

**Regular Town Board Meeting held March 11, 2013 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:** Albert May, Rosemarie Ritson, Jay Phibbs, Marcia Hartnett,

Roger and Fran Mahler, Rod Boula, Dan Smith, Bob and Jane  
Claus, Fran Filshie, Gail Simon, Steve Cass, David Williams, Craig Maisonville and Julia Pitkin  
Shantz

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

**Elizabethtown Hospital Annual Update**

Supervisor Marnell introduced Rod Boula from the Elizabethtown Hospital to give his Annual report. Rod stated that all new state of the art lab equipment has been installed and a new ambulance has been purchased. We have started a new transport program that is going well. Rod stated that the Hospital ended up in the black this past year. There are currently 25 beds at the Hospital and there will be a Pulmonary Rehabilitation service coming in May. A new CT scanner was purchased at the end of October we saved \$62,000.00 on the purchase by purchasing it through Fletcher Allen. Elizabethtown Community Hospital is proud to provide care to its community. The doors are open 24 hours a day, seven days a week, 365 days a year. Each year, ECH serves thousands of individuals and keeps the community healthy, strong, and vibrant in the face of significant economic challenges and unforeseen emergencies. While this record of service is and will always be its most valuable contribution to the community, the impact includes many facets that extend beyond direct patient care. Hospitals are integral to strengthening and supporting social and family infrastructures of local communities that rely on local health care facilities to:

- deliver high-quality health care to the communities served, regardless of ability to pay;
- allocate scarce health care resources strategically when an emergency or disaster strikes;
- bring life into the world;
- care for the aged and provide comfort at the end of life;
- educate the community about the impact of lifestyle choices on health and well-being.

## Elizabethtown Community Hospital Cares for the Community

Elizabethtown Community Hospital provides vital health care services to the community.

From 2010 through 2012, it had:

2012 2011 2010

Inpatient visits 471 483 589

Laboratory tests 90,824 91,156 77,261

Radiology exams 9,400 8,752 9,942

Physical therapy treatments 33,052 27,221 31,934

Specialty clinic visits 2,442 2,606 1,878

Chemotherapy / infusion Treatments 952 786 534

ER visits 5,195 5,135 5,358

Through its annual screening programs and community events, Elizabethtown Community Hospital can help detect medical conditions earlier, thus lowering treatment costs. Each year, the hospital provides free health screenings to over 100 community members through three events: The hospital sponsors a health screening each fall. The screenings include cholesterol, blood pressure, oxygen levels, EKGs, vision checks, BMI measurements, outdoor safety information and more.

### **Public Participation**

Bob Claus had a question concerning item #7 (Discuss letter from Attorney Dan Smith in regards to Woods Lodge) asking the board if they planned on voting on this item tonight. I have lived here most of my life and I was not aware that there was a right away down to this piece of property. My observation is that the proposed project will be good for the town and create jobs. We should encourage going forward and not having anything in the way. If there was no other way to access the lake I would not encourage it, but there is, you have the Town docks and Fowler Avenue. I do not see the necessity to have and access through this property.

Steve Cass stated that he had been coming to Schroon Lake since 1976 and that he knew that this was a road to the lake and that he uses it in the summer to launch his kayak and also goes down to enjoy the sunsets, it is nice to have. He appreciates the Town of Schroon for having that road to the Lake.

Dave Williams stated he also enjoys going down to the Lake through the Town road and uses it to cross country ski and put his boats in. It is very important that the Town of Schroon

keep this open to the public for future use and be very careful about closing any road to the lake for the public. The Board also needs to be consistent with making decisions. In all fairness to the folks who just looked at that property and were thinking of buying it and were told no, that's a public road, to reverse that decision would not be fair to them, so you should be consistent with your decisions. The other thing the board needs to be consistent with, is if you give up the road, then what about the other lake assess in town that have a road through their property. Are you going to do the same for them?

Joel Friedman stated Tourism is a critical thing for Schroon Lake and something we are failing on. We need more accommodations for people to stay in the area. I hope the Town will be contacting the Town attorney to advise them on the legal issues here. What Julia is proposing to do will be great and I hope the Town will be able to find a way to accommodate her needs.

#### **Resolution #68 Audit of Claim**

Councilwoman Phibbs moved a resolution to pay the bills as reviewed, seconded by Councilman Friedman; carried (Councilwoman Wood –Abstained)

General Fund \$73,829.71 Water \$1,715.17 Highway \$21,556.18 Sewer \$4,875.20

#### **Congratulations to Don Sage and the Broadband Committee**

Supervisor Marnell would like to Congratulate Don Sage and the entire Schroon Lake Next Generation Broadband project on receiving a grant award in the amount of \$2,162,656.00. The broadband will provide service to 457 households in the towns of Schroon and North Hudson through fiber-to-the-home technology. Also the plans are to provide wireless hot spots at popular public locations such as the Schroon Lake Public Beach. Slic Network Solutions is in charge of the project located in Nicholville, N.Y.

#### **Resolution #69 Approval of Minutes**

Councilwoman Phibbs moved a resolution to accept the minutes of February 11, 2013, second by Councilman Sage with one correction Resolution #62 does not have the name of the Councilwoman who made the motion; carried.

#### **Discuss Letter from Attorney Dan Smith in regards to Woods Lodge**

Supervisor Marnell stated that he had received a letter from Attorney Dan Smith representing Julia Pitkin-Shantz who recently purchased the Woods Lodge property who would like to confirm Fairfield Ave. bounded by the lake on the east, Leland Avenue on the west (parcel # 147.54-1-25.100 on the north and 147.54-2-22.300 south ) has been abandoned by the

Town of Schroon. Supervisor Marnell stated that this is a town road and an access for the Town of Schroon and has never been abandoned by the Town.

In 2011 Supervisor Marnell sat at a Town Board meeting with Craig Maisonville who wanted to purchase the property and he was told that the Town owned the road and it would not be sold. Councilman Friedman stated no that's not true, there was a question "What is the Status?" The board could not determine it without looking at deeds and when there is a proposal before us then we need to discuss it. Craig definitely was not told no and we never resolved it because there was never a full discussion about it.

Craig Maisonville stated that he remembers the board telling him no because if they did it for him then they would have to do it at the end of Fowler for the Keplers, Youngs Lane and Hayes Road also. My concern is that the Board stays consistent and shows no favoritism and if it changed it would be important for me to know the logic why it did change, because that could affect other situations. I'm here to make sure there is consistency, and that there appears to be consistency, because it is important for our town and our board. If in fact that changes from what we were told, why that changed and was it based on a clear criteria and that everyone knows that in the future something else could go that way.

Councilwoman Phibbs stated that for the record that she remembered it as exactly as Craig said, it was a no, any way you interpret it. Councilman Friedman stated that there was no board decision but that there was discussion about it. Councilwoman Phibbs stated that a decision was made and that she agrees with Craig. This board did not give him any reason why he should pursue it any longer.

Councilman Sage stated that he is also opposed to giving it away. It has always been a town road and I remember using it as a kid. It has been a town road forever. Also you need that especially in the winter for emergency purposes because the Town Dock has the bubblers going and you cannot get on their lots of times. We should not be giving away any roads to the lake that the town owns. If they're going to do something at Woods Lodge there going to have to put a parking lot in anyways because Leland Avenue is much too narrow for parking. I'm opposed to give away any town owned lake access.

Supervisor Marnell stated that we do not know what is planned and if there is a 40 room lodge planned then maybe the Town could move the road or curve it and still provide the Town with access to the Lake. The Town of Schroon, Horicon and Chester just received a grant for

\$300,000.00 for storm water run-off. We will need proper drainage down that road in the future with a catch basin and filtration and we would want to make sure we have a spot to do that. The Town of Schroon has done some black topping down that road in the past. I do know that the Kepler property is abused and used and they would love to see that closed off to the public and also at Youngs Lane and Hayes Road.

Attorney Dan Smith stated that he and Julia had talked about this and she would like to tell you what's going on with the property and after I would like to speak and encourage the Board to send this to your Town Attorney. Julia Pitkin Shantz introduced herself and stated that she hoped that the Town Board and she could come to some kind of mutual agreement. Julia stated her plans are to restore the Lake House and put in a 40 room lodge with an indoor pool and a restaurant and operate it year round. Julia stated that she had applied for a grant through the North Country Open for Business Regional Economic Development Council which would be a tremendous help if she gets it. The way the road is now it is causing a design problem and an expense problem. Supervisor Marnell stated that possibly the road could be moved to the north end of the property. Attorney Dan Smith stated that he would like the Town Board to send his letter and maps to the Town Attorney for his comments and advise us as to whether the Town would be successful if we commence a law suit on this. Let him tell you your rights and what our rights are.

Councilman Friedman stated that the Board had a request from Attorney Dan Smith to defer this until next month after our Town Attorney has an opportunity to review the request whether or not what Dan is stating in his letter is fact and by voting no, not to give it, we could be opening up the Town to a law suit. I don't know what is right or wrong all I'm asking is to have our Town Attorney look at this and get a legal opinion.

Councilman Sage stated that it was a waste of taxpayers' funds to hire an attorney to do research on something that has been town history for 100 years and has always been there in existence. Supervisor Marnell stated that we already pay Association of Towns for legal advice and we have a County Attorney so why pay someone else at this time.

#### **Resolution #70 Fairfield Avenue**

Councilwoman Phibbs moved a resolution to have the Town of Schroon continue to own and maintain Fairfield Avenue through Woods Lodge property as it has historically with no changes to the road, seconded by Councilman Sage; carried.

**Roll Call Vote:**

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

Motion was carried.

**Purple Martin Project Looking for Sponsors**

Supervisor Marnell stated that the Town of Schroon is looking for more sponsors to purchase Purple Martin Houses. Heinz Haultle had come to Supervisor Marnell suggesting the idea to put up Purple Martin Houses around the beach area. Supervisor Marnell stated that so far himself, Heinz and Bill Tribou have purchased them anyone who would like to be a sponsor can contact him.

**Results of meeting with HHHN on Contract**

Supervisor Marnell stated that he and Councilwoman Phibbs met with HHHN and that the contract with them had not been changed since 1992 they have agreed to increase their rent by \$10,000.00 to keep up with the times. The total contract will be for \$35,000.00 a year this will help offset the current expenses.

**Resolution #70 Proposals for the Town Hall Renovations**

Councilwoman Wood moved a resolution to except the proposal from SD Atlier in the amount of \$4000.00 for the proposed Town Hall renovations, seconded by Councilman Friedman; carried.

**Resolution #71 Set Fees for the Transfer Station and Large Items**

Councilwoman Wood moved a resolution to set the fees at the Transfer Station for large items as described below, seconded by Councilman Friedman; carried.

Tires 14” – 20” \$3.00 a piece All larger Tires \$25.00 a piece

Refrigerators/ Freezers/ Air Conditioners \$5.00 a piece

No Charge for electronics, microwaves, washers, dryers and stoves

All other large items that are not recyclable will be weighed and charged\$ .10 a pound

**Workshop for Employee Handbook Section 800 will be**

**Thursday, March 14, 2013 at 9:00 A.M. in the Town Hall**

### **Groomer Operation for 2013-2014 Season**

Supervisor Marnell stated that he would like one man to operate the groomer next year and maintain it and do any repairs to it.

### **Resolution #72 Sale of the Old Firehouse**

Councilman Sage moved a resolution declaring the old firehouse property as surplus and advertises it with the money of the sale to be put back into the revolving loan fund, seconded by Councilwoman Phibbs; carried.

#### TOWN OF SCHROON

#### SALE OF SURPLUS PROPERTY

NOYICE IS HEREBY GIVEN that the Town of Schroon will review sealed bids, which must be received by the Town of Schroon Town Clerk on April 8, 2013 at 1:00 p.m. at the Town of Schroon Town Hall to sell all right, title and interest of the Town of Schroon in and to:

The Old Firehouse

In "as is-where is" condition which is available for inspection at 11 Broad Street Monday- Friday 8a.m. – 4p.m.

Said bid will be opened at the Town of Schroon Regular Board Meeting April 8, 2013 at 6:00 p.m. at the Town Hall

There shall not be no upset price for the above property, but the Town of Schroon shall reserve the right to reject the highest bid and all other bids and to waive any informality in any bid.

The terms of the sale shall be in cash on or before 10 days after bids are open. It is the responsibility of any prospective bidder or purchaser to investigate and ascertain the condition of the item being sold prior to the date of bidding.

A bid deposit in the amount of five percent (5%) of the bid price in the form of a certified check or bank cashier's check will be required of all bidders. Any bid received without such deposit will be automatically rejected. Such deposit will be refunded to all except the successful bidder by April 22, 2013

### **2012 AUD Filed**

Supervisor Marnell stated that the 2012 Annual AUD has been filed and you may see it in the Town Clerks office.

### **Public Participation**

Rosemarie Ritson stated that she would like to know the status of getting access to the river on Route 74. Supervisor Marnell stated he will get a hold of Phyllis Hoover to sign a contract but so far there have been no problems with getting access to the river.

There was much discussion on Fairfield Avenue.

Councilwoman Phibbs moved to adjourn at 7:50 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: March 22, 2013 \_\_\_\_\_  
Town Clerk