

REGULAR MEETING OF THE ROUND LAKE VILLAGE BOARD OF TRUSTEES  
OCTOBER 6, 2010.

PRESENT: Mayor Dixie Lee Sacks  
Trustee C. Brent Elford  
Trustee Thomas Bergin

Trustee Christopher Nellissen  
Trustee Caroline Woerner

Also Present: Superintend John Stevenson  
Fire Chief Jason Kaczmarek  
Alyse Peterson  
Christina Cook  
Danielle Rigney  
Brian Montague  
Tony McCabe & sons  
Janet Shattuck

Attorney Thomas Peterson  
Marlene Sweet  
Muriel Ziggler  
Dana Kopans  
Mark Marion  
Yonna Palmer  
Paul Block  
Tina Harris

Mayor Sacks called the regular meeting to order at 7:00 p.m.

The pledge of allegiance was recited.

PUBLIC COMMENT PERIOD

Village Residents – The Village Board was informed that more people were coming to the meeting. Mayor Sacks commented that the meeting will not start until more of the residents arrive.

REPORTS

Superintendent Stevenson: There is a broken mechanical part in the flow meter at the pumphouse. The Superintendent has ordered the necessary part; the cost of the part is \$1,467, an extra \$75 to calibrate and \$160 to ship here. Mayor Sacks stated this would be taken from A8320.4 Source & Supply, contractual.

Everything is good with the sewer system.

Equipment – The 1990 International needed new break drums, front & rear, and steering box.

The F-350 had a blown brake line that has been repaired.

Since the last Board meeting, the DPW has been cleaning storm drains starting with the drain on North Washington Avenue down South Washington Avenue to where it crosses the street. All the storm drains in the Village have been cleaned.

Animal Control Officer: Mr. Stevenson reported that he has had several calls, barking dogs, tangled dogs and a female dog was found on Ames Avenue. The person who found the dog is keeping it until the owner is found.

Fire Chief Kaczmarek: A copy of the monthly report is attached. A firefighter has requested the use of the ladder truck to take him from his home at exit 11 to the Jonesville church, where he is being married. The truck would not remain at the church

during the ceremony, it will be returned to the fire station. The Village Board has refused all similar requests in the past.

MOTION by Trustee Bergin to deny the request for the use of the ladder truck for a wedding ceremony, SECONDED by Trustee Nellissen.

UNANIMOUSLY APPROVED

Chief Kaczmarek informed the Village Board that the Fire Department is dealing with the untimely death of a firefighter. The Chief is requesting the use of the ladder truck to set up at the Veterans Cemetery on Friday morning.

MOTION by Trustee Bergin to approve the use of the ladder truck at the funeral of a firefighter on Friday morning at the Veterans Cemetery, SECONDED by Trustee Woerner.

UNANIMOUSLY APPROVED

The company that is purchasing the 1991 Pierce is okay with waiting for the title and is fine with the equipment that is being sold with the truck.

VILLAGE RESIDENTS

Marlene Sweet stated that she came tonight to see what the Village is doing about sex offenders. What are we doing within the law to protect our kids? The Village needs to put up signs at the parks to keep the sex offenders out of the parks.

Mr. Peterson stated that the Town of Malta has laws, the County has laws on the books but they are not enforceable. There are two challenges on these laws at this time. There can not be residential restrictions.

Trustee Nellissen commented that communities have tried to enact laws and have been unsuccessful. We have to follow state laws that have been approved.

Danielle Rigney commented that a hotel/motel owner in Lake George has to pay a charge for housing sex offenders. Why can't the village charge the owner of the Inn?

Mr. Peterson replied that this is just another way of trying to enforce laws that are not enforceable.

Danielle Rigney asked about history of the Inn. It was an old folks home, when did it change, was it done legally?

Mr. Peterson replied that it is a boarding house, it is of nonconforming use, pre-existing to the Village zoning.

Christina Cook stated that she understood that it was an adult home for seniors since the 1960's and a nursing home, not an Inn. Why does the owner allow these people to live there?

Mayor Sacks stated that it was never a nursing home, only an adult home.

Trustee Woerner replied that this building was used for that purpose before the zoning was adopted by the Village.

Tony McCabe asked what the Village Board is going to do about the sex offenders. What about the awareness, why can't the Village do more to notify the

residents when a sex offender moves into the Village? There are now two sex offenders living at Inn Cognito now.

Mayor Sacks stated that when the office receives the notices, they are immediately posted on the official board in the hallway. Once they are posted, the Village does not remove them, someone must be taking them down. The list of sex offenders and their addresses are readily available on-line, if they don't have access to a computer one is available at the Library.

Paul Block commented that when the officers were here to talk to the parents and children, he came to the municipal building to look at the list, all the names were gone. They need to be posted so than no one can remove them. He understands that it is not possible to reach everyone in the Village; even the Times Union circulation only reached 38% of the Village residents.

Marlene Sweet stated that she is tired of being politically correct; she doesn't care if it hurts someone's feeling. What is the Village Board doing to protect us?

MOTION by Trustee Woerner to approve the purchase of a new message board, with locking doors, for the hallway in the Municipal Building to allow for the posting of lists of sex offenders living in the Village, SECONDED by Trustee Bergin.

UNANIMOUSLY APPROVED

A lengthy discussion continued about the safety of our children, a recent robbery in the Village, people in the Village watching for children, calling police when someone feels that it is necessary, a possible safe haven at the Village Community Room and other issues of shared concern.

Mayor Sacks commented that the Village office has been asking for telephone numbers for the reverse 911 system. This will allow the Village to contact residents in an emergency of any type; be it weather, loss of power, snow storm, etc.

Mayor Sacks also reminded residents that their houses should be numbered correctly, per 911 addresses, and visible from the street day and night. If you are not sure what your correct number is, please call or stop in the Village office.

Trustee Nellissen commented that we need to call upon the people to keep talking to each other, this helps to keep the Village relatively crime free. We have to teach our children to be safe without frightening them.

MOTION by Trustee Woerner to approve the purchase of a new message board, with locking doors, for the hallway in the Municipal Building to allow for posting lists of sex offenders living in the Village, SECONDED by Trustee Bergin.

UNANIMOUSLY APPROVED

Danielle Rigney commented that there are some 20 year olds that are hanging out at the Simpson Avenue Park. They leave it a mess, damaging the table and she can't take her daughter there. Something needs to be done about this group.

Trustee Bergin commented that he has watched these kids sit there for years. They sit there and talk, eat and play cards. They are not a problem.

Ms. Rigney replied that they leave garbage all over the park.  
Superintendent Stevenson said this park is not as bad as the other parks.  
The residents thanked the Village Board for their time, their help with this issue and left the meeting.

Auditorium: Mayor Sacks presented the final report for the 2010 Auditorium season. A copy is attached. The Village Board discussed the programs that were held this year; ideas/programs for next year's season and how to improve the attendance.

OLD BUSINESS

Open Space Strategy & Plan: Trustee Woerner informed the Board that she met with Saratoga Plan, they have agreed to reformat the open space documents and will be working with Saratoga County to produce maps for the Village. Once the Village has this information it will be adopted by the Village Board and use to apply for grants.

Parking: Hold for the next meeting.

Lake Front: Mr. Peterson informed the Village Board that a meeting was held on October 21<sup>st</sup> with Mayor Sacks, Councilwomen Thomas, DEC, DOT and himself. DOT did report that they don't believe that the speed limit should be lowered in that area of Route 9. They stated that it is not safe to allow boat trailers into the property, only car top boats should be allowed until Malta's boat launch is completed. The Village would have to make improvements to the area, remove trees, pave the area and delineate parking areas to name a few issues. Discussion continued about safety, ineffective no trespassing signs and the installation of a guardrail on Route 9. The Village Board needs to make a decision on what will be done concerning this problem. DOT will not make any improvements to the Route 9 underpass at Covell Avenue. At this point in time, they will be closing it.

RESOLUTION 75 OF 2010

BE IT RESOLVED by the Round Lake Village Board of Trustees requesting that NYS Department of Transportation to install a guardrail with pedestrian openings across the entrance to the "boat launch" area of Village property on Route 9; and be it

ALSO RESOLVED that the Village of Round Lake designates itself lead agency for the purpose of administration of the State Environmental Quality Review Act.

RESOLVED by Trustee Woerner, SECONDED by Trustee Nellissen.

Trustee Nellissen – aye  
Trustee Woerner – aye  
Mayor Sacks – aye

Trustee Elford – abstain  
Trustee Bergin – aye

RESOLUTION ADOPTED

Planning Board Secretary: Mayor Sacks commented that at the last Board meeting she informed the Board that Christina Cook had resigned as Planning Board Secretary. Mayor Sacks is now appointing Heather Elford as Secretary.

MOTION by Trustee Bergin to approve Mayor Sacks' appointment of Heather Elford as Planning Board Secretary, SECONDED by Trustee Nellissen.

Trustee Nellissen – aye  
Trustee Woerner – aye  
Mayor Sacks – aye  
Trustee Elford – abstain  
Trustee Bergin – aye

MOTION APPROVED

Fire Department Budget: The Village Board held a workshop on Tuesday, October 5, with Chief Mazza and Hose Company President Sievers representing the Fire Department and Hose Company.

RESOLUTION 76 OF 2010

BE IT RESOLVED that the Round Lake Village Board of Trustees approve the proposed 2011-2012 Fire Department budget as revised, pending approval by the Fire Department membership.

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen – aye  
Trustee Woerner – aye  
Mayor Sacks – aye  
Trustee Elford – aye  
Trustee Bergin – aye

RESOLUTION ADOPTED

NEW BUSINESS

Budget Amendments: The Village Auditor has presented the following adjustments to the Village budget.

RESOLUTION 77 OF 2010

BE IT RESOLVED that the Round Lake Village Board of Trustees approves the following budget adjustments:

A1440.4	Engineer	\$6767	(To be reimbursed by Victoria Landing & CHIPS)
A3410.2	Fire Truck	\$4760.77	Increase Expenditure.
A5031		48989	Increase Revenue
A5710		274000	Increase Revenue
A 3410.48		153088	Decrease Expenditure
A 7560.4		8854	(To be reimbursed for organ)

RESOLVED by Trustee Woerner, SECONDED by Trustee Elford.

Trustee Nellissen – aye  
Trustee Woerner – aye  
Mayor Sacks – aye

Trustee Elford – aye  
Trustee Bergin – aye

## RESOLUTION ADOPTED

Unappropriated Fund Balance & DPW Equipment: Mayor Sacks presented the Village Board with a DPW equipment replacement schedule and estimated cost. The Board discussed creating an equipment replacement reserve fund, with a target amount of \$60,000 per year. The Superintendent commented that when equipment is replaced, the old equipment is sold. This money could be put in the replacement fund.

Trustee Nellissen commented that the state said that the Village should have enough money in the unappropriated fund balance to cover at least two months of expenses. The Village should adopt a policy to ensure that a certain amount of money is set aside for emergencies.

NYSEG Replacement of Old Street Lights & Poles: Mayor Sacks was informed that NYSEG will be replacing some of the old poles and wires at some time in the future. At the same time, they can replace the lights. The smaller lights are more expensive, with the larger lights are less expensive. Some discussion followed. Trustee Nellissen will call Greg Latulipe of NYSEG to discuss this issue.

HAER Project: Mayor Sacks read a letter from Matthew Bellocchio of Andover Organ Company regarding the photographic documentation of the organ that will be completed on site October 26th & 27th. This documentation will be completed by Dr. Lawrence Lee, Paul Dolinsky and two NPS photographers of the National Park Service as part of the National Landmark Status. Since Mr. Bellocchio has maintained the organ for many years, he will be available to assist in this documentation.

Mr. Bellocchio is wondering if the Village would underwrite some of the costs for this special trip. Mayor Sacks reviewed the attached spreadsheet with the Village Board; the village share would be \$884.33.

## RESOLUTION 78 OF 2010

WHEREAS, The Village of Round Lake is in the process of securing National Landmark Status for the Round Lake Auditorium and the Ferris-Tracker Organ; and

WHEREAS, the application for said designation requires photographic documentation of the interior of the organ, which will be accomplished with the assistance of Matthew Bellocchio of Andover Organ Company; therefore be it

RESOLVED, that the Round Lake Village Board of Trustees authorizes the expenditure of \$884.33, from the parkland fund, for the Village share of expenses for Mr. Bellocchio's trip to Round Lake.

RESOLVED by Trustee Woerner, SECONDED by Trustee Elford.

Trustee Nellissen – aye  
Trustee Woerner – aye  
Mayor Sacks – aye

Trustee Elford – aye  
Trustee Bergin – aye

RESOLUTION ADOPTED

Property Maintenance: The Village Board of Trustees discussed the property maintenance issues at 11 Lake Avenue. Mr. Peterson spoke with NYS Department of State, Division of Codes. The state code is a standard, how we enforce the code is up to the Village. We need a local law to provide the procedure. The Village law does not allow for the Village to charge the cost of clean-up of the property back to the owner. Mr. Peterson presented a copy of the resolution to amend chapter 91 of the Village Zoning laws.

Amend Zoning Chapter 91: A resolution is needed to schedule a public hearing to amend Chapter 91 of the Zoning Laws.

RESOLUTION 79 OF 2010

WHEREAS the Village Board of the Village of Round Lake proposes to amend Chapter 91 of the Code of the Village of Round Lake to provide for its applicability to:

- 2007 Residential Code of New York State
- 2007 Existing Building Code of New York State
- 2007 Fire Code of New York State
- 2007 Plumbing Code of new York State
- 2007 Mechanical Code of New York State
- 2007 Fuel Gas Code of new York State
- 2007 Property Maintenance Code of New York State

and add a provision allowing the Village to ameliorate violations in certain circumstances and charge the expense to the owners of the land affected; now, therefore, be it

RESOLVED that the Board of Trustees of the Village of Round Lake designate itself lead agency for the purpose of administration of the State Environmental Quality Review Act; and it is further

RESOLVED that the Village Clerk is directed to provide copies of the proposed legislation and this resolution to the County Planning Board and all other persons entitled by law or regulation to notice, with respect to the substantive and environmental issues; and it is further

RESOLVED that the Board of Trustees of the village of Round Lake will hold a public hearing pertaining to pending proposal to amend Chapter 91 of the Code of the Village of Round Lake (1) to provide for its applicability to: 2007 Residential Code of New York State; 2007 Existing Building Code of New York State; 2007 Fire Code of New York State; 2007 Plumbing Code of New York State; 2007 Mechanical Code of New York

State; 2007 Fuel Gas Code of New York State; 2007 Property Maintenance Code of New York State and (2) add a provision allowing the Village to ameliorate violations in certain circumstances and charge the expense to owners of the land affected, on the 3<sup>rd</sup> day of November, 2010, at 6:55 o'clock P.M. at the Village Hall of the village of Round Lake, 49 Burlington Avenue, Round Lake, New York 12151, at which time and place all persons desiring to be heard thereon will be heard and it is lastly

RESOLVED that the Village Clerk of the Village of Round Lake be and she hereby is directed to publish notification of the said public hearing as required by law.

RESOLVED by Trustee Woerner, SECONDED by Trustee Nellissen.

Trustee Nellissen – aye  
Trustee Woerner – aye  
Mayor Sacks – aye

Trustee Elford – aye  
Trustee Bergin – aye

RESOLUTION ADOPTED

CORRESPONDENCE: Nothing for this meeting.

APPROVAL OF MINUTES:

MOTION by Trustee Nellissen to approve the minutes of the September 15, 2010 Board of Trustees meeting, as presented, SECONDED by Trustee Bergin.

MOTION APPROVED

VILLAGE ATTORNEY: Nothing for this meeting.

VILLAGE TRUSTEES: Nothing for this meeting.

MOTION by Trustee Bergin to adjourn the meeting at 9:40 p.m., SECONDED by Trustee Nellissen.

MOTION APPROVED

Respectfully submitted,

Lois J. Whitbeck  
Village Clerk