

Village of Tupper Lake
Board of Trustees
Minutes

Date: Tuesday, January 22, 2013
Location: Board Room
Meeting: Regular 6:00-10:10 PM

At the Regular Meeting of the Board of Trustees held this date, the following were present: Mayor Paul A. Maroun, Trustees Leon LeBlanc, David Maroun, Richard Donah, Thomas Snyder and Village Clerk/Treasurer Mary A. Casagrain.

Call Regular Meeting
To Order

Mayor Maroun called the Regular Meeting to order and established the agenda at 6:00 pm.

Pledge

Pledge of allegiance to the flag and a moment of silence and prayer for the safe return of missing teen Collin Gillis.

Mayor Moved Public
Comment to Court
Room

Due to the number of attendees at the Regular Monthly Meeting Mayor Maroun moved the public comment to the Village Court Room to allow ample room for all to be seated.

The focus of this evenings public comment period was centered around whether or not the Village Board should support a resolution petitioning the NYSDOT and NYSDEC to review and update its Railway Corridor Unit Management Plan.

Nineteen individuals from the public commented in support and against opening the unit management plan with the majority echoing that the unit management plan needed to be updated so that the two could co-exist.

Board Members
Echoed Support

Trustee Donah spoke out in support of opening the Railway Corridor Unit Management Plan as well as Trustee Maroun, Trustee LeBlanc and Trustee Snyder.

Mayor Maroun cautioned against opening the UMP stating that it would give the environmentalist who do not want growth an opportunity to block everything.

#1-012213 Resolution
Supporting UMP

Motion by Trustee Donah, seconded by Trustee Maroun to support the following resolution petitioning the NYSDOT and NYSDEC to review and update its Railway Corridor Unit Management Plan as follows:

WHEREAS, the NYSDOT and NYSDEC have not updated the Railway Corridor Unit Management Plan for the corridor extending from Utica to Lake Placid in 15 years, the last being in 1997 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, the Community of Tupper Lake and

WHEREAS, the hearings required by a UMP update will provide an on-the-record process allowing the 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 Tupper Lake Village 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.

(Carried 4-1, Mayor Maroun “Nay”)

Meeting Moved Back To

Village Board Room Mayor Maroun moved the Regular Monthly Meeting back to the Village Board Room at 7:00 PM.

Also present were Police Chief Thomas Fee, Electric Superintendent John Bouck, local residents Ronald LaScala, Lyndon LaValley and news reporters Jessica Collier and Daniel McClelland.

Additional Public Comments:

Lyndon LaValley

Local resident Mr. Lyndon LaValley stated that he feels we should have police present in our schools and he would like to see the community openly discuss the issue further in light of the recent tragedies in the media.

Ronald LaScala

Local resident Mr. Ronald LaScala stated he has concerns with a property dispute. He stated he would like the Village Board to consider establishing an ordinance preventing neighbors from depositing snow against their neighbors building structures.

Mr. LaScala stated he was having problems with a neighbor depositing snow against a structure of a home he is caretaking for and isn't getting the results he had hoped with law enforcement.

Mayor Maroun assured Mr. LaScala he would talk with the Police Chief and District Attorney concerning his issue.

James Foti Fence Ordinance

Mayor Maroun stated he recently spoke with local resident Mr. James Foti concerning our proposed changes to our fencing ordinance. Mr. Foti asked that we lay aside the ordinance until he commented.

Mayor's Announcements & Misc.:

Ellen Maroun

Resignation Community

Appearance

Motion by Trustee Snyder, seconded by Trustee Donah to formally accept the resignation of Ms. Ellen Maroun as committee chairperson of our Community Appearance sub-committee of the TL Revitalization Committee. (Carried 5-0)

NYS Pro-Am Corp.

Ice Fishing Tournament

Moved to March

Motion by Trustee Snyder, seconded by Trustee Donah authorizing the NYS Ice Pro-Am Corporation to host an Ice Fishing Tournament in the Municipal Park March 8-10, 2013, their event had to be moved from January due to the ice conditions on Racquette Pond. (Carried 5-0)

Rodney & Kendall
Wedding Reservation
August 10, 2013 Motion by Trustee LeBlanc, seconded by Trustee Maroun to authorize the use of the municipal overlook near the Sunset Motel on August 10, 2013 from 12:pm to 4:pm for a wedding ceremony. (Carried 5-0)

AMEC Races
January 26-27, 2013 Reminder that the AMEC-Adirondack Motor Enthusiasts Corporation will be hosting a two-day ice race January 26 & 27, 2013 on Racquette Pond of ice conditions are good on Racquette Pond.

Fire & Ice Tournament
February 16, 2013 Reminder that the Tupper Lake Rotary and Lions Clubs will be hosting their Third Annual Rotary/Lions Club "Fire & Ice Tournament" Saturday, February 16, 2013 in the Municipal Park.

Wild Center North
Country Sustainability
Plan Meeting Reminder that The Wild Center is holding a public meeting on behalf of ANCA, unveiling the North Country Sustainability Plan on Wednesday, January 23rd, 2013.

Woulf Avenue East
No Bidders It was reported that we received to interested bidders on the sale of the Woulf Avenue East lot (former trailer park).

Approve Minutes Motion by Trustee Snyder, seconded by Trustee Maroun to approve the Board Minutes from December 17, 2012 and January 15, 2013. (Carried 5-0)

Small Cities:
Grant Updates It was noted that we received notice that our application for assistance under the HOME Local Administrators Program for 2012 was not selected for funding but that we received notice that our other housing grant would be funded but we are still awaiting for the official letter with details of the grant, the grant would total \$211,800.00 for local hosing improvements.

Code Enforcement:
Accept December
Report Motion by Trustee Snyder, seconded by Trustee Donah to approve the December 2012 Monthly. (Carried 5-0)

Fence Ordinance Further discussion was tabled on the proposed Local Law #3-2012 amendments to the Fence Ordinance until next months meeting.

Free Lead Based Paint
Training Offered It was noted that there would a Free Lead Based Paint Training Course offered in Tupper Lake on February 21, 2013 at the Goff Nelson Memorial Library, Paul Smiths on March 28, 2013 and Malone on April 11, 2013. Flyers will be mailed to all local contractors in the next week.

Fire:
Accept December's
Report Motion by Trustee Donah, seconded by Trustee Snyder to approve the December 2012 Monthly Report. (Carried 5-0)

Constitution & By-Laws
TLV Fire Department A Copy of the Tupper Lake Volunteer Fire Department's Constitution and By-Laws were presented the Village Board of Trustees for review.

Accept \$250.00 Donation
From Burnham Benefit
Advisors It was noted that the Tupper Lake Volunteer Fire Department received a donation of \$250.00 from our insurance broker Burnham Benefit Advisors.

54 Pagers Received

Fr. County E911

It was noted that the Tupper Lake Volunteer Fire Department received 54 new pagers from Franklin County E911 for the transition to the new narrow ban requirements.

Truck Operator Training

Offered

It was noted that there would be new truck operator training given in the coming weeks for any interested member of the department, currently there are 14 members taking the training course given over 8 nightly courses.

Albany Trip Planned

Inspect Used Pumper

It was noted that members of the Tupper Lake Volunteer Fire Department are planning a trip to Albany to inspect a used 1998 pumper at the West Albany Fire Department in light of our aging truck stock for consideration of replacing our 1983 Pierce.

Heuber Breuer Construction

Company Inc.

Contract At Risk

It was noted we are reviewing a contract with Heuber Breuer Construction Company Inc. for a Fire Station Referendum Services Proposal to move our Fire Station Feasibility Project to the next phase, referendum.

DPW:

Outdoor Skating

Rink Discussion

The board briefly discussed the feasibility of an outdoor rink at the Municipal Park. It is getting late in the season and we may not be able to get a chance to get the rink set up in time for use this season but we will wait until the unseasonably work weather clears.

Hosley Avenue

Survey

Request to authorize a survey of Hosley Avenue was tabled until we could talk with the Franklin County Highway Superintendent John Hutchins who may already have a completed survey of the road for our use in preparation of spring work in the area for our Multi-Use Trail Project.

Franklin County

Highway Department

2013 Contract

Motion by Trustee Snyder, seconded by Trustee Donah to authorize Mayor Maroun to execute our annual 2013 contract with the Franklin County Highway Department for Mutual Aid Services. (Carried 5-0)

Multi-Use Trail

Plan Changes

Mayor Maroun noted that we received notice from one of the adjacent property owners on our proposed Multi-Use Trail Plan who doesn't want the trail to cross his property therefore we are looking at alternate routes and will be working closely with NYSDOT and our consultants Barton & Loguidice, PC. An updated plan will be given in the very near future.

Police:

Accept December

Report

Motion by Trustee Donah, seconded by Trustee Snyder to formally accept the Police Department Monthly Report for December 2012. (Carried 5-0)

Franklin County

STOP-DWI

2012 Program

Motion by Trustee Snyder, seconded by Trustee Donah to formally approve acceptance of \$1,277.64 in funding from Franklin County STOP-DWI for our participation in the program during 2012. (Carried 5-0)

Village of Saranac Lake

Winter Carnival Help

Motion by Trustee Snyder, seconded by Trustee Maroun to authorize our Police Department to assist with traffic control for the Village of Saranac Lake during their Winter Carnival Parade to be held on Saturday, February 9, 2013. (Carried 5-0)

Thomas J. Fee's Retirement Effective February 28, 2013 Motion by Trustee Snyder, seconded by Trustee Donah to formally accept Thomas J. Fee's letter of retirement effective February 28, 2013 after 34 years with the Village of Tupper Lake Police Department. (Carried 5-0)

Water/Wastewater: Demars Blvd. Generator Bid Replacement Water/Wastewater Superintendent Mark Robillard advised the board that he is working on finalizing a bid for replacement of the Demars Blvd. Lift Station generator and expects a bid opening date of February 28, 2013. It was so moved by Trustee LeBlanc, seconded by Trustee Snyder to formally authorize the bid for replacement of the damaged generator for Demars Blvd. Lift Station. (Carried 5-0)

Martin Fuller's Retirement Effective Feb. 3, 2013 Motion by Trustee LeBlanc, seconded by Trustee Snyder to formally accept Martin Fuller's letter of retirement effective February 3, 2013 after 33 years with the Village of Tupper Lake. (Carried 5-0)

Sunmount Contract #C152735/#35 #012213A Motion by Trustee Snyder, seconded by Trustee Donah to formally authorize Mayor Maroun to authorize Mayor Maroun to execute Sunmount Contract C152735#35 with NYS OPWDD to provide annual utilities for period 04/01/2013 to 03/31/2014. (Carried 5-0)

Contract with HydroSource Associates, Inc. Motion by Trustee Snyder, seconded by Trustee Maroun to authorize Mayor Maroun to execute a contract with HydroSource Associates, Inc. to conduct work for our groundwater project as proposed for groundwater source location and development not to exceed \$225,800.00 and further evaluation and testing to determine the viability of the aquifer that underlies the wastewater treatment plant site including sub-consultant for well drilling not to exceed \$13,750.00. (Carried 5-0)

Electric: Electric Curtailment It was noted that there will be a 3% reduction in firm hydro energy sales on a pro-rata basis for our hydropower customers for the period February 1-28, 2013.

Lenny Catalino Retirement NYPA It was noted that Mr. Lenny Catalino will be retiring after 20 years with the New York Power Authority, we wish him the best.

Slic Network Solutions Pole License Agreement Motion by Trustee Snyder, seconded by Trustee LeBlanc to formally authorize Mayor Maroun to execute a Pole License Agreement with Slic Network Solutions as proposed. (Carried 5-0)

Ball Park Tower Light Fixture Bid Replacement Motion by Trustee Snyder, seconded by Trustee Maroun to approve the drafted bid specifications for the necessary upgrades to the ball park light towers and to set the bid opening date of February 28, 2013. (Carried 5-0)

USA Capital Property Records Software Motion by Trustee Snyder, seconded by Trustee LeBlanc to authorize Mayor Maroun to execute a contract with Utility Software Acquisitions for a software license to maintain and operate our capital property records for a cost of \$19,500.00. (Carried 5-0)

I.C. Systems Inactive

- Balances Write Off Motion by Trustee LeBlanc, seconded by Trustee Maroun to authorize the removal of \$54,296.83 in customer account balances from IC Systems because they are inactive and need to be written off for service years of 2003-2006. Efforts will continue in-house to collect the funds. (Carried 5-0)
- Discharge Deceased Customer Balance Motion by Trustee Donah, seconded by Trustee Snyder to discharge a deceased customer's account balance totaling \$35.21. (Carried 5-0)
- Treasurer:
Approve Warrant Motion by Trustee Snyder, seconded by Trustee LeBlanc to approve the warrant in the amount of \$614,357.47 for payment of the bills for January 22, 2013 and approve the abstract of audited vouchers for the month of December 2012. (Carried 5-0)
- Review Cash Position Review the monthly cash position for December 31, 2012.
- Budget Transfers Motion by Trustee Snyder, seconded by Trustee Donah to approve budget transfers for the Water/Wastewater & Electric Fund totaling \$3,666.68 and the General Fund totaling \$15,632.67. (Carried 5-0)
- Holiday Reminders Reminder that the Village Offices will be closed on Tuesday, February 12 and Monday February 18, 2013 in observance of Lincoln's Birthday and President's Day therefore our monthly meeting will be held on Tuesday, February 19, 2013 next month.
- Review Franklin County 2012 Self Insurance Projections The Board briefly review the 2012 Franklin County Self-Insurance projection cost for 2013.
- 1-Year Service Agreement for PM of Generators Motion by Trustee Donah, seconded by Trustee Snyder to authorize Mayor Maroun to execute a 1-year service agreement with Penn Power Systems for the preventative maintenance of our generators located at the Fire, Police, Knights of Columbus and Electric Garage locations as proposed. (Carried 5-0)
- Call in Period: No calls received during our call in period.
- Enter Executive Session at 9:35 PM Motion by Trustee LeBlanc, seconded by Trustee Snyder to enter Executive Session at 9:35 pm to discuss contracts, personnel issues and CSEA Collective Bargaining Negotiations. (Carried 5-0)
- Police Services Contract with Town The board briefly reviewed the recommended changes to our proposed Police Services agreement with the Town of Tupper Lake. It was noted that it is being reviewed by our legal counsel.
- PT vs. FT Police Officer There was not action taken to further discussions concerning bringing a part-time police officer full-time.
- CSEA Unit II Negotiations A brief update was given as to our Legal Counsel's recommendation to further discussions for CSEA Unit II. Mayor Maroun stated he would talk with the unit president tomorrow concerning our counter offer.
- Request Police Chief List from Franklin County Civil Service It was requested that the Village Clerk request a civil service listing for candidates from within the department for Police Chief.

Consultation Agreement A soon to be expired consultation agreement was reviewed and table for next months meeting since it isn't expired yet.

W/WW Employee's Request A request from a Water/Wastewater employee to have a document removed from his personnel file was denied, no action taken.

Exit Executive Session at 10:05 PM Motion by Trustee Snyder, seconded by Trustee LeBlanc to exit Executive Session at 10:05 pm. (Carried 5-0)

NYSDOT to Visit Route 3 & 30 Project Mayor Maroun advised he is in the process of scheduling a visit from NYSDOT Representatives concerning the proposed Route 3 & 30 Reconstruction Project.

Emergency Services Building Design Consultant Interviews Trustee Donah advised that at the end of this week Sean Foran has scheduled interviews of possible design consultants to move the Emergency Services Building project forward, each interviewee is willing to work at risk contingent upon referendum. Interviews are scheduled for Thursday 1/24 and Friday 1/25 beginning at 1:00 pm.

Adjournment Motion by Trustee Maroun, seconded by Trustee Donah to adjourn at 10:10 PM. (Carried 5-0)

Mary A. Casagrain, Village Clerk/Treasurer