

**PUBLIC HEARING FOR PROPOSED LOCAL LAW #1 FOR THE YEAR 2011
TOWN OF BRIGHTON - FRANKLIN COUNTY, NY**

March 10, 2011

Page 1 of 2

A Public Hearing for proposed Local Law #1 for the Year 2011, Aquatic Invasive Species Prevention, was held on Thursday, March 10, 2011 at 6:30 p.m. at the Highway Garage, 17 County Road 31, Paul Smiths, NY, with the following:

CALL TO ORDER:

The Public Hearing was Called to Order by Supervisor John Quenell at 6:31 p.m.

ROLL CALL OF TOWN OFFICERS

PRESENT: Supervisor John Quenell, Council Members: Peter Shrope and Steve Tucker

ABSENT: Council Members Jeffrey Leavitt and Lydia Wright

OTHERS PRESENT: Paul Blaine - Code Enforcement Officer and Elaine Sater - Town Clerk

RESIDENTS: Several residents were present

Pledge to the Flag was recited

NOTICE OF PUBLIC HEARING: Notice of this public hearing was published in the Adirondack Daily Enterprise on Tuesday, March 1 and Thursday, March 3, 2011. The notice was also posted on the Town Clerk's Sign Board and at three post offices and businesses in the Town on March 1, 2011.

Supervisor John Quenell opened the floor to the public for comment on Proposed Local Law # 1 for the Year 2011, "Aquatic Invasive Species Prevention".

Pat Willis – Chairman for the Aquatic Watch Committee of the Rainbow Lake Association spoke in favor of the law. She volunteers as steward to monitor boats going into the water at Buck Pond in a neighboring town. People are cooperative in general when asked to clean their boats. This law would help educate people about the problems with aquatic invasive species. She said a boater refused to remove plants from a boat in Lake Placid and they had nothing in place to support the stewards. This law would give the stewards more enforcement power by giving them a means to report any offenses. She would like to see some wording changes to the law: Article A., Section 5, Definitions #3, "boat" should be expanded to include any type of watercraft such as personal watercraft which are left out to this law. Article B, Section 1a, Exceptions #2 this is very confusing, the exception should be the material, bait and harvested fish not the person who has it. Eric Homlund, chair of Watershed Institute, has given her more words to make it more specific.

The Town of Franklin where Buck Pond is does not have a law. The Watershed Institute will be proposing a similar law for New York State. Need other towns to pass this law to get the state's attention.

The Buck Pond Campground volunteer stewards have received a grant from the Lake Champlain Water Basin to monitor invasive aquatic species on Rainbow Lake. These volunteers are trained by Paul Smith's Watershed Institute and are at the boat launch at Buck Pond Campground on Fridays during July and August. She suggested Minnesota Department of Resources for more information on this law.

Read comments from the President of the Rainbow Lake Association who would like to see a county law

In addition she had comments from a volunteer who supports the law; they would be more comfortable with a law to back them up. Also, Betty Scott from Osgood Pond was unable to attend but she supports the law.

Tracy Santagate - McColloms had comments on some of the wording. She asked what NYSDEC list was being used as noted in Article A, Section 5, Definitions #4, is this a 1957 list. Suggested using the words "current list". Article B, Section 1a, Exemptions do not make sense, people should not be exempt. Section 1a mentions "away from the shoreline" but it doesn't specify which way (in water or on shore) or how far away.

Supervisor John Quenell said he spoke to the NYSDEC and they have a "live in" list. He sent a note to Duncan Cameron, a lawyer from Washington DC and a property owner on St. Regis Lake, who wrote the law. His

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Page 2 of 2

explanation was not understandable either. He said the Board had a lot of work to do on this law before it could be adopted.

Peter Shrope said the statement in Article B, Section 1a, "standing water that is visible to the unaided eye" does not cover the bilge water inside the boat where zebra mussels live. Bilge water is usually not visible.

There were no further comments from the floor.

Motion to Adjourn the Public Hearing at 7:00 p.m. made by Peter Shrope, second by Steve Tucker, Aye 3 (Quenell, Tucker, Shrope), Absent 2 (Leavitt, Wright)

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk