

TOWN OF BROADALBIN

201 UNION MILLS RD
BROADALBIN, NY 12025
518-883-4657
REGULAR MONTHLY MEETING
July 12, 2022

TOWN OFFICIALS

Supervisor – Bruce VanGenderen
Deputy Supervisor – Doug Kissinger
Town Board Member – David Bardascini
Town Board Member – David Bogardus
Town Board Member – Junell Pasquarelli

Call to Order – Supervisor
Pledge of Allegiance
Roll Call – Town Clerk

PUBLIC SESSION

-Mike Rorick stated he believes public session shouldn't be limited to three minutes or to be held in the beginning of a meeting. He believes a session should be at the end of a meeting to address any issues brought up in tonight's meeting, stating the Board is representing the residents.

-Supervisor VanGenderen stated his office is always open for any inquiries. By having the public session in the beginning of a meeting he was trying to limit any rambling and to isolate any issues first hand. He believes this is a good point and has a list of items to go over with the Board Members. The rules of disclosure are a work in progress, however he agrees to be logical and fair and will discuss a possible second public session with the Board Members, for next meeting.

-Donna Lewis stated she researched the recent Law Governor Hochul placed about open government and a 24 hour notice to residents of all legislation, to be true.

-Supervisor VanGenderen stated we will apply as best we can, stating some business occurs during the current meeting. The Town Clerk can send info to our website prior to meetings.

-Mr. Graves, who conducts the Driver Ed Class in Broadalbin, stated he has been thinking of ways to get teens invested in the community. One way he was considering was to begin a project to add signs on the roads, such as a speed limit notifying a soon to be change of speed, prior to the speed limit signs, for people to prepare to slow down. He asked if the Board was interested in such a program, stating he will discuss with the students and get back to us at the August 9th, 2022 meeting. The Board Members welcome further discussion on this matter.

-Supervisor VanGenderen stated the **Youth Commission** members, Keith Buchanan, David Jankowski and Dr. Brooks, have requested to speak at this time due to other obligations this evening.

-David Jankowski stated at the last meeting there were questions he would like to address this evening. First the \$50,000 Grant balance has been addressed with the current State representative. The State Rep. claims she is optimistic that the Town will receive the balance, which can be added to the BOND payment. Mr. Jankowski also stated the 501C3 has two more steps to complete before the Youth Commission can move forward. First completed was the paperwork on establishing the BYC as a corporation. In regards to paying taxpayers back on the Town Park Construction BOND, Mr. Jankowski stated the prior Supervisor stated she understood and agreed to give the Youth Commission a couple years to “get their feet under them” before requesting reimbursement on the BOND. As of now, he stated, the BYC has a bookkeeper to keep records of all money spent and received to the Town Park. Mr. Jankowski stated he would like to see the Town Board allowing the BYC to fund the Park and give them a chance to get established, possibly looking at a thirty (30) year plan to repay the Construction BOND of the Town Park. He stated hopefully the \$50,000 balance of the Grant would be a good start and then to determine a reasonable amount to be paid yearly.

-Supervisor VanGenderen requested a copy of the Corporation Papers when available and thanked Mr. Jankowski for reporting on the progress made. Supervisor VanGenderen also stated he didn't want to have the Town carry a thirty (30) year debt by waiting to BOND for the construction of the Town Park, stating that would have put the Town in dire straights if we needed to BOND for anything else, such as highway equipment. He agrees to have our Town Attorney, Anthony Casale, research how a reimbursement payment plan can be set up with a possible lease agreement with the BYC, for the Town Park.

-Councilman Kissinger inquired as to if there would be a problem using the balance of the Grant money to pay down the BOND debt.?

-Dr. Brooks stated there was a \$1.3 million construction fee for the Town Park. \$500,000 was to be paid by a State Grant, with \$450,000 received thus far, with the Town Bonding the rest. Dr. Brooks stated therefore the State would not have a reason to not allow the balance of the Grant to be paid on the BOND, if received. Dr. Brooks stated he and Supervisor VanGenderen recently met to discuss how to access the \$50,000 balance of the State Grant stating with Supervisor VanGenderen's expertise in auditing and financial matters he believes there will be no problem.

-Keith Buchanan gave an update on the Town Park stating the Park will be closed for one day for fertilizing for weed control, date to be established. There will be a new baseball scoreboard

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going up and a 4' x 8' sign at the main entrance, which is being refurbished from the school, to be placed soon. Keith also asked the Board if it would be acceptable to remove the vinyl siding on one side of the concession stand to have a fundraiser of buying a brick for \$100 each, similar to the Johnstown YMCA. The side of the building would be off the pavilion window @ a 3' x 8' area near the ladies room. Also Keith stated the next Junk in the Trunk will be held July 30th. Keith stated 6 out of 12 of the security cameras are up and running with a two week recording capacity.

-Councilman Bogardus asked the BYC's financial update be e-mailed to the Town Clerk on a regular basis for Town Board Members to each get a copy. BYC agreed.

-Dr. Brooks stated in the fall he would like to see another event such as a Fall Festival held at the Town Park, since the Grand Opening held in May was a huge success.

DEPARTMENT REPORTS

Town Supervisor– Bruce VanGenderen –nothing at this time.

Assessor -Laurie Bollock supplied a written report which was read aloud by Councilwoman Pasquarelli stating the Assessor's Office is relatively quiet as always this time of year. There is an Assessor available every Wednesday evening 5-7pm. The Final Tax Roll has been printed and ready for public review in the office opposite the Town Clerk's Office during regular business hours. If any questions please contact Laurie.

Building and Grounds – Councilman Doug Kissinger stated he is researching the cost of a new mower for the Town Hall since the old mower is on its way out. He will report his findings at the August 9, 2022 meeting.

Code Enforcer - Tom DiCaprio – written report total permits issued 20 - \$1,226.80.

Dog Control Officer - Dale Potts not present

Highway Superintendent - Eric Alley questioned if the Board was ok with Mr. Graves's idea to approve more road signs. The Board will address at next month's meeting when more information comes available.

-Eric stated if the Board was ok with him supplying the BYC at the Town Park with small amounts of sand etc. The Board agreed this was ok.

-Councilman Bogardus requested the Highway Committee be included on the agenda each month. Attorney Casale stated it can be addressed in **OLD BUSINESS** each month.

-Eric stated paving should be completed by the end of July as long as the weather permits.

-Eric requested a budget transfer of \$40,000 from the DB 5130.2 (machinery account) to the DB 5110.4 (maintenance of streets account) to prepare roads for 2023 paving.

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It was advised by the Town Attorney to have a motion for a budget transfer this evening and prepare a resolution for next month's meeting on August 9, 2022.

On a motion made by Councilman Bogardus and seconded by Councilman Kissinger A motion to authorize a budget transfer by resolution at the August 9, 2022 meeting stated as; Transfer \$40,000 from DB 5130.2 (machinery account) to DB 5110.4 (maintenance of streets account).

No further discussion;

VOTE; VanGenderen - aye Kissinger - aye Bogardus - aye Bardascini -aye Pasquarelli -aye

Cont.

-The Highway Committee recently met to review how to use the \$402,000 ARPA Funds for repairs at the Highway Garage. It is in agreement that the priority is to make the building functional for now with a possible five (5) year plan to replace the 1960 Highway Garage by researching Grant possibilities.

-Councilman Bardascini inquired if Eric picked up the remnants from the beach privacy wall that was stored in Northville. Eric stated yes but had to make two trips and had to cut the material in half to fit it in the truck. Councilman Bardascini asked if any of it is useable to the Highway Dept., Eric stated no. Councilman Bardascini stated perhaps make a list to see if the BYC can use any of it at the Park.

Justice Court –Councilman Dave Bardascini read aloud the reports from May 2022 as follows; Total collected for the month of May \$6,673, (\$2,605 old fines) closed tickets 58, VTL 54, PL 1 Civil @ DEC 1
Total collected for the month of June \$5,504 (\$1,040 old fines) closed tickets 60 VTL 52, PL 1, Civil 3, VO 4.

Planning Board Chairman -Mike Crispin stated at the June 22, 2022 meeting they discussed a lot line adjustment and a minor subdivision, July 27, 2022 there will be a Public Hearing scheduled for a storage unit at 661 State Highway 29. All notifications have been sent out. Mike Crispin inquired as to if Mike Rorick can be reappointed as a Planning Board Member without compensation at this time. Mike Crispin stated he values Mike Rorick as a member. (Mike Rorick resigned April 11, 2022 due to retirement constrictions.)

-Supervisor VanGenderen stated he will add his reappointment to the August 9, 2022 agenda.

Town Attorney- Anthony Casale explained the procedure to place a moratorium on Solar Energy Facilities and Solar Farms as a three (3) step process; Introduction of said Moratorium, set a date for a Public Hearing, and a motion to Refer to the County Planning Board as per NYS General Municipal Law Section 239-M. Tonight we can move it for Introduction.

Town Clerk – Cheryl Briggs nothing at this time.

LEGISLATION

- Budget modification
- Introduction of Moratorium for Solar Energy and Farms

-Supervisor VanGenderen stated a budget modification is necessary to transfer funds for retention of a labor lawyer recently acquired.

On a motion made by Councilman Bogardus and seconded by Councilman Kissinger

RESOLUTION # 2022 – 73 A RESOLUTION AUTHORIZING A BUDGET MODIFICATION/TRANSFER OF FUNDS: CONTRACTUAL EXPENSE

WHEREAS, a budget modification of the 2022 fiscal year budget being necessary in connection with contractual expenses incurred as a result of the contractual retention of labor law representation for the Town of Broadalbin

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the following transfer of funds is hereby authorized:

Account Increase:	A1220.4	Contractual Expense:	\$10,000.00
Account Decrease:	A1990.4	Contingency:	\$10,000.00

No further discussion;

VOTE:

- Supervisor VanGenderen aye
- Councilman Bogardus aye
- Councilman Kissinger aye
- Councilman Bardascini no
- Councilwoman Pasquarelli aye

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Attorney Casale Introduced the Moratorium of Local Law No.1 of 2022 and asked for a motion to be made.

On a motion made by Supervisor VanGenderen and seconded by Councilwoman Pasquarelli A motion to Introduce a Local Law establishing a twelve month Moratorium on Applications, Approvals and/or Construction or Installation of Solar Energy Facilities and/or Solar Farms in the Town of Broadalbin, New York.

Discussion;

- Councilman Bogardus inquired as to if the Moratorium need be for twelve (12) months?
- Supervisor VanGenderen and Councilwoman Pasquarelli agreed to the twelve (12) months in order to review and do research of other townships in the area.
- Attorney Casale explained the duration of a Moratorium of one (1) year is not out of the question.
- Councilman Bardascini asked if we are locked into a specific timeframe.
- Attorney Casale stated usually Moratoriums are extended not shortened, stating the draft of this Moratorium will need to be in Final Form, prior to the Public Hearing.
- Supervisor VanGenderen stated his opinion is most solar farms are repulsive to the eye and our environment. He is not banning them but stated the residents of the Town should have input to construction of solar farms in the Town.
- Councilwoman Pasquarelli stated in many towns big farms are selling to solar farms which leaves home property values in question. There are a lot of pros and cons but she believes the residents should be able to state their feelings on this matter. Also stating, with meeting once a month a twelve (12) month Moratorium makes sense to her.
- Councilman Bogardus stated windmills may also fall under this Law and believes the Planning Board should be involved too. The Town Comprehensive Plan was last completed in 2007 and did not discuss this topic.

VOTE: VanGenderen –aye Kissinger –aye Bogardus-aye Bardascini –aye Pasquarelli-aye

On a motion made by Supervisor VanGenderen and seconded by Councilman Bardascini

A motion to set a Public Hearing on Local Law #2022-01 A Local Law Establishing a Twelve Month Moratorium on Applications, Approval and/or Construction or Installment of Solar Energy Facilities and /or Solar Farms for August 9, 2022 at 6:00 pm. at the Municipal Building.

No further discussion;

VOTE: VanGenderen-aye Kissinger-aye Bogardus-aye Bardascini –aye Pasquarelli-aye

Cont.

On a motion made by Councilman Kissinger and seconded by Supervisor VanGenderen A motion to Refer a Local Law Establishing a Twelve Month Moratorium on Applications, Approval and/or Construction or Installment of Solar Energy Facilities and/or Solar Farms to the Fulton County Planning Board Department as per NYS General Municipal Law Section 239-M.

No further discussion:

VOTE: VanGenderen-aye Kissinger-aye Bogardus-aye Bardascini-aye Pasquarelli-aye

OLD BUSINESS

-Councilman Kissinger inquired if there had been any information on the change of the speed limit on Midline Rd. Stating all town roads should be 45 mph in his opinion.

-Councilwoman Pasquarelli stated signs don't make much of a difference, people speed.

-Attorney Casale stated he will review how to proceed for next month's meeting.

-Acceptance of Minutes from previous meeting.

On a motion made by Councilman Bardascini and seconded by Supervisor VanGenderen

RESOLUTION #2022-74 APPROVAL OF SUBMITTED MINUTES FORM PREVIOUS MEETING

BE IT RESOLVED THAT the Town of Broadalbin Town Board approved the submitted minutes from the previous meeting June 14, 2022 as submitted.

No further discussion;

VOTE: VanGenderen-aye Kissinger-aye Bogardus-aye Bardascini -aye Pasquarelli-aye

NEW BUSINESS

Approval to pay vouchers (claim)

Prepaid	\$ 83,171.46
General	12,181.14
Highway	63,092.22
Total	158,444.82

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini

RESOLUTION #2022-75 APPROVAL TO PAY VOUCHERS (CLAIMS)

BE IT RESOLVED that the Town of Broadalbin Town Board authorizes the payment of the vouchers in the amount of \$158,444.82.

No further discussion;

VOTE: VanGenderen-aye Kissinger-aye Bogardus-aye Bardascini-aye Pasquarelli-aye

ADJOURNMENT 7:42 P.M.

On a motion made by Councilman Kissinger and seconded by Councilwoman Pasquarelli
The July 12, 2022 Town of Broadalbin Town Board meeting was adjourned.

Respectfully Submitted

Cheryl Briggs