

State of New York  
County of Fulton  
Town of Caroga

Minutes of the reorganizational meeting of the Caroga Town Board meeting held Tuesday January 5, 2010, 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  
Council Member Valerie Scribner - Here  
Councilman Robert Sullivan - Here  
Councilman Anthony Russitano - Here

Other town officials in attendance were Mike Heberer – Code Enforcement Officer, Joseph Insogna – Highway Superintendent. There was one member of the public in attendance.

Following the salute to the flag Supervisor Selmser stated that the board was given copies of the resolutions passed at last years organizational meeting. There are notations to correspond with the budget that was approved for 2010. The resolutions will be reviewed and any personnel changes will be factored in. A resolution to establish standard workdays for elected and appointed officials is also necessary to follow a new state mandate.

The Town Clerk swore in Councilman Anthony Russitano. Congratulations were given from the board.

**RESOLUTION Naming Appointed Positions for the year 2010** **#2010-001**

Offered by Councilman Sullivan

Seconded by Councilman Palcovic

**WHEREAS**, the Caroga Town Board held its Reorganizational meeting on Tuesday January 5, 2010 and

**WHEREAS**, the following information was examined and reviewed by the Caroga Town Board, now therefore be it

**RESOLVED**, that the following persons are hereby appointed as officials in the Town of Caroga for the year 2010:

Sanitation Inspector – Michael Heberer  
Code Enforcement Officer – Michael Heberer  
Registrar of Vital Statistics - Linda Gilbert  
Dog Control (Animal Control Officer) - Howard Dutcher  
Health Officer - Dr. John Glenn  
Youth Director – Desire Hines  
Historian - Inger Mc Daniel  
Building Maintenance Staff – Richard Springstead  
B.T.I. Coordinator – Candace Dean

Weed Harvesting Coordinator - Jack DeWeese  
Sole Assessor – Katherine Hillock appointment to run until 9-30-2013  
Attorney to the Town - Susan Palmer Johnson  
Golf Professional/Greenskeeper/Manager - Steve Jennings  
Planning Board Chairman – Scott Horton  
Zoning Board Chairman – Pete Welker  
Assessor Clerk- Vacant  
Deputy Town Supervisor – Ralph Palcovic  
Deputy Highway Superintendent – to be announced  
Deputy Town Clerk – Constance Konik  
ZBA & Planning Clerk – Linda Gilbert  
Code Enforcement Clerk – Sandra Pavlus  
Bookkeeper and Budget Officer – Lita Hillier  
Court Clerk – Thelma Subik

**Unanimously Carried**

**RESOLUTION to amend resolution #2010-01 #2010-02**

Offered by Councilman Palcovic

Seconded by Councilman Sullivan

**WHEREAS**, the Caroga Town Board held its Reorganizational meeting on Tuesday January 5, 2010 and

**WHEREAS**, Mr. Heberer discussed with the board the clerk for the Assessor, Sandra Pavlus, who has been working on the STAR exemption mailings for Mrs. Hillock, and

**WHEREAS**, the board desires to name Sandra Pavlus as the Clerk to the Assessor, now therefore be it

**RESOLVED**, that resolution #1 for 2010 is hereby amended to include Sandra Pavlus as the Assessor Clerk.

**Unanimously Carried**

**RESOLUTION – Naming Elected Officials and their Positions #2010-003**

Offered by Council Member Scribner

Seconded by Councilman Russitano

**WHEREAS**, the Caroga Town Board held its Reorganizational meeting on Tuesday January 5, 2010 and

**WHEREAS**, the Caroga Town Board did review the list of the elected officials and their titles, now therefore be it

**RESOLVED**, that the following are hereby listed as the elected officials, in the Town of Caroga for the year 2010 as follows:

Supervisor – James K. Selmsler  
 Highway Superintendent – Joseph Insogna  
 Town Clerk/Tax Collector/Registrar/Records Management Officer - Linda Gilbert  
 Town Justice - James Subik  
 Councilman – Robert Sullivan  
 Councilman – Ralph Palcovic  
 Councilman – Anthony Russitano  
 Council Member – Valerie Scribner

**Unanimously Carried**

**RESOLUTION to set yearly salaries and hourly rates for the year 2010 #2010 - 004**

Offered by Councilman Palcovic

Seconded by Councilman Sullivan

**WHEREAS**, the Caroga Town Board held its Reorganizational meeting on Tuesday January 5, 2010 and

**WHEREAS**, the town board desires to set the salaries of Elected, and Appointed Officials in the Town of Caroga, Now therefore be it

**RESOLVED**, that the following yearly salaries and hourly rates as amended for elected and appointed officials, in the Town of Caroga for the year 2010:

**Salary Elected & appointed Officials to be paid quarterly:**

(4) Town Board Members	\$3,043.75 ea,
(1) Budget Officer	\$5,114.00

**Salary Elected & appointed Officials to be paid monthly:**

(1) Town Justice	\$12,449.00
(1) Dog Control Officer PT	\$ 4,985.00
(1) Attorney to the Town (paid monthly by contract)	\$ 600.00
(1) Court Clerk	\$ 2,251.00

**Salary Appointed Officials to be paid annually:**

(1) Health Officer (paid annually by contract)	\$ 1,540.00
(1) Historian	\$ 602.00
(1) Assessment Review Board (Chairman)	\$ 386.25
(4) Assessment Review Board Members	\$ 292.68 ea.
(1) Deputy Superintendent of Highways	\$ 1,543.00
(1) Weed Coordinator	\$ 869.00

**Salary Elected & appointed Officials to be paid bi-weekly:**

(1) Supervisor	\$10,032.00
(1) Deputy Supervisor	\$ .00
(1) Bookkeeper to Supervisor (secretary)	\$19,791.00
(1) Town Clerk/Tax Collector	\$28,913.00
(1) Sole Assessor	\$30,533.00
(1) Code Enforcement Officer	\$20,600.00
(1) Registrar of Vital Statistics	\$ 550.00
(1) Superintendent of Highways (refuse Coordinator duties)	\$42,507.00

(1) Greenskeeper (Manager/Golf Pro) per contract	\$37,294.00
(1) B.T.I. Coordinator	\$13,500.00
(1) Youth Director	\$ 2,893.00
(1) Math Teacher	\$1,813.00
(1) Reading Teacher	\$1,813.00
(1) Bus Driver (\$14.00 per hr. not to exceed	\$1,272.00
(1) Youth Aid – Head councilor	\$1,565.00
(1) Life Guard	\$1,485.00
(1) Life Guard	\$1,442.00
(3) Youth Aid	\$1,401.00
(2) Aid	\$1,260.00

**Appointed Employees to be paid hourly:**

(1) Clerk PT (assessment Review Board) not to exceed \$300.00 per year	\$ 9.29
Laborers (Refuse/Highway; full-time)	\$12.89
Laborers (Refuse/Highway; part-time)	\$12.60
(1) Deputy Town Clerk -Not to exceed \$9,000.00 per year	\$ 9.45
Laborers (Golf Course I)	\$ 9.99
Laborers (Golf Course II start of 3 <sup>rd</sup> yr./after 2 summers)	\$ 8.25
Assistant to Golf Professional (Pro Shop I)	\$ 9.01
If a new person starts as assistant to golf pro starting rate is	\$ 8.25
Assistant to Golf Professional (Pro Shop II start of 3 <sup>rd</sup> yr./after 2 summers)	\$10.57
BTI technicians (I)	\$ 9.40
BTI Technicians (II)	\$10.60
(1) Clerk PT (Code Enforcement) (Not to exceed \$9,270.00)	\$11.25
(2) Divers senior – has worked for the town previously	\$19.25
First year starting Diver rate	\$18.88
(1) Tender - senior	\$11.25
First year Tender	\$11.03
(1) Laborer (Janitorial)	\$11.60
(1) Planning & Zoning Secretary	\$ 9.29
Any new employee clerk will start at	\$ 8.50
Assessor Clerk (not to exceed \$9,000.00)	\$11.25

Discussions – Code Clerk line item limit was increased to \$9,270.00 from \$9,000.00.

The Town Clerk discussed the Planning & Zoning Clerk salary – in light of the changes at the golf course some of the other clerk positions. She asked for an increase in the Deputy Town Clerk salary as the duties and responsibilities exceed other clerks hired by the town. The Deputy Town Clerk is here on a regular schedule especially at tax time when she works everyday. The Deputy clerk received a salary adjustment for the position. Supervisor Selmsler commented that the golf course salaries were out of proportion from years ago. The youth director was \$2809.00 last year. Supervisor Selmsler noted that the handwritten in salaries Mrs. Hillier’s recommendations based on what the actual salaries were paid at. Last year she was paid \$2809.00 the salary was increase to \$2893.00. The teachers were reduced by \$6.00. the head counselor was reduced \$30.00. Councilman Palcovic thought the discussion was over just a few cents for the youth staff that work very hard. Council Member Scribner noted that year after year salaries seem to just increase and then they change during the year anyway. Supervisor Selmsler noted that the minimum wage structure should be taken into consideration for these job titles.

**Unanimously Carried**

**RESOLUTION stating Organizational Business - Miscellaneous #2010 - 005**

Offered by Council Member Scribner

Seconded by Councilman Russitano

**WHEREAS**, the Caroga Town Board held its Reorganizational meeting on Tuesday January 5, 2010 and

**WHEREAS**, the following information was examined and reviewed by the Caroga Town Board, now therefore be it

**RESOLVED**, that the following information is hereby offered for the purpose of conducting business in the Town of Caroga for the year 2010:

Financial Institution:

NBT 142 N. Comrie Ave. Johnstown NY

That the Regular meetings of the Town Board of the Town of Caroga will be held on the second Wednesday of each month at 7:00 p.m.

That the Supervisor is authorized to do the following: Invest money anytime that there is money to invest. Pay fixed bills such as telephone, electric, gasoline, oil, salaries, contract, insurance etc. when due. Pay quarterly salaries of elected officials on the same day as the second bi-weekly payroll of the following months - March, June, September, and December.

That Gas Mileage for the year 2010 will be \$0.50 per mile

That the Highway Superintendent is authorized to spend \$1,000.00 without authorization - keeping within budget appropriations.

The Official Newspaper - Leader Herald

The Rate for Election Inspector for the year 2010

Primary Day - \$100.00

Election Day - \$150.00

\$10.00 per hour for any broken days

Payment for mileage is \$0.50 per mile. A rate of \$25.00 has been set for attending school. The chairman is paid and extra \$25.00 as they must take the books back and perform extra work.

If an elected or appointed official is going to go on vacation or to a seminar, etc. for more than 48 hours, the Supervisor or Town Clerk should be notified and it should be marked on a calendar in the Town Clerk's office.

Discussion – Mrs. Pavlus noted that when someone is paid \$10.00 an hour for a broken day during an election, it is going to come up to more than the \$150.00 someone is paid for working

the full day. This would only happen twice a year. The board will take it under consideration for next year. Councilman Sullivan calculated the rate as \$9.38 per hour. Mrs. Pavlus noted the town has always been generous – now the county is trying to catch up to the town rate. Council Member Scribner asked what bank the court fee are deposited. She asked why they were not deposited in NBT Bank. This will be discussed in the future.

**Unanimously Carried**

Council Member Scribner asked about changing the meeting date this year. No motion was forthcoming.

**RESOLUTION Setting the benefit package for the Highway Department #2010 - 006**

Offered by Councilman Palcovic

Seconded by Councilman Sullivan

**WHEREAS**, the Caroga Town Board held its Reorganizational meeting on Tuesday January 5, 2010, and

**WHEREAS**, the Supervisor did discuss with the highway superintendent the salaries and benefits for the year 2010 for the Highway Department Employees, now therefore be it

**RESOLVED**, that the Caroga Town Board does hereby set the salaries and benefits for the Caroga Highway Department for the year 2010 as follows:

Regular Laborer - \$12.89 per hour for the year 2010

Motor Equipment Operators – MEO’s - \$15.06 per hour for the year 2010

Mechanics - \$15.49 per hour this salary will be examined again in July 2010

Starting January 1, 1990 and each year thereafter, each employee will receive \$50.00 longevity per year for each year of service with the Town of Caroga to be paid December 15th of each year. In the event that an employee leaves employment with the Town of Caroga during a calendar year they would receive their longevity pro-rated for that particular year. They would receive \$25.00 up until July first and the full \$50.00 thereafter till December 31st.

In the event that an employee terminates employment with the Town of Caroga and then is re-hired they will start from day one with the \$50.00 longevity.

New employees have 5 days pay held back. Employees are paid on Friday's bi-weekly. They will be paid one and a half times for any hours actually worked over 40 hours in any pay period covering 7 days Monday - Sunday.

When an employee works on a holiday, the employee is to be paid for the holiday plus one and a half times their hourly rate for hours worked for the day.

**FRINGE BENEFITS - HOLIDAYS - 11 PAID** - New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, General Election Day, Veterans Day, Thanksgiving Day, Christmas Day, Floating Holidays are: Columbus Day and Martin Luther King Day.

PERSONAL DAYS - Two paid personal days per year; to be used within the year.

VACATION DAYS - One day per month after six (6) months employment with the Town, but not to exceed 24 accumulated days at any time. The employee must request and get approval from the Highway Superintendent prior to taking vacation time.

SICK DAYS - One day every two months after six months of employment with the Town (six per year), not to exceed twenty accumulated sick days at any time.

Effective January 1, 2010: All current full time Town of Caroga Highway Dept. employee's shall solely be responsible to obtain and maintain a NYS CDL driver's license commensurate with their expected duties within 6 months of formal notification of this adopted policy. All future renewals and upgrades shall be the sole responsibility of the employee. All future employees of the Town of Caroga Highway Dept. shall possess a NYS CDL class driver's license as a condition of employment. Failure to comply with this directive shall result in disciplinary action up to and including a formal letter of discussion, a warning letter, and unpaid leave up to and including termination.

**Personnel Policy effective June 10, 2009:** A Town employee shall not appropriate or use Town-owned, -leased or -rented property including vehicles or equipment for other than official business. Further, Town employees shall exercise all reasonable and prudent measures to preclude the same for any unauthorized possession or use. The use of town-owned equipment or private use of such equipment is not permitted, and such a violation is subject to discipline. First a verbal warning will be given, second a written warning is issued and with a third violation time off from work and loss of wages,

CLOTHING ALLOWANCE - \$225.00 per year clothing allowance per person for the highway personnel to be paid on March first of each year.

COUNTY COMPENSATION - COUNTY PAID - 100%

HEALTH INSURANCE – as of January 1, 2010 future fulltime employees of the Town of Caroga Highway Dept. shall be responsible for contribution to the specified Health Insurance coverage at a rate of 0% of their salary for individual coverage, 2% of their salary for 2 person coverage, and 4% of their salary for family coverage.

NEW YORK STATE RETIREMENT PLAN 75-C TIER 1,2,3,4, & 5

UNUSED SICK TIME - Employees who do not utilize any sick time in a calendar year shall be paid \$200.00. Such payment shall be paid in the first payroll in January in the succeeding year.

Discussion - Councilman Sullivan questioned the purchase of clothing for the employees. Supervisor Selmsler stated the purchase of the jackets is considered safety equipment.

**Unanimously Carried**

It was not known if Mr. Insogna had copies of the recently adopted resolutions that pertain to the highway department which are now part of the annual benefit package.

The Clerk received a call from Colleen Graves regarding the certified mail sent in two weeks ago for a liquor license at Lil Laker Joes. She asked the board to waive the 30-day waiting period.

**RESOLUTION to waive the 30-day waiting period for Lil Laker Joes #2010-007**

Offered by Council Member Scribner

Seconded by Councilman Palcovic

**WHEREAS**, the Caroga Town Board held its Reorganizational meeting on Tuesday January 5, 2010 and

**WHEREAS**, the Town Clerk of the Town of Caroga received a certified letter on December 17, 2009 from Colleen M. Grave 120 Kasson Drive Caroga Lake NY 12032 applicant for the on-premises Alcoholic Beverage License for Lil Laker Joes located at 2055 State Highway 10 Caroga Lake NY 12032 in fulfillment of section 64 subdivision 2a of the ABC Law and

**WHEREAS**, Colleen Graves asked the board to waive the 30-day waiting period in order to expedite the application at their next meeting, now therefore be it

**RESOLVED**, that the Town Board of the Town of Caroga does hereby move to waive the 30-day waiting period for the above stated application.

**Unanimously carried**

**RESOLUTION to Establish Standard Workday for Elected and Appointed Officials #2010-08**

Offered by Councilman Sullivan

Seconded by Council Member Scribner

**WHEREAS**, the Caroga Town Board held its Reorganizational meeting on Tuesday January 5, 2010 and

**WHEREAS**, the town of Caroga desires to follow Regulation 315.4 of the NYS Retirement Law to establish standard workday and reporting for elected and appointed officials who are members of the NYS Retirement System; now therefore be it

**RESOLVED**, for the purpose of determining days worked, no fewer than six (6) hours for part time officials or more than eight (8) hours for full time officials shall be established as a standard workday; and be it further

**RESOLVED**, commencing January 1, 2010 the following officials shall keep a three-month (3) record of work activities beginning on January 1, 2010 and ending March 31, 2010 and those records shall be submitted to the Town Clerk of the Town of Caroga to be posted for public review for a period of thirty (30) days:

Linda Gilbert, Town Clerk/Tax Collector

Katherine Hillock, Assessor  
Lita Hillier, Bookkeeper to Supervisor/Budget Officer  
Joseph Insogna, Jr., Superintendent of Highways  
Stephen Jennings, Greenskeeper/Golf Manager  
Ralph Palcovic, councilman  
Valerie Scribner, Council Member  
James Subik, Town Justice  
Thelma Subik, Court Clerk  
Robert Sullivan, Councilman; and be it further,

**RESOLVED**, that all forms shall be forwarded to the above-named officials and or appointees for proper recording of time worked per Regulation 315.4 of the NYS Retirement System.

**Unanimously Carried**

Supervisor Selmsler stated that after the three month period is over the board “can go back and assess the actual time these people are working, then we can establish firm amounts of hours per day or per week.”

Councilman Russitano asked where the town stood on cell towers. Supervisor Selmsler stated there are two companies interested. Last summer AT & T visited the town and they have contracts with a company that puts up towers by the name of Independent Tower. They are already doing work for AT&T in the north county and other areas in the state. They have been here a number of times. They brought the town a document to review. A representative is tentatively scheduled to be at our next meeting. They want to construct a town on our town land just below the golf course. Our Attorney has reviewed it. A second company has made 4 – 5 visits to the town. They have provided a contract to the owners of two sites Royal Mountain and the Pinnacle. The company is from Florida. They put up a lot of towers for emergency systems for counties and states. They also deal with cell tower business. They are very aggressive, and have already spoken to the APA official. There are still a number of hurdles for them to clear. One company is looking at the third quarter of this year to be operational. Mr. Heberer noted a balloon test would be done in the near future. Mr. Heberer stated that if a tower is on town land it might be exempt from going to our zoning board. He will get a legal ruling on this. Cell towers require line of sight. A network is required to get coverage.

At 7:58pm Councilman Palcovic made a motion to adjourn; Council Member Scribner seconded the motion. Unanimously Carried

Respectfully Submitted,

Linda M. Gilbert – RMC  
Caroga Town Clerk