

Regular Town Board Meeting held August 11, 2014 at 6:00 P.M. at the Town Hall

in Schroon Lake N.Y.

Present:

Town Supervisor: Michael Marnell

Councilpersons: Roger Friedman, Don Sage, Clara Phibb and Meg Wood

Highway Superintendent: Dana Shaughnessy

Town Clerk: Patricia Savarie

Also Present: Jay Phibbs, Albert May, Rosemarie Ritson, Gail Simon, Linda Milsom, Bill and Kris Tribou, Mark Whitney, Lynn Giffor, Helena and Larry Vanderburgh, Arlene Whitty, Fran Filshie, Pam Scavera, Mary Jane McCoy, Lynn Donaldson, Fran and Tony Ramirez, Amy McCoy, Wayne Dewey, Glen and Sue Repko, Bob Smith, Tim Vander Wiele, Carole Ann Greig, Bob and Jane Claus, Dan Riggins, Ann Veverka, Jane Bouchard, Ann Durkee, Michel Michelsen Lee, Eve Roblee, Charlene Spetla, Lesley Detevett, Diane and Dennis D'Amico, Joe Provoncha, Peter White, Arline and Len Waters, Pat Wilber and Don Miller.

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

Presentation by SD Atelier

Supervisor Marnell stated that SD Atelier would like to give an informational meeting with a power point presentation regarding the proposed Town Hall expansion. Supervisor Marnell introduced Sue Davis from S.D. Atelier- Architecture. The architect gave a power point presentation and went over the building plans. Sue stated they had been involved since 2008 with presenting different ideas and Supervisor Marnell came to them in February to restart the processes. Supervisor Marnell stated to us that he would like to keep it simple with a 50' x 50' addition which would be 5,000 square feet, with the work done mostly in house. The Town Court needs more security and has issues and should have a separate entrance from the Town Hall entrance. Sue stated she had once again talked to the Judge and to Jane and Fran Filshie as to what their needs are. The Court can apply yearly for a grant in the amount of \$30,000.00 and there are NYS grants for Library's up to 75% funding. Bill Tribou, the Town Judge, stated that the court just needs the basics such as a separate entrance for law enforcement and prisoners and space for attorneys to meet with clients. Peter White asked if the Court had looked into what would actually be required from the NYS Office of Unified Court Systems. Bill stated that

he was not aware of any requirements and that he had not looked into it but that there are Guidelines and recommendations.

Public Participation

Eve Roblee stated that she had a letter to read to the Town Board as follows:

Dear Town Board, I am coming to you and asking for your help. My family has owned our riverfront property on Shingle Shanty road for 58 years. In the past 4 years, the number of drunks on the river has increased to the point that we can not enjoy our properties on the weekends. Our river has become a floating bar room, for all ages! These drunks think nothing of chucking Jack Daniels and discarding the glass bottle in the river. I have already picked up 3 buckets full of broken glass from my beach this summer. They leave garbage, clothing, popped tubes, used tampons, cigarette butts, glass bottles and beer cans behind them as they float away. By the time they have floated the 2 hours or so that it takes to go from Schroon Falls to my beach they have consumed enough liquids that they need to stop and relieve themselves. It doesn't matter to them that there are kids on the beach. It doesn't matter to them that Medcalf Acres campground has port-a- potties directly across the river because they are so drunk they have trouble climbing the river bank. They roll out of their tubes or kayaks and run up onto our beaches to pee in full sight of others. These people are so drunk they have lost all inhibitions and sense of decency. Last month I had to break up a domestic dispute between two tubers. The woman stood on my beach crying while the man was yelling the f word in her face. I told them I was calling the cops if they didn't stop fighting, and get back in their tubes and leave. As they were floating away I heard the man slur that he'd be glad to get to his, "F"ing car so he could get away from the "F" ing B. There is one kayaker who stops on my neighbor's beach every weekend and sets her little dogs ashore to relieve themselves on our beach. When we asked her to please call her dogs back she refuses saying we can't stop her from coming on the beach, she has every right to use the beach, she even told my neighbors she could go topless if she wanted to. At that point my neighbors told her to go ahead. At least we would have gotten a laugh out of that because they were darn ugly!

This activity has become the norm from about 11 AM to 6 PM every weekend. We have tried calling the State Troopers. They have come but have stated that there is little they can do. They said, "We can't hide in your woods waiting for people."

These problems are happening all along the river. I have spoken to property owners on the French Rd. and on the River Rd. All have the same kind of issues. Our own highway supervisor, Dana Shaughnessy, has resorted to providing garbage cans on his beach in the hopes that boaters use them.

Our former town supervisor, Cathy Moses told me that she is installing a swimming pool because she won't sit on the river and listen to the vulgarity, and put up with the drunks.

Doesn't the Town of Schroon have an open container Law? I remember years ago people would stand on Main St. and watch the 4th of July parade with 12 packs at their feet and an open beer in their hand. Then it got out of hand with inebriated folks. It took a little enforcing but open drinking is no longer a big problem on the streets. This same problem took over the Scaroon Manor property. It is one of the reasons that NY State started the Day use recreation center at the manor.

If the open container law pertains to the public streets doesn't it pertain to the public waterways? It is only going to be a matter of time before some drunken tuber climbs back into their car and kills someone on Rt. 74 or on the Alder Meadow Rd.

We need your help.

1. We ask that sobriety checks be set up by the State Troopers on Rt. 74 late on Saturday and Sunday afternoons.
2. We ask for a town ordinance that no glass bottles are allowed on the river.
3. We ask that the river be kayaked by D.E.C/ ENCON officers to enforce boating laws and to show a real effort to discourage these behaviors.
4. We ask that a permanent sign be posted at Schroon Falls and at the Rt. 74 access points, that glass containers are not allowed in the river, that the town has an open container law and for boaters/floaters to please respect the private property owner along the shores.

I'll close with one last comment. What if this was happening on the lake? What if boaters were simply pulling ashore on a nice beach in front of a lakefront home, relieving themselves, throwing out garbage, and refusing to leave when the homeowner asked them to? Technically lakefront owners only own to the mean high water too, so they are in the same situation that we riverfront owners are in. If as land owners we have no more rights to our beaches than any drunken boater does, why are we taxed as waterfront properties. What if one of these drunks gets hurt while staggering around on our beaches. Who is liable then, The State of NY or the "waterfront property owner"?

We ask that the Town of Schroon push to enact the 4 items we have asked for. We ask that you ask for the help of local law enforcement to return our river to the peaceful wonder that it truly is.

I ask that this be entered into the town minutes as written. Thank you

Charlene Spetla also had concerns with the problems on the Schroon River and read the following letter to the Town Board.

Issue of Complaint:

Tax paying river and beach front property owners when addressing issues of public use with disorderly, intoxicated individuals using (kayaks/canoe/tubes) inappropriate language and inappropriate use of public/private properties (i.e. human/animal urination and defecation; litter; broken beer bottles, cans, cigarette butts and other debris)

Dear Board Members:

Hello, my name is Charlene Spetla. My family has owned the same piece of property on the north Schroon River, Shingle Shanty Way, for almost 50 years. I have been very fortunate to enjoy all the aspects of the Schroon Lake community and use of the river while growing up and now I am passing that enjoyment and responsibility to my children to enjoy their summers here and eventually their children as well.

I am approaching you this evening with a concern over the ever increasing use of the Schroon River by the general public while also maintaining and preserving the environmental beauty of the river. We enjoy the use and socializing with friends or having family/friends up to visit for camping and evenings enjoying the occasional bonfire by the river.

However, every Saturday and Sunday starting in June, from mid-morning to late afternoons (dinner hour) we are bombarded with the general public that takes use of the beach. On one occasion, when we returned to our beach from our own family float, we were met with almost 100 people congregating on our beach front with multiple individuals 'visiting' the surrounding grounds relieving themselves. The manicured lawn, garden area, horse shoe pits and our home were not enough of a deterrent. We don't mind the floating public stopping at the beach for the occasional break/rest and most of them we enjoy socializing with and learning where they are from and such.

Although most individuals are respectful, we have noticed an increase in the number of people who take advantage of the hospitality by urinating on our lawn, near our kid's tents, the vegetable garden, lawn furniture, beach and sand area where our children and neighbors play. We have had to deal with the increased vulgarities and personal threats when we address the individuals who take such liberties and on one occasion we have had to contact the State Police to remedy a situation, where one individual and their companion off loaded their pets and encouraged their pets to urinate/defecate on the beach.

When we asked the individual to remove their pets from the beach area, we were threatened with physical violence and one of the individuals threatened, with vulgarities, to remove her top, as it was a 'public beach', all the while in front of our minor children. There was little the State Trooper could do to correct the situation as it still continues today.

By the time floaters reach our beach front from the Schroon Falls, almost a 2 hour float, with stops

along the way, most floaters are well intoxicated and still have to reach the bridge at Rt 74 or at Alder Meadow Rd. After one days use, we are constantly picking the beach of beer bottles, broken glass, cigarette butts and other debris from the floating public. We also 'pick' the river during our floats of any debris which can result in a small garbage bag of bottles, cans and such. We also enjoy floating on the river responsibly and follow the scouting motto, 'leave it as you found it' We are concerned with not only our and our children's safety, but also of those who enjoy the use of the river and respect the environment and natural beauty and serenity of floating on the river. If someone should get hurt, by either cutting their foot on a piece of glass, a jagged can or tripping over our personal property, who bares the responsibility and liability in these cases if we cannot be stewards of the beach front? Is the State of New York, the APA, or the Town of Schroon Lake going to take responsibility/liability? As private land owners to the mean high water mark, where do our responsibilities begin and/or end? If deemed 'public beaches' and we pay taxes to the waterfront, and we cannot remove disorderly individuals from our beach fronts, does the town have the responsibility to 'police' and 'maintain' these 'public lands'?

We are asking you to take pride in the ownership of the waterfront properties, not only of the lake front properties, but that of the river front properties as well. We ask for your assistance in the following:

- Signs being placed at the falls and along the river access prohibiting the use of glass containers.
- Enforce the leash law as it pertains to public properties/lands, similar to the town beach.
- Increased State Trooper patrols and sobriety check points along Rt 74 and Alder Meadow Rd., with respect to the river water craft launches/egresses.
- Establish a Schroon River cleanup day during the summer months by the town/village maintenance department.

Also, if local businesses are profiting from the river use by offering rental kayak's, floatation devices and providing transportation to the river falls, should they not bare some of the responsibility in the preservation, safety and cleanliness of the river for all.

We respectfully request that these notes be submitted into the minutes of the Town Board Meeting, dated today, Aug 11, 2014.

We appreciate your time and thanking you for listening to our concerns with regard to the use of the Schroon River.

Totes of Hope Campaign

Michel Michelsen Lee stated that the American Red Cross will be doing a “Totes of Hope Campaign” for the Veterans. Through September 5, the American Red Cross will be collecting personal care items to assist veterans in our community. Such items as socks, toothbrushes, deodorant, combs, lotion, Kleenex, shampoo, soap, shaving cream, razors and feminine hygiene. Items locally may be dropped off at the Glens Falls National Bank and Friedman Realty.

Court and Library Expansion

Supervisor Marnell stated that he was looking to move forward with the Court and Library Expansion and was looking for the Board to authorize him to contract with SD Atelier to design the building in detail and process the bid application.

Councilwoman Wood stated that she would like to see a working group who continues on a regular bases to follow a time line and steps with this project.

Councilwoman Phibbs stated that she is willing to go along with starting the process again, but with the stipulation that in the near future and before budget time, we have a written statement on what is needed to get funded and where it is coming from.

Councilman Friedman stated that he had been a member of the Library Steering Committee and supporter of this project since about 2006. As Sue Davis stated we need to get the Town behind this project. We have to get the word out to the community about the library project so it can't be said that they were blindsided. We also need to start a capital fund raising campaign and explore all grant opportunities. The goal should be to have this project shovel ready.

Resolution #136 Authorize Supervisor to Contract with SD Atelier and Process Bids

Councilman Sage moved a resolution to authorize Supervisor Marnell to contract with SD Atelier to design the building in detail and for him to process the bid applications, with the Town of Schroon as the General Contractors, having a working group who continues on a regular bases to follow a time line and steps with this project, that we have a written statement on what is needed to get funds and where it is coming from and to start a capital fund raising campaign and explore all grant opportunities, seconded by Supervisor Marnell; carried.

Roll Call Vote:

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

Resolution #137 Approval of Minutes

Councilman Sage moved a resolution to accept the minutes of July 14, 2014 at 6:00 P.M, seconded by Councilman Friedman; carried.

Resolution #138 Audit of Claim

Councilman Sage moved a resolution to pay the bills as reviewed, seconded by Councilman Friedman; carried.

General Fund \$24,681.40 Water \$3,772.42 Highway \$19,631.40 Sewer \$9,315.48 Airport \$7,832.10

Resolution #139 Standard Work Day

Councilwoman Wood moved a resolution to accept the Standard Work Days, seconded by Councilwoman Phibbs ; carried.

Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the Town of Schroon hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Participates in Employer's Standard Time Keeping Days/Month Work Day System (based on Record Title Name (Hrs/day) Term Begins/Ends (Y/N) of Activities)

Town Clerk/Tax Receiver	Patricia Savarie	6	01/01/2012-12/31/2015	N	20
Town Justice	William Tribou	6	01/01/2014-12/31/2017	N	20
Board Member	Roger Friedman	6	01/01/2014-12/31/2017	N	12
Board Member	Clara Phibbs	6	01/01/2012-12/31/2015	N	12
Board Member	Margaret Wood	6	01/01/2014-12/31/2017	N	12
Assessor Chairman	Richard Schoenstadt	6	01/01/2012-12/31/2015	N	20
Highway Superintendent	Dana Shaughnessy	6	01/01/2012-12/31/2015	N	20

On this 11th day of August, 2014

Date enacted: 08/12/2014

(Signature of the Clerk)

I, Patricia Savarie, Clerk of the governing board of the Town of Schroon of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 11 day of July, 2014 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and seal of the Town of Schroon.

Resolution #140 Lease for New Postage Machine

Councilwoman Wood moved a resolution to lease from Pitney Bowes a new postage machine for a 51 month period at \$221.00 a month, seconded by Councilman Sage; carried.

Resolution #141 Appoint Joe Flores to HEO

Councilwoman Wood moved a resolution to appoint Joe Flores to HEO making \$14.33 an hour effective September 1, 2014, seconded by Councilman Sage; carried.

Set Dates for Budget Workshops

Tuesday, September 30, 2014 at 2:00 P.M.

Tuesday, October 7, 2014 at 2:00 P.M.

Wednesday, October 15 at 2:00 P.M.

Tuesday, October 21, 2014 at 2:00 P.M.

Tuesday, October 28, 2014 at 2:00 P.M.

Resolution #142 RDA Program to be in the Clouds

Councilman Sage moved a resolution to pay a maintenance fee of \$1,225.00 for the RDA Program to be in the clouds, which is for the Town of Schroons payroll and accounts payable, seconded by Councilwoman Phibbs; carried.

Resolution #143 to Approve DeCesares Fishing Derby

Councilman Sage moved a resolution to allow the First Annual DeCesare Kids Fishing Derby Contest on August 23, 2014 at the Schroon Lake Town Docks, seconded unanimously.

Resolution #144 Award Fuel Bids

Councilwoman Wood moved a resolution to award the fuel bid to **Mountain Petroleum**, seconded by Councilman Sage; carried.

PROPOSAL FOR FUEL OIL, DIESEL, AND KEROSENE

Fuel Oil NO. 2

In compliance with this specification, the undersigned agrees to furnish Fuel Oil No. 2 to the Town of Schroon for the period of September 1, 2014 to and including August 31, 2015 for the per gallon Rack Price plus a fixed markup price per gallon of (\$3.1261).

The Rack Price should be computed based on the Journal of Commerce of Albany, NY weekly rack average.

The above mentioned prices are to include delivery.

Diesel

In compliance with this specification, the undersigned agrees to furnish Diesel to the Town of Schroon for the period of September 1, 2014 to and including August 31, 2015 for the per gallon Rack Price plus a fixed markup price per gallon of (\$3.1701).

The Rack Price should be computed based on the Journal of Commerce of Albany, NY weekly rack average.

The above mentioned prices are to include delivery.

Kerosene

In compliance with this specification, the undersigned agrees to furnish Kerosene to the Town of Schroon for the period of September 1, 2014 to and including August 31, 2015 for the per gallon

Rack Price plus a fixed markup price per gallon of (\$3.5065).

The Rack Price should be computed based on the Journal of Commerce of Albany, NY weekly rack average.

The above mentioned prices are to include delivery.

NO- LEAD GASOLINE 87% OCTANE plus or minus

In compliance with this specification, the undersigned agrees to furnish No lead gasoline 87% octane plus or minus to the Town of Schroon for the period of September 1, 2014 to and including August 31, 2015 for the per gallon Rack Price plus a fixed markup price per gallon of (\$2.8735).

The Rack Price should be computed based on the Journal of Commerce of Albany, NY weekly rack average.

The above mentioned prices are to include delivery.

Mountain Petroleum Fixed Markup Price Per Gallon

Fuel Oil #2	\$.23
Diesel	\$.23
Kerosene	\$.23
No Lead gas 87% Octane	\$.23

Playground Equipment Delivered

Supervisor Marnell stated that the swings are here and that Tim Vander Wiele has offered to put them up. Once they are in place the Town will receive the Grant money from the Chamber.

Ramp at Landfill has been Constructed

Supervisor Marnell stated that a new ramp has been built and put in at the Transfer Station for the paper recyclables .

Fireworks on Saturday, August 30, 2014

Councilman Friedman stated that they had received many donations for the Fireworks which will be displayed after the Street Dance. To date we have reached the amount \$3,125.00 towards the goal of \$3,500.00.

Board Comments

Supervisor Marnell stated that he was looking for a grant to install an electrical speed sign for both ends of the Town and also is waiting on a grant from the County for the mobi-mats.

Councilman Friedman stated that he had just received good news that the Strand Theater had reached their goal.

Resolution #145 Appreciation to Reverend Richard S. Sturtz

Councilwoman Phibbs moved a resolution in appreciation to Reverend Richard S. Sturtz on the occasion of his retirement, seconded unanimously; carried.

REVEREND RICHARD S. STURTZ

ON THE OCCASION OF HIS RETIREMENT

Be it Resolved, that the Town Board of the Town of Schroon recognizes with distinction and appreciation the dedication of his life, leadership and spirituality that Father has demonstrated to his parishioners and our community through his 19 years as Pastor of Our Lady of Lourdes Catholic Church.

May God grant you continued good health and richly bless your retirement.

Public Participation

Don Miller stated that he knows how important it is to have an ambulance squad here in Town, twice he has had to use it. He would urge the Board to think about having a paid service 24 hours a day 7 days a week and have the Town run it. Just recently the Fire Department purchased an Argo, which was not needed, and that the Commissioners would not approve. He feels that the Town should run the squad and pay employees, so that they know where the money will be spent.

Councilman Sage moved to adjourn at 8:08 P.M., seconded by Councilwoman Phibbs; carried.