

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, July 15, 2019, at 6:30 p.m.

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

Also present: Clerk Debra McKinney, Superintendent Dave Harrington, Thom Randall, Andrew Meader, Greg Teresi, and Joanne Mamrosch.

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

Mayor Blais introduced Andrew Meader who requested to speak to the Board about the Adirondack Film Commission in regards to attracting and support filming projects locally. He passed out a handout and gave an overview of the Commission and their mission. They have received some funding, created a web site, and have been designated as non-profit. Their goals include filling hotel rooms, usually offseason, along with marketing the area. He noted that the Lake George Forum and the Cool Insuring Arena have both been designated as qualified production facilities. He reported that a couple of films have been shot in and around Lake George and, he talked about the economic impact.

At 6:42 p.m. Mayor Blais opened a Public Hearing for Proposed Local Law No. 4, 2019 amending Chapter 95, "Docks". The purpose of this amendment is to prohibit commercial watercraft from utilizing the Village docks. Mayor Blais reported that he has been dealing with some people that would like to use the Village docks for pick up of customers. Some of the users have not been following the rules and have become a nuisance. Mayor Blais referred back to a 1972 lawsuit against the Village. He noted that the submerged lands beneath the water where the docks are located is State Land and subject to a license from NYS OGS. The proposed local law would prohibit the use of the docks by boats or watercraft used for hire or commercial purposes. He opened the floor to public comment.

Greg Teresi, owner of Tiki Tours, spoke in opposition to adopting the amendment. He noted that the occasional drop off and pick up of passengers seems to be a beneficial use. His customers say there is not a lot of access on the water. He recommended that if the Village were to allow the commercial use with a permit, the permit could be revocable. He commented that he would like to consider the positive side of commercial use of the docks. Mayor Blais replied that our attorney has written an opinion for us and is advising against using the docks for residents and/or commercial uses. Mr. Teresa continued and volunteered to work to change the allowed usage and wants to encourage more charter boats on the lake.

Mayor Blais presented the minutes from a Regular Meeting held on Monday, June 17 and a Special Meeting held on Monday, June 24, 2019. In regards to the meeting minutes of June 17th, Trustee Root requested that his vote on the MOU for the Boat Washing Stations be reviewed; he believes he voted "aye". He also requested other additions to June 17 and June 24th minutes. Clerk Deb McKinney agreed to review the recording. Mayor Blais tabled consideration of these minutes until the next meeting.

Monthly reports from the Sanitation Department, REC Center, Code Enforcement, Fire Department, Caldwell Sewer District, Teen Center, Peace Officers, Meter Enforcement, Parking Meter Collections, and Superintendent of Public Works were presented and made available for inspection.

The following correspondence was reviewed:

- Hike-A-Thom Party at Festival Commons – Sara Hoffman sent a thank you for the help provided to them, specifically by Dave Goodsell, for their event held at the Festival Space.
- Grant to Student Connection from the Educational Resource Development Trust. The Development Trust sent a donation in the amount of \$640. and thanked the Village for “all the good work you do for students and the adults looking over them in our communities.” Mayor Blais will follow up with a thank you.

A Special Event application from Roger Phinney for the Lake George In-Water Boat Show to be held at the Village docks on September 14-15, 2019 was considered.

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

RESOLUTION NO. 87, 2019

BE IT RESOLVED, that the Village Board hereby approves use of Village Docks by Roger Phinney for the Lake George In-Water Boat Show to be held at the docks on September 14-15, 2019 contingent upon receipt of all fees, insurance and other necessary documents.

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

RESOLUTION NO. 87, 2019 ADOPTED. July 15, 2019

Dave Ehmann submitted an occupancy tax request in the amount of \$20,000. on behalf of Improv Records for the Adirondack Independence Music Festival to be held at Wood Park on August 30 through September 1, 2019. Mayor Blais noted that there is a limit of three years for awards. He reported that they will be renting the Village’s stage. Mayor Blais recommended an award of \$5,000. This is the second year of award for this event. Trustee Earl remarked that there needs to be some oversight with the festival as the volume is always an issue. Mayor Blais noted that Jim Anderson has assured us and agreed to be onsite to control the volume; and Mr. Ehmann will be changing the layout this year.

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

RESOLUTION NO. 88, 2019

WHEREAS the Village Board hereby authorizes a Village occupancy tax award to Dave Ehmann of Improv Records for the Adirondack Independence Music Festival to be held at the Wood Park on August 30 through September 1, 2019 in the amount of \$5,000.

BE IT RESOLVED that the Board of Trustees authorizes the payment for the 2019-2020 Fiscal Year upon receipt of proof of payment and contingent upon oversight and control of the volume as well as a redesigned layout.

RESOLUTION NO. 91, 2019

WHEREAS, the Board of Trustees of the Village of Lake George agrees to establish a Capital Fund for the purpose of completing an upgrade to the Water Treatment Plant PLC's.

BE IT RESOLVED, that the Board of Trustees instructs the Village Bookkeeper to establish a new capital project "HW" known as the "Water Treatment Plant PLC Upgrade", and the Village Treasurer to maintain the account; and

BE IT FURTHER RESOLVED, an estimated budget to establish this project will be as follows:

Estimated appropriations:

HW5031 Water Plant Capital	\$135,000.00
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Estimated revenues:

F9950.9 Transfer Water Capital Account 19/20 budget	\$130,000.00
From F8340.4 Transfer Water Transmission & Distribution	\$ 5,000.00
To: F9950.9 Transfer Water Capital Account	

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

RESOLUTION NO. 91, 2019 ADOPTED. July 15, 2019

- Budget amendment for replacement of worn bricks at the Shepard Park Fountain

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

RESOLUTION NO. 92, 2019

WHEREAS, the Village of Lake George continues to replace worn out bricks placed around the Shepard Park fountain area, the budget needs to be increased for the total of the latest order,

BE IT RESOLVED that the Board of Trustees authorizes the following changes to the General Fund Budget:

DR A7110.044 Parks – Bricks and Pavers	\$ 400.00
CR A7110.4 Parks – O&M	\$ 400.00

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

RESOLUTION NO. 92, 2019 ADOPTED. July 15, 2019

- WWTP – Authorization to apply for NYS DEC Water Quality Improvement Grant
- WWTP – Authorization to apply for NYS Empire State Development Grant

Superintendent Harrington explained that Chazen will complete the application for both of these. These applications are for additional grant funding for the WWTP Project. There will be a change order forthcoming to cover the cost of the work.

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

RESOLUTION NO. 93, 2019

Resolution Authorizing Submission of a NYS Department of Environmental Conservation Water Quality Improvement Program Grant Application

WHEREAS, the NYS Department of Environmental Conservation (DEC) is accepting applications for Water Quality Improvement Program (WQIP) grant funds through 2019 CFA application process; and,

WHEREAS, the Village has identified the opportunity to seek funding to support its planned rehabilitation of the wastewater treatment plant; and,

WHEREAS, the grant application process requires that the governing body of the applicant authorize submission of the application and related actions;

THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes and directs the Mayor or the Village designated representative to submit the application to the DEC through the CFA process and to act in connection with the submission of the application, including execution of all required certifications and forms and to provide such additional information as may be required.

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

RESOLUTION NO. 93, 2019 ADOPTED. July 15, 2019

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

RESOLUTION NO. 94, 2019

Resolution Authorizing Submission of a NYS Empire State Development Program Grant Application

WHEREAS, the NYS Empire State Development (ESD) is accepting applications for grant funds through 2019 Consolidated Funding Application (CFA) process; and,

WHEREAS, grant funds may be used to fund up to 20% of strategic community development investments within a downtown, mixed-use commercial district in order to attract new businesses and expand existing businesses, thereby fostering further investment; and

WHEREAS, strategic community development investments include but are not limited to capital expenditures for infrastructure including transportation, parking garages, water and sewer, communication, and energy generation/distribution; and

WHEREAS, the Village has identified the opportunity to seek funding to support its planned rehabilitation of the wastewater treatment plant; and,

WHEREAS, the grant application process requires that the governing body of the applicant authorize submission of the application and related actions;

THEREFORE BE IT RESOLVED that the Village Board hereby authorizes and directs the Mayor or the Village designated representative to submit the application to the ESD through the CFA process and to act in connection with the submission of the application, including execution of all required certifications and forms and to provide such additional information as may be required.

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

RESOLUTION NO. 94, 2019 ADOPTED. July 15, 2019

Superintendent Harrington interviewed Thomas Aiken for the permanent fulltime WWTP Laborer position. He would like to recommend hiring him to fill the vacancy.

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

RESOLUTION NO. 95, 2019

BE IT RESOLVED, that the Board of Trustees approve hiring of the following employee as full-time permanent with benefits pending pre-employment drug testing:

Thomas Aiken for WWTP laborer at a pay rate of \$18.00 per hour starting on July 31, 2019.

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

RESOLUTION NO. 95, 2019 ADOPTED. July 15, 2019

Mayor Blais reported that the Planning Board has approved Linda Duffy's request to use picnic tables at Duffy's Corner Deli & Café in her parking lot for outside seating contingent upon an amendment to Chapter 118-8 of the Village Code. The current code prohibits the use of picnic table on the exterior of premises if the furnishings may be seen from the public right-of-way or adjacent thereto. The Board agreed to allow the use; Mayor Blais will draft the law for the next meeting.

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

RESOLUTION NO. 96, 2019

WHEREAS, the Planning Board has voted to conditionally approve the use of picnic tables at 320 Canada Street for Linda Duffy's new ice cream shop;

BE IT RESOLVED, that the Board of Trustees approves the use and plans to draft an amendment to Chapter 118-8 of the Village Code permitting the use of picnic tables only after approval by the Village Planning Board.

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

RESOLUTION NO. 96, 2019 ADOPTED. July 15, 2019

Mayor Blais noted that Ronald McDonald House Charities submitted a check for Village taxes. Ronald McDonald House Charities is a nonprofit organization so should be tax exempt, but for some reason they had not submitted the proper paperwork to have the property removed from the tax roll when they purchased the house on Ottawa Street. Mayor Blais commented that during the renovations of the house, they have found that some things are not up to code. He noted that Gross Electric put in an \$26,000. estimate to do repairs, but they are not charging; they are donating completion of the work.

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

RESOLUTION NO. 97, 2019

WHEREAS, Ronald McDonald House Charities (RMHC) (tax map #251.14-4-41 for 161 Ottawa Street) has submitted a check #00476 in the amount of \$1,092.75 for a tax bill for submitted in error by Warren County to the Village of Lake George; and

WHEREAS RMHC is a certified 501c3 corporation under the laws of the State of New York; and

WHEREAS, they are exempt from real property taxes and have proven so by furnishing our Treasurer with such documents;

BE IT RESOLVED, that the Board of Trustees hereby agrees to return such check to RMHC and advise Warren County to remove them from our tax rolls.

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

RESOLUTION NO. 97, 2019 ADOPTED. July 15, 2019

Mayor Blais gave an update on the Performing Arts Initiative. He said that a volunteer committee of interested individuals has been formed for the possibility of bringing a performing arts center to the Village. They are looking at different location options that would be suitable for a year round center in the Village, and will report to the Board at a later date.

Superintendent Harrington reported that the electric vehicle charging station will need a contract for the Charge Point Cloud Services. Fees for the first two years were covered by the grant. Although the fees outweigh the revenues, he would recommend a three-year contract, then at the end of that period, it can be evaluated.

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

AUDITS:			Voucher #	Check #
6/20/2019	General	\$75,016.66		
	Water	<u>\$13,119.07</u>	2000087-200102	32845-32852
		\$88,135.73		
7/3/2019	General	\$202,328.63	200103-200131	32853-32861
	Water	<u>\$42,449.49</u>		
		\$244,778.12		
7/15/2019	General	\$173,738.64		
	Water	\$150,088.35	200132-200258	32862-32956
	Sewer Plant Improv(HK)	<u>\$18,115.08</u>		
		\$341,942.07		

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

RESOLUTION NO. 100, 2019 ADOPTED. July 15, 2019

Mayor Blais asked for any other business.

Trustee Root asked about Scrafford’s property. Mayor Blais noted that they have been served a notice for cleanup. Dan Barusch is working on it. He also noted complaints about the Beach Club noise.

Trustee Earl commented about the Backstreet BBQ always having cones in the parking spaces in front of it. Mayor Blais noted that he has requested that the cones get picked up whenever Village staff see them out there. It was also reported that sometimes the music from that establishment is loud.

Trustee Mastrodomenico commented that he saw Denny Galloway working on the bench in front of the cemetery; the slats have been replaced at his own expense. Mayor Blais will follow up with a thank you letter.

Clerk Deb McKinney asked the Board if they wished to continue using the Ipads to access the meeting documents, and they agreed that they would like to and approved any necessary transfer of funds to purchase new ones for their use.

Mayor Blais went back to the public hearings and asked for any further comments.

At 8:02 p.m. Mayor Blais closed the Public Hearing on Proposed Local Law No. 4, 2019 amending Chapter 95, “Docks”.

Motion by Trustee Root, seconded by Trustee Earl, 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. 4, 2019 amending Chapter 95, “Docks” of the Code of the Village of Lake George.

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

Motion by Trustee Root, seconded by Trustee Earl, to adopt proposed Local Law No 4, 2019.

LOCAL LAW NO. 4, 2019
Amending Chapter 95
Of the Code of the Village of Lake George
“Docks”

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

Chapter 95-1
“Regulations for Dock Use”

...

A.
Boats or watercraft used for hire or commercial purposes, less than 28 feet may dock to pick up or discharge passengers for a maximum time of 1/2 hour for a fee of \$250 per season. are prohibited from utilizing the docks for any purpose, with the exception of those permitted pursuant to adoption of this regulation for the remainder of 2019.

[Amended 3-19-2012 by L.L. No. 2-2012; 9-17-2018 by L.L. No. 9-2018]

...



§ 95-6 When effective.

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

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

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

LOCAL LAW NO. 4, 2019 ADOPTED July 15, 2019

Joanne Mamrosch addressed the Board and remarked that parking becomes a problem where she lives, and it is not good on the 4th of July and Memorial Day. She also commented about a vehicle that parks on Helen and West Street, and the person sleeps in his vehicle.

There was a motion by Trustee Perry to adjourn at 8:08 p.m.

Respectfully submitted,

Debra J. McKinney, CPPB
Village Clerk