

**TOWN OF CANAJOHARIE**  
**MONTGOMERY COUNTY**

**June 12, 2014**

The Town Council met for a regular monthly meeting at the Town Hall building, 12 Mitchell Street, Canajoharie, New York.

**Present:** Supervisor Herbert Allen, Councilpersons Judith Burgess, John Toomey, Jr., Rodney Young, and William Armitstead; Bookkeeper Amy Kretser; Highway Superintendent David Hodge; Planning Board Chairman William Douglass; County Legislator Roy Dimond

The meeting was opened by the Supervisor at 7:30, and the evening's agenda was presented

**On a motion** by Councilperson Burgess, seconded by Councilman Armitstead, the **agenda** was **unanimously approved**.

**On a motion** by Councilman Toomey, seconded by Councilperson Burgess, the **minutes** of the April meeting were **unanimously approved**.

**Public Comment**-Mohawk Valley Collective representative, **Robert Smith**, speaks to Board requesting Town support for the MVC grant application to the NYS Economic Development agency—Board approves and Supervisor Allen signs letter of support.

**Legislator Roy Dimond** speaks regarding appointment of Town Attorney---hoping to have a decision Monday, June 16<sup>th</sup>. Informs the Board regarding the County's action(s) on puppy mills and the moratorium placed on puppy mills. The County has created a response team that will look at the issues/concerns, and the committee will also create legislation regarding puppy mills. The County is hoping to place a county-wide moratorium for all the towns.

**Mr. Dimond** also informs the Board that the County took over MOSA.

**Planning Board Chairman William Douglass** gives the Board update to the proposed auction site on Dygert Road. The owner is working on a sketch plan; Mr. Douglass wrote an outline for the auctioneer to follow. Mr. Douglass presented the outline also to the Planning Board—Planning Board concerned about proposed engineer costs, approximately \$30,000.00. Mr. Douglass concerned that the parking lot for the auction will use 40% of the 3.8 acres. He consulted a former planning board chairman, who suggested a possible 6 month moratorium. Mr. Douglass presented the Board with a draft moratorium with information he received from Ken Rose, but also indicated a lawyer would have to review it.

Supervisor Allen informed the Board that he passed along information to Mr. Douglass regarding Zoning and Planning Law Schools. The cost is \$80.00 plus mileage. Councilperson Burgess **moves** to send Mr. Douglass to the school, **seconded** by Councilman Armitstead, **unanimously approved**.

**Resolution #9 2014**

**RESOLUTION #9 OF 2014 SUPPORTING TOWN SOLE ASSESSOR IN UPDATING OF 2016 ASSESSMENT ROLL**

Sponsored by: Councilman William Armitstead

Seconded by: Town Supervisor Herbert Allen

WHEREAS, the Canajoharie Town Board supports the efforts of its Town Sole Assessor, Charlene Ruszkowski, in updating of the Town's 2016 Assessment Roll and maintenance of such Assessment roll at full-market value, and

WHEREAS, the Town Board supports the allocation of sufficient resources for Town staff and services to complete the project,

NOW, THEREFORE, BE IT

RESOLVED, that the Canajoharie Town Board hereby expresses its support of its Town Sole Assessor, Charlene Ruszkowski, in updating the Town's 2016 Assessment Roll and maintenance of such Assessment Roll at full-market value, and authorizes the allocation of sufficient resources for Town staff and services to complete such project and,

BE IT FURTHER

RESOLVED, that the Town Board further requests that the New York State Office of Real Property Tax Services and the Montgomery County Office of Real Property Services provide assistance that is typically afforded during such projects to the Canajoharie Town Sole Assessor and,

BE IT FURTHER

RESOLVED, that the Town Board further authorizes and directs the Town Sole Assessor to send a certified copy of this Resolution to the New York State Office of Real Property Tax Services and the Montgomery County Office of Real Property Services, and authorizes and directs the Town Supervisor, Town Sole Assessor, and/or Town Clerk to take such other and further actions as may be necessary to effectuate the terms of this Resolution.

Duly adopted this 12<sup>th</sup> day of June 2014 by the following vote:

<b>VOTING</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>
Supervisor Herbert T. Allen	<u>  X  </u>	_____	_____
Councilman William Armitstead	<u>  X  </u>	_____	_____
Councilman John Toomey	<u>  X  </u>	_____	_____

Councilman Rodney Young        X        \_\_\_\_\_      \_\_\_\_\_

Councilperson Judith Burgess        X        \_\_\_\_\_      \_\_\_\_\_

**Resolution #10 2014**

**RESOLUTION #10 of 2014 to Appoint Zoning Board of Appeals Members Retroactive to January 1, 2014**

**Resolution by Councilman John Toomey  
Seconded by: Councilperson Judith Burgess**

RESOLVED, that the Canajoharie Town Council hereby appoints the following named individuals to the Town of Canajoharie Zoning Board of Appeals, retroactive to January 1, 2014:

Michael Ehlerenreich, term to expire December 31, 2018

Robert Rocas, term to expire December 31, 2016

Theodore Shaver, term to expire December 31, 2017

Dave Shults, term to expire December 31, 2019

Daniel Voght, term to expire December 31, 2015

BE IT FURTHER RESOLVED, that the Canajoharie Town Council hereby appoints Dave Shults as Chairman to the Canajoharie Zoning Board of Appeals, retroactive to January 1, 2014; Term to expire December 31, 2019.

Voting:	AYE	NAY	ABSENT
Supervisor Herbert T. Allen	<u>  X  </u>	_____	_____
Councilman William Armitstead	<u>  X  </u>	_____	_____
Councilman John Toomey, Jr.	<u>  X  </u>	_____	_____
Councilman Rodney Young	<u>  X  </u>	_____	_____
Councilwoman Judith Burgess	<u>  X  </u>	_____	_____

**Resolution #11 2014**

**RESOLUTION #11 of 2014 OVERRIDING STATE 2% TAX CAP IMPOSED ON TOWN**

**Resolution by Councilman Rodney Young  
Seconded by: Councilman John Toomey**

WHEREAS, the New York State Assembly and Senate each passed a bill that imposed a 2% tax cap on the levy of municipalities and school districts, and

WHEREAS, Governor Cuomo signed this 2% tax cap into law on June 30, 2011, and

WHEREAS, it may not be possible for the Town to stay within the constraints of this imposed tax cap and still offer valuable services to the people of the Town, and

WHEREAS, included in the said 2% tax cap law is language that authorizes the Town, by the affirmative vote of at least 60% of the Council, to override the said cap, and

WHEREAS, the Town will publish a legal notice and hold a public hearing on July 10, 2014 at 7:30pm to hear the public, for or against Local Law #2 for 2014,, which will override the 2% tax levy limit established in General Municipal Law 3-c,

RESOLVED, that the Canajoharie Town Council hereby exercises their authority and overrides the State imposed 2% tax cap on the levy in order to fund valuable services to the people of the Town.

Voting:	AYE	NAY	ABSENT
Supervisor Herbert T. Allen	<u>  X  </u>	_____	_____
Councilman William Armitstead	<u>  X  </u>	_____	_____
Councilman John Toomey, Jr.	<u>  X  </u>	_____	_____
Councilman Rodney Young	<u>  X  </u>	_____	_____
Councilwoman Judith Burgess	<u>  X  </u>	_____	_____

**Highway Superintendent**-Crew is mowing. Mr. Hodge is searching for property for a new town barn. Estimate to repair the 1-ton truck: reskin the cab, new calipers would be approximately \$1500-\$2,000, and 6 new tires about \$5800.00. Looked into piggybacking on a bid for new Dodge Ram 1-ton in Westchester County—truck and box would be \$53,649.00. Discussed with

bookkeeper that there is HA-FEMA money from Canyon Road, also \$69,000.00 in equipment reserve. Superintendent would put the old truck on Auction International.

**Motion** by Supervisor Allen to authorize Superintendent Hodge to piggyback on the Westchester County bid to purchase the new Dodge Ram 1-ton truck from Carbone for a total of \$53,649.00; **seconded** by Chairman Toomey; **all in favor and carried.**

**Motion** by Supervisor Allen to sell old truck on Auction International; **seconded** by Councilman Armitstead; **all in favor and carried**

**New Business-** Supervisor Allen informs the Board that a grant writer will attend a future Board meeting

Supervisor Allen asks the Board if they should take action on Planning Board Chairman’s proposal for a moratorium on auction businesses in the Town. Councilman Young does not support a moratorium, especially if a proposal comes before the Planning Board that follows the procedures and rules—no reason to limit everyone. The Board decides to leave it in the Planning Board’s hands.

**Bookkeeper-**

TOWN OF CANAJOHARIE  
CASH REPORT MAY 31, 2014

CHECKING ACCOUNTS		MONEY MARKET ACCOUNTS	
General	\$ 15,639.59	General	\$245,555.68
Fire District	\$ 39.86	Highway Town Wide	\$ 55,705.56
Consolidated Health	\$ 15.28	Highway Part Town	<u>\$195,385.39</u>
Highway Town Wide	\$ 113,590.23	Total	\$496,646.63
Highway Part Town	<u>\$ 7,709.24</u>		
Total	\$136,994.20		
		SAVINGS ACCOUNTS	
		Consolidated Health	\$ 1,503.11
		Highway Cap Reserv	\$ 69,911.84
		Gen-Cap Reserve	\$134,607.65
		Gen-Sale of Land	<u>\$ 53,793.91</u>
		Total	\$259,816.51

BUDGET AMENDMENTS

Increase Revenue	Increase Expenditure	Amount
DA2665 Sale of Equip	DA5130.2 Equipment	\$29635.00

**Town Clerk-**Discusses with the Board the possible funding of on-line tax information and payment system.

**Motion to Pay Bills** by Councilman Young, seconded by Councilman Toomey, all in favor **and unanimously approved**

General Fund vouchers numbered 110 through 134 totaling \$11,404.86

Highway Fund vouchers numbered 120 through 151 totaling \$71,685.35

**8:50pm Motion for Executive Session** by Supervisor Allen, **seconded** by Councilman Armitstead; all in favor and carried

**8:51pm Motion to end Executive Session** by Councilman Young, **seconded** by Councilman Toomey; all in favor and carried

**8:51PM-Councilman Toomey moves** to adjourn meeting, seconded by Councilperson Young, all in favor, and **unanimously approved**.

Respectfully submitted,

Laurie M. Vroman  
Town Clerk