

A Town Board Agenda Meeting was held by the Town Board of the Town of Ballston on Thursday evening, June 30, 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
	David Urkevich	Town Comptroller

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

OLD BUSINESS

Ballston Lake Sewer Project Update

Ed Hernandez, engineer for the project, stated that Contract #1 is working in Buell Heights and putting sewer underneath Route 146. He was recently given an updated schedule and they're about a month or so behind schedule; he is working with them to try and get that moving. Contracts #2, #3 and #4 are substantially complete and he has certified them "substantially complete" to New York State EFC (Environmental Facilities Corporation). Mr. Hernandez had been meeting and working with the Saratoga County Sewer District to take over operation and maintenance of those three projects. They're still working on some punch list items; but with the sewers, they are ready to be put into service. He has a tentative date of July 25th with Saratoga County Sewer District to begin taking applications to allow people to connect to the east side of the lake. He will be preparing a draft letter for the Board to review and mail to residents to let them know that sewers on the east side are available, and they can begin submitting applications to the Saratoga County Sewer District. There are two payment applications on the agenda for this evening and he has reviewed these and is recommending approval of those payments; the work identified has been completed. Councilman Carota asked if the contractors are going to be on Gartner Road. The buses for Summer Rec Program use this road and he wasn't sure if there would have to be an alternate route. Mr. Hernandez will get back to Mr. Carota; however, he did state that the contractor needs to have a lane open for vehicles.

Grants Update

The Supervisor stated that we were not successful in getting the grants for the engineering costs and the construction for the bike trail connection. He will meet with the Town Comptroller to talk about taking a different approach and apply again. The good news is that the County was awarded \$1.4 million to extend the trail from Oak Street to the Zim Smith Trail. This is part of their Master Plan to connect the Zim Smith all the way to a state park. Supervisor Connolly's personal goal is to have a trail constructed within five (5) years for the Ballston Lake Fire Department Memorial Park to be connected to the Zim Smith. The second grant that the Town applied for was to extend sidewalks on Thomas Avenue and Ballston Avenue and to make the pathway to the school safer. The Town did not get this grant either but will reapply.

Parks and Rec Committee Report

Councilman Fendrick stated that on July 9, 2022, the Committee will have a workday at Anchor Diamond Park. All volunteers are welcome. Reita Park had a new bench and picnic table installed. He thanked the Highway Department for their help. The Gaga Ball court has been completed in Jenkins Park. The fishing pier will remain closed for the remainder of the summer. The engineering firm is producing bid documents so the Town can go out to bid. Supervisor Connolly stated that he met with Superintendent McGrath of Burnt Hills-Ballston Lake Schools to ask him to consider giving the Town a strip of land adjacent to the Ballston Lake Fire Department Memorial Park (BLFDMP). It would be used to connect a paper trail into BLFDMP from Lake Hill Road, making it safe for people to navigate onto the Veteran's Trail one day. The school is considering planting arborvitaes near the bus garage and BLFDMP to improve the look of the area.

Community Solar Opt-Out

Supervisor Connolly stated that the Public Service Commission has a proposal working with New York State Energy Research and Development Authority (NYSERDA) and Ampion

Community Solar on creating an Opt-Out Community Solar Program. If approved, Ampion will be an administrator of this program. The program automatically puts all the residents of Ballston into a community solar program that will save them up to 10% on their National Grid bill. It also will give the option to residents of opting out of the program. The Town benefits by receiving a one-time contribution from Ampion that will go into the Walkability Fund in exchange for being the first municipality in NYS to enter a community solar opt-out only program. The Supervisor has negotiated this contribution to be \$125,000. If the Board agrees, the Town will enter a 20-year contract with Ampion. Ampion would have a website to explain the program, they would do all the advertising, add all the opt ins and delete the opt outs, and send mailings to new residents. The residents would receive one monthly bill which includes their savings. The full 10% savings will be seen within two years. There is a 60-day window to opt-out of the program. Residents who opt out can opt in at a future time. Supervisor Connolly stated that personally he likes the program and looked for Board input. Councilman Curtiss stated that he was not comfortable with a 20-year contract. He has been told by residents that this program is being forced; however, they do have the choice to opt out. Supervisor Connolly stated that the reason for the 20-year contract is that it is for the life of the commercial solar installation. Councilwoman Jasinski stated that she will vote “no” if the term of the contract is 20 years. She believes the Town should look for a balance. There are a lot of things out there besides solar. Councilman Carota stated that this is something he won’t say no to today, but he will need to review all the information. No one has ever done this. He personally doesn’t like “opt-out” items and is hesitant. Councilman Fendrick has questions and would like to do his research.

Charging Stations

The Town Comptroller stated that he recently received an invoice for one of the charging stations for internet connectivity and warranty service. Generally, this is required for the Town to continue receiving revenue and charge our residents to charge their vehicles. The cost is approximately \$1, and it goes up based on time. Unfortunately, there is no cost benefit to paying this invoice and the company is willing to cancel these invoices which means that the Town cannot charge the residents to use these stations. He believes this is a good choice and it saves the Town money. The revenue of the service does not offset the cost. He recommends cancelling the contract. He will be doing this for the other charging stations in Town as well.

NEW BUSINESS

Procurement Policy Revision

Town Comptroller David Urkevich stated that our current procurement law is restrictive. It's important to keep in mind that there are two facets of procurement policy; to follow our own policy and follow State law. We can't change State law, but we can change the Town's procurement policy. What is basically being done to the law is to relax some of the restrictions to allow the Town to procure to do business. We have stronger controls now than we have ever had; the existence of the Town Comptroller's office, and the existence of new functionality in our financial system purchase orders of these things will be covered generally in this policy. It also mentions certain limits that will need to be followed so we are compliant with State law. The changes also allow flexibility for purchasing items.

PDR ((Purchase of Development Rights) Prioritization Consultation

Supervisor Connolly stated that the revenue sources to preserve, in perpetuity, open space and farmland in our Town have been created and money is coming in. He and Councilwoman Jasinski will be working this summer on identifying parcels for the Purchase of Development Rights program. He would like to bring an expert, Nan Stolzenburg, on board to assist him and Councilwoman Jasinski to create a point system for parcels that will be identified for preserving and to prioritize these parcels. A public workshop may be scheduled with the Supervisor, Councilwoman Jasinski and Councilman Curtiss to further discuss.

PRESENTATION

Town Insurance

Dave Meager, of Amsure Insurance, gave a brief presentation on the annual renewal of the Town's insurance policies. The bulk of the Town insurance is with NY Municipal Insurance Reciprocal (NYMIR), who only insures towns and villages. He reviewed the Town's coverage with the Board. \$1.5 million of additional coverage was added to the Town's buildings. There is a 2.5% increase this year, which is very good; due in part to having a good claims record. The 3-year pollution policy renewal had a savings of almost \$7,000 from a prior quote.

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 22-185

APPROVE PAYMENT TO TRINITY CONSTRUCTION UNDER CONTRACT #1 FOR THE BALLSTON LAKE SEWER DISTRICT IN THE AMOUNT OF \$113,891.48 FOR WORK COMPLETED.

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

RESOLUTION 22-186

APPROVE PAYMENT TO VACRI CONSTRUCTION UNDER CONTRACT #2, FOR THE BALLSTON LAKE SEWER DISTRICT IN THE AMOUNT OF \$246,846.90 FOR WORK COMPLETED.

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

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

Nays 0

RESOLUTION 22-187

APPROVE THE RENEWAL OF THE TOWN'S 2022 LIABILITY INSURANCE PACKAGE THROUGH NYMIR IN THE AMOUNT OF \$57,627.87. THESE POLICIES ARE PACKAGED AND INCLUDE PUBLIC OFFICIALS' LIABILITY. OCP (OVERALL COMMERCIAL PROPERTY).

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 22-188

APPROVE THE RENEWAL OF THE TOWN'S 2022 CYBER LIABILITY INSURANCE POLICY THROUGH BEAZLEY INSURANCE COMPANY, INC. IN THE ANNUAL AMOUNT OF \$4,410.00. POLICY DATES ARE 6/26/2022-6/26/2023.

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 22-189

APPROVE THE CRIME INSURANCE POLICY INSTALLMENT THROUGH TRAVELERS INSURANCE IN THE AMOUNT OF \$4,434.00 ANNUAL PREMIUM. POLICY DATES ARE 7/11/2021-7/11/2024 WITH ANNUAL INSTALLMENTS.

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

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

Nays 0

RESOLUTION 22-190

APPROVE THE POLLUTION INSURANCE POLICY THROUGH ASCOT INSURANCE COMPANY. IN THE AMOUNT OF \$18,918.00. THIS IS A THREE-YEAR PREMIUM. POLICY DATES ARE 7/11/2022-7/11/2025.

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

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

Privilege of the floor on any topic

Dr. David Pierce, of Lake Road, stated that there are people fishing on the pier even though it has been closed. He also asked if the Parks & Rec Committee have a particular dollar amount in mind to purchase lakefront property? The Supervisor stated that currently there is nothing available. If something becomes available, the Town will address it. Dr. Pierce also stated that Saratoga PLAN does not need to give approval of the placement of the beaver deceiver as it is not on their property.

A motion was made by Councilwoman Jasinski and seconded by Councilman Carota to enter into Executive Session to discuss a contract with no expected action. All Board members were in favor.

A motion was made by Councilman Carota and seconded by Councilman Fendrick to return to regular session. All Board members were in favor.

A motion was made by Councilman Curtiss and seconded by Councilman Fendrick to adjourn the meeting. All Board members were in favor. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Carol Gumienny
Town Clerk