

Minutes of the Special Meeting of the Board of Trustees of the Village of Lake George, NY, held at the Village Administration Building on Monday, March 9, 2020 at 8:30 a.m.

MEMBERS PRESENT: Robert M. Blais
John Earl, Deputy Mayor
Joseph Mastrodomenico, Jr., Trustee
Ray Perry, Trustee (arrived at 9:20 a.m.)
John Root, Trustee

Also Present: Clerk Debra McKinney, Treasurer Danae Bock, Superintendent Keith Lanfear, and Attorney Matt Fuller.

At 8:30 a.m. Mayor Blais opened the Special Meeting and stated that an RFP to provide food service for Fridays at the Lake in Shepard Park was sent out. Sean Quirk of King Neptune's Pub was the only vendor that replied. He offered \$1,375. to provide the service on the 11 dates starting June 12th through September 4th, 2020. Trustee Root commented that since the TIPS training is expiring, would it be possible to get some representation from local breweries this year. Mayor Blais noted that those that need the training are planning on renewing. Discussion continued and Mayor Blais agreed to follow up with local vendors.

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

RESOLUTION NO. 227, 2020

BE IT RESOLVED, that the Village Board hereby approves the proposal in the amount of \$1,375. given by Sean Quirk of King Neptune's Pub to provide food service for Fridays at the Lake in Shepard Park on the 11 Friday dates starting June 12th through September 4th, 2020.

BE IT FURTHER RESOLVED, that Mayor Blais is authorized to sign an agreement for this.

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

RESOLUTION NO. 227, 2020 ADOPTED. March 9, 2020

Mayor Blais noted that the Village received a letter from Jeffrey Smith of Municipal Solutions in regards to the study on the sewer rate. Important factors and options that may need to be considered were outlined. Mayor Blais remarked that we should come up with a scenario to do some samples and get some tentative figures. Mayor Blais asked for Attorney Fuller's input on the proposed sewer rate. Attorney Fuller commented that he has had some experience with sewer rates with other municipalities that he works with. He noted that meters are the most fair way to figure a sewer rate, and most municipalities have a base charge based on an EDU, Equivalent Dwelling Unit, not solely based on usage. Sometimes the sewer bill is based on 90% of the water used. Trustee Root asked how vacant land is handled, and Attorney Fuller remarked that vacant land and changes in occupancy are always an issue. Attorney Fuller said there is no real law in place for sewer rates, it is whatever is fair. Attorney Fuller recommended using a combination of the EDU - base charge, and metering, and because the Village is unique with it's seasonality of use, there is really no other municipality to compare to. Discussion continued as to the options for calculating a sewer

rate and about the different types of meters that could be used for the Village. Attorney Fuller confirmed that a local law would need to be adopted, but it is not necessary to set up a sewer district or a sewer fund. Mayor Blais noted that “outside the Village” use rate must also be considered. Mayor Blais noted that he’s still not convinced that this is the thing to do; he commented that no one is really complaining about the tax rate now, but a sewer rate will probably initiate some complaints, along with adding a lot more work for the office staff. The sewer costs would be removed from the taxes and lower them, but then be charged separately along with the quarterly water billing. Mayor Blais remarked that it will be complicated and cumbersome. Discussion continued, and Mayor Blais clarified about how a sewer rate would just affect the Village; it would not apply to the Town at all. He noted that we would plan to have public hearings and the consultant would come and explain the process to the customers. Attorney Fuller suggested that a feasibility analysis be done by consultants; the analysis would take each property and compare what their current payments are compared to with a sewer rate. Mayor Blais confirmed that the next step should be to submit more figures for the consultant to work off from. They will need info off from the assessment roll. Discussion continued about the options and ramifications.

Mayor Blais reported that the Cable Franchise agreement with Spectrum Northeast is due to be renewed. Attorney Fuller noted that most of it is not negotiable, but some of the options that could be negotiated might be the term of the contract, the franchise fee which is set at 5%, and possibly asking that the fees for Shepard Park public wifi be waived. A Public Hearing for this has been set for Monday, March 16, 2020. Attorney Fuller noted that he will respond with some recommendations for the Board’s review.

Attorney Fuller submitted a draft law in regards to the Student Connection housing inspections. He used parts of the boardinghouse law for it along with some sections from other municipalities. Attorney Fuller noted that it would be added to the Zoning law, would require a special use permit, and would give the Zoning Administration and County Code Enforcement the authority and obligation for the inspections. Mayor Blais noted that he really just wants to know if more than three students are being housed in each location and allow for inspections prior to the housing and a certification.

Mayor Blais, next brought up the issues with vacant properties, the zombie houses. These properties are not really contributing anything to the Village, and the owners are usually not responsive. Attorney Fuller drafted a proposed law for this, too. Attorney Fuller commented that you can’t really force someone to do something with their property, and especially if it is being maintained. He noted that the police power is the health, safety and welfare. He agreed that he could research it some more to see if there may be some other options.

Mayor Blais went back to the sewer rate topic and remarked that the next step will be to get more information to the consultant and set up another meeting with Municipal Solutions, and we will keep Attorney Fuller apprised so that he can attend as well.

Mayor Blais asked Superintendent Lanfear to update the Board about the small slice of property, about .5 acre, at the WWTP that we’ve been using that was found to be privately owned. Mayor Blais contacted the owner, and Superintendent Lanfear met with him on Friday. The owner is agreeable for the Village to purchase the property or possibly make a trade for the property adjacent to his house. Attorney Fuller noted that we probably don’t need an appraisal, only a survey, but there will have to be a title search done. The Board agreed to get a survey completed. Attorney Fuller commented that he could draft a resolution for an exchange.

Attorney Fuller informed the Board that he has been fielding calls in regards to the Corona virus. He has been preparing resolutions for municipalities for emergency declarations, which may be necessary. Attorney Fuller left at 9:50 a.m.

Clerk Deb McKinney requested additional help in Office while one employee is off for medical reasons and another is off on vacation. Since the assistance will be a substitution in the Water Department, she asked that the pay match that employee's hourly rate.

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

RESOLUTION NO. 228, 2020

BE IT RESOLVED, that the Village Board hereby approves the hiring of Darlene Gunther to help cover staff shortage as needed at a rate of \$23.79 per hour.

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

RESOLUTION NO. 228, 2020 ADOPTED. March 9, 2020

Superintendent Lanfear requested permission for Travis Earl, Chris Andrews, and Chris Buckley to attend the Adirondack Water Works Conference at \$45. each on March 11 in Latham.

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

RESOLUTION NO. 229, 2020

BE IT RESOLVED, that the Village Board hereby approves the attendance at the Adirondack Water Works Conference on March 11 at a cost of \$45. each.

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

RESOLUTION NO. 229, 2020 ADOPTED. March 9, 2020

The following Handbook changes were considered and reviewed:

- Section VI – Absentee Prevention Program
Mayor Blais reported that there has been an issue with some employees continuously calling off before and after a holiday, without proper notification. The Board read the proposed change over and asked for some revisions. Mayor Blais agreed to change the draft and present it at the next regular meeting.
- Section V Benefits – Health Insurance
Mayor Blais asked Clerk Deb McKinney to explain the proposed change. She commented that with the current vested benefit that offers a stipend, there was an inconsistency in the cost share benefit for employees hired prior to 1988 and those hired after. Only one employee has qualified for this flat rate stipend since it was passed several years ago. Mayor Blais noted that the benefit is available at the percentages proposed below for the retiree and/or spouse. If family coverage is necessary, the retiree must pay 100% of the difference between the cost of a two-person plan and the family plan. It was suggested that the one employee that qualified

for the vested benefit of the flat rate stipend be allowed to continue on the insurance as previously agreed but at a 5% employee cost share. Following is the proposed draft:

Section V Benefits

K. Vested Rights for Retiree's Health Insurance

1. Any employee hired prior to January 20, 1988, in order to be eligible for vested rights, must:
 - (a) Have completed twenty (20) years of service and retired through the New York State Retirement System, or
 - (b) Have completed ten (10) years of service, attained the age of fifty-five (55), and retired from the NYS Retirement System.
 - (c) Vested rights pertaining to health and dental insurance premiums will be deemed according to the eligibility as listed above in Section J for the individual and his or her dependents, if claimed on employee's Federal Income Tax forms, for those hired prior to January 20, 1988. The retired employee or elected official only is eligible for Social Security Medicare Part B reimbursement on a quarterly basis. Effective June 1, 2018, the reimbursement rate shall be a fixed \$125. per month per eligible employee. (2/12/18)
2. For any employee hired after January 20, 1988 or official elected after January 20, 1988 and before January 1, 2017 with ten years of service or more, be at least 55 years of age when leaving the Village, and retire from the NYS Retirement System, they can elect to remain in the Village ~~hospitalization~~ health insurance plan and pay 100% of the cost or be offered COBRA in accordance with federal law. There will be no dental or drug coverage offered. Costs associated with the coverage must be paid at least 30 days in advance of the due date. The Village reserves the right to cancel anyone who fails to make the payment in accordance with the above provisions.

~~Any employee hired or official elected after January 20, 1988 will be given a flat monthly fee (as listed below) towards their health insurance premium if they have continually been on the Village of Lake George health insurance and they meet all of the following requirements: They must serve or work a minimum of fifteen (15) years, reach the age of fifty five (55), and retire from the NYS Retirement System or they can elect to remain in the Village hospitalization plan and pay 100% of the cost or be offered COBRA in accordance with federal law. There will be no dental or drug coverage offered.~~

- ~~(a) For 15 years of service, the employee will receive a maximum flat monthly fee of \$250.00 towards their health insurance premium with the Village of Lake George.~~
- ~~(b) For 16, 17, 18, or 19 years of service, the employee will receive a maximum flat monthly fee of \$350.00 towards their health insurance premium with the Village of Lake George.~~
- ~~(c) For 20 years or more of service, the employee will receive a maximum flat monthly fee of \$400.00 towards their health insurance premium with the Village of Lake George.~~

~~Under 2 (a), (b), or (c), in no event, will the Village pay more than the monthly health insurance premium for that person and their spouse and/or dependents.~~

3. Effective June 1, 2020 for any employee hired after January 20, 1988 or official elected after January 20, 1988 and before January 1, 2017 with fifteen to nineteen years of service, be at least 55 years of age when leaving the Village, and retire from the NYS Retirement System, they can elect to remain in the Village ~~hospitalization~~ health insurance plan and pay 50% of the cost for the retiree and/or spouse (single or two-person coverage) or be offered COBRA in accordance with federal law. If the retiree needs the "family" coverage, they must pay 100% of the difference between the cost of two-person plan and family coverage. There will be no dental or drug coverage offered. Costs associated with the coverage must be paid at least 30 days in advance of the due date. The Village reserves the right to cancel anyone who fails to make the payment in accordance with the above provisions.
4. Effective June 1, 2020 for any employee hired after January 20, 1988 or official elected after January 20, 1988 and before January 1, 2017 with twenty years of service or more, be at least 55 years of age when leaving the Village, and retire from the NYS Retirement System, they can elect to remain in the Village ~~hospitalization~~ health insurance plan and pay the same percentage of the cost as when they were an active employee for the retiree and/or spouse, (single or two-person coverage) or be offered COBRA in accordance with federal law. If the retiree needs the "family" coverage, they must pay 100% of the difference between the cost of two-person plan and family coverage. There will be no dental or drug coverage offered. Costs associated with the coverage must be paid at least 30 days in advance of the due date. The Village reserves the right to cancel anyone who fails to make the payment in accordance with the above provisions.

~~There will be no prescription or dental benefits under the Village's self insurance program.~~

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

RESOLUTION NO. 230, 2020

BE IT RESOLVED, that the Village Board hereby approves the handbook changes as follows with an effective date of June 1, 2020:

Section V Benefits

K. Vested Rights for Retiree's Health Insurance

1. Any employee hired prior to January 20, 1988, in order to be eligible for vested rights, must:
 - (a) Have completed twenty (20) years of service and retired through the New York State Retirement System, or
 - (b) Have completed ten (10) years of service, attained the age of fifty-five (55), and retired from the NYS Retirement System.
 - (c) Vested rights pertaining to health and dental insurance premiums will be deemed according to the eligibility as listed above in Section J for the

individual and his or her dependents, if claimed on employee's Federal Income Tax forms, for those hired prior to January 20, 1988. The retired employee or elected official only is eligible for Social Security Medicare Part B reimbursement on a quarterly basis. Effective June 1, 2018, the reimbursement rate shall be a fixed \$125. per month per eligible employee. (2/12/18)

2. For any employee hired after January 20, 1988 or official elected after January 20, 1988 and before January 1, 2017 with ten years of service or more, be at least 55 years of age when leaving the Village, and retire from the NYS Retirement System, they can elect to remain in the Village ~~hospitalization~~ health insurance plan and pay 100% of the cost or be offered COBRA in accordance with federal law. There will be no dental or drug coverage offered. Costs associated with the coverage must be paid at least 30 days in advance of the due date. The Village reserves the right to cancel anyone who fails to make the payment in accordance with the above provisions.

~~Any employee hired or official elected after January 20, 1988 will be given a flat monthly fee (as listed below) towards their health insurance premium if they have continually been on the Village of Lake George health insurance and they meet all of the following requirements: They must serve or work a minimum of fifteen (15) years, reach the age of fifty five (55), and retire from the NYS Retirement System or they can elect to remain in the Village hospitalization plan and pay 100% of the cost or be offered COBRA in accordance with federal law. There will be no dental or drug coverage offered.~~

- ~~(a) For 15 years of service, the employee will receive a maximum flat monthly fee of \$250.00 towards their health insurance premium with the Village of Lake George.~~
- ~~(b) For 16, 17, 18, or 19 years of service, the employee will receive a maximum flat monthly fee of \$350.00 towards their health insurance premium with the Village of Lake George.~~
- ~~(c) For 20 years or more of service, the employee will receive a maximum flat monthly fee of \$400.00 towards their health insurance premium with the Village of Lake George.~~

~~Under 2 (a), (b), or (c), in no event, will the Village pay more than the monthly health insurance premium for that person and their spouse and/or dependents.~~

3. Effective June 1, 2020 for any employee hired after January 20, 1988 or official elected after January 20, 1988 and before January 1, 2017 with fifteen to nineteen years of service, be at least 55 years of age when leaving the Village, and retire from the NYS Retirement System, they can elect to remain in the Village hospitalization health insurance plan and pay 50% of the cost for the retiree and/or spouse (single or two-person coverage) or be offered COBRA in accordance with federal law. If the retiree needs the "family" coverage, they must pay 100% of the difference between the cost of two-person plan and family coverage. There will be no dental or drug coverage offered. Costs associated with the coverage must be paid at least 30 days in

advance of the due date. The Village reserves the right to cancel anyone who fails to make the payment in accordance with the above provisions.

4. Effective June 1, 2020 for any employee hired after January 20, 1988 or official elected after January 20, 1988 and before January 1, 2017 with twenty years of service or more, be at least 55 years of age when leaving the Village, and retire from the NYS Retirement System, they can elect to remain in the Village ~~hospitalization~~ health insurance plan and pay the same percentage of the cost as when they were an active employe for the retiree and/or spouse, (single or two-person coverage) or be offered COBRA in accordance with federal law. If the retiree needs the “family” coverage, they must pay 100% of the difference between the cost of two-person plan and family coverage. There will be no dental or drug coverage offered. Costs associated with the coverage must be paid at least 30 days in advance of the due date. The Village reserves the right to cancel anyone who fails to make the payment in accordance with the above provisions.

~~There will be no prescription or dental benefits under the Village’s self-insurance program.~~

BE IT FURTHER RESOLVED, that the Village Board approves retiree Howard Greenholtz to receive his health insurance at an employee cost share of 5%.

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

RESOLUTION NO. 230, 2020 ADOPTED. March 9, 2020

- Section V Benefits – Personal Time and Bereavement Time
Personal time changes were reviewed. Bereavement time for employee or spouse aunts, uncles, and grandparents was changed to one day.
 - Section XI – Use & Operation of Village Owned or Insured Vehicles
 - Fire Department – Use & Operation of Village Owned or Insured Vehicles
- Mayor Blais reported that our insurance company has set criteria prohibiting the driving of Village vehicles including fire vehicle and apparatus to anyone under the age of 21.

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

RESOLUTION NO. 231, 2020

BE IT RESOLVED, that the Village Board hereby approves the following handbook changes to take effect immediately:

- Section V Benefits**
- B. Personal Time**
1. **Personal leave is with pay, for personal business, including religious observance, doctor’s appointments, legal matters, etc., and may be taken without charge against accumulated vacation credits.**
 2. **After one year of employment – employee will be given three (3) personal days per year, this may not be accumulated.**

3. All personal leave day/days must be approved at least 48 hours in advance, if possible, by Department Head, on approved forms, prior to day/days off, subject to the discretion of the Department Head.
4. All full time employees will receive a paid personal day on their annual birthdate, ~~or in accordance with Section 2.~~ No substitutions. This extra time cannot be "saved" and used at a different time. (1/8/18)

F. Bereavement Time

1. Employees will be given up to three (3) compensatory days for death in their immediate family. (Immediate family defined as first relationship such as mother; father, brother, sister, son, daughter, husband or wife, ~~aunt or uncle~~)
2. Employees will be given up to one (1) compensatory day off for a death of a secondary relative. (Secondary family defined as mother-in-law or father-in-law, brother-in-law or sister-in-law, aunt or uncle, spouse's aunt or uncle, or grandparents or spouse's grandparents.)

Section XI -
Use & Operation of Village Owned or Insured
Vehicles & Equipment

...

Vehicle Operations

1. No person employed by the Village or a volunteer firefighter shall operate a piece of fire apparatus, a motor vehicle or any other motorized piece of equipment unless 18-21 years of age with the exception of the following: Golf carts, lawn mowers, weed wackers, and/or air blowers which require a reasonable amount of experience. (3-9-2020)

...

~~7. No person shall operate a piece of fire apparatus under the age of 19 at anytime. (Amended October 17, 2016 by Board Resolution No. 127, 2016.)~~

BE IT FURTHER RESOLVED, that the Village Board authorizes the following changes to the Fire Department Handbook:

Fire Department Handbook
Operation of Village-Owned or Insured Vehicles & Equipment

1.No person employed by the Village or a volunteer firefighter shall operate a piece of fire apparatus, motor vehicle, or any other motorized piece of equipment unless 19 21 years of age with the exception of the following: Golf carts, lawn mowers, weed-whackers, or air blowers which require a reasonable amount of experience. (3-9-2020)

...

~~7. No person shall operate a piece of fire apparatus under the age of 19 at anytime. (amended 2/9/2014)~~

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

RESOLUTION NO. 231, 2020 ADOPTED.

March 9, 2020

Mayor Blais reported that he has been working with Jerry Casertino to propose combining the Peace Officer Program into one program of Safety Officers/Meter Enforcement. The change in title and duties will save \$3,619. in insurance premium annually. Mayor Blais noted that it has come to our attention that with the new rules and regulations, our current Peace Officer Program would no longer be possible. An employee with the title of Safety Officer would require training which could be offered to any returning meter enforcement personnel. The Safety Officers would still carry a radio but will not be able to make arrests. Their primary jobs will be to enforce meters, monitor the Village and call a Sheriff if there's a problem, and be an ambassador for the Village. As he previously noted, he has been in conference with the Warren County Sheriff who is putting together a proposal to cover the Village with one patrol car for one shift a day during the summer season. It would be the intent to make modifications to the McGillis Avenue building and house the officer there, but that will not be for the 20/21 budget year. Trustee Perry suggested the best time frame for a car patrol would be 8:00 p.m. to 4:00 a.m. Mayor Blais noted that we may have to change our local law for these changes, but he asked for authorization to allow potential employees to take the course, and the Board agreed. Mayor Blais noted that he has included the Sheriff Patrol estimated cost in the budget.

Mayor Blais began review of the proposed budget. He reported that it is \$6,000. under the tax cap and comes in at \$6.43 per \$1,000. of assessed valuation, which is a .14 increase. The average household will pay about \$28. more. The entire debt service of the treatment plant is included. He is waiting for confirmation from the County in regards to the support for the new plant, but it is his belief that the County will give back their share of the funds from the Beach Road revenues. At one point, while working on the budget, Mayor Blais noted that he thought the parking lot rate would have to be raised to \$3.00 an hour, but it will not be necessary. Mayor Blais recommended considering keeping the meters and pay and displays out year round if we need to increase our revenues to cover the debt. The Board was in agreement. The discussion continued about the meters and the new Park Mobile ap.

Mayor Blais began to review the proposed budget. He reviewed each line item one by one. Following are the highlighted items:

A1110.1 is increased to allow for additional hours for a parking clerk to be at the court.

A1110.4 was increased to pay for the ticket processing by Complus.

Employee raises were .25 across the board, with most department heads getting a \$2,000. increase.

Credit card fees were increased to cover all of the new credit card processing with the new pay and display machines and the parking ap.

A1420.4 Village attorney raising hourly rate.

A1440.4 was increased in case we decide to hire a design firm for the Forum parking design, and to cover engineering for the medians on the south end project.

A1930.4 includes funds for Forum design work.

Joint Youth funds were removed, as we no longer pay the Town. They levy it on to their taxes.

A3120.4 includes funds for a contract with Warren County Sheriff's Department for a patrol.

A3410.2 has funds for a new Chief's vehicle.

The increase in the Penflex benefit will not impact the 20/21 budget.

A5410.4 includes funds to cover new sidewalks from Amherst Street north.

A5110.2 has money to purchase a new Ford pickup for the Streets Department.

A6410.4 has funds to cover the Second Chance workers like last year.

Mayor Blais reviewed the list of Occupancy Tax account expenses.

Parks personal services has been moved to Beautification.

The Board discussed possibly getting some new trash cans, maybe with recycling bins. Celebrations has funds for fireworks, but we are planning that the Chamber will get sponsors like last year.

A8090.4 will cover the boating washing program again.

A8510.4 has funds for four new antique lamp posts.

Also included is \$100,000. to put into the Highway Reserve towards the purchase of a new plow truck for the following year.

Serial bonds has funds for a bond payment for the new WWTP.

The Fire Reserve and WWTP Reserve were both increased by \$10,000.

Mayor Blais continued on and reviewed the anticipated revenues.

The horse carriage rides are not coming back this year and the revenue was removed from the budget.

Rental of the Beach Road Station is included.

Mayor Blais noted that there was a survey on the State Report, and he quoted some comparison statistics.

Mayor Blais reported that Americade staff have decided that since they did not receive Joint Occupancy Tax funding, they will not be holding a block party.

Mayor Blais noted that as long as the Board is in agreement, he would like to set a Special Meeting for the Public Hearings on the budgets for after the Annual Meeting scheduled for April 6, 2020.

Mayor Blais gave an update on the Forum Project. He also remarked that the Skate Park is looking for money for the last phase.

Mayor Blais asked Superintendent Lanfear to review the water budget line by line, which he did and following are the highlights:

F8320.4 includes funds to replace three valves and actuators.

F8340.4 has money to replace some fire hydrants and also funds for the Middle Road tank inspection.

F8350.4 has funds to continue purchasing more of the cellular read water meters for that project.

There was a motion by Trustee Mastrodomenico, to adjourn at 12:03 p.m.

Respectfully submitted,

Debra J. McKinney
Village Clerk