

ROUND LAKE VILLAGE BOARD OF TRUSTEES MEETING
August 15, 2018 7pm

PRESENT: Mayor Gary Putman
Trustee Tom Bergin
Trustee Heidi Parker
Trustee Paul Block
Trustee Matt Coldrick
Attorney Tom Peterson

ABSENT: John Stevenson

ALSO

PRESENT: CEO Peter Sheridan
Mark Greenwald
Gary & Sue Jones
Patty Argandona
Christine Van Patten
Neil Pedersen
Michael Calligan
Krissy Morrell
Adrienne Maros
Beth Kiingati
Fire Chief Frank Mazza
Katelyn & Richard Rivera
Andrew Lu
Bill Ryan
Michael Shaffer
Melanie Beale
Danielle Rigney
Amy & Eric Leach
Diane Marchand
Aaron Morris

Trustee Putman called the Board meeting to order at 7pm
The pledge of allegiance was recited.

PUBLIC COMMENT/PRESENTATION PERIOD

Andrew Lu addressed the Board with regard to the Jones' construction that started last week. Mr. Lu noted that the project began last week with a 7am start time. He noted that so far this week the crew has arrived and started at 6am. He stated he lodged a formal complaint and asked for a stop work order, but nothing has happened. Mr. Lu also stated that the workers routinely urinate in the woods since there is no porta-potty on site. He also stated that he checked Occupational Health and Safety Administration (OSHA) regulations because he noticed some dangerous site conditions that concerned him. Additionally, he stated that soil is getting delivered without the old clay rich soil being removed first. Mr. Lu stated he thinks this will cause some drainage problems. He asked the Board to issue a stop work order in consideration of these violations. He also asked if the work hours could start at 9am as opposed to 7am. Attorney Peterson stated that our Board of Trustees does not have the authority to make decisions about stop work orders.

Gary Jones addressed the Board. He noted that his neighbor Andrew Lu had two legitimate points. Mr. Jones stated he did speak with the General Contractor about insuring a 7am start time and also stated he will order a porta-potty for the site this week. He also noted that he provided a hard hat for the worker who did not previously have one. Mr. Jones mentioned drainage being a problem at the Lu's property. Mr. Jones also noted for the record that his

contractor, Mike Tholin, is very highly regarded. He questioned why the Lu's hadn't contacted him directly over any of these matters. Mayor Putman noted that the foundation sub-contractor (who started site work at 6am) was done in two days and that they simply ignored the Village's noise laws.

Katelyn Jones Rivera addressed the Board and noted that she is excited to be living in the Village and she wanted to open a channel of communication with the neighbors. She noted that the construction is temporary, but living here will be permanent. She asked if they could start again on the right foot.

Andrew Lu addressed the Board again to state that there is no ill will towards anyone. He's just frustrated with the system and is dealing with the repercussions. He asked why the Village can't impose violations. Trustee Block stated that there have been stop work orders issued on other job sites in the past. Trustee Bergin stated the Village has an obligation to act within the limits of the law. He said that people build all the time and we all have to tolerate it to a degree.

REPORTS

Superintendent

(Mayor Putman spoke in John's absence)

- Water valves continue to be replaced – about 1/3 of the way done
- Roads to be repaved
- Bench installed at Victorian Landings

Fire Chief

- 49 calls in July
- 29 calls so far in August
- Firehouse construction moving along on schedule
- 11/19 is the tentative move in date

Code Enforcement Officer

- 26 homes under construction
- 2 new building permits just came in

Mr. Sheridan wants to assure the Lu's the building code is followed in the Village. CEO Sheridan noted that the footprint of the house will not change but the design might and that's ok. He also mentioned that the design can very possibly change and that it is common for this to happen due to site conditions.

Treasurer

Jessica Max distributed the monthly treasurer's report, trial balance and AUD report. She noted that the AUD report has been submitted to the New York State Comptroller's office.

RESOLUTION No. 90 OF 2018

BE IT RESOLVED that the Village Board of Round Lake authorizes the reconciliation of the budget to accommodate the over and under expenditures of accounts and the over and under receipt of revenue accounts in order to close out the fiscal year as per the specifically detailed attached spreadsheet **RESOLVED by** Trustee Bergin **SECONDED by** Trustee Parker

Mayor Putman - aye
Trustee Bergin – aye
Trustee Parker – aye
Trustee Block - aye
Trustee Coldrick - aye

RESOLUTION ADOPTED

RESOLUTION No. 91 OF 2018

BE IT RESOLVED that the Round Lake Village Board of Trustees approves a budget transfer from the Fire Department’s general fund account to the Fire Department’s capital reserve fund account to close out the 2017-2018 fiscal year

Credit General Fund Cash	A200	\$240,979.59
Debit General Fund Due to Other Funds	A630	\$240,979.59
Debit Fire Capital Reserve Cash	H200	\$240,979.59
Credit Fire Capital Reserve Due from Other Funds	H391	\$240,979.59

RESOLVED by Trustee Block **SECONDED by** Trustee Coldrick

Mayor Putman - aye
Trustee Bergin – aye
Trustee Parker – aye
Trustee Block - aye
Trustee Coldrick - aye

RESOLUTION ADOPTED

RESOLUTION No. 92 OF 2018

WHEREAS the Village of Round Lake is in receipt of 50% of the Local Government Records Management Improvement Fund (LGRMIF) grant for 2018-2019 year and has deposited the funds into the General Account.

BE IT RESOLVED that the Round Lake Village Board of Trustees approves a budget amendment to appropriate the funds as follows:

Debit State Historical Grant Revenue	A3060	\$11,245.00
Credit Appropriated Fund Balance	A599	\$11,245.00

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

Mayor Putman - aye
Trustee Bergin – aye
Trustee Parker – aye

Trustee Block - aye
Trustee Coldrick - aye

RESOLUTION ADOPTED

OLD BUSINESS

Water Improvement Project

Mayor Putman noted that data has been collected and updated to the water committee's Facebook page. He noted that as of July 22, 2018 there have been six samples collected. He also noted the purpose of the granular activated carbon (GAC) study is to determine what the ongoing maintenance costs will be if the system is put in place.

Memorial bench

Mayor Putman announced the dedication of the basketball court with a plaque and new bench installed honoring two Round Lake residents who died in the Vietnam War. (Eric Evans & Donald Yates).

RESOLUTION No. 93 OF 2018

BE IT RESOLVED that the Village Board of Round Lake authorizes the dedication of the Basketball Court with a bench and plaque honoring the memory of Round Lake residents Eric Evans & Donald Yates. The Board authorizes spending up to \$200 from the Parks contractual fund **RESOLVED by** Trustee Putman **SECONDED by** Trustee Coldrick

Mayor Putman - aye
Trustee Bergin – aye
Trustee Parker – aye

Trustee Block - aye
Trustee Coldrick - aye

RESOLUTION ADOPTED

Condition of Lake

Mayor Putman stated he met with the Department of Environmental Conservation's (DEC) water manager Mr. Kosinski who will review the findings with the State possibly next month.

RL150 September 1st event

Mayor Putman read from Rob Davis' note that described the event as a brief spiritual ceremony led by Pastor Penny Brink.

Auditorium Chairs

Trustee Parker noted that Chris Nellissen researched the chair parts replacement with a Canadian firm and wants to send them a complete frame and seat to them.

26 Albany Avenue

CEO Sheridan stated that gutters have been installed on the back of 26 Albany Ave which helps the Wildbergers, but impacts the Vallelungas. The Cottrells are in the process of getting a bank loan. Mr. Sheridan also noted that the Cottrells spoke with the Wildbergers about cutting down some trees and said they have an agreement.

WRLIS shed

A notice of claim brought to the Village by the new owner of the house at 2 Prospect Ave Round Lake, Neil Pedersen. The claim shows a bill of sale from the shed company to the prior owner of the house. According to Attorney Peterson, the chain of ownership of the house is as follows: Timothy Kaye’s family sold to HUD who sold to Pedersen. The shed was not listed on the deed from HUD to Pedersen. Attorney Peterson drafted a bill of sale from the Village to WRLIS for the shed. It was agreed that WRLIS would maintain Orient Park and Bishop Square Park (wavy path). Mr. Peterson stated that the Village would hold harmless WRLIS if further litigation ensued. Attorney Peterson sometimes represents WRLIS and they have allowed him to represent them and the Village without recourse.

CEO Peter Sheridan stated that he contacted the mother of the prior owner, Laura Kaye, many times to have the shed removed as it was situated on Village land. She did not move the shed and did at one time state that the shed wasn’t theirs. Mr. Pedersen then read his claim to the Board stating his ownership of the shed. Discussion ensued. Attorney Peterson stated to the Board that he felt sufficiently confident of the Village’s ownership of the shed given the facts presented. Attorney Peterson stated he would modify the language of the bill of sale to include an exit clause if a higher court found in favor of Mr. Neil Pedersen.

Mr. Pedersen stated he would take his claim to a higher authority.

RESOLUTION No. 94 OF 2018

BE IT RESOLVED that the Round Lake Village Board of Trustees authorizes the Mayor to sign an agreement and bill of sale for the 8’ x 8’ shed to WRLIS **RESOLVED** by Trustee Bergin, **SECONDED** by Trustee Parker

Mayor Putman - aye
Trustee Bergin – aye
Trustee Parker - aye

Trustee Block - aye
Trustee Coldrick - aye

RESOLUTION ADOPTED

Noise

Trustee Block noted that the Village is reviewing the decibel limits in our noise law as per the Memorandum of Understanding (MOU) with the Mill. The Village gave permission to have three concerts this past weekend at which, he, Mayor Putman and CEO Sheridan took decibel readings. Trustee Block passed out a report of his findings (attached). He stated that for the next meeting in September, he would review the noise laws from Malta. Matt Greenwald, the Mill's attorney, noted that he took readings from different locations and had similar findings. Mr. Sheridan stated he didn't feel that the music was overly loud and also heard from the Griffin's Ridge residents who felt ok with the amount of noise produced.

Trustee Bergin asked about next steps and if we should amend the MOU. Trustee Block stated that we weren't there yet. Mr. Greenwald asked if the Mill could have permission to book bands through the middle of October 2018 with the decibel rating at 70-75 dB. Discussion ensued.

RESOLUTION No. 95 OF 2018

BE IT RESOLVED that the Round Lake Village Board of Trustees authorize the Mill on Round Lake to have live music on Fridays, Saturdays and Sundays from August 20, 2018 through October 15, 2018 at a maximum decibel limit of 75dB **RESOLVED** by Trustee Block, **SECONDED** by Trustee Parker

Mayor Putman - aye
Trustee Bergin – aye
Trustee Parker - aye

Trustee Block - aye
Trustee Coldrick - aye

RESOLUTION ADOPTED

Parking Committee update

Trustee Coldrick's parking committee met earlier this week. He noted that new signs were ordered and placed around the Auditorium for no parking. Planters will also be used as a parking deterrent on the grass bank around the Auditorium. Trustee Coldrick also noted that Halloween is also an issue with parking. He mentioned that he would like the Board to consider closing some streets around the Auditorium that night. A local resident has used permeable pavers at her house on Prospect Avenue – Trustee Coldrick said his group would check them out.

APPROVAL OF MINUTES

RESOLUTION No. 96 OF 2018

BE IT RESOLVED that the Public Hearing Minutes and regular Meeting Minutes from 6/20/18 are approved **RESOLVED** by Trustee Block **SECONDED** by Trustee Bergin.

Mayor Putman - aye

Trustee Block - aye

Trustee Bergin – aye
Trustee Parker - aye

Trustee Coldrick - aye

RESOLUTION ADOPTED

RESOLUTION No. 97 OF 2018

BE IT RESOLVED that the Round Lake Village Board of Trustees authorizes the payment of the August abstract and July prepaids in the amount of \$66,667.39 **RESOLVED** by Trustee Bergin, **SECONDED** by Trustee Parker

Mayor Putman - aye
Trustee Bergin – aye
Trustee Parker - aye

Trustee Block - aye
Trustee Coldrick - aye

RESOLUTION ADOPTED

ATTORNEY

Nothing for this meeting

MAYOR

Mayor Putman thanked all the volunteers for Markets at Round Lake. He announced there would be a blood drive on August 23rd in the Community Room.

TRUSTEES

Trustee Bergin asked if there was a list of dead trees being compiled as he had a few to add. Trustee Bergin also commended the group of people who helped with the Village resident who was having a health emergency.

Trustee Block spoke up about how wonderful Markets was, noting that the unique event is great. Mayor Putman thanked Amy Leach and me, as well as all of the sponsors for their contributions.

PUBLIC COMMENT

Aaron Morris addressed the Board with regard to the noise laws. He noted that most disturbances are exempt from the law and he was wondering if the morning start time could be changed to 8am. Attorney Peterson stated the exceptions and their times should be tweaked. Mayor Putman stated the committee will look at the times indicated in the noise laws and change them as necessary.

Andrew Lu addressed the Board again. He stated that he would rather listen to music than construction noise

Patty Argandona stated that she and Andrew were never approached when the Jones' made their decision to build. She also stated that she wasn't aggressive with Mike Tholin but that he was with them. Ms. Argandona also noted that the shale did need to be removed from the property, but said that it was buried now. She asked what happens now. She suggested an emergency Planning Board meeting to resolve these items.

CEO Sheridan stated that the Planning Board meeting is on September 12th. Mr. Sheridan had a few responses to Ms. Argandona's comments. He noted that elevations of the construction might be desired, but are not required. He also noted that he previously stated that the shale had to be removed from Village property. Trustee Block stated he is concerned with drainage, water running on a neighbor's property. Mr. Sheridan stated that Mr. Jones is adding a drainage ditch to take care of the runoff.

Mr. Sheridan stated for the record that he cannot stop the build, but that he can make sure the Jones' follow building code. Attorney Peterson stated that the Lu's can contact OSHA with any safety concerns.

MOTION by Mayor Putman to go into Executive Session **SECONDED** by Trustee Bergin
MOTION APPROVED

MOTION by Trustee Bergin to return to Regular Session **SECONDED** by Trustee Parker
MOTION APPROVED

RESOLUTION No. 98 of 2018

BE IT RESOLVED that the Village of Round Lake Trustees accepts new member Lorraine Alexis Desadore to the Fire Department effective 8/15/18, **RESOLVED** by Trustee Bergin, **SECONDED** by Trustee Coldrick.

Trustee Nellissen – aye
Trustee Putman – aye
Mayor Bergin - aye

Trustee Parker - aye
Trustee Block - aye

RESOLUTION APPROVED

ADJOURN

MOTION by Trustee Bergin to adjourn meeting at 8:51pm

MEETING ADJOURNED

Respectfully submitted,

Kim Sheridan-Dugmore
Village Clerk