

**TOWN OF CANAJOHARIE
MONTGOMERY COUNTY**

August 13, 2015

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 and Rodney Young; Bookkeeper Amy Kretser; Highway Superintendent David Hodge; Councilman William Armitstead arrived at 8:19pm

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

On a **motion** by Councilperson Toomey, **seconded** by Councilwoman Burgess, the agenda was **approved, all in favor, and carried**

On a **motion** by Councilwoman Burgess, **seconded** by Councilman Toomey, the July meeting minutes was **approved, all in favor, and carried**

Public Hearing- To hear for/against Local Law #1 2015 to override 2% tax cap; No one from public speaks for or against

Public Hearing closed at 7:32pm

Public Comment: Roland Vinyard speaks on behalf of his neighbor, Kauffman, regarding building on his land located near Canyon Rd. His neighbor was told he could not due to limited maintenance road;

- Superintendent Hodge explains that the area being referred to is on a minimum maintenance road, the Town does not plow or maintain that road for safety and fiscal reasons

- Mr. Vinyard states that the owner offered to plow the road himself; Superintendent Hodge states that the owner cannot plow a Town road himself

- Councilman Young understands that if someone wants to build a house on their land near a minimum maintenance road, they certainly can do so, however, the owner cannot expect the Town to maintain it, and a private citizen cannot plow a Town road

- Superintendent Hodge-Minimum maintenance roads are established to protect people

- Supervisor Allen also explains that the road in question does not have a base strong enough to support logging trucks; and explains the difference between minimum maintenance road and seasonal road

- Superintendent Hodge suggests the owner may want to consider purchasing a right of way from an adjacent neighbor

- both Superintendent Hodge and Supervisor Allen present to Mr. Vinyard copies of Minimum Maintenance Road agreements signed by his neighbor, Kauffman

- Superintendent Hodge explains in order to change the status of a road, a resolution needs to be presented and passed by the Town Board

- Mr. Vinyard thanks the Board, and insinuates possible legal action

Town Supervisor- According to correspondence from County Legislator Dimond, the County will not have a County-Wide Dog Law in effect in time for the expiration of the Town’s moratorium regarding the establishment and/or construction of kennels, pet breeding facilities, or puppy mills in the Town; The Board needs to make a decision to extend the moratorium for another six months, or adopt our own Town law

-the Board unanimously decides to have a public hearing on September 10, at 7:30pm, to enact Local Law #2, 2015 extending the moratorium in Local Law #3, 2014, for six additional months

Legislative-

Local Law #1, 2015: To Override the tax levy limit established in the General Municipal Law 3-C

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Canajoharie, County of Montgomery, pursuant to General Municipal Law 3-c, and to allow the Town of Canajoharie, County of Montgomery to adopt a town budget for (a) town purposes, (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2015 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Canajoharie, County of Montgomery is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the limit specified in General Municipal Law 3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law will take effect immediately upon filing with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule.

VOTING:

Supervisor Allen-Aye
Councilman Toomey-Aye
Councilman Young-Aye

Councilwoman Burgess-Aye
Councilman Armitstead-Absent

Supervisor Allen asks Board if they would like to do budget workshops this year, or have department heads present their budgets to the Board like last year? Councilmen Toomey and Young, and Councilwoman Burgess would like to proceed as last year

Supervisor Allen also informs the Board that MAS is close to completing the Town-wide reassessment

Highway Superintendent- attempting to pay for tractor out of CHIPS funding

Town Clerk- none

Bookkeeper- none

TOWN OF CANAJOHARIE
CASH REPORT JUNE 30, 2015
AS OF 7/8/15

CHECKING ACCOUNTS	
General	\$ 2,811.73
Fire District	\$ 39.86
Consolidated Health	\$ 15.28
Highway Town Wide	\$ 61,009.99
Highway Part Town	<u>\$ 7,261.24</u>
Total	\$ 71,138.10

MONEY MARKET ACCOUNTS	
General	\$240,621.18
Reval BAN	\$ 36,000.00
Highway Town Wide	\$ 21,713.96
Highway Part Town	<u>\$ 90,434.91</u>
Total	\$388,770.05

SAVINGS ACCOUNTS	
Consolidated Health	\$ 1,503.57
Highway Cap Reserv	\$ 49,666.60
Gen-Cap Reserve	\$154,651.46
Gen-Sale of Land	<u>\$ 53,810.76</u>
Total	\$259,632.39

TRANSFERS		
From	To	Amount
Contingency A1990.4	Emp Ben-Health Ins	\$8,750.00
Additional funding for payment for not taking health insurance, not in original budget.		

Respectfully submitted,
Amy S. Kretser, Bookkeeper

8:06pm entered **Executive Session** upon **motion** of Councilman Toomey, **seconded** by Councilwoman Burgess; all in favor, carried

8:11pm-Executive Session closed upon **motion** of Councilman Toomey, **seconded** by Supervisor Allen; all in favor, carried

BILLS

The clerk presented the following bill vouchers for approval:

General fund vouchers #145 through #168, totaling \$31,182.25;

Highway fund vouchers #173 through #201, totaling \$17,434.64

On a **motion** by Councilman Toomey, **seconded** by Councilwoman Burgess, the bills were **unanimously approved** for payment.

Adjournment

On a **motion** by Councilwoman Burgess, **seconded** by Councilman Young, the meeting was adjourned at 8:29 PM.

Respectfully submitted,

Laurie M. Vroman, Town Clerk