

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board special meeting held Monday June 28, 2021 at the municipal building located at 1840 State Highway #10 at 11:00 am with the following persons in attendance by roll call. The flag salute followed.

Supervisor Scott Horton - Here
Council Member John Glenn – Here
Council Member James Long - Here
Council Member Richard Sturgess - Here
Council Member Donald Travis - Here

Tor Shekerjian – Confidential Secretary to the Supervisor facilitated the Zoom meeting. There were four persons in attendance at town hall and there were eleven people on line using Zoom.

Supervisor Horton opened the meeting at 11:10 am. Mr. Shekerjian gave the rules and various ways to be recognized to speak using zoom.

Supervisor Horton had some matter to bring up before the board before the next meeting. He discussed the professional services agreement with Phinney Design Group to include a Town Hall option with the board. This would be paid for from account A1620.4 the current account balance is \$39,414.00. The change in the contract we have now would be an \$18,000.00 cost to the town. We would then have a preliminary design including locations, elevations and floor plans, from which to make further decisions on whether we go forward or not.

RESOLUTION #2021-072 to accept the revised professional services agreement for services with the Phinney Design Group to include a Town Hall option was offered by Council Member Long at a special Town Board meeting held on Monday June 28, 2021 at town hall.

WHEREAS, Supervisor Horton discussed with the board a proposal to have Phinney Design Group to incorporate the design of a new town hall and a golf clubhouse multi- function municipal center, and

WHEREAS, the cost would be \$18,000.00 from account A1620.4, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to accept the revised professional services agreement for services with the Phinney Design Group to include a Town Hall option. Seconded by Council Member Sturgess

Discussion: The board members were given a copy of page five of the contract. Supervisor Horton noted if this was a stand-alone project for the town hall it would cost a lot more. The Board should have a report back in 4 – 6 weeks then there could be a formal presentation to the board and the public.

Adopted by a roll call vote as follows:
Supervisor Scott Horton - Aye
Council Member John Glenn - Aye
Council Member James Long - Aye
Council Member Richard Sturgess - Yes
Council Member Donald Travis - Yes

RESOLUTION #2021-073 to authorize Supervisor Horton to accept funding from the American Rescue Plan was offered by Council Member Long at a special Town Board meeting held on Monday June 28, 2021 at town hall.

WHEREAS, Supervisor Horton discussed with the board the need to accept funding from the American Rescue Plan, and

WHEREAS, the Supervisor noted he may need to set up a separate checking account, if required, for the sole purpose of receiving and distributing these funds, and

WHEREAS, this resolution would authorize the Supervisor to abide by all the provisions of the requirements as may now or hereafter be required by the State or Federal government in regards to the acceptance of funds, distribution of funds and accounting thereof and whereby this has to be submitted by July 9, 2021, Now therefore be it

RESOLVED, that this resolution shall authorize Supervisor Horton to accept funding from the American Rescue Plan.

Seconded by Council Member Glenn

Discussion: Supervisor Horton noted the town will be receiving funds in the amount of \$130,000.00 which will be paid to the town one half this year the other half next year. This money does not have to be paid back. It is not a grant. He noted it cannot be used for debt reduction.

Adopted by a roll call vote as follows:
Council Member John Glenn - Yes
Council Member James Long - Aye
Council Member Richard Sturgess - Yes
Council Member Donald Travis - Yes
Supervisor Scott Horton - Aye

Supervisor Horton stated the third resolution was to approve the spending of \$5,000.00 for fireworks for a Labor Day celebration. Funding would come out of A7750.40 the Parks, Lakes, Recreation, and Tourism (PLRT) account. The Supervisor stated there is currently a \$13,428.95 balance in the account. The details are being worked out. Mr. Abdella has agreed to allow the town to use his property and the commission is thinking of doing something cooperatively with the Caroga Arts Collective.

RESOLUTION #2021-074 to approve the spending of \$5,000 for fireworks from Majestic Fireworks, Inc. for a Labor Day Celebration was offered by Council Member Glenn at a special Town Board meeting held on Monday June 28, 2021 at town hall.

WHEREAS, Supervisor Horton discussed with the board the plan put forth by the Parks, Lakes, Recreation, and Tourism Commission to have fireworks display for a labor day celebration, and

WHEREAS, Majestic Fireworks, Inc. of 29 College St. Clinton NY 13323 has drawn up an agreement for the customer to sign, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to approve the spending of \$5,000 for fireworks from Majestic Fireworks, Inc. for a Labor Day Celebration.

Seconded by Council Member Travis

Discussion: Council Member Long stated he thought this was not appropriate governmental spending. Council Member Long stated there were two Majestic fireworks shows happening this summer that are privately funded. If there is that much interest private funding should be used not governmental taxpayer funds.

The clerk asked if this resolution authorized the Supervisor to sign the contract with Majestic. The clerk noted the liability paperwork needed to be obtained.

Supervisor Horton stated he understood Council Member Long, but the PLRT Commission is supposed to be a celebratory function. Supervisor Horton noted there used to be a separate line item (in the budget) called celebrations. It was combined into their budget of \$14,000.00 for this year. The supervisor did not think the expense was outrageous.

Adopted by a roll call vote as follows:
Council Member James Long - Nay
Council Member Richard Sturgess - Yes
Council Member Donald Travis - Yes
Supervisor Scott Horton - Aye
Council Member John Glenn - Yes

RESOLUTION #2021-075 to conduct Town Board Meetings in person was offered by Council Member Sturgess at a special Town Board meeting held on Monday June 28, 2021 at town hall.

WHEREAS, Supervisor Horton discussed with the board conducting in person town board meetings, and

WHEREAS, there would be a limit of 12 persons in attendance to be reserved on a first come first served basis through the Town Clerk's office, and

WHEREAS, the Town would provide Zoom access to the meetings for the public, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to conduct town board meetings in person with a limit of 12 persons in attendance to be reserved on a first come first served basis through the Town Clerk's office, and that the Town would provide Zoom access to the meetings for the public.

Council Member Long asked for clarification on Zoom access, is the intent to have two way (conversation). Council Member Long could not second the motion as the word access was ambiguous.

Seconded by Council Member Glenn

Discussion: Supervisor Horton stated this has been a tough time. He was not sure we are out of the woods yet. Supervisor Horton stated this was a policy for the next meeting, but not going forward. Supervisor Horton asked the other board members if there was Zoom access to the meetings would the individuals on Zoom be allowed to address the board. Supervisor Horton noted that sometimes committee reports are given via Zoom. Right now the Supervisor was happy to have the town board members in person. The Supervisor did not see what it would hurt to continue using Zoom. If it got to be abusive... Council Member Long stated Tor could mute. Council Member Long stated there has been less disruption in Zoom than was ever had in person.

Supervisor Horton suggested amending the resolution to say that the Caroga Town Board would be in person, and the board would allow regular access as we did during COVID.

Council Member Long interjected a point of clarification that open meetings law does allow board members to attend remotely if they are attending from a public location and if their location is disclosed in advance. He did not want to put in language saying that the board is constrained to be here, because they are not. Council Member Long stated that goes for any board, Planning Board, Zoning Board anything.

Council Member Sturgess stated the resolution needs to state that we are basically opening up town hall to twelve people. Everything else is a moot point.

Council Member Long stated if attendance is constrained to twelve then we should provide some bidirectional capability to the public.

Council Member Travis thought the public should be able to ask questions of the board. Council Member Long made a motion to **AMEND RESOLUTION #2021-075** to say and to provide Zoom by directional access to the meetings by the public.

The motion was seconded by Council Member Sturgess.

Adopted by a roll call vote as follows:
Council Member Richard Sturgess - Yes

Council Member Donald Travis - Yes
Supervisor Scott Horton - Aye
Council Member John Glenn - Yes
Council Member James Long - Aye

Supervisor Horton stated the next resolution is informational. He did not have a proposal to go on. There was a verbal communication about an approximate cost of \$3,500.00 to put the controller back on to the irrigation motor control system.

Council Member Sturgess thought the resolution should state a not to exceed amount.

Supervisor Horton stated this was informational and not a resolution. The Supervisor was under the impression that because of the system it is exclusive and he was not sure if multiple quotes could be obtained. The Supervisor hopes to have something for the board at the next meeting.

RESOLUTION #2021 – 076 to authorize the Supervisor to go for bids for the purchase of an irrigation motor control system was offered by Council Member Long at a special Town Board meeting held on Monday June 28, 2021 at town hall.

WHEREAS, Supervisor Horton discussed with the board the need to replace the burned out motor controller for the golf course irrigation system, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to authorize the Supervisor to go out for bids for the purchase of an irrigation motor control system.

Seconded by Council Member Sturgess

Discussion: The clerk asked if this would be to get quotes. The Supervisor clarified that he would be getting bids and he would be putting specifications together. There wasn't a bid opening date but the target is to have the specs by the July 14th meeting.

Adopted by a roll call vote as follows:

Council Member Donald Travis - Yes
Supervisor Scott Horton - Aye
Council Member John Glenn - Yes
Council Member James Long - Aye
Council Member Richard Sturgess - Yes

Council Member Sturgess stated a resolution was needed to pay the Assante Sign Group \$12,498.30. The invoice was for the fairway mark signs and Tee signs everything that is on the golf course that the town ordered from him. This included the sponsorship signs. Basically it is everything that was lost in the fire. Council Member Sturgess was quite sure this would be covered by the insurance company.

RESOLUTION #2021-077 to approve payment of the Asante Sign Group invoice for golf course signs was offered by Council Member Sturgess at a special Town Board meeting held on Monday June 28, 2021 at town hall.

WHEREAS, Council Member Sturgess discussed with the board the need to pay Assante Sign Group 144 Harrison St. Johnstown NY 12095 for all of the signs that were on the golf course and that were destroyed in the fire on November 15, 2020, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to approve payment of the Asante Sign Group invoice for golf course signs.

Seconded by Council Member Long

Discussion: it was noted the tax stated on the invoice would not be paid.

Adopted by a roll call vote as follows:

Supervisor Scott Horton - Aye

Council Member John Glenn - Yes

Council Member James Long - Aye

Council Member Richard Sturgess - Yes

Council Member Donald Travis - Yes

At 11:32 am Council Member Long made a motion to enter into an executive session to discuss the acquisition, lease, or sale of real property or securities when publicity would substantially affect the value. The motion was seconded by Council Member Sturgess.

Adopted by a roll call vote as follows:

Council Member John Glenn - Yes

Council Member James Long - Aye

Council Member Richard Sturgess - Yes

Council Member Donald Travis - Yes

Supervisor Scott Horton – Aye

At 11:49 am Council Member Long made a motion to exit from the executive session. The motion was seconded by Council Member Sturgess. It was reported that all board members were in favor of the motion. Council Member Long stated nothing was decided.

Council Member Long offered the next resolution.

RESOLUTION #2021-078 to authorize Supervisor Horton to begin negotiations with the property owners of the parcel due north of this parcel and come back to the town board with a deal if possible for their approval was offered by Council Member Long at a special Town Board meeting held on Monday June 28, 2021 at town hall.

WHEREAS, the Caroga Town Board entered into an executive session earlier in this meeting, and

WHEREAS, the purpose of the executive session was to discuss the acquisition, lease, or sale of real property or securities when publicity would substantially affect the value, and

WHEREAS, Council Member Long stated that this resolution is subject to permissive referendum by the voters, now therefore be it

RESOLVED, that the Caroga Town board does hereby move to authorize Supervisor Horton to begin negotiations with the property owners of the parcel due north of this parcel and come back to the town board with a deal if possible for their approval.

Seconded by Council Member Sturgess

Discussion: Supervisor Horton asked Council Member Long to let the public know what the process was.

Council Member Long stated if we were to build at this location, we would have to vacate this location during construction. If we built in the parcel to the north which is around 0.97 acres then the town could build while we are continuing to use the town hall as is. If the property owners are amenable to a sale the town would purchase most of that parcel leaving a border to make their parcel compliant with property setbacks per the town zoning ordinance. The town would merge the purchased parcel with this parcel just as previously the two parcels that comprise town hall so as to allow the creation of the Nathan Littauer Caroga Lake Primary Care. If we entered into a contract to purchase that parcel this would be subject to permissive referendum by the voters. Council Member Long continued saying the voters could gather, petition signatures, and ask for a special election to vote up or down this purchase.

Adopted by a roll call vote as follows:

Council Member James Long - Aye

Council Member Richard Sturgess - Yes

Council Member Donald Travis - Yes

Supervisor Scott Horton – Aye

Council Member John Glenn - Yes

Hearing no other business other than a notice that the Caroga Transfer Station is closed Monday July 5th in observance of the Fourth of July holiday. The station is open on Tuesday July 6th from 8 am – 4 pm.

At 11:52 am Council Member Long made a motion to adjourn. The motion was seconded by council Member Travis. All board members were in favor of the motion.

Submitted by Linda Gilbert, RMC, CMC Town Clerk