

A Town Board Agenda Meeting was held by the Town Board of the Town of Ballston on Tuesday evening, February 22, 2022, via Zoom video conferencing.

PRESENT:	Eric Connolly	Supervisor
	Kelly Jasinski	Councilwoman
	Chuck Curtiss	Councilman
	Michael Carota	Councilman
	Rob Fendrick	Councilman
	Carol Gumienny	Town Clerk
	Debra Kaelin	Town Attorney

Supervisor Connolly called the meeting to order at 6:30 p.m. and the Pledge of Allegiance was recited.

**Presentation: Dr. Dave Matthews from Upstate Freshwater Institute and Dr. David Pierce, Chairperson for the Ballston Lake Water Quality Protection and Management Committee on the Ballston Lake Management Plan.**

Dr. Pierce stated that in 2012 Ballston Lake was placed on the NYS DEC303 list of impaired water bodies that required mitigation. Sources of the listing were watershed property development, failing septic systems, sediment, erosion, and phosphorus. After years of moderate phosphorus levels from the 1990s to 2010, the levels doubled in 2015. Ballston Lake is a Class A water body and used as a drinking source for approximately 30 residents. In 2019, DEC announced that \$3 million in grants was available for lake management. The Towns of Ballston and Clifton Park worked with Ballston Lake Improvement Association (BLIA) volunteers to apply for a grant to develop a Ballston Lake management plan. The Town was awarded \$19,635 with a 25% match contribution (\$6,545) from the Town. Upstate Freshwater Institute was selected from four other applicants to do this plan. Upstate Freshwater Institute partnered with Ecologic to complete the project and made use of the data collected by BLIA between 1990 and 2019 and conducted additional water studies needed to develop the management plan. Dr. Dave Matthews gave a summary of the 140-page report. The objective was to update the Ballston Lake Watershed Management Plan from 2001 by the Capital District Region Planning Commission and provide the tools to manage the lake. The report focused on the following topics: analysis of watershed history, land use and development patterns, water quality status and trends, biological community status and trends, major sources of phosphorus, recent improvements to water and wastewater infrastructure, watershed-based measures to improve resilience and reduce inputs, in-lake measure to protect and enhance the lake's desired uses, and recommendations for long-term monitoring and metrics to assess progress. An adaptive management approach is recommended for the Ballston Lake. This is a build and measure approach that acknowledges uncertainties and uses data and information to define next steps. This approach is recommended considering the ongoing wastewater remedial measures, climate impacts on hydrology and lake temperatures, projected population growth, presence of invasive species and other emerging challenges. The management plan should be considered a live document and updated periodically as additional information regarding water quality is obtained, management techniques evolve, or objectives change.

**OLD BUSINESS**

**Ballston Lake Sewer Project Update**

Ed Hernandez, engineer for the project, was not present; therefore, the chairman for the Ballston Lake Sewer Committee, Drew Hamelink, gave an update this month. Mr. Hamelink stated that there are no pay requests this month due to all of the excavation work is shut down for the winter. Contract #1 is building the pump station and it is almost completed. The next step for the pump station is for the electrical work to be completed. The contractor wanted to drill under the railroad which required a permit from the railroad. The Town has had this permit for a few years; however, the railroad now wants a monitoring plan to be sure that there is no settling that would damage the railroad. There is a conference call with the railroad company tomorrow. There was also an issue with National Grid that is almost resolved. Contract #3 on the Eastside of the lake is testing manholes. The easement for the Ballston Lake Fire Department Memorial Park is a separate issue. As soon as the access for the sewer is resolved, the easement there will be addressed.

## Grants Update

The Supervisor stated that there are no new updates. The Town is still waiting to hear if they will be a recipient of a grant to assist with the Veteran's bike path extension to the Zim Smith Trail. Highway Superintendent Joe Whalen stated that bids were received for the Highway garage addition, and they are being reviewed by MJ Engineering. There are 4 different bids – general contracting, electrical, plumbing and excavation work. A letter of recommendation will come from MJ Engineering to award the bids at the March meeting.

## Parks and Rec Committee Report

Councilman Fendrick reported that the Committee is looking for two additional members. The Girl Scouts presented a project to the Committee to install a gaga ball court. This would be built out of recycled materials, if possible, and they are looking to have it placed in a grassy area in Jenkins Park. The Committee is working through questions to see if this project is possible. The Committee is currently working on some geotextiles for hardening trails. It is their hope to present this at the next meeting. All Committee members are using Town emails for better communication. They are also researching ways to launch kayaks at Ballston Lake at the existing pier. They are open to suggestions to do this safely. They have ideas for the old Magnum gas station and will present in the future. There are some diseased trees in Anchor Diamond Park; this has occurred prior, and the necessary steps will be taken to remedy the situation. The Supervisor stated that the Town should inquire if Finnigan's on the Lake will be allowing boat and/or kayak launches. The Supervisor worries about launching kayaks at the pier because people stop on the side of the road and don't utilize the parking lot to carry their kayaks to the pier. It is unsafe.

## NEW BUSINESS

### Green Initiative

There was nothing discussed on this topic.

### Use of 814 Route 50 (Old Magnum Gas Station) and designation of funds

The Supervisor stated that we do not own the property yet. When the time comes, the Parks and Rec Committee has suggestions on the use of this property and is willing to work with Rotary and other parties on a community project.

*Privilege of the floor ONLY on items for consideration and action this evening.*

*No one wished to speak.*

## **NEW BUSINESS FOR CONSIDERATION AND ACTION THIS EVENING**

### RESOLUTION 22-60

### **APPROVE THE MONTHLY BILLS FOR FEBRUARY 2022.**

The bills were approved for payment as set forth in the abstract dated February 22, 2022.

General Fund	No. 71 - 125	\$73,312.26
BH-BL Lighting District #1	No. 3 - 4	13.44
BH-BL Lighting District #2	No. 3 - 4	.41
Highway Fund	No. 68 – 133	134,144.39
Morningdale Court Water Ext. 24	No. 12 - 18	3.68
Library Fund	No. 20 - 22	102,899.60
Paradowski Road Water Ext. 5	No. 12 - 18	12.04
Jenkins Park Fund	No. 4 - 9	1253.79
Consolidated Water District	No. 39 - 62	58,449.02
Stonebridge Lighting District	No. 3 - 4	27.48
Trust and Agency	No. 7 - 20	796,857.50
Fire District #2 Round Lake	No. 1-2	152,198.12
Fire District #1 Ballston Spa	No. 1	91,068.06
Ballston Spa Ambulance	No. 1	186,590.31
Ballston Lake EMS	No. 1	89,022.83
Capital Projects	No. 1-2	62,962.70
Total:		1,748,816.23

A motion was made by Councilwoman Jasinski and seconded by Councilman Fendrick.

Discussion: Councilmen Curtiss and Fendrick will sign the bills again in March. Councilwoman Jasinski and Councilman Carota will sign in April, May, and June.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,  
Councilwoman Jasinski and Supervisor Connolly  
Nays 0

**RESOLUTION 22-61**

**APPROVE BUDGET ADJUSTMENTS FOR A, B, AND HIGHWAY FUNDS.**

A motion was made by Councilman Carota and seconded by Councilwoman Jasinski.

Discussion: Bookkeeper Erin Hadcock stated that this is for the reallocation of line items of budgeted items on what was actually spent in the fiscal year, 2021.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,  
Councilwoman Jasinski and Supervisor Connolly  
Nays 0

**RESOLUTION 22-62**

**APPROVE THE RESIGNATION OF PLANNING BOARD MEMBER SONDI SMITH EFFECTIVE IMMEDIATELY.**

A motion was made by Councilwoman Jasinski and seconded by Councilman Fendrick.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,  
Councilwoman Jasinski and Supervisor Connolly  
Nays 0

**RESOLUTION 22-63**

**APPROVE APPOINTING ALTERNATE PLANNING BOARD MEMBER PETER DILORENZO AS A REGULAR MEMBER OF THE PLANNING BOARD TO COMPLETE THE REMAINING TERM OF SONDI SMITH. THIS WILL BE EFFECTIVE FEBRUARY 22, 2022 AND END ON DECEMBER 31, 2023.**

A motion was made by Councilman Curtiss and seconded by Councilman Carota.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,  
Councilwoman Jasinski and Supervisor Connolly  
Nays 0

**RESOLUTION 22-64**

**APPROVE BUILDING INSPECTOR JEFF STICKLES, AND ASSISTANT BUILDING INSPECTORS MATT VAVERCHAK AND WAYNE HOWE TO ATTEND THE ANNUAL BUILDING AND CODES CONFERENCE IN LAKE PLACID ON FEBRUARY 28, 2022, TO MARCH 3, 2022. THE TOTAL COST FOR EACH PERSON TO ATTEND THE CONFERENCE IS \$1932.96. THIS AMOUNT INCLUDES THE COST OF THE CONFERENCE (\$380), HOTEL FOR 4 NIGHTS (\$1527.96) AND ANNUAL DUES (\$25.00). ALL OTHER REASONABLE REIMBURSEMENTS, SUCH AS MEALS, WILL BE APPROVED BY THE SUPERVISOR. DUE TO THE TIMING OF THE CONFERENCE, THIS WILL BE AN EARLY PAYMENT.**

A motion was made by Councilman Curtiss and seconded by Councilman Fendrick.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,  
Councilwoman Jasinski and Supervisor Connolly  
Nays 0

**RESOLUTION 22-65**

**APPROVE SETTING A PUBLIC HEARING FOR MARCH 8, 2022, AT 6:00 P.M. TO CONSIDER A VARIANCE APPLICATION SUBMITTED BY JAMES WATSON OF EP LAND SERVICES, LLC ON BEHALF OF GEORGE HUBSCHMITT, OWNER OF CORE TECH INDUSTRIAL CORPORATION, PURSUANT TO SECTION 7 OF TOWN LAW #5 OF 2020, ESTABLISHING A MORATORIUM ON CERTAIN DEVELOPMENT IN THE TOWN OF BALLSTON, FOR PROPERTY LOCATED AT 2A MCCREA HILL ROAD.**

A motion was made by Councilwoman Jasinski and seconded by Councilman Carota.

ADOPTED Ayes 5 Councilman Curtiss, Councilman Carota, Councilman Fendrick,  
Councilwoman Jasinski and Supervisor Connolly  
Nays 0

***Privilege of the floor ONLY on any topic (limit 3 minutes).***

*No one wished to speak.*

A motion was made by Councilwoman Jasinski and seconded by Councilman Curtiss to enter Executive Session for a contract and legal advice. All were in favor. The Supervisor does not anticipate any action will be taken.

No action was taken returning to regular session.

A motion was made by Councilman Curtiss and seconded by Councilman Carota to adjourn the meeting. All Board members were in favor. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Carol Gumienny  
Town Clerk