

State of New York  
County of Fulton  
Town of Caroga

Minutes of a Caroga Town Board special meeting held Monday August 21, 2023 at the municipal building located at 1840 State Highway #10 at 4:00 pm with the following persons in attendance by roll call. The flag salute followed.

Supervisor Scott Horton - Here  
Council Member John Glenn – Arrived at 4:02 pm  
Council Member Barbara Deluca – Here  
Council Member Richard Sturgess – Here  
Council Member Donald Travis – Absent

Notification of this meeting was sent to the Leader Herald Newspaper on Friday August 18<sup>th</sup>, 2023 at 12:54 pm. It was posted on the town website and also on the town Facebook page.

There were 12 members of the public in attendance.

Supervisor Horton noted that the Majestic Fireworks Application/Permit had a clerical error for the date of the display for the Caroga Arts Collective. Supervisor Horton made the following resolution.

**RESOLUTION #2023 - 089 to modify the Majestic Fireworks Inc. application/permits for firework displays** was offered by Supervisor Horton at a special meeting of the Caroga Town Board held on August 21, 2023.

**WHEREAS**, the town received paperwork from Majestic Fireworks, Inc. 29 College St., Clinton NY 12032 for two upcoming fireworks displays one on August 19 for Pine Lake Park and the other on September 3 for Caroga Arts Collective, and

**WHEREAS**, the date on the application/permit of the display for the Caroga Arts Collective contained a clerical error, now therefore be it

**RESOLVED**, that the Caroga Town Board does hereby move approve the application/permits submitted by Majestic Fireworks Inc. one on August 19 for Pine Lake Park and the other on the correct date of September 2 for Caroga Arts Collective in accordance to NFPA 1123/1126 – Penal Law 405 & 270.

Seconded by Council Member Sturgess

Adopted by a vote of 4 Ayes, Horton, Glenn, DeLuca, Sturgess

At 4:03 Council Member Glenn made a motion to enter into an executive session to discuss litigation. The motion was seconded by Council Member Sturgess. All board members were in favor of the motion, Horton, Glenn, DeLuca, Sturgess.

At 5:07 pm Supervisor Horton made a motion to exit from the executive session. The motion was seconded by Council Member DeLuca. All board members were in favor of the motion, Horton, Glenn, DeLuca, Sturgess.

During the executive session the town board consulted with the Town Attorney via conference call.

**RESOLUTION #2023 - 090 to comply with the order handed down by the State of New York Supreme Court Appellate Division Third Judicial Department** was offered by Supervisor Horton at a special meeting of the Caroga Town Board held on August 21, 2023.

**WHEREAS**, a judgement was entered on August 17, 2023 by the State of New York Supreme Court Appellate Division Third Judicial Department in the matter of Anita M. Long v Town of Caroga et al., and

**WHEREAS**, the Caroga Town Board entered into a discussion in an executive session with the Town Attorney, now therefore be it

**RESOLVED**, that the Caroga Town Board does hereby move to accept the Appellate Division Third Judicial Department decision and shall comply with the order to direct the Town Clerk to immediately transmit to the Fulton County Board of Elections, for submission to the electorate at the next biennial town election to be held on November 7, 2023 a certified text copy of the two bond resolutions authorizing the issuance of serial general obligation bonds to fund the construction of a Town Barn/highway garage Resolution #2022-133 and a Town golf course storage and maintenance facility Resolution #2022-0134.

Seconded by Council Member DeLuca

Adopted by a Roll Call vote as follows:

Supervisor Horton - Aye  
Council Member Glenn – Aye  
Council Member DeLuca – Yes  
Council Member Sturgess - Aye

Council Member Glenn stated this is for bonding purposes only. There may be other avenues for funding.

Submitted by Caroga Town Clerk,

Linda Gilbert, RMC, CMC