

Minutes, Regular Town Board Meeting, September 5, 2019

TOWN OF PERTH

Regular Town Board Meeting

September 5, 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; Highway Superintendent, David Dopp; Town Justice, Wayne McNeil; Town Attorney, Carmel Greco Esq.; Sole Assessor, David Walendziak; Dog Control Officer, Joseph Passino; Custodian/groundskeeper, Robert Nolan; Reporter from the Leader Herald, Opal Jessica Bogden; Jeffrey Hertik; Sean Hart; Tom Herba; and Robert Fisher.

Supervisor Fagan opened the Meeting at 6:00 p.m. A salute to the flag was held and a moment of silent prayer observed.

APPROVAL OF MINUTES

The minutes from the Town Board Meeting held on August 1, 2019 were offered for approval by Councilman Lewandowski and seconded by Councilman Korona. All were in favor; motion carried.

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. There was one late communication.

E. E-Mail from Carrie Spraker, special education teacher of life skills at Broadalbin-Perth School, re having one of her students come to the Town of Perth and do various jobs cleaning etc. They would be accompanied by an adult from the school, and covered by the school's insurance. The Town Board offered no objection.

UPDATE FROM STANDING COMMITTEES

Councilman Korona reported for **Buildings** that there is still standing water in the Records Room. **Code Enforcement Officer, Mark Concilla**, has someone coming to look into where the water is coming from.

Councilman Korona also complimented, **Highway Superintendent, David Dopp**, on the job his Department did on the retaining wall on the western side of the Town Hall Complex. **Superintendent Dopp** stated that he would like to build another retaining wall on the opposite side of the one that was finished. He feels that it will make paving the area easier and make the area look better. He states that this wall would also only have to be three blocks high and would cost less than the first one.

Supervisor Fagan asked if the Highway Department could come to the Town Hall Complex and fix the heating tape that is hanging off of the roof. **Superintendent Dopp** stated that he would do it.

Councilman Lewandowski read the **Dog Control Officer's Report**, a copy of which will be filed with these minutes. There were a total of 5 dogs at large, six with no license, one dog bite, two barking dogs and two dogs with no food.

Councilman Lewandowski also read the **Perth Youth Commission Report**, a copy of which will be filed with these minutes. The Summer Camp went very well this year. However the concession stand was vandalized. Someone kicked the door in, stole \$200.00 and took bags full of candy. The Fulton County Sheriff's Office was called to investigate.

Councilman Betz read the **Assessor's Report**, a copy of which will be filed with these minutes. The Assessor stated that the mobile home park permit renewals will be mailed out next week.

Highway Superintendent, David Dopp, reported that his department has been helping the County with their road shoulders. He asked that a letter be sent to

Minutes, Regular Town Board Meeting, September 5, 2019

County Superintendent of Highways & Facilities, Mark Yost, for his assistance to the Town after the recent paving in the Town of Perth.

Supervisor Fagan asked **Superintendent Dopp** when the paving of the driveway at the Town Hall Complex will be done. He replied that it will be done soon. He also stated that the gas line will have to be marked by National Grid before paving begins. The air conditioning units will also have to be moved. He suggested calling BTU on route 30 for this job.

Town Attorney, Carmel Greco Esq. reported that he has drafted Local Law #1-2019 titled "Opting Out of Section 487 NYS Real Property Tax Law Exemptions For Solar Energy System, Wind Energy System, and Farm Waste Energy System Projects". It will be introduced tonight, and a public hearing scheduled.

Town Attorney, Carmel Greco Esq. also reported on his research in regard to the Perth Cemetery. He found that the Town can provide the stone that they are requesting for a road in the cemetery. He quoted the law passed in 2010 by the State Legislature. The purpose of the Law is to prevent the Town having to take over an abandoned cemetery which would inevitably cost the Town more than just providing a donation in the form of money or goods and services.

Supervisor Fagan reported that the County is working on the 2020 Budget. The Town of Perth has also started the budget process. The Supervisor will have a tentative budget done by the end of September.

Supervisor Fagan also reported that he has quotes for a new copier for the Town Clerk's Office. He stated that it would be included in the 2020 Budget. A color copier was decided on so that correspondence sent out from the Town on letterhead paper would look more professional. Also the annual Memorial Day Program could be printed in the Town Clerk's Office.

Supervisor Fagan also discussed the sexual harassment training mandated by the State for all employees to have completed with a deadline of October 9th. He will contact NYMIR to find out how the Town of Perth can do this online.

Minutes, Regular Town Board Meeting, September 5, 2019

PUBLIC SPEAKERS

New York State Assemblyman from the 118th Assembly District Robert J. Smullen, came to the Meeting to introduce himself and take questions. He is going to visit every town, village and city in his district to find out what is important to the people. He especially wanted to go around budget time so he could get an idea of what the State could do to help with local finances.

He gave some information on his background. He was born in Mecos and graduated from Gloversville High School. He was in the Marines Corps for 24 years, and traveled all over the place including serving in Afghanistan. This is his first term in office.

Town Justice Wayne McNeil asked him about the new bail regulations adopted by the State. These new regulations will make a lot of work for the Justice Office. Justice McNeil also talked about the new program started by the Fulton County DA's Office in handling traffic tickets.

Justice McNeil also asked **Representative Smullen** if he could be of assistance to the Perth Cemetery Board in finding the original incorporation papers for the Cemetery. These papers are necessary for the new Cemetery Board to have. He stated that he would be glad to help obtain these papers.

Town of Perth resident, **Sean Hart**, asked the Town Board why the Town's Equalization Rate was so low. **Supervisor Fagan** told him that the Town's Assessor is in the process of doing a revaluation, which is taking a lot longer than anticipated. He stated that he would like to see it finished before the new tax roll is done, and says that he is anxiously waiting.

Town of Perth resident, **Thomas Herba**, asked **Supervisor Fagan** what position the County is taking on driver's licenses for illegal aliens. Supervisor Fagan answered that Saratoga and Rensselaer County Clerks have filed a legal case against New York State regarding that question. Fulton County is waiting until a class action law suit is filed by the Counties in New York, and then will join in. He stated that the County is vehemently opposed to giving licenses to illegal aliens.

Minutes, Regular Town Board Meeting, September 5, 2019

RESOLUTIONS

RESOLUTION # 89- APPOINT A SOLE ASSESSOR

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth appoints David Walendziak as Sole Assessor for the Town of Perth, term to be from October 1, 2019 to September 30, 2025.

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 # 90- APPOINT A MEMBER TO THE BAR

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth appoints Robert Gordon to the Town of Perth Board of Assessment Review, term to be from October 1, 2019 to September 30, 2024.

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 # 91- AUTHORIZE PAYMENT OF A BUS FOR A SENIOR TRIP

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the payment of the amount of \$430.00 for a bus to take the Perth Seniors to Lake George on 09/24/2019 for a luncheon cruise on the St. Sacrement, to be charged to Account A6772.4 Programs for Aging.

Offered by: Councilman Lewandowski

Seconded by: Councilman Betz

Minutes, Regular Town Board Meeting, September 5, 2019

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

RESOLUTION # 92- AUTHORIZE PAYMENT FOR TRUCK REPAIRS

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the payment of the amount of \$1,922.44 for repairs to Truck #10 which included removing and replacing transmission cooler lines, to be charged to Account A8160.4 Refuse Garbage.

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 # 93- INTRODUCE LOCAL LAW #1-2019 AND SET PUBLIC HEARING

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth introduces Local Law #1-2019 titled "Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Energy Systems, Wind Energy System, and Farm Waste Energy System projects", and sets a Public Hearing for the same for Thursday, October 3, 2019 at 6:05 p.m. at the Town Hall Complex.

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 # 94- AMEND HIGHWAY BUDGET

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth amends the Highway Budget Account DA2680.00 Insurance Recoveries by increasing it in the amount of \$15,067.00 and increasing Highway Budget Account DA5110.4 General Repairs Contractual by increasing it by the same amount of \$15,067.00.

Minutes, Regular Town Board Meeting, September 5, 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 # 95- AUTHORIZE CONSTRUCTION OF A RETAINING WALL

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the construction of a retaining wall on the west side of the Town Hall Complex by the basement door at a cost of \$2,000.00 to be charged to Account 1620.2 Buildings.

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 # 96- DONATE STONE TO PERTH CEMETERY

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth agrees to donate crushed stone that is stored at the Town Hall Complex that was given to the Town by a contractor. The stone is to be used for a road in the cemetery.

Offered by: Councilman Betz
Seconded by: Councilman Korona

DISCUSSION

Member of the Perth Cemetery Board, Wayne McNeil, showed the Town Board a law passed by New York State which allows the Town to donate money and goods and services to the Cemetery to help it financially so it doesn't have to be abandoned, and the Town take over the management of the Cemetery. He gave a copy of this law to Town Attorney, Carmel Greco Esq. to review.

Sylvia Zierak, also a member of the Cemetery Board, wished to thank the Town of Perth for all of their assistance to the Cemetery Board. Both she and Mr. McNeil

Minutes, Regular Town Board Meeting, September 5, 2019

wished to thank Cemetery Board Member, Robert Fisher, for all of his work in making the Cemetery look so good.

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

RESOLUTION # 97- AUTHORIZE THE PAYMENT OF BILLS ON ABSTRACT #9-19

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the payment of bills on abstract #9-2019 as follows:

Prepaid	97-110	\$10,275.70
Prepaid Highway:	23-25	\$5,465.15
Highway:	76-81	\$3,106.61
General:	190-210	\$19,279.07

Offered by: Councilman Lewandowski

Seconded by: Councilman Korona

Each Councilman present 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 7:09 p.m. to close the Meeting by Councilman Lewandowski and seconded by Councilman Korona. All were in favor; motion carried.

The next meeting of the Town Board of the Town of Perth will be held on Thursday, October 3, 2019 at 6:00 p.m. at the Town Hall Complex 1849 County Highway 107, Perth, N.Y.

Respectfully submitted,

Judith English
Perth Town Clerk