

Regular Town Board Meeting held March 10, 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, Meg Wood and Clara Phibbs

Town Clerk: Patricia Savarie

Also Present: Albert May, Rosemarie Ritson, Marcia Hartnett, Dick Newell, Bill and Kristine Tribou, Jane and Bob Claus, Fran Filshie, Analise and Merritt Hulst, Pete Johnson, Michel Michelsen Lee, Tony Kosteki, Helene Vanderburgh, Jackie and Joe Foote, Mark Granger, Anthony Ruiz and Mark Whitney

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

Resolution # 69 Approval of Minutes

Councilman Friedman moved a resolution to accept the February 10, 2014 at 6:00 P.M. minutes and the Public Hearing held February 24, 2014 at 6:00 P.M., seconded by Councilman Sage; carried.

Resolution #70 Audit of Claim

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

General Fund \$ 36,621.05 Water \$ 2,878.71 Highway \$59,421.36 Sewer \$12,006.09

Resolution #71 Approval to sign Memorandum of Understanding Eurasian Watermilfoil

Management

Councilman Friedman moved a resolution to sign the Memorandum of Understanding Eurasian Watermilfoil Management (EWM), seconded by Councilwoman Wood; carried.

Memorandum of Understanding

Agreement between the Town of Schroon located at P.O. Box 578, 15 Leland Ave., Schroon Lake, NY 12870 and the Warren County Soil and Water Conservation District located at 394 Schroon River Road, Warrensburg NY 12885.

Whereas, invasive species have been identified as a serious threat to the biodiversity and the water quality of Schroon Lake; and

Whereas, the District and Town has established a Eurasian watermilfoil management program (EWM) for Schroon Lake to help combat the spread of invasive species; and

Whereas, the Town has agreed to participate in the EWM management program, by providing funding support for the program.

In the consideration of the mutual promises set forth herein, it is agreed by and between the District and the Town as follows:

1. The District will act as the agent for the Town in obtaining, managing and reporting on the necessary permits for the EWM management program.
2. The District will manage the program (field work and financial) and provide reports to the Town on a timely basis and will organize a end of the year review for the effectiveness of the program.
3. The Town will provide the District upon receipt of an invoice for 2014 a sum of \$12,743.50 to be used for the sole purpose of the EWM management program.
4. This Memorandum of Understanding may continue seasonally upon ratification bt the parties hereto, and may be revoked at any time on fourteen days prior written notice.

Update on Old Firehouse

Supervisor Marnell stated that the old Firehouse was coming along nicely and that the target date for the Food Pantry to move in would be April 9, 2014.

Resolution #72 Approval to sign the Integrys Energy Service Agreement

Councilman Sage moved a resolution to accept the Power Sales Agreement between the Town of Schroon and Integrys Energy Service of New York for 20 months at a fixed rate of \$0.07824/kWh, seconded by Councilman Friedman; carried

Roll Call Vote

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

Resolution #73 Supporting the Citizen Statewide Lake Assessment Program

Councilwoman Wood moved a resolution to support the Citizens Statewide Lake Assessment Program, seconded by Councilman Sage; carried.

The Citizens Statewide Lake Assessment Program

- Whereas:** The Citizens Statewide Lake Assessment Program (CSLAP) has provided valuable information about the water quality of lakes, including Schroon Lake, since 1985.
- Whereas:** This public/private partnership has been a truly cost effective way for the Department of Environmental Conservation (DEC) to collect valuable water quality data that can be used for a variety of programs, both state and federal as well as local organizations like the Schroon Lake Association (SLA).
- Whereas:** Since its inception, over 3000 volunteers, including those from the SLA, have participated in this program.
- Whereas:** For nearly 30 years, The New York State Federation of Lake Associations, Inc. (NYSFOLA) has partnered with the DEC, lake associations across the state(including the SLA) and New York State Laboratories to provide vital information on the water quality of lakes in New York.
- Whereas:** Grant funds from the US EPA enabled the expansion of the program to include Harmful Algae Bloom Analysis but EPA funding ends this year..
- Whereas:** Budgetary pressures mean that CSLAP can no longer accommodate all of the lakes that want to participate even with local lake associations like the SLA paying \$450 per sampling location per year.
- Whereas:** CSLAP is funded, in part, by US EPA “pass through” money to NY State, it has been the subject to substantial cuts of up to 30% and next year will have no US EPA funding.
- Whereas:** Full funding and staffing levels must be returned to this program.
- Whereas:** It is vital that funds become available to the DEC to continue this important program as a part of its core monitoring.
- Wherefore:** The Town Board of the Town of Schroon enacts this Resolution of support for full restoration

of CSLAP funding and forwards this Resolution to our Governor, State Legislators and the Commissioner of the Department of Environmental Conservation.

Accept Bid for Trailer Mounted Trash Pump

Councilwoman Phibbs moved to **table** the bids for the Trailer Mounted Trash Pump until Jim Roblee, the Chief Waste-Water Plant Operator, has a chance to look over the spec sheets for each company, seconded by Councilman Friedman; carried.

Resolution #74 Accept 2013 Annual Update Document (AUD)

Councilman Friedman moved a resolution to accept the 2013 AUD which will available at the Town Hall for review, seconded by Councilwoman Phibbs; carried

Resolution #75 To Require Registered Sex Offenders to Report Multiple Residences

Councilman Sage moved a resolution to require Sex Offenders to report multiple residence, seconded by Councilman Friedman; carried.

**RESOLUTION TO REQUIRE REGISTERED SEX
OFFENDER TO REPORT MULTIPLE RESIDENCES**

WHEREAS, under current law (Sex Offender Registration Act – SORA) sex offenders are required to register only their primary residences; and
WHEREAS, there are many instances where offenders spend time at a place other than their registered primary domicile or residence; and
WHEREAS, local law enforcement and residents are not informed of the presence of an offender in their secondary residence or domicile, which renders them unable to properly put protective measures in place,
NOW THEREFORE BE IT RESOLVED, that the Town Board of Town of Schroon supports legislation that would amend the sex offender registry law to require mandatory reporting by offenders of multiple domiciles or residences within ten days of establishing an additional domicile or residence and urges the Governor and New York State Legislature to pass legislation regarding multiple residences of sex offenders.

Update on Proposed Court/Library Expansion

Supervisor Marnell stated that S.D. Atelier received the sketches laid out by himself and Judge Tribou and will design a building around these plans. The plans are very basic and most of the work will be done in house with donations paying for the project.

Discuss SLIC Franchise Fees

Councilwoman Wood moved to **table** the SLIC Franchise Agreement until the Board has more information, seconded by Councilman Sage; carried.

Resolution #76 to Accept Funding for additional hours for Lake Steward

Councilwoman Phibbs moved a resolution to accept funds for reimbursement of additional expenses for payroll only, for the Lake Stewards from the Schroon Lake Association and the Paradox

Lake Association with the Town of Schroon paying \$2,500.00 to each association, seconded by Councilman Friedman; carried.

Resolution # 77 Accept the payroll position of Lake Stewards at Paradox Lake and Schroon Lake

Councilman Friedman moved a resolution to accept the payroll positions of the Lake Stewards for the Schroon Lake Association and the Paradox Lake Association in the amount of \$9.63 an hour and all matching payroll expenses plus disability and workers compensation not to exceed \$2,500.00 for each association, seconded by Councilman Sage; carried.

Resolution #78 Approval to Sign Inter Municipal Agreement for Boat Patrol

Councilman Sage moved a resolution to accept the Inter Municipal Agreement for the Boat Patrol on Schroon Lake, seconded by Councilman Friedman; carried.

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT made as of the 1st day of January, 2014, between **TOWN OF SCHROON**, a municipal corporation duly organized and existing under the laws of the State of New York with principal offices located in Schroon Lake, Essex County, New York (hereinafter referred to as "Town"); and **WARREN COUNTY**, with principal offices located in Lake George, Warren County, New York (hereinafter referred to as "Warren County"); and **ESSEX COUNTY SHERIFF'S DEPARTMENT**, a department of Essex County with principal offices located in Lewis, Essex County, New York (hereinafter referred to as "Essex County").

WITNESSTH: WHEREAS, the Town desires to have a boat patrol law enforcement services on Schroon Lake; and

WHEREAS, by Intermunicipal Agreement among the parties hereto and dated January 1, 2011, it was agreed that for certain consideration Warren County would furnish boat patrol law enforcement services on the portion of Schroon Lake located within Essex County upon certain terms and conditions specified in said Intermunicipal Agreement and the parties hereto desire to renew and continue said Intermunicipal Agreement for an additional term, and

WHEREAS, in order to promote the health, safety and welfare of persons using Schroon Lake, the parties hereto desire to continue the Intermunicipal Agreement pursuant to General Municipal Law Article 5-g with respect to the provision by Warren of boat patrol law enforcement services on the portion of Schroon Lake located within Essex County.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Warren County agrees to provide and furnish boat patrol law enforcement services on the portion of Schroon Lake located within Essex County, and will endeavor to furnish such services four (4) days per week subject to Warren's law enforcement resources and emergency situations.
2. The Town agrees to pay to Warren County the sum of Four Thousand Dollars (\$4,000) per year for providing and furnishing such services, which Warren County agrees to accept as full payment of its actual and necessary expenses in providing and performing such services during each year of this agreement. The annual payment shall be made on or before June 1st of each year.
3. Essex County expressly agrees that the Warren County Deputy Sheriffs assigned by Warren County to provide and perform boat patrol law enforcement services under this agreement shall be appointed and designated special deputies of the Essex County Sheriff's Department.
4. The parties agree to cooperate with and assist each other in the carrying out and performance of this agreement.
5. Warren County agrees to defend, indemnify and hold harmless Essex County from any claim or cause of action which may arise out of Warren's performance of this agreement and/or negligence; and Essex County agrees in a like manner to defend,

indemnify and hold harmless Warren from any claim or cause of action which may arise out of Essex's performance of this agreement and/or negligence.

6. Each party to this agreement shall be responsible for maintaining its own liability insurance coverage. However, the parties may agree to jointly procure and carry liability insurance covering the parties as named insureds, and in such event the costs of such insurance shall be paid equally by the parties.

7. The term of this agreement shall be, for a period of three (3) years, from January 1, 2014 through and including December 31, 2016. This agreement may be terminated by any party for cause at any time or for convenience by providing thirty (30) days written notice to all other parties.

8. Should the parties deem it necessary or the situation warrant it, communications and/or notice shall be deemed given sufficiently for purposes of this Agreement, if the same are committed to written form and delivered respectively to:

Warren County Town

Warren County Sheriff's Dept. Town of Schroon

1400 State Route 9 15 Leland Avenue

Lake George, NY 12845 P. O. Box 578

Attn: Nathan H. York, Sheriff Schroon Lake, New York 12870

Attn: Michael Marnell, Supervisor

Essex County

Essex County Sheriff's Dept.

702 Stowersville Road

Lewis, New York 12950

Attn: Richard C. Cutting, Sheriff

9. This is the entire Agreement of the parties and cannot be changed or modified except by mutual written agreement. If any part of this Agreement shall be held unenforceable, the rest of this Agreement will nevertheless remain in full force and effect. This Agreement may be executed in any number of counterparts. This Agreement may not be assigned, in whole or in part, by the Provider without prior approval by the County in writing. Any dispute under this Agreement or related to this Agreement shall be decided in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, this agreement has been executed by the duly authorized representative of each party.

Resolution #79 Approve Service Contract with Gore Electric for Generators

Councilwoman Wood moved a resolution to approve the service contract with Gore Electric to service the generator once a year in the amount of \$300.00, seconded by Councilwoman Phibbs; carried.

Resolution #80 Accept Historian Report

Councilwoman Phibbs moved a resolution to accept the Annual Historian Report, seconded by Councilman Friedman; carried.

Resolution #81 Change Regular Town Board Meeting in May to May 5, 2014

Councilwoman Wood moved a resolution to change the regular Town Board meeting in May from May 12th to May 5th at 6:00 P.M., seconded by Councilwoman Phibbs; carried.

Resolution #82 Accept 2013 Justice Court Report

Councilman Sage moved a resolution to accept the 2013 Justice Court Report, seconded by Councilwoman Phibbs; carried.

Accept 2013 Golf Course Report

Councilwoman Wood moved to **table** the 2013 Golf Course Report until they have all the expenditures, seconded by Councilman Sage; carried. Supervisor Marnell stated he would like to do a workshop in the near future on the Golf Course.

Resolution #83 Close Out 4th of July Parade Account and give money to the Schroon Lake

Chamber of Commerce

Councilman Sage moved to close out the 4th of July Parade Fund in the amount of \$11,144.98 Account # 213305 and turn over that money to the Schroon Lake Chamber of Commerce to be used only for the 4th of July Parade, seconded by Councilman Friedman; carried.

Resolution #84 Space for Friends of the Library

Councilwoman Wood moved a resolution to authorize the Friends of the Library to occupy the area where the Food Pantry is located, when the Food Pantry moves out and into the old Firehouse , seconded by Councilman Friedman; carried.

Councilwoman Wood moved to adjourn at 7:06 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 12, 2014 _____

Town Clerk