

*DRAFT*

# INLET TOWN BOARD AGENDA

**TUESDAY October 8<sup>th</sup> 2019**

**6:30 P.M.** - Highway, General Bill review – updates

**7:30 P.M.** - Call Regular Meeting to order

**Pledge of Allegiance**

**Minute's Review** – 7/10/18 meeting

*See attached pages 2 - 5*

**Public Comment–**

**Communications** - C & S engineers still working on Visual impact study pre-APA permit application

**CAP-21 –**

**Assessor/Codes, Parks/Building/Information** Re-appoint Aimee VanWie as Assessor

*See attached pages 5 – 8*

**Planning Board-** Request that they look at a light pollution ordinance

**Zoning Board of Appeals** – Appoint Barb Murdock as alternate

**Highway Department** – Highway / Storage building funding- Bond estopple time clock done

**Transfer/Recycling** – Summer Hours 9-12 ,1-6 7 days a week - Winter hours on the way

**Town Clerk Report** – Rental & revenue reports

**Supervisors Report** – Schedule 2020 budget public hearing

– Rocky Point private sewer consent & escrow agreement

*See attached pages 9 -10*

**Public Comment –**

**Executive Session** – none

**Audit Bills** - Highway, General & Sewer

**Next Regular Meeting– 11-12-19** - 6:30 Bills & updates, 7:30 Meeting

**Regular Meeting  
September 10, 2019  
Inlet Town Board**

The Regular Meeting was called to order by Supervisor Frey at 7:30 p.m. with the Pledge of Allegiance.

Present were: Highway Superintendent Shawn Hansen, Codes/Zoning/Assessor Aimee VanWie, Gary Zawatski, Peggy Brownell, Robin Hill, Jamie Organski, Cherie Landl, Katie Chambers, David Gloo, Bruce O'Hara, and Peter Funk.

Officials present were: Supervisor Frey, Councilman Levi, Councilman Townsend, Councilman Schmid, Councilman Brownsell and Town Clerk Yvonne Lutz.

**MINUTES REVIEW** – Supervisor Frey asked if there were any additions or corrections to the August 13 minutes. It was pointed out that the easements that need to be secured on the Townsend trail should have read that they are past Deer Meadows, NOT Deerwoods Drive. The other clarification that was noted is that John Frey is working on the 6<sup>th</sup> Lake Dock estimates, not Robin Hill.

**PUBLIC COMMENT –**

**LYNDA LEVI** – Supervisor Frey asked for a moment of silence for Lynda Levi, who had recently passed away. He stated how much she will be missed and how much she meant to everyone in town.

**LIBRARY GRANT AND CONTRACT** – The Inlet Library needs a letter from the town that they have the legal authority to allow the library to apply for a grant to do some improvements to the building and also a renewal lease signed. Katie Chambers pointed out that contract was just being extended and items that are being requested to be updated with grant money was discussed. Councilman Brownsell made a **MOTION** to approve the lease extension with the Inlet Library, motion was **SECONDED** by Councilman Levi.

**4 AYES 0 NAYS MOTION CARRIED**

Councilman Townsend abstained from vote due to relationship with library

**NEWSPAPER AND MINUTES** – Peggy Brownell has concerns that the way the newspaper reports the Clerk's minutes differ from the actual printed minutes and some things are being interpreted incorrectly. Supervisor Frey explained that the paper is not obligated to print the actual written minutes and the version in the paper is a story written on their interpretation of the minutes. It was noted that many people interpret the written version differently. Peggy expressed that she feels they should be present at the meeting to write a story on the meeting.

**TOWNSEND TRAIL** – Cherie Landl asked the status of the Townsend trail and expressed how much of a need there is to move forward with finishing it. She expressed the concern for safety of anyone walking in that area. It was explained that we will need two easements beyond Deer Meadows to be able to proceed past there. Concerned citizens expressed that they just don't want to see it put off until next year now.

**PUBLIC HEARING – MASTER PLAN**

On a **MOTION** by Councilman Levi and **SECONDED** by Councilman Schmid, the **PUBLIC HEARING** regarding the changes in the Master Plan was opened. Supervisor Frey asked if there were any questions from anyone on the changes that were noted online as highlighted text. He added that he would like to thank all the Planning Board members, past and present, the residents, the department heads and the board for all of their hard work on the Master Plan. He added that it is a testament to Greg O'Hara and the Planning Board at that time, as to how good the original was that only a few changes/tweaks were made since that time. Supervisor Frey asked again if there were any questions/comments from the public.

**COMMUNICATIONS –**

C&S and County still doing studies and research to file for an APA permit to get any height above the 90' currently being proposed. They are working on drawings for the application also. AT&T are continuing to actively seek a contract to have services on any proposed tower. It was noted that the location that is being looked at, at this time is Peter Funk's property with a lease for \$1.00/day to use his location.

**CAP21 –**

**6<sup>th</sup> LAKE BOAT DOCK** - Supervisor Frey reported that he has not made any progress in getting bids for the dock.

**BROADBAND SERVICES** – Robin Hill spoke regarding possibly sharing the costs with a few other Hamilton County towns for research and mapping for broadband services in the areas that are underserved. She is thinking it would be roughly \$600 for each town, however, will confirm amount. CAP21 would oversee collection and payment of the shared costs to the research company. Robin Hill spoke on some other things she is working on, such as a regional collaboration group to help with the economic development plan. Also working closely with the Community Foundation and continue to work on healthcare issues in the area.

**PARKS DEPARTMENT** – Park’s Supervisor, Mitch Lee provides a report each month that is available online and attached to the agenda packet.

**ASSESSOR/CODES** - Assessor and Codes/Zoning Officer, Aimee VanWie provides a report each month and is available online and attached to the agenda packet.

**INFORMATION OFFICE** – Publicity Director, Adele Burnett provides a detailed monthly report online and is attached to agenda packet. In addition to past events and information about her department, this report will detail upcoming events.

**POLICE** –

**FIREARMS TRAINING** – Firearms training has been completed by all officers.

**PLANNING BOARD** – There is some concerns about possibly looking into some regulations regarding light pollution in the future.

**ZBA** – May need to review and update the rental ordinance the town has. Per Ray Kopp, the ZBA would like to appoint Thomas Wilson to the ZBA. On a **MOTION** by Councilman Levi, Thomas Wilson was appointed to the ZBA. Councilman Townsend **SECONDED** the motion.

5 AYES 0 NAYS **MOTION CARRIED**

**HIGHWAY**

Superintendent Hansen reported on the numerous projects/work being done in town. They have cut brush on MRP road, hauled and added gravel to Uncas Road, installed a culvert on Gilbert Road, hauled gravel for Townsend Trail, helped with town hall roof, met with Peckham and the DOT regarding some road issues at the end of Limekiln and the snowmobile crossings. The snowmobile crossings have to keep same angle that they are pre-built with, however, can adjust where they are placed. There were some issues with the guardrail up by Rocky Mountain that needed to be adjusted to make safer for snowmobile travel through there. The signs at the post office were moved to make more visible. They are also getting movable signs that state the parking in front is limited to 15 minutes. They are working on the snow crossing by Tamarack so they can replace and build up that crossing. Superintendent Hansen thanked the highway staff for all their hard work. He plans on spreading more gravel on Uncas Road and work on Townsend Trail.

**REGIONAL SALT SUMMIT** – Supervisor Frey explained that ADKAction would like the Town of Inlet to pledge to use less salt on the winter maintenance of the roads. Supervisor explained that we already have cut way back on the use of salt, except in extreme issues or ice issues. He expressed his feelings that if the tree canopy was cut back some, the sun would naturally decrease the ice on the roads and the use of salt. The Board will look at and discuss any snow and ice policy in the future.

**TRANSFER STATION** –

Back to the regular staff, however, still open 7 days/week. Will be closed Thanksgiving and is closed observed holidays. Shawn Hansen thanked his staff for all their hard work and for help with the town hall roof. Supervisor Frey asked to discuss the possibility of changing the staffing to 4, 10 hour days at the transfer station also. This would also allow for some “downtime”, with no people in the station, for staff to get caught up. Councilman Schmid spoke about his thoughts/concerns as a business owner in town and how others may be impacted. Discussion was tabled until next month.

**JUSTICE** - Chief Court Clerk, Georgia Levi asked for the Board to pass a resolution authorizing her to apply for another grant to make improvements to the Justice Court room and office for both aesthetic reasons and safety.

## **RESOLUTION #42.19**

### **JUSTICE GRANT APPLICATION**

**THE TOWN OF INLET JUSTICE COURT HEREBY REQUESTS THE FOLLOWING RESOLUTION BY THE TOWN BOARD OF INLET**

ON A **MOTION** OFFERED BY COUNCILMAN BROWNSSELL, **SECONDED** BY COUNCILMAN SCHMID, THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, THE UNIFIED COURT SYSTEM HAS A GRANT PROGRAM TO ASSIST TOWNS AND VILLAGES IN THE OPERATION OF THEIR JUSTICE COURTS AND BETTERMENT OF SAID OFFICES, AND **THEREFORE BE IT**

**RESOLVED** THAT THE TOWN OF INLET JUSTICE COURT IS AUTHORIZED TO APPLY TO THE CHIEF ADMINISTRATIVE JUDGE FOR A JUSTICE COURT ASSISTANCE PROGRAM GRANT

5 AYES 0 NAYS **MOTION CARRIED**

SEPTEMBER 10, 2019

TOWN BOARD

INLET, NEW YORK 13360

Supervisor Frey spoke to the success of the last grant they were awarded.

**TOWN CLERK -**

**FLU CLINIC** – There will be a Flu shot clinic on October 2<sup>nd</sup> at 10:30 at the Inlet town hall.

**THANK YOUS:** The Town Clerk read the following thank you letter to the Town Board and Supervisor Frey from John Kalil:

It is with deep appreciation and thanks on behalf of the entire Kalil family, and specifically the immediate family of Peter N. Kalil, Sr., that I would thank you all for the tremendous cooperation, help and efforts that you all provided in making the dedication of the new Town Flag a huge success. Your professionalism and human kindness will always be remembered.

Enclosed, please find a copy of the letter received from Congresswoman Elise Stefanik and a check to the Inlet Youth Commission in the amount of \$250.00.

The town clerk referenced the letter from Elise M. Stefanik where she thanked John Kalil for the invite to the flag dedication and acknowledge Peter Kalil, Sr.'s accomplishments and dedication to the Town of Inlet.

**REVENUE** – Revenue received in the office of Town Clerk for the month of August was \$19,618.00.

**SUPERVISOR**

**BUDGET MEETINGS** – Scheduled some budget workshop meetings. These are open to the public. The Board meets to discuss the tentative budget and meet with department heads to get input. They will be September 17<sup>th</sup> at 1:00 pm, September 24<sup>th</sup> at 6 pm and October 1<sup>st</sup> (if needed) at 4 pm.

**ANONYMOUS REQUEST** – Supervisor Frey referred to a letter from an anonymous person requesting the Town of Inlet's support in what he believes would be helping Town of Webb make the decision to not allow the helicopter pad on South Shore Road near the old Camp Eagle Cove. Supervisor Frey first addressed the issue that the Board will not entertain an unsigned letter. If a resident is concerned and wants support and/or action, please identify yourself. He spoke very strongly about not placing so many restrictions on different modes of travel, restricting seaplanes in the area and restricting use of personal watercraft. Until there is an issue with safety, Supervisor Frey is not comfortable supporting all of the regulations.

**ALGAE BLOOM** - Invasive species and algae is monitored very closely and Inlet has a proactive approach. We have not had any problem with algae bloom in Inlet's waterways.

**CAP21** - The cost of our share of the broadband research was brought up again and Robin Hill was comfortable with the amount not exceeding \$700. Councilman Townsend made a **MOTION** to support the research for broadband services in the underserved areas, with our cost not to exceed \$700.00. Councilman Schmid **SECONDED** the motion.

5 AYES 0 NAYS **MOTION CARRIED**

**PUBLIC COMMENT –**

**AMBULANCE-MUTUAL AIDE - Robin Hill** asked how ambulance coverage works as far as mutual aide, for instance if Old Forge has to respond to a call that is in Inlet. Councilman Schmid explained that Inlet does not pay Old Forge. Billing comes from the actual call, therefore, if Old Forge responds, regardless of where it is, they bill for that call and the patient's insurance would receive the bill. Peggy Brownell asked how the billing works. Councilman Schmid stated that it goes by whether it was a BLS or ALS call and is determined by mileage.

Robin Hill mentioned that they are working with MVHS/Old Forge to possibly begin accepting people's sharps (needles).

**2018 AUDIT –** Peggy Brownell asked how the 2018 Audit for the comptroller was coming along. Supervisor Frey stated it is now complete and acknowledged Mary's hard work in getting it finished, especially with a very difficult software system.

A **MOTION** to pay highway bills as presented was made by Councilman Levi, **SECONDED** by Councilman Townsend

5 AYES 0 NAYS **MOTION CARRIED**

A **MOTION** to pay General/Wastewater bills as presented was made by Councilman Schmid, **SECONDED** by Councilman Levi.

5 AYES 0 NAYS **MOTION CARRIED**

**PUBLIC HEARING - Councilman Brownsell** made a **MOTION** to close the public hearing regarding the master plan, **SECONDED** by Councilman Levi.

5 AYES 0 NAYS **MOTION CARRIED**

**ADOPT MASTER PLAN -** Councilman Townsend moved to **ADOPT** the Master Plan for the Town of Inlet as proposed by the Inlet Planning Board, Councilman Levi **SECONDED** the motion.

5 AYES 0 NAYS **MOTION CARRIED**

All business having come before this Board, Councilman Brownsell made the **MOTION** to adjourn the meeting 8:45 pm. Councilman Levi **SECONDED**.

Respectfully submitted,  
Yvonne Lutz  
Town Clerk

## **ASSESSOR/CODES MONTHLY REPORT**

**September 2019**

### **CODE ENFORCEMENT**

A copy of the monthly report for permit activity is on file in the Town Clerk's office.

September permit fees were not as high as August but \$4715.00 was collected in new permits. This includes a new 4 plex at Rocky Point, another large Pole Barn (70' x 84'), a new manufactured home on Deerwood Drive, a new camp on 7<sup>th</sup> Lake replacing a very old log camp, replacing an old boathouse with a new boathouse on 7<sup>th</sup> Lake, a garage on Jones Road, a home remodel/ addition on Limekiln Road and a couple of sheds.

### **ASSESSOR**

At the Annual Assessors Conference I learned there has been a delay in the release of the new ORPTS system, we were told last year we would using the new system in 2020, now we were told some areas will not be online until 2024. I also attended the Small Town SCAR Preparation course and found it very informative if I ever have to defend an assessment in Small Claims Court.

Respectfully submitted,  
Aimee VanWie

## Inlet Parks Department Report for September 2019

### Mitch Lee, Supervisor

The Fern Park skate rink was refurbished, painted and sealed for winter.

Work on the 1/3 portion of Town Hall was completed, and the two days we had Highway staff to help with tear off should be noted with congratulations. The Parks Staff were great with the timing and completion of this large project and are to be commended in their effort. The saving of doing this project in house are immense.

A New Snowmobile for grooming Fern Park is under contract for delivery from Big Moose Yamaha.

Some of the benches have been put away and the rest will go into storage after Oct 15th.

Our next water test pick up is Tues the 15th of October and when the results come back we will close the Public Restrooms and Cottages for the Winter season.

The Event set ups and break downs from the Fall Fest and Kids Days went smooth and Vendors and weather were cooperative.

Fall pick up and clean up has started.

The Parks Dept will have a community service staffer for 100 hours of work as determined by our local Judge. We will use this staffer for Park, Fall raking and painting.

The Parks Staff will be taking some abbreviated work weeks as they are using vacation time in the next four upcoming weeks. I would like to compliment them on working out daily coverage and covering shifts through sickness, events, and honeymoon schedule shifts.

### **Information Office Report Submitted by Department Head**

### **of the month September 2019 Inlet Tourism Director Adele Burnett**

1. Balance in Petty Cash on September 30 was \$34.69.
2. From April 1 to September 30, 2019 this office processed 27 snowmobile permits for the 2019/20 season. The Information Office will continue to sell 2019/20 Snowmobile Permits for the preseason rate of \$65 each until November 15, 2019. Permits can also be purchased at the Town of Webb Visitor Center and online at OldForgeNY.com. Stickers will be printed some time in September and will be then be mailed to anyone who has purchased one prior to printing. During March 2019, this office sold 58 preseason permits for the 2019/20 season. **Permits arrived early September. I am hoping Inlet might be able to sell them online soon.**
3. During July 2018, \$3,090 was accepted from 39 vendors to reserve 41 ½ spaces for the 2019 "Arts in the Park." During September 2018, \$1,280 was accepted from 20 vendors to reserve 22 spaces for the 2019 Fall Festival. Between January 1-September 30, this office collected \$2,350 from 25 vendors to reserve 24 spaces at the 2019 "Arts in the Park" and \$2,263 from 39 vendors to reserve 42 spaces at the 2019 Fall Festival (2 @ \$33 for one day). Six "Arts in the Park" vendors cancelled, only two were refunded 50% (\$45) of their fee. Three of the Fall Festival vendors cancelled and two asked for money back before their checks were deposited so \$115 was returned. \$475 was deposited into the Concessions Account 2024.000 for September. During the 2019 "Arts in the Park" \$2,680 was collected from 33 vendors to reserve 33 ½ spaces for the 2020 "Arts in the Park." During the 2019 Fall Festival \$1,620 was collected from 27 vendors to reserve 29 spaces for the 2020 Fall Festival.
4. During September 2019, \$1,250 was collected from 5 businesses for a co-op ad in the CAA's 2019 vacation planner; and was given to the clerk to be deposited into the Publicity account 6410.400.

5. During September 2019, \$0 was collected towards the summer concert series; and was given to the clerk to be deposited into the Publicity account 6410.412.
6. The IABA's next regular meeting will be October 1<sup>st</sup>. This meeting will begin in Inlet Town Hall at 6:30 p.m. as a bag stuffing for Adirondack Kids Day. Once the bags are stuffed we will move to The Double Eagle for a brief meeting and some socializing. The November 6<sup>th</sup> meeting will be at The Bay Café & Market. **This meeting was moved to Wednesday for this month only.** This group has lots of great ideas and continues to work well together. Notes from IABA meetings can be found at [www.GoInletNY.com](http://www.GoInletNY.com). **You can pay your dues online! Now accepting dues for 2020!**
7. **Fern Park Master Plan Committee** will continue to meet on the fourth Tuesday of each month at 7:00 p.m. in the meeting room of Inlet Town Hall. Anyone interested in the future of Fern Park is welcome to attend. They hope to have a draft document ready soon, which they will share during a public meeting, yet to be scheduled.
8. I have finalized the 2020 lineup for the "Sunsets by the Lake" Summer Concert Series and have applied for a DEC Grant through the Adirondack Arts Center of the Lakes in Blue Mountain Lake. **Deadline for the application was September 16, which is a month earlier than usual.** The 2020 concerts can be found at [www.InletConcertSeries.com](http://www.InletConcertSeries.com)
9. **The Inlet Common School Board of Education** will continue to hold regular monthly meetings at the Inlet Common School on the second Wednesday of each month. They will continue conversations about future uses of the district's buildings and grounds.
10. Adirondack Kids Day report will be available upon request.
11. I am **currently working on** Adirondack Christmas on Main Street & New York Shootout. Lynn Durkin is working on getting kites again during Frozen Fire & Lights. The King & Queen Committee will have to start thinking about the 2020 royalty.
12. I am still thinking about ordering a 6' **sign for above the main entrance to town hall** that says "Information Office."
13. Keep checking [www.InletNY.com](http://www.InletNY.com), and send us all comments, suggestions, etc. We will also continue accepting photos, especially pictures with people in them enjoying Inlet! You can send pictures to [info@inletny.com](mailto:info@inletny.com). And if you have any interest in blogging about Inlet, we need bloggers!
14. Information Office Window Hours for October will be: Saturday-Monday 9:00 a.m.-6:00 p.m., Tuesday 8:00 a.m.-6:00 p.m., Wednesday & Thursday 8:00 a.m.-4:00 p.m., Friday 8:00 a.m.-6:00 p.m.
15. Margie will be covering hours in the office as needed until she returns working her regular part time hours starting January 1<sup>st</sup>.
16. Like Inlet, NY Information & Events on Facebook and then subscribe to our events to always know what's going on! Inlet is also on Instagram and Twitter!
17. Some events between this and the next town board meeting:
  - October 11 – Town of Webb UFSD's Columbus Day Parade, Bonfire & Alumni Game @ Old Forge
  - October 11 – Last Farmer's Market of season @ Old Forge
  - October 12 – Harvest Fair @ Long Lake Town Hall
  - October 12 & 13 – Columbus Day Soccer Tournament @ North Street
  - October 16 – Doterra Essential Oils Class @ Tamarack Café
  - October 17 – Book Club @ Inlet Public Library
  - October 18 – Blood Drive @ Raquette Lake School
  - October 18-19 – Halloween Autumn Adventure @ Old Forge Camping Resort
  - October 19 – Pumpkin Train @ Adirondack Scenic Railroad
  - October 25 – Inlet Youth Commission Halloween Parade & Party

- October 26 – Hunter’s Dinner @ Raquette Lake Fire Hall
- November 9 – Bowling Bus to Tupper Lake @ Raquette Lake

Dates for the rest of 2019 and into 2020:

- November 29-December 1 – Adirondack Christmas on Main Street
- December 8 – Cookie Swap @ Inlet Town Hall
- December 14 – New York Shootout @ Chip & Cindy Sauer’s Track
- January 24-25? – Inlet Barnstormers Poker Run
- February 29 – Frozen Fire & Lights @ Fern Park & Arrowhead Park
- March 14 – “Let’s Get Crooked!” @ Inlet Town Hall
- April 25 – Egg Hunt @ Arrowhead Park
- April 25 – Adult Egg Hunt @ Fern Park
- May 3 – Fire & Spice @ Seventh Lake House
- May 3 – Customer Appreciation Party @ Screamen Eagle
- May 6 – Community Pride Day
- May 15-16 – The “Otter” Paddlesports Event @ Frisky Otter Tours
- May 22-23 – Great Adirondack Garage Sale
- May 25 – Post #1402 Wreath Laying Ceremony @ Legion Square
- May 25 – Hamilton County Memorial Day Parade @ Inlet
- June 13 – Black Fly Challenge @ Arrowhead Park & Indian Lake School
- June 21? – Cousins Pancake Breakfast @ The Ole Barn
- July 4 – Ping Pong Ball Drop, Live Music & Fireworks
- July 11 – Dan Duggan & Peggy Lynn @ Arrowhead Lakefront
- July 18 – Karen Savoca & Pete Heitzman @ Arrowhead Lakefront
- July 18-19 – “Arts in the Park” @ Arrowhead Park
- July 25 – Inlet Classic Car Cruise & Show @ Arrowhead Park
- July 25? – Shakespeare in the Adirondack Park @ Arrowhead Park
- July 25 – Annie & the Hedonists @ Arrowhead Lakefront
- July 31? – “An Evening with the Symphony” @ The Woods Inn & Arrowhead Park
- August 1 – 6<sup>th</sup> & 7<sup>th</sup> Lakes Improvement Association Picnic @ Fern Park & Fireworks over Seventh Lake
- August 1 – Shrinking Violets @ Arrowhead Lakefront
- August 2 – Inlet Public Library Ice Cream Social
- August 2? – Army Band @ Arrowhead Park
- August 8 – Bill Staines @ Arrowhead Lakefront
- August 15 – Dan Berggren @ Arrowhead Lakefront
- August 16? – Gary Rudd Memorial Golf Tournament @ Inlet Golf Club
- August 22 – Fritz Henry @ Arrowhead Lakefront
- August 29 – Jim & Bonnie Tracy @ Arrowhead Lakefront
- September 5 – The Jam Bones @ Arrowhead Lakefront
- September 11 – Adirondack Canoe Classic passes through Inlet
- September 19-20 – Inlet Fall Festival @ Fern Park
- September 26? – IVES Clam Bake @ IVES Building
- October 3 – Adirondack Kids Day @ Arrowhead Park
- October 30 – Halloween Parade & Party @ IVES Building

**TOWN BOARD  
OF THE  
TOWN OF INLET, NEW YORK**

**CERTIFICATE OF CONSENT  
TO THE FORMATION OF A  
SEWAGE-WORKS CORPORATION**

The Town Board of the Town of Inlet, New York hereby consents to the formation of  
the:

**ROCKY POINT SEWAGE-WORKS CORPORATION**

pursuant to Article 10 of the New York State Transportation Corporations Law, for the purpose of operating a sewer system in the Town of Inlet (the “Town”), to be located in the vicinity of and provide service to residential units and related structures and improvements in and around the development commonly known as Rocky Point Properties, located in the general area of Rocky Point Lane and Rocky Point Circle in the Town.

This Certificate of Consent fulfills the requirement for municipal consent to incorporation set forth in New York State Transportation Corporations Law § 116.

This Certificate of Consent does not create any affirmative obligation for either the Town or the Town Board related to the Sewage-Works Corporation referenced above, including but not limited to any obligation to: (i) take or accept ownership of any septic system or any component thereof, (ii) operate any septic system or any component thereof, (iii) assume financial responsibility for any septic system or any component thereof, (iv) take or accept ownership of any right, title, or legal or beneficial interest the Sewage-Works Corporation referenced above, or (v) operate or manage the Sewage-Works Corporation referenced above.

The issuance of this Certificate of Consent was approved on the \_\_\_\_ day of \_\_\_\_\_, 2019.

## ESCROW AGREEMENT

This Escrow Agreement, dated as of \_\_\_\_\_, 2019 (this “**Agreement**”), is made by and among Rocky Point Homeowners Association, Inc., a New York not-for-profit corporation with a mailing address of 3892 Springmeadow Drive, Camillus, New York 13031, (“**Rocky Point HOA**”), the Town Board (the “**Local Governing Body**”) of the Town of Inlet (the “**Town**”), a municipal corporation located in Hamilton County, New York, with a mailing address of 160 NYS Route 28, Inlet, New York 13360, and Harter Secrest & Emery, LLP (the “**Escrow Agent**”), a domestic registered limited liability partnership with a mailing address of 1600 Bausch & Lomb Place, Rochester, New York 14604. Rocky Point HOA and the Local Governing Body are referred to collectively herein as the “**Escrow Parties**”.

WHEREAS, Rocky Point HOA is the sole shareholder of Rocky Point Sewage-Works Corporation, a New York sewage-works corporation organized pursuant to Section 3 and Article 10 of the New York State Transportation Corporations Law (the “**NYSTCL**”), with a mailing address of 3892 Springmeadow Drive, Camillus, New York 13031 (the “**Sewage-Works Corporation**”); and

WHEREAS, the Sewage-Works Corporation is being created for the purpose of operating an on-site wastewater treatment system (the “**Septic System**”) serving the townhouse complex known as Rocky Point, which is located on land accessed via the private roadways known as Rocky Point Lane and Rocky Point Circle in the Town; and

WHEREAS, the Sewage-Works Corporation is governed by Article 10 of the NYSTCL; and

WHEREAS, this Agreement is given by Rocky Point HOA in favor of the Local Governing Body to secure the obligations of the Sewage-Works Corporation as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Definitions.

(a) For purposes of this Agreement, the following terms shall have the following meanings:

“**Party**” shall mean each of Rocky Point HOA, the Local Governing Body, and the Escrow Agent.

“**Stock Certificate**” means Stock Certificate No. 1 representing 200 shares of common stock of the Sewage-Works Corporation owned by Rocky Point HOA.