

ROUND LAKE VILLAGE BOARD OF TRUSTEES MEETING HELD MARCH 2, 2011.

PRESENT: Trustee Christopher Nellissen Trustee C. Brent Elford  
Trustee Thomas Bergin

ABSENT: Mayor Dixie Lee Sacks Trustee Caroline Woerner

The regular meeting of the Village Board of Trustees was called to order at 7:00 p.m. by Deputy Mayor Bergin.

The pledge of allegiance was recited.

PUBLIC COMMENT PERIOD: There was no one to address the Board at this time.

REPORTS

Superintendent Stevenson: Everything is good with the water and sewer system. The superintendent purchased a port-a-power, \$300, for the garage. It was used to repair the bent wing plow. On Friday, the F-350 truck broke down; it was taken to Tarrant for hydraulic repairs. The DPW crew has been cleaning hydrants and storm drains.

Animal Control: There have been no calls this month.

Code Enforcement Officer: Mr. Gizzi will be in Lake Placid next week. He will have a report for the next meeting.

OLD BUSINESS

Parking: The parking plan still needs work. Mr. Peterson is working on a separate law that allows for the removal/towing of vehicles illegally parked in the Village.

NYSEG Replacement: Trustee Nellissen has spoken with the representative of NYSEG concerning the replacement of streetlights in the Village.

RESOLUTION # 16 OF 2011

BE IT RESOLVED that the Round Lake Village Board of Trustees authorized New York State Electric & Gas review the change out of the street lights and to assure the Village Board that there are no associated costs to the Village to change out the lights, and

BE IT ALSO RESOLVED that the Village is requesting a review of the 83 remaining 100 watt MV lights to be changed to 70 watt metal halide and the 2 remaining 175 watt lights be changed to 70 watt metal halide.

RESOLVED by Trustee Nellissen, SECONDED by Trustee Elford.

Trustee Nellissen – aye

Trustee Elford – aye

Trustee Woerner – absent  
Mayor Sacks – absent

Trustee Bergin – aye

RESOLUTION ADOPTED

Crown Atlantic Legislation:

RESOLUTION # 17 OF 2011

WHEREAS, the Village of Round Lake entered into an Option and Lease Agreement (“Lease”) to lease a portion of property located on Griffin Avenue, Village of Round Lake, New York (Tax Map No. 250-3-3 and/or 250-3-4 to CELLCO PARTNERSHIP d/b/a Bell Atlantic Mobile (“BAM”) Dated September 17, 1997; and

WHEREAS, such Lease was authorized pursuant to Chapter 542 of the Laws of 1997 of the State of New York: and

WHEREAS, the Lease was amended by a FIRST ADDENDUM TO OPTION AND LEASE AGREEMENT between the Village of Round Lake and BAM last executed on January 8, 1998: and

WHEREAS, the Lease was amended by SECOND ADDENDUM TO OPTION AND LEASE AGREEMENT dated March 25, 1999 between the Village of Round Lake and BAM: and

WHEREAS, the Lease was assigned by BAM to Crown Atlantic Company LLC, upon consent of the Village of Round Lake, as evidenced by a Memorandum of Assignment last executed March 25, 1999 and recorded with the Saratoga County Clerk, New York on June 10, 1999 at Book of Deeds 01520, Page 0296: and

WHEREAS, the Lease was amended pursuant to a THIRD ADDENDUM TO OPTION AND LEASE AGREEMENT dated November 8, 2000 between the Village of Round Lake and Crown Atlantic Company LLC, and

WHEREAS, the Village of Round Lake and Crown Atlantic Company LLC desire to again amend the Lease to, inter alia, extend the term of the Lease for up to four (4) more additional five (5) year terms in addition to the current right to extend the Lease for three (3) additional five (5) year terms, such that the original five year term, which commenced on April 29, 1998, may be extended for a total of seven (7) additional five (5) year terms at the option of the lessee (‘FOURTH ADDENDUM TO OPTION AND LEASE AGREEMENT’): AND

WHEREAS, Chapter 542 of the Laws of 1997 of the State of New York limited the term of the Lease to no more than twenty (20) years: and

WHEREAS the Village Board seeks to have the State of New York amend Chapter 542 of the Laws of 1997 of the State of New York to provide that the terms of the Lease (including extension terms) shall be no longer than forty (40) years commencing on April 29, 1998.

NOW, THEREFORE, be it Resolved and Determined, pursuant to the New York State Village Law and other applicable laws as follows:

1. The proposed FOURTH ADDENDUM TO OPTION AND LEASE AGREEMENT is an “action” which will not, for the purposes of New York State Environmental Quality Review Act (SEQRA), have a significant impact and /or effect on the environment and the Village Mayor is authorized to execute, prepare and/or file any document to this effect, inclusive of a Negative Declaration (Notice of determination of Non-Significance); and
2. The provision of adequate and safe communications coverage to the surrounding area for emergency and non-emergency use by the general public is hereby deemed to be in the best interest of the community.
3. The Village Mayor is therefore authorized and directed to transmit a Home Rule message to the appropriate representatives of the New York State Legislature so that authorization to enter into the FOURTH ADDENDUM TO OPTION AND LEASE AGREEMENT be obtained including, but not limited to, allowing the term of the Lease (including extension terms) not to exceed forty (40) years commencing on April 29, 1998: and
4. The Village Mayor is authorized and directed to execute the FORTH ADDENDUM TO OPTION AND LEASE AGREEMENT (in such form and context as is satisfactory to Village Counsel) on behalf of the Village of Round Lake, Saratoga County, New York, upon the effective date of the amendment to Chapter 542 of the Laws of 1997 of the State of New York.

RESOLVED by Trustee Nellissen, SECONDED by Trustee Elford.

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

#### RESOLUTION ADOPTED

Post Office Renovations: Mr. Peterson informed the Village Board that he has not heard anything from the Postal Service. Once they get approval from SHIPO, they are to meet with the Village.

Round Lake /Malta Ballfields: There is nothing new. Trustee Nellissen commented that at some point, the Village will have to have serious discussion about what work the DPW can do for the new fields.

Village Budget: A public hearing has been scheduled for March 30, at 6:45 p.m.

## NEW BUSINESS

There is no new business for this meeting.

**CORRESPONDENCE:** A second notice for membership with the National Trust for Historic Preservation has been received. Trustee Woerner was going to look into the benefit of membership for the Village.

## APPROVAL OF MINUTES

**MOTION** by Trustee Nellissen to approve the minutes of the Village Board of Trustees meeting on February 16, as presented, **SECONDED** by Trustee Elford.

## MOTION APPROVED

**VILLAGE ATTORNEY:** Mr. Peterson reported that the final plans for Victorian Landings have been filed in the Village Clerk's office, signed by Doug Clark, Village Engineer and Lance Spallholz, Chairman of the Planning Board. The signed documents have been picked up by John Bossalini, which will now be filed in the Saratoga County Clerk's office. The Village will receive a filed copy for our records.

**VILLAGE MAYOR:** Mayor Sacks has been ill and out of the office.

## VILLAGE TRUSTEES

Trustee Nellissen: attended a meeting for the LOSAP, retirement plan. A file copy was provided for the Village. Everything is going well.

**PUBLIC COMMENT PERIOD:** There was no public comment at this time.

**MOTION** by Trustee Nellissen to adjourn at 7:23 p.m.

## MEETING ADJOURNED

Respectfully submitted,

Lois J. Whitbeck  
Village Clerk