

TOWN OF BROADALBIN

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

REGULAR MONTHLY MEETING
August 12, 2025

TOWN OFFICIALS

Town Supervisor- Joseph DiGiacomo-present
Town Board Member- Doug Kissinger-present
Town Board Member – David Bardascini-present
Town Board Member – David Bogardus-late and left early
Town Board Member – Mike Rorick-present

Call to Order – Supervisor Joseph DiGiacomo 6:30 pm
Pledge of Allegiance was said in unison led by Jake Burden
Roll Call – Town Clerk
Supervisor DiGiacomo opens Public Hearing at 6:30pm

Present

Highway Superintendent- Sandy Thompson
Highway Deputy- Chris Porter
Planning Board Member Jay Abrams
Assessor – Miriam Young
Town Attorney- Christopher Stanyon

Youth Commission Rep. Keith Buchanan

Public Comment

Comment 1:

- Barbara Marrone questioned, “Why would the Code Enforcer and Town Supervisor want a citizen to sue the town?” Ms. Marrone also questioned why the town was allowing her land to be destroyed.
 - o Robert Scott who is Ms. Marrone’s son in law asked to speak on behalf of Ms. Marrone. Mr. Scott expressed concern with the footprint of the neighbor’s new home being constructed due a previous house fire and set back boundaries. They requested a stop work order, which was issued.

Discussion continued by Town Board stating that town laws should be enforced.

Mr. Scott informed Town Board members that Ms. Marrone intends to sue the town.

Councilman Bardascini reads the FOIL request he filed against Code Enforcer Tom DiCaprio. Supervisor DiGiacomo strongly informed Councilman Bardascini that he was putting the town at risk by reading the information stated and that there is a meeting the following night for further pursuit.

Laurie Bollock inquired about the parcel that was purchased 25 years ago and never combined. Supervisor DiGiacomo stated that the setbacks would follow 2025 building code.

Comment 2:

- Robert Lindsey who was representing the Kenneyetto Fire Department expressed concern regarding challenges of contacting Code Enforcer.

During recent fire at The Budget Inn, Kenneyetto Fire Department could not contact Broadalbin Code Enforcer to inspect the site. Resulting in the fire department contacting Mayfield's Code Enforcer.

Other violations were discovered during the fire call such as an open septic, pest infestation, hazardous hoarding resulting in no secondary exit.

Town Supervisor asked if it was dangerous for the residents to live there, Fire Chief Bill Robinson stated it is unsafe.

Councilman Rorick requests an itemized list of the violations.

Supervisor DiGiacomo would like to formally thank and send a gift to Town of Mayfield Code Enforcer.

On a motion made by Councilman Rorick and seconded by Councilman Kissinger
A motion to gift \$200.00 as a thank you to Mayfield Code Enforcer, Norman Barbosa.
No further discussion.

VOTE: Kissinger-Aye Bardascini-Aye Bogardus- Late arrival Rorick- Aye DiGiacomo- Aye

Councilman Rorick suggested extending public comment at the end of the meeting.

Acceptance of Minutes from Previous Meeting of July 8, 2025 and July 23, 2025

On a motion made by Councilman Kissenger and seconded by Councilman Bardascini
No further discussion.

VOTE: Kissinger-Aye Bardascini-Aye Bogardus- Late arrival Rorick- Aye DiGiacomo- Aye

RESOLUTION #2025- 72 APPROVALS 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 as submitted.

Discussion: with a correction of page 5 July 23rd: 200 feet x 500 feet for setbacks

VOTE: Kissinger- Aye Bardascini-Aye Bogardus - Late Rorick-Aye DiGiacomo- Aye

Department Reports

Supervisor –

Supervisor DiGiacomo addressed the public hearing of the site plan review law to charge 5x the normal fee of the original cost. Attorney Stanyon was not in attendance due to a late arrival the board decided to wait to discuss the topic until he is present.

- Discussed Credit Card machine options;
- NBT Bank: 2.6% + 10% fee for card usage.
- Pay Safe: .45% over exchange
- Merchant One: .29% , \$0.15 per transaction - 3% to customers + \$9.95 per month

Councilman Bardascini suggests installing an ATM at Town Hall.

Supervisor DiGiacomo suggested trying Merchant One.

On a motion made by Councilman Rorick and seconded by Councilman Bardascini
Motion to go with Merchant one 3% pass through.

No further discussion

VOTE: Kissinger-Aye Bardascini-Aye Bogardus- Late arrival Rorick- Aye DiGiacomo- Aye

Broadalbin Youth Commission-

Youth Commission Rep. Keith Buchanan updated the board members on the Youth Commission Board new meeting date which is the 4th Tuesday of every month at 6:30pm.

Football and Soccer have begun practicing for the fall season.

Representative Buchanan disclosed that he has been watering the grass at the Town Park nightly due to the hot and dry weather we have had this summer. Councilman Rorick inquired how many hours Representative Buchanan spends watering the park weekly. Representative Buchanan stated recently he spends about several hours watering.

Representative Buchanan stated the Broadalbin Perth Central School District has hired a new employee to handle the lawn care and maintenance at the Town Park.

Representative Buchanan stated the school has purchased a new robotic paint machine at a cost of \$40,000 that uses GPS to paint the fields which saves paint, time and labor.

Supervisor DiGiacomo inquired about renting a vending machine to add to the town park to use when the concession stand is not open.

Assessor –

Marti Young stated the Assessor's office is gearing up to follow up on permits.

Assessor's office stated that New York State will be taking over the Star Enhanced program for seniors 65 years old and over.

Fulton County Real Property director Mary Beth Solomon has been in contact with Supervisor DiGiacomo and Assessor Marty Young to discuss tax roll.

Building and Grounds –Councilman Rorick nothing to report

Code Enforcer – Nothing to report

Dog Control Officer –

Dale Potts was not present but reports he is a dog control officer, not animal control. Dog Control Officer and Holding facility passed Ag & Markets inspections.

Highway-

Highway Superintendent Sandra Thompson stated that the new garage construction is progressing.

Town of Broadalbin, Perth and Northville are all working together to put down shoulders on the road.

Supervisor DiGiacomo addressed a DOT e-mail that was sent to him requiring Highway work permits on State Boards may require SEQR.

Highway Superintendent informed the town that the highway department has lost one employee due to personal reasons.

Highway has hired a new employee that will start the week of August 18th.

Councilman Rorick questioned Highway Superintendent Thompson about the extra millings that the garage received from Fulton County 3 years ago. Councilman Rorick stated an anonymous town resident made a complaint about the disbursement of spoils given to another town

resident. Highway Superintendent stated she was aware of the complaint because the anonymous resident wanted the employee who delivered the spoils and the Highway Superintendent terminated from the Highway Department because of the delivery. After a discussion between board members and Supervisor DiGiacomo, all agreed, moving forward decisions should be left to the Highway Superintendent discretion as she is an elected position.

Justice Court –

The court is applying for a court grant from New York State to replace the large tables with smaller more accessible tables.

Resolution # 73

On a motion made by Councilman Kissinger and seconded by Councilman Rorick.
A motion to gift \$200.00 as a thank you to Mayfield Code Enforcer Norman Barbosa.

No further discussion.

VOTE: Kissinger-Aye Bardascini-Aye Bogardus- Late arrival Rorick- Aye DiGiacomo- Aye

(see attached)

Planning Board-

Town Board Supervisor DiGiacomo disclosed Site Plan Applications should be submitted to the Code Enforcer, not submitted to Planning Board per site plan law.

Town Board had a discussion on Site Plan compliance. Supervisor DiGiacomo stated that the Code Enforcer must enforce site plans and regular permits. Councilman Rorick suggests that the Town Board enforce laws along with the Code Enforcer. Supervisor DiGiacomo differed to the Town Attorney Christopher Stanyon who replied, the Code Enforcer is responsible for enforcing the laws, and the board members do not have the authority to enforce.

Town residents questioned how the Code Enforcer decides which jobs he chooses to shut down. After a strong discussion between the Town Board and residents, supervisor DiGiacomo asked Andy Thornton to leave because he was acting out of line. Mr. Thornton did not leave.

Councilman Rorick suggests that if a project expands by 10% a new site plan needs to be resubmitted. Supervisor DiGiacomo stated that if the Planning Board does not approve the site plan, no permit should be issued. Attorney Stanyon confirmed Supervisor DiGiacomo is correct.

Resident questioned if the Code Enforcer is able to search for jobs that are not in compliance. Town Board agreed that the Code Enforcer does not drive around looking to site projects.

Supervisor DiGiacomo questioned Attorney Stanyon as to if we need the public hearing tonight to change fee in the Site Plan Law since the law provides for fee changes. Attorney Stanyon response was, only if the law has changed or if the law states different facts regarding that plan.

After a strong discussion between Councilman Rorick and Councilman Bogardus, Bogardus decided to leave the meeting early. After more strong discussion followed a resident stated that paving is happening whether or not the site plan reflects the laws.

Town Clerk – The Town Clerks office has sold 1500 Transfer Station Stickers

Reopen Public Comment-

Resident asked for no solar in their backyard.

Councilman Bardascini asked if the referendum is done and ready for the Ballot in November. Supervisor DiGiacomo replied that he was not aware that he was supposed to do it and stated it is the Town Clerks responsibility.

On a motion made by Councilman Bardascini seconded by Councilman Rorick to ban all commercial battery storage in town.

VOTE: Kissinger-Aye Bardascini-Aye Bogardus-Left Early Rorick- Aye DiGiacomo- Aye

A further discussion took place as to why the board members believe battery storage would not be beneficial including pollution, protecting streams and lake contamination and that the fire department is not ready because of the trainings they would have to undergo.

Supervisor DiGiacomo and The Board discussed other places that have or may not have solar leading to a question about property rights. The Board agreed the town needs regulations and laws regarding this matter. Attorney Stanyon stated that the State meets qualification and bypass local laws to use if the town bans storage of batteries. Supervisor DiGiacomo says it is similar to what was done in the Town of Perth and Attorney Stanyon stated that the Town would have to have an ordinance and then a public hearing to change laws for battery storage.

Resident questioned again, if the Code Enforcer is able to search for jobs that are not in compliance.

The Board questioned Steve Quinlan, who is Town of Providence Code Enforcer, to inquire how other municipalities handle similar situations. Mr. Quinlan stated that the Code Enforcer is not able to drive around looking for problems to address however, if he questions whether or not a project is under compliance he can look into it. If the Providence Code Enforcer finds that the plan and the building does not comply he can send a letter or pull the permit and if they do not stop building the person who holds the permit will go to court and court will decide how they are fined.

Councilman Rorick discussed the junkyard laws and informed the Board Members of a complaint he received.

LEGISLATION –
none at this time

OLD BUSINESS –
Nothing at this time

NEW BUSINESS-
Approval to pay vouchers (claim)

Prepaid	\$ 261,268.94
General	20,408.18
General OV	43.53
Highway	242,253.27
Total	\$ 524,253.87

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini
RESOLUTION #2025-74 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 \$ 524,253.87

No further discussion;

VOTE: Kissinger-Aye Bardascini-Aye Bogardus- Left Early Rorick- Aye DiGiacomo- Aye

ENTERED AN EXECUTIVE SESSION 7:56pm

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini
The Town of Broadalbin Town Board entered into an Executive Session to discuss a personnel matter.

No further discussion;

VOTE: Kissinger-Aye Bardascini-Aye Bogardus- Left Early Rorick- Aye DiGiacomo- Aye

EXITED AN EXECUTIVE SESSION 8:26 P.M.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini
The Town of Broadalbin Town Board exited an Executive Session to discuss a personnel matter.

Supervisor DiGiacomo stated, no action at this time.

No further discussion;

VOTE: Kissinger-Aye Bardascini-Aye Bogardus- Left Early Rorick- Aye DiGiacomo- Aye

ADJOURNMENT 8:39 P.M.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini,
The August 12, 2025 Town of Broadalbin Town Board meeting was adjourned.

Respectfully Submitted

Krystin Bailey
Town Clerk Deputy