

Caroga News Flash

Town Board Meeting Highlights

October 12, 2022

TownOfCaroga.com contains all issues of the ***Caroga News Flash***.

The monthly Board meeting at Town Hall and via ZOOM started at 6:00 PM and lasted 95 minutes. A budget work session started at 7:47 PM and lasted 98 minutes. Several points were notable.

- The Board followed up on Mr. Fancher's failures to enforce building/sanitary codes, including blight, infestations, and health risks (see https://townofcaroga.com/laws/law_2009_2.htm and public comments from https://townofcaroga.com/minutes/tb_2022-09-14.pdf).
- Mr. Shekerjian cut off ZOOM and then falsely claimed that the budget meeting need not be public.
- The Board reviewed the 2023 operating budget. They gave no details about the capital budget.
- They discussed bond referendum petitions, special election, and capital projects (see **Transcript**).

Resolutions / Local Laws:

1. 2023 Budget and Public Hearing —

- During the 10/5/22 budget work session, the tentative budget proposed a 10% local tax increase.
- On 10/12/22, spending cuts reduced the budget below the 2% state cap on local property taxes.
- The Board adopted tentative budget changes and approved 2023 preliminary budget (5-0 vote)
- Set 2023 budget hearing for next monthly meeting, 11/9/22 at 7:00 PM (5-0 vote)

2. Dog License Law and Public Hearing — Set a public hearing for 11/9/22 at 6:05 PM regarding amending Local Law#1-2016 regulating dog licenses, so that any dog license renewal delinquent on the 31st day after expiration will be assessed a \$10.00 late fee; and if the license remains delinquent after the 32nd day following expiration, an appearance ticket will be issued (5-0 vote)

3. 2022 Budget Changes — Approved transfers to maintain a balanced budget (5-0 votes)

- To: A8091.41 WEED C/E \$1,000.00 From: A8090.2 WEED Equipment \$1,000.00
- To: A7145.4 Rec Trail C/E \$500.00 From: A7145.1 Rec Trail P/S \$500.00
- To: A3620.4 Codes C/E \$250.00 From: A4010.4 Board of Health C/E \$250.00
- To: A5132.40 Garage C/E \$4,000.00 From: A1990.4 Contingency \$4,000.00
- To: DA5130.4 Machinery C/E \$5,000.00 From: DA 5110.1 General Repairs P/S \$5,000.00
- To: DA5110.4 Gen Repairs C/E \$44,864.50 From: DA4960 Emergency/Disaster Aid \$44864.50

4. Caroga Tourism — Appointed Angela Germany to CTC for term ending 12/31/23 (5-0 vote)

5. Other Business —

- Authorized Supervisor to amend reduced contract for sampling services at landfill (5-0 vote)
- Authorized Patricia Cooper to attend 10/28/22 ZBA-related training for \$50.00 (5-0 vote)
- Amended September resolution regarding State Liquor License to Rustic Tavern LLC (5-0 vote)
- Paid bills as presented for audit (5-0 vote) and accepted 9/14/22 meeting minutes (5-0 vote)

Announcements:

- ❖ This meeting began with a moment of silence to honor the late former Supervisor Steve Barker.
- ❖ A public survey about Wheelerville Bike Trails showed glowing feedback about this local attraction.
- ❖ Caroga's Trunk-or-Treat celebration will be Sunday 10/30/23 from noon to 3:00pm at Sherman's Park.

Next Board Meeting:

Monthly Board Meeting, Dog License Hearing, and 2023 Budget Hearing

Wednesday, November 9, 2022 beginning at 6:00 PM at Town Hall

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\$1.557 Million Borrowing Proposal for Phase 1 Capital Projects and Special Election

On October 11, three petitions were delivered and filed with the Town Clerk per Town Law § 91 (see www.nysenate.gov/legislation/laws/TWN/91 version 2020-07-31). This means that bond resolutions “shall not take effect...until approval by the affirmative vote of a majority of the qualified electors of such town...at a special town election to be held not less than ninety nor more than one hundred five days after the filing of such petition.”

Petition#1: Town Barn Bond Referendum

“We, the undersigned electors and legal voters of the Town of Caroga, New York, qualified to vote at the next general or special election, respectfully petition that there be submitted to the electors of the Town of Caroga for their approval or rejection at a referendum held for that purpose, a proposal detailed in Resolution #2022-133 Bond Resolution dated September 14, 2022 to authorize the construction of a building to be used as a **Town Barn**, authorizing the issuance of serial bonds of the Town of Caroga, Fulton County New York in an aggregated principal amount not to exceed **\$1,000,000.00** pursuant to the local finance law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor. In witness whereof, we have signed our names on the dates indicated next to our signatures.”

Petition#2: Golf Course Storage and Maintenance Facility Bond Referendum

“We, the undersigned electors and legal voters of the Town of Caroga, New York, qualified to vote at the next general or special election, respectfully petition that there be submitted to the electors of the Town of Caroga for their approval or rejection at a referendum held for that purpose, a proposal detailed in Resolution #2022-134 Bond Resolution dated September 14, 2022 to authorize the relocation and reconstruction of a **Golf Course Storage and Maintenance Facility Building**, authorizing the issuance of serial bonds of the Town of Caroga, Fulton County, New York in an aggregated principal amount not to exceed **\$450,000.00** pursuant to the local finance law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor. In witness whereof, we have signed our names on the dates indicated next to our signatures.”

Petition#3: Salt/Sand Storage Building Bond Referendum

“We, the undersigned electors and legal voters of the Town of Caroga, New York, qualified to vote at the next general or special election, respectfully petition that there be submitted to the electors of the Town of Caroga for their approval or rejection at a referendum held for that purpose, a proposal detailed in Resolution #2022-135 Bond Resolution dated September 14, 2022 authorizing the construction of a **Salt/Sand Storage Building**, authorizing the issuance of Serial bonds in the Town of Caroga, Fulton County, New York in an aggregated principal amount not to exceed **\$107,000.00** pursuant to the local finance law to finance said purpose and delegating the power to issue bond anticipation notes in anticipation of the sale of such bonds to the Town Supervisor. In witness whereof, we have signed our names on the dates indicated next to our signatures.”

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October 2022 Transcript about Capital Projects

Town Clerk Linda Gilbert: I just wanted to say how deeply disappointed I was that I was served with three petitions on behalf of 62 people forcing a public referendum. What this indicates to me is that better communication is needed. Does anyone realize the amount of extra time, work, effort, and money that a petition of this nature brings to me, the town attorney, and the town officials? Again, I am so very disappointed that people didn't speak up, that you didn't stand up at a meeting, and you didn't let your elected officials know that you had a concern about how your tax dollars were being spent!

Council Member Don Travis: I second that!

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Supervisor Scott Horton: Next meeting I probably will have a picture of the foundation that we put in for the new **SALT SHED**. In 2008, we were told by the DEC that we had to replace the old Salt Shed. It never got done. So, we looked at going out for contract. That was very expensive. Again, I talked with Larry [Voght]. What do you think we can do? We went around and looked at other Salt Sheds. We can get something extremely elaborate, like what the state has, and spend hundreds of thousands of dollars, or we can do something that will meet our needs and cost the taxpayers less money. We have a budget, as many of you know of \$107,000.00. The Town Board approved spending out of the resources that we had, and then we also voted last month to bond this so that we don't overtax the taxpayers. I don't know if people understood the concept behind it? But we did get a petition, and that is something that we will have to go forward with.

Long-term assets in government should be paid for over a long period of time. If you paid for them all upfront, then the taxpayer today is paying for a benefit for the taxpayers of the future. That's not right. You're overtaxing people. You're saying we want your money today, and we don't want the taxpayers of the future to have to pay it for a benefit they're getting. I don't know if that was understood. I'm very, very surprised! This is something where the DEC has told us since 2008 that we had to do. But regardless, you can tell that I'm frustrated!

We still said, despite this, look, we're not going to pay top dollar on this thing. We scaled it down to a kind of a structure that I think was proper for this town. It was 34' wide by 40' long structure. It uses steel frames. It's built to OGS specifications.

[For OGS Specs, see <https://townofcaroga.com/files/133424domesaltstoragestructure.pdf> or <https://online2.ogs.ny.gov/DNC/MasterSpec04/MasterSpecListing.asp?Div=13>]

It uses concrete blocks that are piled on top of one another. When I talked to Larry, I said to him, "Why do we have to hire a contractor and pay prevailing rates, and charge the taxpayers all this money, for something that we can do with our own equipment?" We have the expertise to do it. So, we did it! It was done in one week! This week we started off. We had the site leveled a few weeks ago. We built it. We put it all together. It looks absolutely beautiful! I'll have a photo for you at the next meeting. And I'm very, very proud of those highway people for what they did. They did an excellent job! They probably saved the taxpayers around \$50,000.00! I think that they should get credit for that. I think that the town should give credit that we were trying to save money. I'm just a little disappointed.

What was the savings? The estimate initially came in at over \$155,000.00. We said that we can do it with our own resources for about \$107,000.00. It looks like we're going to come in even under that. I do have a resolution. There's miscellaneous iron work that has to be installed for this thing. It went out for bids. We worked very, very hard on that. The highest bid was \$18,000.00. We had a \$15,000.00 bid. And we had a \$12,000.00 bid. So, we didn't just take the easiest way to go. We worked this thing. It is important. I'd like the support of the public for doing things like this, because of all of the Capital Programs that we've been looking at—I'm getting a little ahead of myself—I've done the project management for this town. We haven't spent \$175.00 and hour for this project management. I've done it. I think that the town taxpayer should be proud of an administration that's willing to roll up our sleeves and say, "You know what? We can do things at less cost, and we'll just use our own expertise!" That's all I want to say about that! Again, kudos to the highway department for doing all that they do—and what they don't have to do, but that they do for the taxpayers of this town. I expect final construction the second week in December 2022, as long as the supply issues are ok. We're at the mercy of the supply chain here.

Council Member Rick Sturgess: The other comment that I have is that I just want to reiterate that the can has been kicked down the road for this project for 14 years! 14 years it's been kicked down the road!

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Everybody from the public—not everybody—most people from the public say, “It doesn’t seem like anything’s getting done. You guys are doing nothing.” Well, this is the time that something got done! 14 years is long enough to wait on something that DEC told us had to be done. It has to get done. It has to move forward. What are we going to wait for? Fines?

Supervisor Scott Horton: I’d like to know from the public if they’d like us to keep going down that road and get fined by the DEC?

Council Member Rick Sturgess: And kick the can down the road 14 years! It’s beyond that too. It’s so much past that. You know? You have to move forward. You just have to make decisions to do it. It’s cheaper today than tomorrow. That’s the way it works.

Council Member Jack Glenn: And I think the way that Scott laid it out. We don’t pay. It’s not on the taxpayers today. It’s over 30 years.

Supervisor Scott Horton: We’ll see. **If the taxpayers vote it down, they’re going to pay for it all up front!** That’s as simple as it gets!

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Supervisor Scott Horton: **The CLUBHOUSE/TOWN HALL PROJECT has been put on hold.**

There’s some misinformation out there that this municipal project is nine million dollars. It is not. It’s about \$7,500,000.00 now. That’s still too much money, in my opinion, for this town to handle, even though we have \$3,000,000.00 in insurance proceeds. It probably needs some engineering. They call it value engineering. I think that they came up with a great plan. There’s been some questions about whether it’s the proper size. I don’t know how you can make it any smaller. We combined the meeting room and the judge’s room into one room. We reduced the size of every office for every activity that is currently in this town. The Highway Department has been eliminated from the design. The golf course superintendent’s area has been eliminated from the design. The only area that was increased was the town clerk’s office. A lot of town people come to the clerk’s office at least once a year. It’s woefully undersized. There’s just not enough room there. So, I don’t think that was excessive at all to increase that. There’s a lot of things that go on there. The new design had security features for the town clerk that I thought were necessary. So, that’s the size of the building. And if you want more validation on that, CT Male did a design that was a similar size or maybe a little bit larger and that was many years ago.

Council Member Jack Glenn: Can you just go back through those numbers one more time?

Supervisor Scott Horton: **I’ve just heard people mis-stating it as a nine-million dollar building. Well, the total Capital Program is around nine million dollars. The total program. That’s the Highway Garage, the Maintenance Building, Salt Shed, and everything.** They’re preliminary sets of drawings. The detail work is not there. We used a per-foot number. It’s prevailing rate, and that raises costs quite a bit. If anybody has seen the design, it’s pretty! But, well, there’s some stone work that could be engineered out. We haven’t gotten into the details. There’s different kinds of HVAC systems. Some might cost more to operate but less costly initially. All of those things have to be taken into account before this thing can even come close to going before the voters. I mean, we promised the voters that that would be a referendum. We’re not going to go back on that! These other projects are different.

Council Member Jack Glenn: Ok. We’re saying nine million dollars?

Supervisor Scott Horton: No! We’re not saying nine million dollars!

Council Member Jack Glenn: Ok. How much is insurance money or besides that?

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Supervisor Scott Horton: Total cost. Nine million take away three, that's six million total cost to the taxpayer. That's still too much money for a town of our size in my opinion. I haven't gotten very many phone calls saying you need to spend more. I also think and I would hope that people would start listening to some of the details we've put out there. Those costs include 25% contingency. That's a big number. As you do more detail, that contingency number is going to shrink because you're going to have more detail. But you have to start someplace. You have to tell the public, hey, this is what we're looking at. If it were 3 million dollars with 3 million from the insurance company and 3 million dollars is a done deal. But it isn't. There's another thing. It isn't just for the buildings. There's required parking. We have to do some infrastructure there. We have to enhance the septic system, so we have to put a new line up there to the leach field. We have to build the leach field. I would like to see a more environmentally friendly pavement system that absorbs a lot of the rain instead of just having it run off into the creek or into the road or into a catchment. There's a lot of engineering yet that has to be done. It includes bringing power. It includes upgrading the water system. The size of the building requires a sprinkler system. We're looking at all of those things. If we can find some way to save some money, and still provide the product that we need, then that's what we'll do. We're putting the cart before the horse. **We need more detail.**

I probably say this every meeting, so I can get off of this bandstand, but, well, I don't have the time to work on five projects—five Capital Programs. It's too much for this town board. So, it's on hold. We'll do a little bit of engineering trying to see how things are going. When we started, interest rates were here, and now interest rates are way up here. Construction costs have gone up. If we have a recession, then construction costs could very well go down. We have some supply chain issues. **It's just not the right time for a project like this, but when it is, then we'll be ready to go.**

Council Member Rick Sturgess: I have a question. Correct me if I'm wrong. How many years ago was it that the last time that the Town Hall borrowing was done? 12 years ago, something like that, the town turned it down for a million dollars? So, what I stated that it's cheaper today than it's going to be tomorrow. A million or a million and a half 12 years ago to 6½ or 7 million today.

Supervisor Scott Horton: Well, if we combine the Town Hall with the Clubhouse, the engineer's estimate was about 2.25 million versus if we built the Town Hall exactly the same square footage would be about 3.5 million, so I'm trying to save some money.

Council Member Rick Sturgess: In layman's terms, the price is basically double. Right? The cost of building this [Town Hall and Golf Clubhouse] building is double 12 years later.

Supervisor Scott Horton: Apples to apples? More than double! Right. So, the architect told us a year something ago that every month you delay, you can add 5% to the cost.

Council Member Barb DeLuca: We experienced that when we built the firehouse. Same thing. We started in 2006. We were going to spend a million dollars. It was more.

Supervisor Scott Horton: It's difficult. I've got experience. **It's like the Salt Shed. Concrete floor for \$20,000.00 or asphalt for \$8,000.00? We did asphalt.** I'm trying to watch tax dollars.

[For OGS Specs, see <https://townofcaroga.com/files/133424domesaltstoragestructure.pdf> or <https://online2.ogs.ny.gov/DNC/MasterSpec04/MasterSpecListing.asp?Div=13>]

Supervisor Scott Horton: I was going to talk about the petitions. I think everybody knows where I'm coming from on that. Keep that old Quonset hut that we can't even store our trucks in or repair them or store a million dollars of equipment? That's nonsensical. And it looks horrible. You've got Wheelerville, such a beautiful area. It's a beautiful area in town. You drive through here. I'm hoping the town center is improved to the way it is up here. There's lots of green, you know?

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There's just nothing you can do in a highway department. You have to store the plows outside. The ideal spot is over there. Why don't you build the Salt Shed over there? Have all of your material over there. And then it's down here. I mean, why would you not have a building? I mean, this is the Town of Caroga. We're in the Adirondacks. There's a lot of winter here. You want people to be outside. You try to repair those plow trucks when you need them on the roads. I don't get it! I just really do not get it! Anyway, I now will open up the floor for public comments and questions.

Former Supervisor Beth Morris: Did y'all miss me? First of all, I know each and every one of you personally, and I know how much each and every one of you love our town. The hard work that you've all done does not go unnoticed. But I also want you to know that just because we may disagree with your decisions, it doesn't mean that we're going to hate on you, and it doesn't mean that we don't still want to be friends. But what I can tell you is this. After last year with the tax increase, and we understand that things are not cheap. This pandemic has cost us all so much. And I know that you all have worked very hard to try to keep costs down and you want to make improvements to the town. But what I can tell you, my toe is dipped just a little bit in town affairs, just enough so I know what is going on. And people still do contact me and ask me about what is my opinion about things, about the things that are going on in the town. And what I can tell you is that people are very concerned. They were very disappointed about the tax increase. And they're very disappointed about this. I'm one of them. It's not that I disagree with your ideas. I disagree with the timing. It's not about pushing anything down the road. It's about what's right for right now. Because people are hurting right now. Heating costs are going up. We know what food prices are now. We know what gas prices are now. The bottom line is this. We have to do what's right for the future, but we also have to live in the moment which is right now.

Permissive referendums are put in place when people are not happy with the decisions that the board makes. This town is not a stranger to this. This goes back to the Sherman's days, back in 2015 and 2016. This is the way that people feel that their voices can be heard. Where? At the ballot box. It's not personal. Anybody in this town that thinks that any of you don't care about this town, they haven't seen how hard you've worked behind the scenes. I mean, hours and hours that it takes. I know. I sat there. Unless people sit in that chair, they have no idea how much time a simple decision takes. **Permissive referendums aren't put in place to cause anger, cause more work, or anything else. They're there for a reason. People want their voices to be heard, because they feel they haven't been.** So, again, I don't want this taken personally. You guys all know me. You've known me for a long time. I am going to be very honest. I was one of the signatures on that petition, because I truly believe we have to live in the moment right now. We have to have time to recover. We all have to be on the same team here and move forward.

Any decision that is made at the ballot box we have to go by, and you guys might have to go back to the drawing board. Why? Because that's what we voted you for. We voted you guys in not just because we want five people to make a decision, but we want you to make decisions that townspeople want. That's what's gotten town boards in problems in the past.

So, listen to the taxpayers. The permissive referendum allows voters to go the ballot box and to make the decision about borrowing money.

I hope you understand. I mean this with all of my heart. Thank you so much for all of your hard work behind the scenes, but please listen to what the taxpayers are saying to you.

Anita Long: My name is Anita Long. I've been a 20-year year-round resident in Caroga, and I live on Kasson Drive. I was the witness to the 62 signatures on the bond petitions for the referendum. As former Supervisor Morris said, people are grateful for the hard work that has been done.

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People who signed included all three of the former supervisors who are local and living in the town, a former acting supervisor, former deputy supervisors, former town board members, former volunteers for the town, and other concerned citizens. They really came together around the consensus about the legal right of the voters to have a vote on town borrowing. It is really very clear that people want to have a vote.

In fact, I thank Supervisor Horton for stating publicly back in June that he also supported a referendum. I know that has changed over time, and there was a time that you stated publicly that you wanted that. And I also thank Council Member Sturgess for stating publicly a support of the value of people's vote. I hope that the board can receive this in the spirit in which it was intended, which is to give people the right to exercise their vote. And to see the opportunity that exists here.

Even though there was consensus around voting, there was a great diversity in people's perspectives on the buildings. In my own view and my own interpretation of some of those things, **I think an important thing to underscore is the transparency around these projects.** I know that Supervisor Horton stated publicly in August that you acknowledged feedback from many people about the need for transparency. That has been stated and those questions have been stated over and over. But I encourage you to translate that into specifics:

- Make public the Budget for the Capital Projects. **Show the specific finances.** People want to see the budget. They are used to looking at budgets for big projects like this.
- People would also like to see Signed Engineering Drawings. **Show how this is following the law and following the codes.**
- They want to see the Stormwater Pollution Prevention Plan. **Show how the water management is done to ensure that the kind of salt contamination that happened across the street here is not going to happen at the new site.** I mean, how are the asphalt, cinder blocks, and tar going to contain the salt? How is that going to happen? What's the environmental impact plan and the details around that?

I think there are a lot of opportunities in the coming weeks and months to really clarify those kinds of specific kinds of things to be transparent.

I hope you continue to engage with the voters to help them to understand the opportunities for investing in the town. Again, I thank you for all of your work. People did see that a lot of work is being done. There's more work to be done... I've seen so many people over the years volunteering and pitching in for families in the community. It's the people that really make this beautiful community vibrant. I also thank the Town Clerk for the work that she does in all of her capacities and also to make this referendum happen. People are grateful for that as well.

Supervisor Scott Horton: You brought up several important points. The way that the budgeting process goes for Capital Programs is you do a preliminary budget. It's rough. It's usually done on a square footage basis, and when those moneys are approved, you then spend money for the engineering costs to get the detailed drawings and specifications and things like that. So, we can't provide the product that I've heard people want to see until we have the money to do it. If you have no money, who do you hire? You have to hire the architects to give you those detailed plans to the public. So, I think that may be part of the issue. But I do understand. I think you had some good comments about the transparency thing. **The board will definitely work much harder to have that information in front of the public.** If we've learned anything in the past few weeks, we've learned that there's a breakdown. I'm just too close to it. I think I know what's going on, but I'm not the one I work for. I work for the public. So, I'll do a better job.

[**For State Law for Capital Programs**, see <https://www.nysenate.gov/legislation/laws/GMU/99-G>.]

"The governing board shall annually adopt the capital program...The provisions of any law relating to a public hearing on the tentative budget, and to the adoption of the budget, shall apply to the capital program."

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