

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board meeting held Wednesday November 8, 2023 at the municipal building located at 1840 State Highway #10 at 5:00 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. The Budget Director Joanne Young was in attendance. There were six members of the public in attendance, and seven attending online using zoom.

Supervisor Horton stated there were three things to accomplish at this meeting:

- 1) To hold a public hearing to override the tax cap.
- 2) To have a public hearing on the budget.
- 3) To adopt the 2024 Budget.

At 5:01 the public hearing on Proposed Local Law # 1 was opened. Hearing no comments from those in attendance or online, at this time, the public hearing remained open and the public hearing on the preliminary budget was opened. Supervisor Horton noted that the budget director is here to answer questions.

Mary Jablonski asked the board if they would consider funding fish stocking on Canada Lake in the amount of \$1,000.00. She also asked if the budget for invasive species is any different from last year's budget. Is the same amount of money being allotted?

Council Member Glenn noted the allotment is different due to a grant they received. (p 11)

Council Member DeLuca asked the budget director about account # A8090.11 – it is blank. The budget director stated that is because when the time sheets were submitted this year, they never differentiated between who was at the boat wash and who was working as a steward. It needs to be broken out when we get a grant. A budget adjustment was made because all of the hours were charged to boat wash. A lot of the steward's salaries were covered by Paul Smiths. If we get a grant in the future the records will be kept as to who actually worked at boat launch and boat wash.

The budget director noted the environmental control personal services budget was amended/increased by \$1,000.00 in September because they were not sure there were enough funds to run until Columbus Day. In 2024 line item A8090.1 was increased to \$19,500.00.

Supervisor Horton noted the 2023 total budget for environmental control is \$132,200.00 in the middle of September \$90,673.00 had already been spent. The harvester personal services account had funds due to in climate weather and mechanical issues. The supervisor explained the budget is significantly larger because we are projecting a grant of \$47,750.00 that the town received will be spent. So there is still an increase in the environmental fund.

The budget director noted on page 16 (the revenue side) under conservation weed program, A3910 that where the money is being offset on the revenue side.

Council Member Glenn was contacted by Marcus Harazin a few weeks ago about the steward's line item A8090.11, he has requested the amount of \$5,500.00 be put back in. The amount budgeted in 2023 was \$5,500.00 the budget was amended to \$3,500.00. YTD was zero. The tentative budget had the amount of \$3,500.00. The supervisor and Council Member DeLuca asked why.

Mr. Harazin was online and stated the total dollars spent on staff was not known when the budget was put together. One thing to remember he said was the wage was going up to \$15.00 per hour. He did submit a grant and hopes to get funding but there is no guarantee. Council Member Sturgess noted we didn't go over budget. The budget director noted the minimum wage is \$14.20 right now and going up to \$15.00 next year. The budget numbers are from 9/15/23 and there were at least 2 if not 3 more pay periods. The supervisor stated that would equal a 70% increase in the line item and wages are only going up to \$15. Mr. Harazin thought the numbers should be run again he did not want to go over budget. The budget director stated the total for 2023 was \$20,213.70. That is why the budget was amended to \$20,500.00.

Supervisor Horton knows there are a lot of interested groups, and we want to do the best we can but the taxpayers have to be paramount when we talk about budgets. He noted that there are residents that tax increases are very impactful on. He was not in favor of increasing this area of the budget. Council Member Sturgess wanted to keep an eye on the spending for this. Council Member Glenn suggested a compromise by increasing the line item A8090.11 by \$1,000.00, to \$4,500.00. Council Member DeLuca agreed with the supervisor about not increasing the line item. She thought there were ways to manage the personnel to be more conscience of the budget. Council Member Sturgess thought this could be addressed later in the season next year if there is an issue. The supervisor noted you don't budget to use contingency fund and what we budget ends up going on the tax levy. The supervisor agreed with Council Member DeLuca. The line was left at \$3,500.00

Matt Cooper had a question on the revenue stream for the trails program was. He sees a figure of \$25,000.00 of grant money on page 18 and the expenses are on page 8. Where is the rest of the money to fund this. Is it taxpayer money? Supervisor Horton stated it would be in the tax levy. Mr. Cooper noted we are talking about going over the tax cap and this is a chunk of money we are taking out for the trails program.

Supervisor Horton stated we are going over the tax cap. The town has a one year contract with the Caroga Lake Volunteer Fire Company to help fund a new piece of equipment that they

purchased and that is what is driving the town to have to override the tax cap. It is a one-time deal.

Council Member DeLuca asked the budget officer about the finances without the fire contract and the amount to be raised by taxes. The budget director stated according to the state calculations for the town to stay under the 2% tax cap, the town could raise \$41,372.00 to our budget. Right now, the tax levy on the front page is \$1,275,874.00 a difference of \$127,492.00 from last year. She explained if we took out what our 2% tax cap is we are over by \$86,120.00. The truck purchase is \$84,600.00 really the town budget has only gone up \$1,400.00 over last year. Council Member Sturgess stated that is extremely conservative.

Anita Long wanted to point out that the tax rate in 2023 was \$1.10 and this year it is \$1.25 which is a 13.6% increase and that includes huge increases in expenses, lake services that are inequitable across lakes, short sited prevention of the steward programs and includes annual golf expenses of \$395,000.00 which is a net loss of \$86,000.00. She stated this needs to be kept in perspective. There is a lot of spending within the general town wide accounts.

Supervisor Horton asked if she had any suggestions. Ms. Long replied transparency and accountability to the taxpayer, stating that she thought information was being misrepresented. The supervisor asked if there were areas the town should cut. Ms. Long stated if you are interested in saving money in the stewards program for example that the stewards should be fully funded for watch prevention and cut the money from the diver program or other things. Make sure it is equitable and that the board prioritize prevention, otherwise you will be spending more in the long run. Council Member Sturgess noted she was taking from one and giving to another, so there was no net change.

Ms. Long stated you can't say you didn't increase the budget you did increase the budget that is all she is saying. Be transparent about the spending and about the inequities across different programs. She stated she valued the work the board does but it is important to present it in a transparent and accountable way.

Council Member Sturgess asked for an example of what she was talking about.

Supervisor Horton (used gavel) stated the public hearing is to hear from the public about specific items on the budget, if you would like to see the budget increased or decreased, not to make a political statement or a policy statement about the board taking money from one environmental program for another. Is Ms. Long saying divers should be taken out of the water 5 weeks earlier so more money is put in for prevention? That is what the board needs to hear from the public.

Budget Director Young wanted to address Ms. Long, she was sorry if she misspoke. The difference of the \$1,420.00 is not so much the appropriations line it is how much the amount to be raised by tax rate has gone up. It has nothing to do with the appropriations line. It has to do with the tax levy. The increase over last year's budget minus the fire truck has only gone up for a tax levy amount of \$1,420.00. The reason it has gone up that much even though there has been additional spending is because the town's taxable assessed value went up. With the higher amount of taxable value we are getting more tax revenue per cent per thousand. We were able to

raise more in taxes just from that. Yes, some things did get changed in the budget where there is more spending, but we are only over by \$1,420.00 in the tax levy. Supervisor Horton noted the taxable value has gone up a little over 8% over the last three years. If everything stayed the same everyone's taxes would go down 8%.

At 5:25 Supervisor Horton asked if there was anyone who wanted to address the town board before he closed the public hearing on going over the tax cap limit. Hearing none the public hearing on Proposed Local Law #2 was closed. Supervisor Horton reminded the board that this had to pass by a 60% majority.

RESOLUTION #2023-114 to pass Local Law #2 of 2023 to exceed the tax limit of 2% was offered by Supervisor Horton at a meeting of the Caroga Town Board held on November 8, 2023.

WHEREAS, the budget director indicated that the Town board would override the tax cap at the October 4, 2023 budget meeting, and

WHEREAS, Supervisor Horton and the board realized that a local law was needed in order to override the tax cap, and

WHEREAS, notice was posted in the legal section of the Leader Herald newspaper of the public hearing held earlier this evening, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to adopt Local Law #2 of 2023 as follows:

“A Local Law to Override the Tax Levy Limit for Fiscal Year 2024” Be it enacted by the Town Board of the Town of Caroga as follows:

SECTION 1. AUTHORITY.

This Local Law is enacted pursuant to subdivision 5 of N.Y. General Municipal Law §3-c (the “Property Tax Cap Law”), which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

SECTION 2. PURPOSE.

The purpose of this local law is to permit the Town Board to override the tax levy limit on the amount of property taxes that may be levied by the Town of Caroga pursuant to the Property Tax Cap Law, and to allow the Town to adopt a budget for Fiscal Year 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by the Property Tax Cap Law. Such override is necessary due to an additional levy for taxes being paid, per contract, to the Caroga Lake Volunteer Fire Company in 2024 toward the purchase of a new firetruck which is in the best interests of the Town.

SECTION 3. TAX LEVY LIMIT OVERRIDE.

The Town of Caroga Town Board is hereby authorized to override the Tax Levy Limit established pursuant to N.Y. General Municipal Law §3-c, for Fiscal Year 2024, and to adopt a budget for Fiscal Year 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in N.Y. General Municipal Law §3-c.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon its filing with the Secretary of State as provided in §27 of the N.Y. Municipal Home Rule.

Seconded by Council Member Glenn

Council Member Sturgess wanted to comment on the statement that the golf course budget is \$374,000.00. He didn't get that. He figures it's \$287,000.00 and on the revenue side it is \$315,000.00. That equaled \$28,000.00 to the positive. Supervisor Horton stated it is positive this year as well. He did not understand the comment.

Adopted by a roll call vote:

Supervisor Scott Horton - Aye

Council Member John Glenn - Aye

Council Member Barbara Deluca - Yes

Council Member Richard Sturgess - Yes

Council Member Donald Travis – Yes

At 5:29 pm Supervisor Horton asked for any more comments on the preliminary budget. Shirley Holliday asked what the percentage amount was given in raises this year. It's all over the place was the response. Supervisor Horton stated generally it was 3% but then there were adjustments made to certain positions that were higher, mostly elected officials.

Council Member Sturgess began to discuss the fish stocking request but we are still in the public hearing portion of the meeting on the budget.

Ms. Jablonski stated when she first asked about fish stocking for Canada Lake how will she know if it was accepted, or put in the budget. The Supervisor explained the process of the public hearing and noted after comments were heard the board would have a discussion about any changes. After the hearing he hopes to go to an adopted budget this evening.

Shirley Holliday noted the town clerk is going up from \$39,300.00 to \$48,000.00. It is a 23% increase. It was noted that the Highway Superintendent has going up considerably from \$51,500.00 to \$60,000, the town supervisor went up from around \$15,700.00 to \$18,000.00, judge and clerk for the judge also went up. The supervisor stated the non-elected officials went up 3%. Ms. Holliday stated the highway works 40 hours a week. Council Member Travis stated the clerk works a lot more than that. Ms. Holliday stated she knew, but thought the increase was too high. The clerk stated she has been here for 25 years and makes less than \$25 an hour. Other department heads make more money and have only worked here for 5 years. The clerk asked if she should cut her hours to the public.

At 5:34 pm Supervisor Horton closed the public hearing on the budget. The supervisor asked the board if they wanted to address any of the line items in the budget.

Council Member Travis made a motion to increase the court clerk line item up by \$1,000.00. Page 1 A1110.11 up to \$9,000.00. Council Member Travis stated a lot of you don't see that she is here all this time. The supervisor noted the elected official's salaries are set. Council Member Sturgess was not in favor of the increase right now. It is already a 59% increase. Supervisor Horton stated most town justice clerks run around \$30,000.00. This was checked into. Supervisor Horton stated it has been one of his objectives to get good quality people representing the people of our community, and to get them up to some kind of parity with the other municipalities. Council Member Sturgess stated other courts hold court more than one day a week. (Sound system giving feedback) Council Member Sturgess asked if the comparison was apples to apples. He understands that this is not just a one day a week job. The Budget Director Joanne Young is also a town justice in Oppenheim and was asked to comment on this.

Ms. Young stated Oppenheim is different, they don't have a court clerk so the justices do the job of both, and is paid much less. She has worked in other towns as a court clerk for two justices who have court at least once a week. They were making \$25 - \$30 per hour with benefits.

Council Member Travis made a motion to increase the court clerk PS A1110.11 to \$9,000.00. Council Member Glenn seconded the motion. Supervisor Horton noted a salary survey was done years ago, he has tried to bring it forward without much traction. He thought people should be somewhat compensated for the time they invest. The budget officer was directed to increase the line item.

Council Member Sturgess began to discuss the fish stocking. He noted the town already has \$1,500.00 in the line item. He stated the Fish & Game Club do a match to the donation and fish are put in East and West Caroga. Nothing in Canada or Green. Council Member Sturgess stated that Green Lake and Canada Lake get ice fished a lot in the winter. He did not know what it does to the fish population. He thought it would be fair to put another \$1,500.00 in to it. Ice fishing is a massive tourist attraction in this town in the winter which local businesses desperately need.

Council Member DeLuca noted the Fire Department does a fishing tournament each year and they give money to the different lakes that are fished on from the proceeds of the 50/50. Mr.

Fink is online but did not have the details on that. He did state as an association that they contribute to fish stocking. They would match any town funds.

Supervisor Horton noted this came up a month or so ago. Going forward he advised the board, to have a contract, from what he has read. The supervisor stated the attorney was not sure that he would continue on next year and didn't want to get drawn into this issue of town law. It was advised to get into contracts with the various associations to stock fish. This would assure the public that all of the funds are spent on public benefit. The supervisor stated this has to be decided next year. Right now, we are just putting money in the budget and the legality should be researched.

Council Member Sturgess made a motion to increase the line item PLRT – Fish Stocking (name to be changed in the budget to CTC – Fish Stocking) A8720.4 up to \$3,000.00. Council Member Travis stated the money would go to the Fish & Game Club and they would stock all the lakes. It was noted the fish cost about \$6 each or more. Council Member DeLuca wondered if this stocking would be in addition to what is done by the Department of Environmental Conservation (DEC) does. Council Member Travis stated this is just what they do. It was stated that the town does not pay DEC to stock. The town does additional stocking. It was stated that DEC stocks East and West Caroga with 200- 300 fish. Mr. Fink stated that DEC also stocks fish in Canada Lake.

Council Member Sturgess again moved to put \$3,000.00 on the line item A8721.4 Council Member DeLuca agreed. The amount contracted to spend on each lake would be figured out next year. The lake associations would be contacted, and if they matched it, it would be great.

Supervisor Horton advised the future board to check the species being put into the lake. There was a near disaster by almost putting the wrong type fish into the lake. They would have destroyed another species already in the lake. The town should have controls through contracts with these organizations to determine who is doing what and where the money is going and the accountability of this and the type of species being put in. The budget officer was directed to increase the line item.

Council Member Sturgess noted someone with a permit stocks about 1800 rainbows in Canada Lake.

Supervisor Horton asked the board if there were any other line items to discuss. Hearing none the following motion was made.

RESOLUTION #2023-115 to adopt the preliminary budget with two-line item adjustments was offered by Supervisor Horton at a meeting of the Caroga Town Board held on November 8, 2023.

WHEREAS, a public hearing on the Town of Caroga 2024 Preliminary Budget was held this evening, and

WHEREAS, after public comment the board made two adjustments to the preliminary budget as follows:

A1110.11 Court Clerk line item was increased from \$8,000.00 to \$9,000.00 and

A8720.4 Fish Stocking was increased from \$1,500.00 to \$3,000.00 now therefore be it,

RESOLVED, that the Caroga Town Board does hereby move that with these two changes the budget shall be the adopted 2024 Town of Caroga Budget.

Seconded by Council Member Sturgess

Adopted by a roll call vote:

Council Member John Glenn - Yes

Council Member Barbara Deluca - Yes

Council Member Richard Sturgess - Yes

Council Member Donald Travis – Yes

Supervisor Scott Horton - Yes

At 5:50 pm Council Member Travis made a motion to adjourn. The motion was seconded by Council Member Glenn. All board members were in favor of the motion: Horton, Glenn, DeLuca, Sturgess, Travis.

Submitted by,

Caroga Town Clerk

Linda Gilbert, RMC, CMC