March 7, 2022

State of New York
2679 Route 8
County of Hamilton
Town of Lake Pleasant

A Meeting of the Lake Pleasant Town Board was held on March 7, 2022, at the Lake Pleasant Library 2864 State Hwy. 8 Speculator, NY. The meeting was called to order at 7:00 P.M., to make approvals, give reports, establish organizational tasks and conduct any business that may come before the board.

The following were present:
Supervisor: Betsy Bain
Councilperson's: Neil McGovern, Don Braunius, RaChelle Martz and Katherine O'Connell
Town Clerk: Stephanie Smith
Assessor: Lynn Billings
Highway Superintendent: Randy Lavarnway
Guests: Eileen Lavarnway and Paul Allan

Pledge of Allegiance to the Flag

Resolution #31 To approve the minutes of February 22, 2022
Offered by: Neil McGovern 2nd by: Don Braunius
Be it resolved that the minutes of February 22, 2022 be approved as presented
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

Assessor: Supervisor Betsy Bain introduced the new Town Assessor, Lynn Billings, to the Board and Billings gave a brief report on what she has been working on: Data Collections, Evaluating new construction and what building inspector has been working on, updating inventory and images. Billings has been learning through classes and by working with Barry and Lori at real property tax at the county. Bain congratulated Billings on her certification and high-test scores!

Building: Lavernway informed the board that there have been minor issues with sump pumps for water collection having to do with oil tanks. At this time there are three working pumps total and Lavernway has purchased an additional forth pump as a backup. Now there is a spare if one of the current pumps is unable to function or needs repair. Neil replied with good plan.

Highway: Randy reported that he has received a 3rd bid on a new york rake that was in the budget to replace this year. Bids went up $700 and this increase was planned for in the current budget. Low bid came in at $9,110.00 which was $1,200 cheaper than the next.
Stone bids resolution is out to the Towns lawyer and waiting to see if it is legal. With current large influx of fuel prices our stone and black top will get more expensive due to the amount of fuel required to make stone.

Grooming has ceased at this point until more snow arrives. Trails are down to dirt and mud. Braunius asked when gates at Perkins clearing will be closed and Lavernway replied when he can see the dirt on first side hill. Don says Fulton County has closed their trails. Lavernway says he can't close trails completely yet.

Lavernway presented to the board, plans drawn up by A.S. Bell Engineering to have the town highway department replace the culvert at fish Mt. Rd. over Sacandaga lake inlet. Timing is convenient with the county doing other projects at this time, so Lavernway wants bids to go out soon to have this project in the works.
The project is a culvert replacement without replacing the existing culvert with a culvert. Plans presented to the board show that sheet steel is installed after removal of manmade existing culvert. There will be a natural bottom with no disturbance to wetlands for this project. During removal and replacement road will be closed and traffic will have to use Tamarack Rd.
Don asked if the abutments will be seen and Lavernway replied yes, the abutments will be seen from the road.
O'Connell asked how long the project will take and Lavernway replied that it should take 2-3 months depending on materials and weather.
FEMA pays for 75% and the State of NY is paying for 12.5% so the Town of Lake Pleasant has to pay 12.5%
This was plan B of FEMAS plans. Plan B is the least costly as well as least destructive to existing wetlands. Bids need to be done by April.

Resolution # 32 Town of Lake Pleasant Highway Department Culvert Replacement Project at Fish Mt. Road Culvert over Sacandaga Lake Inlet
Offered by: Don Braunius **2nd by:** Neil McGovern
Be it resolved: The Town of Lake Pleasant town board approves moving forward with Engineering plans from A.S. Bell Engineering, PC
Whereas: A.S. Bell Engineering, PC can move forward with the bidding process for this project.
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons McGovern, Braunius, Martz and O'Connell)
Nays: None

Lavernway announced that April 8th will be Kevin Aird's last day as he is retiring from the town. Randy let the board know that the Town will be advertising for a new employee. Some applications are out.
Old Business:

1. **Museum Fundraiser Report**- Christine Meixner has done a phenomenal job! Total donations to date - $23,807.00. Town needs to raise $50,000.00 and the matching grant of $50,000.00 will cover the cost of foundation repair. Halfway there! Checks still coming in.

2. **Capital Reserve Groomer Fund Update-** Permissive referendum was advertised in the Hamilton County Newspaper and is posted at town hall in the Town Clerks shadow box. At this time no one has come to town hall with any questions or complaints about this

fund. The permissive referendum is for 30 days and the 30 days are over on 4/24/2022 at 4:00 p.m.

3. **Landfill Post Closure Update**- Lake Pleasant has received three payments of the four towns and Bain will send out a reminder to the town that has not paid to date.

4. **Clean Energy Communities Program**- Tabled for now

New Business:

Bain informed the Board that Building inspector Eric Ash has given a letter of resignation and will be leaving the area due to family needs. Bain contacted Steve Page who had applied back in November, and he was interested in taking the position. Page is a civil engineer and has worked with the town's contractors in the past. Page has been temporarily hired. Bob Benkovich will be working with Steve during the training process.

Resolution #33 Town of Lake Pleasant Town Board to hire Steve Page as Code Enforcer/Building inspector to replace Eric Ash
Offered by: Neil McGovern **2nd by:** Kathy O'Connell
Whereas, Steve Page is hired to replace Eric Ashe as Code Enforcer/Building inspector for the Town of Lake Pleasant
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons McGovern, Martz, O'Connell and Braunius)
Nays: None

Steve Page will be starting training with the state on 3/28/2022, four days a week for 6 weeks with a test every other week. He will be certified at the end of May. In the meantime, Benkovich is completely certified and on standby if needed.

Bain presented the following resolution from Hamilton County:
Resolution #34 Requesting and Authorizing the County Highway Superintendent to Post Weight Restrictions on Town Roads for the Year 2022
Dated: March 7, 2022
Offered by: RaChelle Martz
Whereas, Vehicle and Traffic Law Article 41, Section 1660 gives authority to the Town Board to post weight limits on Town Roads when the Board deems necessary to protect roads from harm during spring breakup, and
Whereas, Vehicle and Traffic Law Article 40, Section 1650 gives authority to the county superintendent of highways to post weight limits on County Roads when the superintendent deems it necessary to protect County roads from harm during spring breakup, and
Whereas, the Town would need to place an ad in the local newspaper notifying the public of such postings, and

Whereas, the County Superintendent places a legal ad in the local newspaper notifying the public of such posting on County highways, and
Whereas, the Town roads are typically posted for the same duration as the County roads, and
Whereas, the Town Board and Town Highway Superintendent believes that it would be in the interest of the Town if the County Superintendent post weight restrictions on the Town roads in conjunction with the County Roads during spring breakup
Be it Resolved, the Town Board of the Town of Lake Pleasant hereby requests and authorizes the County Superintendent of Highways post weight restrictions on Town roads within the Town of Lake Pleasant when he deems necessary for the calendar year 2022.
2nd by: Don Braunius
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons McGovern, Braunius, Martz and O'Connell)
Nays: None
O'Connell commented that this all means that this gives the County Superintendent permission to post weight restrictions on all roads. McGovern replied that yes this enables continuity on all roads within the County.

Resolution #35 To amend local law #1 of 2008: Zoning Regulations of the Town of Lake Pleasant Dated: March 7, 2022
Offered by: Neil McGovern **2nd by:** Don Braunius
Whereas, local law #1 of 2008 set the building height at 35 feet and the current Town Board at the request of the planning board is amending the law #1 of 2008 to set the building height at 40 feet to match the APA's restrictions.
Be it resolved, the amended local law will follow local law #1 of 2008 that repealed Part 1 of the Town of Lake Pleasant Code in its entirety and replaced it with a revised version of Part 1 of the Town of Lake Pleasant Code entitled Zoning Regulations with the following change
Whereas, All Maximum building heights for Residential will be changed from 35 feet to 40 feet.
Whereas, this change of local law is subject to permissive referendum and a public hearing
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons McGovern, Braunius, O'Connell and Martz)
Nays: None
Resolution available at town hall M-F 9 a.m. - 4 p.m. and subject to permissive referendum

Office of the Aging Contract- Bain was contacted for certificate of liability insurance and workman's compensation CE-100 which has been completed. Waiting for a new contract, old one expires on March 31, 2022. This is a grant for the bus trip for the seniors.
Committee reports:
McGovern asked about skiing (youth recreation) since shut down maybe early this year? Martz replied with not sure if make up lessons will be on Superintendent's conference day Friday 3/11 or not?

Resolution # 36 Approve Audit of Abstract #6
Voucher #1908-1928 Amount $42,768.99
Offered by: RaChelle Martz **2nd by:** Kathy O'Connell

Resolved that all bills in the following funds be paid as presented – General, Highway, Landfill and Library

Adopted by the following vote:

Ayes: All (Supervisor Bain, Councilpersons McGovern, Braunius, O'Connell and Martz)
Nays: None

Public Comment:

Paul Alan asked what a permissive referendum is and Bain explained that it is a public notice in the form of a legal ad in paper and posting in shadowbox at town hall that gives the public time to voice their opinion on certain matters before the town board. McGovern explained that it is a statutory waiting period according to town law for the public to come forward with questions or opposition.

Mr. Allan asked Mr. Lavernway if there was damage from the flooding at the Miami river trails? Lavernway replied that the Miami floods every spring and 4 years ago the state changed the way the water flows out which made it dam up worse. This only affects the snowmobile trails on Lyme Timber land. The state is responsible for the bridge and road.

Round table:

Martz handed out a schedule for the 16th Annual Hamilton County Birding Festival which hasn't been held since 2019 due to COVID. Today was the first day to register and over 40 people have already registered. People come from all over the country to participate in this event.

O'Connell asked when the deadline is for the broadband survey? Martz said it is being pushed out at this time. No date yet.

Bain mentioned the library doing adopt a highway

O'Connell says Nancy Welch is the person to contact about it but the library board voted to do a 2 year commitment and see how it goes. Bain asked if Library can let town hall know when decision is made so that it can get on the town web site so that townspeople can volunteer.

Bain announced that the chamber will be having their 22nd annual Community Pride Day on Wednesday May 4th. Volunteers and advertisers interested are to contact the chamber of Commerce

Bain got an E-mail from NIMER (New York Municipal Insurance Reciprocal) and the town received $312.55 as a refund.

Bain informed the board that Ad's for BTI and need for Youth Rec. assistant are in the Hamilton County Express. Braunius asked for these to go on social media as well.

Dave McComb will be walking the pathway and cleaning up signs to put back on pathways.

Bain and Lavernway have been going over the employee handbook for revisions before presenting to the board members for their feedback.

O'Connell asked how long the board members will have to review and Bain and McGovern said there is no deadline for revision. Bain informed the board that there is a copy of the county's handbook in her office if anyone wants to compare.

Bain says she was approached by a townsperson about the Highway Superintendent and Town Supervisor's terms going from 2-year terms to 4-year terms. McGovern feels more can be implemented in a 4-year term as opposed to a 2-year term. O'Connell asked if this must go for permissive referendum and Bain replied yes it does. Braunius pointed out that terms need to be staggered so that several newly elected officials don't turn over at the same time. Bain asks the board to give it some thought, and she will put it on the agenda for the next meeting.

Next Meeting: Monday March 21, 2022 @ 7:00 Lake Pleasant Library

*****ON A MOTION BY** Don Braunius 2nd by: Neil McGovern
TO ADJOURN 7:55 P.M.
ALL IN FAVOR

Respectfully submitted,
Stephanie Smith, Town Clerk