

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, NY held on November 28, 2022.

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

1) Call to Order

2) Pledge to the Flag

3) Minutes

a) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that the minutes of the 11/14/22 meeting be approved.

Ayes All

4) Mayor Announcements

Mayor Rossi noted he did his Mayor announcements on Facebook but forgot to mention that Breakfast with Santa will be 12/3/22 at St. Mary's School from 8:00am to 11:00 am.

The Mayor also announced that Caitlin Parwana is now Chair of the Park and Tree Board.

5) Liaison Reports

Trustee Raymond noted that the last pick up for leaves will be 12/4/22.

Trustee VanDeinse-Perez said Small Business Saturday was a success, the BSBPA did a great job, and noted that the Holiday Parade is this Friday.

Trustee VanDeinse-Perez shared that our businesses have expressed concerns that our Board does not get along.

6) Treasurer's Report (attached)

7) Presentations

a) Health Care Plan Options (Paul von Schenk – Amsure)

Mr. von Schenk gave an overview of healthcare plans to be considered for next year.

b) BACC (Colleen Russo)

Ms. Russo gave updates on some of their programs, noting that they have expanded their universal pre-k by offering full day classes.

Ms. Russo indicated that BACC is looking to revive the skate park space.

8) Old Business

a) Water Feasibility/Water Tower (Mayor Rossi/Trustee Raymond)

Trustee Raymond noted the engineer is waiting for the water billing data.

Trustee Raymond said we need municipal maintenance agreements with our outside water users.

Mayor Rossi said we can't own infrastructure in another district.

There was discussion about water districts and maintenance and repairs.

The Board would like to meet with the engineer again.

b) CDTC ADA Transition Grant (Mayor Rossi/Trustee Kormos)

Trustee Kormos said we were awarded this grant.

9) New Business

a) CDTC UPWP Grant (Mayor Rossi)

Mayor Rossi said this grant is being sought by Trustee Kormos for rezoning.

b) CDTA (Trustee Kormos)

Trustee Kormos stated CDTA is open to the possibility of installing bus shelters.

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

Jared Iacolucci, 24 Chapman Street read a statement. (attached)

Martha Iacolucci of 9 Russell Street read a statement. (attached)

Ray Otten, 16 Middlebrook feels that the motion regarding committee members will cause less people to volunteer.

Mr. Otten is unhappy with Trustee Raymond's motion to reduce public comment time.

Mike Iacolucci of 9 Russell Street read a statement. (attached)

Bob Bush Jr., 71 Church Avenue also expressed concern about the public comment period motion.

Christine Fitzpatrick, 31 Chapman Street is happy about possible bus shelters.

Ms. Fitzpatrick is unhappy with way the meetings are run.

Placement of the shelters as well as busses causing traffic issues was discussed.

Christin Iacolucci, 24 Chapman Street wants to see data regarding a water/sewer rate increase.

Keith Lewis of 38 East High Street stated he binge watched all of the Village meetings available since April.

Mayor Rossi read an email sent to him from Mr. Lewis on Thanksgiving.

Mayor Rossi spoke about people using their official positions to target others, as Mr. Lewis has been doing to his family and Clerk O'Connor.

Trustee Baskin responded that his concern is that people use their positions to privilege ourselves over other people.

Gina Marozzi, 10 Old Glory Lane also spoke about being harassed.

Trustee VanDeinse-Perez urged everyone to calm down.

Trustee Baskin noted he does not approve of Mr. Lewis's email.

Kris Dubuque, 6 Kaleen Drive disagrees with the motions regarding limiting public comment and committee approval process; they are roadblocks.

Mr. Dubuque mentioned that students are interested in getting involved.

Mr. Dubuque reminded the Board that they work for us and urged them to stop shouting us down.

Mark Blech of 10 Thompson Street gave an update on the Birdhouse Project.

Mr. Blech expressed concern with the ongoing harassment of his nonprofit and of him personally.

Mr. Blech said that by contacting Saratoga Arts, Trustee Baskin was undermining his nonprofit.

11) Agenda Items for Consideration

a) Motion made by Trustee Raymond, seconded by Trustee VanDeinse-Perez that any budget transfers that may be necessary for the birdhouses be approved. (Requested by Mayor Rossi)
Motion made by Trustee Raymond, seconded by Trustee VanDeinse-Perez that the motion be amended:

Budget transfers related to birdhouses be first transferred to Celebrations before being approved for a check cut.

Ayes All

b) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin to allow the slate of recommended artists/projects by the Committee on Arts to apply to the Saratoga Arts Regrant using the Village as a "fiscal sponsor" in order to promote more arts projects within the Village of Ballston Spa and to authorize the Mayor and Village Attorney execute any final paperwork required. (Requested by Trustee VanDeinse-Perez)

After lengthy discussion,

Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin that the motion be amended: To allow the following slate of recommended artists/projects by the Committee on the Arts to apply to Saratoga Arts Regrant using the Village as Fiscal Sponsor: Committee on the Arts \$5,000.00 for Village of Friends Banners, Mark Blech \$5,000.00 for Spring Banners, Dana Womer \$5,000.00 for Concerts in the Park(with BSBPA as her affiliation, Cathy Hackert \$5,000.00 for Sounds of Summer, Donna Dardaris \$5,000.00 for youth art and craft area at Family Fun Day, Gina Marozzi \$5,000.00 for Refrigerators Concert, Carrie Donahue \$5,000.00 for a craft festival, Anna Stanko \$5,000.00 for November Holiday Banners, Ray Otten \$5,000.00 for holiday ornaments.

Ayes All

c) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Building Department may purchase the attached printer and a set of related toner cartridges for an amount not to exceed \$999.00. The amount will be funded in the following manner: \$100.00 from Zoning CE – Supplies (account code A-0010-004-05), \$100.00 from Planning CE – Supplies (A-0020-004-05), & the remainder from Safety Inspection CE – Supplies (A-3620-004-05). (Requested by Mayor Rossi)

Ayes All

d) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the Village submit an application for a USDA loan and/or grant related to a new fire truck for Eagle-Matt Lee Fire Co. #1, and that the Mayor be authorized to execute documents related to such application. (Requested by Mayor Rossi)

Ayes All

e) Motion made by Trustee Baskin, seconded by Trustee Kormos to hold a Special Meeting of the Village Board of Trustees to finalize the recently revised Ethics Code. [Mayor's Note: There is no "recently revised Ethics Code," but there is a draft put forth by a Committee to propose revisions to such Code and by our Village Attorney that is under consideration. Furthermore, Trustees Kormos and Baskin submitted pages worth of proposed revisions that must be reviewed by our Village Attorney and the Committee Chair to create a revised draft from which the Trustees can work. As such, no draft Ethics Code is attached to this Agenda. This motion is at the request of Trustee Baskin for an unspecified date and time.]

After discussion,

Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi to table the motion.

Ayes All

f) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond that the attached charter for the Committee on the Arts be approved. (Requested by Trustees Baskin & VanDeinse-Perez)

After discussion,

Motion made by Trustee Baskin, seconded by Trustee VanDeinse-Perez that the attached proposed Ballston Spa Committee on the Arts Charge be amended according to the following;

under the Committee membership section text will be removed and the following text will be substituted: Committee membership- The Committee will consist of 5 members, members are not required to be Village residents but preference will be given to those who are, initial terms will be given for 1, 2, and 3 years respectively with subsequent appointments for 3 year terms, the Committee members and Chair will be chosen per the Village of Ballston Spa Committee policy that was approved 10/11/22.

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

Motion Passed

After discussion,

Motion made by Trustee Kormos, seconded by Trustee Baskin to approve the amended prosed Charge.

Ms. Marozzi feels these motions on the Committee on the Arts are procedurally incorrect; the Board can't speak for the Committee.

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

Motion Passed

g) Motion made by Trustee Baskin, seconded by Trustee Raymond that all applicants for Village boards and committees requiring Board approval will be required to complete the attached Committee Interest Form, which will be posted on the Village website. Completed forms will be distributed within two business days upon receipt to all Board members, and to the chairs of the boards or committees of interest. Information on this form will be used to help select members for vacant board and committee slots, and slots that are up for renewal at the organizational meeting. (Requested by Trustee Baskin)

After discussion,

Motion made by Trustee Baskin, seconded by Trustee Raymond that all applicants for Village boards and committees requiring Board approval will be required to complete the attached Committee Interest Form, which will be posted on the Village website. Completed forms will be distributed by the Village Administrator within five business days upon notice of vacancy in a committee or board and be sent to all board members, and to the chairs of the relevant boards or committees of interest.

This pertains only to committee interest forms showing interest in that board or committee. Information on this form will be used to help select members for vacant board and committee slots, and slots that are up for renewal at the organizational meeting.

Ayes All

h) Motion made by Trustee Baskin, seconded by Trustee Kormos all board and committee membership vacancies requiring Board approval will be publicized for 10 business days on the Village website and Facebook page. Posts will include a request, with link, for interested residents to complete the Committee Interest Form, though this form will not be required for mayoral appointments. (Requested by Trustee Baskin)

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

Motion Passed

i) Motion made by Trustee Baskin, seconded by Trustee Kormos to distribute the attached Wiswall Park survey through the Village email list, and on Village social media. (Requested by Trustee Baskin)

Mayor Rossi wants to be sure people are not submitting multiple surveys.

Ayes All

j) Motion made by Trustee Raymond, seconded by Trustee VanDeinse-Perez that the Village provide to the LaBerge Group any and all Village water and sewer data requested upon receipt by the Village of the confidentiality agreement from LaBerge Group. (Requested by Trustee Kormos)

Ayes All

k) Motion made by Trustee Kormos, seconded by Trustee Baskin that the board approve the application for the CDTC (Capital District Transportation Committee) UPWP grant for rezoning and land-use regulations with the Village to provide a \$20,000 cash match and \$5,000 in in-kind services, and authorizing the Mayor to sign the attached letter committing the sum of \$20,000 in cash match and \$5,000 in in-kind services toward the grant by no later than November 29, 2022. (Requested by Trustee Kormos)

Ayes All

l) Motion made by Trustee Raymond, seconded by Trustee Baskin that the Rules of Procedure be amended to extend the first public comment period to five minutes per person and eliminate the second public comment period, with a limit of one comment per meeting. (Requested by Trustee Raymond)

Responding to earlier public comment, Trustee Raymond said he's doing this so that people don't have to stay and noted that public comments have the most impact before being voted on and have little or no impact after the motion is voted on.

Mayor Rossi stated he feels the 2 public comment periods were working and referring to the 2nd comment period being eliminated, feels that people deserve to talk about whatever they please.

Trustee Kormos noted she looked at all of the Board meeting videos and noted how much time they took; under Larry Woolbright there were 34 videos with an average length of 1 hour and 16 minutes, under Christine Fitzpatrick there were 9 meetings with an average length of 1 hour and 43 minutes and under Frank Rossi II there are 14 meetings with an average length of 3 hours and 39 minutes.

After discussion,

Motion made by Trustee Raymond, seconded by Trustee Baskin to move the response to comments from the end of the meeting to immediately following the first public comment period.

Mr. Blech noted that the Board wastes time with discussions that could be tabled.

Mr. Otten stated the Board doesn't give a damn what the people want, noting that this motion will only save 10 minutes if 10 people speak.

Jared Iacolucci feels there's no issue limiting public comment.

Ms. Marozzi chastised the Board for the many motion changes and very long discussions.

Mayor Rossi noted that some items could have been discussed through email or text, but Trustee Kormos didn't respond. The Mayor stated he moved his Mayor announcements to his Mayor's Facebook page today to help shorten the meeting.

Trustee Kormos disagrees with having Mayor announcements on Facebook.

Mike Iacolucci agreed with Trustee Kormos.

Christin Iacolucci is appalled by the lack of leadership in this meeting, chastising the Mayor for allowing and participating in people talking over each other and shouting at each other.

Mr. Bush does not agree with the motion.

Mr. Dubuque also disagrees with the motion, noting almost every single public meeting he goes to has 2 public comment periods.

Mr. Dubuque noted he doesn't hear the same onus being put on all of the Board members, who also yell and try to push their agendas through.

Trustee Baskin said if people don't like watching them conduct Village business, they can leave at any time.

After discussion,

Motion made by Trustee Raymond, seconded by Trustee Baskin to move the response to comments from the end of the meeting to immediately following the first public comment period, with a limit of 1 comment during public comment period.

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

Trustee VanDeinse-Perez and Mayor Rossi stated for the record that they don't approve of eliminating a public comment period.

Motion Passed

m) Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond to move the start time of Board of Trustee meetings from 7 p.m. to 6:30 p.m., and that the Rules of Procedure be amended by the Village Attorney to reflect the change. (Requested by Trustee VanDeinse-Perez)

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

Motion Failed

12) Other Business

Mayor Rossi announced that we do not qualify for grants for water and sewer infrastructure because our water rates are too low.

The Board discussed water rate increases again.

Motion made by Trustee Raymond, seconded by Mayor Rossi to pursue a 1 time increase in the next billing cycle of 3% for sewer rates.

Jared Iacolucci is pleased to see The Mayor and Trustee Raymond agree to introduce this motion.

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

Motion Passed

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

Mr. Lewis again spoke about Clerk O'Connor's property.

Mr. Otten feels people should have a one on one opportunities to speak with Trustee.

Mr. Bush asked why there is no email collaboration as there was in the former administration.

Mr. Dubuque suggested the Board limit their speaking times.

Mayor Rossi stated he will stay after meetings to listen to other comments and convey them to Board via email the next day if needed.

14) Board Comments, Questions, and Concerns

15) Motion made by Trustee Baskin, seconded by Trustee Kormos that the Board enter into Executive Session to discuss a contract issue and a litigation issue.

Mayor Rossi and Attorney Buettner will leave Executive Session for the contract issue, and Trustee VanDeinse-Perez will have ethe gavel.

The Board returned from Executive Session at 12:43am.

16) Adjournment/Voucher Audit:

Motion made by Trustee Kormos, seconded by Trustee Raymond, that the Vouchers No. 23-00564 to 23-01201 be audited and the meeting adjourned at 12:44am.

General Fund	\$	46,208.71
Sewer Relevy		82.50
Library Fund		1,936.75
Trust & Agency		<u>141.90</u>
Total	\$	48,369.86

Ayes All

Respectfully Submitted,

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