

State of New York  
County of Fulton  
Town of Caroga

Minutes of the Regular monthly Caroga Town Board meeting held Wednesday May 14, 2008 at the municipal building located at 1840 State Highway #10 at 7:00 pm with the following persons in attendance by Roll Call:

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

Other town officials in attendance were Mike Heberer – Code Enforcement Officer, Katherine Hillock – Assessor, and the Town Attorney Edward Skoda. There were approx. 34 members of the public in attendance.

At 7:00 p.m. Supervisor Kane called the meeting to order with the Pledge to the Flag.

Bids were opened for the pavilion for the Glenn H. Harris Municipal Park. The clerk noted that 8 sealed bids had been received.

- 1) R.S. Construction PO Box 682 Johnstown NY 12095 Rick Smullens \$29,380.00.
- 2) Kucel Contractors 726 St Hwy 349 Gloversville NY 12078 Rodney Schur \$34,987.00.
- 3) Manning Construction 232 Green Lk Rd Caroga Lake NY 12032 Mike Manning \$22,600.00.
- 4) Peter Hryniak & sons 12 Mt. View Ave. Gloversville NY 12078 Peter Hryniak Jr. \$16,100.00.
- 5) Bradt Builders 5494 St Hwy 29 St. Johnsville NY 13452 Todd Bradt \$24,340.00.
- 6) Donald Stock 120 Elfreda Dr. Gloversville NY 12078 Donald Stock \$13,500.13.
- 7) Hayner's Construction PO Box 311 Caroga Lake NY 12032 Ralph Hayner Jr. \$17,480.00.
- 8) Square Deal PO Box 186 Gloversville NY 12078 Ron Ellis \$20,597.40.

Donald Stock is the apparent low bidder. Council Member Scribner stated that she wanted to look over the bids before the board accepts one. It was noted that Mr. Bradt submitted a sheet with specifications. Attorney Skoda stated that the bidders bid it to the specifications that were presented. The non-collusion bidding certificate was included and signed by 7 of the 8 submitted, Hayner's Construction did not use the specified bid proposal sheet, nor did he include the Non-collusion certificate.

**Public:** Chris Calhoun of Affordable Plumbing & Heating asked the board to pass a town law that any small business operated out of the home has to have a dumpster.

Ann Nostrand asked the board about the status of bus service in Caroga Lake. Councilman Sprung responded that there is some interest in having a run to Caroga. There is money in the budget except Amsterdam and Broadalbin were priorities. Councilman Sprung did not think it would happen this year. He noted the reason for the Amsterdam run is for access to medical facilities for Medicaid patients. Gloversville Councilman Ray Hines was overseeing the Caroga Lake run. The Mayor of Gloversville and the Transportation Manager Al Schutz sent

letters supporting the towns' efforts to obtain cellular communications. Councilman Sprung suggest those with an interested in bus service to Caroga Lake should contact the officials involved.

Mrs. Welker thought cell service was very important in the Adirondacks for safety issues.

Linda Pomery asked if the town was conducting the BTI program this year. Councilman Palcovic responded that the program is in place. A report would be given later.

Mr. Selmsler asked the board to consider having the reduced speed limit on Route 10 (to the west) moved ½ mile further west near the school. Councilman Palcovic noted that DOT would need to be contacted and a regional engineer would need to do an evaluation. Mr. Selmsler thought one was being conducted today. Councilman Palcovic stated that the board would have to make the request. He stated, "It takes a year."

### **Department Reports:**

*Highway* – The town clerk received information from Mr. Insogna for this evenings meeting. He wants to put a 1975 International Paystar 5000 4x4 with Sander out to bid. It has 4-wheel drive a head & wing plow, good rubber and runs good the minimum bid would be \$3,500.00 the vehicle would be sold as is. He requests that ads be placed in the Gazette and the Leader Herald. He also asks that Res. # 84-2002 be revised to state High Visibility Safety Equipment

*Code Enforcement & Sanitation* – Mr. Heberer submitted a monthly report. He has another 18 letters out this month. The report is dated 4/23/08 to 5/7/08 there were six issues that were reported as having a resolution date. He is getting some cooperation. He has a resolution "just so that I have a better handle on my office." He wants to "give the public a one stop shopping when they come in." He wants to keep track of what permits have been picked up and what has not. Councilman Sprung asked if he was going to do the bookkeeping. Mr. Heberer noted he would need to have a checkbook and a petty cash fund. "As the golf course is doing." The revenues would be given to the bookkeeper for deposit. Council Member Scribner asked if he had time to do this. He noted that it is part of his computer program. Mr. Heberer stated that last year he had to make calls to close out the books. He stated that on the days he is not in the office his clerk is. The Town Clerk noted that Mr. Heberer used to issue permits when he was not in the office to her via the laptop computer.

The Town Clerk has concerns, she noted that his office is open a very limited amount of time – a third of the time her office is open. The town clerk has been doing the bookkeeping and is all set up to collect the fees. She does not think additional expense should be incurred to store money in his office. Mrs. Gilbert thinks the public can best be served if the code officer was out doing his job rather than sitting in his office waiting for someone to come in to pickup a building permit. Councilman Palcovic stated that he has not received any complaints. He made a motion to pass a resolution to transfer all phases of the issuance of fee collection for building permits, sanitation permits and zoning /planning application to his office. A petty cash fund in the amount of one hundred and fifty dollars was also requested. Councilman Sullivan seconded the motion.

Council Member Scribner wanted what best for the people in the town. Councilman Palcovic was in favor of steam lining the operations.

The clerk again expressed her concern of best service to the public by having permits available for pickup when Mr. Heberer is not in the office. She stated his time could be best spent doing code enforcement and zoning instead of waiting for people to pick up permits and doing bookkeeping, which she is already doing.

**RESOLUTION to transfer permit issuance & fee collection to the Code Officer #2008-037**

Offered by Councilman Palcovic

Seconded by Councilman Sullivan

**WHEREAS**, the Caroga Town Board held its regular monthly meeting on May 14, 2008, and

**WHEREAS**, the Town of Caroga Code Enforcement Officer wishes to transfer all phases of the issuance and fee collection for building permits, sanitation permits and zoning/planning applications to his office and

**WHEREAS**, the Town of Caroga Code Enforcement Officer also wishes to establish petty cash in the amount of one hundred fifty dollars (\$150.00) to make change for said fees and postage expenses, now therefore be it

**RESOLVED**, that the Town of Caroga Town Board does hereby agree to relocate all of the above said functions to the Code Enforcement Department and create a petty cash account.

Adopted by a vote of four Ayes      one Nay (Scribner)

*Dog Control* – Mr. Dutcher gave a verbal report to the town clerk; he received five calls for the month and responded to one dog bite case.

*Golf Course* – Council Member Scribner reported that she, Steven, and Richard Springstead painted the inside of the golf pro shop. A border and curtains were also put up. A non-member sign in logbook was set up for May. The log will show the ticket number, the guest name, and the number of holes and the price. This is a step toward computerization. She noted that the pedestrian crossing signs are up on the golf course, two on each end. Councilman Palcovic asked for a report on revenues to date. That information was not available this evening. Supervisor Kane noted that Mr. Jennings has requested a new rate for first year employees to be \$8.50. It was noted that golf course I pro shop was \$9.42; golf course II – start of 3<sup>rd</sup> year after 2 summers is \$10.27.

**RESOLUTION to create first year rate of pay on golf course #2008-038**

Offered by Councilman Sprung

Seconded by Councilman Palcovic

**WHEREAS**, the Caroga Town Board held its regular monthly meeting on May 14, 2008, and

**WHEREAS**, Mr. Jennings Nick Stoner Golf Pro, Greenskeeper, and Manager has identified a need to reduce the rate set during the reorganizational meeting in January 2008 for the golf course I employee, now therefore be it

**RESOLVED**, that the Caroga Town Board does hereby move to set the rate of pay for first year golf course I employees at \$8.50 per hour.

**Unanimously Approved**

*BTI* – Candice Dean submitted a written report; the program is adequately staffed this season. They began treating the beginning of April. She spoke with personnel at DEC in Warrensburg and others who do BTI programs in surrounding areas and the overall opinion is that the warm weather boosted the flies through their larval stages into adults at a pace none of them expected and they couldn't keep up. She noted that the next species will be hatching in late May and with fewer streams and more seasonal temperatures there should be few problems. Council Member Scribner asked how many staff are working in the BTI department.

*Weeds* – Jack DeWeese gave a verbal report to town clerk. He noted that the harvester would be put in the water by the highway department on May 27<sup>th</sup>. He has a new staff person hired for the topside. He estimated that the divers would be harvesting by June 2, 2008.

*Youth - no report*

*Clerk/Registrar* – The clerk informed the board about an upcoming training NYALGRO- NY Assoc. of Local Gov. Records Officers annual conference June 8<sup>th</sup> to 11<sup>th</sup>

**RESOLUTION to allow Linda Gilbert- RMO to attend training #2008-039**

Offered by Councilman Sprung

Seconded by Councilman Sullivan

**WHEREAS**, the Caroga Town Board held its regular monthly meeting on May 14, 2008, and

**WHEREAS**, Linda Gilbert – Town Clerk/Records Management Officer (RMO) of the Town of Caroga has asked the board to allow her to attend a training offered by New York Association of Local Government Records Officer (NYALGRO) on June 8 - 11, 2008 in Corning NY, now therefore be it

**RESOLVED**, that the Caroga Town Board does hereby move to allow Linda Gilbert to attend said training at a cost of \$312.00 for lodging and meals as she will be sharing with the City of Johnstown Clerk Cathy VanAlstyne, plus registration of \$25.00 and any other expenditures that may be incurred i.e. mileage in connection with said training with the cost coming from A1410.4.

**Unanimously adopted**

*Assessor's Report* – Mrs. Hillock reminded everyone that Grievance Day is Thursday May 29, 2008 from 4 to 8 pm. She gave the board information on the rebate – stimulus package. She noted that checks are being sent out based on income tax return that were filed and the first fillers last 2 digit of their social security number. Those who filed electronically may see their checks quicker than those who submitted paperwork to the government. She noted that information is available on the irs.gov web page.

### **Supervisor's Report**

A highway mechanic will be retiring in November. Joe Insogna would like to put the new person in place about a month earlier. He also wants to pay the new person two dollars more an hour. There are 4 – 5 people interested in the job. Councilman Palcovic is not opposed to the increased rate of pay but wanted some concession on the family health plan as far as the contributions. This will be discussed at a later date.

The Town received a letter from Department of Health regarding the water-testing schedule for the senior meals on wheels program. Mr. Heberer noted back in Dec. the office of the aging needed a nitrate test, which was done. He was told this test would count toward the first quarter of the next year. Quarterly testing will be done.

Mike Heberer and the Supervisor met with CT Male on May 13, 2008. They discussed removal of the asbestos from the old building. "They are drawing up the paperwork to bid it and get rid of it." Supervisor Kane noted that there is a contract agreement for \$2,650.00 Design Phase, Construction. The second phase estimate is \$3,750.00.

Contract with Fulton County Planning Department for Planning Services. In a letter from Jim Mraz it states that the town did not spend any time during the months of January, February, and March of 2008 consequently there are no charges for planning services for the first quarter.

### **Committee Reports**

Buildings and Grounds – Councilman Sullivan spoke to Jeff Bouchard at Fulton County landfill. The (demo) team is ready for us. There was a meeting with Adirondack Mechanical to review different heating options for this building once the other building is gone. The furnace we have is so big that it is quite inefficient. He noted that they are still looking at options. Councilman Sprung was impressed with the Adir. Mechanical because they could do everything the town needed to do as far as heating and plumbing design without hiring an engineer. Councilman Sprung and Supervisor Kane replaced the 4 x 4's, which prop up the floor in the main entrance. Councilman Palcovic noted that the engineers are putting together an asbestos abatement bid specification, which must be done prior to tearing down the building.

A utility building 15 x 20 with T 111 and a metal roof will be built to house the power, water, heater, pump, conditioning system and heat.

Salt & Sand – no report

Park Creation - Council Member Scribner noted that the bids have been opened. The next step is to submit a copy of the advertisement for bids notice, the bid summary showing all the bids received, and a copy of the fully executed contract for the selected bidder.

Golf Course –no additional report

Cell Service – Council Member Scribner met with Garth Hillier the 911 Coordinator. He has a lot of good contacts and he can help the town get the cell service going. He suggested that letters be sent to Assemblymen and Senators expressing the towns need to have rural communications and to also ask for funding. Council Member Scribner will contact Assemblywomen Little and Sayward as they instrumental in getting cell towers on the Northway. Mr. Hillier recommended

contacting an informal survey. Volunteers will be utilized to go around the lake to get signatures. A petition would be available in the clerk's office. Councilman Palcovic asked if any of the major carriers had been contacted? She noted that the local law needs to be completed then reviewed by the Planning Board, the APA, and the Town attorney.

DEC Landfill monitoring – Councilman Palcovic made contact with the environmental sampling company last week. We are back to the company we had several years ago. They have been in contact with DEC to find out the exact frequency and requirements of our sampling. “Right now we haven't got any complaints from DEC of being out of compliance.” Councilman Palcovic stated that we don't currently have a contract in place but he will be sampling to keep the town out of trouble with the state.

**Old Business:** - none

**New Business:**

Alternate members to the Planning and Zoning Boards – Participation policy. Mr. Heberer stated that the cost for postage is almost doubling due to the alternate members on both boards even though they cannot participate in the meeting. He noted that alternates were to be used when there was not a quorum. The Town Attorney stated that alternate members couldn't be actively working on a board. The Local Law states; these individuals would serve when members are absent or unable to participate on an application or matter before the board.

Adopt a Highway Cleanup Date – The board will meet Monday May 19<sup>th</sup> @ 5:00pm. Town officials will meet at town hall.

June 11<sup>th</sup> Fulton County Chamber of Commerce -After Hours will be held at the Pinnacle Restaurant. It is the kick off of their new brochure, which features photos of West Caroga and Canada Lake.

**Correspondence:**

- 1) NYMIR – April 8, 2008 Report from Bob Blaisdell – Loss Control Survey Recommendations. Supervisor Kane reviewed from the document. There were repeat deficiencies on the golf course for general safety and the Hwy Garage for fire safety. There were other general safety concerns at the Highway Garage Office and at Town Hall.
- 2) F.C. Resolution No.182 establishes a residential electronics drop off program.
- 3) Barton & Loguidice sent a letter of interest in providing post closure monitoring services for the town.
- 4) NYS Div. Alcoholic Beverage Control - new color-coded certificates with more pertinent data.
- 5) Gloversville Transit commission – passed a resolution in support of the town pursuing/obtaining cellular communications.
- 6) FC Dept. of Solid Waste – revocation of Mike Taylor's transfer station permit.
- 7) DOT Road Safety Audit Workshop June 2&3 Schenectady, June 4 & 5 Rochester.
- 8)Pictometry Imagery and Software – Mr. Heberer stated that it is a nice toy but geared toward emergency services. Fulton County Planning asks that the town contact them prior to May 16, 2008 to verify if the town wants to utilize Pictometry.

**Resolutions:**

**RESOLUTION Agreement between Fulton County Office for Aging and Town #2008-40**

Offered by Councilman Sprung

Seconded by Councilman Sullivan

**WHEREAS**, the Caroga Town Board held its regular monthly meeting on May 14, 2008, and

**WHEREAS**, the Fulton County Office for the Aging receives funding from the Older Americans Act and the New York State office for Aging to administer a meals program in Fulton County and

**WHEREAS**, the town has suitable space and is willing to perform the services herein, now therefore be it

**RESOLVED**, that the Caroga Town Board does hereby move to agree to all sections of this 2 page agreement, and does authorize Supervisor Robert Kane to sign said agreement on behalf of the Town of Caroga.

**Unanimously adopted**

**RESOLUTION to authorize Nick Stoner Seniors to spend funds for two trips #2008-041**

Offered by Councilman Palcovic

Seconded by Councilman Sprung

**WHEREAS**, the Caroga Town Board held its regular monthly meeting on Wednesday May 14, 2008, and

**WHEREAS**, the Nick Stoner Seniors scheduled a trip to Turning Stone Casino on May 12, 2008 via Brown Coach PO Box 653 Fonda NY 12068 and have asked the board to spend funds from account #A6772.4, now therefore be it

**RESOLVED**, that the Caroga Town Board does hereby authorize the spending for the trip.

**Unanimously adopted**

**RESOLUTION to put out to bid obsolete highway equipment #2008-042**

Offered by Councilman Sprung

Seconded by Scribner

**WHEREAS**, the Caroga Town Board held its regular monthly meeting on Wednesday May 14, 2008, and

**WHEREAS**, Highway Superintendent Joseph Insogna has identified a need to dispose of a piece of obsolete equipment that being a 1975 International Paystar 5000 4x4 with Sander – head & wing plow, good rubber, runs good minimum bid \$3,500.00, and

**WHEREAS**, Sealed bids will be received at the office of the Caroga Town Clerk until 4:00 pm on Wednesday June 11, 2008 and opened at the regular monthly town board meeting to be held on June 11, 2008 at 7:00 pm. And

**WHEREAS**, a legal notice will be posted in the official newspaper the Leader Herald and also in the Schenectady Gazette, now therefore be it

**RESOLVED**, that all bids must be in a sealed envelope stating clearly thereon the words “1975 International Paystar 5000.” The Town reserves the right to waive any informality in or to reject any or all bids. No bidder may withdraw his bid for thirty 30 -days after the opening. All equipment and vehicles are sold as is. Successful bidder shall pay for and pick up item or items within 30 days of bid opening. All sales are final.

**Unanimously adopted**

**RESOLUTION to transfer funds**

**#2008-043**

Offered by Councilman Sprung

Seconded by Councilman Palcovic

**WHEREAS**, the Caroga Town Board held its regular monthly meeting on Wednesday May 14, 2008, and

**WHEREAS**, Budget Director Lita Hillier has identified a need to cover necessary engineer expenses in the Town of Caroga, now therefore be it

**RESOLVED**, that the monies be hereby transferred:

To: A1440.4 – Engineer C.E.	\$432.12	
From: A1990.4 Contingent		\$432.12

**Unanimously adopted**

**RESOLUTION to mandate Hwy Employees to wear high visibility safety clothes #2008-044**

Offered by Councilman Sullivan

Seconded by Council Member Scribner

**WHEREAS**, the Caroga Town Board did hold its regular monthly meeting on Wednesday may 14, 2008 and

**WHEREAS**, the town previously adopted resolution # 84-2002 and does hereby move to update said resolution to include all colors of high visibility safety clothing, now therefore be it

**RESOLVED**, that the Caroga Town Board does here by move to mandate that it is mandatory for all Highway and Refuse employees to wear said shirts with no exceptions.

**Unanimously adopted**

Attorney Skoda reviewed all of the bids for the Glenn Harris Memorial Park he stated that the Hayner bid has to be rejected based on the fact that it is not on the official bid form. The Bradt bid does have a narrative with it, he does not know if it matches up the narrative to the actual specifications that were provided to be bid on. That bid is in the middle anyway.” He stated that all of the other bids were in the proper form.

**RESOLUTION to accept the bid for the Glenn Harris Memorial Park Pavilion 2008-045**

Offered by Council Member Scribner

Seconded by Councilman Sprung

**WHEREAS**, the Caroga Town Board did hold its regular monthly meeting on Wednesday May 14, 2008 and

**WHEREAS**, a legal notice was posted in the Leader Herald newspaper advertising for bids for a pavilion in the Glenn Harris Memorial Park on April 28 and May 1, 2008 and

**WHEREAS**, eight sealed bids were received, and opened at this meeting, and reviewed by the Town Attorney, now therefore be it

**RESOLVED**, that the Town of Caroga does hereby move to award to the lowest bidder - Donald Stock 120 Elfreda Dr. Gloversville NY 12078 with a bid of \$13,500.13.

**Unanimously adopted**

Councilman Sprung made a motion to pay the bills as presented for audit, and to accept the minutes of the April meeting. Councilman Palcovic seconded the motion.

At 8:10 pm Councilman Palcovic made a motion to enter into an executive session: to discuss the medical, financial, credit, or employment history of a particular employee. Councilman Sprung seconded the motion.

At 8:17 pm Council Member Scribner made a motion to exit the executive session. Councilman Sullivan seconded the motion.

There were no decisions made as a result of the executive session.

At 8:18 pm Councilman Sprung made a motion to adjourn, Council Member Scribner seconded the motion. All were in favor.

Respectfully Submitted,

Linda M. Gilbert – RMC  
Town Clerk