

A Town Board Agenda Meeting was held by the Town Board of the Town of Ballston on Tuesday evening, August 30, 2022, via Zoom video conferencing.

PRESENT:	Joe Whalen	Deputy 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
ABSENT:	Eric Connolly	Supervisor

Deputy Supervisor Whalen called the meeting to order at 6:33 p.m. and the Pledge of Allegiance was recited.

## **PRESENTATIONS**

### **Route 67 Water Main Extension**

Deputy Supervisor Whalen introduced Carrie Dooley with MJ Engineering to speak about a water main connection project. Another project for this area was presented a couple of months ago, creating a loop so the Town could feed water to residents of the upper end of the Town of Ballston residents, going up Route 67 over to Dominic Drive, however, this new approach is shorter, and the cost remains the same. This project is part of the 10-year water plan. Ms. Dooley stated the project will provide a loop connection to increase redundancy along the NYS Route 50 and Route 67 corridor; it will eliminate dead ends and improve system hydraulics. The project will consist of two connections. The north connection is located near 967 Route 67 and the south connection is near 959 Route 67. The infrastructure required is 500 linear feet of 8" water main and will need to cross Route 67. There will be two valve gates. The estimated cost is \$250,000. The anticipated schedule is doing the field work this fall, the design over the winter (2022-2023), and construction in the spring of 2023. The proposal for scope of services will include field work, photographic survey and mapping, geo-technical investigation to see what the soils are like to make sure a directional drill crossing can be done, preliminary and final design, permitting assistance with the Department of Transportation, and the SEQRA process. Councilwoman Jasinski asked Ms. Dooley what the advantage is doing this project verses the one that was proposed a couple of months ago. Ms. Dooley responded that it is a direct connection between Route 50 and Route 67, and it will be easier to back feed through that without having to go down the Dominic Drive area.

## **OLD BUSINESS**

### **Ballston Lake Sewer Project Update**

Ed Hernandez, engineer for the project, stated that the project is moving along. The project is currently 30 days behind schedule; however, still under budget. People on the east side of the Lake are connecting to sewer daily. Mr. Hernandez is waiting for a proposal from Contractor #1 on paving roads in Buell Heights. There are two pay items on the agenda this evening; they have been reviewed and all the work has been done and received approval.

### **Grants Update**

Deputy Supervisor Whalen spoke with Jenny Lippmann of MJ Engineering today and inquired about any updates on grants. There are no new updates.

## **Parks and Rec Committee Report**

### **Presentation of Goode Street Trail Extension**

Sally Draina, chairperson for the Committee stated that she is requesting Board approval of appointing two new committee members at the next Board meeting. They are still in need of two alternates for the Committee. She presented a power point presentation on the Goode Street extension of Anchor Diamond Park. This connection is located next to 366 Goode Street and 1 Chase Lane. The work would be completed by the Highway Department. A crushed stone access road of approximately 12 feet would be laid. The Town owns 20 feet at the entrance to the park. The roadway will be lined with sections of split rail fence to indicate the park boundary. There will be signage at the entrance indicating Anchor Diamond Park Extension with fencing on both sides to create a clear driveway for parking. The parking area will be large enough for three cars. There will be a kiosk in the parking area with a map and rules of the park displayed. There will be markers along the trailway with GPS coordinates

for future reference. The project will move forward when they have the additional estimates for the signage and fencing. There will be no access to the park until everything is completed. The total cost of the project is \$60,460 which includes labor, equipment rental pricing, and materials. The estimate is \$22,664 more than the proposal from 2020. The Committee is recommending parking spots. This will keep Goode Street clear of parking on the side of the road with no shoulder, discourage parking in the Carriage Run development, and parking on lawns and driveways of direct neighbors. Emergency vehicles will be able to have access to the back of Anchor Diamond Park. There will be no plowing in the winter. Most of this access trail will be used by walking pedestrians. This area will not have bathrooms, it will be low maintenance and require lawn care service. This will provide the Scouts additional projects and it is aligned with Town goals of increasing trail connectivity. This will complete the Anchor Diamond original plan to add this extension. There are enough Park funds available for this project. Councilwoman Jasinski asked about the three parking spots. She asked if the spots are for the public driving down Goode Street to enter the back end of the park or for safety vehicle access? Ms. Draina stated that the Committee anticipates that someone is going to drive in there and park their car, and that is the reason for the parking spaces. Most individuals will go to Anchor Diamond Park on Middleline Road.

Councilwoman Jasinski asked how did the Committee determine that the majority of the access from that end would be with traffic? If she lived on the west side of Route 50, she is going to the Goode Street extension entrance. It will be bottlenecked in that parking area; you can't see the parking from the road. She is more comfortable if this access road was used only for emergency vehicles and the Park Committee. You could still have access for walkers and bikers with a kiosk for information without the public parking. Ms. Draina responded, saying that the Committee will see how it goes with 3 parking spots, there is plenty of space to put more in the future. If it is not working out, they can take the parking away. Councilman Fendrick stated that there is enough room for over a dozen parking spots if they want them but are being realistic with the budget and pricing; to add 9 more spots would have made the project cost that much more. Councilman Curtiss echoed Councilwoman Jasinski's concerns. He stated that he is also concerned about the close proximity of the neighbors. People are not always respectful with other people's property. His thought is to have no public parking access at all and see how it goes for a few months and then go in and do more than three parking spots. People will park anywhere they can, it will happen. Councilman Carota understood the concerns. He would love to see the extension happen. If there is no parking or access to the extension, then people will definitely pull over on the side of Goode Street to access the back trail. He will rather see some parking to have it accessible; having no parking, people will park on the road. He is more in favor of some parking than none. Councilman Fendrick stated that if this project is not properly timed, it will not happen this year. The paving window is closing, and the snow window is quickly approaching. There is a small window to have the Highway crew do this work. If we hire out, the project will cost three times as much. He asked that the Board keep this in mind. He would like to have this voted on at the next meeting, due to time constraints. Councilwoman Jasinski asked who is going to do the policing when the public finds out there are three parking spots set back in the country? The public will be parking next to people's private properties. Councilman Fendrick stated that this is the reason the parking spots have been pushed back 100 feet past the house on Chase Lane. Ms. Jasinski stated that she feels like a can of worms will be opened. There will be ongoing costs with a gravel driveway too. Ms. Draina stated that if this becomes an issue, the access road can be closed or if it becomes a bigger area, spaces can be added. This is just the start of something to see how it develops. A gate could be put up and used for emergency purposes only. The Parks & Rec Committee will take note of how many people are using this area and know in the spring how it is going. Deputy Supervisor Whalen stated if this is voted on and approved next month, he will need the stakeout of the road, its location, and the location of the parking area from the Committee.

Councilman Fendrick stated that he has two sets of grant paperwork for Phase One and Phase Two of the bike trail connection completed and ready to submit to the Supervisor for his final approval before he submits them to the County. They are due September 16<sup>th</sup>. These are two \$10,000 grant applications.

Councilman Fendrick would like to table Resolution 22-231 to remove the fencing on the ballfield in Jenkins Park. He has done a lot of research this past week and he may be able to present a more cost-effective solution than removing the entire fencing and starting over. The enclosed area was once used as a ball field and the Board recently found out that the area has been used as a dog park. He spoke to the Town's insurance agent who stated that it would not cost any extra to have a rider for a dog park policy. For this reason, he believes it's OK to leave the current existing fence. It does not present the Town with any extra liability, per our

insurance agent. His thoughts are the backstop should probably come down, and there may be some existing fence that can be reused. He feels it is irresponsible to spend \$4,000 to take down the entire fence. It is a big area that can be properly planned. It does not create any more liabilities for the Town than it has to this point. The gates have been removed from the fence, the signage entering the park states your dog must be on a leash which alleviates us of having responsibility. The Town Attorney spoke regarding the liability issue. It is her understanding that the backstop is unstable. People are using this area whether you acknowledge it or not for their dogs. The Town has a very part time dog control officer who does not patrol the area. There is no control over what dogs are going into that area. So, when it was stated that the Town does not have the responsibility she respectfully disagreed. After a further discussion, it was decided to get estimates to remove only the backstop. The Parks & Rec Committee will see what fits best for the Town and that specific space.

#### **National Grid Gas Conversion at Town Hall**

Deputy Supervisor/Highway Superintendent Joe Whalen stated that he has been in contact with the engineering firm that MJ Engineering subbed out to look at a different proposal on where to run the new gas service from the gas main that would be installed on the east side of the parking lot. The current proposal from National Grid was to go under the parking lot and leave a spot for a meter where the current propane service comes in. The difference between propane and gas is that the volume is much different and greater. Currently, we have two lines that supply Town Hall that are 2 inch, switching to gas would increase the size of the pipes to four inch which would increase the conversion. The firm is looking at a different way to bring gas into Town Hall, which would be coming across the front and tying it in which it would involve what National Grid would supply, and how far they would push it. This has not been budgeted for this year. He is pushing for an estimate for this so the Comptroller can have it for budgeting purposes in 2023.

#### **NEW BUSINESS**

##### **Proposal for Repairing Hot Water Tank at Town Hall**

Deputy Supervisor Whalen stated that it came to his attention that when we had our contractor, Mohawk Heating and Cooling, come to work on the boiler that there was water leaking from the expansion tank and the rubber bladder that expands in the tank had ripped. They looked at the cost to replace the tank or replace the bladder. There was a \$100 difference. He emailed the quote to the Board. Comptroller David Urkevich stated that we have limitations based on General Municipal Law stating that purchases of like kind over any twelve-month period can't exceed \$35,000.00 for public work projects, or \$20,000 for goods and goods and service purchases. We are at or above those limits; it's time to publicly advertise this work. It can probably be simple. He believes that we're going to get some feedback from MJ Engineering whether they should or can be involved in terms of doing the specs and advertising it. We could certainly go with this vendor, but this proposal would have to be submitted as a sealed bid after public advertising. Councilman Carota asked for a timeline for this as we are approaching the winter. Mr. Whalen stated that it doesn't affect the heat that much as it does the hot water in Town Hall. Mr. Urkevich will follow up with MJ Engineering on obtaining a sample of a bid notice. The Board can authorize going out to bid at the next Board meeting. Mr. Whalen asked what member of the Building and Grounds Committee is going to work on this? The bidders should have 10 days to submit their bids. Councilman Curtiss stated that he is on the Committee and will work with Mr. Whalen.

##### **Appraisal of Town Owned Land (Stonewall Road and Commerce Drive)**

Deputy Supervisor Whalen stated that the Supervisor had emailed information to the Board on getting appraisals of Town owned land. The locations are Stonewall Drive and Commerce Drive with the possibility of selling these parcels. He is looking for the Board's thoughts on this. Councilman Carota is not opposed. One parcel has some value to it. You can't sell it until there is an appraisal on it anyway. He is in favor. Councilwoman Jasinski is not on board with selling the one property for \$1000 an acre and the other property she believes will have some value in the future. She is not in favor of having these appraised, we are trying to cut spending.

##### **Appropriate ARPA Funds to Purchase a New Plow/Dump Truck**

Deputy Supervisor Whalen stated that this was going to be put in the 2023 budget; however, after a discussion with our Comptroller it could be used with ARPA funds. The price of the vehicle is \$240,000. The Comptroller stated that our first budget workshop is Thursday, September 1<sup>st</sup>. Using ARPA funds will be a key component to the 2023 budget. Anytime we can apply ARPA fund (approx. \$450,000) expenses that would have otherwise been paid for

with sales tax revenue is a superb use of ARPA funds. Sales tax is our precious limited resource. It's unpredictable to an extent, and it's the fuel that our central core government funds used for A, B, and the Highway. This is called for in our vehicle replacement plan. Sticking to that plan is a good idea and using ARPA funds is even better. This will be discussed on Thursday evening. Mr. Whalen stated that the meeting is open to the public at 5:30 in the Meeting Room. Councilman Fendrick recognized our Comptroller, David Urkevich, and his efforts. Mr. Urkevich explains things in great detail, breaking things down in a way that he can understand. Mr. Fendrick can't say enough great things about him. He appreciates his dedication to the Town.

Councilman Curtiss brought up a serious situation with our roof. It is leaking and there have been discussions about replacing it. Deputy Supervisor Whalen stated that the leak was a couple of months ago and had been repaired. We got three quotes to do the work. The contractor who did the work stated that the shingles are getting fragile. The roof is 18 years old. The Building and Grounds Committee should get together and look at getting some quotes. The Board should look and plan on budgeting for it. The windows, doors and soffits are in the works and using ARPA funds may apply to this and the roof. Mr. Urkevich stated that this is subject to public advertisement for sealed bids because the cost will exceed \$35,000.00.

*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 22-223**

**APPROVE PAYMENT TO TRINITY CONSTRUCTION UNDER CONTRACT #1 FOR THE BALLSTON LAKE SEWER DISTRICT IN THE AMOUNT OF \$258,581.29 FOR WORK COMPLETED.**

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

ADOPTED     Ayes   4     Councilman Curtiss, Councilman Carota, Councilman Fendrick and Councilwoman Jasinski

               Nays   0

               Absent 1     Supervisor Connolly

**RESOLUTION 22-224**

**APPROVE PAYMENT TO VACRI CONSTRUCTION UNDER CONTRACT #2 FOR THE BALLSTON LAKE SEWER DISTRICT IN THE AMOUNT OF \$96,861.82 FOR WORK COMPLETED.**

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

ADOPTED     Ayes   4     Councilman Curtiss, Councilman Carota, Councilman Fendrick and Councilwoman Jasinski

               Nays   0

               Absent 1     Supervisor Connolly

**RESOLUTION 22-225**

**APPROVE A PROPOSAL FROM GAR ASSOCIATES, LLC IN AN AMOUNT NOT TO EXCEED \$12,000 FOR PROFESSIONAL APPRAISAL SERVICES FOR PROPERTY LOCATED AT 149 BALLSTON AVENUE, IN THE TOWN OF BALLSTON AND VILLAGE OF BALLSTON SPA AND OWNED BY BALLSTON TWO LLC, TAX MAP #216-3-9. THE TOWN IS A PARTY TO TAX CERTIORARI LITIGATION (EF 20212068 AND EF20221541) AND AN APPRAISAL OF THIS PROPERTY IS ESSENTIAL TO THE LITIGATION. THE APPRAISAL WILL BE PREPARED FOR LITIGATION AND SHALL BE CONFIDENTIAL TO THE TOWN ATTORNEY UNTIL A COURT APPROVES ITS RELEASE. THIS COST SHALL BE SHARED EQUALLY BY THE VILLAGE OF BALLSTON SPA AND THE BALLSTON SPA CENTRAL SCHOOL DISTRICT WITH THE TOWN. CONSIDER A RELATED SUPPLEMENTAL APPROPRIATION FOR THE 2022 BUDGET TO INCREASE A FUND'S "OTHER GENERAL GOVERNMENTAL INCOME" REVENUE ACCOUNT BY \$8,000 AND "ASSESSOR – OUTSIDE PROFESSIONAL SERVICES" EXPENSE ACCOUNT BY \$12,000 RESPECTIVELY. THE SOURCE OF THE REMAINING \$4,000 WILL BE FUND A, FUND BALANCE.**



