

TOWN OF LAKE LUZERNE  
YEAR END MEETING AND AGENDA MEETING  
DECEMBER 28, 2022  
4 PM

SUPERVISOR MERLINO CALLED MEETING TO ORDER AT 4 PM WITH THE FOLLOWING MEMBERS PRESENT: COUNCILMAN HANLON, COUNCILMAN LEWANDOWSKI, COUNCILMAN NILES. ALSO PRESENT: ZEO KAREN PUTNEY, HIGHWAY SUPT, RON DEUEL, ATTORNEY FOR THE TOWN, MICHAEL CROWE, ESQ.

RESOLUTION 185 OF 2022: MOTION BY COUNCILMAN LEWANDOWSKI, SECONDED BY COUNCILMAN HANLON TO PAY THE YEAR END BILLS OF THE 13<sup>TH</sup> ABSTRACT AS CONTAINED IN VOUCHERS NUMBERED AS FOLLOWS:

GENERAL FUND:	1094-1125	\$24,740.38
HIGHWAY FUND:	1126-1148	31,769.82
LAKE LUZERNE WATER	1078-1079	2,908.26
STREETLIGHTING 1	1080	5,055.93

ALL IN FAVOR, AYE, NONE OPPOSED, CARRIED 4-0.

RESOLUTION 186 OF 2022: MOTION BY COUNCILMAN NILES, SECONDED BY COUNCILMAN LEWANDOWSKI TO PAY MASHALL AND STERLING INSURANCE COMPANY FOR PROPERTY AND LIABILITY INSURANCE IN THE SUM OF \$71,278.54. ALL IN FAVOR, AYE, NONE OPPOSED, CARRIED 4-0.

RESOLUTION 187 OF 2022: MOTION BY SUPERVISOR MERLINO, SECONDED BY COUNCILMAN LEWANDOWSKI, TO ACCEPT RESIGNATION OF COUNCILMAN MICHAEL FAZIO AS PROPERLY SENT TO THE TOWN CLERK. ALL IN FAVOR, AYE, NONE OPPOSED, CARRIED 4-0.

ROSE O'BOYLE REPRESENTING THE NORTHWOODS ASSOCIATION DISCUSSED THE STATUS OF ISSUES REGARDING CREATION OF A SPECIAL TAXING DISTRICT TO BOND OUT REPAIRS TO THE DAM.

IN THE PAST THE TOWN TOOK STEPS TO CREATE A SPECIAL TAXING DISTRICT WHICH OVER A 10 YEAR PERIOD PAID A BOND. THE REASON FOR TRYING TO GET THIS DONE THIS WAY IT IS THE BYLAWS. WE DON'T HAVE THE MEANS THAT CURRENT ORGANIZATIONS DO TO GET FUNDS AND NO WAY OF ENFORCING THAT PEOPLE PAY. WE THOUGHT THIS IS A FAIR WAY EVERYBODY WOULD BE TAXED ACCORDING TO THEIR PROPERTY VALUE. THERE ARE PROBLEMS FINDING THE PAPERWORK FOR THE PREVIOUS TAX DISTRICT. WE ARE INTERESTED IN ACHIEVING THIS GOAL IF POSSIBLE.

ATTORNEY CROWE: THERE ARE DOCUMENTS THAT ARE MISSING REGARDING THE ESTABLISHMENT OF THE PREVIOUS TAXING DISTRICT. FROM THE 1990 AND 1991 TIME FRAME. THE DISTRICT NEEDS TO BE CREATED AND MAYBE

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ESTABLISH THE PREVIOUS DISTRICT. THE TOWN NEEDS TO GET AN ENGINEER FOR MAP PLAN AND REPORT AND MONEY TO RAISE FOR REPAIRS. ROSE HAS WORKED WITH DEC AND AN ENGINEER. THE TOWN BOARD NEEDS TO HIRE AN ENGINEER ONCE A REPORT IS SUBMITTED. THE TOWN WOULD HOLD A PUBLIC HEARING AND FINDINGS. IT IS FILED WITH NYS COMPTROLLER AND FILED WITH COUNTY CLERK. THE DAM WOULD HAVE TO BE CONVEYED TO THE TOWN OF LAKE LUZERNE. THE TOWN WOULD OWN THE DAM AND BE RESPONSIBLE FOR REPAIRS, INSPECTIONS ETC. COSTS CAN BE THROUGH THE DISTRICT. THE COUNTY CLERK HAS NO DOCUMENTS FROM THE PREVIOUS DISTRICT WHICH IS PROBLEMATIC BUT DOESN'T MEAN IT CAN'T GO FORWARD IT JUST MEANS IT CAN'T GO FORWARD ON THE PREVIOUSLY ESTABLISHED DISTRICT. AT THE LAST BOARD MEETING IT WAS DISCUSSED TO GET AN ENGINEER TO PREPARE A MAP PLAN AND REPORT REGARDING THE SIZE OF THE DISTRICT, THE PURPOSE AND THE MONEY THAT WOULD NEED TO BE RAISED, THE EXTENT OF REPAIRS AND IMPROVEMENTS THAT ARE NECESSARY. MS O'BOYLE ADVISED THEY HAVE DONE SAFETY INSPECTIONS ON THE DAM AND SPOKE WITH DEC AND MADE ESTIMATES OF THE COSTS. SO THAT PART IS READY TO GO. THEY HAVEN'T LOOKED AT THE ACTUAL DISTRICT. THEY HAVE QUITE A BIT OF ENGINEERING WORK.

ATTORNEY – THERE ARE STEPS THAT THE TOWN BOARD TAKES TO REVIEW THE FINDINGS AND DETERMINE IF THIS IS IN THE PUBLIC INTEREST TO ESTABLISH THE SPECIAL DISTRICT. THERE'S A PUBLIC HEARING, FINDINGS THAT YOU MADE GOES TO THE COMPTROLLER FOR APPROVAL AND IT GETS FILED WITH THE COUNTY CLERK SO THERE IS A RECORD THAT YOU ESTABLISHED THE DISTRICT. THE LAST STEP IN TERMS OF FUNDING IS THAT THE DAM PARCEL IS CONVEYED TO THE TOWN SO THAT IS SOMETHING FOR THE TOWN BOARD TO CONSIDER AS THE TOWN WOULD BE RESPONSIBLE FOR UPKEEP OR DEC INSPECTIONS LIKE ANY OTHER DAM IN THE TOWN. THE BOARD DISCUSSED DRAWBACKS TO OWNERSHIP OF THE DAM.

FRED ZUBAL QUESTIONED THE RESIGNATION OF COUNCILMAN FAZIO IN THAT THE BOARD WAS AWARE THAT HE WANTED TO BE RESIGNED WEEKS AGO AND HE STILL COLLECTED PAYMENT UP UNTIL THIS PIECE OF PAPER CAME OUT.

CLERK ADVISED THAT HIS EMAIL TO THE BOARD IN THAT REGARD WAS NOT PROPER IN THAT A TOWN OFFICIAL RESIGNS TO THE TOWN CLERK. THE BOARD SAID THEY COULD NOT DO ANYTHING UNTIL HE SENT HIS LETTER TO THE TOWN CLERK. MR. ZUBAL FELT THAT HE GOT A CHECK HE DIDN'T DESERVE.

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**POSSIBLE** RESOLUTIONS FOR DISCUSSION AT THE JANUARY 9<sup>TH</sup> TOWN BOARD MEETING INCLUDE:

RESOLUTION OF 2023 - TO PAY THE BILLS OF THE 1<sup>ST</sup> ABSTRACT :

RESOLUTION OF 2023 - TO APPROVE MEETING MINUTES AS PRESENTED:

RESOLUTION OF 2023 - TO ACCEPT QUOTE FROM KINSLEY POWER SYSTEMS FOR GENERATOR REPAIR.

RESOLUTION OF 2023 - TO APPLY EXEMPTIONS FOR FIREMEN AND EMS TO THE TOWN AND COUNTY TAX BILLS PER INFORMATION PRESENTED BY THE ASSESSOR.

THE BOARD SET A WORKSHOP FOR JANUARY 16<sup>TH</sup> AT 7 PM REGARDING SHORT TERM RENTALS.

TOWN CLERK READ A POSTING FROM WARREN COUNTY REGARDING SHORT TERM RENTALS AS FOLLOWS: PRESS RELEASE:

WARREN COUNTY REQUESTS SHORT TERM RENTAL OWNERS REGISTER FOR OCCUPANCY TAX COLLECTION.

DEADLINE TO PAY 2022 WARREN COUNTY OCCUPANCY TAX IS JANUARY 20, 2023

THE WARREN COUNTY TREASURER'S OFFICE IS ASKING OWNERS OF PROPERTIES USED FOR SHORT TERM RENTAL WHO HAVE TO REGISTER UNDER WARREN COUNTY'S OCCUPANCY TAX LAW TO DO SO AS SOON AS POSSIBLE.

WARREN COUNTY HAS BEEN WORKING WITH A CONTRACTOR TO IDENTIFY PROPERTIES THAT HAVE NOT REGISTERED AS REQUIRED BY LAW TO COLLECT THE COUNTY'S 4 PERCENT OCCUPANCY TAX FEE ON OVERNIGHT STAYS. 931 PROPERTIES USED FOR SHORT TERM RENTAL HAVE REGISTERED WITH THE TREASURER'S OFFICE, BUT HUNDREDS HAVE NOT. WE THANK THE PROPERTY OWNERS WHO HAVE WORKED WITH US AS WE REGISTER SHORT TERM RENTALS TO PAY THEIR FAIR SHARE OF OCCUPANCY TAX UNDER OCCUPANCY TAX LAW, AND WE ASK THOSE WHO HAVE NOT CONTACTED US YET TO DO SO TO AVOID POSSIBLE PENALTIES FOR NON PAYMENT, SAID WARREN COUNTY TREASURER MICHAEL SWAN. IN ADDITION, THE WARREN COUNTY TREASURER'S OFFICE

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REMINDING OWNERS OF PROPERTIES THAT COLLECT OCCUPANCY TAX IN WARREN COUNTY THAT THE DEADLINE TO PAY 2022 OCCUPANCY TAXES THAT THEY HAVE COLLECTED IS JANUARY 20, 2023.

ABOUT WARREN COUNTY OCCUPANCY TAX:  
PROCEEDS FOR THIS TAX TO GO TO TOURISM PROMOTION.  
THOSE WHO STAY AT HOTEL, MOTELS, BED AND BREAKFASTS AND SHORT TERM RENTALS ARE REQUIRED TO PAY AS PART OF THEIR BOOKING.  
THOSE WHO OWN OR OPERATE SHORT TERM RENTALS IN WARREN COUNTY ARE REQUIRED TO REGISTER WITH WARREN COUNTY EVEN IF THEIR RENTAL COMPANY SUCH AS AIR B&B OR VRBO, CLAIMS TO BE COLLECTING OCCUPANCY TAX, AS THE OWNER IS REQUIRED TO ENSURE IT IS PAID TO WARREN COUNTY

SHORT TERM RENTALS ARE DEFINED AS A RENTAL OF 30 DAYS OR SHORTER IN DURATION.

PENALTIES OF UP TO 5 PERCENT PLUS INTEREST CAN BE IMPOSED FOR NON PAYMENT BY PROPERTY OWNERS UNDER THE WARREN COUNTY OCCUPANCY TAX LAW. MORE DETAILS CAN BE FOUND AT [WWW.WARRENCOUNTYNY.GOV/TREASURER/BEDTAX](http://WWW.WARRENCOUNTYNY.GOV/TREASURER/BEDTAX). THOSE WITH QUESTIONS CAN ALSO CONTACT TREASURER SWAN AT 518-761-6379.

DISCUSSION REGARDING WASTE HAULING. BOARD TO ASK BOOKKEEPER TO COMPILE CHARGES FOR LAST TWO YEARS.

SUPERVISOR ADVISED THAT 4 TOWN SIGNS NEED TO BE REPAIRED AND PAINT TOUCHED UP.

DISCUSSION WITH ATTORNEY FOR THE TOWN, MICHAEL CROWE AS TO THE FEE STRUCTURE GOING FORWARD, THE SCOPE OF WORK INCLUDING THE NUMBER OF MEETINGS THE FIRM IS WILLING TO COVER PR NEW PROPOSAL.

DISCUSSION OF LIST OF BUILDINGS AND GROUNDS EQUIPMENT TO BE SURPLUSED AND SENT TO AUCTION SITE.

DISCUSSION WITH HIGHWAY SUPT REGARDING PURCHASE OF A NEW TRUCK. THERE IS A QUOTE FROM TRACY ROAD FOR WESTERN STAR OFF ONONDAGA CONTRACT. HE WOULD LIKE TO GET THE TRUCK BUILT FOR 2024/25. HE WOULD LIKE THE BOARD TO CREATE A LINE TO SAVE FOR EQUIPMENT EACH YEAR LIKE THE FIREHOUSE DOES. STATED THAT HE HAS BUDGET BALANCE AT THE END OF EACH YEAR.

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MEETING ADJOURNED UPON A MOTION BY COUNCILMAN LEWANDOWSKI  
SECONDED BY COUNCILMAN HANLON, ALL IN FAVOR AYE.

RESPECTFULLY SUBMITTED,

CYNTHIA SHERWOOD, TOWN CLERK