April 13, 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 May 4, 2020, the meeting was held by using Zoom as the COVID -19 is still keeping people at home. Supervisor Bain and Town Clerk Deborah O'Rourke were in the Town Municipal Center 2679 State Rt. 8 Lake Pleasant 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
Councilpersons: Neil McGovern, Cristine Meixner, Don Braunius, Nancy Seifts
Town Clerk: Deborah O'Rourke
Highway Superintendent Randy Lavarnway
Guests: Mayor Barrett, Stephen Whiting, Jim Swanson

Supervisor Bain asked for a moment of silence in memory of The Town Historian Annie Weaver.

RESOLUTION #47APPROVE MINUTES OF APRIL 6, 2020
RESOLVED, that the minutes of April 6, 2020 be approved as presented.
OFFERED BY Nancy Seifts 2nd by Don Braunius
ADOPTED by the following vote. Ayes: Supervisor Betsy Bain, Councilperson: Cristine Meixner, Neil McGovern, Don Braunius, Nancy Seifts Nays: None

Library President Karen McComb has turned in her Library report, Councilperson Seifts said if anyone has any questions Karen will be happy to answer them when we are together again.

Highway: Superintendent Lavarnway reported that he has brought his entire crew back as of today. There is so much work that has to be done. He was just using 2 men a day: Garbage pickup on Monday and Thursday and recyclable on Tuesday. Trying to keep same crew in trucks and in same equipment, and at the end of the day all trucks will be cleaned out. No germs being passed by steering wheels etc.

The crew has been cleaning roads, removing debris, putting in driveway culverts, raking Gilmantown Rd. and Perkins Clearing Road. Men are required to keep a social distance, wear the disposable masks which are supplied by the Town and rubber gloves. Councilperson Nancy Seifts is concerned that if the weather turns bad and the crew has to work inside that keeping a social distance will not be easy. One truck has the snowplow still on it as there is snow in the forecast. Lavarnway has gotten many calls on when Perkins Clearing is going to open, he is trying to get it open but will have to barricade the road at the bottom of Hardwood Hill and just south of Jessup River Bridge. There is still so much damage from the Halloween storm. Lyme Timber is very happy that the gates are not open until maybe the end of the month as their roads are still in rough shape too. Lavarnway is working very hard with FEMA to get our roads repaired. Because of COVID-19 FEMA, has changed on-site inspections. In the past, FEMA sent someone out to do the inspections now they want Lavarnway to do all detailed virtual inspections. They are asking for GPS coordinates of every site and for Lavarnway to have videos and pictures of culvert width, depths and water flowing. This will be quite a job to be completed

as the Town has at least 12 roads that were damaged. Once this information is gathered it is sent to an outside company that gives their estimate of what the repairs would cost. FEMA then issues a check and that is the only check issued. There will be no additional money if the cost goes over.
Councilperson McGovern is surprised that the FEMA crews can't came out and do the inspections wearing masks and the proper protection. Councilperson Braunius complemented the Highway crew for the repairs that were done on the Pathway. Superintendent Lavarnway has Andy Perkins getting ready to do the work on the new set of stairs at the Library. He hopes to be started this Wednesday. The crew has also painted the lines in the parking lots and the bumpers have been put out also. There is another problem with the springs on the garage doors on the Truck Wash Building, Lavarnway has contacted Colonial Overhead Door from Johnstown as the Company from Glens Falls was very costly. Councilperson Braunius asked about contacting the Company that put up the barn originally maybe they would be cheaper.
Lavarnway reported that NYS Dept. of Environmental Conservation Natural Resources Planner Allison Buckley is working on 2 new kiosks for the bicycle trails and wants a pdf of the Town's logo that is on the trucks which he is was able to provide. Lavarnway has ordered 6 bike path signs from K.C. Morrison. There is no time frame as to when they will be done. Councilperson McGovern asked about lunch breaks and Randy said they will start staggering the time at 11:00 and 11:30.
County Superintendent of Highways Tracy Eldridge and Town Superintendent of Highway Randy Lavarnway have signed an Agreement for the Expenditure of Highway Moneys. Supervisor Bain asked the Board to sign this agreement also. (See attached) Copies to Town Clerk and County Highway Superintendent.

Old Business:

Supervisor Bain reported that the 2/3 of the BTI project has been completed. The Team of Vi Wickes, Bill Waller and Mark Crary started to treat the streams earlier, but the cold weather did slow things down. The Town still needs to hire 2 more people for next year.
Councilperson Seifts said she has been working with Linda Smith from BST sending information by email which would be cheaper than on the phone on the Town's 2019 AUD and hope to be done soon. Supervisor Bain has been in touch with the Chairman of the County Board Bill Farber and County Treasurer Beth Hunt about taking over the Town's payroll and reports. The County Treasurer's office is still not at full capacity yet so as soon as that happens, we can take all this off of Nancy Seifts plate. We have been trying to do this since March.

7:30 p.m. Public Hearing on Local Law #2 Titled TOWN EMPLOYEE VICTIM OF A SERIOUS MEDICAL CONDITION AND LEAVING OFFICE SHORT STAFFED
Town Clerk Deborah O'Rourke read the Local Law.
Whereas, a Town Employee has been the victim of a serous medical condition leaving our Municipal offices short staffed.
Whereas, the Town Board has determined that the unique experience of a former employee makes him/her the proper person to fill this immediate position regardless of his/her current elected position.
Be it resolved, that the full knowledge of these duties, and the general view that those positions may be seen as incompatible, it is in the best interest of the Town of Lake Pleasant to so appoint the former employee effective Friday March 13, 2020.
Supervisor Bain will let 2 people in at a time with masks.

Public Comment: Stephen Whiting asked if every effort was made to find someone to fill Account Clerk's position. Councilperson McGovern and Town Clerk contacted the Association of Towns and were told to pass a Local Law in case this happens again. Mr. Whiting is not happy with this proposal and asked of all other avenues have been taken. He felt this position should have been posted on website. This is just a temporary position. Kathy could be coming back. Mr. Whiting asked if the county could take over now, Supervisor Bain said she is waiting to hear from Mr. Farber and Treasurer Hunt as to when her office is coming back full swing. He asked if there is a reason for this Local Law and Supervisor Bain said yes. Councilperson McGovern stressed it was an emergency and we went by the guidelines of the Association of Towns and the Local Law is being passed, as this could happen in the future. Councilperson Seifts asked what he would do under these circumstances in order to do payroll? On record on not agreeable on this Local Law.
Mayor Barrett stated that there is incompatibility issue that is not adequately addressed by the Local Law and under Article 18 of NYS Municipal Law it is a conflict of interest with Councilperson Seifts being hired. She feels there was no need for a Local Law there are others who could operate the payroll program KVS.
Jim Swanson stated the Local Law was inappropriate and the Town should look into shared services. During this pandemic there are lots of people that are not getting paychecks and that we did not need to rush into getting payroll done so quickly. There are so many trying to get unemployment and not be able to. He feels the Town has missed the mark. Supervisor Bain told Mr. Swanson that the County was informed as this happened and because of the pandemic they were unable to handle the Town's work. He feels the Town should still pursue the County Supervisor Bain said she is.
Councilperson Seifts wanted everyone know that Kathy Aird still holds the position, and this is still a temporary position. Councilperson McGovern stated the Town is doing the right thing.

New Business:
Out of respect for the Weaver family the replacement of the Town Historian well be discussed at the next Town Board meeting.
RESOLUTION #48 STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE NEGATIVE DECLARATION.
OFFERED BY Neil McGovern 2nd by Nancy Seifts
RESOLVED (SEE ATTACHED)
ADOPTED by the following vote. Ayes: Supervisor Bain, Councilperson: Cristine Meixner, Don Braunius, Neil McGovern, Nancy Seifts.
Nays: None

RESOLUTION #49 APPROVAL OF LEASE FOR WIRELESS TELECOMMUNICATIONS FACILITY ON TOWN PROPERTY.
OFFERED BY Don Braunius 2nd by Nancy Seifts
RESOLVED (SEE ATTACHED)
ADOPTED by the following vote. Ayes: Supervisor Bain, Councilperson: Cristine Meixner, Don Braunius, Neil McGovern, Nancy Seifts.
Nays None

Supervisor Bain reported she had a nice conversation with President of the Lake Pleasant Sacandaga Association Lyn Van Druff and was asked to serve on the Board as Town Supervisor and Betsy agreed.

RESOLUTION #50 TO APPROVE THE HIRING OF LAKE STEWARTS
OFFERED BY Neil McGovern 2nd by Don Braunius
RESOLVED, that the Board approved the hiring of Lake Stewards done by the LPSA and supervised by them. Payment made from the $5,000 budget line and LPSA will reimburse if payment goes over the amount for the year 2020
ADOPTED, by the following vote. Ayes: Supervisor Bain, Councilperson: Nancy Seifts, Cristine Meixner, Neil McGovern, Don Braunius. Nays: None.

RESOLUTION #51 APPROVE AUDIT OF ABSTRACT#11
Voucher #217-234 Amount $31,761.47
OFFERED BY Cristine Meixner 2nd by Neil McGovern
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: Cristine Meixner, Don Braunius, Nancy Seifts, Neil McGovern Nays-None

8:05 Public hearing closed on Local Law#2 2020
Councilperson Meixner does not feel is should be a local law and as Nancy Seifts is already a Consultant for the Town. Councilperson McGovern feels that the Town took the advice for a Lawyer with the Association of Towns.
ADOPTION OF LOCAL LAW #2 OF 2020
Adopted by the following vote. Ayes Supervisor Bain, Councilpersons: McGovern, Don Braunius Councilperson Seifts (abstained) Nays: Councilperson Meixner.

Roundtable: Councilperson McGovern asked Superintendent Lavarnway if the front walkway of the Municipal Center going to be repaired Lavarnway said it was on the project list.
The Burn pit is open. Councilperson Braunius doesn't agree with the fixed hours at the Transfer station he thinks maybe it causes more of a social scene. Superintendent Lavarnway asked the Board what they want him to do about the Town's Tennis Courts. After getting prices last year to re-do the courts the Courts at the County Building needs to be repainted and striping these would be around $30,000 the Courts on Elm Lake Road are in bad shape need to be redone at a cost of about $50,000. The Budget Committee did start a capital project line with $5,000. Councilperson Meixner is concerned about the danger of the Courts on Elm Lake Rd. The Recreation Committee will look into whether to open them or not.
The Village Election will be held on September 15.
Supervisor Bain wanted to thank all Town employees, County Supervisor's and the County Nursing Dept. who have worked so hard dealing with the COVID-19.
The next Town Board Meeting will be May 18 not sure where yet.
Councilperson Meixner expressed her concern that the Lake Pleasant Fire Dept.is required to submit a list to the Town Board identifying all volunteers who earned at least 50 points during the preceding year which would give the Volunteers on the list one year of LOSAP service credit. The Town of Lake Pleasant is the sponsor of the Lake Pleasant Volunteer Fire Dept.

LOSP Program. No-one had heard of this, so Supervisor Bain will contact LPVFD President Andy Weaver.

MOTION TO ADJOURN 8:27 P.M. Moved by Don Braunius 2nd by Nancy Seifts
Ayes: All

Respectfully submitted,
Deborah O'Rourke, Town Clerk