

ROUND LAKE VILLAGE BOARD OF TRUSTEES MEETING HELD SEPTMEBER 18, 2013

PRESENT: Mayor Dixie Lee Sacks
Trustee Dominick DeLorio
Trustee Thomas Bergin

Trustee Christopher Nellissen
Trustee Caroline Woerner

Also Present: John Stevenson, Superintendent
Frank Mazza, Fire Chief
Peter Sheridan, CEO
Michael Allen
Debra Rice
Lance Spallholz
Michael Roets
Sheldon Hoffman
Brian Montague

Thomas Peterson, Village Attorney
Eric Rutland, CEO
Marilyn DeLorio
Mary Lo Lanahan
Christine Van Patten
Jack Fitzgerald
Bob Sweet
Terry Brown

Mayor Sacks called the regular meeting of the Village Board to order at 7:00 P.M.

The pledge of allegiance was recited.

PUBLIC COMMENT PERIOD

Lance Spallholz asked the Village Board if they had expressed concern about the fuel trucks traveling on the round-a-bout. Recently there was a fuel truck that rolled over in the round-a-bout in a Village south of Albany. This accident caused a lot of problems in the village.

Mayor Sacks replied that she has expressed concern to the Dept. of Transportation and the Town of Malta. They have both stated that the round-a-bouts are safe. Mayor Sacks commented that this is why she is working for exit 11A with Senator Tonko's Office.

Fire Chief Mazza commented that the Fire Department has expressed concern about the trucks and that the fire fighters have had training on the chemicals that travel through the round-a-bouts in the area.

REPORTS

Superintendent Stevenson: Everything is good in the Village.

As the Board had suggested, the Superintendent has been testing the water samples at the connection to Clifton Park Water Authority. The water is already in violation when the Village receives the water. Some discussion continued.

The Superintendent is getting ready to pave some of the streets. The DPW is working on the drainage problem on Eighth Street that is blocked and overflows into Baker Park. Also on the drainage issue on Andrews Avenue near the intersection of Lake Avenue. These streets will be part of the paving program that will be done in the next couple of weeks.

The DPW closed the clearstory windows in the Auditorium.

Trustee Woerner asked if the Superintendent has had any luck in finding signs for "children at play" or something similar.

Superintendent Stevenson replied no, he is still looking for an appropriate sign.

The Superintendent is starting to work on the planting of new trees in the Village.

Animal Control Officer: Nothing to report.

Debbie Rice asked when the drainage will be done on Rowe Park.

Superintendent Stevenson replied that the drainage work on Washington Avenue will be done next. This drainage problem has needed to be done for several years. When the Village does the drainage in Rowe Park we will need a lot more money.

Ms. Rice commented that she is still having a big problem when it rains; the water comes across the park and into her basement.

Superintendent Stevenson will have to find money and will need plans for the drainage.

Code Enforcement Officer: The monthly report for Mr. Sheridan was reviewed by the Village Board. CEO Peter Sheridan showed photos of the Victorian Landings during the heavy rains. They came up and repaired some of the damage that night.

Trustee DeLorio comment that at the last two meetings there has been discussion about fines or penalties, is there any provision for imposing fines? Victorian Landing is not controlling the run-off.

CEO Eric Rutland commented that there is nothing to take the storm water to the retention pond. They have put in some stones that should direct the water elsewhere.

Mr. Sheridan stated that he spoke with Blue Neils about issuing a stop work order. Mr. Neils suggested not issuing the order. There was a huge problem on Bangs Avenue with the storm water running down the street.

Trustee DeLorio asked if we have a remedy for this problem.

CEO Eric Rutland commented that there is nothing to take the storm water to the retention pond. They have put in some stones that should direct the water into the retention basins.

NEW BUSINESS

Hillman Estates: Mr. Dailey and Mr. Lansing are returning to the Village Board to discuss Hillman Estates PDD. Mr. Dailey stated that they went back and looked at the sub-division codes. Wet lands can be used as back yards that would allow for 40 houses. They met with the Village Attorney, Mr. Peterson to discuss the project. Discussion included:

- ◆ There would be 4 houses eliminated from project.
- ◆ There would be 40 building lots.
- ◆ There would be more than 40 % open space.
- ◆ This would have all the characteristic of cluster zoning.
- ◆ If this is done as a PDD, they can donate 8 lots to the Village for their future use.
- ◆ There would be an easement to the Village for a water line to the Clayton property then on to "The Mill on Round Lake."

Lance Spallholtz stated that he doesn't think the board should accept the calculation from the developer. Mr. Spallholz commented that lot # 43 may not be a buildable lot.

Mr. Dailey replied that this is a PDD not sub-division.

Trustee Nellissen stated that the Village board has worked extensively on the PDD legislation. We have learned a lot from mistakes made on the Victorian Landings PDD legislation.

RESOLUTION # 58 OF 2013

WHEREAS the Village Board of Trustees of the Village of Round Lake has received an application for the establishment of a Planned Development District of approximately 27.35 acres extend to be known as Hillman Estates Planned Development District to be located on NYS Route 9 at the southern end of the Village, all as set forth in the proposed legislation annexed hereto; and

WHEREAS the application was duly referred to the Village of Round Lake Planning Board which recommended against the proposed legislation; now, therefore, it is

RESOLVED that the Village Board of Trustees designates itself as lead agency for purposed of administration of the New York State Environmental quality Review Act; and it is further

RESOLVED that the Round Lake Village Board of Trustees will hold a public hearing pertaining to establishment of a 27.35 acre Planned Development District on NYS Route 9 to be known as Hillman Estates Planned Development District, on the 16 day of October, 2013 at 6:30 o'clock p.m., at the Community Room of the Round Lake Village Hall, 49 Burlington Avenue, Round Lake, New York, and at which hearing all persons desiring to be heard thereon will be heard; and it is further

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

RESOLVED by Trustee Bergin, **SECONDED** by Trustee Nellissen.

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

Trustee DeLorio – aye
Trustee Bergin – aye

RESOLUTION ADOPTED

The Village Board will review the SEQR document for the next meeting.

Zoning Changes: (10/17 workshop) The Village Board will hold the zoning workshop in Mr. Peterson's office. There is another meeting scheduled for the Community Room.

26 Albany Avenue: Hold for executive session.

Victorian Landings: There has already been discussion about the storm water problems for Victorian Lands. They still owe the Village over \$11,000 in engineer fees for the project. They have been provided with itemized bills.

Mr. Peterson stated that there has been no response to the letter that was sent concerning the connection to the Village water system.

Trustee Bergin stated that he is tired of all this. They need to come back to the table, they are not doing anything we ask or that they are obligated to do.

MOTION by Trustee DeLorio to request the Code Enforcement Officers to issue a stop work order until such time that Farone-Amedore Homes pay the village the money that they owe for engineering services for Victorian Landings and the drainage problems have been fixed, **SECONDED** by Trustee Woerner.

Some discussion continued

MOTION by Trustee Bergin to table the **MOTION** until after an executive session, **SECONDED** by Trustee Nellissen.

MOTION APPROVED

Purchase of Property: Trustee Woerner and Trustee Bergin have prepared a purchase proposal on the cost of the Roerig property. The Trustees reviewed that budget proposal.

Trustee DeLorio commented that he is totally against taking \$220,000 out of parkland money to purchase land we have absolutely no use for. The Village could use this money for drainage and the Auditorium.

Trustee Bergin commented that he disagrees on the use of the money but don't disagree on the purchase of the property. Trustee Bergin thinks that there should be a purpose for the land.

Mr. Peterson stated that if the village borrows money, bonds, for the purchase of the land, it is subject to a referendum.

Mayor Sacks stated that the Board needs to make a decision.

Trustee Nellissen commented that the idea was to come up with possible funding for the purchase of the land without a large tax increase.

Trustee DeLorio asked what the length of the cell tower lease is. Is it guaranteed for 10 years? Trustee DeLorio does not want to short change the parkland fund. If the majority of the village residents state that they want it, he would agree.

Trustee Nellissen thinks this is why the residents should be able to vote on this matter.

Trustee DeLorio commented that he doesn't think that development is all bad. Maybe 20 houses on the land would add to the tax base and water customers for the Village.

MOTION by Trustee Nellissen amend the proposal to allow the Village to use \$100,000 from parkland fund, borrow \$200,000 for 10 years which would increase the Village tax to approximately 7.5%, **SECONDED** by Trustee Bergin.

MOTION APPROVED

Clifton Park Water: Hold for executive session.

NEW BUSINESS

Sale of 2003 DPW truck: The Superintendent and the Village Board discussed the sale of a DPW dump truck.

RESOLUTION # 59 OF 201

PLEASE TAKE NOTE that the Village of Round Lake, New York is now accepting sealed bids for the sale of a 2003 Ford F-350 dump with dual rear wheels and a 9 foot, 4-way plow.

Minimum bid \$7,500. Can be viewed at 1 Burlington Avenue, Round Lake, NY. Call Village of Round Lake, Superintendent Stevenson, 518-857-5830.

All sealed bids must be marked accordingly and submitted to the Village of Round Lake by 4:00 P.M. on October 16, 2013 and will be opened at 7:00 P.M. at the Board of Trustees meeting that evening. The Village of Round Lake reserves the right to reject any and all bids.

RESOLVED by Trustee Bergin, SECONDED by Trustee Nellissen.

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

Trustee DeLorio – aye
Trustee Bergin – aye

RESOLUTION APPROVED

CEO Training: Code Enforcement Officers Eric Rutland and Peter Sheridan are requesting approval to attend a training conference.

RESOLUTION # 60 OF 2013

BE IT RESOLVED that the Round Lake Board of Trustees authorize that attendance of the Code Enforcement Officers at a three-day conference in Albany, New York. The cost of the course is \$310 per person. A budget transfer is approved for \$250.00 from unappropriate fund balance (or other appropriation as determined by Mayor Sacks) to Code Enforcement, Contractual.

RESOLVED by Trustee Nellissen, SECONDED by Trustee Bergin.

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

Trustee DeLorio – aye
Trustee Bergin – aye

RESOLUTION APPROVED

Budget Amendment: Jane Woodward, Auditor, has recommended the following budget amendment.

RESOLUTION # 61 OF 2013

BE IT RESOLVED that the Round Lake Board of Trustees authorize the budget amendment for A7410.4 Library to A7989.4 Culture & Recreation, Vet Memorial.

RESOLVED by Trustee Nellissen, **SECONDED** by Trustee Woerner.

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

Trustee DeLorio – aye
Trustee Bergin – aye

RESOLUTION APPROVED

CORRESPONDENCE

Mayor Sacks read a letter from the Town of Malta requesting the use of the Community Room on Tuesday, November 5, 2013 for general Election Day.

MOTION by Trustee DeLorio to approve the use of the Community Room by the Town of Malta for Election Day, November 5, from 5:30 a.m. to 9:30 p.m. for voters in District 3, **SECONDED** by Trustee Nellissen

UNIMOUSLY APPROVED

APPROVAL OF MINUTES

MOTION by Trustee Nellissen to approve the minutes of the Village Board of Trustees meeting held July 17, 2013, **SECONDED** by Trustee Bergin.

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

Trustee DeLorio – abstain
trustee Bergin – aye

MOTION APPROVED

MOTION by Trustee Nellissen to approve the minutes of the Village Board of Trustees meeting held August 7, 2013, as amended, **SECONDED** by Trustee Bergin.

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

Trustee DeLorio – abstain
trustee Bergin – aye

MOTION APPROVED

VILLAGE ATTORNEY

Mr. Peterson requested an executive session to discuss pending litigation.

VILLAGE TRUSTEE

Trustee Woerner asked if Trustee DeLorio did the letter to the Sheriff's office requesting more enforcement of the stop signs.

Trustee DeLorio replied that the letter was written and sent to Sheriff Bowen.

Trustee Woerner suggested that a review of job description for all Village employees be done with Mayor Sacks.

Trustee Bergin stated that the Village Board never resolved the stipend for the Mayor. The Village Attorney was to some research on this issue. Hold until the next meeting.

APPROVAL OF ABSTRACTS

RESOLUTION # 62 OF 2013

BE IT RESOLVED that the Village Board of Trustees authorize payment of the following abstracts:

Abstract # 912 in the amount of \$34,817.67 and \$9,976.67 water fund for the total of \$44,794.34.

Abstract # 911 paid in advance in the amount of \$36,347.85 general fund and \$7,805.32 water fund for a total of \$44,153.18.

RESOLVED by Trustee Nellissen, SECONDED by Trustee DeLorio.

Trustee Nellissen – aye

Trustee DeLorio – aye

Trustee Woerner – aye

Trustee Bergin – aye

Mayor Sacks – aye

RESOLUTION APPROVED

MOTION by Trustee Bergin to go into executive session to discuss pending litigation with Clifton Park Water Authority and concerning 26 Albany Avenue, **SECONDED** by Trustee Nellissen.

UNIMOUSLY APPROVED

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

UNANIMOUSLY APPROVED

ADJOURN MEETING

MOTION by Trustee Bergin to adjourn the meeting at 9:30 P.M.

MEETING ADJOURNED

Respectfully submitted,

Lois J. Whitbeck
Village Clerk

