

A Public Hearing was held by the Town Board of the Town of Ballston on Tuesday, evening, September 13, 2022, in the Meeting Room at Town Hall located at 323 Charlton Road, Ballston Spa, New York.

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

The Supervisor opened the Public Hearing at 6:15 p.m. and the following notice was read by the Town Clerk:

**NOTICE OF PUBLIC HEARING
TOWN OF BALLSTON**

PLEASE TAKE NOTICE that pursuant to a resolution of the Town Board of the Town of Ballston adopted August 30, 2022, the said Town Board will hold a public hearing on Tuesday, September 13, 2022, at 6:15 p.m. in the Town of Ballston Town Hall Meeting Room located at 323 Charlton Road, Ballston Spa, NY to discuss an offer by Dish Wireless to enter into a five-year lease (with 4 additional 5-year options to renew) with the Town of Ballston for a communication equipment facility on the Town's monopole located at 831 Route 50. All interested parties and citizens will be heard.

Written comments may be sent prior to September 13, 2022, to the Town Board, 323 Charlton Road, Ballston Spa, NY 12020, or email to cgumienny@townofballstonny.org. Said hearing may be adjourned and continued from time to time as necessary. Further information may be obtained at the Town Clerk's Office, 323 Charlton Road, Ballston Spa, NY.

By Order of the
Town Board of the
Town of Ballston,
Dated: August 30, 2022

Carol Gumienny
Town Clerk

Supervisor Connolly introduced Jack Vandabeele of AiroSmith Development stated that Dish Wireless is proposing to install three (3) antennas along with the associated equipment on the Town owned monopole at 831 Route 50, Burnt Hills. The parcel has an existing telecommunication tower and is zoned Burnt Hills Commercial. Dish Wireless is proposing to install at 155 ft. on the existing 198 ft. tower and is proposing to have a 5ft x 7 ft. platform installed inside the fenced in area. On January 20, 2022, AiroSmith Engineering ran a structural analysis to show that the tower can support the additional equipment that is being proposed. The report was sent over for review by the Town engineer on January 26, 2022, Jenny Lippmann of MJ Engineering and Land Surveying P.C on February 8, 2022 confirmed that the tower can support the proposed Dish equipment.

Mr. Vandabeele is currently working with Town Attorney Debra Kaelin to finalize the final lease terms. The agreed upon business terms to date are as follows.

- Initial Term of (5) Years
- Four Additional Terms of (5) Years
- Monthly Rent of \$1,650.
- Annual Rent Escalator 2%

Councilman Fendrick asked what the equipment will look like in comparison to what was there prior. Mr. Vandabeele stated that there will be less equipment and less of an impact. The tower is 198 feet, Dish Wireless will be located at 155 ft. Dish Wireless will be below the carrier that is currently there. Supervisor Connolly stated that according to the coverage maps, this should improve areas in our Town. Councilman Curtiss asked if the rent is negotiable when the lease is

renewed. Mr. Vandenabeele stated that the rent is negotiated prior along with the annual rent escalator; generally this is not negotiable once the lease agreement is in place.

No one from the public wished to speak.

There was no correspondence received prior to the opening of the Public Hearing.

The Supervisor closed the public hearing at 6:23 p.m.

Respectfully submitted,

Carol A. Gumienny
Town Clerk