June 19, 2020

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

A Regular Meeting of the Lake Pleasant Town Board was held on June 15, 2020 was held Lake Pleasant Public Library, 2864 State Hwy. 8 Speculator, NY. The meeting was called to order at 7:00 P.M., to conduct whatever business that may come before the Board.
The following were present:
Supervisor: Betsy Bain
Councilman: Neil McGovern, Cristine Meixner, Nancy Seifts, Don Braunius
Town Clerk: Deborah O'Rourke
Highway Superintendent Randy Lavarnway
Guests: by Zoom, John Seifts, Eileen Lavarnway.

RESOLUTION #65 APPROVE MINUTES OF JUNE 1, 2020
OFFERED BY Nancy Seifts 2nd Neil McGovern
RESOLVED, that the minutes of June 1, 2020 be approved as presented. (Correction move) After a conversation with one of the neighbors with a contaminated well he wants his original R/O system repaired and returned. He feels that the one that is in his house is not efficient. Bill Dievendorf from H2O will have a quote for us by the next meeting.) under Resolution #63)
ADOPTED by the following vote. Ayes: Supervisor Bain, Councilperson: Cristine Meixner, Nancy Seifts, Neil McGovern, Don Braunius Nays: None

Committee Reports:
Superintendent Lavarnway was asked if he was putting in an insurance claim for the siding that was damaged at the Library? Lavarnway feels it is so small, he will ask the contractor if he has a piece of vinyl to replace the damaged one. The steps at the Library are completed.
The highway crew has hauled about 80% of the stone needed to start paving jobs. The crew has started to help the County with paving in Long Lake. The CHIPS money the Town receives for roads has been delayed and Lavarnway feels CHIPS money could be less next year.
Paving of sections of Page St. and Old Page Hill Rd. has been delayed because the piece of equipment that the Gorman Group was going to use has broken down on South Shore Rd.
Superintendent Lavarnway and Supervisor Bain had a virtual tour conference with FEMA on June 9, still problems with getting the work started on Hamilton Lake Rd. Still discussion on the Fish Mt. Rd. bridge at Park Stream.
Old Business:
The Board has agreed to have H2O test the contaminated wells 2X a year in the Spring and again in the Fall. Councilperson Nancy Seifts (former princ. Acct. clerk reported that the Hamilton County Treasurer's office has completed the first payroll for the Town with her help. The Town offices are working on doing deposits, mailing checks out and getting time sheets to the County for payroll. Nancy has set up spread sheets to make the transition easier. Nancy said there is a learning curve on all sides.
Supervisor Bain and Councilperson Meixner meet to review the 2020 Emergency Operations Plan. They reviewed and updated the supply list and the emergency call list. Still trying to figure

out a safe shelter for Trailer park citizens if there was ever a Tornado warning. Primary Care basement was considered but rejected. North Country Bible Church which is the former elementary school is being considered. Kevin Braunius has been asked to speak to the Deacon of the Church to see if that could be an option if ever there was a tornado warning.

New Business:

RESOLUTION #66 TO ADOPT A VACATION DONATION SICK TIME POLICY
OFFERED BY, Neil McGovern 2nd by Cristine Meixner (as amended)
RESOLVED, Vacation Donation Time is to be used by fellow employees who experience medical emergencies, long-term personal illness, illness on the part of an immediate family member living in his or her household, or who are affected by major disasters and have exhausted all paid leave available to them; and would otherwise be subject to a severe loss of income during a continuing absence from work.
Employees will be eligible to receive leave only after they have submitted a written request for leave that describes the specific medical emergency or medical condition and all other available plaid leave has been exhausted. There is no maximum number of times a donor may make donations to an eligible recipient. Donations must be made in hours without regard to the dollar value of the donated leave.
Recipient cannot receive compensation through the Town of Lake Pleasant's Vacation Donation Time Policy and the Town of Lake Pleasant's Paid Family Leave Policy at the same time. The employee using donated vacation leave credits will not earn biweekly leave accruals or observe holidays nor do they receive personal leave or vacation bonus days if their anniversary dates fall while they are using donated leave credits. While using donated vacation leave credits, an employee will continue to have health insurance premiums; retirement contributions and other payroll deductions withheld from their paycheck provided the paycheck is of an amount sufficient to cover these deductions. Anyone who wants to donate their vacation time should contact their department head. The policy is not intended to provide supplemental income which would result in compensation levels exceeding normal wages for employees who have other sources of substitute income such as that provided by disability insurance programs.
ADOPTED by the following vote. Ayes: Supervisor Bain, Councilperson: Neil McGovern, Nancy Seifts, Don Braunius, Cristine Meixner. Nays: None

Councilperson McGovern has not connected with Mike Camoin about the ring of fire that would be part of the July 4th celebration, further discussion.

The Town was asked to adopt 2 resolutions from the Adirondack Local Government Review Board.

RESOLUTION #67 REQUESTING REVIEW AND CHANGE OF APA POLICY ON AGENCY REVIEW OF PROPOSALS FOR NEW TELECOMMUNICATIONS TOWERS AND OTHER TALL STRUCTURES IN THE ADIRONDACK PARK
OFFERED BY Neil McGovern 2nd by Don Braunius
RESOLVED, (SEE ATTACHED)
ADOPTED by the following vote. Ayes: Supervisor Bain, Councilperson: Neil McGovern, Nancy Seifts, Don Braunius, Cristine Meixner. Nays-None

RESOLUTION #68 RECOMMENDING ACTIONS TO STRENGTHEN THE CLEAN DRAINED AND DRY AQUATIC INVASIVE SPECIES (AIS) SPREAD PREVENTION LAW.
OFFERED BY Cristine Meixner 2nd by Neil McGovern
RESOLVED, (See attached)
ADOPTED by the following vote. Ayes: Supervisor Bain, Councilperson: Neil McGovern, Nancy Seifts, Don Braunius, Cristine Meixner. Nays-None

The recreation committee: Nancy Seifts and Don Braunius met and after much discussion, recommended to the Board not to have summer recreation this year because of COVID-19. Maybe there could be trips organized later in the summer if the numbers for the Coronavirus go down. Someone from the committee will inform the Rec. Director Sammy Desrochers.
RESOLUTION #69 APPROVE AUDIT OF ABSTRACT #14
Voucher #265- 273 Amount $29,456.97
OFFERED BY Cristine Meixner 2nd by Neil McGovern
ABSTRACT #15 Voucher #290-321 Amount $30,612.34
OFFERED BY Neil McGovern 2nd by Don Braunius
RESOLVED, that all bills in the following funds be paid as present.
GENERAL, HIGHWAY, LANDFILL, LIBRARY
ADOPTED by the following vote. Ayes: Supervisor Bain, Councilperson: Nancy Seifts, Cristine Meixner, Neil McGovern, Don Braunius.

RoundTable: Councilperson Don Braunius said he is getting more requests for garden plots at the community garden. There is a volunteer who is willing to replace Don in the future. He asked about the benches that are put out all over the community if they are being put out this year? He was told they were not going to be put out in the Village at this time. Would it be possible to put the few around the Town? Lavarnway will look into this because no-one knows where the 3 benches are stored and if they can get to them. The benches would go one at Airdville Cemetery, one at the Court House and one by the Library.
Councilperson McGovern would like to see the fire-works go on this year, it is still undecided. McGovern also reported that there was a great Community turnout for a drive by birthday celebration for Ed Winchell's 80th.
Supervisor Bain said she has contacted BST Company (audit company) about when they would be starting the 2019 fiscal audit? The Town had to put off the audit because there was no-one in the Acct. Clerks Office to provide reports to the Company.
Superintendent Lavarnway said that the new mechanic Donald Pinkerton 111 that was hired to replace Malcolm Cooke will start this Wednesday.

July 6th Town Board Meeting is at the Lake Pleasant Library.
*** ON A MOTION BY Don Braunius 2nd by Nancy Seifts TO ADJOURN 8:20 p.m. ALL IN FAVOR

Respectfully submitted,
Deborah O'Rourke, Town Clerk

RESOLUTION REQUESTING REVIEW AND CHANGE OF APA POLICY ON AGENCY REVIEW OF PROPOSALS FOR NEW TELECOMMUNICATIONS TOWERS AND OTHER TALL STRUCTURES IN THE ADIRONDACK PARK

WHEREAS, government's primary responsibility is to protect the health, safety and welfare of the public, and

WHEREAS, cellular telephone (cell phone) service and emergency telecommunication systems are increasingly critical to the health, safety and welfare of Adirondack residents and visitors, and

WHEREAS, cell phone service and smart phones allow users, including business people and students, to participate in remote meetings and educational classes using Zoom or similar services, and

WHEREAS, cell phones are a crucially important tool used by emergency response personnel, including forest rangers, police, fire and ambulance services to receive reports of incidents, to provide life saving instructions to lost or injured people, and to locate them through triangulation or the location feature of their phones, and

WHEREAS, users may send text messages to emergency response personnel, even when signal strength is insufficient for voice communications, and

WHEREAS, life threatening incidents have occurred in the Adirondacks during which the lack of cell phone and emergency radio service have led to delays in response, and to worse outcomes for the people involved, and

WHEREAS, cell phone service has enabled forest rangers to help lost and injured people in the Adirondacks avoid serious injury, and

WHEREAS, radio communication is based on the "line of sight" transmission of radio waves from transmitting antennas to receivers, including cell phones and emergency radio receivers, and

WHEREAS, radio transmissions can only be received within a limited range of the transmitter, with the range depending on transmitter power, antenna radiation pattern, receiver sensitivity, noise level, and presence of obstructions between transmitter and receiver, including trees, buildings, mountains, and other obstructing topography.

WHEREAS, radio transmitting antennas, outside the Adirondacks, are often sited in locations that avoid obstructions to provide maximum transmission range for radio waves, including cell phone signals and emergency radio transmissions, and

WHEREAS, currently cell phone service is unavailable in many areas of the Adirondacks, and

WHEREAS, Adirondack local governments believe that the unavailability of cell and emergency radio service in many areas of the Adirondacks is the foreseeable result of the fact that the towers supporting the antennas for those services have been required by the APA policy on towers to be "substantially invisible", and consequently substantially lower than such towers elsewhere in New York State, and at, or very near, the height of obstructing tree canopies, and below the height of surrounding topography, which reduces the range of the radio waves, and

WHEREAS, the "substantial invisibility" standard is fundamentally incompatible with optimum essential cell phone and emergency radio service for Adirondack residents and visitors, and

WHEREAS, the Covid-19 pandemic has shown the importance of cell service and the internet, which have become

indispensable for distance learning and telemedicine vital to residents and visitors attempting to work from home and school children and college students attempting to continue their education by learning at home with technology, and

WHEREAS, the Review Board believes that the APA's current "tower policy" results in cell carriers settling for lower towers than they would build outside the Adirondacks, because they are aware of the limited maximum height the agency will require to approve their permits, and

WHEREAS, the lower towers result in shorter transmission range, which negatively affects public health, safety, welfare, education, and the economy, and

WHEREAS, the Review Board firmly believes that, with careful planning and siting, APA staff is capable of balancing protection of the viewshed with the cellular needs of residents and visitors, and

WHEREAS, the Review Board believes that the APA cell tower policy should be amended to allow and encourage improved cell phone and emergency radio communications, while recognizing the need to protect the Adirondack's resources, and

WHEREAS, the current definition of "substantial invisibility" requires that towers not be "readily apparent" as to size, composition or color and that the structures will, to the maximum extent practicable, blend with the background vegetation, other structures or other landscape features as seen from all significant potential public viewing points, and

WHEREAS, the Review Board believes that "not readily apparent" is a more reasonable standard considering the pressing need for improved cell service,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Review Board respectfully requests that the APA review and modify its tower policy and adopt "not readily apparent" as the new standard, and also add the following incentives and exceptions for specific sites:

- encourage vertical collocation of carrier's antennas, by offering a height incentive of 10 to 15 feet above the tree height to encourage vertical collocation and reduce the proliferation of towers horizontally collocated with other towers, which would have the added benefit of reducing carrier's costs, and

- offer general permits for cell carrier antennas on existing tall structures such as water towers, hotels, ski lift towers, inside church steeples and on government buildings, provided they meet certain specified conditions, and

- allow cell carrier antennas of some height, such as 20 feet above existing structures within the APA Hamlet classification, and

- offer a height bonus of 10 to 20 feet above the tree canopy for new towers serving currently unserved areas, in recognition of the pressing need vividly illustrated by Covid-19 restrictions on meetings, and

- add a requirement to its policy that staff and commissioners ask cell tower applicants for information, including a map, showing how a higher tower would expand coverage and benefit residents and travelers, which would enable APA commissioners to weigh the visibility cost against the public benefit.

WHEREAS, Governor Cuomo cited this unprecedented agreement in a press release In March 2015 (See Governor Cuomo Announces Agreement to Prevent Spread of Aquatic Invasive Species in the Adirondacks). and

WHEREAS, there has been no such broad expression of support for an Adirondack-wide mandatory program, and

WHEREAS, in summary, none of the steps taken to create a successful Lake George mandatory boat inspection and boat wash program on Lake George have been taken in support of the proposal for an Adirondack-wide mandatory program, and

WHEREAS, fortunately, there is a better alternative, by increasing the effectiveness of current Environmental Conservation Law Section 9-1710 entitled *Aquatic invasive species; spread prevention,* which provides that:

"No person shall launch a watercraft or floating dock unless it can be demonstrated that reasonable precautions such as removal of any visible plant or animal matter, washing, draining or drying as defined by the department pursuant to rules and regulations, have been taken", and

WHEREAS, unfortunately there has been no enforcement of that law,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Review Board recommends that DEC take the following additional actions to increase the effectiveness of that law:

- Begin enforcing the law, and
- Add the requirements of the spread prevention law to the curriculum of the boater safety class, that all boat operators in New York will be required to take next year, and
- Rejuvenate the group that signed the 2015 Memorandum of Understanding and request sign-on to a new MOU in support of the current spread prevention law, and
- Engage prisms throughout the state to educate the public on the requirements of the law and to provide outreach to user groups and marine trades businesses, and
- Provide signage on the requirements of the law at the many informal boat launches throughout the Adirondacks, and

Resolution Recommending Actions to Strengthen the Clean Drained and Dry Aquatic Invasive Species (AIS) Spread Prevention Law

WHEREAS, in 2019, local government, lake associations, and environmental groups met with Senator Todd Kaminsky to discuss the Adirondack Council's proposal for an Adirondack-wide mandatory boat inspection and wash program to prevent the introduction of aquatic Invasive species, and

WHEREAS, local governments know that the Lake George mandatory boat inspection and boat wash program was the result of a coordinated effort by the Lake George Park Commission, local governments and environmental groups, and that coordinated effort has not yet happened in support of an Adirondack-wide mandatory program, and

WHEREAS, Lake George is unique because it is governed by the Lake George Park Commission, which is the only lake specific regulatory body in New York State and, was, therefore, in a position to adopt enforceable regulations requiring that trailered power boats be inspected and washed, if not clean drained and dry, and

WHEREAS, Dave Wick, the Park Commission's executive director spoke at dozens of meetings throughout the Lake George region and was able to achieve universal support and buy-in for the program, and

WHEREAS, that advocacy effort has not yet happened regarding the proposal for an Adirondack-wide mandatory program, and

WHEREAS, local governments and the Fund for Lake George stepped up and pledged to pay half the cost ($350,000) of the Lake George mandatory program each year, and

WHEREAS, local governments and environmental groups also created a Memorandum of Understanding (MOU) in support of the Lake George mandatory program, which was signed by Warren County and most of the towns around Lake George, and

WHEREAS, local governments, lake associations and environmental groups also lobbied state government in support of the Lake George mandatory program, and

WHEREAS, there has been no such pledge of financial support, or MOUs for an Adirondack-wide mandatory program, and

WHEREAS, local governments and the Fund for Lake George, working with the SAVE Lake George group, created a second MOU in support of a voluntary Adirondack wide boat wash program, which was signed by the APA, DEC the Lake George Park Commission, numerous towns, counties, lake associations and environmental groups - a total of more than 53 in all, and

- Review the DEC comprehensive aquatic invasive species plan to ensure that it is consistent with the intent of the spread prevention law and that it is implemented, and

- Seek the support of major business groups, such as the New York State Business Council and the Marine Trades Association, and

- Seek the support of sportsmen's groups such as the New York State conservation Council, and

- Build on the success of the original Adirondack Park Invasive Plant Program Advisory Group, and

- Provide inspection and decontamination facilities for boat washing upon retrieval of boats from major AIS source waters in New York State to prevent the spread of AIS to other water bodies, including those in the Adirondacks, and

- Seek the support of non-resident anglers fishing in New York waters and publicize their support, and

- Seek the support of the private sector and publicize its support, and

- Work with the Adirondack Lakes Alliance and marine trade groups to tag frozen boats and thereby remove them from the lines of boats that require decontamination at boat launches and inspection sites, and

- Advance education for visitors through online portals for vacation rentals like VRBO, Airbnb and other private sector lodging and rental resources.