

**Village of Tupper Lake
Board of Trustees
Minutes**

Date: Monday, September 16, 2013
Location: Board Room
Meeting: Regular 6:00-8:26 PM

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

Trustee Thomas Snyder was absent from the Regular Meeting.

Also present were Buck North and Nielson Snye with the Woodsmen's Association, Hope Frenette, James Frenette and Christopher Keniston from ARTA, Michelle Clement from the Chamber of Commerce, residents Debra Meyer and Ronald LaScala, Electric Department Superintendent John Bouck, Department of Public Works Superintendent Michael Sparks, Water/Wastewater Superintendent Mark Robillard, Police Chief Eric Proulx, Code Enforcement Officer Peter Edwards and News Reporters Shaun Kittle, Ted Morgan and Mary Peryea.

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.

Chamber of Commerce
Event Coordinator Update Ms. Michelle Clement from the Chamber of Commerce gave the Village Board a brief overview of the statistics from this summer's events and visitors to the area. She also advised that the Chamber of Commerce hired Ms. Sally Dickie to be the visitor coordinator, the center is staffed Monday-Saturday from 9:00 am to 5:00 pm.

Ms. Clement suggested we join forces to create a vision planning initiative for the future of the Chamber of Commerce. She strongly echoed the necessity to create a marketing plan for the area and to work closely with other chambers in the tri-lakes.

Tupper Lake Woodsmen
Association Update Tupper Lake Woodsmen Association members Mr. Buck North, President and Mr. Nielson Snye Treasurer visited to thank the Village Board for their continued help and work each year and their efforts in improving their annual event.

Trustee Donah asked them if they'd consider inviting Paul Smiths College students to be involved in the event.

Mr. North advised that they are in the process of planning for next summer's event and are considering alternatives to moving the event to see if they could accommodate incorporation of some of the forestry students attending neighboring colleges.

Mayor Maroun applauded them for their efforts and look forward to our continued work together.

Open Public
Period:
ARTA Update

Mr. Christopher Keniston advised that over 85 Tupper Lake Businesses have supported ARTA's initiative to development of recreational trails. He stated people are already here to recreate. On September 11, 2013 the Town of North Elba voted to support an only trails resolution. They have affirmed that rails with trails was not environmental or economically feasibility. He stated we, meaning the community members and business, ask that the Village Board of Trustees consider a trails only resolution similar to that of neighboring communities like the Town of North Elba, Village of Lake Placid, Town of Colton, Town of Piercefild and soon to be Town of Harrietstown and Town of Tupper Lake.

Peter Edwards Mr. Peter Edwards advised that over 95% of Tupper Lake residents and businesses want a trail to embrace the snowmobile tourism during the winter months.

Trustee Donah Trustee Donah read from an old newspaper article from the 1940's that he found during some renovation work on his property that outlined the demise of the train industry as it began its decline. He stated he wants the community to proceed with deciding the fate of our community's recreation future.

Sex Offender
Local Law
Ronald LaScala Mr. Ronald LaScala presented the board with a sample law from West Chester County outlining local legislation that he suggested we adopt to protect our youth from sex offenders residing near our schools and homes.

Chief of Police Eric Proulx advised that there hasn't been any new legislation since 2007 when such laws have been challenged and deemed unconstitutional. He stated that the last court case awarded over \$1 Million in damages against a community for adopting such a law.

Mayor Maroun advised he would be meeting with our Village Attorney later in the week and would research it further.

Mayor's Announcements:
Special Meeting

9/17/2013 @ 3:00 pm Mayor Maroun advised that on Tuesday, September 17, 2013 we will be holding a special meeting to host an on-line computer telephone conference with Terrain-ANY our consultants for the Beach Feasibility and Municipal Park Master Plan to discuss alternatives for the gateway construction. It will be limited to 30 minutes.

AATV Resolution Motion by Trustee Donah, seconded by Trustee Maroun to support a resolution supporting the Adirondack Association of Towns and Villages to support the Five Towns TNC Land Classification Initiative as follows:

**RESOLUTION IN SUPPORT OF THE TOWNS OF INDIAN LAKE,
LONG LAKE, NEWCOMB, MINERVA AND NORTH HUDSON
CONCERNING THEIR PLAN FOR ECONOMIC SUCCESS**

WHEREAS, we are in receipt of a letter from the Five TNC (The Nature Conservancy) Towns (The Upper Hudson Recreation Hub/Indian Lake, Long Lake, Newcomb, Minerva and North Hudson) expressing concerns over the current Adirondack Park Agency process, and

WHEREAS, we deem the “classification” of the newly acquired TNC lands, and the subsequent management of same, as critically important to the future of the Five Towns and the entire Adirondack Park, and

WHEREAS, we conclude that for all of us to say, “It is a new day in the Adirondack Park”, it means we ALL have to do business differently, and

WHEREAS, the sense that the Adirondack Park Agency, may be poised to, “do business as usual”, is of grave concern, and

WHEREAS, staff references to things like the Snowmobile Guidance Document, as an alleged barrier to recreation, are at a minimum disheartening, and

WHEREAS, these observations only reinforce the message which was previously sent by the Adirondack Park Agency, when they failed to offer a broader range of options for public consideration during the recent Classification process, specifically the sad reality that no option considered a campsite, or any significant Intensive Use Area, and

WHEREAS, based on this pattern of disturbing facts, we find it critical to weigh in.

NOW THEREFORE, BE IT RESOLVED that the Village of Tupper Lake Board hereby asserts that the desires and the direction of the Upper Hudson Recreation Hub (Indian Lake, Long Lake, Newcomb, Minerva And North Hudson) are absolutely consistent with:

1. The Common Ground Alliance stated vision for a more sustainable/usable Park.
2. The Recreation Strategies work asserting the need for more recreational opportunities (the Upper Hudson Recreational Hub was actually showcased as a pilot area).
3. The Adirondack Futures vision for a more usable Park.
4. The highly touted success story involving the Moose River Plains Partnership.
5. The Governor’s stated vision for these lands.
6. Commissioner Marten’s stated vision for these lands.

AND BE IT FURTHER RESOLVED, that it is critically important that the Adirondack Park Agency recognize the physical and logical reasons to classify these lands as Wild Forest:

1. There is an existing network of roads sufficient to support higher levels of use.
2. There are existing bridges, demonstrating these lands are NOT Wilderness Classification.
3. Rights will remain on these lands for motorized use (authorized through 2018 for lease holders and 2019 for TNC) which is absolutely inconsistent with a Wilderness Classification.

AND ALSO BE IT FURTHER RESOLVED, that the use of an *Intensive Use Corridor*, similar to the successful example demonstrated in the Moose River Plains, is hereby encouraged. This is to allow roadside camping and greater densities of camping, both of which are designed to entice use away from more environmentally sensitive areas. Plus an *Intensive Use Corridor* will open up the opportunity for a groomed cross country ski trail connection between all of the participating towns.

AND BE IT ALSO RESOLVED, the Association of Towns and Villages hereby goes on record, with the strongest level of support possible, for the Governor’s vision that these lands provide recreational opportunities for

all recreational users, which is basically captured in the plan set forth by the Upper Hudson Recreation Hub (The Five Towns), and be it further

RESOLVED, that copies of this Resolution be forwarded to Governor Cuomo, Senator Farley, Senator Little, Assemblyman Butler, Assemblyman Stec, NYSDEC Commissioner Martens, APA Chairwoman Ulrich, Hamilton County Board of Supervisors and Essex County Board of Supervisors. (Carried 4-0)

22nd Annual Local

Gov't Conference

Mayor Maroun announced that on Tuesday, October 15, 2013 SUNY Potsdam will be hosting the 22nd Annual Local Government Conference; if anyone is interested in attending to please let the Village Clerk know in order to register you.

Trustee LeBlanc and Code Enforcement Officer Peter Edwards advised that they would to attend the conference. In addition six (6) members of the Water/Wastewater Department.

Small Cities Grants

Mayor Maroun acknowledged receipt of a letter from our Small Cities Grant Consultant Mr. Philip A. Smith with Avalon Associates, Inc. that we need to reach out to our elected officials to encourage them to ask Governor Cuomo to support the 2013 Grant Applications; grant deadlines have not been set for future grant application considerations at this time.

Mayor Maroun advised he would reach out to our local representatives on behalf of the Village.

Connector Trail Update

Mayor Maroun advised that we are in discussion with NYS DOT to move our Multi-Use Connector Trail Project forward concerning the 1500' rail bed realignment, more to follow in the coming weeks.

Dog Ordinance

Mayor Maroun gave a gentle reminder to pet owners to have the appropriate devices to pick up dog droppings and he advised that a bag dispenser is now available in front of the village offices.

Approve Minutes

Motion by Trustee Maroun, seconded by Trustee Donah to approve the Board Minutes from August 26, 2013. (Carried 4-0)

Code Enforcement:

TL ESB Variance

Approved

Code Enforcement Officer Peter Edwards advised that on Wednesday, September 25, 2013 the Joint Village/Town Planning Board will hold two public hearings for the Tupper Lake Emergency Services Building Project for our request for a two (2) lot minor subdivision and a special use permit for the proposed building.

Public Health Concern

Code Enforcement Officer Peter Edwards advised that in recent weeks he has had three separate complaints concerning bug infestations, two bed bugs and one flea. All properties are working with a certified contractor to eradicate the infestations.

Public Hearing Request

Variance for Care &

Keeping of a Horse

Code Enforcement Officer Peter Edwards advised that the Village of Tupper Lake Zoning Board of Appeals Board heard a request for a variance to care and keep a horse in the village corporation of which it was approved on September 5, 2013.

Trustee LeBlanc asked if we could modify our local laws to outlaw future requests. Mayor Maroun advised he would follow-up with our attorney later this week to see if we have the ability to outlaw farm animals.

Accept August Report

Motion by Trustee Donah, seconded by Trustee LeBlanc to approve the August 2013 Monthly Code Report. (Carried 4-0)

Fire:

Accept August's Report

Motion by Trustee Donah, seconded by Trustee Maroun to approve the August 2013 Monthly Report. (Carried 4-0)

Trustee Donah advised he recently attended the Town of Tupper Lake board meeting to give them an update on our ESB project.

Trustee Donah advised that the annual ladies night is September 28, 2013 at the VFW, all are welcomed to attend.

Mayor Maroun advised that he and the fire chiefs met with the Town of Santa Clara last week at their request. We were asked to extend coverage to the Fish Hatchery road for additional compensation, an updated fire contract would be sent to their board for consideration.

Police:

Accept August Report

Motion by Trustee LeBlanc, seconded by Trustee Donah to approve the August 2013 Monthly Police Report. (Carried 4-0)

Law Enforcement

Interdiction Training Motion by Trustee LeBlanc, seconded by Trustee Maroun to send Officer Dana to Law Enforcement Interdiction Training Seminar September 17-19, 2013 in Newburgh, NY. (Carried 4-0)

Jordan Nason Appointed

Full Time Police

Officer

Motion by Trustee LeBlanc, seconded by Trustee Maroun to appoint part-time Police Officer Jordan Nason to full-time Police Officer off the Civil Service list effective today, September 16, 2013. (Carried 4-0)

Water/Wastewater:

50kW Diesel

Generator Bid

Motion by Trustee Donah, seconded by Trustee LeBlanc to award the bid for the sale of the Spectrum, 50kW Diesel Generator Set that has been replaced to Mr. Phil Kavanagh who was the high bidder at \$1,255.00. (Carried 4-0)

Boil Order Lifted

Water/Wastewater Superintendent Mark Robillard advised that the Boil Water Order was lifted on Saturday, August 28, 2013 and that the chlorine station is up and alarm is operating. (Carried 4-0)

Hazard Mitigation

Grant Program

The Village of Tupper Lake has been invited by Governor Andrew Cuomo and the NYS Division of Homeland Security and Emergency Services (DHSES) to submit a Hazard Mitigation Grant Program application for our Demars Blvd. Pump Station, Lift Station #3.

Ground Water Supply

Project Update

RFP's Received

Water/Wastewater Superintendent Mark Robillard advised that we received five (5) proposals for a new Water Engineer and they will be reviewed in the next week.

DPW:
LWRP DOS Playground Project Update Department of Public Works Superintendent Michael Sparks advised that the playground equipment is being installed this week and we will be making arrangements to set the light pedestals.

NYS DOT
Pleasant Avenue Department of Public Works Superintendent Michael Sparks advised that we have the green light to proceed with laying the sidewalks along Pleasant Avenue from Charlie Roy with the NYS DOT for our Multi-Use Connector Trail Project as well as the road reconstruction.

Municipal Park
Drainage Concerns Trustee Maroun asked Department of Public Works Superintendent Michael Sparks if we could install drainage in the Municipal Park outfield to help alleviate the drainage problems.

Electric:
Electric Curtailment Department of Public Works Superintendent Michael Sparks advised Department of Public Works Superintendent Michael Sparks advised that the entire field would have to be raised 1-2” to alleviate the problem and it would labor intensive. It would have to be part of a future planning process for the ball field.

NYPA Power
Report for Municipal Electric Department There will be no reduction in firm hydro energy sales for the month of October 1-31, 2013.

MEUA Accounting
Workshop Motion by Trustee Maroun, seconded by Trustee LeBlanc to formally approve our Fiscal Year End May 31, 2013 NYPA Report for the Tupper Lake Municipal Electric System as presented. (Carried 4-0)

Municipal Ball Field
Lighting Update Motion by Trustee LeBlanc, seconded by Trustee Maroun to authorize Ms. Jacqueline St. Louis and Mr. Kyle Fuller to attend the MEUA Accounting and Finance Workshop on October 16 & 17, 2013 in East Syracuse. Travel includes mileage, meals and lodging. (Carried 4-0)

Treasurer:
Approve Warrant Electric Superintendent John Bouck advised that the crane for the Municipal Ball Field Lighting installation will be on site September 23, 2013 if all goes well and Armor Tower will be here to complete the project.

Review Cash
Position Motion by Trustee Donah, seconded by Trustee Maroun to approve the September 16, 2013 in the amount of \$273,748.13 for payment of the bills and abstracts for the month August 2013. (Carried 4-0)

Approve Fiscal Year
End May 31, 2013
AUD Review the monthly cash position for August 31, 2013.

Approve Fiscal Year
End May 31, 2013
Court Records Motion by Trustee Maroun, seconded by Trustee LeBlanc to formally approve the Fiscal Year Ended Annual Financial Report Update Document for May 31, 2013 as presented. (Carried 4-0)

Motion by Trustee Maroun, seconded by Trustee LeBlanc to formally approve the review of the Fiscal Year Ended May 31, 2013 of the Village Justice Court records. (Carried 4-0)

Fiscal Year End 5/31/13
Budget Transfer
General Fund

Motion by Trustee Maroun, seconded by Trustee Donah to formally approve the Fiscal Year end May 31, 2013 budget transfer for the General Fund in the amount of \$181,920.85. (Carried 4-0)

2014 Self Insurance
Rate Projections
Telephone Conference
Special Meeting
9/17/13 @3:00 pm

The Village acknowledged receipt of our 2014 Self Insurance rates for our Worker's Compensation from Franklin County.

A telephone-conference has been scheduled for Tuesday, September 17, 2013 and then the Village board will be holding Executive Session for personnel training at 4:00 pm.

Call In:

There were no calls received.

Enter Executive
Session

Motion by Trustee LeBlanc, seconded by Trustee Maroun to enter Executive Session at 7:50 pm to discuss personnel issues for the Police and W/WW. (Carried 4-0)

Employee Training
Scheduled

Mandatory training for all department supervisors and elected officials has been scheduled for Tuesday, September 17, 2013 at 4:00 pm concerning municipal ethics.

Exit Executive
Session

Motion by Trustee Maroun, seconded by Trustee LeBlanc to Exit Executive Session at 8:25 pm. (Carried 4-0)

Adjournment

Motion by Trustee Maroun, seconded by Trustee LeBlanc to adjourn at 7:26 PM. (Carried 4-0)

Mary A. Casagrain, Village Clerk/Treasurer