

TOWN OF TUPPER LAKE REGULAR TOWN BOARD MEETING

February 11, 2013

Roll Call: Supervisor Roger Amell
 Councilwoman Kathleen Lefebvre
 Councilman David Tomberlin
 Councilwoman Patricia Littlefield

Absent Councilman Gerald Fletcher

Recording Secretary: Laurie J Fuller – Town Clerk

Press: Dan McClelland – Tupper Lake Free Press
 Jessica Collier – Adirondack Daily Enterprise

Also: Paul O’Leary – Assessor/Code Officer
 Mike Fritts – Youth Activity Director
 William Dechene – Highway Superintendent

Guest: Larry Reandeau – River Road Resident
 Matt Zande – District #23 Resident
 Doug Bencze – Underwood Road Resident
 Ron LasCala – Resident
 Pam Savard – Tupper Lake Country Club Board Member
 Ray Planty – Tupper Lake Country Club Board Member
 Mike Dechene – Tupper Lake Country Club Board Member
 Eric Shaheen – Tupper Lake Country Club Board Member
 Clarence Bell – Tupper Lake Country Club Pro Shop & Course Manger

Supervisor Amell called regular town board meeting to order at 4:00 p.m. opening with the Pledge of Allegiance.

1. Larry Reandeau & Dan McClelland:
 Setting Pole Dam:

Larry & Dan residents of River Road attended meeting to speak to board members about taking steps to lower the water level at Setting Pole Dam to prevent another disastrous flood in the spring.

Orion Power of New York, contracts with the town monitoring the water level of the dam, not to exceed the 1545 feet mark, as per Supreme Court order dated May 29, 1911.

Larry & Dan are requesting the town board to begin to lowering the dam.

Supervisor Amell stated he has personally been watching the water level, and is in contact with the Orion Power company.

Board members agreed to get in touch with them stating they have concerns on what might happen in the spring.

2. Tupper Lake Country Club Board:

The Tupper Lake Country Club Board attended meeting to ask Town Board members about considering a long-term lease. Similar to what they recently gave the Tupper Lake Rod & Gun Club a 15-year lease.

Dave Clark operated the 19th Hole Restaurant last year and is looking for a 3-year lease period, which cannot be done with the Country Club 4-year lease with Town Board expiring the end of this year.

Supervisor Amell suggested the Country Club Board give Mr. Clark another one year contract for this season and then maybe a three-year contract after new lease is signed. Supervisor Amell also stated we will have to discuss this with the town attorney.

3. Approve minutes:

Town Clerk provided each Town Board member with a drafted copy of minutes dated January 14, 2013 for approval.

Motion to approve minutes as written for meeting dated January 14, 2013 was made by Councilwoman Littlefield.

Seconded by Councilwoman Lefebvre
 All Town Board Members voted AYE 4/0

4. Approve Town Clerks
 2012 Annual Report:

Cash receipts grand total \$118,661.49

Cash payments grand total \$118,661.49

See **Appendix A** last page of minutes for breakdown.

Motion to approve Town Clerks Annual Report for 2012 was made by Councilwoman Lefebvre

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 4/0

5. Approve Code Officer's Report:

Monthly Report
January 2013

4 Building Permits issued in January

1 Complaint filed

Completed 8 field inspections

January 2013 miles logged 53

I will be attending the Code Enforcement continuing education conference in Lake Placid on March 4th through March 7th.

Please contact me with any questions or concerns.

Respectfully submitted:

Paul O'Leary
Code Enforcement Officer
Town of Tupper Lake

Motion to approve Code Officer's Monthly report was made by Councilwoman Littlefield.

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 4/0

6. Approve Youth Activity Director's Monthly report:

Recreation Report for February 11, 2013

CROSS COUNTRY SKIING –

We have leveled off at 42 skiers this year. The program is an incredible success and although this winter has been a little light on snow we've had a great season to date. We will continue through February and try some make-up days in March. Parents have been generous in volunteering their time and as always Sarah Bencze and Margaret O'Leary have been great helpers to the program. I'm pleased with how this program has grown over the years.

SUMMER EMPLOYMENT –

I've been recruiting up at the school for lifeguards. Also I have applications available for summer employment for lifeguarding and day camp. They can pick one up at the town hall and can always call me at the office if they have questions – 359-8370.

SKI TRAILS-

I encourage all to come tomorrow night.

A major fund raiser to support the Cross Country Ski Center at the Tupper Lake Golf Course will take place at the White Birch Restaurant on Tuesday, February 12th, beginning at 4 PM.

Chef / Owner Jim Foti and nemesis Tom Sciacca have agreed to suspend their hostilities and join forces to prepare and authentic "Chef's Specialty" pasta dinner. Mr. Foti will be supplying the food and the generous use of his restaurant.

Mark "Beard" Sutliff will be on hand to act as host and to sign autographs.

This will be a great opportunity to shake off some winter blues and join with family and friends for a fun night out at the White Birch. Takeout orders will be available.

Raffles, 50/50's and door prizes. \$10 Donation for dinner.

Also – The volunteers are holding a raffle to raise funds to improve grooming equipment. Tickets are on sale for \$5 each and you have a chance to win a custom made wine table, hand-carved butternut bowl, or a framed photo of the Milky Way taken by Marc Staves. I have tickets if you would like to help sell some. The drawing will be on April 1.

And- This weekend the Lumberjack Scramble Ski Race returns to the golf course. Hoping for a big turnout.

SKI CENTER USAGE UPDATE

I have some data I would like to present. Hopefully I'm back skiing with the kids to share. If not I will provide a copy this week.

Motion to approve Youth Activity Director's Monthly report was made by Councilwoman Littlefield.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 4/0

- 7. Approve Dog Control Officer's Monthly report:

Town of Tupper Lake
Dog Control Report

For the Month of: January 2013
Date: January 31, 2013

Complaints Received	2
Complaints Answered	2
Dogs Captured	5
Dogs return to owner	5
Dogs turned over to DCO	0
Dogs transported to Humane Society	0
Dogs Adopted	0
Dogs Euthonized	0
Dogs treated by Vet	0
Dangerous Dog Complaints	0
Tickets issued	0

Mileage 84 miles DCO William Moody

Report prepared by William Moody DCO

Motion to approve Dog Control Officer's Monthly report was made by Councilwoman Lefebvre

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 4/0

- 8. Amend item #10 in Resolution #1 2013: Agreement with Town of Piercefield:

This yearly agreement is the Town of Tupper Lake provides animal shelter services for the Town of Piercefield.

Item #10 on Agreement states:

***This Agreement shall continue for a period of one year from the 1st day of January, 2013 through December 31, 2013.

Change Item #10 on Agreement to state:

***This Agreement shall continue for a period of one year from the 1st day of January, 2013 through December 31, 2013, and shall continue in full force and effect from year to year thereafter, until terminated by either party upon six months written notice to the other.

Motion to change wording in item #10 resolution #1 of 2013, agreement with Town of Piercefield was made by Councilwoman Lefebvre.

Seconded by Councilwoman Littlefield
All Town Board Members voted AYE 4/0

9. Approve 2013 Tinman using
Town roads for event:

RESOLUTION #8 – 2013

WHEREAS: the 31st Annual Tupper Lake Tinman Triathlon is slated for Saturday, June 29, 2013 and:

WHEREAS: at a Regular Town Board Meeting held February 11, 2013, the town board passed a resolution to allow the Tinman Triathlon to use designated roads for the bike and run course June 29th, 2013 event.

Date: February 11, 2013

Motion: Councilwoman Littlefield
Seconded: Councilwoman Lefebvre
Absent: Councilman Fletcher
Action: Carried 4/0 vote

Laurie J. Fuller – Town Clerk RMC

10. Un-open portion
Of Dorothy Street:

Last year John & Jill Bujold and Bruce & Patty Nason attended a town board meeting asking to purchase a small section of un-opened portion of Dorothy Street, adding to their property.
Supervisor Amell suggest making them an offer for the parcels. Based on what other adjacent property owners paid in the past. The parcel that Bujold's are looking to buy cannot be sold to them if the Nason's did not buy their piece, because it would then land-lock.
Supervisor Amell will contact the two families to see if still interested in purchasing parcels.

Motion for Supervisor Amell to contact the two families to see if they are still interested in purchasing parcels was made by Councilwoman Littlefield.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 4/0

11. Un-open portion
Of Ottawa Ave.:

Doug Bencze attended board meeting to ask town board members for permission to open up a section of unopened street off Ottawa Ave. to put in a private driveway that will connect to his property at the end of Ottawa Ave..
Supervisor Amell stated this is not going to be a town road; Doug would put in a driveway on the 50 foot right of way at their expense, and maintain it themselves. Also provide the Town with a certificate of insurance.

Motion to give Doug Bencze permission to open up the unopened Town owned 50 foot right of way off Ottawa Ave. to get to his property was made by Councilwoman Littlefield.

Seconded by Councilman Tomberlin.
All Town Board Members voted AYE 4/0

12. Approve 2012
Budget Transfers:

	Acct/Budget	Detail	Increase	Decrease	Revenue	Expenditure
General						
	35104	Animal control	\$19.50			
	19904	Contingency		\$19.50		
	51324	Garage	\$90.56			
	50104	Hwy Superintendent CE		\$90.56		
			\$110.06	\$110.06	\$0.00	\$0.00

Motion to approve 2012 Budget Transfers as listed was made by Councilman Tomberlin.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 4/0

13. Approve Abstract
Of Audited vouchers:

Motion to approve Abstract of Audited Vouchers for the period 1/12/2013 thru 2/7/2013 in the amount of \$268,630.29 was made by Councilman Tomberlin.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 4/0

14. Approve End of Year
Vouchers:

Motion to approve end of year vouchers in the amount of \$5,234.08 was made by Councilwoman Littlefield.

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 4/0

15. Announce Town Offices
Closed:

Town offices will be closed February 12th And February 18, 2013 President's Holiday.

16. Purchase 1976 Snow Plow & Sander:

Highway Superintendent, William Dechene is requesting to purchase a 1976 Oshkosh, AWD snow plow and sander from the Town of Santa Clara to use for parts, in the amount of \$6,500.00.

Motion for Highway Superintendent William Dechene to purchase from the Town of Santa Clara a 1976 Oshkosh, AWD snow plow and sander in the amount of \$6,500.00 was made by Councilwoman Littlefield.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 4/0

17. Public Hearing for
Grinder pump in District #23:

Supervisor Amell explained to Matthew Zande a Public Hearing is going to be set up for everyone in district #23. Two options will be offered. The Town will pay for grinder pump, panel box, electrical box and homeowners will pay for installation and everything else. Other option will be not to do anything. A mailing will go out to everyone in district #23, informing them of public hearing date & time, so they can give their input, since the cost will affect their district charge. The Town Board will make final decision.

PUBLIC HEARING DATE WILL BE APRIL 8, 2013 4:00 P.M.

Regular Monthly Town Board Meeting will follow.
May have to change location.

18. Motion to enter into executive session at 5:05 p.m. to discuss Assessment Litigation was made by Councilwoman Lefebvre.

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 4/0

Motion to enter out of executive session and reopen regular meeting at 5:35 p.m. was made by Councilwoman Lefebvre

Seconded by Councilwoman Littlefield
All Town Board Members voted AYE 4/0

19. Approve Assessment Settlement:

A motion to approve recommendation from Town Assessor Paul O'Leary, approve assessment settlement agreement on McClellan Family Assoc., LLP
Parcel # 460.-1-14 from \$883,700.00 to \$800,000.00

Motion made by Councilman Tomberlin

Seconded by Councilman Littlefield
All Town Board Members voted AYE 4/0

20. Adjournment:

Motion to adjourn at 5:36 p.m. was made by Councilwoman Littlefield

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 4/0

Laurie J Fuller, Town Clerk RMC

CASH RECEIPTS																								
2012	TOTAL	SPORTING LICENSES	MARRIAGE LICENSES	MARRIAGE TRANSCRIPT	SEARCHES & CERT COPIES	PARK & REC	G.O.C. & BINGO LICENSES	BINGO 3% FEES	DOG LICENSES	DOG FEES	BUILDING PERMITS	MISC.	X SKIING	GARDEN & BASEBALL LL	SOFTBALL VOLLEYBA	SBALL & BBALL SPONSORS CLINIC	SOCCER SPONSORS	SOCCER SPONSORS	JOINT PLANNING	SWIM LESSONS	DAY CAMP	PAINTBALL		
JAN	3,388.32	322.00	30.00	50.00	260.00		931.25	4.82	138.00	10.00	1,257.00	5.25	380.00											
FEB	814.07	232.00	90.00	10.00	280.00			20.07	70.00		103.00	9.00												
MARCH	4,534.00	266.00	90.00	30.00	282.00				140.00	30.00	2,661.00			25.00	90.00	140.00	400.00	30.00	200.00	150.00				
APRIL	4,443.09	803.00	60.00	10.00	230.00			9.09	126.00	20.00	1,390.00			25.00	225.00	140.00	500.00	105.00	800.00					
MAY	30,757.03	1,742.00	120.00	40.00	270.00	22,953.80		15.23	56.00	20.00	1,490.00			150.00	200.00	1,485.00	665.00			320.00	1,230.00			
JUNE	14,565.49	1,643.00	60.00	20.00	350.00	7,148.45		15.29	111.00	10.00	981.00	13.25		62.50	15.00		1,590.00		850.00	700.00	810.00		186.00	
JULY	19,244.71	1,671.00	150.00	30.00	230.00	9,642.75		12.96	58.00		559.00	2.00					290.00			360.00	6,239.00			
AUG	17,695.46	1,943.00	390.00	10.00	440.00	8,949.90		10.56	138.00	50.00	1,688.00	16.00							375.00					
SEPT	7,520.07	5,312.00	180.00	70.00	215.00	1,179.50		4.57	96.00	20.00	434.00	9.00												
OCT	9,064.82	7,557.00	30.00	40.00	260.00			9.82	80.00		875.00	3.00	135.00							75.00				
NOV	3,484.97	2,505.00	30.00	10.00	50.00			5.97	66.00		321.00	7.00	340.00							150.00				
DEC	3,149.46	593.00	90.00	30.00	200.00		25.00	3.46	20.00		1,389.00	14.00	635.00							150.00				
GRAND TOTAL	\$118,661.49	24,589.00	1,320.00	350.00	3,067.00	49,874.40	956.25	111.84	1,099.00	160.00	13,148.00	78.50	1,490.00	262.50	330.00	2,385.00	2,680.00	1,000.00	1,750.00	1,380.00	11,964.00	186.00		
CASH PAYMENTS																								
2012	TOTAL	SUPER-VISOR	NYS DEPT. OF HEALTH	NYS AGS. & MARKETS	STATE COMPT. BINGO LICENSE	STATE COMPT. BELL JAR	STATE COMPT. DECALS																	
JAN	3,388.32	2,474.83	22.50	28.00	528.75	30.00	304.24																	
FEB	814.07	513.37	67.50	14.00		219.20	219.20																	
MARCH	4,534.00	4,185.18	67.50	30.00		251.32	251.32																	
APRIL	4,443.09	3,613.38	45.00	26.00		758.71	758.71																	
MAY	30,757.03	29,010.11	90.00	11.00		1,645.92	1,645.92																	
JUNE	14,565.49	12,945.11	45.00	23.00		1,552.38	1,552.38																	
JULY	19,244.71	17,541.31	112.50	12.00		1,578.90	1,578.90																	
AUG	17,695.46	15,539.06	292.50	28.00		1,835.90	1,835.90																	
SEPT	7,520.07	2,338.24	135.00	20.00		5,026.83	5,026.83																	
OCT	9,064.82	1,792.24	22.50	16.00		7,234.08	7,234.08																	
NOV	3,484.97	999.49	22.50	14.00		2,448.98	2,448.98																	
DEC	3,149.46	2,479.05	67.50	4.00		583.91	583.91																	
GRAND TOTAL	\$118,661.49	93,431.37	990.00	226.00	528.75	45.00	23,440.37																	