

State of New York
County of Fulton
Town of Caroga

Minutes of the Regular monthly Caroga Town Board meeting held Wednesday January 14, 2009 at the municipal building located at 1840 State Highway #10 at 7:00 pm with the following persons in attendance by Roll Call:

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

Following the roll call the flag salute was conducted. Other town officials in attendance were Stephen Jennings – Golf Pro-Greenskeeper-Manager, Mike Heberer – Code Enforcement Officer, and Assessor Katherine Hillock. There were 7 members of the public in attendance.

Supervisor Selmsler called the meeting to order at 7:00 pm.

The Public Hearing on Local Law #1- 2009 –“Establishing A Real Property Tax Exemption for Cold War Veterans” was opened. The Assessor Katherine Hillock noted this is only for cold war veterans, “you can only have one or the other.” This exemption has already been passed at the county level. Eligible residents will receive the exemption (at the county level) on the 2010 taxes. This is a new law on the books for 2008. According to the law the exemption needed to be approved 90 days prior to March 1st in order to effect the January 2010. This will be checked with the state. This may cause a delay until 2011 at the town level. The exemption allows for a 15% reduction up to \$12,000.00 of assessed value in addition to that if there is a disability rating from the veteran’s administration then the person would be granted 50% of the overall disability rating. The exemption runs for 10 years, but may turn into a continuous exemption. There are 6 applicants for this right now who will get the county reduction. A copy of the law was given to the board members.

John Fenzl spoke in favor of the law. He pointed out that the armed services provided an important service to the country during that time. From his own experience he served 15 months in Korea after the conflict ended. He believes the veterans deserve a break.

Public: No public comment this evening.

Department Reports:

Highway – The clerk relayed a verbal report from Mr. Insogna who stated they were out maintaining the roads on a continuous basis.

Code Enforcement & Sanitation – Mr. Heberer stated so far this year no permits have been issued due to the weather. He has responded to complaints about horses taking up residence in

town. "Letters have been sent." On Monday night "we attempted to have a building committee meeting." Only three people from the committee showed up. They wanted to go to the meeting at the school. Another meeting is scheduled for Monday January 19, 2009 at 6:00 pm. They hope to put their recommendation on paper for the board. He will have their report, for the board, at the next meeting.

Dog Control – Mr. Dutcher reported to the clerk that he received 5 calls for the month. He has taken 3 dogs down to the humane society so far this year, and noted in 2008 a total of 4 dogs were taken down. A delinquent dog report was given to the Dog Control Officer by the town clerk.

Golf Course – A two-page hand written report by Mr. Jennings was given to Supervisor Selmser and the Board. Supervisor Selmser and Council Member Scribner will meet with Mr. Jennings on Friday Jan. 9th at 1pm to review his report, his contract terms, and other thoughts they have.

BTI – no report

Weeds – no report

Youth - no report

Clerk/Registrar – Town Clerk Linda Gilbert presented her books for year-end audit. She plans to get the Town Directory to the printer by the end of the month. She asked the Dept. Heads to get their final information to her. The supervisor asked if the county received updated information from the town. She responded the county sends out a draft directory document prior to January 1st seeking changes.

Assessor's Report – Katherine Hillock reported the office has been busy processing renewal applications for senior citizens and STAR applications. She continues to work on the construction/new building reports she received from Mr. Heberer. She noted March 1st is the last day to file any exemptions of any sort.

Supervisor's Report

Re- Establish Committees: Currently there are - Buildings and Grounds – Councilman Sullivan and Councilman Palcovic

[Added] Salt & Sand Supervisor Selmser and Councilman Sprung, Park Creation - Council Member Scribner and Councilman Sprung, Golf Course –Council Member Scribner & Supervisor Selmser, Cell Service – Chris Ackerknecht, Council Member Scribner, and Frank Malagisi. It was noted that this committee has not been active as they are waiting for the local law. Council member Scribner recently contacted the APA and spoke to Brian Grisi, he said the local law the town sent was too wordy. He will cut it down and give us exactly what we need by the end of this month. Councilman Palcovic and Councilman Sullivan are on the Highway committee.

A **MOTION** was made by Supervisor Selmser to accept the committees as presented. Councilman Sprung seconded the motion. **Unanimously carried.**

Supervisor Selmsler informed the board of a Certificate of Deposit (CD) that is up for renewal. He has consulted with several banks for rates on a 6 month CD. The amount is just under \$25,000.00. He found Bank of America rates to be 1% higher than others.

Councilman Palcovic made a **MOTION** to invest in a CD at Bank of America. Councilman Sprung seconded the motion. **Unanimously carried.**

Council Member Scribner asked if the bank needed to be added to the organizational minutes. The board determined that the Supervisor is allowed to invest money at his discretion. He is just making the board aware of the present rates, as they are somewhat less than what they had been.

Supervisor Selmer will attend a County Supervisors Association meeting in Albany on Tuesday February 10th which the County has set up. There won't be any expense to the town.

Committee Reports:

Buildings and Grounds – Councilman Palcovic stated nothing on buildings and grounds.

Park Creation - Council Member Scribner stated the park is frozen.

Golf Course –Council Member Scribner stated it is also frozen. It was noted that the course is being used by the snowmobile club.

Cell Service –Council Member Scribner noted she was waiting to hear from Brian Grisi from the APA. She expects to hear back from him by the end of the month – he promised.

Old Business:

Contract for Golf Course a meeting is scheduled for Friday with Mr. Jennings.

Supervisor Selmsler stated in the reorganizational meeting there were a couple of areas that needed to be amended. The salary of Youth Director should be \$2727.00. Also the seven (7) youth aids were paid \$1273.00, a 3% increase would bring the salary to \$1311.00 this would also include the lifeguard. The lifeguard is not to be listed separately as another personnel classification would need to be filed with the county. He is only employed, as a lifeguard as needed presently there is not a need. “Where the youth programs goes is to areas where there are already registered lifeguards.”

The Assessor Clerk was listed in the re-organizational information in the budget for 20 hours of work at a rate of \$11.26. The correct hourly rate of pay is \$10.93 per hour.

Councilman Palcovic suggested having a clean copy prior to the meeting next year.

RESOLUTION to amend Resolution #2009-003 to set salaries and hourly rates #2009-010

Offered by Councilman Palcovic

Seconded by Council Member Scribner

WHEREAS, the Caroga Town Board held its regular monthly meeting on January 14, 2009, and

WHEREAS, the salary of the Youth director, the youth aids and the Assessor Clerk were incorrectly stated at the reorganizational meeting, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to set the following salaries for the year 2009:

Youth Director \$2727.00, Youth Aid (7) @ \$1311.00 and Assessor Clerk an hourly rate of \$10.93 per hour.

Unanimously carried

Council Member Scribner thought the Budget Director Mrs. Hillier should have been at the meeting. Councilman Palcovic thought if the copy had been clean everything would have been OK. "She spends a lot of time here."

Before he retired from the Highway Dept. Gary Achzet asked Councilman Sprung about a lifetime membership to golf course. He asked Mr. Achzet to talk to all the council members, and the question was subsequently brought here to a meeting. It was stated that previously Hank Snell who used to work on the golf course, was given a lifetime membership for outstanding service. Butch Guy who also worked on the golf course received a lifetime membership as a retirement gift. The issue was tabled. No one wanted to make a resolution.

New Business:

The board reviewed information contained in the contract with Fulton Co. Planning Dept for 2009. This gives the town access up to \$1500.00 – ten hours of their service.

RESOLUTION to Contract with the Fulton Co. Planning Dept. #2009-011

Offered by Councilman Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held its regularly monthly meeting on Wednesday January 14, 2009, and

WHEREAS, the Town Board did examine the agreement and is desirous of the county to provide planning services with regard to land use and general planning services for 2009 for which the town shall compensate the County in an amount not to exceed \$1,500.00 for services with the county providing the first 10 hours of service at not cost to the town, and

WHEREAS, the agreement is comprised of Articles I –Planning Services, II Compensation, III Record Keeping & IV Miscellaneous, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to have Supervisor James Selmser sign said contract after which time the contract is to be reviewed and if approved, signed by Town Attorney Susan Palmer Johnson.

Unanimously Adopted

RESOLUTION to Appoint Delegates for the Assoc. of Towns meeting #2009-012

Offered by Councilman Palcovic

Seconded by Council Member Scribner

WHEREAS, the Caroga town board held its regular monthly meeting on January 14, 2009 and

WHEREAS, the Caroga Town Board did discuss selecting voting delegates for the Associations of Towns Annual Conference held in New York City February 15 – 18, 2009, and

WHEREAS, Caroga Town Justice James Subik and Court Clerk Thelma Subik will be attending the conference, now therefore be it

RESOLVED, That the Caroga Town Board does hereby move to name James Subik as a voting delegate and Thelma Subik as the alternate.

Unanimously Adopted

Derek England of the U.S. Census Bureau has asked to use the municipal building 1-day per week for four weeks (4 days) to conduct tests for employment opportunities. The meeting room was suggested and offered as a space he could use during business hours.

RESOLUTION to allow use of building by Census Bureau #2009-013

Offered by Council Member Scribner

Seconded by Councilman Palcovic

WHEREAS, the Caroga town board held its regular monthly meeting on Wednesday January 14, 2009 and

WHEREAS, Derek England of the U.S. Census Bureau asked the board for use of space in the municipal building to conduct testing as a means of hiring people to work on the upcoming 2010 census, now therefore be it

RESOLVED, that the Board does hereby move to allow the use of the meeting room as a testing site during the hours the town hall is normally open.

Unanimously Adopted

Councilman Palcovic noted there are a large number of seasonal employees collecting unemployment. The budget director has stated that this is a financial burden on the town. It was suggested that when the town is notified that the employee is going on unemployment to put them to work for the amount of unemployment they would be getting. Painting or shoveling was listed as things the town needs to have done. The board did not think it mattered in which department the person usually worked golf course, BTI, or whatever. Councilman Sprung wondered if the employee stated that they could not do the type of work, would it turn into a disability issue? Whatever portion/extent the person is being compensated would be the amount they would be asked to work. The town attorney will be consulted on this issue.

Councilman Sprung reminded the board that at one time a committee was going to be formed to discuss restructuring wages. Supervisor Selmser noted the county has a survey on wage rates, which is published yearly. Councilman Palcovic suggested also restructuring benefits. Council Member Scribner suggested a work session. A job description and an employee manual were also discussed. Supervisor Selmser will put some information together for the board.

Correspondence:

- 1) The Fulton County 2009 Sales Tax distribution report was given to the board. Our percentage rate is down because of the assessed value. Other towns are up due to perhaps new construction and they were not burdened by state land. The Town of Caroga rate will be 8.27 in 2009 vs. 8.79 in 2008. This may have an effect on revenues.
- 2) In the year to date workman's Comp third quarter report the town was charged \$2195.89. In the prior year there were no workman's comp charges.
- 3) In the reorganizational meeting the board voted to join the litigation against the APA. Several pages of a letter dated Jan 5 from McPhillips, Fitzgerald & Cullum were given to the board, which outline what they are basing their justification of claim on for the lawsuit. Supervisor Selmser noted that the \$1,000.00 the town committed will be billed to us on a percentage basis as the costs are incurred. There will be a cost based on the anticipated filing. The next charges are expected in May – it could be 2% of the total based on the other municipalities participating.
- 4) The Adirondack Common Grounds Alliance sent information on the possible effects of tax law changes that could be voted on by the legislature. There is a proposal to cap property taxes on the forest preserve in the APA from Governor Paterson. This could have an effect of almost 4 million dollars on the town. Councilman Sprung asked the assessor when she assesses vacant land is the timber value on the [residential] property. She stated it should be but she is not seeing it on the vacant land. She is not seeing the values assessed correctly. If there were a forested plan – she would receive a copy from the county. She has not seen any of that paperwork here. Supervisor Selmser noted there is a tax advantage for the owners. She noted the state tells the town what they want to pay in taxes. It was noted that the state purchased more forever wild land. Mr. Heberer noted that Finch Pryne recently sold some land to the Nature Conservancy who in turn sold the parcel to the state for a dollar – now it is off the rolls.
- 5) A representative of Gov.Deals, online sales of Government surplus equip. to buy or sell on, spoke to Supervisor Selmser. His information will be kept on file.
- 6) The Employee Assistance Program notified the town clerk of the services available to the town employees. They encouraged utilization of their program.
- 7) Supervisor Selmser received a FAX from Assoc. of Towns re: the Federal Gov. Stimulus package.

At 7:45 pm Councilman Palcovic made a motion to close the public hearing on Proposed Local Law #1- 2009 regarding the Cold War Veterans Exemption. Councilman Sprung seconded the motion.

RESOLUTION to adopt Local Law #1-2009

#2009-014

Offered by Councilman Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga town board held its regular monthly meeting on Wednesday January 14, 2009 and

WHEREAS, Councilman Sullivan introduced proposed Local Law #1-2009 to the Board on December 30, 2008 at the year-end meeting, and

WHEREAS, the Assessor Katherine Hillock has had several residents express an interest in receiving a Cold War Veterans Exemption on their Town tax as it is offered at the County level, and

WHEREAS, a legal notice was placed in the Leader Herald newspaper legal section on January 2, 2009, giving notification of the public hearing, and

WHEREAS, the public hearing was held on January 14, 2009 for Local Law # 1 Establishing A Real Property Tax Exemption for Cold War Veterans” with one person speaking in favor of the Local Law, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to adopt Local Law # 1 a law to Establish a Real Property Tax Exemption for Cold War Veterans in the Town of Caroga.

Roll Call Vote:

Supervisor Selmser - Aye

Councilman Ralph Palcovic - Aye

Councilman Robert Sprung - Aye

Council Member Valerie Scribner - Aye

For the upcoming legal holiday -Martin Luther King day the Caroga Transfer Station will be closed Mon. Jan. 19th ~ but open Tues. Jan. 20th.

Council Member Scribner made a motion to pay the bills as presented for audit, accept the minutes of the Year- end and reorganizational meeting. Councilman Sprung seconded the motion. Unanimously carried.

At 7:50 pm Councilman Sprung made a motion to adjourn, Councilman Palcovic seconded the motion. Unanimously carried.

Respectfully Submitted,

Linda M. Gilbert – RMC
Town Clerk