

A regularly scheduled meeting of the Town Board of Long Lake, Hamilton County, New York was held on May 31, 2023, at the Long Lake Town Hall at 07:00 PM and called to order with the Pledge of Allegiance to the Flag of the United States of America and a prayer by Councilman Clark Seaman. Twenty-three people attended.

Roll Call: Members present:

Clay J. Arsenault	Supervisor
Thomas L. Donnelly	Councilman
Clark J. Seaman	Councilman
Richard B. Dechene	Councilman

Attending for the Town as well were the Confidential Secretary to the Supervisor, Matthew Newby, the First Deputy Town Clerk, Amber Wambach, and the Town Attorney, Carl Ferrentino.

There was a quorum to conduct the business of the Long Lake Town Board.

BOARD APPROVALS

Motion by Richard Dechene, seconded by Thomas Donnelly to accept the April Regular Meeting Minutes.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

Motion by Thomas Donnelly, seconded by Clark Seaman to pay encumbrances as listed on Abstract 5, May 2023.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

Bills as listed on abstract 5 for May of 2023

Audit of Claims

General Fund #A0331 – A0430	in the amount of	\$152,213.89
Highway Fund #D072 – D090	in the amount of	52,200.61
Water District 1 #SW1048- SW1063	in the amount of	2,581.40
Water District 2 #SW2113 - SW2141	in the amount of	14,268.73

SUPERVISOR'S REPORT

2023 Grievance Day Report- James Bateman, Sole Assessor reported to the Board that Grievance Day for the 2023 Tentative Assessment Rolls was held at the Long Lake Town on Tuesday, 23rd of May from 4:00 PM to 8:00 PM. There were no grievances.

Adirondack Watershed Institute (AWI)- Bill Brosseau from the AWI sent an email to let the Supervisor know that they have a TRP with NYDEC to move the boat wash shed to the upper parking lot of the State Boat Launch on Dock Lane.

Tupper Lake Shared Services- The Town of Tupper Lake has sent the Town of Long Lake a copy of the Town of Tupper Lake's Resolution #16 of 2023, Resolution authorizing Town Supervisor to sign a contract for shared highway services on behalf of the Town, the Town of Long Lake has not received a contract to date.

APA Major Project Notice- the APA sent the Town a Major Project Public Notice for application for National Grid to move their substation near the Raquette Lake Union Free School to the other side of Route 28. This will make the school's grounds and the entrance to the Raquette Lake village more appealing and safer. The Town has not seen anything concerning NYSEG doing this.

Opposition of Battery Energy Storage System- Letters from Jim Blanchard, Lynn Roderick, Maura Baron and Michael Dillon were sent to the Town supervisor opposing the Battery Energy Storage System in Raquette Lake. The Supervisor also received phone calls of opposition from Caroline and Joseph Gerdin. The Supervisor appreciates phone calls and letters letting him know how people feel about this project but cautions that social media isn't the best place to look to find answers on this matter. The public will be notified through the Board Meetings, Board Actions, and Public Notices including the Town's website when public hearings will be held which will offer the public the most impactful avenue of comment. The public is highly urged to attend the upcoming hearings, no matter what side of an issue you may wish to comment on.

CVW Long Lake Public Library- The Cornelius Vanderbilt Whitney Long Lake Public Library sent a note thanking the Town of Long Lake for the \$10,000 of support provided for 2023.

2023 is the final year that the Town budgeted support for the Library in Long Lake.

Paving Jim Bird- The Long Lake Highway was paving Jim Bird, just so the public was aware.

Water Department- Keith Austin has been working on the Tarbell Hill Pump Station, and now is awaiting the transfer switch and generator to arrive.

After the Tarbell Hill Pump Station is finished the next step will be to work with the engineers to build out the Clement Hill Pumphouse, hopefully starting this year.

Keith has been working with Jamie Girona and Hanson VanVleet Hydrogeology and JD Drilling revitalizing the Bissell Pit and Stanton Hill wells for the Long Lake Water District.

At Bissell Pit they step-tested and sent cameras into the wells, which determined the wells need some reclamation but are running well.

Mr. Girona explained that the geology of the Stanton Hill Well location was formed when the

glaciers skipped over the cut on the north side of the hill as they headed north thousands of years ago. This left a deposit of unknown depth of angular sand which compacts very tightly, and yet slides into the Wells anywhere the water is drawn from. When Well #2 was developed it sat for 2 years for a few reasons, and this resulted in it only being capable of 30 gallons a minute when it went online. Redevelopment was recommended, and was done, early results show improved capability. Well #1 is not operating, the angular sand is the main problem. Mr. Gironda said that a new well could be drilled next to Well #1 which could cost up to \$50,000.

A bill in the amount of \$98,108 was received from Mr. Gironda for the work completed to date. The remaining budgeted funds can be utilized to pay CHA for a booster station design for the Bissell Pit end of the system.

The Town will be asking assistance from CHA and Town Attorney Carl Ferrentino to investigate whether the Town can have the capital project fund for the previous big water project in Long Lake reimburse the Long Lake Water operating fund for these expenditures.

Parks and Recreation- The annual search for lifeguards and P&R seasonal laborers has begun. On Buck Mt. Chad and Cindy have been busy painting the fire tower, Tracy Eldridge informed the Supervisor that work on the parking lot for Buck Mt. has begun.

Alex has been working with Dylan Walrath of NYS DEC and has made good progress on getting the \$200,000 that the Town is owed as part of the 5 Towns agreement with the State years ago. The Long Lake and Hamilton County Memorial Day Parade and services were held in Long Lake. It was a beautiful day to honor those who sacrificed all for our Country and was well attended.

In an effort to inform people about how they can prevent attracting bears into situations where they can get harmed or harm others, the Town Board, Long Lake P&R, and the NYS DEC are sponsoring an education program titled "All About Bears" at the Long Lake Town Hall at 7pm, June 1st, 2023. NYS DEC Wildlife Biologist, Jim Stickles will be presenting.

National Grid & REV Renewables- On May 23, 2023, at the Raquette Lake Union Free School Gymnasium the Town Board invited Nation Grid and REV Renewables to present details and have a question-and-answer session of the proposed Battery Energy Storage System for the public. Over 150 people attended the presentation, people signed up to ask questions, everyone who signed up was able to speak. The Town Board and the County await the permit applications for this proposed project which will initiate Town Board, Code Enforcement, Town and County Highway, Town Water Dept., and environmental scrutiny of the project. There will be at least one public hearing during this process, and the opportunity for stake holders to submit their environmental impact concerns during the SEQRA environmental impact review.

AGENDA

RESOLUTION TO APPOINT PAUL WILSON AS THE ASSISTANT CODE ENFORCEMENT OFFICER

WHEREAS, the Town of Long Lake (TOWN) conducts a local government code enforcement program pursuant to Local Law No. 2 of the year 2022 (Local Law) that provides for the administration and the State Energy Conservations Construction Code (the Energy Code) in this Town.

WHEREAS, the Town Board previously appointed Harry Buxton as Town Code Enforcement officer who shall continue in that role according to annual appointment; and

WHEREAS, the Town Board has determined that is in the best interests of the Town to appoint an assistant as an Inspector pursuant to Section 3 of the Local Law.

WHEREAS, the appointed inspector shall have the powers provided under the Local Law and shall become the Acting Code Enforcement Officer in the event the Code Enforcement Officer is unable to serve for any reason upon qualification and training and certification as required under state law.

WHEREAS, the Town Board is committed to reviewing all senior appointments with an eye to providing the Town with feasible and orderly succession pathways upon the retirement of senior personnel.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Paul Wilson is herewith immediately appointed to the position of Code Enforcement Inspector upon taking any required oath as a Town Officer.
2. The functional and organizational title Paul Wilson shall be "Assistant Code Enforcement Officer."
3. This appoint is an "at will" appointment made upon the recommendation of the Supervisor and shall be included in the posts for consideration at each annual Organizational Meeting.
4. As provided in the Local Law, the post shall report to the Code Enforcement officer.
5. The Assistant Code Enforcement Officer shall complete all training required by the New York State Department of State within one year of their being appointed to the office.
6. The position is expected to require about 10 hours of assistance per week.
7. Compensation adjustment in light of Mr. Wilson's continuing business office duties and new duties as Code Inspector will be considered by the Town Board during the June 28th, 2023, Town Board meeting.

Motion by Supervisor Arsenault, seconded by Clark Seaman to appoint Paul Wilson as the Town of Long Lake Assistant Code Enforcement Officer.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

BLAKE NEUMANN FROM THE ADIRONDACK COUNCIL ADDRESSED THE BOARD

Blake Neumann from the Adirondack Council invited Gail Morehouse from Raquette Lake Preservation Foundation and Steve Flannery from the Long Lake Association to address the

Town Board about a major decline in volunteers, which makes it harder for both the Raquette Lake Preservation Foundation and the Long Lake Association to protect the lakes.

Mr. Neumann informed the Board that the Adirondack Council approached the Northern Forest Canoe Trail to partner on writing a grant to fund a “Headwaters Campaign” that would provide staffing and advisory oversight to lake associations in the St. Lawrence Headwaters. The grant was awarded, and funding will run through October 2024.

The Headwaters Campaign is a collaboration of the Adirondack Council and the northern Forest Canoe Trail along three lake associations (Blue Mountain Lake, Long Lake, and Raquette Lake) in the headwaters of the Raquette River Watershed. The purpose of the Headwaters Campaign is to expand the communications and outreach capacity of the three lake associations in order to share stewardship-focused messaging (responsible recreation, invasive species prevention, leave no trace, etc.) with other local partners and to engage a broad base of stakeholders in watershed management planning.

Mr. Neumann is asking the Board for their approval to appoint Alex Roalsvig as a Town of Long Lake representative to the steering committee.

Motion by Supervisor Arsenault, seconded by Richard Dechene to approve Alex Roalsvig as the Town of Long Lake representative to the steering committee for the Headwaters Campaign.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

RESOLUTION TO APPROVE THE ANNUAL MEMORANDUM OF INTER-MUNICIPAL AGREEMENT BETWEEN JEFFERSON-LEWIS-HAMILTON-HERKIMER-ONEIDA BOCES TO ADMINISTER DRUG TESTING FOR 2023-2024

WHEREAS, the Town of Long Lake has had Jefferson-Lewis-Hamilton-Herkimer-Oneida BOCES administer Drug and Alcohol testing of CDL drivers for the Town of Long Lake pursuant to the Federal Motor Carriers Safety Act and assist with maintaining compliance with the Federal Motor Carrier Clearinghouse mandate; and

WHEREAS, the Town of Long Lake wishes to participate in BOCES program of Drug and Alcohol testing; and

WHEREAS, BOCES is willing to accept the Town of Long Lake into its Drug and Alcohol Testing program, subject to the terms and conditions of the Inter-municipal Agreement;

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF LONG LAKE,

Hereby, authorizes the Town Supervisor to sign the Memorandum of Inter-Municipal Agreement between Jefferson-Lewis-Hamilton-Herkimer-Oneida BOCES and the Town of Long Lake for the period of July 1, 2023, to June 30, 2024.

Motion by Clark Seaman, seconded by Richard Dechene to approve the resolution of memorandum of inter-municipal agreement with Jefferson-Lewis-Hamilton-Herkimer-Oneida BOCES and the Town of Long Lake.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

Clerk's Note: The Memorandum of inter-Municipal Agreement Between Jefferson-Lewis-Hamilton-Herkimer-Oneida BOCES and the Town of Long Lake can be reviewed at the Town Clerk's Office during regular office hours.

RESOLUTION TO HONOR DEAN POHL FOR HIS SERVICE TO THE TOWN OF LONG LAKE

WHEREAS, the Town of Long Lake, the Hamlet of Raquette Lake, and the broader Adirondack community lost a strong member of the community, and a dedicated civil servant on May 18, 2023 with the passing of Captain Dean Pohl; and

WHEREAS, Dean Pohl was an advocate for the citizens of Long Lake and Raquette Lake, the Adirondack Park, his family, and his business; and

WHEREAS, Councilman Pohl served his community honorably as a member of the Town Board since 2006; and

WHEREAS, Dean's sense of humor, knowledge, and experience will be missed by the Town Board;

NOW THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF LONG LAKE,

1. On behalf of the residents and visitors of the Town of Long Lake, hereby recognizes the life and contributions of Dean Pohl, including his service to the Town, his family, and his business; and
2. Extends our deepest condolences to the family and loved ones of Dean Pohl and express our enduring gratitude for sharing his time with us.

Motion by Thomas Donnelly, seconded by Richard Dechene, Clark Seaman, Supervisor Arsenault to adopt a resolution to honor Dean Pohl for his service to the Town of long Lake.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

RESOLUTION TO ESTABLISH OF APPLICATION FEE FOR PERMIT APPLICATION FOR TIER 2 BATTERY ELECTRIC STORAGE SYSTEMS

WHEREAS, Local Law 1 of 2023 established the Town of Long Lake's Battery Electric Storage Systems Local Law and provided that a permit application fee regime shall be established and from time to time revised by Town Board by resolution;

WHEREAS, Tier 2 Battery Electric Storage Systems may require intensive and expert review to afford the development of a lawful and proper record upon which the Town Board may come to rely upon in rendering its judgment to grant, deny, or condition its issuance of any construction permit, operating permit, decommissioning plan, and any and all other plans required under the Local Law after a full environmental review; and

WHEREAS, a building permit is also required for the construction and operating under the Town's operation and enforcement of the local building code under Local Law 2 of 2022.

NOW THEREFORE, BE IT RESOLVED:

1. The Tier 2 application fee required under both the building code program and the Battery Electric Storage Local Law shall be formulated consistent with the following terms and conditions:

- A. The applicant shall be responsible for all extraordinary expenses of the Town connected to review, development, issuance, denial, and monitoring of compliance with the terms of any such permit issuance under Local Law 1 of 2023 and the uniform code.
- B. Applications for permits shall not be deemed complete until the negotiation and final execution of an Application Review Funding Agreement ("Agreement") between the Town and the Applicant.
- C. The Agreement shall be enforceable with expedited enforcement provisions such as those under the NY CPLR § 3218 (Judgement by confession) or a substantial financial undertaking in the form of a surety. The prevailing party in any action to recover fees established according to the Agreement shall be entitled to attorney's fees and costs.
- D. Default by the applicant in making timely payment under the Agreement shall result in immediate halt for at least 30 days in any permit review processing.
- E. Default in making timely payment under the Agreement, beyond 60 days shall result in either termination of the review process or a permit denial.
- F. The Agreement may have adequate protective language to ensure only good faith charges against the Application Review Account ("Account") as established under the Agreement contemplated under this Resolution including provision for maximum hourly rates for various professional expert categories, audit, and review by the Applicant of charges against the Account and any other reasonable terms and conditions as mutually agreed by the Town and the Applicant.
- G. Reimbursable expenses that may be charged against the Account shall be extraordinary costs to the Town and not standing costs for the use of Town facilities, use of the Town website for public notices or the engagement of its elected officials for permit review. However, extra legal costs for time

expended by the Town Attorney, outside counsel, and Town-engaged outside consultants will be considered chargeable expenses as establish in the Agreement.

H. The Account shall be kept funded by the applicant on an advanced basis to allow the Town to make timely reimbursement of its engaged outside experts, stenographers, and direct cost for notice publications in its official newspaper.

2. This Resolution shall take effect immediately.

Motion by Clark Seaman, seconded by Richard Dechene, Clark Seaman, Supervisor Arsenault to approve the resolution for the establishment of an application fee for permit applications for tier 2 battery electric storage system.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

RESOLUTION FOR APPOINTMENT TO FILL TOWN BOARD SEAT A VACANCY

WHEREAS, a vacancy exists for the position of Town of Long Lake Town Board Member, Seat A because of the untimely death of Councilman Dean Pohl, on May 18, 2023;

WHEREAS, a notice of vacancy was duly filed with the Hamilton County Board of Elections by the Deputy Town Clerk for Town Board Member Seat A;

WHEREAS, the Town Board is advised that the appointment power of the Town Board runs through December 31, 2023, for Board Seat A;

WHEREAS, the Town Board is advised the Board Seat A position will be on the November 7, 2023, general election ballot to fill the remaining term of Councilman Dean Pohl's term which shall run from January 1, 2024 through December 31, 2025; and,

WHEREAS, pursuant to Town Law § 64 (5) the Town Board of the Town of Long Lake, by majority vote thereof, has the authority to appoint a qualified person to fill the vacancy in said elective office, and the person so appointed shall hold office until the commencement of the calendar year next succeeding in first annual election at which the vacancy may be filled.

NOW, THEREFORE, BE IT RESOLVED:

1. The Town Board has determined to solicit letters of interest and resumes from qualified electors within the Town of Long Lake to fill the vacancy.
2. That the deadline for submission of letters of interest and resumes to the Town Supervisor is Friday, June 16th 2023.

3. That the Town Board shall review said submissions and conduct in-person interviews as appropriate.
4. The Town Board shall endeavor to make its appointment as soon as practicable after reviewing candidates for appointment.
5. That the Town Clerk's office shall cause posting and publication of a notice of this resolution.

Motion by Supervisor Arsenault, seconded by Richard Dechene to approve the resolution to appoint to fill Town Board Seat A.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

STATE LIQUOR AUTHORITY STANDARDIZED NOTICE

Nathan Hosley presented the Board with a State Liquor Authority Standardized Notice Advance Notice to a Local Municipality or Community Board.

In previous instances of these notices, the Board has posted the notice on the Town's website for 5 days, and then the Town Supervisor submits a letter of support to the State to waive the remainder of the 30 days.

Motion by Supervisor Arsenault, seconded by Clark Seaman approve the posting of this notice on the Town's website for 5 days, at which point the Supervisor will submit a letter to the New York State Liquor Authority waiving the remainder of the 30 days.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

COUNCILMAN COMMENTS

Richard Dechene and Clark Seaman had no comments.

Thomas Donnelly thanked all who attended the informational meeting on May 23, 2023, at the Raquette Lake School and all who attended tonight's meeting.

PUBLIC COMMENT

Mike Farrell asked Supervisor Arsenault if he has had a phone conversation with Nation Grid, and if so, how did it go?

Supervisor Arsenault informed Mr. Farrell that he did have a phone conversation with National Grid, and it seemed to have gone well, and that National Grid said that they had heard the Town and community.

Jack Carney asked about the \$10k grant that the Town received for housing assessment in Long Lake, and how it will be used.

Supervisor Arsenault said the housing assessment grant will be used to determine if it will be feasible for the Town to build housing within Long Lake.

Louis Burke asked Supervisor Arsenault to write a return email acknowledging the email that was sent from the Raquette Lake Fire District.

Supervisor Arsenault said he will.

Mr. Burke asked how the Town will inform residents of the public hearings and meetings?

Supervisor Arsenault was informing Mr. Burke that the Town website will have information but was interrupted by Mr. Carney. Supervisor Arsenault asked Mr. Carney to not interrupt when it is not his turn to speak.

Mr. Burke spoke on behalf of the Fire District and informed the Board that the fire hydrants in Raquette Lake are not adequate for use, some might need to be replaced.

Supervisor Arsenault told Mr. Burke that Keith Austin will be informed and will investigate it.

Deb Evans asked if the Board will be tweaking the two Local Laws that were passed this year regarding the Battery Energy Storage System.

Supervisor Arsenault said the Board has not had a chance to do so.

Lorraine Esposito asked how Raquette Lake residents will be contacted about upcoming meetings?

Supervisor Arsenault said the Town website will have information and posters will be made and displayed at the designated posting sites in Raquette Lake and Long Lake.

James Blanchard commented that Raquette Lake does not want this battery back-up system.

Jack Carney suggested that there be another informational bear meeting during the summer so tourists can attend.

Supervisor Arsenault informed Mr. Carney that it was very hard to get the bear biologist here for June.

Executive Session

Motion by Supervisor Arsenault, seconded by Thomas Donnelly to move to executive session at 7:53PM.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

Motion by Supervisor Arsenault, seconded by Richard Dechene to return to regular session at 8:39PM, no action having been taken in Executive Session.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

Motion by Supervisor Arsenault, seconded by Thomas Donnelly to adjourn at 8:40PM.

Adopted:	Clay J. Arsenault	Aye
	Thomas L. Donnelly	Aye
	Clark J. Seaman	Aye
	Richard B. Dechene	Aye

Attested by: Amber L. Wamback

Amber L. Wamback, Deputy Town Clerk

