

Reconvene Town Board Meeting held August 22, 2023 at 2:00 P.M. at the Town Hall in Schroon Lake N.Y.

Present:

Town Supervisor: Meg Wood

Councilpersons: Richard Gero, Lynn Donaldson, Steve Miller and Leanna Welch

Town Clerk: Patricia Savarie

Also Present: William Jenks, Brian Ritching, David Clark, Doug Benson, Nathaniel Eichelberger, Carl Rambow and Travis Dick

Supervisor Wood called the meeting to order at 2:00 P.M. with a salute to the Flag.

Continental Drive Water Line

Supervisor Wood stated we are meeting today to try to resolve the issues down on Continental Drive with the Water line. Nathaniel Eichelberger stated I have lived on Continental Drive for the past 5 years and I believe every spring we have some kind of water issue, where a line is broken by the road. I know the history, we have looked at the deed from the 70's that was signed over, and regardless whether my house was there. We are trying to figure out a solution and better fix to this so it is not happening every year and loosing water pressure. There are three of us wanting to fix this problem at the end of the road. One answer I would like to get cleared up is the ownership of who is taking care of what. When I bought the house there is nothing in the deed pertaining to the water line that comes to my private house. To my knowledge I was never notified. I just want a solution where I don't run out of water every year. Supervisor Wood stated I have a copy of the deed, page 629 Book 11, which states "Said undersigns, jointly and severally, agree to share and pay the costs and expenses of maintaining, repairing, and replacing a water line crossing and re-crossing hereinbefore described highway and shall jointly and severally, with their heirs, executors and assigns share and pay the costs and expenses of filling chuckholes, re-graveling, resurfacing, and road repair of any kind on any and all portions of said highway which is altered or damaged by said water line through its leaking, bursting, expanding,

contracting or in any way attributable to the improper functioning of said water line. This covenant shall bind the heirs, executors and assigns of the undersigned.” The Metthe’s at the time bought all that land, so whoever they sold to, it follows. Travis Dick stated I would like to build at the end of that road next year. Before I buy I want to make sure there is a good working water line where I will be buying the water from, I’m not an heir to any of this. Supervisor Wood stated if you buy the land you are an assigned share. I’m not a lawyer but it states in the deed that this is a private water line and the owners of the property at that time and in the future owners are responsible for that water line. Travis Dick stated so does that mean we can put our own two inch water line in coming into our house. Supervisor Wood stated I don’t think so, without having it engineered and with the NYS Department of Health approval and permits. David Clark stated first you would ask the Town to propose to have a water tap put in so that would be something figured out where it will come off by the hydrant. If you install a two inch pipe and supply other people’s homes you are selling water that you are buying from the Town. So if you install it, you would be responsible for three homes and you need to go through NYS DOH and the Town of Schroon and you have to have easements. When the Town put that line in at the top of the hill at the time they took it over just to the edge of the road on Route 9. You would have to go through Billy Jenks and the Town for your piece of property, if you buy it, and it may be feasible to hook into the hydrant. I’m going to be frank because I have dealt with this for many years, if you guys want to replace it, you will need to go through NYSDOH, make sure you install it right and chlorine it over night and if everything met requirements and easements to your properties the Town will probably take it over so you wouldn’t have to dig up the road in later years. Nathan stated when this is all approved we could put in our own lines and make the connection to the hydrant. David Clark asked how many house are you hooking up? Nathan asked where does the problem start? David Clark stated it starts at the top of the hill and comes down, every house has had problems, the line they put in there is just not holding up and it is old. In 1999 we upgraded the line from a two inch line to a six inch line at the top of the hill, in case there was a possibility more house were going down there. Fifteen years ago they hired Larry Shiell to put a new line in, but the pipe did not met specifications they didn’t go through NYSDOH or have engineering designs and we can’t take it over until we have these done. Supervisor Wood stated you need to know what the requirements are and what

the engineering needs to be and what the cost is going to be at your expense and possibly then the Town would take it over. Travis Dick asked is it a possibility of getting a tap and getting it done? Supervisor Wood stated when the Town Board approves a tap for the home owner we state in the resolution "A tap may be installed at such time all Local and State requirements and regulations regarding the installation of the tap are satisfied and at such time the Town Water Department is available for the project" Nathaniel Eichelberger asked what do we do with the right away under the cul-de-sac, how is that handled? Supervisor Wood stated the Town is responsible for the land. David Clark asked say he tapped on the opposite side of the hydrant they will do the tap and the shut off will go there? Councilman Gero stated the responsibility for them starts at the shut off and for everybody in town, from the shut off to your house is your responsibility. David Clark stated if you dig the road up you have to repair it. Doug Benson asked where does he tap into it? David stated that is up to you that will be a private line. Doug stated these three guys would like to get off the line they are on and get there own tap. Can they request there own tap and possibly hook up to the hydrant. David Clark stated yes but the Town is only responsible for that one 2 inch shut off. Doug Benson stated we just want to solve these guys' problems. The people up the road have been asked if they want to fix the problem and they refuse, but these guys want to fix the problem. They want to put a line in what is the situation there? David Clark stated an itemized detail to Bill and the Board of Supervisors is what you are doing, where the tap is going to be, where you are digging and burying the material you're using. Doug Benson stated you said everything past the tap is their responsibility so they can put in whatever for piping. David stated no you have to meet NYSDOH regulations and meet specs to today's date. Doug Benson asked if the Town uses an engineer for water systems? Supervisor Wood stated yes we use the services of the Essex County Engineers. David Clark stated that NYSDOH will give you a list of engineers for approval. You will have to get a hold of Dana Shaughnessy for digging by the cul-de-sac and what he has for requirements and specs that need to be met. Doug Benson stated these guys are willing to do that if the Town will put the tap at the hydrant and you're telling us it has to be done with NYSDOH specs. David Clark stated they will tell you what kind of piping you need to get. Doug Benson stated we request a tap through the Town, the Town puts a tap on the hydrant at the main then they start digging with the approval from Dana and we put in whatever NYSDOH tells us to put in and

they can put a line probably 2 inches into the three houses and service their houses. Will the Town take that over? Supervisor Wood stated no it is still private. David Clark stated it would be nice if you go through with this that the Town has a copy of your plans on file. Nathaniel Eichelberger stated we want to do it right so we correctly fix it and follow the rules and just need guidance through the Town. Supervisor Wood stated so to recap, you are going to contact the Department of Health, you are going to get a list of qualified people who work in the field and meet Health Department specifications that are required you to do, to keep a private line that is going to come off a tap on the Towns main. You are responsible financially for everything from that main to your home, also you need to cap the old line and have a restraining block behind it and I would let your neighbors know you are no longer responsible for their line. You will bring us a request to the Town to consider providing one tap. Supervisor Wood stated so, are we good with all this? Doug Benson stated they can't afford to do what the Towns specifications are, so the next best thing is to improve the private line, I think that's what has to happen. Supervisor Wood stated it seems like you have people here committed to the best possible level.

Asset Assessment project with Essex County and Wright Pierce Engineers

Supervisor Wood stated this is just an update, the Asset Assessment project that the Essex County Board got a grant for each of the Towns for water and sewer department. Wright Pierce Engineers is leading up our Town. We are having a zoom meeting tomorrow just to acquaint ourselves with Wright Pierce and what it is they are looking for from Bill and Brian. The grant will help with the buildings, the Water Tower and pump stations.

WOL Island Access Building Project

Supervisor Wood stated I talked to Jim Duggan and Dan Manning, there are all kinds of issues, Brian has no issues with them replacing what they had before but the Sewer line can not handle much more then we already have. Brain Ritching, Chief Sewer Plant Operator, stated they are located at the south end of Town; they pump up to the top of Leland. All the south of Town has one pump station it is a 6 inch main and after this summer with all the weather it is maxed. Supervisor Wood stated one of the ideas Todd Hodgson, Deputy Superintendent of Public Works for Essex County, is to look into having a Moratorium. I asked if you can do a moratorium on just one section of the Sewer district and Todd thought yes but we need to be very careful we are not singling out one or a few users, there all paying for sewer. Todd

suggested we get a hold of rural water. Brian stated you need to start preparing for the future how far do you want Schroon Lake to grow. Supervisor Wood stated the Plant is fine and can handle it, it is the old pipes that can't. Brian stated to replace them would be thousands if not millions and it would have to be done in the summer, the main runs under the sidewalks.

ARPA Funds Designation

Supervisor Wood stated we need to designate the use for our ARPA fund, this is the COVID money. There are only certain things we can spend it on. It is a good source of money for Sewer and Water projects and also possible drainage, bridges and culverts for Highway. The bookkeeping for this is going to be a lot so if we can, keep it to two projects it would be good. We are receiving around \$200,000.00 and I'm reminding you to go back and read what we can spend it on. We need to designate what we are going to use this money for by the end of this year and spend it by the end of next year.

Letter of Support for Future Flag Limited Objective Experiment

Supervisor Wood stated she had received a letter from the Town of Lewis asking for support for there Future Flag Limited objective experiment to hire employees through a grant and will hire TEC people. Councilman Gero asked how are the other Towns feeling about this? I've read a little on this and it is scientific research, they have Federal Contracts and it very high TEC stuff because of the sensitive nature of what they work on they do not disclose a lot, it is all protected under the defense act and people are concerned what is actually going on. Meg will get more information.

Resolution #162 Pending NYS Election Law Change

Councilman Gero moved a resolution Urging the Governor to Veto A.04282B/S.3505B to Move Certain Local Elections to Even-Numbered Years, seconded by Councilwoman Welch; carried.

Resolution #162

Urging the Governor to Veto A.04282B/S.3505B to Move Certain Local Elections to Even-Numbered Years

Whereas, the Town of Schroon Town Board believes that increasing participation in the election process and reducing costs of government operations is good for our republic; and Whereas, Assembly Member Amy Paulin and State Senator James Skoufis

reintroduced legislation that would move local elections to even-number years during the 2023 legislative session; and

Whereas, versions of this legislation were introduced in previous years and failed to reach the floor for a vote due to lack of support; and

Whereas, after the 2022 session concluded, the bill sponsor indicated that hearings would be held on the proposal through the Election Committee process; however, there were no hearings held; and

Whereas, the legislation passed in the middle of the night on the last days of the legislative session which is counter to the idea of an open and transparent government; and

Whereas, the Town of Schroon Town Board has several concerns with this bill; and

Whereas, this legislation usurps the Home Rule powers reserved by local governments and protected by the Constitution of the State of New York, raising questions of legality and constitutional authority; and

Whereas, local municipalities have had the ability to change their elections to even-number years for decades, and chose not to do so; and

Whereas, we believe that establishing the schedule of local elections is the right of the local government, and has been for more than 100 years; and

Whereas, The Assembly Bill sponsor indicated that she had not received any messages of support for this proposal from any of the 57 Counties and 933 Towns across New York State impacted by this legislation and

Whereas, this legislation excludes more than half of all New Yorkers who vote in cities and villages from the changes to election law, creating an inequity among New York voters; and

Whereas, this legislation unfairly excludes the elections to offices in New York City and all other cities and villages in New York State, as well as certain offices within all counties and towns; and

Whereas, the proposed legislation circumvented the legislative committee process during this session, limiting public input and understanding of the impacts; and

Whereas, there has been no financial analysis or operational analysis of the impacts on local Boards of Elections; and

Whereas, there are concerns that the current election and ballot counting technology would not be able to adequately meet the demands of the significantly increased ballot size; and

Whereas, this will create confusion amongst voters in towns and counties across New York State; and

Whereas, separating the elections affords voters more time and focus to better understand important local issues and provides candidates the appropriate platforms to explain their stance on issues without having to compete against national and state level campaigns; and

Whereas, moving local elections to even-numbered years would increase the cost of campaigns for local office, reducing the number of candidates willing to invest funds into their own campaign, because the cost of media will increase to compete with national and state level campaign advertisements, and

Whereas, there are significant legal and constitutional questions regarding the legality of this measure that have not been adequately addressed; and

NOW, THEREFORE, BE IT RESOLVED that this Town of Schroon Town Board urges the Governor to oppose this legislation and utilize her veto authority to reject this proposal; and Resolved, that copies of this resolution be distributed by the Town Clerk of The Town of Schroon to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, Senate Minority Leader Robert Ort, Assembly Minority Leader William Barclay, Assembly Bill Sponsor Amy Paulin, Senate Bill Sponsor James Skoufis, Senator James Tedisco, Assemblymember John McDonald, Assemblymember Mary Beth Walsh, Assemblymember Carrie Woerner, and Assemblymember Mathew Simpson

Airport Inspection

Airport will be inspected this Friday and Ethan Thompson will meet them over there.

The Board realizes they have many cracks that need to be addressed. The Ticonderoga and Keene Airports are closed right now.

Resolution # 163 Approve 2022 Comprehensive Plan-Core Planning Committee

Councilwoman Welch moved a resolution to approve the 2022 Comprehensive Plan-Core Planning Committee, seconded by Councilwoman Donaldson; carried.

Town of Schroon, Essex County NY

2022 Comprehensive Plan – Core Planning Committee

Laura Donaldson - Community business owner (B&B, seamstress), volunteer

Lynn Donaldson - Town of Schroon Council member, accountant, retired from Essex County Office of Community Resources

Roger Friedman - Realtor, Town of Schroon Council member (28 years of service, now retired), decades of experience in lake/watershed management, volunteer

Rick Gero - Town of Schroon Council member, retired NYS DOT regional manager, volunteer

Lyle Hartwell - Pastor, Mountainside BC, community volunteer, public high school varsity coach

Pam Ireland - Community member, RN, volunteer

Dan Kelleher - APA Economic Development, local stakeholder

Micki Kuttler - Community member, seasonal homeowner, Paradox Lake Association board member

Joan Lawless - Community volunteer, Town Library trustee

Lisa Hess-Marks – Business owner (Main Street, retail), ROOST board member

Steve Miller - EMT, Town of Schroon Council member

Bruce Murdock - local contractor, Town Planning Board member, School Board member, BOCES board member

Sue Palisano - Executive Director, Chamber of Commerce

David Peterson - Pastor, Mountainside BC, Chamber of Commerce Board member

Jenny Pitkin - Community member, financial planning

Glen Repko - Chair, Planning Board

Lorraine Stanich-Brown – Business owner (Laundromat), grant writer

Joe Steiniger - Co-Chair, Adirondack Foundation, non-profit management, finance

Ethan Thompson - local contractor, Town of Schroon Building and Grounds

Leanna Welch - auto repair business manager, pharmacy bookkeeping, Town of Schroon Council member

Dave Williams - Educator, Community volunteer

Meg Wood - Town Supervisor, non-for-profit management, insurance management, NYS Assembly District management, volunteer

Darren Woods, General Director Seagle Music Colony; President Chamber of Commerce; community volunteer

Resolution # 164 Approve Application for Alcohol Beverage Permit

Councilwoman Welch moved a resolution to approve the application for the Alcohol and Beverage Permit for the Adirondack Marathon Distance Festival for Sunday October 1, 2023 from 11:00 – 6:00 P.M. the alcohol vendor will be Paradox Brewery, seconded by Councilman Miller; carried.

In order to promote the safety, health and general welfare by creating certain conditions and restrictions, the following rules and regulations shall be in full force for the serving and/or sampling of craft beer, wine and hard cider (hereinafter referred to as “alcohol”) on Town of Schroon owned property.

1. The open consumption of alcohol shall be only within a designated controlled space.
2. The venue must be constructed and/or arranged in a manner that prevents alcohol from being passed through to patrons outside of the controlled space.
3. Any event where the serving size exceeds 3 ounces will be restricted to one alcohol vendor.
4. All alcohol vendors shall have all appropriate permits, licenses and insurances.
5. All alcohol vendors shall follow the local and state regulations for alcohol sales.
6. All alcohol vendors shall provide the appropriate staff to cut-off obviously drunk patrons, and to ensure that no one under the age of **21** has access to alcohol.
7. Noise from the controlled area where alcohol is served shall not interfere with the neighbor’s enjoyment of their property.

Resolution #165 Move Hunter Allison to the Water Department for Training

Supervisor Wood moved a resolution to approve moving Hunter Allison from the Sewer Department as a Waste Water Trainee to the Water Department as a Water Trainee effective September 13, 2023 with the understanding that he goes where he is needed when the time arises, seconded by Councilwoman Welch; carried.

Councilman Gero made a motion to adjourn at 3:28 P.M, seconded by Councilwoman Welch; carried.

I, Patricia J. Savarie, do hereby certify the foregoing to be a true and correct transcript from the minutes now on file in my office and of the whole such original minutes.

Dated: August 28, 2023

Town Clerk