

TOWN OF TUPPER LAKE REGULAR TOWN BOARD MEETING

October 11, 2012

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

Recording Secretary: Laurie J Fuller – Town Clerk

Press: Jessica Collier – Adirondack Daily Enterprise
Pat Bedore – Tupper Lake Free Press

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

Guest: Gary Beaudette – Tupper Lake Snowmobile Club
Pete Edwards – Tupper Lake Snowmobile Club
Hope Frenette – Adirondack Rails to Trails Association
Chirs Keniston – Adirondack Rails to Trails Association

Supervisor Amell called meeting to order at 3:00 p.m.

Motion to enter into executive session at 3:01 p.m. to discuss Highway Contract with Town Attorney was made by Councilman Tomberlin.

Seconded by Councilwoman Littlefield
All Town Board Members voted AYE 5/0

Motion to enter out of executive session at 4:08 p.m. was made by Councilwoman Lefebvre

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 5/0

Supervisor Amell reopened regular board meeting at 4:08 p.m. opening with the Pledge of Allegiance.

1. Tupper Lake Snowmobile Club
Gary Beaudette & Pete Edwards:

Gary Beaudette and Pete Edwards, representing the Tupper Lake Snowmobile Club, appeared before the town board to give an update on the club’s work on the Mount Matumbula trial. The club obtained a permit from DEC to build a bridge across the stream that bisects the trial. The trial will lead to the Piercefield dump. From there, you will have the option of crossing the Gull Pond road to connect to the railroad corridor, or going through the village of Piercefield to Conifer to access the St. Lawrence County trials.

2. Approve minutes:

Town Clerk provided each board member a drafted copy of minutes for meeting dated September 10, 2012 for approval.

Motion to approve minutes as written for meeting dated September 10, 2012 was made by Councilwoman Lefebvre.

Seconded by Councilman Fletcher
All Town Board Members voted AYE 5/0

3. Approve Code Officer’s Monthly report:

Monthly Report
September 2012

8 Building Permits issued in September.

1 Complaint filed

Completed 13 field inspections.

September 2012 miles logged 105

Please contact me with any questions or concerns.

Respectfully submitted:

Paul O'Leary

Code Enforcement Officer

Town of Tupper Lake

Permit #	Issue Date	Owner	Property Location	Permit Type	Amount
057-12	9/6/2012	Shawn & Sherry Larabie	42 Bradley Street 480.-8-1	Gas Appliance	25.00
058-12	9/6/2012	Eileen Brusger	63 Raquette River Dr. 500.51-1-4	Renovation	93.00
059-12	9/7/2012	James Shaheen	4 Tamarac Dr. 510.-1-52.100	Accessory Structure	48.00
060-12	9/11/2012	William Michelfelder	1455 State Route 30 510.-1-16	Accessory Structure	39.00
062-12	9/17/2012	Lawrence Callaghan	214 Raquette Rvr Dr. 490.83-1-4	Roof	48.00
063-12	9/26/2012	Big Wolf Clifford	27 Big Wolf Road 470.-3-4	Reconstruction	78.00
064-12	9/26/2012	Big Wolf Clifford	27 Big Wolf Road 470.-3-4	Repair	78.00
D-004-12	9/7/2012	Harry Randall	55 Charland Rd. 510.-1-11	Demolition	25.00
Total:					434.00

Complaint #	Location	Identifier	Type	Status	Owner
2012-0022	53 Lincoln Drive	491.46-1-1.100	Unsafe Structure	O	On File w/CEO

* Status: C= completed, O= open, V= void

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

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 5/0

4. Approve Youth Activity Director's Monthly report:

Recreation Report for October 11, 2012

WEBSITE – I had a very informative training session with David Tomberlin, Rick Donah, Mary Casagrain and representative from website provider. It's a fairly easy thing to do. I've been playing around and familiarizing with it for past couple weeks and am to a point where I'd like to make some permanent adjustments to it. I'd ask at your leisure to fill out this form and return to me so I can start making these changes. (see attached)

CROSS COUNTRY SKIING – Sign up forms have gone out and I can sense the season is right around the corner. I hope to increase or number this year and feel that's a real possibility considering Big Tupper will not be opening. I've reached out to a couple organizations to see if they'd be willing to donate to the program.

CROSS COUNTRY SKI CENTER – I recently held a meeting with Patti Littlefield, John Gillis, John Quinn and Bill Dechene to discuss the upcoming season at the cross country ski center. There are a few items that Mr. Gillis has requested that I think should be fairly easy to acquire. I've also requested funding from the same organizations as I did for cross country skiing program. We'll be having a number of events this season so hopefully we can draw in some tourists. I plan to reach out to local motels and the Wild Center to see if they'd offer any sort of promotions to help draw visitors this winter. We made some use of the pro-shop last year. I'd like to use it again and maybe on a more regular basis. Perhaps a retired person wouldn't mind going up on a Saturday or Sunday afternoon just to keep eye on the shop. And I'd like to get another round of brochures printed off. I can do these in-house as I did last year or have someone like Compass Printing mass produce a bunch. If the latter is chosen it might be a \$200 job. In my budget wish list I've requested money for a trail fund.

HALLOWEEN BASH – Once again the Tupper Lake Youth Council will host a Halloween Dance for middle/high school students at the Holy Ghost Academy. This idea was hatched as a way to provide students with a safe and fun activity but also to dissuade mischief on cabbage night. We are also supported by the Kiwanis Club of Tupper Lake and the local police department. This year's dance will be on Tuesday, October 30 from 6:30 to 9:30pm.

FACEBOOK – We're up to 887 followers. This continues to be an excellent way to reach a vast amount of people. It's simple, it's fast and it's free.

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

Seconded by Councilman Fletcher
All Town Board Members voted AYE 5/0

5. Approve Dog Control Officer's Monthly report:

Town of Tupper Lake
Dog Control Report

For the Month of: September 2012

Date: October 1, 2012

Complaints Received 1

Complaints Answered 1

Dogs Captured 1

Dogs return to owner	1
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 25 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 5/0

6. Approve Statutory Bond for Water District #15:

RESOLUTION # 31 - 2012
OF
THE TOWN BOARD OF THE TOWN OF TUPPER LAKE,
FRANKLIN COUNTY, NEW YORK

AUTHORIZATION OF ACCEPTANCE FOR STATUTORY BOND FOR REPAIRS IN
WATER DISTRICT #15 (POWERS AVE.)

Whereas: Bookkeeper to the Supervisor Mary Sue Wolson solicited quotes for a 5 – year callable Statutory Bond in the amount of \$4,700.00 for repairs in water district #15 (Powers Ave.) and;

WHEREAS: quotes we received until Friday September 14, 2012 at 12:00 Noon, and

WHEREAS: one quote received from Community Bank at a rate of 2.99% for a 5 – year callable Statutory Bond for Water District #15 Statutory Bond in the amount of \$4,700.00.

NOW THEREFORE BE IT RESOLVED: at a regular Town Board Meeting held October 11, 2012 the Town Board, upon reviewing quote accepted Community Bank’s quote of 2.99% for a 5-year callable Statutory Bond in the amount of \$4,700.00 to repair Water District #15.

Date: October 11, 2012

Motion: Councilman Tomberlin

Seconded: Councilwoman Littlefield

Action: Carried 5/0 vote

Laurie J. Fuller – Town Clerk

7. Approve resolution petitioning NYSDOT & NYSDEC
To update railway corridor:

Resolution #32 -2012

Of

THE TOWN BOARD OF THE TOWN OF TUPPER LAKE,
FRANKLIN COUNTY, NEW YORK

Resolution Petitioning the NYSDOT and NYSDEC to Review and Update
its Railway Corridor Unit Management Plan

WHEREAS, the NYSDOT and NYSDEC have not updated the railway Corridor Unit Management Plan for the corridor extending from Utica to Lake Placid in 17 years, the last being in 1995, and

WHEREAS, there exist the possibilities of other positive coordinated uses of the corridor, and

WHEREAS, these uses will enhance the economic vitality of the Adirondack Region, and

WHEREAS, the hearings required by a UMP update will provide an on-the-records process allowing all stakeholders the opportunity to express their respective points of view and for unbiased fact-finding, and

WHEREAS, the update procedure will run in a proscribed and unbiased way that would negate the need for localities such as the Town of Tupper Lake or Village of Tupper Lake to conduct their own fact-finding process, then, therefore, be it

RESOLVED, that the Town of Tupper Lake Board hereby petitions the NYSDOT and NYSDEC to quickly review and update the Railway corridor Unit Management Plan for the corridor extending from Utica to Lake Placid.

The question of the adoption of the foregoing resolution was duly put to a vote on October 11, 2012 roll call which resulted as follows:

Supervisor Amell	AYE
Councilwoman Lefebvre	NAY
Councilman Tomberlin	NAY
Councilwoman Littlefield	AYE
Councilman Fletcher	AYE

Laurie J Fuller – Town Clerk, RMC

8. Except 2013 Tentative Budget:

RESOLUTION #33-2012

OF

TOWN BOARD OF THE TOWN OF TUPPER LAKE,
FRANKLIN COUNTY, NEW YORK

Accepting 2013 Tentative Budget

WHEREAS; Mary Sue Wolson prepared the tentative 2013 Budget for town board members, and

WHEREAS; tentative budget was presented to the Town Clerk on September 28, 2012 and then provided to town board members, and

WHEREAS; a budget workshop to review tentative budget is scheduled for October 11, 2012 at 3:30 p.m..

Town of Tupper Lake
120 Demars Blvd.
Tupper Lake, NY 12986

Town Clerk

September 14, 2012

Date

Bid opening for:

500 ton 6" minus select stone

Name

Submitted Bid

Graymont

500 ton
6" minus stone fill \$16.30
per ton delivered

500 ton
6" minus stone fill \$10.85
per ton FOB

Paul Mitchell Logging

500 ton
6" minus \$12.20 per ton delivered from
Star Lake Mine
\$13.00 from Newcomb Mine

500 ton
6" minus \$7.50 per ton
pickup at Star Lake Mine
\$6.30 from Newcomb Mine

Date of Opening September 14, 2012

Time of Opening 4:02 p.m.

Members Present: William Dechene, Highway Superintendent

Laurie Fuller, Town Clerk

Mike Fritts, witness

Bid was awarded to Paul Mitchell / delivered bid per ton

Town of Tupper Lake
120 Demars Blvd.
Tupper Lake, NY 12986

Town Clerk

Motion to approve bids was made by Councilwoman Lefebvre

Seconded by Councilman Fletcher

All Town Board Members voted AYE 5/0

10. Resolution for Workplace
Violence Prevention Policy;

Resolution #34

WORKPLACE VIOLENCE PREVENTION POLICY & INCIDENT REPORTING

The Town of Tupper Lake is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests or other individuals by anyone on **The Town of Tupper Lake** property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included accident reports/DOSH 900 logs/assessments/surveys. **Management and Authorized Employee Representatives** will have an ongoing role in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention training Program.

The goal of this policy is to promote safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. **Town of Tupper Lake** has identified response personnel that include a member of management and an employee representative. If appropriate, the town will provide counseling services or referrals for employees.

All town personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person:

Date: October 11, 2012

Name: Roger J Amell

Motion: Councilman Tomberlin

Title: Supervisor

Seconded: Councilwoman Lefebvre

Phone: (518) 359-3981

Action: Carried 5/0 vote

11. Agreement with Adk. Park
Local Government Review Board:

Resolution #35-2012

Agreement

THIS AGREEMENT made October 11, 2012 between the **Town of Tupper Lake**, hereinafter referred to as the **TOWN**, and the **ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD**, A Board duly organized and existing pursuant to the provisions of §803-a of the Executive Law of the State of New York, acting by and through its duly appointed members, hereinafter referred to as the **REVIEW BOARD**.

WHEREAS, the Review Board was created by the Legislature of the State of New York and is composed of representatives appointed by the county legislatures of the counties lying in whole or in part within the Adirondack Park; and

WHEREAS, the Legislature of the State of New York has provided only partial funding for the **REVIEW BOARD** to perform its statutory functions as outlined in Executive Law §803-a, and recently reduced that funding by 53%, and

WHEREAS, the TOWN has authorized an appropriation in the sum of **\$300** three hundred dollars (**\$300**) in support of the work of the REVIEW BOARD in representing the interests of the local government of the Adirondacks; and

NOW, THEREFORE, it is agreed as follows:

1. The TOWN agrees to pay the REVIEW BOARD the sum of Three Hundred Dollars (\$300) for the services of the REVIEW BOARD in representing the TOWN in matters relating to the Adirondack Park.
2. The REVIEW BOARD agrees to provide to the TOWN the benefit of its services, including but not limited to, attendance at meetings of the Adirondack Park Agency, attendance and participation at public hearings conducted by the Adirondack Park Agency on projects under review by said Agency, periodic reports on the activities effect the residents of the TOWN and generally to report on the administration and enforcement of the Land Use and Development Plan set forth in the Executive Law of the State of New York.

Date: October 11, 2012

THE TOWN OF TUPPER LAKE

Motion: Councilwoman Littlefield

By Roger Amell, Supervisor

Seconded: Councilwoman Lefebvre

Action: Carried 5/0 vote

**ADIRONDACK PARK LOCAL GOVERNMENT
REVIEW BOARD**

By Frederick H. Monroe
Executive Director

12. Resolution for funding
Life Flight:

TOWN OF TUPPER LAKE

RESOLUTION NO.: #36 - 2012

DATED: October 11, 2012

WHEREAS: North Country LIFE FLIGHT, Inc. is a not-for-profit, tax-exempt corporation which is responsible for all aspects of patient care by providing medical equipment, training medical personnel and administering the medical portion utilizing the New York State Police helicopter based in Saranac Lake and private fixed-wing aviation resources; and

WHEREAS: The New York State Police and private fixed-wing aviation resources do not provide a medically trained team or medical equipment for patient transports; and

WHEREAS: The people of Clinton, Essex, Franklin, Hamilton and St. Lawrence Counties receive a vital emergency medical service which is free of charge to critically ill and seriously injured patients, and, therefore municipal governments are asked to pledge monies for this worthwhile program;

NOW, THEREFORE, BE IT RESOLVED: That the Town Board of the Town of Tupper Lake hereby authorizes the Supervisor to enter into a contract with North Country LIFE FLIGHT, Inc. for the purpose of operating the medical component of the medevac program, which will serve its residents and visitors, and paying the amount of \$2500.00 which represents the Town's share for 2011; and be it

FURTHER RESOLVED: That the sum of \$2500.00 is hereby appropriated to

Account No. _____ for payment to North Country LIFE FLIGHT, Inc.

Offered by: Councilwoman Littlefield
 Seconded by: Councilwoman Lefebvre
 Vote: Carried 5/0

13. Price Quote for Country Club:

Supervisor Amell explained back in May we went out to bid to replace firebox at the Tupper Lake Country Club Clubhouse. Bids were approved at the May 14, 2012 meeting but agreed to get quotes on a propane log set insert. A quote from Sootbusters LLC for \$8,925.00 was received. Board members agreed to put out to bid for a 60,000 BTU propane log set insert for the Tupper Lake Country Club firebox.

Motion made by Councilwoman Littlefield

Seconded by Councilman Tomberlin
 All Town Board Members voted AYE 5/0

14. Approve Budget Transfers:

Town of Tupper Lake Transfers
 10/11/2012

	Acct/Budget	Detail	Credit	Debit	Revenue	Expenditure
General						
	14104	Town Clerk CE	\$706.53			
	13204	Indep Auditing & Accting		\$706.53		
	14304	Bookkeeper CE	\$2,064.85			
	14301	Bookkeeper PS		\$2,064.85		
	16201	Buildings PS	\$680.00			
	16204	Buildings CE		\$680.00		
	33104	Traffic Control CE	\$373.50			
	64104	Publicity	\$16.56			
	80104	Zoning CE	\$70.00			
	86864	Community Development	\$5,651.61			
	19904	Contingency		\$6,111.67		
	71101	Boardwalk PS		\$69.76		
	71104	Boardwalk CE	\$69.76			
	71401	Beach PS	\$2,504.00			
	71404	Beach CE		\$2,504.00		
	73101	Youth PS	\$525.06			
	73104	Youth CE		\$525.06		
	80904	Environmental Control CE	\$6,594.60			
	14204	Attorney CE		\$6,594.60		
	86641	Building & Code PS				\$1,142.65
	2555	License & Permits			\$1,142.65	

			\$19,256.47	\$19,256.47	\$1,142.65	\$1,142.65
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Motion to approve budget transfers was made by Councilwoman Littlefield

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 5/0

15. Approve Abstract of
Audited Vouchers:

Motion to approve Abstract of Audited Vouchers for the period 9/8/2012 thru 10/11/2012 in the amount of \$219,726.09 was made by Councilwoman Lefebvre

Seconded by Councilman Tomberlin
All Town Board Members voted AYE 5/0

16. Approve going out to
Bid on new sander:

Highway Superintendent, William Dechene is requesting to put out to bid for a 14 ft. Stainless Steel Slide in Sander.

Motion to put out to bid for a 14 ft. Stainless Steel Slide in Sander was made by Councilwoman Littlefield

Seconded by Councilman Fletcher
All Town Board Members voted AYE 5/0

17. Adjournment:

Motion to adjourn at 5:02 p.m. was made by Councilwoman Lefebvre

Seconded by Councilman Fletcher
All Town Board Members voted AYE 5/0

Laurie J. Fuller – Town Clerk, RMC