

## Monthly report building maintenance and operations department August 2022

August started out with us working on boggs on Adirondack lake, we used the barge excavator and even our groomer with the winch to try and move the largest of all boggs in Ernie Pullmans bay, many small pieces came off, some sank to the bottom, and some we were able to push up to the dam for removal. The weather did not help us, the lake had dropped between four and six inches so it made moving the boggs that much harder. The barge that we are using had some mechanical problems and needed to go to Birds in Raquette Lake for repairs, the boat has been fixed and is once again in Adirondack Lake.

Hamilton county Highway brought their 60 foot lift up to the health center and we took down the large spruce tree out front. After the tree was down we loaded all the logs and brush in our dump trailer and hauled away. We hauled in topsoil raked off the yard added grass seed and hay, and have been watering every other day.

At the ambulance garage and meal site we finished the siding that we started two years ago, took a little over a week with all of us on the project, there was a lot of cutting with all the gables having to be done. All soffits have been replaced and the fascia wrapped in aluminum. In the coming years we know we will be doing the roofs as they are all over 30 years old.

Work has begun on the library, we have stripped off the rotted T1-11 siding in the rear and have replaced it with five eights plywood, today we should be getting our vinyl installing our starter strips and getting up as high as the windows. New windows have been ordered for the library so we will be doing the vinyl as we install the windows.

The first of our two beaches have been taken out, the one in Blue Mountain Lake was first. This year our lifeguards went back to college very early and left us short on coverage, we were able to keep chain lakes beach open longer With Jesse and Austin Brusio as lifeguards.

All town properties have been mowed again this month including the transfer station, shooting range, and all cemeteries.

Numerous times we had to help at the transfer station this month, the sheer volume of garbage coming in and recyclables keeps everybody moving and when a truck comes in they fall way behind, by adding the third guy and sometimes forth we help get them out of a jam that puts them behind so far they cannot catch up in a day. Some days we are getting five trucks and having to pull two trailers. The number of second homeowners, and new people in our town, along with the summer people have the facility full almost every day of the week.

Graves have been dug at the Cedar River cemetery, and we are in the process of installing new foundations for future burials.

Thank you

Bill LaPrairie Dept had building maintenance and operations



# **Town of Indian Lake water and wastewater report for August 2022**

All plants were checked and tested daily.

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

We have had a few meetings with Cedarwood Engineering regarding the new waterplant in Blue Mt. Lake. We have decided to go with membrane filtration. Cedarwood will be starting a pilot study hopefully by the end of September to confirm the basis of design. We will be working with them setting up the raw water pump and waterline. We will also be involved with the setup of the filter skid. This study should take about 2 months.

We had a few sewer laterals that needed jetting do to blockages.

We tapped the watermain in Blue Mt. and Indian Lake for 2 new homes.

We finally have our new one ton dump, it was delivered on the 29<sup>th</sup>.

We repaired a water main break on Pelon Rd.

A few boxes, rods and curbstops were replaced in both districts.

The wastewater plant had its annual inspection and all is good.

The drying bed was shoveled off and raked out.

Thank-you

Patrick Mahoney

A handwritten signature in black ink, appearing to read 'Pat Mahoney', with a long, sweeping horizontal line extending to the right.



# Highway Report Sept 2022

Ditching continues on some roads.  
Parkerville, Rebo ~~and~~ and Tower Hill.

Under drains were put in on  
Tower Hill and Parkerville Rd in  
areas that water was ~~permitted~~  
a problem in the Spring  
300 ft of Tower Hill road was

Prepared for new blacktop.  
Roads that had ripples in them  
were graded when ~~they~~ needed.

Sand for winter use continues to  
be stockpiled at the Highway Garage.  
Trees have been cut out of many  
roads as they fall.

Beaver dams continue to be pulled  
out on Pashley road, when needed.

Jamie Roblee  
Highway Supt.



**COPY**

## TOWN OF INDIAN LAKE

P.O. Box 730 Pelton Road  
Indian Lake, Hamilton County  
New York 12842

### Town of Indian Lake Building Permit Report

August 2022

	<u>Residential</u>	<u>Commercial</u>
1. Total # of Permits Issued:	16	0
2. Total dollar amount of projects in #1:	<u>\$1,704,872</u>	
3. Number of Permits in #1 which are Hunting Camps:	1	
4. Total dollar amounts of projects in #3:	<u>\$0-Renewal</u>	
5. Number of single-family permits issued (Camps N/A):	2	
6. Total dollar amount of projects in #5:	<u>\$1,565,000</u>	
7. Number of Trailers/Double Wide/Modular Homes:	1	
8. Number of Permit renewals:	1	
9. Number of Firework Permits issued:	0	
10. Total dollar amount of permits in #9:	<u>\$0</u>	
11. Fire inspections (Annual) to date	22	

Respectfully Submitted by:



Tyler Monthony





**September 12, 2022, Town of Indian Lake  
Board Meeting  
Economic Development, Marketing & Events  
Report**

**Community/Economic Development**

Main Street America (MSA) Community Survey & Consultant to Visit – The three-day visit/meeting schedule with the consultant was very busy with back-to-back meetings. She reported we had 229 survey responses which indicated Pine's Country Store, Stewart's and the Adirondack One Stop being the most frequently visited businesses. Responses indicated folks wanted a grocery store, brewery, coffee shop/bakery. Most respondents were retired, worked outside of Hamilton County, or worked at home. Issue respondents mentioned included too many vacant buildings; no family friendly things to do for kids; and not enough businesses open when they come to town which is typically 9 to 11 am on Saturdays. These are just a few of the summaries from two PowerPoint presentations and anecdotal feedback. The consultant will be providing all the data collected, the presentations and a final report within 30 days of her visit.

In the meantime, we have assembled a core group for the steering committee: Brenda Valentine, Sally Stanton, Connie Sahler, Bob Marriott, Allen Van Hoff and me. The group reconvened just three days after the visit to review next steps which include: (1) Asking the ILCDC to have this project as a subcommittee under their umbrella; (2) create a "punch list" of easy, quick, and cost-effective projects that will provide high visibility; and (3) determine a name for the project. Once the materials are received from the consultant, we plan to bring the larger group of interested individuals back together to assign them to one of the four working groups – design, economic vitality, promotion, and organizational activities. Projects may include: sidewalk sweeping and repairs, wayfinding, coat of paint on town park benches, more fall decorations, etc.

If anyone is interested in more details, please feel free to contact Brenda or a member of committee.

**Events – 2022**

Indian Lake Paint Out!, which was August 19-21, with artist Robert Stump, was a great success. We had nine (out of the ten) people sign up for the three-day event which was the perfect number so everyone was able to receive individualized instructions. Participants were a mix of ages and year-round and seasonal residents. Everyone produced two final paintings which were displayed at the small reception following the last day at 4PM. I received so many great responses from others who followed the project on social media that I have already booked August 18-21, 2023. Two representatives from the funding agency came to the reception and were quite impressed with the project's outcomes.

Concerts: The concert scheduled for July 26 was cancelled due to weather and will be rescheduled in October. Next Concerts: 9/18 David Hyde in the town pocket park at 3PM; and 9/17 A Band Called E.R.I.E. and the Witches Dance (Robin Jay's Gem Theater group) at 2PM in front of the Welcome Center (this is a new location).

90-Miler / Adirondack Canoe Classic race: This event on September 9 is run by the Northern Forest Canoe Trail and has its Day Two stop at the Blue Mountain Lake beach area. Over 600 paddlers in various watercrafts will arrive between 1pm and 6pm. The town provides support via Parks & Rec and me with barricades, cones, tents, garbage, porta potties, hospitality, and shuttle services to remote parking at our tennis courts.



Rustic & Antiques Show Schedule Set – We are gearing up for this now and hoping for a great turnout.

Moose Fest: 9/24 Classic & Antique Car Show sponsored by the Monday Night Cruisers Club as a benefit for the ILVFD. 9AM to 2PM on the grassy area behind Townsend's property. Registration is \$5 per vehicle. Seeking door prizes.

A Band Called E.R.I.E. is an indie pop rock band from the Saratoga area. Band will play at 2PM at the Welcome Center. The "witches" (Robin Jay Gem Radio Productions) will perform their haunting dance at 3PM.

### **Marketing**

Social Media: I continue to encourage all to follow the Town on social media sites.

<https://www.facebook.com/townofindianlake>

<https://twitter.com/TownofIndianLa1>

<https://www.instagram.com/townofindianlakew/>

[www.facebook.com/Townsofindianandbluemountainlakeny](https://www.facebook.com/Townsofindianandbluemountainlakeny)

<https://www.facebook.com/Townsofindianandbluemountainlakeny>

If you are not receiving the weekly e-newsletter and would like to sign up for it, please let me know.

Email Conversion: It's DONE!!!! (well almost) We worked with My Techs Global Inc out of Clifton Park to handle the conversion which cost \$600. The transition to the new email accounts had a few minor bumps but nothing they couldn't handle. All department heads are using their new emails, except the highway department, which was one of those small glitches, which will be resolved shortly. All email addresses have been updated on [www.indianlakeadk.com](http://www.indianlakeadk.com). I will be ordering new business cards, out of my budget, for everyone this week.

My Techs Global Inc will be giving us bids on a municipal contract to oversee our overall technology support and security needs. My Tech Global is the current technology provider for Hamilton County as well.

### **Grants**

We are moving forward with the demolition of the Blue Mountain Lake garage via the RESTORE NY application which is due October 11. There is a \$500 application fee; a board resolution and public hearing are required, as well as many other pertinent attachments required which I am working with Labella to acquire.

I was informed by LaBella that the grant for charging stations to be installed in front of the welcome center has been sent. I do not have a copy of it yet.

I continue to have a biweekly phone meeting with Labella to stay on top of the reimbursement grants that are pending.

### **Meetings**

8/10 – Phone meeting with LaBella

8/31 – Phone meeting with LaBella

9/1 – MSA Core Group Meeting

9/1 – Meeting with ANCA re: business support services and lending

9/6 – Follow up phone meeting with My Techs Global

9/6 – Phone meeting with LaBella

9/7 – Meeting with ILCS re: Antiques Show

9/7 – Phone meeting with LaBella

**Respectfully submitted by Christine Pouch, 9/8/2022**



## *Town of Indian Lake Chamber of Commerce*

*Representing Blue Mountain Lake, Indian Lake and Sabael*

*P.O. Box 724 Indian Lake, New York 12842*

Phone and Fax (518) 648-5112 website: indian-lake.com

Email indianlakechamber@frontiernet.net

Town of Indian Lake Chamber of Commerce

Office Report for August 31, 2022

Submitted by Darrin Harr

### **2022 Membership Report:**

57 renewal notices sent

46 memberships renewed

#### **August 2022 Membership Renewals sent to:**

Hemlock Hall

Indian Lake Restaurant and Tavern

Indian Lake Theater

Pine's Country Store – PAID

Roger Marshall – PAID

Steamboat Landing on Blue Mountain Lake – PAID

Twin Coves on Indian Lake

#### **New Members**

Carpenter & Associates Insuring Agency

Forever Wild Women/Forever Wild Fitness

John Sleckman

Robert Marriott Family

Sunset Cove II

The Painted Chair Store

**Memberships renewed in 2022:**

Abanakee Studios

Adirondac Rafting Company

Adirondack Experience, The Museum on Blue Mountain Lake

Adirondack Lakes Center for the Arts

Adirondack Trail Motel

Al and Christine Pouch

Allen Van Hoff – Howard Hanna

Barton International

Black Fly Challenge

Blue Mountain Lake Club

Blue Mountain Rest

Camp Driftwood

Carolyn DeVito

Community Bank, NA

Curry's Cottages

Gadway Realty

Garnet Hill Lodge

Great Camp Sagamore

Helmer's Fuel and Trucking

HFM Prevention Council

Indian Lake/Blue Mountain Fish and Game Association

Indian Lake Central School District

Indian Lake Community Development Corporation

Indian Lake Marina

Indian Lake Self Storage

Indian Lake Snowwarriors

Jack & Taff Fittererer Book Binding

Kullman Contracting

Long Lake Camp

Nancy Berkowitz



**Memberships renewed in 2022:**

North Country Workforce Partnership, Inc.  
O'Connor Automotive Sales & Service, Inc.  
Pine's Country Store  
Point Breeze Motel and Cottages  
Potters Real Estate Management, LLC  
Prospect Point Cottages  
Raquette Lake Navigation Co.  
Roger Marshall  
Route 30 One Stop  
Shawn & Cindy Morrow  
Snowy Mountain Inn  
Steamboat Landing on Blue Mountain Lake  
Stewarts' Shops  
Sue Montgomery Corey  
The Hedges  
Wide River Antiques

**Website/Social Media:**

Indian Lake, NY Chamber Facebook: Increased from 3917 followers in August 2021 to 4355 followers in August 2022.  
Great Adirondack Moose Festival: Increased from 4772 followers in August 2021 to 5908 followers in August 2022.

Activity Log 2022 vs 2021:

2022	Email	Phone	Walk-in	DEC
January	18	25	52	1
February	29	36	92	5
March	19	20	60	2
April	19	28	96	5
May	39	44	259	27
June	55	63	295	29
July	71	68	583	72
August	77	138	493	55
Total	327	422	1930	196

2021	Email	Phone	Walk-in	DEC
January	48	54	76	7
February	20	37	30	3
March	31	38	65	8
April	34	49	93	22
May	37	107	303	45
June	63	125	326	63
July	115	151	564	78
August	82	135	408	58
Total	430	696	1865	284



Amended 9/8/22

Agreement for the Expenditure of Highway Moneys

AGREEMENT between the Highway Superintendent of the Town of Indian Lake,  
Hemlock County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$470,311 shall be set aside to be expended for primary work and general repairs upon 32.93 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.

2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways: Tower Hill Rd.

(a) On the road commencing at Rte 30 and leading to last Driveway  
distance of 300 ft, there shall be expended not over the sum of \$27,000.00

Type Binder  
Width of traveled surface 20 ft  
Thickness 3 inches  
Subbase Cobrock, Item #4

(b) On the road commencing at \_\_\_\_\_ and leading to \_\_\_\_\_, a  
distance of \_\_\_\_\_ miles, there shall be expended not over the sum of \$ \_\_\_\_\_.

Type \_\_\_\_\_  
Width of traveled surface \_\_\_\_\_  
Thickness \_\_\_\_\_  
Subbase \_\_\_\_\_

Executed in duplicate this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
County Superintendent of Highways

\_\_\_\_\_  
Town Superintendent of Highways  
James R. Robble

Note: This agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

Julie Clawson

August 17, 2022

Town Clerk, Town of Indian Lake

P.O. Box 730

Pelon Road

Indian Lake, NY 12842

Dear Julie:

I am writing to resign from my position of Town Councilman with the Town of Indian Lake effective September 15, 2022. With my on-going health problems it is not possible for me to keep up with my Town Board responsibilities. I feel this is the best choice I have given the circumstances.

Sincerely,



David Sean Curry

P.O. Box 206

8747 State Route 30

Blue Mountain Lake, NY 12812

cc: Town Supervisor, Brian Wells





## TOWN OF INDIAN LAKE

P.O. Box 730 Pelton Road  
Indian Lake, Hamilton County  
New York 12842

TO INDIAN LAKE TOWN BOARD:

I, Michael Walrath, would like to serve as an alternate for the Zoning Board of Appeals. I have some experience with the Town's Zoning codes and have worked closely with Tyler Monthony while building our house here in Indian Lake.

I believe my working and building experience would be a benefit for both the Town and the ZBA and I would like to serve my community in this manner. Thank you for your consideration.

Sincerely,



Michael Walrath

## RESOLUTION # 13 – 2022

### Resolution Opposing Recently Enacted New York State Law (Senate Bill S.51001) Regulating Legally Authorized Concealed Carry Gun Permits And Banning Concealed Carry In The State Parks As Being An Unconstitutional Attack Upon The Rights Of Law Abiding Citizens.

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**WHEREAS**, on June 1, 2022, New York State enacted Senate Bill S.51001, which among other things, requires concealed carry pistol permit holders to divulge their social media accounts and prohibits bringing concealed carry pistols into “sensitive” park areas which may include the Adirondack Park, Niagra State Park and houses of worship; and

**WHEREAS**, legislation is the result of a knee-jerk, unvetted and political reaction to the recent Supreme Court decision, New York State Rifle and Pistol Association, Inc., v. Bruen, and was surreptitiously, at the 11<sup>th</sup> hour, without public discussion, input or knowledge, rushed through the legislature; and

**WHEREAS**, the Town Board of the Town of Indian Lake considers this Law to be an unconstitutional infringement upon law abiding citizen’s right to bear arms and an overt infringement upon freedom and liberty in New York State, which is devoid of common sense and does nothing to deal with the problems of crime and illegal firearms; and

**WHEREAS**, among the most onerous of its provisions, it, makes it a felony for any individual who has a valid concealed carry permit to bring a handgun into any New York State Park, which may include the Adirondack Park, comprised of 6 million acres, where residents, businesses and municipalities operate, live, work, socialize, worship, and pay taxes.

**BE IT RESOLVED**, that the Town Board of the Town of Indian Lake vehemently, adamantly and with full resolve oppose this new concealed carry law (Senate Bill S.51001), and demand that the provision relative to the prohibition of concealed carry pistol permit holders be subject to a felony if they bring guns into parks such as the Adirondack Park, Niagra State Park and houses of worship be repealed; and

**BE IT FURTHER RESOLVED**, this Board calls upon the legislature and the Governor of the State of New York to repeal this law; and

**BE IT FURTHER RESOLVED**, this resolution immediately be forwarded to: New York State Governor, Kathy Hochul, Senate Majority Leader, Senate Minority Leader, American Civil Liberties Union, American Center for Law and Justice, New York State Association of Counties, Senator Daniel G. Stec and Assemblyman Matthew Simpson.



**RESOLUTION # 14 - 2022**

**RESOLUTION AUTHORIZING SUBMISSION OF AN EMPIRE STATE DEVELOPMENT  
RESTORE NEW YORK PROGRAM GRANT APPLICATION**

**WHEREAS**, Empire State Development is accepting grant applications for funding under the Restore New York grant program;

**WHEREAS**, the Restore New York program is intended to revitalize urban areas and stabilize neighborhoods through funds provided to aid in the implementation of a project of significant benefit to the community;

**WHEREAS**, such grant money may be used in projects involving demolition, deconstruction, rehabilitation, and/or reconstruction of vacant, abandoned, condemned, and surplus properties;

**WHEREAS**, the Town of Indian Lake intends to submit an application for funds through the Restore New York grant program;

**WHEREAS**, the proposed project is demolition of a blighted former garage, Blue Mountain Lake Town Garage on Durant Road, which is roughly 2,480 square feet;

**WHEREAS**, the proposed project implements an overall strategy for revitalization supported in the Town's Comprehensive Plan;

**WHEREAS**, costs over and above any assistance granted by ESD will be financed by additional funds;

**WHEREAS**, the demolition of the building will enhance the hamlet of Blue Mountain Lake and attract investment and interest;

**WHEREAS**, the grant application process recommends that the governing body of the applicant authorize submission of the application and related actions; and,

**THEREFORE BE IT RESOLVED**, the Town of Indian Lake hereby authorizes and directs the Supervisor to submit a 2022 Restore New York application to Empire State Development and to act in connection with the submission of the application, including execution of all required certifications and forms and to provide such additional information as may be required.

# **PUBLIC NOTICE**

## **Town of Indian Lake**

A public hearing will be held on **Thursday October 6, 2022 at 7:00 P.M.** at the Town Hall to discuss the Restore NY municipal grant program and property assessment list which identifies the property targeted for assistance.

The Town of Indian Lake intends on submitting an application for funds under Empire State Development's Restore NY grant program to provide assistance in the demolition of the building located at Durant Road, Blue Mountain Lake, NY.

By Order of the Town Board of the Town of Indian Lake

Julie A. Clawson/Town Clerk

**PUBLIC NOTICE**  
**Empire State Development Restore NY Program**  
**Property Assessment List**  
**Town of Indian Lake**

The following properties are included in a proposal to Empire State Development's "Restore New York" grant program. The proposed project consists of the demolition of one building.

#	Site Name/Address	Sq. Ft.	R-Residential C-Commercial	DM-Demolition DC-Deconstruction RH-Rehabilitation RC-Reconstruction	V-Vacant A-Abandoned C-Condemned S-Surplus
1	Blue Mountain Lake Town Garage on Durant Road	2,480	C	DM	V



**CODE OF ETHICS**  
**TOWN OF INDIAN LAKE**  
**STATE OF NEW YORK**

**ETHICS IN GOVERNMENT**

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## **Section 1. Purpose.**

Officers and employees of the Town of Indian Lake hold their positions to serve and benefit the public as a whole, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Town Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. The purpose of this Code of Ethics is:

- A. To establish those standards.
- B. To provide guidance of these standards to all officers and employees of the Town, whether elected or appointed, paid or volunteer.
- C. To promote public confidence and integrity in local government.
- D. To facilitate the consideration of potential ethical problems before they arise, to minimize unwarranted suspicion, and to enhance the accountability of government to the people by requiring:
  - 1. Public disclosure of conflicts of interest, and potential conflicts of interest, that may influence or be perceived to influence the actions of officers and employees of the Town; and
  - 2. The recusal of any officer or employee of the Town, if the officer's or employee's acting, or failing to act, on the matter may result in a conflict of interest, or give the reasonable appearance of a conflict of interest; and
- E. To provide for fair and effective administration of this Local Law.
- F. This Code of Ethics is the **minimum** standard of ethical conduct; employees and officials are encouraged to go above and beyond these expectations.

## **Section 2. Definitions.**

- (a) "Board" means the Town Board and any Town administrative board, commission, or other agency or body comprised of two or more Town officers or employees.
- (b) "Code" means this Code of Ethics.
- (c) "Interest" means a direct or indirect financial, material, or personal benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the Town or an area of the Town, or a lawful class of such residents or taxpayers. A Town officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization's outstanding stock.
- (d) "Town" means the Town of Indian Lake.
- (e) "Town officer or employee" means any officer or employee of the Town of Indian Lake, whether paid or unpaid, elected or appointed, full or part time, or in any advisory capacity, and includes without limitation all members of any office, board, body, advisory board, council,



commission, agency, department, district, administration, division, bureau, branch, or committee of the Town of Indian Lake.

(f) "Relative" means a spouse, domestic partner, parent, stepparent, sibling, stepsibling, sibling's spouse, child, stepchild, uncle, aunt, nephew, niece, first cousin, or household member of a Town officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

(g) "Contract" includes any claim, account, demand against or agreement with the Town—verbal or written, express or implied. Almost any business dealing with the Town will involve a "contract", including purchase or sales agreements, construction agreements and service contracts, as well as vouchers for payment submitted to the Town.

(h) "Board of Ethics" means Hamilton County Board of Ethics.

### **Section 3. Applicability.**

This Code of Ethics applies to the officers and employees of the Town of Indian Lake and shall supersede any prior Town Code of Ethics. The provisions of this Code of Ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, Article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Town of Indian Lake. In the event of any conflict between this Code of Ethics and the provisions of the General Municipal Law of the State of New York, the stricter standard shall control.

### **Section 4. Prohibition on Use of Town Position for Personal or Private Gain.**

No Town officer or employee shall use his or her Town position or official powers and duties to secure a financial, material or personal benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

### **Section 5. Disclosure of Interest in Legislation and Other Matters.**

(a) Whenever a matter requiring the exercise of discretion comes before a Town officer or employee, either individually or as a member of a board, and disposition of the matter could result in, or appear to result in, a direct or indirect financial, material or personal benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the Town officer or employee shall disclose in writing the nature of the interest.

(b) The disclosure shall be made when the matter requiring disclosure first comes before the Town officer or employee, or when the Town officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.



(c) In the case of a person serving in an elective office, the disclosure shall be filed with the Town Board. In all other cases, the disclosure shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the Town officer, employee or board having the power to appoint to the person's position. In addition, in the case of a person serving on a Town board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

#### **Section 6. Recusal and Abstention.**

(a) No Town officer or employee may participate in any decision or take any official action (recusal) with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it (abstention), when he or she knows or has reason to know that the action could confer a direct or indirect financial, material or personal benefit, or appear to do so, on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

(b) In the event that this section prohibits a Town officer or employee from exercising or performing a power or duty:

(1) if the power or duty is vested in a Town officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or

(2) if the power or duty that is vested in a Town officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.

(3) if the power or duty is vested in a Town employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

### **Section 7. Prohibition Inapplicable; Disclosure, Recusal and Abstention Not Required.**

(a) This code's prohibition on use of a Town position (Section 4), disclosure requirements (Section 5), and requirements relating to recusal and abstention (Section 6), shall not apply with respect to the following matters:

- (1) adoption of the Town's annual budget.
  - (2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
    - (i) **all** Town officers or employees.
    - (ii) **all** residents or taxpayers of the Town or an area of the Town; or
    - (iii) the general public; or
  - (3) any matter that does not require the exercise of discretion.
- (b) Recusal and abstention shall not be required with respect to any matter:
- (1) which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by Section 6 of this code.

(2) which comes before a Town officer when the officer would be prohibited from acting by Section 6 of this code and the matter cannot be lawfully delegated to another person.

### **Section 8. Investments In Conflict with Official Duties.**

(a) No Town officer or employee may acquire the following investments:

(1) investments that can be reasonably expected to require more than sporadic recusal and abstention under Section 6 of this code; or

(2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

(b) This section does not prohibit a Town officer or employee from acquiring any other investments or the following assets:

- (1) real property located within the Town and used as his or her personal residence.
- (2) less than five percent of the stock of a publicly traded corporation; or

- (3) bonds or notes issued by the Town and acquired more than one year after the date on which the bonds or notes were originally issued.

#### **Section 9. Private Employment in Conflict with Official Duties.**

No Town officer or employee, during his or her tenure as a Town officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

- (a) can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 6 of this code.
- (b) can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a Town officer or employee.
- (c) violates section 805-a(1)(c) or (d) of the General municipal law; or
- (d) requires representation of a person or organization other than the Town in connection with litigation, negotiations or any other matter to which the Town is a party.

#### **Section 10. Future Employment.**

- (a) No Town officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the Town officer or employee, either individually or as a member of a board, while the matter is pending or within one year following final disposition of the matter.
- (b) No Town officer or employee, for the one-year period after serving as a Town officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the Town office, board, department or comparable organizational unit for which he or she serves.
- (c) No Town officer or employee, at any time after serving as a Town officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a Town officer or employee.



## **Section 11. Personal Representations and Claims Permitted.**

This code shall not be construed as prohibiting a Town officer or employee from:

- or
- (a) representing himself or herself, or his or her spouse or minor children before the Town;
- (b) asserting a claim against the Town on his or her own behalf, or on behalf of his or her spouse or minor children.

## **Section 12. Use of Town Resources**

- (a) Town resources shall be used for lawful Town purposes. Town resources include, but are not limited to, Town personnel, and the Town's money, vehicles, equipment, materials, supplies or other property.
- (b) No Town officer or employee may use or permit the use of Town resources for personal or private purposes, but this provision shall not be construed as prohibiting:
  - (1) any use of Town resources authorized by law or Town policy.
  - (2) the use of Town resources for personal or private purposes when provided to a Town officer or employee as part of his or her compensation; or
  - (3) the occasional and incidental use during the business day of Town telephones and computers for necessary personal matters such as family care and changes in work schedule.
- (c) No Town officer or employee shall cause the Town to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

### **Section 13. Interests in Contracts.**

- (a) No Town officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law (any future amendment to said statute shall automatically amend the reference hereinafter):

*[Except as provided in section eight hundred two of this chapter, (1) no municipal officer or employee shall have an interest in any contract with the municipality of which he is an officer or employee, when such officer or employee, individually or as a member of a board, has the power or duty to (a) negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder (b) audit bills or claims under the contract, or (c) appoint an officer or employee who has any of the powers or duties set forth above and (2) no chief fiscal officer, treasurer, or his deputy or employee, shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the municipality of which he is an officer or employee. The provisions of this section shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of any municipal officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.]*

- (b) Every Town officer and employee shall disclose in writing interests in contracts with the Town in accordance with Section 5(c) of the Ethics Code.

### **Section 14. Avoidance of Contracts Entered into in Violation of Code of Ethics**

Any contract or agreement entered into by or with the Town which resulted in or from a violation of this Code of Ethics shall be null or void and unenforceable unless such contract or agreement is ratified by the Town Board at a public meeting.

### **Section 15. Nepotism.**

Except as otherwise required by law:

- (a) No Town officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline, or discharge a relative for any position at, for or within the Town or a Town board.

- (b) No Town officer or employee may supervise a relative in the performance of the relative's official powers or duties.



## **Section 16. Political Solicitations.**

- (a) No Town officer or employee shall directly or indirectly compel or induce a subordinate Town officer or employee to make, or promise to make, any political contribution, whether by gift of money, service, or other thing of value.
- (b) No Town officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any Town officer or employee, or an applicant for a position as a Town officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

- (c) No Town officer or employee may engage in any political activity: while on duty for the Town; with the use of Town funds; supplies; vehicles or facilities; in uniform; or during any period of time during which he or she is normally expected to perform services for the Town, for which compensation is paid.

## **Section 17. Complicity with or Knowledge of Others' Violations**

- (a) No one may, directly or indirectly, induce, encourage, or aid anyone to violate any provisions of this Code. If an official or employee suspects that someone has violated this code, he or she is required to report it to the relevant individual, either the employee's supervisor, the board on which the official sits or before which the official or employee is or will soon be appearing, or the Ethics Board if the violation is past.

- (b) Neither the Town nor any person, including officials and employees, may take or threaten to take, directly or indirectly, official or personal action, including, but not limited to discharge, discipline, personal attack, harassment, intimidation, or change in job, salary or responsibilities, against any official, employee, or other person (or against any member of their family) because that person, or a person acting on their behalf, reports, verbally or in writing, or files a complaint with the Board of Ethics regarding an alleged violation of this Code, or is requested by the Board of Ethics to participate in an investigation, hearing, or inquiry.

- (c) Anyone who alleges a violation of subsection (b) may bring civil action for appropriate injunctive relief, or actual damages, or both within ninety days after the occurrence of the alleged violation.

## **Section 18. Confidential Information.**

No Town officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.



## **Section 19. Gifts.**

- (a) No Town officer or employee may directly or indirectly solicit any gift.
- (b) No Town officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more.
- (c) For purposes of this section, a "gift" includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.
- (d) (1) A gift to a Town officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks Town action involving the exercise of discretion by or with the participation of the officer or employee.
- (2) A gift to a Town officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained Town action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.
- (e) This section does not prohibit any other gift, including:
  - (1) gifts made to the Town.
  - (2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a Town officer or employee, is the primary motivating factor for the gift.
  - (3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable, and customary.
  - (4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars.
  - (5) awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a Town officer or employee, or other service to the community; or

- (6) meals and refreshments provided when a Town officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

#### **Section 20. Waivers.**

- (a) Upon written application by a current or former Town officer or employee and written approval with justification for the waiver by the applicable department head, the Board of Ethics may grant the applicant, or his or her private employer or business, a waiver of any of the provisions of the Code of Ethics [except: the provisions pertaining to gifts, appearances by the Town official's private employer or business, and transactional disclosure] where the Board of Ethics finds that waiving such provision would not be in conflict with the purposes and interest of the Town, provided, however, that no such waiver shall permit any conduct or interest otherwise prohibited by Article 18 of the General Municipal Law.

- (b) Waivers granted by the Board of Ethics shall be in writing, shall state the grounds upon which they are granted, and shall be available for public inspection and copying.

- (c) All applications, decisions and other records and proceedings relating to such waivers shall be indexed and maintained on file by the Board of Ethics.

#### **Section 21. Board of Ethics.**

The Town shall defer to the County Board of Ethics for council and to render advisory opinions.

#### **Section 22. Filing a Complaint; Investigations**

- (a) Upon receipt of a complaint of an alleged violation of this Code on a form prepared by the Board of Ethics, which any person or entity may file, the Board of Ethics will first determine if it, in fact, alleges an action or inaction that, if the allegations are true, might constitute a violation of this Code, and that at least one person or entity accused of a violation is covered by this Code. If the Board of Ethics determines that no such action or inaction has been alleged or that no one accused is covered by this code, then it will dismiss the complaint with notice to the complainant. Similarly, if the Board of Ethics determines that an alleged violation is so minor that it is not worthy of investigation, or is clearly without merit, then it will dismiss the complaint with notice to the complainant. The Board of Ethics must make this determination within thirty days of receipt of a complaint. The Board of Ethics may bar a complainant from submitting further complaints where the Board of Ethics finds that the complainant has repeatedly abused the system.

- (b) (Intentionally deleted)

- (c) The Board of Ethics will send notification of the complaint, to the respondent against whom the complaint was filed, not later than seven days after making the determination in subsection



- (d) A copy of the complaint must accompany such notice. The Board of Ethics will also send notification to the complainant in writing of its receipt and acceptance of the complaint.
- (e) The Board of Ethics will review the complaint alleging violations of the Code of Ethics and if the Board of Ethics suspects the alleged allegations to be of a criminal nature, the Board of Ethics will immediately refer the matter to the County District Attorney's Office. The Board of Ethics may refer this matter to the County District Attorney's Office at any time during its investigation.
- (f) Upon the acceptance of a complaint the Board of Ethics will conduct any investigation necessary to carry out the provisions of this Code of Ethics. In conducting such investigations, the Board of Ethics may administer oaths of affirmation, subpoena witnesses, compel their attendance and require the production of books and records which it may deem relevant and material. Failure to comply with such requests made by the Board of Ethics are violations of this Code of Ethics, except that no person who is subject of an investigation shall be required to testify before the Board of Ethics.
- (g) The subject of an investigation has a right to appear before the Board of Ethics with counsel of his or her choice in executive session to question witnesses or challenge documentary evidence that may be considered by the Board of Ethics.
- (h) Nothing herein shall be construed to permit the Board of Ethics to conduct an investigation of itself or any of its members. Should the Board of Ethics receive a complaint alleging that the Board of Ethics or any of its members has violated any provisions of the Code of Ethics, it shall promptly transmit a copy of the complaint to the Town Board and Town Attorney, who shall investigate the complaint and take appropriate remedial action should the results of his or her investigation warrant it. Any member of the Board of Ethics who is investigated is entitled to the same protections afforded to all subjects pursuant to the Code of Ethics.
- (i) The Board of Ethics shall promptly transmit copies of its findings, opinions, and recommendations to the subject of the complaint and shall provide copies to the complainant after deleting all nonessential identifying information and identifying the subject of the complaint by case number only.



(j) The Board of Ethics shall advise the Town Board of the disposition of every accepted complaint that it receives and of every related investigation that it conducts, setting forth its related findings, opinions, and recommendations in writing, providing, however, that the complainant's name and all nonessential identifying information shall be deleted from all such documents. If the Board of Ethics has determined that there has been a violation of this Code of Ethics, the Board of Ethics will recommend to the Town Board implementation of appropriate remedies and/or penalties including, but not limited to, warnings, reprimands, suspension, removal from office or employment, civil fine, civil forfeiture, payment of damages or restitution, or debarment from entering any contract with the Town for a period of up to three years. The Town Board may pursue one or more of the foregoing remedies or may order a violator to cease and desist if the violation is still ongoing, or it may initiate proceedings in the Supreme Court of the State of New York for injunctive relief to enjoin a violation of this Code or to compel compliance with this Code.

### **Section 23. Public Inspection of Records**

The following records shall be available for public inspection:

- (a) Transactional disclosure statements.
- (b) Rules and regulations of the Board of Ethics.
- (c) Findings, opinions and recommendations regarding complaints filed with and investigated by the Board of Ethics, after deleting all nonessential identifying information and identifying the subject of the complaint by case number only.
- (d) Waivers granted pursuant to Section 20 of this Code of Ethics.
- (e) Advisory opinions issued pursuant to Section 25 of this Code of Ethics. Unless the requesting party states otherwise in writing, all names and unnecessary identifying information will be deleted.

### **Section 24. Severability**

Should any section, clause or requirement of this Code of Ethics be found by a court of competent jurisdiction to be unenforceable or unlawful or invalid, that section, clause or requirement shall be severed from this Code of Ethics and the remainder shall continue in full force and effect.

#### **Section 25. Posting and Distribution.**

- (a) The Town Clerk must promptly cause a copy of this code, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee of the Town.
- (b) Every Town officer or employee who receives a copy of this code or an amendment to the code must acknowledge such receipt in writing within 60 days. Such acknowledgments must be filed with the Town Clerk who must maintain such acknowledgments as a public record.
- (c) The failure of a Town officer or employee to receive a copy of this Code of Ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

#### **Section 26. Effective Date.**

This law shall take effect immediately upon filing with the Secretary of State and supersedes any previous Code of Ethics



**Supervisor**

*Brian E. Wells*

**Town Clerk/Tax Collector**

*Julie A. Clauson*

**Principal Accountant**

*Suzanne Valfrath*

**Town Board**

*John Rathbun*

*Jack Mahoney*

*D. Sean Curry*

*Kristina Eldridge*

Town of Indian Lake  
PO Box 730

# 117 Pelion Rd.

Indian Lake, NY 12842

Phone: (518)648-5211 or (518)648-5885

Fax: (518) 648-6227

The Town of Indian Lake is an equal Opportunity Provider and Employer

Legal Notice

Budget Workshop's

The Indian Lake Town Board will be holding the **2022 Budget Workshops** for the  
**2023 Budget** on the following dates:

**OCTOBER 6<sup>TH</sup>** (Thursday) 7:00 p.m. **BUDGET BEGINS:**

Library, Historian, Ambulance, Chamber  
Fire Districts 1 & 2,  
Debt Services, Cash Reserves

**OCTOBER 11<sup>TH</sup>** – (Tuesday) 7:00 p.m. **REGULAR BOARD MEETING**

**OCTOBER 13<sup>TH</sup>** (Thursday) 7:00 p.m. **GENERAL BUDGET**

Weed District, Sewer District, Landfill

**PUBLIC HEARING FOR THE WEED AND SEWER DISTRICTS**

**OCTOBER 20<sup>TH</sup>** (Thursday) 7:00 p.m. **GENERAL BUDGET CONT.**

**WATER/SEWER**

**OCTOBER 27<sup>TH</sup>** (Thursday) 7:00 p.m. **HIGHWAY**

**NOVEMBER 3<sup>RD</sup>** (Thursday) 7:00 p.m. **BRYON PARK BUILDING- FINAL REVIEW**

**NOVEMBER 10<sup>TH</sup>** (Thursday) 7:00 p.m. **PUBLIC HEARING PRELIMINARY BUDGET**

**PUBLIC HEARING LOCAL LAW-override tax cap**