

# TOWN OF BROADALBIN

201 UNION MILLS RD  
BROADALBIN, NY 12025  
518-883-4657  
REGULAR MONTHLY MEETING  
July 11, 2023

## **TOWN OFFICIALS**

Supervisor – Doug Kissinger-present  
Town Board Member – David Bardascini-present  
Town Board Member – David Bogardus-present  
Town Board Member – Junell Pasquarelli-present

Call to Order – Deputy Supervisor Doug Kissinger 6:30 pm

Pledge of Allegiance was said in unison

Roll Call – Town Clerk

## **Entered an Executive Session 6:31 pm**

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

The Town of Broadalbin Town Board entered into an executive session to discuss personnel.

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

## **Exited an Executive Session 7:18 pm**

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

The Town of Broadalbin Town Board exited an executive session with the conclusion of said meeting be explained in the Town Attorney portion later in this meeting.

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

## **Acceptance of Minutes from Previous Meeting June 13, 2023**

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

### **RESOLUTION #2023-68 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 June 13, 2023 as submitted.

No further discussion:

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

**PUBLIC SESSION**

Mike Rorick stated in Town Law Section 6.3 it states that the audience of a Town Board Meeting may participate in the meeting as long as it is in an orderly fashion pertaining to the purpose of the meeting. He stated he would like the Board to permit the audience to dialogue at the end of this meeting to address any concerns they may have.

**DEPARTMENT REPORTS****Town Supervisor**

-Supervisor Kissinger-nothing at this time.

**Assessor** -Laurie Bollock stated the Final Assessment Roll is signed and is available for public viewing in the office across from the Town Clerk's Office, during regular business hours. Laurie stated she can be contacted anytime for any questions.

**Building and Grounds**

Supervisor Kissinger stated the Highway Garage upgrades will be discussed during the Highway Report this evening.

**Code Enforcer** Tom DiCaprio presented the Board with his written report for the month of June with a total of 14 permits issued and \$2,170.80 collected.

**Dog Control Officer** - Dale Potts not present, working late this evening.

**Highway Superintendent**

-Eric Alley stated paving should begin in a couple weeks and he will notify the Town Clerk to publish the dates that the roads will be closed during that time.

-Two of his trucks and employees have been working with the County doing shoulders, in Caroga Lake and Stratford, as they will be helping us with Shared Services.

- Eric stated he talked to the Engineer, Darrin Romeyn, @ two weeks ago to discuss possible changes to the upgrades of the Highway Garage. Eric suggests meeting with the Highway Committee to touch base with the proposed changes to move this project forward. Some items to discuss are using steel vs. wood frame and an enlarged set of plans for easier processing.

-Laurie Bollock inquired as to if there is a time limit to use the ARPA funds for this project.

-Supervisor Kissinger stated that we have received the amount of \$402,000 and to his knowledge there isn't a time limit, but thinks we should meet to proceed as soon as we can.

-All Board Members agreed stating this is taking too long and would like to see the Committee meet soon.

-Eric stated his crew is now on their second trip around Town for mowing.

**Justice Court** –Councilman Dave Bardascini read aloud the Court Report for June as follows;

Total fines and fees collected was \$3,995.93 of which \$311.00 were old fines.

Total cases 48, 40 closed tickets, 28 VTL, 6 PL, 3 Civil, 0 LO, 3 DEC.

-Councilman Bardascini stated the old fines are hard to collect now that NYS has limited the times the Court Clerks can contact them.

### **Planning Board**

-Chairman Mike Crispin wasn't present at this time but did arrive later.

-Mike Rorick stated the Planning Board discussed subdivisions and lot line adjustments along with reviewing solar farm regulations.

\*At this time Supervisor Kissinger asked the Town Board how they felt about paying for t-shirts that one of the Highway Employees purchased without prior permission. There is a question of reimbursing the employee (\$264) with their clothing allowance (\$500) or by a transfer of funds to Highway Uniform Budget Line from Buildings and Grounds Contingency, prepared by our Bookkeeper, Theresa Butkevitch.

-After much discussion the Board agreed since no prior authorization was made with the Highway Superintendent to remove amount from the Uniform Budget, the amount should come out of the employees' \$500 clothing allowance and to discuss this procedure during upcoming budget meetings.

-Eric stated there is not a Town Policy in place in this regard. Colors of t-shirts for safety should be uniform for all Highway Employees. He stated he believes the orange shirts ordered should be used during the winter months under other clothes and use the Green neon in the summer for road safety.

-Sheila Dorn stated perhaps there is a Human Resource handbook available to implement a code for this policy.

-Eric stated there isn't any mention of this in the Highway Superintendent Handbook and stated he asked the Board last year for additional funds to have policy in place. He was told to contact with the County to see if they had anything in writing and to go with their playbook.

### **Town Attorney**

- Attorney Casale introduced Local Law 01 of 2023 extending the Solar Farm and Energy Moratorium and would like to schedule a Public Hearing, which can be done at the same time during a Special Meeting he would like to set for July 25, 2023.

-Attorney Casale stated during the Executive Session this evening, it was discussed, that the resignation of former Town Supervisor Van Genderen, and the impact it has had on the Town, had led to some confusion on how to proceed with a Town Supervisor. As per Town Law Section 42 stating the Deputy Supervisor can take over with no resolution needed, since it is a conveyance of power. Doug Kissinger never resigned as a Town Board Member, therefore, Resolution #2023-62 Appointment of Doug Kissinger to Supervisor, should be removed.

Cont.

-Attorney Casale continued to explain as per Town Law Section 64 Sub 5, the filling of vacancies can be appointed as Supervisor, if current Supervisor Kissinger wishes to step down from this responsibility, an appointment of a Supervisor can be made for the remainder of 2023. If a member of the Town Board they will have to resign at that moment. If the Town Board appoints not an active member of the current Town Board, we can do this at the Special Meeting scheduled for July 25, 2023.

(1 )On a motion made by Councilwoman Pasquarelli and seconded by Councilman Bardascini

A motion to schedule a Special Meeting for Tuesday, July 25, 2023 at 6:30 pm, and to be advertised by the Town Clerk.

Discussion; Councilman Bardascini inquired as to if there were any changes to the extension of the moratorium as to which Attorney Casale stated it is almost identical to the original adding reasons for an extension.

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

(2) On a motion made by Councilwoman Pasquarelli and seconded by Supervisor Kissinger

A motion to set the date of July 25, 2023 at 6:30 pm to conduct a Public Hearing on the Extending of the Solar Farm and Energy Moratorium Local Law #01-2023.

No further discussion;

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

(3) On a motion made by Councilwoman Pasquarelli and seconded by Supervisor Kissinger

A motion to change the August 2023 Regular Town Board Meeting to Wednesday, August 16, 2023 at 6:30 pm due to a conflicting schedule.

No further discussion;

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

(4) On a motion made by Supervisor Kissinger and seconded by Councilman Bardascini

A motion to withdraw the previous motion in April 11, 2023 Regular Town Board Meeting appointing Councilman Bardascini as Deputy Supervisor.

No further discussion;

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

**Public Session**

- Mike Rorick stated we have been waiting almost two (2) months for a Deputy Supervisor and now there is a mistake?
- Councilman Bardascini stated have faith in the system, all will be worked out.
- Supervisor Kissinger stated that is why we are having a Special Meeting on July 25<sup>th</sup> to clarify procedure.

**Town Clerk** - Cheryl Briggs nothing at this time.

**Youth Commission** –No representation this evening.

**LEGISLATION**

Previously discussed

**OLD BUSINESS**

**NEW BUSINESS**

Approval to pay vouchers (claim)

Prepaid	\$93,838.79
General	10,337.66
Highway	18,930.12
Total	\$123,106.57

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

**RESOLUTION #2023-69 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 \$123,106.57.

No further discussion;

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

**ADJOURNMENT 7:58 P.M.**

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

The July 11, 2023 Town of Broadalbin Town Board meeting was adjourned.

Respectfully Submitted

Cheryl Briggs