

TOWN OF LAKE LUZERNE
REGULAR TOWN BOARD MEETING
JANUARY 11, 2010

SUPERVISOR MERLINO CALLED MEETING TO ORDER AT 7:00 PM WITH THE FOLLOWING MEMBERS PRESENT: COUNCILMAN WATERHOUSE, COUNCILMAN MCLAIN, COUNCILMAN DIEHL. ALSO PRESENT: ATTORNEY FOR THE TOWN RUSSELL THARP, JR. ABSENT COUNCILMAN SHIEL.

SUPERVISOR MERLINO ADDRESSED THE FLOOR REVIEWING A 2006 MISSION STATEMENT/PLAN/ LIST OF ISSUES AND PROJECTS TO BE DONE. AFTER 4 YEARS, THE LIST APPEARS TO BE APPROX 95% ACCOMPLISHED. SUPERVISOR ALSO ACKNOWLEDGED THE VARIOUS BOARDS AND OTHER ELECTED AND APPOINTED OFFICIALS.

FLOOR OPEN TO PUBLIC:

JOHN PLANTIER – ASKED FOR UPDATE ON THE COUNTRY CORNER PROPERTY. SUPERVISOR ADVISED THE PROPERTY WAS PURCHASED FROM THE COUNTY.

PAM MORIN – PRESENTED A FORM THAT WILL BE ON LINE FOR ORGANIZATIONS TO FILL OUT WHEN THEY WANT AN EVENT PUT ON OUR WEB SITE.

JAMES MANDLE – BROUGHT TO THE BOARD'S ATTENTION A MEETING WITH ADIRONDACK COMMUNITY COLLEGE AND BLUE MTN LAKE MUSEUM. THEY ARE INTERESTED IN STARTING AN ADIRONDACK FOLK SCHOOL AND WOULD LIKE TO LEASE THE OLD TOWN HALL FOR THAT PURPOSE. IT WOULD BE A NON PROFIT SCHOOL MODELED AFTER THE NORTH HOUSE, FOUND AT WWW.NORTHHOUSE.ORG. IT IS HOPED THAT THIS SCHOOL WILL REVITALIZE THE DOWNTOWN AREA. A FOLK SCHOOL IS A COOPERATIVE COMMUNITY OF LEARNING AND INSTRUCTORS PROMOTING GROWTH IN A COMMUNITY ENVIRONMENT. THERE ARE A NUMBER OF SCHOOLS IN THE COUNTRY. A DANISH CONCEPT ORIGINALLY. WE WILL START SMALL AND WORK UP. IT IS REQUESTED THAT THE TOWN BOARD BACK THIS IDEA AND ALLOW THE LEASING OF THE 51 MAIN STREET BUILDING FOR THIS PURPOSE. OTHER SCHOOLS SHOW THAT FOR EVERY DOLLAR THE SCHOOL TOOK IN AS TUITION, 12 DOLLARS WENT BACK INTO THE COMMUNITY RESTAURANTS, GAS STATIONS, MOTELS ETC. THE BLUE MTN MUSEUM WOULD LIKE TO PARTNER IN THIS ENDEAVOR. EARLY SUMMER IS A TARGET DATE TO GET UP AND RUNNING. A DRAFT DOCUMENT PRESENTS AN OFFER TO PAY WHAT THE PROPERTY TAXES WOULD BE IF THE BUILDING WAS SOLD PLUS A RENT. SCHOOL PAYS UTILITIES, AND INTERIOR MAINTENANCE. TOWN

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WOULD BE RESPONSIBLE FOR ANY MAJOR REPAIRS. TOWN OF LAKE LUZERNE . RENT PROPOSED IS APPROX \$7,400 PR YR,

COUNCILMAN DIEHL – WHO WOULD BE RUNNING THE SCHOOL.
MANDLE - A NON PROFIT ORG WOULD START A 501 3C CORP. THAT WOULD ACCEPT DONATIONS. SANDY SHERMAN IS HELPING ON THE PROJECT. GRAND MARAIS IN MINNESOTA STARTED WITH 20 CLASSES AND ARE NOW UP T O 230 CLASSES NOW. THERE WOULD BE DAY CLASSES TO WEEK LONG CLASSES. THE CAMPBELL SCHOOL IS A WHOLE VILLAGE. BLUE MTN WILL PROVIDE A LIST OF CRAFTSPEOPLE TO CONTACT. ACC HAS AN ADVENTURE SPORTS PROGRAM TO TEACH FLY FISHING, KAYAKING, HIKING SKILLS .
SANDY SHERMAN – GRAND MARAIS IS SMALLER THAN LAKE LUZERNE AND HAD NOTHING GOING ON BEFORE THE FOLK SCHOOL AND IS NOW A CHANGED COMMUNITY. LAKE LUZERNE HAS MORE TO DRAW UPON.

SUPERVISOR THINKS IT IS A GREAT IDEA.
ACC IS GOING TO TAKE CARE OF PROPERTY LIABILITY.

COUNCILMAN DIEHL - SO THIS WOULD TAKE A COUPLE OF MONTHS.?
MANDLE - I UNDERSTAND THAT YOU NEED TO TAKE SOME TIME TO REVIEW A LEASE, BUT IF WE CAN GET YOUR BLESSING TONIGHT, WE WILL START OUR 501 C3 . THERE ARE GRANT WRITERS AT THE COLLEGE THAT WILL HELP US. THE SURVEY WE SENT OUT SAID MOST WOULD BE WILLING TO VOLUNTEER SERVICES TO THE PROJECT. THIS WILL BE OF LONG TERM VALUE TO THE TOWN.

PAM MORIN- THINKS ITS AN AWESOME IDEA AND WONDERS IF ACC OWN PUBLICATION WILL PROMOTE THE SCHOOL.

TOM CONDON – HOPES THE TOWN BOARD WILL SUPPORT THE PROJECT. AS HE SAW THE BENEFIT TO TICONDEROGA WHEN A COMMUNITY COLLEGE WAS INVOLVED.

MANDLE - THE NORTH HOUSE MODEL STAYED LOCAL . THEY TRY TO REACH OUT TO THE LOCAL ARTISTS AND CRAFTSMAN LOCALLY FOR INSTRUCTORS. IF A PROGRAM COST \$65 TO TAKE THE CLASS AND 10 PEOPLE TOOK THE CLASS, THE MONEY WAS SPLIT BETWEEN THE INSTRUCTOR FOR THEIR TIME AND THE SCHOOL. VOLUNTEERS WHO HELPED GET THE PROJECT OFF THE GROUND RECORDED THEIR TIME AND WERE THEN ALLOWED TO TAKE A CLASS OF THEIR CHOICE FOR FREE.

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THE BOARD SET JANUARY 19TH AT 10AM WAS SET FOR A SPECIAL MEETING TO REVIEW THE DOCUMENTATION.

RESOLUTION # 13 OF 2010 - RESOLVED UPON A MOTION BY COUNCILMAN DIEHL SECONDED BY COUNCILMAN MCLAIN TO ACCEPT THE MINUTES OF DECEMBER 3 2009 WITH THE FOLLOWING MONEY AMOUNTS ADDED TO THE RESOLUTIONS AWARDING BIDS TO NY FIRE AND SECURITY IN RESOLUTION #127 IN THE AMOUNT OF \$9,500, GLOBAL COMMUNICATIONS WAS AWARDED A BID IN RESOLUTION #128 IN THE AMOUNT OF \$3,399.99, NORTHEAST FIRE PROTECTION, FOR SPRINKLER SYSTEMS AWARDED IN RESOLUTION #129 IN THE AMOUNT OF \$16,600.00 AND HIGHLAND HEATING AND COOLING IN RESOLUTION #130 IN THE AMOUNT OF \$47,280.00 . ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION # 14 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL, TO ACCEPT THE MINUTES OF THE DECEMBER 29TH 2009 MEETING. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, ABSTAIN, COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION # 15 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN WATERHOUSE, SECONDED BY COUNCILMAN MCLAIN TO ACCEPT THE MINUTES OF JANUARY 1, 2010 ORGANIZATIONAL MEETING. ROLL CALL VOTE: COUNCILMAN WATERHOUSE , AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION # 16 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL, TO PAY MONTHLY BILLS AS PRESENTED IN VOUCHERS # 9950 THROUGH #10015.
ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

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ABSTRACT #1 TOTALS

GENERAL FUND \$65,729.29
HIGHWAY FUND 19,300.63
SW1 WATER 3,681.03

SUPERVISOR ADVISED A LETTER FROM THE ADIRONDACK PARK AGENCY WAS RECEIVED REGARDING THE APPLICATION OF THE MILFOIL COMMITTEE REQUESTING PERMISSION TO USE HERBICIDE IN LAKE LUZERNE TO CONTROL MILFOIL .

RESOLUTION # 17 OF 2010 – RESOLVED UPON A MOTION BY SUPERVISOR MERLINO SECONDED BY COUNCILMAN MCLAIN TO SEND A LETTER OF SUPPORT TO THE APA REGARDING THE APPLICATION SUBMITTED BY THE MILFOIL COMMITTEE REQUESTING USE OF AN HERBICIDE IN LAKE LUZERNE TO TREAT MILFOIL. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, , COUNCILMAN MCLAIN AYE. COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

SENIOR CENTER AND COMPLEX - WE HAVE BEEN WORKING ON THE SENIOR CENTER PROJECT FOR APPROX SIX MONTHS. RIGHT NOW IN TOWN FUNDS WE HAVE APPROVED \$540,000. TWO YEARS AGO, SUPERVISOR ESTIMATED \$600,000 FOR THE WHOLE BUILDING. THE LAST \$60,000 IS NEEDED TO COVER LABOR THAT THE GRANT DOESN'T COVER.

RESOLUTION # 18 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE, TO APPROVE \$60,000 FROM UNEXPENDED BALANCE TO BE USED FOR LABOR IN THE FINAL PHASE OF THE TOWN COMPLEX PROJECT. . ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE. COUNCILMAN MCLAIN AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

AT THE JAN. 19 MEETING SUPERVISOR WOULD LIKE TO REVIEW THE HOTEL MOTEL LOCAL LAW OBTAINED FROM THE TOWN OF COLONIE. SUPERVISOR HAS DISCUSSED IT WITH KATE HOGAN OF WARREN COUNTY. SHE FINDS NO REASON TO NOT GO AHEAD WITH IT. ATTORNEY THARP HAS BEEN WORKING ON IT. THE BOARD WILL REVIEW IT FOR ANY CHANGES. HE FELT THERE SHOULD BE A PUBLIC HEARING ON FEB 8TH .

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ON A PROPOSED LOCAL LAW .

BOARD INSTRUCTED THE CLERK TO PUBLISH A NOTICE OF PUBLIC HEARING FOR THE FEB 8TH BOARD MEETING. WE WILL NOTIFY THE HOTELS AND MOTELS BECAUSE THEY WILL NEED A PERMIT FROM THE TOWN TO RENT TO SEX OFFENDERS REGISTERED AS LEVEL 1,2, OR 3.

RESOLUTION # 19 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN SECONDED BY COUNCILMAN DIEHL TO APPOINT JAMES MANDLE TO THE ZONING BOARD OF APPEALS FOR A FIVE YEAR TERM TO EXPIRE 12/31/2014. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

ATTORNEY THARP - PRESENTED RESOLUTION AGREEMENT BETWEEN THE TOWN OF HADLEY AND LAKE LUZERNE TO JOINTLY OPERATE TOGETHER THROUGH THEIR TAXING DISTRICTS, THE AMBULANCE DISTRICT AND PROVIDE FUNDS TO IT. THAT RESOLUTION INCLUDES A COPY OF THE CONTRACT BETWEEN THE TWO TOWNS AND THE AMBULANCE DISTRICT . ATTORNEY ADVISED IT SHOULD BE PASSED TODAY SO THAT WHENEVER WE ARE IN A POSITION TO SIGN THE CONTRACT, THE SUPERVISOR WILL BE ABLE TO SIGN IT.

INTERIM FUNDING WAS AVAILABLE VIA AN AGREEMENT FOR INTERIM FUNDING , BUT UNTIL THE PROPERTY IS TRANSFERRED FROM THE FIRE DISTRICT INTO THE TOWNS, THE TOWN CANNOT FUND IT WITH TAX DOLLARS. THERE IS NO AUTHORITY RIGHT NOW IN THIS TOWN TO FUND IT , THE FIRE DEPT HAS NOT SURRENDERED THE EQUIPMENT TO THE TWO TAXING DISTRICTS.

RIGHT NOW THE AMBULANCE IS BEING OPERATED AS FIRE DEPT EQUIPMENT. IT HAS TO BE UNTIL THE AMBULANCE GETS THE NECESSARY CERTIFICATION.

RESOLUTION # 20 OF 2010 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN SECONDED BY COUNCILMAN WATERHOUSE; TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT BETWEEN THE TOWNS OF HADLEY AND LAKE LUZERNE AND THE ROCKWELL FALLS VOLUNTEER AMBULANCE SERVICE IN THE TOWN OF HADLEY AMBULANCE DISTRICT AND THE TOWN OF LAKE LUZERNE AMBULANCE DISTRICT THAT

INCLUDES THE CONTRACT BETWEEN THE NOT FOR PROFIT CORPORATION AND THE TWO TOWNS.

DISCUSSION: ATTORNEY THARP COMMENDED HADLEY ATTORNEY REANNE JOHNSON BECAUSE SHE WAS THE ONE WHO WANTED TO AMEND ALL THESE THINGS CONTRARY TO WHAT THE ATTORNEY FROM ALBANY DID TO MAKE SURE THAT THE TWO TOWNS ALWAYS AGREED ON EVERYTHING. NO TOWN CAN DO SOMETHING SEPARATELY UNDER THIS RESOLUTION. ,

SUPERVISOR MERLINO: THE AGREEMENT , THERE IS A NEW TWIST IN IT AS FAR AS THE \$500 PER MONTH RENT. I THOUGHT THE EQUIPMENT WAS GOING TO BE ONE DOLLAR AND THE RENT FOR 3 YEARS WAS TO BE NO RENT. NOW WE HAVE TO PAY THE FIRE DEPT \$500 FOR THE SPACE.

ATTORNEY THARP DOES NOT KNOW THE EMS BUDGET.

SUPERVISOR – IT IS NOT IN THEIR BUDGET FOR RENT. I DID NOT UNDERSTAND THAT.

TOM DIEHL - WAS SURPRISED WHEN THAT WAS MENTIONED.

SUPERVISOR – IS NOT GOING TO VOTE AGAINST IT, BUT IT WAS NOT IN THEIR BUDGET AND IN ALL THE MEETINGS HE ATTENDED THIS WAS NOT ONE OF THE TERMS. THE SAME VEHICLE WAS TO BE IN THE SAME SPACE THAT IS ALREADY PAID FOR BY THE TAXPAYERS FOR AT LEAST 3 YEARS UNTIL WE GET THE PROGRAM GOING . NOW IN THE LAST TWO WEEKS, THIS \$500 RENT CAME UP.

ATTORNEY THARP - THE FIRE DISTRICT HAS NOT YET PROVIDED A LIST OF EQUIPMENT THAT ITS GOING TO GIVE TO THE TWO TOWNS WHICH THE TOWNS WILL IMMEDIATELY THEN GIVE TO THE AMBULANCE. HE WOULD LIKE TO HAVE THE APPROVAL OF THIS INTER MUNICIPAL AGREEMENT WHICH PERMITS THE TWO TOWNS TO ACCEPT THE EQUIPMENT FROM THE FIRE COMPANY AND THEN IMMEDIATELY GIVE IT TO THE NOT FOR PROFIT CORP.

ROLL CALL VOTE ON RESOLUTION #20 : COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION # 21 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL, TO PERMIT THE TOWN OF LAKE LUZERNE AND THE TOWN OF HADLEY TO ACCEPT EQUIPMENT FROM THE FIRE COMPANY AND THEN IMMEDIATELY GIVE SAME OVER TO THE NOT FOR PROFIT CORPORATION. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

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ATTORNEY THARP – WITH THE PASSAGE OF THAT, IT SHOULD PUT THE AMBULANCE COMPANY, ONCE WE GET THE EQUIPMENT WE SHOULD BE DONE, IT'S OPERATING.

REPORTS:

TOWN CLERK: CYNTHIA SHERWOOD

CLERK READ INFORMATION REGARDING A COMMUNITY MIXER TO BE HELD AT MOLLY'S RESTAURANT ON JANUARY 25TH AT 6 PM

CLERK DISTRIBUTED THE CLERK'S MONTHLY REPORT TO THE SUPERVISOR FOR DECEMBER TO THE BOARD MEMBERS FOR THEIR REVIEW.

COUNCILMAN DIEHL – ATTENDED EAGLE SCOUT CEREMONY AT THE WESLEYAN CHURCH WHICH HE ENJOYED A GREAT DEAL. 60 – 70 PEOPLE ATTENDED.

FLOOR OPEN TO PUBLIC:

STAN GOLDBERG – REVENUE SPLIT FOR EMS IS THE SAME AS FIRE DISTRICT?

ATTORNEY THARP – 62.32027% FOR LAKE LUZERNE AND 37.67973 FOR HADLEY BASED ON POPULATION.

TOM CONDON- ASKED ABOUT ROUND A BOUT IN DOWNTOWN. WHY NOT A 4 WAY STOP.

COUNCILMAN DIEHL - THE STATE WOULD NOT CONSIDER THAT.

SUPERVISOR – THE COUNTY ENGINEERS ARE WORKING ON THAT RIGHT NOW. WE HAVE ALSO TRIED TO GET A LIGHT THERE .

ALSO DISCUSSED FURTHER, THE ISSUE OF SEX OFFENDERS, LOCAL NOTIFICATION BASED UPON CONTACT WITH YOUTH, SCHOOL DISTANCES, AND THE LACK OF IMMEDIATE NOTIFICATION TO THE COMMUNITY OTHERWISE. YOU CAN SIGN UP AND GET THE INFORMATION ON THE INTERNET. INFORMATION IS AVAILABLE AT THE SHERIFF'S DEPT.

DOUG WOOD – WHAT IS THE STATUS OF THE BENNETT PROPERTY ON RIVER ROAD? HAS IT BEEN FIXED UP.

SUPERVISOR – IT WAS WORKED ON OVER THE SUMMER. WE HAVE GIVEN HIM MUCH TIME.

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ATTORNEY – IT IS STILL PENDING.

SUPERVISOR - SOMEONE BOUGHT RAMSEY PLACE PROPERTY .
AND THE TOWN WILL BE PAID BACK THE LIEN AGAINST THE PROPERTY
FOR DEMOLITION.

JENNIFER HOLDEN - COUNCIL ON PREVENTION OF ALCOHOL AND
SUBSTANCE ABUSE. MOST WORK IS DONE IN SCHOOL DISTRICT.
ADDRESSED THE FLOOR REGARDING SEMINARS AVAILABLE FOR ABUSE
OF PRESCRIPTION DRUGS. PROGRAMS ARE DESIGNED FOR SADD
CHAPTERS, SENIOR CENTERS, SENIORS WITH CUSTODY RAISING YOUNG
CHILDREN, TRENDS IN ABUSE. DISPOSING OF OLD PRESCRIPTIONS.

MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL
TO ADJOURN MEETING AT 8:30 PM .

RESPECTFULLY SUBMITTED,

CYNTHIA SHERWOOD, TOWN CLERK RMC