

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board work session held on Wednesday September 7, 2016 at 7:30 pm at the Caroga Municipal Building 1840 State Highway 10 Caroga Lake NY . Deputy Supervisor Sturchio called the meeting to order at 7:30 pm. The roll was called with the following results. The salute to the flag followed.

Deputy Supervisor Sturchio – Here
Council Member Glenn – Here
Council Member Morris – Here
Council Member Manning – Here

Other Department heads in attendance were Steve Putman – Highway Superintendent. There were three members of the public in attendance. Dave Briot from the Nick Stoner Snowmobile Club was also in attendance.

Council Member Morris made a motion to waive the reading of the minutes. Deputy Supervisor Sturchio seconded the motion. All board members were in favor of the motion.

Dave Briot was asked by Deputy Supervisor Sturchio to explain how important it is to have the Morey Road Corridor open. This trail goes all the way from Stratford to Bleecker and on to Arietta. NYS parks does not recognize trails that go across lakes that is why it is so important. It has been on the maps for over 40 years. The town used to take care of the trails and so did the County. They used to get so much per mile to groom and take care of the trails every year. Since the ballpark trail was cut off now it goes on the new firehouse property and over to the Holly property and out on Co. Hwy 112 to go over to Irving Pond and Bellows and over to Toleman Town. It is a major trail.

Council Member Glenn asked how much of the trail was needed. Mr. Briot responded the whole trail – from the end of the asphalt to the state gate. That's about $\frac{3}{4}$ mile. We are not getting paid to groom it now and Stratford is losing money too. There are 4 – 5 houses on the road.

The board reviews the maps of the property that were drawn up by the County. This was found on former Supervisor Sullivan's desk. It was noted that the Johnson's property is at the end of the road and has a gate. Former Supervisor Sullivan had the Town Clerk send out letters (8) to all of the property owners on the road except the Johnson/Walsh properties. Two letters were sent out. Only one property owner responded.

Mr. Putman was asked if the people on the road owned up to the road. He could not comment on this unless he reviewed the survey. The Town Clerk found the survey in the Supervisor's Office.

Mr. Putman noted the town owns 25 feet from the center line of the road. It was noted there used to be a sawmill on Young's Clearing – there was a settlement in there. There was a road in there. Al Gessinger gave the town a deed showing/referencing the road.

Council Member Manning wanted to know why the state is not talking to this guy. It was suggested to keep this road a seasonal road. To make this happen Mr. Putman stated he could just put a couple loads of gravel. Mr. Briot noted it is a road people have gone up it for years. It was noted that one of the parcels was willed to Mr. Johnson who was authorized by the executor of the Walsh Estate. He stopped

people from parking on the pull off. There was a house on the property on one time the large chimney is still there.

Mr. Johnson wrote up a document to get the taxes on the property reduced. He stated that the road was not suitable for a vehicle to get to his property. The assessor lowered the assessed value from \$27,000.00 to \$7,700.00 at grievance.

Council Member Manning stated an engineer was necessary according to our town attorney. To go through the process eminent domain process there has to be a public hearing. The town would have to show a plan to prove why we have to take this property. Mr. Putman Highway Superintendent thought this was just Attorney Ferlazzo's opinion – he had never heard of it. The road now is between 10 – 15 feet wide. The Highway Superintendent stated at the very most he can try to show that it was an abandon road but we can prove it was never legally abandon.

Mr. Briot noted when the trail gets near the Johnson property it is posted on both sides of the road. The trail was diverted around a wet section. If the trail were straightened back on to the original road then maybe he won't have a problem. The board wondered if they even had to go through the eminent domain process.

Mr. Briot tried to be nice but it did not get him anywhere. He has cut off the other end of the trail also.

Mr. Putman – Hwy Superintendent wondered if he blocked the road what is preventing others from doing that too on other roads.

The board questioned where the parcel boundaries terminated – the map shows at the edge of the road.

Deputy Supervisor Sturchio made a list of the questions for the Town attorney. 1) Why isn't this deed and survey enough to go purchase the land we want? Mr. Briot noted the deeds say the boundary of the property is the road. Mr. Putman remembered the trail veered to the right and used to go to the Arnst property on it. He used to be able to take a car through.

The State had markers there for the trail on Morey Road. Dave Briot noted the Peck Lake Bridge has been out since 2006. If it is rebuilt they could go all the way to the Hilley road on it. They hope it will be completed the end of this year or the first part of next year.

Council Member Morris asked if there was enough time to get the trail ready for this year. Mr. Briot responded they will have time for anything if the board gets the trail for them. Mr. Putman can push it right on through in a weeks' time.

It was noted this situation is a hardship for our town, Stratford, Bleecker – people cannot come across they have to take a huge detour. When people who don't know the trail see the closed signs they don't know where to go. The trail from Stratford to Caroga it is 3 miles. Opening the trail is important from a safety standpoint.

Council Member Morris made a motion to have Dave Briot, Steve Putman – hwy. Superintendent and Linda Gilbert – Town Clerk stay for the executive phone session with the Town Attorney. Deputy Supervisor Sturchio seconded the motion. All board members were in favor of the motion.

Before going into the executive session Council Member (Dr.) Glenn wanted to read an anonymous letter he received in his office today from a concerned citizen. It was regarding the Local Law #2 that was just

passed by the board. The clerk responded that she did not need to respond to anonymous questions – no validity to them.

At 8:05 Council Member Glenn made a motion to enter into an executive session with Attorney Sal Ferlazzo via the phone to discuss pending litigation. Council Member Morris seconded the motion. All board members were in favor of the motion.

At 8:35 pm Council Member Glenn made a motion to exit from the executive session. Council Member Morris seconded the motion. All board members were in favor of the motion. As a result of the execution session there were no directives or decisions put on the record.

Mr. Putman – Hwy Super. Noted the width of the road would be around 15 feet due to the erosion.

Council member Glenn asked how old the new Cat front end loader was and if it was time to trade it in. Mr. Putman – hwy Superintendent was going to bring this up at the regular monthly meeting. He thinks if we come up with \$5,000.00 we could roll it over. The sales person called him the other day. Another thing to be thinking about turning over is the pickup truck Mr. Putman drives. It is a 2012 and it is in the 50,000 mile range. He thinks the newer the equipment is the better you will do when you go to sell it. The town bought the truck outright. He suggested using Auctions International to sell it.

Deputy Supervisor Sturchio asked the clerk about writing a letter that Attorney Ferlazzo discussed with the board on the Sherman's property delinquent taxes situation. The letter would ask the board of Supervisors to waive the 2015 taxes owed. The clerk hesitated.... She asked the board to state what parcels they were referencing.

The clerk stated she was offended by the letter that was written anonymously. "I have been nothing but true and honest to this board for 18 year and to be treated like this is disgusting. I am offended and hurt. I am a loyal employee and have been straight with every single one of you. To be questioned and picked at like this is unconscionable. I am very, very sorry this has come to this – it was never my intension. I do my job, faithfully, loyally, correctly. To be under pressure like this....is not fair. If any one of you on this board can tell me why I don't deserve to be paid more than a first year new employee on the highway department after 18 years of service..... then maybe I should just take my pens and walk off the job. I work hard for this town and always have. This is ridiculous that past board members think that there is something shady going on here. I am just asking for a fair salary."

The clerk gave the information to the board of the two parcels that are delinquent. The clerk wondered if the Fire Department needed to be contacted as they are on the bill also. The letter will be approved by Deputy Supervisor Sturchio prior to it going out.

The motion was made by Deputy Supervisor Sturchio to have the Town Clerk write a letter to the Fulton County Board of Supervisors asking them to waive the delinquent 2015 taxes on parcel 83.6-1-1 and 68.18-1-22. Council member Morris seconded the motion. All board members were in favor of the motion.

Mr. Putman stated that he met with bridge people today. Between R & B Construction who rebuilt the Morey Road Bridge for us and Bell Engineering who was the engineer on the bridge. They don't see any reason why the North bush bridge has to be done. The decking has been cleaned off there is not a mark on it, no cracks. So he is going to follow through to see what the state is doing here. The other bridge the Nick Stock "Bridge" it is considered a culvert because of the length. He will clean the deck and see if it can be repaired without spending a lot of money. Deputy Supervisor Sturchio asked if some gravel could be put down on Mr. Achet's property where he created a new driveway on St. Hwy 10. Mr. Putman

stated he could not do that it is private property on a state road. He stated he should have notified the state to ask permission to do that. Deputy Supervisor Sturchio uses the Nick Stock Road to unload material for his work and wanted to know when it can be used again.

Council Member Manning met Mr. Richard Bentley this evening in the clerk's office. He claims he owns certain pieces of equipment at Sherman's. He stated he spoke to Mr. Abdella prior to the transfer, then spoke to Mr. Sullivan. He thought the things he is claiming are verifiable. One is the soft ice cream machine, a salad bar, motorcycle game, and the slush puppy machine. He had an agreement with George.

Mr. Putman wondered why the board keeps entertaining this crap. If Mr. Abdella didn't have anything in his paperwork that certain people own anything then they don't have squat. Why are you wasting time on this? (pounding on the table) They can tell you they own whatever... Nothing should be going to anybody. Abdella should have said something when he gave the town the property. Mr. Putman asked why Mr. Abdella hasn't ever brought this up. Mr. Manning noted the contract stated the buildings and the contents were given to the town. Council Member Morris stated we have to settle this with George once and for all. Every time we do something he doesn't like then the town will get another letter. That will tie our hands whether we want to sell it or lease it. We can't even put a price tag on the property. Mr. Abdella gave the town nothing in writing – let him take the responsibility. Mr. Bentley came to town hall before this meeting. What if Mr. Allen came in and said he owns the ice cream stand – that would be true Council Member Morris stated. Mr. Putman again stated the board is wasting time by entertaining this. It irks him. Everyone should be directed to speak to Mr. Abdella. The town should not take the blame for this. Mr. Putman didn't think the board should have talked to Mr. Parenti either. He asked the board to be realistic on this there is nothing in writing to say anyone owns anything down there. There is no legal document for ownership. Council Member Morris noted the town has been insuring everything for over a year. Mr. Putman did not want to disrespect the board but he wanted them to get real. You are a council people to represent us- represent us properly. The clerk asked the board how they want her to address these situations. She was directed to contact a board members. She noted prior to the meeting he talked in her office. Council Member Morris stated they have to go after George. The clerk handed over the statement Mr. Bentley drew up to Deputy Supervisor Sturchio. Before the meeting ended he asked the clerk to hang onto the statement.

At 8:55 pm Council Members Manning & Morris made a motion to adjourn. Council Member Glenn seconded the motion. All board members were in favor of the motion.

Respectfully Submitted,

Linda M. Gilbert RMC, CMC
Town Clerk/Collector

