

Minutes of the Town of Lake George Town Board Meeting held on August 12, 2013 at the Town Center, 20 Old Post Road, Lake George, New York 12845.

Members Present: Dennis Dickinson, Supervisor
Vincent Crocitto, Councilperson
Marisa Muratori, Councilperson
Dan Hurley, Councilperson
Fran Heinrich, Councilperson

Others Present: Patty Schuster, Jim Grey, John Salvador, Don Baurle, Amy Peters, Thom Randall, Tony Hall, Keith Osborne, Tom Center, Kevin Mulcahy, Fred Austin, Chris Navitsky, Jim Wilson

Supervisor Dickinson opened the meeting at 6:30 p.m. Councilperson Crocitto led the Pledge of Allegiance.

A motion was made by Councilperson Heinrich and seconded by Councilperson Crocitto to approve the minutes of June 10, 2013, June 27, 2013, July 8, 2013, July 18, 2013.

All in favor.

Motion carried.

OLD BUSINESS

Councilperson Heinrich questioned the status of Bernie Baker. She would like to see something done about this. We have laws and they should be abided by.

Supervisor Dickinson stated he will call Cathi Radner to discuss our options.

Councilperson Heinrich asked about the status of Kubricky Construction where there was asphalt dumped into the sewer line on Bloody Pond Road.

Supervisor Dickinson stated he did contact Kubricky Construction. He agreed to pay ½ of the bill for services to Green Mountain directly.

Councilperson Muratori stated she had received an e-mail from Kathy Bozony regarding the Lake George Fertilizer Restriction Law. She wanted to know if the board had planned to adopt this law.

Supervisor Dickinson will check with Cathi Radner to see if a Public Hearing is necessary for this.

NEW BUSINESS

Supervisor Dickinson introduced Don Baurle from AFLAC. He thanked the board for the opportunity to present AFLAC and hopefully bring AFLAC back to the Town employees. He then introduced Amy Peters who discussed the possibility of bringing AFLAC back as part of the employee benefits. She stated they work with the Village of Lake George as well. AFLAC pays cash money to their policyholders for various policies which include short term disability, accident indemnity, cancer care and hospital protection. She stated kids are now covered until age 26 for any of their family plans.

There is no cost to the Town for this program. AFLAC now partners with Paychex to ensure the deductions are taken properly.

The board thanked them for the presentation and stated they would discuss and Councilperson Crocitto would get back to them.

RESOLUTION TO ACCEPT DONATIONS TO THE TOWN

RESOLUTION #127-2013, Introduced by Councilperson Heinrich and seconded by Councilperson Crocitto to accept the following donations to the Town for June:

Yonder Hill Group - \$225.00 – Use of Town Center
Matthew Kuenzel - \$125.00 – Use of Trolley
Sue Kongsbak-Larsen- Air hockey table & Bag of soccer balls for YC Program
Carolle Labruzzo – Craft items for YC Pep Program
Carolle Labruzzo – Sports items for Summer YC Program
Margaret Meineke – Games & Books for YC Pep Program
Jennifer Kim - \$200.00 – Use of Trolley
Dan Hurley - \$125.00 – Sponsor a child for Summer YC Program

Duly adopted this 12th day of August 2013, by the following vote:

Ayes: 5 Crocitto, Heinrich, Hurley, Muratori, Dickinson
Noes: 0
Absent: 0

Motion carried

RESOLUTION FOR STANDARD WORK DAY FOR SEASONAL EMPLOYEES

RESOLUTION #128-2013, Introduced by Councilperson Heinrich and seconded by Councilperson Crocitto to set Standard Workday for Seasonal Employees for purposes of reporting for retirement system only.

BE IT RESOLVED that the Town of Lake George Board be and hereby established the following as a **STANDARD WORK DAY** for employees for the

purpose of determining days worked reportable to the New York State and Local Employees' Retirement System:

Camp Director (Youth Commission)

Five day work week, **Six hour standard work day.**

Lead Camp Counselor (Youth Commission)

Five day work week, **Six hour standard work day.**

Camp Counselor (Youth Commission)

Five day work week, **Six hour standard work day.**

Camp Counselor/Lifeguard (Youth Commission)

Five day work week, **Six hour standard work day.**

Health Care Director (Youth Commission)

Five day work week, **Six hour standard work day.**

Health Care Designee (Youth Commission)

Five day work week, **Six hour standard work day.**

Bus Driver (Youth Commission)

Five day work week, **Six hour standard work day.**

Aquatics Director/Progressive Swimming Instructor (Youth Commission)

Five day work week, **Six hour standard work day.**

RESOLUTION AUTHORIZING ADVERTISEMENT FOR ADIRONDACK BALLOON FESTIVAL

RESOLUTION #129-2013, Introduced by Councilperson Heinrich and seconded by Councilperson Hurley.

RESOLVED, that the Town of Lake George allocate \$350.00 for a full page advertisement in the Adirondack Balloon Festival Book, to be taken from Occupancy Tax Funding.

Duly adopted this 12th day of August 2013, by the following vote:

Ayes: 5 Crocitto, Heinrich, Hurley, Muratori, Dickinson
Noes: 0
Absent: 0

Motion carried

**RESOLUTION APPOINTING STORMWATER MANAGEMENT OFFICER –
MS4**

RESOLUTION #130-2013, Introduced by Councilperson Muratori and seconded by Councilperson Crocitto.

RESOLVED, that the Town of Lake George designate Keith Osborne and Dan Davis, respectively, as Stormwater Management Officers to administer the Municipal Separate Storm Sewer System (MS4).

Duly adopted this 12th day of August 2013, by the following vote:

Ayes: 5 Crocitto, Heinrich, Hurley, Muratori, Dickinson
Noes: 0
Absent: 0

Motion carried

RESOLUTION AUTHORIZING LEGAL ACTION – JOHN SALVADOR

RESOLUTION #131-2013, Introduced by Councilperson Hurley and seconded by Councilperson Muratori.

RESOLVED, that the Lake George Town Board authorize legal action to require that Defendant, John Salvador, immediately pay the sum of \$14,225 and further to seek fines, costs, attorney fees and penalties, based upon the repeated refusal to comply with the Order to Remedy Violation.

Duly adopted this 12th day of August 2013, by the following vote:

Ayes: 5 Crocitto, Heinrich, Hurley, Muratori, Dickinson
Noes: 0
Absent: 0

Motion carried

John Salvador spoke stating he was unaware of this resolution and was not advised to be present this evening nor that this item would be on the agenda. He also stated he is not aware of a court order, ordering him to pay a specific amount of money for damages to Shaw Road Extension.

RESOLUTION TO MODIFY 2013 DB FUND BUDGET

RESOLUTION #132-2013, Introduced by Councilperson Crocitto and seconded by Councilperson Heinrich to modify 2013 DB Fund Budget to receive and expend proceeds from sale of truck and to fund remaining cost of new truck with DB Fund Balance.

WHEREAS, the Town of Lake George has received \$5,995.00 in proceeds from the sale of an older truck; and

WHEREAS, the Town Board wishes to use these funds towards the purchase of a new vehicle in the amount of \$34,110.00 and;

WHEREAS, the Town Board also wishes to use \$28,115.00 in DB Fund Balance towards the purchase of the new truck; and

THEREFORE BE IT RESOLVED, that the Town Board authorizes a \$5,995.00 increase to the revenue code, DB 0000.2665, Sales of Equipment and increase to the expense code, DB.5130.0200, HWY MACH-New MACH/Equip.

Duly adopted this 12th day of August 2013, by the following vote:

Ayes:	5	Crocitto, Heinrich, Hurley, Muratori, Dickinson
Noes:	0	
Absent:	0	

Motion carried

COMMITTEE REPORTS

Councilperson Muratori -

Town Court – The money forwarded to Audit and Control is \$33,015 for the month.

Planning & Zoning – Keith Osborne has submitted a report stating that the septic initiative is moving along. All properties have been cataloged. Site visits by the Zoning Enforcement Officers has commenced. No failures to date. They have also been clearing the back log of enforcement actions and have been making progress with this. There are a number of different litigations that have been hanging on for way too long which the department is now closing in on.

Price Chopper is underway with land clearing and grading. This office is getting weekly reports from the project engineer.

There is a report on file regarding the sump pump initiative. This project is near completion.

There was a Comprehensive Plan Meeting with John Wimbush from New York State regarding the first task of the Comprehensive Plan. The second task is to select committee members. Supervisor Dickinson asked each board member to provide a few names of people who they would like to serve

on this committee. Keith Osborne recommended anything below 10 people would be sufficient to serve on this committee.

Supervisor Dickinson asked Tom Center, who was present in the audience if he would like to address the board.

Tom Center of Nace Engineering stated his client, Mr. Wilson, was under the assumption that they were on the agenda for tonight. This project has to do with the Town requiring the Wilson's to hook up to the Caldwell Sewer District. Tom stated he checked out the existing system, which does not seem to be in failure. In order to connect, he would have to install a pump up system to the closest catch basin which is approximately 200 feet in front of his residence. To construct the force main system would be between \$10,000 and \$15,000. To design it, so that it could be constructed, would be between \$2,500 to \$3,000 for a survey and the design cost. The owner understands that when his system does fail, he has no option but to connect to the district. He would like the ability to stay on his existing septic system until it fails or appears to be in failure. Tom is looking for direction from the Town Board regarding this situation.

Supervisor Dickinson stated that he would like to see the Wilson's hook up to the system as this is environmentally the best way. He also asked that Tom Center verify if this was a concrete tank. At this point, the board will sit down and discuss what has to be done and get back to him.

Councilperson Heinrich -

Hillview Library – Will be having a concert open to the public at 7:30 p.m.

Caldwell Library – 980 patron visits and 186 computer users. They also had children who participated in the New York State Summer Reading Program. They offered a craft program with the Tang Museum and free tickets to the Big Apple Circus to children who read 3 books.

Personnel – The board needs to be back in discussion in filling the position of Assessor. The board asked Patty Schuster to re-advertise this position.

Buildings and Grounds – We have had several e-mails and quite busy over an oil slick at Diamond Point Beach. DEC was called immediately and they are handling this situation. This is a DEC issue and they have been very responsive. Usher Beach had to be closed on July 29th due to two lifeguards and their certifications. This was corrected and the beach was re-opened the next day. The Town made accommodations for the Big Apple Circus to use Usher's Park. Met with the Dock Doctors regarding Diamond Point Dock and came to the agreement that the old style crib dock would be a better fit than the pole dock. The slope mower will be demonstrated with the proper size mower. They took water samples from Diamond Point Beach and Usher DeLong Beach and both came back very well. They were tested at the Darrin

Freshwater Institute. They planted two crab apple trees and a maple tree at Usher's Park.

Councilperson Heinrich reminded that she is not seeking re-election and she is hoping that the board will consider some of her ideas. One of them is a free landfill day or a 2 for 1 day. The other item is an amnesty day. This is someone who may have built without a permit not needing Planning Board or Zoning Board, but would just need Keith's approval. This would get the items on the tax rolls and would alleviate Planning and Zoning from having to go out and check.

Supervisor Dickinson thanked Councilperson Heinrich and said they would consider these items.

Councilperson Crocitto -

Highway – Busy month cutting brush and mowing throughout the Town; fixed a lot of shoulders and run off issues. We helped out the Town of Bolton and Thurman with paving.

Transfer Station – There was a recommendation that we do something different with the cardboard. He did call Green Fiber and they are allowing us to use the full container that we have at the Transfer Station.

Councilperson Crocitto stated the DEC is not allowing us to burn any longer and we have to get rid of our brush which will cost money to get rid of it. There are still the free days in the Spring when you can put your brush on the curbside.

Youth Commission – The Summer Program ended August 2nd. The program under the guidelines of a Day Camp for the first time. 108 kids were signed up. He thanked the school, especially Pat Dee and Andy Caruso who worked very hard with us to try to figure all this out.

Councilperson Hurley -

Senior Citizens – The Seniors are going to the Racino on August 27th for Super Senior Day at the Racino.

Councilperson Muratori asked when the bus was going to be painted.

Councilperson Hurley stated he would check into this and get back to the board.

Animal Control – Two dog bites for July. Rabies were current and they were re-checked in 10 days and everything was okay. There were a couple loose dogs.

Diamond Point Water – Samples were taken and everything tested fine. All the valves except the 8 inch valves were repaired. The water usage for the month of July was 1,043,420 gallons. This is 33,650 per day. He suggested that we place water meters to see where this water is going. It is less than \$200.00 per house for the meters. This is not for the purpose of charging the residents, but to find out where the water is going.

Fire Department – 49 incidents.

Caldwell Sewer – Green Mountain has been down on the Beach Road cleaning and camering the lines. There is only about 150 feet to do. This is the one going to the pump station. The only person leaking into the sewer is New York State. He showed the State the issue and they agreed that this was their problem. This was major infiltration. All of our leaks have been fixed. The State has not yet repaired their line.

Supervisor Dickinson stated we need to assess how much it has cost us to treat their inflow and bill them for this.

Supervisor's Report

Supervisor Dickinson stated Congressman Bill Owens is coming to Lake George on Wednesday, August 14th. He is going to kayak down part of the lake and then go on the Floating Classroom. He is very interested in our ongoing problem with invasive species and the ongoing quality of the water of Lake George.

Supervisor Dickinson stated the Boat Washing Station is due to be here any day. He will make a phone call to check on the status.

Supervisor Dickinson stated that there was a recent incident on Mossy Point where boats were placed in the water which had milfoil and water chestnuts already on them prior to be launched. The owners were issued tickets by DEC. Supervisor Dickinson stated this is the reason we need a mandatory boat washing station now.

The board discussed a letter received from Chuck Wheeler regarding paving on Bloody Pond Road. Supervisor Dickinson has put in a phone call to Kevin Hajos and he will call him back.

The Mayor has sent a letter requesting that the Town contribute \$5,000 from Occupancy Tax to fund the Festival of Lakes Event in September 2013.

Occupancy Tax Festival Of Lakes

RESOLUTION #133-2013, Introduced by Councilperson Heinrich and seconded by Councilperson Crocitto to allocate \$5,000.00 to the Festival of Lakes from Occupancy Tax Funding, if there is enough money left in Occupancy Tax.

Duly adopted this 12th day of August, 2013 by the following vote:

Ayes: 5 Crocitto, Heinrich, Hurley, Muratori, Dickinson
Noes: 0
Absent: 0

Motion carried

Privilege of the Floor

John Salvador – Asked about the boat washing program and the invasive species. With all we are doing with boat inspections, what do we do about quarantining the areas where we have invasive species?

Supervisor Dickinson stated in general the invasive species program is run by the Park Commission. They have catalogued all the sites for milfoil and Asian clams. They are hoping in the next three years to eradicate milfoil. There has been a lot of work done with Asian clams and placing mats, which unfortunately could not be placed around the docks.

John Salvador stated he came here tonight because he had received the Our Town Reports Newsletter. He asked about the septic initiative. He asked if the board was looking for surface failures?

Supervisor Dickinson stated we have hired the key area to start in the Diamond Point area. They have delineated an area of concern. There are 67 homes in Diamond Point where each homeowner will specify their septic system, where it is located, if it was pumped out, etc. This will be catalogued and on file in the Town.

John Salvador then asked about the Comprehensive Land Use Plan committee and why it was only open to residents and not landowners also.

Supervisor Dickinson responded that it was open to any landowner or resident in the Town of Lake George and if John was interested, he should express that interest.

Kevin Mulcahy asked the board about the Consolidated Board of Health. He stated he has currently watched a project stalled from March to August 2nd where they have had difficulty getting in front of the Consolidated Board of Health. He stated the website shows we have had one meeting this year on May 29th for the Consolidated Board of Health. He asked if we had 3 people who consistently serve on the Consolidated Board of Health and also this is a board that is subject to the Open Meetings Law where these meetings need to be advertised.

Supervisor Dickinson stated there are presently 3 members on the Consolidated Board of Health. We have the Mayor, the Supervisor and Fred

Austin who serve on the Board of Health. He stated we have had a number of meetings. Most of the applications are due to the inadequate septic ordinance the Town has and we are currently in the process of updating this ordinance.

Kevin Mulcahy stated that if we have failed septics, we are still going to need to have the Consolidated Board of Health.

Supervisor Dickinson stated they do meet on an as needed basis. When applications are received, they do a phone query and meet. As far as the Corbett issue, they own a piece of property on Lake George which is pre-existing, non-conforming. They have two permanent residences on it. They came in and wanted to put in a holding tank. The Consolidated Board of Health said they did not want them to use a holding tank and that we wanted them to supply them with additional information. It took them five months to get the additional information. He stated the board finally conceded to allow them to have a holding tank which he is not happy about.

A motion was made by Councilperson Muratori and seconded by Councilperson Crocitto to move to Executive Session at 8:35 p.m.

All in favor.

Motion carried.

A motion was made by Councilperson Crocitto and seconded by Councilperson Hurley to move back to Regular Session at 9:10 p.m.

All in favor.

Motion carried.

A motion was made by Councilperson Crocitto and seconded by Councilperson Hurley to adjourn at 9:15 p.m.

Minutes typed by Patty Schuster.

Respectfully Submitted,

Deborah Foley
Town Clerk