

## ROUND LAKE VILLAGE BOARD OF TRUSTEES MEETING HELD FEBRUARY 6, 2013

**PRESENT:** Mayor Dixie Lee Sacks                      Trustee Christopher Nellissen  
                    Trustee Dominick DeLorio                      Trustee Caroline Woerner  
                    Trustee Thomas Bergin

**Also Present:** Kevin Dailey                                      Scott Lansing  
                    Sandy Debus    Brian Montique  
                    Sharon Lloyd    CEO, Bob Gizzi  
                    Dave Blair    Rick Miller  
                    Scott Rigney    Bob Sweet  
                    Supervisor Paul Sausville                                      Fire Chief Frank Mazza  
                    Mary Jo Lanahan    Sharon Walsh  
                    Phyllis Wildberger    Lance Spallholz  
                    Michael Roets    Superintendent John Stevenson  
                    Sean Rigney    Diana Marchand  
                    Fred Sievers    Susan Stratton  
                    Ken Rawley

Mayor Sacks called the meeting to order at 7: P.M.

The pledge of allegiance was recited.

## **OPPORTUNITY FOR PUBLIC COMMENT**

Supervisor Paul Sausville commented that he is here to update the Village Board on several issues that are happening.

There is a meeting to update the public on the Round Lake Preserve at Malta Town Hall, February 9, 2013 at 9:30 A.M. This will include a site visit to the Preserve at 10:30 A.M.

The Town of Malta has received a grant from "Safe Route to School" in the amount of \$250,000 for Exit 11 area. This will allow for sidewalks including from the Northway to the Village. The Town will proceed with engineering studies at the cost of \$580,000 and set up a steering committee.

There is a special joint meeting/workshop with the Town Board of the Town of Malta and the Town of Malta Board with representatives from the Village Board, Fire Department, Malta Ambulance and Global Foundries on Tuesday, February 12, at 6:30 P.M. The purpose of the special meeting is to refer GLOBALFOUNDRIES PDD amendment to the Malta Planning Board. Global Foundries is proposing a \$10 Billion expansion in a third building.

Trustee DeLorio asked what will the effect of not exit 11A of the Northway have on the Village?

Supervisor Sausville replied that we will be going through all the concerns that will need to be addressed.

## **REPORTS**

Superintendent Stevenson: The Superintendent stated that he is still having problems with the chloride analyzer. This problem is traced back to Saratoga County Water Authority.

Trustee Woerner stated that the Superintendent needs to get this

information back to SCWA, sent them a nice letter, putting it on the record that we are still having a problem.

The Superintendent is getting process for a new lawn mower, approximately \$18,000. The Superintendent needs to verify the trade in value on the old mower which is the same size as the old mower. The money for the new mower has been set aside in the budget.

Animal Control Officer: There have been no complaints this month.

Fire Chief Mazza: A copy of the monthly report is attached. The Fire Department had a call for a diesel fuel spill in the Village. There is someone drilling holes in gas tanks on pick-up trucks and stealing fuel. In this case, the truck had diesel fuel, not regular fuel, so they let it drain onto the street. The Fire Department put down speedy dry and notified DEC. This has been happening in Village and Towns all around the Village.

Code Enforcement Officer: A copy of the monthly report is attached. The Village Board was provided with two forms of the monthly report. The more detailed report will be used for the monthly reports.

A letter was sent to Joseph Fahey concerning the condition of his house on Prospect Avenue. Mr. Fahey will be up next week to look at the property, he will do what he can with the house.

Mr. Cullinan, also on Prospect Avenue, has been working on gutting the house as time allows.

A letter was sent to Joyce Filkins giving her 60 days to clean up the old vehicles on her property.

Veterans Committee: Trustee DeLorio stated that he will be asking Congressman Tonka to attend the Village Memorial Day Ceremony.

Library: Sandra Debus informed the village Board that there will be programs for teens with robotics with the Honor Society from Union College. These programs are funded by a grant from Global Foundries. On February 12

there is a program on Mary Todd Lincoln. On February 24 is "A Night at the Oscars" at 7 p.m. in the Community Room.

## **OLD BUSINESS**

Dave Blair: Mr. Blair is the owner of 26 Albany Avenue. Trustee Woerner commented that the new construction exceeds the original foot print in the front and back right side. It was allowed to be built out of the foot print; this should have gone to the ZBA for a front and rear variance.

Dave Blain stated that he was told that as long as he met setbacks he was good.

Trustee DeLorio commented that there is also a coverage issue, if the house was expanded beyond the foot print, then he needs a variance.

Mr. Gizzi stated that he made a mistake on this house. It met the foot print on three sides, on the right side it exceeds the foot print and the front and rear set back has been exceeded.

Trustee Begin stated that we now have an ugly looking house that doesn't fit in the Village. The house is infringing on other people's property. No one should be allowed to build a house in the Village without going before some board.

Mr. Gizzi commented that you can't build a little house like the one that was there.

Trustee Woerner asked why he had to build a large two-story house. He should have taken the neighboring houses into consideration. Define foot print; the old house has a deep porch. Is this a different foot print? In this Village to porch is generally on Village property.

Phyllis Wildberger stated that on Monday, the day the house was taken down; she spoke with Bob Gizzi about her concerns on the construction of a new house on the old foot print and her foundation. Mr. Gizzi told her that the new

house would be on the old foot print.

Trustee DeLorio commented that Mr. Blair may finish the house and then sell it. Does the new owner become responsible? What if the new owner is not aware of these problems?

Mr. Gizzi commented that the house will need a certificate of occupancy before it can be sold. He will work with the owner on a certificate of occupancy.

Trustee Bergin asked the CEO to issue a stop work order. A stop work order can be issued but for what concern?

Trustee DeLorio asked the Superintendent about the location of the nearest storm drain.

Superintendent Stevenson replied that the nearest drain is at Lake Avenue and Fletcher Avenue.

Dave Blair stated that he is willing to work with the village on a drainage plan.

Lance Spallholtz stated that the Planning Board does the Site Plan review. Does the new house roof drain on the neighbor's property? There is now an 8 foot concrete foundation, "dam" that was not there before. The new house has to contain the water run-off and water from the sump pumps.

Sharon Walsh asked the CEO if there was a plot plan?

Mr. Gizzi replied yes, the survey markers are there. Mr. Blair built accordingly to the plan that he submitted.

Ms. Walsh commented that if the roof is over the neighbor's property than they have exceeded the foot print.

Mr. Peterson stated that a house can't overhang a neighbor's property. Can the neighbors, building and the CEO get together to get the problems resolved.

Trustee Nellissen commented that the emphasis is on the ground water, it needs to be drained into the storm water drain.

Trustee DeLorio commented that there are many houses in the Village that dump water on other property. On a new house, the water drainage cannot go onto a Village Street or neighboring property.

Trustee Woerner commented that instead of looking at a porch on the old house, the neighbor is now looking at the back wall of the new house.

Diane Marchand asked if we know how far apart the houses are. The building code stated that if the buildings are less than 5 feet apart, fire rated siding must be used.

Trustee Woerner stated that it would be up to the neighbors to incur any cost for the engineering services on this issue.

A meeting with the Code Enforcement Officer, Dave Blair and the neighbors to discuss the neighbor's concerns on the construction of the new house was scheduled for Wednesday, February 13, at 7 p.m. at the Round Lake Fire House.

Baseball Contract: Some members of the village board were provided with the draft of a new contract. There are a couple of draft contracts around; The Village Board will be provided with the correct latest draft of the contract.

MOTION by Trustee Bergin to table this issue until the next meeting to allow the Village Board time to review the latest contract, SECONDED by Trustee Woerner.

Brian Montague stated that opening day for round Lake Little League is April 27, they play to June 21. They start practice games on April 13. There will be two games a day Monday-Friday.

Rick Miller stated that his teams begin Aril 1 and play only on weekends. They will be taking care of the fields.

Mayor Sacks commented that she worked with Ballston Spa Baseball for several years. She believed that they are being pushed out.

Trustee Nellissen stated the he spoke with them; they did not put in a request for the use of the fields.

Rick Miller stated that they will pay the village approximately \$2,500 plus 40% of the concession stands receipts.

Vote on MOTION: UNANIMOUSLY APPROVED

Hillman Estates: Mr. Dailey stated that he and Mr. Lansing were asked by Trustee Woerner to put together a new layout for the project.

An overlay of the site was presented to the village Board and residents that were present. The Village Board, Mr. Dailey and Mr. Lansing reviewed the new layout.

Superintendent Stevenson commented that he liked the open spaces areas. In the winter it would give him a place to push the snow.

Trustee Nellissen commented that if the village takes the streets and open space, then the DPW would have to mow the parks/open space. The Home Owners Association could decide they want to use the space for something other than open space.

Trustee DeLorio stated that he likes this new design better than the previous plan. There have been no changes for Cleveland Avenue walkway.

Mr. Spallholz commented that he is surprised that it didn't come up at any of the Planning Board meetings.

Mayor Sacks asked Sandy Debus, of the Round Lake Library, if the point of donating the property to WRLIS was to get funding for the library. If the land is donated to the Village who then will give a 99 year lease to WRLIS be sufficient?

Mr. Peterson asked if the Mayor was talking about leasing land, at a nominal

fee, to an organization that will provide library services to area residents. Mr. Peterson suggested that the changes be made to the map and return with a draft PDD legislation.

The Village Trustees discussed the calculation of FAR. Is FAR calculation based per lot or on the development as a whole?

The Village Board will not vote on this issue tonight.

## **NEW BUSINESS**

**Fire Department:** Mr. Sievers informed the Village Board that the Hose Company may have an opportunity to address the need for a new Station #1. The current fire station is 35 years old, had a life expectancy of 25 years and the need for more space. One of the primary reasons for relocating the main station to the west side of the Northway is that 85% of the firefighters live on the west side. Land in the Town of Malta has become very expensive. The Stewart's property on Round Lake Road may be available but is not large enough for the Fire Department's needs.

Global Foundries has announced that they will be building a new \$10 billion processing plant. The original PDD legislation for Global foundries required that an Exit 11A be built prior to the issuance of a certificate of occupancy of the third plant. Global Foundries is looking to amend the PDD legislation to remove the requirement for exit 11A. This change in PDD legislation has been sent to the Malta Town Board and Planning Board. The construction of exit 11A would take 10 years. There will be an increase of 2 to 3 times the amount of traffic and trucks carrying chemicals through the round-a-bout.

Global Foundries is willing to mitigate the impact on the Fire Department with the purchase of land and the construction of a new fire station on the west side of the Northway.

The Hose Company would like to proceed with this opportunity for a new station and would like the support of the Village Board of Trustees on this matter.

Trustee DeLorio commented that you are talking about an increase in traffic and chemicals coming through the Village in exchange for a new firehouse for saying no to exit 11A.

Trustee Nellissen commented that all exits off a federal highway are funded by the federal government.

Mayor Sacks commented that exit 11A should be built then the main station can remain where it is and put a sub-station on the west side of the Northway. The Hose Company is moving Station #2 a mile up the road into the Town of Malta, now they want to move the main station to the other side of the Northway.

Mr. Sievers commented that he thinks that the current main station would make a great library.

Trustee Woerner commented that she does not have a big problem with relocation the fire station but does not want a new fire station discussed in exchange for exit 11A.

Trustee Nellissen agrees that he doesn't want the building of a fire station to be a priority over the construction of exit 11A.

Mr. Spallholz commented that he has had a number of conversations about relocating the fire house with Mr. Sievers. Mr. Spallholtz thinks that the Village Board should support the Fire Department in getting a new station.

Trustee Woerner asked if the Village Board is comfortable with moving the fire station to the west side of the Northway. There is the issue of manning a truck and the quicker response time. Trustee Woerner is convinced that response time would be shorter by moving the station.

Mr. Peterson commented that by the Village Board supporting the Fire Department approaching Global Foundries concerning the purchasing land for a fire station is basically supporting the Fire Department's move out of the Village.

Trustee DeLorio commented that he would not be opposed to the Fire Department moving the fire house to the west side of the Northway. But there

should be no connection with a new fire station and the requirement for exit 11A.

Mayor Sacks commented that Mr. Sievers says that they need to move the fire station because all the firefighters live on the west side of the Northway and could not get through the round-a-bout to the fire house. If there is a chemical spill in the round-a-bout, how are they going to get here to help the Village residents?

There was no action by the Village Board.

**Fire Protection Contract with Town of Ballston:**

**RESOLUTION # 03 OF 2013**

BE IT RESOLVED that the Round Lake Village Board approves the contract for the purpose of providing personnel, services and equipment within and without the Village for the purpose of fire protection and emergency services to the Town of Ballston Fire Protection District No. 2. This contract shall cover January 1, 2012 through December 31, 2015, and

BE IT ALSO RESOLVED that Mayor Dixie Lee Sacks is authorized to sign said contract.

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen - aye

Trustee DeLorio – aye

Trustee Woerner - aye

Trustee Bergin – aye

Mayor Sacks – aye

RESOLUTION ADOPTED

**Lease for Station #1 & Station # 2:**

**RESOLUTION # 04 OF 2013**

BE IT RESOLVED that the Round Lake Village Board of Trustees approve the lease agreement between the Village of Round Lake and the Round Lake Hose Company #1 for the lease of Round Lake Station #1, located at 9 Curry Avenue, Round Lake, NY and

BE IT RESOLVED, that the Village of Round Lake shall pay to the Round Lake Hose Company #1 Inc. the sum of \$19,400 in equal monthly installments of \$1,616.66. The term of the lease shall be from December 31, 2012 through December 31, 2013, and

BE IT ALSO RESOLVED that Mayor Dixie Lee Sacks is authorized to sign said lease.

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen - aye

Trustee DeLorio – aye

Trustee Woerner - aye

Trustee Bergin – aye

Mayor Sacks – aye

RESOLUTION ADOPTED

**RESOLUTION # 05 OF 2013**

BE IT RESOLVED that the Round Lake Village Board of Trustees approve the lease agreement between the Village of Round Lake and the Round Lake Hose

Company #1 for the lease of Round Lake Station #2 located on Taddeo Drive, Malta, NY and

BE IT RESOLVED, that the Village of Round Lake shall pay to the Round Lake Hose Company #1 Inc. the sum of \$19,000 in equal monthly installments of \$2,300. The term of the lease shall be from December 31, 2012 through December 31, 2013, and

BE IT ALSO RESOLVED that Mayor Dixie Lee Sacks is authorized to sign said lease.

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen - aye

Trustee DeLorio – aye

Trustee Woerner - aye

Trustee Bergin – aye

Mayor Sacks – aye

RESOLUTION ADOPTED

**Agreement Between Village & Hose Company For Snow Removal:** The Village Board has reviewed the draft of this agreement.

**RESOLUTION # 06 OF 2013**

BE IT RESOLVED that the Round Lake village Board of Trustees hereby approved this agreement between the Village of round lake and the Round lake Hose Company #1 for the purpose of providing personnel, services and equipment within and without the village for the purpose of fire protection and emergency services by providing manpower for the Round Lake Village fire Department, and

BE IT ALSO RESOLVED that Mayor Dixie Lee Sacks is authorized to sign said contract.

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen - aye

Trustee DeLorio – aye

Trustee Woerner - aye

Trustee Bergin – aye

Mayor Sacks – aye

RESOLUTION ADOPTED

**RESOLUTION # 07 OF 2013**

BE IT RESOLVED that the Round Lake Village Board of Trustees approve the agreement between the Village of Round Lake and the Round Lake Hose Company for snow plowing services at the Station #1 located at Curry Road, Round Lake and Station #2 located at Taddeo Drive, Malta, NY,

BE IT ALSO RESOLVED that the fee of said snow plowing shall be for its Station #1 at \$1,2000 per year and the fee for snow plowing services at Station #2 at \$900 per year,

BE IT ALSO RESOLVED that Mayor Dixie Lee Sacks is authorized to sign said contract.

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen - aye

Trustee DeLorio – aye

Trustee Woerner - aye

Trustee Bergin – aye

Mayor Sacks – aye

RESOLUTION ADOPTED

**Election Resolutions:**

**RESOLUTION # 08 OF 2013**

WHEREAS, the Village of Round Lake is having a General Village Election on Tuesday, March 19, 2013 and

PURSUANT to New York State Election Law section 15-116(1), therefore

IT IS RESOLVED that the Round Lake Village Board of Trustees appoint Karen Mancini and Virginia Hewitt as election Inspectors with Shannon Ryan as alternate election inspector.

RESOLVED by Trustee Nellissen, SECONDED by Trustee Bergin.

Trustee Nellissen - aye

Trustee DeLorio – aye

Trustee Woerner - aye

Trustee Bergin – aye

Mayor Sacks – aye

RESOLUTION ADOPTED

**RESOLUTION #09 OF 2013**

PURSUANT to Section 15-118(4) of the New York State Election Law,

BE IT RESOLVED that Round Lake Voter Registration Day for the 2013 Village Election will be held Saturday, March 9, 2013, from 12 Noon to 5:00 P.M., in the Village Community Room, 49 Burlington Avenue, Round Lake, NY.

RESOLVED by Trustee Bergin, SECONDED by Trustee Woerner.

Trustee Nellissen - aye

Trustee DeLorio - aye

Trustee Woerner - aye

Trustee Bergin - aye

Mayor Sacks - aye

RESOLUTION ADOPTED

**Auditorium Windows:** Mayor Sacks informed the Village Board that the Village had applied for and received grant funding from the Global Foundries-Town of Malta Foundation. The funding is for the replacement/ repair of the Auditorium windows. The cost of the project is \$8,621; the grant award is \$3,500. Mayor Sacks feels that the balance needed \$5,121 be appropriated from the parkland fund. Hold for discussion. What is the balance of the parkland fund? Mayor Sacks will have this information for the budget workshop.

**Zoning Changes:** Mayor Sacks stated that the Village Zoning Laws need to be reviewed and some changes made. The Village Board will hold workshops beginning in March.

**Use of the Community Room:** The local Girl Scout Troupe would like to have a cookie sale in the community room.

MOTION by Trustee Nellissen to approve the Girl Scout cookie sale in the Community Room March 23, 2013, SECONDED by Trustee Bergin.

UNANIMOUSLY APPROVED

**CORRESPONDENCE:** Nothing for this meeting.

### **APPROVAL OF MINUTES**

MOTION by Trustee Nellissen to approve the minutes of the January 2, 2013 Board of Trustees meeting, the minutes of the January 16, 2013 Board of Trustees meeting and the minutes of the January 31, 2013 workshop for Hillman Estates, SECONDED by Trustee Woerner.

UNANIMOUSLY APPROVED

VILLAGE ATTORNEY: Nothing for this meeting.

VILLAGE TRUSTEES: Noting for this meeting.

MOTION by Trustee Bergin to go into executive session to discuss a personnel issue, SECONDED by Trustee Nellissen.

UNANIMOUSLY APPROVED

MOTION by Trustee Bergin to return to regular session of the Village Board meeting, SECONDED by Trustee Woerner.

UNANIMOUSLY APPROVED

MOTION by adjourn the meeting at 10:25 P.M.

MEETING ADJOURNED.

Respectfully submitted,

Lois J. Whitbeck

Village clerk