

**Regular Town Board Meeting held July 9, 2012 at 6:00 P.M. at the Town Hall**

**in Schroon Lake N.Y.**

**Present:**

**Town Supervisor:** Michael Marnell

**Councilpersons:** Roger Friedman, Don Sage, Meg Wood and Clara Phibbs

**Highway Superintendent:** Dana Shaughnessy

**Town Clerk:** Patricia Savarie

**Also Present:** Kitty Vondrak,, Martin Myers, Bob Yoeckel, Rosemarie Ritson, Albert May, Marcia Hartnett, Dick Newell, Linda and John Milsom, Laurie Bruce, Paul Mierop, Julie Sawyer, Fran, Skip and Tim Mahler and Michele and William Trombley.

Supervisor Marnell called the meeting to order at 6:00 P.M. with a Pledge to the Flag.

**Public Participation**

Kitty Vondrak had concerns with the milfoil on the lake and would like to see the Town of Schroon harvest the milfoil earlier if possible and keep the boat traffic away from the milfoil so that it does not get caught up in their propeller.

Martin Myers stated that he had a lot of milfoil fragments come up on his beach over the past week end and in three days picked up enormous amounts. When I go out I have been finding new spots. At the south end of the Island there are four new sightings at Meadow Cove it is larger than anyone knows and new plants to the west growing. Supervisor Marnell stated that he had gone out to Meadow Cove and did not think there was much there. Martin Myers stated that you cannot see it unless you are low to the water in a kayak and see it when the morning sun is hitting it. Steve Lemere asked Vince Brando to go out and pick up the 18 bottles that he had already hit and Martin stated we did not pick up any of them because there was still milfoil there. Supervisor Marnell stated that he feels that there is no way you are going to get it all and that there are 40 scouts helping out with it and reporting where they are finding it and we need to all work together in trying to control the spread of it.

Paul Mierop has concerns over trying to get internet at his home on Charley Hill Road and would like to take an online course and cannot do this from his house. We need the Town and the government to take and action on this and to make this happen in our town so that everyone has it. A Verizon tech came to my house and he said that I have DSL but at a lower speed and that I'm too far away to the hook up. There is a piece of equipment called a DSL extenders which they use out west that works.

We need the Town, through your committee, to push Verizon to do something. Supervisor Marnell stated that Don Sage would be giving them an update later in the meeting to discuss the Broadband Committee.

**Resolution #145 Audit of Claim**

Councilwoman Phibbs moved a resolution to pay the bills as reviewed, seconded by Councilman Sage; carried, Councilwoman Wood abstained.

General Fund \$24,135.10    Water \$2,281.55    Highway \$18,782.28

Sewer Project II \$4,030.62    Sewer \$18,952.40

**Resolution #146 to Rescind #128**

Councilman Sage moved to Rescind #128 which states to accept M.A. Jerry and Company Inc. bid for an International Model #7600 6x4 SBA lease price of \$39,244.98 per year for 5 years coming out of Highway funds, seconded by Councilwoman Phibbs; carried.

**Resolution #147 Approval of Minutes**

Councilman Sage moved a resolution to accept the minutes of June 11, 2012 at 6:00 p.m. with an amendment to resolution #128 to state that the price will be \$187,534.00 for the Tandem Truck, second by Councilman Phibbs; carried.

**Resolution #148 Accept Bid for 2012 Tandem Truck**

Councilman Sage moved a resolution to accept M.A. Jerry and Company Inc. bid for an International Model #7600 6x4 SBA for \$187,534.00 for a 5 year lease coming out of Highway funds, seconded by Councilman Friedman; carried. Councilwoman Phibbs abstained.

**Resolution #149 Thank You to Food Pantry in receiving Grant Money**

The Board unanimously moved and seconded Resolution #149 in thanking Lenchen Marnell for applying for the Charles R. Wood Foundation Grant for \$2,000.00 and a grant for \$5,300.00 from HPNAP which she received both for the Schroon Lake Food Pantry for the period of July 1, 2012 - June 30, 2013.

**Resolution #150 Lifeguards to monitor Boat Launch for Invasive Species**

Councilwoman Phibbs moved a resolution to have the Lifeguards monitor the Boat Launch for invasive species, seconded by Councilman Friedman; carried..

**Letter of Appreciation to 4<sup>th</sup> of July Celebration**

Supervisor Marnell would like to thank everyone who worked so hard on the 4<sup>th</sup> of July Celebration, Kate and John Huston, Parks, Highway Department, Fire Department, Ambulance Squad, State Police, NYS DEC and the Essex County Sheriff’s Departments. A letter of appreciation will go out to all that made it a great success.

**Resolution #151 Local Law #1 for 2012**

Councilman Friedman moved a resolution to accept Local Law #1 for 2012 in preventing the introduction and spread of aquatic species into the waters of the Town of Schroon, seconded by Councilwoman Wood; carried.

**Roll Call Vote**

Supervisor Marnell	Aye
Councilman Friedman	Aye
Councilwoman Wood	Aye
Councilwoman Phibbs	Nay
Councilman Sage	Aye

**TOWN OF SCHROON  
LOCAL LAW NUMBER 1 OF 2012**

A local law in relation to preventing the introduction and spread of aquatic species into the waters of the Town of Schroon

**TITLE:** This local law shall be known as “The Town of Schroon Aquatic Invasive **Species** Prevention Law.”

**PURPOSE:** The purpose of this local law to provide guidance to all residents and visitors to the waters of the Town of Schroon to prevent the introduction and spread of non-native invasive species, animals, plants, etc. into and within the waters of the Town of Schroon, and to protect aquatic native species populations, biodiversity, and aquatic recreational activities for the public good.

**APPLICABILITY:** The provisions of this law shall apply in addition to any other local law or ordinance, or any New York State laws, regulations, etc. Where there is a conflict, the most restrictive provision shall apply.

**DEFINITIONS:**

“Invasive Species” are non-native species that can cause harm to the environment or to human health. As a threat to our biodiversity, they have been judged second only to habitat loss. Invasive species shall include all plants and animals that are listed by the New York State Department of Conservation, Department of Agriculture, and other

agencies as detrimental to native vegetation, animal, fish, shellfish, wildlife, or natural resources.

"Habitat loss" is a problematic effect on our ecosystems including all natural systems that includes agriculture, forests, food supply, wildlife, fish, shellfish, infrastructure, industry, gardens, pets, recreation, human health, and our environment.

Users: A person, individual, firm, partnership, company, society, corporation, association, group, government entity, or others seeking access to or use of the waters of the Town of Schroon.

Launch: To place a watercraft, dock, or other floatable device into or on the waters of the Town of Schroon, including any activity that takes place within fifty feet of the high water mark, moving by trailer or other device, or carrying said object.

Watercraft: A motorized or non-motorized boat, canoe, kayak, or other vessel capable of being used or operated as a means of transportation in or on water.

"Waters" means all lakes, ponds, rivers, streams, creeks, and all other places wet (more than one foot of water), impounding reservoirs, springs, wells, estuaries, marshes, inlets, canals, within the territorial limits of the Town of Schroon, and all other bodies of surface or underground water, natural or artificial, inlands, fresh, public or private, which are wholly or partially within the Town of Schroon or within its jurisdiction.

Standing water: shall mean bilge water or other water inside a water vessel's compartments and shall be removed before launch of said vessel.

**PROHIBITIONS** – (Unlawful activities):

1. It shall be unlawful for any person to launch or attempt to launch a watercraft into the waters of the Town of Schroon with any aquatic invasive species, plant or animal, or parts thereof, visible to the human eye on or attached to any part of the watercraft, motor, or trailer, or other launching device. All exterior areas of the craft, motor, and trailer shall be inspected including, but not limited to, rudder, anchor, other appurtenant, equipment, gear that may come in contact with the water. Whenever possible a Lake Steward will be on duty at the primary Schroon Lake boat launch near the Public Beach and the boat launch at the Paradox Lake State Campground. The function of the Lake Steward is to insure user's compliance with this local law and offer helpful advice and/or assistance. Failure to comply or follow the Lake Steward's instructions will result in the boat registration number being taken and forwarded to the Essex County and Warren County Sheriff Departments, and to the DEC.

Private lake-front property owners **shall** enforce this local law on all crafts before allowing them access to the waters in the Town of Schroon **from their property**.

2. All persons utilizing boat launches within the Town of Schroon shall be required to first pass through the **designated** bilge emptying area where they will insure that bilges, live wells, and other water containing wells are drained. All vegetation, animal and other foreign objects shall also be deposited in this area.

3. All persons before placing a dock or other device on to the waters will inspect said device to insure it is free of all vegetation, animal, and other foreign matter.

**EXCEPTIONS:** The Prohibitions shall not apply to:

1. The carrying and use of legal bait for the purpose of fishing, consistent with all applicable laws and regulations related to bait fish.
2. The use of above water line native vegetation for camouflage of the craft, decoys, or other such items for the purpose of hunting, consistent with all applicable laws and regulations.
3. Pets or hunting dogs.
4. The intentional transport of plants or animals, including for food, landscaping, habitat restoration, or other home related activity, provided they are fully secured within the craft.

**ENFORCEMENT:**

This local law shall be enforced by the Essex County and Warren County Sheriff Departments, the DEC, or other enforcement officers having jurisdiction in the same manner as a traffic violation.

**VIOLATION:**

Any person found guilty in court of a violation of this local law shall be subject to such fines or sentence prescribed by the local court with a maximum fine not to exceed **\$1,250**. Additionally, at the discretion of the local court, the New York State Boater Registration Office may be contacted by the court to request the suspension of the craft's registration.

**SEVERABILITY:**

If any section, subdivision, paragraph, subparagraph, clause, or item of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

This local law shall take effect immediately upon written notice of filing by and in the New York State Department of State.

**Resolution #152 Appoint Head Lifeguard**

Councilman Friedman moved a resolution to appoint Kathleen Krah as Head Lifeguard for the 2012 Summer Season at the rate of \$10.78 an hour, seconded by Councilman Sage; carried.

**Broadband Update**

Councilman Sage gave an update on the Broadband Committee as of July 6<sup>th</sup> the committee has received 531 useful survey returns. There was an additional dozen or so that were not recorded as no street address was provided, just P.O. Boxes. Comments were included with approximately

half. They ranged from long overdue, needed for business and growth, blaming the APA and lack of cell towers (coverage), questions about cost, to not interested.

The results are:

1. Have internet now. Yes 334 No 195
2. Type Service. Cable 114 DSL 45  
Dial-up 71 Satellite 67 Wireless 56 Other 9 (cell phone boosters, etc.)
3. Want high-speed internet. Yes 249 No 42
4. If high-speed available would use it for: Email 422  
Web searching 410 Telephone 216 TV 201  
Education 228 Business 212  
Security 160 Entertainment 285 Shopping 309 Banking 294 Travel 203  
Tele-commuting 144 Work from home 214
5. If available would switch. Yes 389 No 39

The most noticeable comment from those with business and work from home was a request for “Skyping” to be also available. We highly recommend proceeding with our efforts to obtain a grant and bring High-speed Internet service to all town residents. It looks like the committee will go with fiber optics and work with the folks up at Keene Valley who helped them out. The permits need to be in by July 16<sup>th</sup> and we have the county working on that.

### **Public Participation**

Julia Sawyer stated that she would like to see the Town of Schroon update their playground when it comes budget time.

Supervisor Marnell moved to adjourn at 6:55 P.M., seconded by Councilman Sage; carried.

I, Patricia J. Savarie, do hereby certify the foregoing to be a true and correct transcript from the minutes now on file in my office and of the whole such original minutes.

Dated: July 11, 2012

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Town Clerk

