

State of New York
County of Fulton
Town of Caroga

Minutes of the Caroga Town Board meeting held Wednesday January 10, 2024 at the municipal building located at 1840 State Highway #10 at 6:30 pm with the following persons in attendance by roll call. The flag salute followed.

Supervisor Ralph J. Palcovic - Here
Council Member John Glenn – Here
Council Member Barbara DeLuca – Here
Council Member Matthew Cooper – Here
Council Member Richard Sturgess – Here

Jeremy Manning – Bike Trail Manager, Steve Stedman – Greens keeper, Dave Cummings – Golf Course Manager, Mike Kunath - BTI Coordinator, and John Livingston – Board of Assessment Review member were in attendance. There were nine members of the public in attendance and an additional two more arrived after 7 pm.

Council Member Sturgess made the motion to waive the reading of the minutes. The motion was seconded by Council Member DeLuca. All board members were in favor of the motion. Palcovic, Glenn, DeLuca, Cooper, and Sturgess.

****Public Comments**

Tor Shekerjian commented as a member of the Short Term Residential Rental committee. He stated their last meeting was in May of 2023. At no time after that was the committee consulted or advised as to what had been finalized. The committee was advised that the town attorney had been unable to review and make final recommendations because of his involvement in town litigation. He asked Council Member DeLuca if she were going to describe any plan tonight for the future of the committee and finalization of this new proposed law.

Anita Long called the board's attention to her two points of correspondence. The first is a letter expressing interest in being appointed to the open position on the Planning Board. She sent a letter describing her energy and experience in contributing fairly and productively to that.

The second point is about a grant with the US Department of Transportation called the Thriving Communities Program (TCP). She reiterated what had already been communicated in writing. She is pleased to report that the grant was submitted and that the Department of Transportation has said that it has progressed to the first level and is now under review. Finalists will be accepted in mid to late January, before the next board meeting. She asked the board to approve what is required of the next step to move forward, which is to approve the Supervisor writing a letter of commitment and also to appoint her, Anita Long as the as TCP Grant Director & Point-of-Contact person. The letter she shared with the board describes as essentially a seed grant. It is a way to build capacity. Essential by building networks and support for planning and grant writing. It is a no cost to the town. The cost is her time which she is putting "forward as a sort of volunteer position for the town." The deliverables are described in the first page of the letter that is drafted. It's just sort

of a proforma about the process that is required by the grant. The benefits of this, she stated, are to establish connections, to have another level of support with the town board project, and bike trail grant, and especially to build capacity with having a point person and connections and setting up for success for future planning and grant writing. She asked the board to vote yes and support the requested resolution.

Linda Gilbert stated that yesterday she received an email from Anita Long. She requested that a resolution be put on the agenda. Since when does the public set the resolutions on the agenda? It appears that Ms. Long has taken it upon herself to pursue the US DOT Thriving Communities Program Grant and wants to be the Grant Director & Point of Contact. Who authorized Ms. Long to follow up on this grant, and when was that meeting held? As far as I know decisions of the board are made here in this room, on the record and in front of the public. The voters of this town only elected a five-member board. Linda Gilbert asked what did Ms. Long decide that the Town of Caroga needed from the US DOT Grant. Who authorized Ms. Long to solicit letters of support for this grant or did she just take the CRG letterhead and create her own letter since neither of the letters submitted were signed. I demand transparency. On NOV. 7th Ms. Long sent me an email inquiring about Town of Caroga ID #s and codes to gain access into various Governmental Agencies. The public does not have the right to that information. I question her place in Caroga government. She was neither elected nor appointed to follow up on this grant. Furthermore, her placement as an alternate on the Planning Board was also a point of concern. (There was applause from one person)

Ms. Long wanted another chance to clarify the points. She wanted to remind the board that at the November meeting the board specifically approved submitting this letter of interest. She stated that the letter was done in collaboration with the town board member exactly as it was approved by the board. Nothing further has been submitted, that is why she gave the board this information and the request is being put forward. The town board has an option to shut the door on this, and DOT has an option to shut the door on this. Ms. Long stated this is an opportunity to provide this information to the board and offered to help. She stated this has been completely transparent and completely approved by the town board.

Department Reports:

Wheelerville Bike Trail – Jeremy Manning noted as of now the trails are closed. Bret Fielding is working on a groomer that we borrowed from someone to groom the trails in the wintertime. It is broken. He has organized a go fund me to repair the motor. Mr. Manning is working on the Smart Growth Grant application which is due at the end of January. Currently he has letters of support from CRG, Fulton Montgomery Chamber of Commerce, Assemblyman Smullen, the County Planning Department, State Assemblyman Mark Walczyk, US Senator Kristen Gillibrand and there are other letters coming in as well. Tonight, he sent the board a late resolution which is an action that needs to be approved tonight for the Recreational Trails Program (RTP) Grant. An authorizing resolution needs to be submitted to New York State. It shows that we accept the RTP funding, “it doesn’t commit us to doing any particular things right now.” The project has to be fully laid out. This just identifies that we accept the funds, and that we name particular people and their rolls and capacity for servicing the grant moving forward. The people he named is the bookkeeper, town supervisor and himself are listed for those administering the grant. Mr. Manning

reviewed and read the highpoints of the resolution he submitted to the board. He noted the fourth resolve is irrelevant as the town is not purchasing any property for this project. This grant is due on February 9th and there isn't another board meeting between now and then.

Council Member Cooper had two questions, when does the money expire? If we accept this what is the expiration date of the money. Mr. Manning replied we have three (3) years to use the funds. Three years from? Mr. Manning stated he was not sure of the actual beginning date, then stated the time has not started yet. He still has to go through the federal highway authority approval process first. Once that has all been done then the clock starts. Council Member Cooper stated we don't know when it expires because..... Mr. Manning stated it hasn't started yet. We have been awarded. There are still many steps to be able to begin the project. If you fail the steps then another applicant gets the funding. We lose if we don't complete these steps.

Council Member Cooper questioned the fourth resolved statement on the resolution granted Mr. Manning stated it is not relevant but it does affect the real property owned by the municipality. It sounds like it talks to easements of land of the municipality, and that is important. Mr. Manning replied "Yeah, it's important." His point there is we are not undertaking any new acquisitions and anytime you are using public funding to put in a trail they want a guarantee that the public will be able to access this. The term on that is 20 years. Council Member Cooper noted when this whole thing started he was not on the board. But this has to do with the connector trail going around the golf course. He thought it was important that this is brought up. Mr. Manning stated the specific location of where exactly things go doesn't mean.... we don't exactly know every single footprint of where this is going to go. He has a general outline of where it can go. Council Member Cooper stated he did not want a cart blanch with Mr. Manning saying we can do whatever we want just to push the resolution through. Council Member Cooper is into details. He wants to see what we are doing and how it effects other things in the town. Mr. Manning replied the resolution is guaranteeing the public has access. If we are using public funding the public should have access to use what is being built with the public funding.

Council Member Sturgess questioned the third resolved where it says the master contract, what is that? Mr. Manning stated it is similar to any grant you accept the terms of any grant you are accepting the master contract – "it's the terms of the grant basically." Council Member Sturgess asked how do we know if that master contract states that the bike trail has to be made as Mr. Manning originally designed it when you originally wanted to go through and around the golf course. Council Member Sturgess did not want to turn down money for the town, but he has a major issue if this effects the golf course. Mr. Manning stated the town can decide it doesn't want to use it, and not do the project then we just don't get the money.

Council Member Sturgess asked at what point in time are we going to have Mr. Manning's plan of where..... when are we going to meet to figure out where this bike trail is going to go to utilize this money? Mr. Manning stated "we have to go through quite a few steps with the Park Agency, with DEC and identify... we have already started this a little bit." More onsite layouts of where things can go easily, and what is the most realistic needs of building an actual trail, what is a good spot for it, all of the things you think about when you build a trail? He stated more site work has to be done. That is something he will be working on identifying this year. "We would not be building this, this year at all." They will be working more on the laying things out part of it.

Council Member Sturgess asked when is the board going to be informed on what the vision is on this trail. Mr. Manning stated he can give an idea of what the general vision is but as far as the specific location he would say one we have more of those meetings with DEC, the ADK Park Agency and with more of the building team about where specifically the trail can go. The goal is to keep the trail as far off the golf course as possible. They do not want to be riding on the golf course. That has always been the plan and it will continue to be the plan. He will put forth the best possible way forward as far as getting a route down there. If the board and public like it and it works he will pursue it. If everyone says we don't want to do it then that's that. As of now the trail cannot go on park agency land. He did not think a trail could be put on park land for quite a while so we have to utilize the town land we have and use it in a way that will give the best possible trail.

Council Member Sturgess stated if Mr. Manning didn't know what the path of least resistance is approved yet by the town board then... would it make more sense to try to get that path figured out first and if it isn't passed by the town board then use the \$88,000.00 in a different direction on a system we already have. Mr. Manning stated he can't this grant was approved with those particular parcels. This grant was approved for the connector trail. The whole point of this is to connect your business district in the Town of Caroga the downtown area with the trail system. The point here is connectivity. It is to connect the trails with the business area. To get users from up here to downtown. That gets people riding, walking, and hiking throughout the town spending money, visiting establishments that is the goal.

Mr. Manning did mean to press the board with this, he just found out this was due on February 9th a few days ago.

At 6:51 pm Supervisor Palcovic closed the public comment section of the meeting.

BTI – Mr. Kunath reported that yesterday he submitted the DEC Pesticide report to the state as required. It is due by February 1st. He held a 30-hour course last month for two new employees. One was scheduled for the pesticide exam last week the other was today. Austin took the exam today and thinks he did great on it. The other hire backed out last week. Mr. Kunath will get his \$100.00 deposit back from DEC for the exam. The clerk replied that the check did come back. Once the test results come back for Austin Mr. Kunath will put in for his license.

Sole Assessor – Loucks

Town Clerk/Tax Collector/Registrar/RMO – Linda Gilbert submitted a monthly report to the board in it the temperature of the office is noted and the use of a secondary heater. To date as tax collector \$390,157.99 a check for \$145,494.00 has been written to the supervisor and another will be issued this week. The Town Clerk presented the 2023 books for audit.

Code Enforcement & Sanitation – Mr. Fancher submitted a report showing that eight permits were issued for a total of \$1200.00 in fees collected with a valuation of \$53,000.00. Business building inspections have been completed for the businesses that are open. The rest will take place as the business opens for the season. Closed out permits are given to the assessor.

Dog Control – No Report from Mr. Dutcher

Golf Course – Mr. Stedman reported that every year he orders about 500 pounds of granular snow mold product. It is a safety buffer for times he cannot get the sprayer out. On December 28th he put about 240 lbs. on the greens. As the snow and rain come it has the potential to wash off the snow mold application which is a gel. Anytime he can apply the granular he does. Right now, the greens have about four applications. The rest may be used in the spring.

Mr. Stedman reported that a few trees have fallen on the course last week and one fell across the cross-country ski trail on #8. He has cut it up and the groomer is able to get through. He had to use the tractor to get up there as turf equipment doesn't have good tires. He has five mower wheels left to do out of twenty-two. Then they will go to grassland for sharpening. He will begin doing fluid changes, hydraulic fluid changes and filters. Holes #4 & #10 are still scheduled to have sod put down on them. Mr. Stedman will order flag sticks, flags, and cups. The ball washers, trash cans and Tee markers are all in good shape. Mr. Stedman and Mr. Cummings have been discussing rates and outings. They have added more events throughout the year. The golf course pesticide report is due February 1st also. He has completed the report and sent it in already. He received an email back that it was received. In a week or so they will tell you if you passed. We have never not passed. Mr. Stedman's commercial pesticide license was up on December 23, 2023. He took a ten-hour renewal class with a test at the end of that. At the last board meeting the cost was approved. Mr. Stedman's new license expires December 23, 2026. The clerk asked for a copy of his license for the town files.

Mr. Manning asked if the resolution he needed would be passed now. Supervisor Palcovic stated it will be done first when resolutions are done. Mr. Manning has a 3-hour drive and left the meeting.

Highway – Mr. Voght was home resting. His staff has over 30 hours of overtime with the weather the last couple of days. They have worked diligently to keep the roads clear the last couple of days. There is an emergent tree cutting in Pine Lake as discussed at the last meeting. It will be going out to contract. Today Supervisor Palcovic noted one of the big plows slid off the road due to conditions and had to get towed out. Council Member Sturgess asked who towed it out. The supervisor did not know.

Lakes Management Program – Council Member Glenn noted the letter on ProcellaCOR did go out to everybody. It will be done the end of May beginning of June. There will be another mailing closer to the date of application.

Town Hall Building – no report

Caroga Tourism Committee – Council Member DeLuca discussed nominating Jenna Knecht to the committee to replace Mr. Palcovic.

Short Term Rental Committee – Council Member DeLuca stated that she distributed to the town board the final copy of the Local Law. It was reviewed by the attorney back in June/July. The document was sent to the board members electronically. Council Member Glenn did ask if it was

reviewed by the attorney. A couple of things that were contradictory were taken out. Council Member DeLuca noted that Tor Shekerjian actually did a lot of the work with this. She appreciates that. An application and inspection sheet have been created which she and the code officer have to finalize. As soon as the document is ready it will be given to the board. Council Member DeLuca asked the board if they had any questions. Council Member Sturgess asked a question (emailed) and it was answered. Council Member DeLuca noted this document needs to be posted. She read that after it is on the desks of the board which it was, the local law is introduced at a public meeting. A hearing must be held before the town board and public notice must be put in the town official newspaper. Five days must elapse between the date of publication notice and the date of the public hearing. After the public hearing the board may vote on the local law. The proposed local law will be posted on the town website. Council Member DeLuca noted it went out to the board members so they could look at it and it didn't have to be ratted back and forth here.

Supervisor's Report:

Supervisor Palcovic will be requesting approval for attendance and reimbursement of expenses for himself and Council person Cooper to attend the required Newly Elected Officials Training Albany NY January 17-19, \$200.00 registration each, Hotel TBD

Supervisor Palcovic will request approval for Alternate Planning Board member Anita Long to attend Planning and Zoning training which is required on January 31,

Supervisor Palcovic noted the town has been advised by New York State Dam Safety inspection that there is a deficiency on the dam on Newkirk Road. Further inspection will be necessary.

The Supervisor noted that the town was notified by New York State Department of Environmental Conservation that they are contemplating the purchase of a 20-acre parcel of land owned by Adirondack Land and Trust identified as 114-5-2-5 it is near Royal Mountain. The Supervisor has a map. Environmental protection funds were going to be used to acquire more land.

Supervisor Palcovic will be appointing as Historian Richard Nilsen. The former historian Tor retired/resigned. Mr. Shekerjian was thanked for his service.

Additionally, in regards to moving forward to getting us back on the web on the monthly meetings there are a couple of things that need to happen. The town has to buy a computer. The Supervisor is also looking to appoint Zack William Vosburgh as a Technical Support person at a rate of \$15.00 per hour.

Old Business:

The Land swap between the town and Rhodes is for the projected moving of the town barn behind the highway garage. There is a piece of property that the board was working to acquire last year. It required a signature which has been fulfilled to move the project forward.

Supervisor Palcovic noted last month it was on the agenda to hire Gordon Baker as janitor.

New Business:

Council Member Glenn noted that when the liaisons were appointed last month one was left out for the Bike Trail. Supervisor Palcovic did not think there was one last year. Council Member DeLuca volunteered to act as the liaison as it goes with tourism.

Supervisor Palcovic made a motion to appoint Barbara DeLuca as the liaison to support the bike trail system. The motion was seconded by Council Member Sturgess. All board members were in favor of the motion. Palcovic, Glenn, DeLuca, Cooper, Sturgess.

Next on the agenda was the review of the Procurement Policy. All board members had a copy of the document. Nothing has changed. Supervisor Palcovic suggested putting an origin date on the document. Council Member Sturgess asked if a resolution was necessary. The clerk stated the board may want to accept the policy.

RESOLUTION # 2024-010 to continue the Procurement Policy as written was offered by Council Member Sturgess at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, all board members were given copies of the Town of Caroga Procurement Policy and did review said document, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to adopt the procurement policy for 2024 with the notation that a date be placed on the document and it will be on file in the Town Clerk's office:

Seconded by Council Member Glenn

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

Supervisor Palcovic announced the correspondence:

On November 30th Philip Beckett CPA conducted an audit. The clerk noted that all audits are public information. She noted people can ask for it but since the town has a website the clerk asked permission to publish the document on the town website. The Supervisor approved the placement on the town website. Council Member Sturgess asked if someone wanted to submit a Freedom of Information Law (FOIL) request for the audit would they be told to go to the website. The clerk stated if someone made a FOIL request she would directly email the document to them. The clerk tries to make it easy for the public to obtain what they need. The clerk noted she received a FOIL from the Leader Herald asking for the top earners in the "Town of Caroga for 2023". Supervisor Palcovic stated it is on the state website. The Clerk asked if that meant the people who live in this town. The request did not say they were asking for information on employees of the Town of Caroga. Council Member DeLuca noted they do that a lot for the City of Johnstown. Supervisor Palcovic noted the information is on Seethroughny.

Letter 12/13 from Allen Farber expressing disappointment in decision by ZBA
Letter 12/13 from Chris Rohrs objecting to ZBA decision
Letter 12/13 from Rick Fink requesting the ordinance be enforced

Supervisor Palcovic noted the Fulton County Transfer Station Closed 1/15 and Open 1/16 in observance of Martin Luther King Day.

Supervisor Palcovic received a letter from Justice Subik to have his books audited on January 29, 2024 @ 5 pm. The clerk asked who would be doing the audit. The Supervisor and Council Person DeLuca was the response.

County Memo on Workers Compensation
Resignation of Ralph Palcovic from Caroga Tourism Board

RESOLUTIONS:

RESOLUTION #2024 -011 authorizing the signing of the Agreement between the Town and Fulton County for Planning Services was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the town received three copies of a contract for Planning Services between the town and the Fulton County Planning Department dated January 2, 2024, and

WHEREAS, the agreement was sent to the Town attorney for review and his signature, now therefore be it

RESOLVED, that the Town of Caroga desires to enter into a contract for services for a period beginning on January 1, 2024 for one year and the County shall provide the first ten (10) hours at no cost to the town and that the town shall only be billed for the actual number of hours spent by the county performing work tasks under this agreement in an amount not to exceed \$1,500.00 in 2024, and be it further

RESOLVED, that the two-page agreement is on file in the clerk's office for inspection.

Seconded by Council Member Sturgess and DeLuca

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024 - 012 to purchase an Acer 15.6 FHD Intel Core i5-1155G7 2.5 GHZ with windows to run zoom meetings and utilized throughout the town's infrastructure for computer-based needs, was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the Caroga Town Board desires to continue to hold hybrid meetings, that being in person and using zoom, and

WHEREAS, it is necessary to purchase a computer to complete that goal with Supervisor Palcovic getting three quotes for an Acer 15.6 FHD Intel Core i5-1155G7 2.5 GHZ with windows 1)

Canada Lake Computer \$849.00, 2) Acer \$899.99 and 3)Travel Mate \$981.99, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to purchase the computer from Canada Lake Computer Caroga Lake NY our IT vendor in the amount of \$849.00, the lowest price for the computer.

Seconded by Council Member Sturgess

Council Member Sturgess asked Tor whose camera was used in the past. It was stated that the camera is owned by the town. A tripod will also be needed. The supervisor noted Canada Lake Computer knows what our needs are. Tor did have a conversation with Brian of Canada Lake Computers.

Council Member Sturgess questioned the need for a resolution as it is under the requirement guidelines on the procurement policy. The clerk noted resolutions are indexed motions are not. If anyone wanted to know about this purchase it is easier to locate under a resolution. A motion will be indexed in the minute book it was noted.

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

Council Member Sturgess asked about accepting the Local Law before setting the public hearing the clerk agreed.

RESOLUTION #2024 – 013 to accept the Draft Proposed Local Law #1 of 2024 a law to regulate Short Term Residential Rentals in the Town of Caroga as introduced by Council Member DeLuca, was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the four-person committee consisting of Council Member DeLuca, Code Officer Anthony Fancher, Planning Board Chairman Alan Kozakiewicz and Tor Shekerjian spent numerous hours drafting this proposed legislation, and

WHEREAS, the Town Attorney Christopher Langlois did review and recommend changes to this proposed Local Law, now therefore be it

RESOLVED, that the Caroga Town Board does here by move to accept the draft Proposed Local Law #1 of 2024 as introduced, a law to regulate Short Term Residential Rentals in the Town of Caroga.

Seconded by Council Member Glenn

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024 - 014 to schedule a public hearing on Proposed Local Law #1 of 2024 Short Term Residential Rental Law was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, a committee of four worked to create a proposed Local Law to regulate Short Term Residential Rentals over the past year, and

WHEREAS, Council Member DeLuca distributed the Short Term Residential Rental document to all board members at least 10 days prior to this meeting and did introduce the Local Law at the January 10, 2024 Town Board meeting, now therefore be it

RESOLVED, that the Caroga town Board shall hold a public hearing at 6:30 pm February 14th 2024 on Proposed Local Law #1 of 2024 a Short Term Residential Rental Law.

Seconded by Council Member Sturgess

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

The clerk noted that if any substantial changes are made to the document (local law) the board would then have another public hearing.

RESOLUTION #2024-015 to sign annual agreement with St. Mary's Employee Assistance Program until 12/31/2024 the fee is \$34.00 for each full-time employee the town has 12 Full time employees total \$408.00, was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, each board member received a copy via email of the agreement with St. Mary's Employee Assistance Program prior to the meeting, and

WHEREAS, Supervisor Palcovic noted the agreement covers all employees and their families for the period from 1/1/24 to 12/31/24, with the fee of \$34.00 for each of the twelve (12) full-time employees for a total cost for the year of \$408.00, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to have Supervisor Palcovic sign the annual agreement with St. Mary's Employee Assistance Program for the year 2024, and be it Further **RESOLVED**, that the five (5) page contract is on file in the clerk's office.

Seconded by Council Member Sturgess

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024-016 Supporting Empire State Development's (ESD) Designation of a Specific Point Person to Lead the State's Efforts on Enhancing Cellular Coverage, and further Encouraging the State to Implement a Unified Strategy to Assure Major Road corridor has Reliable Cell Coverage as recommended by ESD'S Upstate Cellular Coverage Task Force Final Report was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the Caroga Town Board has taken the time over the past two months to review a resolution in support of the Empire State Development for a specific point person, and

WHEREAS, cellular service is vital to public safety and the economic wellbeing of communities throughout the Adirondack Park; and

WHEREAS, county officials report that approximately 70 percent of 9-1-1 calls originate from cellular phones; and

WHEREAS, in a recent survey hosted on a State Senate website of almost 2,000 Adirondack Park residents, 99 percent of respondents reported owning a cellular phone and 57 percent reported that they rely exclusively on a cellular phone; and

WHEREAS, dependency on cellular service is significant and growing, which speaks to the absolute necessity of improved coverage and service; and

WHEREAS, the State of New York helped respond to this reality in the North country by working aggressively to deploy COWS (Cells On Wheels) to provide adequate emergency response capacity to serve visitors to the World University Games; and

WHEREAS, State officials are proposing that Empire State Development (ESD) designate a point person to coordinate the state's efforts to enhance cellular coverage, similar to the manner in which ESD designated a point person to coordinate the state's efforts to expand broadband coverage; and

WHEREAS, the Office of Renewable Energy Siting (ORES), which works to align all state agencies and state policy regarding renewable energy siting and implementation, serves as another successful example of the state coordinating its strategy on important infrastructure matters; and

WHEREAS, barriers to achieving the state's goals with respect to both broadband and cellular coverage enhancement continue to exist within some state agencies, including but not limited to NYSDOT right-of-way requirements, tax policy, and APA restrictions, and an approach similar to ORES would be beneficial in overcoming these barriers; and

WHEREAS, improving broadband and cellular coverage is a safety issue, a public imperative widely demanded by our constituents, and has become increasingly regarded as a basic necessity; and

WHEREAS, some state policies, especially the APA's "substantial invisibility" standard, are not keeping pace with these trends and instead becoming antiquated and counterproductive from the perspective of emergency services best-practices in place elsewhere in New York State, including co-location of multiple telecommunication systems on cell towers; and

WHEREAS, APA'S longstanding claim that the telecommunications industry does not oppose the "substantial invisibility" standard is inaccurate, demonstrated most recently in comments entered by Nixon Peabody into review of the 2002 APA Tower Policy, which recommend "that the Agency modify its 2002 policy that requires telecommunications facilities over 40'tall be "substantially invisible," and which characterize that requirement as an "arbitrary standard [that] is the main

impediment to delivering much needed reliable wireless telecommunications service to a greater portion of the Park;" and

WHEREAS, the general public is increasingly supportive of common-sense policy changes that promote a more appropriate balance between public safety and aesthetics while maintaining sensitivity to the environment, as reflected in the aforementioned public opinion survey, in which 90 percent of respondents supported changes to the APA's "substantial invisibility" standard; and

WHEREAS, the state has begun taking steps indicating that policymakers recognize these challenges, including the issuance of Empire State Development's Upstate Cellular Coverage Task Force Final Report and APA's advancement of a General Permit to assist with cellular coverage expansion; now therefore, be it

RESOLVED, that the Town of Caroga hereby supports the proposed designation by ESD of a point person to coordinate the state's efforts to enhance cellular coverage, and formally asks Governor Kathy Hochul to further enhance the state's efforts on broadband and cellular coverage expansion by employing a model similar to ORES that is respectful of the home rule process and designed to streamline policymaking across state agencies in pursuit of moving the state more expeditiously toward its goals; and be it further

RESOLVED, that the Town of Caroga hereby joins emergency service and telecommunication professionals, and other towns and villages across the Adirondacks, in urging the APA and the Governor to review the 2002 APA Tower Policy's antiquated "substantial invisibility" standard, which stands as the main impediment to delivering reliable telecommunication services necessary for public safety in large portions of the Adirondack Park; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Kathy Hochul, Adirondack Park Agency Executive Director Barbara Rice, State Senator Dan Stec, State Senator Mark Walczyk, Assemblyman Matt Simpson, Assemblyman Billy Jones, Assemblyman Ken Blankenbush, Assemblyman Robert Smullen, AATV and Adirondack Inter-County.

Seconded by Council Member DeLuca

Discussion: Council Member Sturgess asked who is being appointed. Supervisor Palcovic stated it is a point of contact.

Adopted by a vote of four Ayes: Palcovic, Glenn, DeLuca, Cooper,
Council Member Sturgess recused himself on this vote.

Council Member Sturgess noted that the resolutions for the golf course rates and a policy for gift certificates were not quite ready yet. It will be on next month's meeting.

Council Member Sturgess did not know who the supervisor had in mind for the zoning board. Council Member DeLuca stated Doug Purcell. Mr. Purcell submitted a letter of interest at the December town board meeting. The board wanted to talk about the applicants for the appointment

to the planning board. Supervisor Palcovic wanted to clarify and discuss with the board the applicants for the open planning and zoning board of appeals seats.

At 7:27 pm Council Member DeLuca made a motion to go into an executive session to discuss the appointment of particular people. Council Member Sturgess seconded the motion. All Board members were in favor of the motion. Palcovic, Glenn, DeLuca, Cooper, Sturgess.

At 7:52 pm Council Member Sturgess made a motion to exit from the executive session. Council Member Cooper seconded the motion. All Board members were in favor of the motion. Palcovic, Glenn, DeLuca, Cooper, Sturgess.

There are five (5) attendees at this point in the meeting.

RESOLUTION #2024-017 approve Supervisor Ralph Palcovic sending a Letter-of-Commitment for the US Department of Transportation's Thriving Communities Program (TCP) Grant was offered by Council Member DeLuca at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, at the Caroga Town Board regular monthly meeting in November of 2023 Council Member DeLuca discussed with the board her desire to send a letter of interest to the US Department of Transportation's (DOT) Thriving Communities Program Grant, and

WHEREAS, a resolution by the current Town Board is now needed to approve Supervisor Palcovic sending a letter of Commitment for the US Department of Transportation Thriving Communities Program (TCP) Grant if selected as a finalist later in January, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to approve Supervisor Ralph Palcovic sending a Letter-of-Commitment for the US Department of Transportation's Thriving Communities Program (TCP) Grant.

Seconded by Council Member Sturgess

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024 – 018 to appoint a Zoning Board of Appeals member whose term shall end on 12/31/24 was offered by Council Member DeLuca at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the town received several letters of interest to serve on either the planning or Zoning Board of Appeals, and

WHEREAS, the Town board did enter into an executive session this evening to discuss the appointment to be made to the Zoning Board of Appeals, now therefore be it

RESOLVED, that Jennifer Blowers of Caroga Lake NY is hereby appointed to serve as a member of the Zoning Board of Appeals and whose term shall end on December 31, 2024.

Seconded by Council Member Cooper

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024 – 019 to appoint an alternate member to the Zoning Board of Appeals whose term shall end on 12/31/24 was offered by Council Member DeLuca at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the town received several letters of interest to serve on either the planning or Zoning Board of Appeals, and

WHEREAS, the Town board did enter into an executive session this evening to discuss the appointments to be made to the Zoning Board of Appeals, now therefore be it

RESOLVED, that Douglas Purcell of Caroga Lake NY is hereby appointed to serve as the alternate member of the Zoning Board of Appeals and whose term shall end on December 31, 2024.

Seconded by Council Member Cooper

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024 – 020 to appoint a Planning Board member whose term shall end on 12/31/26 was offered by Council Member DeLuca at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the town received several letters of interest to serve on either the planning or Zoning Board of Appeals, and

WHEREAS, the Town board did enter into an executive session this evening to discuss the appointments to be made to the planning and zoning board, now therefore be it

RESOLVED, that George Hamilton of Caroga Lake NY is hereby appointed to serve as the member of the Planning Board and whose term shall end on December 31, 2026.

Seconded by Council Member Sturgess

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024-21 to approve training expenses was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the Association of Towns (AOT) offers a training session for newly elected officials, and

WHEREAS, Supervisor Palcovic and Council Member Cooper desire to attend this training in Albany NY January 17 – 19, 2024, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to approve all expenses associated with the Association of Towns training.

Seconded by Council Member Sturgess

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024-022 authorizing the Alternate member of the Planning Board to attend certification training in Saratoga, the new Planning Board Member, and the Zoning Board of Appeals member was offered by Council Member Sturgess at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, all Planning & Zoning Board of Appeals members and alternates are required to have four (4) hours of training each year, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to approve the Alternate member of the Planning Board Anita Long, Zoning Board of Appeals Member Jennifer Blowers, Alternate Zoning Board Member Doug Purcell, and Planning Board Member George Hamilton and to attend the training on January 31, 2024 in Saratoga NY with the town covering the cost of the training and mileage.

Seconded by Council Member Cooper

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024-023 for the Town Supervisor to appoint a historian was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the Arts and Cultural Affairs Law § 57.07 states that the historian serves at the pleasure of the supervisor, now therefore be it

RESOLVED, that Supervisor Palcovic does hereby move to appoint Richard Nilsen of the town of Caroga as historian and whose term shall run until December 31, 2025.

Seconded by Council Member DeLuca and ratified by Council Member Glenn

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024-24 to hire Zach Vosburg to be the supervisor's computer technician was offered by Supervisor Palcovic at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the Caroga Town Board desires to hold hybrid meetings, that being in person and using zoom, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to hire Zach Vosburg to be the computer technician to facilitate the use of Zoom at Town Board meetings.

Seconded by Council Member DeLuca

Discussion: Council Member Sturgess asked if we needed to create this position. Supervisor Palcovic stated that is why we are making this resolution. The supervisor stated it was a good question.

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

The clerk discussed with the board an applicant for the Planning, Zoning and Board of Assessment Review. Christine Putman is the wife of Mark Putman and they are refurbishing Marcus Putman's house. She sat in on one of the planning meetings and has agreed to take the minutes. Earlier in the week the Supervisor and the acting clerk discussed the rate of \$20.00 per hour. This is a twice a month position.

RESOLUTION #2024-25 to hire Planning & Zoning Secretary and Board of Assessment Review clerk at a rate of \$20.00 per hour was offered by Council Member Sturgess at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the planning and zoning board of appeals is in need of a secretary, and also the Board of Assessment review, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to appoint Christine Putman to serve as the secretary to the planning and zoning board and also as the Board of Assessment Review Clerk at a rate of \$20.00 per hour.

Seconded by Council Member DeLuca

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024-026 to hire Gordon Baker as the custodian at the budgeted rate was offered by Council Member Sturgess at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, the Caroga Town Board has identified a need to hire a custodian, and

WHEREAS, last year two board members talked to Gordon Baker about working as the custodian, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to hire Gordon Baker of Caroga Lake as the custodian at the budgeted rate.

Seconded by Council Member Glenn

Discussion: Council Member Sturgess stated he did not like how a previous board member assumed the rate needed to be higher without going over it with the board.

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

RESOLUTION #2024 - 027 for the 2024 Official Undertaking of Municipal Officers

Offered by Supervisor Palcovic

Seconded by Council Member DeLuca

Issued at the January 10, 2024 regular monthly meeting of the Caroga Town Board

WHEREAS, Ralph J. Palcovic of the Town of Caroga, County of Fulton, New York has been elected to the Office of Supervisor of the Town of Caroga, and

WHEREAS, Larry Voght of the Town of Caroga, County of Fulton, New York has been elected to the Office of Highway Superintendent of the Town of Caroga, and

WHEREAS, Matthew Cooper of the Town of Caroga, County of Fulton, New York has been elected to the Office of Council Member of the Town of Caroga,

WHEREAS, Richard Sturgess of the Town of Caroga, County of Fulton, New York has been elected to the Office of Council Member of the Town of Caroga, **NOW**,

THEREFORE, we as respective officers above, do hereby undertake with the Town of Caroga that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer in accordance with the law: and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property. Including any special district funds, belonging to the Town coming into his hands as such Supervisor; and

The Town does and shall maintain insurance coverage, presently with NBT- Mang Insurance Agency. LLC in the sum of \$250,000.00 for the Supervisor, \$250,000.00 for the Highway Superintendent, and \$250,000.00 for all other employees.

Dated: January 10, 2024. Town of Caroga and to be signed by the above mentioned:

Adopted by a roll call vote:

Supervisor Palcovic – Aye

Council Member DeLuca – Aye

Council Member Sturgess - Aye

Council Member Glenn – Aye

Council Member Cooper – Aye

RESOLUTION #2024 – 028 delegating signing authority to execute the Master Contract for the Office of Parks, Recreation and Historic Preservation as it pertains to funding of the Wheelerville Bike Trail Project, was offered by Supervisor Palcovic and Seconded by Council Member DeLuca at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, Jeremy Manning Wheelerville Bike Trail Manager brought forth the following resolution to the Caroga Town Board to review and implement as necessary for the Master Contract of the Office of Parks, Recreation and Historic Preservation Recreational Trails Program for the Wheelerville – Caroga Connector Trail Project, and

WHEREAS, that the Town of Caroga has applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) under the Recreational Trails Program for the purpose of funding Wheelerville-Caroga Connector Trail Project, now therefore be it

RESOLVED, that the Town of Caroga is authorized and directed to accept these grant funds in an amount not to exceed \$88,600 for the project described in the grant application; and be it further

RESOLVED, that the Town of Caroga is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for the Wheelerville-Caroga Connector Trail Project; and be it further

RESOLVED, that the Town of Caroga is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and be it further

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Town Supervisor; Trails Manager; Bookkeeper.

CERTIFIED TRUE COPY

I, Linda Gilbert, Town Clerk of Town of Caroga, hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the Town of Caroga, at a meeting duly and regularly held on January 10, 2024, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.

Dated: _____

Signature: _____
Town Clerk

This discussion below took place before the resolution was voted upon but was not included in the body of the resolution sent to the Office of Parks, Recreation and Historic Preservation.

Council Member Cooper noted his concern about land usage. He stated when the previous board first approved the initial application Council Member Sturgess spoke up about getting his big plan done to submit the application. Council Member Cooper stated his concern is he didn't think any work should be done or take place until the town board approves the plan. Council Member Cooper noted the board does not have a plan as to where the trail is going yet. There is a rough sketch. Even here tonight Mr. Manning stated he didn't have the final plan of where it is going and how it is going to affect the other properties in the town that it is going to go through – mainly the golf course. He wanted it stated that prior to any progress going forward with the trail that the board has to approve it. Council Member DeLuca stated she was pretty sure that is something that was part of the proposal that he made when he talked about this grant in the beginning. She stated the Mr. Manning stated this was his idea “we had to come up with an idea of some sort for them, but there was nothing set in stone.” Council Member Cooper agreed. Council Member DeLuca stated it's not like he is going to start riding bicycles across the 18th fairway. Council Member Cooper stated it was conceptual and he understands that but if we are going to accept this we have to come up with a plan. Supervisor Palcovic stated we have a liaison. Council Member DeLuca stated that he won't be doing that unless he comes to the board with a plan. Council Member Cooper stated if we put it in the resolution then he has to. Council Member DeLuca did not think this was the resolution it belongs in. Council Member Sturgess suggested making another resolution after this one is passed. Both Council Members Cooper and DeLuca agreed.

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

The Brennan Humane Society Contract will be discussed at the next meeting due to technical difficulties in distributing it to the board.

RESOLUTION #2024-029 a resolution to control the growth of the Wheelerville Bicycle Trail System was offered by Council Member Cooper at the regular monthly meeting of the Caroga Town Board held on January 10, 2024.

WHEREAS, resolution #2024-028 was passed earlier this evening on the urging of Jeremy Manning - Wheelerville Bike Trail Manager as the resolution needed to be filed with the Office of Parks, Recreation and Historic Preservation under the Recreational Trails program on February 9th 2024, and

WHEREAS, a concern about land usage namely the Nick Stoner Municipal Golf Course parcel was raised by Council Member Cooper, now therefore be it

RESOLVED, that no funds are expended or work takes place on this new connector trail from the Office of Parks, Recreation and Historic Preservation Grant until the finalized trail plan is approved by the Caroga Town Board.

Seconded by Council Member Glenn

Adopted by a vote of five Ayes: Palcovic, Glenn, DeLuca, Cooper, Sturgess

Supervisor Palcovic made a motion to approve the bills as presented for audit Council Member Sturgess seconded the motion. All board members were in favor of the motion. Palcovic, Glenn, DeLuca, Cooper, Sturgess.

Council Member Sturgess asked that the board review the agenda to make sure nothing was missed as the supervisor's report also had resolution in it as well.

Council Member DeLuca made a motion to approve the minutes of the December 13th and December 28, and Jan 4, 2024 Town board meetings. Council Member Sturgess seconded the motion. All board members were in favor of the motion. Palcovic, Glenn, DeLuca, Cooper, Sturgess.

At 8:12 pm Supervisor Palcovic made a motion to adjourn. Council Member Sturgess seconded the motion. All board members were in favor of the motion. Palcovic, Glenn, DeLuca, Cooper, Sturgess.

Submitted by

Linda Gilbert RMC, CMC
Caroga Town Clerk

Prepaid #'s 1 – 20 \$5,438.41

General Fund #'s 1 – 32 \$27,973.91

Highway Fund #'s 1 – 13 \$23,800.22