

AN ORDINANCE REGULATING THE OPERATION OF MOTOR
BOATS UPON MARIAVILLE LAKE IN THE TOWN OF
DUANESBURG, COUNTY OF SCHENECTADY, STATE OF NEW YORK

Section one: Policy. It is hereby determined by the Town Board of the Town of Duanesburg, County of Schenectady, and State of New York that the reckless and unregulated operation of motor boats upon Mariaville Lake constitute a hazard to the health, welfare and safety to the citizens of said Town.

Section 2: Definitions.

- (A) Vessel: Shall mean any floating craft which is propelled in whole or part by mechanical power.
- (B) Operator: Shall mean any individual who operates or navigates a vessel.

Section 3: Speed Regulations. It shall be unlawful to operate any vessel upon Mariaville Lake at a speed in excess of ten (10) miles per hour except between the hours of 12:00 noon and 8:00 p.m. when such vessel may be operated at any reasonable and safe speeds.

Section 4: Distance from Shore. No vessel shall be operated within one hundred (100') feet of the shore at a speed in excess of five (5) miles per hour.

Section 5: Any violation of this ordinance shall be determined as an offense against such ordinance and shall be punishable by a fine not to exceed fifty (\$50.00) dollars.

Section 6: This ordinance to take effect immediately.

dated 8-15-80

Ether L. Vincent
Town Clerk

Hearing called to order at 7:10 P. M.

Present were Councilman Breitenstein, Councilman Rickard, Councilman Sleeper, Councilman Wilson and Deputy Supervisor Labelle. Absent-Supervisor Pavlic.

Pledge to the flag was led by Councilman Wilson.

Deputy Supervisor Labelle read the legal notice of public hearing.

Deputy Supervisor opened the privilege of the floor for comments on the ordinance.

Gene Yauchler R.D. 1, Delanson; Craig Panburn, Mariaville; Fletcher Dunn, Mariaville; Dave Weakley, Mariaville; Jim Kilgallen, Mariaville; spoke in favor of the change of hours. Lauren Smith, Mariaville said he was not against the ski team but was against the new hours.

Deputy Supervisor closed the public hearing after determining that everyone who wished to had spoken.

Regular August Meeting was called to order at 7:30 P.M., with all members present except Supervisor Pavlic. Also present was Attorney Caruso.

The Clerk read the minutes of the July 10 regular meeting. Councilman Wilson moved and 2nd by Councilman Breitenstein that the minutes be accepted as read. Adopted 4 Ayes

The Clerk read the minutes of the July 29 Public Hearing.

Councilman Wilson moved and 2nd by Councilman Breitenstein that the minutes be accepted as read. Adopted 4 Ayes

Councilman Wilson then introduced Sheriff Bernie Waldron who spoke about the lack of manpower to adequately patrol the Town of Duaneburg. He answered questions and asked the Board to speak to their Representatives to the County Board about getting more funds.

Deputy Supervisor opened the privilege of the floor.

Nancy Shaefer, Schoharie Turnpike presented a petition to the Board asking for a lower speed limit on Schoharie Turnpike between Route 20 and North Mansion Rd. Elbert Gallup, Quaker Street asked about the burned out building on Route 7.

Attorney Vito Caruso answered his questions and said he would be taking action on the ones referred to him by Mr. Strangeway.

Earl Miller, Bramans Corners thinks that people with the misfortune of having their house burn should not be harassed to clean it up.

George Lent, Duaneburg asked if volunteer groups couldn't help clean up burn outs, he spoke about the dust and noise pollution from the Duaneburg Airport and would like to see some restrictions put on the times they are allowed to fly and jump.

He asked what hours the Highway men work.

Gene Yauchler, Weaver Road said that night jumping is part of the sky-divers training.

Craig Panburn, Mariaville presented to the Board a copy of the budget for the Mariaville Fire Dept. for next year.

Alois Gross, Hardin Road asked about consolidating Fire Districts.

Howard Meyers said that Fire Districts will remain the same.

Earl Miller, Bramans Corners asked about the Burtonville Fire Dept.

Roy Kennedy, Duaneburg talked again about the noise and dust pollution from the trucks.

Walt Coons, Esperance Station Road would like to have a sign put on his road saying "Caution, Children Playing".

George Lent, Duaneburg would like to know when a hearing will be held on the proposed new amended zoning ordinance.

Gene Yauchler, Weaver Road said that the signs "Children at Play" were gone from Weaver Road.

Del Potter, Mariaville asked about the cost of a copy of the new proposed ordinance and the old Ordinance.

Deputy Supervisor closed the privilege to the floor.

COMMUNICATIONS & PETITIONS

Deputy Supervisor read a letter from Robert Lane, Esperance Town Supervisor concerning Cable Television.

Resolution # 68-80--Councilman Wilson moved and 2nd by Councilman Breitenstein that the Town request a study to lower speed limits on Schoharie Turnpike from Route 20 to North Mansion Road. Adopted 4 Ayes

August 14 Meeting Con't:

COMMITTEES

Building & Grounds--No report

Deputy Supervisor read the Building Inspector, Town Clerk and Assessors Report.

Highway--Councilman Wilson read the Highway Sup't Report.

Youth Rec. Councilwoman Sleeper said that the Youth Rec. program is finished and has been a fine program with a competent staff. They are going to start in Sept. to plan next years program so that they can try to have a swimming program.

SPECIAL ORDERS

Councilman Wilson moved amd 2nd by Councilman Breitenstein that the Highway bills be paid as audited. Adopted 4 Ayes

Councilman Rickard moved and 2nd by Councilwoman Sleeper that the General bills be paid as audited. Adopted 4 Ayes

UNFINISHED BUSINESS--None

NEW BUSINESS

Deputy Supervisor Labelle spoke about some raw sewage in Mariaville that needs to be checked.

Councilman Rickard brought up the matter of rock festivals and Attorney Caruso said there are State Laws that can be used to control them.

Resolution # 69-80--Councilman Wilson moved and 2nd by Councilman Rickard that Ed. Strangeway be appointed to represent the Board at Sch'dy. Co. En-con concerning the aquifer. Adopted 4 Ayes

Resolution # 70-80--Councilman Breitenstein moved and 2nd by Councilwoman Sleeper that the Board rescind the Ordinance entitled "AN ORDINANCE REGULATING THE OPERATION OF MOTOR BOATS ON MARIAVILLE LAKE IN THE TOWN OF DUANESBURG, COUNTY OF SCHENECTADY, STATE OF NEW YORK passed on July 12, 1973, and adopt a new ordinance reading the same except for Section 3-Speed regulations to read 12 noon to 8 P.M. instead of 1 P.M. to 7:30 P.M., effective immediately. Adopted 3 Ayes, Breitenstein, Wilson, Sleeper, 1 No Rickard. (A copy of ordinance attached to minutes.)

Resolution # 71-80--Councilman Wilson moved and 2nd by Councilman Breitenstein the following resolution:

WHEREAS the Town of Duanesburg does not have its own police force, and

WHEREAS the Town of Duanesburg does not receive adequate police protection, and

WHEREAS the present Schenectady County budget does not adequately fund the Schenectady County Sheriff Department to the extent necessary to provide the protection required for the residents of the Town of Duanesburg,

NOW THEREFORE, BE IT RESOLVED, that the Town of Duanesburg Board requests that the Sch'dy County Board of Representatives appropriate the necessary funds to provide one additional officer for each of the three work shifts and the necessary extra vehicle such as to provide adequate police protection to the residents of the Town of Duanesburg. Adopted 4 Ayes

A copy of this resolution to be sent to the Board of Representatives and the three representatives of District 4.

Councilman Rickard moved and 2nd by Councilman Breitenstein that the meeting adjourn.

Meeting adjourned at 9:05 P.M.

Esther L. Vincent
Town Clerk