

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board meeting held Wednesday May 10, 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 were John Delesky former BTI Director, Planning Board Member Lynne Delesky, Jeremy Manning – Bike Trail Coordinator & CTC Member, Larry Voght – Highway Superintendent, Anthony Fancher – Code Officer, Steve Stedman – Greens Keeper, BTI Director Mike Kunath and Dave Cummings – Golf Course. There were seven members of the public in attendance and twelve people were on using Zoom.

Council Member Glenn 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.

Department Reports:

Wheelerville Bike Trail – Jeremy Manning reported that the trails were still closed. He anticipates the trails will be open this weekend. There will be a volunteer day on Saturday May 13th from 9 am – 1 pm. Participants should bring water, snacks, rakes and flat shovels. Volunteers should also bring bikes for a post work ride! The trail will be open to the public on Sunday May 14th.

Planning is ongoing for the bike Festival on August 12th & 13th. There are three national brands attending as well as local and regional brands.

Mr. Manning noted he is working with the county on plans for the festival.

Mr. Manning met with a Steve Tatko of the Appalachian Mountain Club. He oversees 200,000 acres of trails in Maine. They have several bridges that he designed on that land. He came to Caroga to look at potentially building a bridge over the outlet of Irving Pond. Funding for this would be through a recreational trail grant to be applied for in July. Mr. Manning also mentioned making a connecting trail down to Caroga. There will be more information on this next month.

Mr. Manning noted the need for power in the upper parking lot. He is working on that with Fulton County.

Layout work began last week on four trails. Eli Glesmann was here and used a pro-mapping (drone system) which helps to make topographic like maps.

BTI – Mike Kunath showed those in attendance the plastic holders which will be visible, on the applicator's vehicles, to identify them while out in the field. He will also have the state permit number visible. He will have maps printed of the streams soon. Richard Nilsen will be finishing up on May 14. His streams have been divided up between the other applicators. He spoke to a resident on Mussey Road who had a concern, they were happy to talk to Mr. Kunath. There are roughly 150 streams being treated now with 4 people.

Sole Assessor – Leigh Anne Loucks submitted a written report. Supervisor Horton read, that the assessor was familiarizing herself with the APA regulations for Solar Farms in the Park. The town needs to consider what it would like to do with regards to the farms and what regulations are necessary, how to value them (exemptions vs. PILOT), permit fees, etc.

The tentative roll was filed with the town clerk on April 29, 2023 and is available for public review. She is sitting with the roll throughout the month to meet the New York State requirements, as well as during regular hours. She will be in the office May 26th and May 27th to be available for summer residents. She is also available by appointment for those who cannot meet during the set hours.

She currently has three grievance complaints that she has been made aware of. She has been gathering the needed documentation for the three complaints and will be meeting with them prior to Grievance Day, to discuss. Grievance Day will be held on Wednesday May 31, 2023 from 4 – 8 pm.

She has been trying to get a list of confirmed properties being used as short-term rentals from the Town committee as to code them on Real Property Tax Services system, to date she not been able to get a copy of the list. She was hoping the parcel information would be shared with her to have accurate records.

Town Clerk/Tax Collector/Registrar/RMO – Linda Gilbert submitted a monthly and a written report to the board. The clerk talked with NYMIR about the mandatory training while at the conference. The clerk has a password into the online training portal. Department heads are responsible for making sure their employees are trained.

Supervisor Horton noted that Henry was here from NYMIR today and he is going to send an email to the clerk about upcoming training sessions. The Supervisor thought the best thing to do is to send out a memo to all department heads.

The tax collection books are ready for audit. To date Council Member Travis has reviewed the books.

Code Enforcement & Sanitation – Anthony Fancher reported he issued 17 permits last month with a total of \$2,050.00 collected in fees, with a valuation of \$200,000.00. He noted the Highway Superintendent has lifted the weight limits off the town roads so construction is picking up.

Dog Control – Dutcher, No report.

Golf Course – Steve Stedman reported since the last meeting and all of the rain, they have been working to remove 30 – 40 sapling trees around the 9th tee box. It was over grown and very enclosed. He is doing the same thing on #15. There is a storm shelter which is used during outings. The woods were starting to encroach around there. He took a few big trees out of there.

He also opened up the cart path along 15 as well. On hole #5 he is going to clean out the area behind the 4th green eventually. He has used 50 ton of stone out on the course on the paths to hole #'s 5, 7, & 18. They did not get done last year. He thinks he will need another 25 tons more of stone. Previously he had used 200 tons of stone on the cart paths. The May rain prevented the golf course crew from driving around on the course. He did aerify the greens #4-11 & 14 and 15, out in the rain, to break the surface tension, air movement and water movement. The last day it rained they applied granular fertilizer and fungicide on the greens. The sprayer is out on the greens this week for moss control. He is plugging out large areas of moss with a cup cutter (3 x 3 inch) circle. Mr. Stedman stated he has cut out 60 patches. He does 10 – 15 daily. He stated that would continue through the summer. He will be putting down herbicide and fungicide on the tees and fairways in the next couple of weeks. He will continue to work on hole #4 to remove 20 trees and stumps. He will be using the mini excavator. The #10 tee box is roped off and the tees are set up in front of it. It gets beat up all season long. He will be renovating the entire tee top and surrounds with new rough/bent grass. He is going to try to double the size it was depending on how much he wants to spend on the project.

Today Mr. Stedman was over looking at the irrigation pump house. He will be putting in the intake valve hopefully tomorrow afternoon. He will get it up and running and make any necessary repairs to it. Some have already been done.

He talked to the town clerk about the MSDS sheets. He will give copies to the clerk next week.

Dave Cummings reported that at this point in time revenues are up 18% from last year's calendar year. One of the strategies he is working on is building a database. He has a list of over 300 names, emails, and phone numbers of people who are playing the course. This Friday he has been promised the delivery of 10 additional carts.

Council Member Sturgess thanked Mr. Cummings for the effort he is putting in. People are noticing and it is nice to see some changes out there. He also thanked Mr. Stedman noting he has a lot on his plate right now.

Highway – Larry Voght reported that he has been working on installing culverts and filling potholes. They sealed the salt shed today. It will be a couple more days until the salt can be put back inside. Mr. Voght stated he was getting prices to blacktop Morey, Vrooman, and half of North Bush Roads.

Mr. Voght gave the board members the specifications for a plow truck he is looking to purchase. This truck would replace the Chevy dually.

The clerk handed Mr. Voght the paperwork to be filled out pursuant to section 284 of the New York State Highway Law for approval by the Town Board prior to any paving being done.

Supervisor Horton noted the town received CHIPS money. Mr. Voght stated it was two hundred and some thousand dollars. There was a carryover of \$18,000.00 from last year. Supervisor Horton asked Mr. Voght to put together the information on the roads he is planning on paving and submit it to the board.

Lakes Management Program – Council Member Glenn reported the committee has been quite busy through the winter. He read the invasive species report submitted by Mr. Hogan as follows.

APA Permit – Hoping to hear back from the APA on data from 2020 and 2021. Have explained 2018-19 will be even harder to pinpoint the weed locations and maybe they will not require them.

Lake Management Boat – No update as to possible changes to the boat and it may stay as is this year.

(Previously Mr. Hogan talked about a smaller motor.)

I have been holding back on sending our Lowrance Elite 9Ti for service as I started learning about LIVE SONAR and the enhanced image makes it a better investment than repairing our current unit.

He will be obtaining a quote for the Elite FS and request funds from our Equipment budget.

2023 Season

Preparing a preseason get together with the Dive team on May 20th. Currently have 6 returning divers and 2 tenders from last year. We have one potential candidate who is experienced.

The Harvester is to be moved to Matt Coopers' Garage for a shield to be placed over the belt that drives the impellor to create the suction that pulls the milfoil into the harvester.

He will also fabricate an easier method to prime the impellor which currently requires 2 people, one to remove and hold the hose and the second to fill the hose. It then takes both to replace the hose back on the impellor. This is time consuming and over time ruins the gasket at the connection.

I have received notice that the Grant application for a Pilot program to use an Herbicide to eradicate Milfoil has been given Tentative Approval. This does NOT mean we are approved. We have passed a major step in the process, and it now proceeds to a final budget and administrative review which can result in a denial. Time frame for the final announcement is not currently known.

The APA, at their Monthly meeting tomorrow, May 12th 1:00 will be reviewing a permit application from Lake Luzerne for the use of ProcettaCOR on the Milfoil in the lake. If you wish to listen in, go to apa.ny.gov and from the home page, scroll down to **May 2023 Adirondack Park Agency Board Meeting and go to [Click here](#)** to watch the meeting live

Council Member Glenn stated the Lakes Management Committee is planning a meeting for May 27th. The time is still to be determined. He will be getting information out about ProcettaCOR to the public through meetings in June, July, and August; and September if necessary.

Supervisor Horton did get a late correspondence from John Olm. (But did not have it here at the meeting) Mr. Olm stated he has a full complement of boat stewards and the town was successful in applying for another steward that will be paid for through the State of New York.

Town Hall Building – Council Member Travis reported that the heater motor in the meeting room was replaced. The cost was \$847.00. The insurance inspector came to town hall to check around. He checked the electric with a meter. The only thing he found was that the inspection on the boilers has not been done yet this year. It is usually done in April each year. Council Member Travis left a message for the boiler inspector. The insurance inspector noted the smell of mold in the town hall building, and brought it to Council Member Travis's attention.

CTC (former PLRT) – Council Member Deluca reported the Caroga Tourism Committee will meet on June 7th at 7 pm at town hall. They will be working on the end of the summer

celebration, Halloween, and hopefully if there is enough funding an end of the year First Night Event.

Short Term Rental Committee – Council Member DeLuca reported that a document was submitted to the town attorney on Monday. She thanked everyone on the committee for all of their hard work – Mr. Kozakiewicz, Mr. Fancher and Tor.

Council Member DeLuca stated the permit application still needed some fine tuning. She wants the form to be user computer friendly and able to be filled in and submitted to the code officer which will trigger a number of other documents that he will need to do an inspection. Once there is an OK from the attorney, and there is a final document it will be distributed hopefully for the Town Board prior to the next meeting. Then the board will call for a public hearing. The document will be posted to the website. The other thing that will happen with the Short-Term Rental Committee Council Member DeLuca stated is that there hasn't been public comment. She stated there will be informational sessions about how this will be perceived to work, and what the committee's goals and objectives were in developing the law. Supervisor Horton complimented and thanked the committee for their work.

Supervisor's Report:

Supervisor Horton thanked Lynne & John Delesky for another successful clean up the roads day. (Applause)

It was extremely well organized this year.

Lynne reported the spring cleanup was last Saturday. There were over 20 volunteers. 48 bags of garbage were collected. The best thing found was a 10' pipe wrench, another thing found was a driver's license and credit card. She thanked everyone for participating. The beer can most found was Bud Light. Larry Voght was thanked for having trucks available and for taking care of all of the garbage picked up. It was noted the Debbie Correll went above and beyond.

Supervisor Horton noted we received the contract from Charter (Spectrum) for the franchise fee. The town received a check last week for the franchise fee for last year. The amount paid was about \$28,000.00. The Supervisor stated it is a standard contract that should be signed. The attorney is reviewing the contract and has had it for about three weeks.

Supervisor Horton wanted to clarify what is going on with our capital projects. He stated that things are pretty well stalled. There seems to be misinformation even though he talks about it every time we have a meeting. When the board voted to authorize the borrowing of the money – now there is only one project the other two the board decided to use the insurance funds to build the golf course maintenance/storage shed and then the town also built salt storage building using town funds. That came in well under budget. He stated the culvert on Kasson Drive also came in under budget. The architect had to come up with an estimate for the replacement of the highway garage. They did not get back to the town with a number until September. To have a referendum vote on the November ballot you have to file it 90 days prior to the November election. September was too late. The architect advised the Supervisor that what you want to do is get out early in the season for bidding purposes. That will get the best prices. Everyone knows about inflation; things have been stalled. The Supreme Court ruled in the Town's favor. We could have gotten the project going this year but the plaintiff wanted to object to the Supreme Court ruling and now the town is in Appeals Court. It may be 6 months or a year. The first ruling was supposed to be decided within a few weeks and it took 6 months. Meanwhile

the cost of things has gone up and we have had the employees working out in inclement weather. Supervisor Horton wanted everyone to know where we were on this. It would be improper to comment on the lawsuit. He did not want to apologize for trying to find grant funding for these projects. We have been successful in obtaining some grant funding and in some we have not. That is just the way it goes. If you don't apply you don't get the money. As far as capital projects went, we applied for three grants and we did not receive any of the funding.

Supervisor Horton wanted to discuss a resolution that was further on in the agenda. He is in his fourth year as town supervisor, and as a member of the county board he has noticed that two-year terms are a disadvantage to a township. When elected to the town you are also on the County Board and there is a lot going on at the County. He noted the towns that have four-year terms have more seniority. The Supervisor stated consistency in government is important. It serves all of the taxpayers. Supervisor Horton thinks the Supervisor's term of office should change from 2 years to 4 years. This would have to go to referendum. He will talk about that later. He opened the floor for public comments. The clerk reminded the supervisor that it is noted on the agenda that the term of the Highway Superintendent may also be put on a referendum to extend the term from two years to four. It was noted that today the Caroga Highway Superintendent was elected to be Vice President of the Fulton County Highway Superintendents Association.

At 6:35 pm public comments and questions was opened. No one in person or virtually addressed the board.

Old Business:

Franchise agreement with Spectrum Northeast LLC expired in 2020 is at Attorney's office for review

New Business:

The clerk brought to the boards attention that legislation was passed about the stump dump. A fee schedule was created but it was never implemented. A permit system was never created. Mr. Voght talked about some of the issues. He was not sure how permits would work. He asked to have this matter tabled until he got more information for the board. He noted that he didn't have the cameras down there anymore because his AT&T

5G doesn't work with the old cameras. The clerk wondered if access by large trucks could be limited by reducing the size of the entrance (to the stump dump) so that only pickups (and cars) could access the area. Mr. Voght stated that if they (contractors) are cutting in Caroga Lake he lets them dump there. Supervisor Horton noted there is a problem with supervision. A new camera needs to be purchased or see if we can update the existing cameras. Supervisor Horton stated he thought the legislation was correct. He notes one contractor in town has been dumping a large amount of stumps there. Mr. Voght noted that the town doesn't have the equipment to push it over the bank. Council Member DeLuca asked if people need a permit to cut trees from the Code Officer. Mr. Voght replied, no.

Supervisor Horton announced that the town received a correspondence from Matt Sherman of Stump City Brewery. He asked the board for another letter of support for Stump City Brewing to operate at Sherman's. He attached the previous letter for reference and listed all the dates they will be there this year for the State Liquor Authority permitting. The dates are May 27, June 4, Jun 23, Jun 24, July 1, July 8, July 15, July 19, July 21, July 22, July 26, July 28, July 29, July

30, August 2, August 4, August 5, August 6, August 9, August 11, August 12, August 16, August 18, August 19, August 26, September 2, and September 15.

Correspondence:

1) Fulton County Workers Compensation Report

2) Supervisor Horton announced that the transfer Station will be closed Monday May 29th in observance of Memorial Day Station open Tuesday 8 – 4. Highway Superintendent noted that curbside garbage will also change.

RESOLUTIONS:

RESOLUTION #2023- 043 to write a letter of support for Stump City Brewery to operate at Sherman's was offered by Council Member Travis at the regular monthly meeting of the Caroga Town Board held on Wednesday May 12, 2023.

WHEREAS. Supervisor Horton received a correspondence via email from Stump City Brewing LLC on Friday May 5th asking for a letter of support for Stump City Brewing to operate at Sherman's for the State Liquor Authority permitting, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to send a letter of support for Stump City Brewery LLC to operate on the Sherman's property on May 27, June 4, Jun 23, Jun 24, July 1, July 8, July 15, July 19, July 21, July 22, July 26, July 28, July 29, July 30, August 2, August 4, August 5, August 6, August 9, August 11, August 12, August 16, August 18, August 19, August 26, September 2, and September 15, 2023.

Seconded by Council Member Sturgess

Discussion: Mr. Cummings noted that last year Stump City was on the 9th green (during a golfing outing sponsored by the Caroga Arts Collective) he wondered if he should check the date of the outing for this year to see if this is included in the dates requested. Supervisor Horton did not know they were there. He didn't think it was a town affair. Nick Sherman was virtually attending the meeting. He explained that they have a marketing permit whereby they were on the 9th green last year. The marketing permit allows them to give out 5 oz. samples and Caroga Arts had asked them to be there. He thought the Caroga Arts had asked permission to do that. Mr. Sherman stated that he needed a letter of support to submit to the state. He received one from the Fulton County Sheriff for the day permits. He noted the liquor authority does not limit the number of permits but they want a letter of support from the town and Sheriff.

Council Member Glenn questioned the distribution on the 9th hole on the golf course. Mr. Sherman again explained about the marketing permit and stated that last year the Caroga Arts Council actually bought the beer from Stump City Brewery and they provided it on the course. He can look into that. Supervisor Horton stated if this is done again, he had a long conversation with the insurance inspector today and he had some questions about that. The Supervisor was unaware of the sampling. Sampling for no charge is different than for a charge. If there is no charge the agent does not have a problem with it. If there is a sale of any alcoholic beverages on

town property then we need a blanket.... Mr. Sherman stated he carries a million-dollar rider for anywhere they go with their marketing permit.

Adopted by a vote of five Ayes, Horton, Glenn, DeLuca, Sturgess, Travis

RESOLUTION #2023 - 044 to contract with Fulton County Highway Department for mowing on 7.28 miles of roads in the Town of Caroga was offered by Council Member Glenn at the regular monthly meeting of the Caroga Town Board held on Wednesday May 12, 2023.

WHEREAS, the County sent the annual mowing contract to mow 7.28 miles of county rights of way once before June 30 and once before September 30, 2023 to the town, and

WHEREAS, the cost per mile is \$425.00 per mile, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to enter into the contract with the Fulton County Highway Department for a total contract amount of \$3,094.00, the same as last year.

Seconded by Council Member Sturgess

Adopted by a vote of five Ayes, Horton, Glenn, DeLuca, Sturgess, Travis

Supervisor Horton explained that resolution 2022-17 was made to implement a colored bag refuse collection for short term rentals. He stated we were trying to help them lower their cost so they didn't have to get a dumpster. He noted it was considered commercial garbage. After this was passed the county said no, we could not do that. The only refuse that can be brought on a town truck into the landfill is residential. So, this resolution is moot. But we never cleaned this up after we discovered it couldn't be done.

RESOLUTION #2023-045 to Rescind Resolution #2022-017 a resolution to implement a colored bag refuse collection fee for short term rentals was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday May 12, 2023.

WHEREAS, it has been discovered that resolution #2022-17 could not be implemented due to county regulations, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move that Resolution #2022-017 a resolution to implement a colored bag refuse collection fee for short term rentals is hereby rescinded.

Seconded by Council Member Sturgess

Adopted by a vote of five Ayes, Horton, Glenn, DeLuca, Sturgess, Travis

RESOLUTION #2023-046 to Appoint Sue Collins of 133 Kasson Drive Caroga Lake to the Tourism committee was offered by Council Member DeLuca at the regular monthly meeting of the Caroga Town Board held on Wednesday May 12, 2023.

WHEREAS, the Caroga Tourism Committee was in need of another member, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to appoint Sue Collins of 133 Kasson Drive Caroga Lake to the Tourism Committee being the sixth member, the term is until **XXXXX**

The Committee was reduced to a 5-person board by Resolution 2022-085 in June of 2022. Current members are. Angela Germany till 12/2023, Robert Becker 12/2024, Diana Ackerknecht until 12/2025, Jeremy Manning until 12/ 2026 and Palcovic until 2027. Barb Let me know if my records are not correct.

Seconded by Council Member Glenn

Discussion: Supervisor Horton stated he knows her for her work on the Committee for Regional Growth board and snowmobile club. He stated this is to fill the last remaining spot. Council Member DeLuca stated she needed a chairman. Supervisor Horton asked the town clerk to check the term of the appointment and to put it into the meeting minutes.

Adopted by a vote of five Ayes, Horton, Glenn, DeLuca, Sturgess, Travis

RESOLUTION #2023-047 to make the following budget adjustments to maintain a balanced budget: (National Grid Lighting) was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday May 12, 2023

WHEREAS, the bookkeeper has determined that the following budget adjustment is necessary to maintain a balanced budget as follows:

A5182.4 Street Lighting	\$ 28,202.25
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With Revenue received from:

A2701 Refunds from Prior Year (National Grid) \$28,202.25

Now, therefore be it, **RESOLVED**, that the Caroga Town Board does hereby move to make the above noted transfer.

Seconded by Council Member Sturgess

Discussion: Supervisor Horton explained that National Grid was very slow at adjusting our power bill. They ended up giving the town full credit during the time period that we went through the street light conversion. Supervisor Horton stated they are going to come back and re-adjust the power bill for the new street lights which will be much less than the \$28,000.00, whatever it is will come off of the \$28,000.00 expense line, and will later go into fund balance.

Adopted by a vote of five Ayes, Horton, Glenn, DeLuca, Sturgess, Travis

Supervisor Horton noted Mr. Lynne Hollister was here.

RESOLUTION #2023-048 to Appoint Lynne Hollister, 202 South Shore East Caroga Road, to the ZBA to serve 5/10/23 to 12/31/27 was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday May 12, 2023.

WHEREAS, The Zoning Board of Appeals was in need of another member, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move that Lynne Hollister, 202 South Shore East Caroga Road, is hereby appointed to the ZBA, whose term shall run from May10, 2023 to December 31, 2027.

Seconded by Council Member Glenn

Adopted by a vote of five Ayes, Horton, Glenn, DeLuca, Sturgess, Travis

Supervisor Horton thanked him for volunteering. (Applause)

RESOLUTION #2023-049 to hold a public hearing on changing the terms of office on two elected offices in the Town of Caroga was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday May 12, 2023.

WHEREAS, Supervisor Horton earlier in the meeting discussed changing the terms of two elected offices in the Town of Caroga, the Supervisor from a two-year term to a four-year term and the Highway Superintendent a two-year term to a four-year term, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to hold a public hearing on June 14th 2024 at 6:10 pm on changing the term of office for the Town Supervisor to four years and the Highway Superintendent to four years.

Seconded by Council Member Glenn

Discussion: Supervisor Horton explained that under state law there are two ways for extending a term from two years to four years of any elected officer. He read the first method in Town Law §24 – a, permits the town board to adopt a resolution subject to a mandatory referendum at least 150 days prior to any biennial election. He noted this is a biannual election year. The referendum must be held at the biannual election which is in November, then the term of office of the elected officer specified in that proposition will be four years commencing the next biannual election. The Supervisor explained that a public hearing is held and if the town board passes the resolution (which has to be done 150 days before November's election) if it passes then the mandatory referendum will be on the ballot. Those positions that were changed, by a favorable vote of the public, would start not in 2024 but in 2026. It skips one term.

The second way to do it is through home rule. Under this law it is possible for any town to change the term of office of the town officer with the exception of town Justices by the enactment of a Local Law subject to a mandatory referendum of the town. With a mandatory

referendum the proposition must be submitted to the voters of the town to approve or disapprove the Local Law providing the term extension. The proposition must be submitted at the biennial town election or at any general election held at least sixty days after the adoption of the local law or at a special election to be held at least sixty days after the adoption of the Local Law itself if the Local Law provides for a special election or if a petition is filed requesting that the local law be submitted to the special election.

Supervisor Horton stated in this case if the referendum passes the new term would start immediately in 2024.

He is suggesting that the board do this using the first method mentioned. The second way is to get politics out of it and can be done at any time. He thought it was better to have a mandatory referendum. He noted this has been turned down before. This way it would start with the next term. Not the term following the vote.

Supervisor Horton wanted to give the public to time to talk and think about it. The motion is to hold a public hearing on this so the public can speak about which way they would like to see this on the ballot in November.

The clerk asked if it would be two separate resolutions. Supervisor Horton replied yes one for the highway superintendent and one for the Town Supervisor. If this resolution passed this will be put on the town website along with the law.

Supervisor Horton stated he also proposed this idea at the County level. The county has no say over this, it is all local municipalities. He noted both cities have two-year terms. He noted continuity in government is important. "It can't be a revolving door." The Supervisor noted this interesting fact. Caroga is the third smallest town in population in the county but have the most number of employees if you count the part time employees (41). He named the BTI Program, Golf Course, Bike Trail, and Weed & Stewards Programs. None of the other towns have those programs. Others he noted might have a police and fire department. It takes a while to figure out how all this stuff works so the public get the best service. This is why he is proposing it.

Council Member DeLuca asked if the voters decide this. Supervisor Horton responded correct. The board puts it forward and then it is on the ballot in November. If the second version is used, it has to be 90 days prior to the election or the Board of Elections won't put it on the ballot.

The clerk asked if the actual wording was received from the town attorney. "Shall the term of the Town Supervisor be changed from two years to four years" and "Shall the term of the Highway Superintendent be changed from two years to four years" effective on such and such date. Supervisor Horton stated the wording may be different "but to have a public hearing you have to have something for a public and we are using municipal law." The clerk questioned using municipal law for the public hearing. Supervisor Horton explained for this resolution is to have a public hearing on changing the terms of office in the Town Supervisor to four years and at the same public hearing to change the term of office for the Highway Superintendent from two to four years according to state municipal law.

Adopted by a vote of five Ayes, Horton, Glenn, DeLuca, Sturgess, Travis

Each board member received a quote from the Highway Superintendent spec'd out a F550 four-wheel drive vehicle with a plow and wing on it for \$122,847.05. The resolution would be to go out to bid Supervisor Horton noted. Mr. Voght noted this is on state contract so this could be

accepted. Mr. Voght stated the Chevy trucks were wore out. He has repaired them and repaired them. He stated we won't get another year out of them. He got a quote from Mangino's for a bare truck and the cost was \$75,000.00. This truck comes with the sander, plow, the wing, a 10 ft. dump box all set up for \$122,000.00. It has a diesel engine. Council Member DeLuca asked if the situation would be corrected on this truck and will it pass the weight limits. She asked if the trucks we have will be traded. Mr. Voght stated on Auctions International, he will try to get the best he can out of them. He has items on the auction site but they have not met the minimum yet. Our equipment is in rough shape maybe he could get \$10,000.00. Council Member Travis noted that CHIPS money could be used to purchase the truck. Supervisor Horton stated that as far as the financing, we have \$91,376.84 in the equipment reserve funds for the highway department. In the operating budget we budgeted an additional \$90,000.00. Supervisor Horton proposed we use the equipment reserve and then supplement the difference with the money in the budget – the \$90,000.00 line. The Highway Superintendent's 2019 truck was going to be replaced using the \$90,000.00 but he can go another year or so. Mr. Voght noted the town has to get on a program so we can get the most money out of a trade. Council Member Glenn noted we have been trying to do that. Council Member Sturgess noted we have talked about getting on a program as a path to a solution for three years. He stated the highway superintendent has not come up with anything for the board. Mr. Voght asked what the board wanted him to do. Council Member Sturgess wanted to see a plan put together on how we are going to replace these vehicles before we make a purchase. Mr. Voght stated this should have been done a long time ago. Council Member DeLuca noted the fire department sat down with 3 - 4 people and set up a schedule to accomplish vehicle purchases. She stated a couple of board members and Mr. Voght need to sit down and help come up with a plan. Council Member Sturgess stated the highway superintendent needed to do his job and let the board know how often the board is going to be replacing vehicles. It is four months after the budget and we are pulling money from somewhere to do something we didn't know about five months ago. Council Member Sturgess wanted a plan. Mr. Voght can tell the board what he needs, the board controls the money.

Supervisor Horton explained that we have about a million dollars of rolling stock for the highway department. If it were turned over on a 10 year cycle each piece it would be \$100,000.00 per year without inflation. We upped the equipment budget this year. Some equipment will last 10 year or more and some will last less. Council Member DeLuca's points were well taken, the board really needs a depreciation and replacement schedule for every major piece of equipment in the garage. Supervisor Horton noted these lighter trucks will be able to plow roads now plowed with heavier trucks. It will help save the wear and tear on the roads. That is an overwhelming reason to go with these lighter trucks. Mr. Voght noted Oppenheim and Ephratah have the smaller trucks and they love them. Council Member Sturgess asked what the timeline was on this particular truck lasting. Mr. Voght responded that he needed to have some sort of agreement on this truck tonight or it will be gone. He expected not over five years to get the most money out of it. Supervisor Horton stated that was going to be another board decision because there are different ways of doing things. Usually, smaller equipment is paid for. Larger equipment you borrow. It is not a simple formula. Each and every piece of equipment has to be looked at. A list should be developed of what you have, what you want. Council Member DeLuca stated she has a list from Mr. Voght from a long time ago. That is just a list of

equipment Supervisor Horton noted it does not have a depreciation schedule on it. Council Member DeLuca volunteered to work on this with someone else from the board with Mr. Voght to help come up with a list. Supervisor Horton noted long range planning needs to be done. Council Member Sturgess also offered to work on this project. Supervisor Horton noted that some of the equipment has a much longer life than 10 years and some has less. The Supervisor stated there was no money in reserve for equipment when he took over. He thanked the board for putting money into the various reserve accounts. Since this is a state government bid the board can use the specifications. The color of the truck would be black with a diesel engine.

RESOLUTION #2023-050 to purchase a 2023 F550 XL Regular Cab 4 x 4 was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday May 12, 2023.

WHEREAS, Larry Voght Highway Superintendent gave the board specification for a new F550 4 x 4 truck with a wing, plow, a 10foot box, and diesel engine in black, and

WHEREAS, the truck is on state contract through Von Bortel Ford 71 Marsh Road East Rochester NY 14445 585-586-7706, now therefore be it

RESOLVED, that the Caroga Town board does hereby move to purchase the vehicle as specified by the Highway Superintendent with the \$91,000.00 in reserve funds and then \$90,000.00 in the budget to purchase equipment.

Seconded by Council Member DeLuca

Discussion: Supervisor Horton noted the remainder of the money in the equipment line would be \$68,000.00 to buy more equipment or hopefully we get to the end of the year and we haven't spent any more of that money and it could be rolled over into building up the reserve again.

Council Member Sturgess asked Mr. Voght if he anticipated any other large purchases this year. We are taking the international off the fleet so we will have one 1-ton vehicle, the 550 and the freightliner and International and one Chevy. There is a plow on the highway supervisor's truck. The line item the money is coming out of is DA 5130.2 Machinery and Equipment. That line is not for repairs. The contractual is for repairs. A one ton will not be put up for auction until we get this truck.

Supervisor Horton stated we will have funds coming in from Auctions International. If we get additional revenue from the sale of equipment, we can decide to put it toward this piece of equipment, reserve it or go to fund balance. Mr. Voght noted we have three items up on Auctions International.

Adopted by a vote of five Ayes, Horton, Glenn, DeLuca, Sturgess, Travis

Council Member Sturgess asked what the delivery date would be. Mr. Voght stated late fall.

Supervisor Horton stated he had a late resolution. He spoke to Council Member DeLuca late today. He was hoping to put forward a resolution to call for a public hearing to accept the contract for services for four years with the Caroga Lake Volunteer Fire Company (CLVFC). The insurance wanted to add one paragraph to the agreement. Council Member DeLuca thought

the contract should be brought to the Fire Company for their approval before this goes before the board. The additional paragraph would say that the CLVFC would provide a certificate of insurance with the Town of Caroga also named insured. All of the riders have that in it. It is required. Supervisor Horton stated to have a public hearing you have to have what you are voting on. After you hear the public comments, it would have to be substantially the same as what was proposed when you call for the public hearing. Supervisor Horton stated, "We can debate whether it is a minor change or a major change." He thought it was enough of a change. Council Member DeLuca stated that any change in a contract goes back to the membership. Supervisor Horton wanted to get this through, but the insurance agent was in today and he could not foresee that he was even going to be even asking for the contract much less making suggestions on changing it. Council Member DeLuca noted we have time the contract is not up until December.

The clerk asked if the Fire Company needed to supply the town with a budget. Mr. Palcovic stated the budget is available to the town and it was going to be presented at the public hearing.

Supervisor Horton was hoping to approve the purchase of a new sonar unit for the weeds program. It would be about \$1,000.00. This will be discussed at next month's meeting.

On another matter the Supervisor was hoping to get language from county on a resolution to call for a public hearing to grant volunteer fire fighters and EMT personnel a 10% property tax cap. This will have to wait until next month.

Council Member DeLuca made a motion to approve the minutes of the April 12, 2023 Town Board meeting. The motion was seconded by Council Member Sturgess. All board members were in favor of the motion. Horton, Glenn, DeLuca, Sturgess, Travis.

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

At 7:32 pm Council Member Glenn made a motion to adjourn. The motion was seconded by Council Member Travis. All board members were in favor of the motion. Horton, Glenn, DeLuca, Sturgess, Travis.

Submitted by;

Linda Gilbert, RMC, CMC
Caroga Town Clerk

General Fund #'s 122 to 152 \$19,978.47

Highway Fund #'s 50 to 55 \$ \$7,758.53

Prepaid #'s 114 to 143 \$62,134.04

General Park #'s 9 to 27 \$12,343.37