

**Town Board Meeting held September 12, 2016 at 6:00 P.M. at the Town Hall in Schroon Lake N.Y.**

**Present:**

**Town Supervisor:** Michael Marnell

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

**Highway Superintendent:** Dana Shaughnessy

**Town Clerk:** Patricia Savarie

**Also Present:** Jay Phibbs, Greg Caldwell, Mark and Kathy Granger, Albert May, Tom Pratico Jr., Michel Michelsen Lee, Bob and Susan Yoeckel, Jeff Cutting, Denise Paradis, Gail Simon, Mickey Caputo-Abbott, Mark and Joan LaPlante, Helen Vanderburgh, Jane and Bob Claus, Donald Davis, Bill Tribou, Jane Bouchard, Anne Durkee, Deb and Dan Gorke, Lester Speiser, Marion Weaver, Linda Milsom, Peter White, Pam Scavera, Sue and Glen Repko, Betsi Calhoun and Michelle Avignon

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

**Public Participation**

Greg Caldwell stated that he lives on Paradox Lake next to the Southwoods Children's Camp. The reason I'm here, is to consider a noise ordinance for a group of people who rent out Southwoods Camp after the summer season called "Camp No Counselors". There are approximately 200 people between the age of 25 – 40 who party for three days. They come down to the beach with alcohol from morning to night. The first year they did it on Labor Day Week-end and our house shook from all the noise. I sent an e-mail to the owner and he never responded. The next year I was told that they had done some work on the camp to fix it up. I had to call the State Police six times and stated to them that there must be some regulations for this because we can not sleep and we didn't sleep and when the party was over at 2:00 A.M. the out of control party starts and anything goes. This year they have four week-end scheduled. The week-end after Memorial Day, Labor Day Week-end and the two weeks after that. "Camp No Counselors" has now partnered with Camp Shock-Top owned by Anheuser-Busch which pays \$500.00 per person to go to the Camp through a contest. I have asked them to turn it down and they say there is no noise ordinance in the Town of Schroon. I have been doing this for three years, my neighbors have been doing this and we call the State Police and there getting annoyed with it, but they are the only resource we have to date. I'm asking the Town Board to look at the literature I have given you so you can see that there are no limits as to what they can do. When they start to get corporate sponsorship money and using the camp for this and the amount of money that this is going to generate, it will be very hard to stop it. We bought our house next to a children's camp and didn't think there was a problem with that. Nine weeks in the summer it is a children's camp and then in the Spring and Fall it

is a Frat House. It is going to put a serious damper on the property value if you disclose this information. No one is going to want to buy it. I don't think they are here for what this area has to offer, they are here for a party. I'm asking the Town Board to consider helping me to get some limitations on what is going on here.

Marion Weaver, the current President for the Library Board of Trustees, stated that she had run some numbers for circulation and square footage from 2014 taking in 30 Library's in Essex, Franklin and Clinton County. The first column shows total circulation (31,465) and we ranked fourth out of thirty. The second column showed square footage (2,000) and we were ranked eighteenth. The third column showed the ratio between circulation and square footage and Schroon Lake Library was first (15.7) the average was 3.9. We are so crowded by space because of the programs that are continued in this building and growing every year. I ask the Town Board to consider this when they vote.

John Mousaw, stated he lives north of the Tops Market and there is a real problem with the smell of their dumpster and been a problem all summer. I have addressed this previously and would like to give you an update. This has gone on for a couple of years and this is the first year I have smelled it on my porch and the smell is coming from rotten meat. You can also smell it on Main Street, Alpine Pizza and the Catholic Church, so it is not a good situation at all. I did bring this up to the Tops Manager and he said there was nothing they could do. I did bring it to the Consumer Affairs Department of Tops Market last week and I'm happy to say I got a call the next day from the store manager at Tops and he said he was going to address this and it was a matter of emptying the dumpster more frequently, they are on a two month cycle. He has cleaned the dumpster and put new seals in and will have the garbage changed out more frequently in the hot summer months. I'm asking the Town Board to look at there Public Nuisance Ordinance and include in the ordinance "stench that comes from garbage". I just want to bring it to the Town Board attention.

#### **Resolution #192 Audit of Claim**

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

General Fund \$136,206.79    Water \$18,207.24    Highway \$205,280.83    Sewer \$13,420.53

Airport Project \$1,316.27

#### **Resolution #193 Approval of Minutes**

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

**Resolution #194 Appoint Mary Gereau as Youth Commission Chairperson**

Councilman Friedman moved a resolution to appoint Mary Gereau as Youth Commission Chairperson at \$2000.00 annually, seconded by Councilwoman Wood; carried.

**Resolution #195 Appoint Library Board Members**

Councilwoman Phibbs moved a resolution to re-appoint Ralph Cooke and Diane D'Amico to the Library Board for a five year term from January 1, 2017 – December 31, 2021, unanimously seconded ; carried.

**Resolution #196 Accept Justice Court Annual Report for 2015**

Councilman Friedman moved a resolution to accept the Justice Court Annual Report for 2015, seconded by Councilwoman Phibbs; carried

**Resolution #197 Rescind Resolution #172 for 2015 For Anticipated Bond**

Councilman Friedman moved a resolution to rescind Resolution #172 for 2015, seconded by Councilman Sage; carried.

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

**Fuel Bids**

Supervisor Marnell stated they had not received any Fuel Bids and would go with State Contract.

**Resolution #198 Town Hall Bids**

Councilman Sage moved a resolution to accept the bids for the Town Hall expansion, seconded by Supervisor Marnell; **defeated.**

Bast Hatfield, General Contractor \$893,300.00

D and E Technologies Heating, Ventilation and Air Conditioning \$224,400.00

Harold R. Clune Electrical \$118,400.00

Roll Call Vote:

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

### **Discussion on Resolution #198**

Councilwoman Wood stated the reason she voted no is because she would like to have a plan a written road map of the project that we can use to weigh decisions as they are being made and I don't have that. I wanted a Library three times the size we have here and I want a Court, but I want a plan.

Councilman Friedman stated we bonded for 1.1 million and the bids came in at 1.3 plus. I know over the discussions I had with Mike we were hoping to do the bottom project between \$700,000.00 - \$800,000.00. When we looked at the accumulated cost of the project Mike was a very good salesman. When we purchased the old Fire House for a Library and then we could not get a medium demi between the Library Trustees and the Town Board and we moved back to where it should be. This Board does support bonding the project. I have a question for Bill Tribou, we know there is a need for a new Court. Is it mandated or recommended? Bill stated it was recommended.

Don Davis, with SD Atelier, stated he would like to offer some information. Currently the Court is a liability to the Town. There is money available to the Town with the Warren County Storm Water that we worked into the site design of this addition. I think it is important that we have a plan going forward, we have three bids, I did some research with my engineers. In terms of the electrical bid that was fair. You can always rebid portions of the bids. To me the most important is rebidding the HVAC we believe that was high and rebidding the plumbing. There is additional money for the Court System through grants and I also know the Library has a grant cycle that they can apply for every year. I really do think the plan is important but in that plan we need to be honest what the real cost is to this building and the real cost to this building is not 1.1 million, it is higher, but we have to off set it with grants. I think the Town Board needs to get together and figure out a plan. I'm more then happy to guide you through that.

Councilman Friedman stated he did not foresee going over the 1.1 million. One of the thing Don Davis recommended to us was to have an estimator go through the plans before we go out to bid

and have an estimate of the project. The charge for that was \$4500.00 and the Board would have had a best faith estimate for what the cost would be. Then when we went out to bid and the estimate was 1.5 million and it came in 1 million we would of said we were saving money, but our bond resolution is for 1.1 million.

Don Davis stated he would like to offer some additional information. I think you can accept some of the bids and I believe there is a bid period and I believe the individual who have already bid are good for 45-60 days, not exactly sure. Keep in mind if you have a bid of 1.3 million some of that will be offset by the Warren County grant, Court System grant and possibly a Library grant and that will help with the expenses going up monthly. When I talked to my Engineers they stated that contractors are looking for winter work, so projects like this are very appealing, so the bidding should be more competitive. I think if the Board can sit down and look at what we have already, and the information and money that you can invest, you can make a decision in the next month so the bids that you currently have are still valid.

Tom Pratico, from Bast Hatfield General Contractor, stated you have one other option. You can award the General Contractors bid and we could extend it to the 45 days and give the Town of Schroon more time and put the other bids out to bid again and you may get better numbers then you did at the time of the last bid.

Councilman Friedman stated that the town right now is fiscally OK but our taxpayers could be under a lot of fiscal stress because we don't know what is going to happen until the end of the budget cycle with EMS, if we have to go to 24 hours 7 days a week, that will add another \$200,000.00 to the budget every year to the town's tax load. These are things we don't know. Last year it was another \$200,000.00 for coverage 12 hours a day 7 days a week. I think this Board want to do the project, we wouldn't come this far if we didn't. We have spent \$80,000.00 getting these specs, if we had not agreed that far, we would not be here. We have to be smart, we have to take what we can and bring it down to where it will all fit.

Marion Weaver stated I would like to remind the Board you already have \$100,000.00 grant from Betty Little.

Supervisor Marnell stated the Town also has a \$700,000.00 fund balance, so we can afford to spend \$200,000.00 towards the project.

Councilman Friedman suggested to meet with Don Davis and do it right away, we can sit down and figure out where we go and how this project can take off.

**Resolution #199 Repair Generator at Water Department**

Councilwoman Phibbs moved a resolution to repair the generator at the Water Department in the amount of \$14,091.39 to be taken out of the Water Department fund balance, seconded by Councilwoman Wood; carried.

**Resolution #200 Appropriate \$4,000.00 Donation for Labor Day Fireworks**

Councilman Friedman 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 2016.

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

**Approval for Soccer Equipment**

Supervisor Marnell stated that the Schroon Lake Youth Commission needed more equipment for the soccer program. Supervisor Marnell stated to Jeff Cuttings to order what he needed to get going and they will have a meeting with the Youth Commission now that Mary Gereau is on the board.

**Resolution #201 Appoint Garry DeMarsh to Town Maintenance as needed**

Councilman Sage moved a resolution to appoint Garry DeMarsh to Town Maintenance as needed at the rate of \$30.00 an hour, seconded by Councilwoman Wood; carried.

**Resolution#202 Approve Retroactive Pay to Garry DeMarsh**

Councilman Friedman moved a resolution to approve retroactive pay to Garry DeMarsh, hours to date 507 @ \$5.00 = \$2535.000, seconded by Councilwoman Wood; carried.

**Update on Broadband SLIC**

Councilman Sage reported that there was nothing to update and the next Broadband Committee meeting will be September 30, 2016.

**Resolution #203 Water Front Revitalization Grant**

Councilman Friedman moved a resolution to approve the proposal for the LA Group, seconded by Councilman Sage; carried.

**Resolution #204 Adirondack Artist and Craft 2017**

Councilwoman Phibb moved a resolution to approve the Adirondack Artist and Crafter for the 2017 Season on Thursdays during the summer season and also to be able to set up on the 4<sup>th</sup> of

July, seconded by Councilman Sage; carried

**Resolution #205 Change Board Meetings for October and November**

Councilwoman Phibbs moved a resolution to change the Regular Board Meetings for October and November to **Thursday, October 13, 2016 and Thursday, November 10, 2016**, seconded by Councilwoman Wood; carried.

**Keppler's Point**

Supervisor Marnell stated he wanted the Board to be thinking between now and March what the Town can do to solve the problem down at Keppler's Point with all the boater's having party's, noise and garbage. Supervisor Marnell stated they may have to put up a fence to keep people off of the Keppler Property.

**Public Participation**

Peter White asked the Board if they knew how much the addition would cost per \$1,000.00 to the tax payers and if not could they get that information out to the public.

Marion Weaver asked the Board if they could rescind the Resolution on the bids and table it until they get more information on questions that they have and have a meeting to discuss the bids with the Architect so that you can move forward.

**Resolution #206 Rescind Resolution #198 Town Hall Bids**

Councilman Friedman moved to rescind Resolution #198 Town Hall Bids, seconded by Councilwoman Wood; carried.

Roll Call Vote:

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

Resolution #198 stated Councilman Sage moved a resolution to accept the bids for the Town Hall expansion, seconded by Supervisor Marnell; defeated.

Bast Hatfield, General Contractor \$893,300.00

D and E Technologies Heating, Ventilation and Air Conditioning \$224,400.00

Harold R. Clune Electrical \$118,400.00

Roll Call Vote:

Councilwoman Phibbs	Abstain
Councilman Sage	Aye
Supervisor Marnell	Aye

Councilwoman Wood      Nay  
Councilman Friedman      Nay

Motion was defeated.

**Resolution #207 Town Hall Bids**

Councilman Friedman moved a resolution to table the Town Hall Bids until the Board can have an agenda and meet with SD Atelier on Monday, September 26, 2016 at 6:00 PM, seconded by Councilwoman Wood; carried.

**Board Comments**

Councilman Friedman stated he would like to have the Library Board of Trustees put together a web site to have a fund raising campaign, and suggested they look at the Wells, Maine Library web site to get some good information.

Councilman Sage moved to adjourn at 7:50 P.M., seconded by Supervisor Marnell; 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 19, 2016 \_\_\_\_\_  
Town Clerk