

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board work session held Wednesday September 23, 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 Selmser - 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, Lita Hiller – Budget Director, Jack DeWeese – Weed Harvesting Coordinator, Scott Horton – Planning board Chairman, and also John Mucha Director of Government Relations from Time Warner Cable 1021 High Bridge Rd Schenectady NY 12303 (518) 242-8830.

After the roll call, the salute to the flag was conducted.

Supervisor Selmser opened the floor to Mr. Mucha. As everyone knows in New York State every cable operator has to have a franchise agreement with every municipality in which they operate. They are in 175 communities. The agreement that Time Warner had been working under expired on June 10, 2009. The state PFC automatically gives them an extension of six months to keep talking to the municipality. He has been working with Supervisor Selmser on the renewal since June. The previous contract had a ten-year term. It also had a five-year renewal. But that was missed, that is why he is here today. They provide free cable to town hall and the firehouse and free cable and Internet service to the Wheelerville School. There are no franchise fees collected by the town. That is an option the town could take advantage of if it wanted to. It is a tax to the cable customer. The Federal Government allows municipalities to take up to 5% of gross revenues from the cable operator. The cost is passed on to the cable customers. There are 533 cable customers in the town with 46.4 miles of cable. A lot of things have been done since 1999 to improve the service. They launched digital cable, video on demand, High definition, DVR's, phone service, and caller ID on TV. Mr. Mucha noted that the cable system in the town is as competitive as any cable system anywhere in the country. In terms of the new agreement, it is for 15 years. They are happy to do 10 years if the town so desires, there are no franchise fees. In terms of the density of homes to where they will extend cable at their cost, the old agreement was 35 homes per mile, which is the state standard, 20 homes per mile was put in the new agreement. That is the standard they use throughout their division. The state does require a public hearing; Mr. Mucha however can not be at that meeting on Oct. 14 as he has to be in the Village of Kinderhook, but someone from the PFC will be here ask questions to. At some point when the board is ready a resolution needs to be passed authorizing the Supervisor to sign the new agreement on behalf of the town. Once the document is signed then Time Warner puts together an application to the PFC. They review the document and after they approve it then the renewal is effective. It may take them 6 months or so.

Supervisor Selmser asked of the number of franchise agreements they have what number has fees. Mr. Mucha responded that approx. 75- 80% do. He noted however it is more common in the rural/smaller communities not to have it. Councilman Sprung asked if it was a set fee or anything the board determines. Mr. Mucha stated it can be anything up to 5% normally it is a percentage. A 1% fee would provide the town with somewhere around \$5,000.00 per year. Time Warner acts as

the collector, and they pass through the money to the town. Once or if a fee is in place cable subscribers would see a little line on the bottom of their bill for state and local fees. Councilman Palcovic stated, "We might as well raise the property tax another penny." He was not in favor of the additional tax.

Councilman Sprung asked about waiving the fee for Internet Service in this building. Mr. Mucha responded with the company line, "these franchise agreements are video agreements they don't have anything to do with Internet." No municipality has free Internet, and they treat everyone the same. Towns are considered commercial customers, and they are given the lowest rate. There is a state contract, which is a guaranteed flat rate everywhere in the state. There is another discounted rate but it requires a contract of a year. Mr. Mucha said we could see if there is a better rate for the town. He would be happy to do that for the town.

Councilman Sullivan asked if the 20 homes per mile meant they had to be signed up or just physically located geographically. It was noted that current service does go to Stoner Lake. Supervisor Selmsler has a map of the areas covered. If there are areas in the town that currently don't have service that may be close to the 20 per mile guideline they will be happy to survey the area.

The clerk noted that a notice was placed in the newspaper and notices were placed around town asking residents without cable access to contact the town clerk. Only two people responded one lived on Co Hwy 112 and the other lived just over the line in Bleecker on Co. hwy 112.

Supervisor Selmsler asked how much programming was done in high definition. Mr. Mucha has no control over what type of programming the network provides. The board thanked Mr. Mucha.

Mrs. Hillier noted that not all of the figures were in yet for the budget. She copied the five-year comparison for the board members from the Comptrollers' Office. She also handed out a budget work sheet. The columns show - the 2008 years actual, the 2009 as modified, the Sept. 1st Y-T-D, and the Supervisors Tentative.

Mr. Jennings budget sheets were reviewed. He did not ask for any increases anywhere except for on the port-a- john A7180.41 line item. This account is overdrawn as the cost went up this year. They went from \$200.00 per month to \$260.00 per month for 2. Councilman Palcovic asked if we should look into purchasing our own and then have them serviced. One more is needed next year for the park. We did compare prices last year with John Skinner and they were comparable.

Councilman Sprung asked if he had a plan to put money away for future equipment. Mr. Jennings discussed with the board the benefits of automating the watering system on the golf course. The price to hook up the system years ago was \$38,000.00. The board did not feel this was a good return on the investment. A capitol fund for equipment should be established. The board received an equipment condition report. The items that need replacement in one or two years were identified as priorities. The main mower is the greens mower it is brand new. A new fairway mower was recently bought. Mr. Jennings noted the one that will be needed in two years is a "Tee" mower for the fringe and apron. They recycle the new greens mower in a few years to a "Tee" mower and purchase a new greens mower. Mr. Jennings wants to purchase a Z-master mower for \$6,000.00 and a commercial blower for \$4,000.00. There is usually around \$21,000.00 in his equipment line item. He is on a cycle to replace equipment. Mrs. Hillier noted we have not had to increase the line item in many years. The lease to own system works out. The last payment on the greens mower is in 2010. The purchase of a gator is anticipated in 2011. Mr. Jennings has made a lot of purchases on state contract. You used to save more money years ago. The benefit is you don't have to go out to bid when you buy state contract. Mr. Jennings noted the smaller master mower is half the price of the bigger cut machine. The new blower can be hooked up to the tractor and will save in time and manpower.

Mr. Jennings wants to purchase fill for the basin for the new green on #4. He is waiting to see how much money he has left this year. New toilet paper holders were discussed for the ladies room

at the clubhouse. The windows and eaves have to be painted on the golf course building. The highway guys are supposed to be doing this. The tile in the men's room still needs to be put down.

Gasoline storage needs to be changed. The insurance company wants it stored in a fireproof area.

The board discussed the winterization process at the golf course building. Last year there were 10 leaks, which Mark Kane fixed. Mr. Jennings noted there are chemicals stored in the building, which cannot freeze. The board suggested leaving the heat on at 50 degrees and to have a light type device on to alert us (with an auto dialer) if the temp goes below a certain temperature. Councilman Palcovic wants the monument light turned off for the winter. Shepard Oil automatically fills the tank and Mr. Jennings has the furnace cleaned every fall.

Chuck Herman will be here at the October 7th meeting. He is expecting health insurance to go up 25 – 30% next year. Also at the next meeting will be Desiree Hines, Kathy Hillock, Jack DeWeese, and Joe Insogna.

Supervisor Selmsler noted the county looks at the budget process a few years in advance. Councilman Sullivan wants to have softened increases for a couple of years in a row. Mrs. Hillier – budget director is also in favor of a cushion, “once upon a time this town had a lot of cushion, and now it doesn't anymore.” We need to raise taxes and we don't.

Revenues are going to be softer than what we have now. Permit costs and fees we charge are going to be looked at. Councilman Palcovic stated that we might want to consider a cable franchise fee. Supervisor Selmsler looked at the landfill charges and thought the permits may have to be increased. The permits only cover half the cost of the transfer station tipping fees. The board discussed the library line item in the budget for next year. A modest increase was suggested for the Johnstown Library.

The Justice Court line item was discussed. The board wanted to know the numbers for this department. Mrs. Hillier said the numbers are not up to date because there is a holding tank identified as A0690 State Justice Funds -clearing account on the financial report. When the judge gives the town money it has to be recorded. The report/budget is only reflecting up to June the last time the Comptroller was paid. A 3% increase was requested for the justice and the clerk. Expenditures were not increased. Since June only \$2,772.00 in revenues have been documented. There is \$2,485 in the holding tank we don't know what portion is the state's. Councilman Palcovic has the comptrollers report from 2008. The justice's revenues for that year were \$7289.00. The board was given information from Mrs. Hillier on comparison of revenues. Councilman Sprung noted that in addition to the salaries the justice dept also receives family health insurance at \$809.85 per month. The board wanted the judge at the next budget meeting to explain why the court costs so much with so little revenue. Council Member Scribner asked how much the code officer spends to have tickets served. The board discussed expenses of the justice dept. Mrs. Hillier noted software support is expensive. The board asked that Judge Subik attend the next meeting. Councilman Sprung wondered about consolidating the justice dept. with Ephratah and Bleecker. Supervisor Selmsler will contact the Assoc. of Towns on this matter.

The board then reviewed the budget request forms via Mrs. Hillier – she did not copy the documents for the board. The town board line item was discussed. No increase in salaries. The CE was also the same. Mrs. Hillier has made a decision about the software purchase she discussed with the board for 2010. She is not ready to purchase it yet. Her computer is 4 years old and may need to be replaced at the end of this year if there is money in her budget. The cost is also split between the other 6 towns she works for. Councilman Sullivan discussed having the computers networked in the future. The maintenance on the programs she uses is \$1,900.00 per year. She wants to build a little into a new account marked A1220.21 for a software upgrade over the next two years. The amount would be about \$4,500.00.

The assessor will be at the next budget meeting she asked for a 3-½ % and 4% raise. The board members asked about her contract and wondered about any built in raises.

Supervisor Selmser and Councilman Sullivan have discussed a network server to link computers - to share information, to have remote access, and to do auto backups.

Elections are going to be more expensive. The new machines have to be transported each time they are used. Mrs. Hillier did not receive any information from them yet as to the expense. The amount was left the same.

Building A1620.2 there is \$2,000.00 in there just in case. Supervisor Selmser wondered if that was enough due to the condition of the building. He thought we might have to replace the air purifiers or purchasing more. The clerk noted the filters were good for 3 years. The golf course building has its own line item A1620.42. Mrs. Hillier will look at this one. Everything will remain the same in the buildings line item for now.

The multi- seasonal park line item will have \$13,000.00 in it for next year. Councilman Palcovic questioned how much money was used so far from the grant money received. The town received back \$13,000.00. There are more bills to submit. Council Member Scribner stated, "There is \$13,838.59 to spend before 2010. That is what we have after the grant...half of our money." We have to meet our commitment for the grant Councilman Palcovic stated, after that everything else is optional. Council Member Scribner wanted to have a contract with David Knapp to maintain the property. Councilman Palcovic wanted volunteers to take care of the park. He is not willing to commit to hiring someone to mow and fertilize when there are a team of professionals at the golf course. Supervisor Selmser agreed the golf course staff could help. Council Member Scribner noted Mr. Knapp has been very good about donating some goods and services to the park. The board noted that this type of contract needs to be bid out.

Mrs. Hillier will review central mailing and printing, and unallocated insurance. The contingent line item stays the same at \$15,000.00 each year.

Nothing was done with highway or garbage this evening.

Mr. Dutcher did not submit his budget request yet. Supervisor Selmser will see if he is available for the Oct. 7th meeting also Candy Dean - BTI.

The Code officer will work with Mrs. Hillier tomorrow on his budget.

Board of Health & Registrar will stay the same.

A4560.4 there is usually an extra \$5,000.00 in there.

Mrs. Hillier noted that Mr. Insogna did not put in for any raises at all. He did not make any changes in his general fund accounts. He put in for \$60,856.00 CHIPS. Supervisor Selmser thought it was going to be a 20 – 25% decrease next year. A notation to the supervisor referenced specifications on a small truck \$76,000.00 sander + plow, and \$27,000 for a used back -hoe. Councilman Palcovic asked about purchasing used equipment from a private individual. Mrs. Hillier discussed this with Mr. Insogna the proper procedure has to be followed. She noted the town couldn't go to auctions either. Councilman Palcovic noted the federal excess website has listings we may be able to purchase items from. The board is in favor of having a five-year plan to replace equipment at the highway dept. Mrs. Hillier likes the system Mr. Jennings has set up to purchase equipment. Other towns also use an overlapping system, getting rid of the old and bringing in new. Ephratah has two reserve accounts, one for a building the other for highway equipment they feed the reserve \$14,000.00 every year. Mrs. Hillier also thought that purchases of large equipment should be consolidated with other towns. Councilman Sprung thought coordination of purchasing should also be instituted. Council Member Scribner asked about the sifter the town of St. Johnsville is using.

This budget needs to be presented to the board by Oct. 4th. Mrs. Hillier asked the boards thoughts on salaries across the board. Councilman Sullivan proposed a 3% increase. Councilman Palcovic opposed giving 3% to the part time employees again, he was in favor of the full time employees getting the raise.

The street lighting line item is OK. Veteran's services no money has been spent in the past year. The money was for flags on the graves. The senior's line item is OK.

Mr. Jennings did not ask for any increases in salaries. He is going to revisit the fee structure for the pro shop employees. They are being paid too much. They will have a starting amount and there will be a cap amount on the position.

Youth program – Desiree is coming in. Supervisor Selmsler wanted number of participants over the years. He wondered if we needed to have the number of staff that we have. They are mandated by law to have a ratio of staff to kids. She is inspected each year. “If she knew she didn’t need all those people, I think she would not have them.” Mrs. Hillier stated. Councilman Palcovic asked why we pay for summer school? There is an in-kind services for the bus. Councilman Sullivan thought the school used to split the cost with us. They still do. The town pays two teachers to do summer school. Councilman Palcovic wanted this matter discussed with the school. The youth will be left as it is. She put raises in.

The library \$2,500.00 - increase by \$500.00

The museum asked for \$5,000.00 from \$3,500.00. In their letter they ask for support to continue to bring the community together and draw visitors. The board put \$4,000.00 on the line item.

The historian did not ask for anything different. 3% was added to her salary.

Scott Horton is here for the Planning Department. He asked the board to support putting money in for professional services for next year. The Planning board has some ideas. He noted the unused septic system at Sherman’s, changing the traffic pattern of the lake shore road, moving the services underground on that stretch and making it an overlay arts district. It was noted that the town receives 10 hours of free services from the Fulton Co. Planning Dept. Mr. Horton asked for funds to help bring new ideas to the town board. He also asked for a liaison or two from the town board. The board put seed money in the amount of \$5,000.00 for planning services. Mr. Horton plans to look at the current zoning districts and the uses permitted by right and Site Plan Review. Mr. Horton was thanked for waiting.

Weed Program – Councilman Sullivan noted the weed problem this year on East & West Caroga Lake this year. Mr. DeWeese put a scenario in his budget for 1, 2, or 3 dive teams next year. The amounts were \$21,299.56 for one team, \$36,422.40 for two teams, and \$50,333.60 for three teams. These figures do not reflect a 3% increase nor the \$8,000.00 grant. Mrs. Hillier did not put a figure in the work sheet. Councilman Palcovic did not want the first year hire divers to receive the same as the returning divers. The board put the 2-dive team scenario in the budget. The board will put together a schedule of salaries. A \$36,500.00 limit was set.

Jim Hayes of Canada Lake Protective Assoc. has asked for \$3,500.00 to support a program on that lake. The line item A8090.41 was created. Councilman Palcovic noted this was ok as long as no employees are hired. This is a donation to the preservation of the lake.

Cemeteries - \$200.00 is in there. Mr. Springstead has been mowing them. Supervisor Selmsler asked if money should be transferred from that account. Mrs. Hillier suggested keeping this under buildings and grounds or it would become another title under Civil Service.

Nick Stoner Trailers – same as last year.

This is the last year for payment on the Garbage truck.

Judgments and Claims A 1930.4 will have \$6500.00 in it next year.

At 9:21 pm Councilman Sprung made a motion to adjourn. Councilman Sullivan seconded the motion. Unanimously carried.

Respectfully Submitted,

Linda M. Gilbert – RMC
Town Clerk