

Minutes of the Regular Meeting and Public Hearings of the Board of Trustees of the Village of Lake George, NY, held at the Village Administration Building on Monday, November 20, 2017, at 6:30 p.m.

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

MEMBERS ABSENT: Ray Perry, Trustee

Also present: Darlene V. Gunther (Clerk-Treasurer), Deb McKinney (Deputy Clerk-Treasurer), Superintendent Dave Harrington, Doug Frost (Enforcement Officer) Thom Randall (Journalist), Attorney for William Massry, Carollee LaBruzzo, Courteny Hall, and Gregory Teresi

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

Mayor Blais presented the minutes from a Regular Meeting held on Monday, October 16, 2017 and a Special Meeting held on October 23, 2017. Trustee Root requested that an addition be made to the Regular Meeting minutes of October 16 in regards to the discussion about the Brewcycle. He previously made comments reflecting that he had concerns regarding the Brewcycle. Trustee Earl made a motion, seconded by Trustee Mastrodomenico, carried by a majority to approve the minutes of October 16th.

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

Trustee Earl made a motion, seconded by Trustee Mastrodomenico, carried by a majority to approve the minutes of October 23rd.

VOTING **Ayes: 3** **Blais, Earl, Mastrodomenico**
 Nays: 0
 Absent: 1 **Perry**
 Abstentions: 1 Root
 MOTION PASSED.

At 6:32 p.m. Mayor Blais opened three Public Hearings to run concurrently.

- The first is for proposed Local Law No. 13 amending Chapter 137 "LITTERING: GARBAGE AND REFUSE". This amendment prohibits the placement of any trash container on the public right of way beyond the curbline of the street.
- The next proposed Local Law No. 14 amends Chapter 186 "STREETS AND SIDEWALKS" and relates to the display of merchandise under a permanent roof or alcove on the business's own property. It limits it to one display per store in an area not to exceed 4 feet by 3 feet.

that it is true. Mayor Blais reported that the Planning Board has gone on record as being opposed to the proposed law. They discussed it at length and unanimously voted against adopting the outdoor display amendment. They feel it would set the Village back aesthetically. Trustee Earl noted that he spoke with six people that were also opposed. Mayor Blais commented that he has received calls from store owners that said that it seems unfair to those that the criteria doesn't fit. Trustee Root suggested we move forward with what we have.

Mayor Blais moved on with discussion in regards to a new fire truck. He would propose the sharing of equipment with another municipality, possibly Warrensburg. It takes six or seven minutes to get to Warrensburg. He suggested that the truck could be kept in Warrensburg during the winter; and in Lake George during the summer. He commented that he is just looking for permission to explore the possibility. It seems logical to try and share a piece of equipment that is so expensive. Trustee Earl noted that the district ends at the twin bridges. The Board agreed that it's worth a shot and could save money.

They went back to discussion about putting a new truck out to bid in the near future. Trustee Mastrodomenico made a motion, seconded by Trustee Root, carried by a majority to get the bid specs prepared for Board review.

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

Fire Business continued:

- Ryan Tourge – membership application
- Damion Wright & Thomas Kaleb Barber – Jr. Firefighter applications
Trustee Earl questioned one of the junior applicant's address as they are not a resident, and wasn't sure what the bylaws state about residency, but moved forward.

Trustee Earl made a motion, seconded by Trustee Mastrodomenico, carried by a majority to approve the memberships with a stipulation to make sure non-residents are allowed.

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

- Dividend check from Utica National from the NYS Volunteer Fire Company Group program \$4,294.20; transfer to fire equipment reserve

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

RESOLUTION NO. 156, 2017

BE IT RESOLVED, that the Village Board hereby approves a transfer of \$4,294.20 from the General Fund to the Fire Equipment Reserve.

VOTING Ayes: 4 Blais, Earl, Mastrodomenico, Root

Nays: 0
Absent: 1 Perry

RESOLUTION NO. 156, 2017 ADOPTED.

November 20, 2017

Mayor Blais asked Greg Teresi to follow up with the previous discussion about the Cycle Tours. Mr. Teresi noted that he has followed up with local businesses in regards to the route and the drop off and pick up points. He explained his proposed route. He commented that logistics didn't work with some of the previously proposed parking lots. His goal is to bring something different to the Village. He understands the traffic concerns; he requested approval on a provisional basis for maybe a month. Mayor Blais reported that the Planning Board has reviewed the plan. They are extremely concerned about safety and liability. Doug Frost went on to say that they did not feel that it was conducive to the family atmosphere. They were unanimous that is it not a safe mode of transportation especially mixing drinking with biking. Mayor Blais noted that he has received several calls, mostly residents, all in opposition. He commented that riding a bicycle and going bar to bar is a safety hazard. He noted that we are a different type of community than the other ones where they have the business. He has a great concern and feels there is just no redeeming value in the Village, except for the bars where the route goes.

Mr. Teresi commented that he doesn't feel the customers will feel the same. There would be no drinking on the bikes. It's more about getting people outside and in a unique situation. This activity is geared towards adults. He does understand the concerns, but in the other locations, they've had very little problems. He asked once again if they would give him a provisional approval.

Mayor Blais asked for comments. Trustee Root commented that he was initially skeptical with the Tiki Boat tours. If someone wants an alternative experience, there it is. It's not on the streets and in traffic. He noted that it seems that you're serving the public well with the boat tours, he doesn't think he needs a brew cycle.

Mr. Teresi responded that he is trying to teach vacationers personal responsibility. You may try to limit someone's experience, but people are going to do it anyway. The captains have control of the boats and watch the customers. People want a unique experience. He feels the benefits do out weight the detriment and is just asking for a one month trial.

Trustee Earl noted that it is a two phase issue. The bars would easily work, but he's not so sure about mingling with the traffic and how they will co-exist even on the back streets. He was also concerned about the hills on the routes, but Mr. Teresi felt that those hills would not be an issue. Mayor Blais noted that he would like a specific route, exactly where they would be travelling including the time of day for the travelling. He does not like the bikes crossing Canada Street, and Beach Road would also be a problem. He reiterated that the Planning Board is opposed, and so far he has heard a lot of opposition. Mayor Blais commented that his feeling is that the way it is presently proposed, he does not like the concept for Lake George. We are a different community than the others where the business is located. Mayor Blais polled the Board for their opinions. Trustee Mastrodomenico suggested that they give the Tiki boats another year and see how it goes, then possibly consider this for 2019. Mayor Blais suggested that the hours of operations be specifically addressed as well. Mayor Blais was planning to take a vote of the Board, but Mr. Teresi said that wouldn't be necessary as he will withdraw his application and take

the suggestion to wait a year and try again.

Mayor Blais went back to the public hearings and asked for any further comments. Doug Frost commented that in regards to the amendment about the trash cans, people actually use trash cans to block off parking spaces.

At 7:40 p.m. Mayor Blais closed all three Public Hearings:

- Proposed Local Law No. 13, 2017 amending Chapter 137, "LITTERING: GARBAGE AND REFUSE"
- Proposed Local Law No. 14, 2017 amending Chapter 186, "STREETS AND SIDEWALKS"
- Proposed Local Law No. 15, 2017 amending Chapter 34, "OFFICERS AND EMPLOYEES"

Motion by Mayor Blais, seconded by Trustee Root, 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. 13, 2017 amending Chapter 137, "LITTERING: GARBAGE AND REFUSE" of the Code of the Village of Lake George.

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

Motion by Mayor Blais, seconded by Trustee Root, to adopt proposed Local Law No 13, 2017.

LOCAL LAW 13, 2017
AMENDING CHAPTER 137
To the Code of the Village of Lake George
"Littering: Garbage and Refuse"

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

Chapter 137
Littering: Garbage and Refuse

...

§137-4. Placement of items for collection; disturbing of receptacles.

A. Grass, leaves and other yard waste shall be placed in biodegradable paper bags approved for such use by the Village of Lake George. Such bags shall be placed at curbside during any appropriate days, except as otherwise noted: during annual designated cleanup days, at which time yard waste and wood branches no longer than three feet in length and one inch in diameter may be placed in bulk at curbside for pickup.

B. It shall be unlawful for any person other than authorized Village employees to disturb, remove or willfully and maliciously tip over and spill the contents of plastic bags, paper bags or waste receptacles.

Motion by Mayor Blais, seconded by Trustee Earl, to adopt proposed Local Law No 15, 2017 to be numbered Local Law No. 14.

LOCAL LAW NO. 14, 2017
Amending Chapter 34
Of the Code of the Village of Lake George
“Officers and Employees”

Be it enacted by the Village of Lake George Board of Trustees as follows:

Chapter 34
“OFFICERS AND EMPLOYEES”
ARTICLE I
Residency Requirement

§34-2. Residency in county or any contiguous county required for Clerk-Treasurer, Deputy Clerk-Treasurer, Clerk, Treasurer, Deputy Clerk and Deputy Treasurer.

In lieu of any other residency requirements imposed by law as a condition of the Village Clerk-Treasurer's, Deputy Clerk-Treasurer's, Clerk, Treasurer, Deputy Clerk and Deputy Treasurer's holding office, the Village Clerk-Treasurer or Deputy Clerk-Treasurer Clerk, Treasurer, Deputy Clerk and Deputy Treasurer shall reside within the County of Warren or any contiguous county but need not reside in the Village of Lake George.

When effective.

§34-7. This article shall take effect immediately upon filing in the office of the Secretary of State of the State of New York.

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

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

LOCAL LAW NO. 14, 2017 ADOPTED

November 20, 2017

The following correspondence was reviewed:

- Clerk-Treasurer Darlene Gunther submitted her letter of retirement effective January 30, 2018. Mayor Blais acknowledged the letter and tabled it until the December meeting.
- New York State Outdoor Writers Assoc., Inc. sent a thank you in regards to their fall conference.
- Walt Lender from the Lake George Association sent notification about their plans to upgrade their Visitor Center display. They are seeking grant funding.
- Free to Breathe sent a thank you to the Village as a Park Sponsor of their 2017 event.
- County Sales Tax check came in with a 5% increase from last year.

4 & 5, 2018 \$5,000.

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

RESOLUTION NO. 159, 2017

BE IT RESOLVED, that the Village Board hereby approves a request for 2018 occupancy tax for the SAVE the Lake Fest scheduled for August 3-5, 2018 in the amount of \$5,000.

**VOTING Ayes: 3 Earl, Mastrodomenico, Root
 Nays: 0
 Absent: 1 Perry
 Abstention: 1 Blais**

RESOLUTION NO. 159, 2017 ADOPTED.

November 20, 2017

- Hemmings Motor News for September 14 -16, 2018 \$20,000. Mayor Blais suggested an award of \$5,000.

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

RESOLUTION NO. 160, 2017

BE IT RESOLVED, that the Village Board hereby approves a request for 2018 occupancy tax for the Hemmings Motor News 12th Annual Concours d'Elegance to be held on September 14-16, 2018 in the amount of \$5,000.

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

RESOLUTION NO. 160, 2017 ADOPTED.

November 20, 2017

- \$5,000. King George Fishing Derby scheduled for September 14-16, 2018

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

RESOLUTION NO. 161, 2017

BE IT RESOLVED, that the Village Board hereby approves a request for 2018 occupancy tax for the King George Fishing Derby to be held on September 14-16, 2018 in the amount of \$5,000.

**VOTING Ayes: 3 Earl, Mastrodomenico, Root
 Nays: 0
 Absent: 1 Perry
 Abstention: 1 Blais**

RESOLUTION NO. 161, 2017 ADOPTED.

November 20, 2017

11-20-17 regular & PH

Superintendent Harrington reviewed the following bid results for the Wood Park Water Feature.

	MCJ Construction Mayfield, NY	Toadflax Nursery So. Glens Falls, NY	Wm J. Keller Castleton, NY
BASE BID	\$209,000.	\$210,000.	\$273,348.
ALTERNATE 1	\$8,551.	\$10,000.	\$15,343.
ALTERNATE 2	\$18,676.	\$11,812.	\$11,704.
ALTERNATE 3	\$7,811.	\$5,000.	\$13,708.
ALTERNATE 4	\$2,481.	\$3,066.	\$3,641.

Based on the amount of money left in the NYS DOS Grant C1000428 which is approximately \$70,000. and \$150,000 from Warren County Occupancy Tax, Supt. Harrington recommended approval of the Base Bid and Alternate 1 only to the low bidder.

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

RESOLUTION NO. 162, 2017

WHEREAS, MCJ Construction, LLC was the lowest responsible bidder for the Charles R. Wood Park Water Feature,

BE IT RESOLVED, that the Board of Trustees of the Village of Lake George hereby awards the Water Feature contract to MCJ Construction in the amount of \$209,000. for the base bid, and \$8,551. for Alternate 1 for a total contract of \$217,551.

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

RESOLUTION NO. 162, 2017 ADOPTED.

November 20, 2017

An insurance claim check was received for damages to the Shepard Park Pump Station by a truck that went down the hill and hit the building. A budget amendment is necessary.

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

RESOLUTION NO. 163, 2017

WHEREAS, the Village of Lake George has received an insurance recovery check from NYMIR in the amount of \$6,027.58 for damages to Shepard Park,

THEREFORE BE IT RESOLVED, 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 Revenues and Expenditures:

11-20-17 regular & PH

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, Earl, Mastrodomenico, Root
 Nays: 0
 Absent: 1 Perry**

RESOLUTION NO. 168, 2017 ADOPTED. November 20, 2017

- Lake George Free to Breathe scheduled for October 13, 2018

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

RESOLUTION NO. 169, 2017

BE IT RESOLVED, that the Village Board hereby approves the application from the Lung Cancer Research Foundation for their Lake George Free to Breathe 5K Run/Walk to be held in the Charles R. Wood Park on October 13, 2018, 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, Earl, Mastrodomenico, Root
 Nays: 0
 Absent: 1 Perry**

RESOLUTION NO. 169, 2017 ADOPTED. November 20, 2017

Mayor Blais reported that Warren County is asking that municipalities consider changing the smoking age to 21 years.

The following Special Event Application was considered:

- Rock the Dock at Steel Pier scheduled for July 13, 2018
Trustee Earl noted that he received several complaints about the noise for this event. Mayor Blais confirmed that he had a lot of complaints as well. He suggested that this be tabled. He suggested that maybe sound checks could be done; and he said that he will write up some conditions and follow up.

The following Shepard Park Facilities Use Applications were reviewed:

RESOLUTION NO. 173, 2017 ADOPTED.**November 20, 2017**

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

RESOLUTION NO. 174, 2017**TRANSFER****S:**

From:		To:		Amount:
A7270.4	Band Concerts	A7550.4	Celebrations	\$4,000.00
A7270.4	Band Concerts	A6410.4	Occupancy Tax	\$6,000.00
A3410.4	Fire Contractual	A1620.22	Buildings	\$610.00
A3410.44	Fire Training & Physicals	A3410.1	Fire Personal Services	\$750.00
A3410.45	Fire Scuba	A3410.1	Fire Personal Services	\$499.02
A3410.04	Fire Contractual	A3410.1	Fire Personal Services	\$251.00

AUDITS:

			Voucher #	Check #
10/26/2017	General	\$78,952.71		
	Water	\$22,672.65	180913-180944	30649-30659
	Sewer Plant Improv (HK)	\$8,415.93		
		<u>\$110,041.29</u>		
11/8/2017	General (A)	\$40,967.52	180945-180956	30662-30669
	Water (F)	\$12,012.46		
		<u>\$52,979.98</u>		
11/20/2017	General	\$387,146.50		
	Water	\$82,337.45		
	Gaslight Village (HG)	\$110.00	180957-181138	30670-30795
	Sewer Plant Improv (HK)	\$11,609.02		
	Lower Amherst (HN)	\$10,016.98		
	Water Improv (HO)	\$37,387.41		
	Chas. R. Wood Park (HP)	\$5,767.73		
		<u>\$534,375.09</u>		

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

RESOLUTION NO. 174, 2017 ADOPTED.**November 20, 2017**

Mayor Blais requested that the dates for January and February Regular Village Board Meetings be set for January. 8, 2018 and February 12, 2018. The dates are changed because of the holidays.

11-20-17 regular & PH

Mayor Blais asked that the ballots for Citizen of the Year be returned to Darlene Gunther.

Superintendent Harrington inquired as to whether the 2017 Steamboat Boulevard signs should be taken down. Mayor Blais would like them to be left up through the winter.

Superintendent Harrington reported that Keith Lanfear has been working diligently on the Rain Garden down at the Beach, and it is now complete. He suggested that the Board members go down and take a look at it. He reported that the storm water structure on Lower Amherst Street is getting placed tomorrow. He confirmed that snow mobiles will still be able to come off the Lake to the right of the bio retention area.

Mayor Blais noted that the Joint Occupancy Tax Committee meets tomorrow. He would like to appoint John Strong to take Joe DeSantis' position as Joe has resigned. It is a one-year term. The Board agreed.

Mayor Blais announced that "Lite Up The Village" starts at 4 p.m. on Saturday, November 25. There will be a decorated fire truck parade along with other activities. The prizes for the parade will be handed out at the Lake George American Legion. Santa will be meeting children at the Firehouse.

Trustee Earl reported that in regards to the Fire Department By Laws, there is a clause at the end of the policy that states that with a 2/3 vote, the members can waive any by law. He's not sure if they have the legal right to do that or not?

Motion by Mayor Blais, seconded by Trustee Mastrodomenico, unanimously carried, to enter into an Executive Session at 8:50 p.m. to discuss the employment applications of two top choice candidates for the Treasurer's position.

Motion by Trustee Earl, seconded by Trustee Root, unanimously carried, to exit Executive Session at 9:14 p.m.

There was no action taken.

There was a motion by Trustee Mastrodomenico to adjourn at 9:14 p.m.

Respectfully submitted,

Debra J. McKinney, CPPB
Purchasing Agent
Deputy Clerk-Treasurer