

State of New York
County of Fulton
Town of Caroga

Minutes of the Regular monthly Caroga Town Board meeting held Wednesday March 12, 2008 at the municipal building located at 1840 State Highway #10 at 7:00 pm with the following persons in attendance by Roll Call:

Deputy Supervisor Ralph Palcovic - Here
Councilman Robert Sprung - Here
Council Member Valerie Scribner - Here
Councilman Robert Sullivan - Here

Other town officials in attendance were Lita Hillier – Budget Director, Stephen Jennings – Golf Pro-Greenskeeper-Manager, Justice James Subik, Dog Control Officer Howard Dutcher, Mike Heberer – Code Enforcement Officer, Joseph Insogna – Highway Superintendent, Assessor Katherine Hillock, and Town Attorney Edward F. Skoda. There were 31 members of the public in attendance.

At 7:02 pm Deputy Supervisor Palcovic announced that a political Caucus would be held across the hall with the Town Attorney in attendance.

The board meeting began at 7:10 pm. The flag salute was conducted.

Deputy Supervisor Palcovic opened the Public Hearings on Local Law #1-2008 a Local Law to set Grievance Day in the Town of Caroga at 7:11 pm. He also announced the public hearing to amend Local Law #1-1973 to open certain roads to snowmobiles in the town. Attorney Skoda noted that a public hearing was not necessary as additional roads may be added by resolution as stated in the original Local Law.

Section 1. Title – A Local Law to set “Grievance Day in the Town of Caroga”

Section 2. Legislative Intent - The Town of Caroga Sole Assessor Katherine Hillock is also the assessor for two other assessing units within Fulton County. Pursuant to Section 512.1-a of the Real Property Tax Law the Town of Caroga hereby sets the Thursday after the fourth Tuesday in May as Grievance Day.

Section 3. Effective Date - This local Law shall take effect immediately upon its filing with the New York State Department of State.

Public:

Mr. Altizio asked if there was a need to go to grievance day. Two board members explained it is for the convenience of the Assessor who also works in two other towns and cannot be in three places at once.

Mr. Bush noted that the town does not currently have a town supervisor. He noted the importance to have representation at the county level. He asked the board to expedite appointment of a supervisor who would serve the town until the end of the year.

Department Reports:

Highway – Mr. Insogna reported, “We’re just working on moving the sand. I think we have a done deal – the middle of April I should know. Just been plowing snow and trying to keep everybody happy.” It has been tough year. He will be meeting with a representative of DEC – Warren County on April 7th. He is going to try to cut the salt use in half next year. They only have 12 yards left right now then it will be gone. He may haul directly from Logan next year. Mr. Insogna noted that a lot of repairs have been done on the machinery. He does have some obsolete equipment to put out to bid.

Dog Control – Mr. Dutcher reported that he received 13 calls for the month. He issued three criminal summons.

Golf Course – Mr. Jennings reported that all of the machinery has been serviced and repaired. They are trying to clear some of the trees that are infringing on the Tee, Greens and some fairways. Some memberships are coming in. They are waiting on the weather.

Deputy supervisor Palcovic asked how the course was going to be protected in the course of removing the logs. Mr. Jennings assured the board that the course would not be damaged. There are 13 – 11 ft in length logs approx. 26” in diameter to be put out to bid.

BTI - Candace Dean submitted a written report. She noted that over the course of the next two weeks a 30- hour training course would be conducted for 2 new applicators. The permit to treat is in the works. The program will be ready by the end of March – weather permitting.

Weeds – No report

Youth - No report

Clerk/Registrar –Town Clerk books for 2007 were presented for audit by the board again. The February monthly report was placed on the table. The clerk noted that transfer station permits would be available next week if OK’d by the board.

Assessor’s Report – Mrs. Hillock gave the board a sales analysis report. “ORPS will look at the sales in the town for the past three years. They will use that to determine the level of the assessment in the town. It is kind of low and there’s not a lot of confidence in it. She discussed the preliminary report for the pre decisional collaborations. On this sheet is usually how you’re going to determine what your equalization rate is.’ The state is indicating that the town is in the 50’s. The 30’s sheet is the assessed value compared to the sale price in only the residential sales occurring in the last year. “It is hard to determine how they’re (the state) is doing Caroga Lake at this date. We have a lot of sales but they are not reflective of what is happening on the assessed value level.” Mrs. Hillock guessed the rate would be somewhere in the 50’s. Next

month the assessment roll will be set. “I will set what level I think the assessments are. They are not at 100.” She stated there would be some assessment changes for new construction. She stated that anyone could challenge what their assessment is.

Committee Reports

Buildings and Grounds – Councilman Sullivan and Councilman Palcovic. Councilman Sullivan and Council Member Scribner met with Mr. Insogna at his buildings. For the next meeting Councilman Sullivan would like to meet with him again and write up a report of what his long range plans are. Deputy Supervisor Palcovic noted that CT Male would be in the town hall for some preliminary engineering assessment, also for asbestos and mold observations. They will be here to look at repairing the potential structural deficiencies and possibly look at removal of the old structure next door in the long term.

Code Enforcement & Sanitation – Mr. Heberer gave the board a report dated Jan. 1 2008 to March 12, 2008. YTD five building permits have been issued and two sanitation permits. He listed 24 violations from 11/15/07 to 2/27/08 with 18 of them having a resolution. He noted that due to the weather he has not been so busy. It has allowed him to give Mrs. Hillock a full report of permits over the last two years that have been closed, and what CO’s and CC’s have been issued. He noted that six people would be going before the judge at the end of the month for junk vehicles.

Salt & Sand – Highway Superintendent Insogna, David Hoffman. Mr. Insogna noted that he would be moving the strainer from Rockwood to here. The town will do their own screening and gravel pit, and just buy the sand. He would like to build a small building to hold sand.

Park Creation - Council Member Scribner and Councilman Sprung. Council Member Scribner noted that the bids for construction of the pavilion and landscaping have to go back out. She asked if the town attorney looked at this prior to the bid process before. Attorney Skoda did not review the previous set of specifications before they were advertised. She asked that he review them prior to going out to bid.

Golf Course – Council Member Scribner – Nothing new to report

Cell Service – Chris Ackerknecht, Council Member Scribner, and Frank Malagisi. Council Member Scribner reported that there was another meeting. She found a planning and design manual on line. She gave the information to the people on the committee. The town board also received a copy of the local law to review. This will be given to Attorney Skoda to review as well. Council Member Scribner contacted JNS Municipal Tower ownership program for more information as well.

DEC Landfill monitoring – Deputy Supervisor Palcovic was in contact with an environmental sampling group that originally did the towns landfill closure samples. The town will be getting up to date sampling to keep compliant.

Supervisor’s Report

No report

Old Business:

Councilman Sullivan noted there was a lot of old business from last month, which he would like to postpone until next month.

New Business:

The resignation letter of Supervisor Gary Gifford was read into the minutes of the meeting. “I Gary W. Gifford, Sr., on the 6th day of March 2008, do hereby resign my position as Town of Caroga Supervisor effective March 6, 2008 at 5:00pm. All town of Caroga issued property as well as keys to all facilities will be remitted to my secretary, Lita Hillier.” The document was witnessed by Constance R. Konik and Received by Linda M. Gilbert

Resolution to accept resignation of Gary W. Gifford Sr. #2008-020

Offered by Deputy Supervisor Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held it’s regular monthly meeting on Wednesday March 12, 2008, and

WHEREAS, the town received the resignation letter of Gary W. Gifford Sr. Town supervisor on Wednesday March 6, 2008, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to accept with regrets the resignation of Gary W. Gifford Sr. Town Supervisor.

Adopted by the following vote:

- Deputy Supervisor Palcovic - aye
- Councilman Sprung - aye
- Council Member Scribner - aye
- Councilman Sullivan - aye

Deputy Supervisor Palcovic noted that there have been a few people who have indicated interest in the open position of Supervisor. He wanted to open this to the public. Anyone interested in being appointed supervisor for the interim should submit in writing to the town clerk for the town board to review. “At this time this evening we are going to leave the position open with the anticipation that there may be a very qualified candidate out there in the audience this evening.” There will be a work session on March 19th at 6:30 pm. “It is open to the public and we will solicit individuals. It is a board appointment until the end of the year.”

Rob Miller & John Fenzl request to attend Adirondack Community Days conference 3/25 & 26 Council Member Scribner requested that someone attend the broadband and telecommunication session. Councilman Sullivan requested an outline of which conferences they attend briefly. Mr. Fenzl noted the seminars are to assist local officials, planning and zoning board members in all the issues that are important to the park.

RESOLUTION to attend Conference

#2008-021

Offered by Council Member Scribner

Seconded by Councilmember Sprung

WHEREAS, the Caroga Town Board held it's regular monthly meeting on Wednesday March 12, 2008, and

WHEREAS, Mr. Fenzl and Mr. Miller Planning Board member have indicated an interest in attending the Adirondack Community Days training in Saranac Lake on March 25 and 26, 2008 now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to allow the two members of the Planning Board to attend said training and the expenses associated with the overnight conference, with the funds to come from account A8020.4.

Adopted by the following vote:

Deputy Supervisor Palcovic - aye
Councilman Sprung - aye
Council Member Scribner - aye
Councilman Sullivan - aye

Fax Line – Justice Subik noted that a few months ago his office submitted a grant to the Office of Court Administration for a new copier/FAX and a new printer for their computer. They were given both. He would like to be able to keep the fax number they have. The old machine will be moved to the meeting room. The courtroom will be secured.

CT Male Contract – Deputy Supervisor Palcovic noted that it is for the asbestos and mold sampling. It is not to exceed \$4300.00 there is also an hourly rate for the technical assistance. He did not have an overall cost for that. He wanted authorization to sign a contract for the mold and asbestos hazardous material sampling.

RESOLUTION to Hire CT Male

#2008-022

Offered by Councilmember Sprung

Seconded by Council Member Scribner

WHEREAS, the Caroga Town Board held it's regular monthly meeting on Wednesday March 12, 2008, and

WHEREAS, Deputy Supervisor Palcovic received a contract from CT Male to conduct onsite sampling for mold, and asbestos at a price not to exceed \$4300.00, with an attachment that there is an hourly rate for technical assistance, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to authorize Deputy Supervisor Palcovic to sign said contract.

Adopted by the following vote:

Deputy Supervisor Ralph Palcovic - aye
Councilman Robert Sprung - aye
Council Member Valerie Scribner - aye
Councilman Robert Sullivan - aye

A MOTION was made by Councilman Sullivan and seconded by Councilman Sprung to contact Frontier Communications to install another fax line in the boardroom. All board members were in favor of the motion.

Correspondence:

- 1) William Houck of Pine Lake Park Ltd. Renewal of liquor license. A letter acknowledging receipt of this notification was sent to Mr. Houck as requested.
- 2) NY Rural Water Assoc. conference
- 3) B.A.R. training to be held 4-17-08 – recently appointed member Anthony Russitano to attend.
- 4) Memo from John Fenzl regarding Indoor Air Quality Testing. Deputy Supervisor Palcovic noted that Mr. Fenzl was asked to look into this some time ago. This is just an update of Mr. Fenzl’ previous concern. The issue is being addressed. He was thanked for his concern.
- 5) Cornell Cooperative Ext. -Adir. N Country Economic Dev. Conference 4/18
- 6) Spring Clean up program dates available from Solid Waste. Mr. Insogna stated the town will hold their annual cleanup days in August again this year.
- 7) John Holly – requests waiver of 30-day notice for Liquor License application

RESOLUTION to waive waiting period for a N.Y. S. Liquor Licenses #2008-023

Offered by Council Member Scribner

Seconded by Councilman Palcovic

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday March 12, 2008, and

WHEREAS, the Town Clerk receive notice from Nick Stoner Inn that it is their intent to file their application for an on-premises alcoholic beverage license with the N.Y.S. Liquor pursuant to the Alcoholic Beverage Control Law, and

WHEREAS, John Holly- Yonko Inc. who operates the Nick Stoner Inn 1810 State Highway 10 Caroga Lake NY would like to expedite the process in obtaining said license, and has asked the board to waive the 30-day waiting period for a New York State on premises liquor license enabling the establishment to move forward with the application process, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to accept the application for the liquor license and does hereby move to waive the 30-day waiting period for the above stated property.

Adopted by the following vote:

Deputy Supervisor Ralph Palcovic - aye
Councilman Robert Sprung - aye
Council Member Valerie Scribner - aye
Councilman Robert Sullivan - aye

Council Member Scribner received information from Assemblyman Jim Tedesco. He noted that New York families are facing economic squeeze from rising property taxes, gasoline, home heating fuel cost and home health care expenses. As a result people and businesses are departing in record numbers. This leaves governments with a dwindling tax base. Council Member Scribner presented a resolution, which acknowledges the property tax crisis. Councilman Sprung wanted more details on the proposal entitled the “New York State Property Tax Payers Protection Act before the board approved it.” Mr. Sprung stated “ I would hate to think that we just sat here and approved countywide assessing without knowing it.” Attorney Skoda did not have additional information on this for the board.

Deputy Supervisor Palcovic received a resolution from Supervisor Lee Hollenbeck – Town of Broadalbin. This was also in reference to high property taxes. It urges New York state residents to “Wake Up to Real Property Tax Relief.” The resolution urges the governor and the legislators to stop passing mandates. Councilman Sullivan stated that the legislators know the issues. Several council members thought the taxpayers should write to their state representatives. The matter was tabled.

At 7:55 pm the public hearing on Local Law #1-2008 was closed.

Councilman Sullivan made a motion to waive the reading of the minutes of the February meeting. Council Member Scribner seconded the motion. Unanimously approved. It was noted that the approved minutes are on the town’s website www.carogalakeny.com

Resolutions:

RESOLUTION to Ddesignate certain roads as Snowmobile Roads #2008-024

Offered by Deputy Supervisor Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday March 12, 2008, and

WHEREAS, at the February 13, 2008 regular town board meeting Stephanie Bugaj – Secretary of the Nick Stoner Trailers asked the board to consider adding 11 more roads to the list of current roads open to snowmobiles in the Town of Caroga, and

WHEREAS, the roads the club would like to include are as follows:

Maloney Rd	Kirchen Grove Rd.	Decker Road
West Lake Road	North Shore Rd W. Caroga	Barbour Road
School House Rd	Green Lake Road	Irving Pond Road
Shawn Drive	Third Avenue	

Now therefore be it **RESOLVED**, that on the above listed roads it shall now be lawful for any person to drive or operate any snowmobile on these town streets in compliance with Local Law #1 1973 and that the complete list of snowmobile roads in the Town of Caroga is as follows:

BROADWAY	BALSAM AVENUE	BARBOUR ROAD
CHAPEL ROAD	DECKER ROAD	FISHER ROAD
FIRST AVENUE	FOREST AVENUE	FULTON ROAD
GARLOCK ROAD	GLASGOW ROAD	GREEN LAKE ROAD
GROVE AVENUE	HILLEY ROAD	IRVING POND ROAD
KASSON DRIVE	KIRCHEN GROVE ROAD	LAKE AVENUE
LAKEVIEW AVENUE	LANE ROAD	MALONEY ROAD
MOREY ROAD	MUSSEY ROAD	NEWKIRK ROAD
NICK STOCK ROAD	OUTLET ROAD	OLD STATE ROAD
POINT BREEZE ROAD		(Canada Lake Store)
SCHOOL HOUSE ROAD	SHAWN DRIVE	SHUTTS ROAD
THIRD AVENUE	VROOMAN ROAD	WEST LAKE ROAD

NORTH SHORE ROAD WEST CAROGA LAKE
NORTH SHORE WEST STONER LAKE ROAD
SOUTH SHORE EAST STONER LAKE ROAD
SOUTH SHORE EAST CAROGA
SOUTH SHORE WEST CAROGA
EAST SHORE ROAD WEST CAROGA

Adopted by the following vote:

Deputy Supervisor Ralph Palcovic - aye
Councilman Robert Sprung - aye
Council Member Valerie Scribner - aye
Councilman Robert Sullivan - aye

Signs need to be posted on the snowmobile roads per Section 25.09 of the Parks and Recreation Law.

RESOLUTION to adopt Local Law #1-2008

#2008-025

Offered by Councilman Sprung

Seconded by Councilman Sullivan

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday March 12, 2008, and

WHEREAS, Sole Assessor Katherine Hillock indicated several months ago the need to change grievance day in the Town of Caroga this year as she also works for two other assessing units within Fulton County, and

WHEREAS, at the February 13, 2008 regular monthly meeting resolution #2008-17 was adopted to set two public hearings one being for proposed Local Law #1 2008, and

WHEREAS, a legal notice was posted in the Leader Herald newspaper on March 1, 2008 announcing the public hearing, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to adopt Local Law #1-2008 as follows: Section 1. Title, Section 2. Legislative Intent, Section 3. Effective Date

Section 1. Title – A Local Law to set “Grievance Day in the Town of Caroga”

Section 2. Legislative Intent - The Town of Caroga Sole Assessor Katherine Hillock is also the assessor for two other assessing units within Fulton County. Pursuant to Section 512.1-a of the Real Property Tax Law the Town of Caroga hereby sets the Thursday after the fourth Tuesday in May as Grievance Day.

Section 3. Effective Date - This local Law shall take effect immediately upon its filing with the New York State Department of State.

Adopted by the following vote:

Deputy Supervisor Ralph Palcovic - aye
Councilman Robert Sprung - aye
Council Member Valerie Scribner - aye
Councilman Robert Sullivan - aye

Councilman Sprung made a motion to pay the bills as presented for audit; and to accept the minutes of the 2/13/08 & 2/24/08 meetings. Council Member Scribner seconded the motion.

At 8:00 pm Councilman Sprung made a motion to adjourn, the motion was unanimously seconded.

Respectfully Submitted,

Linda M. Gilbert – RMC
Town Clerk