

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, August 20, 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, Superintendent David Harrington, W. Mamrosch, Scott Dunklee, Charles DeVries, Barbara Blanchard from MEGA (Municipal Electric and Gas Alliance), and Thom Randall (Journalist).

At 6:30 p.m. Mayor Blais opened the Regular Meeting and asked Trustee Root to lead the Pledge of Allegiance.

At 6:31 p.m. Mayor Blais noted that a Public Hearing tabled from the last meeting of July 23, 2018 for a proposed Local Law No. 9 amending Chapter 177, "SPECIAL EVENT PARKING AND HIGHWAY CLOSURE" will remain open. This amendment would allow for the parking of cars on residential properties during major special events and Village sponsored fireworks shows and sets some standards for this.

Mayor Blais opened the floor to public comment. Scott Dunklee commented that he has been parking cars since permission was given. He generally has a full lot on Thursday nights. Mayor Blais noted that the Village sought counsel from the Attorney and from the Insurance Company. We have been advised that there is no homeowners insurance that covers the parking of vehicles for a fee on your private property. The parking of vehicles on private property classifies the homeowner as a business. Therefore the Village has been advised that they should not get involved in the process.

Mayor Blais introduced Barbara Blanchard from MEGA who had requested to be on the agenda. She gave a brief history of their organization and distributed copies of the newly issued MEGA Corporate Report. She noted that Constellation and Direct Energy are the third party suppliers that have been awarded contracts. The Village has participated since 2013 and has a contract with both vendors.

Mayor Blais presented the minutes from a Regular Meeting held on July 16, 2018 and a Special Meeting held on July 23, 2018. Trustee Root made a motion, seconded by Trustee Perry, unanimously carried, to approve the July 16 and July 23, 2018 meeting minutes.

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

MOTION PASSED.

Monthly reports from the Sanitation Department, Caldwell Sewer District, REC Center, Code Enforcement, Meter Revenues, Meter Enforcement, Fire Department, and Superintendent of Public Works were presented and made available for inspection. Fire training as following was noted:

- Scott Smith, Brandon Combs, John Coccozza, Tyler Dupaw and Matt Oswald – Fire Fighter 2 being held at the Lake George Fire House

- Eric Meixner, Jay Liguori, Garrett Ramsey, Brad Lashway and Tyler Dupaw – EVOG being held at the Riverside Fire House
- Scott Smith, Eric Meixner and Jay Liguori – Pump Ops at the Warrensburg Fire House.

The following correspondence was reviewed:

- Lisa Giknis telling that they are very happy with the new gazebo at the Dog Park.
- Fred Austin thanking the Village crews for the sidewalk removal on Helen Street
- Mannix Marketing status report that the Fridays at the Lake ad on LakeGeorge.com is one of the top performing ads with 170,000 views.
- NYS DEC Engineering Report approval
 Mayor Blais reported that we have received notification from NYS DEC that the Engineering Report for the Treatment Plant Replacement Project prepared by Chazen Companies and dated March, 2018 has been approved. The report consists of the March 2018 addendum, the July 3, 2018 responses to DEC Comments, and July 26, 2018 additional responses to DEC comments.

Mayor Blais reported that Chazen Companies would like to attend the next Village Board meeting scheduled for September 17th. The Board agreed that they would meet at 5:00 p.m. so that Chazen can give a status report.

Mayor Blais reminded the Board that Dan Barusch has scheduled the final public workshop for the Warren County Bikeway Extension prior to the Town’s Board meeting at 5:30 p.m. on September 10th.

NYCOM’s Fall training in Lake Placid is scheduled for September 24 through the 28th. Trustee Earl made a motion, seconded by Trustee Mastrodomenico, unanimously carried, to approve training for any Trustee, Department Head or Village staff.

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

Mayor Blais went back to the Public Hearing on Proposed Local Law No. 9 and asked for any further comments.

Charles DeVries asked to address the Board on another subject. He noted that he lives at 100 Montcalm Street has been a resident of the Village for 18 years and is pleased to live here. He commented that he is amazed by the work that is done. He wanted to ask about an article he read in the newspaper about possibly doubling of taxes when the new treatment plant gets built. Mayor Blais replied that the taxes won’t be doubled, but ran through some estimated figures based on a house assessed for \$240,000. Mayor Blais noted that we have been awarded \$7.5M in grants so far, and it will be two years before we break ground. The Village is hoping for additional funding and have been advised by State Officials to keep applying. He reported that the hardship grant funding that we worked to get by distributing and submitting surveys for has been cancelled by the State. He also noted that much of the tax increase will be borne by the Town’s Caldwell Sewer District. He assured Mr. DeVries that the Village is working hard to get as much grant funding as possible.

Mr. DeVries commented that he usually walks around during Special Events. He noticed that during this past Americade, the trash cans were overflowing, and there was not many Village staff taking care of it this year. Mayor Blais remarked that this was our first experience with the

block party, and a final decision has not been made as to whether it will be allowed next year or not.

Mr. DeVries inquired about the Village's part in the Dog Beach. Mayor Blais replied that the Dog Beach is not in the Village; and he is not in agreement with the Town in taking it over.

Mayor Blais asked for any other comments about Proposed Local Law No. 9.

Trustee Root commented that although the Board tried to extend the courtesy to allow the parking, after getting the information from the insurance company and our attorney, he suggested that we do not move forward with this. Trustee Earl agreed with Trustee Root. Mayor Blais noted that we cannot give out a permit without proof of insurance when it opens the Village up to liability, and this would create problems for us. He commented that the churches have insurance and are classified as a business and are in the proper zone. Trustee Perry agreed with the other board members. Trustee Earl remarked that if there are complaints about any parking of cars, the Village may have to act on them.

Mayor Blais closed the Public Hearing on Proposed Local Law No. 9 at 7:16 p.m.

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

RESOLUTION NO. 100, 2018

BE IT RESOLVED, that the Village Board of Trustees hereby denies the adoption of Proposed Local Law No 9, 2018 Amending Chapter 177 Special Event Parking Permits.

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

RESOLUTION NO. 100, 2018 ADOPTED. August 20, 2018

Mayor Blais submitted the following additions and changes to the Village's handbook.

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

RESOLUTION NO. 101, 2018

BE IT RESOLVED, that the Village Board of Trustees hereby approves the following additions as underlined to the Employee handbook effective immediately:

Section VI - Rules & Regulations

G. Drugs and Alcoholic Beverages

1. No employee shall report to work under the influence of drugs or alcohol, either on regular work hours or on over time call in.
2. Should an employee report to work in such condition, employee shall be sent home without pay, and a written record will be added to the employee's personnel file. Second occurrence shall cause termination of employment.
3. There shall be no use of drugs or alcoholic beverages while on the job.
4. Employee must submit to random drug testing upon selection by an independent firm chosen by the Village.

5. Any employee involved in an accident occurring as a result of their operation of a motor vehicle, truck, or other piece of equipment owned and/or insured by the Village of Lake George including the Fire Department/Company shall ~~voluntarily~~ submit to a drug test prescribed by the Superintendent of the Department, the Fire Chief, or the Mayor of the Village within a 24 hour period. Failure to submit to such a test shall cause termination of the employee or failure of a drug test may result in termination of employee or member of the Fire Department/Company.
6. Smoking or using tobacco products while actually working in the public will not be permitted. Smoking in a discreet manner will be allowed at other times but never in Village buildings or vehicles. Employees found in violation will be issued a written warning for the first offense; three days suspension without pay will be given on the second offense, and further violations may lead to dismissal. 8-20-18

P. FIREARMS PROHIBITED

No employee, volunteer or citizen is permitted to carry, handle or otherwise have in their possession any type of firearm while performing any duty, service or function of the Village, unless specifically authorized by the Village Board of Trustees. (8-20-18)

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

RESOLUTION NO. 101, 2018 ADOPTED. August 20, 2018

Mayor Blais reported that he has received several compliments on the work of our gardeners on the Village gardens and on the Town's Gateway as well. Master Gardener and Designer Judy Gearwar has done an exceptional job. Superintendent Harrington reported that the watering truck is broke down; we have been using an older truck as a replacement. He's hoping the plants are not affected.

Mayor Blais reported that Rialyn Eliot has been put on notice for property maintenance violations at 17 Cherry Street, tax map #251.10-2-13 with a deadline of September 7 to correct the situation. If not, an appearance ticket will be issued with a court date. This house was damaged by fire several years ago and repairs have not been made.

Mayor Blais noted that Supervisor Dickinson has written to Venetia Lannon, NYS Deputy Secretary for the Environment to request that the Town of Lake George adopt the Beach, commonly referred to as "Dog Beach" adjacent to Million Dollar Beach.

The following Special Event applications were considered:

- Sasha Pardy for the Adirondack Wine & Food Festival at the Wood Park Festival Space on June 29 and 30, 2019 with a request for an alcohol waiver.

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

RESOLUTION NO. 102, 2018

BE IT RESOLVED, that the Village Board hereby approves the use of the Charles R. Wood Park Festival space for the following event contingent upon receipt of all fees, insurance and other necessary documents: Sasha Pardy for the Adirondack Wine & Food Festival at the Wood Park Festival Space on June 29 and 30, 2019 with a request for an alcohol waiver.

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.

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

RESOLUTION NO. 102, 2018 ADOPTED. August 20, 2018

- John Carr of Adirondack Pub & Brewery to have the Lake George Village Oktoberfest from October 5 through the 7th, 2018 with a request for an alcohol waiver. They are also requesting the closing of Canada Street from Friday at 11:00 a.m. through Sunday at 7:00 p.m. along with use of the portable stage.

Trustee Root commented that if Americade will consider moving to Beach Road why can't Oktoberfest do the same? He noted that he is "not a fan" of closing Canada Street, and feels it would be best to hold the event on Beach Road. Trustee Earl noted that part of the reason that the events are held on Canada Street is that it brings the crowds to the Center of the Village. Trustee Perry remarked that it is a shorter duration and at the end of the season. Mayor Blais suggested having the event in Shepard Park, but several concerns were brought up with that.

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

RESOLUTION NO. 103, 2018

BE IT RESOLVED, that the Village Board hereby approves the Special Event application for John Carr of the Adirondack Pub & Brewery to have the Lake George Village Oktoberfest from October 5 through the 7th, 2018 with a request for an alcohol waiver. They are also requesting the closing of Canada Street from Friday at 11:00 a.m. through Sunday at 7:00 p.m. along with use of the portable stage. The approval is contingent upon receipt of all fees, insurance and other necessary documents.

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.

BE IT FURTHER RESOLVED, that this approval is contingent upon approval from New York Street Department of Transportation for the closure of Canada Street.

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

RESOLUTION NO. 103, 2018 ADOPTED. August 20, 2018

Superintendent Harrington reported that the second bid for the Philip Street Water Main

Replacement Project has been opened. The original bids came in over budget, so the scope of work was reduced to include the main installation only, no services or pavement restoration. Superintendent Harrington explained that our staff will plan to put in the 15 services this fall. The following bids were received:

Bid Item: 2018 Philip Street Water Main Replacement Project REBID	
Bid Opening Date & Time: 2:00 PM, Wednesday, August 15, 2018	
Bid Opening Place: Lake George Village Hall, 26 Old Post Road	
By: David Harrington, Superintendent	
VENDOR NAME, ADDRESS & PHONE	
	TOTAL BASE BID
Tom Kubricky Company Inc.	\$324,919.00
Peter Luizzi & Bros. Contracting, Inc.	\$397,835.00
J & K Trucking and Excavating Inc.	\$213,200.60
CFI Inc.	\$273,920.00
Wm. J Keller & sons Construction Corp.	\$317,747.40
Ellsworth and son Excavating	\$295,750.00
New Castle Paving	\$393,517.25

Sean Doty submitted a letter stating that there were minor mathematical errors in their bid, which have been corrected. Chazen Companies reported that they followed up and checked references and reviewed the Bidder's Qualification Statement, Bid Bond and other data and "would not take exception to the Village awarding the project to J&K as a unit price contract, pending final attorney review and acceptance". Superintendent Harrington noted he would agree with award to the lowest bidder and reported that it will be two or three weeks before the job can get started and that it needs to be completed by the end of October so that there will be time for the Village staff to complete their part of it.

Based on Superintendent Harrington's recommendation Trustee Mastrodomenico, seconded by Trustee Root, offered the following resolution:

RESOLUTION NO. 104, 2018

BE IT RESOLVED, that the Village Board hereby approves hiring the low bidder, J & K Trucking and Excavating Inc. at a total base bid price of \$213,196.08 for the Philip Street Water Main Replacement Project as specified.

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

RESOLUTION NO. 104, 2018 ADOPTED. August 20, 2018

Mayor Blais reported that he has been corresponding with Neil McPhillips in regards to signs at the REC Center. Superintendent Harrington and he will be doing a sign inventory for the property to see if there are any that are duplicates that could be removed. He proposed purchasing a new sign that lists those involved with the initiation of the project back in 2000. The cost of the sign would be \$420.50; the Board agreed.

Mayor Blais noted that he has received a complaint about the logging project at the REC Center. The complainant also wrote a letter to the newspaper. Mayor Blais asked our Forestry Expert, Chris Gearwar to aid in the response to the complaints, which he did. The complainant is still in disagreement. Trustee Root commented that he has been up there; and it seems to be a normal logging operation. He suggested that we hold off on judgment until the job is complete. Superintendent Harrington noted that there is a buffer between the hiking trails and the logging operation.

Mayor Blais inquired as to whether the Board would be interested in putting up a radar speed sign on Ottawa Street. This seems to be the street with the worst offenders. He mentioned that during a meeting last week, a DOT representative offered up one of these signs. The Board agreed that he should follow up and see what's available for our use.

The following resolutions were considered:

- NYS Department of State 2012 Contract #C1000230 for the Lake George Water Quality Assessment and Management for the contract period of April 1, 2016 to March 31, 2020

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

RESOLUTION NO. 105, 2018

BE IT RESOLVED, that Robert M. Blais, as Mayor of the Village of Lake George, is hereby authorized to sign the EPF Local Water Front Revitalization Program (LWRP) contract. The proposed contract between the Village of Lake George and New York State is a continuation of Contract C1000230 –Lake George Water Quality Assessment & Management for the contract period of April 1, 2016 to March 31, 2020.

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

RESOLUTION NO. 105, 2018 ADOPTED. August 20, 2018

- Contract with Bonadio & Company to complete an audit for the year ending May 31, 2018. Because of staff in new positions and the complex nature of the Village's finances, Clerk Debra McKinney recommended the hiring of Bonadio for this audit.

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

RESOLUTION NO. 106, 2018

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George hereby awards the audit proposal for the fiscal year ending 5/31/2018 to the Bonadio Group at a price not to exceed \$13,000.

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

RESOLUTION NO. 106, 2018 ADOPTED August 20, 2018

- New contract with Constellation for electricity.
Clerk Debra McKinney has been in contact with the Constellation representative.
The Village's current contract is good through December, 2018, but the rates have

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

RESOLUTION NO. 110, 2018

WHEREAS, the Village of Lake George was notified that we have been allocated additional CHIPS revenues for paving,

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.

Increase of Revenue and Expenditures:

DR A5110.4 Street	\$18,000.	
CR A3502 CHIPS – Capital revenues		\$18,000.

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

RESOLUTION NO. 110, 2018 ADOPTED. August 20, 2018

Mayor Blais presented amendments for two proposed local laws.

- Proposed Local Law – Amending Chapter 95 “DOCKS”
Mayor Blais noted that the changes include an increase in the fines as well as a change that prohibits any boat from docking for a period of longer than 20 consecutive hours
- Proposed Local Law – Amending Chapter 135 “LICENSES AND PERMITS”
Mayor Blais reported that the additions will define the business license application process in more detail.

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

RESOLUTION NO. 111, 2018

BE IT RESOLVED, that the Board of Trustees of Village of Lake George agrees to set the date for the public hearings for the Proposed Local Law No. 9, 2018 Amending Chapter 95, “DOCKS” and Proposed Local Law No. 10, 2018 Amending Chapter 135, “LICENSES AND PERMITS” for 6:30 p.m. on September 17, 2018.

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

RESOLUTION NO. 111, 2018 ADOPTED. August 20, 2018

Mayor Blais has asked Stephanie Fregoe to represent the Village and attend the J1 Conference in the Outer Banks on November 14-16, 2018. The funds are available in the Student Connection appropriation.

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

RESOLUTION NO. 112, 2018

WHEREAS, Stephanie Fregoe represents the Village of Lake George with the Student Connection;

BE IT RESOLVED, that the Board of Trustees of Village of Lake George authorizes her attendance at the J1 Conference in the Outer Banks at an estimated cost of \$706.

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

RESOLUTION NO. 112, 2018 ADOPTED. August 20, 2018

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

RESOLUTION NO. 113, 2018

AUGUST 2018 WATER CHANGES

AUGUST BILLING	\$269,624.23
LESS SENIOR CITIZEN DISCOUNT	(\$ 1,950.55)
NON COMPLIANCE PENALTY	\$ 100.00
FINAL READS:	
V Yosco # 3519	\$ 71.61
Wingate Inn # 3784	\$ 7,103.53
Golden Oasis # 34	\$ 1,608.21
D Barriault # 3069	\$ 24.33

The above resulted in the following Journal Entries:

DR F0350 WATER RECEIVABLE	\$267,773.68
CR F2140 WATER METERED	\$267,673.68
CR F2148 WATER PENALTIES	\$ 100.00
DR F0350 WATER RECEIVABLE	\$ 8,807.68
CR F2140 WATER METERED	\$ 8,807.68

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

RESOLUTION NO. 113, 2018 ADOPTED. August 20, 2018

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

RESOLUTION NO. 114, 2018

TRANSFERS:

From:	To:	Amount:
A1325.4 Clerk Treasurer	A1325.022 Clerk Treasurer	
A5110.4 Streets Contr.	A5110.021 Inventory	\$60.00
A5110.4 Streets Contr.	A5110.021 Streets Fixed Asset	\$1,313.00
	A5110.41 CHIPS	\$1,719.00

F8320.41	Source of Supply Electric	F8310.4	Water Admin Contr	\$8,000.00
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AUDITS:			Voucher #	Check #
7/19/2018	General	\$86,506.27		
	Water	<u>\$12,031.23</u>	190282-190288	31648-31650
		\$98,537.50		
8/2/2018	General	\$157,618.53	190289-190335	31651-31664
	Water	<u>\$24,660.05</u>		
		\$182,278.58		
8/16/2018	General	\$75,848.15		
	Water	<u>\$12,136.07</u>	190441-190447	31665-31668
		\$87,984.22		
8/20/2018	General	\$328,237.77		
	Water	\$19,351.57	190336-190440	
	Gaslight Village (HG)	\$48,652.66	190448-190530	
	Sewer Plant			
	Improv(HK)	\$26,653.40		
	Water Sand Filters (HO)	\$13,740.00		
	Wood Park (HP)	<u>\$2,268.75</u>		
		\$438,904.15		

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

RESOLUTION NO. 114, 2018 ADOPTED. August 20, 2018

Mayor Blais noted that Christian Dutcher would like to meet with the Board for further discussion about Americade 2019. The Board agreed to set a Special Meeting for Monday, August 27, 2018 at 6:30 p.m.

Mayor Blais asked for any other business.

Superintendent Harrington reported that:

- The new sweeper is here, and they are having training sessions on it.
- Building of the new salt shed is coming along well.
- The stone wall seating in Shepard Park has begun. The stones were delivered last week, and the installer has begun work.

Mayor Blais announced that this week at Fridays at the Lake, he is planning a “Farewell” for the student workers with refreshments and drawings for some gift cards. He is working on getting the National Annual Meeting here in Lake George next year.

Trustee Perry has noticed the signs in Wood Park in regards to allowing pets are contradictory. Mayor Blais recollected that leashed dogs are permitted in Wood Park. Trustee Perry also had some concerns about Shepard Park Beach in regards to the life guards being on duty, but not being stationed in the guard chairs. Mayor Blais agreed that this issue should be followed up with Town employee Jim Martino, as he is their supervisor.

Trustee Mastrodomenico made mention that there may be a sidewalk defect in the area near the D.J.'s driveway entrance. Superintendent Harrington agreed to follow up and see if there is an issue with it.

There was a motion by Trustee Perry, to adjourn at 7:51 p.m.

Respectfully submitted,

Debra J. McKinney
Village Clerk