

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board meeting held Wednesday August 11, 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
Council Member Richard Sturgess - Here
Council Member Donald Travis - Here

Tor Shekerjian – Confidential Secretary to the Supervisor facilitated the Zoom meeting. There were seven persons in attendance at town hall. Included in that number were Larry Voght Highway Superintendent, and Jerry Groom III – Golf Shop Manager. There were sixteen people online using Zoom. Supervisor Horton opened the meeting at 7:00 pm.

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

Public Comment: No Public comment this evening.

Department Reports:

Wheelerville Bike Trail – Jeremy Manning reported they have not been able to build in the last few weeks due to the weather. He does plan to get everything done this year as planned. Mr. Manning noted employees have been hurt and sick. They are down one person right now. The highway Superintendent Larry Voght was thanked for moving a huge boulder that is now anchoring the new sign. Tim McLaughlin from Bleecker donated the sign which was installed today. The goal is to have five more trails finished this year. He is well on the way to getting that done.

Sole Assessor – Loucks - No report. Supervisor Horton reported that the Board of Assessment Review met today to make some corrections to the roll.

BTI – Lynne Delesky reported for John Delesky. The season is over for treating. They will buy more material for next year when it becomes available. Supervisor Horton thought there was money in the budget to make the purchase. It was stated that there is usually a special price at the end of the year.

Town Clerk/Tax Collector/Registrar/RMO – Linda Gilbert submitted a written report. A new puddle was found in the records room. The office received a lot of calls about the information distributed by the Highway Superintendent about the garbage. The clerk offered help if

information has to be distributed again. The Clerk completed her sexual harassment and discrimination prevention training for this year. The monthly report was also submitted.

Lastly, the clerk walked over to Council Member Long and stated at the last meeting and also on July 13 information was sent to him to update his webpage for the hours of the clerk's office. A certified letter was also sent to Council Member Long with the information. The clerk presented the information again to Council Member Long asking him to update the page to reflect the hours the office is open. His response was "SURE" he would "be glad to." The clerk stated she would appreciate it and thanked Council Member Long.

Code Enforcement & Sanitation – Fancher, De Rocker- Blowers, Supervisor Horton reported it has been another busy month. They have had \$535,825.00 worth (valuation) of new permits issued, with a permit fee of \$2,810.00. Codes are busy inspecting the sites, and keeping up with the construction going on in town.

Supervisor Horton noted if anyone wants any department reports they can request them in writing from the Town Clerk. It would not be a Freedom of Information Request.

Dog Control – The Town Clerk submitted a report showing 14 dog renewals from 2020 are still delinquent. New York State Ag. & Markets filed an Inspection Report with the town.

Golf Course – Stedman / Groom /Centi /Councilman Sturgess – Mr. Centi was not available. He was busy looking for a part for the harvester. Supervisor Horton reported that the steering committee meeting for this evening was cancelled. There was not much to report. The Supervisor noted a lot has been going on at the golf course. Jerry Groom III reported that the new POS (point of sale) system was set up last week. The old company was bought out, and the program was not going to be supported. The new program is called "Fore Up" and is specifically designed for golf courses. It can do Tee times and events. It is easier than the last one. Last week was the busiest week playing golf.

There are only 6 carts left for the impossible pin tournament. There was a good turnout for the Member - Member tournament. There were 24 teams. The club Championship will be on September 18th & 19th. There will be a sign-up sheet by the end of the week. The Nick Stoner Trailers Tournament for September 11th is completely full. There are 29 teams. There are new shirts with a new logo for sale.

Supervisor Horton asked how many days have there been when he has run out of carts to rent. The response was 11 days. The wait is about ½ hour. This happened mostly when there was a tournament. There were 10 carts available after the tournament started, within an hour they were gone. The shortage occurs on Monday or Wednesday because of the special that is run. Supervisor Horton stated that golf cart rentals have exceeded the cost budgeted. They have brought in about \$28,000.00. The budgeted amount was \$25,000.00 and there is still a lot of golf to go. The Supervisor stated Jerry is doing a great job with the carts.

Steve Stedman reported that he received three pieces of replacement equipment from Grassland in Albany, that were lost in the fire and covered by our insurance company. There are one or two more pieces of equipment ordered but they won't be here until September. The equipment was ordered in March. He is focusing on the greens. They will be going down in height two

more times. Aerification will take place after the club championship on September 19th. The work will be done in house. Supervisor Horton asked if the new motor and pump controller approved at the last meeting were installed. Mr. Steedman reported it is working great. They were losing 25psi now we are back up to 130 psi. Before the new controller the pump was fluctuating, and could not be calibrated.

Mr. Stedman was thanked for his work on the course by pumping off all the rain.

Highway – Voght Mr. Voght reported that the work on Sand Point Road was finished today. When he got home, he saw a few comments on Facebook that the work wasn't done properly and that there wasn't enough money in the budget. Mr. Voght noted it was not about money in the budget. Sand Point Road wasn't even supposed to be done this year he noted. He was only obligated to Fulton Road. He did not want to leave Sand Point Road the way it was so he milled it. First it was ditched, took all of the rock out they could get out, then milled it to improve the travel on the road. He was disappointed with the criticism. Mr. Voght said he puts his heart and soul into these road projects. There have been lots of road washouts the last couple of weeks due to the rain. He went through 300 tons of crusher run and a couple hundred tons of millings. Culvert pipes have been replaced on Vrooman Road, Scott Road, and Sand Point Road. He thanked his crew for all of their hard work on Sand Point Road in this hot weather.

Supervisor Horton wanted the public to understand that the majority of the money the town has to spend on roads comes from CHIPS Consolidated Local Street and Highway Improvement Program. The town is reimbursed. They do not give the town enough money to do all of the roads at one time. The Highway Superintendent, Larry Voght goes out and looks at the roads and then prioritizes the improvement work. Supervisor Horton stated he has done a great job doing more than what was originally budgeted for this year. The Supervisor thought in about 3 – 4 years we will be caught up with the worst roads in town, as long as the funding stays in place. Council Members Glenn and Long thought the whole road crew did an outstanding job.

Lakes Management Program – Glenn / Harazin / Olm/Centi John Olm sent his monthly report to Council Member Glenn. Mr. Olm read his report.

West Lake Fishing Access Site Launch - As of August 9th, a total of 1,481 watercraft were inspected; Stewards provided advice to 2,521 boaters on best practices to stop the spread of Aquatic Invasive Species.

Town of Caroga Boat Wash Station - As of August 9th, a total of 137 watercraft were inspected, a total of 42 watercraft were decontaminated; No aquatic invasive species were found on watercraft or trailers during this reporting period; Stewards provided advice to 209 boaters on best practices to stop the spread of Aquatic Invasive Species.

NYSDEC East Caroga Lake Campground Launch - As of August 9th, a total of 443 watercraft were inspected; No additional aquatic invasive species were found on watercraft or trailers during this reporting period; Stewards provided advice to 702 boaters on best practices to stop the spread of Aquatic Invasive Species.

Council member Glenn asked about the closing of the stewards' program for the year. Mr. Olm responded they usually alter the hours after Labor Day. It depends on how much money is left in payroll. They usually do weekends up until Columbus Day. The clerk asked Mr. Olm to email her his report.

Since Mr. Centi was down getting parts (a gasket) for the harvester. Council Member Glenn reported that the harvester has been around East Caroga Lake twice, next week they will go into West Caroga Lake for a week, and then back to East Caroga. It was reported that the yield of invasive species was just about the same as last year.

Supervisor Horton noted last year Mr. Centi launched up on Canada lake and did a survey and will he be able to do that again? The Supervisor stated no blooms were found, and thought it was a good thing to do.

Town Hall Building – Council Member Travis reported the yellow lines are done in the parking lots. He stated the Summer Recreation Program/summer school for the children is done on Friday. He is looking to get a split rail fence for the area where the septic tank is for Nathan Littauer. This will protect the tanks. Council Member Travis asked Mr. Voght for the new handicap signs. He needed two. Mr. Voght responded they would have to be made up by Montgomery County and stated he will call them.

Historian – Nilsen – no report

PLRT Commission – Centi - no report Mr. Centi was looking for parts for the weed harvester

Sewer Study – Council Member Glenn read in the newspaper a couple of days ago about the money coming from the Federal Government. The Fulton County Board of Supervisors has deposited 5.6 million dollars into their account. Certain areas are being prioritized for infrastructure. From what he read it will be Broadalbin, Mayfield, and Northville/Northampton. Supervisor Horton reported that the board passed a resolution on Monday. Fulton County under the Smart Waters Program and the American Rescue Plan Act funds received are being used to make a connector from the northern part of Gloversville and using the main trunk line to hook up to Mayfield. There are no funds allocated at this time to go from Mayfield to Northville. This will provide an economic corridor going up Route 30A.

Club House / Town Hall Project – Supervisor Horton noted the first survey was done by the architect since the Town Board approved the engineer doing a combined building. Those having an interest in the project, the Judge, the clerk, codes, assessor, the bookkeeper as well as Supervisor Horton met with the architect. They came up with a preliminary plan of a two-story structure with the first story, at grade level, for town offices and the second story would be for the club house area. There will be revisions and Jerry Groom III will have his input also. When a conceptual drawing is presented and revised if necessary then the public will get a look at the design. Next details will be put together to come up with a cost for the project. The architect will meet with the judge next week. The Supervisor stated they are trying hard to have the court room and the town meeting room as a dual-purpose room. There are some challenges to that. The town is trying to save money where they can. Already the project has gone from a full

foundation to a slab to save money. Since the structure is over a certain square footage a sprinkler system may have to be installed. They are expensive but the cost savings of putting two buildings into one outweighs the additional expense.

Council Member Long asked what the cost of a sprinkler system was. Supervisor Horton will ask the architect on the next rendition as the square footage has changed from what was planned before. The Supervisor did say it was definitely six figures.

Supervisor's Report:

Supervisor Horton would like the town board to look at a letter of support to ABC Board for Stump City Brewery. Stump City has been asked by the Caroga Arts Collective to serve alcoholic beverages at an off-site premise. This is done by permits. The brewery is allowed four permits. Eight dates are being asked for, and each requires a separate permit for that one day. The Supervisor read the letter to the board as follows:

Stump City Brewery 521 West Fulton Street Gloversville, NY 12078 Re: Liquor License #2205499

To Whom it may concern: The Town of Caroga supports the application by Stump City Brewery for additional temporary liquor permits for off premise use at the Sherman's Amusement Park located at 106 East Shore Rd., Caroga Lake, NY 12032. This property is owned and operated by a 501 (c) (3) non- profit group named the "Caroga Arts Collective", and will help support the programs that they conduct that enhance our community and provide entertainment and education to the community of Caroga Lake, promote our reputation as a recreational community, and attract visitors to the Town of Caroga. The activities of the Caroga Arts Collective are supported by the Town and are in compliance with our Comprehensive Plan, and zoned for such purposes.

Specifically, the dates and permit number that we are supporting are:

<u>Date</u>	<u>Permit Application Number</u>
7/8/2021	TP820-21-01938
8/11/2021	TP820-21-02103
8/13/2021	TP820-21-02500
8/14/2021	TP820-21-02105
8/18/2021	TP820-21-02106
8/20/2021	TP820-21-02107
8/21/2021	TP820-21-00108
8/22/2021	TP820-21-02451

Sincerely, Scott M. Horton, Town of Caroga Supervisor

RESOLUTION #2021-087 to authorize the Supervisor to sign a letter of support for the application by Stump City Brewery for additional temporary liquor permits for use at Sherman's Amusement Park was offered by Council Member Long at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021.

WHEREAS, Supervisor Horton composed a letter of support regarding an application made by Stump City Brewery for additional temporary liquor permits for use at Sherman's Amusement Park located at 106 East Shore Road West Caroga Lake NY, and

WHEREAS, the letter was read at the meeting this evening, now therefore be it

RESOLVED, that the Supervisor is hereby authorized to sign a letter of support on behalf of the Caroga Town Board for an application by Stump City Brewery for additional temporary liquor permits for use at Sherman's Amusement Park.

Seconded by Council Member Travis

Discussion: Council Member Glenn asked if this was a beer brewery. Supervisor Horton replied they also sell liquor. Council Member Glenn noted the dates of 7/8/2021, 8/11/2021, and 8/13/2021 and asked if they had been operating without a license. They get four permits from the liquor authority. There is a sense of urgency. Two corrections were noted in the letter the address and the non-profit designation.

Adopted by a roll call vote as follows:

Supervisor Scott Horton - Yes

Council Member John Glenn - Yes

Council Member James Long - Aye

Council Member Richard Sturgess - Yes

Council Member Donald Travis - Yes

At the last meeting Supervisor Horton noted the board talked about the Procurement Policy. Everyone received a copy and reviewed it. The wording to be added is as follows: The Supervisor is authorized to have a credit card with a credit limit of \$5,000.00, that the golf course manager have a credit card with a limit of \$1,000.00, and that the Golf Course Grounds Superintendent have a credit card with a limit of \$1,000.00. It was noted that money can be saved by shopping on the internet.

It was noted that the club house manager has a reasonable inventory and the merchandise inventory has paid for itself.

Council Member Sturgess noted the Highway Superintendent was not mentioned to have a credit card. Supervisor Horton noted the Highway Superintendent has open trade accounts and has no reason for one. The Golf Course Superintendent needs one for the uniqueness of some of his equipment. Council member Glenn questioned if the most updated version of the procurement policy was what was being reviewed. The Supervisor and the Clerk replied it was.

RESOLUION#2021- 088 to update the procurement policy to include the issuance of credit cards for various town officials was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021.

WHEREAS, the Caroga Town Board discussed the procurement policy at the July Town Board meeting, and

WHEREAS, the board reviewed the policy and discussed issuing credit cards to the Town Supervisor in the amount of \$5,000.00, to the golf course manager with a limit of \$1,000.00, and that the Golf Course Grounds Superintendent have a credit card with a limit of \$1,000.00, now therefore be it

RESOLVED, that the Procurement Policy shall be updated to include the issuance of credit cards to the Town Supervisor in the amount of \$5,000.00, to the golf course manager with a limit of \$1,000.00, and that the Golf Course Grounds Superintendent have a credit card with a limit of \$1,000.00.

Seconded by Council Member Glenn

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 invited Ralph Palcovic to speak about the wet down event being held for the fire service. The new fire station will be baptized on September 4th. It is a tradition; the mutual aid stations are invited as well as the town board members. It will be held at 3 pm for about 45 minutes. The public was cautioned about attendance as there will be lots of equipment and apparatus that may be there that day.

RESOLUTIONS:

Council Member Long asked if the Highway Superintendent was on board with this contract for snow and ice removal. Supervisor Horton replied that he was.

RESOLUTION #2021 -089 to enter into an agreement for Snow Removal and Ice Control

Contract with Fulton County Highway Dept. was offered by Council Member Long at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021.

WHEREAS, Fulton County Highway Department sent the Snow Removal and Ice Control contract to the Town of Caroga for the year 2021-2022, and

WHEREAS, the Highway Superintendent was notified of the contract, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to accept the agreement for Snow Removal and Ice Control Contract with Fulton County for two county roads in the Town of Caroga; County Hwy 111 and County Road 137 a total of 5.13 miles the price per mile is \$5,000.00 the total contract price is \$25,650.00 with payment made on or about May 1st.

Seconded by Council Member Sturgess

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

RESOLUTION #2021- 090 Approve fireworks application for September 4th with Majestic Fireworks Inc. was offered by Council Member Glenn at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021.

WHEREAS, the town will be putting on a fireworks display on September 4th for a duration of about fifteen minutes, and

WHEREAS, the location to shoot them off is behind the post office, and

WHEREAS, all of the paperwork has been submitted by Majestic Fireworks which includes the permit application, the site map, the certificate of liability insurance, and the credentials of the operator, now therefore be it

RESOLVED, that the Caroga Town board does hereby move to approve the fireworks application for September 4th with Majestic Fireworks Inc.

Seconded by Council Member Sturgess

Discussion: Supervisor Horton stated this will come out of the celebrations line item.

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 - Nay

RESOLUTION #2021- 091 Approve fireworks application for September 1st Fireworks at Royal Mountain was offered by Council Member Long at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021.

WHEREAS, the town received a request for a fireworks display permit from Royal Mountain Ski Area located at 3072 State Highway 10 Johnstown NY 12095 located in the Town of Caroga will be putting on a fireworks display on September 1st at 8 pm for a duration of about fifteen minutes, and

WHEREAS, all of the paperwork has been submitted by Santore's World Famous Fireworks LLC of 846 Stillwater Bridge Road Schaghticoke NY 12154 which includes the permit application, the site map, the certificate of liability insurance, and the credentials of the operator, now therefore be it

RESOLVED, that the Caroga Town board does hereby move to approve the fireworks application on September 1st at Royal Mountain Ski Area by Santore's World Famous Fireworks LLC.

Seconded by Council Member Sturgess

Discussion: Council Member Sturgess questioned why the board has to approve these fireworks display each time. He thought it should be a code or Fire department problem. Mr. Palcovic noted it is a permit process issued by the town clerk. The clerk stated she wanted the town board to know so there weren't any issues. The law is written that the paperwork goes through the town clerk. Mr. Palcovic explained how the permit process is handled for safety purposes. He also noted that adjacent properties are named as co-insured. The Clerk notifies the fire chief and if there is a high-risk situation a truck is dispatched. It was a good question. Previous Fire Chief Deluca recounted an example of a situation at Pine Lake with their first display, where there were issues with safety, due to huge crowds, parking, and egress. In subsequent years a plan was devised that alleviated the problems.

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

RESOLUTION #2021-092 to designate that only the official town website Caroga.town shall be used for Town of Caroga Posting by all boards, departments, committees and commissions was offered by Council Member Glenn at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021.

WHEREAS, the Town of Caroga recently designated Caroga.town as the official website for the Town of Caroga, and

WHEREAS, information continues to be posted on the previous town website, whose domain name was taken over by a private individual, now therefore be it

RESOLVED, that the Caroga Town Board, Planning Board, Zoning Board of Appeals, Board of Assessment Review, the Assessor, BTI, Code/Sanitation, Town Clerk, Highway, Golf Course, Bike Trail, Youth, and Lakes Management departments as well as the Parks, Lakes, Recreation & Tourism commission, and any other department funded in the town budget shall use only the official website Caroga.town or another approved website by the town board as its' source for disseminating information to the residents, taxpayers, and visitors of/to the Town of Caroga.

AND BE IT FURTHER **RESOLVED**, that upon the recommendation of NBT MANG, the Town's insurance agent, all town officials shall use an email address (using the Caroga.town format) provided by Canada Lake Computers, the company hired by the town, to provide and update the town's cyber security technology.

Seconded by Council Member Travis

Discussion: Council Member Long thought there is a modicum of independence granted under New York Law to boards of Assessment Review and Planning Boards, and Zoning Boards of Appeal. Council Member Long stated he was not an attorney and had not researched this. At the last meeting of the Planning Board the Chairman stated he was going to use a different website. Council Member Long stated he has gotten favorable feedback from two county officials for the accessibility of the data and organization. "You can pass what you want."

Supervisor Horton stated if the resolution is passed then they would be required to follow it. In some respects, he wondered why it was necessary. When the town designated an official town website all departments **must** use that website as the official posting. He thought it was redundant legislation but if we need it to make other departments comply, we can do that. The Supervisor felt strongly that information should be posted at Caroga.town first. He supported first amendment rights. He did not have a problem with once it is posted on the town (website) it can be posted anywhere. "If we don't have the town clerk doing the town clerk's job then we don't have a government." The resolution is to make it official. Supervisor Horton pointed out that this is nothing more than what he said to make sure that every department in this town, **every Department**, everybody that works for this town if they post something it has to go through the town clerk, it is law.

Adopted by a roll call vote as follows:

Supervisor Scott Horton - Aye

Council Member John Glenn - Yes

Council Member James Long - Nay

Council Member Richard Sturgess - Yes

Council Member Donald Travis – Yes

RESOLUTION #2021 – 093 to put a moratorium on what we are calling a stand-alone accessory structure was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021.

WHEREAS, the Planning Board unanimously voted to submit a resolution to the Caroga Town Board to put a moratorium on stand-alone accessory structures in the town of Caroga, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to place a moratorium on standalone accessory structures in the Town of Caroga.

Seconded by Council Member Long

Discussion: Council Member Sturgess stated we are talking about somebody who is potentially building a house on a lot and come to the town saying they want to build a garage on the lot for tools while building the house and we are saying we are going to stop them from doing that until this is figured out. Supervisor Horton explained if they were building a house and a garage, they would get the permit for both and they are not affected. If someone comes in and they build a large accessory structure (the APA definition is the size is 1250 sq. ft.) Council Member Long stated that is only for their density purposes. Supervisor Horton stated the Planning board would like to review what a stand along accessory structure is and what the requirements would be and not let these continue. Council Member Sturgess wanted to know why the town would not want the property owner to put a garage on their property regardless if there is a house there or not. The town still collects taxes on it. Supervisor Horton stated an accessory structure was built on the Benson Road and it was not in the right place. There was no review, they just got a permit. Then it was a situation for Codes because were they going to make them tear it down? The purpose of having building and zoning regulations is so you don't have the anarchy. This is a loophole in the town's regulations. Supervisor Horton stated we did not even have a definition.

Mr. Palcovic asked if the town has a definition now before it is passed. Supervisor Horton stated we are calling it a stand-alone accessory structure and we are putting a moratorium on it, until the planning Board can review it and come to the town board with a revised definition and or requirements.

Council Member Long stated the Planning Board is in the mist of revising the zoning ordinance for a few other problem areas, including shipping containers. They are just about to complete this process. These proposed changes would have to go to the park agency, Fulton County Planning, and ultimately to the town board as an amendment.

Council Member Sturgess asked again what is the problem with someone building a structure on their land. Why does it have to have a residence? Why are we telling someone they can't increase the value of their property/increase the revenue to the Town?

Supervisor Horton thought there are 13 different zoning districts accessory are allowed in all but one or two. Theoretically the supervisor stated if you have a residential neighborhood and there are some vacant lots on either side and the owner just want to put up a garage or shipping container or shed... Council Member Sturgess stated it wouldn't be a 1250 sq. ft. building.

Supervisor Horton stated it was passed in the ordinance because it was interpreted to be a primary structure because of the size. The Planning Board wants to review this so a residential neighborhood is not surrounded by garages instead of single-family homes. The same could be done in a commercially district which "could discourage a bonafide investor in town because there are junky structures on adjacent properties."

The Town Clerk noted that this was just introduced this evening but in some preliminary review work that was conducted the clerk thought that to put a moratorium in place there had to be a public hearing. The Clerk stated this letter is just notifying the board of this desire of the Planning Board to notify the town board that they want to enact a moratorium. "We are not going

to enact the moratorium tonight.” The clerk again stated she thought there had to be a public hearing.

Council Member Sturgess questioned why the Planning Board made a resolution to the town board just to tell them something. He thought it could be done in a simple email.

Council Member Long stated the Planning Board does not have any powers. It cannot on its own change what the rules are. In the minutes of the Planning Board meeting, they passed a resolution requesting or recommending that the town board consider enacting a moratorium, whilst they edit and come up with a draft zoning ordinance to keep these from propagating.

Council Member Sturgess made a motion to table this issue. Noting that this was just a correspondence. Supervisor Horton stated it did not look like it was correspondence to him. Council Member Glenn thought it was something they needed to make a motion on.

Council Member Long explained it was making a recommendation for a moratorium. It did not say today, it did not say how. The Planning Board saw a problem that needed editing of the Zoning Ordinance for clarification. Supervisor Horton noted these last-minute documents.... Council Member Glenn stated we need more information.

The clerk recommended that the town attorney be contacted and noted there was whole publication on moratoriums.

Supervisor Horton stated he supports the Planning Board going forward and looking at this. Council Member Glenn also agreed more information was needed for the moratorium. Council Member Sturgess noted that the resolution to uphold Open Meetings Law Public Officers law was skipped.

Supervisor Horton stated he wanted to get through the meeting as it was past 8 pm on a very warm day.

Supervisor Horton stated this is another resolution suggested by the town clerk. To uphold Open Meetings Law Public Officers law 100 known as the “Sunshine Law” that went into effect in 1979. Council Member Glenn asked why this was being brought up. The clerk referred to the fourth paragraph of the resolution “WHEREAS, Kristin O’Neil the Assistant Director of the Committee on Open Government stated in the email dated 6/29/2021 that a statement of the date the meeting will be reconvened at the first portion of the meeting is not, in our view, sufficient to comply with the Law.” The clerk noted this is what the Planning and Zoning Board of appeals have been doing. The Town Clerk was not notified, and the meeting time and place was not posted on the bulletin board or on the website. The clerk wanted to make sure everyone was aware of the Open Meetings Law and the proper procedure for reconvening a meeting because that has not been happening.

Council Member Glenn asked if the previous resolution designating the town website as Caroga.town covered that. The clerk stated they were not announcing the meetings.

Council member Sturgess stated so we are making a resolution to remind them about a law that is already there. The clerk responded yes actually.

Council Member Long stated this resolution not only reminds them of a law which is “mom and apple pie, I have to support that” but it also has a particular interpretation of this particular attorney which he did not necessarily agree with. Council Member Long stated the Planning and Zoning Board chair also do not agree with. He suggested referring this to counsel. The clerk stated there was an email to counsel on this and the town supervisor reprimanded me for reaching out to him. The Town Attorney did concur with the town clerk on this matter.

Council Member Sturgess made a motion to table this issue. Supervisor Horton thought more information was needed. Supervisor Horton stated that the town clerk did ask him to talk to counsel but he has not yet talked to counsel yet on this. The clerk responded that she knew he was busy, and understood. Council Member Sturgess thought it was a reminder and irrelevant. He thought the boards could just be sent an email stating don’t forget about this Sunshine Law from 1979. The clerk stated when she reminded the Boards of this law they did not care. Council Member Long stated it wasn’t that they did not care, his understanding – Council Member Long wanted it clear that he was not speaking for the boards, he has witnessed them speaking on this topic as the clerk, they are mindful of the law but they have a *very different* interpretation of the law than the clerk does. The matter was tabled. The clerk thanked the board. Supervisor Horton stated this is old business for the next meeting.

Supervisor Horton introduced the following resolution.

RESOLUTION #2021- 093 to make the following transfers as necessary to maintain a balanced budget was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021.

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

RESOLVED, that the following transfers be made to maintain a balanced budget.

To: A7180.41 Porta Johns	\$ 2,000.00
From: A7180.4 Special Facilities C/E	\$ 2,000.00
To: A7180.2 Special Facilities Equipment	\$ 14,000.00
From: A7180.4 Special Facilities C/E	\$14,000.00
To DA9089.80 Uniforms	\$ 1,000.00
From: DA5130.4 Machinery C/E	\$1,000.00
To: A1450.4 Sewer Study	\$1,930.00
From A3310.4 Contingency	\$1,930.00
To: A3620.1 Humane Contract	\$ 50.00

From 3310.4 Contingency

\$ 50.00

Seconded by Council Member Long

Discussion: Council Member Long asked about the \$14,000.00 transfer. Supervisor Horton stated that Joanne the bookkeeper stated when we purchased equipment for the golf course and we were expecting insurance funds that the reimbursement was short \$14,000.00. The town has to fund that \$14,000.00. Supervisor Horton is still reviewing the insurance paperwork to see if the town can get that money back. The Supervisor explained that we lost a very expensive piece of equipment in the fire that he thought the town would get reimbursed for. It was not on the insurance schedule of values. So, we lost a \$30,000.00 + piece of equipment. It was a 2014 fairway mower. The town has proof it was purchased but did not let the insurance company know. The clerk asked how far back of this insurance reports did we go? Did we just look at the last current year policy or did we go back a year or two? Supervisor Horton stated the only policy valid is the current policy. But if a mistake was made by the insurance company in transferring the inventory from one year to the next, however the town does approve the schedule....just thinking out loud the clerk stated. Supervisor Horton thought it was a good point, he will take one more look at it. Council Member Sturgess offered to help. Supervisor Horton stated he will call Bill VanGorder and ask him to look at a previous year's schedule. The Supervisor stated the schedule used to be two pages now it is about five. We learned an important lesson. It was a good question.

The Supervisor stated uniforms – they overspent in the highway department.

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

The clerk stated there was one more resolution the EAP Employee Assistance Program. The Clerk noted this is the contract for this year. Their attorney just sent out the contract. The clerk noted it is the same price \$15 per employee as the previous year. Supervisor Horton noted the contract is with St. Mary's Hospital. Employees have taken advantage of this benefit.

RESOLUTION #2021- 094 to authorize the Town Supervisor to sign the contract for the Employees Assistance Program was offered by Council Member Long at the regular monthly meeting of the Caroga Town Board held on Wednesday August 11, 2021

WHEREAS, the Town of Caroga received contract for the Employee Assistance Program within the last week with an apology for the lateness, and

WHEREAS, the agreement is for January 1st 2021 through December 31, 2021, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to enter into an agreement with the Employee Assistance Program offered through St. Mary's Hospital for a fee of \$15.00 for each full-time employee based on 12 full time employees.

Seconded by Glenn then withdrawn as he works for St. Mary's Hospital
Seconded by Council Member Sturgess

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 – recused himself

Supervisor Horton stated Council Member Glenn was abstaining, Council Member Long stated Glenn was recusing himself.

Old Business:

Franchise Agreement with Time Warner Cable
Records room – bookkeeping area records need to be sorted and purged
Highway Inventory file copy needed at town hall

New Business:

Correspondence: on the agenda but not reviewed during the meeting.
Fulton County Board of Elections Estimated Chargeback for 2022 Elections \$4,163.85
Caroga Transfer station Labor Day Holiday Station Closed 9/6 but open Tuesday 9/7 from 8 – 4

Supervisor Horton asked for a motion to accept the minutes of the July 14th meeting. Council Member Travis made the motion. Council Member Sturgess seconded the motion. Discussion: Council Member Long stated he received multiple final minutes. The clerk stated yes, the final, final were the last. Council Member Long stated if he receives one more marked final, he would think they *were* final. Supervisor Horton stated not after they are approved. Council Member Long stated he had not read the minutes. He asked the board to table the motion until he had a chance to read the minutes. The clerk stated the final, final minutes were sent to the board on Saturday morning. They were not just sent out today, it has been four days.

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 - Nay

Council Member Long had a question on the bills. Some of the vouchers for Amazon had sales tax in them. He listed voucher numbers 183 & 198. Council Member Sturgess noted this was

talked about at the last meeting. Joanne (the bookkeeper) is finding a way to get credit for the tax payment..... Council Member Long stated the board is authorizing a payment for something we are going to get fixed later on. Supervisor Horton stated the price on Amazon including sales tax is less than what we can get from other vendors. There is an urgency to keep the golf course running. Council Member Long believed the town would only get about 40% of the vendors to be tax exempt, 60% of what Amazon sells are a third-party seller who are individually not going to recognize the tax-exempt certificate. Council Member Sturgess discussed businesses that do a prepaid sales tax. When the quarterly reports are done the sales tax is accounted for. Council Member Long stated this is a municipal law question. The clerk noted some of the bills are from May that may be why you are still seeing Amazon with tax on it. Supervisor Horton stated that all employees of the town have been notified that the town does not pay sales tax. There were some errors made. The public should know because of the urgency of things. He believed it was under control now. Having a credit card will make things better in this regard.

Council Member Long made a motion to pay the bills as presented for audit. Council member Sturgess seconded the motion.

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

At 8:27 pm 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 the Town Clerk

Linda M. Gilbert, RMC, CMC

Highway #'s 83 – 93 \$31,852.68	General #'s 248 – 279 \$22,951.09
Prepaid #'s 175 – 201 \$27,300.08	General Park #'s 104 – 126 \$116,575.39