacity and shall conclude after the training of the Village's next appointed Treasurer is completed. His pay shall not exceed the equivalent of Julia Smith's salary on an hourly

basis for the hours he works. (Requested by Mayor Rossi)

Ayes All

j) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that the resignation of Denise Bardino be accepted effective October 18, 2022, for the position of Senior Account Clerk/Typist. (Requested by Mayor Rossi)

Ayes All

k) Motion made by Trustee Raymond, seconded by Trustee VanDeinse-Perez that the Mayor be authorized to execute agreements related to the hiring of temporary employees to fill the duties of Receptionist, Data Entry, and/or Deputy Clerk to assist in providing Village Office Building coverage in the absence of Denise Bardino and Julia Smith. (Requested by Mayor Rossi)

Ayes All

l) Motion made by Trustee VanDeinse-Perez seconded by Trustee Kormos approving the event permit for Ribbon Café (Kevin Myers) called “Bringing Comfort and Joy to Cancer Warriors” on Saturday, December 3, 2022, from 11am - 3pm, with closure of the Alleyway next to Ribbon Café and of Prospect St. between Thompson St. and Milton Ave. required (with limited DPW overtime required for the placement and removal of Jersey barricades on the Thompson St. side of the shutdown). Permit will be issued upon provision of insurance certificate to Village. (Requested by Mayor Rossi)

Ayes All

m) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond approving the provision of water to the Iron Springs housing development in the Town of Milton (outside the Village of Ballston Spa) with the following requirements: 1) the water main extension serving the project shall remain in the possession of the development ownership until such time that a water district be created and approved by the Town of Milton related to the development; 2) such a water district shall be applied for within two months of the execution of an agreement related to this provision of water; 3) deed restrictions will be utilized to ensure payment to the Village for water provision; and 4) other terms required in the opinion of the Village Attorney needed to protect the Village now and in the future. The Mayor shall be authorized to execute any agreements related to this motion after approval by the Village Attorney. (Requested by Mayor Rossi)

Ayes All

n) Motion made by Trustee Raymond, seconded by Trustee Baskin to adopt the “Village of Ballston Spa Committee Policy.” With the final paragraph stricken.(See below¹; Requested by Trustee Kormos)

Village of Ballston Spa Committee Policy

¹ Please note: the Board received extensive proposed edits and comments concerning this proposed Policy, but no Board member responded to a request for guidance as to what version to use, if any, for this Agenda by 1pm on Friday afternoon. As such, the originally proposed version from Trustee Kormos has been placed on the Agenda.

Any committee, board, or other 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 and responsibilities determined by the Village Board as follows:

Recruiting Members:

- 1) Members will be sought via village email, the village website, village social media and posting in Village Hall with a description of purpose and duties.
- 2) Interested individuals will provide to the village clerk a brief statement of interest that includes their background and why they want to be on the committee. People have ten business days from the posting to respond.
- 3) A ‘Serve on a Board/Committee’ on-line form will be put on the website for individuals who wish to put in their name to volunteer for a committee and they will be considered when a need arises.

Board Responsibilities:

- 1) Village board majority will approve the purpose of committee, duties, and the maximum number of people on the committee
- 2) Each village board member gets to pick an equal number of committee members from the pool of applicants. If an odd number, extra picks go first to mayor, then board members in order of seniority. Members will be chosen based on qualifications.
- 3) The board, through majority vote, may alter the above procedure due to time constraints, the need for additional recruitment, or other pertinent reason(s) agreed to by the majority of the board. Any committees formed using an expedited process due to time constraints will go through the standard process once the grant is awarded, and the duties and composition may be modified.

Committee Responsibilities

- 1) Committees shall appoint their own chair.
- 2) All meetings will be noticed on the Village’s meeting calendar, Village website and Village social media pages at least 72 hours prior to the meeting. Committee meetings will be open to the public and provide the opportunity for public comment. Agenda and minutes will be at the discretion of the committee. Committees must meet either in person or by videoconferencing/webinar format.

Trustee Raymond-yes

Trustee Kormos-yes

Trustee Baskin-yes

Trustee VanDeinse-Perez-no

Mayor Rossi-abstained

Motion Passed

12) Other Business

There was none.

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

Mr. Bush thanked Treasurer Smith for her service and Trustee Baskin for working on the newsletter.

Mr. Bush admonished the Board for continuing to bicker in public.

Marilyn Stephenson, 45 West High Street agreed with Mr. Bush.

Ray Otten of 16 Middlebrook Avenue stated he feels that Trustee Kormos is asking people to be placeholders to get grants.

Trustee Kormos apologized for giving that impression.

Mr. DuBuque feels the committee motion is cherry picking, everybody has something valuable to add.

Ms. Fitzpatrick supports the committee motion.

Ms. Iacolucci also agreed the bickering must end.

Ms. Marozzi asked Trustee Kormos to stop being on her phone during public comment.

Trustee Kormos apologized.

Ms. Marozzi asked why Trustees Kormos and Baskin were at the Town of Ballston negotiating the fire contract.

Trustee Baskin answered that Chief Krogh asked them to, saying it was a "secret meeting."

Ms. Marozzi noted she just asked Chief Krogh.

Trustee Baskin stated that he would find the email.

Ms. Marozzi does not agree with restricting volunteerism.

Jeremy Baird of 3 Maple Avenue agreed about the lack of civility on the Board.

Mr. Lewis stated that he supports Mayor Rossi because he's in the position and urged the Board to work together.

14) Board Comments, Questions, and Concerns

Trustee Kormos feels she is being treated with animosity because she opposed Wal-Mart.

Trustee VanDeinse-Perez said no, because she also disagreed with Wal-Mart.

Trustee Baskin stated he agrees about the Board being civil.

15) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin the Board enter into Executive Session at 10:41pm to discuss potential litigation.

Ayes All

16) Adjournment/Voucher Audit:

Motion made by Trustee Raymond, seconded by Trustee Baskin, that the Vouchers No. 22-01983 to 23-00892 be audited and the meeting adjourned at 11:06pm.

General Fund	\$ 111,129.19
Sewer Relevy	836.39
Library Fund	2,783.56
Trust & Agency	<u>1,233.14</u>
Total	\$ 115,982.28

Ayes All

Respectfully Submitted,

Teri L. O'Connor
Village Clerk