

Village of Tupper Lake
Board of Trustees
Minutes

Date: Monday, March 18, 2013
Location: Board Room
Meeting: Regular 5:30-8:40 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 and Village Clerk/Treasurer Mary A. Casagrain.

Trustee Thomas Snyder was absent from the Regular Meeting.

Enter Executive Session at 5:30 PM Motion by Trustee Donah, seconded by Trustee Maroun to enter Executive Session at 5:30 pm to discuss personnel. (Carried 4-0)

Electric Meter Serviceman to Retire One of our Electric Meter Servicemen informed the Board of Trustees that he intends to retire on July 30, 2013 and he would like the opportunity to work part-time as an account clerk title for the electric department a few days a week. He advised that he is cross trained for payroll, utility billing, cash receipting and wouldn't mind continuing those functions in addition to the Verizon pole billing, collections and the electric inventory development. The board advised that they would check with Franklin County Civil Service to confirm what title would best match the proposed job description and get back to him about his request.

Police Personnel Issues Police Chief Proulx advised that he has ordered the Sergeant's examination with Franklin County Civil Service and he has plans to start the background and interviewing process for those who are interested in the promotional position in-house over the next month.

Medical Leave Police Chief Proulx advised that he has a member who will need scheduled medical leave in the coming months and he has a requested consideration for worker's compensation reimbursement for a non-work related injury. The board tabled further discussion until the employee could meet with the board at a future date.

Part-time Police Officer Discussion After a brief discussion concerning part-time police officer positions it was recommended that Police Chief Proulx request a list from Franklin County Civil Service for interested individual for part-time police officer.

Consideration was given to bring back a retired member of the police department; a formal letter was going to be sent to Franklin County Civil Service requesting reinstatement in a part-time capacity.

Trustee LeBlanc asked the Chief of Police Proulx to consider a K-9 unit in place of hiring additional personnel.

W/WW Seasonal Help Water/Wastewater Superintendent Mark Robillard asked to bring back seasonal help beginning the first workday in April.

Exit Executive Session at 6:07 PM Motion by Trustee LeBlanc, seconded by Trustee Maroun to exit Executive Session at 6:07 pm. (Carried 4-0)

Also present were, Chief of Police Eric Proulx, Fire Department Member Royce Cole, Electric Superintendent John Bouck, Water/Wastewater Superintendent Mark Robillard, Code Enforcement Officer Peter Edwards, Department of Public Works Michael Sparks, resident Ronald LaScala and news reporters Daniel McClelland, Ted Morgan and Jessica Collier.

- Call Regular Meeting
To Order Mayor Maroun called the Regular Meeting to order and established the agenda at 6:08 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's
Announcements:
Emergency Services
Thank-You Mayor Maroun and Board of Trustees took a moment to thank the Village forces, Volunteer Fire Department, Tupper Lake Rescue Squad, Long Lake, Saranac Lake and Piercefield Fire Department for their assistance and efforts in battling the recent structural fire.
- Open Public
Comment Period There were no public comments.
- Clarence Bell Softball
League Park Use Motion by Trustee LeBlanc, seconded by Trustee Maroun to authorize the Clarence Bell Softball League to utilize the municipal ball field for the men's league Monday-Friday from April 30, 2013 to September 1, 2013. In addition they will hosting a July 6th & 7th "Fourth of July Softball Tournament" and August 10th & 11th and August 24th & August 25th, 2013 "Co-ed Tournament." (Carried 4-0)
- 31st Tupper Lake
Tinman Triathlon Motion by Trustee Donah, seconded by Trustee Maroun to authorize the Tupper Lake Chamber of Commerce to utilize the municipal park to host the 31st Tupper Lake Tinman Triathlon event June 24-29, 2013. (Carried 4-0)
- Independence Day
Celebration Motion by Trustee Donah, seconded by Trustee LeBlanc to authorize the Tupper Lake Chamber of Commerce to utilize the municipal park to host the Tupper Lake Independence Day Celebration July 3rd, 2013. (Carried 4-0)
- Tupperpalooza Motion by Trustee Donah, seconded by Trustee Maroun to authorize the Tupper Lake Chamber of Commerce to utilize the municipal park to host the 2nd Tupperpalooza – Family Friendly Festival event August 10th, 2013. (Carried 4-0)
- Tupper Lake
Marathon Motion by Trustee Donah, seconded by Trustee LeBlanc to authorize the Tupper Lake Marathon to utilize the municipal park to host the 3rd Tupper Lake Marathon event May 19th, 2013. (Carried 4-0)
- Amusements of
America Carnival Motion by Trustee Donah, seconded by Trustee Maroun to authorize the Tupper Lake Lions Club to utilize the municipal park open field to host Amusements of America Carnival event from July 22 to July 29, 2013. (Carried 4-0)
- Youth Baseball Motion by Trustee LeBlanc, seconded by Trustee Donah to authorize the Town of Tupper Lake Recreation Department to utilize the municipal ball park to host the youth baseball program on Mondays and Wednesdays from 5:30 to 8:00 pm for the period May 20th to June 26th, 2013. (Carried 4-0)

Tupper Lake Woodsmen's

Association Meeting It was noted that we formally received a request for the Mayor and department heads to attend the Tupper Lake Woodsmen's Association Meeting scheduled for March 27th, 2013 at 7:00 pm at the Aaron Maddox Hall in preparation for their July 13th & 14th, 2013 annual "Woodsmen's Days" event.

Mt. Arab Lodge#847

Annual Flea Market Motion by Trustee Donah, seconded by Trustee Maroun to authorize the Mt. Arab Lodge#847 to utilize the municipal park to host their 2013 Annual Flea Market from August 16th to August 18th, 2013. (Carried 4-0)

Adirondack Park Local

Government Day

Conference

Mayor Maroun announced that the Adirondack Park Local Government Day Conference has been scheduled for April 24th & 25th, 2013 at the Crowne Plaza Resort in Lake Placid if any board members are interested in attending to please notify the Village Clerk by August 10th, 2013.

NY SAFE ACT

Opposition #031813A Motion by Trustee Donah, seconded by Trustee LeBlanc to formally approve the following resolution objecting to the recently enacted "NY SAFE ACT" as follows:

Resolution # 031813A

WHEREAS: The New York State Legislature recently enacted and Governor Cuomo signed into law the New York Secure Ammunition and Firearms Enforcement Act of 2013 ("NY SAFE ACT") and

WHEREAS: This legislation is viewed by many citizens of the State of New York as being extremely controversial as those citizens view this Legislation as infringing upon their rights guaranteed to them under the Second Amendment of the United States Constitution; and

WHEREAS: Each and every issue that comes before the New York State Legislature before an enactment deserves a fair and open discussion which incorporates all points of view in order to ensure that all citizens are heard and that the legislation incorporates the various points of view expressed during that discussion and benefits all the citizens of the State of New York; and

WHEREAS: The right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment of the United States Constitution; and

WHEREAS: The right of the people to keep and bear arms for defense of life, liberty and property is regarded as an inalienable right of the people of the Village of Tupper Lake the State of New York; and

WHEREAS: The lawful ownership of firearms is and has been, a valued tradition in Village of Tupper Lake and the State of New York and the rights protected by the Second Amendment of the United States Constitution are exercised by many of our residents; and

WHEREAS: The people of Village of Tupper Lake and the State of New York derive economic and environmental benefits from all safe forms of recreation involving firearms, including but not limited to, hunting and target shooting while utilizing all types of firearms available under the Constitution of the United States and feel that this law is detrimental and infringes upon the North Country way of life in hunting and sporting activities which have occurred in Franklin County for generations; and

WHEREAS: The members of the Village of Tupper Lake Board of Trustees being elected to represent the people of the Village of Tupper Lake are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS: The enactment of the NY SAFE Act (Chapter 1 of the Laws of 2013) has engendered significant controversy over both the process by which it was enacted and certain provisions contained within it; and

WHEREAS: The process in crafting the NY SAFE Act resulted in complex policy changes, many of which have been left up to interpretation and are confusing; and

WHEREAS: This legislation severely impacts the possession and use of firearms now employed for safe forms of recreations including but not limited to hunting and target shooting; and

WHEREAS: This legislation fails to offer any meaningful solutions to gun violence and places increased burdens where they do not belong, squarely on the backs of law-abiding citizens; and

WHEREAS: This legislation effectively turns countless New York State law-abiding gun owners into criminals; NOW, THEREFORE, BE IT

RESOLVED: That the Village of Tupper Lake Board of Trustees does hereby oppose any legislation including the sections within the NY SAFE Act (Chapter 1 of the Laws of 2013) which infringe upon the right of the people to keep and bear arms; and, be it

FURTHER RESOLVED: That the Village of Tupper Lake Board of Trustees strongly encourages members of the New York State Legislature to hold public hearings to address the issue of gun violence in a way that will produce meaningful results; and, be it

FURTHER RESOLVED: That a copy of this Resolution be sent to President Barack Obama, Vice President Joseph Biden, Governor Andrew Cuomo, Congressman William Owens, Senator Charles Schumer, Senator Kirsten Gillibrand, Assembly Speaker Sheldon Silver, New York State Senator Elizabeth O’C. Little and New York State Assemblywoman Janet Duprey.

(Carried 4-0)

ANCA & Adk.
Scenic Railroad
Letter of Support
Youth Baseball

Motion by Trustee LeBlanc, seconded by Trustee Maroun to formally approve sending a letter of support for ANCA’s sponsorship for the Adirondack Scenic Railroad for a Strategic Transportation Enhancement Program (STEP) grant applying for \$15+ million for a “rail with trail” project. (Carried 4-0)

Accept Donation for
ESB Project

Motion by Trustee LeBlanc, seconded by Trustee Donah to formally accept a \$20.00 donation from Ms. Donna Lewis in memory of her family members Clarence Daniel Burnett and William LePlant in support of our efforts to fund an Emergency Services Building for Fire and Police. (Carried 4-0)

Grant Update
March 2013

Trustee Donah read the Grant Update for March 2013 from Melissa McManus.

Approve Minutes

Motion by Trustee Maroun, seconded by Trustee Donah to approve the Board Minutes from February 19, 2013 and March 4, 2013. (Carried 4-0)

DPW:
Miscellaneous

Department of Public Works Superintendent Michael Sparks reported that the Pro-Am Fishing Tournament didn’t utilize the municipal park as had originally requested, but instead they used the Moody boat launch instead.

In addition Superintendent Sparks advised his men are continuing to pick up snow and sanding.

Scope Change Request #3
Multi-use Trail
Connector Project

Motion by Trustee Donah, seconded by Trustee LeBlanc to formally authorize Scope Change Request #3 recommendation from Barton & Loguidice, P.C. for our Multi-use Trail Connector Project and for Mayor Maroun to execute the design scope modification approval. (Carried 4-0)

Short EAF SEQR
Determination

Motion by Trustee Donah, seconded by Trustee LeBlanc making the determination that based upon a completed Short Environmental Assessment Form (EAF) SEQR application the Village of Tupper Lake negatively declares that the LWRP Waterfront Revitalization – Playground project is listed as an “unlisted action” and will have no “negative impact” on the environment. (Carried 4-0)

Water/Wastewater:

Roger Demars Appointed

P/T Laborer Motion by Trustee Maroun, seconded by Trustee LeBlanc to appoint Mr. Roger Demars as a part-time laborer effective April 1, 2013 at the same rate of pay as previously paid in former years. (Carried 4-0)

80 kW Diesel Generator

Bid Award Motion by Trustee Maroun, seconded by Trustee LeBlanc to formally award the 80kW Diesel Generator bid award to Milton Cat who submitted a bid price of \$25,900.00 with a 5-Year additional warrant for \$1,100.00. (Carried 4-0)

NYS DOT

Reconstruction

Project

After a brief discussion further discussion would be reserved for next week, March 26th, 2013 to further discuss infrastructure improvements along Lake Street and Wawbeek Avenue, at that time AEDA's contract for services will be discussed.

NYS DOT

Municipal Water

Main Work

#031813B

Motion by Trustee Donah, seconded by Trustee Maroun to formally approve the following resolution to incorporate municipal water main work in the NYS Routes 3 & 30 reconstruction project as follows:

RESOLUTION BY THE VILLAGE OF TUPPER LAKE
COUNTY OF FRANKLIN
For Incorporating Municipal Water Main Work
Resolution #031813B

A resolution authorizing the State of New York to incorporate the construction of new water main along NYS Rte 3 & 30 for the Village of Tupper lake in the contract for the reconstruction of NYS Routes 3 & 30, Tupper Lake Village., S.H. 985, 1385 & 5707, Franklin County.

WHEREAS, Section 10, Subdivision 27 of the New York Highway Law provides, in part, that the Commissioner of Transportation shall have power, upon the request of the municipality, to perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner of Transportation deems it practicable to perform such work in connection with the performance of any work of construction, reconstruction, or improvement; and

WHEREAS, The State of New York is presently preparing contract plans for the construction, reconstruction, or improvement of NYS Route 3 & 30, Tupper Lake Village., which involves construction within the route which the Village of Tupper Lake contemplates using for the replacement of the water main along NYS Rtes 3 & 30, and

WHEREAS, said construction, reconstruction, or improvement can be undertaken in conjunction with the construction of the aforesaid water main at a substantial ultimate savings to the Village of Tupper Lake, now therefore be it

RESOLVED that the Village of Tupper Lake in regular meeting convened, petitions the New York State Department of Transportation as follows:

Petition 1. The State of New York is hereby authorized to proceed with the necessary arrangements to incorporate the proposed water main in the contract for the construction, reconstruction, or improvement of NYS Routes 3 & 30, Tupper Lake Village, with the cost of said construction and necessary work in connection therewith to be borne by the Village of Tupper Lake.

Petition 2. The Village of Tupper Lake will maintain said water main subsequent to the construction thereof.

Petition 3. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED: that the clerk of the Village of Tupper Lake is hereby directed to transmit five (5) certified copies of the foregoing resolution to the following address:

Robert H. Curtis, P.E.
Regional Design Engineer, Region 7
New York State Department of Transportation
317 Washington Street
Watertown, NY 13601

(Carried 4-0)

NYS DOT
Municipal Sanitary
Sewer Work
#031813C

Motion by Trustee Donah, seconded by Trustee Maroun to formally approve the following resolution to incorporate municipal sanitary sewer work in the NYS Routes 3 & 30 reconstruction project as follows:

RESOLUTION BY THE VILLAGE OF TUPPER LAKE
COUNTY OF FRANKLIN
For Incorporating Municipal Sanitary Sewer Work
Resolution #031813B

A resolution authorizing the State of New York to incorporate the construction of new Sanitary sewer along NYS Rte 3 & 30 for the Village of Tupper lake in the contract for the reconstruction of NYS Routes 3 & 30, Tupper Lake Village., S.H. 985, 1385 & 5707, Franklin County.

WHEREAS, Section 10, Subdivision 27 of the New York Highway Law provides, in part, that the Commissioner of Transportation shall have power, upon the request of the municipality, to perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner of Transportation deems it practicable to perform such work in connection with the performance of any work of construction, reconstruction, or improvement; and

WHEREAS, The State of New York is presently preparing contract plans for the construction, reconstruction, or improvement of NYS Route 3 & 30, Tupper Lake Village., which involves construction within the route which the Village of Tupper Lake contemplates using for the replacement of the water main along NYS Rtes 3 & 30, and

WHEREAS, said construction, reconstruction, or improvement can be undertaken in conjunction with the construction of the aforesaid sanitary sewer at a substantial ultimate savings to the Village of Tupper Lake, now therefore be it

RESOLVED that the Village of Tupper Lake in regular meeting convened, petitions the New York State Department of Transportation as follows:

Petition 1. The State of New York is hereby authorized to proceed with the necessary arrangements to incorporate the proposed sanitary sewer in the contract for the construction, reconstruction, or improvement of NYS Routes 3 & 30, Tupper Lake Village, with the cost of said construction and necessary work in connection therewith to be borne by the Village of Tupper Lake.

Petition 2. The Village of Tupper Lake will maintain said sanitary sewer subsequent to the construction thereof.

Petition 3. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED: that the clerk of the Village of Tupper Lake is hereby directed to transmit five (5) certified copies of the foregoing resolution to the following address:

Robert H. Curtis, P.E.
Regional Design Engineer, Region 7
New York State Department of Transportation
317 Washington Street
Watertown, NY 13601

(Carried 4-0)

Senior Sewer Rate
Exemption

It was noted that many of our senior citizens do not qualify for the senior sewer rate exemption because their incomes are within a few hundred dollars of the limit. It was recommended that we raise the limit to \$17,000.00.

Motion by Trustee Donah, seconded by Trustee Maroun to set a public hearing date of April 15, 2013 at 5:45 pm to hear the public's comments our the proposal to increase the income limit for senior citizens to qualify for the senior sewer rate exemption to \$17,000.00. (Carried 5-0)

Electric:
MEUA Semi-Annual
Meeting

Motion by Trustee LeBlanc, seconded by Trustee Maroun authorize John Bouck's attendance at the MEUA Semi-Annual Meeting April 18 & 19, 2013 in East Syracuse and to designate John Bouck as our accredited voting delegate as follows:

RESOLUTION

At a regular meeting of the Board of Trustees of the Village of Tupper Lake, held on Monday, March 18, 2013, the following resolution was adopted:

Moved by Trustee LeBlanc, seconded by Trustee Maroun,

WHEREAS, the Electric Superintendent John Bouck of the Village of Tupper Lake, New York is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Semi-Annual Conference of the Municipal Electric Utilities Association of New York State has been called on April 17 and 18, 2013, to be held at the Embassy Suites Hotel, 6646 Old Collamer Road, East Syracuse, New York, 13057 and

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that John Bouck be and is hereby designated as the accredited delegate of the Village of Tupper Lake, New York.

On roll call: Affirmative: 4 Negative: 0

I certify that the Board of Trustees of the Village adopted this resolution Tupper Lake, New York on the 18th day of March, 2013.

Signature

Seal:

Title

(Carried 5-0)

2013 NYPA Tree Power Program	Motion by Trustee LeBlanc, seconded by Trustee Maroun to participate in the purchase of trees through the 2013 NYPA Tree Power Program to the public and to post it in the newspaper, it is a “buy one, get one free or reduced cost” program. (Carried 4-0)
Ball Park Tower Light Fixture Bid Replacement Award	Motion by Trustee Maroun, seconded by Trustee LeBlanc to award the bid to the low bidder Wesco Distribution Inc. who bid \$54,480.00 for the replacement of our sports lighting in the municipal park. (Carried 4-0)
Thank-You from Governor Cuomo	It was noted that we received a formal thank-you from Governor Andrew M. Cuomo for our “Hurricane Sandy” relief efforts by our Electric Department.
Code Enforcement: Accept February Report	Motion by Trustee Maroun, seconded by Trustee LeBlanc to approve the February 2013 Monthly Report. (Carried 4-0)
Police: Thank-you Mr. & Mrs. David Geary	Police Chief Eric Proulx acknowledged receipt of a thank-you letter from Mr. & Mrs. David Geary for assistance during an in-progress burglary by member of the Tupper lake Police Department.
Accept February Report	Motion by Trustee Donah, seconded by Trustee LeBlanc to formally accept the Police Department Monthly Report for February 2013. (Carried 4-0)
TRACS Training Syracuse	Motion by Trustee Maroun, seconded by Trustee Donah to authorize two members to attend the TRACS Training May 22 nd & 23 rd , 2013 in Syracuse, NY. The training is free. (Carried 4-0)
Initial Response Active Shooter Training	Motion by Trustee Donah, seconded by Trustee Maroun to ratify authorization to send department members to Initial Response to Active Shooters training in Ray Brook and Lake Placid March 18-21, 2013. The training is free. (Carried 4-0)
Emergency Response Training	Motion by Trustee LeBlanc, seconded by Trustee Maroun to authorize members of the department to attend additional training in Malone on April 18, 2013 for Emergency Response Training. No overtime will be incurred. (Carried 4-0)
Advertiser for Part-time Dispatchers	Motion by Trustee LeBlanc, seconded by Trustee Maroun to advertise for part-time dispatchers until the end of April. (Carried 4-0)
Parking Ban Lifted Due To Nice Weather	Chief of Police Eric Proulx advised that he has lifted the parking ban in light of the nice weather, however, if a storm warning is announced the parking ban would be implemented until April 15, 2013.
Fire: Accept February’s Report	Motion by Trustee Donah, seconded by Trustee LeBlanc to approve the February 2013 Monthly Report. (Carried 4-0)
Treasurer: Approve Warrant	Motion by Trustee Maroun, seconded by Trustee Donah to approve the warrant in the amount of \$170,520.38 for payment of the bills for March 18, 2013 and approve the abstract of audited vouchers for the month of February 2013. (Carried 4-0)

Review Cash Position	Review the monthly cash position for February 28, 2013.
Special Meeting Established March 29, 2013	It was noted that there would be a special meeting scheduled for Friday; March 29, 2013 at 10:00 am for the preliminary budget presentation.
Pitney Bowes Postage Lease	Motion by Trustee Maroun, seconded by Trustee Donah to authorize Mayor Maroun to execute our contract renewal with Pitney Bowes for our postage needs as proposed. (Carried 4-0)
Beach Feasibility REI Interviews	It was noted that interviews were conducted on February 28, 2013 for the Beach Feasibility REI and we would like the group Terrain to further submit a comprehensive scope of services agreement with costs to complete the waterfront park master plan and the beach feasibility study together. It will be approved at a future meeting once Department of State has given their blessing.
Call in Period:	No calls received during our call in period.
Enter Executive Session at 7:37 PM	Motion by Trustee Maroun, seconded by Trustee Donah to enter Executive Session at 7:37 pm to discuss fire department personnel. (Carried 4-0)
Exit Executive Session at 8:30 PM	Motion by Trustee Donah, seconded by Trustee Maroun to exit Executive Session at 8:30 pm. (Carried 4-0)
Discharge Commercial Account Balances	Motion by Trustee Donah, seconded by Trustee LeBlanc to discharge two commercial account balances totaling \$14,815.84. (Carried 4-0)
Letter Received From Mark Arsenault	Mayor Maroun advised the board that he received a written request from Volunteer Fire Department Member Mark Arsenault formally requesting we replace truck #169.
Budget Transfer Sewer Department	Motion by Trustee Maroun, seconded by Trustee LeBlanc to authorize budget transfers for the Wastewater Department totaling \$8,000.00. (Carried 4-0)
Adjournment	Motion by Trustee LeBlanc, seconded by Trustee Donah to adjourn at 8:40 PM. (Carried 4-0)

Mary A. Casagrain, Village Clerk/Treasurer