

State of New York
County of Fulton
Town of Caroga

Minutes of the Town Board Work Session held May 3, 2017 for the Eminent Domain Public Hearing to amend the Morey Road Project. The meeting was held at Caroga Town hall with the following persons in attendance.

Beth Morris – Supervisor
John Glenn – Council Member
Anthony Sturchio – Council Member
Jeremy Manning – Council Member

Others in attendance were Sal Ferlazzo – Town Attorney, Court Reporter-Laura Couch (518) 495-3830, and Attorney Ayres for the plaintiff were also in attendance. There were approximately 45 people in attendance.

The meeting began at 7:06 pm. This hearing is being recorded and a transcript is being prepared. There will be opportunity for public comments at the end of the Hearing. The purpose of this hearing is to meet the legal requirements of Article 2 of the Eminent Domain Procedure Law. Notice of this Hearing was published in The Leader-Herald on April 17, 18, 19, 20, and 21. This hearing will provide information on the amended Morey Road project, including background and the activities that the Town has undertaken up to this point. The project will be fully described, and the public use, benefit or purpose to be served will be discussed.

Attorney Ferlazzo describe the brief history of the proposed project. Morey Road has been in use as a public access road to State Lands for decades. The main use is in the winter by snowmobilers to access paths on the state land. The Town would like to acquire title to the road to make it easier for people to access the land, and most of the property owners along the way agreed, but this was objected to by the Johnsons and Estate of Walsh, who put up a fence two years ago to block historical usage.

Objecting property owners filed suit against the Town to stop them from improving the road, and instead of litigating, the Town is going to consider taking the road, about a 15 feet section most of the way till the very end where it narrows down to a 10 feet section. Through eminent domain to make sure it is ready for the next snowmobile season.

Exhibit A. is a smaller copy of two larger boards to show the public. This is the second time through on this, the configuration has changed slightly. There was an appeal in the appellate division by a couple of the parties the Johnsons and the Estate of Walsh. He noted the Agosto's did not join in. The legal notice was in question. Procedurally the legal notice has to be published 5 consecutive days. The newspaper does not public legal notices on Sunday. He wanted to make sure there wasn't a procedural error. The exhibit shows Morey Road and where the road ends, where the property owners have agreed, and where the eminent domain taking which

effects 1.06 acres. A true and accurate copy of the maps used here today, different only in that they are paper copies and are in a size able to be reproduced if requested.

Exhibits B and C. A copy of the Notice of Public Hearing, which was published in The Leader-Herald on April 17, 18, 19, 20 and 21 and an affidavit attesting to such publication, is included in the Record. Attorney Ferlazzo reads the exhibit into the record. **Exhibit C** is the certified copy from the Leader Herald.

Affected properties are:

- 1) SBL 67.-1-10 (Christian Simonds) - we are in the process of negotiating an agreement with Mr. Simonds to the affected portion of his property outside of the eminent domain process; we expect that this will be completed in the next month or so.
- 2) SBL 67.-1-12.1 (Justin Brandt) – we are in the process of negotiating an agreement with Mr. Brandt to the affected portion of his property outside of the eminent domain process; we expect that this will be completed in the next month or so.
- 3) SBL 67.-1-12.11 (Mary Nickola) – We have received a signed deed to the affected portion of Ms. Nickloy’s property, and will be filing it with the County.
- 4) SBL 67.-1-6 (Charles and Mercedes Augusto) – Mr. and Mrs. Augusto have not made their feelings on this process known, and have not responded to our requests to resolve outside of the eminent domain process.
- 5) SBL 67.-1-13 (Suzanne Walsh) – Ms. Walsh objects to this process.
- 6) SBL 67.-1-5 (Kevin & David Johnson) - we are in the process of negotiating an agreement with Mr. Johnson to the affected portion of his property outside of the eminent domain process; we expect that this will be completed in the next month or so.
- 7) SBL 67.-1-4 (Charles & Helen Johnson) – Mr. and Mrs. Johnson object to this process.
**Note, on the map their property is labeled as Schwab Trust.

Exhibit D. A copy of the notice of the public hearing mailed to affected property owners which Attorney Ferlazzo has identified previously, sent by certified mail, return receipt requested on April 21, 2017.

Attorney Ferlazzo noted there was a prior presentation at the hearing held on October 12, 2016 the following individuals spoke in favor of this project, and their testimony is being incorporated by referenced today as **Exhibit E.**

- a. John Ivancic
- b. Craig Ivancic
- c. Jamie Ward – Mayor of Mayfield

- d. David Brio – Past President of Nick Stoner Club
- e. Mark Yost – Fulton County Highway Superintendent
- f. Ralph Palcovic
- g. Gail Fisher – owner of Nick Stoner Inn and Pleasant Lake Inn
- h. Howard Dutcher
- i. Mary Nickloy

Additionally, at the prior hearing, the Town entered into the Record a number of maps and documents which remain relevant to this project. The Hearing Transcript from October 12, 2016, along with the hearing Record Exhibits 1-3, 6-10 and 12. Again **exhibit E**.

The Town Assessor has submitted a letter on the economic impact of the proposed acquisition, which Attorney Ferlazzo read. It was included in the record as **Exhibit F**.

Town Highway Supervisor has submitted a signed statement which was read by Attorney Ferlazzo. It will be included in the Record as **Exhibit G**. He is a joint applicant. He noted the property has been used as a town road for a long time.

Exhibit H: Letters were written to Michael Crew at Department of Environmental Conservation, Brian Ford at the Adirondack Park Agency, and Jim Mraz of the Fulton County Planning Department - all Dated April 26, 2017 input was asked for up to 20 days of the letter. The public may also submit input after the close of the hearing until the deadline. DEC plans to respond.

Craig Ivancic VP of Nick Stoner Trailers submitted **Exhibit I:** A letter dated May 31, 2016 to Craig Ivancic from the NYS DEC Robert Stegemann a two page document. It is an extension to the existing volunteer stewardship agreement. This allows the Nick Stoner Trailers to perform work on state land as it pertains to grooming and maintenance.

Exhibit J: Slide presentation showing various snowmobile trails and how they are connected and funded. One slide referenced a trail going back to 1905 connecting Morey Road. Traffic patterns were discussed and the effects the closing off of the trail has on businesses, and riders as it pertains to safety.

Exhibit K: Memoirs of an Adirondack Native Son by Robert Emmitt Stock it was printed in 1980 and was given to Harold King. It is five pages 35, 36, & 37 presumably of that book. Orange tabs mark various pages.

Exhibit L: Trent Atkinson conducted some research on highway abandonment law. There are some case studies and highlights some deeds of owners on Morey Road. There are four pages.

Council Member Sturchio noted the state maps that are printed show Morey Road as a corridor, so this could have really be a safety hazard for someone who did not know the road was closed. A story was related about riders from Cherry Valley who had difficulties due to the road closing was told by Mr. Ivancic. **Exhibit M:**

Speakers at the public hearing were:

Christian Simonds he rents his cabin during the winter and has loss of revenue.

Attorney Ferlazzo noted as part of the eminent domain process, the Town is required to go through the SEQRA process.

He asked the Highway Superintendent questions on the:

- 1) Change in use or intensity of use of land?
- 2) Impair the character or quality of the community?
- 3) Adverse change in the existing level of traffic?
- 4) Impact to private water supplies?
- 5) Adverse change to natural resources?

Attorney Ferlazzo reiterated that the town's position is and always has been that it owns the road already. Prior to this point, the Town has engaged in negotiations and communications with all affected parties to attempt to resolve this without need to resort to eminent domain. Due to the failure of negotiations with Johnson/Walsh/Augusto, the Town has decided to take the land through eminent domain.

The eminent domain process is as follows:

- 1) Following this hearing, the record will be available for review or copying.
- 2) The Town will issue a determination and findings within ninety days, no later than August 2, 2017.
- 3) Following this, the Town will offer fair market value as determined at the time of the offer for the land.
- 4) Affected property owners have the right to challenge the findings and determination of the Town, as well as the sufficiency of the offer.

The floor was then opened for public comments. As a record of this hearing is being kept, Attorney Ferlazzo asked everyone to please speak clearly and slowly to allow the reporter to accurately capture your comments. Please introduce yourself and spell your name so that the reporter can capture it. As a reminder, public comments will be limited to three minutes per

commenter, and will proceed in an orderly fashion. All public commenters must be civil and respectful, and if he or she cannot abide by this restriction, he or she will be removed. Written comments and documents will be received in the Town Clerk's Office up to the close of business on May 23, 2017. Any written comments and documents received on or prior to that date will become part of the record.

Public Comment:

Rich Blackton of Pine Lake Lodge lost a lot of business this has impacted his business.

Joseph Farina has had a cabin on Morey Road since 1969. It has always been a road.

John Rawson wants his 16 year old next year to be on the trails not the lake.

Christian Simonds asked why Mr. Johnson got a reduction in his taxes.

Mr. Kenneth Ayres Attorney was appearing on behalf of the estate of Suzanne L Walsh and Charles Johnson and Helen Johnson. He noted there is a proceeding pending in the Appellate Division 3rd Department in Albany. He requested the town and Highway Superintendent to await the decision before taking any further action. There is no valid public purpose or benefit to be served by this proposed project. Attorney Ayres stated the town has no clear legal authority to exercise its general power of eminent domain to take land for the proposed project. Attorney Ayres has been informed by his clients that they could not acquire pertinent information and maps from county officials and County Planning Department. The basis was because they said the town's attorney had advised them (the county officials) not to provide publically available information to his clients if it related to the proposed project area.

Attorney Ferlazzo stated that was false. He considered the statement defamatory. Attorney Ayres was asked not to make faceless statements.

Attorney Ayres asked that the public hearing be kept open for 2 weeks so interested persons including his clients could submit additional documentation, exhibits and comments. The date of May 23 was agreeable to Attorney Ayres. He requested an opportunity to examine the exhibits submitted. Attorney Ayers requested a copy of the stenographic record of the public hearing and a copy of the exhibits within a reasonable time.

He presented a document 2 ¾ inches high. **Exhibit N**, was given to the clerk of the board.

Exhibit O: 2016 Snowmobile map

Exhibit P: Hiking map

More Public Comment:

James Mc Martin Long is the son of Author Barbara Mc Martin who wrote books entitled "Walks and Waterways" & "Old Roads and Open Peaks." He walked Morey Road as a child in the late 50's and it was public.

Dave Briot former President of the Nick Stoner Trailers noted the club has been maintaining the road for years. They get reimburse by the County for this work. The road has always been maintained. They have submitted documentation to the county. They have a stewardship with DEC to maintain that trail system. He noted years ago the county maintained all the snowmobile trails. Then it was changed over to the clubs.

Kim Hart noted these clubs represent a lot of people who use these trails. Nick Stoner has 173 members and the Stratford club has 88 members.

Rick Gilmore noted a lot more people use the trails.

John Rawson noted Oppenheim has over 600 members in their club.

Lauren Lozier commended the town board for their actions and efforts. She has been riding our trails since 1990. There are certainly trails that extend over the Morey Road. She wanted to talk about the safety issue. She stated there are about 16 good days to ride snowmobiles. People are desperate to get out and ride. They will ride the lake. She and her husband have pulled people out of the lake at least 3 times. Other members of the community have helped people who were lost. Our fire department has had to respond and help also. She thought it was shameful for someone to buy a property 3 years ago and create this situation. The community is trying to revitalize itself, and bring in tourism, the town wants to encourage young professional who like to hike, boat, and snowmobile. Morey Road is a key trail for safety purposes and access bringing people in and letting us out. It provides safe family activities in a small rural community. Shame – Shame on someone who buys a property where the trail has been there since 1905 and call it theirs and drop trees creating a safety hazard.

Steve Putman as a resident he noted two years ago when Mr. Johnson was involved with the property there was a logger on the Walsh property. Neither one approached the road about fixing the road but they called him personally as a contractor to help them improve the road. At that time Mrs. Johnson had no objections. He delivered at least 20 loads into that road. He is a native of Caroga Lake and he has always used that road. Robert & Jenny Medley owned the Agosto property they did horse rides up there and hunted up there. There was never a problem. There was more traffic back then than now. He rode snowmobile up there.

Christian Simonds noted when he bought his property 3 years ago there was a state sign for corridor 8 NYSDEC for a state trail. The sign disappeared when Mr. Johnson's Keep Out signs went up.

Sal Ferlazzo apologized for being upset with Mr. Ayres. He has never told a town or county official not to give public records to anyone. There must have been a miscommunication that he received from his client. He found it offensive. He stated they have every right to any public record that is available under FOIL. They should be given any records they request.

As a reminder, Attorney Ferlazzo noted written comments and documents will be received in the Town Clerk's Office up to the close of business on May 23, 2017. Any written comments and documents received will become part of the record. Once completed, copies of the record will be available for inspection or copying during normal business hours at the Town Clerk's Office and the Fulton County Clerk's Office in Johnstown. Determinations and findings will be published in The Leader-Herald within 90 days, or no later than August 2, 2017, and a summary will be mailed to affected property owners. After the comment the board will go through the SEQR process and then make a determination. No determinations as to this amended project.

At 8 27 pm Attorney Ferlazzo stated this concludes this public hearing. He thanked everyone for coming.

The work session was reconvened at 8:42 pm.

Attorney Ferlazzo wrote a letter to Mr. Abdella advising that the town needed some determination from his side some response whether or not he still has a claim to the property at Sherman's. He did not respond so Attorney Ferlazzo called him and he stated he would not respond. The discussion was to wait or not wait to have a declaratory judgement action. At this point the town has its answer. The town will not get a clear direction from Balboaa without a declaratory judgement action. The town has a choice of waiting in limbo for the 6 year period of limitations for challenging they alleged to be town fraud or recession in the acceptance of the property. It seems absurd to say you'd be a fraud to accept property given by an Attorney through a deed. He has been clear there is a maximum 18 month period to sue a town for a breach of contract. Any claim Balboaa has expired after 18 months. It is up to the board if they want to get a judicial determination to know what their rights are. That could be disclosed to the purchaser or lessor, or anyone who wants to use the property or if we want to invest in the property. Or the town can continue status quo of uncertainty.

Council Member Sturchio wants to talk to Mr. Abdella before he makes any decisions.

Mr. Toskas said everyone who knows George says he's a nice person. Being a nice person doesn't mean he can't be an advisory. We have to treat him as such.

Council Member Sturchio was asked if he was representing the board at the meeting. He responded "No." Council Member Manning would like to go to the meeting with Council Member Sturchio.

Supervisor Morris questioned putting money into something that has a legal cloud over it. Attorney Ferlazzo stated it probably would not be prudent to invest heavily. His concern is dealing with a third party and the money they may invest when the town doesn't know if we have the right to commit. It is up to the board.

Mrs. Barrett has a concern; for months she has been hearing that the place has to be secured. She has heard from neighbors that kids play around the ice cream stand and boys on skateboards are on the property too. Having said it is a danger and having said some don't want to spend a penny on the property, says to her the town has just opened itself up to a big liable suit. Supervisor Morris stated she has a meeting with the insurance company next week Thursday.

The property has to be fenced off. This should have already been done and no one should have been allowed on the property. Last year the board discussed putting cameras on the property.

Mrs. Barrett figured the town has spent an equivalent of \$6 per household on Sherman's that didn't seem like a heck of a lot of money the town has spent so far. There is \$7,500 on the line item for mowing etc.

Mrs. Hart wanted to see the property made safer.

Council Member Manning noted the board has discussed trying to set up some meetings to hear the proposals that came through the committee. He will check with the two applicants to see when they are available to meet. He believes it can be done by the middle of June.

Mr. Shekerjian noted there may be others who may be interested in the property. He did not want to rule anyone out.

Council Member Manning wants to finish out the process. Supervisor Morris has also spoken to a developer. She has made it clear throughout the committee process that this board decided not to market the property because of the legal issue. That would be committing fraud. There is a legal cloud over the property. She wants what is best for the town. Council Member Manning stated a lease would not violate his agreement. A Lease agreement for 6 years might be a good option.

Attorney Ferlazzo stated the donation agreement is broader than the purpose of what we want to use. If the board wants to sell or lease it requires the notice of a permissive referendum. The public may bring it to a vote if they want to. Mr. Abdella has stated that the donation agreement is binding on the town. As long as he states he has the rights to bring a recession action, take the land back – that creates... If he represented a person he would tell them not to bid on it not to be involved, and to run away from this property. It reduces the value to the town significantly. At some time push is going to come to shove. The town needs to know if the donation agreement which is much broader than just ownership has to be resolved.

Mr. Toskas had things to say and did not want to be interrupted. He wanted to know if we are going to do something. He did not think either of the proposals was good for the town. He was interrupted for using an expletive. He apologized and order was soon restore. He stated delay is the strongest "No" there is. Nothing will happen he believes until there is a fifth person on the board and he believes that will happen in January. He appreciates the work of the committee. The board is supposed to do what is best for the town. Not what I think or anyone else thinks. That is why we voted for them. If we don't like the decisions they make in November we can vote for people we approve of. We ask questions that there are no answers to. We are going around in circles.

Mr. Fielding asked Attorney Ferlazzo what if the town does not win a lawsuit over Sherman's with Mr. Abdella. The town can always appeal the issue and if Mr. Abdella "wins he, only wins a ticket into the gate." Our argument is it is time barred. Then he would still have to prove recession – that he was defrauded. If the court says it is not time barred, then he has up until 6 years to bring an action. It was a generous donation. When they met he would not even take the

property back unless the town put lots of money in it to bring it to some higher level. His expectations are way different. It was transferred by deed and it belongs to the town. We can do whatever we want with it subject to permissive referendum discussion. He has stated otherwise. We have put our cards on the table – maybe he will tell Tony and Jeremy. It won't be binding. Without the judicial decision... there is no downside. At least we know what the rules of the game are.

One thing that haunts Mr. Fielding is if we win what is the next thing he can do to delay the cloud hanging over the town. Attorney Ferlazzo stated if he doesn't appeal the cloud goes away. When the board vacated the donation agreement in March of 2015 and accepted the property, there are people out there who have a legal right when we terminated the lawsuit by the citizens group. They were given the right to be able to come back in the event that George came back.

Attorney Ferlazzo strongly recommended the board make a decision. Time is not helping. We have a strong argument that is time barred. He has to get around the statute. In 2020 this will evaporate. Mr. Abdella could wait till the last moment to start the lawsuit – it could last 10 years. Council Member Manning stated to stall works in his favor. Attorney Ferlazzo stated it could be deemed as an implied admission. If we are so afraid of him that we do nothing... we have to act as if it is ours. In his consent agreement to the APA he stated the town owns it. Attorney Ferlazzo did not know why the board did not want to get a final decision or maintain it in the interim. He thought everybody was right and everybody is wrong. The town needs to take some action to protect the public and the town needs to get George off the table. He is running this town by keeping his thumb over Sherman's.

Council Member Manning wanted to move forward with public input on the proposals. We have to do stuff as it happens. We can't stall out and stop because we are afraid of him.

Council Member Glenn wanted to forward the declaratory judgement. Council Member Sturchio stated he was against this.

Within two weeks the town would know Attorney Ferlazzo stated. He highly recommended the town board make a decision. It is in our strongest best interest to have a decision.

Council Member Sturchio was concerned the donation agreement was still in effect. Attorney Ferlazzo explained it was time barred. The town was sued for it.

Council Member Manning wants to set up a meeting with the entities that submitted RFP's for the Sherman's property. It was confirmed that there is not a chance the musical festival would be able to do anything there this year.

Attorney Ferlazzo will review lifetime benefit resolutions created in 1996. He will draft a resolution so anyone hired prior to now would still be grandfathered in. Newly elected or hired would change.

Attorney Ferlazzo leaves.

Mr. Fielding want to have the buildings secured with boards, he was not in favor of fencing off the grounds. He wanted the property to still look nice. He wanted the insurance company to

allow use without major liability. Supervisor Morris noted the property has to be structurally evaluated. Mr. Fielding noted if people don't go inside... Supervisor Morris stated people could not go on the grounds based on information from the code officer. He spoke to the Dept. of State. Mr. Fielding wanted to think outside the box and be creative so the public can still have use of the property. Council Member Manning stated the Dept. of State would only authorize public use of the property after a licensed engineer had signed off on the structural integrity of the buildings. It had to do with if you could even be on the grounds. The board has two quotes for engineering reports. He believed it would be beneficial to do this. If we sell the property we have to know what we have or we can be easily manipulated at the bidding table.

The public wanted the board to make a decision on this situation they are frustrated. Every meeting things are delayed.

Supervisor Morris stated this would be discussed at the regular monthly meeting next week.

Mr. Fielding wanted to know the options the board is considering for the summer of 2017 to secure the property so the insurance company is happy. Supervisor Morris noted a small fence around the Farris wheel is needed and also one around the property if it is not to be used. She is meeting with the insurance company next Thursday.

Council Member Glenn noted at the last meeting the board made a resolution to go forward with a RFP for the preliminary engineering evaluation to develop a wastewater collection and treatment system for the Town of Caroga. Jim Mraz gave a presentation to the board and the public last month. There is an understanding that "Senator Jim Tedesco would be underwriting the RFP process and above and beyond that." Council Member Glenn read a letter dated April 3 from Jim Mraz that was sent out to solicit proposals. On April 27th Mr. Mraz drafted a letter to Supervisor Morris he noted that 12 engineering firms were solicited for proposals. As of April 26th 2017 a total of 8 proposals were received. They were distributed to the 4 board members. He attached a summary report for all proposals received. It outlines the number of hours they propose to expend on the project. This information is helpful in comparing the proposals.

Mr. Mraz wrote the board has three options.

- 1) Reject all proposals,
- 2) Hire a firm based on the review of the proposals
- 3) Or interview the firms and look to hire that firm.

Mr. Mraz offered his help in reviewing the proposals. He gave the board several dates he was available. The board set a meeting on May 18th at 7 pm.

A member of the public asked where they are proposing to put this system. Council Member Glenn stated it was just a general conceptual engineering program just a feasibility study. She was concerned it would be dumped into Mead Creek.

Mr. fielding has heard this before. It has all been done before. He questioned where the system would run and if those people would need a system. Why are we building this for Sherman's and

the laundry matt? If you want a sewer system you need to give them what you want. The board needs to give them the design criteria. He did not want the town to put any affluent in any of our precious bodies of water. He noted the failures of these systems and the dumping of sewage into the lakes. He cited recent problems. His second request was for the system to address the areas in the town that have the biggest problems. He stated the avenues need to be addressed. He asked the board to spend the money wisely. Even if it is free.

Mr. Shekerjian knows there is a push for infrastructure.

Mr. Long seconded what Mr. Fielding said and added he was concerned with nutrients getting into the lakes. A properly working system still dumps phosphorus and nitrogen into the lakes if the affluent goes into the lakes. He is concerned about spillage of failed treatment plants. Council Member Glenn stated Mr. Mraz suggested going beyond the outlet for this project.

Council Member Manning asked that the two proposals for Sherman's be put on the Town Website.

RESOLUTION #2017-000 to advertise for a Summer Youth Program Director was offered by Supervisor Morris at the May 3, 2017 Caroga Town Board work session held at Town hall. **WHEREAS**, Rachael Simonds gave a letter of resignation to the Town Supervisor and Town Clerk after the April, 10, 2017 Board Meeting, and

WHEREAS, the town desires to have a Summer Recreation Program in the Town of Caroga,

Now therefore be it **RESOLVED**, that the Caroga Town Board hereby moves to advertise for the position the program hours will run from 9 am – 2 pm. The applicant would have to be certified in First Aid and for CPR.

Discussion: Council Members Manning and Sturchio talked to the former director. She may agree to come back. Council Member Manning stated she would have to reapply. Supervisor Morris suggested running the ad for three days. The state will work with the town for the deadline to have the paperwork in. Council Member Manning thought the new director would want to create their own curriculum. Her curriculum should be part of the town records. Supervisor Morris was sent the paperwork from the state. Mr. Ruberti also agreed he would like the program on the lake. To be on the water we have to have an Aquatics Director. Two grandparents have been asking about the program this week one who noted the program in Fonda was not going to take place this year. They are summer residents. Council Member Manning thought we should be welcoming anyone who wants to come into this town. He did not know the previous director had the vision she had for the program. He wanted to work to develop the program. Jennifer Blowers has offered her help with the application.

Mrs. Hart stated the former director had been trying to get a meeting with the board... just like those other issues where the town does not make a decision and keep putting it off. She was sure the director was frustrated. "These are examples of not making decisions and not working with people in a timely fashion." Council Member Manning was in favor of bringing her back. Mary Peck noted we all have to work together and noted the ski program was for all taxpayers.

Council Member Glenn seconded the motion.

Adopted by a vote of 4 Ayes: Morris, Glenn, Sturchio, Manning

Mr. Fielding was asked by Kyle Price and Rick Ruby to come to the board meeting to ask if any concerts could go on at Sherman's. From what he has heard tonight the answer is no and the concerts are off. Council Member Manning thought there could be a decision on the structural integrity of the buildings by mid-June. How much uncertainty can they accept? Other locations were discussed – the Fish & Game Club, and the Golf Course. Mr. Fielding will go back to them to see if they want to go forward with their scheduling. The idea was the revitalization of Sherman's and the town. Using another place is always an option. Council Member Manning will be his contact person.

Mr. Eric Manning stated as a young person all he hears is the town needs young people to invest in our town. This is a prime opportunity to give someone the chance. All he sees is a door being shut. He wanted the board to move forward. The town would get the money back for the inspections as the music group has offered to donate money to the town. He asked why the board won't take the next step. Council Member Manning stated some board members have said they would not spend a dollar on the property. Supervisor Morris wanted to know where the money is coming from out of her budget.

Mrs. Hart stated the people in this room represent hundreds of people. They are willing to donate and they turn out over and over again to volunteer, and be positive and inject enthusiasm into this town.

Council Member Sturchio tells a joke.

At 10:08 pm Supervisor Morris made a motion to enter into an executive session to interview Frank Malagisi for the vacant board seat. All board members were in favor of the motion.

At 10:56 pm Council Member Glenn made a motion to exit from the executive session. Supervisor Morris seconded the motion. All board members were in favor of the motion.

There were eight people in attendance at this time.

Mike Durkee boat wash station coordinator noted last year they had 2 part time stewards at the west lake boat launch and two full time stewards at the boat wash station. He asked for the board's approval to rehire three of them and one would be new. He interviewed a person who has worked outside and with machinery.

RESOLUTION #2017-000 to hire four people for the steward program was offered by Council Member Glenn at the May 3, 2017 Caroga Town Board work session held at Town hall. **WHEREAS**, Mike Durkee who coordinates the Lake Steward program has indicated a need to hire staff for two location for the program, and

WHEREAS, three of the people who worked for the town desire to be rehired, and

WHEREAS, ads were placed and applicants interviewed, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to hire four people to work in the Lake steward program.

Supervisor Morris seconded the motion.

Adopted by a vote of 4 Ayes: Morris, Glenn, Sturchio, Manning

Secondly he has reviewed the money the town received from the grant. Because we got a late start there is some headroom above what he estimates the costs to be this year and next. He asked the people at Paul Smith about calculating the time Lita Hillier and Linda Gilbert spend on the grant related part of the steward program. He will ask Mrs. Hillier and Mrs. Gilbert to keep track of the time they spend and their hourly rate and add it in for reimbursement. That would be from January first.

He would like approval to spend some of the grant money. This is not coming out of the town budget. He needs to get supplies and get the well fixed. This money would cover the cost of his advertising also. This will go in for reimbursement.

RESOLUTION 2017-000 to spend grant funds up to \$1,000.00 was offered by Council Member Glenn at the May 3, 2017 Caroga Town Board work session held at Town hall.

WHEREAS, Mike Durkee who coordinates the Lake Steward Program has indicated a need to spend funds for advertising, repairs and supplies for the program, and

WHEREAS, the town desires to continue the work of the Lake Steward Program, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to authorize spending for the Lake Steward Program for supplies and expenditures up to \$1,000.00.

Council Member Sturchio seconded the motion.

Adopted by a vote of 4 Ayes: Morris, Glenn, Sturchio, Manning

He believes there is headroom to hire another part time person. Now we are vulnerable if anyone gets sick or has a family problem. They try to run the boat wash station for 80 hours a week with only two people. He would not increase the hours. It would give him another trained person. These are seasonal employees. He would claim the hours and get reimbursement. There is only one person manning the station at a time. On Friday, Saturday, and Sunday there is a one hour overlap.

Council Member Glenn asked about expanding the program in the future to the Caroga Lakes. The problem is there are too many access points along the shore. He wanted to talk to the lake associations to see about volunteers. They supplement with 8 hours a week of volunteer time at West Lake. He noted the many boats that are launched from the campsite. This whole idea emanates from DEC. Council Member Glenn thought they should provide their own people to do inspections and have a boat wash station. Currently no one is counting how many boats get put in there. Council Member Manning thought it may become a state law to have your boat

inspected prior to launching. There are 2600 parks that would be a strong argument against having inspectors.

The Town Clerk suggested expanding the program through information and a box to deposit plant life from a boat at the State Campsite and at the private boat launch. Signs are posted at both location but no box. He will talk to Parks and Recreation about putting in a box. Council Member Glenn foresees the program being more like a fishing license – you have to have a ticket to launch from the town clerk. Mr. Durkee noted one of the problems of a boat wash station at the campsite is everything slopes down the hill. They looked at the campsite for a potential site of the boat wash station but there was no way to capture the flow.

At 11:15 pm Mr. Durkee leaves.

One last piece of business – the board has been trying to fill the vacant board seat. Official the town supervisor announced that this board has not made a decision. “We cannot agree on who we want to appoint to this seat. Therefore it will remain vacant.”

At 11:16 pm Supervisor Morris made a motion to adjourn. Council Member Glenn seconded the motion. All board members were in favor of the motion.

Respectfully Submitted,

Linda M. Gilbert, RMC, CMC
Town Clerk