

OWN OF BROADALBIN
2021 REGULAR MONTHLY MEETING
MARCH 9, 2021

The Regular Monthly Meeting of the Town of Broadalbin Town Board for the month of March was held at 6:30 pm on Tuesday, March 9, 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 – present

Councilwoman Junell Pasquarelli – present

Present

Eric Alley – Highway Superintendent

Laurie Bollock – Assessor

Mike Crispin – Planning Board Chair

Mike Rorick – Planning Board Member

Jarrod Abrams – Planning Board Member

Acceptance of Minutes from Previous Meeting - February 9, 2021

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger
RESOLUTION #2021 – 62 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, February 9, 2021.

No further discussion

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

Communications

Town Clerk

- Town Clerk stated the first vouchers for the donations to the Union Mills Cemetery and the Broadalbin - Mayfield Cemetery are in tonight's General Fund folder. Also stating that she was notified that the Town of Mayfield has had to take over their Town Cemetery.
- New green Transfer Stickers are ready to be sold April 1, 2021 and are due June 30, 2021.

Supervisor

- February 17th the payroll Auditor from the Teamsters conducted an audit for the Town payroll from 2014 – 2020 in which he thought the Town would be fined for not providing health insurance to Town Highway Employees after their first month of employment. However, the Union Contract states the recently hired Highway Employee will be provided health insurance after a 90 day grace period. Supervisor Perry notified the auditor and the Town will not be fined the \$1,900.
- The NYS Department of Health, DEC, the Great Sacandaga Lake Advisory Committee and the Hudson River Black River Regulating District have all been notified that the beach will not open in 2021. All COVID restrictions would still have to be in place this year, which would have been very costly for the Town to operate.
- The NYS Disability Insurance mandated a deduction from the Highway Employees for Disability Insurance and Paid Family Leave.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini
RESOLUTION #2021-63 A RESOLUTION ESTABLISHING A SMALL PAYROLL
DEDUCTION FOR BOTH DISABILITY AND FAMILY PAID LEAVE NEW YORK STATE
MANDATES.

BE IT RESOLVED that the Payroll Officer initiate a deduction from the Highway Department Employees for mandated New York State Disability Insurance at the rate of \$.60 per pay period; and

WHEREAS Paid Family Leave is also now mandated, a deduction of 0.511% of gross wages each pay period, be deducted for that purpose not to exceed \$385.34 per year; and

FURTHER BE IT RESOLVED that this action to commence with the March 12, 2021 payroll.

Discussion; Supervisor Perry explained the Town pays this from the TA

Account – Shelter Point Life Insurance is for Highway Employees only, at this time.

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

County Communication

-Supervisor Perry stated and provided information about many huge Solar Farms being constructed in Fulton County.

-COVID numbers at this time are as follows; 3202 cases in all, 203 active cases, 23 in hospital, 2913 recovered, 86 deaths reported with 71,213 COVID tests performed. The County is unsure from day to day of the amount of vaccines they will receive with 24 hour notice to dispense.

-The Fulton County Board of Supervisors on Monday adopted a Fulton County Police Reform and Reinvention Plan in accordance with a State mandate. The plan has been worked on for several months by an advisory committee and pertains to ways to reform or revise operations within the Fulton County Sheriff's Department. Gov. Cuomo last year, by executive order, mandated local police departments across NYS to come up with a plan by April 1 to address racial issues among the ranks of law enforcement. A public hearing was held this past Monday, March 8, with one person from Mayfield attending.

-The County Treasurer's Office supplied the Town with a list of funds paid to the Town of Broadalbin for 2020 as required in NYS County Law Article 13, Section 550.

Total sales tax	\$717,967.97
Mortgage Tax	110,653.99
Traffic Diversion	3,050.00
Totals	\$831,671.96

-Supervisor Perry received a letter advising the Town, per our franchise agreement with Time Warner (Spectrum) and utility bills, a reduction of \$576.49 for 2021.

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

RESOLUTION #2021 – 64 A RESOLUTION TO RENEW THE FRANCHISE AGREEMENT WITH SPECTRUM NORTHEAST, LLC AN INDIRECT SUBSIDIARY OF CHARTER

COMMUNICATIONS INC.

BE IT RESOLVED that the Town of Broadalbin Town Board confirms acceptance of this franchise renewal agreement.

No further discussion;

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

Town Board - Nothing at this time

Bookkeeper - Financial report for February 2021 was provided to the Board.

TOWN OF BROADALBIN MARCH 9, 2021 REGULAR MEETING

-Supervisor Perry stated the Construction BOND for the Town Park has been paid down to a balance of \$550,000.00 from a balance of \$675,000.00, from \$1.3 million, initial amount.

-Financial Advisor Bruce VanGenderen advised the Town that there isn't any need to keep the "HF" Fund or the "HP" Fund that was previously set up for the construction of the park. The "HF" Fund, started by Supervisor Lee Hollenbeck back in the 1990's, was set up to receive BYC fundraising money. The "HP" Fund was set up by Supervisor Tom Christopher to hold the receipts of the Park BOND during construction.

-Financial Advisor Bruce VanGenderen advised the Town to transfer the major portions of those accounts ("HF" and "HP") into the Town's General Fund, under Buildings and Grounds Park, which the Town would use to pay any fees the Town acquired, once the Park is in operation.

-First step would be to establish the revenue and expense accounts for the Town Park by Resolution, followed by a resolution to acknowledge the transfer of such funds.

On a motion made by Councilman Bogardus and seconded by Councilman Bardascini
RESOLUTION # 2021 – 65 A RESOLUTION AMENDING THE 2021 BUDGET TO
ESTABLISH REVENUE AND EXPENSE ACCOUNTS FOR THE TOWN PARK

WHEREAS, the first five-year BOND Anticipation Note for construction of the Town Park has been completed; and

WHEREAS, the Town of Broadalbin has commenced commitment to a five-year statutory installment BOND to pay off the balance for the Park construction; and

WHEREAS, the HP Fund is no longer necessary to pay for Park construction; and

WHEREAS, the HF Fundraising Fund receiving money raised for establishment and improvement of the Park will henceforth be administered by the newly to be formed Broadalbin Youth Commission, Incorporated; therefore

BE IT RESOLVED, that both the HP and HF Funds be removed from the 2021 Budget, and the following line items be established in the 2021 Town of Broadalbin Budget as follows:

REVENUES A2801 (Interfund Revenue)

EXPENSE A1620.41 Building and Grounds Park

Discussion: Supervisor Perry explained that the fundraising may not be able to provide the cost of operating the park, which is why we are removing the money and addressing the General Fund. She reminded that Municipalities are not allowed to be associated with fundraising entities, so future fundraising will be held by the BYC. The BYC not being its' own entity, couldn't get funding for the construction of the Park, therefore previous Town Boards stepped in to provide the bonding. The BYC has five years to build up money for operating costs while the Town and Taxpayers are paying for the balance of the construction of the Park.

ROLL CALL VOTE: Bardascini -aye Kissinger -aye Perry-aye
Bogardus-aye Pasquarelli -aye

-Supervisor Perry requested a resolution to make the transfers of the "HF" and "HP" Funds.

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger
RESOLUTION #2021-66 A RESOLUTION TO MAKE TRANSFERS WITHIN THE TOWN OF BROADALBIN 2021 BUDGET AS FOLLOWS:

FROM: "HF" Fund Field Reserve Checking (balance \$68,080.65)
\$65,002.22
"HP" Fund Park Construction (balance \$24,997.78)
\$24,997.78

TO: A2801 (Interfund Revenue) \$90,000.00

BE IT HEREBY RESOLVED, that the balance of \$3,036.75 fundraising revenues and \$41.68 accumulated interest totaling \$3,078.43 be

remitted by future resolution of the Town of Broadalbin Town Board to the Broadalbin Youth Commission, incorporated upon their establishment of a checking account for the receipt of fundraising revenues.

Discussion: Supervisor Perry explained the remaining balance is a cushion in case of any refunds needed to be paid for COVID cancelations of last years' Home Show participants. Supervisor Perry stated the transfer could have been done already but she believes the Board should be involved in the decision.

-Councilman Bardascini stated the third month with no representation from the Youth Commission.

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

Department Reports

Assessor -Laurie Bollock provided the Board with a written statement read aloud by liaison Councilwoman Pasquarelli. The Assessors have been busy entering address changes, sales, splits, and mergers, etc. They are getting things all in order for the tentative assessment roll that will be due in April at the County Office.

Building and Grounds

Councilman Kissinger stated the plans for the building were found but it was decided too costly to do some of the upstairs reconfigurations they were considering, however in the basement storage compartments are feasible. Councilman Bardascini inquired if anyone from the BYC have been up to organize their football equipment as requested? No one has come yet or made arrangements to, at this time.

Code Enforcer – not present, in Syracuse today for a COVID shot. Councilwoman Pasquarelli stated Tom DiCaprio stated the transition was a little rough but now the computer has been upgraded and he has a new phone to retrieve messages. Also stating it could be slow this year due to the high cost of building materials since COVID hit.

TOWN OF BROADALBIN MARCH 9, 2021 REGULAR MEETING

Dog Control – Dale Potts not present, sent an e-mail not available this evening.

Highway

-Eric provided the Board with his annual 2021 "284 Form Agreement to Spend Town Highway Funds. This form is sent to the County, signed by all Board Members, and must be completed prior to spending any Highway Funds on general repairs or improvements on the 40 miles of Town

Roads, for an estimated sum of \$285,966.00.

-Improvements are tentatively stated for Hoesville Rd. commencing from Ridge Rd. to the Saratoga County Line, and Vunk Rd. commencing from County Route 110 to the County Route 109.

-Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways and received from the State for the repair and improvements of highways shall be expended.

On a motion made by Councilman Bogardus and seconded by Councilman Kissinger
RESOLUTION # 2021- 67 A RESOLUTION ACCEPTING FORM 284 TO EXPEND
HIGHWAY FUNDS FOR REPAIRS IN THE ESTIMATED SUM OF \$285,966.00 WITH
IMPROVEMENTS TO HOESVILLE RD. FROM RIDGE RD. TO SARATOGA COUNTY LINE
DISTANCE OF .91 MILES AND FROM SARATOGA LINE TO COUNTY HIGHWAY 107
DISTANCE OF .26 MILES, AND VUNK RD. FROM COUNTY HIGHWAY 110 TO COUNTY
HIGHWAY 109 DISTANCE OF 1 MILE, ALONG WITH TRAFFIC CONTROL DEVICES
NEEDED, SUBJECT TO CHANGE.

Discussion; Eric explained this could be subject to change, by possibly adding some small dead-end roads if feasible.

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

-Eric inquired how the Board felt about proceeding with Highway Garage improvements and getting estimates for new building or possible addition at this time.

-Supervisor Perry stated Laurie Bollock saw an article in the Schenectady Gazette stating the Town of Broadalbin may receive \$570,000.00 in COVID Stimulus Money. Perhaps the Town can look into how this money, if given, can be spent.

-The Board agreed to investigate the Stimulus Money and proceed from there, with possible improvements to the Highway Garage. Highway Procurement for RFP's is \$3000.00.

-Eric stated the Salt Shed is in need of repairs, as discussed in previous meetings. It is leaking by the entrance with some rotting noticeable.

On a motion made by Councilman Bogardus and seconded by Councilman Kissinger
RESOLUTION # 2021- 68 A RESOLUTION AUTHORIZING THE HIGHWAY
SUPERINTENDENT ERIC ALLEY TO ADVERTISE FOR ESTIMATES FOR REPAIRS TO
THE SALT SHED BUILDING
BE IT RESOLVED that the Town of Broadalbin Town Board authorized Eric

Alley to advertise for estimates to repair leaking Salt Shed.

No further discussion:

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

-aye Pasquarelli – aye

-Discussion continued about replacing/improving highway garage.

-Councilwoman Pasquarelli inquired if any grant money available to replace the garage, stating the Town does not have any funds to replace the garage without outside funds. Not to mention the high cost of building materials at this time, since COVID hit. She contacted Charlie Walls, a contractor she knows for his opinion, stating he would estimate for \$300.

-Supervisor Perry stated a feasibility study should be completed prior to any decision.

-Eric stated he believes the garage could be used as a “cold storage” building.

On a motion made by Councilman Bogardus and seconded by Councilman Kissinger
A motion authorizing Eric Alley to conduct a Feasibility Study for replacement or for the expansion of the Highway Garage, not to exceed \$3,000.00.

Discussion: Any improvements to the garage will go towards the 2022 budget. Councilwoman Pasquarelli stated she does not agree with spending \$3,000.00 for estimates to proceed with the Feasibility Study. Eric invited Councilwoman Pasquarelli to come to the garage to evaluate condition.

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

-aye Pasquarelli -no

-Eric stated, as previously discussed, ordering a new truck is a year out. Supervisor Perry stated come in her office and she will check when the other truck BONDS expiration dates are and go from there. Supervisor Perry stated previous trucks bought were meant to take over the County Road Plowing Contract to help pay for a new truck. Eric stated he didn't believe County Highway Superintendent, Mark Yost, would agree to give up their County Roads for plowing at this time.

Justice Court

-Councilman Bardascini, Court Liaison, read aloud the fines and fees collected for February 2021 as follows;

Judge Gilston \$1,147.00

Judge Jennings 2,818.00

Total 3,965.00 (\$2,850.00 included old cases)

Closed cases consisted of 46 VTL, 45 PL, 1 Civil

*Court was reopened on February 22, 2021 with first Court Date March 4, 2021.

-Supervisor Perry stated as an oversight the Court (A1110.4) budget line item was left out.
She advised a resolution to modify \$2,000.00 from the contingency line item as follows;

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger
RESOLUTION # 2021 – 69 A RESOLUTION TO MODIFY THE JUSTICE CONTRACTUAL EXPENSE BUDGET ACCOUNT (A1110.4) IN THE YEAR 2021 FOR THE TOWN OF BROADALBIN

BE IT RESOLVED that the Justice Contractual Expense Budget in the General Fund be increased by \$2,000.00; and further

RESOLVED that the Town Supervisor be authorized to make a budget modification in the General Fund as follows;

Increase Justice Contractual Expense A1110.4	\$2,000.00
Decrease Contingency Account A1990.4	2,000.00

No further discussion;

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

Planning Board

-Planning Board Chairman Mike Crispin stated in their February 24, 2021 meeting they reviewed the Ballou and Holmes Whiskey Distillery and Store Project that has been proposed along NYS Route 29 and Saratoga Ave. The proposed road access will be on NYS Route 29, which the DOT deems favorable.

-Councilman Bogardus inquired, will the water be supplied by a well or through the Village Water System? Mike Crispin stated it is planned to be a well and septic system constructed by the owner, already reviewed by the DEC and NYS Dept. of Health.

Town Attorney – not present but has been in contact with the Town Supervisor.

Town Park – no one present this evening.

-Councilman Bardascini stated he would like to see a meeting take

place between the Youth Commission and the Town Board to try to get an Operational Plan in place to get the Park opened this Spring. Also stating Marshall Dawson, the Village Employee who runs a girls' softball league, inquired about using the Town Park for his league, stating he would take care of the fields and potentially provide up to \$2,000.00 a tournament.

-Councilman Bardascini also stated he did some research with other municipalities that run town parks. In Galway the Town Clerk does the scheduling with the Town Highway doing the mowing.

-The Town Board will send an e-mail requesting the members of the Youth Commission to attend a Special Meeting Tuesday, March 23, 2021 at 6:30 pm, at Town Hall, to discuss the opening and their operational plan to open the Town Park.

Public Comment

-Mike Rorick inquired if the Town Board can demand someone from the Youth Commission to attend the Town Board Meetings to clarify their operational plan? Mike stated the impact BYC has had on the taxpayers of this Town has been a huge financial burden.

-Supervisor Perry stated the BYC has taken 3 ½ years working on becoming a non-for-profit agency. Also stating, since we received NYS Grant money of \$450,000.00, she believes if the Town Park isn't opened soon, we may have to give the money back. And there is still a balance of \$50,000.00 being held by the NYS Park & Recs Dept.

-An Operational Plan should contain information of who opens and closes the gates, mowing fees, garbage maintenance, cleaning bathroom maintenance, etc. Also in question is, if open to the public, who has access to the fields when a tournament is scheduled ?

-Supervisor Perry stated this Saturday, March 13, 2021, there is a BYC Zoom Meeting, but will plan on BYC/Town Board Special Meeting on March 23, 2021 at 6:30 pm.

-Discussion continued requesting names and e-mails of all BYC members along with the link to the Zoom meeting to be held this Saturday, for the public to have their questions answered.

ENTERED AN EXECUTIVE SESSION 8:15 P.M.

On a motion made by Councilwoman Pasquarelli and seconded by Councilman Bardascini the Town of Broadalbin Town Board entered an Executive Session to discuss litigation and personnel matters.

No further discussion; (The Executive Session was separately recorded by the Town Clerk to forward to Attorney Greco due to his absence this evening.)

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

EXITED AN EXECUTIVE SESSION 8:45 P.M.

On a motion made by Councilman Kissinger and seconded by Councilman Bogardus the Town of Broadalbin Town Board exited an Executive Session with action taken to direct the Town Assessor Chairman to hold the course and to direct the Town Attorney to write a letter, that has been authorized previously, on pending litigation, which can not be shared publicly at this time.

No further discussion;

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

Old Business -nothing at this time.

New Business

-Supervisor Perry stated the 2020 AUD is due April 1, 2021, which will be completed by our Financial Advisor, CPA Bruce VanGenderen.

-Supervisor Perry also stated the Municipal Building will reopen immediately with COVID restrictions in place such as six (6) feet apart, masks, one (1) person in the lobby at a time, and appointments available for all departments if needed. This notice will be placed in the Town of Broadalbin Fan Page and the Town Website.

-Assessor Laurie Bollock stated Grievance Day will be held on Tuesday, May 25, 2021 from

3:00 pm to 8:00 pm by appointment in fifteen (15) minute intervals.

Approval to Pay Vouchers (Claims)

Pre-paid	\$157,910.53
General	8,784.23
Gen OV	3,044.98
Highway	54,150.40
Total	\$223,890.14

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

RESOLUTION # 2021 – 70 APPROVAL OF SUBMITTED VOUCHERS (CLAIMS)
BE IT RESOLVED that the Town of Broadalbin Town Board approved the
submitted vouchers (claims) for the month of February 2021.

No further discussion;

VOTE: Perry -aye Basdascini -aye Kissinger -aye Bogardus
-aye Pasquarelli -aye

Adjournment – 8:55 P.M.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini
The March 9, 2021 the Regular Town Board Meeting was adjourned.

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

Respectfully Submitted

Cheryl Briggs, Town Clerk