

*Joe*

# TOWN OF BROADALBIN

201 UNION MILLS RD  
BROADALBIN, NY 12025

518-883-4657

REGULAR MONTHLY MEETING  
February 13, 2024

## TOWN OFFICIALS

Town Supervisor – Joseph DiGiacomo-present  
Town Board Member – Doug Kissinger-present  
Town Board Member – David Bardascini-present  
Town Board Member – David Bogardus-absent  
Town Board Member – Mike Rorick-present

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

Pledge of Allegiance was said in unison.

Roll Call – Town Clerk absent this evening. Tonight's meeting is being recorded by Councilman Kissinger.

-Acceptance of Minutes from January 2, 2024 and Special Meeting January 9, 2024.

On a motion made by Councilman \_\_\_\_\_ and seconded by Councilman  
**RESOLUTION #2024- APPROVAL OF SUBMITTED MINUTES 1/2/24 and 1/9/24**

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

Discussion; Minutes from December – February will be reviewed at the 3/12/24 meeting for approval.

## Public Comment

-Dave Anderson of Spring Rd. inquired why the Town Park has been locked and not available for use this winter season since the Park was paid for by Taxpayers money and is stated as a public park. He believes it should be considered to keep open and offered to help with any operating issues for it to remain open for the public. Mr. Anderson stated he would also like to see expansion of winter sports for use of the Town Park such as cross country skiing and snow shoeing. He realizes it would need to be monitored for vandalism, garbage, etc.

-Supervisor DiGiacomo agreed with Mr. Anderson it would be nice to have the Park open for winter sports and stated the Town Board and the BYC will be working on an operating agreement in the near future, but for this season the worry of vandalism to the fields with vehicles is a concern. He also stated at the past meeting it was discussed to look into getting a pedestrian gate for people to be able to access the Park and snow plowing the front for people to park safely. No motion to close the Park for this season was ever made.

Cont.

-Keith Buchanan stated someone has already entered the Park from the rear area and damaged one field. By locking the front gate he was trying to prevent damage since the BYC spent \$10,000 this past year in 2023 to care for the property.

-Keith Buchanan introduced two new BYC Board Directors stepping in for Lou Magliocca in 2024. Tucker Gifford and Shauna-Rae Haley will be co-chairing the responsibilities of the BYC Program. Both introduced themselves to the Town Board with Mr. Gifford stating he has been a teacher and coach for the Broadalbin-Perth School District for the past 21 years and Ms. Haley teaching for the past 10 years as a Special Education Teacher. Both are looking forward to working with our community to expand the winter sport programs at the Town Park and would love to work together with both Boards to do what would be best for our Town Park and the BYC Program. Both also agree that vandalism and how to monitor the Town Park would be a top priority for the Park to remain open during the winter seasons.

**\*6:45 pm Open Public Hearing Local Law #2024-2 Increase Senior Exemption for Property Tax**

-At this time Supervisor DiGiacomo opened and read aloud the proposed Local Law #2 of 2024 To increase the senior exemption for Property Tax.

-There were no comments. The public hearing was left open at this time.

Discussion continued about the Town Park;

-Councilman Rorick stated he believes we shouldn't keep The Town Park closed just because of worries about possible damage being done. When addressing the new BYC Directors he stated he would like to see better communication between the BYC members and the Town Board with perhaps a representative attending the Town Board Meetings. Councilman Rorick stated he would love to have the financial people come and discuss the BYC accounts, since he is new to the Board. Councilman Rorick thanked Keith Buchanan for coming to the meeting this evening, stating he is always the one getting bombarded with these questions.

-Councilman Bardascini stated he has the same inquires he has had for many months as to the BYC payback plan to the taxpayers for the construction of the Town Park, which was Bonded and the \$50,000 balance of the Grant written by Dr. Brooks. He also thanked Keith Buchanan for coming this evening.

-Supervisor DiGiacomo stated he and Councilman Bogardus are on the committee for the BYC and the Town Board can see their financials anytime. He also stated that Dr. Brooks is still going back and forth with Sunshine Jenkins, the representative from the State Parks and Rec. Dept. about the \$50,000 balance. Also stating the User Agreement between the Town Board and the BYC along with a payment plan to repay taxpayers for the construction cost, will be discussed at the next BYC Meeting.

-Other ideas for the Town Park that are being discussed are a pickle ball court, a band shell to hold concerts, and other possible community events.

-Tucker Gifford stated any other suggestions can be e-mailed to him directly.

-Keith Buchanan ended by saying there will be the Home Show Craft Fair and Chicken BBQ in the Spring, help is always needed if anyone is interested.

**Department Reports****Town Supervisor**

-Supervisor DiGiacomo addressed the Planning Board Members that he would like to see a joint meeting between them and the Town Board soon to review the draft of the Solar Energy Regulations.

-The Town Board agreed for Supervisor DiGiacomo to set the date for February 28, 2024 at 5:30 pm, prior to the regular Planning Board Meeting, to meet and send a Legal Notice to The Leader Herald (Gazette) to advertise as a Special Meeting, since the Town Clerk is not in attendance this evening, and must be advertised ten days prior.

**Assessor** –Marty Young stated the office has been busy with address changes, Ag. Exemptions, and Non-For-Profit Exemptions, sales, transfers splits and mergers, which are all going good.

-Supervisor DiGiacomo stated the Town equalization rate is presently 52.15 which is down from last year but good news, explaining this rate is how your tax comes from the County.

-Councilman Rorick stated he has stopped in the Assessor's Office many times lately and there have been no issues.

**Building and Grounds** –Councilman Rorick stated he has been in the Town Hall and the Highway Garage and all seems fine. As mentioned in the past meeting he would still like to remove the island in the parking lot to make plowing easier in the Spring.

-Highway Superintendent Sandy Thompson said they can take care of it by cutting and squaring off the island then blacktopping the area.

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger A motion allowing the Highway Employees to remove the island in the Town Hall Parking lot and replacing with blacktop.

No further discussion;

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

-Councilman Rorick stated he thought it is a great idea to have the AED in the Town Hall Lobby but also agrees to perhaps have a portable one for the Highway Dept. His thought was to appeal to Fulton County for a possible grant since a new one is @\$3,000. He also mentioned that there are first aid kits in the Garage.

-Supervisor DiGiacomo stated the AED presently in Town Hall was purchased by him in 2010. He also stated since we now have a working AED there are certain procedures that need to be in place such as a window sticker announcing it, a medical director to monitor it, and staff training on usage.

-Councilman Bardascini stated he knows someone from Herb Mengy (sp?) of Amsterdam that may do the staff training for free.

-Court Clerk Jennifer Gilston inquired if using the AED would be included in our NYMIR Policy, stating as an RN she is not comfortable using an AED. She would prefer to call 911.

Cont.

- Assessor Marty Young, also an RN agreed that she would not feel comfortable using the AED.
- Councilman Rorick stated that he was sure if a coworker needed help they may feel differently.
- Councilman Bardascini stated we would be covered by the Good Samaritan Law.
- Supervisor DiGiacomo stated there is a response time for an emergency attendant of @ 8.8 minutes and the AED machine talks you through the procedure, not shocking if there is a heart beat.
- Highway Superintendent stated she does not feel comfortable with the responsibility, truthfully.
- Supervisor DiGiacomo asked the Board if they thought the front doors to the Town Hall should be replaced or repainted. It was decided to get quotes to replace the front doors and discuss more at the next meeting on March 12, 2024.

#### **Code Enforcer**

- Tom DiCaprio, not present but provided the Board with a written report, read by liaison Councilman Bardascini, stating there were 3 permits for a total of \$235 in January.

**Dog Control Officer** – Dale Potts stated it was rather quiet in January with 1 dog bite and no dogs sent to the Shelter. So far for February there was 1 nuisance dog call. Dale also stated as far as the Town park goes there is a leash law in place which this past year a dog biting was reported at the Park.

-The Town Board directed Sandy Thompson to inquire at the County Sign Dept. for signs at the Town Park, that leashes are required at all times.

#### **Highway Superintendent**

- Sandy Thompson stated the new employee, Earl Bateholts, is working out well. He is a good driver and mechanically inclined which helps.
- Discussion took place on the many costly repairs on the F550 and the older plow trucks (2003 & 2004). Sandy stated there is a 2 1/2 year wait time for a new cab and chassis, with the new 2024 Plow truck already ordered, not being delivered for @ 6-9 months.
- The Town Board agreed for Sandy to put our name on a "build slot" to hold our place for a new plow truck with financing to be discussed, since no money down is required at this time.
- Sandy Thompson will be cancelling CINTAS Uniform maintenance and going with UNIFIRST CO. for highway uniform maintenance at a much lower price.

- Supervisor DiGiacomo stated the Fulton County Dept. of Solid Waste Five Year Contract needed to be signed by December 31, 2023.
- Councilman Bardascini stated he did sign that previously in October. (That was the tonnage estimate report. (Michelle from Dept. of Solid Waste did not have the contracts ready yet.)
- The Board agreed to have Supervisor DiGiacomo sign this evening with the resolution to approve on following page.

**2024-2028 Transfer Station Five Year Utilization Agreement**

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger  
**RESOLUTION #2024- 55 AUTHORIZING TRANSFER STATION UTILIZATION AGREEMENT  
BETWEEN THE DEPARTMENT OF SOLID WASTE AND THE TOWN OF BROADALBIN**

**WHEREAS**, the Transfer Station agreement between the County of Fulton and the Town of Broadalbin within Fulton County will expire December 31, 2023; and

**WHEREAS**, the Department of Solid Waste has operated our Transfer Station for several years, and the cost of said operations is charged back to the municipality per the Utilization Agreement now, therefore be it

**RESOLVED** that the Broadalbin Town Supervisor be and hereby is authorized to sign the five year Transfer Station Utilization Agreement with the Fulton County Department of Solid Waste for use of the County owned and operated Transfer Stations, effective January 1, 2024 through December 31, 2028; and be it further

**RESOLVED**, that said agreements are subject to the approval of the Town Attorney: and be it

**RESOLVED**, that certified copies of this Resolution be forwarded to the Fulton County Treasurer, Solid Waste Director, All Participating Municipalities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Discussion: none

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

**Justice Court** –Councilman Doug Kissinger read aloud the Court Report for January 2024 as follows; Scheduled Cases 47

- Closed tickets 28, VTL 20, PL 6, Civil 2, DEC. 0, LO 0. Total collected \$2,064
- Court Clerk Jennifer Gilston stated their VTL cases are way down with the Criminal cases way up, which don't pay and of which some are being converted to Civil Cases, which helps but are paid for by tax payers with a public defender. The Capital Arraignments are working with the arrests being picked up by bench warrants issued by the Town Court.

**Planning Board**

- Chairman Mike Crispin stated they have had a couple Lot Line Adjustments and a minor subdivision, next month there will be couple site plans and a subdivision reviewed. Solar Regulations are being discussed at each meeting with a draft in place.
- Recently there was a planning board class held at Saratoga attended by Jarrod Abrams with another class to be held at FMCC.
- Jarrod Abrams stated at the Saratoga Class it was discussed that Gov. Hochul confirmed that the State can now override any Solar Farms, even if it is under a 20 kilowatt farm being proposed, or any Town rules for septic systems for immigrant housing, if needed.
- Mike Crispin stated he has 2 residents interested in the vacancy of the Planning Board since Mike Rorick is now a Town Board Member, and asked the Town Board to extend the letters of interest to fill this position until the March 12, 2024 meeting.

On a motion made by Councilman Rorick and seconded by Councilman Bardascini A motion authorizing the Planning Board Chairman Mike Crispin to extend the time to March 12, 2024 for any letters of interest to fill the vacancy of the Planning Board at this time.

No further discussion;

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

**Public Hearing comments at this time**

-Mike Crispin inquired, is this increase to keep up with time? Which was stated, yes.

\*\*\*\*\*7:30 PM the Public Hearing was closed with no further comments. Local Law #2 Of 2024 will be on the following page with a roll call vote taken.

RESOLUTION No. 24-2

INCREASING MAXMIMUM INCOME ELIGIBILITY LEVEL  
FOR SENIOR CITIZENS PROPERTY TAX EXEMPTION

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 13<sup>th</sup> day of February, 2024, at 6:30 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. Joseph DiGiacomo (Supervisor); Mr. David Bardascini (Councilman); Douglas Kissinger (Councilman); David Bougardus (Councilman); and Michael Rorick (Councilman)

**WHEREAS**, the Town of Broadalbin recognizes how the rising cost of living has disproportionately affected its Senior Citizen population;

**WHEREAS**, it has been 16 years since the Town of Broadalbin has amended the income eligibility for senior citizens property tax exemptions;

**WHEREAS**, Fulton County recently amended its income eligibility for senior citizens property tax exemption; and

**WHEREAS**, the Town of Broadalbin is desirous of amending its income eligibility to be consistent with Fulton County and its neighboring municipalities; now, therefore,

**BE IT RESOLVED**, that upon the recommendation of the Fulton County Committee on Finance and the adoption by the full Board of Supervisors, the maximum income eligibility level for computing the real property exemption available to persons sixty-five (65) years of age or older with owner occupied residential property within the Town of Broadalbin be, and hereby is increased, in accordance with the following schedule of exemptions:

<u>Annual Income</u>	<u>Exemption %</u>
Up to and including \$24,300.00	50%
\$24,300.00 - \$25,299.99	45%
\$25,300.00 - \$26,299.99	40%
\$26,300.00 - \$27,299.99	35%
\$26,300.00 - \$28,199.99	30%
\$28,200.00 - \$29,099.99	25%
\$29,100.00 - \$29,999.99	20%

and further,

**BE IT RESOLVED**, that said new sliding scale schedule of exemptions identified herein shall take effect in the 2024 assessment roll; and further,

Said resolution had been duly put to a vote, which resulted as follows: 4 AYES 0 NAYS.

Therefore, it is (not) resolved.

Certified by: Cheryl Briggs  
Cheryl Briggs, Town Clerk

*J.C. DeGraw*  
*Supervisor*



-Supervisor DiGiacomo stated he has contacted the current supplier for our electric service for 3 out of the 4 accounts we have, American Gas and Power, to switch back to National Grid at a much lower cost. That should take place with our next bill. He brought this to the attention of the previous Supervisors that we have been overpaying for the past 10-12 years with American Power and Gas charging us 29 ½ cents per kilowatt instead of the 9 cents charged by National Grid.

-Also discussed was the Municipal Water Account from NBT we are being charged 10 mos. banking fees with 8 cents interest reverse charge for this month.

-Supervisor DiGiacomo stated the Financial Report provided by Bookkeeper Theresa Butkevitch, shows the Fund balances the Town has. A new product called IN Inter Fund Networking make 2% more which would bring @ \$50,000 increase taking @ 1 week to set up like a Supercharge Money Market. It works by putting money in and out with no penalties and you can spread it over various banks, so not paying collateralization, and is approved by the State Comptroller's Office.

-Councilman Kissinger stated perhaps we can pay for the new 2024 plow truck with this.

-Supervisor DiGiacomo stated he picked up the fourth quarter sales tax recently from the County which was \$322,000, down a little bit from last year but still on budget.

-Supervisor DiGiacomo stated he would like to see security tightened up a bit as in regards to the Town Clerk Office with the mailbox keys being replaced that are missing so when the Town Clerk is not here, you can still access your mail. Also would like to see the codes to get into the building limited so not so many people are using the same code number.

-Also stated was a new company, CRG, has purchased 250 acres near the Industrial Park on Route 30 with a grant which will provide many more high paying jobs to the County.

-Councilman Bardascini read aloud a thank you letter from Toni Hallenbeck, the President of the Seniors, thanking the Town for the continued support/donation for Senior Trips and the Rental Fee for their meetings. Much appreciated.

-The new website needed since our past Webmaster, Peter Galarneau passed, was discussed with the Town Board agreeing to possibly use a student to maintain a new website. Supervisor DiGiacomo will contact Broadalbin School Superintendent Steve Tomlinson for his advice. We do have a couple Domain names we can use at this time. The past passwords to our current website are not known.

#### **Town Attorney**

- Attorney Stanyon not present this evening.

**Town Clerk** – Cheryl Briggs absent this evening with Councilman Kissinger recording.

#### **OLD BUSINESS**

-Councilman Rorick stated he believes the ARPA Funds should go towards a new Highway Garage instead of spending the money to repair the existing Garage.

-Supervisor DiGiacomo stated bonding fees for a municipality are now at 4-4.5 %.

**TOWN OF BROADALBIN**

**FEBRUARY 13, 2024**

**REGULAR MEETING**

Cont.

- Sandy Thompson stated ideally a ten year truck replacement should be in place. The 550 we don't really need but it is great to use for patching potholes.
- Councilman Rorick stated Auction International is a good place to send it.
- Councilman Kissinger stated the proposal for the Spectrum Phone upgrade needs to be discussed as to if we should continue by getting a new phone line for the security system or to discontinue altogether. After much discussion the Board agreed to get a new phone line to continue with the upgrade to the phone system.

On a motion made by Councilman Bardascini and seconded by Councilman Rorick A motion to move forward with the new upgrade to the phone system by contacting Spectrum to add a new phone line to our current Security System.

No further discussion;

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

**NEW BUSINESS**

- Supervisor DiGiacomo inquired if the Board would prefer to sign the Abstracts instead of each voucher.
- Councilman Bardascini stated he would prefer to continue to sign each voucher to prevent a problem with any voucher being slipped in after the Abstract was signed.
- Councilman Kissinger stated can we initial instead of full signature?
- Supervisor DiGiacomo stated on many vouchers there isn't a department head signature on them, which he stated there should be.

**Approval to pay vouchers (claim)**

Prepaid Jan.	\$106,732.28
Prepaid Feb.	164,825.13
General	12,411.59
Gen OV	417.80
Highway	48,502.17
Total	\$332,888.97

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

**RESOLUTION #2023- 56 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 \$332,888.97.

No further discussion;

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

**TOWN OF BROADALBIN**

**FEBRUARY 13, 2024**

**REGULAR MEETING**

**Public Session**

-Mike Crispin stated at this time the town doesn't have a short term rental law as some other towns do.

Discussion took place on who would enforce such a law ? It is believed at this point the State seems to be able to override many zoning and rental laws any town now has in place. Further investigation will have to take place. Fulton County does have an occupancy tax in place with a lot of Air A & B's some collecting as much as \$12,000 per week.

**ADJOURNMENT 7:55 P.M.**

On a motion made by Councilman Rorick and seconded by Councilman Kissinger  
The February 13, 2024 Town of Broadalbin Town Board meeting was adjourned.

Respectfully Submitted from taped recordings of this meeting.

Cheryl Briggs