

Minutes of the Regular Meeting and Public Hearing of the Board of Trustees of the Village of Lake George, NY, held at the Village Administration Building on Monday, May 21, 2018 at 6:30 p.m.

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

Also Present: Clerk Debra McKinney, Aaron Frankenfeld of the Glens Falls Transit Council, Attorney Jon Lapper, Joanne Mamrosch, Jim Barber, and Thom Randall (Journalist).

At 6:30 p.m. Mayor Blais opened the Regular Meeting and led the Pledge of Allegiance.

At 6:31 p.m. Mayor Blais opened two Public Hearings to run concurrently.

- The first is for a proposed Local Law No. 5 amending Chapter 213 "WATER". This amendment will increase the water rates by 3% effective with the November 1, 2018 billing.
- Proposed Local Law No. 6 adds a section to Chapter 220 "ZONING" for subdivisions. Dan Barusch, Director of Planning & Zoning summarized noting that currently, no subdivision code exists for the Village aside from one sentence that refers subdivisions of Village property to Village Law Section 220-10. It was an old and outdated practice that municipalities used before local zoning became the norm, since Village/Town/City Law was somewhat general but had all the mandatory provisions for municipalities to follow. Mr. Barusch worked with Attorney Fuller to develop a Subdivision ordinance, which will allow the Village Planning Board to properly review any subdivision applications which may occur from time to time. He has also developed an application for use in conjunction with the code.

Mayor Blais opened the floor to public comment. There was none.

Mayor Blais introduced Aaron Frankenfeld of the Glens Falls Transit Council for an explanation about a Warren County Bikeway Extension through Lake George. Mr. Frankenfeld, along with a committee and consultants, have developed a proposed bike route through the Village; he came to request conceptual approval of the route, which would allow them an opportunity to solicit for funding. They Committee would like to hold a public workshop in the future, possibly in conjunction with a Board meeting. He described the proposed route noting that they chose not to take the trail down Beach Road or stay on Route 9 through the Village, but chose their route based on safety concerns, costs, steepness, and potential disruption of parking. The route goes from West Brook Road, crosses Route 9 and goes to Mohican Street, then Dieskau, West on McGillis, then to Helen, and Montcalm or West, then to Cooper, and to the old trolley line and behind the Town and Village offices, along the Exit 22 ramp, and finally to Route 9 at the north end of the Village. He answered some of the Board's questions. The Board was concerned about where the crossing of Route 9 would be placed. Trustee Root, a cyclist himself, expressed interest in the path going down Beach Road and crossing with the light onto McGillis. He commented that the other route takes them away from a ride near the lake. It was noted a route down Beach Road would allow access to the Visitor Center restrooms as well. Mr. Frankenfeld agreed to follow up to the Committee with their suggestions. Mayor Blais suggested that a joint Town/Village Board meeting could be scheduled for public input and further discussion.

The Board considered the following resolutions:

- Sidewalk café

Attorney Lapper representing the Marriott owner submitted a request in regards to having a single sidewalk café for the Marriott for three separate stores. He would like the Village Board to waive the requirement that three sidewalk café spaces at the Marriott be separated by partitions. He noted that although there are three spaces for marketing purposes, it is one hotel. Mayor Blais commented that there was a discussion as to whether there would be a request to leave the café year-round. He reported that there are 13 approved sidewalk cafes with a couple of requests to make theirs year round as well. Because of the liability and maintenance issues with the snow removal, etc, it would be difficult to keep them up year- round. He would like to continue a discussion about that at a later date when Superintendent Harrington can be available to add his input. Attorney Lapper agreed that if could get approval for the one continuous café tonight; the other could be followed up with later. The Board further discussed issues about year-round cafes; and agreed to discuss it at a later date.

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

RESOLUTION NO. 38, 2018

BE IT RESOLVED, that the Village Board hereby waives Section 168-4(B)2b and agrees to permit the applicant, KDA Hospitality, LLC for Courtyard by Marriott located at 365 Canada Street, tax map #251.14-2-3, to erect one sidewalk café in front of the Marriott Hotel, according to the review and standards established by the Village Planning Board and approved by said board on August 16, 2017;

BE IT FURTHER RESOLVED, that the above section is waived subject to the following being continued:

- 1. That the café is in front of a single structure owned by one corporation;**
- 2. That all three existing food establishments are under one roof, ownership and building;**
- 3. And that all other criteria apply.**

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

RESOLUTION NO. 38, 2018 ADOPTED. May 21, 2018

- ADA Transition Plan

Trustee Perry, seconded by Trustee Mastrodomenico offered the following resolution to adopt the ADA Transition Plan:

RESOLUTION NO. 39, 2018

WHEREAS, pursuant to Title II of the Americans with Disabilities Act of 1990 (ADA), the Village of Lake George cannot discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities; and

WHEREAS, Title II of the ADA requires that the Village of Lake George conduct a self-evaluation of its policies and practices to ensure that its programs, services, activities

and facilities are accessible to and do not discriminate against people with disabilities;
and

**WHEREAS, Title II of the ADA requires that the Village of Lake George develop and adopt a Transition plan, which documents physical barriers to accessibility, proposes modifications to remove those barriers, and a schedule to complete the modifications;
and**

WHEREAS, the Village of Lake George remains committed to the ADA and the elimination of barriers to public programs, services, activities and facilities; and

WHEREAS, an ADA self-evaluation and Transition Plan for the Village of Lake George has been prepared and is referred to as the Village of Lake George ADA Transition Plan;

WHEREAS, public review and input regarding this plan has been received by the Village of Lake George

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Lake George hereby adopts the Village of Lake George ADA Transition Plan and directs Village staff to begin implementation of the plan.

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

RESOLUTION NO. 39, 2018 ADOPTED. May 21, 2018

- MS4 report acceptance

Superintendent Harrington prepared and submitted for presentation the Annual MS4 report. Stormwater activities throughout the year from March of 2017 are accounted for in this report. The report has been posted on the Village's website since March and after Board approval will be submitted to NYS DEC.

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

RESOLUTION NO. 40, 2018

BE IT RESOLVED, that the Annual MS4 report is hereby accepted by the Board of Trustees of the Village of Lake George.

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

RESOLUTION NO. 40, 2018 ADOPTED. May 21, 2018

- Compensated Absences Reserve

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

RESOLUTION NO. 41, 2018

WHEREAS, the Village Board created a Compensated Absences Reserve which currently has a balance of \$58,823.74,

BE IT RESOLVED that the Board of Trustees of the Village of Lake George, NY hereby authorizes a transfer from the Compensated Absences Reserve in the amount of \$16,387.92 to reimburse A1325.01 Clerk Treasurer Personnel Services account for the payout of Darlene Gunther's balance of sick and vacation time, and

DR A0836	COMPENSATED ABSENCES	\$16,387.92
CR A0917	FUND BALANCE	\$16,387.92

BUDGET ADJUSTMENT TO A1325.01 **\$16,387.92**

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

RESOLUTION NO. 41, 2018 ADOPTED. **May 21, 2018**

- Revenues from donations for the Bandstand Improvements transfer of funds

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

RESOLUTION NO. 42, 2018

WHEREAS, the Village of Lake George has received additional donation revenues for band stand improvements;

BE IT RESOLVED that the Board of Trustees of the Village of Lake George, NY authorizes the following changes to the General Fund budget to pay for the expenditures.

Increases of Revenue and Expenditures:

DR A7110.21	Parks Equipment	\$4,825.00
CR A2705	Gifts and Donations	\$4,825.00

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

RESOLUTION NO. 42, 2018 ADOPTED. **May 21, 2018**

- Restricted Water Fund Balance transfer to Unrestricted

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

RESOLUTION NO. 43, 2018

WHEREAS, the 2014-2015 and 2015-2016 accounting records show end of year closing entries to the following water balance accounts F0000.0917 Unassigned Fund Balance and F0000.0899 Other Restricted Fund Balance, and

WHEREAS, any remaining balance in F0000.0899 account should be reassigned and placed back to the F0000.0917, and

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George, New York authorizes that the transfer of \$465,184.00 be credited to F.0000.0917 and the same

amount be a debited to F0000.0899

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

RESOLUTION NO. 43, 2018 ADOPTED. May 21, 2018

- Authorize Dan Barusch for SWPPP review

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

RESOLUTION NO. 44, 2018

WHEREAS, the Village Board has previously appointed Dan Barusch to be Director of Planning and Zoning for the Village of Lake George, and

WHEREAS, the responsibility of review and approval of Storm Water Pollution Prevention Programs also known as SWPPPs fall under the oversight of the Planning and Zoning administrator;

BE IT RESOLVED that the Board of Trustees of the Village of Lake George hereby authorizes Dan Barusch to review, approve and inspect SWPPPs.

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

RESOLUTION NO. 44, 2018 ADOPTED. May 21, 2018

Mayor Blais presented the minutes from a Regular Meeting held on April 16, 2018. Trustee Root made a motion, seconded by Trustee Earl, carried by a majority, to approve the April 16, 2018 Meeting minutes.

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

Monthly reports from the Sanitation Department, Caldwell Sewer District, REC Center, Code Enforcement, Fire Department and Superintendent of Public Works were presented and made available for inspection.

Fire Department Action items - Training:

- Scott Smith, Brandon Combs and John Coccozza for Survival Class at Bay Ridge started on May 9th.
- Jeremy Crispell, Craig Underwood, Joseph Oswald and Lydia Hayes for Rescue Tech class in Pottersville, started on May 16th.

Trustee Earl made a motion, seconded by Trustee Root, unanimously carried, to approve the training.

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

Mayor Blais reported that the Tower truck broke down on a call and had to be towed to Detroit Diesel in Albany. The rough estimate for repairs was \$25,000 to \$30,000 according to Fire Chief Scott Smith, but Detroit Diesel send a new quote today in the amount of \$18,850. He noted that Chief Smith is in agreement with the specifications previously written for a new truck, but the Town has not made a decision yet. Mayor Blais is working on getting a meeting set up with the Town officials, and Fire Chiefs for further discussion about whether to fix the old truck and about whether to pursue purchase of a new one.

Mayor Blais reported that in regards to the Caldwell Sewer District report, several times Operator Tim Shudt has requested improvements and repairs be made to the Town's Upper Pump Station, but there was no response until lately, the Town has agreed to set up a meeting for further discussion. The Village has spent considerable hours of overtime responding to issues.

New York State Department of Environmental Conservation recently completed the Annual Inspection of the Waste Water Treatment Plant to determine compliance with State Pollutant Discharge Elimination system. The Inspection Report states that "Overall, the Village of Lake George WWTP appeared to be well operated and maintained and was producing a clear effluent at the time of inspection. The facility at the time of this inspection, has been assigned an overall rating of satisfactory." Mayor Blais gave the Board an update and noted that we are on schedule with the consent order deadlines, but recently got notice for our permit. NYS DEC has put some requirements in the permit that we cannot meet, even with a new plant. Mayor Blais pointed out that we are trying to solve our nitrate problems, not the chlorides, which come from the Town and the State. Attorney Fuller is working on getting this rescheduled. They are trying to get a meeting with DEC set up so that these criteria can be dealt with.

Treasurer Danae Bock requested approval of the Tax Warrant for publication in the newspaper.

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

RESOLUTION NO. 45, 2018

BE IT RESOLVED that the Board of Trustees of the Village of Lake George, NY, hereby levies and assesses against the real property of the Village of Lake George, NY, the following sums for Village government and other charges for the fiscal year beginning June 1, 2018 to May 31, 2019 with a tax rate of \$5.99 per thousand of assessed valuation:

For the current budget (General Fund)	\$1,375,968.00
For Delinquent Water Rents	30,938.59
For Delinquent Water Penalties & Other Charges	4,964.45
For Six Special Assessment District Properties	<u>32,868.00</u>
Total Real Property Taxes & Other Charges	\$1,444,739.04

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

RESOLUTION NO. 45, 2018 ADOPTED. May 21, 2018

The following contracts were reviewed and authorized for signatures:

- Lake George Guide 2018 contract for a full page ad listing the free events in Shepard Park to be put in all of their issues.

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

RESOLUTION NO. 46, 2018

BE IT RESOLVED that the Village Board, hereby agrees to contract with the Lake George Guide for a full page ad in nine issues for the summer of 2018 events at a cost of \$2,236.50.

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

RESOLUTION NO. 46, 2018 ADOPTED. May 21, 2018

- Turf Management Company for preventative maintenance at Wood Park

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

RESOLUTION NO. 47, 2018

BE IT RESOLVED that the Village Board, hereby agrees to contract with the Turf Management Company, Inc for turf management at the Charles R. Wood Festival Park for the 2018 season at a quoted price of \$8,442.76. The Village will be reimbursed by Warren County for the cost affiliated with this.

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

RESOLUTION NO. 47, 2018 ADOPTED. May 21, 2018

- Turf Management Company for preventative maintenance at the REC Center for baseball, soccer and football fields

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

RESOLUTION NO. 48, 2018

BE IT RESOLVED that the Village Board, hereby agrees to contract with the Turf Management Company, Inc for turf management for the REC Center baseball fields - \$1,708.88, football field - \$443.56, and soccer fields - \$781.62 for the 2018 season.

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

RESOLUTION NO. 48, 2018 ADOPTED. May 21, 2018

Mayor Blais presented several applications for Special Events/Facility use as follows.

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

RESOLUTION NO. 49, 2018

BE IT RESOLVED, that the Village Board hereby approves the following list of Special Events/Use of Village Facilities contingent upon receipt of all fees, insurance and other necessary documents:

- **Sherry Management - Lake George Elvis Festival May 30, 2018 Shepard Park Bandstand for their opening ceremony.**
- **Sherry Management – Parade Permit for Lake George Elvis Festival – June 2, 2018 9:00 a.m. to 10:00 a.m. at no charge, as no Village staff are needed for this.**
- **James Morris – Hasty Page & Lake George Beach Club August 11, 2018 Shepard Park Bandstand**
- **Nellie Hintz – Ecumenical Protestant Church Service Every Sunday through July and August Shepard Park Bandstand**
- **Janice Costa – Canine Camp Getaway June 24-28, 2018 at the REC Center soccer fields**
- **Janice Costa – Canine Camp Getaway September 15-18, 2018 at the REC Center soccer fields**
- **Robert Millis The 398 Group – Lake George Breakdown Bluegrass Festival August 26, 2018 in Shepard Park**
- **Dave Ehmann Improv Records – Last Chance Beach Party free concert September 3, 2018**

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

RESOLUTION NO. 49, 2018 ADOPTED. May 21, 2018

Mayor Blais began review of a list of applications for use of Charles R. Wood Park Festival Space. He noted that there has been some discussion about a possible reduction in fees for winter time events. He mentioned that Superintendent Harrington confirmed that there would be additional costs to the Village to keep the walks clear of snow in the winter, as well as having the restrooms open. Also, the cost of the water from the hydrant for the Pond Hockey event. The Board agreed that further considerations will have to be made about reducing the fees. Mayor Blais confirmed that a couple of the organizers will be renting the stage from the Village.

Mayor Blais, seconded by Trustee Root, offered the following resolution for the use of the Charles R. Wood Park Festival Space:

RESOLUTION NO. 50, 2018

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

BE IT FURTHER RESOLVED, that this approval is contingent upon approval from the Warren County Board of Supervisors or the Operations and Maintenance Committee for the Park.

- **Daniel Bates - NYSP Traffic Accident Reconstruction October 17, 2018 with a rainedate of October 18th. O&M already approved**
- **Douglas Quimby – Lake George Skate Plaza Competition July 21, 2018**

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

Nays: 0

RESOLUTION NO. 50, 2018 ADOPTED

May 21, 2018

Mayor Blais, seconded by Trustee Root, offered the following resolution for the use of the Charles R. Wood Park Festival Space:

RESOLUTION NO. 51, 2018

BE IT RESOLVED, that the Village Board hereby approves the use of the Charles R. Wood Park Festival space for the following events contingent upon receipt of all fees, insurance and other necessary documents. Adirondack Christkindlmarkt and Adirondack Pond Hockey Tournament fees are subject to discussion and await decision for request of discount due to winter use.

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

BE IT FURTHER RESOLVED, that this approval is contingent upon approval from the Warren County Board of Supervisors or the Operations and Maintenance Committee for the Park.

- Nora Twynan (Americade) – Adirondack Pond Hockey Tournament February 2-3, 2019
- Kristen Hanifin – Adirondack Christkindlmarkt December 7-9, 2018
- Jonathan Newell (Hudson River Music Hall) – British Music Invasion 4 July 7 & 8, 2018
- Dave Ehmann – Charlie Daniels Band July 15, 2018 Remove Adirondack Country Day from schedule

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

RESOLUTION NO. 51, 2018 ADOPTED

May 21, 2018

Walt Adams representing AIM Services of Saratoga Springs, NY, a non-profit organization submitted a request to hold a raffle for a motorcycle during Americade. Since there are already two other raffles being held for bikes during the event, Mayor Blais suggested that maybe they could hold theirs at the Fort William Henry.

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

RESOLUTION NO. 52, 2018

BE IT RESOLVED that the Village Board, hereby approves AIM Services of Saratoga Springs to hold a raffle to be set up on the Fort William Henry property from June 4 - 9, 2018.

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

RESOLUTION NO. 52, 2018 ADOPTED.**May 21, 2018**

The following list of additional summer employees was reviewed:

NEW & RETURNING EMPLOYEES 2018	2017 Pay	2018 Pay eff. 6/1
PEACE OFFICERS		
Austin Gauthier	\$11.25	\$13.75
Cody Dunbar	\$11.25	\$13.75
Tyler Schermerhorn	\$11.00	\$13.75
BEAUTIFICATION		
Trevor Dunsmore		\$11.00
Devon Jarvis		\$11.00
Chanel Barboza		\$11.50
AMERICADE		
Roger Glenn	\$10.50	\$10.75
REC CENTER		
Jeremy LaDue		\$11.00
LIFEGUARD		
Mike (Francis) Enzinna		\$11.50

Trustee Mastrodomenico made a motion, seconded by Trustee Earl, unanimously carried, to approve the above list of employees.

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

MOTION PASSED.

Mayor Blais reported that he has received a few different requests for improvements at the Dog Park. One of the complaints is that there is no shade, so he suggested that a 12' vinyl gazebo be purchased. There are funds available for transfer from A7020.1.

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

RESOLUTION NO. 53, 2018

BE IT RESOLVED that the Village Board, hereby approves the transfer of funds from the A7020.1 account into the A7020.22 for purchase of a gazebo as quoted by Garden Time in the amount of \$4,000.

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

RESOLUTION NO. 53, 2018 ADOPTED.**May 21, 2018**

Mayor Blais noted that an RFP for an official sponsor for Fridays at the Lake was sent out, with no responses. Saratoga Eagle has agreed to continue with their sponsorship in the amount of \$2,000., which is the same amount as last year.

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

RESOLUTION NO. 54, 2018

WHEREAS, the Village of Lake George is having an event called Fridays at the Lake concert series in Shepard Park and;

WHEREAS, they wish to have a refrigerated trailer furnished with dispensing equipment, cups, awnings, and taps to sell beverages to spectators;

BE IT RESOLVED that the Village Board, hereby approves an agreement with Saratoga Eagle to supply the necessary items in exchange for advertising and a sponsorship fee of \$2,000. for the 2018 season. The Village of Lake George will provide suitable space and personnel to man the trailer.

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

RESOLUTION NO. 54, 2018 ADOPTED. May 21, 2018

Mayor Blais and the Committee has been working towards getting the Law Enforcement Weekend organized. The Committee would like to use Shepard Park stage during intermissions of the bands. They are offering an Opening Act, Dave Bray, a national recording artist, as well. They expect increased registration this year, and expect to send a crowd of people to the Park on the first Friday at the Lake, June 15, 2018. The Committee is requesting a donation of \$1.00 per cup of beer sold to goes towards the cost of their event. Mayor Blais said it could be about \$500.

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

RESOLUTION NO. 55, 2018

BE IT RESOLVED that the Village Board, hereby agrees to sponsor the Law Enforcement Officers Weekend (LEOW) on June 15-17, 2018 in the following manner:

- 1. Approve \$5,000. award from our Occupancy Tax fund (previously approved by the Board on 11/20/17)**
- 2. Approve \$1.00 donation per cup of beer sold at the Friday, June 15th concert as LEOW is providing opening band and sponsoring this concert as their opening ceremonies**

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

RESOLUTION NO. 55, 2018 ADOPTED. May 21, 2018

Clerk Deb McKinney requested permission to attend an Employee Behavior seminar at the Queensbury Hotel on June 20, 2018 at a cost of \$199. Trustee Earl made a motion, seconded by Trustee Root, unanimously carried, to approve the training.

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

MOTION PASSED.

Mayor Blais announced that due to relocation Chuck Luke has resigned from the Planning Board. He served for 11 years. Mayor Blais asked the Board to send him any suggestions for candidates for alternates, as neither Board will have an alternate member now. Mayor Blais made a motion, seconded by Trustee Earl, unanimously carried, to accept Mr. Luke's resignation with regret, thank him for his service, and to appoint Walt Adams the current alternate as a full time member.

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

MOTION PASSED.

Mayor Blais reported that the Village has been helping the Town of Bolton with an Operator for staffing their Waste Water Treatment Plant since their operator is no longer able to work for them.

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

RESOLUTION NO. 56, 2018

WHEREAS, the Town of Bolton has requested temporary assistance at their Waste Water Treatment Plant and;

WHEREAS, the Village of Lake George has qualified staff to help them short term;

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George agrees to enter into an IMA for a period of one month on a temporary basis to take effect on May 1, 2018, and which will be terminated at the end of one month or sooner if the town and Village agree to terminate the IMA and

BE IT RESOLVED that the Village of Lake George agrees to oversee the operation at the Town of Bolton Waste Water Plan excluding the collection system. The operator from the Village of Lake George will go to the Plant three days a week for a period of two hours a day but will be available for emergencies any other times as needed;

BE IT FURTHER RESOLVED, that the Village of Lake George, in return for supervising of the Waste Water Treatment Plant will be reimbursed the hourly and fringe costs of \$36.00/ hour including travel to the Waste Water Plant as well as a \$500.00 onetime administration charge for certifying the DMR's and operator report.

BE IT FURTHER RESOLVED, that upon agreement with Superintendent Harrington and Operator Tim Shudt, this agreement may be extended by one month through June 30, 2018, if the Town of Bolton finds it necessary for continued service.

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

RESOLUTION NO. 56, 2018 ADOPTED.

May 21, 2018

Mayor Blais asked the Board to approve an agreement with the Town of Lake George for shared services for Restroom and Beautification staff.

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

RESOLUTION NO. 57, 2018

WHEREAS, the Village Board is interested in sharing services in cooperation with the Town of Lake George in an effort to save tax payer dollars;

BE IT RESOLVED that the Village Board approves and authorizes Mayor Blais to sign the following intermunicipal agreement:

The Village of Lake George will: Assume planting, replanting, maintenance and watering of the Gateway project in the Town of Lake George on Route 9. The Town of Lake George will be responsible for the costs of all plants and materials needed to complete the work. For example: plants, compost and mulch.

This agreement does not include any work pertaining to snow removal, installing banners or any lighting repair at the area of the "Gateway". The Town agrees to be available to assist with this work as needed, for example lane closure or material transportation.

The Village's Beautification Department will work with the Town's Building and Grounds crew in the maintenance of the new Veterans corner located at Routes 9 and 9N and as in the past maintain the Town's existing gardens and help develop future gardens. The Village will absorb the cost of a salaried employee to supervise this work as well as the seasonal laborers needed to complete the work.

The Town of Lake George will: Absorb the cost of a full-time employee as well as supervise the cleaning of the Village's buildings, Firehouse (as needed), Village Hall, and Visitor Center. This will also include the supervision of the cleaning of the Village's two public restrooms as well as cleaning of the walkways of the commercial areas and the Lakefront Walkway. The Village will absorb the cost of the eight seasonal laborers needed to fill all the shifts throughout the season for that work. The Town of Lake George agrees to clean the Village's buildings (Village Hall, Firehouse, and Visitor Center as needed) on a year round basis.

This agreement will commence on June 1, 2018 and be in force for one year until May 31, 2019. It shall be subject to renewal for three years thereafter upon the stated conditions by approval of both boards no later than January 15 of 2019.

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

RESOLUTION NO. 57, 2018 ADOPTED. May 21, 2018

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

RESOLUTION NO. 58, 2018

**MAY 2018 WATER CHANGES
MAY BILLING**

\$135,312.46

LESS SENIOR CITIZEN DISCOUNT	(\$ 1,461.91)
PENALTY FOR NON COMPLIANCE	\$ 100.00
FINAL READS:	
Nordick's Motel	\$ 95.84
Forest Hill	\$ 71.61
McDonald's	\$ 34.54
G Tortorelis	\$ 15.24
B Ramsey	\$ 16.00
SALE OF EQUIPMENT:	
Frost plates	\$ 40.00
ADJUSTMENT:	
B Ramsey	\$ (37.89)

The above resulted in the following Journal Entries:

DR F0350 WATER RECEIVABLE	\$133,950.55
CR F2140 WATER METERED	\$133,850.55
CR F2148 WATER PENALTIES	\$ 100.00
DR F0350 WATER RECEIVABLE	\$ 235.34
DR F2148 WATER PENALTIES	\$.56
CR F2655 SALE OF EQUIPMENT	\$ 40.00
CR F2140 WATER METERED	\$ 195.90

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

RESOLUTION NO. 58, 2018 ADOPTED. May 21, 2018

Mayor Blais, seconded by Trustee Mastrodomenico, offered the following resolution for transfers, audits, and wire:

RESOLUTION NO. 59, 2018

5/21/2018

TRANSFERS:

From:	To:	Amount:
A7020.1 Rec. Ctr Pers	A7110.1 Parks Pers	\$4,000.00
A8130.1 Sewer Treatment Pers.	A8110.1 Sanit. Admin Pers.	\$500.00
A5410.1 Sidewalks	A7110.11 Wood Park Pers. Svce	\$3,500.00
A1620.41 Bldgs Elec.	A1620.4 Bldgs	\$2,000.00
A5110.4 Street Maint. Contr	A3310.4 Traffic Control	\$2,000.00
A3120.4 PO Contr	A5650.4 Off St Park	\$3,000.00
A5110.22 Street Inventory	A5110.21 Streets Fixed Asset	\$672.00
A7110.4 Parks Contr.	A7110.21 Parks Fixed Asset	\$14,000.00
A7020.1 Rec Ctr Pers.	A7020.4 Rec Ctr Contr	\$4,000.00
A8120.4 Sanitation Sewer	A8130.4 Sanitation Cont	\$6,500.00

A9060.082	Prescription	A9060.083	Copays	\$495.00
A5110.4	Street Maint. Contr	A7180.4	Docks	\$100.00
A1640.4	Central Garage Contr.	A1640.44	Central Garage vehicles	\$1,000.00
F9060.081	Water Dental	F9710.07	Water Serial Bond Int	\$0.01

AUDITS:			Voucher #	Check #
4/25/2018	General	\$84,384.16	181939-181969	31273-31281
	Water	<u>\$24,297.56</u>		
		\$108,681.72		
5/10/2018	General	\$48,890.40	181970-181982	31283-31289
	Water	<u>\$12,481.64</u>		
		\$61,372.04		
5/21/2018	General	\$69,605.91		
	Water	\$25,918.07		
	Gaslight Village (HG)	\$38,946.30	181983-182130	
	Lower Amherst			
	Stormwater(HN)	\$7,205.06		
	Sewer Plant			
	Improv(HK)	\$103,543.53		
	Water Improv (HO)	\$32,153.77		
	Chas. Wood Park (HP)	<u>\$3,671.25</u>		
		\$281,043.89		

Payroll ck#31076 voided
 Payroll ck#31084 voided
 Payroll ck#31088 voided
 Payroll ck# 31178 voided
 Check # 31064 voided replaced w/ Check #31181 \$800
 Payroll #31187 voided
 Ck#31240 voided replaced with Ck# 31272 \$44.10
 Payroll ck#31280 voided
 Payroll ck#31287 voided
 Manual ck 31290 for \$851.00

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

RESOLUTION NO. 59, 2018 ADOPTED. May 21, 2018

Mayor Blais reminded the Board that a Special Meeting to handle the end-of-year finances is set for Wednesday, May 30 at 6:00 p.m.

Mayor Blais asked for any other comment on the Proposed Local Laws. There was none.

At 8:08 p.m. Mayor Blais closed the Public Hearings on Proposed Local Law No. 5, 2018 amending Chapter 213, "WATER" and Proposed Local Law No. 6, 2018 Amending Chapter 220, "ZONING".

Motion by Trustee Perry, seconded by Trustee Mastrodomenico, unanimously carried, to make a Negative Declaration on SEQR, stating that there was no significant adverse impact on the Village of Lake George in adoption of Proposed Local Law No. 5, 2018 amending Chapter 213, "WATER" of the Code of the Village of Lake George.

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

Motion by Trustee Perry, seconded by Trustee Mastrodomenico, to adopt proposed Local Law No 5, 2018

LOCAL LAW NO. 5, 2018
AMENDING CHAPTER 213
OF THE CODE OF THE VILLAGE OF LAKE GEORGE
(WATER)

BE IT ENACTED, by the Board of Trustees of the Village of Lake George that the following Local Law shall be adopted.

Chapter 213
WATER

§ 213-13. Schedule of rates and charges.

A. Charges.

- (1) The charges for water shall be established and revised from time to time by the Village Board of Trustees. The charges as of November 1, 2018 [~~August 1, 2017~~] shall be as follows:

Type of Use	Rate
Inside the corporate limits of the Village of Lake George	<u>\$5.63</u> [\$5.47] per 1,000 gallons per calendar quarter up to 50,000 gallons and <u>\$6.23</u> [\$6.05] per 1,000 gallons over 50,000 gallons
Outside the Village, in the Town of Lake George	<u>\$6.47</u> [\$6.28] per 1,000 gallons per calendar quarter up to 50,000 gallons and <u>\$7.07</u> [\$6.86] per 1,000 gallons over 50,000 gallons

- (2) Based on the above rates, the minimum quarterly water charge for inside the Village of Lake George water customers shall be \$62.63 [~~\$60.81~~] If there is no use for inside the Village of Lake George water customers, the minimum quarterly water charge shall be \$33.70 [~~\$32.72~~].

- (3) Based on the above rates, the minimum quarterly water charge shall be \$70.62 [~~\$68.56~~] for outside the Village water customers in the Town of Lake George.

§208-48. When effective.

This Local Law shall take effect upon filing in the office of the New York State Secretary of State or as otherwise provided by law.

Explanation: New material is underlined. Deleted material is in [brackets].

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

LOCAL LAW NO. 5, 2018 ADOPTED May 21, 2018

A Negative Declaration on SEQR was previously approved for Local Law No. 6, 2018 on March 19, 2018.

Motion by Trustee Mastrodomenico, seconded by Trustee Root, to adopt proposed Local Law No 6, 2018

LOCAL LAW NO. 6, 2018
Amending Chapter 220
Of the Code of the Village of Lake George
“ZONING”

BE IT ENACTED by the Village Board of the Village of Lake George, New York as follows:

§1. Purpose and Intent.

The purpose and intent of this local law is to adopt amendments to Chapter 220 of the Code of the Village of Lake George, titled “Zoning”, and more specifically, to update §220-10, titled “Subdivision” to provide more clear and thorough subdivision approval requirements, and to amend and update other provisions of Chapter 220 as related to the amendments to §220-10.

§2. Amendments to §220-10.

220-10 Subdivision.

~~[The Village shall comply with the provisions of the New York State Village Law §§ 7-728 to 7-730, as amended.]~~

A. Planning Board empowered to approve plats.

By the authority of the Village Board of the Village of Lake George, and pursuant to the provisions of Article 7 of Village Law of the State of New York, the Planning Board of the Village of Lake George is authorized and empowered to approve plats showing lots, blocks or sites, with or without Streets or highways, to approve the development of entirely or partially undeveloped plats already filed in the office of the County Clerk and to conditionally approve Preliminary Plats, within the Village of Lake George.

B. Declaration of policy.

1. It is declared to be the policy of the Planning Board to consider land Subdivision Plats as part of a plan for the orderly, efficient and economic development of the Village. This means, among other things, that land to be

subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace, that proper provision shall be made for drainage, water supply, sewerage, environmental considerations and other needed improvements; that all proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring properties; that the proposed Streets shall compose a convenient system conforming to the Official Map, if such exists, and shall be properly related to the proposals shown on the Master Plan, if such exists, and shall be of such width, grade and location as to accommodate the prospective traffic, to facilitate fire protection and to provide access of firefighting equipment to buildings, and that proper provisions shall be made for open spaces for parks and playgrounds.

2. It is further declared to be the policy of these regulations to ensure the optimum overall conservation, protection, development of the unique scenic, aesthetic, wildlife, recreational, open space, historic, ecological and natural resources of the Village.
3. These regulations, which may be cited as the "Village of Lake George Subdivision Regulations".

C. Subdivision application procedures.

Whenever any Subdivision of land is proposed to be made, and before any contract for the sale of, or any offer to sell any Lots in such Subdivision or any part thereof is made, and before any permit for the erection of a structure in such proposed Subdivision shall be granted, the Subdivider or his duly authorized agent shall apply in writing for approval using such applications as may be approved by the Planning Board, and in accordance with the following procedures.

D. Sketch plan.

1. Submission of Sketch Plan. Any owner or Subdivider of land shall, prior to subdividing or resubdividing land, submit to the Clerk of the Planning Board at least four weeks prior to the regular meeting of the Board eight copies of a Sketch Plan of the proposed Subdivision, which shall comply with the requirements of § O for the purposes of classification and preliminary discussion.
2. Discussion of requirements and classification. The Subdivider, owner, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the requirements of these regulations for street improvements, drainage, sewerage, water supply, fire protection and similar aspects, as well as the availability of existing services and other pertinent information. Classification of the Sketch Plan is to be made at this time by the Planning Board as to whether it is a Minor Subdivision or Major Subdivision, or Class A regional subdivision as defined in these regulations. The Board may require when it deems it necessary for protection of the public health, safety and welfare, that a Minor Subdivision comply with all or some of the requirements specified for Major Subdivisions. If the Sketch

Plan is classified as a Minor Subdivision, the Subdivider shall then comply with the procedure outlined in § D of these regulations. If it is classified as a Major Subdivision, the Subdivider shall then comply with the procedures outlined in § F and G. If the Planning Board finds the proposed project to be a Regional Subdivision, the Board and the Subdivider shall comply with the additional procedures outlined in § N.

3. Study of Sketch Plan. The Planning Board shall determine whether the Sketch Plan meets the purposes of these regulations and shall, where it deems necessary, make specific recommendations in writing to be incorporated by the Subdivider in the next submission to the Planning Board.

E. Minor Subdivision.

1. Application; fee.
 - (1) Within six months after classification of the Sketch Plan as a Minor Subdivision by the Planning Board, the Subdivider shall submit an application for approval of a Minor Subdivision Plat. Failure to do so shall require resubmission of the Sketch Plan to the Planning Board for reclassification. The plat shall conform to the layout shown on the Sketch Plan plus any recommendations made by the Planning Board. Said application shall also conform to the requirements listed in § P.
 - (2) All applications for plat approval for Minor Subdivisions (up to and including four Lots) shall be accompanied by a fee of \$100.
2. Number of copies. Eight copies of the Subdivision Plat shall be presented to the Clerk of the Planning Board at least four weeks prior to a regularly scheduled monthly meeting of the Planning Board.
3. Subdivider to attend Planning Board meeting. The Subdivide, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the Subdivision Plat.
4. When officially submitted. The time of submission of the Subdivision Plat shall be the date on which the Clerk of the Planning Board receives a completed application for plat approval, including the data in § P of these regulations and the required fee.
5. Public hearing. Within 62 days of receipt of a completed Subdivision Plat for approval, the Planning Board may hold a public hearing. In determining whether or not in its discretion to hold a public hearing, the Planning Board shall consider the size and complexity of the activity, the level of public interest and the possibility of disapproval. In no case shall a plat be disapproved without a public hearing first having been held. Any public hearing shall be advertised in a newspaper of general circulation in the Village within five days

before such hearing.

6. Action on Subdivision Plat. If a public hearing is held, the Planning Board shall, within 62 days from the date of such hearing, approve, modify and approve or disapprove the Subdivision Plat. If no hearing is held, the Planning Board shall approve or modify and approve the Subdivision Plat within 62 days of the date of submission.

F. Preliminary plat for Major Subdivision.

1. Application; fee.
 - a) Prior to the filing of an application for the approval of a Major Subdivision Plat, the Subdivider shall file an application for the consideration of a Preliminary Plat of the proposed subdivision, in the form described in § Q hereof. The Preliminary Plat shall, in all respects, comply with the requirements set forth in the provisions of §§ 7-728 and 7-730 of the Village Law and § Q of these regulations, except where a waiver may be specifically authorized by the Planning Board.
 - b) The application for conditional approval of the Preliminary Plat shall be accompanied by a set fee, plus a per-lot fee (as per the map to be recorded in the office of the Warren County Clerk), which fees shall be a flat fee of \$250 plus \$50 per each lot.
2. Number of copies. Eight copies of the Preliminary Plat shall be presented to the Clerk of the Planning Board at least four weeks prior to a regularly scheduled monthly meeting of the Planning Board.
3. Subdivider to attend Planning Board meeting. The Subdivider or his duly authorized representative shall attend the meeting of the Planning Board to discuss the Preliminary Plat.
4. Study of Preliminary Plat. The Planning Board shall study the practicability of the Preliminary Plat, taking into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet unsubdivided, and the requirements of the Master Plan, the Official Map and zoning regulations, if such exists.
5. When officially submitted. The time of submission of the Subdivision Plat shall be the date on which the Planning Board accepts the completed application for plat approval including the data in § Q of these regulations and the required fee.
6. Public hearing. A public hearing shall be held by the Planning Board within 62

days after the time of the submission of the Preliminary Plat for approval. The hearing shall be advertised in a newspaper of general circulation in the Village at least five days prior to such hearing, and the cost of sending or publishing any public notices related to the project shall be borne by the applicant.

7. Approval of the Preliminary Plat.

- a) Within 62 days after the time of the hearing on a Preliminary Plat, the Planning Board shall take action to approve, with or without modification or disapprove such Preliminary Plat, unless that time is extended by mutual consent of the owner and Planning Board. The grounds of any modification required or the grounds for disapproval shall be stated upon the records of the Planning Board. Failure of the Planning Board to act within such sixty-two-day period, unless extended as provided for above, shall constitute an approval of a Preliminary Plat.
- b) When granting approval to a Preliminary Plat, the Planning Board shall state, if applicable, the specific changes which it will require in the Preliminary Plat, the character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety, morals and general welfare, the amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the Subdivision Plat.
- c) The action of the Planning Board plus any conditions attached thereto shall be noted on three copies of the Preliminary Plat. One copy shall be returned to the Subdivider, one retained by the Planning Board and one forwarded to the Village Board.
- d) Approval of a Preliminary Plat shall not constitute approval of the Subdivision Plat, but rather it shall be deemed an expression of approval of the Planning Board and for recording upon fulfillment of the requirements of these regulations and the conditions of the approval, if any.
- e) Prior to approval of the Subdivision Plat, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information obtained.

G. Plat for Major Subdivision.

1. Application for approval; fee.

- a) The Subdivider shall, within six months after the approval of the Preliminary Plat, file with the Planning Board an application for approval of the Subdivision Plat in final form, using the approved application available from the Clerk of the Planning Board.

- b) All applications for plat approval for Major Subdivisions (five lots and up) shall be accompanied by a set application fee plus a per-lot fee, which shall be the same fee as the Preliminary Plat for the Major Subdivision.
 - c) If the final plat is not submitted within six months after the conditional approval of the Preliminary Plat, the Planning Board may refuse to approve the final plat and require resubmission of the Preliminary Plat.
2. Number of copies. A Subdivider intending to submit a proposed Subdivision Plat for the approval of the Planning Board shall provide the Clerk of the Board with the application and eight copies thereof and one Mylar of the plat, the original and eight copies of all offers of cession, covenants and agreements and eight prints of all construction drawings, at least four weeks in advance of the regular monthly Planning Board meeting at which it is to be officially submitted.
 3. When officially submitted. The time of submission of the Subdivision Plat shall be considered to be the date upon which the application has been accepted as complete by the Planning Board. The application shall accompany all data required by § R of these regulations.
 4. Endorsement of state and county agencies. Water and sewer facility proposals contained in the Subdivision Plat shall be properly endorsed and approved by the authorized Lake George Village Water and Sewer Department representative. Applications for approval of plans for sewer or water facilities will be filed by the Subdivider with all necessary Village, county and state agencies.
 5. Public hearing. A public hearing shall be held by the Planning Board within 62 days after the time of submission of the Subdivision Plat for approval. This hearing shall be advertised in a newspaper of general circulation in the Village at least five days before such hearing. However, when the Planning Board deems the final plat to be in substantial agreement with the approved Preliminary Plat, the Planning Board may waive the requirements for such public hearing. The cost of sending or publishing any public notices related to the project shall be borne by the applicant.
 6. Action on proposed Subdivision Plat. The Planning Board shall within 62 days from the date of the public hearing on the Subdivision Plat or, if said hearing is waived, within 62 days of the submission of the final plat, conditionally approve, disapprove or grant final approval with or without modification. However, the Subdivision Plat shall not be signed by the authorized officers of the Planning Board for recording until the Subdivider has complied with the provisions of this chapter.

H. Filing of approved Subdivision Plat.

1. Final approval and filing.
 - a) Not more than 62 days after the completion of the public hearing, the Planning Board shall by resolution conditionally approve, disapprove or

grant final approval and authorize the signing of the Subdivision Plat. This time period may be extended by written agreement of the Subdivider and the Planning Board. Failure of the Planning Board to act within such time shall constitute final approval of the plat. The grounds for a disapproval or conditional approval shall be explicitly set forth in the Board's resolution.

- b) In making its decision, the Board shall apply the standards and requirements set forth in § G insofar as those standards are pertinent to the proposed subdivision.
- c) Upon granting conditional approval of the plat, the Planning Board shall empower the Chairman or Acting Chairman to sign the plat upon compliance with such conditions and requirements as may be stated in its resolution of conditional approval. Within five days of the resolution granting conditional approval, the plat shall be certified by the Clerk of the Planning Board as conditionally approved, a copy shall be filed in his/her office and a copy mailed to the Subdivider. The copy mailed to the Subdivider shall include a statement of requirements which, when completed, will authorize the signing of the conditionally approved plat. Upon completion of such requirements, the plat shall be deemed to have received final approval, and the Chairman or Acting Chairman shall sign the plat accordingly. Conditional approval of a plat shall expire 180 days after the date of the resolution granting such approval, unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which conditionally approved plat may be submitted for signature, if in its opinion such extension is warranted under the circumstances, for one of two additional periods of 90 days each.

- 2. Plat void if revised after approval. No changes, erasures, modifications or revisions shall be made in any subdivision plan after approval has been given by the Planning Board and endorsed in writing on the plat, unless said plat is first resubmitted to the Planning Board and such Board approves any modifications. In the event that any such Subdivision Plat is recorded without complying with this requirement, the same shall be considered null and void, and the Board shall institute proceedings to have the plat stricken from the record of the County Clerk.

I. General requirements and design standards.

- 1. Guidance by standards. In considering applications for subdivision of land, the Planning Board shall be guided by the standards set forth hereinafter. Said standards shall be considered to be minimum requirements and shall be waived by the Zoning Board only under circumstances set forth in § S herein.
- 2. General provisions.
 - a) Character of land. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace.

- b) Conformity to Official Map and Master Plan. Subdivisions shall conform to the Official Map of the Village and shall be in harmony with the Master Plan, if such exists.
- c) Specifications for required improvements. All required improvements shall be constructed or installed to conform to the Village specifications, which may be obtained from the Village Engineer or Public Works Superintendent.
- d) Width, location and construction. Streets shall be of sufficient width, suitably located and adequately constructed to conform to the Master Plan and to accommodate the prospective traffic and afford access for firefighting, snow removal and other road maintenance equipment. The arrangement of Streets shall be such as to cause no undue hardships to adjoining properties and shall be coordinated so as to compose a convenient system.
- e) No person shall subdivide land without adhering to all requirements set forth in Article IX of this Chapter 220 regarding Stormwater Management.

J. Lots.

1. Lots to be buildable. The lot arrangement shall be such that in constructing a building in compliance with Chapter 220, Zoning, of the Code of the Village of Lake George, there will be no foreseeable difficulties for reasons of topography or other natural conditions. Lots should not be of such depth as to encourage the later creation of a second building lot at the front or rear.
2. Corner lots. In general, corner lots should be larger than interior lots to provide for proper building setback from each Street and provide a desirable building site.
3. Driveway access. Driveway access and grades shall conform to specifications of the Village Driveway Ordinance, if one exists. Driveway grades between the Street and the primary structure shall not exceed 15%.
4. Access from private Streets. Access from private Streets shall be deemed acceptable only if such Streets are identified as part of the owner's property, a right of way, or Easement for the persons accessing their lots.
5. Monuments and lot corner markers. Permanent monuments meeting specifications approved by the Village Engineer as to size, type and installation shall be set at such block corners, angle points, points of curves in Streets and other points as the Village Engineer may require, and their location shall be shown on the Subdivision Plat.

6. Lots for individually owned townhomes and condominiums. Lots that are created through subdivision of land intended for townhomes and/or condominium use, where each unit and/or building is separately owned, must proceed through the subdivision process and adhere to all provisions identified in Chapter 220, Zoning. One exception to this provision is for subdivisions creating lot lines surrounding individually owned townhome/condominium units, in which case the yard setback requirements in Schedule II shall not apply to those individual unit lot lines. Setbacks from the overall common parcel to the building envelopes must be adhered to, as well as the underlying zoning district's lot coverage requirements.

K. Sanitary sewer system.

Unless an approval is granted by the Local Board of Health prior to Subdivision approval by the Planning Board, all Subdivision Lots must connect to sanitary sewer at the cost of the Subdivider.

L. Water mains.

Unless an approval is granted by the Board of Trustees prior to Subdivision approval by the Planning Board, all Subdivision Lots must connect to the Village water system at the cost of the Subdivider.

M. Preservation of natural features.

1. The Planning Board shall establish the preservation of all natural features which add value to residential developments and to the community. The layout shall take advantage of the natural contours and the original vegetation. Natural features such as large trees and groves, watercourses, beaches, vistas and similar irreplaceable assets shall be preserved in designing and construction and subdivision. Of special concern is the conservation of the wooded character of the skylines, hillsides and lakefronts.
2. In a residential subdivision, all houses shall be sited properly. Setbacks should be varied in order to preserve trees so that each house has maximum privacy and the best view.

N. Regional subdivisions.

1. Applicability of this section. When a proposed subdivision is a Class A regional subdivision, the provisions of this section shall apply in addition to all other provisions of these regulations.
2. Criteria and certain procedures for Adirondack Park Agency review of Class A Regional Subdivisions.
 - a) The Adirondack Park Agency's review of Class A Regional Subdivisions within the territory of the Village pursuant to and in accordance with Section 809, Subdivision 9, of the Adirondack Park Agency Act, shall be governed by the criteria and certain procedures hereinafter set forth, as well as those set forth in the Act and the applicable Agency rules and

regulations.

- b) As soon as reasonably practicable following receipt by the Planning Board from the Adirondack Park Agency of notice of application completion with regard to a Class A Regional Subdivision, the Planning Board or one or more designees thereof shall consult with the Agency for the purpose of analyzing the application and formulating advisory recommendations as to whether the subdivision meets all of the pertinent requirements and conditions of the Village land use program. No later than 30 days following receipt by the Planning Board from the Agency of such notice of application completion with regard to a Class A Regional Subdivision, or such shorter period as may be agreed upon in writing by the Agency and the Village, the Planning Board shall, by certified mail, provide to the Agency its advisory recommendations as to whether the subdivision meets all of the pertinent requirements and conditions of the Village land use program. Should the Planning Board fail to provide such recommendations within such thirty-day or otherwise agreed- upon period, the Agency may make the finding required by Subsection 2(c) hereof without receipt of such recommendations.
 - c) The Adirondack Park Agency will not approve a Class A Regional Subdivision unless it first determines, after seeking consultation with the Planning Board and upon consideration of an advisory recommendation of the Planning Board relative to the subdivision, that the subdivision would comply with all the pertinent requirements and conditions of the Village land use program.
 - d) In making the determination required by Section 809 of the Adirondack Park Agency Act as to the impact of a proposed Class A Regional Subdivision upon the resources of the Adirondack Park, including the ability of all levels of government to provide supporting facilities and services made necessary by the subdivision, the Agency shall consider those factors pertinent to the subdivision.
3. Establishment of joint procedures with the Adirondack Park Agency for review of Class A Regional Subdivisions. The Planning Board may establish whatever joint procedures with the Adirondack Park Agency for review of Class A Regional Subdivisions which the Board in its discretion deems desirable to minimize duplication and generally expedite the review process.

O. Sketch plan requirements.

1. The Sketch Plan initially submitted to the Planning Board shall be based on Tax Map information or some other similarly accurate base map at an appropriate scale to enable the entire tract to be shown on one sheet.
2. The Sketch Plan shall be submitted, showing the following information:
 - a) The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest existing Street intersection.

- b) All existing structures, wooded areas, streams and other significant physical features within the portion to be subdivided and within 200 feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than 10 feet.
- c) The name of the owner and of all adjoining property owners are disclosed by the most recent municipal tax records.
- d) The Tax Map sheet, block and lot numbers, if available.
- e) All the utilities available and all Streets which are proposed, mapped or built.
- f) The proposed pattern of lots (including lot width and depth), Street layout recreation areas, systems of drainage, sewerage and water supply [see § 220-10(Q)1(c)] within the subdivided area.
- g) All existing restrictions on the use of land, including Easements, covenants or zoning lines.

P. Minor Subdivision Plat requirements.

1. In the case of Minor Subdivision only, the Subdivision Plat application shall include the following information:
 - a) A copy of such covenants of deed restrictions as are intended to cover all or part of the tract.
 - b) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by monuments, as approved by the Village Engineer, and shall be referenced and shown on the plat.
 - c) Connections to sanitation and water supply facilities shall be designed to meet the minimum specifications of the Village Water and Sewer departments.
 - d) Proposed subdivision name, name of the Village and county in which it is located.
 - e) The date, north point, map scale, name and address of record owner and Subdivider.
2. The plat to be filed with the County Clerk shall be printed upon mylar. The size of the sheet shall be twenty-two by twenty-six (22 x 26) inches or twenty-four by thirty-six (24 x 36) inches.
3. Such other information as the Planning Board may request.

Q. Major Subdivision Preliminary Plat and accompanying data requirements.

1. Eight copies of the Preliminary Plat prepared at a scale of not more than 100, but preferably not less than 50, feet to the inch shall be submitted, showing:
 - a) Proposed subdivision name, name of Village and county in which it is located, date, true north point, scale, name and address of record owner, Subdivider and engineer or surveyor, including license number and seal.
 - b) The name of all subdivisions immediately adjacent and the name of the owners on record of all adjacent property.
 - c) Zoning district, including exact boundary lines of district, if more than one district, and any proposed changes in the zoning district lines and/or Chapter 220, Zoning, of the Code of the Village of Lake George text applicable to the area to be subdivided.
 - d) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
 - e) Location of existing property lines, Easements, buildings, watercourses, marshes, rock outcrops, wooded areas, and other significant existing features for the proposed subdivision and adjacent property.
 - f) Location of existing sewers, water main, culverts and drains on the property, with pipe sizes, grades and direction of flow.
 - g) Contours with intervals of five feet or less as required by the Board, including elevations on existing roads. Approximate grading plan if natural contours are to be changed more than two feet.
 - h) The width and location of any Streets or public ways or places shown on the Official Map or the Master Plan, if such exists, within the area to be subdivided, and the width, location, grades and Street profiles of all Streets or public ways proposed by the developer.
 - i) The approximate location and size of all proposed water lines, valves, hydrants and sewer lines and fire alarm boxes. Connection to existing lines and profiles of all proposed water and sewer laterals.
 - j) Storm drainage plan indicating the approximate location and size of proposed lines and their profiles. Connection to existing lines and all stormwater management facilities or alternate means of disposal.
 - k) Plans and cross-sections showing the proposed location and type of

sidewalks, Street lighting standards, Street trees, curbs, water mains, sanitary sewers and storm drains and the size and type thereof, the character, width and depth of pavements and sub base, the location of manholes, basins and underground conduits.

- l) Preliminary designs of any bridges or culverts which may be required.
 - m) The proposed lot lines with approximate dimensions and area of each lot.
 - n) Where the topography is such as to make difficult inclusion of any of the required facilities within the public area as laid out, the boundaries of proposed permanent Easements over or under private property, which permanent Easements shall not be less than 20 feet in width and which shall provide satisfactory access to an existing public highway or other public highway or public open space shown on the subdivision or the Official Map.
 - o) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by substantial monuments of such size and type as approved by the Village Engineer, and shall be referenced and shown on the plat.
2. If the application covers only a part of the Subdivider's entire holding, a map of the entire tract, drawn at a scale of not less than 400 feet to the inch showing an outline of the platted area, shall be submitted. The part of the Subdivider's entire holdings submitted shall be considered in the light of the entire holdings.
3. A copy of such covenants or deed restrictions as are intended to cover all or part of the tract shall be submitted.
4. Such other information as the Planning Board may request.

R. Major Subdivision Plat and accompanying data requirements.

The following documents shall be submitted for plat approval:

- 1. A mylar delineating the plat, which shall be filed with the County Clerk.
 - a) The Subdivision Plat shall be drawn at a scale of no more than 100 feet to the inch and oriented with the north point at the top of the map. When more than one sheet is required, an additional mylar of the same size shall be filed, showing to scale the entire subdivision with lot and block numbers clearly legible.
 - b) The plat shall show:

- i. Proposed subdivision name of identifying title and the name of the Village and county in which the subdivision is located; the name and address of record owner and Subdivider; name, license number and seal of the licensed land surveyor.
 - ii. Street lines, pedestrian ways, lots, reservations, Easements and areas to be dedicated to public use.
 - iii. Sufficient data acceptable to the Village Engineer to determine readily the location, bearing and length of every Street line, lot line, boundary line and to reproduce such lines upon the ground. Where applicable, these should be referenced to monuments included in the state system of plane coordinates, and in any event should be tied to reference points previously established by a public authority.
 - iv. All dimensions and angles of lines of each lot shall also be given. All dimensions shall be shown in feet and decimals of a foot. The plat shall show the boundaries of the property, location, graphic scale and true north point.
- c) The plat shall also show, by proper designation thereon, all public open spaces for which deeds are included and those spaces title to which is reserved by the developer. For any of the latter, there shall be submitted with the Subdivision Plat copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions made there for.
 - d) All offers of cession and covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Village Attorney as to their legal sufficiency.
 - e) Lots and blocks within a subdivision shall be numbered and lettered in alphabetical order in accordance with the prevailing Village practice.
 - f) Permanent reference monuments shall be shown and shall be constructed in accordance with specification of the Village Engineer. When referenced to the state system of plane coordinates, they shall also conform to the requirements of the State Department of Public Works. They shall be placed as required by the Village Engineer and their location noted and referenced upon the plat.
 - g) All lot corner markers shall be permanently located satisfactorily to the Village Engineer, at least 3/4 inch (if metal) in diameter and at least 24 inches in length, and located in the ground to existing grade.
 - h) Monuments of a type approved by the Village Engineer shall be set at all corners and angle points of the boundaries of the original tract to be

subdivided; and at all Street intersections, angle points in Street lines, points of curve and such intermediate points as shall be required by the Village Engineer.

2. Construction drawings, including plans, profiles and typical cross sections, as required, show the proposed location, size and type of Streets, sidewalks, lighting standards, Street trees, curbs, water mains, sanitary sewers and storm drains, pavements and sub base, manholes, catch basins and other facilities.

S. Variances and waivers.

1. Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Official Map, the Master Plan or Chapter 220, Zoning, of the Code of the Village of Lake George, if such exists.
2. Where the Planning Board finds that, due to the special circumstances of a particular plat, the provision of certain required improvements is not requisite in the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it shall refer any variance request to the Zoning Board of Appeals to potentially waive such requirements, subject to appropriate conditions.
3. In granting variances and modifications, the Zoning Board of Appeals shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

T. Special consulting fees.

1. The Planning Board, in its review of subdivision applications, may employ consultants, legal counsel, professional engineers and/or inspection services to provide assistance and advice in the review of any application, including on-site investigation, evaluation and inspection; verification of the accuracy of information submitted; evaluation of the adequacy of plans and the sufficiency of submitted reports; study of the impact of proposals upon the resources and environment of the Village; preparation and/or review of environmental impact statements; review of the design and layout of improvements; inspection of installed improvements; and such other services or technical assistance as the Planning Board deems necessary for its review of the application.
2. All costs incurred for these special consulting services shall be borne by the applicant. As further provided below, a deposit shall be required in advance to cover the estimated cost of these services. This deposit shall be in the amount determined by the Planning Board, or its duly authorized agent, as sufficient to cover all such special consulting costs based on current rates. Fees for the preparation or review of environmental impact statements shall be as determined

by 6 NYCRR Part 617, adopted pursuant to Article 8 of the Environmental Conservation Law.

3. The deposit due for the special consulting services deemed by the Planning Board to be necessary for its appropriate review of any particular application shall be filed by the applicant with the Village Clerk by cash or check endorsed to the Village of Lake George. An application shall not be deemed complete by the Planning Board until the requirements of this section have been complied with.
4. After the Planning Board has rendered its decision on an application, the balance of the deposit, if any, remaining in excess of actual incurred costs shall be returned to the applicant without payment of interest.
5. Payment of any deficiency in the amount of the deposit to cover incurred costs in full shall be a condition to final approval of any application by the Planning Board. No final approval shall be signed, stamped, sent or otherwise valid until and unless such amount is paid.

U. Lot Line Adjustments

1. A Lot Line Adjustment shall comply with the following criteria:
 - a) No new Lots shall be created, and no existing Lots shall be deleted.
 - b) No Lot shall be reduced below the minimum Lot area, Lot width, or create any other nonconformity pursuant to the dimensional requirements set forth in Schedule II. Should the proposed parcels be non-conforming in nature, or an increase to any existing nonconformity, Area Variances must be approved by the Zoning Board of Appeals in order for the Lot Line Adjustment to be allowed. In the event any variances are required as part of any Lot Line Adjustment, such amendment may also require Minor Subdivision approval from the Planning Board.
 - c) The proposed adjustment does not alter public rights-of-way, existing Easements, or other lots
 - d) The proposed adjustment does not conflict with Adirondack Park Agency Regulations
2. Permit Requirements. Applications for a Lot Line Adjustments are available in the Planning and Zoning Office, and shall be submitted to the Planning and Zoning Director for review with the following:

- a) A \$25 Lot Line Adjustment application fee complete with the Lot Line Adjustment application
 - b) A survey map showing the existing Lot configuration, the proposed Lot configuration, as well as any existing site features such as structures, water or sewer facilities, roads, and natural features.
3. Procedure.
- a) Upon receipt of a completed application, the Zoning Administrator shall review the proposed Lot Line Adjustment. The applicant and his or her representative shall be notified of any concerns set forth by the review which may delay approval of the applications.
 - b) The Zoning Administrator shall limit his or her review and approval to a determination of whether or not modifications included in the Lot Line Adjustment will conform to state law and local ordinances, and shall not impose conditions or exactions on the approval except to conform to such ordinances, or to facilitate the relocation of utilities, Easements or improvements.
 - c) Within thirty (30) days of the Lot Line Adjustment application being accepted as complete, the planning director shall approve, conditionally approve, disapprove or notify the applicant and his or her representative that the request does not meet the requirements of a Lot Line Adjustment, and may subsequently require Zoning Board of Appeals approval.
 - d) In the event any Lot involved in a Lot Line Adjustment is encumbered by a mortgage, the approval of the mortgagee(s) shall be provided prior to approval by the Zoning Administrator
4. Filing. Filing for Lot Line Adjustment shall not be considered final until the exhibits and new legal descriptions, or amended deeds, reflecting the adjustment have been recorded with the County.

§3. Amendments to §220-101, Definitions.

The following terms are added to §220-101.

CLASS A REGIONAL SUBDIVISION

A subdivision which is classified as a Class A Regional Project in Section 810 of the Adirondack Park Agency Act.

CLERK OF THE PLANNING BOARD

That person who shall be designated to perform the duties of the Clerk of the Planning Board for all purposes of these regulations.

EASEMENT

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

ENGINEER or LICENSED PROFESSIONAL ENGINEER

A person licensed as a professional engineer by the State of New York.

LOT LINE ADJUSTMENT

A lot line adjustment is a modification of a boundary line between two or more adjacent parcels to clarify or amend such boundary, and where the square footage of land involved in such modification is less than minimum lot size in the zoning district where the parcels are located. In the event the modification involves parcels in two or more different zoning districts, the more restrictive minimum lot size shall be used to determine applicability of this definition.

MAJOR SUBDIVISION

Any subdivision not classified as a Minor Subdivision, including but not limited to a subdivision requiring any new Street or extension of municipal facilities.

MASTER OR COMPREHENSIVE PLAN

A Comprehensive Plan, prepared by the Planning Board, pursuant to § 7-722 of the Village Law, which indicates the general locations recommended for various functional classes of public works, places and structures and for general physical development of the Village and includes any unit or part of such plan separately prepared and any amendment to such plan or parts therein.

MINOR SUBDIVISION

Any subdivision containing not more than four lots fronting on an existing Street, not involving any new Street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map or Zoning Ordinance, if such exists, or these regulations.

OFFICIAL MAP

The map established by the Village Board pursuant to §7-724 of the Village Law, showing Streets, highways and parks and drainage, both existing and proposed.

PRELIMINARY PLAT

A drawing or drawings clearly marked "preliminary plat," showing the salient features of a proposed subdivision, as specified in § R of these regulations, submitted to the Planning Board for purposes of consideration prior to submission of the plat in final form and of sufficient detail to apprise the Planning Board of the layout of the proposed subdivision.

REGIONAL SUBDIVISION

Any Class A Regional Subdivision.

SKETCH PLAN

A sketch of a proposed subdivision showing the information specified in § P of these regulations to enable the Subdivider to save time and expense in reaching general agreement with the Planning Board as to the form of the layout and objectives of these regulations.

STREET

Includes Streets, roads, avenues, lanes or other traffic ways between right-of-way lines.

SUBDIVIDER

Any person, firm, corporation, partnership or association who shall lay out any subdivision or part thereof as defined herein, either for himself or others. In the event any Subdivision is sold or conveyed, the requirements of this Chapter shall apply to any grantee or buyer of such Subdivision.

SUBDIVISION

(1)A division of land into two or more lots, parcels or sites, whether adjoining or not, for the purpose of sale, lease, license or any form of separate ownership or occupancy by any person or by any other person or any group of persons acting in concert as part of a common scheme or plan; provided, however, that this shall not apply to conveyances of small amounts of land to correct a boundary of a lot so long

as such conveyance does not create additional lots.

(2)Includes any map, plot or other plans, whether or not previously filed. It also includes any grading, road construction, installation of utilities or other improvements or any other land use or development preparatory or incidental to such activity. It does not include the lease of land for hunting or fishing and other open space recreational uses.

SUBDIVISION PLAT or FINAL PLAT

A drawing, in final form, showing a proposed subdivision, containing all information or detail required by law and by these regulations to be presented to the Planning Board for approval and which, if approved, may be duly filed or recorded by the applicant in the office of the County Clerk or Register.

SURVEYOR

A person licensed as a land surveyor by the State of New York.

VILLAGE ENGINEER

The duly designated engineer of the Village.

§4. 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.

§5. Effective Date.

This local law shall take effect upon filing with the office of New York State Secretary of State.

...

Explanation: New Material is underlined. Deleted Material is in [brackets.]

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

LOCAL LAW NO. 6, 2018 ADOPTED **May 21, 2018**

Mayor Blais asked for any other business.

Trustee Root noted that he checked out the work on the Shepard Park Restrooms; they are coming along and look to be ahead of schedule. Mayor Blais commented that they are going to be nice, and he would like to have a grand opening ceremony.

Trustee Perry commended staff on their streets clean up work.

Mayor Blais reported that a lot of work has been done by Village employees on the new McGillis Avenue building, and commended Keith Lanfear on being able to do a variety of different trades. He saves the Village a lot of money.

There was a motion by Trustee Perry, to adjourn at 8:13 p.m.

Respectfully submitted,

Debra J. McKinney
Village Clerk