

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board meeting held Wednesday November 10, 2021 at the municipal building located at 1840 State Highway #10 at 7:00 pm with the following persons in attendance by roll call. The flag salute followed.

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

Tor Shekerjian Confidential Secretary to the Supervisor facilitated the zoom meeting. There were fourteen people using zoom and three members of the public in attendance.

Council Member Glenn made a motion to waive the reading of the minutes. Council Member Sturgess seconded the motion. All board members were in favor of the motion.

Public Comment:

Robert Sullivan stated sometimes correspondence gets lost. The fire department did submit a packet to the board. He stated the correspondence addressed the improper zoning of the old firehouse. Mr. Sullivan stated the property has been commercial operation since 1955 when the fire company purchased the property. Mr. Sullivan referred to Article 12 (II) (B) of the zoning ordinance which allows the town board to propose a change. This is what he is requesting the town board do.

Supervisor Horton believed he was correct that article 12 (II) (B) is what should be done. According to the ordinance three copies need to be submitted to the Town Clerk. There has to be a public hearing, then the board can make a decision. Another way is to submit an application to the Zoning Board of Appeals for a special use permit. Supervisor Horton agreed the property is more valuable as commercial.

Council Member Long stated if this is an action being initiated by someone outside of town government then really the only way forward is through Article 12 Section (II) Subsection (B). A petition is necessary and the neighbors within 500 would have to be notified. A proof of notification would need to be certified. Then the town board at that time can take up this action.

Mr. Sullivan though this was a correction. Supervisor Horton noted the zoning was changed properly with a public hearing and was adopted by the town board. The town board does not have the ability to say there was an error and revert it back. Supervisor Horton was on the Planning Board when this was done and personally, he thought it was done conscientiously and willfully. This was to protect the Wheelerville area and keep it pristine. They did not think at the time the firehouse would leave.

Council Member Long stated the town comprehensive plan that then Chairman of the Planning Board Horton was responsible for called for development to occur in Town Center. Council

Member Long stated the Comprehensive Plan is an aspirational document not a legally binding document. He stated any changes to the zoning ordinance really should follow the comprehensive plan. Council Member Long did not call this a mistake – it has conservation on three sides of it and is fronted by NYS DOT lands. Any change to that parcel would be considered spot zoning, which is actively discouraged against. Not to say it can't be done it is not to be encouraged. There are a few hurdles here and it is incumbent upon the property owners to make the case for a change.

Council Member Sturgess stated so you want the town to initiate this, and if the town board doesn't then they will petition the board. What difference does it make? Why slow the process down. Supervisor Horton stated the reason we would want this to go through the regular channels is to make sure if it comes out favorably for the plaintiff or is denied you don't want to have any grounds for it to be challenged. The Supervisor noted government is not always easy. We love our fire company it is not to make anyone go through hoops. Supervisor Horton thought there would be three property owners to notify. Council Member Long stated as the Planning and Zoning Board clerk he sends out notification's week in and week out. Supervisor Horton stated if this is the way the board goes that the town waive the fee for the fire company.

RESOLUTION #2021-119 waive the fee for the Caroga Lake Volunteer Fire Company was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on November 10, 2021.

WHEREAS, Robert Sullivan President of the Caroga Lake Fire Company Inc. addressed the town board this evening about having the zoning changed back to commercial on the property known as the old fire house on route 10 in the Town of Caroga known as the Wheelerville area, and

WHEREAS, the Town Supervisor offered to waive any filing fees, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to waive any filing fees, associated with the process outlined in Article 12 Section (II) (B) per the codes department.

Seconded by Council Member Long

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

Three board members returned their packet to Mr. Sullivan. The clerk asked him to add a statement to the cover page requesting that the town change the zoning.

At 7:13 pm the public portion of the meeting was closed.

Jeremy Manning gave a presentation to the town board entitled Wheelerville Trails 2022-2025. A video was shown using a GoPro camera of riders on the main downhill trail built this year. The rider was going 10 – 15 mph.

He outlined the goals as:

Establishing Caroga as the premier mountain biking destination in the southern Adirondacks.

Construct at least 20 miles of trails by 2025 (currently there are 8 miles 40% completed).

Improve the quality of life in the Town of Caroga

Provide a local/regional recreational and economic asset, and

Construct and maintain trails of the highest quality.

Mr. Manning noted bike sales are up 150% in 2020, mountain bike participations is up 4% in 2020 over 2019. The average rider spends \$385 per day on vacation (Singletracks 2015) Average trip is 1- 3 days he noted that professionally built trails cost \$50 - \$75K per mile average \$9 - \$14 per foot. Wheelerville trail cost \$12K per mile - \$2.29 per foot. He showed the work completed on a map in 2021. An overview of the work that has been completed was reviewed. A slide show of photos (provided by the photographer for Red Bull) of trails, work days, the trail sign, and hanging out at the summit were shown. The photos can be used for marketing and promotional materials.

Future trail expansion a beginner area for kids at the bottom, improve drainage, bridges, work on the parking areas, building a kiosk, make additional trails, bringing a trail down along the golf course, an 8 ½ mile trail on state land, expand to the Peck Hill trail system, a loop around Irving Pond. Three and a half miles of gentle riding trails in the Cell Tower area. The proposed trails were shown on a map. 2023 Goals include weekly endurance race series, Winter Fat Biking and other bike events.

Spending

2017 was \$6K grant for the feasibility study

2020 - \$57K – DEC

2021 \$50K Town of Caroga \$5K DEC

2022 \$55K (\$30K ARPA \$25K DEC)

2023 \$75K DEC

2024 \$75K DEC

2025 additional grant and private fundraising.

Additional Revenue Sources include selling Wheelerville Trail merchandise (Shirts-hats etc.) Corporate/private fundraising, consider an annual membership to cover maintenance/improvements once full trail system is developed with a goal to be non-taxpayer funded and self – sustaining. Marketing will be utilized through the Chamber of Commerce, Adirondack Community Recreation Alliance, various trail biking websites, affiliation with trail groups, and social media. More video footage was shown including one of a 9-year-old from Johnstown who is the state BMX Champion and posts from riders were shared.

Supervisor Horton stated it was a marvelous presentation. Mr. Manning will be invited to bring this presentation to the Economic Development Committee and likely to the full County board of Supervisors.

The Clerk congratulated Mr. Manning on Wheelerville Bike Project and asked for the presentation be forwarded to her. A couple of members of the public have commented on the size of the sign.

Council Member Sturgess discussed the closeness of the trail to holes #3 & 4. He thought the state line was very close on #3. Mr. Manning stated they would be in the woods and not be out on the fairway. Council Member Sturgess was concerned about golfers with excavators out there doing work. Mr. Manning thought it would take three weeks to build near the course, and be about 30 feet off the fairway. Council Member Sturgess asked how the fundraising would be handled. He asked if that was private money or is the town going to buy the merchandise to sell. Mr. Manning thought PLRT money could be used to make purchases up front. Then they would have seed money. They would be sold during events or on line. It was suggested to have the merchandise in the club house too. Council Member Sturgess confirmed that Mr. Manning doesn't see this as costing the tax payers any more money. Mr. Manning stated "from here on out we should be good to go."

Council Member Glenn asked if there was money available from the county. Mr. Manning replied yes, this is a regional project for Fulton County.

Council Member Sturgess asked about the yearly membership and people wanting to have this "kicked up a notch." This would include daily grooming? Mr. Manning stated if we did that there would be a fulltime trail manager if we wanted to be a bike park like in Killington. If we don't want to have another employee or do the extra work then you would just have someone overseeing it. The trail has to have the leaves blown off. Council Member Sturgess asked what the maintenance expense right now is on the trails that we have on a weekly basis. Mr. Manning stated he is doing the maintenance right now. As the trails get more use/dialed in there should be less maintenance. Mr. Manning stated that if the board wanted this to be a bike park with a part time trail manager in five years it could cost \$20,000.00 a year. He stated we are not looking at \$100,000.00 a year. The goal is to build slow but build quality trails. Everything has to be the highest quality possible that is what's making the difference up here. We are lucky to have Eli and Justin as the builders. We have. They are sought after, the best at what they do. We got them for a really discount rate. Eli won't be back next year but Mr. Manning is trying to get him back for 2023 so they can build him into the grant. His rate is going up and he will have to be paid more.

The clerk noted that when this project began Mr. Manning stated the maintenance would be done by the trail organization. Mr. Manning stated they "are still doing things too, right." Mr. Manning is referring to daily leaf blowing, things like that. The whole idea was to have with AFTA some people locally to do it. Then there are bigger work days to have berms reshaped. There would be a schedule every year.

The clerk suggested rather than a membership there could be a sponsorship with various levels. Level one gets a hat for a certain sponsor dollar amount the next monetary level would be a hat and shirt. Mr. Manning stated he was looking into when it comes to the public. Then there are the private and corporate sponsorship deals.

Supervisor Horton emphasized that there is so much interest on the county level in this project. The Supervisor though this might be something the county supports in the future as they do now with the rail trail. It will be exciting where this goes. Mr. Manning stated people travel for this sport.

Supervisor Horton asked if anyone from the public wanted to ask any questions. A picture of the town Board was taken by Mr. Manning

Steve Stedman noted that he has started to cut back to the state line on holes #3 and #4 for the past 2 – 3 weeks. Mr. Manning noted with his plan with DEC does involve going on state land. He is getting approval to do that. He could move into the state land and make modifications to the area he initially was going to consider using. Council Member Sturgess asked if any of the work could be done after the golf course closes.

Mary Jablonski stated that Jeremy had done such a fantastic job, it is very professional. She wondered if the trails could be used in the winter for snow shoeing and cross-country skiing. Mr. Manning stated right now the trails are closed until the ground freezes. Once there is snowpack, he does want to open it up to cross country skiing, snow shoeing and also fat biking. Once the snow comes the closed signs will come down.

Department Reports:

Golf Course – Mr. Stedman reported in the past month he has been trying to reclaim the boundaries of the golf course. There are a lot of tree seedlings have begun to grow in our native areas. Larry Voght has been helping. Mr. Stedman stated now you can see all the way to the corner now on #3. Hole #4 is open on the right side of the Tee box. He will be working on #6. On #8 you can see all the way down to the ladies Tee. He is pushing the tree line back to where it used to be. All of the sponsor signs, ball washers, and benches have been put away in the gym. The Tee's and flags are out. It is too wet for carts but there were a couple of walkers today. The course is closed. He is gravity draining the irrigation system. He will blow out the lines tomorrow. They will continue to push back the tree lines. The Supervisor finally took his time to ride all around the course. It looks great. He can see how things have opened up the way they should be.

Jerry Groom reported that today he winterized the bathrooms with Bruce Busch. Monday he will have help wrapping the pavilion for the winter. The carts have had stabilizer run through them. Tomorrow all the batteries will be removed from the carts they will be stored at the old firehouse. Mr. Groom stated there is approximately \$100 in beverages that won't be good by next week. Valley Beverage won't take them back. He recommended donating them to the highway department or senior citizens.

RESOLUTION #2021-120 to donate the drinks to the highway department that are going to expire was offered by Council Member Sturgess at the regular monthly meeting of the Caroga Town Board held on Wednesday November 10, 2021.

WHEREAS, in his monthly report Mr. Groom club house manager informed the board that he has beverages that will expire prior to next season, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to donate the drinks to the highway department that are going to expire.

Seconded by Council Member Long

Adopted by a vote of five Ayes, Horton, Glenn, Long, Sturgess, Travis

Council Member Sturgess asked that Mr. Groom inventory what was being sent over.

In the next couple of days Mr. Groom is hoping to have next year's prices finalized for next season. That way he can get them into ads and newsletters for the spring. He will be working to mark out a cross country ski trail. The clerk noted the board has to set the rates. Supervisor Horton thanked both for their reports. The Supervisor stated the budget was beat by a few thousand dollars and he commended them. It was a trying year and everyone had to work hard to hit the numbers.

PLRT Commission – Centi – no report.

Sole Assessor – Loucks – no report she has been out and will probably be back the beginning of next week.

Town Clerk/Tax Collector/Registrar/RMO – a monthly report was submitted. The clerk reported that she and the deputy town clerk have begun purging the bookkeeping and golf records beyond the six-year retention schedule. They began with the 2007 records.

In a bulletin from the committee on open government on open meetings law has been amended in order to increase public awareness and access to documents and notices to the public. The website will be updated and more information will be forthcoming. Documents that are going to be discussed at a public meeting are to be made available to the public 24 hours prior to a meeting. An electronic bulletin board will be posted on the website.

The clerk received information on the cannabis opt out regulations. As of today, towns that are going to opt out must submit a form to the office of cannabis management as filing the paperwork with the Department of state is not enough.

Lastly the clerk congratulated all of the re-elected and newly elected in the town of Caroga, and looked forward to working with them all again.

Supervisor Horton asked if there were exceptions to the new law for any last-minute items that come up on the agenda. Tonight, there will be one on a copier. The clerk read that the amendment to the law does not prohibit a governing board considering walk on agenda items or discussing documents received by the local government on a less than 24-hour notice. The town will have to do our best. It will be more work.

Code Enforcement & Sanitation – Fancher, Blowers Supervisor Horton received a list of the building permits for the month of October. It was another banner month. There were 2 ½ pages in the report. There was a total valuation of \$858,950.00 of building permits. The fees collected for the permits was \$2,950.00. Last month it was reported that we had already surpassed the previous year. He believed this was the most amount of construction ever in the town.

Dog Control – Dutcher - no report

Highway – Voght no – report. Supervisor Horton told the public that the excavator that was ordered back in March or April will be delivered on Friday. The company we purchased the new piece of equipment gave the town a loaner at no charge for the entire seven months.

Lakes Management Program – Council Member Glenn reported that he had a zoom meeting with Gene Centi and Marcus Harazin. They discussed closing down the last-minute things for the end of the year for the lake stewards and weed harvesting program. Mr. Centi mentioned during the meeting there will be expenses next year for a new deck on the harvester. Marcus was going to reach out to DEC for information on a new grant.

Club House / Town Hall Project – Supervisor Horton reported they were finally starting to turn a corner. He noted the town received compensation for the mowing equipment that was lost as well as the other ancillary mowing equipment. Not the small tools. The settlement was in the amount of \$238,000.00 plus a little bit. The town has made purchases in the amount \$240,000.00 and still have to get one more piece of equipment. At the last meeting we voted to accept the settlement.

The Supervisor reported that two weeks ago there was a Zoom meeting with the architect of the Phinney Design group and our insurance carrier NYMIR. They discussed where to go from here. There is a preliminary design the Supervisor asked that the architect and NYMIR to discuss the insurable loss of the club house and golf storage building. There will be a meeting on Friday to see what the results of that are. The Supervisor explained they do not pay for a new club house they pay us for the club house that we lost. “You get paid for what you lost not for what you want.” The Supervisor will know more on Friday as to what they are offering. He will bring the information back to the board. This will determine what we can do. He is hoping to put a town hall in between the slab and the roof. Council Member Glenn noted the board talked about bonding at the last meeting. Supervisor Horton stated he will have preliminary rates on bonding and the cost. He noted to Council Member Long that he did reach out to Christine Crowley ([President of Fiscal Advisors & Marketing Inc.](#)) and there are no time constraints on this. The contract is to stay with the town as long as it takes to get the bonding with no extra fees. However, there are some things, in fine print, in the proposal that was approved for their services and their services only – there are some advertising and filing expenses. The supervisor stated he has not signed the contract even though he was given authority to do so. He wants to know what the other expenses are. He will bring it to the board as a separate thing. He wants to make sure it is in the budget. The \$14,500.00 was the amount. The hourly rate only kicks in if the board decides to back out of the contract and go with someone else. The Supervisor did not see that happening. The hourly rate is \$195.00 per hour. The contract is a fixed price. Council Member Long wanted to understand that we do not have a June 30 deadline from what he just heard the Supervisor say. Supervisor Horton responded, that is correct. It is open ended. The contract will be there for the entire duration of the project. They had wanted the town to engage them by June 30th.

Formatted: Not Highlight

Old Business:

Council member Glenn stated at the last meeting there was a discussion about an “illegal meeting” that he had called to change the date for the budget hearing. Council Member Glenn went back to a meeting held on October 25th 2019 when a meeting was called and the posting was not done in the two-day period. It was done in one day. Council Member Long stated that

was not true sir. He stated the meeting was called for a Friday the 25 and the board met on the 23rd and called it for the 25th.

New Business: There was no new business this evening.

Correspondence: Supervisor Horton stated everyone had the correspondence. Fulton County Resolution #314 was passed to obtain a municipal certificate of need to establish, contract for and/or operate an ambulance service within the county's boundaries.

Fulton County Dept. of Solid Waste Upcoming Veteran's Day and Thanksgiving Holidays do not affect the Caroga Transfer Station.

Caroga Lake Volunteer Fire Company Inc. (The board discussed this a little bit earlier)

RESOLUTIONS: Supervisor Horton stated there are two resolutions necessary to balance the budget. The first resolution is for transfers. Council Member Long read the first resolution.

RESOLUTION #2021 – 121 to make the following transfers as necessary to maintain a balanced budget was offered by Council Member Long at the regular monthly meeting of the Caroga Town Board held on Wednesday November 10, 2021.

WHEREAS, the following transfers are necessary to maintain a balanced budget, now therefore be it

RESOLVED, that Town board does hereby move to make the transfers as listed:

To: A9785.6 Installment Purchase-mower	\$ 10,000.00	
From: A7180.2 Golf Equipment		\$10,000.00
To: A1410.11 Deputy Town Clerk	\$1,000.00	
From: A1990.4 Contingency		\$1,000.00
To: A1355.4 Assessor C/E	\$ 500.00	
From A1355.2 Assessor Equipment		\$ 500.00
To: A3620.12 Codes Assistant	\$6,000.00	
From A1990.4 Contingency		\$6,000.00
To A5132.4 Garage C/E	\$5,000.00	
From A1990.4 Contingency		\$5,000.00
To A7145.1 Trails P.S	\$3,000.00	
From A7145.4 Trails C/E		\$3,000.00
To A8090.1 Boat Wash P.S.	\$2,500.00	
From A8090.11 Stewards P.S.		\$2,500.00
To: A1910.4 Insurance	\$ 150.00	

From: A1990.4 Contingency		\$ 150.00
To: A9030.8 SS/Med (FICA)	\$2,000.00	
From A1990.4 Contingency		\$2,000.00
To: A1920.4 Munic. Assoc. Dues	_____ \$ 300.00	
From: A1990.4 Contingency		\$ 300.00

Seconded by Council Member Sturgess

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 explained the second resolution to balance the budget it is for \$17,100.00 to account A9785.61 installment purchase lighting and to the revenue account of \$17,100.00 A3989 Home and community Lighting that is the finance company that is financing the purchase of the lights in installments over six year. He heard for Public Service that by December 23rd the town should have the sales contract. The town will then own the (street) lights and the lighting bill will then be cut in half. There is still the construction... he so moved and then said there would be discussion.

Resolution #2021-122 to fund the following accounts to create a balanced budget was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday November 10, 2021.

WHEREAS, Supervisor Horton explained that this was for an installment to Home and Community Lighting the finance company that is financing the purchase of the lights account in order to maintain a balanced budget, now therefor be it

RESOLVED, that the Town board does hereby move to make the following transfer:
 \$17, 100 to Expense acct. A9785.61 Installment Purchase- Lighting

\$17,100 to Revenue acct. A3989 Home and Community- Lighting

Seconded by Council Member Sturgess

Discussion: Supervisor Horton stated we purchased the lights and all of the lights are still on. We still have the part of the project where we convert this lighting to LED lighting. We will cross that bridge after we own the light. We have approved using the money in the bank that was providing us the money and using it to pay them.

Council Member James Long - Aye
 Council Member Richard Sturgess - Yes

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

Supervisor Horton stated there was some discussion about an office copier. To replace the machine in the meeting room that there have been some issues with. Derby Equipment repaired the machine again. They suggested since there is no real value to the copier that the town keep it and purchase another machine. The Supervisor would like to have a copier in his office. The state contract for a new copier is \$3,857.97. The funds would come out of central communications line item which has \$7,500.00 on it. Because this is a color copier it will not be accessible in the meeting room for anyone to make copies because they are expensive. The new machine would be placed in the Supervisor's office. It will be IT compatible and hooked up to the internet. A copier will remain in the meeting room.

RESOLUTION #2021-123 to purchase an Image Runner 4725i was offered by Council Member Sturgess at the regular monthly meeting of the Caroga Town Board held on Wednesday November 10, 2021.

WHEREAS, Supervisor Horton contacted Derby Office Equipment of Gloversville NY about problems with the copier in the meeting room, and

WHEREAS, Derby fixed but recommended keeping the current copier due to its current (low) value but did give a price for a color copier on state contract that the Supervisor could use in his office, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to purchase an Image Runner 4725li color copier on state contract for \$3857.97 with the funds coming from the line item A1650.4 Central Communication.

Seconded by Council Member Glenn

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

Council Member Glenn asked if there was a warrantee on this copier.

Supervisor Horton made a motion to accept the minutes of the October 13th, 22nd, 26th, and 28th meetings. Council Member Glenn seconded the motion. Council Members Horton, Glenn, Sturgess, and Travis voted in favor of the motion. Council Member Long opposed the motion.

Council Member Glenn made a motion to pay the bills as presented for audit. Council Member Travis seconded the motion. No discussion. Council Members Horton, Glenn, Sturgess, and Travis voted in favor of the motion. Council Member Long abstained.

At 8:26 pm Supervisor Horton made a motion to enter into an executive session to discuss personnel issues and to do an update on the highway workers contract status. Council Member Glenn seconded the motion. Council Members Horton, Glenn, Sturgess and Long were in favor of the motion. Council Member Travis opposed the motion and voted no.

At 9:03 pm Council Member Glenn made a motion to exit from the executive session. The motion was seconded by Council Member Long. All board members were in favor of the motion. Council Member Long stated no decisions were made. Supervisor Horton repeated no decisions were made.

Supervisor Horton asked if there was any other new business. At 9:05 pm he made a motion to adjourn. Seconded by Council Member Long. Council Member Sturgess replied, "No," and reminded the Supervisor about calling another meeting.

Supervisor Horton called a special meeting for Wednesday November 17th 2021 at noon. Most likely the board will just go into executive session the Supervisor noted.

At 9:06 pm Council Member Long made a motion to adjourn. Council Member Sturgess seconded the motion. All board members were in favor of the motion.

Submitted by Caroga Town Clerk

Linda Gilbert, RMC, CMC