

State of New York
County of Fulton
Town of Caroga

Minutes of the Special Caroga Town Board meeting held Friday August 5, 2022 at the municipal building located at 1840 State Highway #10 at 10:00 am with the following persons in attendance by roll call. The flag salute followed the roll being called.

Supervisor Scott Horton - Here
Council Member John Glenn – Here
Council Member Barbara DeLuca - Absent
Council Member Richard Sturgess – Here
Council Member Donald Travis – Here

There were seven members of the public in attendance.

Supervisor Horton received an email from Council Member DeLuca stating she was unable to attend due to her work schedule. She was unable to get someone to take her place.

Supervisor Horton wanted to get a few things moving. He wanted the board to approve the hiring of Barclay Damon as Bond Council for the Town of Caroga. He will be asking the board to approve next Wednesday to go out and borrow a million and a half dollars to move the town highway garage, do the salt shed and do the maintenance and golf course storage shed. The board already approved building a new salt shed. They are out there now leveling the lot and getting it ready. The maintenance building is needed because the insurance company stops payment of the rental of the old fire house November. Then there is more engineering work to do for the highway garage. This is a major capital program. The Supervisor stated the moving of the highway garage cleans up an eyesore and makes way for the club house, and possibly a club house/town hall building. This is a two phase project. He is still hearing concerns from the public on the town hall part of the project. He would also like to see some more detailed numbers. The work that the town can do has not been figured into it either yet.

Yesterday the Supervisor received a letter from the insurance company verifying and acknowledging that the town accepts their proposal for the insurance claim. This will be finalized within 7 – 10 days. The amount is a little over \$851,000.00 (\$851,236.26) to what we have already received which was almost \$1.4M. There is still depreciation that the town can collect if we build, that is about one and a quarter million dollars. By going ahead and building the maintenance shed the town will receive \$144,600.00 the amount negotiated with the insurance company. The building has to be code compliant. Supervisor Horton noted the building would be moved.

Supervisor Horton stated we need to have a bond council in order to go out and do bonding. The Town attorney cannot do it. The Supervisor noted Mr. Rob Miller (in attendance) has been involved with this in his career. Barclay Damon was recommended to the Supervisor by both fiscal advisors that the town has hired, and by the town attorney. The lead person Cornelia Cahill used to work for Girvin and Ferlazzo. The document is seven pages long, Supervisor Horton copied two pages outlining the fee structure for the board.

The way bonding is done first the town has to approve it and then you go out for like a home equity line of credit. You pay interest only on it not the principal for a maximum of five years then it has to be converted after five years. You pay the interest on what was actually spent. With using the \$1.5M number if the town only spent \$1.3M the town would bond for \$1.3M. The board has to approve so much money and the amount cannot be exceeded. The Supervisor anticipates the bond anticipation note to last a year until the highway garage is finished. Then this rolls over to a bond. Then the council goes out through fiscal advisors, whom we've hired, to go out and market the bonds. We will then know what the payment would be. Using today's rates for a 20 – 30 year bond.... we are not at that point. The Supervisor is still trying to get the team together. He still wants to look for additional grants. We have not heard back on the Northern Borders Grant or about the Salt Storage Shed which won't be until November on that. He has looked at five companies (for the salt shed) and heard back from two. One of them has the Office of General Services specifications which is a requirement of the grant. Supervisor Horton stated we don't have to go out to competitive bidding (they are on state contract). The company does about 90% of the salt storage structures in New York State. It has a fabric covered frame. One was just done for the City of Johnstown. The Town will do the foundation work. We already have some of the concrete blocks and will add to it. They will be strapped together and then sprayed with waterproof tar membrane on the inside. This is one more way to save money. Eventually the town will have to get a project manager for this. To date the Supervisor has been doing it.

RESOLUTION #2022-112 to approve the hiring of Barclay Damon as Bond Council for the Town of Caroga was offered by Supervisor Horton at a special meeting held on Friday August 5, 2022 at 10:00 am at Town Hall.

WHEREAS, the Town is in need of a Bond Council for the salt storage, highway garage, golf maintenance shop project, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to hire Barclay Damon 80 State Street Albany NY 12207 as Bond Council for the Town of Caroga.

Seconded by Council Member Travis

Discussion: Council Member Sturgess stated this is just to hire her if the board passes a resolution next week. Supervisor Horton stated we will need some advice. The resolution has to be framed in the exact terminology. This is part of the services they provide. The town needs the council to formulate the resolution that has to be passed.

Council Member Glenn asked what the amount was for their services. Supervisor Horton stated the fee... the first part is the bond anticipation note is \$0.50 per thousand. That times \$1.5M divided by 1000 is \$750.00 but the minimum fee is \$2,250.00. If we did the whole project at one time we would save. Right now, Supervisor Horton did not see the public wanting the board to go too far, too fast. The faster we go the cheaper it is. But he thought the public would resist it. There is more work to be done. We are looking for avenues to save money but at the same time keep the project rolling.

Supervisor Horton stated the letter from the insurance company they state there is not a timeframe in which the town has to build, "it should be reasonable." The town will not lose out on the additional codes' compliance funding, the \$1.25M, if we don't build within the next six to twelve

months. Taking time and being methodical he thinks the public will be very pleased to see Wheelerville cleaned up. If we are successful then the public will have more confidence in the next phase of this.

Council Member Sturgess had some comments and ideas that maybe the Supervisor had not thought of. He understands the countless hours the Supervisor has put into this. If we have the insurance money to convert the old building into a new building that should not be a part of this in his eyes. Would it be smart to go out to get a bond for the salt shed but could that money come from the general fund? Once the board hears from the public on the new highway garage then start that process. Supervisor Horton stated the short answer was “yes.” He stated if we wanted, we could deplete all of our reserves we would not have to go for the \$1.5M bond. The Supervisor stated it would make no difference if we bond. “The town has plenty of money to do this.” Supervisor Horton stated you use long term financing for long term projects. The Supervisor stated we are strong fiscally. On Wednesday he will be asking to reserve funds, we have access to well over \$900,000.00 of money in the bank, not reserved. We will be getting another \$851,000.00 that he wants to put in CD’s. The board will need to approve two other banks as repositories to get competitive rates.

Council Member Sturgess wanted to just bond the new Highway Garage. Supervisor Horton stated yes that could be done. Council Member Sturgess noted for the past year and a half the board told the public they would have an input on a referendum. He wants to keep that true. He is for the project, he sees the bills we pay. The public should have a say.

Supervisor Horton has done three presentations at East & West Caroga Associations, and Canada Lake Conservation Associations plus two presentations at town hall about this. A flyer was sent out to a majority of people in town. This has allowed the public to come to the town, he has received feedback. With a super majority the board can say they want to borrow this money. That is four of the five members of the town board. Then the public is notified within 10 days and if enough people object and petition the town for a permissive referendum they can do that. Things will stop and we will have to have a special election (it will cost and is a lot of work) or wait until the general election next year.

A large dog enters the meeting room. (He was a therapy dog visiting the youth program)

Council Members Glenn and Sturgess talked about breaking this up into smaller processes. If the board approves getting the money at the next meeting and the public says wait, they want a say, it stops everything. If the resolution is for a salt shed and the building needed for the golf course and the highway garage but the public stops it. That backs up our projects. We won’t have the salt shed for the winter. We won’t have the golf course shed by November. Supervisor Horton stated that is not exactly true. We would not go any further with the highway garage but we would do the other two projects. We have the money and we don’t need the public’s approval.

Council Member Glenn asked how much the new salt shed is going to cost \$105,000.00 was the reply. He asked if we needed the bond to build. The Supervisor stated he is suggesting doing all three projects in a major capital project. The Supervisor stated he spoke to Council Members Sturgess, Travis and Glenn on this. The current salt shed will be converted to a maintenance garage for the golf course. We need a place for the salt immediately. Insurance stops paying the rent in November. A member of the public asked if it was OK to move the salt. Supervisor

Horton stated he got a negative declaration from the Adirondack Park Agency. The alienation of the land was 8 acres. Council Member Glenn stated this was an emergency. The Supervisor stated the board could declare a state of emergency on this.

Council Member Glenn asked what the feedback was from the Supervisor's meetings with the public. Supervisor Horton stated he had no disagreement at any of those three meetings once he explained the need. He stated the least cost would be to do the whole thing at one time. He stated the public was very, very happy with what he shared. They were concerned about the tax implications more than anything. "The rest of it they are pretty much on board." If an inn was put on the current town hall site the estimated revenues would be \$2M a year in taxable revenue which is \$80,000.00 which goes a long way to pay off capital. We have excess property and equipment to sell. He thought it was time to get our house in order.

People are saying there is a lot of talking and nothing is happening. Council Member Sturgess noted we've had meetings and no one asks questions. He hopes the public has a choice to tell the board what they want the board to do.

Former Council Member Scribner stated we have a right to vote on how taxpayer money is spent.

Janice Corr stated there is a lot of support for what is being done but because questions aren't raised at the end of the meeting you can't take that as an acquiesce to the project in its totality. There is a lot of concern on the cost of what the board wants to do, and the needs of some of the components of the proposal. She did not think that concern was being heard by the board. Breaking it up into components does not address the troublesome component – the banquet hall in the club house. People believe we need a new (Town hall) building. But we do not need to spend money unnecessarily.

Supervisor Horton stated as an elected official he is there to make decisions. Some people would be happy with a modest facility and others want to see something even more grand than what is being proposed. The board has to find the middle ground. The supervisor stated it is not a banquet room it is a meeting room. He projects another \$100,000.00 a year to the golf course if the simulators were in. Council Member Sturgess stated the board has done drastic research on the importance of that room. There are 2-3 tournaments that don't come here – no banquet room. The size was cut down. The concern was that it was going to be a restaurant. It will not be a restaurant. Council Member Travis noted the seniors can meet there. The space would be used for an emergency shelter too. It is just that room that people are concerned with. Council Member Sturgess hopes the public knows the amount of homework that was done on just that room. If the room were removed he was not sure how much of the total of the project would be justified. The building would have to be redesigned. The room is necessary for this project.

Council Member Glenn asked how long the town would bond for on the town hall/ club house building. Thirty years was the response. The amount to be bonded would be \$5M. Mrs. Corr stated it makes sense to bond.

Supervisor Horton noted the mistakes this town has made in the past – the sewer system, the letting of the dam, the refusal of sidewalks. He hopes the people have more pride in the community than to let it slide. People are investing money on the lakes, but not on the main corridor. He did not

think storage for boats was economic development. We need stores and shops. That makes a vibrant community. We don't have that.

Supervisor Horton stated no one has said to him what a great job you guys did, the public didn't trust the change made to the management of the golf course... the year before the gross revenues on the course were \$147,000.00 because of changes there was almost \$240,000.00 in revenues with substandard facilities, and a fire. This shows we know what we are doing. The Supervisor stated no one has said anything about the \$820,000.00 the town is going to save on street lighting over the next 20 years. Council Member Glenn noted the money to be saved in combining the services – heating and electrical – Supervisor Horton stated at least a million dollars.

According to the architect to rehab the town hall building the cost would be well over two million dollars. It is \$2.2M to add town hall down at the golf course building. Then we would have a new building with less maintenance. Anytime there is a remodel it goes over budget. What happens if we get into it and there is a problem adding more expense to the rehab? It is his job to inform the public. The Supervisor has experience in building.

At 10:43 am Mr. McCarthy arrived.

Supervisor Horton stated for the town hall/club house project it should definitely be a referendum. Council Member Glenn stated the public has a right to say stop. The Supervisor stated this is not mean spirited. If enough people object the board will go by their wishes. He wants people to listen to the facts. He has worked for over a year and a half on this. He has thought of ways to save money.

Council Member Sturgess questioned the \$5M bond and stated there is \$1M in incidentals right so potentially the cost could be lower. Supervisor Horton stated we have to use some of it. Out of the \$10M budget 25% - \$2.5M is architectural fees, incidentals, and cost over runs are all in there. Supervisor Horton, knowing construction, did not want to tell the taxpayers a low ball number. He has worked hard to save money.

After this discussion Council Member Sturgess stated he is OK with moving forward on this particular part of the project. He will not move forward on the Town Hall/Golf Shop Building unless the public has an option. He understands what has to happen by snowfall this year. He remembers signing the books when the town spent \$11,000.00 in 30 days heating that highway garage. The clerk interjected here on that point. The reason the heating bill on the building was so high one month had to be because the garage doors were left open. Council Member Sturgess stated it happened. The clerk agreed it happened but it was not because of energy costs to the building, it's because somebody left the garage doors open day, after day. It was reported to her. The clerk wanted this on the record. Something went wrong there that is not a normal cost. Council Member Sturgess stated that is definitely understandable. She was tired of hearing that. He was tired of seeing the bill.

Council Member Glenn stated he thinks he is in favor of moving forward. The public has the ability if they want.... Supervisor Horton stated it is a permissive referendum. They can petition the town. That will tell the board something.

The clerk asked how much will the highway garage cost. Supervisor Horton stated the estimate from the architect was \$880,000.00. He bumped it up to \$1.1M total cost. It will be a premade

building and not a lot of architectural fees are involved. He estimated the maintenance building at \$250,000.00 and the salt shed at \$100,000.00. If we don't use those amounts we don't pay for it.

Council Member Travis stated the salt shed is an immediate need. Council Member Sturgess asked the time frame to build this. Supervisor Horton spoke to them on Wednesday they did not indicate they could not do it. We have to give them a purchase order pretty soon. He still has to finalize a few things before bringing it to the board on Wednesday.

Council Member Travis noted the nice park former Council Member Scribner set up making Wheelerville a beautiful place. Supervisor Horton stated this brings community pride.

Mr. Miller of Irving Pond Road stated there was a lot of information and opinions he has not heard before. He questioned why there was a special meeting four days before a regular meeting. He did not think this should have been presented at a special meeting. Supervisor Horton stated we got off track. The purpose of the meeting was in order for the meeting on Wednesday we needed to go forward with hiring the bond council. You have to do that at a public meeting. Supervisor Horton loves to talk to the public on this. He wants the people to know. He has to have long range plans. School boards are required to have long term plans. Supervisor Horton noted during his term he has built up reserve funds for equipment, the garbage truck, and a building.

Council Members Sturgess, Travis, and Glenn agree this has been a great discussion. Council Member Travis stated if anyone wanted to know there are minutes.

Adopted by roll call vote:

Supervisor Horton – Aye
Council Member Glenn - Aye
Council Member Sturgess – Yes
Council Member Travis - Yes

RESOLUTION #2022-113 to approve the sale at auction of a 4 x 8 utility trailer, the Hamm highway asphalt roller, the recycle bin for scrap, miscellaneous tires and wheels that do not have a use in the highway department. All items will be grouped with other previously approved items and sold through Auctions International was offered by Supervisor Horton at a special meeting held on Friday August 5, 2022 at 10:00 am at Town Hall.

WHEREAS, the Town of Caroga has various pieces of equipment it no longer needs or uses, the trailer used to be used by the weed control people but it was replaced with a dump trailer, the town now rents a tire roller, the recycle bin the Supervisor was not sure if it was on the inventory this was struck from the auction, misc. tires and wheels, the plow, and other things. Now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to put all of these items up for sale through Auctions International.

Seconded by Council Member Glenn

Discussion: Supervisor Horton thought we might get \$50,000.00 out of this sale. Council Member Sturgess questioned getting rid of the roller to rent one. Supervisor Horton explained the

rent on a tire roller was \$3,000.00 a month. We use a lot of recycled material now and bid out other projects. The roller puts ridges in the road. It is collecting dust and getting rusty. It was noted we have a paver that we use.

Adopted by roll call vote:

Council Member Glenn - Yes

Council Member Sturgess – Yes

Council Member Travis - Yes

Supervisor Horton – Aye

RESOLUTION #2022-114 to approve Canada Lake Computers to conduct Cyber Security training, to perform off site testing of stored electronic files, and continue to provide security monitoring for the PCs in town according to their proposal was offered by Supervisor Horton at a special meeting held on Friday August 5, 2022 at 10:00 am at Town Hall.

WHEREAS, the Town’s insurance company recommends having certain policies and procedures in place to keep the Town of Caroga computers secure, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to approve Canada Lake Computers to conduct Cyber Security training and perform off site testing of stored electronic files, and continue to provide security monitoring for the PCs in town according to their proposal.

Seconded by Council Member Travis

Discussion: Council Member Glenn referred to a quote of new services provided by Canada Lake Computer. Supervisor Horton stated cyber security was a large concern of his his first year in office. The board approved the computers being updated. The Association of Towns publication noted the importance, and the supervisor was proud we were ahead of the curve. He stated we were ahead of the curve on the golf course and street lighting. We are looking ahead.

Currently 6 computers are constantly monitored by Brian Macintosh. He supplies the antivirus for \$239.00 for a total of \$2,147.00 for a better upgraded managed service the cost is \$13 per computer per year more. To switch the cost would be \$2,160.00.

Training for Cyber Security is also done by NYMIR but in an email the Supervisor stated that they suggest using Brian Macintosh. He will set up a policy, (\$500.00) annual cyber security training for \$474.00, maintain inventory \$194.00, quarterly backup review \$540.00 additional annual total \$1708.00. New annual total \$3,868.00. This will come out of A1620.4.

Supervisor Horton noted the recent computer attacks where towns could be held up for ransom. All departments could encounter this problem. It was noted our computers are not networked. The Supervisor stated our data is backed up twice from onsite computers to hard drives and also backed up to the cloud. The Supervisor stated the insurance company would like monthly back up checks but that is too costly. If we don’t do this the insurance company won’t raise our rates, if we do it the rates won’t be lower. Council Member Travis stated we are just protected. Before the meeting the clerk stated policies can be obtained for free. The Supervisor stated Mr. VanGorder stated the policy by Mr. Macintosh was better.

Adopted by roll call vote:

Council Member Sturgess – Yes

Council Member Travis - Yes

Supervisor Horton – Aye

Council Member Glenn - Yes

RESOLUTION #2022-115 to authorize the Supervisor to provide a letter of support to the NYS DOT for the Wheelerville Bike Trail Festival on August 20 and 21, 2022 was offered by Supervisor Horton at a special meeting held on Friday August 5, 2022 at 10:00 am at Town Hall.

WHEREAS, The Caroga Town Board desires to hold a fun and safe event on August 20th and 21st, 2022 with the First Annual Wheelerville Trails Bike Festival, and

WHEREAS, the town received a letter of support from the Fulton County Sheriff, now therefore be it

RESOLVED, that the Caroga Town Board authorize the Supervisor to provide a letter of support to the NYS Dept. of Transportation for the Wheelerville Bike Trail Festival on August 20 and 21, 2022.

Seconded by Council Member Glenn

Discussion: Supervisor Horton stated we have the insurance for the festival.

Adopted by roll call vote:

Council Member Travis - Yes

Supervisor Horton – Aye

Council Member Glenn – Yes

Council Member Sturgess – Yes

Prior to the vote on the above resolution, Jack McCarthy stated that he sent the supervisor a letter yesterday about the outrageous noise coming down from the secondary parking lot. He went up there yesterday because of the constant beeping from the machines moving the dirt. The beeping could not be turned off. He stated there is constant noise in every room of his house. He walked on some of the new trails and stated how now some of the privacy of houses along route 10 has changed. The reason he came in today was to find out the official name and address for his lawyer. He did not know why the town thinks they can put a year round taxpayer through this constant noise. He is going to do something. Supervisor Horton noted it is construction. Mr. McCarthy asked why he has to hear it. Before this it was already a problem. He has had to go up there to tell the guys to turn down the blasted music, or to curse at a lower level. Why should he have to put up with this? That only affected the use of his back yard. Now it is his entire house! Supervisor Horton stated the equipment won't be up there for very long. Mr. McCarthy is visibly upset and left the room by saying we will hear from his lawyer.

RESOLUTION #2022-116 to accept the resignation of Jerry groom III as golf course manager effective August 15, 2022 with regret was offered by Supervisor Horton at a special meeting held on Friday August 5, 2022 at 10:00 am at Town Hall.

WHEREAS, Jerry Groom met with the Supervisor on Monday and said he would give the town two weeks' notice as he had another job, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to accept the resignation of Jerry groom III as golf course manager effective August 15, 2022 with regret.

Seconded by Council Member Glenn

Discussion: Council Member Glenn asked what the reason was that he was leaving. Supervisor Horton stated pay. The company he is going to will pay him \$65,000.00 a year plus benefits. He is currently making \$39,000.00 here. He tried his best to get the new employer to wait until the end of our golf season.

Council Member Travis stated he asked Mr. Groom to come in on the weekends to help with the tournaments and he said he would. He suggested coming up with a salary for that. Council Member Sturgess stated he and Supervisor Horton were meeting with Mr. Groom after this meeting.

Adopted by a vote of 4 Ayes: Horton, Glenn, Sturgess, Travis

At 11:17 am Council Member Glenn made a motion to adjourn. Seconded by Council Member Travis. All board members were in favor of the motion, Horton, Glenn, Sturgess, Travis.

Submitted by the Town Clerk

Linda Gilbert, RMC, CMC