

State of New York
County of Fulton
Town of Caroga

Minutes of the Regular monthly Caroga Town Board meeting held Wednesday April 8, 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 - Here

Other town officials in attendance were Mike Heberer – Code Enforcement Officer, Joseph Insogna – Highway Superintendent, Katherine Hillock – Assessor. There were fourteen members of the public in attendance.

Supervisor Selmsler called the meeting to order at 7:00pm the pledge of allegiance was conducted.

Public:

Ralph Hayner asked if the golf course roof job was completed. Supervisor Selmsler responded that the work has been finished for approximately a month. Mr. Hayner passed out a copy of the bid specifications to the board members. The bottom line states “all remaining roof sections that are attached to the main pro shop including garages.” Mr. Hayner indicated that the area where the mowers are kept has a metal room on it did not get done. He noted when he bid on the project he went up on the roof. There were two layers of shingles one layer of plywood and a layer of wood shingles. “I try to abide by the laws, but I guess I am not going to anymore. When I do stuff up here I am not going to get a permit. It didn’t get torn off.” Mr. Heberer stated that it did. Mr. Hayner stated the plywood and the wood shingles did not get torn off. Mr. Heberer responded that it could go down to the plywood – one layer. Mr. Hayner thought the wood shingles had to be removed. Mr. Heberer stated not when they put plywood overtop of them. Mr. Heberer stated the contractor did not call him when he was done and he didn’t. A message was left on the contractor’s machine today. Mr. Hayner states but he was paid already. Council Member Scribner asked who created the specifications. Supervisor Selmsler and Councilman Sullivan stated if the job is not done to their satisfaction they would get it clarified. Mr. Heberer will keep the board posted.

Department Reports:

Highway – Mr. Insogna reported that the guys are trying to fill potholes. They are waiting for the weather to break the roads are too muddy to get the big trucks on them. He is going to close Lane Road with a nice gate just past the dump. The same will be done on the North Bush side. Someone has been dumping down in that area. One load came from Gloversville – that person was caught; there was another load from Amsterdam. The sheriff has a name and address and they will issue a ticket. Over on Shutts Rd. he picked up a couple of couches. Cones were put out on Hohler Rd for a sinkhole they were stolen. There was a couch, rug and windows along with a suitcase with an address from Schenectady also found dumped in that area. “All these blacktop roads are gone. The ditches are not right there’s no shoulders.” They are going to box them out and get them patched. Mark Yost from the county said that was a good way to fix the road, to patch them and get a base

then next year put a binder on them. “Some of them I might turn right back to gravel.” The rocks and stumps have come right up through the blacktop. Mr. Insogna did not think a paving program could be done if the base work is not going to be done right. A cold patch was done on the lakefront. He has another material to put down when it dries up more. The road will be blocked off overnight. He will talk to some of the residents about the big trees along the roadside. He stated that the people might be upset by the tree cutting on the lakeshore.

Supervisor Selmsler confirmed with Mr. Insogna that the sand pile has been moved from behind the town barn. The exterior of the Town Barn building will be painted as soon as the weather breaks. If these guys can't pay their fines for dumping maybe they could do painting at the barn. Mr. Insogna noted there are 14 more tires to pickup. Last year he picked up 42 tires. The fire department will have keys to open the gate incase of a fire.

Code Enforcement & Sanitation – Mr. Heberer submitted a written report to the board. Seven building permits and one sanitation permit were issued since the last board meeting. Forty-one letters of complaints were mailed since the last town board meeting. Nine or ten violations have been resolved. He stated permits are off quite a bit, which he attributes to the economy. He estimates we are 20 – 25% behind where we were last year. Attached to his report was a report on junk vehicles and complaints. So far this list is of the problems on the main thoroughfares. He is waiting until some of this is cleaned up before issuing more letters. Councilman Sprung suggested having the town attorney sit in on any cases that are uncooperative. Councilman Palcovic suggested having them all go to court on one night.

Dog Control – Mr. Dutcher left a note with the clerk. He received 11 calls for the month. He took one stray to the humane society, four tickets were written. Ag. & Markets conducted an inspection. Everything was found to be in order. The report is on file with the town clerk.

Golf Course – Work is ongoing to clean up the interior of building – locker rooms. The bids were awarded to Ralph Hayner and Mark Kane Supervisor Selmsler reported.

BTI – Candace Dean submitted a written report. In early March, there was a 30 hr pesticide course held at the Arietta community hall. As a result Caroga has one new apprentice applicator this year. They began treating in mid March. The cost of the Vectobac 12 As has gone up \$2.00 per gallon since last year. She will check other suppliers for a better price for future purchases.

Weeds – Mr. DeWeese noted that as long as the ice is on the lake the weeds are not growing.

Youth - Supervisor Selmsler reported that tentatively it is scheduled to have the total youth program operate out of this facility since the Wheelerville School is going to be under construction. The director is making plans to handle those needs.

Clerk/Tax Collector/Registrar – Linda Gilbert reported that all the necessary documents were turned into the County on Friday April 3rd and the paperwork and check to balance was completed on Monday. The books were presented for audit to the Town Board. This year there were 230 bills unpaid in 2008 there were 239 bills remaining unpaid. The NYS Assoc. of Tax Receivers Training Seminar is June 14 – 17 in Queensbury. I would like to attend this training the topics are very relevant and I have not attended in several years. Money has been budgeted for this training. The clerk gave the board a report of the members of the Planning & Zoning boards who have attended

the mandatory training. Only one member has not attended the 4 hours required each year. Steve Putman still needs to attend training. Supervisor Selmsler spoke to him yesterday he said he has certificates for a lot of different courses that probably apply to the planning area. He will bring them in so that copies can be made for the file. His term was up the end of December on the Planning Board.

RESOLUTION to re-appoint Steve Putman to the Planning Board #2009-027

Offered by Councilman Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held its regular monthly meeting on April 8, 2009, and

WHEREAS, the board received a report on who has completed the mandatory training to serve on the Planning and Zoning Boards in the Town of Caroga, and

WHEREAS, it was noted that the term of Steve Putman expired on December 31, 2008, now therefore be it

RESOLVED, that Steve Putman is hereby re-appointed to serve a five-year term on the Planning Board until December 31, 2013.

Unanimously carried

RESOLUTION to allow Tax Collector to attend training #2009-028

Offered by Councilman Sprung

Seconded by Councilman Palcovic

WHEREAS, the Caroga Town Board held its regular monthly meeting on April 8, 2009, and

WHEREAS, the Tax Collector, Linda Gilbert, discussed with the board an upcoming training to be held on June 14 – 17 in Queensbury NY, and

WHEREAS, she has budgeted for this training, now therefore be it

RESOLVED, that the town board does hereby move to allow the tax collector to attend said training with the expenses coming from A1410.4.

Unanimously Carried

Assessor's Report – Kathi Hillock submitted a written report. She has about a week and a half before her work will be done for the tentative assessment roll. It will be filed on May 1st. The preliminary equalization rate will be 45%. She has not received the STAR values yet from the state. Next week Scott Henze will come up to install the Pictometry software. She thinks she has enough memory but may need some ram to run the program. She asked the boards approval to purchase this hardware component on the computer. The program as it relates to the town will be installed on both Mike and Kathi's computer. Supervisor Selmsler stated once the program is installed it can be used to look at the locations for cell towers. Scott will provide some training on it when it is

installed. Kathi stated that change of assessment notices and exemption notices will go out the end of the month.

Councilman Palcovic asked about the sales that are killing the equalization rate. "Short of the welcome stranger method of assessing based on what it was assessed at I am hopeful that you are coming through with some kind of happy medium of an increase in the assessment based on the obvious market sales that are taking place." Mrs. Hillock responded that she couldn't change the assessment based on the market unless you are doing a reval. She can change them based on incorrect information such as a lot of construction that went on that was never in on those particular properties. As she sees discrepancies she is adjusting them. She noted the problem is when they set the equalization rate they look at the assessment at the time of the sale. The values are holding steady on the waterfront. Unfortunately some people overpaid. Councilman Sullivan asked if it was possible to reevaluate the waterfronts, which seem to be where the ...Kathi interject that the whole town needs to be done. She said the first thing she needs to do is to cleanup the inventory. After the roll is done and grievance is completed in June she plans to go down the street and look at each house and put the information in the computer. Then in the future if the board decides you might want to do the reval at least the information would get in there. Councilman Palcovic asked about a five-year plan, doing the town in quadrants but the whole plan is put out on paper before it. Mrs. Hillock noted that plan has to be approved with the office of real property services. If you are not according to their specifications then you do not get any aid. "There are ways of doing it but you can't select a certain part of the town." She noted that the lakefront is growing (new construction) at a faster rate than other areas and the land is worth more than the house. A previous Assessor did get a plan approved. She stated "obviously portions of the town will grow at a faster rate and they can be adjusted at a different rate than everybody else as long as you show that's really true." A lot of preliminary work is needed. She can raise a property if she identifies a physical change but not if they sell for a much higher price than what they assessed for. Councilman Sullivan asked how many houses are on the inventory in the town. She did not know because there are several properties with multiple dwellings on the lakefront. Supervisor Selmsler asked if it would be helpful to take pictures from the lake. Mrs. Hillock noted that the front of the homes on the lake is the lakefront. That side is usually much different than the road front. She likes to get pictures from both sides. I would be helpful to have that information. She has cleaned up a lot of inventory, but she gets sidetracked. Councilman Palcovic noted that other towns have done a reval but it has not held very long. Mrs. Hillock noted the public is outraged, "is that part of it worth it? Than having your "equalization" rate go down."

Supervisor's Report

Supervisor Selmsler went online 3-19-09 and submitted to NYS Recovery and Reinvestment Act a request for funding to repair or replace the municipal building under the stimulus program. He supplied information from CT Male and asked for a million dollars for the project. He noted the list was long.

The cleanup of the gymnasium has been completed. Things have been put back and are in order in there. It will be available for public use in the future. The BTI program is working out of the gym. Supervisor Selmsler stated that the leaking (under the stage) circulating pipe which he felt needed to be vented outside, and may be a temporary solution, but it has been completed. He hopes that will help alleviate the problem on a temporary basis. Come wintertime a way to prevent it from freezing will have to be found. The test results were back today on the last air quality tests taken.

Committee Reports

Buildings and Grounds – supervisor Selmser noted the work on the golf course being done which was previously reported. The trim on the outside will be painted. The paint has been purchased and the highway dept. will help with the painting. The other concern is the back of the municipal building. The area needs to be looked at and secured.

Park Creation - Council Member Scribner reported that the netting arrived. She is waiting for national grid to let her know when they are coming to set the poles. Coaxial aviation wire will be used on the top to stabilize the net. The net can remain up year round.

Golf Course –Council Member Scribner is working on the guest book for the golf course.

Cell Service –Council Member Scribner attended a session at the APA Local Government Days on broadband and telecommunications. It was more broadband and not much about towers. They did network with the person that helped get towers on the Northway. Mainly the work was done by Senator Betty Little. Council Member Scribner has contacted Senator Little and the providers. The application is better received when it appears to be professionally put together.

It is a waiting game. Supervisor Selmser asked if there was any other information from the Training. All of the sessions were excellent and each person covered a different session. They each learned a lot.

Old Business:

Demo former Highway Supervisors office, which used to be a medical clinic. “We decided had no value to the town – was an eyesore that we wanted take down.” The highway department could do that in the mean time one person – Steve Putman has come forward and said he would volunteer to do it at no cost to the town. There was some concern of the legality of that. Supervisor Selmser contracted the Association of towns and was advised that there would be no problem since we were receiving service for zero value. It would meet our procurement policy. It would not have to go out for bid.” Council Member Scribner asked about the building behind the building coming down. Highway Superintendent Insogna stated he was going to move it and use it to store stuff in.

RESOLUTION to allow demolition of town property #2009-029

Offered by Councilman Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held its regular monthly meeting on April 8, 2009, and

WHEREAS, the board decided to demolish the highway superintendents office building which was in disrepair with mold conditions, and

WHEREAS, Steve Putman has offered to take down the building now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to allow Mr. Putman to demolish the declared unusable town facilities at no charge to the town, the former office of the highway superintendent and former clinic building which has no value, with the conditions that a demo permit is obtained and that he will furnish an insurance certificate for liability – which he already has per Code Enforcement Officer – Mike Heberer.

Unanimously carried

New Business:

4-10-09 Town Offices Closed -The Town Clerk's office will be open on Saturday morning.

Per previous policy the Caroga Fish and Game Club was exempt from the hearing cost and special events permit costs. The club runs as a not for profit – it is not a business.

RESOLUTION to waive cost for hearing and permits #2009-030

Offered by Council Member Scribner

Seconded by Councilman Sullivan

WHEREAS, the Caroga Town Board held its regular monthly meeting on April 8, 2009, and

WHEREAS, the board discussed the request from the Caroga Fish and Game club to waive the \$75.00 hearing fee and the \$25.00 per special event permit fee as the club promotes tourism, now therefore be it

RESOLVED, that the board does hereby move to waive the fees for 2009.

Unanimously carried

Council Member Scribner asked if there was any news on the lawsuit with the Adirondack Park Agency. Supervisor Selmsler responded there was no news. Last month it was in the Attorney General's Office and they were trying to decide how they were going to challenge it or pursue it or bring it up for discussion. He may hear more about it at the county meeting next Monday.

Council Member Scribner spoke to the Webmaster about putting the school information on the town web site. Information is needed for the Events page. Everyone was encouraged to go to the site to make sure it is updated. She also asked for pictures for a future update if anyone has them. Links to business can be added. The new boat launch has a nice website it was noted. Council Member Scribner also asked for a work session for the procurement policy and the feasibility study, and the utility building. The board set a work session for Wednesday April 22nd at 6:30 pm.

Correspondence:

- 1) Fulton Co. Solid Waste – summer hours @ transfer station
- 2) General Code information on publishing Code
- 3) Fulton Co. Chamber Clean up day - The Fulton County Chamber of Commerce and the Board of Realtors is sponsoring a countywide cleanup on April 25th. The town is going to participate and others are encouraged to help clean up Caroga Lake. Council Member Scribner suggested having another town wide cleanup day the beginning of June.
- 4) Thank you from Nick Stoner Trailers for support for trail maintenance
- 5) NYS ORPS Notice of Training on 5-7-09 6-9 pm @Board of Supervisors Chambers
- 6) FC Res. #88 chargeback
- 7) Fulton County Revised schedule for chargeback's for election services
- 8) Email from Sal Ferlazzo re: Herms Appeal Hearing
- 9) Time Warner Inc. will spin off Time Warner Cable Inc. – No change expected

10) Letter from Hugh Farley to Chairman Callery regarding the states efforts to freeze taxes and he is totally against it and will do everything possible to make sure we continue to get funding from the state for lands that they own.

11) FYI – unfunded mandates bill to give workers time off for their kids to donate blood

Supervisor Selmser was hoping to have information back from the planning board on the revisions to the Zoning Code. We will have to wait to schedule a public hearing on that for a future month.

Resolutions:

RESOLUTION to support the Fulton County Cleanup Day #2009-031

Offered by Councilman Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held its regular monthly meeting on April 8, 2009, and

WHEREAS, the board discussed the correspondence from the Fulton County Chamber of Commerce who in conjunction with the Fulton Co. Board of Realtors is sponsoring a TAKE PRIDE in FULTON COUNTY day on April 25, 2009 from 8 – 1 pm, and

WHEREAS, together we can make a difference by working to clean up the streets and highways and our own businesses in Fulton County – Think clean. Go Green, now therefore be it

RESOLVED, that the Caroga Town Board does hereby support and will do all that it can to promote the Fulton County Clean up day on April 25, 2009 and do plan to participate in this worthwhile program.

Unanimously carried

Councilman Palcovic commented on the correspondence from Time Warner Cable. He noted that the town opted not to put a finance charge on the customers of Caroga Lake when we initially ok'd the franchise to come into Caroga Lake. When the contract is renewed he suggested asking for free Internet services for the municipal offices. It was noted that not everyone in Caroga has cable; some people can't get it as the lines to not run past their house.

Councilman Sprung made a motion to pay the bills as presented for audit, and to accept the minutes of the March meeting. Councilman Palcovic seconded the motion. All board members agreed.

At 7:45 pm Councilman Sprung made a motion to adjourn, Supervisor Selmser seconded the motion. All board members agreed.

Respectfully Submitted,

Linda M, Gilbert – RMC
Town Clerk /Tax Collector