

AGENDA
HAGUE TOWN BOARD MEETING
September 8, 2020

Call meeting to order
Pledge of Allegiance
Moment of Silence:
6:15PM - Public Hearing: Mansour waste water system replacement variance

WELCOME GUESTS/PRIVILEGE OF THE FLOOR:

Motion to pay General, Highway & Sewer Claims.
Motion to accept minutes as printed, subject to corrections for August 11, 2020

REGULAR COMMITTEE REPORT:

1. Administrative: Frasier
Assessor/Justice
Finance/Insurance
Recreation/Promotion
2. Buildings & Grounds: Fitzgerald/Patchett
3. Highway: Ramant/ Bast
4. Museum/ Historian: Patchett/ Ramant
5. Personnel: Bast/Fitzgerald
6. Planning/Zoning/Stormwater: Fitzgerald/Patchett
7. Town Park/ Beautification: Ramant/ Frasier
8. Sewer District #1 & #2: Bast/ Frasier
9. Environmental Concerns: Ramant/Patchett

UNFINISHED BUSINESS:

1. Resolution to amend Dog License Fees

COMMUNICATIONS AND PETITIONS:

NEW BUSINESS:

1. Resolution to authorize the supervisor to sign the Snow and Ice removal contract with Warren County.
2. Resolution to reduce EDU at Veteran's Park from 20% to 0.
3. Resolution to approve Mansour waste water replacement system.

Other

Adjournment

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN OF HAGUE**

PLEASE TAKE NOTICE, that the Town Board being the Local Board of Health of the Town of Hague will hold a public hearing on the 8th day of September, 2020 at 6:15 pm at The Hague Community Center, 9793 Graphite Mountain Road, Hague, N. Y. regarding a Waste Water Variance for Marc Mansour whose property is located at 44 Sabbath Day Point Road, Tax Map # 93.16-1-37.

Variance #1: Setback of potable water well source to wastewater absorption bed: Code 100', Design 32' ±

Variance #2: Setback of potable water well source to wastewater absorption bed: Code 100', Design 80' ±

Variance #3: Setback from property line to wastewater absorption bed: Code 10', Design 2' ±

Variance #4: Setback from water well source to septic tank: Code 50', Design 30'±

Code issue: Chapter 132, Appendix A – Horizontal Separation Distances from Wastewater Sources

The records regarding the above project are available for public inspection during normal business hours at the Town Clerk's Office, Hague Community Center, 9793 Graphite Mountain Road, Hague, N. Y. At such hearing all persons will be given the opportunity to be heard. Written or oral statements will be taken at that time. Time limitations may be imposed for each oral statement if necessary.

BY ORDER OF THE HAGUE LOCAL BOARD OF HEALTH

Melissa Patchett

Hague Town Clerk

Publish Date: August 25, 2020

RESOLUTION # 85 OF 2020
RESOLUTION TO APPROVE MONSOUR WASTE WATER VARIANCE

WHEREAS, the Town Board acting as the Local Board of Health of the Town of Hague held a public hearing on the 8th day of September regarding four Waste Water Variances for a replacement system for Marc Mansour whose property is located at 44 Sabbath Day Point Road, Tax Map # 93.16-1-37

Resolution introduced by Councilperson _____ and seconded by _____ ,

VARIANCE #1 IS RESOLVED, for the setback of potable water source to wastewater absorption bed:

Code 100', Design 32' ±

Duly adopted by the following vote:

Ayes:

Nays:

Carried

Resolution introduced by Councilperson _____ and seconded by _____ ,

VARIANCE #2 IS RESOLVED, for the setback of potable water well source to wastewater absorption bed:

Code 100', Design 80' ±

Duly adopted by the following vote:

Ayes

Nays:

Carried

Resolution introduced by Councilperson _____ and seconded by _____ ,

VARIANCE #3 IS RESOLVED, for the setback from property line to wastewater absorption bed:

Code 10', Design 2' ±

Duly adopted by the following vote:

Ayes:

Nays:

Carried

Resolution introduced by Councilperson _____ and seconded by _____ ,

VARIANCE #4 IS RESOLVED, for the setback from water well source to septic tank:

Code 50', Design 30'±

Duly adopted by the following vote:

Ayes:

Nays:

Carried

DATED: September 8, 2020

Melissa L. Patchett, Hague Town Clerk

**RESOLUTION # 86 OF 2020
AUDIT OF CLAIMS**

On a motion of Councilperson _____ and seconded by _____,

IT IS RESOLVED, that the bills have been reviewed by the Town Board and are authorized for payment as follows:

Warrant #8A-20, Voucher Numbers 476-483, for a total of \$ 18,630.74

General Fund	\$ 7,062.21	Sewer 1 Fund	\$ 3,074.54
Highway Fund	\$ 6,733.98	Sewer 2 Fund	\$ 1,760.01

Warrant #9-20, Voucher Numbers 484-532, for a total of \$ 125,913.41

General Fund	\$ 23,854.45	Sewer 1 Fund	\$ 5,518.95
Highway Fund	\$ 4,222.95	Sewer 2 Fund	\$ 2,718.28
Fire Protection	\$ 89,163.50	St Lights Fund	\$ 435.28

Duly adopted by the following vote:

Ayes:

Nays: 0

Absent:

Carried

DATED: September 8, 2020

Melissa L. Patchett, Hague Town Clerk

HAGUE TOWN BOARD REGULAR MEETING

August 11, 2020

The regular meeting of the Town Board of the Town of Hague, County of Warren and State of New York was held at the Community Center, 9793 Graphite Mountain Road, Hague, New York on the 11th day of August 2020 at 6:00 pm with the following members present:

Edna Frasier – Supervisor
John Bast – Councilperson

Steven Ramant – Councilperson
Joshua Patchett – Councilperson

Absent: Martin Fitzgerald II – Councilperson

Recording Secretary: Melissa Patchett – Town Clerk

Others Present: Rion Marcy – ZEO, Tom Jarret – Jarret Engineers, Michael Auerbach, Cathy Clark, Pat Hintze, Carol Barnwell, Sheri DeLarm, Ginger Kuenzel, Alice Patchett, Maurice Diaz, Richard Sandman

The Meeting was called to order by Supervisor Edna Frasier.

On a motion of Councilperson J. Bast and seconded by J. Patchett to open the Meeting at 6:00 pm to audit bills. All voted aye. Motion carried.

After the Pledge of Allegiance, a moment of silence was held for:
Richard Feibusch, Lillian Streeter Murray, Sal Santaniello

WELCOME GUESTS/PRIVILEGE OF THE FLOOR:

Waste Water Treatment System Presentation by Tom Jarrett of Jarrett Engineers

Mr. Jarrett presented information on the proposed waste water replacement system for Marc Mansour, Tax Map # 93.16-1-37, 44 Sabbath Day Pt. Rd. Mr. Mansour is looking to put on an addition and was advised by the previous ZEO, Cathy Clark, to take a look at the current waste water treatment system. Mr. Jarrett presented a diagram of the property. The proposal is to put a brand new waste water system with enhanced treatment in the same location as the existing leach field, lift the pump station into a 3-pod Puraflo Pete-based system, and to retro-fit the existing septic tank. The reason that a variance is needed is due to the setbacks of the existing well. It is approximately a 30-foot setback from the Mansour well and an 80-foot setback from the well on the property next to it to the east. The distances will remain the same, the proposal is for a much enhanced treatment. As the new enhanced system will be in the same location as the existing system, the neighbors' existing water supplies should be protected better than they are currently. Jarrett Engineers will plan a site visit to examine the status of the existing septic tank to ensure that it is water-tight. ZEO Rion Marcy stated that he would like to join in looking at the existing septic tank. Mr. Jarrett agreed and stated that he would prefer it if ZEO Marcy was there as well. Councilperson Ramant inquired about getting the property staked out to mark the locations of the tank and leach field. Mr. Jarrett stated that they will have that done for the Board to visit the site. Supervisor Frasier addressed the Town Board to deem the application complete and set a date for a public hearing.

RESOLUTION #84

RESOLUTION TO SET A PUBLIC HEARING FOR WASTE WATER VARIANCE

Resolution introduced by Councilperson J. Bast and seconded by S. Ramant,

WHEREAS, the septic field and tanks for the dwelling at Tax Map # 93.16-1-37, 44 Sabbath Day Pt. Rd. are within the required setbacks as per NYSDOH and the Codes of the Town of Hague,

IT IS RESOLVED, that the Town Board of the Town of Hague will hold a public hearing at the next Regular Town Board Meeting on September 8, 2020 at 6:15 pm for the request to use a Puraflo, Peat Replacement System.

Duly adopted by the following vote:

Ayes: Edna Frasier, Steven Ramant, Joshua Patchett, John Bast

Nays: 0

Absent: Martin Fitzgerald II

Carried 4-0

Ginger Kuenzel mentioned that this is a good example of a need for the Town to make sure properties near the Lake or a stream have properly working septic systems. There are many property owners in the Town of Hague that do not know the age or even the locations of their septic systems.

Supervisor Frasier announced appreciation for the volunteers who helped with the Town Park and Beach cleanup.

Pat Hintze spoke about the Town Park. She inquired why the porta-potties were taking up two spots in the parking lot instead of just one. She also asked why the porta-potties were being left unlocked overnight while the park was unattended by staff. Ms. Hitze stated that it creates extra cleanup work for the opening park attendant staff in the morning. She requested that the closing park attendant staff lock the porta-potties before leaving for the evening. Councilperson Ramant stated that he will look into getting a lock. Lastly, Ms. Hitze inquired about signage stating that dogs are not permitted on the beach. She stated that there have been incidents and she would like there to be clear signage. Cathy Clark stated that it is listed on the rules of the beach. Councilperson Ramant stated that additional signage could be arranged.

Alice Patchett praised the volunteers that cleaned up the Town Park and Beach. She stated that it looks much better. Mrs. Patchett inquired what would have happened if the concerned citizens had not come to the July Town Board Meeting to speak up and requested a public apology from the Town Board for their delay in correcting the conditions the Town Park and Beach were in. She stated it was a detriment to the local businesses who contribute to the Town of Hague sale tax and bed tax. Mrs. Patchett stated that she does not feel that the Town is using the bed tax dollars as they should and her opinion is that the Town should give the bed tax funds back to Warren County.

Maurice Diaz agreed with Mrs. Patchett's statements. He stated that he does not understand why the Town of Hague doesn't follow the Town of Bolton. He expressed that it was unacceptable to have goose feces all over the Park and Beach area. Mr. Diaz also stated that he understands that shooting the ducks and geese is an effective way of scaring them off. However, it is a disturbance to his guests at the Hague Motel when the guns are being fired off in July and August.

Ginger Kuenzel suggested that the Town talk to the DEC or other experts on how to best solve the geese problem.

RESOLUTION #82 AUDIT OF CLAIMS

On a motion of Councilperson S. Ramant and seconded by J. Bast,

IT IS RESOLVED, that the bills have been reviewed by the Town Board and are authorized for payment as follows:

Warrant #7A-20, Voucher Numbers 413-418, for a total of \$ 20,167.92

General Fund	\$ 8,729.54	Sewer 1 Fund	\$ 3,036.01
Highway Fund	\$ 6,733.98	Sewer 2 Fund	\$ 1,668.39

Warrant #8-20, Voucher Numbers 419-475 , for a total of \$ 224,487.88

General Fund	\$ 32,479.04	Sewer 1 Fund	\$ 23,443.08
Highway Fund	\$158,423.09	Sewer 2 Fund	\$ 8,418.25
WQIP Fund	\$ 1,276.98	St Lights Fund	\$ 447.44

Duly adopted by the following vote:
Ayes: Edna Frasier, Steven Ramant, Joshua Patchett, John Bast
Nays: 0
Absent: Martin Fitzgerald II
Carried 4-0

MINUTES

On a motion of Councilperson J. Bast and seconded by J. Patchett, IT IS RESOLVED, that the Minutes of July 14, 2020 and of August 4, 2020 as submitted by the Town Clerk are approved. All voted aye. Motion carried.

REGULAR COMMITTEE REPORTS:

- **Administrative: Frasier**
Assessor/Justice – Court resumed Wednesday, August 5, 2020 after being postponed since March due to the pandemic.
Finance/Insurance – Nothing to report.
Recreation/ Promotion – The 2020 Fireworks have been cancelled due to the state social gathering regulations.
- **Buildings & Grounds: Fitzgerald / Patchett**
Councilperson Patchett commented that the board should consider budgeting for touching up the paint/stain on the Community Center building for 2021.
- **Highway: Ramant / Bast**
Councilperson Ramant shared that the Highway Department has been working with Soil and Water on cleaning up the retention ponds and working on the Silver Bay blacktop for the shoulders and lip.
- **Museum / Historian: Patchett / Ramant**
Nothing to report.

- **Personnel: Bast / Fitzgerald**
Supervisor Frasier stated that the Town of Hague is advertising for a Part-Time Clerk to the Assessor.
- **Planning / Zoning: Fitzgerald / Patchett**
Rion Marcy shared that he had completed the first week on his own as ZEO. Cathy Clark will stay on as a consultant as needed to assist Rion with procedural things. ZEO Marcy also stated that he would be going out on site visits the next day, Wednesday, August 12th.
- **Town Park / Beautification: Ramant / Frasier**
Councilperson Ramant stated that he had sent out letters thanking the volunteers who helped out with the Town Park and Beach cleanup. He also shared that two health inspections had been conducted and satisfactorily passed at the Town Park and Beach.
- **Environmental Concerns: Ramant / Patchett**
Councilperson Ramant stated that the knotweed project is underway.
Councilperson Ramant shared that there are new signs at the Transfer Station for the cardboard and that the new Town Staff has been doing well. Councilperson Ramant, Maintenance Worker Eric Kramar, and Transfer Station Employee Nate Swinton spent some time on Friday, August 7th cleaning up the Transfer Station. Councilperson Ramant has been collecting bids from other Waste Management companies.
- **Sewer District#1 & #2: Bast / Frasier**
Councilperson Bast presented his Hague Sewer Law Enforcement Status Report to the Board
Background:
 - In February 2019, there were twenty-two (22) property owners who had not yet connected as required. First notices of non-compliance were issued requiring connection by 12/31/2019.
 - In the 10/8/2019 Town Board Meeting, the Board recognized the 12/19/2019 mandate had created certain hardships and extended the deadline to connect to 12/31/2020.
 - As of 11 August 2020 the enforcement status is:
 - An additional property has been connected; eleven (11) properties are now done and in connection compliance.
 - Four (4) properties have Appealed and have been granted extensions due to physical land considerations.
 - Six (6) properties were issued a Second Notice on 05/23/2020 by the ZEO officially, legally informing them of their continuing non-compliance and the 12/31/2020 deadline; one (1) of these properties has recently sold and connection compliance is underway.
 - One (1) property is expected to connect shortly.
 - Three (3) of the remaining seven (7) non-compliant properties at issue are, in fact, vacant and drained or not occupied; they are not an immediate concern.
 - Progress is being made toward achieving 100% compliance.
 Councilperson Bast stated that only four properties are of concern at this time.

UNFINISHED BUSINESS:

Discussion on EDUs at the Firehouse Restaurant, Tax Map # 42.12-1-13.2

Supervisor Frasier read aloud the answer from Town Attorney, John Silvestri to the Town Board regarding refunds.

Sheri DeLarm gave thanks to the Town Clerk for supplying copies of the last seven years of the Sewer Bill totals for the Firehouse Restaurant. Ms. DeLarm stated that she is not arguing the resolution, she feels the Town has made a mistake in the billing and needs to remedy the overcharges.

Richard Sandman stated that he had read over John Silvestri's comments. His opinion is that the Board is asking different questions. Mr. Sandman stated that they are not challenging the resolution, but rather the

implementation of the resolution. If the Board agrees that Sheri has been overcharged, they should work with her. Mr. Sandman expressed that it is very challenging to run a small business, how the restaurant brings a lot to the Town of Hague and that this is a time to take care of small businesses. Mr. Sandman made a request to the Town Board for an action.

Supervisor Frasier stated that the Board would not be making any decisions at this time. She offered to set up and meeting with Sheri DeLarm, Richard Sandman, John Silvestri, Jack Bast, and herself to discuss further.

Councilperson Ramant stated that the EDU schedule was in need of revisions.

Ginger Kuenzel of the Finance subcommittee to the Sewer Advisory Committee stated that they meet regularly and are very close to bringing suggestions to revise the EDU schedule to the Town Board.

Cathy Clark spoke stating that the EDU schedule was adopted in 2014, at which time the Town Board had different members. It may have been the opinion of the previous Town Board that the Firehouse Restaurant be charged as a restaurant and as a bar, but it may be the current Town Board may have a different opinion and can make a decision to adjust the EDU assessment.

Councilperson Patchett stated that the Town Board's role is to act in the best interest of the Town and sometimes the Town Officials confuse protecting the Town of Hague financially with acting in the best interest of the Town. This is an example of a case where the Town Board may not be acting in the best interest financially, but if the Town loses the Firehouse Restaurant it would not be in the best interest of the community.

COMMUNICATIONS & PETITIONS: None

NEW BUSINESS:

Town Clerk, Melissa Patchett explained that the current records retention schedule the Town of Hague has been using is the MU-1 for municipal records. The NYS Archives just released a new records retention schedule, LGS-1 on August 1, 2020 which will supersede and replace the CO-2, MU-1, MI-1, and ED-1. It is a compilation of these four Local Government schedules. Thus it is a larger, all-inclusive retention schedule for all NYS Local Government entities.

RESOLUTION #83 OF 2020 ADOPT RECORDS RETENTION SCHEDULE LGS-1

On a motion of Councilperson J. Bast and seconded by J. Patchett,

BE IT RESOLVED, by the Town Board of the Town of Hague, New York that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

BE IT FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Duly adopted by the following vote:

Ayes: Edna Frasier, Steven Ramant, Joshua Patchett, John Bast

Nays: 0

Absent: Martin Fitzgerald II

Carried 4-0

SUPERVISORS REPORT & COUNTY REPORTS: None

With no further business, on a motion of Councilperson S. Ramant and seconded by J. Bast the Meeting was adjourned at 7:06 pm. All voted aye. Carried unanimously.

Respectfully submitted,

Melissa L. Patchett
Hague Town Clerk

**RESOLUTION # 88 OF 2020
RESOLUTION TO ENTER INTO AN AGREEMENT
WITH WARREN COUNTY
FOR 2021 ROADWAY MAINTENANCE**

Resolution introduced by Councilperson and seconded by ,

IT IS RESOLVED, that the Supervisor is hereby authorized to enter into the intermunicipal agreement with the County of Warren for snow and ice removal on the paved county roads in the Town of Hague for the year 2021.

Duly adopted by the following vote:

Ayes:

Nays: 0

Absent:

Carried

DATED: September 8, 2020

Melissa L. Patchett, Hague Town Clerk

**RESOLUTION # 89 OF 2020
ADJUSTMENT TO SEWER DIST #1 EDUs**

Resolution introduced by Councilperson and seconded by ,

WHEREAS, 9073 Lakeshore Drive property is being used for a Veteran's Memorial Park, and

WHEREAS, no structures will be built due to flood pain,

IT IS RESOLVED; that the Town Board authorizes the following adjustments to the Sewer District #1 EDU list

Tax Map #43.5-1-25 decreased from 0.20 to 0.0 EDUs -unbuildable lot

Duly adopted by the following vote:

Ayes:

Nays: 0

Absent:

Carried

DATED: September 8, 2020

Melissa L. Patchett, Hague Town Clerk