

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board meeting held Wednesday February 8, 2023 at the municipal building located at 1840 State Highway #10 at 6:00 pm with the following persons in attendance by roll call. The flag salute followed.

Supervisor Scott Horton - Here
Council Member John Glenn – Here
Council Member Barbara Deluca – Here
Council Member Richard Sturgess – Here
Council Member Donald Travis – Here

Tor Shekerjian – Confidential Secretary to the Supervisor facilitated the hybrid meeting using Zoom. Also in attendance was Ralph Palcovic, Caroga Tourism Commission member, Board of Assessment Review Member John Livingston, and BTI Director Mike Kunath. There was one member of the public in attendance and ten persons were on using Zoom.

A moment of silence was held for Anita Potocar who passed away. Supervisor Horton stated she was a driving force in the West Caroga Lake Association. She was a colorful individual, who always had something to say. She was someone you could go to and get things done. He has known her since he was a little kid, when his parents had a place on South Shore Road.

Council Member Travis made a motion to waive the reading of the minutes. The motion was seconded by Council Member Sturgess. All board members were in favor of the motion: Horton, Glenn, DeLuca, Sturgess, Travis.

Department Reports:

Wheelerville Bike Trail – Supervisor Horton spoke to Mr. Manning earlier. The bike trail has been open on and off all winter. Tim Mc Laughlin built and donated the log signs for the bike trail. He has done a lot of volunteer work on the trails. Lately he donated the use of a groomer for the trails. It is a narrow walk behind piece of equipment that packs the trails. Supervisor Horton thanked him for his donations to the town.

BTI – Mike Kunath reported that 52 gallons of Vectobac 12AS were used last season. We have 80 gallons in stock for use this year. He sent out 18 new riparian owner notification letters with information on the BTI program. Renewal applications were received from DEC for two applicators and himself. The newest applicator Sarah took her pesticide exam yesterday. When her test results come back, he will send out her license. There will be a BTI team meeting on February 19th. He will give a refresher on safety, application calculations, and document reporting. John Delesky will be treating streams and working on the BTI Program with Sarah until April 21st when his license expires. Richard Nilsen will be with the program until May 21st when his license expires. A letter of intent to monitor and treat streams was sent and approved by Department of Environmental Conservation. The start date of the program is March 1st 2023.

Supervisor Horton noted the town received the Pesticide/Herbicide License from the state last week. It is posted on the bulletin board outside the Town Clerks office. He asked Mr. Kunath to be on the lookout for another applicator to take Mr. Nilsen's place.

Sole Assessor – Leigh Anne Loucks submitted a written report. Supervisor Horton noted there was a mandate from the governor to send postcards out to individuals making them aware of age/income exemptions they may be eligible for. This was to be done by January 30th. The assessor mailed out 1600 postcards. The assessor received a lot of phone calls and several people come in to talk to her about this. The Assessor continues doing data collection and updating inventory information. Supervisor Horton noted the Assessor also made home visits to the elderly who cannot get out to Town hall. He is proud of what she did.

Town Clerk/Tax Collector/Registrar/RMO – Linda Gilbert submitted a written report. She stated that the town clerk books are ready to be audited.

Tax Collection report: to date \$2,415,670.99 has been collected and \$799,207.90 remain unpaid.

The clerk noted there will be a change in the domestic relations law as it pertains to one day marriage officiants. The legislation is not quite finished but this will be a duty of the town clerk's office to issue the one-day licenses. There is a fee the town can collect.

Supervisor Horton read up on the legislation. He explained that the clerk will be able to issue a permit for somebody to marry people on a specific date without being ordained or a justice of the peace or elected official.

Dog Control – Mr. Dutcher received a delinquent report listing 29 dogs. The clerk sent out the report on 2/3/23 to the dog control officer. She stated he is supposed to be issuing tickets.

Golf Course – Council Member Sturgess met with Mr. Steadman two weeks ago for nearly two hours. They redesigned how the advertisement protocol would work for the golf course this year. It has not been organized before. Council Member Sturgess was confident with the changes that the income potential would increase this year. Everyone on the list was called and no one said no. There were 10 Tee box advertising spots available. The cost is \$150.00 a year with a guarantee of three years. Currently there are 10 events scheduled for this year so far.

On the maintenance side Mr. Steadman is waiting on quotes for the aerifier, top dresser, and sod cutter from Toro and John Deer. Preventative maintenance is being done – filters, fluids and equipment detailing.

Council Member Sturgess stated the pesticide reporting was completed and approved on February 2nd. Mr. Steadman is doing the chemical ordering for the season.

Council Member Sturgess has reached out to a company about scooters for the course. He hopes to have more information next month. He would like to have some sort of program for the new golf equipment so that at the end of the year a reserve is set up. Later there will be a resolution to lease ten more golf carts through W & B Golf Carts,

Supervisor Horton was glad to see that Mr. Steadman was taking the important aspects of running the golf course and working/lining up events and rentals. The Supervisor stated there were still supply chain issues.

Council Member Sturgess stated how lucky we are to have Mr. Steadman in the winter time to get the paperwork end of it done. Council Member Sturgess stated we have to get the club house manager straightened out. We should advertise to get some candidates. Supervisor Horton stated a resolution was not necessary to advertise, and instructed Council Member Sturgess to just go out and do it. Jerry Groom Sr. is planning to come back and a couple of assistants a head person is needed.

Highway – Supervisor Horton spoke to Mr. Voght today. There was a countywide meeting today of Highway Superintendents. Oppenheim recently changed their snowplow trucks to a smaller truck. They are not tandems but still a large truck that require a commercial driver's license. He is looking at taking the small truck that needs to be replaced and replacing it with a 4500/5500. You can put a larger plow and a wing on this truck and it would be good on some of our smaller roads. Plow trucks run about \$280,000.00. He may be able to buy this smaller truck for about \$150,000.00. Mr. Voght will come to the board with a proposal to maybe put one of those in his fleet.

Supervisor Horton noted the county is going out for bids for highway materials – asphalt, sand, salt, and the town is going to be able to use whatever the negotiated contract that the county has for these materials. It will save the town money and the time it takes to do the bidding.

Lakes Management Program – Council Member Glenn noted that Mr. Harazin was not available tonight but that he had a report from Mr. Hogan. Included in the report are maps showing the location of milfoil on East and West Caroga Lakes. The report will be submitted to the Adirondack Park Agency. These reports are important so that the town can apply for a permit for a pilot program to use ProcellaCOR a herbicide for Milfoil eradication. Mr. Hogan has been in contact with Steve McNally from Lake Minerva. They are using ProcellaCOR and having outstanding results. Two weeks after the herbicide is applied the milfoil is eradicated. When the site is examined a year later the milfoil did not come back. Council Member Glenn would like to meet with Mr. McNally in the future.

Council Member Glenn also spoke to Brian Green who is a guru for the state of New York in regards to the DEC and managing this program (ProcellaCOR) in Lake George. He is willing to help the town set up a committee/subcommittee on an invasive species adaptive program. We would continue with the Diver Assisted Suction Harvesting (DASH) along with a pilot program with ProcellaCOR. There is a deadline of March 3 with DEC to get into the trial. Mr. Harazin has experience writing grants and he is willing to help the town put it together. Council Member Glenn also reached out to an applicator company and spoke to Glenn Sullivan. This spring mapping and an evaluation would be done. The town cannot apply the herbicide it has to be done by an outside source. He has the name of one company and thought there were others out there. Tomorrow night at 7:00 pm Council Member Glenn, Walt Hogan, Marcus Harazin and Supervisor Horton will be discussing this whole project. Today Council Member Glenn talked

to Walt Hogan and he has been talking to people in DEC who say this the beginning of something huge. Caroga needs to get in on the ground floor of this. Supervisor Horton stated the herbicide is short lived and decomposes very rapidly. The application rate is about a gallon to an acre. Council Member Glenn stated Minerva Lake is 41 acres and they use 8.73 gallons on the Milfoil. It did not eradicate, it but it does control it to the point they can't find it. Council Member Sturgess wanted to know if the town would still use the divers and harvester. Council Member Glenn though we might be able to cut back dramatically on the DASH program.

Council Member Glenn reported that Mr. Hogan thought the Boston whaler boat was too large to use for his program and wanted to get rid of it. Supervisor Horton noted the town purchased the boat on the advice of Gene Centi the former program director who was using his own boat. The whaler cost the town \$5,000.00 and has a 75 hp motor on it. It is hard to maneuver in shallow water. The town could get more for it now than what it paid for it.

Supervisor Horton stated the whole idea is to save money and to have better results. The results we've had are at no fault of anybody it is just the weeds are hard to control. He calculated last year that just under 100 cubic yards of milfoil were harvested. That is down a little bit from the year before.

Town Hall Building – Council Member Travis didn't have anything to report. The heat is on and maintained all month. There was no problem with the cold weather.

CTC (former PLRT) – Council Member Deluca stated there would be snowmobile races on February 18th on West Caroga. She needs to discuss a parking plan/traffic flow with the highway superintendent. This weekend the group is racing in Speculator. The email she sent out to the board was from their website and there were some mistakes on it. Council Member DeLuca sent an email to the Highway Superintendent on this. This event has been touch and go. It was going to be on the golf course but now it's on the lake.

Code Enforcement & Sanitation – Anthony Fancher submitted a monthly report. In January 10 permits were issued. The total fee amount was \$1,850.00 and a valuation of \$141,000.00. He is still closing out permits and giving them to the assessor. He is working with the assessor to update renovation permits. The Supervisor is happy about the way codes and the assessor are working together. Regularly now information is flowing between the two departments.

Supervisor's Report:

Supervisor Horton stated one thing he wanted to talk about is, he sees a few people who are on the virtual audience and are not identifiable. He wanted to bring that to the board's attention. He noted there is no longer a requirement for the town board to have virtual attendance at our meetings. He noted the large seasonal population who are interested in being involved in town government all year round. That was the reason we first did zoom. However, the Supervisor stated, if we don't have people identifying themselves, he thought we lose some of the contact that we could have vs a regular in-person audience. You can see their reactions. With a virtual audience it is not that easy. Zoom is a privilege and his hope is the virtual audience would act just as if they were here in person. He would like to see their faces if they want to show them.

But making sure their names are posted is important because you just don't know who's there and there is not much feedback to the town board.

Supervisor Horton proposed that in the future if people come on and they don't identify themselves, who they are, that we do not allow them into the meeting. He did not want to see that – he did not want to see zoom eliminated but we are conducting serious business and he wanted the respect from the virtual audience, like there is from the audience that is in person.

Council Member Sturgess respectfully disagrees. People can come to town hall and not say anything, we don't know who they are – they don't have to say anything at a normal meeting. It may be frustrating not knowing who is out there (in the virtual audience) Maybe the people out there have insight into what the board is talking about and can be included in the discussion, but to lock out somebody's accessibility because we don't know who they are is not a great move he thought personally.

Council Member DeLuca agreed with Council Member Sturgess. People can come into the meeting room and not speak and we don't know who they are. Supervisor Horton stated he has the ability to ask who they are though. Council Member DeLuca asked if it was necessary for them to identify themselves when they attend a meeting. Anyone can come to a meeting and not say anything the press do it.

Right now, on zoom ones says iPhone. If they wanted to speak Supervisor Horton stated they would have to give their name and address just like being in person. He thought it was a disservice while the town was conducting their business.

Council Member Sturgess remembers coming to a meeting and signing in. The clerk was asked if she remembers that. The clerk stated we did have people sign in during a large meeting (Sherman's) but you don't have to identify yourself when you come to a meeting. You don't have to give your address she noted. Supervisor Horton stated that is not true. He thought you had to give your name and address. The clerk said no, you can ask for it but you don't have to give it. The Clerk stated what if she were in the witness protection program, or she noted there are domestic violence incidents that go on in this world and you don't want to advertise who is in your meeting. Supervisor Horton could not understand this at all. At the county level people give their name and address. Supervisor Horton stated if you don't give your address, you don't know if they are a resident or non-resident. The clerk stated that didn't matter. It is a public forum; anyone can stand up and speak at your meeting and talk about world politics if they wanted to.

Council Member Glenn didn't realize people can go stealth on zoom. Supervisor Horton noted during COVID more people did show their face, not that it's a requirement. He did think that the board should know who is virtual, and virtual is good, but it is not a requirement of law to have zoom. Supervisor Horton thought it could be a town policy that people have to give their address. He has never been to a meeting where people didn't give their address. Sometimes there are advocacy groups and people come in from outside the area. Council Member Sturgess stated that was irrelevant because public comments don't need to be responded upon. Supervisor Horton stated he takes residents comments a lot more seriously than he would take a non-

resident comment. Both have value he noted, but the voters are the people he is elected to represent.

Supervisor Horton asked about voting on this. He has heard what people have said. It sounds to him that the board wants to continue to have zoom. But as far as letting people into the meeting virtually he thinks they should have some sort of identification. Supervisor Horton wanted to make it a policy not a resolution. The clerk stated if the board is setting a policy it has to be a resolution.

RESOLUTION #2023-18A to direct Mr. Shekerjian who facilitates the zoom portion of the meeting that when there is a virtual meeting that if people do not identify themselves when they log in that he does not allow them into the meeting was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday February 8, 2023.

WHEREAS, there was a discussion on people having to identify themselves when attending a Caroga Town Board meeting virtually, now therefore be it

RESOLVED, that the facilitator of the zoom meeting Tor Shekerjian, Confidential Secretary to the Supervisor is hereby directed that when there is a virtual meeting and if people do not identify themselves when they log in that he does not allow them into the meeting.

Seconded by Council Member Glenn

Discussion: Council Member Sturgess asked that this be tabled until such time that the town Attorney is contacted. He thought there would be some major lawsuit issues with this. If the attorney said it was OK it still would not change his vote. He did not want to deny someone access to a public meeting because they have not identified themselves. He thought the Supervisor was missing something.

It was stated that the county does not use zoom.

Council Member Sturgess stated the weed committee is all done on zoom. He wondered if Council Member Glenn was leaning toward getting rid of zoom. Council Member Glenn stated that is not what the motion was. He would like to know who is attending the meeting virtually. Council Member Glenn stated the committee is totally transparent.

Supervisor Horton thought it was ironic that three years ago this would not even be a subject. Now because of COVID we have Zoom.

Council Member Sturgess related if this was pre-COVID and the room was full of people and the Supervisor didn't know who six people were in the room would he ask these six people their names? The Supervisor did see what he meant. The Supervisor stated he would talk to the town attorney. On a legal basis zoom is a privilege now not a right. He thinks there should be respect from the virtual audience that you get from an in-person audience. It would be nice to know who is here. He could at the end of a meeting ask a person who there were. Supervisor Horton asked that clerk where it came from that you did not ask a person's address. The clerk stated from the

meetings she attends. The Supervisor stated it has been tradition that we ask people for their address. The clerk stated we used to have people sign in if they wanted to speak, we don't do that anymore. Supervisor Horton stated when people do speak, we do ask them for their name and address he has always done that. Council Member Sturgess wants to ask the town attorney about that. When he first took office, he felt uncomfortable when the speaker was asked their address. Supervisor Horton stated the clerk was in favor of doing away with Zoom. The clerk stated she didn't have a vote on this and that she would prefer not to be on video in a zoom meeting. Council Member Sturgess stated he would prefer not to have zoom as well.

Council Member DeLuca asked Mr. Shekerjian if someone is unidentified on zoom and asks to speak does he allow them to speak. Mr. Shekerjian stated he does not ask the name that is up to the board. He has always let them in to speak. Council Member DeLuca asked if anyone has not given their name when asked. Mr. Shekerjian noted there was a person in the center of the screen using a phone and we don't know who that person is. He does not know of anyone, who when asked, did not offer their name. Supervisor Horton stated it has been tradition.

Mr. Palcovic was asked how it was done when he was on the town board. He stated the individual would identify themselves. Generally, you have residents, and non-residents some are voters and they tend to give the board an idea of where they are coming from if you know where they are from. Mr. Palcovic thought it would be discriminatory to cut anyone off. He stated people can put a fictional name on their web address, and you won't know who they are. Council Member Glenn questioned if zoom was a requirement because of COVID pandemic and now that it is over with and can we quit using it.

Mr. Shekerjian stated the only thing he switched off is that people cannot rename themselves during a session. That is a recommendation of the State's Attorney General. What happened was there was zoom bombing with people coming up with offensive names. Supervisor Horton stated technology has some great points and some drawbacks. He asked the virtual audience to behave as if in the in-person audience.

The matter was tabled. The Supervisor will ask the attorney and come back and advise.

A slide was placed on the screen by Mr. Shekerjian and he explained and showed how to be recognized during a zoom meeting. He gave examples and explanations for both attendees using either a computer or phone. Supervisor Horton stated there hasn't been a lot of participation from the virtual audience.

****Public Comments and Questions**

The speaker identified himself as Santa Clause – North Pole NY. Ralph Palcovic stated based on this latest conversation he believed it would be discriminatory against the people virtually.

Last month he was in attendance on behalf of the fire department seeking the 10% (relief on taxes for fire fighters) He stated the legwork was all done it is just a matter of when the board chooses to approve the 10%. He gave the exact cost to the town to offer this incentive is \$1055.00. It is the principal behind this. Mr. Palcovic noted that Supervisor Horton as the Chairman of the Board of Supervisors will be entertaining the entire county overseeing the

program countywide. Mr. Palcovic was at Emergency Management today and Mr. Santa Maria was working on putting together information for the county board so they would be informed on the situation. Mr. Palcovic stated it is not a lot but it is a start. He looks forward to the board taking some action on this on behalf of the fire department. Mr. Horton as the Chairman of the board would be the leader of the program. He thanked the board for listening last month.

Mr. Palcovic continued that the other issue that is impacting the town silently for the most part is the outbreak of Airbnb's. He presented information to the board a year or so ago. He used data points. It is overwhelming and impacting the school because the AIRBNB are now a cash cow for the property owners. It is sucking the life out of the year-round housing that is available. The school population is the lowest it has been. He noted another thing you will see is it will affect a long-term business that will be shutting down shortly and turn into an AIRBNB. He thought there should be a moratorium on it in the future. He has talked to the code officer about this. Mr. Palcovic stated the town is losing revenue on this. If we have a minimal permit fee the dollars on a bed tax would be coming back to the town. The town does not see a nickel of the bed tax. He stated we are now in the hundreds of Airbnb's. We are missing the bed tax; it all goes to the county. If this continues to grow the town will lose tens of thousands of dollars over the years. He was concerned about the long-term business. He was thankful for the music group bringing people in but there will be no restaurants to eat in. This would be the second restaurant that has done this. Mr. Palcovic noted the code officer has a proposal all drawn up and there are other models we can draw something up and get it adopted. He reiterated that the financial stream is unharvested right now as far as the town goes.

Council Member Sturgess remembers when this was first talked about. He thought it would be a nightmare to start. But he agrees with Mr. Palcovic that this will be way out of control. Council Member Sturgess was also concerned about the kids in the school district. Council Member Sturgess wanted to have a committee formed on this like now. He volunteered to be on the committee. He stated he would not do it for the revenue but for the school district.

Supervisor Horton wanted the meeting to resume as privilege of the floor.

In closing Mr. Palcovic thanked the board for their time. He stated when the board is ready to do the 10% for the fire fighters, they are ready to work with the Assessor on getting this done.

Supervisor Horton noted that he set up a meeting for next Tuesday at 10:00 with the Chairman of the Planning Board, the Chairman of the Zoning Board, and Anthony Fancher Code Officer, and short-term rentals will be one of the items on their agenda.

Council Member DeLuca asked if the board was going to proceed with a resolution for the fire department. She asked when we were going to do this. Supervisor Horton replied that he thought we were still doing some fact finding. It was noted by Mr. Palcovic that this has to be in effect by the end of April for it to go into effect for next year. The exemption was explained to Council Member Glenn. Supervisor Horton explained that something to be worked out was if a firefighter lived at his motel (business) the percentage of the structure he was living in would only be eligible for the 10% off not the whole motel business. The Supervisor further explained that fire districts doesn't stay within one municipality boundary and so if a neighboring town

supported a 5% discount and the fire fighter lives in the other town with the lower exemption which percentage would he get. These are the things he is working on with other town supervisors. Mr. Palcovic stated the Town of Caroga was pretty cut and dry, it was black and white. Council Member DeLuca noted that Rensselaer County approved this last week. Mr. Palcovic noted many other counties have already approved this. Fulton County is lagging behind. It was noted that the County, Town, and School taxing jurisdiction will all be voting on this. Council Member Sturgess stated that this board would be setting an incentive for 10% off the town's portion of the tax. Council Member DeLuca again just asked when the board was going to act on this. She stated if the board needed more information, she would make sure the fire department provided it to the board. Supervisor Horton stated the information would come from the assessor and Real Property. Soon was his response, he did not have a date.

Mr. Palcovic stated the town should be separate from the County, they do not overlap. He noted that Steve Santa Maria will have all the information for Chairman Horton for the county level. Caroga is separate and he felt the Fire Company needs every supporting function to get new people to volunteer. It was noted that the \$1000.00 would be distributed over all of the taxpayers.

At 7:05 the public portion of the meeting was closed.

RESOLUTIONS:

RESOLUTION #2023-018 to make these end of year 2022 budget modifications #3 was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday February 8, 2023.

WHEREAS, the following modifications are necessary to maintain a balanced budget, now therefore be it

RESOLVED, that the Caroga Town Board does move to make the following transfers as necessary to maintain a balanced budget:

From: A 1420.4 Attorney C/E	\$20.00	
To: A 1410.4 Town Clerk C/E		\$ 20.00
From: A4050.11 BTI Techs	\$ 35.00	
To: A4010.4 Board of Health		\$ 35.00
From: A4050.11 BTI Techs	\$110.00	
To: A4050.4 BTI C/E		\$110.00

The motion was seconded by Council Member Glenn.

All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis

RESOLUTION #2023-019 to apply for a grant from Department of Environmental Conservation to eradicate the aquatic species with the use of ProcellaCOR was offered by Council Member Glenn at the regular monthly meeting of the Caroga Town Board held on Wednesday February 8, 2023.

WHEREAS, the Town of Caroga has been addressing a problem with Eurasian Milfoil for many years on East and West Caroga Lakes, using divers and a suction harvester, and

WHEREAS, the Lakes Management Program committee has discussed and researched the use of ProcellaCOR with others using the product and have reported back to the town board of their success, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to apply for a grant from the Department of Environmental Conservation to eradicate the aquatic species with use of ProcellaCOR.

The motion was seconded by Council Member DeLuca

All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis

RESOLUTION #2023-020 to approve the renting of 10 golf carts from W&B was offered by Council Member Sturgess at the regular monthly meeting of the Caroga Town Board held on Wednesday February 8, 2023.

WHEREAS, Supervisor Horton stated he Emailed this proposal to the board members, and

WHEREAS, the town currently has a contract to rent golf carts from W & B Golf Carts, Inc. and the cost would be \$8,100 per year for 5 years for the years 2023-2027, and

WHEREAS, the contract includes annual maintenance on these 10 golf carts, now therefore be it

RESOLVED, that the Caroga Town Board does hereby approve the renting of 10 golf carts from W & B for the years 2023-2027 with annual maintenance included.

The motion was seconded by Council Member Glenn

Discussion: Council Member Sturgess stated he spent a lot of time on the phone with this. He was pretty confident that W & B will be able to fulfill our needs. Council Member Sturgess stated the company could not promise anything but they were trying a lot harder.

All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis

RESOLUTION #2023-021 to accept the court records for 2022 as presented for audit was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday February 8, 2023.

WHEREAS, Supervisor Horton and Council Member Donald Travis audited the Court records on Monday February 6, 2023 and

WHEREAS, the records were found to be in excellent order with no discrepancies, now therefore be it

RESOLVED, that the 2022 Town of Caroga Court records held by Town Justice James Subik and Court Clerk Thelma Subik be accepted as presented for audit.

The motion was seconded by Council Member Glenn

Discussion: Council Member Travis asked if a third member of the board had to review and sign off on the books. Supervisor Horton stated it was not necessary.

All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis

RESOLUTION #2023-022 to reappoint Ralph Palcovic to the Caroga Tourism Commission was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday February 8, 2023.

WHEREAS, Mr. Palcovic first served on the Parks and Recreation Commission and continued on when the commission changed to the Caroga Tourism Commission, and

WHEREAS, Mr. Palcovic of State Route 10 Caroga Lake NY desires to continue to serve on the Caroga Tourism Commission, now therefore be it

RESOLVED, that Ralph Palcovic is hereby reappointed for a term of 5 years beginning January 1, 2023 and expiring December 31, 2027 to the Caroga Tourism Commission.

The motion was seconded by Council Member DeLuca

All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis

Supervisor Horton noted this came up last month. The Loader was examined. It was noted it had 14000 hours on it. Supervisor Horton made the resolution again this month. Council Member Sturgess stated he wanted to briefly discuss this after the motion was seconded.

RESOLUTION #2023-023 to put the broken loader up for sale with Auctions International was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday February 8, 2023.

WHEREAS, the highway department loader is broken, and

WHEREAS, the town board desires to put the broken loader up for sale with Auctions International, now therefore be it

RESOLVED, that the Caroga Town Board moves to put the broken loader up for sale with Auctions International.

Seconded by Council Member Glenn for discussion purposes he stated.

Discussion: Council Member Sturgess noted that Matt Cooper did look at the broken loader but it was tough for him to make a proper diagnosis with a quick one-hour glance at it because the machine was not fully put together. There wasn't a full amount of fluid in the machine. His opinion was that it was probably the transmission. Two days ago, Council Member Sturgess received a phone call with the caller saying that there is a gentleman in Mayfield that does work on equipment like this and the person Council Member Sturgess spoke to was confident that the person in Mayfield could fix the loader for \$10,000.00 - \$15,000.00. Council Member Sturgess still did not think it is worth selling right now, but he is just one person with one vote.

Supervisor Horton asked if he received a written proposal that it could be fixed for \$10,000.00 - \$15,000.00. Council Member Sturgess did not. He noted the call just came in and he did not have the time to do anything in the timeframe. Council Member Glenn asked if Council Member Sturgess wanted to table this. Supervisor Horton has experience with heavy equipment in his former career. He thought with the number of hours on the machine that it was not wise for the town to spend \$6,800.00 to tear it apart and then the dealer estimates, which is in writing, is for \$40,000.00 to repair it if they could get the parts would be a prudent decision.

Council Member Sturgess is looking at the cost to replace this piece of equipment. The machine is a backup and not heavily used. That is why he is apprehensive about selling it.

Council Member DeLuca asked how much it was worth if we sell it at auction. Supervisor Horton did not know. Council Member Travis stated that the Highway Superintendent stated \$12,000.00 - \$15,000.00. A new one is a couple hundred thousand or more the supervisor stated.

Council Member Sturgess thought we might not have to replace it with a new one potentially we could find a descent used one. But we are still talking about a decent machine as a backup loader.

Council Member DeLuca noted we had talked about state surplus.

Supervisor Horton stated the options were to rebuild this one, or get a tractor, we need something, but he did not see the value of keeping this piece of equipment around. At auction people with a similar loader – this has a good bucket, and hydraulics on it. It was noted that new tires were put on last year. With the shortage of getting parts the supervisor thought it would make a lot of sense for someone to buy it. He thought we would get more now than three years ago when spare parts were easier to get. What good does it do having it sit around doing nothing for us.

Council Member Sturgess wanted to reiterate the need to have a plan. He stated the highway department is getting by with just one machine. If we sell it what is your plan for the money, we get for it? Supervisor Horton stated the money would go in a reserve fund to look at buying a used piece. Or buy something that has dual use, a larger tractor with a bucket on it.

Supervisor Horton asked if we were going to hold on to this piece a machinery or not. He will not bring this to the board again. He did not care if it sat there for 20 years. He did not want to go over and over this again.

Council Member Glenn noted a previous board had a lease purchase agreement with Milton Cat. It was a 10-year lease and every three years they gave the town a new piece of equipment and at the end of 10 year we bought the piece of equipment for \$10.00. Every 3 – 5 year the town would pay a few thousand dollars. Unfortunately, that board decided not to continue to do that. His point was maybe the town should look at leasing equipment. We should have a plan to get rid of equipment. Council Member DeLuca agreed.

Supervisor Horton did not support buying a new piece of equipment to replace this. The piece of equipment we have is well maintained and is in good shape. It will last for a long time. He stated there would be operating difficulty with having just one machine because there is a scoop bucket used for snow plowing. Now trucks have to be loaded with sand using the regular bucket and then the bucket is removed and the other work is done. Previously we had the older machine and that was used to plow the fire company, the parking lot at town hall and the lot in town center. Supervisor Horton stated he was hoping to find a piece of equipment the town could rent as an option for next year. Supervisor Horton was sorry the Highway Superintendent was not here this evening to talk about this. In the Supervisors opinion he did not think we need two of the same equipment. We need a way to load the plow truck sanders in the winter time and stated he was a big proponent of renting things. They are usually not that old and don't break down on you. You use it when you need it and the taxpayers don't pay for it when you don't need it. That is where he is coming from. Council Member Glenn, DeLuca agreed.

Council Member DeLuca stated that Council Member Sturgess said we need a plan. She wanted to know what the options were. There has to be more than one way to move snow and dirt. Council Member DeLuca wanted the highway superintendent to come up with a plan, with options on how we can accomplish things. This would make it easier for the town board to make a decision if they had that information.

Supervisor Horton stated the resolution before the board is do we want to hold on this piece of equipment. No one has given him a reason on why we should hold on to it. Council Member Sturgess suggested calling a vote. He stated if it goes to auction for \$6,000.00 the board does not have to accept it. Council Member Sturgess asked the clerk why she was looking at him.

The clerk stated when a resolution is made the board has to state what it wants to do, what your reserve is. Then the board has to reject or approve it. It is not up to anybody else to make those choices unless you give someone else those power. Council Member Sturgess stated if the board puts a reserve of \$15,000.00 on the machinery and the offer comes in at \$14,400.00 the board has the ability to accept the \$14,400.00. That would depend on the contract with Auctions International the clerk responded. Supervisor Horton stated but we could also give the Highway Superintendent the authorization to accept or reject the bid. Once the auction closes there are timeframes in which things have to be done. The Supervisor stated that is not practical. He stated it is not like the Highway Superintendent wouldn't talk to anybody about it.

Council Member Glenn asked what the minimum amount the board is willing to accept. Council Member Sturgess stated last year \$8,000.00 worth of tires were put on it. This irritates him. If there was a piece of equipment with 14,000 hours on it, we should have looked at getting rid of it last year. Council Member Sturgess asked about putting a reserve on it. Council Member Travis stated \$12,000.00. Council Member Sturgess was OK with that.

Supervisor Horton stated “so amend the resolution and say the Highway Superintendent cannot accept a bid less than \$12,000.00. So, the resolution would be to place the broken loader up for sale with Auctions International with a minimum sale price of \$12,000.00.”

The amendment was seconded by Council Member Glenn

On the **AMENDED RESOLUTION** All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis

RESOLUTION #2023-024 to enter into a landowner agreement with Nick Stoner Trailers, Inc. and to authorize the Supervisor to sign the agreement was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday February 8, 2023.

WHEREAS, the town received a landowner agreement from the Nick Stoner Trailers stating that the Town of Caroga is an owner of real property located at the golf course, Irving Pond Road, cell tower, & Morey Road Caroga Lake NY, and

WHEREAS, by signing this agreement we acknowledge and have knowledge of the New York General Obligations Law 9-103 and am granting the Snowmobile Club the right to use the land as part of its trail system, with the understanding that the aforementioned property will be insured under a policy of insurance provided by the Snowmobile Club and the New York State Snowmobile Association’s Master Liability Insurance Plan, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to authorize Supervisor Horton to sign said agreement.

Seconded by Council Member Sturgess

All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis

Supervisor Horton made a motion to approve the minutes of the January 11th meeting noting that the term of Lynne Delesky of the Planning Board is until 12/31/29 and the minutes of the special meeting held on Saturday January 28th 2023. Seconded by Council Member Glenn. All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis.

Supervisor Horton made a motion to approve the Bills as presented for audit. The motion was seconded by Council Member Sturgess. All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis.

At 7:27 pm Council Member Travis made a motion to adjourn. Council Member Glenn seconded the motion. All Board members were in favor of the resolution: Horton, Glenn, DeLuca, Sturgess, Travis.

Submitted by the Caroga Town Clerk

Linda Gilbert, RMC, CMC

Highway #'s 3 to 12 \$23,780.08

General #'s #'s16-41 \$19,940.18

Prepaid #'s 24 – 51 \$190,704.36

General Park #' 1 & 2 \$594.55