

A Regular Meeting of the Town Board of Long Lake, Hamilton County, New York was held August 30, 2023, at the Long Lake Town Hall at 07:28 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. Sixty-two people attended.

Roll Call: Members present: Clay J. Arsenault Supervisor
Mark A. Bird Councilman
Thomas L. Donnelly Councilman
Richard B. Dechene Councilman
Clark J. Seaman Councilman

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

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

BOARD APPROVALS

Motion by Councilman Donnelly, seconded by Councilman Bird to accept the July 26, 2023, Regular Meeting minutes.

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

Motion by Councilman Dechene, seconded by Councilman Seaman to pay encumbrances as listed on Abstract 8, August 2023.

Bills as listed on abstract 8

General Fund #A 0639 – A 0745	in the amount of	\$138,290.49
Highway Fund #D 129 – D 146	in the amount of	23,907.16
Water District 1 #SW1 096- SW1 113	in the amount of	4,229.22
Water District 2 #SW2 196 - SW2 224	in the amount of	44,063.40

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

SUPERVISOR'S REPORT

Letter from Mike Farrell- Included in the Board's packets was a letter from Mike Farrell concerning the County purchasing new voting machines. Supervisor Arsenault reached out to the County Board of Elections and was told that the machines are 15 years old and are at the end of their life cycle. The new brand will have updated technology and still have the paper ballots, the County will need to purchase 14 machines at a total cost of \$240,000.

CHA Consulting Meeting- Supervisor Arsenault, Matthew Newby, Paul Wilson, and Town Attorney Carl Ferrentino went to Albany to meet with Town engineers at CHA Consulting. Discussed were Jennings Park Pond, reconstruction to the reservoir road, water and wastewater infrastructure concerns, and updating of the Town's Comprehensive Plan. Many meetings for FEMA disaster relief funding, general construction plans, and legal issues have taken place, this will be a long and complex process.

Golden Beach UMP- The Adirondack Explorer published an article on the APA's plans to update the Golden Beach UMP. They are contemplating changing their zoning rules to allow for future development of these properties. One of the APA's plans is to change the boat launch to a hand launch. More information is available on the APA's website.

OLD BUSINESS

Proposed Bus Policy and Credit Card Policy were in the Board's packets for review, discussion will be at September's regular board meeting.

NEW BUSINESS

RESOLUTION TO ADOPT LOCAL LAW #3 OF 2023 MORATORIUM AMENDMENT TO THE LONG LAKE BATTERY ENERGY STORAGE SYSTEM LAW

WHEREAS, the Town Board of the Town of Long Lake finds it in the best interests of the Town of Long Lake to enact Local Law Number 3 of 2023, MORATORIUM AMENDMENT TO THE TOWN OF LONG LAKE BATTERY ENERGY STORAGE SYSTEM LAW;

WHEREAS, the specific legislative intent and rationale for the Moratorium and the establishment of the Moratorium period are set forth in the express terms of Local Law No. 3 of 2023;

WHEREAS, as a separate matter, the Town Board shall also use the moratorium period as an opportunity to consider updates to the Town Comprehensive Plan first adopted on January 27, 2021;

WHEREAS, all the legal prerequisites for the enactment of such Local Law have been duly and timely completed, including notice to the public and the holding of public hearing; and,

WHEREAS, the enactment of this Local Law Moratorium is a SEQRA Type II action requiring no further environmental review.

NOW THEREFORE, BE IT RESOLVED THAT:

Local Law Number 3 of 2023, entitled “MORATORIUM AMENDMENT TO THE TOWN OF LONG LAKE BATTERY ENERGY STORAGE SYSTEM LAW” is hereby enacted.

Motion by Supervisor Arsenault, seconded by Councilman Bird to adopt Local Law #3 of 2023: Moratorium Amendment to the Town of Long Lake Battery Energy Storage System Law.

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

RESOLUTION TO IMPLEMENT A JENNINGS PARKS POND REVITALIZATION PROJECT

WHEREAS, the extremes weather conditions of July 2023 caused a sudden and catastrophic failure of many public infrastructure features in and around the Hamlet of Long Lake;

WHEREAS, since at least 1934 Jennings Pond, a man-made water features have on the whole been an import recreational and aesthetic attribute to the Town of Long Lake;

WHEREAS, the failure of the causeway and the highlighting of the dam spillway inadequacies have made more urgent the need to settle some alleged issue concerning title to the Jennings Park Pond causeway lands;

WHEREAS, the Town Board of the Town of Long Lake finds it in the best interests of the Town of Long Lake to actively explore all financially feasible means to reconstruct necessary infrastructure connected to the Jennings Park Pond and area;

WHEREAS, all expenditure of public moneys shall be premised upon the notion that the improvements are owned and controlled by the public and are for the benefit of the public; and,

WHEREAS, the enactment of this provision providing for planning and consultations is a SEQRA Type II action requiring no further environmental review.

NOW THEREFORE, BE IT RESOLVED THAT:

- 1- The Supervisor is authorized to enter into all necessary engagements and contracts to retain qualified professional services to review history, survey mapping, title history and the development of the strategic legal strategies necessary to assure quiet title resides in the people of the Town;
- 2- That all engagements in sum shall not exceed the sum of \$30,000 without further express approval of this Board;
- 3- No litigation shall be commenced except upon the explicit approval of the Town Board but that there should be rapid development of a confidential litigation strategy to obtain clear

and unambiguous title to all lands necessary for the full protection of the Jennings Park Pond and parklands as high-quality recreation assets for the Town now and for future generations;

- 4- Preliminary planning and concept drawings shall be professionally prepared to further advance public communication on the topic;
- 5- Public engagement sessions that are professionally moderated shall be conducted for obtaining input and ideas from the public; and,
- 6- That there shall be a program for engagement of appropriate funding and planning agencies and for engagement with allied not-for-profit groups that would assist in joining the Town in establishing the Jennings Park Revitalization Project.

Motion by Councilman Donnelly, seconded by Councilman Bird to approve the implementation of a Jennings Park Pond Revitalization Project.

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

RESOLUTION TO SEND A LETTER REQUESTING EMERGENCY WATERSHED PROGRAM ASSISTANCE FROM THE USDA NATURAL RESOURCES CONSERVATION SERVICE

WHEREAS, on July 10-11th, 2023, the Town of Long Lake suffered a devastating storm and flood that resulted in extensive damage to the Town, and in this case specifically to Shaw Brook; and

WHEREAS, although much of the damage to Shaw Brook occurred on private property, the USDA Natural Resources Conservation Service (NRCS) can be of both financial and technical assistance in its repair with the sponsorship of the Town of Long Lake; and

WHEREAS, the Town would be eligible for the USDA NRCS Emergency Watershed Protection (EWP) Program Funding to cover up to 75% of the total cost of repairs, with the Town responsible for 25% which can be in-kind services; and

WHEREAS, it is important to repair Shaw Brook to prevent further risk of property damage and public safety; and

WHEREAS, this Emergency Watershed Protection (EWP) Program could fund and support debris removal, reestablishment of water shorelines and banks, and generally increase the resiliency of the streambed and watershed for Jennings Park Pond.

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

- Authorizes the Town Supervisor to request assistance from the USDA NRCS. The Town Board reserves the right to decide not to participate in the EWP Program offered by the USDA NRCS.

Motion by Councilman Dechene, seconded by Councilman Seaman to approve the above resolution.

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

RESOLUTION TO AUTHORIZE THE PUBLISHING OF AN RFP FOR PROPOSALS TO UPDATE THE TOWN OF LONG LAKE COMPREHENSIVE PLAN

WHEREAS, the Town Board of the Town of Long Lake adopted the current Town of Long Lake Comprehensive Plan in 2021, after a planning process lasting over a year and at a cost of \$75,000; and

WHEREAS, the Town Board has passed Local Law # 3 of 2023, a Moratorium Amendment to the Town of Long Lake Battery Energy Storage Systems Law which notes the opportunity for the Town Board to review and update the Town of Long Lake Comprehensive Plan as well as Town Building and Fire Safety Code; and

WHEREAS, the Town Board will require the assistance of outside consultants to ensure the process of reviewing the current Comprehensive Plan, conducting public outreach to determine community sentiment and needs, and ultimately developing an updated comprehensive plan; and

WHEREAS, The Town is owed \$35,000 of grant money by New York State for its half of the cost of the original Comprehensive Plan development; and

WHEREAS, The Town Board wishes to start this process immediately to be able to complete this update within the 12-month period of the adopted Local Law # 3 of 2023 Moratorium Amendment to the Town of Long Lake Battery Energy Storage Systems Law.

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

- 1 Authorizes the Town Supervisor to publish a Request for Proposal, upon approval of form by the Town Attorney, to seek bids for a plan to develop an update to the Town of Long Lake Comprehensive Plan of 2021;
- 2 Authorizes a maximum budget of \$35,000 for this process;
- 3 Reserves the right to accept or reject any or all proposals submitted;
- 4 Establishes that responsive proposals must be submitted to the Town Clerk's Office by 12 Noon on November 17th, 2023 and that said proposals shall be opened by the Town Clerk with witnesses on Monday November 20th, 2023;

- 5 Shall review the submitted proposals on Wednesday, November 29th, 2023 at its regularly scheduled board meeting;
- 6 Declares that if a winning proposal is chosen, the Town Board will announce the winner at this board meeting;
- 7 Reserves the right to negotiate with parties submitting proposals to ensure the proper scale of scope for the Town of Long Lake's needs, thereby limiting costs to the Town of Long Lake Taxpayers; and,
- 8 Establishes the objective that the Town's Comprehensive Plan Update to presented to the Town Board for adoption no later than the August 2024 regularly scheduled Board Meeting and that any required public hearings shall precede adoption.

Motion by Councilman Bird, seconded by Councilman Donnelly to approve the authorization to publish an RFP for proposals to update the Town of Long Lake Comprehensive Plan.

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

CALEB DAVIS PRESENTED THE TOWN BOARD WITH A PETITION TO PUT BEAR PROOF TRASH CANS AT FOOD AREAS IN TOWN

Caleb Davis addressed the Town Board about the petition Sue Kunzmann file at the Town Clerk's Office on Wednesday, August 23, 2023. The focus of the petition is to upgrade to secure bear-proof trash cans at the Town's food areas such as the Town Beach and Knoshery.

Mr. Davis informed the Board that two foundations have donated money to buy a couple of bear-proof trash cans.

Councilman Seaman commented that the Town has had a bear problem since forever. We live with bears; this is a DEC problem.

Supervisor Arsenault thanked Mr. Davis for presenting his petition to the Board.

PAUL WILSON PRESENTED THE BOARD WITH THE NEW EMPLOYEE ASSISTANCE PROGRAM

Paul Wilson provided handouts in the Board's packets of the new Employee Assistance Program (EAP) through TotalCare that the Town will be going live with on September 1st.

The EAP is a low-cost benefit for employees and employers that provides solutions to a wide range of workforce challenges.

The annual cost is \$2400.00, benefits are available to employees, family members living in the home, and dependents.

HIGHWAY SUPERINTENDENT CHARLES FARR ADDRESSED THE BOARD ABOUT REDUCING TRANSFER STATION HOURS IN THE WINTER

Highway Superintendent Farr is asking the Board to consider changing Raquette Lake and Long Lake Transfer Station winter hours to be 8am-4pm, Monday, Thursday-Sunday and closed Tuesdays and Wednesdays.

COUNCILMAN COMMENTS

Councilman Clark Seaman informed Supervisor Arsenault that some of the concrete at Mt. Sabattis Pavilion is coming up and could become a trip hazard.

Supervisor Arsenault will look into it.

Councilman Thomas Donnelly asked if the USDA Grant will help cover the cost of damages at the reservoir.

Councilman Richard Dechene commented that the bear proof trash can petition presentation timing is not great, the Town has bigger issues to handle at this time.

PUBLIC COMMENT

Eleanor Stanton commented that the Town should not be using trash cans that the bears can get into.

Wendy Powers commented that it was unnerving to walk at night near the beach in the summer of 2022, due to the increased bear sightings.

Jack Carney commented that bear proof cans would be a good way to advertise.

Nancy Weeyl suggested that the Town try out the trash cans.

Brian Castler was not in favor of bear proof trash cans; he believes that that the cost and maintenance of the bear proof cans will be put onto the taxpayers.

Mike Farrell commented that this year the bears were not an issue, putting out the cans later in the season seemed to have helped.

Nathan Hosley commented that he has had firsthand experience with bear proof trash cans when he lived in Lake Tahoe, he said that the cans are not made for small trash bags to fit in, and if people can't put them in the can, they will leave them outside the can.

James Waters commented that a bad bear is a bad bear, bear proof trash cans will not stop it, education is the best solution.

Paul Wilson commented that handling garbage is a big cost to the Town, and putting these bear proof trash cans could increase the cost.

EXECUTIVE SESSION

Motion Councilman Seaman, seconded by Councilman Bird to move to executive session at 8:22PM to discuss personnel matter. Charles Farr was invited into executive session.

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

Motion by Supervisor Arsenault, seconded by Councilman Donnelly to return to regular session at 9:08 PM with no action having been taken in executive session.

ADJOURN

Motion by Councilman Dechene, seconded by Councilman Seaman to adjourn at 9:10PM.

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

Attested by: _____

Amber L. Wamback, Deputy Town Clerk