

TOWN OF LAKE LUZERNE  
SPECIAL TOWN BOARD MEETING  
MARCH 19, 2009  
1:00 PM

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

THE PURPOSE OF THIS MEETING IS TO RESOLVE LIBRARY PAYROLL THAT WAS RECENTLY BROUGHT TO THE ATTENTION OF THE TOWN BOARD. PRIOR TO THIS MEETING THERE WAS A WORKSHOP WITH TWO MEMBERS OF THE LIBRARY BOARD, THE TOWN ATTORNEY AND THE PAYROLL CLERK.

IT WAS FOUND IN CONVERSATIONS WITH THE ATTORNEY FOR THE TOWN AND THE LEGAL DEPT OF THE NYS COMPTROLLER'S OFFICE THAT THE TOWN SHOULD NOT BE HANDLING PAYROLL FOR THE LIBRARY AS THEY ARE NOT ACTUALLY TOWN EMPLOYEES. PAYROLL SERVICES HAVE BEEN PROVIDED FOR NEARLY 40 YEARS. DISCUSSIONS HAVE TAKEN PLACE WITH THE LIBRARY BOARD AND THEY UNDERSTAND THIS PROBLEM.

**RESOLUTION #29 OF 2009** - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL: THAT THE TOWN OF LAKE LUZERNE ABSOLVE ITSELF FROM DOING PAYROLL FOR THE LIBRARY AS FOLLOWS: WHEREAS, FOR SOME TIME PERSONNEL OF THE TOWN OF LAKE LUZERNE HAVE PERFORMED SERVICES FOR THE HADLEY-LUZERNE PUBLIC LIBRARY CONCERNING THE REPORTING OF SALARIES WITHHOLDING AND OTHER SIMILAR ACTS INVOLVING EMPLOYEES OF THAT LIBRARY AND WHEREAS, REPRESENTATIVES OF THE TOWN OF LAKE LUZERNE HAVE BEEN ADVISED BY REPRESENTATIVES OF THE STATE OF NEW YORK THAT SUCH A PRACTICE MAY NOT BE IN THE BEST INTEREST OF THE TOWN AND, WHEREAS, THE ATTORNEY FOR THE TOWN HAS CONFIRMED TO THE TOWN BOARD THAT IT IS HIS OPINION THAT THE TOWN SHOULD NO LONGER PERFORM SUCH SERVICES FOR THE LIBRARY BUT RATHER THE HADLEY LUZERNE PUBLIC LIBRARY SHOULD UNDERTAKE TO HANDLE ALL WITHHOLDING AND REPORTING REQUIREMENTS ARISING FROM ITS EMPLOYEES SALARIES ITSELF, NOW THEREFORE, BE IT RESOLVED, THAT EFFECTIVE JULY 1, 2009 THE TOWN OF LAKE LUZERNE WILL NO LONGER PROVIDE ANY SERVICES CONCERNING THE SALARIES AND REPORTING OF WAGES AND WITHHOLDING TO EITHER THE STATE OF NEW YORK, INTERNAL REVENUE SERVICE OR COUNTY OF WARREN CONCERNING EMPLOYEES OF HADLEY-LUZERNE PUBLIC LIBRARY. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

TOWN OF LAKE LUZERNE  
SPECIAL TOWN BOARD MEETING  
MARCH 19, 2009

**RESOLUTION #30 OF 2009** - RESOLVED UPON A MOTION BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN WATERHOUSE,,:  
TO PAY WARREN COUNTY FOR VOUCHER FOR REVERSE 911 SERVICES \$297.60 AND TO PAY POSTAGE VOUCHER IN THE AMOUNT OF \$82.03 FOR REIMBURSEMENT OF THE TOWN CLERK DRAWER. ROLL CALL VOTE:  
COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE,  
COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

THERE IS A MEETING AT 6:00 PM THE FIREHOUSE TONIGHT REGARDING EMS ISSUES.

REGARDING THE STATE D.O.T, THE STATE HAS INFORMED THE SUPERVISOR THAT THE STATE CAN NO LONGER PAY FOR GRASS CUTTING SERVICES ALONG ROUTE 9N AS THEY HAVE BEEN DOING. NYS WILL CUT ONLY ONCE AND NOT CUT UNTIL OCTOBER. THE BOARD AGREED THAT THE ADDITIONAL CUTTING HAS BEEN GOOD FOR THE TOWN AND THAT THE PARKS DEPT WILL CONTINUE THE SERVICE OUT OF THEIR BUDGET, BUT NOT AS OFTEN AS HAD BEEN DONE IN THE PAST FEW YEARS. THEY WILL TRY IT ONE MORE YEAR AND SEE HOW IT GOES.

**RESOLUTION #31 OF 2009** – RESOLVED UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN DIEHL TO SUPPORT A RESOLUTION AND LETTER TO THE TOWN OF JOHNSBURG REGARDING THE NORTH CREEK SKI BOWL AS FOLLOWS:  
WHEREAS, GORE MOUNTAIN SKI CENTER OPERATED BY THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY IS AN ECONOMIC STRENGTH OF UNPARALLELED PROPORTION FOR MULTIPLE TOWNS AND COUNTIES IN UPSTATE NEW YORK, AND  
WHEREAS, AFTER MANY YEARS OF PLANNING INCLUDING ENGINEERING AND LEGAL WORK, GORE HAS PROPOSED TO PURSUE AN INTERCONNECT BETWEEN GORE MOUNTAIN AS IT PRESENTLY EXISTS AND THE NORTH CREEK SKI BOWL AT THE EDGE OF THE HAMLET OF NORTH CREEK, AND  
WHEREAS, IN PURSUIT OF THIS INTERCONNECTION THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY HAS PURCHASED A TRIPLE CHAIR LIFT TO INSTALL AT SAID SKI BOWL PARK WHICH WILL PERMIT A SKIABLE CONNECTION IN BOTH DIRECTIONS BETWEEN GORE MOUNTAIN AND THE NORTH CREEK SKI BOWL PERMITTING SKIERS AND TOURISTS MORE SUBSTANTIAL ACCESS TO THE HAMLET OF NORTH CREEK, AND  
WHEREAS, SUCH CHANGES INCLUDING THE INTERCONNECT AND OTHER RECENT DEVELOPMENTS WILL HELP TO RENDER GORE MOUNTAIN AMONGST THE FIVE LARGEST VERTICAL SKI EXPERIENCES EAST OF THE

TOWN OF LAKE LUZERNE  
SPECIAL TOWN BOARD MEETING  
MARCH 19, 2009

MISSISSIPPI RIVER, AND

WHEREAS, THE NEW YORK STATE COMPTROLLER HAS ESTIMATED THE INTERCONNECT LIFT ALONE WILL RESULT IN 74,000 ADDITIONAL SKIERS VISITING GORE MOUNTAIN ANNUALLY WITH AN INFLUX OF 1.8 MILLION DOLLARS TO THE LOCAL ECONOMY, NOW, THEREFORE,

BE IT RESOLVED, THE TOWN BOARD OF THE TOWN OF LAKE LUZERNE URGES THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY TO FUND OPERATIONS OF THE INTERCONNECT AT ITS EARLIEST POSSIBLE CONVENIENCE AND AGGRESSIVELY PURSUE INSTALLATION OF THE LIFT AND TRAIL SYSTEM NECESSARY TO FULFILL THE INTERCONNECT.

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

**RESOLUTION #32 OF 2009** – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO AUTHORIZE THE SUPERVISOR TO SIGN AMENDMENT AGREEMENT WITH WARREN COUNTY BOARD OF ELECTIONS TO AMEND CERTAIN PARAGRAPHS OF AND EXTEND THE ORIGINAL 2006 AGREEMENT UNTIL THE TIME THE CURRENT LEVER OPERATED VOTING MACHINES ARE TAKEN OUT OF SERVICE.

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

**RESOLUTION #34 OF 2009** - RESOLVED UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN MCLAIN, :TO ALLOCATE \$5,000 FROM OCCUPANCY TAX FUNDS TO THE LAKE LUZERNE CHAMBER OF COMMERCE FOR THE SUMMER CONCERT SERIES. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

**RESOLUTION #35 OF 2009** - RESOLVED UPON A MOTION BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN WATERHOUSE, : TO ALLOCATE \$5,000 FROM OCCUPANCY TAX FUNDS TO THE SOUTH WARREN SNOWMOBILE CLUB FOR TRAIL MAINTENANCE. ROLL CALL VOTE: COUNCILMAN MCLAIN, ABSTAIN, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

**RESOLUTION #36 O 2009** - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE: TO ALLOCATE \$2,000 FROM OCCUPANCY TAX FUNDS TO THE LAKE LUZERNE CHAMBER MUSIC

TOWN OF LAKE LUZERNE  
SPECIAL TOWN BOARD MEETING  
MARCH 19, 2009

CAMP FOR RADIO SPOT ADVERTISING AND A JAZZ CONCERT IN THE PARK.  
ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

**RESOLUTION # 37 OF 2009** – RESOLVED UPON A MOTION BY COUNCILMAN WATERHOUSE, SECONDED BY COUNCILMAN MCLAIN :TO ALLOCATE \$750 FROM OCCUPANCY TAX FUNDS TO THE ZUCHINNI BROTHERS FOR A CHILDREN’S CONCERT IN THE PAVILION PARK IN JULY. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

**RESOLUTION # 38 OF 2009** - RESOLVED UPON A MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN MCLAIN TO ALLOCATE \$3,000 IN OCCUPANCY TAX FUNDS TO PAM MORIN NWCC HUDSON RIVER MAP TO CONTINUE A TOURISM MAP OF THE TOWNS ALONG THE HUDSON RIVER FROM COHOES TO THE LAKE TEAR OF THE CLOUDS AS THIS IS THE 400<sup>TH</sup> ANNIVERSARY OF THE HUDSON RIVER THEME. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

**RESOLUTION # 39 OF 2009** – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE: TO ALLOCATE \$500 FROM OCCUPANCY TAX FUNDS TO SUPPORT SUMMER PROGRAMS OF THE KINNEAR MUSEUM. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

**RESOLUTION #40 OF 2009** –RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL, TO ALLOCATE OCCUPANCY TAX FUNDS TO REPLACE SOME OF THE FALL FLAGS FOR THE POLES AND FOR 400<sup>TH</sup> ANNIVERSARY OF THE HUDSON RIVER FLAGS. ROLL CALL VOTE: COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, COUNCILMAN DIEHL, AYE, SUPERVISOR MERLINO, AYE.

SUPERVISOR WOULD LIKE TO SEND LETTERS TO ALL RECIPIENTS OF OCCUPANCY TAX MONIES ADVISING THAT THESE AMOUNTS ARE NOT GUARANTEED EACH YEAR AS MORE AND MORE REQUESTS ARE RECEIVED.

**RESOLUTION # 41 OF 2009** – RESOLVED UPON A MOTION BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN WATERHOUSE TO HIRE AN APPRAISER TO VALUE THE COURTHOUSE PROPERTY WHICH IS ALREADY

TOWN OF LAKE LUZERNE  
SPECIAL TOWN BOARD MEETING  
MARCH 19, 2009

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

SUPERVISOR MET WITH WARREN COUNTY PLANNING DEPARTMENT REGARDING APPLICATION FOR STIMULUS FUNDS CONSISTING OF \$200,000 FOR SIDEWALKS AND LIGHTS FROM THE AMERICAN LEGION BUILDING TO THE NEW COMPLEX AS WELL AS \$400,000 FOR DOWNTOWN RESTORATION PROJECTS SIMILAR TO THE GRANT THAT WAS PREVIOUSLY SUBMITTED BUT NOT AWARDED. THESE PROJECTS ARE THE CLOSEST TO "SHOVEL READY" AS WE HAVE.

THE BOARD DOES NOT WANT TO MOVE FORWARD AT THIS TIME WITH CHAZEN COMPANIES ON THE SEWER APPLICATION.

CFI CAME IN OVER BUDGET ON THE VANARE DAM, ATTORNEY THARP WILL WORK ON A LETTER ON THAT ISSUE.

FIRE ALARMS ARE READY IN PHASE I OF THE COMPLEX. AN ANNUAL FEE OF \$287 COULD DISPATCH THE ALARM DIRECTLY TO THE 911 SYSTEM. SUPERVISOR WILL ASK INSURANCE COMPANY IF THE INSURANCE WOULD BE OFFSET BY THAT SITUATION.

FLOOR OPEN TO PUBLIC: NO COMMENTS

WITH NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 1:25 UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN DIEHL. ALL IN FAVOR.

RESPECTFULLY SUBMITTED,

---

CYNTHIA SHERWOOD, RMC