

**TOWN OF PERTH**

Regular Town Board Meeting

July 1, 2021

6:00 p.m.

**PRESENT:** Supervisor Fagan, Councilman Korona, Councilman Lewandowski and Councilman Fisher

**ABSENT:** Councilman Betz

**ALSO PRESENT:** Town Clerk, Judith English; Highway Superintendent, David Dopp; Town Attorney, Carmel Greco Esq.; Pastor of the Perth Bible Church, Mark Appell; Highway employee, Richard Wallace; Dog Control Officer, Joseph Passino; Rebecca Dopp; Bruce Krohn; and Brad Dunlop.

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

**APPROVAL OF MINUTES**

The minutes from the June 3, 2021 Regular Town Board Meeting were offered for approval by Councilman Lewandowski, and seconded by Councilman Betz. 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 to anyone who wishes to see them. There was one late communication.

D. Letter dated June 30, 2021 from Deborah Walendziak resigning from her position as Clerk to the Assessor.

Supervisor Fagan remarked on the letter #A from the New York State Comptroller's Office regarding Federal Local Recovery Funds. He stated that he thinks that he will decline to apply for them because you can't use it to offset your tax levy or for recurring expenses. You can only use it for a narrow list of things.

The only uses that are cut and dried, that you don't have to verify, are water, sewer and broadband.

### **UPDATE FROM STANDING COMMITTEES**

**Councilman Korona** reported for **Buildings** that the air conditioning was not working in the Community Senior Center. BTU Heating and Cooling on Route 30 was called, and they said that the unit needed refrigerant.

It was noted that both lawn mowers are not working properly. It was suggested that the groundskeeper not mow when the grass is wet (early morning or after a rain). The John Deere mower was clogged with grass. Also the mowers should be powered down, and allowed to idle before they are shut off. This will prevent a blow back of smoke when the mower is restarted.

**Councilman Korona** also stated that the porch on the south side of the building is in need of repairs. **Supervisor Fagan** stated that he would ask **Patricia Herba** to call someone to take a look at it and see what needs to be done.

**Supervisor Fagan** read the **Assessor's** Report, a copy of which will be filed with these minutes. The final Assessment Roll has been prepared, printed, certified, and filed with the Town Clerk.

**Highway Superintendent David Dopp** reported for his department that he has the garbage truck specifications for a new side loading refuse packer. The Town will be advertising for bids soon for delivery in 2022.

He also went on to state that he recently had an accident on the 1976 mower while mowing the ditches. He had to get off of the mower to remove some material that was blocking it, and when he got off his foot slipped and sent the mower in gear. He struggled to get free while the arm of the mower was coming towards him. He managed to escape but his leg was injured. He will be unable to work for about a month.

He would like the Town to purchase a new safer mower. He does not feel it is safe to continue to use this mower, and he would like to have one where the operator is not required to drive into the ditch in order to mow it.

**Dog Control Officer, Joseph Passino**, did not have a written Dog Control Report, but he stated that there were three dog bites in the Town last month. He also stated that he has observed dogs in the Town Park urinating on the sand box, and on the picnic tables. He would like to see the Town ban dogs from the Park. He doesn't believe that the Youth Commission children who use the Park in the summer should be exposed to this possible health hazard.

**Supervisor Fagan** asked **Town Attorney, Carmel Greco Esq.** to put together the language to change the Local Law regarding the Town Park in order to outlaw dogs in the Park. He asked the other Town Board Members to think if they would wish to make any other changes to the Park Law such as banning alcoholic beverages.

**Town Attorney, Carmel Greco Esq.** reported that he reluctantly approved the contract for the Fulton County Sheriff's Department to provide deputies for court security, for the Town of Perth Justice Court. He also stated that the Continuation of Operations Plan during Public Health Emergencies is still a work in progress.

**Supervisor Fagan** reported that the Capital Projects for 2022 are coming in to the Budget Committee. These projects have been curtailed because of the pandemic. Fulton County is expected to get ten million dollars in federal relief because of the Covid-19 virus. The county would like to use this money to put through sewer lines up State Route 30 A to Mayfield.

Another idea for the funds is to construct a museum in Northville documenting the origin of the Great Sacandaga Lake. This would, it is believed, be a great tourist attraction for the whole of Fulton County.

## **PUBLIC SPEAKERS**

**Thomas Herba** asked if the Town of Perth needs to update the size of the solar panels allowed in the Town. They allow up to eight feet now, and it is proposed to allow up to fourteen feet in the future. If the height is to be allowed to be higher, there would have to be an amendment to the Zoning Law of the Town of Perth.

**Bruce Krohn** who resides on Royal Coachman Drive wished to discuss the condition of this road. He states that there are now twelve houses on the road, and it hasn't been paved in a long time.

He presented a document that states that the Town of Perth is responsible for maintaining the road. However, the document was signed by the Town of Broadalbin Planning Department, and no one else. **Town Attorney, Carmel Greco Esq.** stated that it is unlawful for the Town of Perth to pay for paving a road that does not belong to them.

**Highway Superintendent, David Dopp**, stated that he is anticipating paving Royal Coachman Drive next year. He went on to say that his department has been pulling large stones out of the roadway since the developer first paved it. He will have to remove more stones before the road can be paved again.

**Superintendent Dopp** also stated that he would have to talk to the Town of Broadalbin Superintendent of Highways to coordinate the paving so that the whole road (portions in the Town of Perth and in the Town of Broadalbin) could be done at the same time, with the Town of Broadalbin paying for their share.

## **RESOLUTIONS**

**RESOLUTION #61- ESTABLISH STANDARD WORKDAY FOR ELECTED AND APPOINTED TOWN OFFICIALS**

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth enacts the following resolution:

WHEREAS, by its regulation NYCRR 315.4, the Office of the State Comptroller requires municipalities to establish a standard work day for each elective or appointed official who participates in the New York State and Local Employees Retirement System, now be it hereby

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 the start of a new term, elected and appointed officials keep a three (3) month record of work activities to be completed within 150 days, and those records shall be submitted to the Clerk of the Board no later than 180 days from taking office; and be it further

RESOLVED the Clerk of the Board will post this resolution on the Town website, or on the official sign board at the Town Complex for a minimum of thirty days; and be it further:

RESOLVED that a certified copy of the Resolution and an affidavit of posting shall be filed by the clerk of the Governing Board with the Office of the State Comptroller within forty-five (45) days of the adoption of the Resolution.

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 # 62-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 \$489.00 from Account A1990.4 Contingent to Account

A7550.4 Celebrations Contractual for new flags and mounting hardware for Memorial Day to be attached to the telephone poles in the Town.

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 # 63-** AUTHORIZE THE ADVERTISEMENT FOR BIDS FOR A NEW TRUCK

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the advertisement for a new 2023 automated garbage truck per specifications presented by the Highway Superintendent: the bids to include prices with and without a trade-in. Bids will be due by 6:00 p.m. at the Town Clerk's Office on August 5, 2021.

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 # 64:** AUTHORIZE THE HIRING OF A CLERK FOR THE ASSESSOR

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the hiring of Cassidy Von Stettina as a clerk for the Assessor at a salary of \$15.30 per hour.

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 # 65- AUTHORIZE THE PAYMENT OF BILLS ON ABSTRACT #7-2021**

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the payment of bills on abstract #7-2021 as follows:

Pre-paid General	68-80	\$7,632.80
Pre-paid Highway	19-21	\$7,341.45
Highway	68-73	\$17,024.08
General	139-153	\$11,900.16

Offered by: Councilman Lewandowski  
Seconded by: Councilman Korona

Councilman Fisher left the Meeting before the vouchers were presented for review and signatures, therefore he did not sign any of the vouchers. The other Town Board members 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 by 7:20 p.m. a motion was made to close the Meeting by Councilman Korona and seconded by Councilman Lewandowski. All were in favor; motion carried.

The next Meeting of the Town Board of the Town of Perth will be held on August 5, 2021 at 6:00 p.m. at the Town Hall Complex 1849 County Highway 107.

Respectfully submitted,

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Judith English  
Perth Town Clerk