

# **Town of Broadalbin**

## **2022 REGULAR MONTHLY Meeting**

### **May 10, 2022**

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 10, 2022 at the Municipal Complex, 201 Union Mills Rd, Broadalbin, NY

**Town Supervisor Bruce VanGenderen** 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**

Councilman Dave Bogardus-present  
Councilwoman Junell Pasquarelli-present  
Supervisor Bruce VanGenderen -present  
Councilman Dave Bardascini-present  
Councilman Doug Kissinger-present

#### **Present**

Planning Board Chairman Mike Crispin  
Dog Control/Planning Board Member Dale Potts  
Highway Super Eric Alley  
Town Attorney Anthony Casale

\*At this time a moment of silence was held for the recent passing of previous Town Supervisor, George Walters, as presented by Councilman Bardascini.

\*6:40pm Direct Drilling Bids were opened results as follows:

Wm. Keller Co.	\$39,000
JAT Construction	\$39,920
Bellamy Construction	\$29,660

-Eric Alley explained the Direct Drilling will be used to replace 2 culverts on Bogden Rd. prior to paving and is needed because the culverts are @ 30 deep.

-Supervisor VanGenderen inquired as to if the company awarded the bid will need a Performance Bond? Stating he would like to see one in place for future projects.

-Attorney Casale stated he will look into that possibility and we can request a performance bond in the future.

\*Bid opening for Paving Bogden Rd., Kunz Rd., Old State (east and west of CH 138), the end of Coachman Dr., and Little Rock Lane with the results as follows:

Callanan	\$555,764	\$110.22/ton
Empire	408,225	84.15/ton

Discussion continued stating the Directional Drilling fee will also be coming out of the CHIPS money allowed for paving.

\*At this time Highway Superintendent Eric Alley and Highway Liaisons Councilman Kissinger and Councilman Bogardus left the room to discuss the paving bids.

**-Acceptance of Minutes from Previous Meeting April 12, 2022**

On a motion made by Councilman Bardascini and a second by Councilwoman Pasquarelli  
**RESOLUTION #2022- 63 APPROVAL OF SUBMITTED MINUTES FROM PREVIOUS MEETING**

BE IT RESOLVED THAT the Town of Broadalbin Town Board approved the submitted minutes from the previous meeting of April 12, 2022 as submitted.

Note: (Kissinger and Bogardus were not present at the April 12 meeting)

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

**Communications**

**Town Clerk** –nothing at this time.

**Supervisor**-Supervisor VanGenderen approved the format of a resolution supplied by Attorney Casale for this evenings’ budget modification resolution for Buildings and Grounds end of the year 2021, needed to complete the AUD.

Town of Broadalbin  
Resolution # 2022-64

BY: Supervisor VanGenderen

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

**A RESOLUTION AUTHORIZING BUDGET MODIFICATION/TRANSFER OF FUNDS: BUILDINGS AND GROUNDS**

**WHEREAS**, a budget modification of the 2021 fiscal year budget being necessary to make payment for repairs made to the Salt Shed in the amount of \$17,432 and for a chain link fence acquisition in the amount of \$7,970.

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

Account Increase	A1620.4 Building and Grounds	\$18,229.22
Account Decrease	A1990.4	
Contingency	18,229.22	

VOTE: VanGenderen-aye Pasquarelli-aye Bardascini-aye Kissinger & Bogardus-absent from room

-Supervisor VanGenderen stated each Board Member received from him a list of items that are in the basement used for the beach in prior years. Since we are not opening the beach this year, as voted on at the April 12, 2022 meeting, Councilman Bardascini inquired as to if the items can be donated to the Town of Mayfield to use.

-Councilwoman Pasquarelli stated she believes we should see if the Town Highway can use anything before we donate to another municipality.

-Attorney Casale stated first we would need to have the items declared as “surplus property”, repurpose in our Town, check with the Youth Commission, then donate to the Town of Mayfield if so desired. Step one would be to ascertain what is of use on the list.

-Supervisor VanGenderen will check with the Youth Commission to see if they can use any of the items and will notify the Board Members at the June 14, 2022 meeting.

**Town Board**-nothing at this time.

### **Bookkeeper**

-Theresa Butkevitch –provided the Board with the month of April 2022 financials.

### **Department Reports**

#### **Assessing Department**

-Laurie Bollock – provided a written report read aloud by Councilwoman Pasquarelli stating; The Tentative Assessment Roll has been printed and is in the office opposite the Town Clerk’s Office for public viewing. Grievance Day is Tuesday, May 24, 2022 4pm – 8pm by appointment only. Appointments will be scheduled 15 min apart. Any questions please give her office a call.

#### **Buildings and Grounds**

Doug Kissinger nothing at this time, however the new toilet for the ladies’ room handicap stall has been installed.

#### **Code Enforcer**

Tom DiCaprio (not present) written report provided for April 2022.

#### **Dog Control Officer**

-Dale Potts stated no dogs taken to the shelter this past month, 1 dog bite, 6 dogs barking and running at large calls.

#### **Highway**

Eric Alley, Highway Superintendent nothing at this time, still looking over bids.

#### **Justice Court**

-Councilman Bardascini, Court Liaison, stated April fines totaled \$5,248 included old fines \$1,474. Total cases 61, closed tickets 63, VLT 46, PL 8, Civil 2, VO 6, DEC 1.

**Planning Board**

- Mike Crispin, Planning Board Chairman, stated at the last meeting they discussed Rolling Ridge Maps that are now in the hands of Saratoga County for review.
- Mike also stated they would like the Town Board to place a moratorium on the construction of Solar Farms in the Town so they can review/draft laws to modify projects. In place now is a Site Plan Review Law.
- Councilwoman Pasquarelli stated she believes that a piece of Land on Honeywell Corners Rd. has already begun with logging and surveying. She stated she mentioned this two years ago requesting laws to be put in place for Solar Farms.
- Mike stated he has been in contact with the potential land buyers of that piece but hasn't seen anything in writing as of yet.
- Supervisor VanGenderen inquired to if the Solar Farm on Route 29 is supposed to have shrubbery around it.
- Mike stated yes to prevent possible glare while driving by.
- Attorney Casale will provide information on correct moratorium language for the June 14, 2022 meeting, stating the Pilot Program is different.
- Mike Crispin will provide the Board Members information on our Site Plan Review Laws for the June 14, 2022 meeting which includes land use for roads, and cell towers.
- Councilman Bardascini inquired as to if anyone has checked on if the Solar Farm Co.'s Bonding has been kept up, as asked at a previous meeting?
- Councilwoman Pasquarelli stated the Town of Glen and the Town of Florida have many solar farms, stating she will contact those towns and research their laws.

**Town Attorney** –Attorney Casale stated that he will be looking into performance bonds for bids and moratorium/Real Property Law to discuss at next months' meeting.

- Attorney Casale stated since the Town Board voted not to open the beach this season the DEC Attorney sent him notification that they have terminated the User Agreement for the beach with the Town. They also sent a request that the Town remove the metal privacy walls that were around the bathrooms that is being stored in Northville by June 9, 2022.
- Supervisor VanGenderen asked Eric if he could get those prior to that date. Eric stated he would like to see what it is before he commits to anything. He will get it but may not be able to by that date.
- Attorney Casale explained the procedure to donate/use the beach items in the basement, since the other Council Members are back in the room at this time from discussing bids. Then he will need direction from the Board how to proceed for next meeting.
- Supervisor VanGenderen stated the cost of patrolling the beach required by DEC is just too much for the Town, as discussed at the April 12, 2022 meeting.

**Youth Commission**- no representation this evening Councilman Bardascini inquired as to if Supervisor VanGenderen could invite BYC Board Members to come to the next Town Meeting.

- Councilwoman Pasquarelli stated our members could attend their meetings the second Saturday of every month, 8am.

**TOWN OF BROADALBIN  
MEETING**

**MAY 10, 2022**

**REGULAR**

**Highway Bid Discussion**

-Due to the high cost of asphalt this year it was determined to only pave the following roads;

Lowest Responsible Bidder was Empire Paving.

Bogden Rd.	(1.67 miles x 21' wide)	\$188,180 +\$29,660
Bellamy Drilling		
Old State Rd. East of CH 138	(.54 miles x 21' Wide)	50,090
Old State Rd. West of CH 138	(.16 miles x 21' wide)	15,190
Royal Coachman Dr.	**Callanan along with Perth	15,000

**\*Due to the high cost of asphalt/fuel this year, Kunz Rd. and Little Rock Lane will not be paved.**

-Eric also stated he would like to stripe Midline Rd. this year at an additional \$3,000 bringing the totals up to \$301,120, including CHIPS money \$292,000 and a budget modification of @ \$9,000.

-Eric stating this line item will also be used for fuel, etc. Eric explained the summer fuel used will be less than the winter amount needed due to not plowing.

-After much discussion, Supervisor VanGenderen explained there is plenty in the Town for a budget modification, if needed. Stating sales tax will also be available.

-Further discussion was possibility of using money from the beach budget line since we won't be using that.

-Supervisor VanGenderen explained that there are reserves in place to cover paving and that the BONDS in place now will be paid off prior to the purchase of the new truck ordered.

-Eric stated during budget meetings in 2021 the Board divided \$170,000 for roadwork as \$100,000 for paving and \$70,000 for equipment. Therefore he believes is an additional \$70,000 if needed.

On a motion made by Councilman Bogardus and seconded by Councilman Kissinger  
**A MOTION TO APPROVE OF \$301,120 TO BE USED FOR PAVING CERTAIN ROADS IN THE TOWN OF BROADALBIN LISTED AS BOGDEN RD., OLD STATE RD. (EAST AND WEST OF COUNTY HIGHWAY 138) AND PART OF COACHMAN DR. IN CONJUNCTION WITH THE TOWN OF PERTH FOR THE YEAR 2022.**

Discussion: Due to costs this year Kunz Rd. and Little Rock lane will not be paved at this time.

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

Paving Bid Results

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

**RESOLUTION # 2022- 65 APPROVAL OF EMPIRE PAVING AS LOWEST RESPONSIBLE BIDDER FOR PAVING OF CERTAIN ROADS IN THE TOWN OF BROADALBIN FOR THE YEAR 2022 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**, two 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 to pave Bogden Rd., and Old State Rd. ( East and West of County Highway 138).

No further Discussion.

VOTE:

Supervisor Bruce VanGenderen	aye
Councilman Doug Kissinger	aye
Councilman Dave Bardascini	aye
Councilman Dave Bogardus	aye
Councilwoman Junell Pasquarelli	aye

Directional Drilling Bid Results

On a motion made by Supervisor VanGenderen and seconded by Councilwoman Pasquarelli  
**RESOLUTION # 2022-66 APPROVAL OF BELLAMY CONSTRUCTION AS LOWEST RESPONSIBLE BIDDER FOR DIRECTIONAL DRILLING IN TWO LOCATIONS IN THE TOWN OF BROADALBIN ON BOGDEN RD. FURNISHING ALL MATERIAL, EQUIPMENT AND LABOR TO DRILL AND LINE TWO CULVERT PIPES ADJACENT TO EXISTING CULVERT PIPES AND TO FILL EXISTING CULVERT PIPES WITH A SUITABLE NON SHRINK GROUT FOR \$29,660.**

**WHEREAS**, requests for proposals for Directional Drilling were advertised by public notice, and the opening of 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 Bellamy Construction as lowest responsible bidder to complete Directional Drilling in the Town of Broadalbin on Bogden Rd.

No further Discussion;

VOTE:

Supervisor Bruce VanGenderen	aye
Councilman Doug Kissinger	aye
Councilman Dave Bardascini	aye
Councilman Dave Bogardus	aye
Councilwoman Junell Pasquarelli	aye

Cont.

-Eric stated his 284 Form needs to be filled out and signed by all Board Members in order for paving to commence.

On a motion made by Supervisor VanGenderen and seconded by Councilman Kissinger To adopt the amended 284 Form pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied from the collection for the repair and improvement of highways and received from the State shall be expended in the amount of \$301,120 due to restoration of funds by the Legislature with approval of all Board Members signatures as of May 10, 2022.

No further discussion;

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

-Eric also inquired as to if the mowing will remain the same as last year with Rob Lindsay as mower for \$17/per hr. It is so stated as such in the Organizational Meeting.

-This Friday morning there will be a meeting with grant writer, Nick Zabowski, from the City of Gloversville, Supervisor VanGenderen and Councilman Bogardus to inquire about possible grants for the highway dept.

- Eric also inquired as to if Attorney Casale had a chance to review a Spoils Resolution that had been discussed at the last meeting.

-Attorney Casale stated he has a call into the state for a correct definition of “spoils” and will hopefully have an answer for the June 14, 2022 meeting.

#### **Old Business -**

The ARPA fund committee was discussed on possible repairs to the Highway Garage. They recently met in the Town of Perth to see their garage to check specs on their building.

-Councilman Bogardus stated he believes it would be beneficial to have our Town Garage area surveyed before proceeding with any improvements to be safe.

-Supervisor VanGenderen stated please give us a couple name of surveyors and write a proposal to continue.

Acceptance of March 8, 2022 minutes.

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

#### **RESOLUTION # 2022-67 APPROVAL OF SUBMITTED MINUTES FROM PREVIOUS MEETING**

BE IT RESOLVED THAT THE Town of Broadalbin Town Board approved the March 8, 2022 Minutes as submitted. No further discussion;

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



**New Business** - approval to pay vouchers.

Pre paid	\$55,629.92
General	13,846.64
Highway	8,670.56
Total	\$78,147.12

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

**RESOLUTION #2022-68 APPROVAL OF SUBMITTED VOUCHERS**

BE IT RESOLVED that the Town of Broadalbin Town Board approved the submitted vouchers for the month of April 2022.

No further discussion.

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

**Public Comment**

-Mike Crispin commented on the passing of George Walters stating he was involved with the boat launch and putting aside funds for the new Town Hall.

-Donna Lewis stated she would like to know if the Solar Farms do have complete Bonding. As a tax payer she would like to be assured that if anything were to happen the Solar companies are covered by a Mediation Bond.

-Supervisor VanGenderen stated he will inquire by writing a letter for them to show evidence of one.

**Adjournment PM 8:33**

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini the May 10, 2022 Regular Town Board Meeting was adjourned.

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

Respectfully submitted

Cheryl Briggs, Town Clerk