

Regular Town Board Meeting held March 14, 2016 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, , Fran and Skip Mahler, Michel

Michelsen Lee, Mikaela Foster, Mark and Kathy Granger, John Tibbitts, Mark Fisher, Chris Savarie, Gail Simon, Steven Cass, Anne Durkee, Denise Paradis and Jane Bouchard

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

Public Participation

Mark Granger stated that at the Schroon Lake Association meeting all three lakes associations are in support for a boat wash station to be located at the Paradox State Campsite. Lake Stewards are already in place and could make sure the boats are washed off before entering the lake. The associations will raise the money needed to purchase the boat wash and will look for grants. Mark also stated that he would be coming to the board with a request for road closures for the Craft fair and the Marathon.

Captain John Tibbitts, from the NYS Troopers stated that he was responsible for over 100 Troopers in four county's, Essex, Hamilton, Franklin and St. Lawrence, and I have been doing the job for eleven years. In my position I have met a lot of local government and state officials and have had a good relationship with them. I knew Cathy Moses when she was Town Supervisor and have not had much contact with Supervisor Marnell, which is a good thing, it means we have been doing our job, which is why I was surprised on March 8, 2016 I received a copy of a letter to the editor about the Fishing Derby and I would like to read the letter for the people who have not seen it.

Ice Fishing Derby, Schroon Lake, NY

The annual ice fishing derby on March 5 and 6 drew 400 participants to our town. In spite of Cuomo's state police harassment, intimidation and entrapment tactics, the derby was a huge success with some excellent fish being caught and weighed in. Noteworthy were the northern pike. Photos are available on the Schroon Lake Fish and Game Club face book page, Ice Fishing Derby. Prizes were awarded for 1st, 2nd, and 3rd in Northern Pike, Salmon, and Lake Trout, plus biggest Pickerel and Perch. Hourly drawn door prizes were also awarded both days. The main distraction was Cuomo's state police who were imported just for the weekend. Normal years they just harass the volunteers on their snowmobiles and ATV's who transport the fish from the ice to the clubhouse for weighing. This we have learned to live with. This year with no snow and poor shore ice, the

fishermen were required to bring the fish to the club themselves. This enabled Cuomo's police to sit at the town dock and other locations, entrapping these out of town fishermen as soon as they came off the ice. It did not matter if they were going up to a town store or business, or bringing fish to be weighed. Because of this harassment, intimidation, entrapment, the local businesses lost out. With a very poor snowmobile season the stores needed to have a good weekend. Lots of these visitors, fishermen, will not be back. Cuomo claims to support Adirondack village economies and outdoor recreation. The actions of his police show this is a lie. Cuomo's goal is to destroy the economy and jobs of every town and to drive all fishermen and other sportsmen from the Adirondacks. Time to remove Cuomo, the third criminal in the room, and all his lackeys from Albany and government.

Donald Sage, Councilman, Town of Schroon

Captain Tibbitts stated that, I would like to address a couple of things, we did not import Troopers from all over for this event. When the Town of Schroon informs us to come for special events, we do so. This was a normal week end for us and we did not have the Fishing Derby on our calendar. Friday night we had two Troopers on from 7:00 PM to 7:00 AM to cover Minerva, Schroon Lake, North Hudson, Ticonderoga and Crown Point. Saturday we had two Troopers on they covered Minerva, Town of Schroon and North Hudson. Saturday night we had two troopers covering five towns. Sunday we had one Trooper on, because one called in sick. During that time frame we wrote nineteen tickets on the Interstate, we wrote six tickets in the Town of Schroon, we had two DWI tickets. In this day in age when a letter like this comes out, people in my position, as a Commander, will send out a Station Supervisor to talk to someone and keep it on the low key, I'm not that Commander. My people do an excellent job and when I see a letter like that it really opens my eyes up, because in this day and age a letter like this only makes it hard between Law Enforcement and the community. I think we have a pretty good relationship with the Town of Schroon. Don you mention harassment, intimidation and entrapment in your letter, my question is to you and anyone in this room, what exactly were the harassment's, intimidation's and entrapment's? These men reflect me and I have a lot of young Troopers and they need to deal with the community. If they are doing something wrong I need to know. I have been on this job 30 years and have attended a lot of Town Board meetings to straighten things out within the community's and I tell them to call me anytime and I will get back to them within 24-48 hours. I'm wondering if I'm missing something as far as these harassment's, intimidation's and entrapment's issues. Councilman Sage stated that the problem came not so much as you guys not doing your job, it came when people were being stopped at Tops and Stewart's and even guys bringing fish over to the club. There was such an influence and intimidation going on that our fishermen didn't even go to the stores and shops, they left Saturday night and Sunday was a bust. Basically your presence was so overbearing that people just left. Captain Tibbitts stated with two Troopers on Saturday and one

Trooper on Sunday covering three towns and we answered eight complaints and we only wrote five tickets. Councilman Sage stated it wasn't the number of tickets you wrote, please don't question that, it was just the presence. Captain Tibbitts asked why were these people being pulled over? I never received a call from a motorist or a citizen anyone saying how the Troopers stopped me because "I was riding my dirt bike up the middle of the road and I got stopped", which by the way most people would understand why we stopped them since they are not allowed to be doing that. I'm trying to get a feel for why they were making these stops. Councilman Sage stated basically because there was no snowmobiles running the fish in and the fisherman had to bring in their own fish in to be weighed, that's where the conflict came in. Captain Tibbitts asked do we know why they were being stopped? I have spoken to Sargent Brown who is down here at the station and he has spoken to both Troopers and they say they didn't stop as many as they usually do and were called out of the Town and out of the village more then they were in it, but when you have a gathering of people things happen and they made it a point during the course of their patrol to be there and we only had one DWI that was related to the Fishing Derby. Councilman Sage stated it was enough of a presence where people left Saturday. Captain Tibbitts stated, because of the State Troopers, they told you that? Councilman Sage stated from the feed back we got, yes. Captain Tibbitts asked Councilman Sage if he had there names and that he would call them personally and find out what happened, because if my Troopers are doing something against regulations and against our protocol and against whats right, I will deal with it. I have had to bring Troopers up on charges and have had them fired ,that's what I do, but they also know I have their backs especially when something like this comes out. So again I have to ask, I will open it up to anyone in the room, if anyone has direct knowledge of anyone of these things happening, I have to know. Supervisor Marnell stated he did not get any calls until 5:00 PM Saturday from Councilman Sage and have not received any calls after that date. Captain Tibbitts stated I would ask if you need to get a hold of me my telephone number is 873-2959, that goes right to my office and please leave me a message and I or someone else will get back to you. Supervisor Marnell stated the Town of Schroon was very appreciative of all the work the State Troopers do for us and we need you for a lot of occasions and are glad for their presence. Captain Tibbitt's stated we do come into the Town of Schroon when you have a big crowd like 4th of July, Street Dance and the Marathon. Mark Granger stated that as the Public Safety Director for the Marathon the Troopers have been wonderful and extremely cooperative and has always worked very smoothly. Captain Tibbitts has furnished us with dogs to sniff out any packages and to keep an eye on the crowd in terms of safety with bombs and other things and his Troopers are great people and they get along with everyone. I was on the street Saturday for the Lion Club and didn't

see anything unusual on the streets and I feel they have been very good for the Town of Schroon in terms of the Marathon. I thank you Captain Tibbitts for the job you do and helping us with such big events. Supervisor Marnell stated it was unfortunate, but it was Councilman Sage who wrote the letter and the Town of Schroon Town Board had nothing to do with the letter. Captain Tibbitts stated that he just wanted to make sure the air was cleared and that the lines of communications are open and I will make an agreement with everyone, if I'm contacted with anything with a complaint out of the Town of Schroon on this Fishing Derby or if something is developing further down the line I will come back here and I will report what was reported to me and what actions I took on it. I think people have a right to know and I don't do my job secretively, I try to be easily approachable and think that is the best way for us to do our job. The Town Board thanked Captain Tibbitts for his time and for coming to confront the situation.

Resolution #80 Approval of Audit of Claim

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

General Fund \$28,386.46 Water \$3,616.52 Highway \$33,647.37 Sewer \$14,260.55
Airport Project \$607.11

Resolution #81 Approval of Board Minutes

Councilman Friedman moved a resolution to accept the minutes of the Regular Board Meeting February 8, 2016 at 6:00 P.M, seconded by Councilman Sage; carried.

Resolution #82 Acknowledge William Sutfin's letter of resignation of BTI Bid

Councilwoman Phibbs moved a resolution to accept William Sutfin's letter of resignation as the BTI contract Bid effective March 14, 2016 due to poor health and wish him good health in the future, seconded by Councilman Sage; carried.

Approval of JCAP Grant from 2011 to use for Court Expansion

Supervisor Marnell stated that the NYS Office of Justice Court Support has approved Judge Tribous request to use the \$28,000.00 from 2011 for the new construction. The extension is granted through December 1, 2016. We will have to record how and when these funds are spent on the court extension project.

Resolution #83 Accept Library Employee Resignation

Councilwoman Phibbs moved a resolution to accept Margaret Baranoff resignation from the Library effective March 5, 2016, seconded by Councilman Sage; carried.

Resolution #84 Accept 2015 Annual Library Report

Councilman Sage moved a resolution to accept the annual Library Report, seconded by Councilwoman Wood; carried.

Resolution #85 Set Date with Burnham on Health Insurance May 9, 2016 at 5:00 PM

Councilwoman Phibbs moved a resolution to have a meeting with Burnhams to discuss Health Insurance on May 9, 2016 at 5:00 PM, seconded by Councilman Sage; carried.

Resolution #86 Advertise to go out to Bid to Seal and Lining Tennis Court

Councilman Friedman moved a resolution to advertise to go out to bid for sealing and lining the Tennis Courts, seconded by Councilwoman Wood; carried.

Resolution #87 Request for Proposal to Rebuild Original Veterans Wall

Councilwoman Wood moved a resolution to advertise to go out for RFP to rebuild the original Veterans wall, seconded by Councilman Sage; carried.

LEGAL NOTICE

The Town Board of the Town of Schroon will be accepting bids for Services of the Reconstruction of the Original Veterans Wall located on Dock Street. Bids will be accepted until 1 PM on April 7, 2016, at the Town Hall, 15 Leland Avenue, Schroon Lake, NY 12870 at which time they will be publicly opened. Specifications are available at the Town Clerks Office, Town of Schroon, 15 Leland Avenue, Schroon Lake, NY Mon-Fri 10 AM to 2 PM. Proposals must be returned to the Town of Schroon clearly marked "Sealed Bid-VETERANS WALL" Town of Schroon, PO Box 578, Schroon Lake, NY 12870.

The Town Board reserves the right to accept and/ or reject and and/or all bids.

Resolution #88 Advertise to go out to bid for Fencing Installation for Tennis Courts

Councilwoman Wood moved a resolution to advertise to go out for bid for Fencing Installation for Tennis Court, seconded by Councilman Friedman; carried.

Resolution #89 Accept 2015 Annual Update Document

Councilwoman Phibbs moved a resolution to accept the 2015 AUD which will be available at the Town Hall for review, seconded unanimously; carried

Legal Notice;

The Annual Financial Update Document for the Town of Schroon for the fiscal year January 1, 2015 through December 31, 2015 has been completed and is on file at the Town Clerks Office, 15 Leland Ave, Schroon Lake, NY for public inspection.

Resolution #90 Advertise for Lake Stewards and Lifeguards for Summer of 2016

Councilman Sage moved a resolution to advertise for Lake Stewards and Lifeguards for the Summer of 2016, seconded by Councilwoman Wood; carried.

is accepting applications for the
 2016 Summer Lifeguard positions and
 Lake Stewards for the
 Town of Schroon
 You may pick up and application at the
 Town of Schroon Town Hall
 Monday - Friday 8 – 4 p.m.

Resolution #91 Hire FHG Systems for Computer Service

Councilwoman Phibbs moved a resolution to hire FHG Systems for the computer Service for the Town of Schroon and to pay them quarterly, seconded by Councilwoman Wood; carried.

Computer Services Proposal

- | | | |
|----|--|----------------------------|
| 1. | Monthly Base Retainer, billed quarterly or annually

-Provides priority Hardware, Software, and Network support services for up to 12 computer systems, supporting networking and networked equipment, and users

-Will coordinate and work with any current specialized 3 rd party provider to provide blanket support for covered hardware, software, and users.

-Yearly general IT systems, capabilities, and data protection assessment

-Base Retainer includes (monthly, non-rollover) 2 hours of combined REP and PS services for covered units and users.

-Additional support services will be billed on a per incident basis as detailed in the "FHG Contract Service-Type and Rates" table below | \$600 / qtr
\$2400 / yr |
| 2. | One-Time Computer Unit Assessment Fee, per Computer Unit

-Record serial numbers and system information for service agreement records

-Record User, Software, existing 3 rd party support information

-Virus/Malware checking, general software cleanup, registry clean, and startup optimize

-Prepare system for remote login support | \$30 / unit |
| 3. | Advance Purchasing Fund

-FHG escrow account to cover hardware, software, and network purchases, as approved by the Town Supervisor, for timely resolution of hardware failure related incidents

-Escrow balance statements will be included on FHG invoices and upon invoice payment any Advance Fund purchases shall replenish the Advance Fund | |

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FHG Contract Services - Types and Rates			
Service Type	Service Description	Support Rate/Hr	Standard Rate/Hr

REP	Remote, Email, & Phone	Provides support from the FHG Office or Field by means of remote control software for covered systems, answers to questions submitted by email or phone, 9am-5pm. 1 st ¼ hr in a day is FREE, and billed in ¼ hr blocks thereafter per daily incident. Up to 8 REP blocks (combined with PS blocks) are included in the monthly retainer agreement before additional REP blocks are billed	\$32	\$50
PS	Pre-Scheduled	Pre-scheduled onsite services for covered units, 9am-5pm, FHG non-conflict scheduled ORT service. Billed at 1 hr minimum, ¼ hr blocks thereafter. Up to 2 PS blocks (combined with REP blocks) are included in the monthly retainer agreement before additional PS blocks are billed	\$60	\$80
PR	Priority	Priority onsite services for covered units, same day 9am-5pm, 4-hr ORT service. Billed at 1 hr minimum, ¼ hr blocks thereafter.	\$92	\$120
EM	Emergency	Emergency onsite services for covered units; same day, weekends, and Non 9to5 hours, 2hr ORT service. Billed at 1 hr minimum, ¼ hr blocks thereafter.	\$120	\$150
TR	Travel	Extended travel time to/from FHG office, 1 st ½ hr no charge. Billed in ¼ hr blocks after first 30 minutes .	\$40	\$48

Resolution #92 Approval to hire Topographic Survey for Town Hall Expansion

Councilman Sage moved a resolution to hire Russell Howard to provide a limited topographic survey and certified map on the Town of Schroon Town Hall building at 15 Leland Avenue for a fee of \$2600.00, seconded by Councilwoman Phibbs; carried.

Resolution #93 Request for a Water Tap at 21 Olden Drive

Councilman Sage moved a resolution to approve a water tap at 21 Olden Drive for Mary Fran Weissleder, seconded by Councilman Friedman; carried.

Pay Increase for Library Staff

Supervisor Marnell stated that Jessica Botterbusch would like to be at mid point. Jessica was hired in November of 2004 and resigned her position in July of 2006, she was rehired in June of 2008. Presently she has worked consecutively 7 years and 8 months. Jessica s prior time was 1 year 8 months. There is no written rules to giving raises it is purely the Boards decision. In the past the Board has approved mid point raises to employees that have been employed for 10 consecutive years. I stress this because there are other employees that would fall into this category. For consistency and budget purpose it would be helpful if the anniversary date or January 1st following the anniversary date be the commencement of the raise. Councilwoman Wood moved to **table** the discussion until Public Sector comes back with some more information in a few months, seconded by Councilman Friedman, Councilman Sage opposed; carried.

Resolution #94 Amendment of Local Law #1 of 2012 to be approved by Town Attorney

Councilwoman Wood moved a resolution to have the Town Attorney look over and approve the amended Local Law #1 of 2012, A local law in relation to preventing the introduction and spread of aquatic species into the waters of the Town of Schroon, seconded by Councilman Sage; carried.

TOWN OF SCHROON

LOCAL LAW NUMBER 1 OF 2012

A local law in relation to preventing the introduction and spread of aquatic species into the waters of the Town of Schroon

TITLE: This local law shall be known as “The Town of Schroon Aquatic Invasive Species Prevention Law.”

PURPOSE: The purpose of this local law to provide guidance to all residents and visitors to the waters of the Town of Schroon to prevent the introduction and spread of non-native invasive species, animals, plants, etc. into and within the waters of the Town of Schroon, and to protect aquatic native species populations, biodiversity, and aquatic recreational activities for the public good.

APPLICABILITY: The provisions of this law shall apply in addition to any other local law or ordinance, or any New York State laws, regulations, etc. Where there is a conflict, the most restrictive provision shall apply.

DEFINITIONS:

“Invasive Species” are non-native species that can cause harm to the environment or to human health. As a threat to our biodiversity, they have been judged second only to habitat loss. Invasive species shall include all plants and animals that are listed by the New York State Department of Conservation, Department of Agriculture, and other agencies as detrimental to native vegetation, animal, fish, shellfish, wildlife, or natural resources.

“Habitat loss” is a problematic effect on our ecosystems including all natural systems that includes agriculture, forests, food supply, wildlife, fish, shellfish, infrastructure, industry, gardens, pets, recreation, human health, and our environment.

Users: A person, individual, firm, partnership, company, society, corporation, association, group, government entity, or others seeking access to or use of the waters of the Town of Schroon.

Launch: To place a watercraft, dock, or other floatable device into or on the waters of the Town of Schroon, including any activity that takes place within fifty feet of the high water mark, moving by trailer or other device, or carrying said object.

Watercraft: A motorized or non-motorized boat, canoe, kayak, or other vessel capable of being used or operated as a means of transportation in or on water.

“Waters” means all lakes, ponds, rivers, streams, creeks, and all other places wet (more than one foot of water), impounding reservoirs, springs, wells, estuaries, marshes, inlets, canals, within the territorial limits of the Town of Schroon, and all other bodies of surface or underground water, natural or artificial, inland, fresh, public or private, which are wholly or partially within the Town of Schroon or within its jurisdiction.

Standing water: shall mean bilge water or other water inside a water vessel’s compartments and shall be removed before launch of said vessel.

PROHIBITIONS – (Unlawful activities):

1. It shall be unlawful for any person to launch or attempt to launch a watercraft into the waters of the Town of Schroon with any aquatic invasive species, plant or animal, or parts thereof, visible to the human eye on or attached to any part of the watercraft, motor, or trailer, or other launching device. All exterior areas of the craft, motor, and trailer shall be inspected including, but not limited to, rudder,

anchor, other appurtenant, equipment, gear that may come in contact with the water. Whenever possible a Lake Steward will be on duty at the primary Schroon Lake boat launch near the Public Beach and the boat launch at the Paradox Lake State Campground. The function of the Lake Steward is to insure user's compliance with this local law and offer helpful advice and/or assistance. Failure to comply or follow the Lake Steward's instructions will result in the boat registration number being taken and forwarded to the Essex County and Warren County Sheriff Departments, and to the DEC.

Private lake-front property owners shall enforce this local law on all crafts before allowing them access to the waters in the Town of Schroon from their property.

2. All persons utilizing boat launches within the Town of Schroon shall be required to first pass through the designated bilge emptying area where they will insure that bilges, live wells, and other water containing wells are drained. All vegetation, animal and other foreign objects shall also be deposited in this area.

3. All persons before placing a dock or other device on to the waters will inspect said device to insure it is free of all vegetation, animal, and other foreign matter.

EXCEPTIONS: The Prohibitions shall not apply to:

1. The carrying and use of legal bait for the purpose of fishing, consistent with all applicable laws and regulations related to bait fish.
2. The use of above water line native vegetation for camouflage of the craft, decoys, or other such items for the purpose of hunting, consistent with all applicable laws and regulations.
3. Pets or hunting dogs.
4. The intentional transport of plants or animals, including for food, landscaping, habitat restoration, or other home related activity, provided they are fully secured within the craft.

ENFORCEMENT:

This local law shall be enforced by the Essex County and Warren County Sheriff Departments, the DEC, or other enforcement officers having jurisdiction in the same manner as a traffic violation.

VIOLATION:

Any person found guilty in court of a violation of this local law shall be subject to such fines or sentence prescribed by the local court with a maximum fine not to exceed \$1,250. Additionally, at the discretion of the local court, the New York State Boater Registration Office may be contacted by the court to request the suspension of the craft's registration.

SEVERABILITY:

If any section, subdivision, paragraph, subparagraph, clause, or item of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

This local law shall take effect immediately upon written notice of filing by and in the New York State Department of State.

AMENDMENT #1 TO LOCAL LAW NUMBER 1 OF 2012

Aquatic invasive species are one of the major threats facing the ecological health and economy of the Town of Schroon Area and the Adirondack Park. These invasive species can rapidly change the ecology of a lake, wetland, stream or river as well as significantly impair and diminish recreational enjoyment. Once an invasive species has been introduced the fight to contain or eradicate it can be cost prohibitive. Thus, our goal is to protect both our natural assets and the taxpayers.

Commencing on _____, __, 2016 all trailered boats being launched into Schroon Lake and Paradox Lake must undergo an inspection before they launch during the time that boat launch stewards are on duty. If it is the opinion of the lake steward that the subject boat is coming from a lake area that could jeopardize Paradox Lake and Schroon Lake **the lake steward shall have the authority to have the boat go through a decontamination process at an official boat wash station.**

The purpose of this inspection is to ensure that boats and trailers are clean, drained and dry, and are harboring no invasive species. The goal is to keep our lakes clean for the future, so that we can all enjoy their current high quality for generations to come. There is no cost to boaters for these inspections or the washing of the boat and trailer if determined necessary by a lake steward.

Exception: boats that have unbroken inspection tags (vessel inspection control seal -- VICS) signifying compliance with Clean-Drain-Dry standards from Schroon and Paradox Lakes will be permitted to re-launch with no inspection, the inspections tag will be removed upon launch and new tags will be secured to the trailer upon leaving the launch.

DEFINITIONS

“Cleaned, Drained and Dry” means that a trailered vessel is cleaned of all visible plant and animal growth, has had all bilges and other areas capable of storing water drained and is fully dried.

“Decontamination” means High Pressure Hot Water (HPHW) wash of a vessel and/or trailer, or other method determined to be as effective to eliminate any threat of introduction of AIS to Paradox Lake and Schroon Lake.

“Vessel inspection control seal (VICS)” means a plunger seal which is certified by the Commission and applied by a lake steward or authorized launch operator and which connects a vessel to its trailer, or other device to be equally as effective.

Prohibitions

It shall be unlawful for any person to alter or modify any VICS. This prohibition shall not apply to the removal of a VICS that has been properly installed to the vessel being launched into Paradox Lake and Schroon Lake.

It shall be unlawful for any person to use, or attempt to secure a vessel to a trailer, with an unauthorized VICS so as to avoid the requirements of this Local Law.

All vessels inspected shall be subject to decontamination if determined not to meet the cleaned, drained and dry standard by any lake steward prior to launching into Paradox Lake and Schroon Lake during the boating season. Trailered vessels decontaminated at an official decontamination station shall receive a VICS.

Request for Kayak Rack

Councilman Friedman stated he had received a request from someone about the possibility of donating a commercial 8 Kayak Rack placed in cement for the Town Beach and renting out spaces as long as they could have two spaces free. Councilman Sage made a motion to **Table** the discussion, seconded by Councilwoman Wood, Councilwoman Phibbs opposed; carried.

Resolution #95 Decrease Units on Gilling's Water Bill

Councilwoman Wood moved a resolution to decrease account #107.208 Andrew Gillings by one unit and to make it retroactive back to getting their Certificate of Occupancy with a credit of \$1050.00 due to them, seconded by Councilman Sage; carried.

Resolution #96 Set up Meeting for Golf Course

Councilwoman Wood moved a resolution to have a meeting on the Golf Course for April 11,

2016 at 5:00 PM, seconded by Councilwoman Phibbs; carried.

Resolution #97 Inter-municipal Agreement Schroon Lake Milfoil Management

Councilwoman Phibbs moved a resolution to accept the Inter-municipal Agreement (Schroon Lake Milfoil Management) and provide \$12,838.17 in funding, seconded by Councilman Friedman; carried.

Warren County SWCD
394 Schroon River Road Warrensburg NY 12885
518.623.3119 (phone), 518.623.3519(fax)

Inter-municipal Agreement (Schroon Lake Milfoil Management)

The following Inter-Municipal Agreement (IMA) Defines the responsibilities of both parties as agreed to between the Municipality of **the Town of Schroon** thereafter referred to as the “Municipality” and the **Warren County Soil and Water Conservation** District hereafter referred to as the “District”. This Agreement will be in effect immediately upon execution of signatures from both parties. This agreement is for Services provided by the “District” to the “Municipality” for the following items:

The Agreement is as follows:

For the period of Date: January 1 2016 to Date: March 31 2017, the District agrees to:

1. Provide project oversight and management on behalf of the Town of Horicon in regards to Aquatic Invasive Species (AIS) management and control program in Schroon Lake (“project”).
2. The District will:
 - a. Obtain necessary permits of the Adirondack Park Agency (APA) permit in regards to hand harvesting of AIS in Brant Lake as a component of the project;
 - b. Obtain through a request for proposal process as approved by the Municipality the professional services of a qualified AIS contractor for the purposes of conducting a mapping and hand harvesting program as a component of the project.
 - c. Conduct work inspections following the AIS contractor to ensure that work completed is satisfactory and that APA permit guidelines are followed.
 - d. Fulfill reporting requirements of the APA permit.

The Municipality agrees to:

1. Provide \$12,838.17 in funding, prior to initiation of harvesting program as component of the project.
2. Authorize and enter all necessary contracts for the program.
3. Designate a contact person acting as an authorized representative for the Municipality that will execute all permit applications, contracts and handle all correspondence regarding the projects.
 4. Provide assistance as requested by the District for permit applications, contract development and administration of the program.
 - 5.

Both parties do hereby agree to the following conditions:

1. This agreement may be modified, amended or extended only upon the mutual written agreement of both parties.
2. This agreement may be terminated at any time during the term of this agreement by either party upon thirty (30) days written notice to the other party.
3. Each party shall comply with all federal, state and local laws, rules and regulations applicable to the activities proposed under this agreement.
4. Each party shall maintain adequate liability insurance, to include but not be limited to (\$1,000,000.00) in insurance, with each party insuring the other as coinsured. Each party shall maintain workers’ compensation and disability insurance in accordance with New York State Law.
 5. There shall be no assignment or subcontracting of the services to be provided under this agreement without the written consent of the other party.

Board Comments

Councilman Sage stated that he would again like to introduce Local Law #1 of 2013 Relating to

All-Terrain Vehicle Travel on certain town roads, which was never approved and also Ordinance #7 Snowmobile Highways to include ATV's and have the Town Attorney look them over with changes Councilman Sage has made.

SCHROON TOWN BOARD

RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2013 RELATING TO ALL-TERRAIN VEHICLE TRAVEL ON CERTAIN TOWN ROADS

WHEREAS, the Town Board wishes to open certain Town Roads for all-terrain vehicle (ATV) travel to provide access to ATV areas and trails adjacent to those roadways in accordance with New York State Vehicle and Traffic Law Section 2405; and

WHEREAS, the Town Board has determined that ATV travel on Flemming Pond Road, Letsonville Road and Johnson Pond Road is necessary for ATVs to access ATV trails and areas adjacent to those Town Roads; and

WHEREAS, the Town Board has prepared a proposed Local Law opening Flemming Pond Road, Letsonville Road and Johnson Pond Road to ATV travel; and

WHEREAS, on August 12, 2013, the Town Board duly held a public hearing on proposed Local Law No. 1 of 2013 and heard all interested persons; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board has reviewed the Environmental Assessment Form for this proposed legislation, determined that there are no significant adverse environmental impacts and adopts a "Negative Declaration" pursuant to the State Environmental Quality Review Act (SEQRA); and be it

RESOLVED, that the Town Board hereby adopts Local Law No. 1 of 2013; and be it

FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to file the Local Law with the New York Secretary of State in accordance with the provisions of the Municipal Home Rule Law and acknowledges that the Local Law will take effect immediately upon filing with the Secretary of State; and be it

FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to file the Local Law with the New York State Commissioner of Motor Vehicles as required by New York State Vehicle and Traffic Law Section 2405.

Councilman Friedman stated he and Councilman Sage sat down together and had a list of elements to go over with SLIC and Time Warner Cable for the Franchise Agreement. I was hoping Councilman Sage would be in on the conference call with SLIC and myself but it didn't happen unfortunately and I took the opportunity to talk to them. Councilman Sage had sent up a summary to SLIC and we liked portions they had over Time Warner Cable. Many things were discussed with SLIC such as:

1. It would be a 10 year Franchise Agreement.
2. They would provide an Access Channel to the community, he stated he would have his I.T. guy look into this.
3. They would like SLIC to offer free cable to all municipal buildings.
4. The Insurance was different and SLIC stated they would increase the liability.

5. SLIC has a greater amount of channels over Time Warner Cable.
6. The Town would like to have the Franchise Fee go towards putting in more lines to customers so the whole Town of Schroon is covered, rather than putting the money into General Fund.
7. They needed to have a clause for amendments.

Councilman Friedman stated he was hoping to have a document in their hands soon so the Town Attorney can look it over, it would be good to have SLIC come down for our April meeting so the public can ask questions.

No Correspondence signing as an Elected Official

Supervisor Marnell stated that he would like to have a gentlemen agreement stating “No personal correspondence or opinions of an individual should be signed as an elected official or as a board title for the Town of Schroon, unless all Town Board members are in agreement and all names are included.”

Councilwoman Wood moved to adjourn at 7:15 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 21, 2016 _____
Town Clerk