

TOWN OF BROADALBIN
201 Union Mills Rd.
Broadalbin, NY 12025
518-883-4657
Regular Monthly Meeting
June 8, 2021

The Regular Monthly Meeting of the Town of Broadalbin Town Board for the month of June was held at 6:30 pm on Tuesday, June 8, 2021, at the Municipal Complex, 201 Union Mills Rd., Broadalbin, NY 12025. Town Supervisor Sheila Perry presided.

Call to Order

The meeting was called to order at 6:30 pm.

Pledge of Allegiance to the American Flag was said in unison.

Roll Call

Supervisor Sheila Perry – present
Councilman Dave Bardascini -present
Councilman Doug Kissinger – present
Councilman Dave Bogardus – absent
Councilwoman Junell Pasquarelli – present

Present

Assessor Laurie Bollock
Highway Superintendent Eric Alley
Planning Board Chairman Mike Crispin
Planning Board Member Mike Rorick
Planning Board Member Jay Abrams

Acceptance of Minutes from Previous Meeting

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger
**RESOLUTION # 2021 - 85 APPROVAL OF SUBMITTED MINUTES FROM REGULAR
MONTHLY MEETING MAY 11, 2021**

BE IT RESOLVED that the Town of Broadalbin Town Board approved the submitted minutes from May 11, 2021, with revision from Councilman Bardascinis' below statement.

Discussion: Councilman Bardascini stated in County News he would like the minutes to reflect that he stated he didn't agree with Sheriff Giardino about contracting deputy coverage for Town Court sessions but stated he would look into it.

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

Communications

-Supervisor Perry reviewed the financial statement provided by our Bookkeeper, Theresa Butkevitch, for the first six months of 2021 with all departments under budget at this time.

Town Clerk

-Office is relatively slow for this time of year for Transfer Station purchases.
-Supervisor Perry stated the new green sign for the sticker color should be posted perhaps by the Highway if possible, which might move people along to purchase the new stickers.

Supervisor

-Supervisor Perry stated we received from the NYS Dept. of Taxation & Finance Office of Real Property Tax Services our Certification of the Final State Equalization Rate for 2021 Assessment Roll which is 74.18 %, which is a small increase.

-Supervisor Perry stated she received a letter in regard to someone being upset that the Town is not supporting the children who would prefer skateboarding or bicycles at the Town Park, instead of soccer and baseball. They also stated they were upset with the Beach not being opened this season. He/she requested grant writing and Town Officials to bring forth this request to elected officials. The letter was read aloud, however the signature was unclear as to who wrote this request.

-The Department of Public Service has sent a letter on a moratorium until December 31, 2021 stating due to COVID there are to be no public water shut offs in the State of NY.

-Teamster Local 294 sent a letter requesting a date to begin Union Contract negotiations. Councilman Kissinger stated they have already met this past month to begin.

-The County Treasurer and Board of Supervisors Chairman Callery has requested a formal letter on how to proceed with the vacated property of 48 West Main St. in the Village of Broadalbin. This property is assessed for \$210,000 with taxes owed to date of \$38,000. Supervisor Perry read aloud a letter stating, The Town of Broadalbin in concert with the Village of Broadalbin agree to follow the recommendations of the County of Fulton to proceed through the normal foreclosure process of 48 West Main St. in the Village. This will start in September of this year.

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger
RESOLUTION # 2021 - 86 A RESOLUTION APPROVING TO FORWARD A LETTER TO
THE COUNTY TREASURER AND BOARD OF SUPERVISORS CHAIRMAN CALLERY
STATING

THE TOWN AND VILLAGE OF BROADALBIN AGREE TO FOLLOW THE RECOMMENDATION OF THE COUNTY OF FULTON TO PROCEED THROUGH NORMAL FORECLOSURE PROCESS OF 48 WEST MAIN ST. IN THE VILLAGE OF BROADALBIN.

No further discussion:

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

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Cont.

-To our knowledge the “Library” is still looking for a place to relocate before December 31, 2021. It is the Board’s hope that the library will continue to proceed with the process of becoming a public library for grant and State help with funding.

-Supervisor Perry stated the State Education Dept. has told Attorney Greco that real libraries fall under state education law set by the Board of Regents.

-Supervisor Perry read aloud the revised COVID Policy updated by the County which was put in place on May 24, 2021.

1. Employees, officials and visitors to the Municipal Complex buildings who have been fully vaccinated, and possess proof of full vaccination, do not have to wear a face mask.
2. Employees, officials and customers do not have to wear face masks in outdoor settings, regardless of vaccination status.
3. Employees, officials and visitors who have not been fully vaccinated must continue to wear masks indoors when in public areas and in situations where social distancing is not possible.
4. The Justice Court is under the mandates of the NYS Unified Court and may enforce other policies within their jurisdictional area.

Adherence to these revised requirements will be on the honor system, the public we serve will be trusted to be responsible in self-enforcing the State’s newly revised guidelines.

-Supervisor Perry stated we need to send our reopening plan for the Town of Broadalbin to the State.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini The Town of Broadalbin Town Board agreed to provide the above Reopening Plan to New York State.

No further discussion:

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

-Supervisor Perry stated the Fulton County Dept. of Solid Waste sent notice as of June 21, 2021, anyone visiting the Mud Rd. Facility must wear highly visible color shirts or purchase a safety vest for \$10. This is to prevent any possible injury to the public.

-County Report for the Town of Broadalbin Planning Board consists of reviewing three Public Hearings for the next June 23, 2021, meeting, all of which have been sent to The Leader Herald as Legal Notices. Also, there will be a review of a lot line adjustment.

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-Salt Shed repair bid opened by Councilman Kissinger. This RFP was advertised two (2) times in The Leader Herald with one (1) reply.
-Bullseye Modulars LLC repair total \$16,900.00 which will be under Building and Grounds Account # 1620.4 which has a current balance of \$14,711.51.
-Supervisor Perry will check with Theresa Butkevitch and our Financial Advisor Bruce VanGenderen, to see if we can use @ \$2,188.49 of the Contingency Budget and get back to Bullseye Modulars LLC with an answer if we can proceed with repairs this year by Friday, June 11, 2021.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini
RESOLUTION # 2021 – 87 A RESOLUTION TO ACCEPT THE SALT SHED REPAIR BID OF \$16,900.00 BY BULLSEYE MODULARS LLC PENDING ABILITY TO MOVE FUNDS TO COVER PROPOSED AMOUNT AND TO BE NOTIFIED BY FRIDAY JUNE 11, 2021.

WHEREAS, the Town of Broadalbin Salt Shed bid for repairs to the entrance and the vent fan dormer due to leaking was advertised twice;
and

WHEREAS, the Salt Shed repairs will be out of Buildings and Grounds Account A1620.4 with a current balance of \$14,711.51;

Therefore, the accepted bid for repairs to Salt Shed of \$16,900.00 will be pending the ability to move funds of \$2,188.49 to cover proposed amount from the Contingency Budget with contractor being notified by Friday, June 11, 2021.

No further discussion:

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

Department Reports

Assessing

-Laurie Bollock provided the Board with the minutes from Grievance Day and thanked Town Clerk Cheryl Briggs for being the secretary for that day.

-Laurie Bollock stated Grievance Day was held on May 25, 2021 from 3:00 pm - 8:00 pm consisting of five grievances heard. One person had two parcels, three Stipulations and two in litigation in the Fulton County Supreme Court. There was a total of 95 change of assessment notices mailed out of 3200 parcels.

-Mike Greco was sent to the Post Office at 5:00 pm that evening to make sure no other mail was in the box.

-The final roll will be printed and signed by July 1, 2021 and will be available for public view at the Municipal Building. Laurie stated it has been a long, trying year and if there are any questions, please let her know.

-Supervisor Perry stated the equalization rate was provided by the County at 74.18%.

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REGULAR MEETING

Assessing cont.

-Laurie Bollock explained there are 3,275 parcels in both the Town and Village combined.

In the Town there are 2,516 taxable parcels consisting of 10 owned by the State, 8 Franchises, 10 Utilities and 64 fully exempt. In the Village there are 667 taxable parcels consisting of 628 taxable, 4 franchises, 6 utilities and 29 fully exempt.

-Supervisor Perry stated for the 2022- 2023 school year mobile homeowners will no longer receive the Star Exemption but will receive the Star Credit Tax Check.

-Laurie Bollock stated this means that the Mobile Home Park Owners will have to pay the full payment on their park and then in October or November of that year, receive a Star Credit Tax Check. This benefits the school district by getting the full amount up front.

-Supervisor Perry stated that Fulton County Planning Board Secretary Scott Henze sent her the By-Laws of the Planning Board to be upgraded every five years, which hasn't been updated since 2016.

-Planning Board Chairman Mike Crispin requested we continue with the County and use Scott Henze and perhaps use some wiggle room in the budgeted amount for future Site Plan Review coming up.

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger
RESOLUTION # 2021 – 88 A RESOLUTION AUTHORIZING THE TOWN OF BROADALBIN
TO ENTER INTO AGREEMENT WITH THE FULTON COUNTY PLANNING DEPARTMENT

FOR
THE YEAR 2022.

BE IT REAFFIRMED, that the Fulton County Planning Department assist the Town of Broadalbin in planning; and further,

BE IT RESOLVED that the maximum amount to be paid under this agreement is \$1,600.00 for the year 2022; and

BE IT FURTHER UNDERSTOOD that the first ten (10) hours are to be offered free of charge.

No further discussion:

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

-Supervisor Perry stated the Salt and Sand Contract Check from the Village was received recently of \$15,286.48 for this past season. Next seasons' price will be revisited in August or September.

Buildings & Grounds

-Sienna Fence will begin construction on the storage project in the basement on August 11, 2021.

-The Youth Commission was made aware of this date and was asked to clean their area prior to August 11, 2021.

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Code Enforcer -not present

Dog Control Officer -not present

Highway

-Eric Alley provided the updated numbers from CHIPS.

On a motion made by Councilman Kissinger and seconded by Councilman Bardascini
RESOLUTION # 2021 – 89 A RESOLUTION AMENDING THE 2021 TOWN OF BROADALBIN ADOPTED HIGHWAY BUDGET TO ACCEPT ADDITIONAL CHIPS, PAVE NY AND EXTREME WINTER RECOVERY FUNDS:

WHEREAS, by copy of NYSDOT CHIPS Capital apportionment run, NYSDOT informed Town of Broadalbin that the SFY 2021 – 2022 Consolidated Local Street and Highway Improvement Program for Town of Broadalbin would be \$132,907.00 increasing the budgeted amount by \$44,207.00: and

WHEREAS, we have also been notified by NYSDOT that the Town of Broadalbin Highway Department will receive \$34,452.06 as part of Pave NY.

The Town of Broadalbin will also receive \$29,793.05 as part of Extreme Winter Recovery.

BE IT RESOLVED, that in light of these changes it will be necessary to amend 2021 revenues as follows to reflect these changes:

Appropriation: Increase DB5112.2	\$197,152.11
Increase DB5112.2 of	108,452.11
Revenue: Increase DB3501 State Aid CHIPS	108,452.11

No further discussion:

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

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-Eric Stated with the increases in the CHIPS Funds we need to amend Form 284.

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

On a motion Made by Councilman Bardascini and seconded by Councilman Kissinger
RESOLUTION # 2021 – 90 MODIFYING FORM 284 AGREEMENT TO EXPEND HIGHWAY FUNDS FOR REPAIRS IN THE ESTIMATED SUM OF \$357,152.11 TO RESURFACE/STRIPE CERTAIN ROADS IN THE TOWN OF BROADALBIN FOR THE YEAR 2021 ALONG WITH ANY SHOULDER SURFACE OR TRAFFIC DEVICES NEEDED.

No further discussion.

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

-Eric stated he has an employee that advised him today of his

anticipated retirement date of August 31, 2021. Eric requested approval from the Board to hire a fulltime employee for the anticipated retirement.

-The Board advised Eric to advertise for a part time applicant on a probationary period, with a possibility of fulltime. A fifth fulltime employee overlapping a couple months, would lead to having to provide health insurance, which isn't in the 2021 budget.

On a motion made by Councilman Kissinger and seconded by Councilman Pasquarelli to direct Highway Superintendent Eric Alley to advertise expected vacancy as a part time position with the possibility of full time, requesting applicant to have a Class B license.

No further discussion:

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

-Eric stated with the additional money this year coming from the CHIPS Fund if the Board would approve for him to rent a Gradall with the possibility to own to replace their current 1990 Gradall, which is getting very costly to repair. The contract to rent would be @ \$5,500 a month with a purchase price not to exceed \$70,000, with rental fee going toward the price of purchase. New price is @ \$300,000.

-Another option discussed was purchasing a new plow truck or doing more paving this year.

-Eric explained with paving, the Town of Broadalbin pays the full bill then vouchers Galway for their portion of paving on Hoesville Rd. which is \$37,600.

-Supervisor Perry stated she would like to meet with Eric to go over BOND dates already in place for highway equipment.

-Eric stated we could roll over the CHIPS money in 2022 but is not guaranteed if next year they do away with it.

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REGULAR MEETING

Highway cont.

-Eric stated CHIPS money will be used to go to our paving and use the budgeted money for purchasing equipment.

-Also discussed was the age of equipment vs hours used.

-Eric stated option one, rent Gradall with option to buy, option 2, do more paving this year, option 3, purchase a new plow truck. To order a new plow truck, receiving the truck would be @ one year from now.

-Due to the regular high repair costs of the 1990 Gradall, the Board agreed to rent a Gradall for one month and revisit the option of putting out to bid for a rental contract with option to buy at next months' meeting, July 13, 2021.

-Councilwoman Pasquarelli inquired as to if we should just be renting a Gradall vs purchasing.

The Board decided to rent for one month and revisit at July 13, 2021

Town Board Meeting.

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

RESOLUTION #2021 – 91 A RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT ERIC ALLEY TO RENT A GRADALL FOR ONE MONTH THEN ADVISE THE BOARD ON FUTURE POSSIBLE PURCHASE OF A NEW GRADALL.

BE IT RESOLVED, that the Highway Superintendent is authorized to rent a Gradall for one month then advise the board on possible purchase of a new Gradall at the July 13, 2021 Regular Town Board Meeting.

No further discussion:

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

Justice Court

-Councilman Bardascini read the court report for May 2021 which consisted of total fines and fees collected \$5,036.00, \$2,070.00 was from cases 2020 and before. There were 89 cases heard, consisting of 42 closed tickets, 37 vehicle and traffic, 3 penal cases, 2 civil, no violations and no DEC tickets issued.

-Also discussed was the option to hire a Sheriff Deputy for court sessions that would answer to the Sheriff, which would include paying the overtime rate and benefits quarterly with insurance and a 2% administrative fee vs continuing to use the Constables already in place for court sessions.

-Councilman Bardascini stated NYMIR, our insurance carrier, advises the Town to have in place a Law Enforcement Liability Policy for our current Constables. Also, we should be registered with the Dept. of Criminal Justice Services pursuant to Executive Law 845. Training may need to be completed by both Constables.

-Supervisor Perry will contact our NYMIR representative and see how to proceed to get insurance on the Constables for Justice Court.

-Councilman Bardascini stated Judge Gilston is checking on the Criminal Justice 845 Law.

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Court cont.

-Additional possible surcharges were discussed.

-Councilman Bardascini explained the State only pays for fulltime courts.

-Councilman Bardascini read aloud parts of Judge Jennings' letter regarding his mileage vouchers. Judge Jennings stated State Law supersedes Town Law when requesting mileage from his home to come to court while doing his deposits and explained if he were in an accident the Town would become liable if not done this way.

-Councilman Bardascini stated if we pay one employee to come to work, we would have to pay all employees.

-Supervisor Perry stated Judge Jennings replied that in keeping harmony between the Town and Court he will modify his vouchers.

Planning Board

-Chairman Mike Crispin stated the Planning Board is reviewing three Public Hearings for their June 23, 2021 meeting along with reviewing a lot line adjustment and a site plan. Seating will remain the same with 12 chairs available to be placed after the Republican Primary on June 22, 2021.

Town Park / BYC – no one present.

Old Business -none at this time.

New Business

-Approval to Pay Vouchers (claims)

Pre Paid	\$12,197.25
General	13,782.78
Highway	15,611.33
Total	41,591.36

On motion made by Councilman Bardascini and seconded by Councilman Kissinger
RESOLUTION # 2021 – 92 APPROVAL OF SUBMITTED VOUCHERS (CLAIMS)

BE IT RESOLVED that the Town of Broadalbin Town Board approved the submitted vouchers (claims) for the month of May 2021.

No further discussion.

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

Public Comment – Mike Rorick commented that it is nice to see families at the Town Park.

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-Councilman Bardascini requested an Executive Session regarding pending litigation, personnel and contract negotiations.

-Supervisor Perry stated, regarding the personnel matter, she has been in contact with Attorney Greco about advertising for a new Town Historian. To date we have not received a letter of resignation from the current Historian, which is also the Historian for the Village. Supervisor Perry has made a second request for his letter of

resignation and has said he will be up soon to drop off keys and to get his personal items.

Until then, the Town can't advertise for a new Historian but may have someone in mind.

Entered an Executive Session 8:25 pm

On a motion made by Councilwoman Pasquarelli and seconded by Councilman Kissinger the Town of Broadalbin entered an Executive Session to discuss ongoing litigation and contract negotiations.

No further discussion:

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

Exited an Executive Session 9:19 pm

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

The Town of Broadalbin exited an Executive Session with action to be taken, Councilwoman Pasquarelli will advise Attorney Greco to move forward with litigation. Councilman Kissinger will contact the Teamster Representative to set a date for further negotiations.

No further discussion:

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

Adjournment 9:20 pm

On a motion made by Councilman Bardascini and seconded by Councilwoman Pasquarelli the June 8, 2021 Regular Town Board Meeting was adjourned.

Respectfully submitted by

Cheryl Briggs
Town Clerk