

TOWN OF PERTH

Regular Town Board Meeting

October 3, 2019

6:00 p.m.

PRESENT: Supervisor Fagan, Councilman Korona, Councilman Lewandowski, and Councilman Betz.

ALSO PRESENT: Town Clerk, Judith English; Budget Officer, Patricia Herba; Town Attorney, Carmel Greco Esq.; Dog Control Officer, Joseph Passino; Employees of the Town of Perth Highway Department; Dan Austro, Richard Wallace, and Kurt Opalka; Tax Collector, Ann Morck; President of Perth Volunteer Fire Department, Katherine Tylutki; James Carney; Rachel, Ethan, and William Waufle.

Supervisor Fagan opened the Meeting at 6:00 p.m. A salute to the flag was held and a moment of silent prayer observed. Supervisor Fagan asked those present to keep Highway Superintendent David Dopp's family in their thoughts following the recent death of his father.

APPROVAL OF MINUTES

The minutes from the Town Board Meeting held on September 5, 2019 were offered for approval by Councilman Lewandowski and seconded by Councilman Korona. All were in favor; motion carried.

PUBLIC HEARING

Supervisor Fagan opened the Public Hearing on Local Law #1-2019 entitled "Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Energy System, Wind Energy System, and Farm Waste Energy System Projects" at 6:05 p.m.

There was no one present to comment either for or against the law. Supervisor Fagan closed the Hearing at 6:41 p.m.

COMMUNICATIONS

The Communications as listed on the Agenda are filed in the Town Clerk's Office where they are available for anyone who wishes to see them.

UPDATE FROM STANDING COMMITTEES

Councilman Korona reported for **Buildings** that he would like to thank the Town of Perth Highway Department for the retaining wall that was erected on the west side of the Town Hall Complex, and cleaning up the area around the creek. They will fill the planters on the top of the wall in the spring, and flowers will be planted. **Budget Officer, Patricia Herba**, reported that she has called Magielta Construction to order topsoil for this purpose.

Supervisor Fagan asked when paving of the Town Hall Complex driveways and parking areas will begin. **Highway Employee, Dan Austro**, stated that paving will be in the middle of October. The Highway Department will call BTU Heating and Cooling to move the air conditioners before paving begins.

Councilman Betz read the **Assessor's** Report, a copy of which will be filed with these minutes where it is available for anyone who wishes to see it. The Assessor attended the NYS Assessor's Association Annual Fall Conference for four days. The Classes he took were excellent, and he received 12 hours of Continuing Education Credit.

Councilman Lewandowski read the **Dog Control Officer's** Report, a copy of which will be filed with these minutes where it is available for anyone who wishes to see it. There were a total of five complaints, one impound, three dogs at large and one dog bite.

Town Attorney, Carmel Greco Esq., reported that he has Town of Perth Local Law #1-2019 entitled "Opting Out of Section 487 NYS Real Property Tax Law Exemption for Solar Energy System, Wind Energy System and Farm Waste Energy System Projects" ready for approval.

Supervisor Fagan reported for the Highway Department that everything is going fine. The shoulders are done on the newly paved roads.

He also reported that the County is continuing to work on the 2020 Budget.

Each Town Board member received a copy of the Town of Perth Tentative Budget for 2020. **Supervisor Fagan** suggested October 21, 2019 at 6:30 p.m. for a Budget Workshop at which time the Board will go over it line for line.

OLD BUSINESS

There is still water on the floor in the Records Room, and outside of the room in the cellar. Mold is starting to form on the concrete and as of this date nothing has been done to correct the situation.

PUBLIC SPEAKERS

Jim Carney of Watrobski Drive came to the meeting to discuss if anything could be done about an abandoned property near his to clean up the area. The person who owned the home died a while ago, and the relatives are not interested in the home. Consequently the grass has grown to about three feet high. The bushes and the trees are not trimmed, and weeds are everywhere. He feels that the situation is decreasing the market value of his property, and he would like the Town to do something about it.

He has filed a formal complaint with Town of Perth Code Enforcement Officer, Mark Concilla. He gave him a copy of a law from the Village of Haganan that addresses the question of property maintenance. He stated that Supervisor Fagan and Councilman Betz had been out to his home to inspect what he was complaining about. He feels that the situation will invite rats and vandalism to the area.

Town Attorney, Carmel Greco Esq., told him that for the Town to go on the property to clean it up would amount to trespass. He has reservations about the Village of Haganan Law, if it is even Constitutional. He stated that he would look into it further to see if there is any remedy available to the Town to use to clean up the property. He questioned whether the Health Officer could investigate if rats are being seen on the property.

EXECUTIVE SESSION

At 6:30 p.m. Supervisor Fagan called for the Town Board to go into Executive Session for Collective Bargaining discussion. It was offered by Councilman Korona and seconded by Councilman Betz; all were in favor: Motion carried.

At 6:40 p.m. a motion was made by Councilman Korona and seconded by Councilman Betz to return to the Regular Town Board Meeting and end the Executive Session. All were in favor; Motion carried.

RESOLUTIONS

RESOLUTION # 98- ADOPT LOCAL LAW #1-2019

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth adopts Local Law #1-2019 entitled “Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Energy System, Wind Energy System, and Farm Waste Energy System Protects”.

Offered by: Councilman Lewandowski
Seconded by: Councilman Betz

A roll call vote was conducted by Town Clerk, Judith English, with the following results:

Supervisor Fagan	Aye
Councilman Korona	Aye
Councilman Lewandowski	Aye
Councilman Betz	Aye

Motion carried.

RESOLUTION # 99- SET DATE AND TIME FOR TRICK OR TREAT

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth sets Thursday, October 31st for Trick or Treat in the Town of Perth from 4:30 p.m. until 7:30 p.m. Those wishing to participate and have the trick or treaters visit are asked to leave their outside lights on during these hours.

Offered by: Councilman Korona
Seconded by: Councilman Lewandowski

A vote was taken with the Supervisor and all of the Councilmen voting in favor; motion carried.

RESOLUTION # 100- AUTHORIZE THE TRANSFER OF MONEY

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the transfer of the amount of \$100.00 from Account A1990.4 Contingent to Account A1660.4 Central Store Room Contractual.

Offered by: Councilman Lewandowski
Seconded by: Councilman Korona

A vote was taken with the Supervisor and all of the Councilmen present voting in favor; motion carried.

RESOLUTION # 101- AUTHORIZE THE TRANSFER OF MONEY

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the transfer of the amount of \$285.00 from Account A1990.4 Contingent to Account A7310.4 Youth Program Contractual.

Offered by: Councilman Betz
Seconded by: Councilman Korona

A vote was taken with the Supervisor and all of the Councilmen present voting in favor; motion carried.

RESOLUTION # 102- AUTHORIZE THE TRANSFER OF MONEY

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the transfer of the amount of \$5,985.00 from Account DA5130.2 Machinery Equipment from Account DA5130.4 Machinery Contractual.

Offered by: Councilman Lewandowski

Seconded by: Councilman Betz

A vote was taken with the Supervisor and all of the Councilmen voting in favor; motion carried.

RESOLUTION # 103- AUTHORIZE THE TRANSFER OF MONEY

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the transfer of the amount of \$5,000.00 from Account DA5110.41 Road Striping to Account DA5130.4 Machinery Contractual.

Offered by: Councilman Korona

Seconded by: Councilman Betz

A vote was taken with the Supervisor and all of the Councilmen present voting in favor; motion carried.

RESOLUTION # 104- AMEND RESOLUTION #72-2019

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth amends Resolution #72-2019 to reflect an increase in the amount of money required for the retaining wall built at the west side of the Town Hall Complex for the purchase of landscape blocks to read at a cost of \$7,255.00 instead of \$3,500.00 in Resolution #72-2019.

Offered by: Councilman Lewandowski

Seconded by: Councilman Betz

A vote was taken with the Supervisor and all of the Councilmen present voting in favor; motion carried.

RESOLUTION # 105- SCHEDULE BUDGET WORKSHOP

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth schedules a Budget Workshop for the 2020 Town of Perth Budget for Monday, October 21st at 6:30 p.m. at the Town Hall Complex.

Offered by: Councilman Korona
Seconded by: Councilman Lewandowski

A vote was taken with the Supervisor and all of the Councilmen present voting in favor; motion carried.

RESOLUTION # 106- AUTHORIZE APPOINTMENT OF AN ASSESSOR CLERK

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the appointment of Deborah Walendziak as Part Time Clerk for the Town of Perth at a salary of \$14.48 an hour.

Offered by: Councilman Korona
Seconded by: Councilman Lewandowski

A vote was taken with the Supervisor and all of the Councilmen present voting in favor; motion carried.

RESOLUTION # 107- AUTHORIZE THE PAYMENT OF BILLS ON ABSTRACT #10-2019

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the payment of bills on abstract #10-2019 as follows:

Prepaid	111-123	\$8,175.75
Prepaid Highway	26-28	\$5,465.15
Highway	82-87	\$10,345.34
General	211-228	\$15,677.56

Offered by: Councilman Betz
Seconded by: Councilman Korona

Each Councilman indicated their approval by signing each voucher.

A vote was taken with the Supervisor and all of the Councilmen present voting in favor; motion carried.

With all of the business concluded for the evening a motion was made at 7:10 p.m. by Councilman Lewandowski and seconded by Councilman Betz to close the Meeting. All were in favor; motion carried.

The next Meeting of the Town Board of the Town of Perth will be a Budget Workshop to be held on Monday, October 21st at 6:30 p.m.

The next Regular Town Board Meeting will be held on Thursday, November 7, 2019 at 6:00 p.m.

Respectfully submitted,

Judith English
Perth Town Clerk