

Village of Round Lake Board of Trustees

Minutes of the November 16, 2011 Meeting

Attending

Dixie Lee Sacks, Mayor

Dominick DeLorio, Trustee

Tom Bergin, Trustee

Chris Nellissen, Trustee

Carrie Woerner, Trustee

Thomas Peterson, Village Attorney

John Stevenson, Highway Supervisor

Frank Mazza, Fire Chief

Ed Cameron, Assistant Chief

Mayor Sacks called the meeting to order at 7 pm.

Reports

Superintendent's Report

John Stevenson reported that water and sewer are both good. The crew has been working at the dump, mowing and mulching, working on sidewalks, moving boxes in Village Hall in preparation for construction. Parking signs have been ordered.

Animal Control

There have been no animal control calls. Trustee DeLorio asked about the status of the ticket issued with respect to the loose dog. Mr. Stevenson had no status to report.

Fire Department

Frank Mazza reported the Fire Department has responded to the normal type of calls. Discussion ensued on the complaint related to the odor generated by the sealant on new sidewalk near library.

Code Enforcement

Robert Gizzi, Code Enforcement Officer, distributed his report by email. Trustee DeLorio requested that the CEO provide the report at least 1 day prior to the meeting, so that the Trustees have an opportunity to review in advance.

Veteran's Committee

Trustee DeLorio reported that the Veteran's Day Ceremony and Program went very well. About 60

people attended.

Library

Mayor Sacks reported that the Library referendum vote passed. Trustee Woerner asked for clarification on how Malta's creation of a Library Tax will impact Round Lake residents. Mayor Sacks reports that the tax of \$.16 per \$1000 will also be paid by Village residents. Trustee Bergin pointed out that we need to then remove the \$8,000 line item for Library support from the Village budget and reduce the tax rate accordingly. Trustee DeLorio expressed concern about the feasibility of reducing the Village tax rate as a result.

Old Business

Command Vehicle Policy

Discussion of revisions to the Command Vehicle Policy:

Paragraph 2

Discussion of the advisability of having minor children at the scene of a call. Trustees DeLorio, Woerner and Nellissen weighed in opposed to permitting minor children at the scene of a call. Chief Mazza expressed concern that making this a formal limitation will impede a Chief's ability to respond and that the current policy could be amended to include the language "at the discretion of the Fire Chief and the Village Board." Discussion ensued about liability versus restriction on the utility/availability of chiefs to respond to a call. Trustee DeLorio proposed the following revision:

"It is Village of Round Lake policy that minors and non-members of the Round Lake Fire Department not be transported in a Command Vehicle to the scene of an emergency call. If minors and/or non-members of the fire department are riding in the Command Vehicle when an emergency call is received the Chief shall take all reasonable measures to take the minors and/or non-members of the fire department to a safe location prior to responding to the emergency. Notwithstanding the foregoing, in the event the Chief determines that exigent circumstances require that he or she immediately respond to the scene of the emergency, the minors and/or non-members of the fire department may be taken to the scene of the emergency in the Command Vehicle. The Chief is responsible for ensuring that the minors and/or non-members of the fire department remain in the Command Vehicle and under his or her supervision while at the emergency scene."

Paragraph 4

Discussion among the Board of the phrase "primarily for Fire Protection purposes". The revision agreed to is as follows:

"A Command Vehicle shall be operated primarily for Fire Protection purposes. Except when on official Fire Department business, a Command Vehicle shall not be taken in excess of 10 miles from the Village Fire Protection Area."

Paragraph 1

Attorney Peterson suggested ending the sentence after the word "Board", deleting the phrase beginning "meeting all ...". The revised paragraph is to read as follows:

"A Command Vehicle shall be operated only by the assigned Chief Officer or Village Fire Department

personnel designated by the assigned Chief Officer.”

All other paragraphs in the policy are acceptable to the Board members and the Fire Department.

Lake Front

Mayor Sacks presented the proposed design of the boat launch on Round Lake that has been prepared by NYS DEC. Trustee DeLorio expressed several concerns: The Open Space Plan calls for controlling motorized boats on the Lake, and with 12 slots for trailers, Trustee DeLorio is concerned that we will see an increased in motorized boats; the cost of maintenance and increased traffic in the Village are additional concerns. Trustee DeLorio concluded that he cannot see the benefit to the Village and strongly encouraged bringing Village residents in to get their perspective. Discussion among Board members on reducing the number of spots for boat trailers, horsepower limitations on motors, adding fishing dock(s), picnic tables and the value of a lakefront recreation area for the Village. Discussion of enforcement of horsepower restrictions. Discussion of enforcement of parking restrictions on Route 9. Question of whether State Police will enforce; DOT will not post “No Parking” signs.

A public input meeting will be held at 6:30 pm on November 30, 2011 in the Community Room.

Auditorium Policy

Hold for next meeting.

Purchase of Property

Mayor Sacks reports that the Appraiser will call tomorrow on the appraisal of value of Development Rights.

Mayor Sacks has received an estimate for a title search on the property of \$500-\$600.

RESOLUTION 90 OF 2011

Trustee Bergin offered a resolution to permit the Mayor to spend up to \$600 to secure the title search. Seconded by Trustee Nellissen.

Vote:

Nellissen: Yes

DeLorio: Yes

Woerner: Yes

Bergin: Yes

Mayor: Yes

Fire Protection Service Agreement

Trustee Nellissen asked whether Attorney Peterson has reviewed. Trustee DeLorio asked with Attorney Peterson is conflicted out due to his role as Town Attorney; Trustee Peterson concurred that he does have a conflict of interest and cannot advise the Village Board on this matter. Trustee DeLorio stated that we need a legal review before we sign a contract. Mayor Sacks said that she has concerns about some of the modifications. Attorney Peterson confirmed that the contract must be signed by December 31, 2011.

Trustee Woerner offered a resolution authorizing the Mayor to hire an attorney to review the contract.

RESOLUTION 91 OF 2011

Resolution seconded by Trustee Nellissen. Trustee DeLorio suggested establishing a dollar limit of up to \$500. Trustee Woerner revised her motion to include a maximum of \$500 and that funds be taken out of the Legal budget.

Vote:

Nellissen: Yes

DeLorio: Yes

Woerner: Yes

Bergin: Yes

Mayor: Yes

Hose Company Lease

Hold for next meeting.

LOSAP

RESOLUTION 92 OF 2011

Trustee Woerner offered a resolution authorizing the Mayor to sign the LOSAP agreement. Trustee Bergin seconded the resolution. No discussion.

Vote:

Nellissen: Yes

DeLorio: Yes

Woerner: Yes

Bergin: Yes

Mayor: Yes

Budget Transfers

The Mayor distributed a memo from the Village accountant Jane Woodward requesting budget transfers (attached).

RESOLUTION 93 OF 2011

Trustee Nellissen made a resolution authorizing transfers per the memo from Jane Woodward. Trustee Bergin seconded. No discussion.

Vote:

Nellissen: Yes

DeLorio: Yes

Woerner: Yes

Bergin: Yes

Mayor: Yes

New York State Deferred Compensation Plan

The Mayor reports that we have several employees who would like to participate in the NYS Deferred Compensation plan. This would not add any cost to the Village.

Trustee DeLorio made a motion that the Village participate in the NYS Deferred Compensation Plan (need exact language).

Trustee Woerner seconded.

Discussion: Trustee Nellissen asked for confirmation that our accounting department will have to do work to set up the deductions. Mayor Sacks concurred.

Vote:

Nellissen: Yes

DeLorio: Yes

Woerner: Yes

Bergin: Yes

Mayor: Yes

Exit 11 Update

Trustee DeLorio distributed an email from the engineer working with the project (attached), and summarized status of the project.

Correspondence

The Mayor reported that the Village received a check in the amount of \$418 from the insurance company, a result of the Village having accepted a higher deductible.

Minutes of November 3, 2011

Trustee DeLorio identified a change to the Animal Control Officer report: "...taken, to establish that the dog is running loose." On Page 4, Trustee DeLorio asked that his negative vote on the motion to provide a gift certificate to Amy and Eric Leach in recognition of their contributions to the Village Halloween Haunted House be recorded in the minutes.

Trustee Nellissen identified a typo in the bottom on page 2, in resolution #87: "accepts".

Trustee Nellissen made a motion to approve the Minutes as amended. Seconded by Trustee Bergin. Motion passed.

Village Attorney

Attorney Peterson distributed information on the position of Village Justice. He explained that the Village Board may pass all by resolution, but it would be subject to a permissive referendum. This will be on the next agenda.

Mayor's Report

The Mayor received a letter from General Code on the costs of updating the Village Code Book: 1935-\$2475 + 2% SH. This would be for 5 sets of printed books. Trustee Nellissen inquired about whether we received anything for the \$5000 the Village paid to General Code two years ago. Trustee Bergin requested an audit back to 2007 to identify what the Village has paid to General Code, what the payments were for, and what the Village received for the payment. Trustee Woerner concurred. The Mayor assigned Attorney Peterson to investigate and handle this audit.

The Mayor reported that the Village has been informed that Tim Kaye has resigned his position; a letter will be provided and attached to these minutes.

Trustee Reports

Trustee Nellissen has received a form from NYSEG to complete for the changes we to the streetlights. He is waiting for more information on shields (specs and shields).

Approval of Abstracts

RESOLUTION 94 OF 2011

Trustee Woerner made a resolution to approve abstracts 1012 and 1111. Trustee Bergin seconded.

Vote:

Nellissen: abstain

DeLorio: Yes

Woerner: Yes

Bergin: Yes

Mayor: Yes

Motion to Adjourn

Trustee Bergin made a motion to adjourn. Meeting adjourned at 9:24pm.

Trustee Woerner