

Town Board Meeting held March 12, 2018 at 6:00 P.M. at the Town Hall in Schroon Lake N.Y.

Present:

Town Supervisor: Michael Marnell

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

Town Clerk: Patricia Savarie

Also Present: Albert May, Skip and Fran Mahler, Mark Granger, Jim Lieberum, Jonathan Soukup, Peter White, Jacqueline Foote, Michael Foote, Oliver Higgens, Neil Chippendale and Lynn Kahn

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

Information on Storm Water Run Off

Jim Lieberum, from Warren County Water and Soil and Jonathan Soukup, from Cedar Wood Engineering provided information on the Storm Water run off change order.

Here is my preliminary breakdown of the project

***Town Segment 1*:**

- Approximately (+/-) 190 linear feet of piping (around 196 linear feet of excavation including structures)
- (+/-) 190 LF of 15" corrugated HDPE smooth wall storm pipe
- Installation of MH1 (rectangular structure - see detail 1 on sheet C-4)
- Installation of MH2
- Installation of Inlet (see detail 2 on sheet C-4)

****Note*:** Installation of Town Segment 1 may slightly exceed 10' depth of excavation near MH2 (see profile on sheet C-3). Need to maintain 18" vertical separation between storm crossing and water main in field, or provide proper mitigation (typically concrete encasement). All other excavation should be less than or equal to 10 foot depth.

***Town Segment 2*:**

- Approximately (+/-) 171 linear feet of piping (around 197 linear feet of excavation including structures)
- (+/-) 171 LF of 15" corrugated HDPE smooth wall storm pip
- Installation of 2 manholes
- Installation of Vortechs Unit
- Installation of Outlet Structure and Riprap (see details 3 and 4 on sheet C-4)

****Note*:** Installation of Town Segment 2 may slightly exceed 10' depth of excavation near Vortechs unit and CB5 (see profile on sheet C-3). All other excavation should be less than or equal to 10 foot depth. All excavation in this area is off the roadway, and you should have room to bench the excavation as required.

***Keller Portion of Work*:**

- (+/-) 206 linear feet of 15" corrugated HDPE installation
- (+/-) 468 linear feet of 16" DR11 HDPE (installed via directional boring)
- Installation of 2 catch basins
- Installation of 2 manholes

Change from the Original Bid

Removal of (+/-) 155 LF of 16" corrugated HDPE pipe
 (+/-) 78 LF of 16" DR-11HDPE pipe
 removal of catch basins 1 and 2

Addition of
 CB1
 CB3 (can be a manhole instead of catch basin)
 (+/-) 206 LF of 15" corrugated HDPE pipe

Project Estimate

Keller Contract \$189,000.00
 Original bid for directional bore \$154,000.00
 New Scope of work additional \$35,000.00

If the Town would like to proceed, a formal change order will have to be completed and Keller would provide a finale estimate for the work.

Estimated cost for materials for Segment 1 and 2 \$100,000.00
 Total Estimated Project cost \$289,000.00
 Grant \$132,000.00
 Town would be responsible for \$157,000.00

Resolution #78 Approval of Minutes

Councilman Sage moved a resolution to approve the minutes for the Regular Board Meeting held February 12, 2018 at 6:00 P.M. seconded by Councilwoman Phibbs; carried.

Resolution #79 Audit of Claim

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

General Fund \$27,011.98 Sewer \$ 9,182.70 Water \$4,487.35 Highway \$32,813.70
 Town Hall Project \$10,693.76

Resolution #80 Accept Annual Update Document for 2017

Councilman Friedman moved a resolution to accept the 2017 AUD which will be available at the Town Hall for review, seconded by Councilwoman Phibbs; carried

Resolution #81 Storm Water Run Off Changes from the Original Bid (Change Order)

Councilman Sage moved a resolution to proceed, with a formal change order and to get a final estimate for the work from Keller, seconded by Councilwoman Wood; carried.

Resolution #82 Support Safe Water Infrastructure Program

Councilwoman Wood moved a resolution to have Supervisor Marnell write a letter in support of the Safe Water Infrastructure Program, seconded by Councilman Friedman; carried

Dear Representative:

The Town of Schroon is writing today in support of S3292/A3907 to create the Safe Water Infrastructure Action Program known as SWAP.

We wish to thank you for the support of capital funding for water infrastructure in the FY2017 budget that is essential to address capital projects, replacement and upgrading critical infrastructure. While these programs are necessary and essential tools for replacing and building new infrastructure, they do not address the underlying issue of increasing maintenance requirements and operating expenses. Insufficient Operation and Maintenance (O&M) funding is a major contributor to our infrastructure issues. Years of unavoidable deferring maintenance of critical infrastructure due to insufficient savings and inability to apply for government funding are just some of the reasons that have led to insufficient O&M funding.

There have been calls for a more permanent source of funding for our infrastructure, one that addresses and supports O&M activities. The SWAP is designed to provide municipalities with water, sewer and storm water infrastructure, an annual supplemental funding stream to support operation and maintenance activities. Just like the successful Consolidated Local Street and Highway Improvement Program (CHIPS), municipalities would know what their annual SWAP allotment would be. This would afford us the opportunity to perform maintenance and/or replacement, which can be performed by our municipal staff. These would be smaller projects such as equipment replacements, manhole rehabilitation or water line replacement. The long-term sustainability of the systems would improve through the increased operation and maintenance funding and rates could stabilize and remain affordable.

Some of the infrastructure in New York dates back over 100 years and the interconnectivity of water means that if the infrastructure fails in one location, many cities, towns and villages will also be affected. For these reasons, the Town of Schroon supports S3292/A3907 to develop a dedicated funding program to distribute funds annually to municipalities to ensure the integrity and reliance of municipal water, sewer and stormwater infrastructure and we respectfully urge your support of this legislation.

Resolution #83 Advertise for 2018 Lake Stewards, Lifeguards and Boat Wash Attendant

Councilman Friedman moved a resolution to advertise for Lake Stewards. Lifeguards and Boat Wash Attendants for the 2018 season, seconded by Councilwoman Wood; carried.

The Town of Schroon
is accepting applications for the following positions
2018 Summer Lifeguard
Lake Stewards
Boat Wash Attendants
You may pick up and application at the
Town of Schroon Town Hall
Monday - Friday 8 – 4 p.m.

Discussion on Schroon Lake Association for Security Camera at Boat House

The Schroon Lake Association, Mark Granger – President, would like permission from the town board to install a Closed Circuit Television System at the town boat launch. The camera would be attached to the boathouse and would scan the boat launch area, with a recording device secured inside the boathouse. The expense of this project will be borne by the Association.

Reasons:

The primary mission of the Schroon Lake Association (SLA) is to protect and maintain the lake in the best condition possible. The use of Lake Stewards to inspect incoming boats, and the boat wash stations that clean potentially contaminated boats, provide a first line of defense against invasive species contaminating the lake. However, lake stewards do not cover all 24 hours of the day at the boat launch site. There is much testimonial evidence that there are many early hour users of the lake whose boats have not been checked by our lake stewards. Documentation of this early hour use of the launch does

not exist. A camera system, and the subsequent review of these records, can give SLA hard data about this early lake usage that can inform future actions on behalf the lake.

Additional reasons include enhanced security of the boat launch area and the ability to review any problems that our lake stewards might encounter in their normal operation.

Equipment:

The SLA proposes to install a Network Camera attached to a corner of the boathouse which has the ability to scan the entire boat launch area (see attached arial picture). One camera is needed. Two different types of cameras have been proposed for our consideration, copies of which are attached. The system also includes a recorder installed in the boathouse and connecting cable. A lap top type computer would be necessary to download and view the data stored on the recorder. A 1 TB hard drive is included with the recorder which will hold multiple days of data before being overridden.

Downloaded video can be held on the lap top device.

Cost:

The current quoted cost from John Corrigan, Senior Account Executive, of Adirondack Cabling and Security, 10 Petra Lane, Albany, NY 12295 (518-514-9127) is \$2500, which includes camera, recorder, and cabling. It does not include lap top computer. This company also ran the camera cabling for the library.

Process:

Once installed and operating the lake stewards would examine the early morning video and record the boat launch usage prior to the beginning of the monitoring shift. Camera clarity may enable boat and licensing information to be logged. We expect that most early users are Schroon Lake regulars, but that can only be confirmed with monitoring. If we find that out-of-area boats, that may be contaminated, are frequenting the lake in the early hours then further actions can be taken. Access to the boathouse for viewing and maintenance will be necessary.

Signage:

SLA expects that some requirement for signage will be necessary. New signage could include other information about the lake and provide comprehensive details to boat owners and lake users about how we protect and maintain Schroon Lake. The SLA is willing to assist in that effort.

Resolution #84 Approve Schroon Lake Association to Install Camera at Boathouse

Councilwoman Wood moved a resolution approve the Schroon Lake Association to install a Closed Circuit Television System at the town boat launch. The camera would be attached to the boathouse and would scan the boat launch area, with a recording device secured inside the boathouse.

The expense of this project will be borne by the Association, seconded by Councilman Sage; carried.
(Councilwoman Phibbs- opposed)

Resolution #85 Advertise to go out to Bid on Hockey Rink

Councilman Sage moved a resolution to advertise to go out to bid for three bids for the Hockey Rink, Bid 1: Materials for Ice Rink Roof, Bid 2: Labor for Construction of Roof and Concrete Piers Bid 3: Materials and Labor for Concrete Floor, seconded by Councilman Friedman; carried.

Legal Notice to Bidders

Town of Schroon
Essex County, New York

Services- Bid 1: Materials for Ice Rink Roof, Bid 2: Labor for Construction of Roof and Concrete Piers Bid 3: Materials and Labor for Concrete Floor. The Town of Schroon is looking for a qualified firm or firms to construct a pavilion located at the Fairfield Ave Sports Hub. The Town of Schroon strongly encourages minority and/or women owned businesses to respond. Proposal will be received not later April 9th, 2018 by 1:00pm at which time the proposal will be opened and recorded as received.

Evaluation will not take place at that time. Award consideration will be made no later than 90 days from the date of the proposals opened. Copies of the Bid documents are available at the Town Clerks Office, Town of Schroon, 15 Leland Avenue, Schroon Lake, NY Monday through Friday 10AM-2PM.

Proposals must be returned to the Town of Schroon clearly marked "ICE RINK PROJECT". The contract will be awarded to the responsible bidder whose proposal is within the competitive price range and determined to be the most advantageous to the Schroon Hockey Facility. Funding for this project comes in part through an Environmental Protection Fund grant administered by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). Under Article 15A, Executive Law, the State of New York is committed to providing Minority and Women Owned Business (MWBE) equal opportunity to participate in government contracts. The following goals have been set for this project: 13% Minority Business Enterprise (MBE) and 17% Women-owned Business Enterprise (WBE). The successful bidder may be required to furnish reports showing the participation of various business enterprises of subcontractors and suppliers on the contract.

Set Date for Workshop on Mandates for Employee Handbook

Special Town Board Meeting

To Discuss Mandates for Employee Handbook

Tuesday, April 17, 2018

1:00 PM

Resolution # 86 Accept 2017 Annual Library Report

Councilwoman Wood moved a resolution to accept the Library Annual Report for 2017, seconded by Councilman Sage; carried

Resolution #87 Accept Local Law #1 of 2018

LOCAL LAW NO. 1 OF 2018

A LOCAL LAW TO PROVIDE FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE “COLD WAR”

This resolution was offered by Councilwoman Phibbs, who moved its adoption.

BE IT RESOLVED, by the Town Board of the Town of Schroon, Essex County, as follows:

WHEREAS, Section 458-b of the Real Property Tax Law authorizes a limited exemption from real property taxes for residential real property owned by Veterans who rendered military service to the United States during the “Cold War” from September 2, 1945 through December 26, 1991; and

WHEREAS, Section 458-b of the Real Property Tax Law authorizes municipalities to establish maximum exemption amounts; and

WHEREAS, in regard to “Cold War” Veterans who own residential real property within the Town of Schroon, it is the desire of the Schroon Town Board to authorize the “Cold War” Veteran’s exemption and establish maximum amounts.

SECTION 1. In accordance with the provisions of Section 458-b of the Real Property Tax Law of the State of New York, residential real property owned by Veterans who rendered military service to the United States during the “Cold War” shall be partially exempt from town taxation in accordance with the percentages set forth in Section 2 hereof.

SECTION 2. Pursuant to Section 458-b (2) (a) (ii) of the Real Property Tax Law said maximum exemption allowable from the Town of Schroon shall be fifteen percent of the property’s assessment, not to exceed fifteen thousand dollars, or the product of fifteen thousand dollars multiplied by the latest final state equalization rate, whichever is less.

SECTION 3. Additionally, pursuant to Section 458-b (2) (b) of the Real Property Tax Law, where a Cold War Veteran received a compensation rating from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War Veteran disability rating; provided however, that such exemption shall not exceed fifty thousand dollars or the product of fifty thousand dollars multiplied by the latest state equalization rate, whichever is less.

SECTION 4. Notwithstanding, the ten-year limitation imposed by the foregoing provision of this subparagraph, a resolution providing that the exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten-year limitation.

SECTION 5. This Local Law shall take effect immediately upon filing with the Secretary of State.

This resolution was seconded by Councilman Friedman

Roll Call Vote:

Supervisor Marnell Aye
Councilwoman Phibbs Aye
Councilwoman Wood Aye

Councilman Friedman Aye
Councilman Sage Aye

Resolution #88 Road Closure for 22nd Adirondack Marathon

Councilman Friedman moved a resolution to approve road closures for the 22nd Adirondack Marathon, seconded by Councilwoman Wood; carried.

WHEREAS: The 22ND running of the Adirondack Marathon is scheduled for Sunday September 23, 2018

WHEREAS: For public safety certain roads need to be closed or restricted during this event

WHEREFORE: The Town Board orders the following use and traffic restrictions on the following roads, to the extent that they are located in the Town of Schroon, during the following times on Sunday September 23, 2018:

Closed to all but emergency vehicles, police escorted vehicles and Official Marathon Vehicles and no parking allowed:

Leland Avenue: closed 6 am - 3pm.

Fairfield Avenue closed 9 am to 3 pm

Dock Street: closed 8:40 am - 9:10 am and from 10 am - 2:45 pm

Route 9 from Hoffman Road to Alder Meadow Road: closed from 8:40 AM to 9:45 am

Alder Meadow Rd, Tyrrell Rd, Severance Rd, & Adirondack Rd: closed from 8:55am - 9:45am

Adirondack Rd, Red Wing Rd to Adirondack: closed from 8:55AM - 11:45AM.

East Shore Drive (from Adirondack) to Shaw Hill Road: closed from 9:10 am – 1 pm.

Route 9 (Pottersville) from Old Schroon Rd. to Leland St. Schroon Lake Village: closed from 10 am - 2:30 pm.

Resolution #89 Road Closure for 49th Schroon Lake Association Craft Fair

Councilman Friedman moved a resolution to approve road closures for Schroon Lake Association Craft Fair, seconded by Councilwoman Wood; carried.

WHEREAS: The 49th annual Schroon Lake Association Craft Fair is scheduled for Saturday July 21, 2018

WHEREAS: For public safety certain roads need to be closed or restricted during this event

WHEREFORE: The Town Board orders the following use and traffic restrictions on the following roads, during the following times on Saturday July 21, 2018:

Closed to all but emergency vehicles:

Leland Avenue from Dock Street to Fairfield Avenue closed 10 am to 4 pm with parking only allowed for Craft Fair Vendors

Resolution # 90 Supporting the Adirondack Marathon Distance Festival

Councilman Friedman moved a resolution to support the Adirondack Marathon Distance Festival, seconded by Councilwoman Wood; carried.

WHEREAS: The 22ND running of the Adirondack Marathon Distance Festival is scheduled for Saturday and Sunday September 22-23, 2018

WHEREAS: This event brings the entire community together to welcome thousands of guests to our Town.

WHEREAS: This event promotes healthy sports and provides substantial income and jobs to our Town and community.

WHEREFORE: The Town Board congratulates the Adirondack Marathon, Inc and pledges the Town of Schroon's full support of the Adirondack Marathon Distance Festival.

Resolution #91 Voucher to pay Tim Botterbusch

Councilwoman Phibbs moved a resolution to pay Tim Botterbusch in the amount of \$760.00 for sanding, priming and painting the Supervisors office, seconded by Councilman Sage; carried.

Letter from Lawyer Waiving its second Mortgage Lien through the Towns RLF

Supervisor Marnell stated he had received a letter from an attorney writing to request that the Town Board consider waiving its second mortgage lien with respect to the property to facilitate the sale. The amount owed to the Town on this piece of property through the Revolving Loan fund is \$41,282.00. The Board stated it is not the best interest in the Town to give away that kind of money, they would not waive its second mortgage. Supervisor Marnell will contact the lawyer.

Resolution #92 OPPOSING GOVERNOR CUOMO'S PROPOSAL CONTAINED IN THE 2018 BUDGET REVIEW BILL TO CHANGE THE LAW REGARDING TAXATION OF STATE FOREST PRESERVE LANDS FROM THE CURRENT LOCALLY ASSESSED SYSTEM TO A PAYMENT IN LIEU OF TAXES ("PILOT") SYSTEM ADMINISTERED AND CONTROLLED SOLELY BY THE STATE OF NEW YORK.

The following resolution was offered by Councilman Friedman, who moved its adoption.

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

WHEREAS, New York State-owned lands are currently assessed by each local municipality substantially the same way as is private land and current law provides that this is the exclusive province of the municipality and its local assessors; and

WHEREAS, the Governor's 2018 Budget Review Bill proposes to change the local assessment of state forest preserve lands in the Adirondacks and Catskills from the current locally assessed system to a Payment in Lieu of Taxes (PILOT) method capped at 2% per year, or the increase in the level of assessment by means of an allowable levy growth factor, whichever is lower; and

WHEREAS, this method will be centrally controlled by the state, and be based upon a formula, rather than increases or decreases in the actual market value of the lands as is the current methodology; and

WHEREAS, the proposal is an extreme usurpation of the ability of local municipalities to assess and tax real property within their jurisdictions to raise revenue upon which they rely in order to provide important and necessary services to their constituencies; and

WHEREAS, this proposal will result in the loss of revenue by the local municipalities and will shift the tax burden to local tax payers; and

WHEREAS, recent state land purchases in the Adirondacks has increased state ownership to more than 2.6 million acres of the 6 million acre Adirondack Park; and

WHEREAS, the state controls an additional 800,000 acres by State conservation easements purchased in the last 40 years; and

WHEREAS, the residents, businesses and municipalities located within the Adirondack Park are already unreasonably and unfairly constrained and prohibited from using the vast majority of the property located in the park for commercial, industrial, and even residential purposes which has resulted in the inability of municipalities within the Adirondack Park to attract and sustain business and development resulting in extreme and unfair loss in tax revenue; and

WHEREAS, in addition to the current prohibitive laws which restrict business, development and growth in the Adirondack Park, the State of New York has increasingly saddled its municipalities with state mandates expecting them to find ways to fund these mandates with little or no help from the state; this coupled with the current law which requires no greater than a 2% tax cap on municipal budgets; and

WHEREAS, the most economically beneficial use of state forest preserve land is prohibited by the New York State Constitution AForever Wild@ clause; and

WHEREAS, state conservation easement lands cannot be used for economically beneficial uses, other than forestry and recreation; and

WHEREAS, the NYS Real Property Tax Law has required the state to pay taxes on forest preserve lands, in part, in recognition of the negative impact of AForever Wild@ forest preserve lands on the economies of municipalities; and

WHEREAS, in the past, local governments have been able to support land acquisition proposals because of the certainty created by the Ad Valorem Tax payments; and

WHEREAS, The Town of Schroon is concerned by change from the current means of assessing state forest preserve lands on Ad Valorem basis to a capped PILOT system will be first step to phasing out payments of forest preserve lands to local municipalities and school districts which would catastrophically affect the ability of the municipalities and school districts to function and is considered as one more mechanism by the state to insure that business and development is curtailed in the Adirondack Park eventually resulting in the migration of the population from the Park.

BE IT RESOLVED, that the Town of Schroon is vehemently and stalwartly opposed to the 2018 Budget Review proposal to convert forest preserve taxation from the current municipal based assessment method to a capped Payment in Lieu of Taxes (PILOT) program and strongly and with all sense of urgency implores the New York State Legislature and Governor Cuomo to continue the current means of assessment of state forest preserve lands by the local municipalities; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senator Elizabeth O'C. Little, Assemblyman Daniel Stec, the New York Association of Counties, Deputy Secretary for the Environment Venetia Lannon, Senator Kirsten Gillibrand, Senatore Charles Schumer, Congresswoman Elise Stefanik, Senator Jim Tedisco, Senator Joseph Griffo, Senator Patty Richie, Senator Kathy Marchione, Senator David Valesky, Senator Liz Krueger, Assemblyman Billy Jones, Assemblyman Al Graf, Assemblyman Mark Butler, Assemblyman Ken Blankenbush, Assemblyman Steve Englebright, DEC Commissioner Basil Seggos, Assembly Speaker Carl Heastie, DEC Region 5 Director Bob Stegemann, DEC Region 6 Director, Judy Drabicki, the 12 Counties of the Adirondacks, the Adirondack Park Agency and the Association of Towns and Villages.

This resolution was unanimously seconded and adopted.

Councilman Sage made a motion to adjourn at 7:00 P.M., seconded by Councilwoman Phibbs; 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 16, 2018 _____

Town Clerk