

# TOWN OF BROADALBIN

201 UNION MILLS RD  
BROADALBIN, NY 12025  
518-883-4657

REGULAR MONTHLY MEETING  
April 8, 2025

## TOWN OFFICIALS

Town Supervisor- Joseph DiGiacomo-present  
Town Board Member- Doug Kissinger-absent  
Town Board Member – David Bardascini-present  
Town Board Member – David Bogardus-present  
Town Board Member – Mike Rorick-present

Call to Order – Supervisor Joseph DiGiacomo 6:30 p.m.  
Pledge of Allegiance was said in unison led by Chris Porter.  
Roll Call – Town Clerk

\*\*\*\*Opened paving bids which were advertised in the Gazette; Three paving bids were opened by Highway Superintendent Sandy Thompson and Deputy Superintendent Chris Porter.

1. Evolution	total price \$269,948	(Mill and top coat)
2. Empire Paving	\$229,923	(Mill and T & L)
3. Callanan	\$234,752.88	(Mill)

Discussion;

- Sandy's opinion Empire's paving, which was done in 2024, has a lot of cracking and separation.
- Sandy would like to go with Callanan, they paved Union Mills Rd. years ago and has held up nicely. Sandy stating that all paving companies are DOT certified. Paving should be completed each year before school starts in the fall.
- Chris Porter stated Kunz Rd. and Stevers Mills Rd., done in 2024, are separating already.
- Supervisor DiGiacomo stated there is \$14,000 in the 2024 budget that will roll over for this year along with @\$208,000 from CHIPS.
- Attorney Chris Stanyon stated a memorandum should be in place if the Town decides not to go with the lowest bid, which is Empire Paving. If the Board wishes we can table awarding the paving bid until next meeting.

On a motion made by Councilman Bogardus and seconded by Supervisor DiGiacomo  
A motion to award the 2025 paving bid to pave Rebisz Rd. and Lampman Rd. to Empire Paving as the lowest bidder.

No further discussion;

Roll Call Vote: Bardascini-nay Bogardus-aye Rorick-nay DiGiacomo-aye Kissinger-absent

\*\*\*\*Motion failed. This motion will be tabled until May 13, 2025 Town Board Meeting.



**Present**

Assessor Miriam Young

Dog Control Dale Potts

Highway Superintendent Sandy Thompson and Deputy Chris Porter

Planning Board Members Jay Abrams, Dale Potts and Mike Gallup

Youth Commission Keith Buchanan

**Public Comment** Michael Gallup requested a Hidden Driveway sign for his driveway across from the Town Park to slow traffic down entering and exiting his driveway. (And the Park)  
-Superintendent Sandy Thompson stated she will get one and place it for him.

**Department Reports**

-BYC Rep Keith Buchanan asked to go first this evening stated there is a BYC Meeting this Saturday, April 12, 2025. All Board Members are welcome.

-The Town Park gates are now opened but bathrooms are not as of yet. He will this weekend, after the Village turns on the water this Friday.

-The doors to the concession stand have been replaced by Mike Rorick and Son. These are the doors that were damaged last fall when it was broken into. No arrest has been made.

-The dug outs have been fastened down to prevent wind damage but should be cemented.

-The BYC soccer season has begun with the Modified baseball starting soon.

-Supervisor DiGiacomo stated he has been contacted by the State Park and Recreations Rep. Sunshine Jenkins, who notified him of Grants available for improvements for the Town Park, where the Town would be liable for 10% of costs.

-Councilman Bogardus agreed to look into the Grants and see what improvements can be added.

-Councilman Bardascini and Councilman Rorick stated they would like to see the stipulations of the Grant and would like more information.

-Supervisor DiGiacomo stated he thought they should pursue it and he will get more information for the May Meeting.

-The question of the BYC repayment to the Tax Payers for the construction of the Town Park was discussed.

-Supervisor DiGiacomo stated nothing was ever put in writing but a verbal agreement of @\$25,000 per year was announced to the Town towards repayment. He is unsure as to why a written contract was not completed years ago.

-Attorney Chris Stanyon stated this should be discussed in an Executive Session, if the Board would like to continue.

**6:50 P.M. THE TOWN BOARD ENTERED AN EXECUTIVE SESSION**

On a motion made by Supervisor DiGiacomo and seconded by Councilman Bogardus The Town Board entered an Executive session to discuss financial matters.

VOTE: DiGiacomo-aye Kissinger-absent Bardascini-aye Bogardus-aye Rorick-aye



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**7:07 THE TOWN BOARD EXITED AN EXECUTIVE SESSION**

On a motion made by Councilman Bogardus and seconded by Councilman Bardascini The Town Board exited an Executive Session.

VOTE: DiGiacomo-aye Kissinger-absent Bardascini-aye Bogardus-aye Rorick-aye

**Acceptance of Minutes from 3-11-2025 Regular Meeting**

On a motion made by Councilman Bardascini and seconded by Councilman Rorick  
**RESOLUTION #2025-62 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 mentioned above.

Discussion: none

VOTE: DiGiacomo-aye Kissinger-absent Bardascini-aye Bogardus-previously absent Rorick-aye

**DEPARTMENT REPORTS**

**Assessor** –Miriam Young stated the office has been very busy catching up on exemptions and permits completed this spring. Also stating she has been collecting data on many tight roads. She apologized to the Code Enforcer for the miscommunication of CO’S that were given to her, not realizing if they weren’t signed, the houses were not yet completed. So that is all straightened out.

-Supervisor DiGiacomo inquired how much inventory was added to the tax rolls this year.  
-Miriam Young answered @ \$3 million.

**Building and Grounds** –Councilman Rorick stated Town Park doors were replaced as mentioned. He also noticed the blocks were crumbling to the sign/entry box to the Town Hall.  
-Sandy Thompson stated the highway dept. can replace them as soon as they find the same color blocks.

-Councilman Bardascini inquired if the Board could have another shadow box made to display pictures in the Town Hall. All agreed so he will get prices.

-Supervisor DiGiacomo stated we asked the Historian to change out pictures in the current shadow box a year ago but he hasn’t done that as of yet.

**Code Enforcer** Tom DiCaprio, not present this evening, presented a written report stating there were four (4) permits for March totaling \$1,336 consisting of 1 demolition, 1 addition, 2 alterations and 1 new home.

-Councilman Bogardus stated he was contacted by Mr. Devigne (sp?) whose house burned down this past winter, saying it was his understanding that he needed a variance to rebuild on the same footprint as the original house. The Planning Board Chairman is looking for the Law that states anything prior to 1987 the footprint is grandfathered in, therefore no variance will be needed.



**Dog Control Officer** –Dale Potts stated there were 1 dog missing, 2 dogs off quarantine, a couple running at large and none taken to the Shelter. This month he has had a dog bite call so far.

-Puppies that were found in a box in the Village all have new owners.

-Supervisor DiGiacomo stated the County takes care of all costs for rabies testing when needed which is quite expensive.

**Highway Superintendent**

-Sandy Thompson stated our new 2024 plow truck is being assembled at T & T and should be ready to take possession soon. It had been at Viking for 11 ½ months prior to taking it to T & T for assembly.

-Sandy stated for the next new truck the building slots are available three times a year. The third quarter slot is October-November for cab and chassis only, with thirty (30) days to pay.

-After assembling the truck it then goes for inspection to Syracuse and then to us.

-Supervisor DiGiacomo stated he doesn't like to pay prior to receiving a new truck.

-Councilman Bardascini inquired as to which truck will be replaced next, Sandy stated the 2017 and then we will continue with a ten year plan.

-Supervisor DiGiacomo presented the Board with a quote to increase the amperage on the new highway garage from 200 amps to 400 amps, if the Board so agrees. He also stated the generator is off the table for now.

-Supervisor DiGiacomo stated the contract will be signed tomorrow to begin construction on the new highway garage to be partially paid for by ARPA Funds.

-Sandy researched the cost for a screw compressor which runs from @\$5,000 up to @\$13,000, which longevity of product should be considered prior to purchase in the future.

-Sandy stated the salt purchases are done for the season.

**Justice Court** – Supervisor DiGiacomo read aloud the Court Report for March 2025 as follows:

Total fines and fees collected were \$2,461 of which \$1,088 were old fines. :

Total cases; 52 closed tickets; 27 VTL; 23 PL; 2 Civil; 2 LO; 0 and DEC 1

**Planning Board**-Mike Crispin chairman, absent, Jay Abrams, Dale Potts and Mike Gallup Planning Board Members were present this evening. At last meeting they reviewed a minor subdivision for Egans. Glamping, solar and lithium battery storage was discussed.

-Councilman Bardascini inquired if the Town Comprehensive Plan had been updated yet since a couple years ago the Planning Board budget increased by \$2,000 to do so. Dale stated no it hasn't and as far as the Lithium Battery Storage Dale stated they are waiting on the State Law to review.

Discussion by the Town Board on solar and other town laws continued.

-The problem of enforcing solar Law along with other Town Laws.

-How to enforce a Site Plan Law when the project changes or increases.

-Businesses in the Town should be checked once a year for compliance.

-Legality of Town Laws when no Town Zoning exists.



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-Attorney Chris Stanyon stated zoning can be as detailed or as broad per Town. He also advised a Public Hearing to OK our Comprehensive Plan as is, then discuss how the Town would want to pursue the rules of zoning. He stated otherwise enforcing town laws would not hold up in a court of law.

\*\*\*\*At this time Councilman Rorick brought forth a motion to hold a six month moratorium on commercial site plans in the Town to review the Town Site Plan Law.  
Discussion;

- Not residential just for commercial use only.

-How to enforce a change in a site plan project.

-Penalties possibly up to a misdemeanor with fines.

\*\*\*\*no second was presented to this motion so the motion failed.

On a motion made by Councilman Rorick and seconded by Councilman Bardascini  
A motion to ban all commercial solar farms and lithium battery storage in the Town of Broadalbin until the Town can review compliance regulations.  
Discussion;

-Supervisor DiGiacomo stated the Town has been working on Solar Energy Facilities (Farms) for the past two (2) years and nothing has been accomplished. He is worried about future litigation.

-Supervisor DiGiacomo stated the Town Board approved to pay an outside lawyer, specializing in Solar Law, Meyer, Fuller & Stockwell, PLLC, with a cost of @\$10,000 for their advice. He suggests we review the advice presented this evening and invite Attorney Jeffrey Meyer to a meeting to answer any questions the Board/public may have.

-Councilman Rorick stated let's add the NYS Solar Law to ours stating NYS has to check our regulations for the Town.

-Supervisor DiGiacomo stated NYS supersedes Town Law. He would like to get something in writing sooner than later.

-It was said that three (3) phase wiring is already placed on Goodemote Rd., Honey Wells Corner Rd., and parts of County Highway 110 in the Town, which is needed for solar.

-Attorney Chris Stanyon stated the Board can go into another Executive Session to further discuss if so desired. Stating the outside lawyer firm spoke volumes on promoting our regulations in the summary. However compliance and enforcement is a problem. The fee structure can be placed on a case by case basis.

-Supervisor DiGiacomo stated we can waiver for solar farm now by extending the current moratorium.

-Councilman Rorick stated should all solar farm permits be seen by the Town Board first and then be presented to the Planning Board?

-Supervisor DiGiacomo stated that process would usurp the reason for having the Planning Board. He is worried about litigation if a solar company is turned down by the Town Board.

ROLL CALL VOTE: Bardascini-aye Rorick-aye Bogardus-nay Kissinger-absent DiGiacomo-nay  
\*\*\*\*Motion fails



**Discussion cont.**

- Supervisor DiGiacomo suggested having a Special Meeting with Attorney Jeffrey Meyer from the law firm Meyer, Fuller & Stockwell PLLC who reviewed our solar regulations, to answer any questions the Board or public may have.
- Councilman Rorick stated he would like Kimberly, the speaker from Rotterdam who previously came to a Town Board Meeting, to be present at the Special Meeting.

On a motion made by Supervisor DiGiacomo and seconded by Councilman Bardascini  
A motion setting the date of Thursday, April 24, 2025 at 6:30 P.M. for a Special Joint Meeting between the Town Board and the Planning Board for the sole purpose of discussing the Solar Energy Facilities Law at the Town Hall.

No further discussion;

VOTE: DiGiacomo-aye Kissinger-absent Bardascini-aye Bogardus-aye Rorick-aye

- Supervisor DiGiacomo stated since the Board will not meet again prior to the deadline of our current Solar Energy Facilities Moratorium of May 9, 2025, an extension is needed.
- Attorney Chris Stanyon stated the Board can extend it another three (3) months stating the longer it is in moratorium the greater a possibility of litigation from a solar company.

On a motion made by Councilman Bogardus and seconded by Councilman Bardascini  
A motion approving to extend the current Solar Facilities Law Moratorium to August 9, 2025.  
No further discussion;

VOTE: DiGiacomo-aye Kissinger-absent Bogardus-aye Bardascini-aye Rorick-aye

**Town Clerk** –stated the new transfer station stickers have gone on sale as of April 1<sup>st</sup>.

**Old Business** none at this time

**New Business**

- The Board asked the members of the audience who are running for Town Board Positions to stand and introduce themselves.
- Cindy Ryan and Steve Quinlan are both running for a Board position along with the current Board Member David Bogardus and our Supervisor Joseph DiGiacomo is also running.
- Councilman Rorick inquired how much fund balance the Town currently has.
- Supervisor DiGiacomo stated @ \$5.4 million with expenses this year of a new highway garage and to purchase the 2024 new plow truck. He stated when he started as Supervisor the fund balance was @ \$3.9 million with a budget of @\$2 million.



**TOWN OF BROADALBIN**

**APRIL 8, 2025**

**REGULAR MEETING**

**NEW BUSINESS**

Approval to pay vouchers (claims)	
Prepaid	\$12,221.02
General	10,671.45
General OV	297.70
Highway	37,080.60
Water District #1	1,146.42
Total	\$61,417.19

On a motion made by Councilman Bardascini and seconded by Councilman Rorick  
**RESOLUTION #2025- 63 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 \$61,417.19.

No further discussion;

VOTE: DiGiacomo-aye Kissinger-absent Bogardus-aye Bardascini-aye Rorick-aye

-Sandy Thompson showed the Board at this time the wording on the paving bid as the Board does have a right to reject the lowest bid if there is a good reason.

-After discussion with the Town Attorney Chris Stanyon it was advised to go with the lowest paving bid with Sandy stating then she would like to award the bid tonight instead of waiting for the May 13, 2025 Town Board Meeting.

On a motion made by Councilman Bogardus and seconded by Supervisor DiGiacomo  
A motion awarding the 2025 paving bid to mill and pave Rebisz Rd. and Lampman Rd. to Empire Paving as lowest bidder at \$229,923.

No further discussion;

VOTE: DiGiacomo-aye Bardascini-aye Kissinger-absent Bogardus-aye Rorick-aye

**ADJOURNMENT 8:40 P.M.**

On a motion made by Councilman Bardascini and seconded by Supervisor DiGiacomo  
The April 8, 2025 Town of Broadalbin Town Board meeting was adjourned.

Respectfully Submitted

Cheryl Briggs