

TOWN OF BROADALBIN

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

REGULAR MONTHLY MEETING
September 9, 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-present
Town Board Member – Mike Rorick-present

Call to Order –The meeting was called to order at 6:30 p.m.

Pledge of Allegiance was said in unison with a moment of silence dedicated to the 9/11 victims and the passing of our incoming Justice's husband.

Roll Call

Supervisor DiGiacomo called for any comment on the public hearing that was opened on 8/12.
No public comment.

Supervisor DiGiacomo closed the Public Hearing pertaining to Site Plan amendment.

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

RESOLUTION #2025- 77 Site Plan violation fee

BE IT RESOLVED that the Town of Broadalbin Town Board authorizes subject to pay 5x the original amount of the site plan fee if construction started before plan approval and building permit issued.

No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

-Acceptance of Minutes from August 12, 2025

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

RESOLUTION #2025- 75 APPROVALS OF SUBMITTED MINUTES August 12, 2025

BE IT RESOLVED that the Town of Broadalbin Town Board approved the above mentioned minutes.

Discussion; no further discussion

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

Public Comment:

Speaker 1:

Barbara Morrone spoke about the ongoing traffic on Morrone Road. Ms. Morrone disclosed that she owns the road and claims the road is being destroyed by Popolizio's new building construction. Ms. Morrone stated she spoke with her lawyer. Robert Scott, Ms. Morrone's son in law, took photos of the roadway and piping. Ms. Morrone stated she was friends with the Popolizio's for many years. Ms. Morrone expressed her concerns about the new build construction and states she was not asked permission about altering the road.

Speaker 2:

Andrew Fusco spoke about his concerns with the new construction on Morrone Road, as he is also a property owner in the area. Councilman Rorick questioned Mr. Fusco to see if he thought that this new build was an intrusive development. Mr. Fusco confirmed that he did find it to be intrusive. Mr. Fusco stated he is having an engineer check the property.

Speaker 3:

Tom Flynn the Board of Appeals Chairman turned in his books and submit a letter of resignation. Councilman Rorick stated he attended the Board of Appeals meeting on August 13th and commented on how well Tom ran the meeting. Supervisor DiGiacomo thanked Tom Flynn for serving the Town for many years as the Board of Appeals Chairman.

Speaker 4:

Joe Popolizio discussed the construction pertaining to his new build on Morrone Road. Mr. Popolizio stated he is in compliance with the APA and the town.

Speaker discussion continued, addressing one another until Supervisor DiGiacomo respectfully asked the speakers to address the Board Members and save further discussion for another time.

Department Reports**Town Supervisor:**

- In Supervisor DiGiacomo's supervisor report he stated that the BYC their next meeting on September 23rd at 6:30 pm. BYC is no longer having Saturday morning meetings.
- Supervisor DiGiacomo addressed a letter he and the Board Members received from Keith Buchanan pertaining to his authority at the Town Park. The Board members discussed their thoughts on deputizing Mr. Buchanan. All Board members agreed that Keith Buchanan will hold the title of the Director of Park Operations. This is a title without compensation.

On a motion made by Councilman Bogardus and seconded by Councilman Kissinger
A motion to appoint Keith Buchanan as the Director of Park Operations without compensation.
No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

- Supervisor DiGiacomo has attended several county meetings within the last month regarding county budget.
- Attorney Jeff Meyers has sent back the Solar Law regulations. On a motion made by Councilman Kissinger with no second to move forward. The Board Members have decided to review the law and it will be discussed at the October meeting.
- Tim Loucks questioned Supervisor DiGiacomo if the Town votes on the Solar Law come October. Supervisor DiGiacomo stated the Board Members wanted to review the law; therefore it will have to wait.
- Bill VanGorder came to speak on behalf of the Town's insurance NYMIR from 7:02pm-7:15pm. NYMIR discussed 2026 budget.

Town of Broadalbin

Umbrella/Excess Liability

Insurance Company: New York Municipal Insurance Reciprocal
Policy Term: 9/1/2025 to 9/1/2026

Coverage Detail

Description	Limits
Each Occurrence	\$3,000,000
Aggregate	\$6,000,000
Self-Insured Retention (SIR)	N/A

Required Primary Coverage

Coverage	Limits
Automobile Liability	
Combined Single Limit	\$1,000,000
General Liability	
Each Occurrence	\$1,000,000
General Aggregate	\$3,000,000
Products & Comp Ops	\$1,000,000
Personal & Adv Injury	\$1,000,000
Public Officials Liability	
Each Claim	\$1,000,000
Law Enforcement Liability	
Each Person	\$1,000,000

Forms and Endorsements

Please refer to the policy for specific coverage and exclusions.

Premium Summary

Line of Business	Carrier	Expiring Premium	Renewal Premium
Municipal Property	NYMIR	\$4,807.00	\$5,893.00
Municipal Inland Marine	NYMIR	\$9,556.00	\$13,074.00
Municipal Automobile	NYMIR	\$5,761.00	\$7,178.00
Municipal General Liability	NYMIR	\$6,935.00	\$7,228.00
Municipal Law Enforcement	NYMIR	\$881.00	\$881.00
Municipal Public Officials	NYMIR	\$2,879.00	\$2,838.00
Municipal Crime	NYMIR	\$2,382.00	\$2,412.00
Municipal Excess Liability	NYMIR	\$2,594.00	\$2,654.00
NYS Fire Fee & MVF	NYMIR	\$91.65	\$97.96
Annualized Endorsement Premium		\$3,002.45	\$0.00
Total Estimated Premium:		\$38,889.10	\$42,255.96

-Councilman Rorick request Supervisor DiGiacomo read the last 2 paragraphs in Tom Flynn's resignation letter.

-Supervisor DiGiacomo called an executive meeting to discuss a personnel matter.

Entered Executive Session at 7:20pm to discuss personnel.

On a motion made by Councilman Rorick and seconded by Councilman Kissinger
A motion to discuss personnel.

No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

Exited an Executive Session at 7:50pm.

On a motion made by Councilman Rorick and seconded by Councilman Kissinger
A motion to exit.

No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini
A motion to accept departure of Dale Potts and appoint Patricia Ashbey as the new interim Dog Control Officer.

No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

Assessor: –Marty Young: nothing to report at this time

Building and Grounds: –Supervisor DiGiacomo stated that the Highway Garage electricity will turn on 9/10/2025. Supervisor DiGiacomo addressed the lighting issues in the Town Hall. DiGiacomo disclosed that the lights have been replaced with LED lights and he believes that the ballasts need to be replaced. Councilman Rorick will inquire electrician options.

Code Enforcer: – Tom DiCaprio: nothing to report at this time. Councilman Bardascini stated his foil request was not answered. Supervisor DiGiacomo stated that the last permit filed was on August 15, 2025

Dog Control Officer: – Dale Potts: 2 dog bites, nothing at shelter, 7 dogs running at large, neighbor complaints, leash laws addressed in village.

Highway Superintendent:

-Sandy Thompson stated that she is requesting an air compressor. She found an air compressor quoted for \$13,180.50 from Keiser and another air compressor from speed air approximately \$4,300. The Board had a discussion about the cost and decided that the Highway Department should purchase the air compressor from Grainger for approx \$4,300.

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger
A motion to purchase a new air compressor.

No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

-Supervisor DiGiacomo stated he was shopping around for Propane quotes. He found that Logan was the Cheapest but will check with Superior for cost quotes.

On a motion made by Councilman Bardascini and seconded by Councilman Rorick
A motion to purchase propane from Logan, unless Superior is cheaper.
Discussion; The Board discussed owning the tank.

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

Justice Court: -Councilman Doug Kissinger read Justice Report aloud. Supervisor DiGiacomo disclosed that there was mention about adding on an addition for the Senior's Club to the Town Hall. No addition is planned at this time.

Planning Board:

-The dispute between Barbara Morrone and Gary King was discussed. Supervisor DiGiacomo discussed redoing the comprehensive plan.

Town Clerk: - Cheryl Briggs stated she is training Deputy Krystin Bailey. Transfer Station stickers are still slowly selling.

OLD BUSINESS:

-Councilman Bardascini questioned if there was any progress pertaining to the junk yard ordinance. Councilman Bardascini questioned if the town could charge fines on individuals property taxes if the Town was allowed to clean up the property. The Town Attorney replied that the fines are decided by the Judges and recommends the Town does not enter a person's property. The Attorney recommends fining the individual per day. Supervisor DiGiacomo stated that The Code Enforcer should issue a 30 day notice to remedy.

-Supervisor DiGiacomo reported that the Town has received the Battery Storage Resolution back from the Town Attorney.

On a motion made by Councilman Rorick and seconded by Councilman Bardascini
RESOLUTION # 2025-76 the Town of Broadalbin Commercial Battery Storage Law
Reads as follows

Roll Call VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

RESOLUTION No. 25- 76

At a regular meeting of the Town Board of the Town of Broadalbin, Fulton County, New York, held at the Town Hall, 201 Union Mills Road, in said Town of Broadalbin, on the 9th day of September, 2025, at 6:30 o'clock P.M., there were:

PRESENT: Mr. Joseph DiGiacomo (Supervisor); Mr. David Bardascini (Councilman); Douglas Kissinger (Councilman); David Bougardus (Councilman); and Michael Rorick (Councilman)

ABSENT:

Mr. Rorick offered the following resolution and moved for its adoption:

WHEREAS, Seconded by Bardiscini

- Town of Broadalbin is desirous of enacting legislation for the governance of commercial battery storage systems;
- The Ordinance shall be known as the Town of Broadalbin Commercial Battery Storage Law; and
- The Town of Broadalbin scheduled a public hearing on the issue of commercial battery storage on August 12th, 2025, and said public hearing having been held on the September 9th, 2025, concerning the issue of battery storage systems and this proposed resolution;

NOW, THEREFORE, BE IT RESOLVED that the Town of Broadalbin enacts the following local law,

- Article 1- Definitions:
 - Battery(ies): A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements. In other words, the provisions of this law shall only apply to commercial operations.
 - Commercial Energy Storage System:..... One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time incident for commercial purposes, not to include a stand alone 12-volt car battery or an electric motor vehicle.
 - Operation of a Commercial Energy Storage System shall constitute the connection of a Commercial Energy Storage System into a Commercial Operation.
- Article 2- Prohibited Conduct- The possession and operation of a Commercial Energy Storage System or systems is prohibited in the Town of Broadalbin.
- Article 3- 0Penalties: A violation of this town ordinance shall constitute a non-criminal violation. Any person, corporation or other legal entity in violation of this ordinance shall be subjected to a fine ranging from \$100 to \$500 per day. Each and every day a Commercial Energy Storage System operates on a commercial premise shall constitute a

violation of this law and subject the person, corporation, or other legal entity to an additional charge.

Said resolution had been duly put to a vote, which resulted as follows: 5 AYES & ____ NAYS.

Therefore, it is resolved.

Certified by: Cheryl Briggs

Cheryl Briggs, Town Clerk

Entered Executive Session at 8:19pm to discuss personnel.

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

A motion to discuss personnel. No direction taken.

No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

Exited an Executive Session at 8:45pm.

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

A motion to exit. Supervisor DiGiacomo stated no action taken at this time.

No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

-Councilman Bardascini stated that The Code Enforcer should be collecting the building permits and collecting the money during the time the application is filed. Councilman Rorick suggested that the Town Clerk should collect the permit in a sealed envelope and place it directly in the Code Enforcers mailbox.

NEW BUSINESS:

Approval to pay vouchers (claim)

Prepaid	\$ 160,839.30
General	36,185.53
Gen OV	180.00
Highway	6,051.97
Total	\$ 203,256.80

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

RESOLUTION #2025- 75 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 **\$ 203,256.80.**

No further discussion;

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

Public Session

ADJOURNMENT 8:58 P.M.

On a motion made by Councilman Rorick and seconded by Councilman Bardascini
The September 9th, 2025 Town of Broadalbin Town Board meeting was adjourned.

VOTE: Kissinger-aye Bogardus-aye Bardascini-aye Rorick-aye DiGiacomo- aye

Respectfully,
Town Clerk Deputy
Krystin Bailey