

TOWN OF LAKE LUZERNE
REGULAR TOWN BOARD MEETING
May 9, 2016

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

FLOOR OPEN TO PUBLIC

MR. EDDY GAVE AN UPDATE ON TROUT STOCKING BY THE DEC. LAKE LUZERNE WILL BE STOCKED ON MAY 24TH WITH RAINBOW AND BROWN TROUT.

RESOLUTION 50 OF 2016 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO PAY THE BILLS IN ABSTRACT #5 VOUCHERS AS FOLLOWS:

GENERAL FUND –	19257-19330	TOTALING	28,307.97
	19339-19343		12,373.40
HIGHWAY FUND-	19308-19329	TOTALING	15,068.25
	19337-19338		846.83
SW1 WATER FUND-	19331-19336	TOTALING	631.45
SW2 WATER FUND –	19334-19335	TOTALING	75.00

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

RESOLUTION 51 OF 2016 – RESOLVED UPON A MOTION BY COUNCILMAN WATERHOUSE, SECONDED BY COUNCILMAN MCLAIN, TO ACCEPT MINUTES OF APRIL 11TH MEETING. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE, CARRIED.

CLERK READ THE RESULTS OF THE ONLY BID RECEIVED FOR THE SAND SCREENER THAT WAS OPENED ON MAY 2ND AT NOON HAVING A SELLING PRICE OF \$84,000 FROM CONTRACTORS SALES, INC.

RESOLUTION 52 OF 2016 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE, TO ACCEPT THE BID OF CONTRACTOR SALES IN THE TOTAL SUM OF \$84,000 . ROLL CALL VOTE: COUNCILMAN TRACKEY, ABSTAINED, COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE, CARRIED.

RESOLUTION 53 OF 2016 – RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE, TO AUTHORIZE SUPERVISOR MERLINO TO EXECUTE AGREEMENT WITH AQUATIC INVASIVE

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MANAGEMENT LLC FOR MILFOIL HARVESTING SERVICES IN LAKE LUZERNE FOR 2016. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN CIRILLO, ABSTAINED, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE, CARRIED.

RESOLUTION 54 OF 2016 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO CORRECT AN ERROR IN THE MARCH 14 MINUTES REMOVING THE NAME ROGO FASTENERS IN THE SUPERVISORS DISCUSSION AND IN RESOLUTION 41, REPLACING IT WITH CONTRACTOR SALES, INC. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE, CARRIED.

RESOLUTION 55 OF 2016 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE TO ALLOCATE \$3,000 TO THE LAKE LUZERNE MUSIC CAMP FROM OCCUPANCY TAX FUNDS. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN CIRILLO, ABSTAINED, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, ABSTAINED, CARRIED.

BOARD MOVED INTO THE WATER BOARD UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN CIRILLO.

CLERK READ LETTER FROM VILLAGE OF CORINTH STATING THE COST PER UNIT CHARGED FOR WATER SERVICE IN THE HUDSON GROVE WATER DISTRICT WILL BE \$437.00. THE BOARD DETERMINED THAT THE RATE BILLED COULD BE SET THIS YEAR AT \$387.00 USING A \$50 OFFSET PER HOOKUP FROM THE SW2 DISTRICT BUDGET.

SUPERVISOR MET WITH VILLAGE OF CORINTH MAYOR NOTING THE SW2 DISTRICT INCREASE IS NO MORE THAN CORINTH RESIDENTS PAY.

RESOLUTION 56 OF 2016 - RESOLVED UPON A MOTION BY COUNCILMAN WATERHOUSE, SECONDED BY COUNCILMAN TRACKEY TO SET THE HUDSON GROVE WATER DIST. RATE AT \$387.00 PER HOOK UP FOR 2016. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE, CARRIED.

THE BOARD SET A WORKSHOP FOR THURSDAY MAY 19TH AT 11:00 AM TO DISCUSS THE WATER REGULATIONS UPDATE AND THE LIBRARY FOCUS GROUP.

RESOLUTION 57 OF 2016 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN TRACKEY TO PRORATE THE WATER SERVICE FEE AT 10.42 PR MO. FROM MAY TO THE JUNE BILLING FOR RESUMPTION OF A DISCONTINUED SERVICE AT 56 LAKE SHORE. ROLL CALL

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VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE. CARRIED.

DISCUSSION REGARDING HUDSON GROVE ACct. 8100 . HOUSE HAS BEEN RE-ASSESSED AS ONE FAMILY HOUSE. IT WAS BILLED AS A 2 UNIT FOR SEVERAL YEARS. OWNER ADVISES THAT THE HOUSE CANNOT BE LIVED IN AND ASKS THAT THE WATER BE TURNED OFF AT THE CURB.

RESOLUTION 58 OF 2016 - RESOLVED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN WATERHOUSE THAT ACCOUNT 8100 BE BILLED AS ONE UNIT. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE, CARRIED.

MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN TRACKEY TO ADJOURN WATER BOARD AND RETURN TO REGULAR TOWN BOARD MEETING. ALL IN FAVOR, AYE.

REPORTS:

HIGHWAY SUPT. – RON DEUEL

- BOX CULVERT IS ORDERED FOR THE HIDDEN VALLEY BRIDGE.
- BRUSH PICK UP IS UNDERWAY THIS WEEK. THERE WILL BE ANOTHER SCHEDULED PICK UP AFTER JULY 4TH FOR THE HEIGHTS.

ATTORNEY REPORT- ROBERT REGAN, ESQ.

- CONTRACT IS READY TO BE SIGNED WITH CONTRACTOR SALES.

RESOLUTION 59 OF 2016 - RESOLVED UPON A MOTION BY COUNCILMAN WATERHOUSE, SECONDED BY COUNCILMAN MCLAIN AUTHORIZING THE SUPERVISOR TO EXECUTE AGREEMENT FOR PORTABLE SCREENING PLANT AS FOLLOWS:

WHEREAS: THE TOWN OF LAKE LUZERNE WISHES TO ACQUIRE A PORTABLE SCREENING PLANT TO FACILITATE THE EFFICIENT OPERATION OF THE TOWN HIGHWAY DEPARTMENT; AND

WHEREAS: THE TOWN BOARD DEEMS IT TO BE IN THE BEST INTERESTS OF THE TOWN TO PAY FOR SAID EQUIPMENT OVER TIME, RATHER THAN IN ONE LUMP SUM: AND

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WHEREAS: GENERAL MUNICIPAL LAW SECTION 109(B) OF THE STATE OF NEW YORK SPECIFICALLY AUTHORIZES MUNICIPALITIES TO ENTER INTO INSTALLMENT PURCHASE CONTRACTS AND SETS FORTH CERTAIN TERMS AND CONDITIONS WHICH MUST BE INCORPORATED INTO SUCH CONTRACTS; AND

WHEREAS: THE TOWN HAS PREPARED AN INSTALLMENT PURCHASE CONTRACT, WHICH IS ATTACHED HERETO THE TERMS AND CONDITIONS OF WHICH ARE IN FULL COMPLIANCE WITH GENERAL MUNICIPAL LAW SECTION 109(B); AND

WHEREAS : THE TOWN HAS FULLY COMPLIED WITH ALL COMPETITIVE BIDDING LAWS OF THE STATE OF NEW YORK PRIOR TO PREPARING SAID INSTALLMENT SALES CONTRACT.

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF LAKE LUZERNE HEREBY APPROVES THE INSTALLMENT PURCHASE CONTRACT, REFERENCED ABOVE AND ATTACHED HERETO, BETWEEN THE TOWN OF LAKE LUZERNE AND CONTRACTORS SALES COMPANY, INC. ROLL CALL VOTE: COUNCILMAN TRACKEY, AYE, COUNCILMAN CIRILLO, AYE, COUNCILMAN MCLAIN, AYE, COUNCILMAN WATERHOUSE, AYE, SUPERVISOR MERLINO, AYE. 5 AYES, 0 NAYES APPROVED MAY 9 2016. .

TOWN CLERK - CYNTHIA SHERWOOD

- DISTRIBUTED THE CLERKS APRIL FINANCIAL REPORT TO THE SUPERVISOR
- ASKED THE BOARD FOR A WRITTEN POLICY DEALING WITH CHECKS RETURNED FOR INSUFFICIENT FUNDS.
- CLERK NOTED THERE WAS A WORKSHOP MEETING ON APRIL 21ST TO DISCUSS WATER REGULATIONS UPDATE. THERE WERE NO ACTIONS TAKEN BY THE BOARD AND THEREFORE , NO MINUTES.
- HADLEY LUZERNE TEACHERS ASSOCIATION RECENTLY PICKED UP TRASH ON GLENS FALLS MOUNTAIN ROAD.

SUPERVISOR REPORT: EUGENE MERLINO

DISCUSSION REGARDING A SIGN RECENTLY PLACED IN THE ROUTE 9N PAVILION PARK HONORING BENJAMIN C. BUTLER. TOWN CLERK READ INTO THESE MINUTES THE FOLLOWING EXCERPTS.

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(FROM TOWN BOARD MINUTES OF APRIL 1986)

“Name for park on Lake Ave.

Motion by Councilman Hayes that the board entertain a resolution to name the park where the new pavilion has been constructed, Colonel Benjamin C. Butler Park as per request by Town Historian , Lester Thomas, to be known hereafter as Butler Park. Seconded by Councilman Washburn. All in favor. Resolution passed.”

(From THE WARREN COUNTY BI CENTENNIAL:

..... Benjamin Clapp Butler was educated at Oxford Academy and went to Saratoga and completed his studies in the Legal Profession. For several years he was editor and proprietor of the Saratoga Sentinel. He came to Luzerne in 1845. Served as Supervisor of the Town of Luzerne, and a member of the New York State Assembly, organized the Warren County Agricultural Organization. He worked diligently to get the Delaware and Hudson Railroad to Hadley. When the Civil War started, he volunteered and started to raise a regiment and enlisted more than half of the men in the 93rd New York Volunteers and served as a Lt. Colonel. During the entire war it is reported that he said if he lived thru the War, he would work on building a church. He worked at speaking engagements and received donations from guests of the Wayside Inn toward the building of St. Mary’s Episcopal Church. The Church has many beautiful windows including one for the Civil War. Col. Butler loved the beauty of Lake Luzerne and promoted it in many brochures and books. He also had a dream of building hotel. Much of the land around the lake was owned by the Butlers, Clapps, Newberry’s and the Pierponts and also from Summit Place to Pierpont Road. In 1869 he started the building of the Wayside Inn. The main structure was modeled after the architecture of Lucerne. Col Butler died in 1882 in Utica, NY and is buried in the Luzerne Cemetery.....

TOWN BOARD APPROVED THE DOUBLE H BIKE AND RIDE EVENT ON SATURDAY, SEPTEMBER 10, 2016, A 30 MILE ROUTE THAT INCLUDES ROUTE 9N, GAILEY HILL RD. SCOFIELD, RD. RIVER RD. AND MILL STREET IN LAKE LUZERNE

FLOOR OPEN TO PUBLIC

DISCUSSION REGARDING VIDEO CONFERENCING AT MEETINGS.

MEETING ADJOURNED UPON A MOTION BY COUNCILMAN MCLAIN, SECONDED BY COUNCILMAN CIRILLO.

RESPECTFULLY SUBMITTED,

CYNTHIA SHERWOOD, RMC, TOWN CLERK