

State of New York
County of Fulton
Town of Caroga

Minutes of the Regular monthly Caroga Town Board meeting held Wednesday August 13, 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 Stephen Jennings – Golf Pro-Greenskeeper-Manager, Mike Heberer – Code Enforcement Officer, Joseph Insogna – Highway Superintendent, Lita Hillier – Bookkeeper & Budget Director, and Katherine Hillock – Assessor. There were approximate 28 members of the public in attendance.

Supervisor Kane called the meeting to order at 7:00 p.m. The flag salute was held.

The Town Clerk received two bids to repair the main part of the Golf Course Roof.

- 1) Non-Typical Home Improvements Owner- Tim Warner PO Box 671 Caroga Lake NY 12032 (518) 773-4029 - \$16,775.00.
 - 2) Hayner’s Construction P.O. Box 311 Caroga Lake NY 12032 (518) 835-6831 \$6,800.00
- Councilman Member Scribner asked if there was money in the budget to repair the roof. Mrs. Hillier responded there is money in the contingency line item.

RESOLUTION to hire Hayner Construction to repair Golf Course roof #2008 –060

Offered by Councilman Sullivan

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held their regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the town board solicited bids from various contractors in the area to repair the main part of the golf course roof, and

WHEREAS, two bids were received from the six vendors contacted, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to hire Ralph Hayner of Hayner Construction to do the necessary repairs to the main section of the golf course building at a price of \$6,800.00.

Unanimously Approved

Department Reports:

Highway – Mr. Insogna reported that he received the 2008-2009 Snow & Ice Control Contracts from Fulton County. The town will be reimbursed \$25,750.00 for 5.15 miles of roads at a price of \$5,000.00 per mile. This is the same amount paid in 2007 & 2008. Councilman Sullivan stated the price stayed the same even though the cost of fuel has gone up.

A letter was sent to Mr. Streeter informing him that the sand pile at the rock cut has been removed. Mr. Insogna noted that the small piles of sand around town are temporary for next year. A used road sweeper was purchased for \$3,500.00 from the City of Gloversville to use instead of the tow behind broom. It will enable the town to recycle the sand and won't create as much dust. It was noted that the highway department has other pile on state highway 10. It is rubble and won't have to be moved. Councilman Palcovic asked to have the streetlight removed from the site that was seeded.

Public:

A resident of Kasson Drive thought the purchase of the sweeper was a good idea.

Another resident asked what the next step was in getting a cell tower. During committee reports that question will be answered.

A resident asked the status of the renovation alternatives report of the existing Caroga building. The board noted that the scope of the project was expanded to look at more than just changing the roof. It included foundation, drainage issues, windows which were not efficient, cracks in the walls, as well as putting on a pitched roof over the old. Councilman Palcovic stated, "We're in the go forward mode." Mr. Heberer stated that the study was never done even though CT Male made a proposal to do it. "The discussions between September and the first of the year changed to where we are today." Councilman Palcovic stated that when the repair cost estimates exceeded \$500,000.00, then we started looking at the alternative – "and the alternative is to build a new structure." Supervisor Kane noted that structural renovations were estimated at \$139,104.00.

A true picture of the cost to bring the building up to standard was being asked for. There were more issues than just the structural repairs of the roof. The geotechnical instability, energy efficiency, substructure, and the heating system need attention a board member noted.

Mr. Sullivan offered to discuss the status of the building with any resident. CT Male has given a quote of \$536, 579.00 for the roof, structure, and asbestos abatement. This does not address the water leaking into the cellar or the structural repair of this building.

Councilman Palcovic stated that a public hearing would be held at a future date.

Mr. Fenzl – (former engineer for the town) stated that he could vouch to the fact that the town is acting in a responsible way by engaging the services of CT Male.

Councilman Sprung stated that the board would look at both aspects of this building situation. "We are not going to take taxpayers money and throw it into a new building if this could be done feasibly."

Councilman Sullivan noted the cost to heat this building last year was \$33,000.00. There is no insulation in the ceiling or walls. Any new building would meet or exceed energy guides. It was noted that solar energy might be looked at in the future. All avenues of energy efficiency should be considered for a future building Mr. Fenzl stated. "Forget the energy code we are beyond that."

Last year discussions on moving the salt pile were discussed. A resident wanted to know what the plan is this year. Salt use will be less next year. It will be stored in a pole barn behind the town barn. It was noted that the alienation process paperwork is still on the governor's desk.

The President of the West Caroga Lake Association discussed with the board results from a survey they conducted. Respondents wanted cell phone coverage and commented on the conditions of the some of the roads, and litter. Refuge bins were asked for. They also had concerns about weeds in the lake, and the status of the sewer district. The association asked for a liaison from the town board. The cost of the new town hall was also of interest to their members. A written report was given to board members.

Code Enforcement & Sanitation – Mr. Heberer submitted a written report – YTD 134 Building permits have been issued and sixteen septic permits. From 6-2-08 to 8-12-08 he documented 26 complaints of those 9 are listed as having a final resolution. A resolution is needed for two projects going on in the town.

Dog Control – Mr. Dutcher reported to the town clerk that he received 21 calls for the month. He responded to one dog bite incident and he issued one ticket.

Golf Course – Mr. Jennings reported to date revenues are \$158,179.00. The golf course is in good shape despite all the wet weather. The greens are being treated. DOT was called today about signs on the road alerting drivers of the golf course.

BTI – No Report

Weeds – Mr. DeWeese brought a sample of Eurasian Milfoil to the meeting so people could identify it. The two motors, which were stolen, have been replaced. Serial numbers have been recorded. Harvesting on West Caroga Lake is done for the year. Five largest patches were done on East Caroga and there were seven smaller patches left in West Caroga. The grant money will be sent after the fourth quarter report is in. This year Mr. DeWeese will have Mr. Eckler assess how much milfoil is left in both lakes. He will also assess the potamogeton situation. Mr. DeWeese finds that when Eurasian milfoil is removed it is replace with potamogeton. He noted that Potamogeton is not an invasive weed. To date 750 baskets of milfoil has been removed from both lakes. There is still another week and a half to go in the program. So far 50 more baskets have been harvested than last year.

Mr. DeWeese has been invited by Mr. Hayes of Canada Lake Protective Assoc. to talk about the weed situation on that lake. So far Eurasian Milfoil has not been identified on that lake, however there is pondweed wart. Saratoga Lake has contacted him about the Caroga harvesting program. He will go over to speak to a group in Saratoga. Mr. DeWeese has also done some research on SONAR an acid that is used to treat some of the lakes. He noted that it is not approved for use in

the APA without a license. It is very expensive also and not as effective. Mr. DeWeese submitted a 3rd quarter report

Youth – Mrs. Hillier noted that when the salaries were list in the organizational meeting they were wrong. There was a note on the bottom of the sheet submitted that was not noticed at budget time. The director has asked that the budgeted amount be given to the employees: add \$100.00 to the Director’s salary, add \$50.00 for the first year returning life guards, and counselor were to be given \$50.00 more for the year. The year-end report will be submitted next month

RESOLUTION to correct the 2008 organizational meeting minutes –Youth #2008-061

Offered by Councilman Sullivan

Seconded by Council Member Scribner

WHEREAS, the Caroga Town Board held their regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the Budget director Lita Hiller identified a need to change the organizational meeting minutes for 2008 to correct some of the salaries in the youth program, which had been budgeted for, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to set the youth salaries as follows: Salary for the Youth Director - \$2,727.00, First Year returning lifeguard - \$1450.00, First year returning counselor - \$1273.00, and Starting Counselor is \$1,223.00.

Unanimously approved

Clerk/Registrar - The Clerk stated that she received a lot of information from the Municipal Clerk’s Institute on how to successfully manage a project. The seminar discussed RFP’s and components that should go into a project. I would be happy to share the information with the board. She noted the importance of getting input from those who will be utilizing the building.

Assessor’s Report – Mrs. Hillock quoted from her written report dated 8/13/08. They did not have any Small Claims or Tax Certioraris filed this year. They have had a few inquires about the 2008 Middle Class Star Rebate program. She stated that the office is quiet this time of year.

Supervisor’s Report

Supervisor Kane reported that CT Male has drawn up preliminary plans on a proposed new structure.

The park contract with Mr. Stock has been signed and he has been paid 1/2 the bid amount per the contract. Commencement of the building of the pavilion will start soon. The golf course will utilize the 4 x 4 railroad ties that marked the skating rink. The Highway Department will move the three-sided shed to # 17 on the golf course. Council Member Scribner reported that she is looking 150 feet of barrier netting with poles.

Committee Reports Cell Service –Council Member Scribner noted that petitions are still out and available to be signed. The Local Law is ready to go to the APA and the Planning and

Zoning Boards for them to review. Garth Hillier is doing a propagation study for possible cell tower sites. When all of these components are completed then cell service companies will be contacted.

Old Business:

Local Law #2 –2006 pertains to alternate members serving on the Zoning Board of Appeals. The language to amend the local law is not yet ready.

New Business:

1) Cindy Comperry of Community Promotions Director – Journal Communications 725 Cool Springs Blvd Suite 400 Franklin TN has contacted the town and offered a link from the Town website to the Fulton County website at no charge. The board was in favor of the link.

2) Caroga Fish & Game Club ask to be exempt from Site Plan Review fee and Special Event permit fees as they are a non profit organization. Mr. Heberer stated that the town has done this in the past.

RESOLUTION to waive meeting and Special Event fee #2008-062

Offered by Councilman Palcovic

Seconded by Council Member Scribner

WHEREAS, the Caroga Town Board held their regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the Caroga Fish and Game club did contact the town stating that they are a non-profit organization whose membership and event attendance has declined over the years, and

WHEREAS, the town usually charges a fee of \$25.00 for a non – hearing site plan review for special events and an fee of \$25.00 for each special event held, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to waive the fees, for the Caroga Fish and Game Club, associated with the special events permits obtained this year.

Unanimously approved

Mr. Heberer stated; in anticipation of issuing building permits, he discussed with the board his thoughts to waive the building permit fee for the Glenn Harris Pavilion and work to be done at the Caroga Museum.

RESOLUTION to waive fee #2008-063

Offered by Councilman Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held their regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, Code Enforcement Officer Mike Heberer anticipates two building projects in the Town of Caroga one being the pavilion across the street from the municipal building at the Glenn Harris Memorial Park site and the other at the Caroga Museum for the repair of the chimney, and

WHEREAS, the museum is a non-profit organization as is the town, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to waive the building permit fees for both upcoming projects.

Unanimously approved

The Town Clerk noted that in 2009 two safe boating courses would be held. The dates are Saturday June 27 & Saturday July 11, 2009. The courses run from 8 am to 5 pm.

Correspondence:

- 1) Fulton Co. Board of Elections projected charge back for 2009 Elections - \$2277.85
- 2) APA Major Project notice #2008-0164 Rehabilitate areas involving wetlands Shaker Mt. Wild Forrest for universal accessible campsite (ADA)
- 3) Fulton Co. Solid Waste – August 27 – 30th town clean up days
- 4) Labor Day Holiday Monday 9/1/08 Transfer station closed ~Tues. 9/2- open 9 am – 4 pm
- 5) Northeast Timber Services – Rodney Jones
- 6) NY Rural Water Assoc. 1st Annual Equipment Exposition 9-25 Herkimer Fairgrounds Draft 2009 Clean Water & Drinking Water State Revolving Fund Intended Use Plans available free one-day workshop in October for Co-funding for Water and Sewer Infrastructure Projects
- 7) NYS Dept. of State announces shared service grants available
- 8) Summary of Groundwater Quality samples taken March 25 & May 20, 2008
- 9) NYS Office of Real Property Services – STAR Administrative Aid Payment \$577.38
- 10) Edward Zimick – submitted a news article on blight from Schenectady Gazette
- 11) United Way of Fulton Co. offered to match a Town's project wish with a team of Volunteers

Comments were made on: #1 The Budget director will reflect the necessary changes in the 2009 budget. It was noted that there is an increase due to the new ADA assessable machines. #5 Councilman Palcovic was interested in calling Mr. Jones to see if any town property could be logged. #8 Councilman Palcovic noted these were the most recent landfill site readings.

Resolutions:

RESOLUTION to authorize Nick Stoner Seniors to spend funds for a trip #2008-064

Offered by Councilman Sprung

Seconded by Councilman Sullivan

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the Nick Stoner Seniors would like to take a trip to 25 Quackenbush Square in Albany NY on September 9, 2008 to take a tour on the Albany Aqua Duck via Brown Coach PO Box 653 Fonda NY 12068 and have asked the board to spend funds in the amount of \$575.00 from account #A6772.4, now therefore be it

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

Unanimously approved

RESOLUTION to retain the law firm of Girvan & Ferlazzo

#2008-065

Offered by Councilman Sprung

Seconded by Councilman Palcovic

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, The Town of Caroga received a notice of appeal index number 92939 dated August 4, 2008 which states: **PLEASE TAKE NOTICE** that the defendant hereby appeals to the Appellate Division of the Supreme Court, Third Judicial Department from the decision, order and judgment of Supreme Court dated July 7, 2008 and entered in the Office of the Clerk of Fulton County on the 14th day of July, 2008 and from each and every part thereof. Cynthia Feathers, Esq, signed the document. Now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to retain the law firm of Girvin and Ferlazzo, P.C. to continue to represent the Town in all actions, proceedings and appeals of the decision/order in the case entitled Town of Caroga versus Joseph Herms at the hourly rate of \$175.00 per hour.

Unanimously approved

RESOLUTION to contract for Snow Removal & Ice Control with Fulton County #2008-066

Offered by Councilman Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held its regular monthly meeting on August 13, 2008, and

WHEREAS, the Highway Superintendent Joseph Insogna did receive the 2008-2009 Fulton County Highway Department Snow Removal and Ice Control contract, and

WHEREAS, the Caroga Town Board did review the contract and that the contract will be on file in the Town Clerks office, now therefore be it

RESOLVED, that the Town of Caroga does hereby move to undertake Snow Removal and Ice Control for the winter of 2008-2009 on County Road No. 111 and 137 - total miles 5.15 price per mile \$5,000.00 with the total contract being \$25,000.00.

Unanimously approved

The highway superintendent was asked about setting up a five-year plan to maintain and or replace equipment as necessary. The Golf Professional was also asked to develop a similar plan.

RESOLUTION to amend 2008 General Fund Budget

#2008-067

Offered by Councilman Sprung

Seconded by Councilman Palcovic

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the Budget Director, Lita Hillier indicated a need to amend the General Fund Budget to raise revenues and appropriations in anticipation of the receipt of a grant, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to amend the 2008 General Fund Budget to raise revenues and appropriations for use of Weed Program grant monies anticipated from the State of New York as follows:

A510- Estimated Revenues \$5,000.00
(A3910 – Weed Grant Funds)

A960 – Appropriations \$5,000.00
(A8090.1 – Environmental Control P.S.; \$ 400.00)
(A8090.4 – Environmental Control C.E.: \$4,600.00)

Unanimously Approved

RESOLUTION to amend 2008 Highway Fund Budget **#2008-068**

Offered by Councilman Sullivan

Seconded by Councilman Palcovic

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the Budget Director, Lita Hillier indicated a need to amend the Highway Fund Budget to raise revenues and appropriations because the Highway Superintendent scraped surplus and junk metal, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to amend the 2008 Highway Fund Budget to raise revenues and appropriations to use scrap surplus sales monies received toward machinery repairs as follows:

DA510- Estimated Revenues \$12,120.35
(DA2650 – Surplus Scrap Sales)

DA960 – Appropriations \$12,120.35
(DA5130.4 Machinery C.E.)

Unanimously Approved

RESOLUTION to make Budget Transfers **#2008-069**

Offered by Council Member Scribner

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the Budget Director, Lita Hillier indicated a need to make certain transfers within the 2008 budget due projective shortages and to purchase machinery, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move make the following:

To: A1620.1- Buildings P.S.	\$2,000.00	
From: A1990.4 – Contingent		\$2,000.00
To: DA5130.4 – Machinery C.E.	\$16,499.00	
From: DA5130.2- Machinery E.Q.		\$ 6,499.00
From: DA5120.4- Bridges C.E.		\$10,000.00

Unanimously Approved

RESOLUTION to make Budget Transfers **#2008-070**

Offered by Council Member Scribner

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the Budget Director, Lita Hillier indicated a need to make certain transfers within the 2008 budget due to the need to have the golf course roof repaired, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move make the following:

From: A1990.4 – Contingent		\$6,800.00
To: A1620.2- Buildings E.Q.	\$6,800.00	

Unanimously Approved

Executive Session: At 8:10 pm Councilman Palcovic made a motion to go into executive session to discuss personnel issues with the Golf Course & Assessor. Council Member Scribner seconded the motion. All board members were in favor of the motion. The session started at around 8:20 pm. At 9:29 pm Councilman Palcovic made a motion to exit from the executive session. Councilman Sprung seconded the motion. All were in favor.

As a result of the Executive session the following resolution was made.

Offered by Council Member Scribner

Seconded by Councilman Sullivan

WHEREAS, the Caroga Town Board held its regular monthly meeting on Wednesday August 13, 2008, and

WHEREAS, the town board held an executive session to discuss two personnel issues one of which regarded the Assessing Department, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to hire Katherine Hillock as the Town Assessor as of January 1, 2009 for a salary of \$29,500.00 for 20 – 24 hours per week. There will be no sick day benefits, no personal days, but will have nine days vacation. Mileage will be for use of a personal vehicle within the town or on town business, not for to and from work. If and when Mrs. Hillock desires health care insurance she will pay 50% of the premium.

Supervisor Kane, Councilman Palcovic, Councilman Sullivan, Council Member Scribner voted in favor of the resolution, Councilman Sprung abstained from the vote as Mrs. Hillock’s brother is his boss.

Councilman Sullivan made a motion to waive the reading of the minutes of the last meeting and accept the minutes of the July Town Board and 7/21/08 work session meetings. Councilman Sprung seconded the motion. All board members were in favor.

Councilman Sprung made a motion to pay the bills as presented for audit. Councilman Sullivan seconded the motion. All board members were in favor.

Councilman Sprung made a motion to allow the Canada Lake Protective Assoc. environmental committee to hold a meeting on Saturday August 16th at 10:00 am at the municipal building. Councilman Sullivan seconded the motion. All board members were in favor.

Councilman Sullivan asked about the cost to maintain the water cooler in the municipal building. It was noted that three units are rented – town hall, highway and at the golf course.

At 9:35 pm Councilman Sprung made a motion to adjourn. Councilman Sullivan seconded the motion. All board members were in favor.

Respectfully Submitted,

Linda M. Gilbert – RMC
Town Clerk