

ROUND LAKE VILLAGE BOARD OF TRUSTEES MEETING HELD DECEMBER 1, 2010, IN THE VILLAGE COMMUNITY ROOM.

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

Trustee Christopher Nellissen  
Trustee Caroline Woerner

Also Present: Attorney Peterson  
Danielle Rigney  
Fern Hurley  
Muriel Ziegler  
Brian Montague  
Fire Chief Kaczmarek

Michael N'dolo  
Christina Cook  
Peter Sheridan  
Dominick DeLorio  
Linda Connors  
Robert Connors

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

The pledge of allegiance was recited.

PUBLIC COMMENT PERIOD

Request for use of the Auditorium: The Village Board was presented with a proposal for a joint service of the four regional Capital Region Unitarian Universalists Congregations on June 5, 2011, to be followed by a pot-luck picnic. The Board and Mr. Wilks reviewed the proposal and discussed the needs of the organization, parking and other requirements. The coordinators and the Village will work on these items.

RESOLUTION # 96 OF 2010

BE IT RESOLVED that the Round Lake Village Board authorizes the use of the Round Lake Auditorium on June 5, 2011, by the Capital Region Unitarian Universalists of New York, for a service and picnic. The details for the event will be worked out between CRUUNY and the Village of Round Lake.

RESOLVED by Trustee Woerner, SECONDED by Trustee Bergin.

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

Trustee Elford – aye  
Trustee Bergin – aye

RESOLUTION ADOPTED

Ms. Ziegler commented that the person who lives at 23 Burlington Avenue is still running a business from his home. There are trucks and equipment parked all over that area; he has four (4) bright lights on the house and garage.

Mayor Sacks stated that the CEO spoke with him today; he was given papers to go to the Zoning Board of Appeals. He said that he needs an attorney to fill out the papers.

This person is and has been operating a business out of the house and garage at 23 Burlington Avenue for several months. He is parking trucks and equipment on property that he does not own. There are workers there every morning with there vehicles picking up tools and equipment. Discussion continued.

#### RESOLUTION # 97 OF 2010

BE IT RESOLVED that the Round Lake Village Board of Trustees authorize Thomas Peterson, Village Attorney to send a letter to Jesse Alberio, of Mr. & Mrs. Fix It, 23 Burlington Avenue that he is to cease and desist operation of his business at this location within one week, and, be it also,

RESOLVED that if Mr. Alberio fails to comply within said week; Mr. Peterson is hereby authorized to commence an action against him.

RESOLVED by Trustee Bergin, SECONDED by Trustee Elford.

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

Trustee Elford – aye  
Trustee Bergin – aye

#### RESOLUTION ADOPTED

If the vehicles continue to be parked on village property; he should get parking tickets.

Ms. Ziegler commented that a neighbor has had a ladder on his property for a couple of years, it has recently disappeared.

#### REPORTS

Superintendent Stevenson: Mayor Sacks gave the report for the Superintendent: Everything is okay with the water. As a result of the storm yesterday afternoon, there were three trees that came down as well as a broken utility pole.

The drainage work at Troy Avenue, Burlington Avenue and Lake Avenue went well. The section of pipe under Lake Avenue did not need to be replaced. They will finish paving this week.

Chief Kaczmarek: A copy of the monthly report is attached. The Fire Chief will bring the 1991 Pierce down to the Municipal Building tomorrow morning, to be picked up by Command Fire Apparatus.

#### OLD BUSINESS

Request to Purchase Property-Connors': Mr. Peterson received a meets and bounds description for the Village property that the Connors' would like to purchase. But, the description is not correct; the property line was to end at the line for the existing

structure. Mr. Peterson will contact the surveyor and have him amend the description. Discussion continued.

RESOLUTION # 98 OF 2010

BE IT RESOLVED that the Round Lake Village Board of Trustees approve the sale of approximately 1466 square feet of Village property at the cost of \$00.35 cents per square foot, and contingent that all separate deeds be combined into one deed, and

BE IT FURTHER RESOLVED that Mayor Dixie Lee Sacks be authorized to sign said deed.

RESOLVED by Trustee Woerner, SECONDED by Trustee Bergin.

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

Trustee Elford – aye  
Trustee Bergin – aye

RESOLUTION ADOPTED

Open Space Strategy & Plan: Mayor Sacks informed the Village Board that she spoke with the surveyor for the Roerig property. He will be working on the appraisal.

Mayor Sacks told the Village Board that she meet a person who is interested in purchasing the Osborn property. He is very interested in keeping the property as it is, open and quiet.

Parking- Master Plan: Hold for the January meeting.

Lake Front: Mayor Sacks reported that there is nothing new. She has not been able to contact the owner of the property to set up a meeting date.

NYSEG Replacement: Trustee Nellissen has not had a return call from NYSEG.

NEW BUSINESS

Round Lake Hose Company: Mayor Sacks read a letter from Hose Company President, Fred Sievers, concerning Hose Company members that have moved outside “home territory”. The Volunteer Fireman’s Benefit law requires that both the Village Board and the Hose Company authorize the continued membership. A copy of the letter is attached. By law, there is a set percent of fire fighters that allow living outside the Village. At this time, the Board is unsure of that percentage. In its desire to protect its firefighters, the Board adopted the following resolution until the percentage of firefighters that are allowed to live outside the “home territory” is decided.

RESOLUTION # 99 OF 2010

WHEREAS there are current members of the Round Lake Fire Department and Round Lake Hose Company that have relocated just outside of “home territory” and/or located in Malta Ridge first call area, therefore

WHEREAS the Village Board is uncertain of the percentage of members of the Hose Company and Fire Department that are allowed to live outside of the “home territory”, the Village Board approves the following members until the percentage is verified, therefore,

BE IT RESOLVED that the Round Lake Village Board authorize the continuing membership of Dan Carey, Chris Dorr, Dave Atkinson, Mike Carey, Mike Frasl, Mackenzie Jewell, Bob Jewell, Ed Wilkinson and

BE IT RESOLVED that the Round Lake Village Board also authorize the continuing membership of members located in Malta Ridge first call area; Rob Gizzi, Jr., Bob Reinhart and Scott Seyboth.

RESOLVED by Trustee Woerner, SECONDED by Trustee Bergin.

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

Trustee Elford – aye  
Trustee Bergin – aye

RESOLUTION ADOPTED

Round Lake Hose Company: The Hose Company has been awarded a piece of steel from the World Trade Center. This will be incorporated into the memorial and flag pole in front of the station.

RESOLUTION # 100 OF 2010

BE IT RESOLVED that the Round Lake Village Board of Trustees authorize the Round Lake Hose Company the use of a pickup and Argo trailer, to transport a piece of steel from the World Trade Center from Kennedy Airport to Round Lake Station # 1.

RESOLVED by Trustee Nellissen, SECONDED by Trustee Woerner.

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

Trustee Elford – aye  
Trustee Bergin – aye

RESOLUTION ADOPTED

Property Tax Resolution: NYCOM has recommended adoption of this resolution.

RESOLUTION # 101 OF 2010

WHEREAS the level of property taxation throughout New York has reached dangerously high level; and

WHEREAS New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local government; and

WHEREAS two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

WHEREAS in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly these pertaining to firefighters and police officers, do not allow local officials to reasonably control the costs such contracts impose on property taxpayers; and

WHEREAS as a solution to New York's property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS a property tax cap will only work if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees;

NOW, THEREFORE, BE IT RESOLVED by the Village of Round Lake, that the Governor of the State of New York and the members of the New York State Senate and New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to provide overdue property tax relief to the residents and businesses of New York.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the Governor, Senate Majority and Minority Leaders, Assembly Speaker and Minority Leader, Senator McDonald, Member of Assembly Gibson and the New York Conference of Mayors.

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

Round Lake Hose Company Contract: A copy of the proposed contract between the Village of Round Lake and the Round Lake Hose Company # 1 was presented and reviewed by the Village Board. The contract is the same as last years except for the dates and amount of money to be received.

RESOLUTION # 102 OF 2010

BE IT RESOLVED THAT the Round Lake Village Board of Trustees accept and adopt the contract between the Village of Round Lake and the Round Lake Hose Company # 1 for fire protection. On condition that the lease agreements for Station # 1 and Station # 2 are signed and valid. This agreement shall continue in full force and effect until the 31<sup>st</sup> day of December, 2011.

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 Public Hearing for Local Law # 2 of 2010, “To Amend Chapter 91 of Village Zoning” held November 17, 2010, as presented, and the regular meeting of the Round Lake Village Board of Trustees, held November 17, 2010, SECONDED by Trustee Woerner.

UNANIMOUSLY APPROVED

VILLAGE ATTORNEY: Mr. Peterson commented that he believes that everything that the Village has to do for Victorian Landings PDD has been approved.

VILLAGE MAYOR: Mayor Sacks informed the Board that due to changes in the election law, the Village may have to incur the cost for leasing the new voting machines and cost of special ballots. Some discussion followed.

VILLAGE TRUSTEES:

Trustee Bergin commented that the Village just approved the sale of property at \$0.35 cents per square foot. The Village Board needs to rethink the cost of property.

PUBLIC COMMENT PERIOD: Mr. Sheridan commented that since Mr. Fix-it does not own the property he is using for his business, can he go to the Zoning Board of Appeals? Mayor Sacks replied that he can not; the application to the ZBA must be made by the owner of the property.

ADJOURN MEETING

MOTION by Trustee Bergin to adjourn the meeting at 8:10 p.m., SECONDED by Trustee Nellissen.

MOTION APPROVED

Respectfully submitted,

Lois J. Whitbeck  
Village Clerk