

Town of Broadalbin

Town Board Regular Monthly Meeting Minutes

April 12, 2022

The regular monthly meeting of the Town of Broadalbin Town Board for the month of April was held at 6:30pm on Tuesday, April 12th at the Municipal Complex, 201 Union Mills Rd., Broadalbin, NY

Bruce VanGenderen, Town Supervisor, presided.

Call to Order

The meeting was called to order at 6:30pm

Pledge of Allegiance to the American Flag

Roll Call

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

Present

Assessor Laurie Bollock
Dog Control Officer Dale Potts
Highway Superintendent Eric Alley
Planning Board Chairman Mike Crispin
Planning Board Members Mike Rorick, Jarod Abrams, Dale Potts
Town Attorney Anthony Casale
Youth Commission Members Keith Buchanan

Communications

Town Clerk

-Standard Workday Resolution update from 2020, requested by the New York State Retirement System, was tabled until the next meeting for more information on submitting.

Financial Report

-Theresa Butkevitch, the Bookkeeper, has supplied the financial report for March 2022.

Supervisor Communications

-Supervisor VanGenderen stated the resolution to modify the Building and Grounds Budget from 2021 will be tabled for the May Meeting so Attorney Casale can put in resolution form.
-Supervisor VanGenderen requested a motion for a retainer agreement for Goldberger and Kremer as its' Labor Attorneys. Attorney Casale stated a Motion is needed to retain.

-Supervisor VanGenderen presented the resolution regarding Centralized Arraignments, requested by Judge McNeil, to all Fulton County Town Courts.

Points of discussion:

-Councilman Bardascini stated both Judge Gilston and Judge Jennings will not be participating in Centralized Arraignments.

-Additional cost to the Town.

-Councilman Bardascini stated if our Town Judges don't believe in this program he doesn't either.

Our Judges take care of their own arraignments.

-Attorney Casale stated the Board can make a Motion to participate in the program or not. Stating a vote of YES is to NOT participate in the program.

On a motion made by Councilman Bardascini and seconded by Councilwoman Pasquarelli The Town of Broadalbin Town Board will not participate in the Centralized Arraignment Program submitted by Fulton County Court.

VOTE: VanGenderen-no Bardascini-aye Pasquarelli-aye Bogardus-absent Pasquarelli-absent

Further Discussion:

-There are 19 Justices in Fulton County on a rotating basis for arraignments, each judge taking one week of service.

-At 8 am the Judge would receive \$225 for an arraignment with no other compensation for any 8 pm arraignments.

-Councilman Bardascini stated this fee could eventually be kick backed to the Towns.

-Councilman Bardascini stated there are Judges never doing arraignments.

-Councilwoman Pasquarelli inquired as to if the County asked for each Township to establish this resolution?

-Councilman Bardascini stated the County is going to have a room at the Johnstown Jail where the arraigning Judge will have to do the paperwork, and send it to the appropriate courts. In our Town Court the Judge does the arraignment and the Court Clerks do the paperwork.

-Councilwoman Pasquarelli stated if both our Town Judges have declined this program, she is good with voting to keep arraignments in our Town Court.

-Councilman Bardascini inquired as to if another Judge from another Town should be allowed to ask the Town Clerk to present a resolution?

-Attorney Casale stated he has no comment in a public session at this time of how this resolution was presented to the Town Board.

Town Board Communications - nothing at this time.

Acceptance of Minutes from Previous Meeting – March 8, 2022 Minutes will be discussed at the May 10, 2022 Regular Meeting due to absent Board Members this evening, that were in attendance at the March meeting.

DEPARTMENT REPORTS

Assessing Department

Laurie Bollock stated the Assessment Roll has been given to the County as requested to be there by April 12, 2022. The Roll will be printed for May 1, 2022 and be at the Clerk's Office for Public Viewing. Grievance Day will be Tuesday, May 24, 2022, from the hours of 3:00 – 8:00 PM. Appointments must be made. Any questions, please ask me. Laurie also provided the Board with information about the City of Gloversville equalization rate dropping to 89% due to the influx of housing where people paid more for their homes, than they were assessed for.

Building & Grounds

Councilman Kissinger not present this evening.

Code Enforcement

Tom DiCaprio not present but provided the Board with his financial report for the month of March of \$407.60 in permits.

Dog Control

Dale Potts stated there were 5 dogs to the shelter, 2 redeemed, however there are 2 female pitbulls from Bornt Rd. that were picked up that need homes and a male black lab mix picked up on Hoesville Rd. Also there were 2 bites and 1 cat bite with 2 dogs running at large. (1 dog attack in the Village which will result in a court date.)

-Dale Potts information is on the Town Website and the Fan Pages on Facebook.

-Dale stated his recent Ag & Markets Laws and Regulations Inspection was completed on March 10, 2022 rated "Satisfactory". Copy of report will be available in the Town Clerk's Office.

Highway

Eric Alley stated he has his Annual 284 Form written with \$271,913.73 for road resurfacing and paving for the 2022 season completed to date. *Amount may change due to prices of asphalt this year, but he would like to pave the end of Royal Coachman Dr. (piggybacking on the Town of Perth due to the fact the Town of Broadalbin has a small cul de sac at the end to maintain that is in the Town of Broadalbin), Bogden Rd., Kunz Rd., Old State Rd. east and west of County Highway 138, and Little Rock Lane, off of Stevers Mills Rd.

-Eric stated the price of asphalt has increased 50 – 60 % from last year now at \$83.56/ton.

-Eric also stated figures from CHIPS, PAVE NY and Winter Recovery are not exact at this time.

-Eric requested a motion to put said roads out for bid stating the number of roads to be paved this year will be determined by the prices he receives by returned bids.

On a motion made by Councilman Bardascini and Supervisor VanGenderen
A motion allowing the Town of Broadalbin Highway Superintendent Eric Alley to place an invitation to bidders for the 2022 paving of specific roads in the Town of Broadalbin.

The Town of Broadalbin Town Board authorizes an invitation to bidders for the paving of Bogden Rd., Kunz Rd., Old State Rd. east and west of County Highway 138, Little Rock Lane and a portion of Coachman Dr.

Further setting the date and deadline that said sealed bids are to be received and in person to the Town Clerk as 12:00 noon May 10, 2022 and to be opened at 6:30 pm at the Town Board Meeting of same date.

No further discussion;

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

-Eric stated roads to be repaved usually have a 10 year time limit to repave depending on condition of road.

-Councilwoman Pasquarelli inquired to the age of the paving on the Coachman Dr.? Mike Crispin stated the Town owns the top half of this road and believes it could be maybe 12 years since last paved.

-Supervisor VanGenderen inquired to Eric how many miles of road is maintained by our Highway crew in the Town of Broadalbin. Eric replied there is 40 miles of Town roads.

-Eric stated bid numbers will determine how many or which roads will be paved this year.

-Attorney Casale asked if we can wait on signing the 284 Form until we know for sure the exact amounts we will be receiving from CHIPS.

-Eric stated money is budgeted to pave the CHIPS will reimburse the Town.

-Supervisor VanGenderen agrees to put bids out and let him and Attorney Casale review the 284 Form for the next meeting. Eric stated last year we had to redo the 284 Form 3 times as amounts kept changing.

-Eric requested a motion to contact a contractor for a Directional Drilling Machine to replace 2 culverts on Bogden Rd. which are very deep. Discussion took place on the Drilling Machine vs. the Town Road Crew performing this replacement which with the Town Crew performing this procedure it will result in the road closure of at least one week and slower progress by moving material a longer distance. With the Drilling Machine Contractor they will bore through to replace the culverts, road can be left open to traffic, and quicker and safer results. Eric stated the cost of the Drilling Machine Contractor will come out of the CHIPS paving amount.

-Last year's price was @ \$10,000 to replace this way bid does not have to be accepted.

On a motion made by Councilman Bardascini and seconded by Councilwoman Pasquarelli The Town of Broadalbin Town Board authorizes Highway Superintendent Eric Alley to invite bids for a Directional Drill Machine Contractor to replace the 2 culverts on Bogden Rd. in the Town of Broadalbin prior to paving in 2022. It is noted that said bid fee will come out of the CHIPS paving money or contingency if the bid is accepted by the Town Board Members.

No further discussion:

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

Justice Court

Councilman Bardascini stated on the Central Arraignment it's a "thumbs down" from our Town Judges. He read the Court Report for the month of March as; total fines and fees collected \$5128, of which \$2900 were from cases 2021 and prior, 63 cases heard, 59 closed, V & T 35, Penal 11, 6 Violations, 2 DEC, and 5 AMDC.

Planning Board

Chairman Mike Crispin stated at last month's Planning Board meeting a map for Rolling Ridge Mobile Home Park was attained by Travis Mitchel from the Dept. of Health, which was then reviewed. Scott Henze put a signature block for Mike Crispin to agree that this is indeed to reaffirm and sent to the Town of Providence Planning Board. The new owners gave a tour of the Park stating they are not extending the Park, just utilizing the lots already established in the original plans of the Park. Mike stated it then goes to the Saratoga County Planning Board for review.

-Planning Board Member Phil Comini sent the Town Board requesting to be reappointed for another term of five years.

On a motion made by Councilman Bardascini and seconded by Councilwoman Pasquarelli A motion to accept Phil Comini's letter of interest to be reappointed for another five year term on the Town of Broadalbin Planning Board, was approved by the Town of Broadalbin Town Board.

No further discussion;

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

-Mike stated he discussed another matter with Attorney Casale about a future project in which Attorney Casale suggested he would like to review further and prepare to discuss at next months meeting. Supervisor VanGenderen agreed so he could research it too.

-Mike Crispin requested an executive session to discuss a personnel matter.

*After some discussion the Board agreed to an Executive Session to discuss personnel matters, because of time sensitivity with this matter.

Entered an Executive Session 7:40 P.M.

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

The Town of Broadalbin Town Board entered an Executive Session to discuss a personnel matter under Public Officers Law 105 sub 1 sub F to discuss the medical, financial, private or employment issue with Attorney Casale attending.

At this time the Courtroom was emptied and the session took place.

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

Exited an Executive Session 8:04 P.M.

On a motion made by Councilwoman Pasquarelli and seconded by Councilman Bardascini the Town of Broadalbin Town Board exited an Executive Session with no action to be taken at this time.

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

Town Attorney

-Attorney Anthony Casale stated he received notification that the Rolling Ridge tax assessment law suit has been discontinued, with no adjustment retroactively in regards to that lawsuit.

-Attorney Casale also inquired as to how the Town Board feels about opening of the beach for this season. Stating the DEC is looking for some kind of resolution stating the Town Board's position on this.

Discussion points were;

-The suggestion by DEC to provide policing of the beach would be costly, over \$25,000 for the season with no guarantee of a Sheriff available.

-A beach manager would be needed at an additional cost.

-DEC stated the beach must be open to all not just Broadalbin Residents.

-Councilman Bardascini suggested the State run their Beach with the Town donating all supplies we have purchased in the basement.

-Councilwoman Pasquarelli asked the public in attendance this evening their feelings of opening the beach this season.

-Mike Crispin stated, speaking as a citizen, he believes it would be too costly. His vote is NO.

-Mike Rorick stated he is also opposed due to the cost to run the beach, the garbage, riff-raff that is hard to control. The criminal element and liability is just too much. His vote is NO.

-Donna Lewis stated it was wonderful back in the day, having the entire public able to use and abuse the beach is just too much. Very hard to manage it and destruction happens at night. Last year there was no support for patrolling. It has been a nemesis lately for the Town.

Cont.

-Supervisor VanGenderen stated he is sad not to run the beach, it was a lovely thing for the family back in the day, but since it is open to all it is just not the same. His vote is NO.

-Keith Buchanan stated the Town Board has their hands full, no comment but thinks it is just too much trouble to maintain.

-Councilwoman Pasquarelli stated she thought it was important to ask the 'regular Attendees" of our Town Board Meetings their opinions tonight. Her feeling is NO.

On a motion made by Councilman Bardascini and seconded by Supervisor VanGenderen The Town of Broadalbin Town Board agreed not to open or run the beach for the 2022 season. Therefore, the User Agreement with the DEC will not be signed by the Town of Broadalbin Town Board.

No further discussion;

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

-Attorney Casale will contact the DEC of the Board's decision and motion.

-Councilman Bardascini and Supervisor VanGenderen thought it would be a good idea to contact the County, who wanted to promote tourism to see if they wanted to maintain the beach for this season with the DEC. He stated he will contact Jon Stead.

-Councilwoman Pasquarelli stated if the County does decide to maintain it, someday there may be an additional line to our taxes.

BYC

-Keith Buchanan stated the Home Show is scheduled for April 30 – May 1 with a Chicken Bar-B-Q and stated he would love some volunteers. Also there will be a Grand Opening of the Town Park on June 5, 2022 inviting past and present Town officials to attend if possible. And on July 30 there will be a Junk in the Trunk, all for fundraising for the Town Park.

-Keith also asked Supervisor VanGenderen to complete the concession stand permit for the Dept. of Health so they can sell items at the Park.

-Supervisor VanGenderen stated he will discuss with the Town Attorney and get back to them.

-Councilman Bardascini inquired as to why BYC doesn't fill it out? Keith stated because the Town is the property owners.

-Also inquired about the balance of the Park Grant of \$50,000, and the BYC fundraiser balance of \$86,562.08, and requested BYC Board to come to our Town Board meetings for clarification.

-Keith also stated there is a User Agreement between the school and BYC. Any other questions he asked the Board please to ask at the BYC meetings the second Saturday of every month.

-Keith also stated he got permission by Eric to take some sand for under the swingset at the Park.

-Councilwoman Pasquarelli inquired if the events could be added to our Website. It will be done by the Town Clerk.

Old Business

Nothing at this time.

New Business

Approval of Bills

Pre-paid	\$28,571.22
General	13,504.38
Highway	40,057.49

Total.....\$82,133.09

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

RESOLUTION #2022-62 -APPROVAL TO PAY BILLS

BE IT RESOLVED that the Town of Broadalbin Town Board authorizes the payment of the bills in the amount of \$82,133.09.

Discussion: Councilwoman Pasquarelli removed voucher #79 to review for next month. Total for vouchers will also be amended at next months meeting.

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

PUBLIC COMMENT

-Mike Rorick stated he apologized for taking up time tonight and thanked Keith for coming keeping us updated. Also wished Laurie Bollock a happy birthday.

ADJOURNMENT- 8:47pm

On a motion by Councilwoman Pasquarelli and a second by Councilman Bardascini the April 2022 meeting was adjourned.

Respectfully submitted,

Cheryl Briggs, Town Clerk