

Minutes of the Special Meeting of the Board of Trustees of the Village of Lake George, NY, held at the Village Administration Building on Wednesday, May 29, 2019 at 8:00 a.m.

MEMBERS PRESENT: Robert M. Blais
John Earl, Deputy Mayor (arrived at 8:09 a.m.)
Ray Perry, Trustee (arrived at 8:07 a.m.)
John Root, Trustee

MEMBERS ABSENT: Joseph Mastrodomenico, Jr., Trustee

Also Present: Clerk Debra McKinney, Superintendent Dave Harrington, and Thom Randall (Journalist).

At 8:07 a.m. Mayor Blais opened the Special Meeting.

The annual renewal for the Village's insurance policies with NYMIR through the Upstate Agency came in at a .7% increase.

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

RESOLUTION NO. 57, 2019

BE IT RESOLVED, that the Village Board hereby authorizes Mayor Blais to sign the 2019-2020 agreement with Upstate Insurance Agency for our Village insurance with NYMIR.

VOTING **Ayes: 3** **Blais, Perry, Root**
 Nays: 0
 Absent: 2 **Mastrodomenico, Earl**

RESOLUTION NO. 57, 2019 ADOPTED. May 29, 2019

Peter Shabat submitted an application for a Tent Permit to erect a 20'x40' tent at 509 Canada Street behind the pizza shop for the purpose of morning prayer services. Mr. Shabat previously had a tent up at Magic Forest for many years, but had to remove it due to sale of the property. He would like to leave the tent up from June 1st through the end of September. Mayor Blais noted that the Village's ordinance allows for a permitted tent to be put up for a maximum of seven days. Two tent permits per property are allowed during any calendar year. Temporary tents may be exempted for not-for-profits and by Board resolution. Zoning Administrator Dan Barusch was concerned if the Board approves this, it may set a precedent. Mayor Blais commented that in the particular location intended, the tent will not really be visible. Trustee Earl remarked that in the future any applications that are not legible should not be accepted, as this one is difficult to read.

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

RESOLUTION NO. 58, 2019

BE IT RESOLVED, that the Village Board hereby approves a temporary revocable trial Tent Permit for Peter Shabat to erect a 20'x40' tent at 509 Canada Street for the period from June 1st through September 30, 2019 for the purpose of prayer services.

BE IT FURTHER RESOLVED that the fee for this tent permit will be \$250.

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

RESOLUTION NO. 58, 2019 ADOPTED. May 29, 2019

Mayor Blais reported that there are funds left in the General Fund budget fire appropriations. Usually at the end of each year, they are transferred to the Fire Reserve Fund; he recommended doing the same this year.

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

RESOLUTION NO. 59, 2019

WHEREAS, the Village of Lake George Fire Department has completed the fiscal year 2018-2019, and has unused funds estimated in the amount of \$21,000., and

WHEREAS, the Village of Lake George Fire Department requests that the unused funds be transferred into their Fire Reserve Fund for future equipment purchases,

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George, New York hereby authorizes a transfer of \$21,000., from the General Fund to the Fire Equipment Reserve.

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

RESOLUTION NO. 59, 2019 ADOPTED. May 29, 2019

The Beautification Department would like to add one more seasonal employee.

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

RESOLUTION NO. 60, 2019

BE IT RESOLVED, that the Board of Trustees approves the hiring of Colleen Davis as a Beautification laborer, part time seasonal at \$13.50 per hour.

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

RESOLUTION NO. 60, 2019 ADOPTED. May 29, 2019

Park Mobile has sent an agreement along with other paperwork for the deployment of a pay ap to be used with the Village's meters and pay and display machines. Superintendent Harrington explained that they will be designing a grid with zones breaking out specific locations so that we

can tell where the funds are coming from. West Brook Road and County Parking will not be included in the initial set up as to avoid confusion when paying out shares. He noted that we are shooting for a “go live” date of July 4th. Superintendent Harrington recommended increasing the minimum payment on any credit card purchase to \$1.50 so that the merchant services and use fees do not outweigh the revenue. He noted that he will follow up with Attorney Fuller to see if a change to the local law is required or not for this.

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

RESOLUTION NO. 61, 2019

BE IT RESOLVED, pending a satisfactory review of the proposed agreement by Village Attorney Matt Fuller, the Board of Trustees authorizes Mayor Blais to sign a Parking Services Agreement with Park Mobile for the deployment and set up of the pay ap for the Village’s paid parking.

BE IT FURTHER RESOLVED, that the Board approves of filing the necessary paperwork for processing of the payments with TD Bank Merchant Services.

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

RESOLUTION NO. 61, 2019 ADOPTED. May 29, 2019

Mayor Blais updated the Board and noted that another conference call with staff from the Governor’s office is scheduled for Friday in regards to the WWTP project. He is optimistic that we may still get some additional funding. He also noted that we have the application in for grant funding from the Norther Border Regional Commission as well. Mayor Blais is trying to schedule a Special Joint Meeting with the Town so that the Town Council can be updated. Tentative dates will be either June 10 prior to the Town’s Regular Meeting or June 17th prior to the Village’s Regular Meeting. He recommended that since the estimate for the project is \$24M, we should follow up by increasing the maximum for the serial bonds, as well as the hiring of Municipal Solutions, Inc. for services in regards to the exclusion of all proposed sewer debt and any outstanding sewer debt not previously excluded from the constitutional debt limit. Trustee Root commented that he heard that Mayor Blais was well received at the County meeting, and it’s possible that there may be some funding coming from the County level as well.

The following resolution was offered by Mayor Blais who moved it’s adoption, seconded by Trustee Root, to wit:

RESOLUTION NO. 62, 2019

SERIAL BOND RESOLUTION DATED MAY 29, 2019

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$24,000,000
SERIAL BONDS OF THE VILLAGE OF LAKE GEORGE,
WARREN COUNTY, NEW YORK FOR THE ACQUISITION,
CONSTRUCTION, RECONSTRUCTION, AND ADDITIONS TO
THE VILLAGE OF LAKE GEORGE’S WASTEWATER
TREATMENT PLANT AND SEWAGE TREATMENT PLANT,**

AND THE ACQUISITION OF ORIGINAL FURNISHINGS, EQUIPMENT, MACHINERY, AND APPARATUS RELATED THERETO, AND RELATED SITE WORK, IN ACCORDANCE WITH DEPARTMENT OF ENVIRONMENTAL CONSERVATION ORDER ON CONSENT (R-5-20140530-2120) AND NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION PROJECT NUMBER 5571-4-00 LOCATED ON PROPERTY OWNED BY THE VILLAGE OF LAKE GEORGE IN THE TOWN OF LAKE GEORGE, WARREN COUNTY NEW YORK (the “Project”)

WHEREAS, on June 20, 2016 the Board of Trustees of the Village Board of the Village of Lake George authorized the acquisition, construction, reconstruction and additions to the Village of Lake George’s wastewater treatment plant and sewage treatment plant, and the acquisition of original furnishings, equipment, machinery, and apparatus related thereto, and related site work, in accordance with Department of Environmental Conservation Order on Consent (R-5-20140530-2120) and New York State Environmental Facilities Corporation Project Number 5571-4-00 located on property owned by the Village of Lake George in the Town of Lake George, Warren County New York (the “Project”), and to provide for the financing thereof, at a maximum cost of \$17,000,000, or so much thereof as may be necessary to be paid from the proceeds of the obligations issued pursuant to the Local Finance Law, and

WHEREAS, on March 19, 2018 the Board of Trustees of the Village Board of the Village of Lake George authorized the Project, and provided for the financing thereof, at an increased maximum cost of \$22,000,000, or so much thereof as may be necessary to be paid from the proceeds of the obligations issued pursuant to the Local Finance Law,

WHEREAS, on May 29, 2019 the Board of Trustees of the Village Board of the Village of Lake George desires to authorize the Project, and to provide for the financing thereof, at an increased maximum cost of \$24,000,000, or so much thereof as may be necessary to be paid from the proceeds of the obligations issued pursuant to the Local Finance Law,

NOW, THEREFORE, BE IT RESOLVED:

1. The Village Board of the Village of Lake George, Warren County, New York, hereby authorizes the acquisition, construction, reconstruction and additions to the Village of Lake George’s wastewater treatment plant and sewage treatment plant, and the acquisition of original furnishings, equipment, machinery, and apparatus related thereto, and related site work, in accordance with Department of Environmental Conservation Order on Consent (R-5-20140530-2120) and New York State Environmental Facilities Corporation Project Number 5571-4-00 located on property owned by the Village of Lake George in the Town of Lake George, Warren County New York at a maximum cost of \$24,000,000.

2. The specific object or purpose for which obligations are to be issued pursuant to this resolution is the acquisition, construction, reconstruction and additions to the Village of Lake George’s wastewater treatment plant and sewage treatment plant, and the acquisition of original furnishings, equipment, machinery, and apparatus related thereto, and related site work, in accordance with Department of Environmental Conservation Order on Consent (R-5-20140530-2120) and New York State Environmental Facilities Corporation Project Number 5571-4-00 located on property owned by the Village of Lake George in the Town of Lake George, Warren County New York.

3. The current maximum cost of the aforesaid specific object or purpose of this resolution is \$24,000,000, and the plan for the financing thereof is the issuance of serial bonds of said Village pursuant to the Local Finance Law and obtaining grants. Such bonds are to be payable from sewer rents paid by the users of the Village's sewer system, funds paid by the Town of Lake George to the Village of Lake George pursuant to an intermunicipal agreement between the Town of Lake George and the Village of the Lake George, and/or from amounts which shall annually be levied on all the taxable real property in the Village of Lake George, and the faith and credit of said Village of Lake George, Warren County, New York, are hereby pledged for the payment of said bonds and the interest thereon.

4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose of this resolution is forty (40) years, pursuant to subdivision 4 of Paragraph a of Section 11.00 of the Local Finance Law.

5. It is hereby determined that the proposed maturity of the obligations authorized herein will be in excess of five (5) years.

6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell serial bonds and bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Mayor of the Village of Lake George, the chief fiscal officer, or in his absence, the Village Clerk, who is the substituted chief fiscal officer. Such bonds and notes shall be of such terms, form and contents, and shall be sold in such manner, as may be determined by said Village Mayor or Village Clerk pursuant to and consistent with the provisions of the Local Finance Law.

7. This resolution is not subject to a permissive referendum because the financing of the Project resulted from the entering of a consent order by the Department of Environmental Conservation requiring the Village of Lake George to make the improvements referenced in the Project.

8. The validity of such bonds and bond anticipation notes may be contested only if:

a. Such obligations are authorized for an object or purpose for which said Board of Trustees is not authorized to spend money; or

b. The provisions of law which should be complied with as of the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

c. Such obligations are authorized in violation of the provisions of the Constitution.

9. This resolution shall take effect immediately and shall be published in full in The Post Star which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk substantially in the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

VOTING:	Robert M. Blais	AYE
	John Earl	AYE
	Ray Perry	AYE
	John Root	AYE
	Joseph Mastrodomenico	ABSENT

RESOLUTION NO. 62, 2019 ADOPTED.

May 29, 2019

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

RESOLUTION NO. 63, 2019

BE IT RESOLVED, that the Village Board hereby authorizes Mayor Robert M. Blais to sign an agreement with Municipal Solutions to prepare a sewer debt exclusion for the Village to borrow the \$24M dollars for a new WWTP for a minimum fee of \$3,500. with any necessary additional services to be billed at an hourly rate of \$130. plus reimbursables.

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

RESOLUTION NO. 63, 2019 ADOPTED. May 29, 2019

Mayor Blais, seconded by Trustee Earl, offered the following resolution for end-of-the-year transfers and audits:

RESOLUTION NO. 64, 2019

TRANSFERS:

From:		To:		Amount:
A1420.4	Law/Attorney	A1325.4	Clerk/Treas. Contr.	\$ 664.00
A1640.41	Buildings/Elec	A1640.43	Central Garage Phone	\$ 120.00
A1640.41	Buildings/Elec	A1640.44	Vehicles	\$ 30.00
A5142.4	Snow Removal Contr.	A5110.4	Street Maint. Contr	\$ 793.00
A5142.4	Snow Removal Contr.	A5110.43	Street Maint. Phone	\$ 89.00
A5142.4	Snow Removal Contr.	A5650.43	Phone	\$ 1.00
A8020.4	Planning Contr.	A8010.4	Zoning Contr.	\$ 76.00
A8130.21	Fixed Asset	A8130.4	Sewer Contr.	\$ 659.00
A9060.8	Health Ins.	A9060.83	Copays	\$ 291.00
F8320.4	Source of Supply	F8320.41	Source of Supply	\$ 2,945.00

AUDITS:

5/29/2019	General	\$105,540.38	
	Water	\$4,698.44	192089-192138
	Sewer Plant		
	Improv(HK)	<u>\$24,225.79</u>	
		\$134,464.61	

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

RESOLUTION NO. 64, 2019 ADOPTED. May 29, 2019

Trustee Perry gave an update on the status of the Shepard Park WiFi Project. Draft bid specifications have been completed with intentions of advertising the bid in the paper on Friday. Clerk Deb McKinney commented that the bid deadline could be set for June 14th with an award at the next regular meeting on June 17th. Superintendent Harrington reminded the Board that the funds for this are not in the budget, so we will have to amend the budget. In the meantime, basic Spectrum services have been ordered, but we do not have an installation date yet. Trustee Root remarked that the way he looks at it is that the people are using the service and by doing so they are helping to market our Village. Trustee Perry made a motion, seconded by Trustee Root and carried by a majority to approve going out to bid for the Shepard Park WiFi Project.

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

There was a motion by Mayor Blais, seconded by Trustee Perry, to adjourn at 8:35 a.m.

Respectfully submitted,

Debra J. McKinney
Village Clerk