

**ANNUAL MEETING OF THE ROUND LAKE VILLAGE BOARD OF TRUSTEES HELD APRIL 4, 2016.**

**The oath of office was given to the newly elected Trustee Gary Putman and Trustee Nellissen by the Mayor.**

**PRESENT:** Trustee Thomas Bergin Trustee Christopher Nellissen  
Trustee Heidi Parker Trustee Gary Putman

**Also Present:** Superintendent John Stevenson Fire Chief Frank Mazza  
CEO Peter Sheridan Scott Rigney  
Sue Thompson Tom Schweder  
Ken Rawley

The annual meeting was called to order Mayor Sacks at 7:00 P.M.

The pledge of allegiance was recited.

**Mayor Sacks had made the following appointments:**

**Kim Sheridan-Dugmore, Clerk for two years, Robyn A. Shaffer, Treasurer for two years.**

**Michael Roets, Planning Board – 5 years, Sharyn Marchione, Zoning Board – 5 years**

**Planning Board:**

**Current members:**

Fred Sievers – 4 years  
Matthew Coldrick – 3 years  
Mary Beth Max – 2 years  
Peter Sheridan, Chair – 1 year  
William Ryan - alternate

**Zoning Board of Appeals:**

**Current members:**

Brent Elford, Chair – 4 years  
Harry McDonough III – 3 years  
Mark Marion – 2 years  
Sharon Pineo – 1 year

**MOTION** by Trustee Bergin to approve Mayor Sack’s appointments as noted, **SECONDED** by Trustee Nellissen.

**MOTION APPROVED**

Mayor Sacks had made the following assignment for the Board of Trustees:

**Trustee Nellissen – Service award program**  
**Trustee Bergin - Deputy Mayor and liaison to fire department**  
**Trustee Putman – ZBA, PB Liaison**  
**Trustee Parker – Auditorium**  
**Mayor Sacks – Budget officer**

**MOTION** by Trustee Bergin to approve the Mayors assignments, **SECONDED** by Trustee Nellissen.

**MOTION APPROVED**

**Adoption of Village Resolutions**

**RESOLUTION # 20 OF 2016**

**BE IT RESOLVED** by the Round Lake Board of Trustees that the regular meeting of the Round Lake Village Board of Trustees will be held on the first and third Wednesday of each month,

**BE IT ALSO RESOLVED** that when a special or emergency meeting of the Village Board of Trustees is necessary, the Village Clerk would be required to contact each member individually, by phone, in person or by email, if receipt is confirmed, to schedule a meeting,

**BE IT FURTHER RESOLVED** that the next Organization Meeting will be held on Monday, April 3, 2017 at 7:00 P.M.

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

Trustee Nellissen - aye  
Trustee Putman - aye  
Mayor Sacks

Trustee Bergin – aye  
Trustee Parker – aye

**RESOLUTION ADOPTED**

**RESOLUTION # 21 OF 2016**

**WHEREAS** pursuant to General Municipal Law, Section 104-b, every municipality must adopt a policy governing the procurement of all goods and services which are not required to be purchased pursuant to the competitive bidding requirements of General Municipal Law, Section 103,

**THEREFORE, BE IT RESOLVED** that the Round Lake Village Board of Trustees adopts the Procurement Policy as originally adopted in April 1997.

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

Trustee Nellissen - aye  
Trustee Putman - aye  
Mayor Sacks

Trustee Bergin – aye  
Trustee Parker – aye

**RESOLUTION ADOPTED**

**RESOLUTION # 22 OF 2016**

**WHEREAS** the Round Lake Board of Trustees has determined to authorize payment in advance of audit of claims for public utility service, postage, freight express charges, debt service payments and contractual expenses,

**WHEREAS** all such claims must be presented at the next regular meeting of the Village Board for audit; and

**WHEREAS** the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the Board of Trustees disallows,

**NOW THEREFORE BE IT RESOLVED**

SECTION 1. That the Board of Trustees authorizes payment in advance of audit of claims for public utility service, postage, freight express charge, debt service and contractual expenses. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the Board of Trustees disallows.

SECTION 2. That this resolution is effective immediately.

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

Trustee Nellissen – aye  
Trustee Putman - aye  
Mayor Sacks

Trustee Bergin – aye  
Trustee Parker – aye

**RESOLUTION ADOPTED**

**RESOLUTION # 23 OF 2016**

**WHEREAS** the Round Lake Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to Village officers and employees who use their personal automobiles while performing their official Village duties,

**NOW THEREFORE BE IT RESOLVED**

**SECTION 1.** That the Round Lake Board of Trustees will approve reimbursement to such officer and employees at the rate of \$0.54 cents per mile,

**SECTION 2.** That this resolution is effective immediately.

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

Trustee Nellissen - aye

Trustee Bergin – aye

Trustee Putman - aye  
Mayor Sacks

Trustee Parker – aye

**RESOLUTION ADOPTED**

**RESOLUTION # 24 OF 2016**

**WHEREAS** the Round Lake Board of Trustees has determined that Village Law Section 4-412(3) (2) requires the designation of banks or trust companies for deposit of all Village monies,

**NOW, THEREFORE BE IT RESOLVED**

**Section 1.** That the Board of Trustees designate the following institutions as depositories of all monies received by the Village Clerk, Treasurer and Receiver of Taxes,

**The Adirondack Trust Company, 473 Broadway, Saratoga Springs, NY**

**SECTION 2.** That this resolution is effective immediately.

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

Trustee Nellissen - aye  
Trustee Putman - aye  
Mayor Sacks

Trustee Bergin – aye  
Trustee Parker – aye

**RESOLUTION ADOPTED**

**RESOLUTION # 25 OF 2016**

**WHEREAS** there is to be held during the coming official year, certain meetings, conferences and training schools,

**WHEREAS** attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality,

**NOW THEREFORE BE IT RESOLVED**

**SECTION 1.** That the officers and employees are authorized to attend any and all meetings, conferences or schools as approved by the Mayor and Board of Trustees,

**SECTION 2.** This resolution is effective immediately.

**RESOLVED** by Trustee Parker **SECONDED** by Trustee Bergin.

Trustee Nellissen - aye

Trustee Bergin – aye

Trustee Putman - aye  
Mayor Sacks

Trustee Parker – aye

**RESOLUTION ADOPTED**

**APPROVAL OF POLICIES**

**ARCHITECTURAL STANDARDS**

**MOTION** by Trustee Bergin to approve the Architectural Standards, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**AUDITORIUM RENTAL POLICY**

**MOTION** by Trustee Bergin to approves the Auditorium Rental Policy, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**AMENDING CHAPTER 15 “BOARDS AND COMMISSIONS”**

**MOTION** by Trustee Bergin to approve the Amending Chapter 15 “Boards and Commissions”, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**ETHICS POLICY**

**MOTION** by Trustee Bergin to approve the Ethics Policy, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**INVESTMENT POLICY**

**MOTION** by Trustee Bergin to approve the Investment Policy, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**LAND SALE POLICY**

**MOTION** by Trustee Bergin to approve the Land Sale Policy, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**PERSONNEL POLICY**

**MOTION** by Trustee Bergin to approve the Personnel Policy, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**PROCUREMENT POLICY**

**MOTION** by Trustee Bergin to approve the Procurement Policy, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**HARASSMENT POLICY**

**MOTION** by Trustee Bergin to approve the Procurement Policy, **SECONDED** by Trustee Putman.

**MOTION APPROVED**

**PUBLIC COMMENT:**

Sue Thompson was present to address the Board. She brought a site plan (see attached) of the three lot subdivision showing what the Mill wants to do going forward. The proposed four lot subdivision was shot down by Clifton Park in January. Mr. Beale subsequently brought the three lot subdivision to the Planning Board – he wants to have Lot 3 rezoned as commercial. Mayor Sacks asked if it's a courtesy that the Mill contact the Village. Attorney Peterson says they should be in contact with us. Sue stated that rezoning Lot 3 would be considered spot zoning according to Clifton Park.

Mayor Sacks doesn't want the bandstand relocated into the Village. She is sure that Clifton Park will ask the Village to take it. Sue went on to state that Mr. Beale had promised her a berm and trees as a buffer. She stated that her house is higher in elevation than the Mill and this buffer will be ineffective. Sue mentioned that the next Clifton Park Planning Board meeting is in approximately 3 weeks. Trustee Bergin asked Attorney Peterson if the land is rezoned as commercial will this allow the Mill to do what they want. Attorney Peterson stated that he doesn't know. She stated that English Road is zoned residential – The Mill is trying to nip off the corner.

The Mayor asked Attorney Peterson to find out why the zoning is proposed to be changed. Trustee Bergin asks for the Village to be included in this discussion/development.

Ken Rawley was present to address the Board on an update on the walkway through Scott Park. Mayor Sacks asks if he will wait until warmer weather before addressing this. Ken asked again why the water/sewer bill cannot be a tax. He stated that the sewer bill is a tax on the Malta bill. Mayor Sacks stated that the Village's water sewer bill is a fee, not a tax. Trustee Nellissen stated that the Dept. of State had been contacted years ago and that he was

told it is not a tax. Trustee Putman asked if he has called Malta. Trustee Nellissen advised Ken to call the Dept. of State himself. Ken said that he would do that.

Scott Rigney was present to address the Board about the village putting up trees between the DPW and his property. He mentioned that it was something that he had discussed with them many years back and that he wanted to re-address it. Superintendent Stevenson said the Village can plant some trees as a buffer. Scott suggested planting arbor vitae. Discussion ensued.

## **REPORTS**

### Superintendent Stevenson:

Superintendent Stevenson discussed sending water samples to two labs. We are now awaiting results on disinfection by-products. The sewer system is good. He and Steve Luse attended a water chemistry class for continuous contact hours for water license renewal.

He, James Johnson and John Shafts attended a Safety class in Malta.

He stated that park cleanup was going well until the late season snow came.

He mentioned that a wood chipper purchase would be necessary in the next year.

### Animal Control Officer:

Nothing for this meeting

### Fire Chief Mazza:

Chief Mazza reported there were 22 calls in February. He stated that this was about the same number of calls as the prior year; however hours are up from last year. He also stated that he is trying to sell the Chief's car. He had received one bid from Ballston Spa and mentioned that they are still trying to get more offers. (Report attached)

## **RESOLUTION # 26 OF 2016**

**BE IT RESOLVED** that the Round Lake Village Board of Trustees permits the Fire Department to attend local parades at the discretion of the Chief.

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

Trustee Nellissen - aye

Trustee Putman - aye

Mayor Sacks

Trustee Bergin – aye

Trustee Parker – aye

**RESOLUTION ADOPTED**

## RESOLUTION # 27 OF 2016

### RESOLUTION BY THE MUNICIPALITY HAVING JURISDICTION OVER THE FIRE COMPANY OR FIRE DEPARTMENT – See attached resolution (adopted)

#### Code Enforcement Officer:

Amedore poured a foundation for one new building - three units. The units are starting to sell as he dropped the price. A few new antennas have been added to the cell tower. At Griffin's Ridge the basement and garage on the first house have been framed. CEO Sheridan will be inspecting it shortly. CEO Sheridan also stated that the DEC meeting about getting the firehouse out of the 100 year flood plain has been postponed to next week.

#### Veterans:

Tom Bergin stated there is a Memorial Day Celebration meeting tomorrow night April 5, 2016.

#### Auditorium:

Nothing for this meeting

## RESOLUTION # 28 OF 2016

**BE IT RESOLVED** that the Round Lake Village Board of Trustees approves and directs the Village Mayor to execute a contract with Carpe Diem for a summer children's theater program substantially in the form annexed hereto, as the same is approved by the Village Attorney.

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

Trustee Nellissen - aye

Trustee Bergin – aye

Trustee Putman - aye

Trustee Parker – aye

Mayor Sacks

**RESOLUTION ADOPTED**

## RESOLUTION # 29 OF 2016

**BE IT RESOLVED** that the Round Lake Village Board of Trustees approves and directs the Village Mayor to execute a contract with Daniel Peczka for operation of the audio and lighting at the Round Lake Auditorium for the 2016 season substantially in the form annexed hereto, as the same is approved by the Village Attorney. Dan Peczka will receive \$1,000 at the end of the season.



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

Trustee Nellissen - aye  
Trustee Putman - aye  
Mayor Sacks

Trustee Bergin – aye  
Trustee Parker – aye

## **RESOLUTION ADOPTED**

### **OLD BUSINESS**

#### 26 Albany Avenue:

Attorney Peterson stated we are still waiting on the Malta Judge's ruling. He also stated that the Cottrells have not submitted a new package to the ZBA for the April meeting. Trustee Bergin asked if we should take this case to the State Supreme Court. Mayor Sacks stated this is not the Cottrell's fault – we are all waiting on the Judge. Trustee Nellissen asks what decision we are waiting for. Attorney Peterson stated that it's for not meeting the Village code on setbacks. The house is out of compliance with Village code. Trustee Bergin asks if we can go to Supreme Court with the same argument. Attorney Peterson stated that we present the proof of the same violation and that there is no way to ameliorate the situation. Taking the house down is only option. Attorney Peterson stated that getting a Malta Court decision before going to State Supreme Court would be better and that we should wait for that.

#### Victorian Landings:

Discussion regarding engineering fees and whether it is necessary to establish an escrow fund again. CEO Sheridan stated that there is still some engineering work to be done. Mayor Sacks stated that we still need some money in escrow before Amedore gets a C of O. Attorney Peterson stated he has sent Amedore's attorney a letter about escrow in the amount of \$15,000. Superintendent Stevenson stated the continuing work will include roads, storm basins etc.

#### Village Drainage:

Superintendent Stevenson stated that we are waiting for estimates and better weather to commence work.

#### Mill on Round Lake:

Already discussed.

## **RESOLUTION # 30 OF 2016**

**WHEREAS** the Round Lake Village Board of Trustees approves and directs the Village Mayor to execute a contract with Lamont Engineers substantially in the form annexed hereto, as the same is approved by the Village Attorney.

**WHEREAS** Lamont Engineers has submitted a proposal for services on Cleveland/Andrews Avenue and on George Avenue for drainage improvements

**THEREFORE BE IT RESOLVED** by Trustee Bergin SECONDED by Trustee Nellissen.

Trustee Nellissen - aye  
Trustee Putman - aye  
Mayor Sacks

Trustee Bergin – aye  
Trustee Parker – aye

**RESOLUTION ADOPTED**

**RESOLUTION # 31 OF 2016**

**BE IT RESOLVED** that the Round Lake Village Board of Trustees approve the contract for the use of the Baseball Field for the 2016 season and will receive \$2,500 for the use of the fields, and therefore

**THEREFORE BE IT RESOLVED** that Mayor Sacks is authorized to sign said contract

**RESOLVED** by Trustee Nellissen SECONDED by Trustee Putman.

Trustee Nellissen - aye  
Trustee Putman - aye  
Mayor Sacks

Trustee Bergin – aye  
Trustee Parker – aye

**RESOLUTION ADOPTED**

Mayor Sacks brought up the topic of repairing the fountain in front of the library. The Board would like it repaired. The DPW will help repair it. Dick Theissen got an estimate of \$450.

It was recommended to use UV light instead of chlorine. Trustee Nellissen asked about fitting the liner. Superintendent Stevenson describes how it will be done. Mayor Sacks mentioned that Dick Theissen wants volunteers with some knowledge of liners to assist.

**RESOLUTION # 32 OF 2016**

**BE IT RESOLVED** that the Round Lake Village Board of Trustees approve spending up to \$500 to repair the fountain as described.

**RESOLVED** by Trustee Bergin SECONDED by Trustee Putman.

Trustee Nellissen - aye  
Trustee Putman - aye  
Mayor Sacks

Trustee Bergin – aye  
Trustee Parker – aye

**RESOLUTION ADOPTED**

## **MAYOR**

Mayor Sacks distributed the Parkland balance update for the Board to review.

Mayor Sacks announced Clean-Up Day is Saturday 4/23. She asked for a Trustee to help with breakfast setup at 8am. Trustee Parker volunteered.

Mayor Sacks read the drainage improvement agreement from Lamont Engineering.

Mayor Sacks read the letter received from Stewarts Shops giving the Village \$1000 for children's activities. The magic show will cost \$750 and the leftover \$250 will be used for an additional kid's activity to be determined.

Mayor Sacks also read a letter received from Village resident George Kotsakis describing a private party he would like to have. He asked for permission to use Rowe Park for dining. He did not ask to close the street. He stated the food and drink would be on his property. He also stated that bathroom facilities would be at his and Adrienne's house and that he would do a full garbage cleanup. Discussion ensued. The Board made clear the following points for the event:

1. Food and alcohol must be prepared and served on the Owner's property.
2. No tent could be erected in Rowe Park without prior Board approval and if approval is given, the owner must call Dig Safely.
3. Village tables are not to be used.

Mayor Sacks stated that March 16, 2016 minutes would be brought to the April 20, 2016 meeting.

## **VILLAGE ATTORNEY**

Attorney Peterson asked about the notice of claim to the Saratoga County Water Authority and the Clifton Park Water Authority and we should wait until the water tests come back.

Superintendent Stevenson suggested we wait for the test results.

## **VILLAGE TRUSTEES**

Trustee Parker asked who repairs the Auditorium chairs. Superintendent Stevenson said that the DPW has always done the repairs. Mayor Sacks stated that it might be better if we remove some of them. Trustee Nellissen asked if we can find a supplier and simply switch out the broken chairs. Mayor Sacks stated she would research who she spoke with in the past about replacing them. Trustee Parker agreed to talk to a supplier on these.

Trustee Bergin brought up the subject of the Quonset hut on the Filkins property. He stated that his neighbor Sharon Lloyd is bothered by it. Trustee Bergin asked if Mrs. Filkins is required to have a permit for this structure (tarp over a framed structure). CEO Sheridan said that the tarp needs to be fireproof. He also stated that these types of structures need to be considered when zoning gets re-done. Trustee Bergin asked if the Board can make a quick fix zoning law. Attorney Peterson said that we can do that. He stated that he would draft it up into a local law format. He also suggested that Board decide the size that would require a permit. Attorney

Peterson stated he would bring a draft letter to the next meeting. Scott Rigney asked if this was opening a can of worms – picking and choosing which structures would be permitted.

CEO Sheridan commented that the Diane Marchand approached him about getting permission to build a shed at the Community Garden. He stated that they would not pour concrete to make it permanent. The shed would be used to store the tiller and tools.

Sheridan also stated that the foundation of the pool at 14 Covell Ave seems to be eroding. He stated that he would get in contact with the bank to see what they want done about it.

**PUBLIC COMMENT PERIOD**

Nothing

**ADJOURN MEETING**

**MOTION** by Trustee Bergin to adjourn the meeting at 8:27pm

**MEETING ADJOURNED**

**Respectfully submitted,**

**Kim Sheridan-Dugmore  
Village Clerk**