

Minutes of the Regular Meeting of the Board of Trustees of the Village of Lake George, NY, held at the Village Administration Building on Monday, July 20, 2009, at 7:00 p.m.

MEMBERS PRESENT: Robert M. Blais, Mayor
John Earl, Trustee
Ray Perry, Trustee
John Root, Trustee
Joseph Mastrodomenico, Jr., Trustee

Also Present: Darlene Gunther (Clerk-Treasurer), Deb McKinney (Deputy Clerk-Treasurer), Chris Navitsky (Waterkeeper), Scott Dunklee, Fred Austin, and Thom Randall (Adirondack Journal).

At 7:05 p.m. Mayor Blais opened the meeting and led the Pledge of Allegiance.

Prior to this meeting, the Dissolution Committee held a meeting for the purpose of taking a vote on whether to present the Dissolution Study to the Village Board. They voted to pass the Study on for Board review. Mayor Blais thanked the committee members for the work that they've done. The Village Board will hold a Special Meeting to discuss the contents of the study and consider passing it on for public vote.

Mayor Blais asked for approval of minutes of the Special Meetings held on June 30 and July 7, 2009. A motion by Trustee Root, seconded by Trustee Earl, carried unanimously to approve the minutes.

VOTING Ayes: 5 Blais, Earl, Perry, Root, Mastrodomenico
Nays: 0

MOTION PASSED.

Monthly reports from the Sanitation Department, Peace Officers and Meter Enforcement, Beautification/Landscaping, Enforcement Officer, Fire Department, REC Center, and Superintendent of Public Works were presented and made available for inspection.

The Village received a letter dated July 10, 2009 from Lt. Thomas Caifa of NYS DEC confirming violation of the permit in regards to the recent sewer spill at Shepard Park beach. Formal enforcement is proceeding. Mayor Blais has been in contact with DEC officials and should receive additional correspondence relating to the violation in the near future at which time the Board will convene for discussion of same.

As a result of the sewer emergency, Entec was hired to check the thickness of the other two wyes. The other two were in excellent condition. The wye that failed wore much faster than expected. NYS DOH has been taking samples from the lake on a regular basis since the spill and will be taking samples on Tuesday and Wednesday. Last Friday's sample was almost within limits. DOH is optimistic that the beach will be opened on this Friday. Village staff will be regrading, adjusting slopes and moving buoy lines to comply with DOH in preparation for the opening. Mayor Blais asked the Board to officially approve the testing which has already been completed. A verbal quote of \$1,500. to \$2,000. was given by Tom Flaherty.

Mayor Blais, seconded by Trustee Mastrodomenico, offered the following resolution:

RESOLUTION NO. 74, 2009

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George hereby approves T. K. Flaherty Associates to test the thickness of the other two pipes at the Shepard Park Pump Station for their structural reliability.

VOTING Ayes: 5 Blais, Earl, Perry, Root, Mastrodomenico
Nays: 0

RESOLUTION NO. 74, 2009 ADOPTED.

July 20, 2009

Operator Burlingame submitted a price quote of \$4,400. from Integrated Control Systems for the installation of two floats in the drywell for flood detection for the Shepard Park Pump Station. He is anticipating that these additional sensors will be recommended by NYS DEC. Mayor Blais suggested that since it has not been determined where the sewer break repair funds are coming from yet, that the funds for this come from Contingency.

Trustee Perry, seconded by Trustee Root, offered the following resolution:

RESOLUTION NO. 75, 2009

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George hereby authorizes the purchase and installation of a flood detection system for the drywells at the Shepard Park Pump Station from Control Systems at a price of \$4,400.

VOTING Ayes: 5 Blais, Earl, Perry, Root, Mastrodomenico
Nays: 0

RESOLUTION NO. 75, 2009 ADOPTED.

July 20, 2009

Clerk-Treasurer Darlene Gunther asked for consideration to waive the penalties on the Village tax bill for the Gaslight Village property which will be paid by Warren County, Town of Lake George, and Village of Lake George.

Trustee Perry, seconded by Trustee Mastrodomenico, offered the following resolution:

RESOLUTION NO. 76, 2009

WHEREAS, the Village of Lake George, by law, is unable to accept payments without penalty after July 1st,

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George, NY hereby waives the penalties on the Gaslight Village property in the amount of \$331.35 due to the fact that the Village, Town, and County own this parcel, and

BE IT FURTHER RESOLVED, that the County of Warren will pay 62% of the taxes, the Town of Lake George will pay 19%, and the Village of Lake George will pay 19% which is their shares of ownership.

VOTING

Ayes: 5

Blais, Earl, Perry, Root, Mastrodomenico

Nays: 0

RESOLUTION NO. 76, 2009 ADOPTED.

July 20, 2009

Superintendent Burlingame requested that the employee handbook be revised to reflect that no more than one employee per department may take vacation of one work week or five days from April 15th through September 15th or at the discretion of the department head. This is the busiest time of year, and there have been instances of too many employees on vacation during this time.

Trustee Root, seconded by Trustee Mastrodomenico, offered the following resolution to amend the Village Employee Handbook.

RESOLUTION NO. 77, 2009

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B. Vacation

1. After completion of 1 year of employment:
 - 1 year - two weeks
 - 5 years - three weeks
 - 10 years - four weeks - prior to April 7, 1980
 - after that date, vacation will be three weeks.
2. Vacation time may be accumulated for two years and must be taken within the employee's anniversary year.
3. Department heads shall submit to the Mayor, after being approved by the respective Commissioner, a schedule of all planned vacations for themselves and all personnel for the period March 1st to August 31st and September 1st to February 28th of the following year, no later than February 15th and August 15th.
4. All approved vacation times will be entered on a yearly chart, kept by the Payroll Clerk. Choice of date will be according to seniority. No more than one employee in each department shall be permitted a vacation leave at the same time which shall be no more than one work week or five days between ~~May 1st~~ April 15th and September 15th annually or at the discretion of the Department Head. One department head and one laborer may be gone at the same time. Department Heads will not be allowed to take vacation or approved absences during the following times: Memorial Day Weekend; Americade; 4th of July Weekend; Labor Day Weekend; Adirondack National Car Show or any other large event taking place in the Village of Lake George unless they are available to respond to emergencies in a reasonable amount of time.

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VOTING Ayes: 5 Blais, Earl, Perry, Root, Mastrodomenico
Nays: 0

RESOLUTION NO. 77, 2009 ADOPTED.

July 20, 2009

Mayor Blais reported that since the law requiring that trash containers within 25' of the public right-of-way be screened or fenced off was enacted, he has heard from several businesses requesting an extension. The law took effect immediately, but the letters sent out by the Enforcement Officer gave the owners 30 days to comply. The Mayor asked the Board if they would like to consider extending the deadline for compliance to August 1st. After some discussion the Board agreed that the law stands and deadlines will remain as is.

Mayor Blais noted that there are proposed changes to seven local laws. He asked the Board to review them and set public hearings for the next regular meeting scheduled for August 17.

The current building height restriction of 40 feet was discussed. As it stands Village Code allows for 40 foot buildings in the RMU, CMU, and CR zones. Any proposed building greater than 40 feet requires a Village variance and an APA permit. The Board agreed that they would like the Planning Board to review the height requirements for possible revision.

Mayor Blais reported that extensive work has been done in construction of the new football field at the REC Center all at no cost to the Village. Antonio Abrantes, who owns the Cutting Edge Group and donated everything, is asking the Village Board to consider naming it "Edge Field".

Trustee Perry, seconded by Trustee Earl, offered the following resolution:

RESOLUTION NO. 78, 2009

WHEREAS, Cutting Edge Group has donated all the materials and labor for the new football field at the REC Center,

BE IT RESOLVED, that the Village Board agrees to name the field, "Edge Field" in their honor and allow them to purchase a sign that meets the Village Board's approval.

VOTING Ayes: 5 Blais, Earl, Perry, Root, Mastrodomenico
Nays: 0

RESOLUTION NO. 78, 2009 ADOPTED.

July 20, 2009

Mayor Blais asked that the Heritage Photography decision be tabled until we know if the Town will be joining us in this project.

Mayor Blais asked Fred Austin to explain the Fort William Henry's request about the use of carts. Apparently the Fort has had two hot dog carts on their business license

since 1983. Due to a mix-up a couple of years ago the hot dog carts are no longer being paid for on the license, but the Fort thought they were still included. Their carts were grandfathered prior to the law prohibiting carts. The Fort would like to continue using the two hot dog carts on their own property as in previous years.

Mayor Blais, seconded by Trustee Root, offered the following resolution:

RESOLUTION NO. 79, 2009

WHEREAS, there was a bookkeeping error on behalf of the Fort William Henry staff in neglecting to renew their business license for their “Fort Carts” for the past two years,

BE IT RESOLVED, that the Board of Trustees agree that the “Fort Carts” have been in business the entire time and for several years before that and should still be grandfathered under the new zoning laws.

VOTING Ayes: 5 Blais, Earl, Perry, Root, Mastrodomenico
Nays: 0

RESOLUTION NO. 79, 2009 ADOPTED. July 20, 2009

Mayor Blais has become aware of and was encouraged to apply for some local revitalization funding that is available, both as 50% matching grants from DOS and 90% coverage stimulus dollars. Nine years ago the Village had Saratoga Associates complete construction documents for improvements to the West Side of Canada Street. ELAN submitted a price quote of \$3,400. to prepare an application for funding; Ron Mogren is willing to work by the hour to modify the current design plans. The first deadline is September 16. If approved for funding, the Village would have three to five years to complete the work.

Trustee Perry, seconded by Trustee Earl, offered the following resolution:

RESOLUTION NO. 80, 2009

BE IT RESOLVED, that ELAN and Design, Inc. is hereby hired to write a grant application for funding for improvements to the West Side of Canada Street at a cost of \$3,400. plus standard reimbursable expenses, and

BE IT FURTHER RESOLVED, that Robert M. Blais, as Mayor of the Village of Lake George, is hereby authorized and directed to sign such application for funding from the New York State Department of State for improvements to the West Side of Canada Street.

VOTING Ayes: 5 Blais, Earl, Perry, Root, Mastrodomenico
Nays: 0

RESOLUTION NO. 80, 2009 ADOPTED. July 20, 2009

A proposal to setup the Boardroom with microphones, speakers, and a digital recorder was prepared by Adirondack Audio & Video. The quote is more than the

\$2,000. budgeted for this purpose. The Board agreed that this is not a priority right now. They suggested that since the recorder we're using now is not working well, we purchase a new small recorder and get more quotes for a total sound system.

Trustee Earl, seconded by Trustee Root, offered the following resolution for water changes:

RESOLUTION NO. 81, 2009

JULY PENALTIES **\$ 783.47**

FINAL READS:

P Savino	633	\$	46.71
D Zennaiter	641	\$	46.71
J Mangieri	3092	\$	54.59
LG Forum	3304	\$	62.23

ADJUSTMENTS:

T Lanspery	4359	\$.88
P Gratton	4251	\$.88

The above resulted in the following Journal Entries:

Dr	F0350 WATER RECEIVABLE	\$ 783.47
	Cr F2148 WATER PENALTIES	\$ 783.47

Dr	F0350 WATER RECEIVABLE	\$ 210.24
	Cr F2140 WATER METERED	\$ 210.24

Dr	F2148 WATER PENALTIES	\$ 1.76
	Cr F0350 WATER RECEIVABLE	\$ 1.76

VOTING	Ayes: 5	Blais, Earl, Perry, Root, Mastrodomenico
	Nays: 0	

RESOLUTION NO. 81, 2009 ADOPTED.

July 20, 2009

Trustee Earl, seconded by Trustee Root, offered the following resolution for transfers and audits:

RESOLUTION NO. 82, 2009

Transfers

From:	To:	Amount:
A1990.4 Contingency	A8120.4 Sanitary Sewer	\$4,400.00

			Voucher	Check
6/18/2009	General	\$60,215.57		
	Water	\$7,210.00		
	Firehouse	\$104,535.94		
	Trickling	\$660.00	100098-100104	18662-18667
		<u>\$172,621.51</u>		
7/1/2009	General	\$80,192.04		
	Water	\$18,011.82	100105-100127	18668-18674
	Trickling Building	\$930.00		
		<u>\$99,133.86</u>		
7/16/2009	General	\$64,306.12	100128-100131	18675-18677
	Water	\$7,986.37	100159-100160	
	Trickling	\$600.00		
		<u>\$72,892.49</u>		
7/20/2009	General	\$263,340.91		
	Water	\$25,142.77	100132-100158	18678-18805
	Firehouse	\$119,832.43	100161-100312	
	Trickling	\$185,874.42		
		<u>\$594,190.53</u>		

VOTING **Ayes: 5** **Blais, Earl, Perry, Root, Mastrodomenico**
Nays: 0

RESOLUTION NO. 82, 2009 ADOPTED. **July 20, 2009**

Mayor Blais expressed appreciation to the DPW and his Secretary Denise Snyder for helping to make the HVVFA Convention parade a success.

Mayor Blais asked the Board to consider residential and commercial nominations for the 2009 Beautification Awards

Mayor Blais asked for any other business.

- Scott Dunklee asked the Board to consider allowing additional parking periods for Family Fest Week, Labor Day and all weekends. A motion by Trustee Mastrodomenico, seconded by Trustee Perry, carried unanimously to approve adding Friday and Saturday of Family Fest and Labor Day Weekend to the list.

VOTING **Ayes: 5** **Blais, Earl, Perry, Root, Mastrodomenico**
Nays: 0

MOTION PASSED.

- Trustee Mastrodomenico noted that he received two tickets for overtime parking, one for his vehicle and one for his trailer. He suggested that on slow days the meter enforcement officers could be a little more lenient.

- Mayor Blais extended his appreciation to Waterkeeper Chris Navitsky for his support during the sewer spill.
- Trustee Root announced that the new building over the trickling filters is primarily complete and looks good. He then asked if there was any news on the liquor license delays. Mayor Blais noted that there are still no answers.
- Trustee Earl reported that the final inspection of the new firehouse was completed on Tuesday. The majority of issues that required further action have been completed.

Mayor Blais reminded the Board that when the anticipated correspondence from NYS DEC arrives, a special meeting will be called. An attorney will need to be hired to represent the Village. The Board will discuss the Dissolution Study at that meeting also.

There was a motion by Trustee Root to adjourn at 8:15 p.m.

Respectfully submitted,

Debra J. McKinney, CPPB
Purchasing Agent
Deputy Clerk-Treasurer