

# Town of Broadalbin

## Town Board Regular Monthly Meeting Minutes

### August 9, 2022

The regular monthly meeting of the Town of Broadalbin Town Board for the month of August was held at 6:00pm on Tuesday, August 9<sup>th</sup> 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 6:00pm

#### **Pledge of Allegiance to the American Flag**

#### **Roll Call**

Supervisor Bruce VanGenderen-present

Councilman Doug Kissinger-absent

Councilman Dave Bogardus-present

Councilman Dave Bardascini -present

Councilwoman Junell Pasquarelli-present

#### **Present**

Dog Control Officer Dale Potts

Highway Superintendent Eric Alley

Planning Board Chairman Mike Crispin

Planning Board Members Dale Potts, Jared Abrams, Mike Crispin, Jim Magielda

Town Attorney Anthony Casale

#### **\*\*\*6:00 P.M. Supervisor VanGenderen opened the Public Hearing on Local Law No. 1 of 2022 – Establishing a Twelve Month Moratorium on Applications, Approvals and/or Construction or Installment of Solar Energy Facilities and/or Solar Farms**

At this time the public was asked to comment.

1. Mr. Mitchell stated he recently purchased property at Seneca Ridge and would like to see the area remain as residential. He is concerned about property values decreasing if a solar farm is built in the neighborhood. He questioned if it was legal for a solar farm to be placed in a residential area as per the zoning/land use laws in the Town. Later in the meeting he asked where the energy goes and who benefits, our community or somewhere else. He believes in solar energy but at a commercial area would be a better choice, such as Route 29.
2. Dr. Harry Brooks of 314 Honeywell Corners Rd. stated he is also concerned solar farms in a residential area would decrease property values, hoping construction would be for more homes. He would like to keep it a family oriented neighborhood. He believes in alternative energy and has some on his home but would like to see the moratorium pass.

Cont.

3. Margaret Taylor of 319 Honeywell Corners Rd. thanked Dr. Brooks for speaking this evening. She stated she doesn't see any benefits from a solar farm being in the neighborhood and believes it will have a direct impact on the beauty of our Town. Please pass the Moratorium.
4. Joshua Ryczek at 313 Honeywell Corners Rd. stated he believes the area being discussed for the solar farm isn't a flat piece of land with the rear of the property in question is hilly. He is concerned therefore that the solar farm will be more visible by being placed near the road. He stated he is fine with solar energy if they can't see it. He has solar panels on his own house, stating during the winter he doesn't receive any power but questioned as to where this power will go? Who will benefit? He believes solar farms are ugly and hideous.
5. Tom Pasquarelli of 161 Honeywell Corners Rd. stated he agrees with alternative energy but since there isn't any zoning, just land use laws, in the Town of Broadalbin, he is not ok with it being placed in a residential area. Route 29 would be a better choice, since this road doesn't have any commercial property. Tom also stated the Town of Amsterdam had to build a new substation to handle the solar farms in their town. He believes the Town should have some time to evaluate locations and to review all plans prior to allowing a solar farm is placed.
6. Mike Chandler, the project manager of Seaboard Solar, stated he appreciates the comments from the public. He stated he believes the moratorium is not necessary due to the capacity of the electrical infrastructure of the substation in Vail's Mills, which he stated is adequate for this proposed solar farm. To build this they would need a three (3) phase power, this solar farm is a five (5) megawatt project. He believes the authority for this project comes from the Planning Board as a site plan review is already present by his representation at the May Planning Board Meeting. He stated he believes the twelve (12) month moratorium is overkill. He left his calling card for any further questions from the audience, stating he is available at any time.
7. Paul Palmatier of 2448 County Highway 107 stated he is a handheld radio operator and believes solar farms mess up radio frequencies. He is also concerned with a possible fire at this location and the decrease in property values.
8. Sylvia Snow stated she has property at 303 Honeywell Corners Rd. and believes guidelines should be made available as to where a solar farm can be placed. She also inquired as to if there would be any benefit for National Grid customers locally?
9. Rich Snow of same address asked if this was already a done deal? Is the moratorium a waste of time? Supervisor VanGenderen stated we will have to do research, that is what the moratorium would provide.
10. Attorney Casale stated he would like to clarify that tonight is a public hearing for a yes or no to the moratorium, further discussion on regulations would continue at another time. Please speak one at a time for all comments to be recorded by the Town Clerk.
11. Councilman Bogardus stated the moratorium would give us time to review for all of the Town. There are regulations for solar farms just like for a subdivision, even with no zoning in the Town. He believes we need clearer rules. He also stated later in the meeting that perhaps there should be a license for companies to purchase every time a company is sold.

12. Mike Rorick stated as a citizen during the May Planning Board Meeting he believes Seaboard Solar had to buy land on both sides of Honeywell Corners Rd. when purchasing the property, because the owners were worried of the decreased value a solar farm would cause.

13. Mike Crispin, chairman of the Planning Board, stated at the May 2022 Planning Board meeting they viewed the Concept Plan, which he stated was incomplete. No fees for the application were paid. He believes with solar companies in the past they change companies and names frequently and possibly their contract with the County when sold. He stated this will be the third solar farm in the Town and we should research the capacity at the Vail's mills substation. In other towns he knows there are set backs of 200' and believes we need a solar farm law to include a Remediation Bond for companies to be specific prior to any construction.

14. Jim Magielda, a member of the Planning Board thinks twelve (12) months is too long stating six (6) months should be sufficient. He believes solar is a thing of the future, along with wind, hydroelectric and nuclear. Solar is clean and provides tax dollars to our area. He stated he has read that the infrastructure of the solar panels are recyclable including the glass, aluminum, polymers, copper and silver they are constructed with. The farms are good for @ 20 – 25 years and have been around since the 1950's. Place them where you can't see them. He believes there is a lot of misinformation out there and encourages people to do research.

15. Councilman Bardascini inquired as to if we can shorten the twelve (12) month moratorium if we complete laws/rules sooner.

16. Councilwoman Pasquarelli stated she contacted neighbors who couldn't be here this evening with all of them requesting the moratorium to be put in place for reviewing restrictions. The biggest concerns are with their property values, all agreeing rules should be in place prior to any construction, especially in a residential area.

17. Supervisor VanGenderen stated he believes twelve (12) months isn't too long to get research done and regulations in place. He also stated the Town only receives 10% of any pilot income from a solar farm at this time.

18. Andrew Thornton inquired as to where the panels are from, China? He stated he is a Hazmat Specialist and believes they are too dangerous because no one knows for sure what they are made of. He opposes solar farms 100%.

Councilwoman Pasquarelli thanked the audience for coming to this meeting for their input.

At this time Attorney Casale read aloud two (2) letters sent to the Town Board for this meeting, regarding the Moratorium, which will be included in these minutes.

-Supervisor VanGenderen stated the presentation form Darrin Romeyn, the Engineer for the Highway Garage Upgrade Proposal, is not in attendance tonight. Eric stated he called and told him something came up. This gives the Board further time to review the proposal for the next Town Board Meeting, scheduled for September 13, 2022.

\*At this time the Public Hearing was closed due to no further discussion. The Vote was taken so members of the audience could leave if they wanted, with Local Law No. 1 of 2022 included in these minutes after this page.

**Public Session**

-Supervisor VanGenderen, at this time, read aloud the rules put in place by the Board of the three (3) minute public session as per written on tonight's agenda.

-Tom Pasquarelli stated he is on the Highway Committee for repairs to the Highway Garage and explained that the Engineer for the Highway Garage Proposal is in compliance with costs and concept for all bidders to have exact figures when the time comes. (This is being reviewed for possible repairs to be made using the ARPA Funds given to the Town as the COVID Stimulus Package.)

**Financial Report**

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

**DEPARTMENT REPORTS****Assessing Department**

Laurie Bollock provided the Board with a written statement that the office has been quiet with nothing to report. She is always available for any questions by calling her office.

**Building & Grounds**

Councilman Kissinger- not present this evening.

**Code Enforcement**

Tom DiCaprio -not present but supplied the Board with a written report of the July 2022 summary of permits with a total of \$1,267 collected.

-

**Dog Control**

Dale Potts stated there were 3 dog bites, 1 cat bite, a couple dog nuisance calls, and a couple issues with complaints in the Village. Dale needs to see if they are actually in the Town of Broadalbin or Mayfield. Because of bats in a residence, the animals are on lock down by the homeowners.

**Highway**

Eric Alley stated paving was completed on Bogden Rd. and Old State Highway August 1st and 2nd with low shoulder signs being placed. The shoulders of these roads will be completed in the weeks to come with the County Highway's help. Notice of low shoulders will be placed on the Town Fan Page.

-His inventory list was completed and copied to all Board Members along with NYMIR.

-Councilman Bogardus expressed his concerns with the widening of the intersections with the new paving. Eric agreed that the paving companies tend to extend the width of the intersections perhaps to keep people off the shoulders of the road and for a better seam. He will look into it and see if they can change it for next year.

-

**Justice Court**

Councilman Bardascini read the Court report for the month of July 2022 as total collected \$4,902 with \$1,086 of old fines. Total cases seen were 53, closed tickets were 55, 52 VTL, 1 civil 1 VO and 1 DEC.

\*At this time Supervisor VanGenderen, as Supervisor, reappointed Mike Rorick as a Planning Board Member with no compensation as requested by Mike Rorick.

No further discussion;

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

**Planning Board**

Chairman Mike Crispin stated the Planning Board is glad to see Mike Rorick reappointed and thanked the Board. At the last meeting they reviewed a lot line adjustment and a minor subdivision. They will continue to work on the Comprehensive Plan for the Town as time permits, probably to continue in the beginning of next year. He will be sworn in soon.

-Mike Crispin also added they will be reviewing the Site Plan Law due to lots by the lake not being on one full acre as requested for building lots for family dwellings, as Town Code.

-Attorney Casale advised Mike Crispin to put this in letter form for the Board for next month's meeting for review.

-

**Town Attorney**

Attorney Anthony Casale stated there are two (2) pieces of legislation for the Board to discuss tonight, with no executive session needed this evening.

-

**Youth Commission**

Dr. Brooks stated he has been in touch with the State about the remaining \$50,000 due us on the Town Park Grant and is waiting for a couple items and will report back. The registration for the fall sports have begun. Also there will be a Fall Festival at the Park and fundraising events to contribute to the Construction Bond in place.

**Legislation** continued on next page.

Cont.

-Note of discussion on Resolution 77 Deputy Town Clerk Pay.

-Councilwoman Pasquarelli agreed to the \$1,500 increase/transfer of funds for the Deputy Clerk but wants to revisit the budget for 2023.

-Supervisor VanGenderen stated there was a mistake of taking the Court Clerk’s pay out of the Deputy Town Clerk’s line item.

-The Town Clerk requested the transfer of funds to keep the Deputy until the end of September as is the usual time frame of April 1 – September 30. With the increase of minimum wage from \$10.19 to 13.20 and the past years since COVID the Town Clerk working alone, the budget remained at \$4,000 for this period of time.

**Old Business**

Nothing at this time.

**New Business**

**Acceptance of Minutes from Previous Meeting**

-

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

**RESOLUTION #2022-78 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 July 12, 2022 with the correction on page five (5) Councilman Bardaschini’s vote from aye to nay of the Transfer of Funds for recently acquired labor lawyer.

No further discussion;

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

-

**Approval of Bills**

Pre-paid	\$ 69,628.27
General	12,172.76
Highway	261,142.62

Total.....\$ 342,943.65

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

**RESOLUTION #2022- 79 -APPROVAL TO PAY BILLS**

BE IT RESOLVED that the Town of Broadalbin Town Board authorizes the payment of the bills in the amount of \$342,943.65.

No further Discussion.

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

-The Board will table the discussion of the purchase of a new Town Hall lawn mower until Councilman Kissinger returns with quotes.

-Supervisor VanGenderen requested dates for the 2023 Budget Meetings to commence.

-

Dates of Tuesday August 16 at 2:00 pm and Thursday August 18 at 2:00 pm.

Tuesday August 23 at 2:00 pm and Thursday August 25 at 2:00 pm

\*\*\* Highway Budget 8/23/22

**ADJOURNMENT- 8:05 P.M.**

On a motion by Councilwoman Pasquarelli and a second by Supervisor VanGenderen the August 2022 meeting was adjourned.

Respectfully submitted,

Cheryl Briggs, Town Clerk