

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board work session held Thursday July 30, 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

Also present was Mike Heberer – Code Enforcement Officer. There were five other people in attendance. Two of whom were being interviewed for the open Chairman slot on the Planning Board.

The pledge to the flag was conducted.

Supervisor Selmsler introduced Michael Snyder the new owner of the Nineteenth Hole located at 1810 State Highway 10 in Caroga Lake. He sent a certified letter asking the board to waive the 30-day waiting period for his liquor license.

Budget Director Lita Hillier also submitted a resolution to the board for their approval this evening. The resolution is to correct some errors from 2006.

RESOLUTION To Close Out 2006 Nick Stoner Golf Course Non-Recoverable Golf Credit Card Receipts #2009-053

Offered by Council Member Scribner

Seconded by Councilman Sullivan

WHEREAS, the Caroga Town Board held a work session on Thursday July 30, 2009, and

WHEREAS, the Nick Stoner Municipal Golf Course experienced a difficulty in the year 2006 with the credit card machine and the recording of golf receipts, and

WHEREAS, the Supervisor’s office along with the Nick Stoner Golf Course accounted for most of the lost credit card transactions but a balance remaining of \$212.00; **now therefore be it**

RESOLVED, that the Supervisor be authorized and empowered to write off and close out the 2006 accounts receivable monies regarding non-recoverable credit card sales as follows:

Debit – A2701 – Refund of Prior Year Expenditures	\$212.00	
Credit – A380- Accounts Receivables		\$212.00

Unanimously Carried

RESOLUTION to waive waiting period for a N.Y. S. Liquor Licenses #2009-054

Offered by Councilman Sullivan

Seconded by Councilman Palcovic

WHEREAS, the Caroga Town Board held a work session on Thursday July 30, 2009, and

WHEREAS, the Town Clerk receive a certified letter on July 27, 2009 from Slater's Inc. d/b/a The Nineteenth Hole notifying the town 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, Michael J. Snyder – Slater's Inc. who will operate the Nineteenth Hole at 1810 State Highway 10 Caroga Lake NY 12032 and 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.

Unanimously carried

At 7:02 pm Supervisor Selmsler made a motion to enter into an executive session to address personnel needs regarding the Chairman of the Planning Board. Councilman Sprung seconded the motion. Unanimously Carried

At 7:30 pm Councilman Palcovic made a motion to exit from the executive session. Councilman Sprung seconded the motion. Unanimously Carried

Based on the conversation in the executive session Supervisor Selmsler asked the board if they wanted to make a formal motion to accept the resignation of Doug Smith Chairman of the Planning Board.

RESOLUTION to accept the resignation of the Chairman of the Planning Board #2009-055

Offered by Councilman Sullivan

Seconded regretfully by Councilman Sprung

WHEREAS, the Caroga Town Board held a work session on Thursday July 30, 2009, and

WHEREAS, Supervisor Selmsler received a letter of resignation from Doug Smith – Chairman of the Planning Board, now therefore be it

RESOLVED, that effective August 5, 2009 the Town Board of the Town of Caroga does hereby move to accept, with regret, the resignation of Doug Smith – Chairman of the Planning Board, and does hereby thank him for his years of service.

Unanimously Carried

Supervisor Selmsler asked the board if they wanted to move forward at this time to replace Mr. Smith.

RESOLUTION to appoint Planning Board Chairman #2009-056

Offered by Councilman Sullivan

Seconded by Councilman Palcovic

WHEREAS, the Caroga Town Board held a work session on Thursday July 30, 2009, and

WHEREAS, the board accepted with regret the resignation of Doug Smith as Chairman of the Planning Board, and

WHEREAS, the board held an executive session and interviewed two candidates for the open slot on the Planning Board, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to appoint Scott Horton of 264 South Shore Road/PO Box 742 West Caroga Lake NY 12032 to serve until December 31, 2009.

Unanimously Carried

It was noted that there were two very qualified candidates.

The major need tonight was to address the bid proposals on the utility building – basic structure. There were three proposals received

Pete Hryniak & Sons 12 Mountain View Avenue Gloversville NY 12078 \$34,362.00

James & Donald Hale –Adirondack Landscaping 1008 Pleasantview Ave Scotia NY 12302 \$47,900.00

Bradt Builders LLC 5494 State Highway 29 St. Johnsville NY 13452 \$59,035.00

The bid from Pete Hryniak and Sons was the lowest bid. Mike Heberer Code officer reviewed the bids and he had a couple of questions on the Hryniak proposal. They did address the two concerns he had “the sleeves in the foundation that he did not have listed and one of the doors has to be one-hour fire rated.” That is in the bid. He spoke to them on the phone this evening. Councilman Sprung questioned the note in the Hryniak bid about clear cedar siding which would cost an additional \$4,400.00. Mr. Heberer said the building was specified out as either a clear pine stained to our specs. or clear cedar. He quoted the pine and noted the additional cost for cedar. That still makes him the low bidder. Mr. Hryniak previous work history was discussed, it was noted that he has done work out at FMCC College.

Mr. Heberer asked about the time frame on this job if it is awarded. He noted that the town has not done any demo yet. The highway superintendent is aware of the town’s need to demo a section of the old school. Mr. Insogna will do the work as soon as the board so directs. Councilman Palcovic has discussed at length with Highway Superintendent Insogna a program to use the highway dept. crew and equipment. The town could get a couple of roll offs from the landfill. He suggested having the highway staff work overtime on Friday as not to impact the work they do during the week. The project includes teardown, back filling and boarding up. Perhaps Mr. Springstead would

provide some assistance. There is unused snow removal overtime money in the budget to pay whatever the highway staff wanted.

Council Member Scribner asked about putting phase 2 and 3 of the project out to bid so that the total cost of the project is known while we wait for the demo to occur. Mr. Heberer stated, "Both of them will be ready to go out to bid by the end of next week." Council Member Scribner was concerned that the cost could be sky high again. Mr. Heberer stated looking at this track he estimates the end result is going to be easily close to \$70,000.00 for the heat and electric - ballpark. Mr. Hryniak stated the project would take approximately three weeks weather permitting. Councilman Sprung asked once the heating and electrical are done can the old section be demolished? Mr. Heberer stated that once the heat and electric are moved – that is all that is left in there except the water. The phones come into this building through the clerk's office. Councilman Palcovic though we could be on the new services before winter. They would like to have the demo done as soon as next week. Councilman Sprung asked if the town highway crew cannot do this, is the County an option. Supervisor Selmser did talk to Mr. Bouchard he can get a roll-off here it was not known if the county demo team could come in as a back up on short notice.

RESOLUTION to award bid for Utility Building

#2009-057

Offered by Councilman Palcovic

Seconded by Councilman Sprung

WHEREAS, the Caroga Town Board held a work session on Thursday July 30, 2009, and

WHEREAS, the town received 3 bids for a Utility Building which were opened on July 29, 2009 at noon in the Clerk's office, and

WHEREAS, Pete Hryniak & Sons 12 Mountain View Avenue Gloversville NY 12078 bid \$34,362.00 and was the lowest bidder, and

WHEREAS, the bid included a provision to use clear cedar pine siding stained at an additional cost of \$4,400.00, and

WHEREAS, the board desires the clear cedar pine siding to be used, thus making the total cost of the project \$38,762.00, now therefore be it

RESOLVED, that the board does hereby move to award the bid to Pete Hryniak & Sons.

Unanimously Carried

Mr. Heberer will have the bid specs. for the electric and the plumbing and heating at the August meeting. He was not expecting the work to be done in such a short period of time.

Supervisor Selmser told the board that he received a document back from Attorney Sal Ferlazzo regarding the Herms case. It was noted that the court is not in session until after Labor Day. Mr. Ferlazzo believes the case will be looked at and thrown out. They only hear 6% of the cases and the board can expect to hear back in late September or mid October with a definite decision.

Councilman Sprung asked if the board wanted to meet with Attorney Ferlazzo. Mr. Heberer noted that he drafted a letter to Mr. Herms, which was forwarded to Attorney Ferlazzo regarding the demo of the boathouse. The timeframe to demo the boathouse was discussed.

Councilman Sprung noted that he missed the last two meetings. He wondered what the town's options were regarding the latest junk law. Attorney Susan Palmer Johnson is looking into what happens if the minimum fine is not imposed. Mr. Heberer will let the town supervisor know when he will next issue tickets. The supervisor will let the public know when the court date is if they wish to attend.

At 7:47 pm Councilman Sullivan made a motion to enter into an executive session regarding pending litigation with the boat launch and a second pending legal issue. Councilman Sprung seconded the motion. Unanimously carried

At 8:06 Councilman Palcovic made a motion to exit from the executive session, Councilman Sprung seconded the motion. Unanimously carried

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

Council Member Scribner noted that work would be taking place at the park next week.

The town clerk noted that she has no money in her budget due to a cut in her budget of \$2,000.00 last year. She submitted a copy of the last three-year expenses from August to December so that an average could be established. The budget director will draw up a resolution for the August meeting for a transfer.

At 8:08 Councilman Sprung made a motion to adjourn, Councilman Palcovic Seconded the motion. Unanimously carried

Respectfully Submitted,

Linda M. Gilbert – RMC
Town Clerk