

Minutes of the Regular Meeting and Public Hearing of the Board of Trustees of the Village of Lake George, NY, held on Monday, November 15, 2021 at 4:30 p.m. Zoom teleconferencing was also available.

MEMBERS PRESENT: Robert M. Blais, Mayor
John Earl, Deputy Mayor
Joseph Mastrodomenico, Trustee (arrived at 4:47 p.m.)
Ray Perry, Trustee
John Root, Trustee

Also Present: Clerk Debra McKinney, Superintendent Keith Lanfear, WWTP Operator Tim Shudt, Tony Hall (Lake George Mirror) and others via Zoom.

At 4:30 p.m. Mayor Blais opened the Regular Meeting and asked Trustee Root to lead the Pledge of Allegiance.

Mayor Blais presented the minutes from a Regular Meeting held on October 18, 2021. Trustee Root made a motion, seconded by Trustee Perry, unanimously carried to approve the minutes from the Regular Meeting held on October 18, 2021.

VOTING	Ayes: 4	Blais, Earl, Perry, Root
	Nays: 0	
	Absent: 1	Mastrodomenico
		MOTION PASSED.

Mayor Blais announced that there was a Public Hearing held on October 18 for Proposed Local Law No. 8, 2021 Amending Chapter 220, "ZONING" Sections 37 and 101 entitled Recreational Facilities and Amusements, and Attachment 1. This Proposed Local Law is now it is ready for the Board to consider adoption.

Motion by Trustee Perry, seconded by Trustee Earl, the Village of Lake George Board of Trustees hereby adopts and enacts proposed Local Law No 8, 2021 Amending Chapter 220, "ZONING" Sections 37 and 101 entitled Recreational Facilities and Amusements.

**LOCAL LAW NO. 8, 2021
AMENDING CHAPTER 220
To the Code of the Village of Lake George
"ZONING"**

Be it enacted by the Board of Trustees of the Village of Lake George, in the County of Warren, State of New York, as follows:

**Chapter 220
ZONING**

§1. Purpose and Intent.

The purpose and intent of this Local Law is to adopt updated land use regulations relating to amusements in the Village of Lake George. Unregulated amusements in the Village of Lake George have the potential to negatively impact adjoining land uses on property within the Village, and the health, safety and welfare of residents and visitors alike, and the Board of Trustees wishes to enact reasonable regulations relating to same.

§2. Amend Village Code §220-37.

An updated §220-37 is amended as follows:

§ 220-37 ~~Planned recreational development standards; miniature golf courses.~~ **Recreational Facilities and Amusements.**

A. General standards. These standards apply to all outdoor recreational facilities and amusements in the Village of Lake George, including but not limited to amusement parks/planned recreational developments, mini-golf courses, recreational facilities or commercial recreational facilities.

(1) Bulk requirements.

- a. No amusement ride or recreational facility shall ~~be exceed~~ taller than 30 feet in height as measured from the ground level before construction or after, whichever results in the lower height limit in the Village.
- b. Amusement rides or other amusement/attraction structures that ~~are~~ ~~over~~exceed 20 feet in height measured from the ground level before construction or after, whichever results in the lower height limit, will be required to be situated on the interior of the lot or business. Structures over 20 feet in height measured from the ground level before construction or after, whichever results in the lower height limit, shall be set back from the public right-of-way by a minimum of 10 feet or ½ the height of the amusement/attraction (whichever is more), and screened from public view as best as possible.
- c. Amusement Parks and businesses that host Amusement Rides and Amusement Devices shall provide adequate space for line “queues” and waiting patrons within their own property. Waiting lines and gatherings are prohibited on the Village right-of-way or sidewalks.

(2) Lighting.

- a. Outdoor lighting at Amusement Parks, Recreational Facilities, and Commercial Recreational Facilities and on Amusement Rides and Amusement Devices ARE required to be down lit and dark sky compliant, pursuant to the International Dark Sky Association standard, and should not result in any light “trespass” beyond property lines.
- b. Lighting projection devices or light displays shall be shielded from public view where possible so as to minimize disturbance to surrounding properties.

- c. Lighting on buildings, attractions or amusements shall be a maximum of 3 colors (if colored lights), and shall not include neon or fluorescent lighting.

(3) Sound and Noise.

- a. Sound projection devices shall be oriented so as to minimize disturbance to surrounding properties, and to minimize the amount of noise heard from the public right-of-way.
- b. Any and all sound projection shall adhere to the Village Noise Ordinance, Chapter 220, Appendix B.

(4) Landscaping. A landscaping plan shall be required for all outdoor amusements and planned recreational developments.

(5) Special Events.

- a. Lighting displays, musical events and/or the use of screens for projection of images or video is allowed as part of a special event, after approval by the Planning Board and Village Trustees.

(6) Accessory Amenities at Hotels/Motels.

- a. Hotels/Motels are permitted to have recreational facilities as accessory amenities, and shall not require Planning Board approval for those, individually. Commercial recreational facilities shall require Planning Board approval, regardless of their utilization as an accessory amenity or a principal use.
- b. Permitted accessory recreational amenities allowed at hotels/motels can include mini-golf, individual rides, playgrounds, game rooms, sports courts and other privately owned recreational facilities.
- c. A hotel/motel may be allowed to utilize part of their property for a drive-in theater or outdoor theater and for screen projection or tailgating purposes, following Site Plan Approval by the Planning Board. The hotel/motel utilizing this provision must obtain Site Plan Review approval, and must prove to the Planning Board during review that they have adequate space for the temporary use, that they can meet minimum parking requirements stipulated by the Planning Board, and they shall prove to the Planning Board there will be no adverse impacts to traffic, circulation, lighting, or noise from the proposed use.

A.B. Planned Recreational Developments/Amusement Parks and Arcade Standards.

- (1) The amusement rides, amusement devices, recreational facilities and incidental uses located on the same lot or part of the same development shall be treated as

a single business for the purposes of the sign provisions of this chapter.

- (2) There shall be only one major public entrance to ~~the~~ a planned recreational development, and incidental uses shall be oriented towards the center of the recreational use. Public access to the incidental uses shall be available only from the interior of the development. Two public entrances may be allowed if the site of the planned recreational development is on a corner lot.

~~(3) Off street parking shall be provided for employees and staff.~~

~~(4) Lighting and sound projection devices shall be oriented so as to minimize disturbance to surrounding properties.~~

- (~~35~~) All rides of any nature, including but not limited to kiddie rides, train rides, car rides, bumper cars, moon walks, sky slides, water slides, race tracks, and so forth, must be completely enclosed in an appropriate building or an outdoor area enclosed by a fence or similar barrier or enclosure, and, in the Commercial Mixed Use district except in the Commercial Resort District, unless the rides are located within a building, cannot have direct access onto or from a public sidewalk and must have an entrance/exit located within the private property.

- (~~46~~) Games of skill or chance will be permitted only in a completely enclosed building of a permanent nature except in a designated amusement park. More than three games at one location will constitute an arcade and must meet the requirements hereinafter set forth. Those locations that have prize redemption for games of skill or chance shall be considered an Arcade for purposes of this chapter. Establishments that do not have prize redemption shall not be considered Arcades.

- (~~57~~) Arcades must be housed in a suitable structure with access to the sidewalk with no more than one openings of no greater than seven feet by 10 feet on each street frontage. In no event may access doors, if more than one is permitted, be closer than 20 feet to one another. Doors must be folding, sliding, double or single. No overhead, garage-type doors are permitted. More than one public entrance may be allowed if the site of an arcade is on a corner lot.

- (~~68~~) No land, including any building thereon, may be used for the operation of a drive-in theater as a primary use. Pursuant to the provisions in this chapter, temporary drive-in theaters can be utilized at hotel/motel sites, as an accessory amenity, after receiving Site Plan approval from the Planning Board.

C. B. Miniature golf courses.

- (1) A suitable fence or screen planting shall be provided around the entire playing area of the course.
- (2) Applicant must plant at least one tree for each proposed hole.
- (3) All devices included in the playing course shall not exceed a height greater than eight feet from the ground.
- (4) A suitable fence or screen planting six feet in height shall be provided where the

course abuts any residential street or private dwelling.

D. Entertainment Centers and Indoor Amusement Facilities

(1) Entertainment centers shall obtain Site Plan approval from the Planning Board in any zoning district they are allowed, and must follow any applicable provisions of this code that relate to the utilization of indoor space for amusements and/or entertainment.

§3. Attach Amended Use Table. The attached Use Table shall amend the previous, detailed in §220-18 of the Code, and found as Attachment 1 to that chapter.

§4. Amend §220-101. Definitions. The following definitions are added or amended in §220-101 of the Code.

ARCADE – See “indoor amusement facility.” Those locations that have prize redemption for games of skill or chance shall be considered an Arcade for purposes of this chapter. Establishments that do not have prize redemption shall not be considered Arcades.

ACCESSORY AMENITIES – Amenities that are offered, as an accessory to a primary use, including but not limited to amenities offered to guests at a hotel/motel.

AMUSEMENTS – Shall include any Amusement Parks, and any Amusement Rides or Amusement Devices at sites that may not otherwise be known as Amusement Parks.

MINI-GOLF COURSE – A golf course, of miniature size and scale, that is solely focused on the putting aspect of the game of golf. Public mini-golf courses shall be those that are run solely as business entities that welcome any guests for a fee. Private mini-golf courses shall be those that are located at, and accessory to, primary uses such as Hotels/Motels or Amusement Parks.

§5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§6. Effective date.

This section shall take effect upon filing in the office of the Secretary of State of New York State.

...

ZONING

220 Attachment 1 Village of Lake George Use Table

[Amended 12-15-2008 by L.L. No. 16-2008; 5-27-2009 by L.L. No. 4-2009; 3-15-2010 by L.L. No. 4-2010; 4-19-2010 by L.L. No. 6-2010; 11-15-2010 by L.L. No. 17-2010; 7-18-2011 by L.L. No. 7-2011; 7-22-2013 by L.L. No. 4-2013; 9-22-2014 by L.L. No. 6-2014; 8-15-2016 by L.L. No. 5-2016; 11-15-21 by L.L. No. X-2021]

KEY:

- X = Indicates that the use is permitted.
SP = Indicates that the use requires a special permit.

Uses	Zones			
	R Residential	RMU Residential Mixed-Use	CMU Commercial Mixed-Use	CR Commercial Resort ¹
Accessory antenna	X	X	X	X
Accommodations			SP	X
Adult uses				X ⁴
Amusement park			<u>X</u>	X
<u>Arcade</u>			<u>X</u>	
Bank			X	X
Bed-and-breakfast		SP	X	
Boardinghouse, level one	X	X	X	
Boardinghouse, level two		X	X	
Boat launch			SP	X
Boat storage			X	X
Day-care center		SP	SP	
Day-care, family	X	X	X	
Day-care, family group		X	X	
Docking facilities, temporary and permanent			X	X
Drive-through use			SP ²	SP ²
Dwelling unit		SP	X ³	
Dwelling, apartment house		SP	X ³	
Dwelling, multifamily		X	X ³	
Dwelling, single-family	X	X	X ³	
Dwelling, timeshare			SP ³	X ³
Dwelling, two-family		X	X ³	
Dwelling, townhouse, level one		X	X ³	
Dwelling, townhouse, level two			X ³	
Dwelling, upper floor residential	X	X	X	
Entertainment center			X	X
Essential service	X	X	X	X
Funeral home		SP	X	X

VILLAGE OF LAKE GEORGE CODE

Uses	Zones			
	R Residential	RMU Residential Mixed-Use	CMU Commercial Mixed-Use	CR Commercial Resort ¹
Garden center			SP	X
Health club			X	X
Hotel/motel			SP	X
Inn			SP	X
Home occupation, level one	X	X	X	
Home occupation, level two		X	X	
Libraries			X	X
Light industry			SP	
Marina			SP	X
<u>Mini-golf Course</u>			<u>X</u>	<u>X</u>
Museum			X	X
Outdoor bar				X
Parking lot, commercial			X	X
<u>Planned Recreational Development</u>			<u>X</u>	<u>X</u>
Professional office			X	X
Professional offices, neighborhood		SP	X	X
Public buildings		X	X	X
<u>Recreation facilities</u>			<u>XSP</u>	X
<u>Recreation facility, Commercial</u>			<u>X</u>	<u>X</u>
Redesign of existing hotel/motel	SP	SP	SP	X
Restaurants, fast-food			SP	X
Restaurants, full-service			SP	X
Retail, general			X	X
Retail, neighborhood commercial		SP	X	X
Schools			X	
Service station			SP	SP
Short-term residential rental			X	X
Swimming pool, private	X	X	X	X
Tavern			SP	X
Tent			X	X
Theater ⁵			X	X
Water-based activities			X	X

NOTES:

¹ Any development in the CR District that is adjoining an existing residential use at the time of application for site plan shall be subject to a special permit.

² Drive-through uses in the CMU District shall be permitted only south of McGillis and west of Canada Street. Drive-through uses in the CR District shall not be permitted south of lower Montcalm and north of Beach Road.

³ Residential uses for properties fronting both sides of Canada Street between Sewell Street and Mountain Drive and for properties abutting Lake George between McGillis Avenue and Amherst Street in the CMU and CR Districts are prohibited from locating on the street level.

⁴ Please note provisions of Chapter 55, Adult Uses.

⁵ Please see 220-37 regarding provision for Drive-In Theater as an accessory amenity.

Explanation: New Material is underlined. Deleted Material is in {brackets.}

VOTING **Ayes: 4** **Blais, Earl, Perry, Root**
 Nays: 0
 Absent: 1 **Mastrodomenico**

LOCAL LAW NO. 8, 2021 ADOPTED

November 15, 2021

At 4:37 p.m. Mayor Blais opened a Public Hearing on Proposed Local Law No. A, 2021 requesting that the Cannabis Control Board of the State of New York prohibit the establishment of retail dispensary licenses and on-site consumption licenses in the Village of Lake George. He left the floor open for comment.

Monthly reports from the Sanitation Department and Caldwell Sewer District, Superintendent of Public Works, Fire Department, Teen Center, Planning & Zoning Office, Parking Meter Collections, Meter Enforcement, and REC Center were presented and made available to the public.

Mayor Blais commented that there was an application for membership for the Fire Department. Ryan Russell previously applied to become a mutual aid member, but now lives locally. Mayor Blais interviewed him and noted that he was a member of another department for two years prior and recommended him for approval by the Board.

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

RESOLUTION NO. 173, 2021

WHEREAS Ryan Russell, a resident of 29 Mockingbird Hill Road in Lake George, has applied for membership in the Village of Lake George Fire Department; and

WHEREAS Mr. Russell has been recommended by the Fire Company and interviewed by Mayor Blais is being recommended for approval by the Village Board;

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George hereby approves Ryan Russell for membership in the Lake George Fire Department effective immediately pending satisfactory physicals and background checks.

VOTING **Ayes: 4** **Blais, Earl, Root, Perry**
 Nays: 0
 Absent: 1 **Mastrodomenico**

RESOLUTION NO. 173, 2021 ADOPTED

November 15, 2021

The following correspondence was reviewed:

- Edward Pontacoloni wrote following up concerning the use of the Fort William Henry Carriage House to establish a Performing Arts Center. Mayor Blais commented that they are looking for the Village and Town to work together to make this a reality. He noted that the Fort is not interested in turning over ownership of the building. Mayor Blais has spoken with Attorney Meyers about the legality of a Village investment in property that does not belong to us and will follow up with the Board at a later date.

- Gina Mintzer, LG Regional Chamber of Commerce sent notice that the curtailed Trolley Service impacted the 2021 season. She noted that their office will continue to assist in any way to promote the services.

Mayor Blais reported that the Teen Center under the direction of Jennifer Dell'olio is doing very well, and their attendance has increased. The IMA with the Town for the shared service needs to be renewed.

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

RESOLUTION NO. 174, 2021

WHEREAS, the Village and Town wish to enter into an intermunicipal agreement for shared services for the Teen Center; and

WHEREAS, the Town owns and maintains a building known as the Senior Center at 22 Schuyler Street, Lake George, and this location has served well as a Teen Center;

WHEREAS, we believe that such use is a benefit to both communities in providing a suitable location for teen activities, approximately eight (8) hours per week, generally during the school year; and

WHEREAS, the Town and Village will contribute \$7,500.00 each year towards the operation of such center. The Town payment due on February 1 and the Village to budget for the Teen Center account; and

WHEREAS, the Village hereby agrees to administer and oversee the operation and financial responsibilities of the Teen Center, including the budget, payroll and activities.

NOW, THEREFORE, IT IS HEREBY AGREED by the Village and Town that we are desirous of contracting with each other for the use of the Senior Center and the sharing of the above amount in funding the annual budget of the Teen Center. This agreement is to commence on January 1, 2022 and end on December 31, 2022.

BE IT RESOLVED that the Village Board of Trustees authorizes Mayor Robert M. Blais to sign on behalf of the Village.

**VOTING Ayes: 4 Blais, Earl, Root, Perry
 Nays: 0
 Absent: 1 Mastrodomenico**

RESOLUTION NO. 174, 2021 ADOPTED

November 15, 2021

Ms. Dell'olio has scheduled a trip for 10-12 students to attend an Archery Class at the Cornell Cooperative Extension in Warrensburg on November 18 and December 2, 2021 at a cost of \$10. each. The Board approved the training. Mayor Blais acknowledged a donation of \$495. for the Teen Center from Lake George Central School District.

Clerk Deb McKinney reviewed the following resolutions for consideration:

- RFP for Audit Services – An RFP was sent out for auditing services for the prior fiscal year. This is the second RFP; there were no responses the first time. This time one proposal was received from Lutz, Selig & Zeronda, LLP. The estimated overall fee

would be \$13,500. to \$15,500. Mary MacKrell, CPA is the partner listed who would be responsible for supervising the engagement. She does work for the Town of Lake George and comes highly recommended. Clerk McKinney made note that \$10,000. was budgeted for audit services; the balance will have to be transferred from contingency.

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

RESOLUTION NO. 175, 2021

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George hereby awards the audit proposed on November 9, 2021 for the fiscal year ending 5/31/2021 to the Lutz, Selig & Zeronda, LLP at an estimated overall fee of \$13,500. to \$15,500.

VOTING	Ayes: 4	Blais, Earl, Perry, Root
	Nays: 0	
	Absent: 1	Mastrodomenico

RESOLUTION NO. 175, 2021 ADOPTED **November 15, 2021**

- WWTP Capital Payments

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

RESOLUTION NO. 176, 2021

BE IT RESOLVED, that the Village Board authorizes payment to be processed for the WWTP capital project for EFC Payment Requests, which currently includes: Uline, Hach, Chazen Companies and Blue Heron Construction among other vendors, and any other request that comes in prior to the next Village Board meeting. Upon receipt of the transfer of funds from EFC, checks will be issued at the next available payroll/audit.

VOTING	Ayes: 4	Blais, Earl, Perry, Root
	Nays: 0	
	Absent: 1	Mastrodomenico

RESOLUTION NO. 176, 2021 ADOPTED. **November 15, 2021**

- Handbook Revision
The proposed revision is an amendment to Rules and Regulations under the heading of Drugs and Alcoholic Beverages and is in regards to the prohibition of and consumption of any cannabis during work hours.

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

RESOLUTION NO. 177, 2021

BE IT RESOLVED, that the Village Board hereby approves an amendment to the Village Employee Handbook as follows:

Employee Handbook

...

Section VI – Rules and Regulations

...

G. Drugs and Alcoholic Beverages

...

7. Any employee who tests positive for a non-prescribed substance will be immediately removed from duty and suspended without pay for a period of two weeks on the first offense, thirty days on the second offense and discharged from employment on the third offense. **EXCEPTION:** Evidence solely of alcohol and/or cannabinoids shall result in a notice of same being placed in the employee file. A second offense will result in a 5-day suspension without pay and a third offense subjects the employee to further disciplinary action and/or dismissal. CDL drivers will be subject to federal regulations. 2-22-21

No employee or member of the Fire Department/Company shall have in their possession any cannabis during working hours, drills or alarms nor are they permitted to consume same at any time while on Village property or any activity associated with Village employment or acting as a member of the Fire Department. Employees found in violation will be sent home without pay and subject to dismissal. Members of the Fire Department/Company will be issued a warning, immediately removed from duty and suspended for 30 days. 11-15-21

VOTING **Ayes: 4** **Blais, Earl, Perry, Root**
 Nays: 0
 Absent: 1 **Mastrodomenico**

RESOLUTION NO. 177, 2021 ADOPTED.

November 15, 2021

- Offer to Town for purchase of surplus MacKay pay & displays
The Town of Lake George is purchasing new pay and display machines and will be disposing of the four MacKay machines that they have. They would be useful to the Village for spare parts for the MacKay machines we still have in operation.

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

RESOLUTION NO. 178, 2021

WHEREAS, the Town of Lake George is transitioning their pay and display machines from MacKay to IPS and will be disposing of their four MacKay machines;

WHEREAS, these machines would be useful for spare parts for the Village's MacKay machines;

BE IT RESOLVED, that the Village Board of Trustees hereby authorizes the purchase of these machines from the Town at a cost of \$200.

VOTING **Ayes: 4** **Blais, Earl, Perry, Root**
 Nays: 0
 Absent: 1 **Mastrodomenico**

RESOLUTION NO. 178, 2021 ADOPTED.

November 15, 2021

- Penflex Renewal Contract for LOSAP Program

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

11-15-21 regular & PH

RESOLUTION NO. 179, 2021

WHEREAS, the Village of Lake George has a Length of Service Awards Program (LOSAP) for its Volunteer Firemen which has historically been administered by Penflex, Inc.,

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George, NY hereby authorizes Mayor Robert M. Blais to sign a renewal contract with Penflex, Inc. to continue their Administrative Services for the Village's LOSAP program for the period of November 1, 2021 to October 31, 2022 for a base fee of \$2,325. plus a per participate fee of \$17. each person, and the yearly audit package with Mike McCarthy for a fee of \$345.

**VOTING Ayes: 4 Blais, Earl, Perry, Root
 Nays: 0
 Absent: 1 Mastrodomenico**

RESOLUTION NO. 179, 2021 ADOPTED. November 15, 2021

Trustee Mastrodomenico arrived at 4:47 p.m.

Mayor Blais asked the Board whether they would like to consider appointing a new Joint Occupancy Tax Committee. He noted that there may be additional occupancy tax funds available, and the organizations asking for smaller amounts don't really get considered by the County. Trustee Root mentioned that he was on the committee before, and his concern is that there is not a Board quorum for allotment of these funds nor are there records or minutes. Mayor Blais replied that there was a complete accounting by the Town Comptroller, and the final list was approved by the Village Board. Mayor Blais suggested possibly a committee comprised of local business people. There was a comment that the business people sometimes have "stake in the game" as far as the events go. Trustee Perry suggested that there be a secretary as well as the final list of allocations to come before the Board. Mayor Blais commented that he will work with Supervisor Dickinson and come up with a proposal for review by the Board.

The following Special Events/Facility Use Applications were considered:

Shepard Park:

- Bill Mahar, Movie Screening "It's a Wonderful Life", December 10, 2021
- Lake George Community Band Festival, Corinne Tarana, July 16, 2022 with a request to have the fees waived

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

RESOLUTION NO. 180, 2021

BE IT RESOLVED, that the Village Board hereby approves the following Special Events/Use of Shepard Park contingent upon receipt of all fees, insurance and other necessary documents and compliance with any COVID protocol at the time:

- Bill Mahar, Movie Screening "It's a Wonderful Life", December 10, 2021
- Lake George Community Band Festival, Corinne Tarana, July 16, 2022 with any Village fees to be waived

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

RESOLUTION NO. 180, 2021 ADOPTED.**November 15, 2021**Wood Park

- LGD/50 Concert Series, Dave Ehmann of Improv Records, Inc, May 26-30, 2022
- Adirondack Wine & Food Festival, Sasha Pardy of Adirondack Festivals LLC, June 23-26, 2022
- LGD/50 Concert Series, Dave Ehmann of Improv Records, Inc, June 30-July 4, 2022
- LGA Gala 2022, D. Campbell of Lake George Association, July 19-25, 2022
- Adirondack Independence Music Festival, Dave Ehmann of Improv Records, Inc, September 1-5, 2022

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

RESOLUTION NO. 181, 2021

BE IT RESOLVED, that the Village Board hereby approves the use of the Charles R. Wood Park Festival space for the following events with a request for an alcohol waiver contingent upon receipt of all fees, insurance and other necessary documents:

- LGD/50 Concert Series, Dave Ehmann of Improv Records, Inc, May 26-30, 2022
- Adirondack Wine & Food Festival, Sasha Pardy of Adirondack Festivals LLC, June 23-26, 2022
- LGD/50 Concert Series, Dave Ehmann of Improv Records, Inc, June 30-July 4, 2022
- LGA Gala 2022, D. Campbell of Lake George Association, July 19-25, 2022
- Adirondack Independence Music Festival, Dave Ehmann of Improv Records, Inc, September 1-5, 2022

BE IT RESOLVED, that the Village Board agrees to a daily rate as set by the County;

BE IT FURTHER RESOLVED, that §148-45 to §148-48 of the Village's code will be waived for all applications hereafter referenced and indicate the sale of beer and wine on the premises during the event is hereby approved contingent upon proof of licensing from the New York State Liquor Authority, and approval by the Capital District Control Committee;

BE IT FURTHER RESOLVED, that all other aspects of these events are contingent upon approval of the promoter's safety plan by the Warren County Board of Supervisors, the Operations and Maintenance Committee for the Park, and the Capital District Control Group as required.

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

RESOLUTION NO. 181, 2021 ADOPTED.**November 15, 2021**

Mayor Blais informed the Board that the Lake George Community Band can no longer hold their rehearsals at the school. They are renting space at Adirondack Community College to hold rehearsals. The estimated cost to hold their 38 rehearsals is about \$4,300. The Community Band is asking for assistance in covering this cost. Mayor Blais spoke with Supervisor Dickinson about sharing the cost, and the Town is in agreement.

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

RESOLUTION NO. 182, 2021

WHEREAS, the Lake George Community Band is looking for financial assistance to cover the cost of their rental of rehearsal space; and

WHEREAS, the Town of Lake George is willing to split the expense with the Village;

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George, NY hereby approves reimbursement to the Lake George Community Band in the amount of \$2,150. in a lump sum amount with proof of payment to be submitted in at least that same amount.

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

RESOLUTION NO. 182, 2021 ADOPTED. November 15, 2021

Mayor Blais informed the Board that he had been approached about selling the Village's strip of land adjacent to Sporks. A potential buyer is looking to add parking. The property was appraised at \$5,500. in 1995. Previously a potential sale of the property was researched, and with the State being the owner of the property on the other side of the Village's, a sale would be very cumbersome. The State cannot sell theirs to anyone but the Village. The Village has their sign on the property as well as Superintendent Lanfear confirmed that there is a water main that runs through there. Mayor Blais commented that he doesn't see any benefit to the Village in selling it. Trustee Perry noted that maybe the Village could lease it for parking. Mayor Blais agreed to follow up with the potential buyer.

Mayor Blais reported that there was an application from a Canada Street business before the Planning Board for a variance to allow for an internally lit sign with a white background. The Planning Board denied the request. Internally lit signs with transparent or light background color are prohibited according to our sign ordinance. Trustee Root noted that he was involved when the guidelines were developed, and the reason why this section was added to the ordinance was because of glare. The Village Board agreed that the ordinance was written the way it is for that reason, and don't wish to change it.

Mayor Blais notified the Board that the sales tax is up about \$30,000. from \$215,142 in November, 2020 to \$246,746 in November, 2021.

Clerk McKinney informed the Board that Water Department Manager, Julie Malan hasn't given an exact date yet, but is planning on retiring in a few months. Ms. McKinney recommended hiring Lori Bott, who is currently part-time in the office with clerk duties and planning & zoning board duties, full- time permanent at a rate of \$18.00 per hour effective December 1st, so that she could begin detailed training immediately, specifically the water billing.

Tim Shudt, Sr. requested permission to hire Andrew Kehlenbeck as a full-time permanent employee at the WWTP at \$18.00 per hour. Also, he requested promoting Tim Shudt, Jr to Foreman as he is the logical choice for this position. Tim, Jr. is a licensed operator and would take charge in Tim enior's absence.

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

RESOLUTION NO. 183, 2021

BE IT RESOLVED, that the Board of Trustees approves the following:

- Hire Lori Bott, full-time permanent as Water Department Manager with benefits effective December 1, 2021 at \$18.00 per hour with Warren County's guidance.
- Hire Andrew Kehlenbeck, full-time permanent at the WWTP with benefits effective November 17, 2021 at \$18.00 per hour
- Appoint Tim Shudt, Jr. as WWTP Foreman effective December 1, 2021

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

RESOLUTION NO. 183, 2021 ADOPTED. November 15, 2021

Mayor Blais advised the Board that recently a meeting was held to work out the issues with the WWTP Pump House that was incorrectly installed. He confirmed that an agreement was reached to solve the issue.

Mayor Blais asked Operator Shudt to give an update on the project. Tim stated that the clean water startup phase is beginning this week, with intention of a live startup the first week in December. Mayor Blais commented that he would like to plan a ceremonial valve turning or ribbon cutting.

Mayor Blais went back to the Public Hearing on Proposed Local Law No. A, 2021 requesting that the Cannabis Control Board of the State of New York prohibit the establishment of retail dispensary licenses and on-site consumption licenses in the Village of Lake George. He asked for any other comments. Trustee Root commented that he would like to keep the options open to opt in if there may be an interested party at a future date. Trustee Earl made mention that at the public meeting, the speakers were pretty heavily weighted against allowing the licensing. Mayor Blais commented that he did receive a couple of emails in favor. It was noted that the Town of Lake George is choosing to opt out at this time. Clerk McKinney pointed out that adoption of this law is subject to permissive referendum, an ad will be published. If no referendum is triggered, the Local Law will be filed with the Secretary of State 45 days after the adoption. There were no further comments and at 5:23 p.m., the Public Hearing was closed.

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

RESOLUTION NO. 184, 2021

RESOLUTION ADOPTING LOCAL LAW NO. A OF 2021 REQUESTING THAT THE CANNABIS CONTROL BOARD OF THE STATE OF NEW YORK PROHIBIT THE ESTABLISHMENT OF RETAIL DISPENSARY LICENSES AND ON-SITE CONSUMPTION LICENSES IN THE VILLAGE OF LAKE GEORGE, COUNTY OF WARREN, STATE OF NEW YORK

WHEREAS, New York's recently adopted Cannabis Law of the State of New York provides, at Section 131 of the Cannabis Law, that a municipality may request that the New York State Cannabis Control Board prohibit retail dispensary licenses and on-site consumption licenses in the municipality, which request must be in the form of a local law adopted by the municipal board subject to permissive referendum; and

WHEREAS, the Village Board of the Village of Lake George previously introduced a local law requesting that the New York State Cannabis Control Board prohibit retail dispensary

licenses and on-site consumption licenses in the Village of Lake George pursuant to Cannabis Law Section 131; and

WHEREAS, the Village scheduled a public hearing to be held before the Village Board on November 15th, 2021 at 4:30 p.m. at the Village of Lake George Village Hall to hear all interested parties on the proposed Local Law; and

WHEREAS, notice of said public hearing was duly posted and then published in the *Post Star* the official newspaper of the Village, pursuant to and in conformance with Section 20 of the Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED, the Village Board, upon due deliberation of the proposed Local Law and the comments presented at the public hearing, finds that the adoption of the same shall be in the best interests of the Village; and be it further

RESOLVED, the Proposed Local Law No. A of 2021 law requesting that the Cannabis Control Board of the State of New York prohibit any retail dispensary licenses and on-site consumption licenses in the Village of Lake George pursuant to Cannabis Law Section 131, a copy of which is attached to and made a part of this resolution, is hereby adopted subject to permissive referendum as provided for in Section 131 of the Cannabis Law of the State of New York, and shall take effect as provided for in said Local Law; and be it further

RESOLVED, this resolution shall take effect immediately.

**VILLAGE OF LAKE GEORGE
COUNTY OF WARREN, STATE OF NEW YORK
Local Law No. A of the Year 2021**

**A LOCAL LAW REQUESTING THAT THE CANNABIS CONTROL BOARD OF THE STATE
OF NEW YORK PROHIBIT THE ESTABLISHMENT OF RETAIL DISPENSARY LICENSES
AND ON-SITE CONSUMPTION LICENSES IN THE VILLAGE OF LAKE GEORGE, COUNTY
OF WARREN, STATE OF NEW YORK**

Be it Enacted by the Village Board of the Village of Lake George, as follows:

Section 1. Declaration of legislative findings

The Village Board of the Village of Lake George, pursuant to Cannabis Law §131, has the authority to request that the Cannabis Control Board of the State of New York, prohibit the establishment of retail dispensary licenses and on-site consumption licenses in the Village of Lake George. After due deliberation, the Village Board finds that it is in the best interests of the residents, taxpayers and visitors of the Village of Lake George to request that the Cannabis Control Board prohibit any cannabis retail dispensary license and any on-site consumption licenses in the Village of Lake George.

Section 2. Title and Authority

This Local Law shall be known as “Cannabis Retail Dispensary and On-Site Consumption Local Law”. It is adopted pursuant to Section 131 of the New York Cannabis Law and Section 10 of New York Municipal Home Rule Law.

Section 3. Opt-out and Request to Prohibit

Pursuant to and in accordance with Cannabis Law Section 131, the Village Board of the Village of Lake George hereby requests that the Cannabis Control Board of the State of New York prohibit any retail dispensary licenses or on-site consumption licenses in the Village of Lake George, County of Warren, State of New York. Retail Dispensary license and On-site consumption license shall be as defined in the Cannabis Law of the State of New York.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date.

This Local Law shall take effect upon filing with the New York State Secretary of State, which filing shall take place upon the expiration of forty five (45) days from the adoption hereof unless within such forty-five (45) days there be filed with the Village Clerk of the Village of Lake George a petition for referendum pursuant to Municipal Home Rule Law Section 24, in which case this Local Law shall not take effect until approved by the affirmative vote of a majority vote of the qualified electors of the Village of Lake George as provided for in Municipal Home Rule Law Section 24.

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

LOCAL LAW NO. A, 2021 ADOPTED
RESOLUTION NO. 184, 2021 ADOPTED. November 15, 2021

Mayor Blais, seconded by Trustee Perry, offered the following resolution for the Water Changes:

RESOLUTION NO. 185, 2021

NOVEMBER 2021 WATER CHANGES

NOVEMBER BILLING	\$360,987.96
LESS SENIOR CITIZEN DISCOUNT	(\$ 1,312.36)
PENALTY FOR NONCOMPLIANCE	\$ 50.00
METER UPGRADE	\$ 15,046.00

FINAL READS:

W Baird	\$ 72.63
Balsam Motel	\$ 35.27

Balsam \$ 25.27

The above resulted in the following Journal Entries:

DR	F0350 WATER RECEIVABLE	\$374,771.60
CR	F2140 WATER METERED	\$359,675.60
CR	F2148 WATER PENALTIES	\$ 50.00
CR	F2145 WATER METER UPGRADE	\$ 15,046.00

DR	F0350 WATER RECEIVABLE	\$ 133.17
CR	F2140 WATER METERED	\$ 133.17

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

RESOLUTION NO. 185, 2021 ADOPTED. November 15, 2021

Mayor Blais, seconded by Trustee Perry, offered the following resolution for the Transfers and Audits:

RESOLUTION NO. 186, 2021

TRANSFERS:

From:	To:	Amount:
A1990.4 Contingency	A1320.4 Auditor	5,500.00
	On Street Parking	
A3320.4 Contr	A5650.4 Contr	2,000.00
A7110.4 Parks Contr.	A7110.43 Parks phone	1,500.00
10/21/2021 General	\$93,038.47 220730-220748	35729-35736
	Water	
	<u>\$24,200.27</u>	
	\$117,238.74	
11/4/2021 General	\$49,617.45 220749-220758	35737-35743
	Water	
	\$11,077.80	
	Sewer Plant Improv	
	(HK)	
	<u>\$227,380.28</u>	
	\$288,075.53	
11/15/2021 General	\$375,331.96 220759-220878	
	Water	
	<u>\$49,387.01</u>	
	\$424,718.97	

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

RESOLUTION NO. 186, 2021 ADOPTED. November 15, 2021

Mayor Blais set the dates for the January and February Regular Village Board Meetings as:

January 10, 2022 and February 14, 2022 at 4:30 p.m. And a Special Village Board/Workshop was set for Monday, November 22, 2022 at 8:30 a.m. The purpose of this meeting is to discuss a local law in regards to vacant buildings. Attorney Fuller will be attending.

Mayor Blais has been notified that Planning Board member Dean Howland would like to step down as a regular member. He would be available to be the alternate. Mayor Blais appointed Patrina Leland who is currently the alternate to become the regular member to serve out Dean's term which expires April, 2024. Dean Howland will become the alternate with a term that will expire April, 2026. The Board agreed.

Mayor Blais asked for any other business.

Trustee Root noted that he has noticed the traffic coming north seems to have increased, and the Village seems to be busy. The Village is turning in to more of a year round residential community, not just all about tourism, a regional destination.

Trustee Earl asked about trash removal at Wood Park. Superintendent Lanfear commented that it is usually the obligation of the renters.

Mayor Blais mentioned that the Code Enforcement Officer is out checking homes for address identification. Mr. Anagnos reported that 62 homes are not appropriately numbered; he is working on letting them all know that they need numbers on their buildings.

Superintendent Lanfear reported that the Beach Road Water Main leak has been repaired, and the paving is done, and the project is being finalized.

Trustee Perry commented that he is excited to see the Ice Castle construction. It was noted that additional and continued plowing will have to be done down there to keep the streets and walkways open. Superintendent Lanfear mentioned that we are researching the possibility of getting a second snow cleaning machine.

There was a motion by Trustee Perry to adjourn at 5:45 p.m.

Respectfully submitted,

Debra J. McKinney
Village Clerk