

TOWN OF BROADALBIN  
2021 REGULAR MONTHLY MEETING  
JULY 13, 2021

The Regular Monthly Meeting of the Town of Broadalbin Town Board for the month of July was held at 6:30 pm on Tuesday, July 13, 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 Perry –present

Councilman Dave Bardascini –present

Councilman Doug Kissinger –present

Councilman Dave Bogardus –absent

Councilwoman Junell Pasquarelli -absent

Present

Assessor Laurie Bollock

Dog Control Officer/Planning Board Member Dale Potts

Highway Superintendent Eric Alley

Planning Board Chair Mike Crispin

Planning Board Member Jay Abrams

Planning Board Member Mike Rorick

Planning Board Member Mike DePaula

Acceptance of Minutes from Previous Meeting

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

RESOLUTION # 2021 - 93 APPROVAL OF SUBMITTED MINUTES FROM REGULAR MONTHLY MEETING JUNE 8, 2021

BE IT RESOLVED that the Town of Broadalbin Town Board approved the submitted minutes from June 8, 2021.

No further discussion.

VOTE: Perry -aye Bardascini-aye Kissinger-aye

Bogardus -absent Pasquarelli-absent

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#### Communications

Town Clerk- Transfer station sticker sales are slow, only in the 1300's out of 2000.

-National Grid has been contacted to correct a bill for the traffic light at the Corner of County Highway 107 and 126. We are being billed twice a month with different account numbers since a repair was completed at the beginning of this year.

Bookkeeper – Financial Report was provided by Theresa Butkevitch for all Board Members and Department Heads. Supervisor Perry stated she has a couple questions regarding the website account which she will address to Theresa Wednesday evening and the DBL Insurance and Paid Family Leave will need a budget modification, since they were not in effect when the budget was completed.

#### Supervisor Perry

-Supervisor Perry stated she filed the Local ARPA Coronavirus Local Fiscal Recovery Grant Request and received a reply stating the Town of Broadalbin will receive a total of \$402,152.00, half this summer and half in the summer of 2022. At this time there is not a clear description of what will be covered by this grant; however, a list will be forthcoming. Most of the other Supervisors applied for the ARPA Grant in the neighboring communities but one.

#### Town News

-Supervisor Perry requested a resolution stating the Water District #1 Statutory Installment BOND was sent, which was due prior to this meeting, of which she had permission to do so.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini  
RESOLUTION # 2021-94 A RESOLUTION ALLOWING THE SUPERVISOR TO MAKE THE UNION MILLS WATER DISTRICT #1 STATUTORY INSTALLMENT BOND N4054.20-E PAYMENT DUE 07/19/2021.

WHEREAS, the annual payment of \$48,000.00 to principle and the 2020-2021 interest payment of \$5,112.00 is due NBT BANK N.A. on July 19, 2021; be it

THEREFORE RESOLVED, that the Town Board of the Town of Broadalbin approve and direct the Town Supervisor to make said payment of \$53,112.00 prior to the date due.

No further discussion

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

-Supervisor Perry stated the Charleton Snow Mobile Club has requested permission to use Town property for this coming season. Supervisor Perry will ask Director Aaron Dwyer to come to a Town Board meeting to present information regarding lake access.

-Supervisor Perry stated she has received a signed petition to save the Wilkinson Book Station, along with a letter supporting it from Jennifer Gilston, a response from the Village of 2

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Broadalbin, Frothingham Free Library in Fonda, Northville Public Library, Ft. Hunter Free Library, and her response to the Board and Mayor of the Village of Broadalbin, all of which will be addressed during the Public Comment section of this meeting.

-Supervisor Perry stated while reviewing the Personnel Policy it was discovered that a Confidentiality Agreement should be included in all employee files for NYMIR. This policy will be added to the Organizational Resolutions in 2022.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini  
RESOLUTION # 2021- 95 A RESOLUTION OF PERSONNEL POLICY IN AGREEMENT TO  
TOWN OF BROADALBIN CONFIDENTIALITY STANDARD

WHEREAS, all part-time employees, temporary employees, appointed members of any standing board or committee, appointed members of any committee or advisory group created by the Town Board and full-time employees who have access to information at the Town of Broadalbin are bound by the standards of confidentiality set forth in Section 74 of the New York State Public Officers Law, and

THEREFORE, according, no such municipal employee, board member, or appointee shall disclose confidential information acquired by him or her in the course of his or her official duties, use such information to further his or her personal interests, or accept employment or engage in any business or activity which will require him or her official position or authority.

WHEREAS, all resident and all others doing business at the Town of Broadalbin have the right to expect all their information will be confidential. To disclose information to anyone outside the Town without consent is to violate the law.

No further discussion

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

#### County Report

-Supervisor Perry stated there will be a new leaf and small brush drop off container available at the Transfer Station with no fee for tonnage. Fulton County Solid Waste will be using it to compact material at the landfill.

-A Public Hearing was held at the Fulton County Supervisor's Meeting this month to approve a 324,000 square foot addition to the Vireo Health Technology Park at the Tryon Facility on County Highway 107, which would create 180 full-time jobs within two years. Vireo is a cannabis manufacturer and this addition will put 145 acres of land and four buildings back on the tax rolls.

-The County will be paving Route 110 from the Village to Frenchmens' Corner at a cost of \$370,000, Route 109 from the Town of Broadalbin to Northampton at a cost of \$180,000, and Route 110 from Frenchmen's Creek to the Saratoga County Line at a cost of \$480,000 in years 2023 and 2024.

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Cont.

-Supervisor Perry stated due to student's parent's outcry of mask wearing, she offered a resolution calling on President Biden, Gov. Cuomo and State Legislatures to remove the mandated mask wearing of students in schools at the Public Health Meeting held this past month. The resolution was seconded by Supervisor Fagan and passed unanimously by the County Board.

-FMCC reopening plan will require mask wearing at this time. All foreign students are required to quarantine for ten days and be retested weekly, even if vaccinated. This may affect enrollment to the college.

Town Board – nothing at this time.

#### Department Reports

Assessor – Laurie Bollock stated the office is quiet, final tax roll

has been signed and is available for view on the County Website or in the front office. Any questions please call her office.

Buildings and Grounds – nothing at this time.

Code Enforcer – not present

Dog Control Officer – arrived 6:50 from work stated no bites this past month, 4 stray calls answered on Facebook and recovered, with one dog euthanized.

Highway

-Highway Superintendent Eric Alley stated paving may begin next week. He will notify the office to place dates on the Facebook Fan Page and Website.

-Discussion took place on renting a second Gradall, a newer model 2007, at a cost of \$5,500/ per month, with the first rental being up tomorrow. Eric stated the first Gradall rented has been sold by the company. The rental price will not be put towards the purchase price, therefore Eric requested permission to put a RFP out for bid to purchase a used Gradall. (@\$375,000 for a new one)

-Supervisor Perry reminded Eric the new serial number must be recorded to NYMIR, and the BONDING schedule for equipment purchased has been copied for him.

-Councilman Kissinger was concerned about spending more money to rent for another month, stating it may be more cost effective to put out for bid now, prior to renting for another month.

-Eric stated he still has work to do to get ready for paving, which won't get done if they send it back tomorrow. If this vender is the successful bidder, the rental amount will be put towards the purchase price.

-The June month's minutes about renting a Gradall was reviewed at this time.

-Councilman Bardascini also inquired about the rental fee going towards the purchase price.

-Board members agreed to continue renting for another month with the second Gradall for \$5,500 for the next month to begin tomorrow.

-Eric stated with extra CHIPS money we will receive for this year, the purchase could be free and clear.

-Board agreed to RFP bid for a used Gradall with less than 5,000 hours.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini  
RESOLUTION # 2021- 96 A RESOLUTION ALLOWING THE TOWN OF BROADALBIN  
HIGHWAY SUPERINTENDENT ERIC ALLEY TO PLACE AN INVITATION TO BIDDERS  
FOR A USED GRADALL WITH LESS THAN 5000 HOURS 2006 OR NEWER

BE IT RESOLVED that the Town of Broadalbin Town Board authorized  
Highway Superintendent Eric Alley to invite bidders for the purchase  
of a used Gradall with less than 5,000 hours, 2006 or newer

FURTHER, setting the date and deadline for bids to be sealed and  
delivered to the Town Clerk by noon of August 10, 2021, and to be read  
aloud at that night's Town Board Meeting 6:30 pm.

No further discussion

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

-Board agreed to extend rental of Gradall for one month at a cost of \$5,500.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini  
A motion authorizing Highway Superintendent Eric Alley to extend the  
rental agreement for an additional month of a Gradall for \$5,500 per  
month.

No further discussion

VOTE: Perry -aye Bardascini -aye (reluctantly) Kissinger -aye  
Bogardus -absent Pasquarelli -absent

-284 form will be looked at to see if needed to be modified for the third time.

Justice Court

-Councilman Bardascini read aloud the fines collected for the month of  
June 2021 provided by the Court Clerks as: total fines collected  
\$4,207 of which \$1,224 were from old fines 2020 and before. Total  
cases seen for the month was 94, closed tickets 52, vehicle and  
traffic 46, 5 civil, and 1 DEC.

-Also discussed was a budget modification needed in the A1110.4 of  
\$1,800 due to unfunded mandates by the State.

-Supervisor Perry stated she will concur with Theresa Butkevitch  
Wednesday night to transfer from the Contingency Budget line if  
possible and will state the exact line items from and to at next  
month's meeting.

- Councilman Bardascini was granted permission to speak to the Bookkeeper Theresa Butkevitch, regarding a budget modification in the Justice Court Budget line to increase their A1110.4 line by \$1,800 from the Contingency Line.

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On a motion made by Councilman Bardascini and seconded by Councilman Kissinger  
RESOLUTION # 2021-97 A RESOLUTION ALLOWING A TRANSFER OF FUNDS AS  
APPROVED BY THE BOOKKEEPER THERSA BUTKEVITCH TO MODIFY JUSTICE COURT  
A110.4 FOR \$1,800.00

BE IT RESOLVED that the Town of Broadalbin Town Board authorized Court  
Liaison Councilman Bardascini to meet with Bookkeeper Theresa  
Butkevitch to discuss a budget modification to Justice Court Account  
A1110.4 for \$1,800.00 out of contingency.

No further discussion

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

-Councilman Bardascini stated the Court needs a resolution to apply  
for the JCAP Grant.

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger  
RESOLUTION # 2021 – 98 OF THE TOWN OF BROADALBIN, NEW YORK TOWN COURT,  
TO APPLY FOR A JCAP GRANT IN THE AMOUNT OF \$5,000.00 FOR THE 2021-2022  
GRANT CYCLE.

BE IT RESOLVED that the Town of Broadalbin, New York Town Board  
authorized Hon. Joseph Gilston of the Town of Broadalbin New York Town  
court, to apply for a JCAP Grant in the amount of \$5,000.00 for the  
2021- 2022 Grant Cycle.

No further discussion: If this grant money comes in after the 2021  
budget is adopted the Board will need to accept it in the 2022 budget.  
Also this grant is for Court use only.

VOTE: Councilman David Bogardus absent  
Councilwoman Junell Pasquarelli absent  
Supervisor Sheila Perry aye  
Councilman David Bardascini aye  
Councilman Doug Kissinger aye

-Supervisor Perry stated she and Councilman Bardascini along with the representative from NYMIR have been working on insuring the constables and certifying them properly, to carry firearms during court sessions.

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

July 8, 2021

A RESOLUTION for the Town of Broadalbin Town Court, Fulton County NY  
ID # 5786

On a motion made by Councilman David Bardascini and a second by Councilman Doug Kissinger RESOLUTION # 2021 – 98 OF THE TOWN OF BROADALBIN, NEW YORK TOWN COURT, TO APPLY FOR A JCAP GRANT IN THE AMOUNT OF \$5,000.00 FOR THE 2021-2022 GRANT CYCLE.

BE IT RESOLVED that the Town of Broadalbin, New York Town Board authorized Hon. Joseph Gilston of the Town of Broadalbin New York Town Court, to apply for a JCAP Grant in the amount of \$5,000.00 for the 2021- 2022 Grant Cycle.

No further discussion.



VOTE:	Councilman David Bogardus	absent
	Councilwoman Junell Pasquarelli	absent
	Supervisor Sheila Perry	aye
	Councilman David Bardascini	aye
	Councilman Doug Kissinger	aye

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#### Planning Board

-Planning Board Chairman Mike Crispin stated their last meeting June 23, 2021, was very busy reviewing three Public Hearings. Spraker Public Hearing was cleared, the Peacock Public Hearing is continuing, and Bob Sawyer on Lakeview Rd. Public Hearing has been postponed until further notice by the owner due to possibly reconfiguring his project. His project will need to be approved by the APA first.

-Mike stated the Planning Board is doing site plan visits again because of possible drainage issues, with the Sawyer project.

-Supervisor Perry reminded the public that in the Town of Broadalbin there isn't any zoning. The Site Plan Review Law passed in 2018.

-There were many neighbors in the audience with concerns of the Sawyer project on Lakeview Rd. Mike asked all the residents to write down their concerns and come to the next Planning Board Meeting, July 28, 2021, at 7:00 pm to discuss.

#### Attorney

-Attorney Greco stated all Town legal work is up to date and under control at this time. The Franchise Contract with Spectrum is due at the end of this year, and he advises the Board to review. First, there will need to be a Public Hearing scheduled and then a resolution to complete.

Town Park/BYC – no one present.

#### Wilkinson Book Station aka Library

-There were members in the audience representing the Wilkinson Book Station aka "Library" this evening expressing concern for the Town to provide a place for the "Library" to move to, and to financially support them, due to the fact they must vacate their current building owned by the American Legion, by the end of this year.

-Jennifer Gilston read a letter to the Board requesting support for

the library. She stated it reminded her of the time the County sold the Fulton County Infirmary without informing the taxpayers for input. Here again she would like all Broadalbin taxpayers to be informed and to have a chance to express their opinion on possibly saving the library. She stated all the businesses that have left the Village of Broadalbin leaving many empty store fronts. Jennifer asked the Town Board to step up and support them to find a suitable building and to have a meeting with the Fulton County Administrative Officer Jon Stead and the Village Board Members, to possibly use 48 West Main St. which is in foreclosure.

-Supervisor Perry stated she has received the petition with a letter requesting the Town to help establish a place and requesting financial support of \$75,000 for the Library. Also requesting to put on the ballot for the November Election, a referendum asking the Town Taxpayers if they would like the Town to Support a Library. Supervisor Perry stated this would have to be done by raising taxes.

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REGULAR MEETING

Cont.

-Supervisor Perry stated there are many projects needed to be completed for the Town which have been on hold due to finances that aren't available at this time such as a new Highway Garage. The current Garage (1961) is in desperate need of repair/replacement with no insulation or room to house the plow trucks efficiently. With a budget of \$2 million per year, \$75,000 is a large amount for one item.

-Supervisor Perry suggested to contact the Broadalbin School District to see if they could help with support since there are nine (9) municipalities included in our district and perhaps grant money would be available.

-Supervisor Perry offered to store all Library equipment/books in the Municipal Basement for them if they need a place, also stating she would love to see an addition to the Town Hall for perhaps a Library and a place for the Historical Society to meet someday in the future.

-Attorney Greco replied, a Book Station is not a legal definition of a Library. First, he suggests getting established as a Public Library before any consideration of using Town Funds. He stated it is a very involved procedure which may take quite a bit of time, suggesting they contact a lawyer on how to proceed. Attorney Greco stated the Town of Broadalbin does not have money at this time to support a Library.

-Supervisor Perry also stated if the Town someday has finances to fully support a Library, it would most likely be housed in the Town,

not the Village.

-The Library representative Marianne Milton addressed the Board requesting the Town to support the Library by finding a building they can move in to prior to their deadline of December 31, 2021. Marianne stated she was hoping the Town would help them acquire 48 West Main St., as discussed in May, which foreclosure proceedings will be forthcoming. She stated the current Library is a non-for-profit organization run by volunteers providing services for the past 41 years to our community. Currently the Library has collected \$8,000 of donations, stating she had hoped that the library would remain in the Village. Marianne stated other municipalities ask \$100,000 per year for their library budget.

-Supervisor Perry stated the Village is an entirely separate form of Government and should be included in this discussion for financial support. Stating the property at 48 West Main St. was advised by her to be kept on the tax roll, by Fulton County Administrative Officer Jon Stead.

The Town budgets \$2,000 per year to the library.

-Councilman Kissinger stated he does not want to raise taxes to maintain the library and hopes a relationship with the Broadalbin School District would be a good solution.

-Councilman Bardascini stated the Board needs to see an operation plan for the library before considering \$75,000/year to support the library. He also stated he reached out to the American Legion and did not get a good response.

-Attorney Greco advised the Town Board, in order to place a referendum on the November Ballot, it would need to be a joint adventure between the Town and Village. Attorney Greco stated he will look into Petition Law and report back to the Town Supervisor.

#### Old Business

-Councilman Bardascini inquired as to if the position for Town Historian can yet be advertised?

- Town Attorney Greco stated we can go ahead and advertise for the position by asking for letters of interest and reminded the Board the person needs to be a Town of Broadalbin resident.

On motion made by Councilman Bardascini and seconded by Councilman Kissinger  
A motion to allow the Town Clerk to request letters of interest for a

Town Historian by advertising on the Town Website, and the Facebook Town and Village Fan pages.

No further discussion.

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

New Business

-Approval to pay vouchers (Claims)

Prepaid	\$141,661.12	
General	14,020.18	
Gen Ov		52.07
Highway	20,734.47	
Total	\$176,467.84	

On a motion made by councilman Bardascini and seconded by Councilman Kissinger  
RESOLUTION #2021-99 APPROVAL OF SUBMITTED VOUCHERS (CLAIMS)  
BE IT RESOLVED that the Town of Broadalbin Town Board approved the submitted vouchers for the month of June 2021.

No further discussion.

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

Adjournment 8:44 pm

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger  
The July 13, 2021, Regular Town Board Meeting was adjourned.

Respectfully Submitted by

Cheryl Briggs  
Town Clerk

518-883-4657

July 13, 2021

RESOLUTION # 2021 – 94 A RESOLUTION ALLOWING THE SUPERVISOR TO MAKE THE UNION MILLS WATER DISTRICT #1 STATUTORY INSTALLMENT BOND N4054.20C-E PAYMENT DUE JULY 19, 2021.

WHEREAS, the annual payment of \$48,000.00 to principle, and the 2020-2021 interest payment of \$5,112.00 is due NBT BANK, N.A. on July 19, 2021; be it

THEREFORE RESOLVED, that the Town Board of the Town of Broadalbin approve and direct the Town Supervisor to make said payment of \$53,112.00 prior to the date due.

No further discussion.

VOTE:	Supervisor Sheila Perry	aye
	Councilman Dave Bardascini	aye
	Councilman Doug Kissinger	aye
	Councilman Dave Bogardus	absent
	Councilwoman Junell Pasquarelli	absent