

TOWN OF BROADALBIN  
2021 REGULAR MONTHLY MEETING  
MAY 11, 2021

The Regular Monthly Meeting of the Town of Broadalbin Town Board for the month of May was held at 6:30 pm on Tuesday, May 11, 2021 at the Municipal Complex, 201 Union Mills Rd.

Sheila Perry, Town Supervisor, presided

Call to Order

The meeting was called to order at 6:30 pm.

Pledge of Allegiance to the American Flag

The pledge was said in unison.

Roll Call

Supervisor Sheila Perry – present  
Councilman Dave Bardascini – present  
Councilman Doug Kissinger – present  
Councilman Dave Bogardus – present  
Councilwoman Junell Pasquarelli -present

Present

Assessor Laurie Bollock  
BYC Keith Buchanan  
Highway Superintendent Eric Alley  
Planning Board/Dog Control Officer Dale Potts  
Planning Board Chair Mike Crispin  
Planning Board Member Mike Rorick

Paving Bids were opened by the Town Clerk at this time.

	Contractor	Total Bid Price	Price Per Ton	Tonnage
1.	Empire Paving	\$234,656.00	\$51/per ton	4,476 tons
2.	Callanan	\$248,495.00	\$56.15 per ton	4,245 tons
3.	Luizzi Brothers	\$361,135.00	\$86/per ton	4,025 tons

\*At this time, the Highway Superintendent and Highway liaisons vacated the room to review the bids.

Basement storage bids were opened by the Town Clerk.

1.	Sienna Fencing	\$7,970.00	(Budget of \$10,000)
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On a motion made by Councilman Kissinger and seconded by Councilman Bardascini  
RESOLUTION # 2021 – 80 A RESOLUTION APPROVING TO AWARD BASEMENT  
STORAGE BID TO SIENA FENCE CO. INC., FOR THE AMOUNT OF \$7,970.00 TO  
FURNISH AND INSTALL THREE SECURE STORAGE UNITS WITH CHAIN LINK  
FENCING, PIPE, LINKING/ATTACHING HARDWARE AND INSTALL THREE LOCKABEL  
CHAIN LINKED MATERIAL GATES @ 14' WIDE X 13'8" DEEP X 6' IN HEIGHT.  
PROJECT TO BE COMPLETED PRIOR TO SEPTEMBER 30, 2021.

No further discussion.

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

#### Public Speaker

-Marianne Milton, representing the Wilkinson's Memorial Book Station,  
spoke requesting financial help from the Town. The American Legion,  
who owns the property that the Library is housed, has requested they  
vacate the building by December 31, 2021.

-Lawyer, Joe Wilkinson, dedicated the Library in 1980 and passed in  
1991. In 1999 the building was sold to the American Legion where the  
Library has remained free of rent until the end of this year, where  
they must find a new location.

-Marianne Milton stated she would like the Town to establish a public  
library by raising taxes, if need be, or to provide a building to  
house the Library. She thanked the Town for the \$2,000 in support they  
received from the Town each year but stated it is just not enough to  
sustain the Library now that they need to find a new home, requesting  
at least \$100,000. Marianne also stated she sees no reason why the  
Town can't give \$20,000 to \$30,000 a year to maintain a Town Library,  
after spending so much on the Town Park.

-Marianne stated there is a computer for the public to use at the  
Library, it serves @1200 people a year with book sales and knitting  
groups prior to COVID.

-The American Legion offered 57 North St. next to the Methodist Church  
but that was declined by the Board of the Library. Also declined by  
the Board of the Library was a house at 141 Midline Rd. offered by  
Councilman Kissinger.

-Supervisor Perry stated we serve the taxpayers of this Town and any  
such tax increase of this magnitude should be placed on a referendum  
on the ballot of the General Election in November, to see how the  
public responds.

-Other suggestions were to contact the County to see if any housing is available through perhaps foreclosures or financial assistance. Supervisor Perry also inquired if the old Post Office Building is available or any stores on Main St. Marianne will investigate those suggestions and will continue working towards establishing the Library as a Public Library, instead of staying as a 501C3 non-for-profit, for further financial assistance from the State.

-Supervisor Perry thanked Marianne for presenting this evening stating we will wait to hear from her again on how to proceed whether she finds a place or to place a referendum on the November ballot.

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-Paving Bid Results

-Highway Superintendent Eric Alley, Highway liaisons Councilman Kissinger and Councilman Bogardus agreed to award the paving bid for roads Hoesville, Vunk, Vunk Ext., Diamond Point, Hart and Broski to Empire Paving for \$234,656.00

On a motion made by Councilman Kissinger and seconded by Councilman Bogardus  
RESOLUTION # 2021- 81 APPROVAL OF EMPIRE PAVING AS LOWEST RESPONSILBLE  
BIDDER FOR PAVING OF CERTAIN ROADS IN THE TOWN OF BROADALBIN FOR THE  
YEAR 2021 ALSO APPROVING THE TOWN CLERK TO NOTIFY BIDDERS AND  
RELEASING BID RESULTS

WHEREAS, requests for the proposals for the paving of certain roads in the Town of Broadalbin were advertised by public notice, and the opening thereof also duly noted; and

WHEREAS, three bidders responded with sealed bids to the Office of the Town Clerk before the deadline given, and those bids have now been opened before the public and read aloud; be it

RESOLVED, that the Town of Broadalbin Town Board accepts Empire Paving as lowest responsible bidder of \$234,656.00 to pave part of Hoesville Rd., Vunk Rd., Vunk Rd. Ext., Diamond Point Rd., Hart Rd., and Broski Rd.

No further discussion.

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

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Acceptance of Minutes from Previous Meeting

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger  
RESOLUTION # 2021 – 82 APPROVAL OF SUBMITTED MINUTES FROM REGULAR  
MONTHLY MEETING APRIL 13, 2021  
BE IT RESOLVED that the Town of Broadalbin Town Board approved the  
submitted minutes from April 13, 2021.

No further discussion.

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

Communications

Town Clerk

- Suzan Sussman will be starting to work in the office of the Town Clerk Monday, May 17, 2021 one day a week.
- Dave Eglin proprietor of Cowboy Up Restaurant and Saloon extended his liquor license request to include seasonal beer and cider.

On a motion made by Supervisor Perry and seconded by Councilman Kissinger  
Appointing Suzan Sussman as Deputy Town Clerk at a set rate of \$12.50  
per hour for the year 2021 and the Board having approved compensation  
for this department in the amount of \$4,450.00 in the 2021 budget line  
item A1410.11, with term to run concurrent with the term of the Town  
Clerk and expire on December 31, 2021.

No further discussion.

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

Bookkeeper

- Financial report provided by Theresa Butkevitch for the month of April 2021.

## Supervisor

-Supervisor Perry stated a letter was received by Mark Bohne stating his displeasure by the Town Officials not to open the Beach for the 2021 season.

-Supervisor Perry read aloud a letter in response to his inquiry written by the Town Clerk.

On April 16, 2021 Town Supervisor Perry had a telephone conference with Donald Boyajian, Attorney for the DEC. They will be speaking again soon. Since negotiations are pending, both sides are presently unable to share specifics. One thing Supervisor Perry will let you know is that she has asked that the User Agreement to operate in the next two years, be left in place. If we can be of any further help, please feel free to contact our office at the above number.

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## Supervisor Communications cont.

-Supervisor Perry stated the DEC is planning major changes up at the boat launch which would alleviate the parking situation on Lakeview Rd.

-The Board Members have a copy of the Highway Employees Teamsters Contract to review, which comes due in the beginning of 2022. Negotiations are not taking place as of yet.

## County News

-COVID update is as follows: As of May 10, 2021 there have been 4,239 positive cases in Fulton County, 57 active cases, 4,082 recovered, 9 currently hospitalized, 100 deaths to date, 101,351 people tested, resulting in a daily average at this time of @2%.

-In a month from now vaccinations will no longer be given in pods, they will be made available in pharmacies or private health providers. The County is trying to get mobile units to administer vaccinations at the schools with the Pfizer vaccine which requires Super-cold freezers, which will need to be attained.

-Supervisor Perry stated the Fulton County Solid Hazardous Waste drop off day will be held on August 7, 2021 from 7am to noon at Mud Rd. Also there will be latex paint exchange every Saturday morning June 5 through August 28, 7:30 am – 11:30 am at Mud Rd.

-Supervisor Perry explained the current overview of the Marijuana Regulation and Taxation Act.

On March 29, 2021 legislative leaders and Gov. Cuomo announced and printed a final three-way deal to legalize adult use cannabis and create a consolidated Office of Cannabis management (OCM) within the State Liquor Authority. Which means towns will be looking at approving operations within their towns in the near future.

-Sheriff Giardino sought permission to contract with the Town of Perth and the Perth Town Court for the services of a Deputy Sheriff during court proceedings. Sheriff Giardino stated that they currently contract with the Town of Johnstown to provide the same type of security during court proceedings. He stated it could be a part-time deputy or a deputy that wants additional overtime, estimating the cost to the Town @\$4,000.00 per year, to be paid on a quarterly basis.

-Councilman Bardascini stated he would like to investigate further before a decision can be made.

-Supervisor Perry read a letter from the Planning Board recommending that the Town Board consider appointing Michael DePaula of 131 Betor Rd. to the vacant seat on the Planning Board. Mr. DePaula has attended several meetings of the Planning Board in the past and they feel as though he would be a great asset to the Board. He has owned property in Broadalbin for 40 years and in business for himself for that long. He also has experience in the building field, built 2 homes for himself and family and is currently the President of the Betor Rd. Group, developed for the purpose of paving and preserving the road.

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger The Town of Broadalbin Town Board has hereby approved the appointment of Michael DePaula as a Planning Board Member effective immediately compensation rate of \$150 paid quarterly on payroll.

Discussion- Councilman Bogardus stated he believes there should be an alternate too.

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

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## Department Reports

### Assessing

-Laurie Bollock stated due to COVID there are some changes this year to Grievance Day. It will be held on Tuesday, May 25, 2021 from the hours of 3:00 pm to 8:00 pm with social distancing and a mask be worn at all times. Appointments will be scheduled 15 minutes apart. When you call for an appointment please speak slowly and clearly, leaving your name, address and phone number and the time you would like your appointment scheduled. We will return your message to confirm or change your time. Also, the Tentative Assessment Roll has been signed on May 1, 2021 and is ready for public viewing. The Assessment Roll is on the County Website and in the small office at the Town Hall by the front door for review.

### Building and Grounds

-Councilman Kissinger stated we will advertise to rebid the salt shed repairs with the bids to be due back on June 8, 2021 by noon of that day.

Code Enforcer– not present

Dog Control Officer

-Dale Potts stated he has passed the recent inspection from NYS Ag & markets. There were 8 dog calls, 3 bites, 2 at large, 1 barking dog, 1 family of woodchucks under someone's porch, and a call about chickens in their yard.

Highway

-Eric Alley stated he will have to update the 284 form since good news from the Governor who has restored the Winter Recovery Fund and the Pave NY Fund. The money for the Town of Broadalbin paving for 2021 is \$350,842.52, which will be amended and sent with the original signed 284 form.

On a motion made by Councilman Kissinger and seconded by Councilman Bogardus  
RESOLUTION # 2021 – 83 A RESOLUTION TO ADOPT THE AMENDED 284 FORM PURSUANT TO THE PROVISIONS OF SECTION 284 OF THE HIGHWAY LAW, WE AGREE THAT MONEYS LEVIED AND COLLECTED FOR THE REPAIR AND IMPROVEMENT OF HIGHWAYS AND RECEIVED FROM THE STATE SHALL BE EXPENDED IN THE AMOUNT OF \$350,842.52 DUE TO RESTORATION OF FUNDS BY THE LEGISLATURE WITH APPROVAL OF ALL BOARD MEMBERS SIGNATURES AS OF MAY 11, 2021.

No further discussion.

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

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Justice Court

-Councilman Bardascini read the April 2021 Court Report provided by the Court Clerks Jennifer Gilston and Janey Dygert as follows:

Fines Collected Judge Gilston	\$2340.00
Judge Jennings	\$5534.00
Total	\$7874.00
Old Cases Judge Gilston	\$2080.00

Judge Jennings \$2693.00  
Total \$4773.00

Total Cases 140

Eviction Moratorium extended through August 31, 2021. The "Nuisance Exception" remains and proceedings qualifying are not subject to the stay provision.

(Closed tickets 62, VTL 52, PL 7, Civil 0, VO 1, DEC 2.)

Councilman Bardascini stated the Court Clerks work extremely hard maintaining the office and collecting fines of old cases.

#### Planning Board

- Chairman Mike Crispin stated at their April 28, 2021 Planning Board Meeting the Board recommended Mike DePaula as a new member.
  - The Planning Board gave a conditional approval of the Ballou Whiskey Distillery on the corner of Saratoga Ave. and Route 29 pending a NYS DOT Access Entryway from Route 29. SEQR completed with no environmental impact.
  - A lot line adjustment is being considered on County Highway 110, just waiting on paperwork to be completed by the resident.
  - A site plan review is being considered for an RV Park in the back of Mike Bogden's property at 626 Union Mills Rd. consisting of 26 spots on 100 acres far back from the road with APA involvement.
- Town Attorney – Carm Greco not present

#### Town Park/BYC

- Keith Buchanan stated on May 1, 2021 the Town Park had a soft opening with all the fields being used along with the public walking around and playing on the basketball courts. The Grand Opening will be closer to the first weekend in October of 2021.
- Collins Turf will be fertilizing next week for the first time this season.
- Fundraisers coming up are the Junk in the Trunk with a Brooks BBQ in July along with the Home Show/Craft Fair and Brooks BBQ scheduled possibly for November 2021.

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Cont.

- Keith inquired if they can use the metal garbage cans once used at the beach. The Board stated as long as they can be secured in some way so can't be stolen the Park may borrow them.
- Supervisor Perry will contact our NYMIR Risk Management



Representative to inquire about any further signage needed near the entrance of the Town Park.

-Keith stated there will be three dog stations along with two (2) small tool sheds for easier access. Donation from Home Depot for the sheds will be investigated.

-The final Occupancy and Maintenance Agreement with the School and BYC has been signed.

-Also discussed was the possible need for signage stating this is a “gun free zone” for the Park, which will be investigated.

#### New Business

-Councilman Bardascini questioned Judge Jennings’ mileage voucher of charging the Town to come from his home to work. Supervisor Perry will contact him by letter to see if it is for deposits made to his bank.

#### Approval to Pay Vouchers (claims)

Pre-paid	\$17,862.26
General	11,933.65
Highway	4,774.10
Water District	3,155.58
Total	\$37,725.59

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger  
RESOLUTION # 2021 – 84 APPROVAL OF SUBMITTED VOUCHERS (CLAIMS)

BE IT RESOLVED that the Town of Broadalbin Town Board approved the submitted vouchers (claims) for the month of April 2021.

No further discussion.

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

#### Old Business

-Councilman Bardascini stated in his review of Town Cemeteries that would come under our responsibility if they were abandoned, would be the Union Mills Cemetery and the Broadalbin-Mayfield Rural Cemetery. St. Basil’s is a Catholic Denomination which wouldn’t be our responsibility. Perhaps the Boy Scouts could be notified for clean up once a year.

#### Public Comment

-Dale Potts questioned who keeps up with bonding renewals with solar farms in our Town?

Which will be investigated and reported at next meeting.

Cont.

-Supervisor Perry stated she has been informed by the Village Mayor Cornell that our Village/Town Historian has recently moved to Gloversville. Since there is a residency requirement for being the Historian, Attorney Greco stated to request a letter of resignation from Steve Oare and will need to advertise the position.

-Councilwoman Pasquarelli requested an Executive Session along with Assessor Laurie Bollock to discuss ongoing litigation.

Entered an Executive Session 8:12 pm

On a motion made by Councilwoman Pasquarelli and seconded by Councilman Bardascini

The Town of Broadalbin Town Board entered an Executive Session to discuss ongoing litigation.

No further discussion.

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

Exited an Executive Session 8:21 pm

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

The Town of Broadalbin Town Board exited an Executive Session with the action to be taken, contacting the Town Attorney, Carm Greco, with direction to move forward.

No further discussion.

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

Adjournment 8:22 PM

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini the May 11, 2021 Regular Town Board Meeting was adjourned.

No further discussion.

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

Respectfully Submitted by

Cheryl Briggs  
Town Clerk