

MINUTES

November 3, 2022

6:00 p.m.

PRESENT: Supervisor Fagan, Councilman Betz, Councilman Lewandowski and Councilman Fisher

ABSENT: Councilman Barker

ALSO PRESENT: Town Clerk, Judith English; Town Attorney, Carmel Greco Esq.; Highway Superintendent, David Dopp; Acting Highway Foreman, Richard Wallace; Town Justice, Wayne McNeil; Tax Collector, Ann Morck; Chairman of the Planning Board, Ron Cetnar; Perth Volunteer Fire Company Chief, Peter Watrobski; Town Assessor, David Walendziak; Perth Seniors President; Elaine Gasner; Board of Assessment Review Member, Paul Priamo; Rebecca Dopp; Danielle Alteri; Dave Weiss; Mark Alteri; Joanne Wood; and Mike Wood.

Supervisor Fagan opened the Meeting at 6:07 p.m. A salute to the flag was held and a moment of silent prayer observed.

APPROVAL OF MINUTES

The minutes from the October 6, 2022 Regular Town Board Meeting were offered for approval by Councilman Lewandowski and seconded by Councilman Betz. All were in favor; motion carried.

The minutes from the October 27, 2022 Budget Workshop were offered for approval by Councilman Fisher and seconded by Councilman Lewandowski. All were in favor; motion carried.

PUBLIC HEARINGS

Supervisor Fagan opened the Public Hearing on the 2023 Town of Perth Preliminary Budget at 6:12 p.m. There were two employees of the Town of Perth who wished to comment on it.

Lisa Wallace, Director of the Perth Youth Commission, reported that she was not happy with her 2023 budget being almost cut in half. She stated that she cannot find counselors for the Summer Camp that are willing to work for the salary that the Town offers. She needs additional counselors due to the number of children signing up for the program, and added regulations by the State as to the ration of counselor to children. Also, the State has added to the number of counselors that must be certified in CPR training.

She met with **Councilman Barker** recently for about 4 hours, and went over her budget for 2023 with him. She was led to believe that it was fine. At the Budget Workshop he voted to reduce her requests. Since **Councilman Barker** was not present at the Meeting, (due to a family emergency) it was decided to continue the discussion of the 2023 Town of Perth Budget on Thursday, November 10th at 6:00 p.m.

Acting Forman of the Highway Department, **Richard Wallace**, told the Town Board that the extra one dollar an hour for his increased duties was not sufficient for all that he has to do.

Supervisor Fagan told him to contact his Union representative, since his salary is defined in the Contract between the Union and the Town of Perth.

Supervisor Fagan opened the Public Hearing on the Fire Contract between the Town of Perth and the Perth Volunteer Fire Company at 6:22 p.m.

Fire Chief, Peter Watrobski stated that he was aware that the request for funds for the Perth Volunteer Fire Company from the Fire Department was late in arriving to the Town. He said that the amount requested was comparable with what the Town has put in the budget. He also stated that next budget season the Town would have the information on the Fire Contract on time for the Town Budget discussions.

There was no one else present who wished to comment on the Fire Contract so the Public Hearing was closed by Supervisor Fagan at 6:58 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. There were no late communications.

UPDATE FROM STANDING COMMITTEES

Councilman Betz read the **Assessor's Report**, a copy of which will be filed with these minutes. He reports that he has printed all of the Agricultural Exemption renewals along with the Low Income Senior renewals, and they will be mailed out.

Highway Superintendent, David Dopp, reported for the Highway Department that all is going well.

Town Attorney, Carmel Greco Esq., reported that the Town will have to approve the decommissioning bond for the solar farm by DG SUNY SOLAR 1 LLC. He has prepared the resolution.

Attorney Greco spoke with **Assessor Walendziak**, and he told him that the Town would not need a local law establishing the new income levels for a reduction in Town taxes until March 1, 2023 when the Assessment roll is prepared.

Supervisor Fagan asked **Attorney Greco** if he would look into the new regulations proposed by the Town of Perth Planning Board for new solar farms. He would like to have all of their proposals done at the same time instead of amending the Zoning Law piecemeal.

Supervisor Fagan also reported that the Montgomery County SPCA has declined to be the Dog Control Officer for the Town of Perth. The DCO from the Town of Bleeker recently got in touch with him, and she would like to interview for the job. She has been doing it for the Town of Bleeker for ten years.

PUBLIC SPEAKERS

A group of residents living on Midline Road came to the Meeting to say that nothing has been done to alleviate the nuisance of their neighbors barking dog. They have brought their complaints to the Town as well as to the police, but nothing has been done to stop the aggravation. They are unable to sleep. If the sheriff or a deputy talks to them, it gets better for a few days then it goes back to where it was.

Town Justice, Wayne McNeil told them that the Town of Perth has a barking dog nuisance law and the Fulton County Sheriff's Office is bound to uphold it. They can write tickets for fines and double the amount each time they are called out to investigate it.

He went on to say that the residents can also come to the Town of Perth Court and file a formal complaint. Then the Court can subpoena the dog's owner to come to court to answer the complaint. The complaint must be made out by the complaining neighbors, and includes a lot of detail that is required.

The neighbors also complain that the dog's owner has an illegal apartment on his property. **Supervisor Fagan** stated that he would talk to Town of Perth Code Enforcement Officer concerning this.

Rebecca Dopp asked why the Community Senior Center is not open for rentals to the public. She states that the Perth Seniors and the Broadalbin Perth Lions Club use it twice a month. Supervisor Fagan stated that he would like to open it up for rentals at this time, now that the Covid emergency is over.

RESOLUTIONS

RESOLUTION # 121- AUTHORIZE SUPERVISOR TO SIGN THE FIRE CONTRACT

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the Supervisor to sign the Fire Contract for 2023 with the Perth Volunteer Fire Company in the amount of \$239,560.00.

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 # 122- AUTHORIZE THE SUPERVISOR TO SIGN AGREEMENT

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the Supervisor to sign the Dog Shelter Agreement with the Montgomery County SPCA for 2023, in the amount of \$3,300.00 to be paid quarterly.

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 # 123- AUTHORIZE MAINTENANCE AGREEMENT

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the copier maintenance agreement for the Ricoh copier in the Town Clerk's Office for 2023 in the amount of \$421.58.

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 # 124- AMEND THE HIGHWAY BUDGET

BE IT HEREBY RESOLVED that the Town Board of Perth amends the Highway Budget as follows due to the receipt of a check from NYMIR for mower tractor repair:

Increase Account DA2770 Miscellaneous Revenue by the amount of \$7,156.77

Increase Account DA5130.4 Machinery Contractual by \$7,156.77

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 # 125- 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 \$82.19 from Account 1990.4 Contingent to Account 1220.4 Supervisor Contractual.

Offered by: Councilman Lewandowski
Seconded by: Councilman Fisher

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

RESOLUTION # 126- 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 \$1,633.21 from Account DA5142.1 Snow Removal Personal Service to DA5110 .1 General Repairs Personal Service.

Offered by: Councilman Betz
Seconded by: Councilman Lewandowski

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

RESOLUTION # 127- 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 DA5120.4 Bridges Contractual and the amount of \$3,368.00 from Account DA5130.2 Machinery Equipment to Account DA5130.4 Machinery Contractual for repair bills and deductible for mower tractor repairs.

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 # 128- AUTHORIZE THE REOPENING OF THE COMMUNITY CENTER FOR RENTALS

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth authorizes the re-opening of the Community Senior Center for rentals from the public.

Offered by: Councilman Fisher
Seconded by: Councilman Betz

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

RESOLUTION # 129- RESCHEDULE DECEMBER MEETING

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth reschedules the Regular Town Board Meeting from Thursday, December 1st to Thursday December 8th at 6:00 p.m.

Offered by: Councilman Betz
Seconded by: Councilman Lewandowski

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

RESOLUTION # 130- APPROVE DECOMMISSIONING BOND

BE IT HEREBY RESOLVED that the Town Board of the Town of Perth approves the Decommissioning Bond pertaining to the Solar Farm project along New York State 30 in the Town of Perth. A copy of the entire resolution will be filed with these minutes.

Offered by: Councilman Lewandowski
Seconded by: Councilman Fisher

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

RESOLUTION # 131- AUTHORIZE THE PAYMENT OF BILLS ON ABSTRACT #11-2022

BE IT HEREBY RESOLVED that the Town Board of the Town authorizes the payment of bills on abstract #11-2022 as follows:

General Prepaid	106- 110	\$3,785.19
Highway Prepaid	32-34	\$7,060.74
Highway	80-84	\$527.68
General	203-216	\$12,740.06

Offered by: Councilman Lewandowski
Seconded by: Councilman Betz

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 7:45 p.m. by Councilman Lewandowski to close the Meeting and seconded by Councilman Betz. All were in favor; motion carried.

The next Meeting of the Town Board of the Town of Perth will be held on Thursday, November 10th at 6:00 p.m. This will be a continuation of the Budget Workshop.

The next Regular Meeting of the Town Board of the Town of Perth will be held on Thursday, December 8th at 6:00 p.m. at the Town Hall Complex 1849 County Highway 107, Amsterdam, NY.

Respectfully submitted,

Judith English
Perth Town Clerk