

**TOWN OF CANAJOHARIE
MONTGOMERY COUNTY**

November 12, 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: William Armitstead, and John Toomey; Bookkeeper Amy Kretser; Highway Superintendent David Hodge; Councilman-Elect John Peruzzi; County Legislator Roy Dimond; Attorney Charles Tallent, Diane and Paul Corso; Councilman Rodney Young and Councilwoman Judith Burgess not in attendance

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

On a **motion** by Councilman Armitstead, **seconded** by Councilman Toomey, the agenda was **approved, all in favor, and carried**

On a **motion** by Councilman Toomey, **seconded** by Councilman Armitstead, the October meeting minutes was **approved, all in favor, and carried**

7:31pm-Public Hearing Regarding the proposed 2016 Town Budget; No one from public spoke
Public Hearing closed at 7:32pm

7:32pm-Public Hearing regarding the proposed Time Warner Franchise agreement; No one from public spoke

Public Hearing closed at 7:33pm

Public Comment: Paul and Diane Corso requests a commitment letter from the Town Board for "grandfathering" property at 975 Dygert Road in order to build on that land that previously was owned by Mr. Corso's grandfather in the 1940; The property is only 1 acre, Town Zoning Law requires new buildings on 3 acres

-Supervisor Allen informs the Corsos that the land was sold at County Auction, therefore, it does not apply for the "grandfather law." The Town Attorney advised him that when the property was sold at the auction, the property was sold "as is"

-Charles Tallent, Esq. informed the Board that the current owner had the taxes reduced because the house is in such bad shape; the current owners were also told they could build as long as one wall of the footprint existed in the new construction;

-Attorney Tallent asks the Board to make an exception to build on this land, if a commitment is not obtained, the sale of the property will fall through; The buyers are ready to do demolition immediately, then build within a couple of years

-Supervisor Allen informs Mr. Tallent that the Planning Board is concerned about the property being in wetland, how the water and septic will get to the house, and that the house has to be the same original size

-Councilman Armitstead suggests the Zoning Board of Appeals

-Ms. Kretser informs Mr. Tallent that the next Planning Board meeting is scheduled for the fourth Monday in January, unless the Chairman of the Planning Board deems it necessary to convene beforehand

-David Shults is the Zoning Board of Appeals Chairman

- Ms. Corso indicates the building plans are for a small log cabin
- Superintendent Hodge states there is a water problem on that property
- Supervisor Allen instructs Atty. Tallent and his clients that the Planning Board and/or the Zoning Board of Appeals are the ones who need to give permission to build on that property, not the Town Board

Resolution #13

RESOLUTION #13 OF 2015

Sponsor: Town Supervisor Herbert Allen
 Second: Councilman John Toomey

WHEREAS, The Town of Canajoharie has maintained the following roads for fifty (50) plus years and have been open to the Public:

Bowerman Road	0.14	42.870826,-74.645298	County 85 to End
G Bowerman Road	0.10	42.879287,-74.633203	County 86 to End
Null Road	0.10	42.834861,-74.613549	Budd St. to End
Douglass Dr. (Moyer St.)	0.06	42.869078,-74.631164	County 85 to End
Old Tavern Road	0.40	42.847579,-74.578574	County 94 to End

Therefore, be it

RESOLVED, that the Town of Canajoharie adopts this Resolution to reinsert these highways to the Town of Canajoharie Highway Inventory. These roads have, and will be continued, to be maintained and plowed as Public Highways.

VOTING:

	AYE	NAY	ABSENT
Town Supervisor Herbert Allen	X		
Councilman William Armitstead	X		
Councilman John Toomey	X		
Councilman Rodney Young			X
Councilperson Judith Burgess			X

Dated: November 12, 2015
 Laurie M. Vroman
 Canajoharie Town Clerk

Resolution #14

RESOLUTION #14 OF 2015

Sponsor: Councilman John Toomey
Second: Councilman William Armitstead

WHEREAS, The Town of Minden has requested that the Town of Canajoharie post Rouse Road for NO TRUCK TRAFFIC, as a part of a section of Rouse Road in the Town of Minden needs repair,

THEREFORE, be it

RESOLVED that the Town of Canajoharie authorizes the Town Highway Superintendent to post with signs NO TRUCKS on Rouse Road at the end, specifically, at the intersection of 5S.

VOTING:

	AYE	NAY	ABSENT
Town Supervisor Herbert Allen	X		
Councilman William Armitstead	X		
Councilman John Toomey	X		
Councilman Rodney Young			X
Councilperson Judith Burgess			X

Dated: November 12, 2015
Laurie M. Vroman
Canajoharie Town Clerk

Resolution #15

Resolution #15 of 2015

In the Matter of Granting of a Cable Television Franchise Held by Time Warner Cable Northeast LLC in the Town of Canajoharie, County of Montgomery, New York

Sponsor: Supervisor Herbert Allen
Second: Councilman John Toomey

An application has been duly made to the Board of the Town of Canajoharie, County of Montgomery, New York, by Time Warner Cable Northeast LLC (“Time Warner Cable”), d/b/a Time Warner Cable, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850 for the approval of an initial agreement for Time Warner Cable’s cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Canajoharie, New York on November 12, 2015 at 7:30P.M. and notice of the hearing was published in the Recorder on November 2, 2015.

NOW THEREFORE, the Board of the Town of Canajoharie finds that:

1. Time Warner Cable has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Canajoharie hereby grants the cable television franchise of Time Warner Town of Canajoharie for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) hence.

BE IT FURTHER RESOLVED that the Board of the Town of Canajoharie hereby confirms acceptance of this Franchise Renewal Agreement.

The foregoing having received a unanimous vote and was thereby declared adopted.

Dated: November 12, 2015

Laurie M. Vroman
Town Clerk

Town Supervisor- Discusses proposed preliminary budget changes with the Board as follows:

A1620.4 from \$13,000.00 to \$12,700.00
A6772.4 from \$1,700.00 to \$2,000.00
DA 1990.4 from \$10,100.00 to \$0.00
DA 5130.4 from \$65,000.00 to \$75,100.00
DA5148.4 from \$90,500.00 to \$100,500.00
DB5110.4 from \$140,930.00 to \$130,930.00

Amount to be Raised by Tax:

DA from \$118,407.00 to \$128,407.00
DB from \$126,354.00 to \$116,354.00

Motion to adopt proposed changes to the preliminary budget by Councilman Toomey, **seconded** by Councilman Armitstead, all in favor, ayes, carried

SUMMARY OF TOWN BUDGET

<u>Code</u>	<u>Fund</u>	<u>Appropriations And Provisions For Other Uses</u>	<u>Less Estimated Revenues</u>	<u>Less Unexpended Balance</u>	<u>Amount to Be Raised By Tax</u>
A	General	<u>\$363,421.00</u>	<u>\$96,455.00</u>	<u>\$60,000.00</u>	<u>\$206,966.00</u>
B	General- Outside Village	<u>\$29,004.00</u>	<u>\$22,555.00</u>	<u>\$1,449.00</u>	<u>\$5,000.00</u>
DA	Highway- Townwide	<u>\$492,657.00</u>	<u>\$344,250.00</u>	<u>\$30,000.00</u>	<u>\$128,407.00</u>
DB	Highway- Outside Village	<u>\$423,409.00</u>	<u>\$272,055.00</u>	<u>\$25,000.00</u>	<u>\$116,354.00</u>
S	Special Districts:				
	Village of Ames	<u>\$35,706.53</u>	<u>\$35,706.53</u>	<u>\$0.00</u>	<u>\$0.00</u>
	Village of Canajoharie	<u>\$35,706.53</u>	<u>\$35,706.53</u>	<u>\$0.00</u>	<u>\$0.00</u>
	South Minden	<u>\$3,787.06</u>	<u>\$3,787.06</u>	<u>\$0.00</u>	<u>\$0.00</u>
	Consolidated Health District	<u>\$1,300.00</u>	<u>\$5.00</u>	<u>\$1,295.00</u>	<u>\$0.00</u>
	<u>TOTALS</u>	<u>\$1,384,991.12</u>	<u>\$798,815.60</u>	<u>\$78,226.00</u>	<u>\$456,727.00</u>

SCHEDULE OF SALARIES OF ELECTED TOWN OFFICERS

Article 8 of the Town Law

<u>Officer</u>	<u>Salary</u>
<u>Supervisor/Budget Officer</u>	\$6,680.00
<u>Town Clerk/Tax Collector/RMO</u>	\$21,024.00
<u>Highway Superintendent</u>	\$39,243.00
<u>Councilmen (4), each</u>	\$1,700.00
<u>Justice</u>	\$6,680.00

Motion to Reappoint William Smith to the Board of Assessment Review by Supervisor Allen, **seconded** by Councilman Armitstead, all in favor, ayes, carried

Motion to authorize Town Supervisor to sign MVP and CDPHP health insurance plans by Councilman Armitstead, **seconded** by Councilman Toomey, all in favor, ayes, carried

Supervisor Allen informs the Board there will be a meeting with MAS and Town Sole Assessor on December 1, 2015 at 10:00am to discuss the progress of the Town-wide reevaluation

Highway Superintendent- Suggests to the Town Board that a new truck should be purchased, as the majority of the highway equipment is old and constantly need repair. Would cost the Town less in the long-run due to the repair costs of the equipment; Presented to the Board estimates for a 2015 truck spec for 20 years: \$120,000.00 or \$131,000.00 with automatic transmission; 13ft stainless steel plow bid: \$500.00

-Also informs the Board that the County is using GPS pilot programs to monitor the movements of the highway departments

-Supervisor Allen responds that the Town has an outstanding \$108,000.00 bond for the last truck purchased, and a new truck purchase was not included in the 2016 budget; In addition to the outstanding truck bond, there is an outstanding bond for the Town-wide re-evaluation project; Suggests not to do make any decisions about purchasing a new truck until January

Motion to table discussion/decision for new truck purchase until the other two Councilmen are present by Supervisor Allen, **seconded** by Councilman Toomey, all in favor, ayes, carried

Supervisor Allen informs the Board that sales distribution is down a bit

Town Clerk- none

Bookkeeper-

TOWN OF CANAJOHARIE
CASH REPORT OCTOBER 31, 2015
AS OF 11/7/15

CHECKING ACCOUNTS	
General	\$ 15,077.97
Fire District	\$ 39.86
Consolidated Health	\$ 15.28
Highway Town Wide	\$ 43,074.21
Highway Part Town	<u>\$ 61,383.56</u>
Total	\$119,590.88

MONEY MARKET ACCOUNTS	
General	\$205,634.74
Reval BAN	\$ 9,000.00
Highway Town Wide	\$ 21,715.06
Highway Part Town	<u>\$ 70,439.21</u>
Total	\$306,789.01

SAVINGS ACCOUNTS	
Consolidated Health	\$ 1,503.65
Highway Cap Reserv	\$ 59,669.12
Gen-Cap Reserve	\$174,659.29
Gen-Sale of Land	<u>\$ 53,813.47</u>
Total	\$289,645.53

Transfers

From	To	Amount
A1990.4 Contingency	A9060.8 Health Ins	\$ 146.68
A1910.4 Unallocated Ins	A5132.4 Garage Contractual	\$2000.00

Budget Modification		
Increase Revenue	Increase Expenditures	Amount
DB3501 CHIPS	DB5112.2 CHIPS	\$28,697.65
DA3501 CHIPS	DA5148.4 Serv Other Govt's	\$ 5,622.00

(to show receipt of extra CHIPS allocations/reimbursement of expenses)

Respectfully submitted,
Amy S. Kretser, Bookkeeper

County Legislator, Roy Dimond, informs the Board that the County is studying the roads in the hopes of bringing equity to the Towns; The County is classifying roads, hopefully, levelling the playing field.

8:20pm-**Motion to enter Executive Session** by Supervisor Allen, **seconded** by Councilman Toomey, all in favor, carried

8:25pm-**Motion to end Executive Session** by Supervisor Allen, **seconded** by Councilman Armitstead, all in favor, carried

The Board gives the Town Sole Assessor permission to send a letter to MAS concerning the Town-wide Re-evaluation project

BILLS

The clerk presented the following bill vouchers for approval:

General fund vouchers #202 through #217, totaling \$16,880.16; [Please note, Voucher #213 in the amount of \$9,000.00 to MAS has not been paid until further notice by the Town Supervisor]

Highway fund vouchers #250 through #279, totaling \$39,646.39

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

Adjournment

On a **motion** by Supervisor Allen, **seconded** by Councilman Armitstead, the meeting was adjourned at 8:45 PM.

Respectfully submitted,

Laurie M. Vroman, Town Clerk