

Regular Town Board Meeting held September 14, 2015 at 6:00 P.M. at the Town Hall

in Schroon Lake N.Y.

Present:

Town Supervisor: Michael Marnell

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

Town Clerk: Patricia Savarie

Highway Superintendent: Dana Shaughnessy

Also Present: Albert May, Rosemarie Ritson, Jay Phibbs, Michel Michelsen Lee, Ellie and Don Searles, Bob and Susan Yoeckel, Dick Newell, Glen and Sue Repko, Paul McCann Jr., Ann Breen Metcalfe, Sheila Yanko, Bob and Sandy Crooke, Janet MaManus, Betty Organek, Merritt and Analise Rigan Hulst, Laurie Bruce, Mark and Joan LaPlante, Fran and Skip Mahler, Diane D'Amico, Bet McNicol Wilson, Leslie McNicol Madden, Shirley Leonard Robinson, Ron McNicols, Helene and Larry Vanderburgh, Mickey Caputo Abbott, Linda Milsom, Eileen McFerran, Kathy and Mark Granger, Laura dewey, Anne and Peter Durkee, Marion Weaver, Jessica and Tim Botterbusch, Tom Erickson, Linda Hughes, Ray Shields, Barbara Connor, Pam Scavera, Fran Filshie, Bob and Jane Claus, Jim and Jolyn O'Connor, Lil Richardson, Carole Ann Greig, Lynn Donaldson, Jane Bouchard, Jane DeMario, Joan Osborne, Steve Cass, Gail Simon, Pat and John Misha, Joe Provoncha, Mike Calhoun, Chris Savarie, Peter White, Rob and Dot Manganielle, Betsi Calhoun and Paul McCann Sr.

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

Resolution #161 Approval of Minutes

Councilman Sage moved a resolution to accept the minutes of August 10, 2015 for a Special Town Board Meeting at 5:30 P.M. and the Regular Board Meeting at 6:00 P.M and August 31, 2015 Special Town Board Meeting at 6:30 P.M. and September 3, 2015 for bid openings for the Tennis Court, seconded by Councilman Friedman; carried.

Resolution #162 Audit of Claim

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

General Fund \$69,037.19 Water \$3891.85 Highway \$73,833.35 Sewer \$4331.30

Airport Project \$7380.15

Resolution #163 Award Fuel Bid

Councilman Sage moved a resolution to award the Fuel Bid to Superior Plus Energy Services seconded by Supervisor Marnell; carried.

Superior Plus Energy Services

Fuel Oil #2	\$.1222
Diesel	\$.2442
Kerosene	\$.1222
No Lead gas 87% Octane	\$.2455

Resolution #164 Award Tennis Court Bids

Councilman Sage moved a resolution to award the Tennis Court Bids to Edward and Thomas O'Connor Inc. in the amount of \$108,790.00, seconded by Councilman Friedman; carried.

Resolution #165 Award Airport Bid

Councilman Friedman moved a resolution to award the Airport Bid to Luck Brothers for \$553,000.00, seconded by Councilman Sage; carried.

Resolution #166 Change Board Meetings for October and November

Councilwoman Phibbs moved a resolution to change the Regular Board Meetings for October and November to **Wednesday, October 14, 2015 and Thursday, November 5, 2015**, seconded by Councilwoman Wood; carried.

Resolution #167 State Assistance with New York Tax Cap

Councilwoman Phibbs moved a resolution for State Assistance with the New York Tax Cap, seconded by Councilman Friedman; carried.

RESOLUTION #167 of 2015
OF THE TOWN BOARD/BOARD
OF THE TOWN OF SCHROON
ADOPTED SEPTEMBER 14, 2015
Made by Councilwoman Phibbs
Seconded by Councilman Friedman

A RESOLUTION SEEKING STATE ASSISTANCE WITH THE NEW YORK TAX CAP

Whereas, in 2011, New York Governor Andrew Cuomo and the New York State Legislature adopted what is commonly referred to and known as New York State's Property Tax Cap to address New York's ever increasing property taxes; and

Whereas, the Property Tax Cap set in place a cap on the growth of property taxes in New York whereby real property taxes are capped at two percent per year or the rate of inflation, whichever is less; and

Whereas, the focus of the tax cap has been on the laudable goal of driving down costs of government services through cuts and consolidation in services and heightened economic development aimed at alleviating the pressure of the tax cap; and

Whereas, while increasing economic development everywhere in New York State is an important and laudable goal, New York's towns and counties within the Blue Line of the Adirondack Park face particular hardships when seeking development projects due to additional government regulation and hurdles; and

Whereas, such government regulation significantly curtails the amount of available acreage within the Blue Line for economic development and imposes additional regulatory hurdles for beneficial development within the Adirondack Park; and

Whereas, recent studies, including a the 2009 Adirondack Park Regional Assessment Project sponsored by the Adirondack Association of Towns and Villages and the Adirondack North Country Association notes the aging population of the Adirondack Park and the significant decrease in viable economic opportunities for residents within the Adirondack Park; and

Whereas, in addition, the 2009 Adirondack Park Regional Assessment Project also noted that from 1980 to 2006, real property tax as a portion of total revenue within the Park actually decreased in

the average Adirondack community; and

Whereas, many communities in the Adirondack Park also have aging water and/or sewer systems which combined with ever increasing regulatory controls from the New York State Department of Environmental Conservation, New York State Department of Health, and United States Environmental Protection Agency, have actually resulted in increased employee hours and financial obligations simply to keep those systems within permit guidelines and limits; and

Whereas, communities within the Adirondack Park find themselves at a significant crossroads: higher regulatory and financial obligations for aging infrastructure versus compliance with the tax cap; and

Whereas, most communities within the Adirondack Park have already taken significant steps aimed at cost savings within their communities including significant reductions in highway and DPW staff, and other staffing cuts; and

Whereas, most communities within the Adirondack Park now find themselves understaffed to the point where essential public services including road maintenance and the ability to monitor and maintain their water and/or sewer systems simply cannot be performed within the available employee hours given such reductions; and

Whereas, much of the land in the Adirondack Park, with more being purchased every year, is owned by the State of New York and non-profits aimed at curtailing development within the Adirondack Park which only increases the burden imposed on local taxpayers; and

Whereas, the year round residents and taxpayers of the Adirondack Park are at a breaking point with the need for meaningful services and roads and the ever decreasing revenue with which to supply such services and roads; and

Whereas, the communities within the Adirondack Park hereby ask Governor Andrew Cuomo and members of the New York State Legislature to help the residents and taxpayers of the Adirondack Park with regulatory relief and financial assistance to help our communities comply with the Tax Cap.

NOW THEREFORE BE IT:

RESOLVED, that the Town Board of the Town of Schroon, asks Governor Andrew Cuomo and members of the New York State Legislature to help the residents and taxpayers of the Adirondack Park with regulatory relief and financial assistance to help our communities comply with the Tax Cap; and be it further

RESOLVED, that the Town Board of the Town of Schroon, asks Governor Andrew Cuomo and members of the New York State Legislature to provide funding assistance for the communities within the Blue Line of the Adirondack Park for water, sewer and road infrastructure to help offset the loss of revenues imposed by New York's Tax Cap, which loss is grossly exceeding the costs of supplying such services, particularly within the Blue Line of the Adirondack Park; and be it further

RESOLVED, that the Town Board of the Town of Schroon, asks Governor Andrew Cuomo and the members of the New York State Legislature to provide meaningful regulatory relief to communities within the Blue Line of the Adirondack Park so that actual economic development can take place; and be it further

RESOLVED, that this resolution take effect immediately.

Resolution #168 Decrease in Water and Sewer Units for Adirondack Inn

Councilwoman Phibbs moved a resolution to decrease the Water and Sewer units for the Adirondack Inn, located at 1051 US Route 9, tax map # 147.13-2-3.000, from 5 units down to 3.75 units, seconded by Councilwoman Wood; carried.

Resolution #169 Approve Water Connection for Paul McCann

Councilman Friedman moved a resolution to approve a water connection for Paul McCann Jr. who will be building a new home which is located at 1329 US Route 9, seconded by Councilwoman Wood; carried.

Resolution #170 to Appropriate additional \$50,000.00 to Ambulance Squad

Councilwoman Phibbs moved to appropriate \$50,000.00 to the Schroon Lake Ambulance Squad, seconded by Councilman Sage; carried.

A BUDGET AMENDMENT IS NEEDED TO INCREASE APPROPRIATIONS A00-960 FROM

APPROPRIATED FUND BALANCE A00-599 TO ACCOUNT FOR ADDITIONAL \$50,000 APPROVED IN AMBULANCE SQUAD CONTRACT.

Appropriated Fund Balance	A00-599	\$50,000.00
Appropriations	A00-960	\$50,000.00

To amend budget per board approval to cover additional cost approved in 2015 ambulance squad contract.

A00-03-4540-400 Ambulance

Resolution #171 A Local Law to Override the 2% Tax Cap

RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. 2 OF 2015 ENTITLED “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C”

The following resolution was offered by Supervisor Marnell, who moved its adoption.

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

BE IT RESOLVED that the Town of Schroon Town Board hereby introduces proposed Local Law No.2 of 2015 entitled “A Local To Override the Tax Levy Limit Established in General Municipal Law §3-c,” reading and provided as follows:

“TOWN OF SCHROON LOCAL LAW NO. 2 OF 2015”

A Local Law To Override the Tax Levy Limit Established in General Municipal Law §3-c.

BE IT ENACTED, by the Town of Schroon Town Board as follows:

Section 1. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Schroon pursuant to General Municipal Law §3-c, and to allow the Town of Schroon to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override - Budget Authorization.

The Town Board of the Town of Schroon hereby overrides the tax levy limit for the Town of Schroon for 2016 and authorizes the Town of Schroon, after completing all required procedures for the adoption of a budget, to adopt a budget for 2016 that requires a tax levy that is greater than the tax levy limit calculated for 2016 pursuant to §3-c of the General Municipal Law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

BE IT FURTHER RESOLVED that the Town Board of the Town of Schroon shall hold and conduct a public hearing on the foregoing proposed local law on the 5th day of November, 2015, at 5:00 P.M. in the forenoon of that day, to hear any and all persons concerning the same; and

BE IT FURTHER RESOLVED that the Clerk of the Town of Schroon will publish a notice of such hearing in the designated Town newspaper at least five days prior to said hearing.

This resolution was duly seconded by Councilwoman Wood, and adopted upon a roll call vote as follows:

Roll Call Vote

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

Approve the Town Hall Addition To Go out to Bond for \$900,000.00

There was much discussion on the Town Hall addition. The main concern is that the Court has to be a safe place for all.

Supervisor Marnell stated that they need to move forward and the addition is mainly for the addition for the Courts.

Councilwoman Wood asked what exactly is our resolution going to say? Supervisor Marnell stated that the Town of Schroon was going to put an addition on to this building to accommodate the court room and a second floor, wood framed to expand the Library.

Councilman Friedman stated that during my 22 years on the Town Board I have been an advocate for infrastructure improvement in all facets of the Town. I have been a supporter of this project and had been on the Library steering committee since 2006. The need for court improvements is a no-brainer. On August 11, 2014 this Board voted unanimously to contract with SD Atelier to design the building in detail so that the project is ready for construction bids.

For the Library I have consistently made 2 requests:

First, that the needs for this project be explained in the press so that all Town residents are aware of what is being planned. I am very disappointed that this has not happened! Second, that a capital fund raising project begin. Since the Board's resolution nothing has been done! Since Supervisor Marnell announced that he would have the Town Hall issue on September's agenda I have had several people come to me with questions that include:

First, what type of grants are available?

Second, with the decreasing school enrollment and the reduced number of school age children in Town is this project justified?

Third, do we have such a large number of home schooled children that use the Library?

Fourth, is the Library situation just a summer occurrence or all year round?

Fifth, will the popularity of e-books eliminate or reduce the need for such a large collection of traditional books?

Sixth, with the proposed Town Hall expansion will we have sufficient parking at Town Hall?

Seventh, could the Court be moved to the old Water & Parks building on Fairfield Avenue?

Eighth if the Town Board decides to move forward with this project will we utilize reusable energy resources such solar & biofuels?

Councilwoman Phibbs had many concerns and stated that we need to get facts together and get loose ends together before making a decision. The public needs to know what is going on with this project and there needs to be better communication put out to the community.

Resolution #172 Approve the Town Hall Addition To Secure a Anticipated Note / Bond

Councilman Sage moved a resolution to proceed with securing a anticipated note/ bond for an addition to the Town Hall not to exceed \$900,000.00 for the total project, seconded by Supervisor Marnell; carried.

BE IT RESOLVED, that the Town of Schroon proceed with securing a anticipated note/ bond not to exceed \$900,000.00 for the purpose of pursuing plans and erection of an addition to the Town Hall for the purpose of bringing our Town Court into compliance with state requirements and to meet the safety and security of its personnel and the public.

AND ADDITIONALLY, that a portion of this anticipated note/bond be further utilized to expand and update our Town Municipal Library.

Roll Call Vote

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

Acknowledge Rich Schoenstadt's Letter

Councilwoman Phibbs stated that she would like to have a Special Town Board Meeting to discuss what Rich Schoenstadt will be giving up as extra duties so that he may concentrate on Assessor duties and they know what positions will have to be filled. The Town Board will try to meet with Rich on Monday, September 28th at 3:00 P.M.

Resolution # 173 Appropriate \$4000.00 from donations for Fireworks on Labor Day

Councilman Sage moved a resolution to appropriate \$4000.00 from donations for the Fireworks displayed over the Labor day Week-end, seconded by Councilwoman Wood; carried.

A BUDGET AMENDMENT IS NEEDED TO ACCOUNT FOR THE \$4000 RECEIVED IN DONATION FOR THE LABOR DAY FIREWORK DISPLAY.

ESTIMATED REVENUES	A00-510	\$4000.00	
APPROPRIATIONS	A00-960		\$4000.00

TO AMEND BUDGET PER BOARD APPROVAL TO ACCOUNT FOR MONEY DONATED FOR THE LABOR DAY FIREWORKS 2015.

DONATION	A00-2705
CELEBRATIONS	A00-06-7550-400

Resolution #174 Adirondack Artist and Craft 2016

Councilwoman Wood moved a resolution to approve the Adirondack Artist and Crafters for the 2016 Season on Thursdays during the summer season and also to be able to set up on the 4th of July, seconded by Councilman Sage; carried

Resolution # 175 To Advertise To Go out to bid for BTI Contract

Councilman Friedman moved a resolution to advertise to go out to bid for the BTI Contract, seconded by Councilwoman Wood; carried.

The Town of Schroon will be Accepting bids for Black Fly Control with the Bti (Bacilius Thuringiensis insraelensis) for two proposals of a 1 year contract and a 3 year contract. Please bid it both ways. Specifications will be available at the Town Hall from the Town Clerk. Bids should be submitted to the Town of Schroon, P.O. Box 578, Schroon Lake N.Y. 12870 on or before October 14, 2015 1:00 P.M. The Town Board reserves the right to accept and /or reject any or all bids.

Acknowledge 40 Years of Service for the Senior Citizens Club

Supervisor Marnell would like to acknowledge the Senior Citizen Club on 40 years of service to our community and stated that there will be an Open House on October 20, 2015 from 4 – 7 PM at the Senior Citizens building to commemorate this special occasion.

South Schroon Cemetery

Supervisor Marnell informed the Board that the Town of Schroon would be taking over the South Schroon Cemetery in the near future.

Golf Course

Jon Senecal sent a letter to the Town Board stating that recently Schroon Lake Golf Course was re-rated by our governing body the NYSGA, the first time since 2004. We need the rating done at least every 10 yrs, to keep our NYSGA membership. Since the last rating we have made many well needed upgrades, however this leaves us with one small issue to deal with... our current tee signs. The tee signs we have do not reflect the correct information on the course. NYSGA section 12 details accurate tee makers as a requirement of the USGA Handicap system. The golf course looks like one 9 hole

course, but I know you are aware that we have different layouts. Earlier this summer I formed a sub committee of the Golf Advisory Committee to find a solution to this issue and what the costs would be. Tim Beck took the reins and has contacted Burco Inc, which you may recognize the name, as they have supplied our scorecards for years and made the signs we have now back in 1994. Burco supplies signs for hundreds of courses throughout the US. The wooden signs are free and Burco will sell the advertising on the signs. They will contact businesses in and around the area. If they sell the ads, then they will produce the signs, and ship them to us at no cost. Should they fail to sell the ads, all monies collected will be returned to businesses that have signed on to the program and we will have to go a different direction. This is similar to the deal we had in 2010, but we missed their cutoff date. This is why I'm asking for your permission to take the next step and have them forward a contract ASAP, for Mike to look over, so we could possibly have the new signs in place for the 2016 season. The sooner Burco can get a response from us, the better chance they have to sell the ads. This proposal has the approval from the Golf committee.

Resolution # 176 Adirondack Marathon Road Closure

Councilwoman Wood moved a resolution in recognition of the 19th running of the Adirondack marathon on Sunday, September 27, 2015, the Town of Schroon hereby orders that Leland Street between Route 9 and Fairfield Avenue will be closed to non-emergency vehicles from 8:30 AM until 3:00 PM. Emergency vehicles, police and fire vehicles and vehicles bearing an official pass from the Adirondack Marathon are the only vehicles permitted on Leland Street at that time, seconded by Councilman Friedman; carried.

Resolution #177 Hiring Dwayne Hammond full time

Councilman Friedman moved a resolution to hire Dwayne Hammond as a full time laborer for the Highway Department at the rate of \$10.63 an hour, effective September 23, 2015, seconded by Councilman Wood; carried. (Councilman Sage – Abstained)

Councilman Sage moved to adjourn at 8:30 P.M., seconded by Councilman Friedman; 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: September 21, 2015 _____

Town Clerk