

TOWN OF LAKE LUZERNE
REGULAR TOWN BOARD MEETING
NOVEMBER 9, 2009

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

PUBLIC HEARING ON PRELIMINARY BUDGET WAS OPENED AND THE SUPERVISOR EXPLAINED THAT THE 2010 BUDGET IS \$3,314,344.00 COMPARED TO LAST YEAR THAT WAS \$3,308,864.00, APPROX \$700 MORE TO SPEND; BUT THE AMOUNT TO BE RAISED BY TAXES LAST YEAR WAS \$1,687,290, AND THIS YEAR IT IS \$1,682,184, ALMOST \$5,000 LESS. IT INCLUDES A 3% EMPLOYEE RAISE AND THERE IS MONEY PUT ASIDE FOR A NEW TRUCK FOR THE HIGHWAY DEPT. THIS BUDGET WAS BASED ON GOOD WORK BY THE TOWN BOARD, EXCELLENT WORK WITH THE ROAD DEPT. SUPT. AND PARKS SUPT. WHO KEPT SPENDING DOWN THIS YEAR. SOME PART TIME EMPLOYEES WERE NOT HIRED OVER THE SUMMER AND OVERALL SPENDING HAS BEEN DOWN.

THERE WAS NO PUBLIC COMMENT ON THE PRELIMINARY BUDGET. THE HEARING WAS LEFT OPEN..

FLOOR OPEN TO PUBLIC: (CLERK'S NOTE: THE FOLLOWING PUBLIC DISCUSSION IS NOT ENTERED VERBATIM)

JOHN BENNETT – ASKED WHAT KIND OF NEW TRUCK FOR THE HIGHWAY? SUPERVISOR ADVISED A DUMP TRUCK WITH PLOW TO REPLACE AN OLD ONE. SUPERVISOR PRAISED THE MAINTENANCE PROGRAM OF THE HIGHWAY SUPT AND THAT PAYMENTS ON THE NEW TRUCK WILL BE A CONTINUATION OF AN AMOUNT CURRENTLY SPENT ON ANOTHER TRUCK LOAN THAT IS ABOUT TO BE PAID OFF.

DIANE HASTINGS – HADLEY – REPRESENTING THE MAXFIELD COMMUNITY FOOD PANTRY, SAID SHE HAS BEEN TRYING FOR A YEAR TO FIND A HOME FOR IT AND HAVE STILL NOT FOUND A HOME. THE OLD TOWN HALL IS STILL EMPTY. SO FAR THIS YEAR FROM THE FIRST OF JANUARY TO THE END OF OCT., 8 FAMILIES FROM STONY CREEK, 45 FROM DAY, 66 FAMILIES FROM HADLEY AND 103 FROM LAKE LUZERNE HAVE BEEN SERVED. LAKE LUZERNE IS GETTING SERVED ABOUT EQUAL TO THE OTHER 3 TOWNS COMBINED. WE WERE WONDERING IF THERE IS ANY HOPE OF LEASING THE OLD TOWN HALL?

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SUPERVISOR MERLINO – SAID THAT MS. HASTINGS WAS SUPPOSED TO COME BACK TO THE BOARD AFTER GOING TO THE OTHER TOWNS TO SEE IF THEY WERE WILLING TO HELP WITH SOME KIND OF PAYMENT TO COVER SOME OF THE EXPENSES OF THE BUILDING WHICH IS A LAKE LUZERNE TAXPAYER EXPENSE AND SHE HAD NOT COME BACK WITH ANY ANSWERS.

MS. HASTINGS - THE LAST TIME I WAS HERE YOU WANTED TO MAKE A MOTION AND THEY DIDN'T WANT TO DO A MOTION.

SUPERVISOR MERLINO – DO YOU HAVE THOSE ANSWERS?

MS. HASTINGS – YES, I DID CONTACT DAY AND HADLEY. BOTH AGREED ON \$500 A YEAR TOWARD EXPENSES.

SUPERVISOR MERLINO – THAT IS THE FIRST WE'VE HEARD....I HAVEN'T HEARD THAT BEFORE.

MS. HASTINGS – I HADN'T BEEN BACK TO YOU BECAUSE I GAVE UP. I WAS GOING ANOTHER WAY, BUT UNFORTUNATELY, WE COULDN'T GET ANYTHING DONE THAT WAY EITHER BECAUSE OF YOUR ZONING. WE HAD PROPERTY DONATED, BUT IT COULDN'T BE USED. WE TRIED OTHER SPOTS THAT COULDN'T BE USED AND WE ARE RUNNING OUT OF OPTIONS.

SUPERVISOR MERLINO – WHO IS THE FOOD PANTRY?

MS. HASTINGS – THE NAME IS MAXFIELD COMMUNITY FOOD PANTRY. IT COVERS EVERYONE IN THE HADLEY-LUZERNE SCHOOL DISTRICT. IT IS RUN AT THIS POINT BY THE ROCKWELL FALLS PRESBYTERIAN CHURCH. THE OTHER CHURCHES IN TOWN HAVE AGREED TO HELP US RUN IT. I BELIEVE THAT BY GETTING MORE PEOPLE INVOLVED, WE CAN REACH THE LEVEL OF PEOPLE THAT REALLY NEED IT.

COUNCILMAN MCLAIN – DO YOU THINK YOU WOULD NEED THE WHOLE BUILDING?

MS. HASTINGS – NO, IF WE COULD GET THE UPSTAIRS MEETING ROOM AREA, THAT IS PROBABLY BIGGER THAN WHAT WE HAVE RIGHT NOW. IT IS HANDICAPPED ACCESSIBLE AND EASY TO GET THE FOOD IN AND OUT. THAT IS THE REASON WE WOULDN'T CONSIDER THE BASEMENT.

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MS. HASTINGS – WE HAVE TOO MANY PEOPLE THAT WOULD NEED TOO MUCH HELP GETTING IN AND OUT OF THE BASEMENT STAIRS. WE SERVE A LOT OF SENIORS.

CORLIS CARROLL – CIRCULAR ST. - SPOKE IN SUPPORT OF THE FOOD PANTRY EFFORT . SHE WENT TO THE THRIFT STORE AND WAS SHOWN THE TWO ROOMS THEY ARE CURRENTLY USING. MAYBE 200 SQ FT. THEY MAKE VERY GOOD USE OF THAT SPACE, IT IS CLEAN, THERE'S NO RODENT PROBLEM WITH THE FOOD, THEY HAVE REFRIGERATORS. TOOK A STRAW POLL OF THE NEIGHBORHOOD (CIRCULAR ST.) AS TO HOW THEY FELT ABOUT THE TOWN SUPPORTING, FEEDING THE LESS FORTUNATE IN OUR COMMUNITY. NEXT DOOR NEIGHBORS WERE IN SUPPORT AS WAS THE FORMER TOWN CLERK, JEANNETTE DUEL. NYS LABOR DEPT GAVE UNEMPLOYMENT FIGURES FOR WARREN COUNTY: FEB 2008 - 10.7 % . THE CHURCHES ARE DOING A TERRIFIC JOB OF STEPPING UP TO THE PLATE. THERE IS A FREE LUNCH AT THE EPISCOPAL CHURCH. MS. CARROLL OFFERED \$100 SO THAT THE TOWN DOES NOT INCUR A LOT OF COSTS AND SHE ENCOURAGED OTHERS TO DO THE SAME.

SUSAN JOHNSON – BAY RD. - ASKED THAT EACH TOWN BOARD MEMBER STATE THEIR POSITION REGARDING THE FOOD PANTRY AND WHY.

SUPERVISOR MERLINO - I STILL NEED INFORMATION ON WHAT IS THE ORGANIZATION, WHO IS GOING TO BE RESPONSIBLE? WHAT HAPPENS IF SOMEONE GETS SICK ON THE FOOD IN THE PANTRY, THE TOWN COULD GET SUED. WE NEED TO HAVE A FIRM GROUP WHO IS GOING TO RUN THIS AND BE ABLE TO PROTECT THE TAXPAYERS FOR INSURANCE AND LIABILITY PURPOSES. THIS IS WHAT WE HAVE NOT GOTTEN FROM YOU. THE \$500 IS THE FIRST TIME YOU HAVE MENTIONED IN THIS ROOM TO ME.

MS. HASTINGS - YOU SAID TOWARD UTILITIES, YOU DID NOT SAY ANYTHING ABOUT INSURANCE, WE HAVE INSURANCE NOW AND WE WILL HAVE INSURANCE WHEREVER WE ARE, ALL OF OUR FOOD COMES FROM THE REGIONAL FOOD BANK IN LATHAM, OTHER THAN WHAT GETS DONATED. WHEN WE GO TO THE REGIONAL FOOD BANK TO MEETINGS, EVERY TOWN THAT HAS A PROGRAM IS EITHER RUN BY THE TOWNS OR BY THE CHURCHES. THERE ARE TRUCKS THERE FROM CHESTERTOWN

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AND OTHER TOWNS, TOWN TRUCKS PICKING UP THE FOOD BECAUSE ALL THE TOWNS ARE DOING THIS, IF THE CHURCHES WEREN'T DOING THIS, WHO DO YOU THINK ALL THESE HUNGRY PEOPLE WOULD BE COMING TO LOOKING FOR FOOD.?

PASTOR MICHAEL BERKELEY – LADYSLIPPER LANE - PASTOR OF THE ROCKWELL FALLS PRESBYTERIAN CHURCH. THE FOOD PANTRY IS CURRENTLY RUN BY ELECTED PEOPLE FROM THE ROCKWELL FALLS CHURCH WITH PEOPLE FROM THE COMMUNITY SUPPORTING IT IN THE ADVISORY ROLES. THAT GOVERNING BOARD MIGHT CHANGE IN THE FUTURE, BUT CURRENTLY WE ARE OPERATING UNDER BEST PRACTICES OF THE REGIONAL FOOD BANK. IN THE PAST BULK MEAT WAS CUT UP AND WE FOUND OUT WE COULDN'T DO THAT ANYMORE . ITEMS HAVE TO BE WITHIN EXPIRATION DATES. SO WE OPERATE WITH BEST PRACTICES. PASTOR BERKELEY IS HOPING THE TOWN WILL RENT THEM THE FACILITY AND IF THE TOWN IS RENTING, THE TOWN WOULD NOT BE LIABLE FOR ANY; IF THEY RENT A SCHOOL BUILDING AND HAVE A DINNER AT THE SCHOOL AND SOMETIMES PEOPLE GET SICK, THE PEOPLE WOULD NOT BE ABLE TO SUE THE SCHOOL OR THE TOWN BECAUSE THE CHURCH WAS RENTING THE FACILITY. SO IF THE TOWN RENTED THE FACILITY, I ASSUME IT WOULD BE A CONDITION OF RENTING TO REQUIRE INSURANCE. WE HAVE INSURANCE CURRENTLY. WE ARE INTERESTED IN EXPANDING THE OPPORTUNITY WE HAVE TO SERVE PEOPLE IN THE COMMUNITIES. IN THE PAST WE SAID YOU COULD ONLY COME ONCE A MONTH FOR FOOD, NOW WE HAVE MORE FOOD AND MORE NEED SO WE SAY YOU CAN COME ONCE EVERY TWO WEEKS AND PEOPLE ARE COMING. WE FOUND OUT WE JUST DON'T HAVE THE FACILITY. SO YOU HAVE A FACILITY AND WE THOUGHT WE COULD PROVIDE THE TOWN A LITTLE MONEY IN RENT FOR THAT FACILITY AND WE WOULD BE ABLE TO EXPAND OUR SERVICE TO THE COMMUNITY. HE THANKED THE BOARD FOR TRYING TO DO WHAT IS GOOD FOR THE TOWN OF LAKE LUZERNE.

ATTORNEY THARP – WHO HAS THE INSURANCE SAND HOW MUCH DO YOU HAVE?

PASTOR BERKELEY – THE INSURANCE IS ON ALL THE BUILDINGS ON CHURCH PROPERTY. THEY KNOW THERE IS A FOOD PANTRY ON THE GROUNDS. I AM NOT CERTAIN. WE ARE GOING TO TALK TO THE INSURANCE COMPANY TO SEE WHETHER WE NEED A SEPARATE POLICY FOR OFF SITE

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BUILDING FOR RENTING IT. UNTIL WE FORM A SEPARATE 503-C ORGANIZATION.

ATTORNEY THARP – YOU HAVE TO HAVE AN ORGANIZATION BEFORE YOU CAN APPLY TO THE IRS AND HOPE THEY MAKE YOU A 503-C.

PASTOR BERKELEY - WE CURRENTLY THE ORGANIZATION IS THE MAXFIELD COMMUNITY FOOD PANTRY IS AN ORGANIZATION OF THE ROCKWELL FALLS PRESBYTERIAN CHURCH. IT HAS ITS OWN BY LAWS, IT IS PART OF THE CHURCH.

ATTORNEY THARP - IN ORDER TO SIGN A LEASE, IT WOULD BE THE CHURCH RIGHT NOW THAT THE TOWN WOULD BE LEASING TO?

PASTOR BERKELEY - I WOULD THINK THE ROCKWELL CHURCH OR THE SERENDIPITY THRIFT SHOP. THERE IS NO LEGAL SERENDIPITY THRIFT SHOP AT THE MOMENT. IF THAT WAS ONE OF THE REQUIREMENTS, WE COULD GO AHEAD AND MAKE A SEPARATE ORGANIZATION. BUT I CAN'T SPEAK TO THAT.

ATTORNEY THARP - I WOULD CHALLENGE THAT THE OWNER OF THE BUILDING WOULD NOT BE HELD LIABLE IF SOMETHING MIGHT HAPPEN. IF THE TOWN BOARD WOULD LEASE ALL OR A PART OF THE TOWN HALL TO SOMEONE , WE WOULD HAVE TO HAVE A FORMAL LEASE AGREEMENT AND PART OF THAT LEASE AGREEMENT WOULD BE INDEMNIFICATION. THE TENANT WOULD INDEMNIFY THE TOWN FROM ANY RISK OF LOSS OF ANY TYPE WHATSOEVER AND PROVIDE INSURANCE TO BACK UP THAT INDEMNIFICATION. THERE IS POTENTIAL LIABILITY TO THE OWNER OF THE PROPERTY. THE OWNER OF THE PROPERTY MIGHT ESCAPE LIABILITY IN THE COURSE OF ANY LITIGATION, BUT I ASSURE YOU THE OWNER OF THE PROPERTY WOULD BE NAMED IF SOMEONE WERE TO BE INJURED OR SICK OUT OF AN ENTERPRISE ARISING IN THAT FACILITY. THIS HAS BEEN MY CONCERN FROM THE VERY BEGINNING WHEN THIS WAS FIRST MENTIONED, I JUST ASKED WHO WAS LEASING THE PROPERTY?

DICK BACKUS – I JUST WANT TO POINT OUT TO THE BOARD THAT AT ONE TIME BACK IN THE 70'S THE TOWN HAD A FOOD PANTRY IN THE TOWN HALL AND RECEIVED STATE GOODS TO GIVE OUT. THEN THEY DECIDED THEY DIDN'T WANT IT ANYMORE SO THEY APPROACHED THE CHURCH

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AND ASKED THEM TO TAKE IT OVER WHICH WE DID. YOU TURNED YOUR BACKS ON THE PUBLIC THEN AND YOU'RE GOING TO DO IT AGAIN.

CORLIS CARROLL - THE QUESTION YOU BRING UP REGARDING INSURANCE IS VALID AND REQUIRES A RESPONSE. OTHER THINGS WILL COME UP LIKE WHO TAKES CARE OF THE SNOW, WHO IS GOING TO BUY TOILET PAPER FOR THE BATHROOM OR CAN THE BATHROOM EVEN BE USED. ALL THESE QUESTIONS ARE SUBSEQUENT TO THE BOARD AGREEING TO LEASE THE SPACE TO THIS ORGANIZATION. OCCUPATION IS ANOTHER QUESTION ALTOGETHER, IF YOU AGREE TO LEASE AND THERE IS A TIME FRAME WITHIN WHICH TO WORK OUT THE DETAILS OF THE LEASE, THEN AT LEAST THE ORGANIZATION HAS AN OPPORTUNITY TO BEGIN TO ANSWER THESE QUESTIONS. BUT TO ANSWER THEM TONIGHT IS DIFFICULT. BUT THERE MIGHT BE ROOM FOR A MOTION THAT SAYS THE BOARD IS WILLING TO CONSIDER IN EARNEST OCCUPATION OF THE BUILDING BY THE FOOD PANTRY IF THEY MEET THE BOARD'S CONCERN REGARDING LIABILITY OR OTHER ISSUES. LET'S NOT LOSE SIGHT OF THE FACT THAT WE HAVE HUNGRY PEOPLE IN THE COMMUNITY AND THE TOWN HAS AN OPPORTUNITY TO HELP OUT.

SUSAN JOHNSON: WITH THAT SAID, CAN EACH BOARD MEMBER LET US KNOW HOW THEY FEEL ABOUT THIS ISSUE?

COUNCILMAN SHIEL - I CAN LET YOU KNOW HOW I FEEL. MY CONCERN INITIALLY, WAS THE FACT THAT I WAS UNDER THE IMPRESSION THAT THE FOOD PANTRY WAS LOOKING FOR US TO JUST DONATE THE BUILDING. MY FEELING IS THAT, FIRST OF ALL I THINK THEY DO A WONDERFUL JOB. BUT BEING THAT IT IS A CHARITABLE ORGANIZATION, I JUST DON'T FEEL THAT IT IS WITHIN THE TOWN'S AUTHORITY TO MAKE A DONATION TO A CHARITABLE ORGANIZATION. THAT IS A PERSONAL CHOICE. TONIGHT, I HAVE HEARD TALKS OF LEASING WHICH SOMEWHAT CHANGES MY MIND. IF THERE IS A WAY TO LEASE THE BUILDING FOR A REASONABLE RENT, THAT CHANGES THE STORY SOMEWHAT. BUT AS FAR AS THE TOWN JUST DONATING IT FOR THAT USE, I DON'T THINK IT COMES WITHIN OUR AUTHORITY TO DO THAT. I DON'T THINK I HAVE THE RIGHT TO TELL YOU WHAT CHARITY YOU ARE GOING TO DONATE TO.

COUNCILMAN MCLAIN - I AM FOR IT AS LONG AS YOU FOLKS ARE WILLING TO PAY RENT AND YOU HAVE THE INSURANCE AND YOU ARE GOING TO PAY THE HEAT AND THE LIGHTS, I DON'T HAVE PROBLEM WITH

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IT. CLIFTON PARK FOOD PANTRY IS IN THE TOWN HALL AND IS RUN BY A CHURCH.

COUNCILMAN DIEHL - WE ARE TALKING ABOUT 4 TOWNS, A SCHOOL DISTRICT, AND IT SHOULD NOT BE ALL PUT ON THE TAXPAYERS OF LAKE LUZERNE. IT SHOULD BE SHARED. IF THE FOOD PANTRY WANTS TO RENT THE BUILDING. I HAVE NOT HEARD "RENT" OR LEASE BEFORE THIS EVENING EITHER. WHEN I SEE A LEASE TO DISCUSS THE TERMS OF A LEASE THAT IS WHEN I WILL MAKE A DECISION. SO FAR MY DECISION HAS BEEN ON THE PREVIOUS DISCUSSIONS WITH OUR TOWN ATTORNEY AND I AGREE WITH HIM AGAIN TONIGHT.

ATTORNEY THARP - NOT ONLY SHOULD YOU NOT MAKE A GIFT, IT IS UNCONSTITUTIONAL FOR YOU TO MAKE A GIFT. THE TOWN CANNOT GIVE PROPERTY TO OTHER ENTITIES WITH EXCEPTIONS. OTHER GOVERNMENTAL ENTITIES IT CAN GIVE PROPERTY TO , FIRE DISTRICTS, ETC. VERY FEW EXCEPTIONS.

TOM CONDEN – DAVERN DRIVE. - AS A MEMBER OF THE COMMUNITY, I WOULD HOPE TO HEAR THAT THERE WOULD BE SUPPORT, PRO ACTIVE, AND AT LEAST SAY I THINK IT IS A GOOD IDEA AND THAT WE WILL LOOK INTO IT AND PLEDGE OUR SUPPORT TO THE EXTENT THAT IT DOESN'T IMPOSE HARDSHIP ON THE TAXPAYERS AND LIABILITY ISSUES.

SUE JOHNSON – I HAVEN'T HEARD FROM MR. WATERHOUSE.

COUNCILMAN WATERHOUSE – FIRST OF ALL I COMMEND YOU FOR WHAT YOU DO. I MET WITH MARK TODAY AND I EXTEND TO YOU THE RESTAURANT TO USE AS A FOOD PANTRY. I HAVE SPACE, REFRIGERATION, I AM CLOSED MONDAYS, YOU CAN GIVE OUT FOOD THERE AND USE THE FACILITY. BUT WE ALSO MET WITH JIM MANDLE WHO ALSO HAS IDEAS ABOUT OTHER USES OF THE BUILDING, NOW WE HAVE A PROBLEM, WE MIGHT HAVE TO GO TO BID. HE ALSO HAS GREAT IDEAS TOO AS TO WHAT HE PERCEIVES THE FUTURE OF THE DOWNTOWN AREA WHICH IS SUPPOSED TO BE THE BUSINESS DISTRICT BRINGING IN TOURISM TRAFFIC AND OUTSIDE MONEY. RIGHT NOW I DON'T SEE TRAFFIC IN TOWN SO WHAT HE HAS GOING ON IS A WONDERFUL IDEA AS WELL. SO IF YOU WANT TO USE MY FACILITY, YOU ARE WELCOME TO USE IT. MONDAYS I AM CLOSED, YOU CAN HAVE IT ALL DAY LONG.

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MS. HASTINGS – THERE IS NO WAY THAT WOULD WORK FOR US IN A BUSINESS, WE GIVE OUT FOOD ALL WEEK, IT'S NOT ONE DAY PER WEEK.

COUNCILMAN WATERHOUSE, - ARE YOU DONE BY 4:00 PM?

MS. HASTINGS – WE HAVE A SET UP LIKE A STORE WE CAN'T JUST TAKE THEM INTO THE FREEZER.

COUNCILMAN WATERHOUSE - YOU CAN OPEN THE FRONT DOORS. YOU ARE WELCOME TO WALK THROUGH THE FACILITY, IF IT WORKS IT WORKS.

MS. HASTINGS – I APPRECIATE IT, BUT IT WON'T WORK FOR US AT THIS TIME.

COUNCILMAN WATERHOUSE – LIKE I SAID, YOU ARE WELCOME TO WALK THROUGH ANYTIME, I HAVE PLENTY OF DRY STORAGE, A WALK IN COOLER, A WALK IN FREEZER.

CORLISS CARROLL – DAN, THAT IS WONDERFUL, BUT THE ISSUE HERE ON THE TABLE IS NOT WHETHER OR NOT YOU CAN PROVIDE AN ALTERNATIVE TO THESE FOLKS, THE ISSUE IS WHETHER OR NOT THERE IS SUPPORT FROM THE TOWN BOARD FOR PROVIDING A LEASED SPACE FOR THE FOOD PANTRY. THANK YOU FOR YOUR OFFER, THAT'S GREAT, BUT TO KEEP FOCUSED, THE ISSUE IS WHETHER OR NOT THE BOARD SUPPORTS A LEASED SPACE.

PATRICIA GOLDBERG - WOULD IT BE POSSIBLE TO USE THE SENIOR CENTER.?

COUNCILMAN MCLAIN – I THINK THERE WOULD BE TOO MUCH COLLISION WITH SENIORS PULLING OUT AND PEOPLE TRYING TO GET FOOD, I JUST ENVISION AN AWFUL BUSY SPACE ONCE THAT OPENS UP.

MARK MAYHEW - LAST MEETING I ATTENDED THE TOWN WAS TRYING TO LEASE OR SELL THE COURT HOUSE. COULD THAT BE AN ALTERNATIVE FOR THE PANTRY?.

SUPERVISOR MERLINO – TONIGHT WE ARE PUTTING THAT BACK OUT FOR BID OR LEASE. THERE ARE A COUPLE OF PEOPLE INTERESTED A LEASE.

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MR. MAYHEW – SO THE FOOD PANTRY COULD ALSO LOOK AT THAT BUILDING FOR LEASE AS WELL.

ALLEN SAHEIM - WHY ARE THEY NOT WILLING TO PUT THIS BUILDING THAT IS GOING TO DONATED BY THE LIONS CLUB BEHIND THE CURRENT THRIFT SHOP? WHY IS THAT NOT AN OPTION?. YOU WOULD HAVE TO GIVE UP A COUPLE OF PARKING SPOTS, BUT THIS THRIFT SHOP IS NOT OPEN ON SUNDAY. MAYBE A COUPLE MORE CARS WOULD PARK ON THE ROAD.

DIANE HASTINGS – RIGHT NOW THE PARKING LOT IS A PROBLEM ON WEDNESDAY NIGHTS BECAUSE THERE IS CHOIR REHEARSAL, THE THRIFT SHOP IS OPEN.

ALLEN SAHEIM – SAME THING, YOU HAVE A COUPLE OF CARS PARKING ON THE STREET. THIS 20X20 FACILITY IS NOT GOING TO TAKE UP LOT OF ROOM. APPLY FOR A VARIANCE. IT MIGHT NOT BE THAT DIFFICULT TO GET.

MS. HASTINGS – COULD WE GET A VARIANCE ON THE OTHER PIECE OF PROPERTY THAT WAS DONATED?

ALLEN SAHEIM – THAT WOMAN DID NOT DONATE YOU ANY LAND. SHE WAS GOING TO ALLOW YOU THE USE OF THAT PROPERTY WHICH IS RESIDENTIAL. NO BODY HAS COME AN APPLIED FOR THAT USE.

COUNCILMAN SHIEL – THAT WOULD BE A PROBLEM THAT WOULD BE A USE VARIANCE. YOU WOULD HAVE TO PROVE THAT THERE IS NO OTHER USE OF THAT PROPERTY THAT COULD COMPLY WITH THE ZONING REGULATIONS. THERE IS ALREADY A RESIDENCE THERE.

CORLIS CARROLL – WHAT IS THE TOWN DOING FOR THE SENIORS.
SUPERVISOR – WE ARE BUILDING A SENIOR CENTER RIGHT NOW..

CORLIS CARROLL - IF YOU CAN PUT THAT MUCH EFFORT INTO THE SENIOR POPULATION, WHICH I AM IN SUPPORT OF , ISN'T THERE A LITTLE SOMETHING WE CAN DO FOR THE PEOPLE WHO ARE HUNGRY IN OUR COMMUNITY. ?

SUPERVISOR MERLINO - WE NEED TO SIT DOWN WITH THIS GROUP AND DISCUSS SOME THINGS. THERE IS THE OLD TOWN GARAGE THAT HAS A

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SPACE IN IT THAT COULD BE FIXED UP THAT COULD BE USED. THERE ARE PLACES THAT COULD BE USED. IT IS TOUGH TO JUST GIVE THAT SPACE AWAY AND WE KNOW THAT THE CHURCHES DON'T HAVE A LOT OF MONEY TO SPEND, WHERE WE MIGHT GET \$900 OR \$1000 A MONTH TO RENT. I THINK WE HAVE WAITED THIS LONG, BUT IF WE SET A DATE TO DISCUSS THINGS AND LOOK AT ALL THE OPTIONS. I WENT WITH YOU TO THE BASEMENT AND THAT IS A VERY LARGE SPACE. BUT IT IS NOT HANDICAPPED ACCESSIBLE.

DIANE HASTINGS – WE DO HAVE ONE WHO COMES IN A WHEELCHAIR AND ALSO IT WOULD BE HARDER TO CARRY THE BOXES OF FOOD UP AND DOWN THE STAIRS.

SUPERVISOR - MAYBE WE SHOULD GET TOGETHER AND SEE WHAT YOU ARE WILLING TO DO AND WHAT WE ARE WILLING TO DO. I THINK WE CAN WORK SOMETHING OUT TO HELP WITH YOUR ORGANIZATION.

DIANE HASTINGS - I AM NOT SAYING THAT IS THE ONLY PLACE WE'LL TAKE, IT IS JUST THAT IS THE ONLY PLACE WE KNEW OF THAT IS AVAILABLE.

SUPERVISOR – WE HAVE TO CONSIDER THE TAXPAYERS. THAT IS A PROPERTY THAT IS VALUABLE AND COULD HAVE OTHER ADVANTAGES FOR ALL THE COMMUNITY, NOT JUST THOSE WHO NEED HELP WITH FOOD. IN THE BEGINNING, AND YOU KNOW IT, I WAS ALL FOR IT BUT AS THE MONTHS GO BY AND OTHER THINGS COME UP AND YOU MIGHT NOT WANT TO HEAR IT, BUT THERE ARE THOSE WHO ARE NOT HAPPY WITH IT....

DIANE HASTINGS – I WOULD LIKE TO CLEAR THIS UP. I NEVER CAME TO YOU AND ASKED FOR A DONATION. I ORIGINALLY CAME TO YOU OVER A YEAR AGO TO INFORM YOU THAT WE WERE LOOKING FOR A PLACE, YOU WERE STILL IN THAT TOWN HALL AT THAT POINT. YOU SAID YOU THOUGHT YOU COULD PUT US IN THERE, THAT IS WHY I CAME BACK TO YOU.

SUPERVISOR - OUR DECISION IS FOR 3000 TAXPAYERS.

MS. HASTINGS - I HAVE A PETITION SIGNED BY 153 OF THE LUZERNE RESIDENTS ASKING TO PUT IT IN THE OLD TOWN HALL.

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SUPERVISOR MERLINO - DANNY MENTIONED HIS RESTAURANT TODAY, WE THOUGHT THAT MIGHT BE SOMETHING. THERE ARE A COUPLE OF PLACES THAT MIGHT BE OF INTEREST. I AM NOT AGAINST THE FOOD PANTRY AND I DON'T THINK ANY OF THESE GENTLEMEN HERE ARE, BUT WE SIT HERE FROM A DIFFERENT ASPECT THAN YOU OUT THERE. WE HAVE TO WORRY ABOUT THE OTHER PEOPLE IN TOWN TOO. SO IF WE CAN SIT DOWN.

DIANE HASTINGS - I GUESS WE DON'T HAVE A CHOICE. YES, HE OFFERED HIS RESTAURANT, BUT WE CAN'T GO INTO A PLACE THAT IS OPEN FOR BUSINESS, WE WANT TO BE ABLE TO OPERATE 6 DAYS A WEEK.

SUPERVISOR - DID YOU GO AND INSPECT WHAT HE IS OFFERING YOU?, IT IS NOT THE RESTAURANT, HE HAS A BUILDING BEHIND IT THAT YOU MIGHT FIND WOULD BE GOOD. OR MAYBE NOT.

DIANE HASTINGS - WHAT WE ARE LOOKING FOR IS A BUILDING BIGGER THAN WHAT WE HAVE NOW, IF HE'S GOT A BUILDING BIGGER THAN WHAT WE HAVE NOW THAT WE CAN MOVE INTO AS A FOOD PANTRY, WE COULD TAKE A LOOK....

PASTOR BERKELEY - I WANT TO THANK YOU FOR ADDRESSING PUTTING THE BUILDING IN THE BACK OF THE PARKING LOT, POSSIBLY THE TOWN GARAGE. I JUST APPRECIATE YOU THINKING OF THAT. THIS IS A GREAT OPPORTUNITY TO HELP PEOPLE.

CAROL BREDANKO - DAVERN DRIVE. READ A LETTER TO THE BOARD DESCRIBING AN INCIDENT OF SEXUAL MOLESTATION (YEARS AGO) OF A YOUNG GIRL IN A FIELD BEHIND HER HOUSE ON DAVERN DRIVE.

MR. COTTOGIO - SPOKE REGARDING THE LOCATION OF SEX OFFENDERS IN COMMUNITIES. HE HAS WORKED WITH THIS GROUP DURING HIS CAREER AND FEARS THAT THIS SITUATION IF LEFT UNADDRESSED BY TOWN LAW WHICH CANNOT CONSTITUTIONALLY BAN A PERSON MOVING INTO A NEIGHBORHOOD OR TOWN WITH FEW EXCEPTIONS. THE STATE LAW FOR SEX OFFENDERS IS THEY MAY NOT LIVE WITHIN 1000 FT OF A SCHOOL, DAY CARE OR PARK OR PLACE WHERE CHILDREN ARE KNOWN TO PLAY. OTHER THAN THAT, THE STATE HAS NO OTHER REGULATIONS. HOWEVER, ALTHOUGH THE TOWN HAS NO RIGHT TO IMPOSE BEHAVIOR ON ITS CITIZENS, IT DOES HAVE THE RIGHT, IN FACT A RESPONSIBILITY TO REGULATE BUSINESSES WITHIN THEIR JURISDICTION. COUNTY SOCIAL

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SERVICES, NYS PAROLE, AND INTERSTATE COMPACTS WITH OTHER CORRECTIONS DEPT FROM OTHER STATES WILL BE FARMING OUT THEIR MAXED OUT SEX OFFENDERS. IN OTHER WORDS THEY HAVE DONE THEIR TIME, THEY ARE NOT ON PAROLE, THEY COME OUT, THEY CAN DO ANYTHING THEY WANT. WE ON DAVERN DRIVE COULD ARGUE AND SAY WE ARE WITHIN 1000 FT OF A PUBLIC SWIMMING AREA BECAUSE WE ARE ON THE RIVER. BUT WE DON'T WANT TO SEE THE TOWN GET INTO YEARS OF LITIGATION WITH THESE PEOPLE. IN THE TOWN OF COLONIE THEY HAVE DEALT WITH THIS PROBLEM FOR SEVERAL YEARS. THEY IMPLEMENTED A LAW IN 2007 . IT WAS CHALLENGED AS UNCONSTITUTIONAL BY THE ACLU. THE ACLU PREVAILED AND THE LAW WAS STRICKEN DOWN BECAUSE THEY WERE TRYING TO REGULATE THE BEHAVIOR OF THE SEX OFFENDER. NOW THE TOWN OF COLONIE ATTORNEY, DRAFTED A PIECE OF LEGISLATION THAT WAS ENACTED IN AUGUST THAT PLACES A REQUIREMENT ON ANY INN, TRAILER CAMP, MOTEL, HOTEL, LODGING HOUSE, BOARDING HOUSE, ETC. THAT REQUIRES THEY GET A LICENSE FROM THE TOWN CLERK THAT PERMITS THEM TO ACCEPT PLACEMENTS FROM PROBATION, PAROLE, ETC., OF SEX OFFENDERS. IT IS NOW NOT AS EASY TO "DUMP" THEM. WE HAVE SEEN IT HAPPEN IN SOUTH GLENS FALLS. (EXAMPLE: WE HAVE A DEPUTY SHERIFF HERE, THE ONLY LAW FOR 20 MILES AND HE GETS A CALL FOR A DISTURBANCE AT 42 DAVERN DR. 6 LEVEL 3 SEX OFFENDERS, ALL EX-CONVICTS, SOME OF THEM 2 TIME LOSERS, THEY GET CAUGHT NOW THEY'RE GOING TO JAIL FOR LIFE, YOU SEND THIS POOR GUY IN THERE BECAUSE THERE'S A FIGHT, WHAT IS HE GOING TO DO, WHERE IS HIS BACK UP?.) THERE IS A WAY TO REGULATE THEM AS THEY HAVE DONE IN COLONIE. I WENT ON THE WEBSITE, PRINTED UP THE LAW SPENT SOME TIME ON THE BOOKS, I AM SURE IT COULD BE IMPROVED UPON AND I CERTAINLY INVITE YOU TO DO SO. IT WOULD ALSO REMIND LANDLORDS OF THEIR RESPONSIBILITIES NOT ONLY TO THEIR NEIGHBORS, BUT TO THE TENANTS THEMSELVES. BECAUSE SOME OF THE SEX OFFENDERS, ESPECIALLY THE ONES WHO ARE PEDI FILES, WHEN I DEALT WITH THEM IN THE PRISONS, THEY'RE DESIGNATIONS WERE POTENTIAL VICTIMS, THEY WERE VICTIMIZED BY OTHER CONVICTS. SO BASICALLY WE ARE GOING TO HAVE THIS AT RISK SITUATION HERE AND THEN WE WON'T EVEN GET INTO THE INFRASTRUCTURE THAT THERE IS NO MEDICAL TRANSPORTATION, THESE GUYS ARE NOT GOING TO HAVE CARS., A MONTH OR SO AGO, I THINK YOU WERE WORRIED ABOUT SALES TAX. FOR EVERY SEX OFFENDER YOU HAVE HOUSED HERE, THERE IS A ROOM YOU ARE NOT GOING TO GET BED TAX FOR BECAUSE THE COUNTY DOESN'T PAY IT. IT IS A DRAIN ON COUNTY RESOURCES. PLEASE TAKE A

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LOOK AT THIS AND IF YOU COME UP WITH SOMETHING BETTER PLEASE DO SO .

COUNCILMAN MCLAIN – HOW DOES THIS DUMPING WORK?. SOMEONE GETS OUT OF PRISON, ARE THEY ASKED WHERE THEY WANT TO GO?

MR. COTTOGIO – NO, BECAUSE THEY ARE DESIGNATED AS REGISTERED SEX OFFENDERS, THE STATE CAN'T JUST DUMP THEM OUT LIKE THEY USED TO. THEY HAVE TO MAKE REASONABLE EFFORTS TO GET SOME KIND OF HOUSING FOR THEM. IT FALLS ON THE STATE PAROLE OFFICE AND COUNTY PROBATION OFFICE AND THEN IT IS KIND OF DUMPED OFF ON WELFARE .

COUNCILMAN MCLAIN – IS THERE A LIMIT ON HOW LONG THEY CAN STAY THERE WITH THE COUNTY FOOTING THE BILL?.

MR. COTTOGIO – NONE. I UNDERSTAND THAT ON DAVERN DRIVE WHEN THEY OPENED, THERE WAS AN ADVERTISEMENT FOR \$700 PER MONTH FOR A LITTLE ONE ROOM., ON THE RIVER, 5 BLOCKS DOWN FROM ME. THERE ARE 6 OTHER APTS OVER THERE AT \$700 PR MONTH. MY FRIENDS IN PAROLE SAY WE HAVE PAID AS MUCH OF \$1400 PR MONTH. IN AN EMERGENCY SITUATION WE HAVE PAID AS MUCH AS \$600 PER WEEK. NOBODY WANTS THEM. WE ARE SO UPSET AND SO CONCERNED THAT UP UNTIL A COUPLE OF WEEKS AGO, I DIDN'T HAVE ANY IDEA THAT THIS WAS GOING ON. I THOUGHT I HAD PUT ALL THAT BEHIND ME WHEN I RETIRED.

COUNCILMAN MCLAIN – IF I AM A HOTEL OWNER CAN I REFUSE TO TAKE THEM?

MR. COTTOGIO - IN FACT IF YOU WERE A HOTEL OWNER IN LAKE LUZERNE AND THAT LAW WAS PUT INTO EFFECT, AND THEY CALLED YOU FROM PAROLE ASKING TO PUT A SEX OFFENDER IN THERE. YOU COULD SAY I AM NOT A LICENSED FACILITY, I CAN'T. IT WOULD BE AGAINST THE LAW OF LAKE LUZERNE TO ACCEPT PLACEMENT OF THESE GUYS. THIS IS JUST FOR THE PLACEMENT OF SEX OFFENDERS. A LANDLORD WOULD HAVE TO DISPLAY A LICENSE THAT THE CLERK WOULD ISSUE. THEY CHARGE \$1500 IN COLONIE FOR EACH OF THESE PLACES AND THEY HAVE TO PLACE THE LICENSE IN THE LOBBY AND IT SAYS LICENSED SEX OFFENDER PREMISES. POLICE, FIRE INSPECTOR, FIRE CHIEF CAN COME IN AT WILL IN THE PUBLIC AREA TO MAKE SURE IT IS SAFE.

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SUPERVISOR – WHEN I HEARD THIS WEEKS AGO , I TALKED TO THE DISTRICT ATTORNEY’S OFFICE , THEY SAID THERE IS NOTHING THAT CAN BE DONE. IF THEY HAVE SERVED THEIR TIME THEY CAN LIVE THERE.

MR. COTTOGIO – AND SHE IS RIGHT, BUT YOU ARE NOT DOING ANYTHING ABOUT THEM, THE ONES GETTING OUT OF JAIL, YOU ARE REGULATING THE BUSINESSES, THE PREMISES IN YOUR JURISDICTION, WHICH YOU HAVE A DUTY TO THE PEOPLE OF LAKE LUZERNE TO DO FOR THE PUBLIC SAFETY. SO THIS WOULD GIVE THE BOARD TOOLS.

SUPERVISOR- MOST OF THESE PLACES ARE SMALLER HOTELS STRUGGLING TO PAY THEIR TAXES, THIS IS GUARANTEED MONEY FROM SOCIAL SERVICES, SO THEY’LL DO IT. THEN THERE ARE DISCRIMINATION LAWS THAT THEY GET NERVOUS ABOUT. BUT WE WILL LOOK INTO THIS, I APPRECIATE YOUR TIME.

MR. FREEMAN – ARGUED THAT HE WAITED MONTHS AGO FOR SUPERVISOR TO GET BACK TO HIM WITH A MEETING ON THIS.

SUPERVISOR - SAID THERE WAS NOTHING HE COULD DO AT THE TIME OF THAT SALE, AND THAT HE HAD SAID THEY COULD HAVE BOUGHT THE PROPERTY THEMSELVES AND KNOCKED IT DOWN.

ALLEN SAHEIM – WHO ENFORCES THIS IF IT IS A TOWN LAW.?

MR. COTTOGIO - THE SHERIFFS DEPT.

ALLEN SAHEIM - THE SHERIFF ENFORCES THE COUNTY LAW, THE STATE TROOPERS ENFORCE THE STATE LAW, BUT WHO WOULD ENFORCE THE TOWN LAW.?

MR. COTTOGIO --- ANY PEACE OFFICER.

ALLEN SAHEIM -- THE DEPUTY’S OR THE TROOPERS WILL NOT ENFORCE THE TOWN LAW.

COTTOGIO - THIS (DOCUMENTATION) ANSWERS ALL THE QUESTIONS, ALL THE CITATIONS ARE THERE . RIGHT NOW IT IS THE LAW IN COLONIE.

ALLEN SAHEIM - I AM IN FAVOR OF IT, BUT I WONDER WHO WOULD ENFORCE IT?

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TOM CONDEN – DAVERN DRIVE - THIS IS MY PRIMARY RESIDENCE AND I LOVE THIS COMMUNITY AND I COMPLIMENT ALL THE DECISION MAKERS THAT WENT INTO THIS FACILITY. IT IS WELL DONE AND IS A REAL ASSET. WHAT WE KNOW THOSE OF US THAT ARE IN THE IMMEDIATE SITUATION AND HAVE HIGH LEVEL CONCERN ABOUT WHAT IS OCCURRING, IT IS NOT WILL IT HAPPEN, IT HAS HAPPENED. I WENT TO THE SHERIFFS DEPT TO CONFIRM WHAT I THOUGHT WS HAPPENING AND I CONFIRMED TODAY THAT IT IS HAPPENING WITHIN 2 DAYS OR SOMETIME THIS WEEK, THIS INDIVIDUAL IS DESIGNATED AS A LEVEL 3 OFFENDER WHO IS MOST LIKELY TO REPEAT HIS OFFENSES AS A LEVEL 3, WILL BE MOVING IN AT THE BAYVIEW MOTEL. WHAT YOU MAY NOT BE AWARE OF AS WE SPEAK TO THIS ISSUE, IS THERE IS NOT ONLY 1, BUT RIGHT NOW IN THIS COMMUNITY 15 SEX OFFENDERS, 150 IN WARREN COUNTY. I DO NOT KNOW THE LEVEL OF EACH OFFENDER. I DO NOT KNOW WHAT YOU HAVE FOR POLICE PROTECTION , BUT NOT JUST FOR DAVERN DRIVE, BUT FOR THE ENTIRE COMMUNITY, WHY LET IT DETERIORATE, IF THERE IS SOMETHING WE CAN DO, WE DO IT. JOE HAS TAKEN TIME TO RESEARCH AND FOUND THAT THERE WAS SOMETHING DONE IN COLONIE AND WE ASK THIS BOARD TO LOOK AT THIS AND ACT IN A TIMELY MANNER, NOT JUST FOR DAVERN DRIVE, BUT FOR THE WHOLE COMMUNITY. 15 NOW IN LAKE LUZERNE. THERE ARE 6 OTHER UNITS IN THAT MOTEL WHICH WAS PURCHASED BY TWO CONTRACTORS LIVING IN NEW JERSEY. THEY HAVE OTHER PROPERTIES IN THIS COMMUNITY. IF YOU LET ONE IN WHAT ARE THEY GOING TO HAVE FOR OTHER TENANTS GOING IN. IT IS IN A PRIME RESIDENTIAL COMMUNITY. A LOT OF US ARE RETIRED, A LOT OF US HAVE SIGNIFICANT INVESTMENTS AND A LOT OF US HAVE INCREASED THE VALUE OF OUR PROPERTIES NOT ALLOWING THEM OT DETERIORATE. I URGE EACH BOARD MEMBER TO TAKE A SERIOUS LOOK AT THIS NOT JUST FOR DAVERN DRIVE BUT FOR THE COMMUNITY.

FLOOR CLOSED

RESOLUTION #111 OF 2009 -- RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN SHIEL TO ACCEPT THE MINUTES OF OCTOBER 13, 2009. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, ABSTAIN, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION # 112 OF 2009 - RESOLVED UPON A MOTION BY COUNCILMAN SHIEL, SECONDED BY COUNCILMAN DIEHL TO PAY THE

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MONTHLY BILLS AS PRESENTED. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

NOVEMBER ABSTRACT TOTALS:

GENERAL FUND	\$ 19,958.79
HIGHWAY FUND	18,231.65
STREET LIGHTING	2,767.00
LK LUZERNE WATER SW1	1,097.89

REPORTS:

ATTORNEY RUSSELL THARP, JR.

- DRAFTED A PROPOSED AGREEMENT WITH THE TOWN OF HADLEY REGARDING THE COOPERATIVE AMBULANCE DISTRICT. SUBMITTED IT TO THE ATTORNEY FOR THE FIRE DISTRICT AND THE HADLEY TOWN ATTORNEY. HE WAITING FOR THEIR RESPONSE.
- WOULD LIKE THE BOARD TO PASS A RESOLUTION APPOINTING JACK FAZIO AS CHAIRMAN OF THE PLANNING BOARD. THE BOARD APPOINTED HIM WHEN WE DIDN'T HAVE A CHAIRMAN.

RESOLUTION #113 OF 2009 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO APPOINT JACK FAZIO AS CHAIRMAN OF THE PLANNING BOARD. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

TOWN CLERK: CYNTHIA SHERWOOD

- GAVE BOARD CLERK MONTHLY FINANCIAL REPORT
- CORRESPONDENCE FROM BEVERLY DAFFNER
- DISCUSSED RESOLUTION TO DECLARE LEAD AGENCY IN THE SEQRA PROCESS OF THE MASTER PLAN UPDATE.

READ E-MAIL INFORMATION FROM ELAN'S ASHLEY GARDNER NOTING THE NEXT STEP IN THE PROCESS IS FOR THE TOWN BOARD TO DECLARE LEAD AGENCY IN THE PROCESS AND ALSO NOTING THAT IT IS

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UNNECESSARY TO SEND LETTER TO OTHER AGENCIES AT THE RECOMMENDATION OF THE DEPT OF STATE BECAUSE NO OTHER AGENCY WOULD BE ABLE TO ADOPT THE COMPREHENSIVE PLAN AND ZONING CODE REMOVING THE 30 DAY PERIOD.

RESOLUTION # 114 OF 2009 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL TO DECLARE LEAD AGENCY IN THE MASTER PLAN UPDATE PROCESS AS FOLLOWS: WHEREAS, THE TOWN BOARD HAS UPDATED THE TOWN OF LAKE LUZERNE COMPREHENSIVE PLAN AND ZONING CODE. THE COMPREHENSIVE PLAN SETS FORTH THE POLICY RECOMMENDATIONS PERTAINING TO HAMLET REVITALIZATION, RURAL CHARACTER, OPEN SPACE, AND THE ENVIRONMENT, WATER RESOURCES, HISTORIC PRESERVATION, ECONOMIC DEVELOPMENT, RECREATION, HOUSING AND INFRASTRUCTURE AND GOVERNANCE WITHIN THE TOWN. IT SETS FORTH A VISION , SPECIFIC GOALS, OBJECTIVES, AND RECOMMENDATIONS, AND A PLAN FOR IMPLEMENTATION. THE REVISED ZONING CODE BRINGS THE TOWN'S LAND USE REGULATIONS INTO COMPLIANCE WITH BOTH THE UPDATED COMPREHENSIVE PLAN AND STATE LAW, AND BRINGS NEW TOOLS TO THE COMMUNITY FOR PROTECTION OF OPEN SPACE AND THE CHARACTER OF LAKE LUZERNE AND

WHEREAS, THIS IS A TYPE I ACTION SUBJECT TO ENVIRONMENTAL REVIEW UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA), AND

WHEREAS, THE LAKE LUZERNE TOWN BOARD HAS PRIMARY RESPONSIBILITY FOR DRAFTING AND APPROVING THE COMPREHENSIVE PLAN AND ZONING CODE WITH THE HELP OF FUNDING FROM THE NEW YORK STATE DEPARTMENT OF STATE UNDER TITLE 11 OF THE ENVIRONMENTAL PROTECTION FUND, AND

WHEREAS: THE LAKE LUZERNE TOWN BOARD, DID , ON OCTOBER 13, 2009 DECLARE INTENT TO BE LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW OF THE PROPOSED COMPREHENSIVE PLAN AND ZONING CODE, NOW, THEREFORE BE IT

RESOLVED: THAT THE LAKE LUZERNE TOWN BOARD DECLARES ITSELF LEAD AGENCY IN ENVIRONMENTAL REVIEW FOR THE PROPOSED ADOPTION OF THE TOWN OF LAKE LUZERNE COMPREHENSIVE PLAN AND ZONING CODE. *ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.*

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- CLERK ALSO ADVISED THAT THE RESOLUTION ALREADY PASSED TO RE-BID OR LEASE THE COURT HOUSE NEEDS TO BE AMENDED TO INCLUDE A DATE AND TIME FOR OPENING OF BIDS IN ORDER TO BE PROPERLY RE-ADVERTISED.

DISCUSSION REGARDING RECOGNITION OF SANTA SPRINT ON NOV. 16TH.

RESOLUTION # 115 OF 2009 – TO DECLARE NOVEMBER 16, 2009 SANTA SPRINT DAY IN LAKE LUZERNE.

SANTA SPRINT DAY
NOVEMBER 16, 2009

RESOLVED THIS DAY, UPON A MOTION BY SUPERVISOR MERLINO,
SECONDED BY COUNCILMAN MCLAIN:

WHEREAS, THE TOWN BOARD OF LAKE LUZERNE RECOGNIZES THE DEDICATION PUT FORTH BY THE STUDENTS OF THE HADLEY LUZERNE CENTRAL SCHOOL,

AND

WHEREAS, THE SEASON OF GIVING IS CLOSE AT HAND AND THIS EFFORT BY OUR YOUNG CITIZENS HELPS TO ENCOURAGE THE TRUE MEANING OF COOPERATION AND CARING,

AND

WHEREAS, IT IS THE INTENTION OF THIS TOWN BOARD TO THANK THESE CHILDREN AND TAKE NOTICE OF THEIR EXEMPLARY WORK DURING THE HOLIDAYS,

NOW,

THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF LAKE LUZERNE THAT NOVEMBER 16TH BE DECLARED SANTA SPRINT DAY IN THE TOWN OF LAKE LUZERNE, TO HONOR THIS EVENT.

ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

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- HADLEY LUZERNE LIONESS CLUB ALSO REQUESTED A PROCLAMATION OF THE TOWN BOARD REGARDING THEIR 25TH ANNIVERSARY CELEBRATION

RESOLUTION # 116 OF 2009 - TO DECLARE NOVEMBER 18, 2009 HADLEY-LUZERNE LIONESS DAY IN LAKE LUZERNE:

HADLEY-LUZERNE LIONESS DAY
NOVEMBER 18, 2009

RESOLVED THIS DAY, UPON A MOTION BY COUNCILMAN SHIEL, SECONDED BY COUNCILMAN MCLAIN:

WHEREAS, THE TOWN BOARD OF LAKE LUZERNE SEEKS TO RECOGNIZE THE 25TH ANNIVERSARY OF THE HADLEY-LUZERNE LIONESS CLUB,

AND,

WHEREAS, THE "SEASON OF THANKS AND GIVING" SEEMS A FIT TIME TO ACKNOWLEDGE THE CONTINUED GOOD WORKS OF THIS TIME TESTED ORGANIZATION,

AND,

WHEREAS, IT IS THE PLEASURE OF THIS TOWN BOARD TO HELP MARK THE OCCASION OF THIS SPECIAL MILESTONE ANNIVERSARY,

NOW,

THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF LAKE LUZERNE THAT NOVEMBER 18TH BE DECLARED "HADLEY-LUZERNE LIONESS DAY" IN HONOR OF THIS EVENT. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

- CLERK ADVISED THAT WATER DISTRICT COLLECTION IN BOTH DISTRICTS IS RECONCILED AND THE UNPAID BILLS ARE READY TO SEND TO WARREN COUNTY FOR RE-LEVY.
- CLERK ADVISED THAT INFORMATION REGARDING RESIDENTIAL BURNING HAS BEEN RECEIVED FROM THE LOCAL RANGER. THERE WERE NOT A LOT OF CHANGES FOR RESIDENTS AND THE INFORMATION IS AVAILABLE IN THE CLERK'S OFFICE. . THE CHANGES ARE IN THE MUNICIPAL RULES.

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ZONING OFFICER REPORT: ALLEN SAHEIM

COMMENDED THE BOARD ON THE APPOINTMENT OF STANLEY GOLDBERG AS ZONING BOARD CHAIRMAN. HE HAS CONTACTED ZEO TO GO OVER SOME CHANGES IN THE WAY WE DO BUSINESS FOR THE BETTERMENT OF THE PROCESS.

COUNCILMAN DIEHL – EVERYONE REALIZES THAT THE AMBULANCE IS NO LONGER GOING TO BE CONTROLLED BY THE FIRE COMPANY. THEY WANT TO SEPARATE IT IN ORDER TO RECOVER SOME OF THE COSTS OF OPERATION. THE TOWN OF HADLEY AND LAKE LUZERNE HAVE ALREADY APPOINTED 3 DIRECTORS EACH TO RUN THE EMS SERVICE. THEY HAVE HELD A NUMBER OF MEETINGS. THEY HAVE TO FORM A NON PROFIT ORGANIZATION IN ORDER TO DO THIS. THEY ARE WORKING DILIGENTLY AND IT SHOULD HAPPEN BETWEEN NOW AND THE FIRST OF THE YEAR, BUT IF THERE IS A DELAY BECAUSE OF THE INCORPORATION OF THE GROUP, THE BUDGET IS IN EFFECT SO THE AMBULANCE WILL RUN, A MONTH OR TWO IF NECESSARY UNDER THE FIRE DISTRICT. MR. DIEHL PRAISED THE GROUP FOR THEIR WORK .

SUPERVISOR MERLINO – COUNCILMAN DIEHL IS THE LIAISON BETWEEN THE TOWN BOARD AND THE EMS COMMISSIONERS FROM LAKE LUZERNE AND HADLEY WILL APPOINT ONE AS WELL. SOME OF THE RULES TO BE WORKED OUT: ONE OF THE FIRST VENTURES BETWEEN LAKE LUZERNE AND HADLEY IN A LONG TIME. THE NAME OF THE EMS SQUAD WILL BE “ROCKWELL FALLS EMS CORPS” UNANIMOUSLY DECIDED. TAXPAYERS ARE PAYING MUCH OF THE BILL NOW THROUGH TAXES BUT THERE WILL ALSO BE A BILL IF YOU USE THE AMBULANCE WHICH CAN BE SUBMITTED TO YOUR INSURANCE COMPANY OR MEDICARE, ETC. WHATEVER THEY SEND WILL BE PAID. IF NOT INSURED, THERE IS A SECOND BILL WITH A COUPON TO BE FILLED OUT SAYING UNINSURED BUT A TAXPAYER OF LAKE LUZERNE OR HADLEY. AMBULANCE WILL STAY IN THE FIREHOUSE FOR 5 YEARS IN HOPE THAT A BUILDING CAN BE FOUND FOR THEM.

BRUSH BURNING - DEC CHANGED RULES FOR MUNICIPAL BURNING. RESIDENTS AT THIS TIME CANNOT BRING BRUSH TO THE TRANSFER STATION. THE TOWN IS LOOKING FOR AN ALTERNATIVE TO EITHER CHIP THE BRUSH OR GRIND ETC. OTHER TOWNS ARE CHARGING FOR BRUSH AT THIS POINT. RESIDENTS CAN STILL BRING IN LEAVES.

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SUPERVISOR ADVISED THAT AN AGREEMENT NEEDS TO BE MADE WITH THE THRIFT STORE REGARDING THE EXCESS ITEMS BROUGHT INTO THE TRANSFER STATION.

SUPERVISOR ASKED THAT THE TOWN BOARD MEETING FOR DECEMBER BE CHANGED TO DECEMBER 3RD AT 7:00 PM TO ACCOMMODATE BOARD MEMBERS WHO CANNOT MAKE THE REGULAR DATE.

RESOLUTION # 117 OF 2009 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL TO RESCHEDULE THE REGULAR MEETING OF THE TOWN BOARD TO DECEMBER 3 AT 7:00 PM. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, NO, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

SUPERVISOR ASKED FOR 3 SEPARATE RESOLUTIONS REGARDING GRANT APPLICATIONS AVAILABLE TO THE TOWN.

MR. JAMES BAKER ASKED FOR PEDESTRIAN CROSSING SIGN TO BE PLACED IN THE CROSSWALK IN FRONT OF THE CATHOLIC CHURCH ON SUNDAYS.

COUNCILMAN MCLAIN WILL ATTEND A SEMINAR ON WORKPLACE VIOLENCE ON NOV. 16TH.

RESOLUTION # 118 OF 2009 - RESOLVED UPON A MOTION BY COUNCILMAN SHIEL, SECONDED BY COUNCILMAN DIEHL TO AMEND BID RESOLUTION FOR SALE OR LEASE OF THE COURTHOUSE TO INCLUDE A DATE OF DECEMBER 3RD FOR RETURN, OPENING AT 1:00 PM AND TO INCLUDE PROVISION FOR BIDDING ON LEASE. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

TOWN OF LAKE LUZERNE
Notice To Receive Bids
Sale or Lease of 12 School Street

The Town Board of the Town of Lake Luzerne hereby gives notice that it will accept bids for the purchase of an office building and adjoining parking lot located at 12 School St., Lake Luzerne, New York, formerly used as the Town Court. All such bids must be received by the Office of the Town Clerk by mail or personal delivery no later than 12:00 O'CLOCK NOON ON THURSDAY, DECEMBER 3RD. BIDS WILL BE OPENED AT 1:00 PM AND CONSIDERED AT THE

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REGULAR MEETING OF THE TOWN BOARD ON THE SAME DAY AT 7:00 PM IN THE MEETING ROOM OF THE LAKE LUZERNE MUNICIPAL COMPLEX, 539 LAKE AVE.

The Town Board of the Town of Lake Luzerne further gives notice that in addition to bids for the purchase of the property, they will consider offers to LEASE the property for a minimum of one year and possibly three years with a monthly rental that must be stated in the offer. The Town Board primarily desires to sell the property and if any lease is considered, it will be subject to further negotiation between the Town Board and the person submitting the proposal to lease the building and parking lot. As stated previously herein, it is the primary choice of the Board to sell the parking lot and building but will receive offers for leasing and if no bid for sale is accepted, will consider negotiating terms with all parties who submit a statement of desire to lease the property.

Bids or offers to lease must be submitted on the BID FORM or lease form which is available at the Office of the Town Clerk and each BID will have to be ATTACHED TO THE TERMS OF BID SHEET that will be distributed with any bid sheet by the Town Clerk. All bids will be subject to the terms of the TERMS OF BID SHEET.

The bidder does not have to be present at the time of the opening of the bids but no bid will be accepted if it is not submitted on the official FORMS available at the Town Clerk's Office, Municipal Complex, 539 Lake Avenue with the TERMS OF BID SHEET ATTACHED THERETO.

The property subject of this notice may be inspected at any mutually convenient time with any perspective bidder and officials of the Town of Lake Luzerne. To request inspection, any interested party should contact the Office of the Town Clerk.

According to the official Tax Map, the parcel upon which the building is located is a lot of 0.21 acres and the adjoining parking lot has an acreage of 0.18 acres. They are designated on said Tax Map as lots 298.19-1-44 and 298.19-1-45. A more specific description of both lots may be obtained by reviewing the Deeds of the Town of Lake Luzerne in the Warren County Clerk's Office, one recorded in Book 741 of Deeds at Page 152 and the second recorded in Book 900 of Deeds at Page 90. The Town Board of Lake Luzerne reserves the right to reject any or all bids or offers to lease.

ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION # 119 OF 2009 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO ACCEPT AN AMENDED CONTRACT FOR USE OF GRANT FUNDS FOR THE DOWNTOWN REVITALIZATION AND RIVERSIDE TRAIL PROJECT. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION #120 OF 2009 - RESOLVED UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN SHIEL TO ACCEPT AMENDED 2008 GRANT, HAMLET REVITALIZATION PLAN FOR WORK ON A POSSIBLE RECONFIGURATION OF TRAFFIC AT THE INTERSECTION OF BRIDGE AND MAIN AS WELL AS STREETSAPES ALONG MAIN AND BRIDGE STREETS. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

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RESOLUTION # 121 OF 2009 – RESOLVED UPON A MOTION BY COUNCILMAN DIEHL,
SECONDED BY COUNCILMAN SHIEL

TO AUTHORIZE THE TOWN OF LAKE LUZERNE
TO PARTICIPATE IN WARREN COUNTY QUADRICENTENNIAL PROGRAM:

WHEREAS, THE TOWN OF LAKE LUZERNE WISHES TO PARTICIPATE IN THE WARREN COUNTY QUADRICENTENNIAL PROGRAM THAT WILL CELEBRATE THE UPCOMING 400TH ANNIVERSARY OF THE EXPLORATIONS OF HENRY HUDSON WHICH PROVIDES AN OPPORTUNITY FOR WARREN COUNTY COMMUNITIES TO INVEST IN TOURISM INFRASTRUCTURE THAT WILL BENEFIT THE REGION FOR YEARS TO COME, AND WHEREAS, IN ACCORDANCE WITH A NEW YORK STATE FISCAL YEAR 2008/09 ENVIRONMENTAL PROTECTION FUND APPROPRIATION, WARREN COUNTY ON BEHALF OF VARIOUS LOCAL COMMUNITIES, APPLIED FOR AND RECEIVED A \$45,000 GRANT AWARD FROM THE STATE OF NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR THE PURPOSE OF THE HUDSON-FULTON- CHAMPLAIN QUADRICENTENNIAL CELEBRATIONS PROJECTS AND PROGRAMS, AND

WHEREAS, BY RESOLUTION NO.'S 695 OF 2008 AND 513 OF 2009, THE WARREN COUNTY BOARD OF SUPERVISORS AUTHORIZED WARREN COUNTY TO ENTER INTO AN AGREEMENT WITH THE TOWN OF LAKE LUZERNE RELATING TO THE PROJECT GRANTS,
AND,

WHEREAS, THE TOWN OF LAKE LUZERNE TARGETED PROJECT FOR THEIR PROJECT GRANT AND COUNTY QUAD PROGRAM INCLUDES THE WAYPOINT COMMUNITY KIOSK AND NO MORE THAN \$3,461 OF QUAD FUNDS WILL BE AVAILABLE FOR REIMBURSEMENT UNDER THE PROGRAM,
AND,

WHEREAS, WARREN COUNTY HAS PRESENTED THE TOWN BOARD WITH A PROPOSED INTER-MUNICIPAL AGREEMENT AND A COPY OF SUCH AGREEMENT IS PRESENTED AT THIS MEETING,

WHEREAS, WARREN COUNTY HAS PASSED RESOLUTION 205 OF 2007 SUPPORTING LAKES TO LOCKS PASSAGE INC. COORDINATING EFFORTS OF WARREN COUNTY QUADRICENTENNIAL AND RESOLUTION 695 OF 2008 AUTHORIZING SUBMISSION AND CONTRACT EXECUTION OF QUADRICENTENNIAL PROGRAM IN COOPERATION WITH LAKES TO LOCKS PASSAGE THAT WILL ASSIST WARREN COUNTY COMMUNITIES TO IMPLEMENT QUADRICENTENNIAL COMMEMORATION PROJECTS THAT SUPPORT THE BRANDING OF WARREN COUNTY'S FIRST WILDERNESS HERITAGE CORRIDOR AND LAKE GEORGE LOOP OF LAKES TO LOCKS PASSAGE,
AND,

WHEREAS, LAKES TO LOCKS PASSAGE INC. IS DESIGNED AS A HUDSON FULTON CHAMPLAIN QUADRICENTENNIAL AMBASSADOR AND SERVES TO PROMOTE AN UNDERSTANDING OF HISTORY AND A SENSE OF PLACE ALONG THE HISTORIC WATERWAY THROUGH THE IMPLEMENTATION OF A "PALETTE" OF PROJECTS THAT WILL HELP THE THIRTEEN WARREN COUNTY COMMUNITIES "MEET AND GREET" THE

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VISITOR AND DELIVER AN AUTHENTIC EXPERIENCE THAT WILL BE ABLE TO ENSURE A UNIFIED PRESENTATION OF WARREN COUNTY, ATTRACT NATIONAL AND INTERNATIONAL TRAVELERS, AND DELIVER A "SEAMLESS" VISITOR EXPERIENCE FOR YEARS TO COME, THE LAKE LUZERNE TOWN BOARD BELIEVES THAT IT IS IN THE BEST INTEREST OF THE TOWN OF LAKE LUZERNE TO COOPERATE WITH THE COUNTY OF WARREN AND LAKES TO LOCKS PASSAGE, INC. IN THE DEVELOPMENT OF THE ACTIVITIES RELATED TO SUCH PROJECT,

AND

NOW , THEREFORE, BE IT RESOLVED, THAT THE LAKE LUZERNE TOWN BOARD HEREBY APPROVES AND AUTHORIZES THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$6,000 FOR CONSTRUCTION OF THE WAYPOINT COMMUNITY KIOSK IN CONNECTION WITH THE WARREN COUNTY QUADRICENTENNIAL PROGRAM AS DELINEATED IN THE PREAMBLE OF THIS RESOLUTION OF WHICH \$3,461 TO BE REIMBURSED TO THE TOWN FROM GRANT FUNDS RECEIVED BY WARREN COUNTY,

AND

BE IT FURTHER RESOLVED THAT THE TOWN BOARD HEREBY APPROVES AND AUTHORIZES THE INTERMUNICIPAL AGREEMENT (AGREEMENT) WITH WARREN COUNTY CONCERNING PARTICIPATION IN THE WARREN COUNTY QUADRICENTENNIAL PROGRAM AND AUTHORIZES AND DIRECTS THE TOWN SUPERVISOR TO EXECUTE SUCH AGREEMENT SUBSTANTIALLY IN THE FORM PRESENTED AT THIS MEETING AND BE IT FURTHER RESOLVED THE TOWN BOARD FURTHER AUTHORIZES AND DIRECTS THE TOWN SUPERVISOR TO ENTER INTO AN AGREEMENT WITH LAKES TO LOCKS PASSAGE, INC. FOR \$6,000 TO WORK WITH TOWN REPRESENTATIVES AND COMMUNITY MEMBERS TO DESIGN AND FABRICATE A WAYPOINT COMMUNITY KIOSK FOR THE TOWN OF LAKE LUZERNE IN CONNECTION WITH THE WARREN COUNTY QUADRICENTENNIAL PROGRAMS, AND

BE IT FURTHER RESOLVED, THE TOWN BOARD FURTHER AUTHORIZES AND DIRECTS THE TOWN SUPERVISOR TO TAKE SUCH ACTION AS MAY BE NECESSARY TO EFFECTUATE THE TERMS OF THE RESOLUTION.

DULY ADOPTED THIS 9TH DAY OF NOVEMBER, 2009 BY THE FOLLOWING UNANIMOUS ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

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SUPERVISOR DISCUSSED THE SIDEWALK GRANT MAKING THE CONNECTION BETWEEN THE AMERICAN LEGION AND THE MIDDLE SCHOOL. EASEMENTS ARE NEEDED FROM HOMEOWNERS ALONG THE WAY. WILLIAM EDDY VOLUNTEERED TO HELP SUPERVISOR CONTACT HOMEOWNERS REGARDING ANY EASEMENTS.

SUPERVISOR DEMONSTRATED DRAWINGS OF POSSIBLE IMPROVEMENT TO TRAFFIC PATTERNS AT THE INTERSECTION OF MAIN AND BRIDGE AND SCHOOL STREETS. POSSIBLE ROUND A BOUT DESIGN OR POSSIBLE ONE WAY ENTRY ONTO SCHOOL STREET FROM BAY RD AND MOVING THE ROAD OVER TO LINE UP WITH BRIDGE ST INTERSECTION. NOTHING AT ALL IS DECIDED AT THIS TIME.

SUPERVISOR CLOSED THE PUBLIC HEARING ON THE BUDGET.

RESOLUTION # 122 of 2009 – RESOLVED UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN MCLAIN TO ADOPT THE 2010 BUDGET AS PRESENTED. ROLL CALL VOTE: COUNCILMAN WATERHOUSE, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN SHIEL, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

SUPERVISOR READ LETTER FROM MAYOR BLAIS OF LAKE GEORGE CONGRATULATING THE TOWN ON RECEIPT OF THE SIDEWALK GRANT IN THE AMOUNT OF \$100,000.00.

COUNCILMAN WATERHOUSE – COMMENTED THAT IT WAS GREAT TO GET THAT MONEY FOR SIDEWALKS THAT WILL BE USED BY KIDS TO WALK BY THE MOTEL AND ASKED THAT THE BOARD PUSH THE ISSUES (PRESENTED) AND SEE WHAT CAN BE DONE.

FLOOR OPEN TO PUBLIC:

TOM CONDEN – REITERATED HIS URGENT CONCERNS REGARDING DAVERN DRIVE AND ASKED THE BOARD TO BE PROACTIVE AND BE

CONCERNED ABOUT THIS ISSUE ON BEHALF OF THE ENTIRE TOWN, NOT JUST THE RESIDENTS OF DAVERN DRIVE.

JAMES MANDLE – REPORTED ON THE TOWN COMPREHENSIVE PLAN AND ZONING CODE UPDATES AND SUMMARIZED THE IDEALS AND FOCUS GOING FORWARD. GAVE BOARD A LIST OF 8 POINTS AND OBJECTIVES FOR HISTORIC PRESERVATION, INFRASTRUCTURE, HAMLET REVITALIZATION, ETC. SOME WORK HAS BEGUN OR IS COMING. SOME POINTS NEED TO BE

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LOOKED AT AND KEPT TRACK OF BY THE TOWN BOARD . MR. MANDLE HAS INVESTIGATED USES FOR THE OLD TOWN HALL BUILDING. HE IS WORKING WITH ADIRONDACK COMMUNITY COLLEGE AS TO THEIR POSSIBLE INTEREST IN USING THE BUILDING THEY MET THERE TODAY AND ARE GOING BACK TO THEIR COMMITTEES WITH INFORMATION REGARDING POSSIBLE CLASSROOM AND “INCUBATOR” TYPE PROGRAMS. SMALL BUSINESS TYPE PROGRAMS AND VENTURE SPORTS PROGRAMS POSSIBLY UTILIZING LOCAL RESOURCES, THE RAILROAD, NATURAL COMMUNITY RESOURCES, THE RIVER, THE LAKE, ETC.

CORLIS CARROLL – HOW DOES ALLOWING ACC IN THAT BUILDING GOING TO BENEFIT THE LAKE LUZERNE COMMUNITY. ?

MR. MANDLE EXPLAINED THAT HE IS TRYING TO RE-VITALIZE THE DOWNTOWN WITH SOMETHING THAT WILL AVOID A BOARDED UP DOWNTOWN. EDUCATION BASED PUBLIC BUILDING THAT WOULD OPEN UP OPPORTUNITIES FROM THE STATE FOR MODERNIZATION , ARCHITECTURAL, AND BRING SOME VITALITY TO THE DOWNTOWN.

PAM MORIN – UPDATED THE MAP SHE IS WORKING ON OF THE HUDSON RIVER AND THE TOWNS ALONG THE RIVER FROM LAKE TEAR OF THE CLOUDS TO ALBANY. \$40,000 HAS BEEN TAKEN IN FROM WARREN COUNTY TOWNS. THERE IS ENOUGH MONEY FOR 70,000 COPIES OF THE MAP WITH FIRST QUANTITIES FOR SCHOOLS AND LIBRARIES ALONG THE HUDSON. IT IS A PIECE THAT WILL HAVE A SECOND THIRD AND FOURTH EDITION TO PROMOTE BUSINESS ON THE RIVER.

STAN GOLDBERG – EXTENDED INVITATION TO THE PUBLIC TO ATTEND ZBA MEETINGS ON THE FOURTH THURSDAY OF EACH MONTH AT 7:30.

MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN SHIEL, TO ADJOURN MEETING. ALL IN FAVOR, AYE.

RESPECTFULLY SUBMITTED,

CYNTHIA SHERWOOD, TOWN CLERK