

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

RESOLUTION NO. 147, 2018

BE IT RESOLVED, that the Village Board hereby authorizes Mayor Robert Blais to sign a one year contract with Humana for Group Medicare health insurance called "Passive PPO 079 059 with Rx66" beginning January 1, 2019 at a cost of \$159.36 per person per month.

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

RESOLUTION NO. 147, 2018 ADOPTED. November 19, 2018

- WWTP SCADA software needs to be updated ASAP
Superintendent Harrington reported that the SCADA monitoring software at the Plant is "dropping out" and during that time, there are no alarms. A few days ago it went out for eight hours, that is not acceptable and could be serious. This has been ongoing and sporadic, and needs to be fixed as soon as possible. It is not budgeted, but the funds will come out of the operating budget.

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

RESOLUTION NO. 148, 2018

WHEREAS, Waste Water Treatment Plant Operator Tim Shudt recommends that the SCADA software at the Treatment Plant be updated as soon as possible,

BE IT RESOLVED, that the Village Board of Trustees authorizes hiring Integrated Control Systems, LC to provide software and services as quoted at labor cost not to exceed \$6,537.

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

RESOLUTION NO. 148, 2018 ADOPTED. November 19, 2018

- IMA with the Town and Village of Lake George for Operation of the Teen Center

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

RESOLUTION NO. 149, 2018

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

RESOLUTION NO. 150, 2018 ADOPTED.

November 19, 2018

- Contract renewal with Standard Medical Services for Employee CDL random drug testing

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

RESOLUTION NO. 151, 2018

BE IT RESOLVED, that the Village Board hereby approves a contract with Standard Medical Services / Mountain Medical to handle the random drug testing of Village employees that are CDL drivers for the period January 1-December 31, 2019.

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

RESOLUTION NO. 151, 2018 ADOPTED.

November 19, 2018

The following Facilities Use Applications were considered:

- Linda Duffy of Duffy's Tavern, New Year's Day Polar Plunge at Shepard Park Beach, January 1, 2019 11 a.m. to 3:00 p.m.

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

RESOLUTION NO. 152, 2018

BE IT RESOLVED, that the Village Board hereby approves an application for Linda Duffy of Duffy's Tavern, to hold the New Year's Day Polar Plunge at Shepard Park Beach on January 1, 2019 from 11:00 a.m. to 3:00 p.m. contingent upon receipt of all fees, insurance and other necessary documents.

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

RESOLUTION NO. 152, 2018 ADOPTED.

November 19, 2018

- Melissa Parker ESTRA Tow Truck Show at Wood Park Festival Space May 31, June 1 & June 2, 2019

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

RESOLUTION NO. 153, 2018

BE IT RESOLVED, that the Village Board hereby approves the application for the Melissa Parker to hold the ESTRA Tow Truck Show in the Charles R. Wood Park on May 31, June 1, and June 2, 2019, contingent upon receipt of all fees, insurance and other necessary documents,

BE IT FURTHER RESOLVED, that all applications hereafter referenced indicate the sale of beer on the premises during each event, such sale 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 the Warren County Board of Supervisors or the Operations and Maintenance Committee for the Park.

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

RESOLUTION NO. 153, 2018 ADOPTED. November 19, 2018

Mayor Blais announced that the 2018 Citizen of the Year Award will be presented to William Manion at the Village's annual holiday party on December 7th.

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

RESOLUTION NO. 154, 2018

NOVEMBER 2018 WATER CHANGES

NOVEMBER BILLING	\$370,265.59
LESS SENIOR CITIZEN DISCOUNT	(\$ 1,892.85)
PENALTY FOR NONCOMPLIANCE	\$ 100.00

FINAL READS:

G Chiaravalle	# 617	\$ 66.11
J Barish	# 294	\$ 66.11
M Kurosaka	# 499	\$ 66.11

The above resulted in the following Journal Entries:

DR F0350 WATER RECEIVABLE	\$368,472.74
CR F2140 WATER METERED	\$368,372.74
CR F2148 WATER PENALTIES	\$ 100.00

DR F0350 WATER RECEIVABLE	\$ 198.33
CR F2140 WATER METERED	\$ 198.33

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

RESOLUTION NO. 154, 2018 ADOPTED. November 19, 2018

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

RESOLUTION NO. 155, 2018

TRANSFERS:

From:		To:		Amount:
A7110.4	Park Contrt	A7110.42	Wood Park Contr	\$1,500.00
F8320.4	Source of Supply	F8310.4	Water Adm Contr	\$3,500.00

AUDITS:

			Voucher #	Check #
10/25/2018	General	\$85,241.69	190901-190925	32014-32019
	Water	<u>\$23,387.68</u>		
		\$108,629.37		
11/8/2018	General	\$44,332.64	190926-190939	32020-32027
	Water	\$12,879.02		
	Shepard Prk Rstrms(HJ)	<u>\$613.84</u>		
		\$57,825.50		
11/19/2018	General	\$262,603.45		
	Water	\$93,209.20	190940-191094	32028-32126
	Gaslight Village (HG)	\$1,000.00		
	Water Main Philip (HH1)	\$223,560.22		
	Shepard Park Rstrm(HJ)	\$4,487.88		
	Sewer Plant Improv(HK)	\$126,905.43		
	Charles R. Wood PK(HP)	<u>\$33,412.69</u>		
		\$745,178.87		

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

RESOLUTION NO. 155, 2018 ADOPTED. November 19, 2018

Mayor Blais went back to the public hearing and asked for any further comments. He noted that each business will be required to sign the contract, and the applicant is responsible to get the DOT approval; which the businesses all currently have.

At 7:12 p.m. Mayor Blais closed the Public Hearing on Proposed Local Law No. 11 amending Chapter 168, "SIDEWALK CAFES"

Motion by Trustee Perry, seconded by Mayor Blais, 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. 11, 2018 amending Chapter 168, "SIDEWALK CAFES" of the Code of the Village of Lake George.

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

Motion by Trustee Perry, seconded by Mayor Blais, to adopt proposed Local Law No 11, 2018.

LOCAL LAW 11, 2018
AMENDING CHAPTER 168
To the Code of the Village of Lake George
“Sidewalk Cafes”

Purpose & Intent.

The purpose and intent of this Local Law is to amend Chapter 168 of the Village of Lake George Code titled “Sidewalk Cafes”. The Board of Trustees wishes to permit the operation and maintenance of sidewalk cafes year round by permit and subject to specific conditions set forth in this Local Law.

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

§ 168-1 Definitions.

For purposes of this chapter, the following terms shall have the meanings indicated:

...

YEAR-ROUND SIDEWALK CAFE - A sidewalk cafe granted a permit under this chapter to operate 365 days per year.

...

§ 168-3 Application requirements; fee.

...

C. All applications are due by March 1 of each year and shall not be accepted after that date unless permission is granted by the Mayor, provided that for annual year-round permits granted under this chapter, all renewal applications shall be submitted prior to the annual expiration thereof unless permission is granted by the Mayor for late submission.

...

F. The Lake George Village Planning Board shall use the review criteria set forth in this chapter for such plans relating to the cafe's specific location, size and structure. Any alteration following approval shall require additional review. Once approval is granted, the plans are valid and do not require annual reapproval. If the establishment changes, the design or structure reapproval will be required.

...

§ 168-5 Conditions for issuance of permit.

...

B. Conditions for issuance of permit:

...

(4) For any year-round sidewalk cafe that may be permitted under this chapter, the applicant, license and owner of the property shall enter into a written agreement in form and substance acceptable to the Village's attorney which shall include, but not be limited to, the following:

(i) indemnifying, defending and holding the Village harmless from any and all claims, damages or causes of action related to or arising from such sidewalk cafe; and

(ii) releasing the Village from any liability associated with such sidewalk cafe, including but not limited to damage from snow removal activities; and

(iii) acknowledging the foregoing is not intended to limit the language or terms of such agreement which shall be as drafted and approved by the Village's attorney.

§ 168-6 Cafe regulations.

...

D. Except for sidewalk cafes for which a year-round permit has been granted, all other sidewalk {Remove all} cafe structures must be removed by October 31, and not install prior to April 1, in any year for which a license is granted.

...

I. In addition to any other removal requirement in this chapter, the Village reserves the right to require immediate removal of any sidewalk cafe for any required maintenance, repair or upkeep of any sidewalk, water, sewer, electric, gas or other utility, or for any other reason determined by the Village. For removals other than an emergency or violation as set forth in this chapter, the Village will provide reasonable notice for removal under this subsection as the Village shall determine.

J. The following shall apply solely to year-round sidewalk cafes granted a permit under this chapter:

- (1) No permit shall be issued for any year-round sidewalk cafe unless the business to which such year-round sidewalk cafe is used and operated at least five (5) days per week in each and every calendar week of the year.
- (2) The applicant shall perform no less than daily sweeping, litter removal, snow and ice removal, and general cleaning and maintenance of all sidewalk areas from the sidewalk café to the curb line/street boundary.

...

§ 168-9 Penalties for offenses; effect on eligibility for permit.

...

C. Any person who fails to remove a sidewalk structure by October 31, as provided for in § 168-8D, or a year-round sidewalk cafe prior to the expiration of any annual permit therefore, shall not be eligible for a license in any following year.

§ 168-10 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.

§ 168-11 When effective.

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

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

