

A Town Board meeting 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.

PRESENT:	Eric Connolly	Supervisor
	Kelly Jasinski	Councilwoman
	Chuck Curtiss	Councilman
	Rob Fendrick	Councilman
	Michael Carota	Councilman
	Carol Gumienny	Town Clerk
	Debra Kaelin	Town Attorney
	David Urkevich	Town Comptroller
	Joe Whalen	Highway Superintendent

The Supervisor called the meeting to order at 6:35 p.m. and the Pledge of Allegiance was recited. He welcomed everyone to the meeting and stated that all Town meetings will now be held in person. The Town will be installing some AV equipment soon that will allow the meetings to be streamed; however, it will not be hybrid. If someone has something to say during privilege of the floor, you must appear in person to do so.

RECOGNITION: Ed Hughes

The Supervisor stated that the Town is recognizing Ed Hughes for the volunteer work he has done in Hillside Cemetery. He thanked him on behalf of the Board. Our Town Historian Rick Reynolds stated that we are here to celebrate and honor Mr. Hughes as a volunteer. Almost 20 years ago, Ed and his wife lost a child and wanted to do something in her honor to help the community; therefore, he has committed himself to volunteering in Hillside Cemetery as well as Jonesville Cemetery. He has spent many, many hours working in the cemetery. Over the last five months Ed has dug up, repaired, up righted, and restored over 100 stones. He has given advice on how to run a cemetery and counseled Mr. Reynolds on how to apply for a grant. Mr. Reynolds is working on a grant application for funds to help support the cemetery. The cemetery needs a lot of work. He thanked Ed for his commitment to cemeteries, his dedication to Hillside Cemetery, and wished him well to be able to continue this work in the cemetery. Mr. Hughes stated that when taking over a cemetery, an obligation is to make a safe spot for the people who are buried there and the people who come to visit. The Hillside Association began taking care of the cemetery in 1901. Years later, the Town now has a responsibility for the care of the cemetery. It is the Town's responsibility to encourage people to come to the cemetery and to recognize the historical spot that it is. All the people buried there lived in this community and made this community what it is. The Town needs to maintain, restore, and enhance the cemetery. It should be made as a place for people to go to honor the people buried there. The more the Town increases an interest in Hillside Cemetery, it won't be abandoned or in disrepair. The community will begin to say that this is a special place, and they may start to contribute money to enhance the cemetery. Mr. Hughes thanked the Board for their recognition.

REPORTS

Highway/Water Superintendent Joseph Whalen, Dog Control Officer Thomas Shambo, Town Clerk Carol Gumienny, and Building Inspector Jeff Stickles submitted reports for August 2022. They are on file in the Town Clerk's office.

Library Director Rebecca Darling reported that the Library is fine free as of September 1st! This means that no fines will be charged for overdue materials; however, fees for lost or damaged materials will still apply. They are making this change because libraries are for everyone, and they want all members of the community to use the resources they offer. This will clear the slate and encourage past patrons to return. Fines collected make up less than 1% of the library's overall budget. They can make this change without raising taxes. The construction of the Local History Room and the LED Lighting Upgrade project began Wednesday, September 7th. Work is expected to be complete by early October and the Library will remain open throughout. The Friends of the Library Fall Book Sale will be held at the Library September 15th-17th during regular library hours. All items will be \$5 per bag, and they will be selling books, movies, music, puzzles, and games. The Friends are looking for volunteers, anyone interested in helping can sign up on the library's website.

FINANCIAL REPORT

Town Comptroller David Urkevich stated that expenses are pacing normally for this year. Revenue has stabilized. Funds A, B, and Highway are funded almost exclusively with sales tax revenue. We are budgeting for next year. There is an \$800,000 forecasting surplus prevailing; he cautions the Board how to spend it. Some of the money has already been allocated. In the 2023 budget, the plan is to fund the \$204,000 sheriff's contract.

SUPERVISOR'S REPORT

Supervisor Connolly stated that he received the data for the first full month of police protection from the sheriff. Currently, we are contracted for two shifts, 5 days a week. The current tickets written in our Town for August are 3 times what they were in August of last year. The Board's goal for having the contract with the sheriff is to make our Town safer. If any residents see an area that needs to be addressed, please email him. The 2023 budget is in the works. There will not be a Town tax or a Highway tax again. Few Towns have neither of these taxes. It takes a lot of strategy to accomplish this.

Supervisor Connolly stated that he is working with a group to try to vitalize the downtown area in Burnt Hills. The group will apply for a NY Forward Grant for \$4.5 million next year. To apply, the Town needs to show a 5 to 1 ratio. The Town must show a big commitment. Money spent on projects such as the Old Magnum Gas Station cleanup can be applied toward that commitment. It will take a year of planning which includes conducting surveys on what people want to see happen in the Hamlet of Burnt Hills. Part of this vision will include what to do with the Old Magnum Gas Station. The Town does not own it yet. DEC has not given the property a "closed spill" designation. When it does, the Town will take possession. This is anticipated to occur in 2022. There is no rush to develop this parcel. He stated that for transparency, in his opinion, the Burnt Hills hamlet will struggle to become what it could become without sewer. They are looking at a low-pressure business sewer district. It is in the very early stages of exploring the possibility. This will not be a burden to our residents. The hamlet transformation may take a decade. There are 10 economic regions in the State of New York. The Capital Region is one of these districts. Each district gets two of the NY Forward Grants. The grant focuses on small villages and hamlets. The benefit of waiting a year to apply is that we will see who was awarded the two grants. If the Town is awarded the grant the State will tell us which projects will begin first, they will pick the engineering firm to work with and do one project at a time. There is another grant available called Restore NY Grant which can be used to restore old buildings.

COUNCIL MEMBERS REPORTS

Councilwoman Jasinski stated that the LED upgrade has been completed at Town Hall. The streetlight conversion for LED should occur soon. On the agenda this evening, there are EDU reductions for the Board's consideration; she thanked the Building and Assessor's offices with their help as they have more experience with these determinations. The Ballston Lake Sewer District has had numerous requests to the County for hook-ups on the east side of the Lake. The west side of the lake hook-ups will be next year. The Carpenter's Acres Sewer District project should be completed next week. It will need certification from the Saratoga County Sewer District and the approval for the Operation and Maintenance agreement. It will be late October when residents in this district can connect.

Councilman Fendrick stated that there are two Park and Rec Committee member appointments on the agenda this evening and they are still in need of two alternate members. September 21st is the next Parks & Rec Committee meeting. They will be discussing the fence issue at Jenkins Park and will update the Board at the next meeting. There was a workday on September 10th at Anchor Diamond Park. The Committee appreciated all the volunteers including Rotary and Saratoga PLAN. He is ready to submit grant documents for two \$10,000 county grants that will offset the costs for a future project.

Councilman Carota reported that he did miss the last library meeting. He attended the preconstruction meeting for the History Room. The construction of the History Room at the library is going as planned.

Councilman Curtiss stated that it is encouraging to see the stats of the sheriff's report. This will put some peace back in the minds of the public. There are many more walkers. He believes the sheriff's contract can continue. Safety is a priority. It will build our reputation not to speed in the Town of Ballston. He also commented on the roof repairs. The repair was patched. He encouraged the Board to come up with a 5-year and 10-year plan. This should be done sooner rather than later.

Highway Superintendent Joe Whalen stated that he has two quotes to inspect the roof which will tell us how long the roof will last.

OLD BUSINESS

There was no Old Business to discuss.

NEW BUSINESS

EDU (Equivalent Dwelling Unit) Reduction Requests

Councilwoman Jasinski stated that in our sewer law an EDU is a single-family residential household and a unit of measure by which users are charged for sewer services provided by the Saratoga County Sewer District. Vacant parcels are also assigned an EDU value as they can be hooked up to the sewer district in the future if the land is buildable. The residents had the option to apply for a reduction of their EDU assignment. This is the Board’s decision. The Building Department and Assessor’s office gave their recommendations.

Hydroelectric Host Fee Revenue

Supervisor Connolly stated that NYS is partnering with a hydroelectric power firm to run cable from Lake Champlain down the Hudson River to New York City. The County negotiated a host fee from the company to run their cable through the municipalities in Saratoga County. One third of the host fee revenue will be dispersed to all the municipalities, one third goes to the County and the other one third goes to the municipalities that allow the cable to run through their Town. A conservative estimate of revenue for the Town is \$200,000 annually. This will occur in 2027.

Privilege of the floor ONLY on items for consideration and action this evening. (Limit 3 mins.)

Paul Simpson, of Westside Drive, referred to Resolution 22-243, and stated that he submitted his application for an EDU reduction from two (2) to one (1). The reason he feels this is a legitimate request is that the sewer system depends on water flow and water usage. New York State has established a plateau for a single EDU of 72,000 gallons of water usage. His water bills from the Town are 52,000 gallons per year of usage. This is below the threshold for the establishment for a single EDU. Mr. Simpson is asking for a reduction request because the water usage won’t be near the 72,000 gallons.

NEW BUSINESS FOR CONSIDERATION AND ACTION THIS EVENING

RESOLUTION 22-232

APPROVE THE SUPERVISOR’S FINANCIAL REPORT FOR AUGUST 2022.

A motion was made by Councilman Carota and Councilwoman Jasinski.

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

RESOLUTION 22-233

ACCEPT A \$1,000.00 DONATION TO THE HILLSIDE CEMETERY ASSOCIATION IN HONOR OF ED HUGHES’S VOLUNTEER WORK AT HILLSIDE CEMETERY. THIS DONATION IS FROM FRIENDS OF HIS LATE DAUGHTER, SUE HUGHES, TO COMMEMORATE HIS DESIGNATION AS CITIZEN OF THE YEAR FROM THE ROTARY CLUB OF GLENVILLE.

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 22-234

APPROVE THE TOWN’S CONDITIONAL ACCEPTANCE OF THE FOLLOWING ROAD IN PHASE 4 KELLEY FARMS SUBDIVISION: PADDOCK PLACE. THE TOTAL LENGTH OF ROADWAY FOR PADDOCK PLACE IS APPROXIMATELY 1,700 FEET. THE TOWN ACCEPTS ALL RESPONSIBILITY FOR MAINTAINING AND REPAIRING THE ROADWAY ONCE THE CONDITIONS HAVE BEEN MET. THESE ROADS WILL BE OPEN TO THE PUBLIC 24 HOURS A DAY, 7 DAYS A WEEK.

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

Discussion: Councilman Curtiss asked what are the conditions? Town Attorney Deb Kaelin stated that there is a condition for a one-year warranty on the road. After the one year, the road will be the Town’s.

WHEREAS, a certain parcel of land designated as “Paddock Place”, more fully described on Schedule A annexed hereto has been offered for dedication to the Town of Ballston for highway purposes by Barbera Homes/Kelley Farms, LLC, the owner of said land as shown on a plat for the Kelley Farms Subdivision; and

WHEREAS, the Town Highway Superintendent has recommended acceptance of said parcel for dedication for highway purposes having indicated that the road has been completed in accordance with the Town of Ballston specifications; and

WHEREAS, the Town designated engineer has reviewed the request for acceptance of the dedication and approves of this action; and

WHEREAS, Barbera Homes/Kelley Farms, LLC, has provided a title report and title insurance for the road to be issued in favor of the Town.

Now, THEREFORE BE IT, RESOLVED, Barbera Homes/Kelley Farms, LLC, shall post sufficient and adequate security, acceptable to the Town Attorney, in the sum of Forty Seven thousand (\$47,000.00) dollars and no cents with the Town Clerk which shall guarantee payment for any and all maintenance and repairs required by the Town to the dedicated roadway and infrastructure for a period of one (1) year after said roadway is accepted by the Town; and

BE IT FURTHER RESOLVED, the Barbera Homes/Kelley Farms, LLC shall sign and deliver an indemnification agreement fully indemnifying and holding harmless the Town of Ballston for conditions and occurrences regarding the roadway and infrastructure to be dedicated; and

BE IT FURTHER RESOLVED, that upon the satisfaction of all the required conditions, the Town Board of the Town of Ballston agrees to **conditionally accept** the deed of dedication of the said roadway, to be known as “Paddock Place” and directs the Town Clerk to record the same in the Saratoga County Clerk’s Office.

BE IT FURTHER RESOLVED, that in accordance with New York State requirements, the total length of the road is approximately 1,700 feet. These roads shall be open to the public 24 hours a day and 7 days a week. After all conditions are met, the Town accepts full responsibility for these roadways.

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

RESOLUTION 22-235

APPROVE AN APPROPRIATION OF \$237,085 FROM THE TOWN’S AMERICAN RESCUE PLAN ACT FUNDS PURSUANT TO THE U.S. TREASURY DEPARTMENT’S FINAL RULES TO AUTHORIZE THE PURCHASE OF A WESTERN STAR 47X TRUCK AND RELATED ACCESSORIES FOR THE HIGHWAY DEPARTMENT. THE EQUIPMENT WILL BE USED TO SUPPORT EXISTING GOVERNMENT SERVICES SUCH AS ROAD BUILDING AND MAINTENANCE.

A motion was made by Councilman Fendrick and seconded by Councilman Carota.
Discussion: Councilman Fendrick stated that you need to invest in the Town; the equipment is needed and is a good investment. Highway Superintendent Joe Whalen stated that this truck purchase is in the 10-year plan. Once the chassis is ordered it will take 12 - 14 months; the

equipment will take 3 - 4 months. What used to take 8 months to receive a vehicle, now takes a year and a half.

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

RESOLUTION 22-236

APPROVE THE APPOINTMENTS OF MATTHEW KNISKERN AND STEVE HOPSICKER AS COMMITTEE MEMBERS FOR THE PARKS & REC COMMITTEE BEGINNING SEPTEMBER 13, 2022, AND ENDING DECEMBER 31, 2026.

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

Discussion: Councilman Fendrick stated that both new members will be a great addition to the Parks and Rec Committee.

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

RESOLUTION 22-237

APPROVE A SUPPLEMENTAL APPROPRIATION FOR THE 2022 FINAL CONSOLIDATED WATER TO INCREASE THE “BUDGET FUND BALANCE DRAW” REVENUE ACCOUNT AND THE “WATER TRANSMISSION & DISTRIBUTION CONTRACTUAL” EXPENSE ACCOUNT IN THE AMOUNT OF \$32,800 TO ACCEPT A PROPOSAL IN THE SAME AMOUNT FROM M.J. ENGINEERING DATED AUGUST 30, 2022, FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE WATER MAIN EXTENSION ON NYS ROUTE 67 SOUTH OF DOMINIC DRIVE. THE SOURCE OF THE FUNDS WILL BE CONSOLIDATED WATER FUND, FUND BALANCE.

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

Discussion: Water Superintendent Joe Whalen stated that there is almost \$680,000 in the Consolidated Water fund balance. The Office of the State Comptroller frowns on carrying such a high balance and should be utilized for projects like this. This allows the design work for a project to tighten up the water system and tie two dead ends together on the back feed along Route 67 and Route 50 without any interruption.

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

RESOLUTION 22-238

APPROVE THE TOWN BOARD AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR THE CONSTRUCTION OF A NEW HIGHWAY GARAGE AT THE SITE OF THE EXISTING GARAGE LOCATED AT 323 CHARLTON ROAD, INCLUDING ORIGINAL FURNISHINGS, EQUIPMENT, MACHINERY, APPARATUS, APPURTENANCES, AND OTHER INCIDENTAL IMPROVEMENTS AND EXPENSES IN CONNECTION THEREWITH, AT A MAXIMUM ESTIMATED COST OF \$3,357,000. THE PROJECT IS AN UNLISTED ACTION WHICH HAS BEEN DETERMINED, WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE IMPACTS UPON THE ENVIRONMENT IN ACCORDANCE WITH THE SEQRA COMPLIANCE DOCUMENTATION AND THEREFORE THE TOWN DECLARES A NEGATIVE DECLARATION UNDER SEQRA.

The following resolution was offered by Councilman Curtiss, who moved its adoption, seconded by Councilwoman Jasinski, to-wit:

RESOLUTION DATED SEPTEMBER 13, 2022.

A RESOLUTION OF THE TOWN OF BALLSTON, SARATOGA COUNTY, NEW YORK AS TO SEQRA DETERMINATION.

BE IT RESOLVED by the Town Board of the Town of Ballston, Saratoga County, as follows:

Section 1. It is hereby determined that the Board adopting this resolution has declared itself to be the lead agency under the State Environmental Quality Review Act (“SEQRA”) and the regulations promulgated thereunder for purposes of determining the environmental impact of the project described in Section 3 hereof.

Section 2. It is hereby determined that the project described in Section 3 hereof is an

Unlisted Action which it has been determined, will not result in any significant adverse impacts upon the environment in accordance with the attached SEQRA compliance documentation.

Section 3. The project which is the subject of this resolution are described as follows: Construction of a new highway garage at the site of the existing garage located at 323 Charlton Road, including original furnishings, equipment, machinery, apparatus, appurtenances, and other incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$3,357,000.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Councilman Curtiss	VOTING A y e
Councilman Carota	VOTING A y e
Councilman Fendrick	VOTING A y e
Councilwoman Jasinski	VOTING A y e
Supervisor Connolly	VOTING A y e

The resolution was thereupon declared duly adopted.

RESOLUTION 22-239

AUTHORIZE, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF BONDS NOT TO EXCEED \$3,357,000 TO PAY FOR THE COST OF CONSTRUCTION OF A NEW HIGHWAY GARAGE ADDITION FOR THE TOWN OF BALLSTON, SARATOGA COUNTY, NEW YORK, AT THE SITE OF THE EXISTING HIGHWAY GARAGE LOCATED AT 323 CHARLTON ROAD, BALLSTON SPA, NY AND AUTHORIZE THE SUPERVISOR TO EXECUTE THE DOCUMENTS.

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

Discussion: Comptroller David Urkevich stated that this prevents a highway tax and a depletion of fund balance. If we issue debt at a favorable rate today, we can enjoy the impacts of this over the next 15 years. We received final approval at 3.85% from Ballston Spa National Bank. The Federal Reserve meets next week to discuss increasing interest rates. The loan can be paid back early with no penalty. It is a 15-year bond. The Supervisor credited Jeanette Borthwick our former financial officer as she assisted the Town with the planning of this. Highway Superintendent Joe Whalen stated the process began in 2018; money left over in the Highway budget was put into a fund to pay for specific projects. There was a million dollars in the fund at that time. In 2018, the project was \$1.5 million, today it is \$3.6 million. He appreciates the Board being supportive with this project. It will be completed in fall of 2023.

BOND RESOLUTION DATED SEPTEMBER 13, 2022.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF NOT TO EXCEED \$3,357,000 BONDS OF THE TOWN OF BALLSTON, SARATOGA COUNTY, NEW YORK, TO PAY THE COST OF CONSTRUCTION OF A NEW HIGHWAY GARAGE ADDITION AT THE SITE OF THE EXISTING HIGHWAY GARAGE, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total**

voting strength of the Town Board of the Town of Ballston, Saratoga County, New York, as follows:

Section 1. The construction of a new highway garage addition at the site of the existing highway garage at 323 Charlton Road, in Ballston Spa, New York, in and for the Town of Ballston, Saratoga County, New York, including reconstruction of and construction of improvements to the existing highway garage, and original furnishings, equipment, machinery, apparatus, appurtenances, site improvements, and other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$3,357,000.

Section 2. It is hereby determined that the plan of financing of said specific object or purpose is by the issuance of not to exceed \$3,357,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years pursuant to subdivision 12(a) (1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form, and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Ballston, Saratoga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Councilman Carota	VOTING Aye
Councilman Curtiss	VOTING Aye
Councilman Fendrick	VOTING Aye
Councilwoman Jasinski	VOTING Aye
Supervisor Connolly	VOTING Aye

The resolution was thereupon declared duly adopted.

RESOLUTION 22-240

APPROVE A SUPPLEMENTAL APPROPRIATION FOR A FUND, B FUND, HIGHWAY, JENKINS PARK, CONSOLIDATED WATER, PARADOWSKI WATER, MORNINGDALE COURT WATER, BH-BL LIGHTING DISTRICT #1, BH-BL LIGHTING DISTRICT #2 AND STONEBRIDGE LIGHTING DISTRICT 2022 FINAL BUDGETS TO INCREASE THE "BUDGETED FUND BALANCE DRAW" REVENUE ACCOUNTS AND THE "AUDITOR - PROFESSIONAL SERVICES" EXPENSE ACCOUNT FOR \$6,500.00 FOR A FUND, \$500.00 FOR B FUND, \$9,000.00 FOR HIGHWAY, \$500.00 FOR JENKINS PARK, \$4,500.00 FOR CONSOLIDATED WATER, \$50.00 FOR PARADOWSKI WATER, \$15.00 FOR MORNINGDALE COURT WATER, \$50.00 FOR BH-BL LIGHTING DISTRICT #1, \$10.00 FOR BH-BL LIGHTING DISTRICT #2 AND \$50.00 FOR STONEBRIDGE LIGHTING DISTRICT #3 TO ADJUST FOR HIGHER THAN ANTICIPATED PROFESSIONAL AUDIT EXPENSES IN 2022. THE SOURCE OF FUNDING WILL BE EACH FUND'S RESPECTIVE FUND BALANCE.

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 22-241

APPROVE A SUPPLEMENTAL APPROPRIATION FOR A FUND'S 2022 FINAL BUDGET TO INCREASE THE "BUDGETED FUND BALANCE DRAW" REVENUE ACCOUNT AND THE "TAX COLLECTOR - PERSONAL SERVICES" EXPENSE ACCOUNT BY \$500.00 TO ADJUST FOR THE HIGHER THAN ANTICIPATED NEED FOR THE ASSISTANT TAX COLLECTOR, MARY ELLEN SWEETER. THE SOURCE OF FUNDING WILL BE A FUND, FUND BALANCE.

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

Discussion: Councilman Carota stated that it is important to have adequate staff to handle every job in Town.

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

Nays 0

Resolution 22-242

Consider approving the construction of a gravel trail from property the Town owns on Goode Street to the Anchor Diamond Park (ADP) which will provide access to the western/rear area of ADP and provide parking for three vehicles. This work will be completed by the Town's Highway

Department. This resolution also approves a supplemental appropriation to the 2022 Final budget to increase the “Expenses - Anchor Diamond Park” account by \$60,400. Funds for this project shall be appropriated from the Parkland Deposit Reserve.

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

Discussion: Councilwoman Jasinski asked if this was a road, trail, or driveway. Councilman Fendrick replied that it is a driveway, three parking spots and a trail. Councilwoman Jasinski stated that she looked up the deed when it was gifted to the Town for \$1. It states in the deed that this is for park purposes and connectivity, not necessarily a road. If the primary purpose of this is because of the labor of carrying materials from the main parking lot of Anchor Diamond Park, and the Committee needs access, why is the Town not putting in a gravel driveway to the park instead of a parking lot. She is in support of an access drive for park maintenance and emergency services. A parking lot is not visible or easily policed. She feels this is opening a can of worms and is not in favor. The Town does not need another expense for a parking lot for Anchor Diamond Park.

Councilman Curtiss is concerned with the proximity of the access road next to a private driveway. There will be confusion with the driveways next to each other. He also echoed Ms. Jasinski’s statement on the parking area. He sees negative things happening. He does not have a good feeling on the idea. Supervisor Connolly stated that a gate could be put up, so the only vehicles that have access to the rear of the park are the Parks & Rec Committee members and maintenance crew. A sign could be put up at the rear entrance stating the access is for walking only. Walkers can be encouraged to use the access and trail crews can have access. No negatives with parking and no policing because it’s gated. Councilman Carota stated the Veteran’s bike path is set up this way. There is a gate to prevent public vehicle access; only the maintenance crew has access to go down the path. Councilman Fendrick stated that all these items being brought up now are items that have been thought out thoroughly by the Parks & Rec Committee. Any of these items mentioned tonight can be added. If this project does not get approved, the opportunity for this to happen this year will be gone. If a gate and fencing is added the Town is promoting people to park on the resident’s driveway. The parking spaces are for people to have somewhere to park; without it, they will park on other people’s driveways or on the side of the road which is not safe. If the three spots don’t work out, a sign is put up stating “No parking”. Highway Superintendent Joe Whalen stated that the Town has no jurisdiction on Goode Street; it is a County road. The Board needs to decide to move this forward or not. Mr. Whalen asked if the County was approached for a curb cut? They were not; the driveway entrance would be 12 feet. Nothing can be done until the County approves the curb cut. It was asked if Saratoga PLAN weighed in as far as rear access. Councilman Fendrick stated that there were members from PLAN that attended their meetings, and nothing was said.

Supervisor Connolly stated that in his opinion there should be a gate and should be walkers only. He knows the Committee feels otherwise; however, the Board will be accountable for any issues. He does not want to inconvenience the neighbors if it becomes an issue. Councilman Fendrick stated that something can be done and should not hold us back. If you wait another year, it will cost 50% more. Councilman Carota stated that there should be a gate there regardless. In the winter, there will be no access. The Supervisor asked Mr. Whalen for his input. He sees all sides from everyone. It will cost more to do this project in the future. Councilman Fendrick stated that a lot of thought and planning went into this by the Committee. Supervisor Connolly is in favor because he has faith in Councilman Fendrick and the chairperson of the Parks & Rec Committee. Councilman Carota is leaning more in favor, using Town labor will save money. Het would like to see a gate installed especially when snow flies. It is a safety and liability issue. The entrance should be blocked off in the wintertime. The Supervisor echoed that thought. Town Attorney Deb Kaelin stated that the resolution language can be revised.

Councilwoman Jasinski made a motion to withdrawal the motions on the previously read resolution. Councilman Carota seconded the motion. All Board members agreed. An amended resolution was as follows:

RESOLUTION 22-242

APPROVE THE CONSTRUCTION OF A GRAVEL TRAIL FROM PROPERTY THE TOWN OWNS ON GOODE STREET TO THE ANCHOR DIAMOND PARK WHICH WILL PROVIDE ACCESS TO THE WESTERN/REAR AREA OF THE PARK AND PROVIDE PARKING FOR THREE VEHICLES. THIS WORK WILL BE COMPLETED BY THE TOWN’S HIGHWAY DEPARTMENT. THIS RESOLUTION ALSO APPROVES A SUPPLEMENTAL APPROPRIATION TO THE 2022 FINAL BUDGET TO INCREASE THE “EXPENSES - ANCHOR DIAMOND PARK” ACCOUNT BY \$60,400. FUNDS FOR THIS PROJECT SHALL BE APPROPRIATED FROM THE PARKLAND DEPOSIT RESERVE. THIS RESOLUTION IS CONTINGENT UPON THE INSTALLATION OF A GATE AND CURB CUT APPROVAL FROM SARATOGA COUNTY.

A motion was made by Councilwoman Jasinski and seconded by Councilman Fendrick.
Discussion: The gate expense will need to be an appropriation. This can be done at the October meeting.

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

RESOLUTION 22-243

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR WESTSIDE DRIVE, TAX MAP # 249.-1-34 IN THE BALLSTON LAKE SEWER DISTRICT FROM 1 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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 22-244

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR LAKE ROAD, TAX MAP # 239.-2-22 IN THE BALLSTON LAKE SEWER DISTRICT FROM 1 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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 22-245

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR LAKE ROAD, TAX MAP # 239.-2-64 IN THE BALLSTON LAKE SEWER DISTRICT FROM 1 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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

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

RESOLUTION 22-246

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR HICKORY GROVE LANE, TAX MAP # 249.10-2-2 IN THE BALLSTON LAKE SEWER DISTRICT FROM .5 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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 22-247

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR MCCORMICK'S LANE, TAX MAP # 249.10-1-8.1 IN THE BALLSTON LAKE SEWER DISTRICT FROM 1 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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 22-248

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR BALLSTON SHORE ROAD, TAX MAP # 239.-1-15 IN THE BALLSTON LAKE SEWER DISTRICT FROM 1 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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 22-249

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR LAKE ROAD, TAX MAP # 239.-1-3.12 IN THE BALLSTON LAKE SEWER DISTRICT FROM 1 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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 22-250

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR 13 LAKE SHORE ROAD, TAX MAP # 249.5-1-8.12 IN THE BALLSTON LAKE SEWER DISTRICT FROM .5 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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 22-251

APPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR 488 SCHAUBER ROAD, TAX MAP # 257.12-2-14 IN THE BALLSTON LAKE SEWER DISTRICT FROM 1 EDU TO 0 EDU'S. THIS RESOLUTION SHALL BE FILED WITH THE ASSESSOR'S OFFICE AND THE TOWN CLERK'S OFFICE.

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 22-252

DISAPPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR 299 LAKE ROAD, TAX MAP # 239.-2-4.136 IN THE BALLSTON LAKE SEWER DISTRICT.

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 22-253

DISAPPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR 28 LAKE ROAD, TAX MAP # 249.13-2-41 IN THE BALLSTON LAKE SEWER DISTRICT.

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 22-254

DISAPPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR 60 CONNOLLY ROAD, TAX MAP # 239.14-1-13 IN THE BALLSTON LAKE SEWER DISTRICT.

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 22-255

DISAPPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR 4 LAKE HILL ROAD, TAX MAP # 257.12-1-24 IN THE BALLSTON LAKE SEWER DISTRICT.

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 22-256

DISAPPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR 80 WESTSIDE DRIVE, TAX MAP # 257.8-2-13 IN THE BALLSTON LAKE SEWER DISTRICT.

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

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

Nays 0

RESOLUTION 22-257

DISAPPROVE THE APPLICATION TO REDUCE THE EDU ASSIGNMENT FOR WESTSIDE DRIVE, TAX MAP # 249.-1-33.1 IN THE BALLSTON LAKE SEWER DISTRICT.

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

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

Nays 0

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

A Town resident residing on 1152 State Route 50, Ballston Lake, made a statement regarding amended Resolution 22-242. She stated that as the Board moves forward to please consider that the three parking spots will be so far back that other vehicles entering will not know if there is a parking spot available. They won't be able to turn around on a 12 ft. driveway without going on the resident's driveway hitting the fence or backing all the way back out of the driveway.

A motion was made by Councilman Fendrick and seconded by Councilman Curtiss to move into executive session for a personnel matter 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 of the meeting. All Board members were in favor.

A motion was made by Councilman Carota and seconded by Councilman Fendrick to adjourn the meeting. All Board members were in favor. The meeting adjourned at 9:31 p.m.

Respectfully submitted,

Carol Gumienny
Town Clerk