

A TOWN BOARD MEETING was held on March 9, 2020 at 7:00 p.m. The location was the Town Hall, Pelon Road, Town of Indian Lake, County of Hamilton, State of New York.

Supervisor Wells called the meeting to order. All said the Pledge of Allegiance. Supervisor Wells called for the Roll with the following Board Members answering:

Roll Call: Councilman Mahoney	Aye
Councilwoman Stanton	Aye
Councilwoman Curry	Aye
Councilman Rathbun	Aye
Supervisor Wells	Aye

Minutes

Councilman Rathbun made a motion to accept the minutes of 2/10/2020 as presented. Seconded by, Councilwoman Stanton. (a huge thank you to Councilwoman Curry for taking notes at the last meeting).

Roll Call: Councilman Mahoney	Aye
Councilwoman Stanton	Aye
Councilwoman Curry	Aye
Councilman Rathbun	Aye
Supervisor Wells	Aye

Department Head Reports/Additions

Supervisor Wells stated that he had noticed for a few weeks that we have had numerous snowmobiles throughout Town. He questioned Bill Laprairie, Department Head of Parks and Rec, how it went with all the blow downs caused by the storm. Bill stated they were out every day clearing trees and grooming with what they had, and everything went well. Supervisor Wells stated that the Department did an outstanding job and thanked the crew.

Councilwoman Stanton also thanked Bill and his crew for all their support during the Snocade event. Councilwoman Curry reiterated her thanks as well to Bill and crew for their help with the snowmobile course she gave during snowcade.

Supervisor Wells stated that the Kitty Kat Races were amazing! He let the Board know that he would be writing a letter of thanks to the people that ran it. He stated the racers and spectators all enjoyed it! Councilwoman Curry noticed there was no Board Report from the Events person. Supervisor Wells reported to all that Josselyn Bennett, Activities Coordinator, has resigned. Supervisor Wells asked the Board to think about this position. He stated that we have went through five or six Activities Coordinators over the years and this is something that they need to discuss moving forward.

Councilwoman Curry questioned Jamie Roblee, Highway Superintendent, as to why the Town is clearing the shoulders of the road for the State. Jamie stated that if he does not keep them clear himself the State comes through and they pack it in, and he can not get through it with the blower. She asked if the Town received compensation for doing this? Jamie stated no and added that the Town gets nothing for doing the sidewalks either.

Kevin King, Department Head of Sewer and Water, reported to the Board that he had put the last pump he had in at the Blue Mt. Lake Water plant. Discussion held on the cost of a new one verses waiting, as the Town is in the process of putting in a new Water Filtration plant. Councilwoman Curry asked if the one that was taken out could be fixed? Kevin stated that it could be, but why spend the money for something we will not need if the Water One project goes through as it is very costly.

Public Comments and Concerns

Christine Pouch approached the Board asking if there was any information concerning the Corona Virus. She stated that she has numerous events coming up and was wondering if there was any information. Supervisor Wells stated he did have some information and would be discussing it later in the meeting. Darrin Harr, Director of the Chamber of Commerce approached the Board giving the Chambers report. Attached herein. He told all that the Chamber would be going to the Adirondack Sports Summer Expos at the Saratoga City Center the weekend of March 21st and 22nd. He told all this is a very well attended show.

Parks And Rec. – Name Change Discussion

Discussion held on a name change for the Parks and Rec. Department. It was decided to go with Bill Laprairie's recommendation. The name will be changed to "Building Maintenance and Operations". Bill was told to go ahead and change the signs and anything else they feel need to change.

Resolution # 2 – Authorizing to Post Weight Limits on Town Roads

Supervisor Wells offered Resolution # 2. Seconded by, Councilwoman Curry. Resolution # 2 is attached herein.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye
Supervisor Wells Aye

Resolution # 3 – Authorization to go out to bid – Truck/Snowmobile Groomer

Supervisor Wells offered Resolution # 3. Seconded by Councilman Rathbun. Resolution # 3 attached herein.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye
Supervisor Wells Aye

Resolution # 4 – Acknowledging the Audit of the Justice Court

Supervisor Wells offered Resolution # 4. Seconded by Councilwoman Stanton. Resolution # 4 attached herein.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye
Supervisor Wells Aye

Resolution # 5 – Grant Awarded – Blue Mt. Lake Water Project

Supervisor Wells offered Resolution # 5. Seconded by, Councilman Rathbun. Resolution # 5 attached herein.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye
Supervisor Wells Aye

Stewarts Land Agreement – SEQRA – Resolutions – Permissive Referendum

Supervisor Wells stepped down from the meeting and handed the meeting over to the Deputy Supervisor Meade Hutchins. Meade questioned the Board as to whether they had had the time to look over the SEQRA and all the information the Lawyer had sent them. All Board Members confirmed receiving the documents and had looked them over and were ready to proceed. Meade also asked the Board if they would like to begin the SEQRA or if they would like to wait and hold a special meeting if they felt that more clarification was needed. The Board unanimously agreed they felt confident to move forward. Meade then told all present that the Board would be continuing starting with the SEQRA (State Environmental Quality Review Act). He stated there were several items that needed to be done concerning the Stewarts land swap agreement. Meade told all that the reason the Town Board got involved with the Stewarts sale is due to the fact that they are proposing to sell a piece of property and buy a piece of property. He told all the Planning Board is involved as Stewarts has to go before the Planning Board to begin construction. He stated that Stewarts has asked the Town Board to do an

uncoordinated review, meaning, this Board would do a SEQRA, Planning Board would do an SEQRA and the Zoning Board would do a SEQRA. This would be faster than the Town Board being the Lead Agency. Meade reported that he had received a copy of the appraisals on Saturday. He stated there was a note on it that said "subject to change" so he did not release it until he could ask the Lawyer why. He reported to all the reason was, Stewarts had been valued as a business, however, when the land swap takes place it will be an empty building, no gas pumps, no freezers, etc.... Therefore, the appraisal value will change. Meade also explained that Stewarts will not be transferring quite all the property. He explained that years ago when Stewarts first built there, they had erected a fence in the back of Stewarts to help with noise problems from their heating systems and cooler systems so as not to bother the neighbors. Supervisor Wells' grandfather lived directly behind Stewarts at the time, therefore Stewarts did not put the fence up to the end of their line, allowing Burlin McCane access to his back yard. Stewarts is now proposing to transfer a strip of land between the line and the fence to Supervisor Wells, who now owns the property. This is the reason Supervisor Wells has abstained from any proceedings related to this proposed land swap with the Town. He stated that the construction of the new store and everything that is involved requires a SEQRA and he feels as well as our Lawyers that we are dealing with an unlisted action.

Councilman Rathbun made a motion to approve the review of an unlisted action. Seconded by, Councilwoman Stanton.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye

Meade continued with the SEQRA. Part 1 of the SEQRA was already done and the Board unanimously accepted the SEQRA as is. Meade began reading Part 2 of the SEQRA and the Board answered the questions accordingly. SEQRA part 2 is attached herein. Councilwoman Stanton made a motion based upon the review just performed on this Unlisted Action and the fact that no moderate to large environmental impacts were identified, she made a motion to adopt a Negative Declaration, finding that no significant environmental impacts will result from any aspect of the Action. Seconded by, Councilwoman Curry.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye

Resolution # 6 – Permissive Referendum

Councilman Rathbun made a motion to offer Resolution # 6 Notice of adoption of Resolution that requires a Permissive Referendum. Seconded by, Councilwoman Stanton. Resolution # 6 attached herein.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye

Resolution # 7 – Resolution Authorizing Contract For Land Exchange

Councilwoman Stanton made a motion to accept Resolution # 7 authorizing contract for land exchange with Stewarts Shops Corp. Seconded by, Councilwoman Curry. Resolution # 7 is attached herein.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye

Reciprocal Land Sale Agreement

Councilwoman Stanton made a motion to approve the Reciprocal Land Sale Agreement between the Town of Indian Lake and the Stewart's Shops Corp. Seconded by, Councilman Rathbun.

Discussion: Meade asked the Board if they approved of him signing the Agreement as the Deputy Supervisor. The Board unanimously agreed that Meade could be the signer.

Roll Call: Councilman Mahoney	Aye
Councilwoman Stanton	Aye
Councilwoman Curry	Aye
Councilman Rathbun	Aye

Supervisor Comments

- *Supervisor Wells stated he did feel the Stewarts proposal is a step up for the Town.
- *Supervisor Wells reported to all that he had attended a Corona Virus meeting with Public Health. He stated if anyone has questions, they should call the Hamilton County Nurses office.
- *Supervisor Wells told all that the U.S. Small Business Administration Will be holding Disaster Field Operations Centers through out the State. New release is attached herein.
- *Supervisor Wells reported he had a FEMA meeting tomorrow at 10:00 a.m. He thanked Department Heads and Pam Howard, Senior Account Clerk, for their work getting the documentation together.
- *Supervisor Wells reported to all that the Adirondack Dam Project is still on the desk of the D.E.C. as they are still negotiating the spill way. Therefore, he is still unsure as to when the project will start. He did state that he had a meeting coming up and the Dam Safety Office is in the same building and he would be stopping in to push hard to get a decision on this.
- *Supervisor Wells told all that the Abanakee Dam Project is done. The final video taping has been done and all parties (Army Corp. of Engineer, NYS Dam Safety, Laberge, Rozell and Vision) were all present. He stated that he has gotten no information on it to date other than being told by the Engineers that it was being held up due to debris and the barge that was washed over during the flooding. Supervisor Wells told them that had nothing to do with our project. If the Dam is complete, sign the permit. He stated that he would be dealing with the issues when he goes to his meeting with DEC.
- * Discussion held on a request by Gallop Farms who asked if the Town Hall could be a drop off spot for their business. Gallop did ask if they could set up on the Town Hall property.
- Councilwoman Curry stated that she had read the Town Policy concerning Town Property and Buildings and it states that a private business could not use Town Buildings or Property as a “doing business as”. She stated it is Town Policy that Town buildings and Town property could not be used where a private individual makes money in a private business unless it is a Town Event. Supervisor Wells stated he was looking at this as another service for the constituents. Councilwoman Curry stated she had no problem with this or the Policy, she did however, want to be make sure that the Board is being consistent with the Policy for everyone. Supervisor Wells stated he wants that as well.
- Councilwoman Curry questioned if it was fair for a food vendor to come in for the day, make their money and leave while our businesses in Town would need to compete with these vendors and our businesses pay taxes while the vendors do not. She feels this should be a consideration, as she feels the Town Board need to protect the businesses that are here. She suggested perhaps charging the vendors as she is not opposed to letting them come, she just feels we should not be doing a disservice to our permanent businesses here. Discussion was held concerning the Farmers Market. This was tabled to gather further information and review the Policy.
- * Supervisor Wells told Christine Pouch that he could not give her an answer concerning “Shakespeare in the Park” as he does not know when the Adirondack Dam Project will start. Councilwoman Curry suggested the property behind the Townsend garage.
- *Supervisor Wells told all that Verizon will be working on the Cell Tower this year updating their receivers. He stated he has asked them if the tower could be raised so they are not shooting right at the water tank and perhaps improve our service. The Verizon representative stated they did not want to go through that with the APA. Supervisor Wells asked if they would mind If he investigated it. Supervisor Wells talked to the APA asking what he needed to do to get the Tower raised up 10’. He did receive the permit application and will move forward on this.
- * Supervisor Wells also reported to all that the Town recently had some scheduled outages that he was never notified of. He told all the Emergency Communication Towers went out. Supervisor Wells stated he would like to propose putting in a permanent generator at the Tower that will automatically come on when the power goes out. He stated we can not be with out our emergency communications and he will be looking for funding.
- *Supervisor Wells reported to all that the time frame for the Bridge to be built over Cedar River has come and gone. He stated there has been no word on this. He stated that he has been working very hard on this and he was asked to put in a Resolution for this encouraging the Legislature and Governor Cuomo to make this a priority to allocate funds from the 2020 budget for the continued redevelopment and implementation of the tourism hub that will serve as a gate way to the Adirondack North Hudson project. He stated that when North Hudson/Frontier Town takes off he believes this will be a gateway to

Indian Lake. Supervisor Wells made a motion to put what he just said into a Resolution of support and get it mailed out with the Boards permission. Seconded by, Councilwoman Curry.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye
Supervisor Wells Aye

*The Board discussed when to put out ad requesting nominations for Citizen of the Year. It was decided to do it now, and vote on nominee at the June Meeting.

*Supervisor Wells told all Department Heads to have their timecards in before 8:30 am on Wednesdays. He stated that when they are not in on time there is a back log. An announcement was also made to the Department Heads that if they receive a statement, they are to give them to the Senior Account Clerk. Payments cannot be made from a statement.

BILLS AND ABSTRACTS

General, Highway, Water 1 & 2, Sewer, Library and Landfill

25972 - 25979	\$9,099.82
25981 - 26018	\$91,674.63
26022 - 26083	\$10,566.91
26274 - 26287	\$8,770.58
26085 - 26088	\$2,207.11
26289 - 26297	\$1,608.37
26098 - 26273	\$136,107.48

Budget Transfers and Expense Ledger attached herein.

Councilwoman Stanton made a motion to pay the bills and abstracts as presented. Seconded by, Councilman Rathbun.

Roll Call: Councilman Mahoney Aye
Councilwoman Stanton Aye
Councilwoman Curry Aye
Councilman Rathbun Aye
Supervisor Wells Aye

Other Town Business

*Councilwoman Curry reported to the Board that she has been meeting with Dough Zacker concerning the multipurpose non-motorized trail. She stated that Wilderness Property Maintenance will be doing the work and it is moving forward. She told all she feels this will be a good boost for the Town.

*Councilwoman Curry also reported she had 28 people take the snowmobile course during snowcade, many from out of the area. She thanked the Parks and Dept. for their help. Supervisor Wells thanked

*Councilwoman Curry for all she does and told all present that Councilwoman Curry volunteers her time to teach the snowmobile course.

*Councilwoman Curry stated to the Board that she would like to plant a seed for discussion. She stated she feels with the acquisition of the current Stewarts property and moving the Chamber in there and the Town hiring a new person in the vacated Activities Coordinator Position, she feels it would be better for the Town Board to think about changing this position to more of a tourism position. She feels there is a great opportunity here with the foot traffic this site can offer. She told the Board that she would be willing to represent the Town, working in cooperation with all entities involved, to help them transition into the new welcome center.

*Supervisor Wells reported to all that the US Census is beginning. He stated this can be done by mail, online or by phone. He told all this would be complete by December.

Monthly report February 2020

During February we had many snow storms, a lot of shoveling of the walks and plowing of all town properties in both Blue and Indian , combine that with Snocade we were extremely busy this month.

For Snocade we set up all banners, set up bonfire at rink for fireworks, moved books in and out of town hall after sale, built a kitty kat track at Byron Park , groomed our hill for torch run and cardboard derby, packed field for helicopter rides. Cleaned up when events were over.

We packed little league field for snow shoe softball, took picnic tables, trash cans, and set up wood for bonfire during event, will clean up when over.

Grooming has gone very well so far this season, we have had two major breakdowns and many minor setbacks. We lost four wheel drive in our oldest Kubota on the Blue MTN trail and repairs were made by Evans Equipment in Remsen. This machine is no longer on warranty, the other machine is still on warranty and had the same problem at just about the same hours as the first machine. We have taken it to Champlain Valley Equipment for repairs under warranty. We have been able to keep all trails groomed daily with our split shift and while one machine is down the guys have come in and groomed in the evenings and late at night to keep our trails in great shape.

At the shop we have been making repairs to the drags, welding , hoses, building a box for fuel and chainsaw on new drag, replacing broken bolts on track systems, servicing all equipment, repairing blower, fixing chainsaws, a lot of mechanical. We have also been building, shelves for meal site and Julie at town hall.

The skating rink has been open everyday, we blow and scrape the ice daily and make ice when possible, the weather has just caught us this week and we lost the ice probably for the season. We averaged 25 skaters on the weekends and evenings 6. During Snocade we were open and had 32 skaters on a week day, 18 in the evening skating hours, the most during our season. The building is also well used with ping pong, pool table, air hockey and the addition of wifi tv and music for anyone to use while there.

We have made numerous repairs to heating system at ILVAC, installed a new boiler mate and circulators, made repairs and serviced pellet boiler.

We shampooed at meal site and shoveled roof after water began to enter building, installed new seal on cooler doors, put new latch on cooler door, worked on lights and changed out some to LED to get away from ballasts.

Replaced fittings on hot water heater at highway garage.

Thank you

Bill LaPrairie Dept Head Maintenance and Operations



Town of Indian Lake Water and Wastewater

Report for February 2020

Testing was completed at all plants daily.

Samples required by DEC and DOH were submitted to the lab.

Hydrants were cleared of snow in both water districts as needed.

We had an electrician come up to the Sewer Plant from Emmerick Associates to wire up a pump for us, work on the blower controls, and work on the lights that were out.

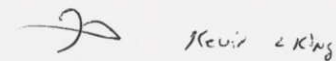
At the Indian Lake Water Plant, we were having some issues with the caustic system. After troubleshooting, we found the tubing was clogged with hardened caustic and the tubing and injection quill had to be replaced.

At the Blue Mt. Lake Water Plant, we had to change one of the finish water pumps. After we changed the pump, we had to work the air out of the Parco valve. We worked the Parco valve by hand many times, and had to bleed the air out of it. We now have the new pump in and have used it.

A broken curb stop had to be cut off and fixed in Blue Mt. Lake on Rt. 28.

At the Indian Lake Water Plant, we have been running #1 well through a bypass because it still has very high iron levels from being unused for a long time. We have shocked the well with chlorine several times to kill the iron bacteria in the well. The iron levels have been coming down, and will soon be low enough to run that well water through the filters and into the system.

Thank-You



Kevin King/Water and Sewer superintendent

Highway Report
March 2020

Even with the lack of snow we seem to be busy plowing + sanding.

Ice and hard pack snow has been cut several times on both blacktop and dirt roads.

Sidewalks have been maintained according to conditions.

Holes have been filled in several bad spots on some roads.

Snow is being hauled ^{away} in areas that it is needed.

Turnarounds, Intersections and driveway ~~entrances~~ entrances have been pushed back on all Town Roads.

Parking lots ~~and~~ have been plowed and sanded as necessary.

Jamie Poble
Highway Supt

Feb 2020
Mechanic Monthly Report
Bill Wells

- ① Put new tire on Water Dept Backhoe
- ② Welded mud flap holders on #188 dump truck
- ③ Put new tires on rims and put on #182 truck
- ④ Did sidewalks several times
- ⑤ Put two main hyd hoses on #186 truck
- ⑥ Put new starter on #150 pick up
- ⑦ Put new diff vent in 182
- ⑧ New hyd solenoid in 192 Loader
- ⑨ Fixed hyd leak 3320 tractor
- ⑩ made up flap for fuel filter housing on 5005 tractor
- ⑪ Took AC cooler and hyd cooler off of 3320 tractor to be fixed
- ⑫ Helped with tree cutting on roads.



TOWN OF INDIAN LAKE
P.O. Box 730 Pelon Road
Indian Lake, Hamilton County
New York 12842


 **COPY**

Town of Indian Lake Chamber of Commerce
Minutes – Board of Directors Meeting
February 10, 2020

**Town of Indian Lake Building Permit Report
February 2020**

	<u>Residential</u>	<u>Commercial</u>
1. Total # of Permits Issued:	6	0
2. Total dollar amount of projects in #1:	\$356,870	\$0
3. Number of Permits in #1 which are Hunting Camps:	0	
4. Total dollar amounts of projects in #3:	\$0	
5. Number of single-family permits issued (Camps N/A):	1	
6. Total dollar amount of projects in #5:	\$196,000	
7. Number of Trailers/Double Wide/Modular Homes:	0	
8. Number of Permit renewals:	0	
9. Number of Firework Permits issued:	0	
10. Total dollar amount of permits in #9:	\$0	
11. Fire inspections (Annual) to date	3	

Respectfully Submitted by:


Tyler Monthony

Attending:

- Board Members: Sheraldine Williams, Carolyn DeVito, Cassie Marion, Kathleen Peartree, David Oestreicher, Sue Montgomery Corey
- Staff: Darrin Harr

Call to Order: The meeting was called to order at 5:04 pm.

Approval of Agenda: Kathleen Peartree moved the approval of the agenda which was seconded by Cassie Marion and approved by the Board.

Approval of Minutes: Carolyn DeVito moved and Sherry Williams seconded the approval of the January 13 minutes. The motion was approved.

Financial Reports, Sent by Darrin Harr: Darrin Harr proposed that the board adopt a contingency budget. The contingency budget is necessary because a number of factors are likely to result in reduced revenue. Among these: The Town's budget required reductions in several areas and the Chamber's allocation was one of these. The Chamber also may not be able to hold its summer golf tournament because it is unclear whether or not the Cedar River golf course due to storm damage. In addition, the Adirondack Experience has discontinued the antique show which makes it difficult for the Chamber to continue its antiques component

Sherry Williams requested that future P&L statements be formatted in year to date format.

Sue Montgomery Corey made a motion to accept the financial reports which was seconded by Carolyn DeVito and unanimously accepted.

Director's Report, Sent by Darrin Harr (January 2020):

- Snocade Craft show 2/15. 23 vendors signed up which is an increase from 16 last year. Vendors can set up at 8 am.
- Snocade helicopter 2/17. Weather dependent. Chamber and school are additional insured. 11 to 4 pm. 5 minute ride around town. \$40 each. Funds go to helicopter co.
- Chain Saw Raffle, Tickets are now available at the Chamber, Indian Lake Restaurant, Rt. 30 1-Stop and the Indian Lake Theater. Darrin will sell tickets at the craft show. Tickets will also be sold at the 2/22/2020 fishing derby. Karen Campbell will be at the Chamber office this week and will also be selling tickets at the fishing derby preregistration. The

TOWN OF INDIAN LAKE

Expense Ledger

Fiscal Year: 2020 Period From: 1 To: 12 Trans. Date From: To:

Account No. Date	Vendor Code	Description Vendor Name/Description	PO No. / Trans No. Req (*)	Voucher No.	Check No.	YTD Appropriation	Req/Enc	Expenditure	YTD Unencumb
A.8010.400		ZONING-CONTRACTUAL				1,000.00			
01/09/20	0000083703	CHAZEN ENGINEERING & LAND SURVEYING PC		2012025598	28368		0.00	616.50	
01/09/20	0000000630	MCCLARY MEDIA INC		2012025653	28389		0.00	80.50	
01/31/20	0000000630	MCCLARY MEDIA INC		2012025823	28453		0.00	96.60	
01/31/20	0000000630	MCCLARY MEDIA INC		2012025824	28453		0.00	627.90	
02/06/20	0000083703	CHAZEN ENGINEERING & LAND SURVEYING PC		2012025865	28478		0.00	2,145.00	
02/06/20	0000083703	CHAZEN ENGINEERING & LAND SURVEYING PC		2012025865	28478		0.00	(2,145.00)	
02/06/20	0000083703	CHAZEN ENGINEERING & LAND SURVEYING PC		2012025865	28478		0.00	1,528.50	
03/05/20	0000083703	CHAZEN ENGINEERING & LAND SURVEYING PC		2012026101			0.00	1,797.50	
03/05/20	0000000876	IRENE HUTCHINS		2012026155			0.00	43.74	
03/05/20	0000000630	MCCLARY MEDIA INC		2012026164			0.00	21.94	
03/05/20	0000000595	STAPLES BUSINESS CREDIT CARD		2012026227			0.00	477.40	
Grand Total						1,000.00	0.00	5,290.58	(4,290.58)

TOWN OF INDIAN LAKE BUDGET TRANSFERS REQUEST

3/9/2020

TO ZONING-C	GENERAL FUND	ADJUSTED BUDGET	REASON FOR REQUEST
	ACCT # A.8010.400	PRIOR BUDGET AMT \$1,000.00	
		THIS REQUEST \$7,000.00	ZONING UPDATE HAS COST AROUND \$ 4700 TO DATE THIS YEAR
TOTAL FROM NY'S RETIREMENT		\$8,000.00	
TOTAL		\$7,000.00	
	A.8010.8	\$116,000.00	
		-\$7,000.00	HOPEFULLY, I OVER BUDGETED - LAST YEAR SPENT AROUND \$ 96,000
TOTAL		\$109,000.00	

[Handwritten Signature]

3-6-2020
Brian's will be added to Brian Wells' report

Sally C Stanton 3-9-2020

John Murray 3/10/2020

Patricia Berg 3/9/2020

John F. Rathke 3/9/2020

RESOLUTION NO. 2
REQUESTING AND AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO POST WEIGHT RESTRICTIONS ON TOWN ROADS FOR THE YEAR 2020

DATED: 3-9-20
BY Supervisor - Wells

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 Indian Lake hereby requests and authorizes the County Superintendent of Highways post weight restrictions on Town roads within the Town of Indian Lake when he deems necessary for the calendar year 2020.

Seconded by Councilwoman Curry

Ayes - 5 Nays - 0

State of New York
County of Hamilton
Town of Indian Lake

I, **Julie A. Clawson, Town Clerk** of the Town of Indian Lake do hereby certify that **Resolution # 2 in the year 2020**, was duly adopted by the Town Board of the Town of Indian Lake, Hamilton County, New York State at the Town Board meeting held in Indian Lake on **March 9, 2020**.

Resolution # 2 will be on file in the Resolution Book as well as the Official Minutes in the Town Clerks office at the Town Hall, located on Pelon Road, Town of Indian Lake, County of Hamilton, and State of New York.

The following Board Members of the Indian Lake Town Board had due notice of the meeting and was present at said meeting: **Supervisor Brian Wells, Councilman Jake Mahoney, Councilwoman Sally Stanton, Councilwoman Patricia Curry and Councilman John Rathbun.**

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Indian Lake on this 9th day of March, 2020

Seal

Julie A. Clawson - Town Clerk

#3
Resolution # 3- 2020

RESOLUTION TO ADVERTISE FOR BIDS FOR NEW SEWER AND WATER DEPARTMENT PICK-UP TRUCK AND SNOWMOBILE TRAIL GROOMER

WHEREAS, the Town Board of the Town of Indian Lake ("Town Board") has determined that it is in the public interest to acquire a new pick-up truck ("Truck") for the Town's Sewer and Water Department and a new snowmobile trail groomer ("Groomer") because they are both necessary for public safety, the provision of services and the health, safety and welfare of the employees of the Town;

WHEREAS, the Town Board has determined that the contract for the Truck and Groomer are subject to competitive bidding; and

WHEREAS, the Town Board has developed specifications for the Truck and Groomer and the specifications will be used for advertising for bids for this acquisition.

NOW, THEREFORE, BE IT RESOLVED that pursuant to N.Y. General Municipal Law § 103(2) the Town Board shall advertise in the Town's Official Newspaper, Nan Co. Express, and on the Town Website, for sealed bids for the Truck and Groomer to the specifications developed by the Town Board, the advertisement shall be in the form provided in the specifications and shall state that the specifications shall be available for viewing and copying at the offices of the Town Board during regular business hours;

BE IT FURTHER RESOLVED that the advertisement for bids shall state that all bids must be received at the Office of the Town Clerk of the Town of Indian Lake by April 10, 2020, at 4 p.m.;

BE IT FURTHER RESOLVED that the Town Board hereby designates that Town Supervisor Brian Wells shall publicly open and read aloud at the Town of Indian Lake Town Hall on April 13, 2020, at 7 p.m., all of the bids received; and

BE IT FURTHER RESOLVED that Town Clerk Julie Clawson shall record all of the bids as they are opened by recording the name of the bidder and the amount of the bid, and that Town Clerk Julie Clawson shall present the bids to the Town Board at the Town Board meeting to be held on April 13, 2020, at 7 p.m.

Introduced by: Supervisor Wells

Seconded by: Councilman Rathbun

Ayes: 5

Nays: 0

Signed this 9th day of March, 2020

Julie Clawson
Town Clerk, Town of Indian Lake

State of New York
County of Hamilton
Town of Indian Lake

I, **Julie A. Clawson, Town Clerk** of the Town of Indian Lake do hereby certify that **Resolution # 3 in the year 2020**, was duly adopted by the Town Board of the Town of Indian Lake, Hamilton County, New York State at the Town Board meeting held in Indian Lake on **March 9, 2020**.

Resolution # 3 will be on file in the Resolution Book as well as the Official Minutes in the Town Clerks office at the Town Hall, located on Pelon Road, Town of Indian Lake, County of Hamilton, and State of New York.

The following Board Members of the Indian Lake Town Board had due notice of the meeting and was present at said meeting: **Supervisor Brian Wells, Councilman Jake Mahoney, Councilwoman Sally Stanton, Councilwoman Patricia Curry and Councilman John Rathbun.**

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Indian Lake on this 9th day of March, 2020.

Seal

Julie A. Clawson - Town Clerk

RESOLUTION ACKNOWLEDGING THE REQUIRED EXAMINATION AND AUDIT OF THE JUSTICE COURT WAS CONDUCTED IN COMPLIANCE WITH SECTION 2019-a OF THE UNIFORM JUSTICE COURT ACT

RESOLUTION # 4 OF 2020

INTRODUCED BY Supervisor Wells WHO MOVED FOR ITS ADOPTION
SECONDED BY Councilwoman Stanton

WHEREAS, every town and village justice is required to present his/her records and docket at least once a year to the town or village to be examined by the auditing board or official, or by a certified public accountant or public accountant. AND,

WHEREAS, any town or village justice who shall willfully fail to present his/her records and docket to the auditing board as required in §2019-a of the Uniform Justice Court Act "shall be guilty of a misdemeanor and shall, upon conviction, in addition to the punishment provided by law for a misdemeanor, forfeit his [or her] office." AND,

WHEREAS, Town Justice S. Edward Brown, Jr. has submitted his records for review. AND,

WHEREAS, Town Justice Nancy Landmesser, has submitted her records for review. NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Indian Lake has acknowledged and performed an audit of Town of Indian Lake Justice S. Edward Brown, Jr and Justice Tatiana Coffinger court records and financials. AND

REESOLVED, that the Town Board of the Town of Indian Lake hereby authorizes Pamela Howard, Budget Officer and Senior Account Clerk to provide a copy of such audit and a certified copy of this resolution to; Internal Control Liaison, New York State Office of the Court Administration, 2500 Pond View, Suite LL01, Castleton-on-Hudson, NYY 12033.

Duly adopted this 9th day of March , 2020, by the following vote:

ROLL CALL VOTE

Supervisor Wells	<u>Aye</u>
Councilperson Mahoney	<u>Aye</u>
Councilperson Stanton	<u>Aye</u>
Councilperson Rathbun	<u>Aye</u>
Councilperson Ryan - Curry	<u>Aye</u>

State of New York
County of Hamilton
Town of Indian Lake

I, **Julie A. Clawson, Town Clerk** of the Town of Indian Lake do hereby certify that **Resolution # 4 in the year 2020**, was duly adopted by the Town Board of the Town of Indian Lake, Hamilton County, New York State at the Town Board meeting held in Indian Lake on **March 9, 2020**.

Resolution # 4 will be on file in the Resolution Book as well as the Official Minutes in the Town Clerks office at the Town Hall, located on Pelon Road, Town of Indian Lake, County of Hamilton, and State of New York.

The following Board Members of the Indian Lake Town Board had due notice of the meeting and was present at said meeting: **Supervisor Brian Wells, Councilman Jake Mahoney, Councilwoman Sally Stanton, Councilwoman Patricia Curry and Councilman John Rathbun.**

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Indian Lake on this 9th day of March, 2020

Seal

Julie A. Clawson - Town Clerk

Resolution # 5-2020

AN AUTHORIZING RESOLUTION FOR THE WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT AWARDED TO THE TOWN OF INDIAN LAKE -BLUE MOUNTAIN LAKE WATER SYSTEM UPGRADE PROJECT

WHEREAS, the Town of Indian Lake applied for and received a grant from the NYS Water Infrastructure Improvement Act (WIIA) – Clean Water Infrastructure Act of 2019 to assist in the upgrades to the water treatment system for Blue Mountain Lake that has an estimated total project cost of \$ 1,515,296.00 and the grant award for an amount not to exceed \$909,178, and

WHEREAS, Cedarwood Engineering Services, PLLC prepared the grant application documents for the above referenced project, including an engineering report for the Town of Indian Lake pursuant to the requirements of the New York State Environmental Facilities Corporation (“NYSEFC”), and

WHEREAS, the Town of Indian Lake Town Board authorized a resolution (Resolution #13 approved on June 12, 2017,) to apply for the NYS WIIA – Clean Water Infrastructure Act of 2017 Drinking Water grant for the Town of Indian Lake Blue Mountain Water System Upgrade Project,

NOW AND THEREFORE IT BE RESOLVED that the Town of Indian Lake Town Board authorizes expenditures for the above referenced project and for the NYS WIIA Clean Water Infrastructure Act Drinking Water Grant in accordance with the NYSEFC’s requirements, and

NOW AND THEREFORE IT BE RESOLVED that the Town of Indian Lake Town Supervisor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town of Indian Lake’s obligations under the Water Infrastructure Improvement Act Drinking Water Grant Agreement.

Offered by: Supervisor Wells - Seconded by: Councilman Rathbun

Whereupon, the Resolution was put to a vote, recorded as follows,

Ayes 5 Nays 0 Abstentions 0

SO APPROVED:

Julie A. Clawson
Town Clerk / Town of Indian Lake

Date: 3/9/2020

State of New York
County of Hamilton
Town of Indian Lake

I, **Julie A. Clawson, Town Clerk** of the Town of Indian Lake do hereby certify that **Resolution # 5 in the year 2020**, was duly adopted by the Town Board of the Town of Indian Lake, Hamilton County, New York State at the Town Board meeting held in Indian Lake on **March 9, 2020**.

Resolution # 5 will be on file in the Resolution Book as well as the Official Minutes in the Town Clerks office at the Town Hall, located on Pelon Road, Town of Indian Lake, County of Hamilton, and State of New York.

The following Board Members of the Indian Lake Town Board had due notice of the meeting and was present at said meeting: **Supervisor Brian Wells, Councilman Jake Mahoney, Councilwoman Sally Stanton, Councilwoman Patricia Curry and Councilman John Rathbun.**

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Indian Lake on this 9th day of March 2020.

Seal

Julie A. Clawson
Julie A. Clawson - Town Clerk

Resolution # 6 2020

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

Offered by: Councilman Rathbun. Seconded by Coone, Mahoney, Stanton

NOTICE IS HEREBY GIVEN that at a regular meeting held on March 9, 2020, the Town Board of the Town of Indian Lake, Hamilton County, New York, adopted a Resolution that is subject to permissive referendum pursuant to New York State Town Law Section 64(2) and Article 7. An abstract of the Resolution is as follows:

The Resolution authorizes the Deputy Supervisor to enter into a Contract with the Stewart's Shop Corp. to convey Town property located at 6301 NYS Route 30, in the Town of Indian Lake, Hamilton County, New York (s/b/l 56.019-5-14), which has been used as a chamber of commerce, in exchange for Stewart's conveyance to the Town of land located at 6132 NYS Route 28, in the Town of Indian (s/b/l 56.019-4-12.1), which has been used as a convenience store. The appraised fair market value of the property to be obtained by the Town exceeds that to be conveyed by the Town. In addition, the Town Board has determined that the property it will acquire is more suitable and appropriate for its goals than the property it will convey. To ensure full performance, the Contract requires Stewart's to make a non-refundable deposit at the time of Contract execution and a further security deposit refundable only after full performance.

Full copies of the proposed Contract and the Resolution described above are available for inspection in the office of the Indian Lake Town Clerk and can be examined by any Town elector during normal business hours.

Dated: March 10, 2020

State of New York
County of Hamilton
Town of Indian Lake

Ayes 4 Nays 0 Abstain 1

I, **Julie A. Clawson**, Town Clerk of the Town of Indian Lake do hereby certify that **Resolution # 6 in the year 2020**, was duly adopted by the Town Board of the Town of Indian Lake, Hamilton County, New York State at the Town Board meeting held in Indian Lake on **March 9, 2020**.

Resolution # 6 will be on file in the Resolution Book as well as the Official Minutes in the Town Clerks office at the Town Hall, located on Pelon Road, Town of Indian Lake, County of Hamilton, and State of New York.

The following Board Members of the Indian Lake Town Board had due notice of the meeting and was present at said meeting: **Supervisor Brian Wells, Councilman Jake Mahoney, Councilwoman Sally Stanton, Councilwoman Patricia Curry and Councilman John Rathbun.**

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Indian Lake on this 9th day of March, 2020

Julie A. Clawson

Julie A. Clawson - Town Clerk

Seal

RECIPROCAL LAND SALE AGREEMENT BETWEEN
THE TOWN OF INDIAN LAKE AND THE STEWART'S SHOPS CORP.

THIS RECIPROCAL LAND SALE AGREEMENT (Agreement) is made and entered into as of this 9 day of March, 2020, by and among the Town of Indian Lake, a municipal subdivision of the State of New York having its principal office at 117 Pelon Road, Indian Lake, New York (TOWN) and the Stewart's Shops, Corp., a duly formed and validly existing corporate entity pursuant to the laws of the State of New York and having its principal business address of 2907 State Route 9, Ballston Spa, New York (STEWARTS).

WHEREAS, the TOWN and STEWARTS own separate parcels of improved property located within the Town of Indian Lake, Hamilton County, which are more fully described herein; and

WHEREAS, the parcel owned by STEWARTS is operated as a convenience store with gas service; and

WHEREAS, STEWARTS wishes to construct and operate a new convenience store with gas service on a different parcel within the geographic boundaries of the Town of Indian Lake; and

WHEREAS, STEWARTS wishes to acquire a certain parcel of real property owned by the TOWN to further this goal; and

WHEREAS, the TOWN wishes to acquire the location at which STEWARTS is currently operating its convenience store with gas service; and

WHEREAS, the TOWN and STEWARTS wish to convey their respective parcels to the other and wish to enter into this Agreement for the express purpose of setting forth all terms related to such an exchange; and

WHEREAS, the TOWN and STEWARTS procured appraisal reports from an independent Appraisal firm and have determined to their satisfaction that the parcel to be conveyed by STEWARTS to the TOWN has a fair market value which meets or exceeds the fair market value of lands to be conveyed by the TOWN to STEWARTS; and

WHEREAS, based upon those appraisal reports, the TOWN reasonably believes that parcel conveyance in accordance with the terms herein would result in the highest value possible to be received by the community and that such value exceeds what could reasonably be expected were the TOWN to sell its parcel on the open market.

NOW THEREFORE, FOR VALUABLE CONSIDERATION, AS SET FORTH HEREIN, THE SUFFICIENCY AND ADEQUACY OF WHICH IS HEREBY ACKNOWLEDGED BY THE PARTIES, THE TOWN AND STEWARTS AGREE AS FOLLOWS:

I. RECITALS

The foregoing Recitals are incorporated into this Agreement.

II. PROPERTY DESCRIPTIONS.

A. TOWN-owned parcel – Parcel 1 is approximately .35 acres in size and is located at 6301 NYS Route 30, in the Town of Indian Lake, Hamilton County, New York (s/b/l 56.019-5-14). Parcel 1 is owned by the TOWN and is currently used as a local chamber of commerce.

B. STEWARTS-owned parcel – Parcel 2 is approximately .68 acres in size and is located at 6132 NYS Route 28, in the Town of Indian (s/b/l 56.019-4-12.1). Parcel 2 is owned by STEWARTS and is currently used as a convenience store with gas service often referred to as a "Stewart's Shop". Parcel 2 is described in a Bargain and Sale Deed from Stewart's Shops Corp. to PWDR Day Holdings, LLC dated March 1, 2018 and recorded in the Hamilton County Clerk's Office on July 27, 2018 under instrument number 2018-889. PWDR Day Holdings, LLC is a limited liability company wholly owned and controlled by STEWARTS.

C. The parties to this Agreement understand and acknowledge that the bounds of Parcel 2, as described in this Article, may change prior to its conveyance to the TOWN. A portion of Parcel 2 is currently used by an adjacent neighbor for access purposes and STEWARTS is in the process of conveying that portion of land to the neighboring property owner. At the time of this Agreement, it is anticipated that the area of land to be excluded from the conveyance to the TOWN will be approximately 4 to 6 feet wide along the back of the Parcel 2. The TOWN will not reject the conveyance of Parcel 2 on this ground, provided that the amount of land ultimately reduced from Parcel 2 does not impact full use and enjoyment of Parcel 2 and the ability to access and properly maintain all portions of improvements currently located on Parcel 2.

III. CONSIDERATION

A. STEWARTS agrees to make payment to the TOWN of a non-refundable deposit in an amount equal to one-half the costs paid by the TOWN for appraisal prepared by Empire State Appraisal Consultants relative to Parcel 1 and Parcel 2. STEWARTS will make such payment at the time this Agreement is fully executed.

B. Due to the relative fair market values of Parcel 1 and Parcel 2, exchange of Parcels 1 and 2 will be a financial benefit to the TOWN. The TOWN also recognizes that such exchange is expected to bring about a new "Stewart's Shop" in the community.

C. STEWARTS acknowledges the relative differences in appraised value of Parcel 1 and Parcel 2. However, STEWARTS recognizes that the land exchange set forth in this Agreement is nonetheless beneficial to STEWARTS as it will further STEWARTS' efforts to construct a new and updated convenience store with gas service in the Town of Indian Lake.

IV. ITEMS INCLUDED/EXCLUDED FROM CONVEYANCES

A. Parcel 1 will be conveyed to STEWARTS "as is" with all structures located thereon. Any books, papers, records, equipment and appliances owned by the Chamber of Commerce are expressly excluded from this conveyance and the TOWN will ensure that such items are removed prior to conveyance.

B. Parcel 2 will be conveyed to the TOWN "as is" with all structures located thereon. All books, papers, records, equipment, countertops, appliances, (including any coolers and freezers) and all items of inventory are excluded from this conveyance and STEWARTS will ensure that such items are removed prior to conveyance.

C. Prior to conveyance of Parcel 2 to the TOWN, STEWARTS will, at its sole expense, remove the gas canopy and all below-ground fuel tanks and restore pavement to that area. STEWARTS will be responsible for compliance with all applicable laws, rules and regulations concerning proper removal, inspection and disposal of such facilities and, if any petroleum is discovered having leaked from below-ground tanks, to remediate the same in accordance with all applicable laws, rules and regulations at its sole expense.

V. PARCEL EXCHANGE

A. The TOWN will convey Parcel 1 by Bargain and Sale Deed to STEWARTS on or about _____.

B. Parcel 2 will be conveyed by STEWARTS to the TOWN by Warranty Deed on or about 20 days from the latter of 1) the date by which STEWARTS begins operating at its new convenience store location and 2) the date by which any and all permissive referendum requirements are completed.

C. As the exchange of Parcel 1 and Parcel 2 will not be simultaneous, STEWARTS agrees to provide security, at the time of the closing on Parcel 1. The amount of the security payment shall be Eighty-Four Thousand Dollars (\$84,000). Security shall be in the form of certified funds paid to the TOWN to

be held in escrow. If such funds are held by the TOWN in an interest bearing account, any accrued interest shall be the property of the TOWN.

D. Upon conveyance of Parcel 2 by STEWARTS to the TOWN, the TOWN shall return the security payment of Eighty-Four Thousand Dollars (\$84,000) to STEWARTS.

E. In the event STEWARTS breaches this Agreement and fails to convey Parcel 2 to the TOWN, the TOWN in its sole discretion may determine to retain the security payment as full compensation for Parcel 1 and release STEWARTS from any and all further obligations under this Agreement. In the alternative, the TOWN may pursue specific performance under this Agreement by commencing a legal proceeding in Supreme Court, Hamilton County and, if successful, will return the security payment at the time of conveyance of Parcel 2 less all costs associated with obtaining such Court Order.

F. The respective deeds of conveyance shall be properly prepared and signed so that they will be accepted for recording by the County Clerk of Hamilton County. Each party agrees to cooperate with the other in signing any reasonable title affidavits requested by any party's title insurance company.

VI. MARKETABLE TITLE

A. The TOWN and STEWARTS will each convey to the other, the parcels identified herein free of all encumbrances excepts:

1. Laws and governmental regulations, including, but not limited to, zoning and environmental protection laws provided they are not violated by the buildings and improvements erected on the property;
2. Normal utility distribution easements;
3. Such taxes and assessments for the current year as are not due and payable on the date of closing; and
4. Any state of facts an accurate survey or inspection of the property would disclose provided they do not render title unmarketable.

B. Proposed Documents. At least 14 days prior to the conveyances herein described, the party owning the parcel at issue will furnish to the other a proposed deed, TP-584, IT-2663 (if required), RP-5217 and copies of tax receipts for the past years. If any survey, fee title policy or abstract of title exists, those too shall be furnished.

C. Title Materials. STEWARTS agrees to provide the TOWN with a 5-year tax search and an updated 40-year abstract of title in reference to Parcel 2 at least 14 days prior to the conveyance of such parcel. In lieu of a 40-year tax search, STEWARTS may provide a current "owner's" fee title insurance policy

with a "stub search" continuation (including complete copies of any exceptions, easements, covenants, restrictions and reservations set forth in such title insurance policy). With the exception of the TOWN's obligations in the immediately preceding paragraph, STEWARTS shall be solely responsible for obtaining any and tax and title searches that it wishes to acquire in reference to Parcel 1.

D. Title Objections by STEWARTS. If STEWARTS correctly rejects title to Parcel 1 under this Section, the TOWN shall have a reasonable length of time to cure the objection. If the TOWN is unable to cure the objection, the TOWN's sole responsibility shall be to notify STEWARTS of this circumstance and, upon such notice, this Agreement shall be terminated and the TOWN shall be discharged of all liability to STEWARTS.

E. Title Objections by the TOWN. If the TOWN correctly rejects title to Parcel 2, STEWARTS shall be given a reasonable length of time to cure the objection. If STEWARTS is unable to do so and STEWARTS has already obtained title to Parcel 1, the TOWN has the same rights concerning retention of the security deposit as are set forth in Paragraph 5(C) to this Agreement. If STEWARTS has not yet taken title to Parcel 1 and it is unable to cure the identified defect in title to Parcel 2, the Agreement shall be terminated upon STEWARTS' notice to the Town of its inability to cure such defect and STEWARTS shall be discharged of all liability to the TOWN with the sole exception of the non-refundable deposit which shall be retained by the TOWN.

VII. NO ADDITIONAL ATTORNEY REVIEW

Each party has reviewed this Agreement with their respective legal counsel before entering into it and there is no Attorney Review contingency associated with this Agreement.

VIII. TAX AND OTHER ADJUSTMENTS

Provided STEWARTS has made all tax/assessment payments owing at the time of Parcel 2 conveyance to the TOWN, there will be no tax proration as part of this Agreement.

IX. PRE-CLOSING INSPECTIONS

Either party may inspect the Parcel to be acquired (including all improvements thereon) at a reasonable hour within 48 hours of the transfer of title.

X. POSSESSION

Each party to this Agreement will be provided with exclusive possession of the respective Parcel to be acquired by it at the time of closing, including any and all keys and, if applicable, security codes.

XI. NOTICES

All notices contemplated by this Agreement shall be in writing, delivered by (a) first class mail; (b) by electronic transmission; or (c) by personal delivery to the Party's respective Attorney as set forth below. Such notice shall be effective on the date sent.

TOWN
MILLER, MANNIX, SCHACHNER &
HAFNER, LLC, Town Counsel
15 West Notre Dame Street
Glens Falls, NY 12801
email: leverhart@mmshlaw.com

STEWARTS
Michael Ginley, General Counsel
PO Box 435
Saratoga Springs, NY 12866
mginley@stewartsshops.com

XII. ENTIRE AGREEMENT

All prior understandings and agreements between the TOWN and STEWARTS are merged into this Agreement. This Agreement may only be modified by a written instrument signed by both parties. This Agreement may be signed in counterparts, by facsimile, or upon electronic signature.

XIII. BINDING AGREEMENT

The TOWN and STEWARTS agree that they, their heirs, legal representatives, successors and/or assigns will be bound under this Agreement and that neither party may assign this Agreement, or any portion thereof, without the written consent of the other.

XIV. TOWN BOARD APPROVAL

This conveyance is contingent upon a Town Board Resolution, subject to permissive referendum, authorizing the Town's sale of the property. As the terms of this Agreement are not severable and as the exchange of the parcels at issue constitute a significant part of the consideration, no part of this Agreement may be binding upon the TOWN unless or until all statutory requirements applicable to permissive referenda have been satisfied. The TOWN agrees to take all steps required of it in a timely manner. In the event, this Agreement is made subject to a referendum and the public disapproves this Agreement, the TOWN shall retain the non-refundable deposit and no party to this Agreement will have any further obligation to the other.

Short Environmental Assessment Form
Part 1 - Project Information

TOWN OF INDIAN LAKE

Dated: March 9, 2020

By: Meade C Hutchins
Meade Hutchins
Deputy Town Supervisor

STEWART'S SHOPS CORP.

Dated: _____

By: _____
Charles Marshall

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Stewart's Shops Corp.			
Name of Action or Project: Stewart's Shops Relocation			
Project Location (describe, and attach a location map): 6295 and 6297 New York State Route 30			
Brief Description of Proposed Action: Stewart's proposes to purchase the Chamber of Commerce from the Town of Indian Lake and sell the Town of Indian Lake the existing Stewart's for the potential relocation of the Chamber or town offices. Upon successfully acquiring the Chamber property the law office at 6297 Route 30 will relocate to the property. While pursuing the acquisition of this property, Stewart's will seek Site Plan approval from the Town of Indian Lake Planning Board.			
Name of Applicant or Sponsor: Stewart's Shops Corp.		Telephone: (518) 581-1201	
		E-Mail: cmarshall@stewartsshops.com	
Address: P.O. Box 435			
City/PO: Saratoga Springs		State: New York	Zip Code: 12866
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Site Plan - Town of Indian Lake Planning Board; Sale of Property - Town of Indian Lake Town Board; HWP-NYS DOT			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.99 acres	
b. Total acreage to be physically disturbed?		0.99 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.99 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Is the project site located in the 100-year flood plan?

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. Will the proposed action create storm water discharge, either from point or non-point sources?
If Yes,

a. Will storm water discharges flow to adjacent properties?

NO	YES
<input type="checkbox"/>	<input checked="" type="checkbox"/>

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
If Yes, briefly describe:
Stormwater handled on-site with overflow connection to established system

NO	YES
<input type="checkbox"/>	<input checked="" type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?
If Yes, explain the purpose and size of the impoundment:

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
If Yes, describe:

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
If Yes, describe:

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Stewart's Shops Corp Date: 2/27/20

Signature: Charles Marshall (Charles Marshall) Title: Real Estate Rep



Imagery from SHPO CRIS

Agency Use Only [If applicable]

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESOLUTION No.: 7

INTRODUCED BY: Councilwoman Stanton

SECONDED BY: Councilman Rathbun

DATE: 3/9/2020

RESOLUTION AUTHORIZING CONTRACT FOR LAND EXCHANGE WITH STEWART'S SHOPS CORP.

WHEREAS, the Town of Indian Lake (Town) owns property located at 6301 NYS Route 30, in the Town of Indian Lake, Hamilton County, New York (s/b/l 56.019-5-14), which has been most recently used as a local chamber of commerce (Parcel 1); and

WHEREAS, the Stewart's Shops Corp. (Stewarts) owns property located at 6132 NYS Route 28, in the Town of Indian (s/b/l 56.019-4-12.1), which has been operated as a convenience store with gas service (Parcel 2); and

WHEREAS, Stewarts wishes to construct and operate a new convenience store with gas service elsewhere in the Town; and

WHEREAS, Stewarts wishes to acquire Parcel 1 in exchange for Parcel 2; and

WHEREAS, the Town wishes to acquire Parcel 2 from Stewarts as Parcel 2 is better equipped than Parcel 1 for Town purposes; and

WHEREAS, the Town has acquired Appraisal Reports for Parcel 1 and Parcel 2 which have established the fair market value of Parcel 1 at \$84,000 and have established a higher value for Parcel 2; and

WHEREAS, the Town is satisfied that conveyance of Parcel 1 in exchange for Parcel 2 will be a benefit to the Town, not merely because Parcel 2 is of a higher monetary value, but because it will more appropriately suit the Town's needs and further the Town's goals; and

WHEREAS, the Town is satisfied that it will obtain far greater value from a land exchange with Stewarts than it would if it were to attempt to sell Parcel 1 through simple advertisement on the open market; and

WHEREAS, the Town has caused Town Counsel to draft a contract between the Town and Stewarts that sets forth all necessary terms pertaining to the land exchange (Contract).

NOW, THEREFORE, BE IT RESOLVED BY THE INDIAN LAKE TOWN BOARD AS FOLLOWS:

1. The Town Board has conducted uncoordinated environmental review on the Unlisted Action pursuant to the State Environmental Quality Review Act prior to considering whether to authorize the Contract which would require conveyance of Town-owned lands. The Town Board has adopted a Negative Declaration after finding that the Action would not result in any significant environmental impacts.

2. The Town Board hereby determines that it is in the best interests of the Town to convey Parcel 1 to Stewart's in exchange for Parcel 2 in light of the relative fair market values of the two and the fact that Parcel 2 will more appropriately suit the Town's needs and further the Town's goals.

3. The Town Deputy Supervisor is hereby authorized and directed to execute and deliver the Contract in substantially the same form as the draft Contract reviewed by the Town Board.

4. This Resolution is made expressly subject to referendum on petition (sometimes called permissive referendum) pursuant to New York State Town Law Sections 64 (2) and 91. Therefore, this Resolution will not take effect until thirty days from its adoption or upon the affirmative vote of a majority of the qualified electors of the Town of Indian Lake voting on a proposition, if within the time permitted hereafter there is filed with the Town Clerk a legally sufficient petition.

The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

AYES: 4

NAYS: 0

ABSENT: 1

State of New York
County of Hamilton
Town of Indian Lake

I, Julie A. Clawson, Town Clerk of the Town of Indian Lake do hereby certify that Resolution # 7 in the year 2020, was duly adopted by the Town Board of the Town of Indian Lake, Hamilton County, New York State at the Town Board meeting held in Indian Lake on March 9, 2020.

Resolution # 7 will be on file in the Resolution Book as well as the Official Minutes in the Town Clerks office at the Town Hall, located on Pelon Road, Town of Indian Lake, County of Hamilton, and State of New York.

The following Board Members of the Indian Lake Town Board had due notice of the meeting and was present at said meeting: Supervisor Brian Wells, Councilman Jake Mahoney, Councilwoman Sally Stanton, Councilwoman Patricia Curry and Councilman John Rathbun.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Indian Lake on this 9th day of March 2020

Seal

Julie A. Clawson
Julie A. Clawson - Town Clerk

chain saw will be at the derby preregistration and at the craft show. Drawing at 4 pm on 2/22/2020. The winner does not need to be present.

- Spring dinner. Chamber's spring dinner is set for the 3rd Wednesday of May at Minnowbrook (May 20) it was noted that there is a conflict with the CDC Board Meeting on May 20. Chamber will check on doing the dinner on May 13.
- Legislative Breakfast. Darrin Harr will get in touch with Assembly Member Smullen and Senator Tedisco. Recommended inviting Congresswoman Elise Stefanik. David Oestreicher will check with the point about availability of Fridays in May.
- The Board asked about the ability of both facilities to Minnowbrook can accommodate 56, Legislative Breakfast 25.
- Stewart's update. Chamber Board discussed. The Board agreed that it would be wise to identify chamber space and function needs so that the organization will be ready to participate in any discussions concerning a possible relocation of the Chamber. All agreed that the relationship with the Town has been a very positive one.
- The Board discussed possible new events. Cassie Marion suggested doing a running event. It was noted that competitive events can be difficult to insure. Also discussed: continuation of the Flotilla and a Friday Food Truck.
- Carolyn DeVito made a motion to approve the contingency budget. Sherry Williams seconded. It was unanimously approved.
- Sexual harassment to be postponed due to time limitations.

New Business

Sue Montgomery Corey asked the Chamber to support the Leap of Kindness Day on February 29 which was created by the Saratoga Chamber and now exists in several states. Businesses and nonprofits join together to do projects that make their communities stronger and take advantage of the Leap Year. The theater is planning to have a movie ticket offer where people can buy \$5 movie tickets which will then be given to organizations that serve low-income or disadvantaged people in the Indian Lake area. Given the short time frame (the Indian Lake Chamber just learned of the program), it may not be feasible for many Chamber members to participate. After a brief discussion, the Chamber agreed to support Leap of Kindness Day.

Meeting Adjourned: The meeting adjourned at 6:50 pm. Carolyn DeVito made a motion to approve and Cassie Marion seconded. The motion was unanimously approved.

Next Meeting: Monday, March 9 at 5:00 pm



NEWS RELEASE

Disaster Field Operations Center East

Release Date: Feb. 27, 2020

Contact: Michael Lampton (404) 331-0333

Michael.Lampton@sba.gov

Release Number: 20-224, NY 16304/16305

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SBA Offers Disaster Assistance to Businesses and Residents of New York Affected by Severe Storms, Flooding and Straight-Line Winds

WASHINGTON – New York businesses and residents affected by severe storms, flooding and straight-line winds on Oct. 31, 2019 through Nov. 1, 2019 can apply for low-interest disaster loans from the U.S. Small Business Administration, Administrator Jovita Carranza announced today.

Administrator Carranza made the loans available in response to a letter from New York Gov. Andrew M. Cuomo on Feb. 20, requesting a disaster declaration by the SBA. The declaration covers, Essex, Herkimer and Oneida counties and the adjacent counties of Clinton, Franklin, Fulton, Hamilton, Lewis, Madison, Montgomery, Oswego, Otsego, Saint Lawrence, Warren and Washington in **New York**; and the contiguous counties of Addison and Chittenden in **Vermont**.

"The SBA is strongly committed to providing the people of **New York** with the most effective and customer-focused response possible to assist businesses of all sizes, homeowners and renters with federal disaster loans," said Carranza. "Getting businesses and communities up and running after a disaster is our highest priority at SBA."

SBA's Customer Service Representatives will be available at the Disaster Loan Outreach Centers to answer questions about the disaster loan program and help individuals complete their applications.

The Centers are located in the following communities and are open as indicated:

Oneida County	Herkimer County
Whitesboro Fire Department 171 Oriskany Blvd. 2 nd Floor Whitesboro, NY 13492	Newport Fire Department 7350 Main Street Newport, NY 13416
Opening: Fri., Feb. 28 from 11 a.m. - 5 p.m. Hours: Mon. - Thu. from 9 a.m. - 6 p.m. Fri. from 9 a.m. - 5 p.m. Sat. Feb. 29 from 10 a.m. - 2 p.m. Sat. Mar. 7 from 10 a.m. - 2 p.m.	Opening: Fri., Feb. 28 from 11 a.m. - 6 p.m. Hours: Mon. - Fri. from 9 a.m. - 6 p.m. Sat. Feb. 29 from 10 a.m. - 2 p.m. Sat. Mar. 7 from 10 a.m. - 2 p.m.
Closed: Sundays Last Day: Thu., Mar. 12 from 9 a.m. - 4 p.m.	Closed: Sundays Last Day: Thu., Mar. 12 from 9 a.m. - 4 p.m.

(more)

<p>Essex County Schroon Town Library 15 Leland Ave. Schroon Lake, NY 12870</p> <p>Opening: Fri., Feb. 28 from 11 a.m. - 5 p.m. Hours: Mon. - Wed. from 9 a.m. - 5 p.m. Sat. Feb. 29 from 10 a.m. - 2 p.m.</p> <p>Closed: Sundays Last Day: Wed., Mar. 4 from 9 a.m. - 5 p.m.</p>	<p>Hamilton County Lake Pleasant Library 2862 State Route 8 Speculator, NY 12164</p> <p>Opening: Fri., Feb. 28 from 11 a.m. - 6 p.m. Hours: Mon. - Fri. from 9 a.m. - 6 p.m. Sat. Feb. 29 from 10 a.m. - 2 p.m. Sat. Mar. 7 from 10 a.m. - 2 p.m.</p> <p>Closed: Sundays Last Day: Thu., Mar. 12 from 9 a.m. - 4 p.m.</p>
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"Businesses and private nonprofit organizations may borrow up to \$2 million to repair or replace disaster damaged or destroyed real estate, machinery and equipment, inventory, and other business assets," said SBA's New York, Syracuse District Director Bernard Paprocki.

For small businesses, small agricultural cooperatives, small businesses engaged in aquaculture and most private nonprofit organizations, the SBA offers Economic Injury Disaster Loans to help meet working capital needs caused by the disaster. Economic Injury Disaster Loan assistance is available regardless of whether the business suffered any physical property damage.

"Loans up to \$200,000 are available to homeowners to repair or replace damaged or destroyed real estate. Homeowners and renters are eligible for loans up to \$40,000 to repair or replace damaged or destroyed personal property," said Kem Fleming, center director of SBA's Field Operations Center East in Atlanta.

Applicants may be eligible for a loan amount increase up to 20 percent of their physical damages, as verified by the SBA for mitigation purposes. Eligible mitigation improvements may include a safe room or storm shelter, sump pump, French drain or retaining wall to help protect property and occupants from future damage caused by a similar disaster.

Interest rates are as low as 3.875 percent for businesses, 2.75 percent for nonprofit organizations, and 1.5 percent for homeowners and renters with terms up to 30 years. Loan amount and terms are set by the SBA and are based on each applicant's financial condition.

Applicants may apply online using the Electronic Loan Application (ELA) via SBA's secure website at DisasterLoan.sba.gov.

Businesses and individuals may also obtain information and loan applications by calling the SBA's Customer Service Center at 1-800-659-2955 (1-800-877-8339 for the deaf and hard-of-hearing), or by emailing disastercustomerservice@sba.gov. Loan applications can also be downloaded at www.sba.gov. Completed applications should be returned to the centers or mailed to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

The filing deadline to return applications for physical property damage is **April 27, 2020**. The deadline to return economic injury applications is **Nov. 25, 2020**.

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About the U.S. Small Business Administration

The U.S. Small Business Administration makes the American dream of business ownership a reality. As the only go-to resource and voice for small businesses backed by the strength of the federal government, the SBA empowers entrepreneurs and small business owners with the resources and support they need to start, grow or expand their businesses, or recover from a declared disaster. It delivers services through an extensive network of SBA field offices and partnerships with public and private organizations. To learn more, visit www.sba.gov.

TOWN BOARD MEETING ATTENDANCE:

DATE OF MEETING: March 9, 2020

NAME:

TITLE:

ADDRESS:

1. Bill Goble
2. Jani Goble Happy Supt
3. DARREN HARIZ
4. Kevin
5. Bio wum
6. Sack Valentine
7. Brenda Valentine
8. Christyne Pouch

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No action taken during executive session.

Supervisor Wells made a motion for funding for the Blue Mt. Lake Water Project. The Town Board of the Town of Indian Lake will utilize its WIIA Grant and use a DWSRF loan to finance this project. Seconded by, Councilwoman Curry. All in favor. Motion carried.

Councilwoman Curry made a motion for the Town of Indian Lake to use DEC Grant money for the purchase of property on Chain Lakes Road. Seconded by, Councilman Rathbun.
Councilwoman Curry, Councilwoman Stanton, Councilman Rathbun and Supervisor Wells all voted in favor. Councilman Mahoney abstained. Motion carried.

Councilwoman Curry made a motion to continue the professional services contract with Trampoline Designs for development of a Town Website and social media development. Seconded by, Councilwoman Stanton. All in favor. Motion carried.

Supervisor Wells made a motion to adjourn meeting at 10:05 p.m. Seconded by, Councilman Mahoney. All in favor. Meeting adjourned.

Respectfully Submitted by: Julie A. Clawson – Town Clerk

A handwritten signature in cursive script, reading "Julie A. Clawson". The signature is written in black ink and is positioned to the right of the typed name.