

TOWN OF LAKE LUZERNE
REGULAR TOWN BOARD MEETING
AUGUST 8, 2016

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

FLOOR OPEN TO PUBLIC:

PAM MORIN – REPORTED ON THE SUCCESS OF LOCAL HISTORY DAY AND THE COWBOY REUNION. THERE WERE ABOUT 45 FOR THE COWBOY REUNION ON JULY 22ND AT THE SCHOOLHOUSE. HISTORY DAY WAS IN THE MILL PARK AND WILL AGAIN BE THERE NEXT YEAR ON JULY 29TH, THE LAST WEEKEND IN JULY. IT WENT VERY WELL AND THE RE-ENACTORS DID WELL. APPROX 110 PEOPLE VISITED THE PROPERTY. HOBO PICNIC ALSO A SUCCESS. THERE WAS GOOD PRESS COVERAGE AS WELL.

DISCUSSION OF AUG. 20TH CYCLING EVENT. ABOUT 350 CYCLERS WILL COME INTO THE SMEAD PARK IN HADLEY WITH TENTS TO STAY OVERNIGHT AND THEN START THEIR 7 DAY TOUR OF THE ADIRONDACKS. VOLUNTEERS ARE NEEDED TO HELP WITH THIS EVENT. WILL ASK THE SCHOOL FOR POSSIBLE ORGANIZATION PARTICIPATION FOR FUND RAISING. ADIRONDACKCYCLE.COM

MIKE SCHAFFER – REPORTED ON THE PURCHASE OF AED'S FOR THE THREE BEACH SITES, THE TOWN HALL MEETING ROOM AND SENIOR CENTER. THANK YOU TO THE LIONS CLUB. THE LAKE LUZERNE ASSOCIATION MAY HELP WITH REIMBURSEMENT TO LIONS CLUB AS WELL. THE LIFEGUARDS ARE ALREADY TRAINED TO USE THE AEDS. MR. SCHAFFER IS HAPPY TO PROVIDE ADDITIONAL TRAINING TO THE STAFF AT THE TOWN HALL AND SENIOR CENTER. FOR THE USE OF THE DEVICE.

HELEN WILLIAMS AND MR. AND MRS. EICHORN OF HYLAND DRIVE REQUEST THAT THE 40 MPH SPEED ZONE BE LOWERED IN THAT RESIDENTIAL AREA. THEY ARE SURPRISED THAT WITH A SCHOOL IN THE AREA THAT IT IS 40 MPH. SUPERVISOR ADVISED OF THE PROCESS THAT BEGINS WITH THE TOWN BOARD, THEN THE WAR COUNTY DPW AND NYS D.O.T. , AND THAT HE WOULD SEND A LETTER TO THE COUNTY DPW. SUPERVISOR ADVISED THAT THE PROCESS TAKES A LONG TIME WHETHER LIMITS ARE CHANGED OR NOT. HE WILL ALSO ASK THE SHERIFF'S DEPT TO SEND MORE COVERAGE TO THAT LOCATION IF POSSIBLE.

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BEVERLY DAFFNER - DISCUSSION REGARDING USE OF REMOVABLE SPEED BUMPS ON THE HEIGHTS AND WHAT LIABILITY THERE IS IF AN ACCIDENT HAPPENS BECAUSE OF THE BUMPS. COUNCILMAN MCLAIN SAID D'O.T. STILL MAKES THOSE DECISIONS.

SUE WILDER –DISCUSSED THE AMBASSADOR PROGRAM FOR LAKE LUZERNE’S HISTORIC SITES AND HOW WELL IT IS WORKING AND COMPLIMENTS THE TOWN BOARD ON HAVING THE ROOF REPLACED ON THE FORMER TOWN HALL. ALSO THANKS THE BOARD FOR THEIR SUPPORT OF THE ADK FOLK SCHOOL.

RESOLUTION 72 OF 2016 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN SECONDED BY COUNCILMAN TRACKEY: TO PAY BILLS AS PRESENTED IN ABSTRACT #8 VOUCHERS NUMBERED AS FOLLOWS:

GENERAL FUND – 19659-19782	TOTALING \$55,600.04
HIGHWAY FUND- 19705-19761 19776,19777	TOTALING 26,107.26
SW1 WATER FUND- 19743-19759	TOTALING 2,742.24
Joint Youth - – 19751-19771	TOTALING 3,948.65
SW2 WATER FUND 19750-19760	TOTALING 50.00

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

RESOLUTION 73 OF 2016 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN SECONDED BY COUNCILMAN WATERHOUSE: TO ACCEPT MINUTES OF JULY 11 TOWN BOARD MEETING. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

DISCUSSION ON A RESOLUTION TO AMEND WATER DISTRICT REGULATIONS. ATTORNEY EXPLAINED THAT A WORKSHOP DISCUSSION RESULTED IN PROPOSED AMENDMENT TO THE WATER REGS BASED ON RECENT REQUESTS BY DISTRICT CUSTOMERS TO HAVE THEIR WATER SHUT OFF AND THE METER REMOVED AND TO NOT BE BILLED THE SERVICE FEE. THE SYSTEM IS SUPPORTED BY REVENUE CONSISTING OF THE ANNUAL SERVICE FEE AND ANY OVERAGE IN WATER USAGE. MANY WATER SYSTEMS HAVE A CAPITAL CHARGE WHICH IS A BASIC CHARGE TO KEEP THE SYSTEM RUNNING AND THEN A USAGE CHARGE. LAKE LUZERNE DOES NOT HAVE THE CAPITAL CHARGE. WHEN CUSTOMERS GO ON AND OFF THE SYSTEM, THERE REMAINS A REQUIREMENT TO MAINTAIN INFRASTRUCTURE. THERE WAS AGREEMENT THAT EVEN IF A

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CUSTOMER WANTS TO BE DISCONNECTED FROM THE SYSTEM, THE BASIC CHARGE WOULD REMAIN AND KEEP THE METER IN PLACE.

SUPERVISOR DISCUSSED THAT THE ANNUAL \$125 SERVICE FEE IS BASICALLY \$10 MONTH FOR 60,000 GALLONS OF WATER. THIS YEAR SEVERAL OWNERS REQUESTED THAT THE METER BE REMOVED BECAUSE THEY ARE NOT USING THE WATER. THE \$125 IS PART OF THE BUDGET PROCESS AND THE FUNDS ARE USED WITHIN THE DISTRICT TO OPERATE, MAINTAIN AND REPAIR THE SYSTEM. HE MENTIONED THE PART TIME RESIDENTS IN THE DISTRICT WHO ARE HERE FOR A SHORT TIME AND SOME TIMES NOT AT ALL, BUT ARE STILL REQUIRED TO PAY THE SERVICE FEE FOR THE WHOLE YEAR.

MOTION BY COUNCILMAN WATERHOUSE, SECONDED BY COUNCILMAN MCLAIN TO MOVE INTO THE WATER BOARD. ALL IN FAVOR, AYES.

MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN TRACKEY TO MOVE THE ISSUE TO THE TOWN BOARD. ALL IN FAVOR, AYE.

RESOLUTION 74 OF 2016 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE, TO AMEND THE WATER REGULATIONS FOR TH TOWN OF LAKE LUZERNE AS FOLLOWS:

WHEREAS: The Town of Lake Luzerne maintains a municipal water system to provide drinking water to customers within the town and its various water districts; and

WHEREAS: In order to properly monitor and bill for the amount of water delivered to customers, Town-maintained meters are installed, which remain Town property and for which the Town charges an installation fee, at the point of service for each such customer; and

WHEREAS: A minimum annual charge is thereafter imposed on each such customer, which covers a base amount of water usage, with provision for additional charges in the event the customer's usage exceeds such base amount; and

WHEREAS: In order for a municipal water system to function properly, an adequate supply of water must be made available at all times to all current and eligible customers; and

WHEREAS: Currently, no water tax is imposed on such customers, thus the minimum annual charge is necessary in order to maintain a system that ensures such supply is always available; and

WHEREAS: On occasion, customers wishing to vacate or winterize a building or for any other reason terminate the flow of water from the municipal water system to their property, request that their property be disconnected from the municipal water system.

NOW THEREFORE BE IT RESOLVED: That the Town of Lake Luzerne Water Regulations be amended to state that, in the event the Town fulfills a customer request to be disconnected from the municipal water system, the Town-installed meter shall remain in place and such customer

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shall continue to be billed and remain responsible for paying the minimum annual charge imposed on all customers of the municipal water system.

ADOPTED August 8, 2016 ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

DISCUSSION REGARDING THE TOWN CLERKS HANDLING OF CHECKS RETURNED FOR INSUFFICIENT FUNDS. CLERK ASKED THE BOARD FOR A CLARIFICATION IN SUPPORT/POLICY.

RESOLUTION 75 OF 2016 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE THAT:

WHEREAS, In the normal course of business, the town accepts checks for various reasons including payment for taxes, permits, copies of official documents, disposal of waste and other purposes; and

WHEREAS, Situations may arise in which a check submitted to the town is returned to the town for reason of insufficient funds in the account upon which such check is drawn; and

WHEREAS, The circumstances surrounding such situations vary considerably; and

WHEREAS, It is important the town establish a policy regarding how such situations should be addressed.

NOW, THEREFORE, BE IT RESOLVED: In the event that a check submitted to the town by any person is return to the Town for reason of insufficient funds in the account upon which such check is drawn, the town , in the sole discretion of the Town Clerk, shall either redeposit such check or require that it be redeemed in cash. Acceptance by the town of any subsequent check submitted by the same person shall be in the sole discretion of the town clerk.

ADOPTED AUGUST 8, 2016 BY ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

RESOLUTION 76 OF 2016 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN TRACKEY THAT THE TOWN ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH WARREN COUNTY FOR THE TOWN'S USE, IF NEEDED, OF A VACUUM EXCAVATOR WHICH IS USED TO INCREASE THE MAINTENANCE CAPABILITY OF STORM WATER STRUCTURES. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

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HIGHWAY REPORT: SUPERVISOR GAVE REPORT

- THREE SHORT ROADS WERE PAVED ON THE HEIGHTS. THE DEPT. WILL GO BACK AND PUT BLACKTOP APRONS ON PAVED DRIVEWAYS.
- HALL HILL AND HOWE ROADS ARE SCHEDULED TO BE PAVED LATER THIS MONTH.
- WARREN COUNTY WILL BE MILLING UP BAY ROAD AUGUST 16 AND 17TH.
- CULVERT REPLACEMENT SCHEDULED FOR HIDDEN VALLEY ROAD NEXT WEEK. ROAD WILL BE CLOSED AT THE EAST ENTRANCE (CIRO'S) FOR APPROX ONE WEEK.

ZEO – SAHEIM

- DISCUSSED A PALLET FENCE ON CALL STREET THAT THE OWNER SAYS WILL NOT BE TAKEN DOWN.
- HOUSE AT 5 LAKE TOUR HAS BEEN CLEANED UP
- LAKE AVE. AREA AROUND HOUSE CLEANED UP BY OWNERS
- REVIEWING FENCE AT THE RIDING STABLE
- DISCUSSION WITH COUNCILMAN TRACKEY REGARDING EXPIRATION TIME ON A BUILDING PERMIT.

ATTORNEY REPORT: ROBERT REGAN

- A REVIEW OF THE ZOMBIE LAW DISCUSSED AT THE LAST MEETING FINDS NO MENTION OF THE NEED FOR A PUBLIC HEARING. HE WILL CHECK WITH ASSOCIATION OF TOWNS.
- WANTS TO MAKE SURE ALL PERSONNEL ARE TRAINED ON THE AED VIA A CERTIFIED PROGRAM AND THAT THE PROPER PAPERWORK IS FILED REGARDING SAME.

TOWN CLERK REPORT: CYNTHIA SHERWOOD

- CLERK NOTED FOR THE RECORD THAT THE MONTHLY FINANCIAL REPORT TO THE SUPERVISOR FOR JULY WAS DISTRIBUTED TO THE BOARD MEMBERS. IN THE AMOUNT OF \$30,445.39.
- HUNTING LICENSES WENT ON SALE AUGUST 1ST
- DEPT OF AG AND MARKETS INSPECTED THE ANIMAL CONTROL FACILITIES OF THE SPCA AND GLENS FALLS ANIMAL HOSP AND FOUND ALL IN SATISFACTORY ORDER

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SUPERVISOR REPORT: EUGENE MERLINO

GAVE BRIEF FINANCIAL OVERVIEW TO REVENUES AND EXPENSES TO DATE COMPARED TO LAST YEAR AT THIS TIME.

OFFICIALS OF THE CYCLING PROGRAM HAVE ASKED FOR A DECLARATION RESOLUTION OF THE BOARD ALLOWING THAT IN THE EVENT OF A NATURAL DISASTER, THE PARTICIPANTS CAN USE OUR SENIOR CENTER FOR EMERGENCY HOUSING .

RESOLUTION 77 OF 2016 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE THAT THE TOWN BOARD OF LAKE LUZERNE, BY VIRTUE OF FORMAL DECLARATION, WILL ALLOW THE PARTICIPANTS OF THE ADIRONDACK CYCLING EVENT TO USE THE LAKE LUZERNE SENIOR CENTER FOR SHELTER AS NECESSARY IN THE EVENT OF AN UNFORESEEN NATURAL DISASTER DURING THE PERIOD OF THEIR EVENT WHICH BEGINS ON AUGUST 20TH. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE.

SUPERVISOR AND WATER SUPT DEUEL HAVE CONSULTED WITH ENGINEERING FIRM REGARDING PROPOSED WATER LINE WORK ON HILL STREET AND STEPHEN LANE. WORK WOULD HAVE TO BE BONDED.

FLOOR OPEN TO PUBLIC:

PAM MORIN – PUG PARTY WILL BE CHANGED FROM OCTOBER TO SEPTEMBER.

MIKE SCHAFFER – COMPLIMENTED THE JOB ON THE NEWLY PAVED ROADS ON THE HEIGHTS.

DISCUSSION REGARDING MOTOR BOATS IN THE LAKE USING LARGER THAN ALLOWED MOTORS. ZEO TO LOOK INTO IT.

MEETING ADJOURNED AT 8:15 PM UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE. ALL IN FAVOR, AYE

RESPECTFULLY SUBMITTED,

CYNTHIA SHERWOOD, RMC, TOWN CLERK.