

TOWN OF LAKE LUZERNE  
SPECIAL TOWN BOARD MEETING  
FEBRUARY 19, 2010

SUPERVISOR CALLED MEETING TO ORDER AT 1:00 PM WITH THE FOLLOWING MEMBERS PRESENT: COUNCILMAN MCLAIN, COUNCILMAN DIEHL.

FLOOR OPEN TO PUBLIC: NO COMMENT

SUPERVISOR ADVISED THAT A RESOLUTION IS NEEDED TO SET PUBLIC HEARING ON MARCH 8<sup>TH</sup>. CLERK READ THE NOTICE TO BE PUBLISHED AS FOLLOWS:

THE TOWN BOARD WILL HOLD A PUBLIC HEARING AT THE NEXT REGULAR MEETING OF THE TOWN BOARD MARCH 8, 2010 AT 7 PM IN THE MEETING ROOM OF THE TOWN HALL COMPLEX, 539 LAKE AVE, LAKE LUZERNE FOR THE PURPOSE HEARING PUBLIC COMMENT ON A PROPOSED LOCAL LAW #1 OF 2010 THE INTENT OF WHICH IS TO PROMOTE THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE OF THE GUESTS OF HOTELS AND MOTELS LOCATED WITHIN THE TOWN AND THAT OF THE GENERAL CITIZENRY OF THE TOWN; OUTLINING THE REQUIREMENTS OF HOTELS, MOTELS AND OTHER ROOMING ESTABLISHMENTS TO OBTAIN A LICENSE FROM THE TOWN OF LAKE LUZERNE IN ORDER TO HOUSE LEVEL 1,2 OR 3 SEX OFFENDERS. THE FULL TEXT OF THIS PROPOSED LAW IS AVAILABLE IN THE TOWN CLERK'S OFFICE MONDAY THROUGH FRIDAY 9AM TO 4PM

TOM CONDEN – ASKED IF THERE WILL BE A VOTE TO ADOPT ON MARCH 8<sup>TH</sup>? SUPERVISOR - THERE COULD BE, YES.

RESOLUTION # 29 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL THAT THE PUBLIC HEARING ON PROPOSED LOCAL LAW #1 OF 2010 BE SET FOR MARCH 8<sup>TH</sup> AT 7:00 PM. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE. SUPERVISOR MERLINO, AYE.

SUPERVISOR ASKED FOR A RESOLUTION FOR PUBLIC HEARING ON THE SCOPING DOCUMENT PRESENTED BY REPRESENTATIVES OF THE MONT LUZERNE PROJECT. CLERK READ THE NOTICE OF PUBLIC HEARING TO BE PUBLISHED AS FOLLOWS:

THE TOWN BOARD OF LAKE LUZERNE WILL HOLD A PUBLIC HEARING AT THE NEXT REGULAR MEETING OF THE TOWN BOARD MARCH 8, 2010, AT 7 PM IN THE MEETING ROOM OF THE TOWN HALL COMPLEX, 539 LAKE AVE, LAKE LUZERNE FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON

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SPECIAL TOWN BOARD MEETING  
FEBRUARY 19, 2010

PROPOSED AMENDMENTS TO THE MONT LUZERNE PLANNED DEVELOPMENT DISTRICT FINAL SCOPING DOCUMENT, THE FULL TEXT OF THE PROPOSED AMENDMENT IS AVAILABLE AT THE TOWN CLERK'S OFFICE MONDAY THROUGH FRI, 9-4.

RESOLUTION #30 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MCLAIN THAT A PUBLIC HEARING BE SET FOR MARCH 8<sup>TH</sup> AT 7:00 PM TO HEAR PUBLIC COMMENT ON THE PROPOSED AMENDMENTS TO THE MONT LUZERNE FINAL SCOPING DOCUMENT. DISCUSSION: COUNCILMAN MCLAIN ASKED IF THE BOARD WILL RECEIVE ANYTHING FROM THE TOWN'S ENGINEER IN LAYMAN'S TERMS? A LOT OF IT IS IN PRETTY TECHNICAL TERMS. SUPERVISOR WILL CHECK WITH CHAZEN. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

SUPERVISOR DISCUSSED ESTIMATES FOR CONSTRUCTION OF A UNISEX BATHROOM AT PAVILION PARK TO REPLACE PORTABLE TOILETS CURRENTLY USED. THE TOWN PARKS DEPT WILL DO THE WORK. MATERIALS ESTIMATE IS APPROX \$4,000. A FEE WAS ALSO DISCUSSED FOR RESERVATION OF THE PAVILION FOR WEDDINGS AND LARGE PARTIES. THE BOARD AGREED ON THE BATHROOM PROJECT NOTING THAT THE ESTIMATE IS HIGH AND SHOULD COME IN UNDER THAT ACTUAL AMOUNT AND WILL BE SPENT FROM THE PARKS AND RECREATION LINE OF THE BUDGET.

DISCUSSION REGARDING ALLOCATION OF OCCUPANCY TAX MONEY IN THE AMOUNT OF \$22,600.00 WHICH WILL LEAVE \$7,400 REMAINING.

RESOLUTION # 31 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MCLAIN, TO ALLOCATE OCCUPANCY TAX FUNDS TO THE FOLLOWING FOR PROMOTION TOTALING \$22,600.00: SOUTH WARREN SNOWMOBILE CLUB, \$5,000, LAKE LUZERNE CHAMBER OF COMMERCE CONCERTS IN THE PARK, \$4,000, HADLEY- LUZERNE PUBLIC LIBRARY-EDUCATIONAL PROGRAMS, \$1,500, HADLEY- LUZERNE HISTORICAL SOCIETY, \$1,000, LAKE LUZERNE MUSIC CENTER, \$2,000, PAM MORIN, EVENTS COORDINATOR, \$3,000, DISPLAY SALES, SEASONAL FLAGS \$3,000, ZUCCHINI BROTHERS CHILDREN'S CONCERT IN THE PARK \$800, ADVERTISING FOR CONCERT, \$100, BARCO PRODUCTS DOG REFUSE STATION REFILLS, \$200, ADIRONDACK FOLK SCHOOL, \$2,000. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

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SPECIAL TOWN BOARD MEETING  
FEBRUARY 19, 2010

SUPERVISOR ADVISED THAT A REQUEST FOR 45 MPH SPEED LIMIT ALL ALONG EAST RIVER DRIVE REQUIRES A RESOLUTION OF THE BOARD TO BE SUBMITTED TO THE COUNTY HIGHWAY SUPT WHO WILL PROVIDE AN APPLICATION TO BE SIGNED BY SUPERVISOR WHICH WILL THEN BE FORWARDED TO NYS DEPT OF TRANSPORTATION.

RESOLUTION #32 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL TO MAKE APPLICATION TO WARREN COUNTY HIGHWAY DEPARTMENT AND NYS DOT RECOMMENDING THAT THE SPEED LIMIT ON EAST RIVER DRIVE BE REDUCED TO 45 MPH FOR THE ENTIRE LENGTH OF THE ROAD. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

TOWN CLERK: CORRESPONDENCE

CLERK ADVISED THAT THE APA PERMIT ALLOWING FOR THE USE OF THE HERBICIDE RENOVATE IN LAKE LUZERNE HAS BEEN RECEIVED AND WILL BE RECORDED IN THE WARREN COUNTY CLERK'S OFFICE.

READ LETTER REGARDING NATIONAL VOLUNTEER WEEK SCHEDULED IN APRIL. THEY ARE ASKING FOR PROCLAMATION HONORING WARREN COUNTY VOLUNTEERS. BOARD TO REVIEW FOR NEXT MEETING.

CLERK ADVISED THE BOARD THAT A WORKSHOP IS NEEDED TO CREATE POLICIES FOR COMPUTER SECURITY, AN UPDATE TO THE INVESTMENT POLICY, UPDATE TO THE PROCUREMENT POLICY, A WATER COLLECTION POLICY THAT CAN MIRROR RP TAX COLLECTION PRACTICES.

AUDIT OF TOWN BOARD AUDIT OF DEPARTMENT FINANCIAL RECORD KEEPING WAS SCHEDULED FOR MONDAY, MARCH 8<sup>TH</sup> AT 3:00.

RESOLUTION #33 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL TO AUTHORIZE SUPERVISOR TO ENTER INTO AGREEMENT WITH TIME WARNER FOR BUILDING SECURITY INSTALLATION. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

COUNCILMAN MCLAIN ADVISED THAT THERE IS MUCH INTEREST GOING FORWARD FOR A WINTER CARNIVAL ON PRESIDENT'S WEEKEND NEXT YEAR INCORPORATING THE FISHING CONTEST INTO THAT WEEKEND.

TOWN OF LAKE LUZERNE  
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FEBRUARY 19, 2010

SUPERVISOR DISCUSSED GRANT STUDY FOR DOWNTOWN  
REVITALIZATION:

RESOLUTION # 34 OF 2010 – RESOLVED UPON A MOTION BY COUNCILMAN  
MCLAIN, SECONDED BY COUNCILMAN DIEHL TO AUTHORIZE SUPERVISOR  
TO EXECUTE DOWNTOWN REVITALIZATION GRANT THAT HAS BEEN  
REWORKED TO PROVIDE FOR DOWNTOWN SIDEWALKS, BENCHES,  
CROSSWALK STRIPING, TRASH RECEPTACLES, LABOR, EQUIPMENT,  
ENGINEERING PLANS, ETC, IN THE TOTAL AMOUNT OF \$52,000 WITH  
MATCHING PORTION TO BE MATCHED BY IN KIND SERVICES. ROLL CALL  
VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN DIEHL, AYE,  
SUPERVISOR MERLINO, AYE.

COUNTY ENGINEERS WILL COME IN APRIL TO DISCUSS TRAFFIC AT THE  
DOWNTOWN INTERSECTION AND THE POSSIBILITIES.

MEETING ADJOURNED UPON MOTION BY COUNCILMAN MCLAIN,  
SECONDED BY COUNCILMAN DIEHL, ALL IN FAVOR, AYE.

FLOOR OPEN TO PUBLIC:

JOYCE MCKNIGHT – SUPERVISOR DISCUSSED THE COUNTRY CORNER  
RESTAURANT. 1<sup>ST</sup> BIDDER BACKED OUT OF THE COUNTY BID SALE  
PROCESS, THE SECOND BIDDER THEN ALSO DECLINED. A THIRD BIDDER  
IS INTERESTED, HOWEVER, THE COUNTY WOULD HAVE TO ALLOW FOR  
THE POSSIBILITY OF AWARDING TO A THIRD BIDDER TO PURCHASE  
BEFORE NEXT FALL. IF THAT WAS POSSIBLE, THE THIRD BIDDER WILL  
TAKE THE BUILDING DOWN.

TOM CONDEN- ASKED ABOUT EMERGENCY TOWER STATUS. SUPERVISOR  
ADVISED THAT IN THE SPRING SARATOGA COUNTY WOULD LIKE TO  
BEGIN CONSTRUCTION THAT WILL TAKE MOST OF THE SUMMER.

MEETING ADJOURNED UPON MOTION BY COUNCILMAN MCLAIN,  
SECONDED BY COUNCILMAN DIEHL; ALL IN FAVOR, AYE.

RESPECTFULLY SUBMITTED,

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CYNTHIA SHERWOOD, TOWN CLERK

