

**REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, NY** held on November 14, 2022.

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

**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 10/24/22 meeting be approved.**

**Ayes All**

**b) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the minutes of the 11/01/22 special meeting be approved.**

**Ayes All**

**4) Mayor Announcements**

**a) Mayor Rossi thanked the office staff for working as a team through the staff transitions.**

**b) The Mayor encouraged everyone to be aware of those less fortunate this holiday season.**

**c) Regarding snow, opposite side of the street parking is being discussed.**

**d) Safety concerns at the intersection of High Street and Church Avenue, as well as West High Street and Ballston Avenue are being looked into.**

**5) Liaison Reports**

**Trustee VanDeinse-Perez spoke about Small Business Saturday.**

**Trustee Baskin reported that the Park and Tree Board is putting together a survey asking people what they would like to see in Wiswall Park.**

**Additionally, the Arts Committee is finishing up their charter.**

**Mayor Rossi noted that the Comprehensive Plan was sent out today and will be discussed at the Committees meeting on 11/17.**

**Trustee Kormos said that 11/29 will be "Forgiveness Tuesday at the Library.**

**An evening book club will be held on 12/1 at 6:30pm.**

**Trustee Kormos noted that the Library will launch their fundraiser campaign for their Library improvements.**

**Trustee Raymond thanked the Town of Milton for assisting with leaf pick up.**

**Trustee Raymond noted that the DPW will be putting up holiday decorations this week.**

**Mayor Rossi introduced Barbara Bartlett, our new Treasurer.**

**6) Treasurer's Report (attached)**

**7) Presentations**

**a) Fire Truck for EML (Colby Krogh - EML)**

Mr. Krogh stated that Eagle-Matt Lee Fire Co. #1 is looking to replace their 1995 ETA (Engine Tanker Apparatus), which keeps breaking down.

Mayor Rossi suggested a USDA loan is possible for the purchase.

Trustee Kormos is concerned about debt capacity and feels we have tremendous other needs.

Mayor Rossi noted that the Village does not have a fire tax.

Trustee Baskin thanked Mr. Krogh for volunteering and asked if there's a chance of buying a used truck.

Mr. Krogh noted that trucks are built to spec for each department's specific needs.

Captain Paul Marozzi stated they are doing their due diligence during this process.

The Board discussed financing.

Trustee Baskin asked if we really pay nothing for fire tax.

Mayor Rossi answered yes and that's something we need to speak about.

Trustee Kormos said we do, we provide the buildings.

Mr. Krogh stated that they have been spending on the buildings out of their equipment budget for the last several years. That's money that could have gone towards trucks and equipment.

Trustee VanDeinse-Perez doesn't want to delay the process.

Trustee Raymond is concerned that if we have water tower issues, we can't put water in the truck.

## 8) Old Business

### a) John St. Water Tank Issues (Mayor Rossi)

Don Rhodes is looking to speak with the Trustees regarding the John Street water tower.

Mayor Rossi said that the worst deterioration is where the cell tower equipment is located. Due to this, moving the tower elsewhere on the property should be considered.

The Mayor noted that the Village earns approximately \$20,000.00 in revenue from each cell tower agreement.

### b) CDTC ADA Transition Grant (Trustee Kormos)

Trustee Kormos shared that the CDTC evaluation committee reviewed 4 applicants and the Village scored the highest for the ADA transition grant.

## 9) New Business

There was none.

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

Ray Otten, 16 Middlebrook Avenue spoke about the importance of emergency vehicles and noted he feels we should have a fire tax, so that no one can tell the Fire Department how they can spend their money.

Addressing Trustee Raymond's concern about prioritizing the water tank, making sure we have water for the trucks, Mr. Otten noted all of the creeks we could utilize.

Mr. Otten asked about new construction not installing sidewalks, wondering if the homeowner installs a sidewalk years later, are they eligible for the reimbursement.

Trustee Kormos answered yes.

Cecile Pickard of 79 Bath Street thanked Trustee Kormos for her grant work.

Jason Gurtler, 99 Rowland Street expressed concern about the water/sewer rates going up.

Mayor Rossi noted that water rates have not increased in 5 years and sewer rates actually went down and sewer funds are drying up. Something has to be done to be done as we have many infrastructure needs.

Bob Bush Jr., 71 Church Avenue said there needs to be a game plan.

Mr. Bush brought up the issue of a lack of animal control.

Kris DuBuque, 6 Kaleen Drive stated that safety should come first, and reminded the Board that our Fire Department is volunteer.

Mr. DuBuque said they are providing an invaluable service free of charge, and they shouldn't be nickle and dimed with the truck.

Continuing, Mr. DuBuque urged the Board to stop the politicking and suggested the Trustees help the Mayor get things done.

Lisa Speidel of 106 Prospect Street agreed that the fire truck is important and also agreed we need an increase in water rates.

Mayor Rossi thanked everyone who worked to quickly clear the accident this morning.

Christine Fitzpatrick, 31 Chapman Street wants more explanation of the proposed water/sewer rate increase.

Ms. Fitzpatrick supports buying a new fire truck but wants a financing plan printed out.

There was a lot of discussion regarding Trustee Kormos' s request for a report on water/sewer users that she would use for analysis.

Trustee Kormos wants the report to include residents' personal information, such as name, address, and usage.

Mayor Rossi feels including confidential information is out of line, as Attorney Buettner had previously determined it is inappropriate.

Trustee Kormos read a statement. (attached)

Attorney Bitter questioned the purpose of having identifying information.

Trustee Kormos said it's to look into billing by property instead of by meter.

Gina Marozzi, 10 Old Glory Lane reminded the Board that this public comment time.

Keith Lewis of 38 East High Street thinks that Trustees should have access to personal information.

Kristin Iacolucci, 24 Chapman Street would like the back and forth during public comment to stop and feels all Trustees should have access to information for analysis.

Mark Blech of 10 Thompson Street noted the proposed increase is minimal and stated he does not want his personal information out there.

#### 11) Agenda Items for Consideration

a) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the attached budget transfers be approved.

Ayes All

**b) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that Alex Sommer be appointed a member of the Ballston Spa Fire Dept. and Union Fire Co. #2. (Requested by Trustee VanDeinse-Perez)**

**Ayes All**

**c) Motion made by Trustee Baskin, seconded by Trustee VanDeinse-Perez that Christian McCarthy be appointed a member of the Ballston Spa Fire Dept. and Union Fire Co. #2. (Requested by Mayor Rossi)**

**Ayes All**

**d) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Fire Chief be authorized to expend the amount of \$2,851.20 for 3 gas meters. (Requested by Trustee VanDeinse Perez)**

**Ayes All**

**e) Motion made by Trustee Kormos, seconded by Trustee VanDeinse-Perez that Samuel P. Carlson be appointed as a Part Time Police Officer. (Requested by Mayor Rossi)**

**Ayes All**

**f) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin that the BSBPA be granted permission to utilize Wiswall Park on 11/26/22 from 8:00am to 2:00pm for Small Business Saturday. Proof of insurance has been submitted. (Requested by Trustee VanDeinse-Perez)**

**Ayes All**

**g) Motion made by Trustee Raymond, seconded by Trustee VanDeinse-Perez that the Village of Ballston Spa Department of Public Works be authorized to expend the amount of \$151,613.59 for asphalt concrete/blacktop. (Requested by Mayor Rossi)**

**Ayes All**

**h) Motion made by Trustee Raymond seconded by Trustee Kormos that the Village of Ballston Spa Department of Public Works be authorized to expend the amount of \$20,762 and \$20,753.43 for asphalt concrete/blacktop. (Requested by Mayor Rossi)**

**Ayes All**

**i) Motion made by Trustee Baskin, seconded by Trustee VanDeinse-Perez that the attached art solicitation letter from the Ballston Spa Committee on the Arts to the BSBPA by approved. (Requested by Trustee Baskin)**

**Ayes All**

**j) Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi that the fees for water and sewer usage for both in-Village and out-of-Village customers be increased by 2.5% per period for four consecutive periods starting in the water and sewer period 2023-2 (starting December 2022). This resolution does not preclude the Board from amending or repealing future rate changes through a subsequent resolution. (Requested by Mayor Rossi)**

**Mayor Rossi stated the sewer fund is depleted and that we have a 50 million dollar estimate from Don Rhodes, a good portion of which is sewer.**

**Trustee Raymond asked why Mr. Rhodes is doing sewer even though it's not in his scope of services.**

**Mayor Rossi responded it is because water and sewer generally go together.**

**Trustee Raymond read a statement. (attached)**

**A long debate ensued on this topic.**

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

Trustee Kormos-yes                      Trustee Raymond-yes                      Trustee Baskin-yes  
Trustee VanDeinse-Perez-abstained                      Mayor Rossi-no

Motion Passed.

k) Motion made by Trustee Raymond, seconded by Trustee Baskin that all past, current, and future video and audio recordings of Village meetings be preserved and made part of official village records and that the video recordings be made readily available to the public. (Requested by Trustee Kormos)

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

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

Motion Passed

Motion made by Trustee Kormos, seconded by Trustee Raymond that the Village provide the Meter Reading and Billing Report and the Utility Address Report in excel format to Trustees for the August 2022 water/sewer billing cycle no later than November 25, 2022. The following information will be provided: Meter Reading and Billing Report – For each meter as identified as Utm ID in and out of the village of Ballston Spa: Utm, Meter Num, Meter Group, Last Reading, Last Read Est Flag, Last Read Date, 2022/2-2022/2 Meter Usage, Water Cycle, 2022/2-2022/2 Water Usage, 2022/2-2022/2 Water Billed, MTR Billed, 2022/2-2022/2 Sewer Billed. For August 2022 Water/Sewer billing cycle the Utility Addresses Report – Utm Id, Water Cycle, Sewer Cycle, Map/Block/Lot.

Ms. Marozzi, representing Frank and Rosemarie Rossi (Mohican Hill) notified the Board that if counsel has advised you not to obtain this information and her information is given to the press as it was before, she will sue.

Mr. Lewis spoke about having 1 meter versus multiple meters for multi-unit properties.

Mr. Bush does not want his information exposed and asked Trustee Kormos if she can guarantee the information will be secure in her possession.

Trustee Kormos answered yes.

Jared Iacolucci, 24 Chapman Street doesn't understand why there is an issue with giving Trustee's confidential data.

Caitlin Parwana, 86 South Street understands people are uncomfortable sharing information, but doesn't know why water use data is a concern to people.

Trustee Raymond-yes                      Trustee Kormos-yes                      Trustee Baskin-yes  
Trustee VanDeinse-Perez-no                      Mayor Rossi-no

Trustee VanDeinse-Perez and Mayor Rossi stated they do not feel comfortable with level of personal information that will be shared.

Motion Passed

**12) Other Business**

Mayor Rossi received a request from a resident for a large menorah to be placed by the holiday tree and Mark Blech of ASCC volunteered to make it happen.

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that a menorah be placed next to the holiday tree in Wiswall Park and allowing DPW to assist with its installation and removal to the degree it may incur overtime, but will be avoided at all costs.

Mark Blech, 10 Thompson Street noted there will be a lighting and prayer ceremony each night of Hannukah and all are welcome.

Trustee Baskin asked if the lights would be electrical.

Mr. Blech answered yes.

**Ayes All**

The Board discussed the appointment of a new Chair for the Park and Tree Board, which will be done at the next meeting.

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

Ms. Speidel stated that her cat problem was not taken care of during former Mayor Fitzpatrick's administration as Ms. Fitzpatrick had said.

Mr. Gurtler spoke about the danger of the turn lane at the intersection of West High Street and Church Avenue, thanking the Board for having a police presence there at school bus pick up and drop off time.

Mayor Rossi noted he would be speaking Reverend Roy about this issue.

Mr. Bush feels back and forth discussion is necessary and stated if someone did not put a sidewalk in during new construction, they should not be rewarded with a reimbursement.

Mr. Bush urged the Board to stop changing things and enforce the laws we have.

Mr. Otten would like the park survey to include all of our parks, not just Wiswall.

Trustee Baskin said that the other parks were not included because there is no planning going on to change them.

Mr. Otten proposed 2 advisory groups, one will be "The Kelley Recreation and Park Improvement Squad". Anyone interested can contact Mr. Otten through Facebook.

Also, Mr. Otten wants to survey the people around Colonial Hills to see what they're looking for in their area.

Mr. Otten reminded the Board that they work for us and reprimanded the Trustees for their behavior towards the Mayor and not doing their jobs.

Ms. Fitzpatrick is happy there will be decisions made on water and sewer based on data.

Ms. Fitzpatrick said rules of procedure need to be followed for these meetings.

Mr. Lewis said the people want what's best for the residents.

Mr. DuBuque said he likes the back and forth noting the Board works for us and all parts of the Village should have representation.

Mr. DuBuque suggested asking residents how they feel having their personal information shared.

### **14) Board Comments, Questions, and Concerns**

Trustee Raymond stated they are all equals on this Board, the Mayor is not in charge of them, he's in charge of the meeting, Village business within Village Hall and Village staff.

Mayor Rossi agreed that the Trustees do not work for him but wants them to start acting on things.

Discussion again ensued regarding water and sewer.

Trustee Baskin left the meeting at 11:18pm.

15) Adjournment/Voucher Audit:

Motion made by Trustee VanDeinse-Perez , seconded by Trustee Raymond, that the Vouchers No. 22-02147 and 23-00032 to 23-01134 be audited and the meeting adjourned at 11.21pm.

General Fund	\$ 399,780.61
Sewer Relevy	4,493.13
Library Fund	7,319.28
Trust & Agency	<u>2,510.86</u>
Total	\$ 414,103.88

Ayes All

Respectfully Submitted,

Teri L. O'Connor  
Village Clerk