

TOWN OF LAKE LUZERNE  
REGULAR TOWN BOARD MEETING  
FEBRUARY 9, 2015

SUPERVISOR CALLED THE MEETING TO ORDER AT 7:00 PM WITH THE FOLLOWING MEMBERS PRESENT: COUNCILMAN CIRILLO, COUNCILMAN MCLAIN, COUNCILMAN WATERHOUSE. ABSENT: COUNCILMAN TRACKEY. ALSO PRESENT: ZEO SAHEIM AND ATTORNEY FOR THE TOWN ROBERT REGAN.

FLOOR OPEN TO PUBLIC:

NO COMMENTS

SUPERVISOR OPENED THE PUBLIC HEARING AT 7:09 PM ON LOCAL LAW #1 OF 2015 WHICH WOULD AUTHORIZE THE AWARD OF A PUBLIC CONTRACT ON THE BASIS OF EITHER THE LOWEST RESPONSIBLE BID OR ON THE BASIS OF BEST VALUE.

**RESOLUTION NO. 24 OF 2015** – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO ENACT LOCAL LAW NO. 1 OF 2015 AUTHORIZING THE AWARD OF PUBLIC CONTRACTS ON THE BASIS OF EITHER THE LOWEST RESPONSIBLE BIDDER OR ON THE BASIS OF BEST VALUE. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

SUPERVISOR MERLINO OPENED THE PUBLIC HEARING AT 7:20 ON AN 18 YEAR LEASE AGREEMENT WITH THE ADIRONDACK FOLK SCHOOL TO BE REVIEWED/RENEWED EVERY 3 YEARS.

SUPERVISOR MERLINO THEY ARE NOT TAKING OUT BUILDINGS, ONLY THE BUILDING THEY ACTUALLY BUILT IN CLASS.

ATTORNEY REGAN – ONE CHANGE IN PARA 5 UNDER DAMAGE REPAIR. WE HAD ALWAYS AGREED THAT IF THERE WAS DAMAGE TO THE PROPERTY THROUGH FIRE, FLOOD, EARTHQUAKE WE WOULD PAY UP TO OUR DEDUCTIBLE AND NOTHING BEYOND THAT. WE GOT INTO A BIT OF A WRANGLE ABOUT THE EXACT LANGUAGE OF THAT, WE FINALLY AGREED. MIDDLE OF PARAGRAPH “LESSEE SHALL BE RESPONSIBLE FOR BEARING THE COST OF ANY SUCH DEDUCTIBLE” WE ADDED , WHICH SHALL NOT EXCEED THAT WHICH IS IN EFFECT FOR THE LAKE LUZERNE TOWN HALL OR OTHER TOWN OWNED BUILDINGS USED FOR CENTRAL ADMINISTRATIVE PURPOSES AT SUCH TIME DAMAGE TAKES PLACE. THE REASON FOR THAT WAS INITIALLY THEY HAD WANTED THAT LIMITED TO \$1000 BUT WE DON’T KNOW WHAT THE DEDUCTIBLE WILL BE 10 OR 18 YEARS DOWN THE ROAD AND THEY AGREED OK FINE YOU CAN HAVE WHATEVER THE DEDUCTIBLE IS AT THE TIME AS LONG AS A SUBSEQUENT ADMINISTRATION DOESN’T DECIDE TO PULL THE FOLK SCHOOL BUILDING OUT OF OUR GENERAL POLICY AND MAKE IT A SEPARATE ONE WITH A HIGHER DEDUCTIBLE, AS LONG AS THE DEDUCTIBLE IS THE SAME AS WHAT YOU ARE PAYING FOR TOWN HALL OR ANY OTHER CENTRAL ADMINISTRATIVE BUILDING ALL UNDER THE SAME. I DIDN’T SEE ANYTHING WRONG WITH THAT. THAT IS THE ONLY CHANGE TO THAT.

DOUG WOOD – COMMENTED ON THE WOOD FIRE OVEN COST OF MATERIALS.

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FRED MAYO – NO. 26 REGARDING LEGISLATION - ARE THERE APPROVALS? THERE WERE ISSUES BEFORE, WHERE THERE APPROVALS NECESSARY FROM THE STATE OF NEW YORK.

ATTORNEY REGAN – NONE THAT I AM AWARE OF, MY POINT IN PUTTING THIS IN WAS, IF IT TURNS OUT THAT LEGISLATION IS NECESSARY THEN IT'S ONLY GOING TO BE VALID IF IT TURNS OUT THAT IS THE CASE. THEY HAD AN ATTORNEY, WE HAVE OURS IT WAS MY DETERMINATION THAT WE DIDN'T REALLY NEED SPECIFIC LEGISLATION BUT IN THE EVENT WE DO, WE DO. THAT CAN BE FOR THE FOLK SCHOOL TO PURSUE, I WILL HELP THEM WITH IT IF THEY WANT. WE HAVE A THREE YEAR RENEWABLE THING AND MIGHT NOT COME UNDER THE THRESHOLD OF A LONG TERM COMMITMENT.

FRED MAYO - #22 – COUNTER PARTS – PLEASE EXPLAIN

ATTORNEY REGAN – WE ARE NOT DOING IT THAT WAY – THAT IS IF WE WERE DOING IT IN SEGMENTS IT WOULD ALL BE VALID BY MUTUAL AGREEMENT. WE AREN'T DOING THAT BECAUSE IT IS ALL IN THIS ONE.

FRED MAYO – IT SEEMS TO CHANGE DOWN THE LINE.

ATTORNEY REGAN – IT IS STANDARD LANGUAGE

FRED MAYO – IT WASN'T IN THE FIRST ONE

ATTORNEY REGAN– PRETTY SURE IT WAS. IT IS BOILER PLATE CONTRACT LANGUAGE

FRED MAYO – DOESN'T IT GIVE THE OPPORTUNITY TO CHANGE

ATTORNEY REGAN – NOT REALLY – IN HERE SOME PLACE IT STATES THAT NOTHING CAN CHANGE WITHOUT BOTH PARTIES CONSENTING TO A CHANGE IN WRITING. WE ARE COVERED IN THAT REGARD.

FRED MAYO – SEEMS LIKE THERE IS PUSH AND PULL AND CAN CHANGE WITHOUT A PUBLIC HEARING IF BOTH PARTIES AGREE.

ATTORNEY REGAN – WHEN YOU THINK ABOUT IT REGARDLESS OF WHAT WE WOULD SAY, ANY CONTRACT CAN BE CHANGED WITH MUTUAL AGREEMENT NO MATTER HOW YOU WRITE IT UP. THE TWO PARTIES CAN GET TOGETHER AND COMPLETELY CHANGE IT, A DIFFERENT ADMINISTRATION HERE FIVE YEARS FROM NOW COULD DECIDE IT IS IN THEIR MUTUAL INTEREST TO COME UP WITH A WHOLE NEW THING.

FRED MAYO – DOESN'T THIS TAKE AWAY OVER SITE OF FUTURE CONTRACTS CHANGES WITHOUT A PUBLIC HEARING.

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ATTORNEY REGAN – NOTHING CAN CHANGE WITHOUT A BOARD VOTE AND THAT IS ALL PUBLIC. NO VOTE CAN TAKE PLACE OUTSIDE THE PUBLIC, HAS TO BE HERE AT A MEETING.

FRED MAYO – RIGHT NOW THERE IS A PROCESS, EVERYTHING HAS TO GO TO THE BOARD MEETING. THIS ISN'T SKIRTING THE PROCESS.

ATTORNEY REGAN – NO IT IS BOILER PLATE LANGUAGE, TWO PARTIES CAN ALWAYS CHANGE ANYTHING THEY WANT BUT NO CHANGE CAN BE MADE TO THIS WITHOUT A PUBLIC VOTE OF THE BOARD.

SUPERVISOR MERLINO – I UNDERSTAND WHAT YOU MEAN – BUT CAN WE JUST PUT ANYTHING THERE, LIKE A MAJOR CHANGE, IT HAS TO COME IN FRONT OF THE BOARD.

ATTORNEY REGAN – IT IS A CONTRACT AND INVOLVES OBLIGATIONS, IT ABSOLUTELY CANNOT BE AMENDED WITHOUT A VOTE OF THE BOARD OR IT WOULD BE AFFECTIVE OR LEGAL.

FRED MAYO – 12 & 13 ASSIGNMENT & SALE – THIS GUARANTEES THERE IS NO OPPORTUNITY, I DISAGREE, LESSEE CAN'T SELL PROPERTY EXCEPT TO LESSEE.

ATTORNEY REGAN – CORRECT

FRED MAYO – IS THAT NECESSARY

ATTORNEY REGAN – WE HAD A LOT OF CONVERSATIONS AT ONE POINT THEY HAD TO WRITE A FIRST REFUSAL AND A FEW OTHER THINGS, IT WAS NEGOTIATED WITH THE BOARD THAT THEY AGREE WITH THE POSITION OF THE FOLK SCHOOL THAT SAID – WE NEED TO HAVE THIS LONG TERM CERTAINTY. THE FOLK SCHOOL'S POSITION WAS THEY DIDN'T WANT TO TAKE THE RISK THAT THE TOWN COULD SELL IT OUT FROM UNDER THEM WHILE THEY WERE BUILDING A PROGRAM OVER THE YEARS. BASICALLY THE BOARD ACCEPTED THAT ARGUMENT AND SAID WE WON'T SELL IT TO ANYONE BUT YOU DURING THIS PERIOD, KEEP IN MIND, IT'S A CONTRACT BROKEN DOWN IN THREE YEAR INCREMENTS, EVERY THREE YEARS THEY HAVE TO RE UP AND THEY HAVE THE RIGHT AND THEY HAVE THAT CONTROL OVER IT. THAT WAS THE POINT OF THE AGREEMENT, THEY WERE LOOKING FOR CERTAINTY AND THE BOARD FELT UNDER THESE CIRCUMSTANCES, THEY WERE COMFORTABLE WITH THAT.

FRED MAYO - BOARD HAS PROVIDED AN OPPORTUNITY FOR SALE OF THE BUILDING, WHY DO WE EVEN HAVE TO LOOK AT THE SALE OF THE BUILDING WHY IS THAT EVEN ON THE TABLE

SUPERVISOR MERLINO – WHEN IT CAME UP FOR EXAMPLE IF YOU WIN THE LOTTERY AND YOU WANT TO GIVE US A MILLION DOLLARS FOR THAT PROPERTY, IT IS PROTECTING THEM THAT WE ARE NOT GOING TO CANCEL THAT LEASE AND LET YOU BUY IT.

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FRED MAYO – I AM A BELIEVER THAT IT WAS A GIFT AND ISN'T SUPPOSE TO BE SOLD, PUTTING IT IN THE CONTRACT, YOU REALLY COULD.

ATTORNEY REGAN – LETS SAY THE DECISION WAS MADE TO SELL IT AND AT THAT TIME WE WOULD MAKE A DECISION WHETHER OR NOT WE NEED LEGISLATION TO SELL IT, I HAVEN'T LOOKED AT THAT IN AWHILE. THIS ASSUMES IF THE TOWN BOARD DECIDES TO SELL AND IF IT DETERMINES IT IS LEGAL TO SELL IT AT THAT POINT AND TIME. WE DON'T HAVE TO DECIDE THAT AT THIS POINT.

FRED MAYO – IT'S A GIFT AND THE SALE OF THAT BUILDING SHOULD NOT BE AN OPTION. THE NEXT THING IT NEVER STATES WHETHER THEY HAVE TO STAY NON PROFIT. THEY COULD SUB LEASE THAT BUILDING.

ATTORNEY REGAN – NO, UNLESS WE GIVE THEM PERMISSION.

FRED MAYO – IT IS HERE, THE POSSIBILITY.

ATTORNEY REGAN– EVERY LEASE THAT I AM AWARE OF THE ISSUE OF ASSIGNMENT OR SUBLEASING HAS TO BE ADDRESSED AND WE ARE JUST SAYING YOU CANNOT DUE THAT UNLESS WE PROVIDE YOU WITH WRITTEN CONSENT THAT IT IS OK WITH US. THE ISSUE AS TO WHETHER OR NOT IT WOULD BE ALLOWED WOULD BE UP TO A FUTURE BOARD.

FRED MAYO – IT IS THE OPPORTUNITY

ATTORNEY REGAN – IT DOESN'T CREATE ANY LARGER POSSIBILITY OF IT HAPPENING THAN NOT. IF THAT WERE NOT IN THERE AND THEY WENT AND ASSIGNED IT TO SOMEONE ELSE, THEY COULD SAY YOU NEVER SAID WE COULDN'T.

FRED MAYO –NO 13 SAYS WITHOUT EXPRESSED WRITTEN CONSENT. BASICALLY IT STATES THEY CAN'T SUB LEASE THIS PROPERTY BUT IF WE LET YOU, YOU CAN.

COUNCILMAN MCLAIN – THAT WOULD TAKE A PUBLIC HEARING.

ATTORNEY REGAN –WHETHER OR NOT THE FUTURE BOARD WANTS TO DO ALL KINDS OF THINGS, WHETHER OR NOT THEY WANT TO AGREE WITH CHANGES WITH THE OTHER SIDE PURSUANT TO THEIR ABILITY TO DO THAT YOU DEFINITELY DO NOT WANT A SITUATION WHERE YOU DON'T SPEAK TO THIS ISSUE. YOU WANT IT IN WRITING SAYING BY THE WAY YOU CAN'T ASSIGN THIS OR SUB LEASE TO ANYBODY ELSE WITHOUT OUR WRITTEN CONSENT. I WOULD NOT BE COMFORTABLE WITH A LEASE THAT DOESN'T HAVE THAT LANGUAGE.

FRED MAYO – THEY CAN WALK AWAY AND SUB LEASE.

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ATTORNEY REGAN – NO THEY CAN'T

FRED MAYO – IF THEY BOARD GAVE THEM WRITTEN CONSENT

ATTORNEY REGAN – THIS DOESN'T GIVE THEM PERMISSION TO DO THAT

FRED MAYO – IT ALLOWS IT TO HAPPEN

ATTORNEY REGAN – THEY WOULD BE ALLOWED TO DO IT ANYWAY, WHAT THIS IS THERE FOR, NOT SO MUCH TO ALLOW A FUTURE BOARD TO DO IT AS MUCH AS PREVENTING THEM FROM DOING IT AND SAYING YOU NEVER SAID WE COULDN'T. THAT IS WHY IT EXISTS THERE.

FRED MAYO – IT DOES SAY IF YOU OPERATE AS THIS ENTITY OR NOT OPERATING IN THE TOWN OF LAKE LUZERNE. I ASK THOSE TWO GET REMOVED. WE DON'T KNOW WHO WILL BE ON THE BOARD. DOWN THE LINE IT COULD BE SUB LEASED.

ATTORNEY REGAN – YOU ARE TAKING A CLAUSE THAT SAYS YOU CAN'T DO X WITHOUT OUR PERMISSION AND THAT IS NOT EQUIVALENT TO AUTHORIZING OR COMMANDING A FUTURE BOARD TO DO THAT. IT ISN'T A PERMISSIVE CLAUSE, IT IS A RESTRICTIVE CLAUSE AGAINST THE OTHER SIDE.

FRED MAYO – BACK TO NON PROFIT THERE IS NOTHING THAT SAYS THEY HAVE TO STAY NON PROFIT TO STAY IN THE BUILDING.

ATTORNEY REGAN – WE DON'T CARE. THAT NEVER REALLY CAME UP.

COUNCILMAN MCLAIN – AS A FOR PROFIT COMPANY, THEY HAVE TO PAY TAXES.

ATTORNEY REGAN – THAT DOESN'T MATTER TO US. THEY CAN ORGANIZE THEMSELVES ANYWAY THEY WANT. OUR GOALS WERE TO MAKE SURE THAT THEY DIDN'T KEEP THE TOWN STRINGING ALONG FOR 18 YEARS AND HAVE JUST A SKELETON CREW HERE BUT THEIR REAL ACTION IS IN LAKE GEORGE OR QUEENSBURY, THAT IS WHY WE HAMMERED OUT ALL THE LANGUAGE ABOUT IF THEY DON'T HAVE A CERTAIN NUMBER OF PEOPLE IN PERSON IN TOWN. THEY HAVE TO HAVE FLEXIBILITY AS THEY GROWN.

FRED MAYO – THE NON PROFIT WAS BROUGHT UP AT THE FIRST PUBLIC HEARING BACK IN 2012. ONE OF THE THINGS THAT ALLOWED THEM TO GET IN THERE WAS BECAUSE THEY WERE NON PROFIT, THEN ONCE THEY GET IN AND TAKE THE BUILDING THERE ARE NO GUARANTEES SO TURN A PROFIT AND WALK AWAY WITH THE BUILDING. IT IS THE DEED TRANSFER.

ATTORNEY REGAN – IT'S NOT A DEED TRANSFER, IT IS A LEASE.

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FRED MAYO – THIS IS THE PROGRESSION THAT WOULD STILL OPEN UP THE OPPORTUNITY FOR A DEED TRANSFER.

ATTORNEY REGAN – I WOULD NOT CONFUSE OPPORTUNITIES. A FUTURE BOARD CAN DO ALL KINDS OF THINGS. FROM A LEGAL POINT OF VIEW, EVEN IF WE DIDN'T HAVE ANY OF THIS LANGUAGE, A FUTURE BOARD COULD DECIDE TO TRANSFER THE DEED IF THEY WANTED. THIS DOESN'T GIVE A FUTURE BOARD ANY MORE POWER THAN THIS ONE HAS.

FRED MAYO – BUT IT DOES GIVE THIS BOARD THE POWER TO DISPOSE OF THIS PROPERTY.

ATTORNEY REGAN – THEY ALWAYS HAVE HAD BY VIRTUE OF STATE LAW.

FRED MAYO – THAT IS ONE OF MY ARGUMENTS.

FRED MAYO – SECTION 2A – THE EXHIBIT IS REALLY MUCH BETTER THAN THE LAST ONE, DOESN'T SPECIFY WHAT PROJECT OTHER THAN THE OUTDOOR OVEN. THEY ARE GETTING CREDIT AGAINST IMPROVEMENTS BUT THOSE SAME IMPROVEMENTS ARE IN THE BEGINNING OF EXHIBIT B, THEY CAN TAKE.

SUPERVISOR MERLIN – WE CHANGED IT. LAST MONTH WE SAID THEY CANNOT TAKE THE BLACKSMITH SHOP OR THE PIZZA OVEN.

FRED MAYO – ITS ON HERE.

SUPERVISOR MERLINO – YOU ARE RIGHT, THIS NEEDS TO BE CHANGED. THE ONLY TWO THINGS THEY CAN REMOVE ARE THOSE TWO LITTLE SHEDS THAT THEY BUILT. BY THE TIME THIS DOCUMENT GETS THE STAMP OF APPROVAL THIS WILL BE CHANGED.

ATTORNEY REGAN – I THOUGHT YOU AND DAVID AVIGDOR CAME TO AN AGREEMENT THAT THE LANGUAGE WAS OK.

SUPERVISOR MERLINO – NO THAT HAS TO BE CHANGED BECAUSE IT SAYS THE STANDING OUT BUILDINGS, SO WE NEED TO SPECIFY THE TWO SHEDS.

FRED MAYO – THOSE ARE THE ONES THEY CAN REMOVE IF THEY WANT?

SUPERVISOR MERLINO – IF THEY WANT, THEY CAN ABANDON, THERE FEELING IS THAT A CLASS DID IT. IF THEY MOVE OUT MAYBE THERE IS SOMEBODY THAT WANTS THOSE BUILDING, BUT THE BIG BUILDINGS, BLACKSMITH SHOP AND PIZZA OVEN IS THE TOWN OF LAKE LUZERNE'S FOREVER. WHERE IT SAY "AND FREE STANDING OUT BUILDINGS" IT HAS TO BE SPECIFIED.

ATTORNEY REGAN – THE OUT BUILDINGS THEY CAN REMOVE SHALL BE LIMITED TO THE TIMBER FRAME SHED AND LEAN TO.

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SUPERVISOR MERLINO – THEY WANT THE GIANT CHAIR, THAT IS THERE’S, SIGNAGE THEY CAN TAKE AND THE AMPHITHEATER IS JUST THE LOGS.

FRED MAYO – LOOK AT THE IMPROVEMENTS CREDITED TOWARD RENT, THAT INCLUDES A LOT OF THE STUFF THEY CAN TAKE OR THERE COULD BE A FLOOD.

COUNCILMAN MCLAIN – THERE IS ALSO A RUG.

FRED MAYO – THE RUG ISN’T GOING TO LAST FOREVER.

ATTORNEY REGAN – I ASSUMED THAT WAS TO CARPET A ROOM, I DON’T THINK IT IS A THROW RUG

FRED MAYO SPOKE MORE ABOUT CONCERNS REGARDING ITEMS CREDIT WAS GIVEN BASED ON AND HOW THINGS DEPRECIATE.

SUPERVISOR MERLINO COMMENTED ON HOW THE FOLK SCHOOL MAINTAINS THE BUILDING WHICH HELPS THE TAXPAYERS OF THE TOWN.

RESOLUTION NO. 24 OF 2015 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO CLOSE THE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 1 OF 2015 AND THE ADIRONDACK FOLK SCHOOL LEASE. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 25 OF 2015 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO ADOPT LOCAL LAW NO. 1 OF 2015 AUTHORIZING THE AWARD OF PUBLIC CONTRACTS ON THE BASIS OF EITHER THE LOWEST RESPONSIBLE BIDDER OR ON THE BASIS OF BEST VALUE. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

SUPERVISOR AND ATTORNEY SPOKE OF CHANGES REGARDING FREE STANDING BUILDINGS AND THAT IT WOULD BE CORRECTED, THE LANGUAGE “ANY FREE STANDING BUILDING” HAS TO BE TAKEN OUT. THE TIMBER FRAME AND THE LIEN TOO STAY.

RESOLUTION NO. 26 OF 2015 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO APPROVE THE 18 YEAR LEASE TERM WITH CHANGES SPOKE OF. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 27 OF 2015 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN CIRILLO TO PAY THE BILLS AS PRESENTED IN VOUCHERS NUMBERED 17407-17491. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

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RESOLUTION NO. 28 OF 2015 – RESOLVED UPON A MOTION BY ACCEPT MINUTES OF BOARD MEETING HELD JANUARY 12, 2015. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 29 OF 2015 – RESOLVED UPON A MOTION BY COUNCILMAN WATERHOUSE, SECONDED BY COUNCILMAN CIRILLO TO AUTHORIZE THE PURCHASE OF A DUMP TRUCK WITH PLOW FOR THE BUILDINGS AND GROUNDS DEPARTMENT. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 30 OF 2015 – RESOLVED UPON A MOTION BY COUNCILMAN WATERHOUSE, SECONDED BY SUPERVISOR MERLINO TO ACKNOWLEDGE AND ACCEPT THE TOWN BOARD ANNUAL AUDIT OF RECORD KEEPING OF TOWN JUSTICES, TOWN CLERK, BOOKKEEPER AND SUPERVISOR THAT WAS CONDUCTED ON JANUARY 20<sup>TH</sup>. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, ABSTAINED, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 31 OF 2015 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN CIRILLO TO AUTHORIZE THE SUPERVISOR TO EXECUTE AGREEMENT WITH THE GLENS FALLS ANIMAL HOSPITAL FOR 2015. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 32 OF 2015 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO AUTHORIZE THE SUPERVISOR TO EXECUTE CONTRACT AGREEMENT WITH ROCKWELL FALLS AMBULANCE SERVICES INC FOR 2015. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 33 OF 2015 – RESOLVED UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN WATERHOUSE TO APPOINT SHER MILLIS AS COORDINATOR AND STEP ON GUIDE FOR THE SARATOGA NORTH CREEK RAILWAY ON A PART TIME BASIS FOR THE MONTHS OF JUNE, JULY AND AUGUST WITH ALL WAGES TO BE REIMBURSED FROM THE WARREN COUNTY PLANNING DEPT. – FIRST WILDERNESS CORRIDOR. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 34 OF 2015 – RESOLVED UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN MCLAIN TO APPOINT SUE WILDER TO MANAGE AND COORDINATE VOLUNTEERS TO STAFF THE LAKE LUZERNE LOCAL HISTORICAL VENUES FOR 10 WEEKS IN THE SUMMER, 4 DAYS PER WEEK WITH FUNDING TO COME FROM OCCUPANCY TAX. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

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RESOLUTION NO. 35 OF 2015 – RESOLVES UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN MCLAIN TO APPOINT KIM ROMANO AS LOCAL EVENT COORDINATOR FOR THE TOWN OF LAKE LUZERNE AT A SALARY OF \$3000 TO BE PAID FROM OCCUPANCY TAX FUNDS. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION NO. 36 OF 2015 – RESOLVED UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN MCLAIN TO ALLOCATE OCCUPANCY TAX FUNDS TO PENIEL YOUTH CAMP IN THE AMOUNT OF \$500 FOR THE SNO FUN EVENT TO BE HELD ON FEBRUARY 15<sup>TH</sup> CONTINGENT UPON IT BEING LEGAL TO DO SO. ROLL CALL VOTE: COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

REPORTS:

HIGHWAY SUPT. – NOT PRESENT

ZEO SAHEIM – FIRE INSPECTIONS DONE ON ALL TOWN BUILDINGS PASSED.

ATTORNEY REGAN – NOTHING MORE

TOWN CLERK – THE MONTHLY CLERK REPORT HAS BEEN GIVEN TO THE BOARD

SUPERVISOR – RECEIVED A NOTICE OF VIOLATION DEC REGARDING OIL TANKS NOT BEING LABELED, WORKING TO RESOLVE IT, RECEIVED EMAIL REGARDING TIMER – THE SNOW IS SLOWING THE PROCESS DOWN, ALL EMPLOYEES RECEIVED A COPY OF THE EMPLOYEE HANDBOOK IN THEIR PAYCHECKS. THERE ARE GOING TO BE 2 ROOMS ADDED TO THE HARMON HOUSE FOR PUBLIC USE. THANKS ALLEN SAHEIM FOR HELPING WITH A WATER ISSUE OVER THE WEEKEND.

WITH NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED BY SUPERVISOR MERLINO WITH ALL IN FAVOR AT 8:10 PM.

RESPECTFULLY SUBMITTED,

LORRI HOLCOMB  
DEPUTY TOWN CLERK

