

State of New York
County of Fulton
Town of Caroga

Minutes of the regular monthly Caroga Town Board meeting held Wednesday October 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 - Here

Other town officials in attendance were Stephen Jennings – Golf Pro-Greenskeeper-Manager, Mike Heberer – Code Enforcement Officer, Joseph Insogna – Highway Superintendent, Assessor - Katherine Hillock. Also in attendance, Pat Johnson Senior Municipal Consultant NYS Public Service Commission.

Supervisor Selmsler called the meeting to order at 7:00 pm. The roll was called prior to the flag salute.

The public hearing on Cable Franchise Agreement with Time Warner Cable was opened. Pat Johnson distributed her business cards and thanked the board for having her here. She is here to give the other side from what the board already heard from Time Warner. They talked about products and service; she is here to talk rules and regulations. In June of 2009 the franchise agreement expired. According to public service law any operator cannot provide services until there is a contract. A TOA – Temporary Operating Authority has been issued by the state to give the town time to continue negotiations on the agreement. There are certain things the board has input in and some things they don't. Rates and programming are things the town has no input on. Time Warner is the number one provider in New York. The contract term is negotiable. The term can be anywhere from one year to fifteen years. The present contract was ten years. The state has extended the term allowable to fifteen years. Time Warner is asking for a fifteen-year term. They use the contracts for collateral. "Why would you lock in for a long time like that when technology is changing and things are changing so fast?" Opinion is that, is the very reason you would lock in to make sure you get everything you have. Term is our strength. The town can use this for line extension. She brought only two copies of the rules, as they are becoming a paperless agency. In section 895.5 it addressed the construction of cable plants. "Everybody that wants to have cable in town can have it. Some at no additional out of pocket cost, some an additional out of pocket cost. If there is a cluster of 35 homes per aerial mile of cable and the cluster is less than 150 ft away from the Time Warner drop that cluster does not have to pay any additional out of pocket cost. If there is a cluster outside of those parameters then Time Warner is supposed to send them a written documented survey using the formula in the rules. The out of pocket cost is then given to the homeowner. If there is an area in the town with this situation the town can get a copy of the survey and see what the cost would be. In some municipalities it is a big issue because of Internet service. Internet service is not regulated and is

not a part of this process. In a lot of towns, there are pockets, where the planning board knows the area will be built up in the next 5 –6 years. That area might be a place where they will want Time Warner to bring Internet to them. This could be a bargaining chip for the town.

The Franchise fee is negotiable. According to state and federal law the town can ask Time Warner to give us a franchise fee of as much as 5% of the gross revenues. Ms. Johnson noted that most municipalities are getting 3%. The town decided to go with 4%. This is a pass through charge to the user. Some towns have so many issues with line extensions that they use some of their franchise fee to help build out the town. This is a political thing because the people who have cable would be subsidizing the rest of the people who don't have it.

The town also has input with public, educational, and governmental access. This is original programming. This is where the town could broadcast the monthly meetings. Councilman Palcovic wanted to turn off some of the programming. Usually the schools want to use some of the educational access. If the town doesn't use the channel provided the company can use it and make advertising dollars from it. Someone has to tape the meetings – usually the school. Other school activities are taped as well as senior activates and they are broadcast to enrich the town. She encouraged the town to use these channels.

Free Services: The Town has free cable at town hall. Internet service used to be provided for free as well years ago. Ms. Johnson recommended that the board enquire if we are getting the government rate. There is a residential, business, and government rate. The free service can go to the firehouse, school, and library. The town has to ask for it.

Questions: Linda Pomeroy asked if there were any viable competitors in our area. Ms. Johnson handles all of the small companies in the state. She did not know of any other providers in our area. It was noted that Comcast and Time Warner purchased all of Adelphi and then traded areas. Verizon telephone is now providing video (cable) service. Our agreement is a non-exclusive situation. In the future if another company wanted to provide services in Caroga Lake they would be able to do so with a franchise agreement with the town. They would have to provide the minimum standard conditions in our current contract. At this time the board can make a resolution to contract with Time Warner. After both parties sign the contract, the corporate office will review it during a 4- 6-week period. They send it to Pat Johnson who reviews the contract. Then it goes to an attorney, in another 4 –6 weeks the contract goes to the commission who will send an order of approval from the Public Service Commission if everything is in order.

A member of the public asked if another company come in to provide service during a fifteen-year contract. Ms. Johnson stated that the contract is non-exclusive. If someone were able to provide cable service to this area, they would have to sign a contract as well. She noted the cable business is very, very expensive business. Fiber optic cable is \$10,000.00 a foot. There are places that have two options at one time. Supervisor Selmsler stated the contract would be for a 10-year period. At 7:28 pm the public hearing was closed.

RESOLUTION to sign Franchise Agreement with Time Warner Cable #2009-066

Offered by Councilman Sprung

Seconded by Councilman Palcovic

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

WHEREAS, the Board met with John Mucha Director of Government Relations from Time Warner Cable on September 23, 2009 and with Pat Johnson Senior Municipal Consultant NYS Public Service Commission this evening, and

WHEREAS, a legal notice was placed in the Leader Herald Newspaper on September 22, 2009 giving notification of the public hearing which was conducted this evening from 7:00 pm to 7:28 pm, and

WHEREAS, the board also discussed the agreement during a work session held on October 7, 2009, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to sign a ten year franchise agreement with Time Warner Cable Albany Division 1021 High Bridge Road Schenectady NY 12303 and per section 17 of said agreement the sum equal to 4% of the Gross Revenues, shall be paid annually to the Town of Caroga.

Unanimously Carried

The town Clerk received one envelope from Shepard Oil marked sealed Bid for Fuel Oil, Gasoline, and Diesel. The Non-Collusion Bidding Certificate was signed. The Proposal for Unleaded gasoline net delivered price is one dollar eighty nine cents and three tenths. The net delivered price for Diesel Fuel is one dollar eighty eight cents and seven tenths. The net delivered price for #2 Fuel Oil is one dollar eighty seven cents and five tenths.

RESOLUTION to award Bid for Fuels for the year 2010 **#2009-067**

Offered by Council Member Scribner

Seconded by Councilman Sullivan

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

WHEREAS, the board did advertise for bids in the Leader Herald newspaper on September 17, 2009, and

WHEREAS, Shepard Oil Company Inc. did return to the Town Clerk on October 14, 2008 at 2:06 pm sealed bid proposals for #2 Fuel Oil, Unleaded Gasoline, and Diesel, Now therefore be it

RESOLVED, that the Caroga Town Board does hereby award the bid for #2 Fuel Oil, Gasoline, and Diesel to Shepard Oil Company Inc. 9 Industrial Park Road of Johnstown NY 12095 for the year 2010, at the prices stated:

#2 Fuel Oil - Net delivered price \$1.87.5

Unleaded Gasoline - Net delivered price \$1.89.3

Diesel - Net delivered price \$1.88.7

Unanimously approved

Public:

Annemarie K. Hansel has lived on Pine Lake Rd. for 22 years. She noted that dog owners clean up after their animals. There are a couple of people who are going down her road on horses and leaving deposits. She shoveled four droppings off the road. She tries to walk a mile a day. The Code Officer does not know of any municipality regulating this problem. He has seen the Amish dump a bucket with sawdust at the edge of the road. Councilman Palcovic thought we could try to touch base with the individuals with the horses. There were other incidents of dumping of manure on S. Shore Rd. East Caroga, and Beech Ridge Rd.

Department Reports:

Highway – Mr. Insogna reported that all of the plows are painted and ready to go. They are changing fluids on the loader. He is waiting for prices to come in on a new loader. The sand and salt are all in for the season. They are doing some ditching. Mr. Insogna will be bringing some fill to the golf course for the fourth green. Mr. Insogna was asked to stay until the end of the meeting for an executive session.

Code Enforcement & Sanitation – Mr. Heberer submitted his written report to the board. During the period from September 10th to October 14, 2009 18 building permits and four sanitation permits were issued. He noted that in the year to date totals he has had less permits and taken in less money but the cost of construction is running right where it was last year. This year he is 100 permits behind where we were last year. Last year the permit fees were close to \$9,900.00 and this year we are at \$6,600.00. The correspondence from Dave Falvo was not discussed at this time. The supervisor said they would discuss it tomorrow. The forms for the utility building should have been set today. Once the walls are poured Mr. Insogna will bring in some fill for the inside of it. Then the floor will be poured and construction can start. We are waiting for specs. from Adirondack Mechanical for the electrical and heating components of the building. There is an increase of costs because when CT Male talked to Adirondack Mechanical about providing heat they were looking to putting heat into a new building and temporary heat to the existing building. Now we are looking at having the utility building provide permanent heat to this building thus it will cost more. The electrical will also come in higher because the former Supervisor spoke to Fulton Co. Electric and they were only going to bring in new service to the utility building and then wiring the new building and not trying to tie into an existing building and making it all work. We don't have exact figures yet but it is expected to be considerable.

Councilman Sullivan asked if there are any citations going to court. Mr. Heberer served one ticket and is expected to be in court on Monday night. The other tickets have not been served yet. Usually the summons into court takes three weeks to give the process server time.

Councilman Palcovic asked if there was a reason he could not serve the tickets. Mr. Heberer responded that it would have to be a personal service, and yes he can do that. The process server can go back after office hours. He noted that four of the people were out of the area. It was noted that the clerk couldn't serve tickets.

Councilman Sprung asked if the Falvo letter was going to be discussed. Supervisor Selmsler stated that they would follow up verbally and in writing. Mr. Heberer noted that they have met with Mr. Falvo a number of times. Mr. Heberer explained to Mr. Falvo that he is not an engineer and he can't design it for him. He has to get an engineer. The current system was installed according to the engineers' specifications. He contacted Elgin and "the Elgin Company has

talked to the original engineer and agrees with the original engineer the system was designed in accordance with their standards but if it was a perfect situation it would need more. He doesn't have the room to have more." Mr. Heberer has suggested that Mr. Falvo should get an engineer to design something different than what is there or have an engineer come in and figure out what is wrong. One engineer thinks the floats are set wrong and he is dousing too much at a time. The person who put in the curtain drain in found no ground water. Future correspondence will be in writing.

Dog Control – Mr. Dutcher dropped off a note that he received 8 calls for the month, issued 1 ticket and has taken 10 strays to the Humane Society to date.

Golf Course – Mr. Jennings reported the revenues as of today are \$ 207,705.00. Considering 30% of the days were inclement he thinks the course did pretty well this year. Right now they are trying to get ready for winter, which is important to make sure the greens come out OK in the spring. They are treating them. Last week they borrowed the pump from the county and blew out all the irrigation lines. That took 2 ½ full days. The pump house has been closed up and winterized. Starting next week they will begin winterizing all the machines. The blades will be sharpened and made ready to go in the spring.

Mr. Jennings has talked to Dave Briot from the snowmobile club. Whatever they want to do he will work together with them. The board asked if there was any damage from last year and the use of the course. Mr. Jennings stated that he didn't have any damage in the spring. There were some snowmobile tracks over a couple of greens. They were fenced off after he noticed the tracks. If the tracks turn to ice it will kill the grass. Fences are put up along the greens that are obvious targets.

Mr. Jennings wanted to discuss the 2010 rates with the board. He noted that the rates have not been raised in three years. He will get back to the board with what other municipal courses are charging. The board will go with his decision. The rates will be set at a future meeting. Councilman Palcovic asked how the coupon program worked. He handed out coupons to his coworkers in Saratoga County. Mr. Jennings thought the program should be continued again next year.

BTI – no report

Weeds – The Town Clerk noted that Anita Potocar from West Caroga Lake had requested permission to use a Benethic Barrier to kill weeds next year on that lake. The project would have to piggyback on to the town's five-year permit, which is in the process of being renewed this year. Mr. DeWeese submitted a document dated October 7, 2009 outlining an amendment to the towns' five-year permit for the extraction of water milfoil. It notes the barrier will be used in less than two meters of water, with no cost to the town

RESOLUTION to Amend Weed Harvesting Permit submitted to APA #2009-068

Offered by Councilman Palcovic

Seconded by Councilman Sprung

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

WHEREAS, the Board received notification from the Weed Harvester Coordinator Jack DeWeese about the need to renew the weed harvesting permit in East and West Caroga Lake, and

WHEREAS, Anita Potocar President of the West Caroga Lake Association discussed with the board their desire to use a Benethic Barrier to kill Eurasian milfoil in West Caroga Lake, and

WHEREAS, Jack DeWeese – Weed Harvesting Coordinator has already filed the request to renew the Eurasian Milfoil harvesting permit with the Adirondack Park Agency in September, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to amend the five year permit for the extraction of water milfoil to include use of a Benethic Barrier with the following provisions: There shall be no cost to the town, A map will be supplied to the APA and the weed coordinator, no barrier will be used to removed any protected native weeds, West Caroga Lake will name a person in charge of the removal of the dead weeds and the barrier every 30 days, that no divers or tenders employed by the town will be used in the process and lastly that a detailed written summary of the procedure will be presented to the APA, Town Board, and Weed Coordinator at the end of the summer.

Unanimously Carried

Youth - no report

Clerk/Registrar – the September cashbook report was given to the board. She noted that the next regular town board meeting falls on Veteran’s Day. Supervisor Selmsler noted that a public hearing on the budget needed to be set. He recommended holding the town meeting on Tuesday November 10, 2009. The Budget Director has a conflict on this date if the board wants her here.

Assessor’s Report - Mrs. Hillock has two legal issues that she needs to discuss with the board in an executive session.

Supervisor’s Report

Supervisor Selmsler did follow up on several things. He looked into procuring a couple of government surplus items. The attempts were unsuccessful at this time. He will keep trying.

In prior years the town has been a member of the New York Rural Water Association. Initially the town was a member because of a proposed sewer district. The supervisor recommended not joining again.

Supervisor Selmsler attended a countywide supervisory meeting Sept. 16& 17 in Saratoga where there were a number of educational sessions.

On October 8th the supervisor contacted NBT Bank to see about future borrowing needs should they arise.

Yesterday there was a Fulton County Board of Supervisors meeting where a check in the amount of \$1925.00 was given to the Town of Caroga from New York Municipal Insurance Reciprocal. There will be a similar payment coming to the town for the next two years. It reimburses the town for the initial investment we made to setup the NIMIR insurance group.

Today the supervisor participated in the celebration at the county landfill to do a ribbon cutting for the new gas to energy facility being set up to generate electricity from the methane gas that is presently leaking out into the air. This will be put on line the beginning of next year to capture the gas and return revenue to the county. The inner workings are very impressive at this facility. They have saved the county a lot of money and generated a lot of money for the county.

Financial conditions of the Town: “year to date through the end of September on the general fund revenues are up \$31,000.00 vs. the same time last year and expenses are down \$168,000.00. On the highway side of the ledger, revenues are up \$116,000.00 expenses are up \$3,000.00. So it was a net improvement in that area of \$119,000.00 of additional funds available.”

Committee Reports

Buildings and Grounds – nothing to report

Park Creation - Council Member Scribner noted that on Saturday there were several volunteers who put up the split rail fence. They are done for the season. She will submit for reimbursement from the state. Councilman Sprung asked where were we on this (budget wise) we applied for a \$20,000.00 grant and the town put in \$24,000.00. Of the \$44,000.00 we have used \$31,000.00 he asked? Council Member Scribner will have to confirm the amount. She just received a bill she was not aware of. Grass seed has been put down, but it was too wet to roll it. The golf course has a roller and will do that.

Councilman Palcovic was asked if someone could get married on the golf course and maybe use part of the park. He spoke on behalf of the town and noted it could be used.

Golf Course – no report

Cell Service – no report

Old Business:

Personnel Policy Councilman Palcovic distributed a policy he has been working on. Once the financial information is consolidated we need to move forward with a personnel policy to try and get it finalized.

Supervisor Selmser noted the new requirements by the state of New York would implement regarding the retirement program to report correct hours for all employees. This will be in the form of a resolution next month. This has to be implemented at the organizational meeting in January along with setting wages we will have to set work week hours. The Budget Director thought there was already a resolution on file from many years ago. She stated however that any new elected or appointed officials coming in will have to report for about three months their actual time worked. We used to do a random calendar for one month. The town clerk noted that the new regulations would apply to the new terms of those being elected in November.

New Business:

- 1) New Regulations on Open Burning of residential waste is prohibited with the exceptions for burning tree limbs and branches at limited times: from May 15 to the following March 15 this went into effective today.
- 2) On 10/29 there will be an Emergency Preparedness Program at the Fulton County YMCA - 6:30 pm. The Red Cross will conduct the session, Sponsored by Assemblyman Butler.
- 3) Nick Stoner Trailers – Dave Briot asked the board to allow the club to plan a trail, which would include use over the golf course. He has flagged out a trail and has contacted the private landowners. The board was shown a map. They want to try to divert the snowmobile traffic off

London Bridge Rd, however they still want to have London Bridge Rd Co Hwy 111 open to snowmobiles for the 2009-2010 season.

RESOLUTION to permit Nick Stoner Trailers access 2009-069

Offered by Councilman Sullivan

Seconded by Councilman Palcovic

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

WHEREAS, Dave Briot President of the Nick Stoner Trailers discussed with the board the clubs desire to use private land and town land on the golf course to flag a trail from London Bridge Rd to the winter parking area near the Glenn Harris Memorial Park and,

WHEREAS, a map was shown to the board of the proposed trail, which was reviewed with the Manager of the Nick Stoner Golf Course, and

WHEREAS, London Bridge Road may still need to be used in the 2009 – 2010 Season to link the trails in Caroga Lake, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to allow the Nick Stoner Trailers to access parts of the golf course as discussed and does further **RESOLVE** to open the London Bridge Road to snowmobiles for the 2009 – 2010 season.

Unanimously Carried

Supervisor Selmsler asked if there was any further discussion on any of the items under correspondence. The clerk asked who would be attending the training sponsored by the Planning Departments. It was noted that Mr. Welker is attending.

Correspondence:

- 1) 9/18 Dave Falvo – requests assistance with non-working septic system
- 2) 9/30 Anita Potocar statement on proposed use of lake bottom blanket in 2010
- 3) Fulton Co. Solid Waste – 11-27 Transfer Station Closed reopen Saturday 11-28
- 4) Training for local officials Sponsored by Fulton & Montgomery Co. Planning Depts. 10/29.

Resolutions:

To set Trick or Treat was for Saturday Oct. 31 6 – 8 pm to coincide with surrounding communities.

RESOLUTION to set Trick or Treat night in the Town of Caroga # 2009-070

Offered by Supervisor Selmsler

Seconded by Councilman Sullivan

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

WHEREAS, the staff at the Wheelerville Union Free School did confer with the Town of Caroga as to what date and time Trick or Treat would be held in the Town of Caroga for the year 2009, now therefore be it

RESOLVED, that the date and time of Trick or Treat in the Town of Caroga will be Saturday October 31st 2009 from 6:00 – 8 pm.

Unanimously adopted

RESOLUTION to contract with the James A. Brennan Humane Society

#2009-071

Offered by Councilman Palcovic

Seconded by Councilman Sprung

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

WHEREAS, the Supervisor did receive the annual agreement from the James A. Brennan Memorial Humane Society, Inc. for the board to review, and

WHEREAS, the Board desires to contract with the James A Brennan Memorial Humane Society for services in 2010, and

WHEREAS, the board did review the nine-page document, which includes Article 1 Section 1 thru 11, Article II Section 12 thru 15, Article III Section s16 & 17, and Miscellaneous Provisions Sections 18 thru 22 along with schedule "A" addendum to the agreement, said contract pages 1, 2, & 3 being revised 1/07, now therefore be it

RESOLVED, that the Town of Caroga will hereby enter into agreement with the James A. Brennan Memorial Humane Society 437 Nine Mile Tree Rd. Gloversville NY for the sum of Two Thousand One Hundred Dollars (\$2100.00) payable quarterly, for Basic Services for the term of this contract, which shall commence on the first day of January 2010 and continue until the 31st day of December 2010 as set forth in the agreement on file in the office of the Town Clerk.

Unanimously adopted

Lita Hillier - Budget Director distributed a list of necessary budget transfers to the Board. The first item was for the copier. Supervisor Selmsler explained that the weed control went over budget – “they had additional needs the weather was good so they continued to work and do as many hours as possible. So they went over the hours.” The cost of the port-a-johns increased this year.

RESOLUTION to make necessary budget transfers

#2009-072

Offered by Councilman Palcovic

Seconded by Councilman Sprung

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

WHEREAS, Lita Hillier – Budget Director indicated to the board that five accounts were overdrawn for various reasons, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to make the necessary budget transfers follows:

To: A1650.4 Central Comms. System	\$1,945.00	
From: A1990.4 Contingent		\$1,945.00
To: A7180.41 - Port A John	\$ 240.00	
From: A1990.4 - Contingent		\$ 240.00
To: A7310.2 – Youth Rec. E.Q.	\$ 428.00	
From: A7310.1- Youth Rec. P.S.		\$ 428.00
To: A8090.1 – Weed Control P.S.	\$4,692.07	
From: A8090.4 Weed Control C.E.		\$4,692.07
To: A9730.6 – Statutory Installm’t Principal	\$0.40	
From: A9730.7- Statutory Installm’t Interest		\$0.40

Unanimously Carried

Councilman Sprung made a motion to pay the bills as presented for audit, accept the minutes of the September meeting, and the Sept 23 budget work session. Council Member Scribner seconded the motion. All board members were in favor of the motion.

At 8:16 pm Councilman Palcovic made a motion to enter into an executive session for a highway personnel and also a litigation issue re: Clark vs. Town of Caroga. Councilman Sprung seconded the motion. All board members were in favor of the motion.

At 9:10 pm Councilman Sprung made a motion to exit from the executive session. Councilman Sullivan seconded the motion. All board members were in favor of the motion.

There were no decisions forthcoming from the executive session.

Budget Director Lita Hillier discussed municipal leasing with the board. She noted that some towns buy equipment outright. She stated that she did not have any changes on the budget.

Supervisor Selmser looked over information from last year where there were expenses for asbestos removal and engineering expenses from CT Male that are not reoccurring this year and thus there will be less money (\$20,000.00 - \$25,000.00) coming out of the fund balance. In the Highway Department the estimate, potentially, is budgeted at \$168,000.00 and the budget director has \$250,000.00 in there. The board did not want to trim it in any way. Councilman Sprung wondered if the money could be used for the new shed construction. Supervisor Selmser thought since things have been delayed with the construction and bid process, potentially the second and third phase expenses will not be incurred until sometime next year. If the town borrowed in January or February the payment would not be until 2011. She has figured conservatively so the fund balance can be built up. Councilman Sprung wanted the money from

the two accounts reserved – not labeled. Supervisor Selmser stated there are funds in CD's right now that won't be cashed until really needed. Mrs. Hillier stated there is about a 5% - 10% fund balance in General and 10%- 15% in highway. "In this recession we should have 30% at least." She is trying to build it in.

Supervisor Selmser noted that after the discussion this evening the contract with Time Warner will not go into effect for 6 months so we won't receive any revenues probably until the spring of 2011. It was never in the budget. The revenues for garbage stickers A2130 will go up to \$19,500.00. This will not affect the tax rate unless the board so decided to raise or lower it. The increase would be 4.8%.

RESOLUTION to accept the 2010 Budget in its Preliminary format # 2009-073

Offered by Councilman Sprung

Seconded by Councilman Palcovic

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

WHEREAS, the Budget Director, Supervisor and Town Board have worked over the course of the past several weeks on the 2010 Budget, and

WHEREAS, the Board did review and discuss the 2010 Tentative Budget as presented by Lita Hillier – Budget Director this evening, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move from a 2010 Tentative Budget to a 2010 Preliminary Budget as of this date.

Unanimously carried

RESOLUTION to set public hearing on the 2010 Budget #2009-074

Offered by Councilman Palcovic

Seconded by Councilman Sullivan

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

WHEREAS, the budget moved from it's tentative to preliminary state, now therefore be it

RESOLVED, that the Caroga Town Board shall hold a public hearing Tuesday November 10, 2009 at 7:00 pm, on the Budget.

Unanimously carried

Mrs. Hillier noted that the Fire Contract is increasing. She stated that technically you have to have another public hearing on the Fire Contract because it is changing. She did read our contract where it said as long as the five years are budgeted out, and then we don't have to have a public hearing. Mrs. Hillier has been told since the contract was drawn up that regardless of what the contract says if the contract goes up there must be a public hearing.

RESOLUTION to set public hearing

#2009-075

Offered by Councilman Sprung

Seconded by Councilman Palcovic

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

WHEREAS, the board identified a need to hold a public hearing on the Fire District Contract because it is increasing through a five-year plan, now therefore be it

RESOLVED, that the Caroga Town Board shall hold a public hearing on the Fire District on Tuesday November 10, 2009 at 7:30 pm.

Unanimously carried

Supervisor Selmser made a **MOTION** to allow members of the Planning & Zoning Boards to attend the New York State Dept. of State training sponsored by the Fulton County Planning Board and the Montgomery County Planning Board on Thursday October 29 at FMCC, and to cover travel expenses associated with the mandatory training as submitted. Councilman Palcovic seconded the motion. All board members were in favor of the motion.

At 9:20 pm Councilman Sprung made a motion to adjourn, Councilman Palcovic seconded the motion. All board members agreed.

Respectfully Submitted,

Linda M. Gilbert – RMC
Caroga Town Clerk