

**Regular Town Board Meeting held August 12, 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, Dave Williams,
Gail Simmon, Steve Cass, Beth Champeau, Fran and Skip Mahler, Julia Pitkin-Shantz,
and Carole Greig

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

Public Participation

Beth Champeau stated she had two items she would like to address the Board with. The first thing is after talking to my neighbor, Danny and Tammy Crisafulli, I found out when the Wood's property was sub-divided they received information two or three times during the process, but I never received any notice. Keppler's never got notice of any kind either. I'm wondering how that would of happened. I'm the only property owner adjoining the Wood's property and I do not want to be left out of the loop with this project. I need someone to address this problem because it is a very serious concern to me. Supervisor Marnell stated that the Planning Board and Zoning Board would have taken care of that and that he would look into it.

Beth stated she had one other item I'm looking at the resolution for moving the road and in speaking to other towns people there seems to be some confusion as to how much of that road is moved, as far as the width goes. Now as I understand it the Towns intent was to get an equal size road, which I believe is 32 feet. The resolution states 20 feet and I did take the resolution to two attorneys. They said it states a minim of 20 feet that means that 20 feet is all that is required to be given instead of the 32 foot road that is there now. Knowing this is not the intent of the Board to lose 12 feet for the taxpayers, I would like the Board to amend the resolution to be very clear, even though it says the word terminus, and people in town are not sure what that means. I can't see any reason not to change it to list 32 feet. That's all I'm looking for, for exactly what

you intended it to be. Do any of the Board members have a problem with stating 32 feet?

Supervisor Marnell stated he had asked the Town attorney what the word terminus meant and he said it would be 32 feet what is there now. Beth stated she had spoken to other people in town and they want to know what happened to the other 12 feet. I think if it was stated exactly 32 feet then the taxpayers would know that they are not losing 12 feet of Town land. Does anyone have a problem with doing that? Supervisor Marnell stated no, I questioned the attorney and he said it was 32 feet but we can change that. Beth asked the Board how you would go about that and Councilman Friedman stated that request can be done by Supervisor Marnell and he can ask the Town Attorney. Supervisor Marnell stated he would get that request from the Town Attorney. Beth asked Dana Shaughnessy, Highway Superintendent, if it was his understanding that the total easement from side to side would be 32 feet wide as it is now. Dana stated yes with a minimum of 20 feet for an opening, that's the way it has always been. Councilwoman Phibbs asked why, if we are protecting the taxpayer's interest, that we didn't put 32 feet and move on. I asked that question last month. It is in the best interest to the taxpayers to maintain 32 feet. It made no sense to go to a minimum of 20 feet unless of course there is an alternative motive. Is there another plan? It is not the way we should do it. Julia Pitkin Shantz stated the reason for the 20 feet was for emergency vehicles. The lawyer pointed out a minimum of 20 feet so the board can put anywhere from 20 feet on up with the discretion to be decided by the board at a later date. Supervisor Marnell stated the easement will be 32 feet owned by the Town of Schroon. Carole Greig stated I'm simply asking, on behalf of the town, that the Town Board needs some transparency, it needs some accountability from the board we elected. We need straight information, because not everyone comes to these meetings. I'm asking the board to take into consideration the thought that 32 feet is the number and please make it clear to those of us who are here and those that are in the community that the town stands behind keeping the 32 feet for the taxpayers. Julia Pitkin Shantz stated if the easement is moved to the north end of the property the distance between the street and the lake is substantially greater than it is right now. If it is 32 feet to the lake you are confiscating part of my property, so the reason it states a minimum of 20 feet is because there needs to be some leeway given to make sure the easement is configured in such a way so it does not take away any of my property. When a design is made and presented to the board it will show the boundaries of the easement on the plans and it will be wholly on the property I own. Supervisor Marnell demonstrated on a chalk board what would

happen if the road went north of the property and stated, yes Julia you would lose more land that way because it is a longer stretch to the lake and it will be 32 feet wide. Steve Cass stated the board should have never voted on something until there was a set of plans done by an architect. Councilman Friedman stated there was a resolution made that enabled Julia to apply for a grant application. The Board was very specific and the board at the end of the day has the flexibility making a decision. If anyone has taken a good look at our town the economy is shaky. If this project does not go through because as neighbors we can't solve this little problem then we all have bigger problems than we think. This is one of the key critical projects that this town has been looking for ever since the 70's when the APA along with our Planning Board got together and said this town needs a hotel and if you look at the stock of what we have here, thank God for Chamlar and just a few that have quality accommodation's because we lost critical mass over the past 30 years. We have to look at this in perspective and we are not punishing taxpayers because of an easement that a few people use. I think the board has the interest of the taxpayers and the town and I'm sure we can work this out. Councilwoman Phibbs stated why did we put 20 feet, Julia believes it is 20 feet and I don't want to misrepresent that to her. Councilman Friedman stated that Supervisor Marnell will get it in writing from the Town Attorney that it means 32 feet. Julia stated I can read a resolution and the resolution says a minimum of 20 feet and until the Board gets another crack at this with a site plan the board will make a decision about what we show will be o.k. or not.

Dave Williams asked the Board if they had any master plans for the open spaces in our park, where is the Board with that? Does the Board have an interest to develop some kind of plan? Supervisor Marnell stated no, we have talked about it but have never had a design. Councilman Friedman stated that the Park was pretty well developed as it is and we want to keep as much green area as possible. We do have a one page master plan that we did July 10, 2000. When you drive around the perimeter of the Park it is just beautiful. Councilwoman Phibbs asked if they were planning on doing anything with the land between the Tennis Courts and the road. Supervisor Marnell stated no, that is a beautiful area and will stay green. Gail Simon asked if they would consider putting picnic tables in that area. Supervisor Marnell stated not at this time but will look into it.

Resolution #131 Award Fuel Bid

Councilman Sage moved a resolution to award Griffith Energy the Fuel Bid, seconded by Councilman Friedman; carried.

Griffith Energy Fixed Markup Price Per Gallon

Fuel Oil #2 \$.1140
Diesel \$.1595
Kerosene \$.1895
No Lead gas 87% Octane \$.2050

Discussion on going to Bid for Trash Pump Wastewater

Councilman Friedman moved to **Table** the discussion on going out to bid for a trash pump for the Sewer department until budget time, seconded by Councilwoman Wood; carried.

Resolution #132 Declare Water Department Trailer Surplus and Advertise

Councilman Sage moved a resolution to declare the Water Department Trailer as surplus and to advertise it, seconded by Councilwoman Phibbs; carried.

Resolution #133 Audit of Claim

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

General Fund \$55,538.09 Water \$34,957.89 Highway \$ 34,158.76 Sewer \$8,737.75
CDBG \$944.52

Resolution #134 Change Regular Town Board Meeting for October, November and December

Councilman Friedman moved a resolution to change the Regular Town Board meetings for October 14, 2013, November 11, 2013 and December 9, 2013 to:

Thursday, October 17, 2013 at 6:00 P.M.

Thursday, November 14, 2013 at 6:00 P.M.

Monday, December 16, 2013 at 6:00 P.M.

seconded by Councilwoman Phibbs; carried.

Resolution #135 Approve Sewer and Water hook up at 41 Fairfield Avenue

Councilman Friedman moved a resolution to approve sewer and water hook up at 41 Fairfield Avenue for Dave and Heather Williams, seconded unanimously; carried.

Discussion on the potential Parks Grant and Matching Fund

Supervisor Marnell stated that Councilman Friedman has been doing a lot of work on the Park Grant and that it has been submitted. Councilman Friedman stated that he was making a case for USTA to get a grant which does not need to be matched. What we need to create in town is a Community Tennis Association. If anyone has a tennis racquet we need the community to sign up with Carole Greig, we are trying to find as many people as we can who play tennis and would like to have 100-125 names on the list. This is very important to the USTA that there is a Tennis Community to be able to get a grant.

Resolution #136 for the Family of Jeffrey Haber

Supervisor Marnell stated with great sadness, the Association of Towns announced the passing of recently retired Executive Director G. Jeffrey Haber. Jeff passed away Friday, July 26 after a brief illness and Supervisor Marnell and the Town Board would like to extend a sincere sympathy to his family.

Set Dates for Budget Workshop

Thursday, October 3, 2013 at 1:00 P.M. – 4:00 P.M.

Thursday, October 17, 2013 at 1:00 P.M. – 4:00 P.M.

Tuesday, October 22, 2013 at 1:00 P.M. – 4:00 P.M.

Tuesday, October 29, 2013 at 1:00 P.M – 4:00 P.M.

Thursday November 7, 2013 at 1:00 P.M. – 4:00 P.M. if necessary

Donation for Protestant Cemetery from Betty Williford

Supervisor Marnell would like to thank Betty Williford for her donation of \$50.00 to the Protestant Cemetery.

Update on the Water / Parks Building

Supervisor Marnell stated that he had received the appraisal on the Water/ Parks Building in the amount of \$65,000.00 and felt that was low and will get a second opinion.

Resolution #137 Approval of Town Board Minutes

Councilman Friedman moved a resolution to accept the July 8, 2013 minutes at 5:00 P.M. and 6:00 P.M., seconded by Councilwoman Wood; carried.

Resolution # 138 Public Hearing on Amending Ordinance #6

Councilman Sage moved a resolution to have a Public Hearing on Ordinance #6 for September 9, 2013 at 5:00 P.M., seconded by Councilwoman Phibbs; carried.

**NOTICE OF PUBLIC HEARING
FOR THE PROPOSED AMENDMENTS ON ORDINANCE #6
IN THE TOWN OF SCHROON**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Schroon will hold a public hearing on September 9, 2013, beginning at 5:00P.M. at the Town Hall, 15 Leland Avenue, Schroon Lake, New York, to propose amending Ordinance #6 regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system: and providing penalties for violations thereof: in the Town of Schroon, County of Essex, State of New York

A copy of the proposed amended Ordinance #6 is on file in the Town Clerk's Office.

PLEASE TAKE FURTHER NOTICE that all interested parties will be heard at this time and place.

Public Participation

Dave Williams asked if there was a plan for the Tennis Grant and how it would be used. There are many people using the pickle ball courts and wondered if we would be putting more in. Councilman Friedman stated that the USTA would like us to possible have two lined courts for players 10 years of age and under and then two for pickle court. Dave also wanted to know if the current grant is designated to improve the current Hockey Rink. Councilman Friedman stated yes, new boards and improvements will be made. Dave stated is there any discussion at looking to do something different to that area. Supervisor Marnell stated once we get the grant we may be able to have a little leeway and will have it look attractive at that time.

Board Comments

Councilman Friedman stated the Street Dance was approaching for Labor Day Week-end and the Garage Sale in the Park. There will be more fireworks with two barges this time to make up for the 4th of July fireworks. Councilman Friedman stated that the board needs to be working on adding a few things to the Revolving Loan Application. The first thing to add, is to make sure the applicant speaks to the zoning department and codes officer to make sure what they are applying for is doable. This is a special fund that is geared for businesses and economic development and hopefully success of the business. The second thing is there should be a yearly oversight in which we make sure the money is being used for the target as opposed to something else. In the event that they aren't being used for the target then, that may create a default and the loan would become due and payable. Those two items should be put on the application so there is some oversight. We need to figure out how to add them in so we are covered in the application.

Resolution #139 Purchase of Shoulder Machine

Councilman Sage moved a resolution to purchase a shoulder machine for \$7,400 to come out of the Highway budget, seconded by Councilman Friedman; carried.

Councilwoman Wood moved to adjourn at 7:23 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: August 21, 2013_____

Town Clerk