

Minutes of the Town of Lake George Regular Meeting held on Monday, February 13, 2012 at the Town Center, 20 Old Post Road, Lake George, New York 12845.

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

**Also Present:** Deb Foley, Town Clerk  
Jim Grey, Chris Navitsky, Joanne Gavin, Thom Randall, David Kenny, Joe Stanek, M. Mulcahy, Joan and Hugh West, John Salvador, Steve Drino, Karen Azer, Rita Dorman, Robb Hickey, George McGowan, Joe Mastrodomenico, Melissa Vito, Mike Lanfear and others.

**Pledge of Allegiance:**

The meeting is called to order at 7:00 p.m. by Supervisor Dickinson and Mike Lanfear leads those in attendance to the Pledge of Allegiance.

**Approval of Minutes:**

John Salvador brings to the Board's attention Section #6609 of Law stating that there is no requirement of law that Town Boards approve minutes at the meetings kept by the Town Clerk however it is advisable that they do.

A motion is introduced by Supervisor Dickinson and seconded by Councilperson Crocitto to approve the minutes of December 20, 2011, Special Meeting; January 3, 2012, Organizational Meeting; January 9, 2012 Regular Meeting; January 17, 2012 Special Meeting; January 24, 2012 Special Workshop Meeting.

All in favor, motion carried.

**Old Business:**

**Amended Bond Resolution for Grinder**

**Councilperson Heinrich** states that the previous Board approved a Resolution to BAN a new grinder for the Caldwell Sewer District however, according to the Town's attorney, something went wrong with the previous resolution and a new one needs to be adopted amending and reinstating it.

**RESOLUTION #49-2012: Motion made by Councilperson Heinrich, Seconded by Councilperson Crocitto, amending and reinstating Resolution #133-2011 authorizing the issuance of up to \$40,000 in Serial Bonds of the Town of Lake George to pay the cost of acquisition and installation of a wastewater grinder; and authorizing the issuance of up to \$40,000 Bond Anticipation notes of the Town of Lake George for the same purpose.**

**WHEREAS**, the Town of Lake George (the "Town") has previously established the Town of Lake George Caldwell Sewer District (the "District") in accordance with New York Town Law; and

**WHEREAS**, the District operates a wastewater pre-treatment facility consisting of an upper pumping station and a lower pumping station to process wastewater prior to discharge into the Village of Lake George wastewater treatment system; and

**WHEREAS**, the facility's upper station wastewater grinder is failing and must be replaced; and

**WHEREAS**, on November 1, 2011 the Town Board adopted Resolution #133-2011 (the "Original Bond Resolution") which authorized the issuance of up to \$40,000 in serial bonds and/or bond anticipation notes of the Town to pay the cost of a new wastewater grinder; and

**WHEREAS**, the Town Board now wishes to amend and restate the Original Bond Resolution to revise certain details of the Original Bond Resolution;

**NOW, THEREFORE**, be it resolved by the Town Board of the Town of Lake George, Warren County, New York, as follows:

**Section 1.** The specific object or purpose for which the obligations authorized by this Resolution (the "Bond Resolution") are to be issued is the acquisition and installation of a new Franklin Miller Taskmaster TM14024 wastewater grinder to be installed at the Caldwell Sewer Upper Pumping Station, including related preliminary and incidental costs (the "Project"). Such specific objects are hereby authorized at a maximum estimated cost of Forty Thousand and 00/100 Dollars (\$40,000.00). The existing wastewater grinder is failing and the Town Board is required to maintain the sewer system under Town Law Section 202-a; accordingly, such grinder must be replaced.

**Section 2.** The plan for the financing of such maximum estimated cost is the issuance of up to \$40,000 in serial bonds and/or bond anticipation notes of said Town, hereby authorized to be issued pursuant to the Local Finance Law. The proceeds of the bonds or bond anticipation notes may be used to reimburse expenditures paid by the Town from other funds or otherwise on or after the date of adoption of the Original Bond Resolution. Pursuant to Local Finance Law Sections 107.00(d)(3)(i) and (l) and 107.00(d)(9), no down payment from current funds is required.

**Section 3.** It is hereby determined that the period of probable usefulness of the specific object or purpose is thirty (30) of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five (5) years.

**Section 4.** The faith and credit of the Town of Lake George, Warren County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as they become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall annually be levied on all the taxable real property of the Caldwell Sewer District a tax sufficient to pay the principal of and interest on such obligations as they become due and payable. This Bond Resolution is not subject to permissive referendum pursuant to Local Finance Law Section 35.00(b)[1](2).

**Section 5.** For the purpose of paying the cost of the Project, there are hereby authorized to be issued serial bonds of the Town up to a maximum amount of \$40,000 the maximum maturity of which shall not exceed the thirty (30) [five (5)] year period of probable usefulness set forth above, and which shall mature on or before such date as measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier. The bonds may be issued in the form of a statutory installment bond.

**Section 6.** There are hereby authorized to be issued bond anticipation notes for the specific object or purpose in an amount up to but not exceeding the \$40,000 maximum amount of serial bonds authorized to be

issued, in anticipation of the issuance and sale of the serial bonds authorized, including renewals of such bond anticipation notes.

**Section 7.** Any bond anticipation notes shall be payable from the proceeds derived from the sale of the bonds or otherwise redeemed in the manner provided by Section 23.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the bond anticipation notes and the interest on them.

**Section 8.** There are no bond anticipation notes outstanding which have been previously issued in anticipation of the sale of these bonds. Neither are the bond anticipation notes hereby authorized renewal notes. These bond anticipation notes will be issued in anticipation of bonds for an assessable improvement. These notes shall mature at such time as the Town may determine and may be renewed from time to time, provided that in no event shall such notes or renewals extend more than one (1) year beyond the original date of issue except as permitted in the Local Finance Law.

**Section 9.** Subject to the terms and conditions of this Resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewal of these notes, and the power to prescribe the terms, form and contents of the serial bonds and bond anticipation notes and the power to sell and deliver the serial bonds and bond anticipation notes issued in anticipation of the issuance of the bonds is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds and bond anticipation notes issued in anticipation of the issuance of the serial bonds and bond anticipation notes issued pursuant to this Resolution by manual or facsimile signature, and the Town Clerk is hereby authorized to affix or impress or imprint a facsimile of the seal of the Town to any of the serial bonds or bond anticipation notes and to attest such seal by manual or facsimile signature. If executed by facsimile signature, such obligation shall be authenticated by the manual countersignature of the Town Supervisor or a designated fiscal agent. The Town Supervisor, as Chief Fiscal Officer of the Town, is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions of this Resolution.

**Section 10.** The exact date of issuance of the bonds and/or notes and the exact date upon which they shall become due and payable shall be fixed and determined by the Chief Fiscal Officer, provided, however, that the maturity of the notes or renewals shall not exceed one (1) year from the date of issue except as permitted by the Local Finance Law.

**Section 11.** The Chief Fiscal Officer shall prepare the bonds and/or notes and sell them in accordance with the provisions of the Local Finance Law including, but not limited to, the provisions of Section 169.00, if applicable, and at such sale shall determine the interest rate to be borne by such bonds and/or notes. The Town Board authorizes the Chief Fiscal Officer to establish substantially level annual debt service for the repayment of such Bonds if he believes it is in the best interests of the Town. The Town Board further authorizes the Chief Fiscal Officer to issue such serial bonds in the form a statutory installment bond.

**Section 12.** If issued, the bonds and/or notes shall be in registered form and shall bear interest at the determined rate.

**Section 13.** The Chief Fiscal Officer shall deliver the bonds and/or notes to the purchaser only against a certified check or other immediately available funds. The proceeds of the sale of the bonds and/or notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest

the proceeds of sale is hereby delegated to the Chief Fiscal Officer and the power to invest in any instruments described in Section 165.00 is expressly granted.

**Section 14.** To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended (the "Code"), the Town hereby designates the bonds and/or notes as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code. The Town hereby covenants that it will (i) take all actions on its part necessary to cause interest on the bonds and/or notes to be excluded from gross income for purposes of Federal income taxes and (ii) refrain from taking any action which would cause interest on the bonds and/or notes to be included in gross income for purposes of Federal income taxes.

**Section 15.** The Town of Lake George is a town wholly within the Adirondack Park. However, State lands subject to taxation within the Town's boundaries are assessed at less than thirty percent (30%) of the total taxable assessed valuation of the Town, so permission of the State Comptroller to issue the bonds and/or notes is not required under Local Finance Law Section 104.10(3).

**Section 16.** Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

**Section 17.** The validity of these serial bonds and bond anticipation notes may be contested only if:  
(1) These obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or  
(2) The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or  
(3) Such obligations are authorized in violation of the provisions of the State Constitution.

**Section 18.** This Resolution or a summary thereof shall be published in the Glens Falls Post Star, which has been designated as the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Section 19.** This Resolution shall take effect immediately.

**Section 20.** The question of the adoption of this Resolution was duly put to a vote which resulted as follows:

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

**Councilperson Heinrich** confirms that the cost will be approximately \$33,000 however some funds will be needed for installation and any funds not needed, will not be used.

**RESOLUTION # 50-2012- Award Service Program for the Lake George Emergency Squad**

**Motion made by Councilperson Hurley, Seconded by Councilperson Muratori,**

**BE IT RESOLVED**, that the Town Board of Lake George hereby approves the Volunteer Ambulance Worker Service Award Program list of all 2011 active volunteer ambulance workers of the Ambulance Company.

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

**Notice of Roads Closed (Highway).**

**RESOLUTION #51-2012: Notice of Roads Closed**

A motion is made by Councilperson Crocitto and seconded by Councilperson Hurley.

**BE IT RESOLVED**, highways in the Town of Lake George are closed to any vehicles with a gross weight in excess of 1 ½ tons per wheel as per Article 40 Section 16 of the Vehicle and Traffic Law. This order **SHALL** be enforced **FROM March 13, 2012 to May 18, 2012.**

Permits may be acquired at the Town Highway Department, 22 Gage Rd, between the hours of 6:00 am and 2:30 pm; Monday through Friday.

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

**As per Mary Beth Casey of the Board of Elections: Discuss a new polling place as the Town Hall is becoming very crowded.**

**Supervisor Dickinson** announces that he had a conversation with Mary Beth Casey regarding assigning a new polling place however a new one will not be necessary and therefore this issue has been handled.

**Discuss issue of regulating town wide enforcement of signage.**

**Councilperson Muratori** comments that there have been some discussions that although the APA Regulations for signage were adopted some time ago by the Town, they have not been enforced. An inventory of what is out there now should be taken and reviewed since the APA Regulations have expired. Her desire is for the Board to initially meet as a whole just to discuss signage, the codes and how to enforce them.

A meeting is scheduled for Tuesday, February 28<sup>th</sup> at 4:00 pm.

**Permission for Ragnar Relay Race to run through Lake George.**

**Supervisor Dickinson** explains that the Ragnar Relay race is different from other races since it encompasses distance, challenge and steep grades. The promoters have asked for permission to run through Lake George and a resolution is needed.

**Ragner Relay Race**

**RESOLUTION #52-2012: Motion made by Councilperson Crocitto, Seconded by Councilperson Hurley, allowing the Ragnar Relay Race to go through the Town of Lake George in September.**

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

**Discussions on procedures to revise Septic and Sanitary Provisions of Town Codes.**

**Supervisor Dickinson** announces that the Board is reviewing the Town's sanitary codes in the hopes of revising them and although it has turned out to be more challenging than expected, progress is being made. Robb Hickey is working with Chazen, the engineer and Mike Hill (Town's Attorney's office) to help with this project. The goal is to come up with a list of all the proposed changes so a public hearing can be scheduled.

**Appointment to the Adirondack Glens Falls Transit Council.**

**Supervisor Dickinson** comments that the Glens Falls Transit has asked to designate someone from the Town to be on their Council and Councilperson Hurley has been designated to represent the Town at their meetings.

**Request from Sister Cities Officer (Lynn Potenza) for a contribution of \$1,500 to continue the program with Saga City, Japan.**

**Supervisor Dickinson** states that Lynn Potenza has asked the Town for a contribution of \$1,500 in order to continue the sister program.

**Councilperson Crocitto** continues by stating that the other communities who contribute to the program are Glens Falls, Queensbury and Lake Luzerne.

**Supervisor Dickinson** explains that originally the County contributed \$5,000 but in the last two years the County cut down their contribution to \$1,000 therefore they are trying to make up the difference among the other communities.

**Councilperson Muratori** comments that it is a major cultural initiative and even though Saga City was not affected by the tsunami, the organization was a conduit by which people contributed funds to Japan. They raise most of their money however they also need help from the community.

A discussion ensues among the Board Members.

## Saga City Donation

### **RESOLUTION #53-2012: Motion Made by Councilperson Hurley, Seconded by Councilperson Heinrich,**

**BE IT RESOLVED** that the Town Board of the Town of Lake George will donate **\$1,000.00** to the Saga City, Japan Organization so they may continue their sister program.

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

### **Discussion regarding reinstating the residency requirement for Comptroller in the Town of Lake George.**

**Councilperson Heinrich** states that in 2010 the previous Board passed Local Law #3-2010 eliminating the residency requirement for the Town's Comptroller. At that time she voted against it and would like to bring it up for discussion since the current Comptroller resides in Lake George.

**Councilperson Muratori** is agreeable to the residency requirement change as well as wondering if the Comptroller or other employees should attend the Town Board Meeting if needed.

**Councilperson Heinrich** believes that in the instances where money is being transferred the Comptroller should attend the meetings especially if the Board Members have not had a chance to review the transfers with her.

**Supervisor Dickinson** informs the Board that he spoke to Wendy Baird and she will provide the Board with a monthly synopsis of the Town's finances and where the Town stands. He will then ask the Board to accept the report in the form of a Resolution. In response to Councilperson Muratori, he feels that in the event that specific information is needed at a meeting only those employees that can provide insight should attend.

**Councilperson Heinrich** would like to see the residency for the Comptroller reinstated and if the Board agrees then a public hearing may need to be scheduled.

### **Residency Requirements for Comptroller**

**RESOLUTION #54-2012: Motion Made by Councilperson Heinrich, Seconded by Councilperson Crocitto,** **BE IT RESOLVED** that the Town Board have a Public Hearing if needed to revise Local Law #3- 2010 Residency Requirements for the Comptroller of the Town of Lake George to reside in the Town of Lake George.

A motion is made by Councilperson Heinrich and seconded by Councilperson Crocitto.

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

A decision is made by the Board to schedule the Public Hearing for March 12, 2012 at the Town Board regular meeting.

**Councilperson Heinrich** asks the Board Members if they received the revised Employee Handbook and if they are ready to adopt it although some minor corrections still need to be made. She also informs that there will always be changes in the handbook in the future; her current goal is to provide the employees with an updated handbook since they have not had one for several years.

**Adoption of the Revised Employee Handbook.**

**RESOLUTION-55-2012-Motion by Councilperson Heinrich, Seconded by Councilperson Crocitto, WHEREAS**, the Employee Handbook prepared in conjunction with the Public Sector HR Consultants has BEEN reviewed and revised Sections 100 through 1200 has been adopted and

**WHEREAS**, the final section of 1300 Employee Acknowledgement Form along with an updated Table of Contents has been prepared by the Public Sector HR Consultants for formal adoption and

**THEREFORE BE IT RESOLVED** that Employee Handbook dated February 13, 2012 **SHALL BE** adopted in its entirety for distribution to all employees.

A motion is made by Councilperson Heinrich and seconded by Councilperson Muratori.

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

**Supervisor Dickinson** states that Phil Goucher has taken a class therefore proving his position and qualifications to be promoted to MEO which is the next step for his career with the Town.

**Title and Pay Change for Phil Goucher**

**RESOLUTION #56-2012: Motion by Councilperson Crocitto, seconded by Councilperson Heinrich, BE IT RESOLVED** that the title of Highway Department employee Philip Goucher Jr. be changed from Laborer at \$14.79 per hour to MEO with a pay raise to \$17.46 per hour.

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.



**Sick Time Sellback Rate**

**RESOLUTION #57-2012: Motion Made by Councilperson Hurley, seconded by Councilperson Heinrich,**

**WHEREAS**, the Town of Lake George limits accumulated unused sick time carryover to 120 days; and;

**WHEREAS**, employees who accumulate more than 120 days as of the last payroll in December are allowed to sell back the amount in excess of 120 days for a predetermined hourly rate; and

**WHEREAS** exiting employees are also to sell back accumulated but unused sick time for a predetermined hourly rate; and

**THEREFORE BE IT RESOLVED** that the Town of Lake George Board hereby establishes the sick time sell back rate at \$7.50 per hour.

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

**Councilperson Crocitto** states that there are two budget transfers; one is to an “Interloan Fund Balance” from the Caldwell Sewer District and the Diamond Point Water District; the debt service will be covered by re-allocating funds so these balances can be paid off. These balances are prior to 2010 and have been carrying over and this procedure to pay them back is the proper way to do it as per the State Comptroller’s Office, Wendy Baird and Mary McKrell and it will take three years.

**RESOLUTION #58-2012: Budget Transfers**

**A motion is introduced by Councilperson Crocitto and seconded by Councilperson Hurley.**

<b>From</b>		<b>To</b>		<b>Amount</b>
<b>2011</b>				
DB.1990.0400	HWY-CONTINGENCY	DB.5110.0100	Highway Gen Repair Rd--PS	\$ 4,308.73
DB.9060.0400	HWY--Health Insurance	DB.5110.0100	Highway Gen Repair Rd--PS	\$ 9,190.29
<b>TOTALS-2011</b>				<b>\$ 13,499.02</b>
<b>2012</b>				
A.5132.0425	HW GASBOY Maint	A.5132.0412	HWY Garg Rep Build/Prop	\$ 600.00
A.1620.0453.ASC	Uniforms Sr. Citizens	A.1620.0412.ASC	REPAIR BUILD/Prope Sr. Cit	\$ 400.00
<b>TOTALS-2012</b>				<b>\$ 1,000.00</b>

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYES: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

**RESOLUTION #59-2012: Year End 2011 Expense and Revenue Control Report**

A motion is made by Councilperson Crocitto and seconded by Councilperson Muratori.

**Councilperson Crocitto** comments that as Supervisor Dickinson previously reported, the Board will be getting an end of the month expense and revenue control report; the most recent one is the December 31<sup>st</sup>, 2011 which is also the end of the year report. The “Adjusted Budget” for 2011 was \$5.3 MM and the actual total expense was \$5.2 MM which gave the Town a surplus of \$310,000.

The Town was also under spent in a few of the codes: Fund A - \$84,000; Fund B (Part Town) - \$9,100; Fund DB Highway \$65,000. The Town is coming into the new year as of December 31<sup>st</sup> 2011 with a surplus of over \$439,000.

**Supervisor Dickinson** informs the public that if anyone is interested in reviewing the budget transfers, they can stop by or contact the Town as well as the information being in the minutes which will be on line.

**AYES: 5 Hurley, Heinrich, Crocitto, Muratori, Dickinson**  
**NAYS: 0**  
**ABSTAIN: 0**

All in favor, motion carried.

**COMMITTEES REPORTS:**

**Councilperson Dan Hurley:**

- Fire Department –
  - Regular drills are being conducted.
  - Monthly meetings well attended and run.
  - Needy repairs are being done to the hydraulic system on the tower.
  - The purchase of a “Chief” vehicle for an Assistant Chief is being pursued as per State contract.
  - Talks were held with Tom McKinney about the use of the Fire Department’s van for the Senior Citizens which would be more economical than the trolley.

**Councilperson Hurley** states that the Trolley is being used for one or two senior citizens to go shopping therefore it may be a good idea to use the Fire Department van instead. Councilperson Crocitto asks who would be driving the van to which Councilperson Hurley replies that it has to be a Town’s employee and Don Fangboner’s name comes up as a suggestion.

A discussion ensues among the Board Members.

- Senior Citizens –
  - A luncheon was held on February 2, 2012; it was enjoyable with approximately 30 in attendance.
  - Good meeting by John Herzog.
- Dog Warden –
  - 4 calls were received with 2 bites.
- Diamond Point Water
  - Visited with Joel and everything is in working order.
  - Joel took monthly water test at Horace Finkle’s house and it came back negative.
  - Purchased supplies, marked the hydrants that are not in service.

Treated and used water was 1,890,000 gallons.

A discussion ensues as to the number of gallons being too high for the month with Councilperson Hurley concluding that he will research it.

- Sewer Report

Danny Merino marked the sewer lines on 9L by the school for possible tap.

Cleaned wet wells daily; ran mixer at lower station weekly and plugged three drain pipes from Battle Ground Park off West Brook Rd.

Cleaned steps and rails at uppers station.

A tour was conducted by Councilperson Heinrich, Councilperson Hurley, John Root, Dave Harrington, Tim and Danny Merino to check all stations and they are all perfect and in much better shape than the Village. The Town has many new parts which make them superior to Sheppard Park. Spare parts were offered to the Village.

**Councilperson Hurley** believes that when it comes to purchasing spare parts, the Town and the Village should work together.

He has reviewed the movies from the cameras in the water lines and has seen leakage which needs to be addressed. As for DEC, he was told that a contract has been awarded and water flow should be fixed this spring.

**Councilperson Muratori** asks if DEC will be charged for putting flows in the Town's water lines to which Councilperson Hurley replies that as far as he knows they have never been charged. He understands that the line was repaired by Dan Merino last spring; Robb Hickey informs them that the line was capped off but two days later it started to leak again and realized that it is an active line and reconnected it again.

**Councilperson Hurley** continues by stating that when he looked at the movies he saw a lot of infiltration, tree roots but no sump pumps however these pipes need to be slip lined and then explains how this process works and how it is being done. He recommends it but funds need to be gathered for this type of project first.

**Councilperson Heinrich** informs the Board that the State promised that this issue would be taken care in the fall of 2011. Councilperson Hurley will pursue if there will still be flows from the State and whether to charge them.

**Supervisor Dickinson** announces that he has been in contact with Dave Decker who is with DEC in Warrensburg and has a meeting scheduled, when they meet he will ask him about payment.

**Councilperson Muratori** asks if Councilperson Hurley knows the length of pipe being slip lined to which he replies that he does not know.

**Councilperson Fran Heinrich:**

- Libraries –

She met with both libraries and the Caldwell Library is offering a pre-school hour to design t-shirts with children on February 23<sup>rd</sup> at 10:20 am.

The Library Board will be hosting a fund raiser at East Cove on March 1<sup>st</sup>.

- Buildings and Grounds –

She, Dan Davis, John Root, Jim Martino and Dave Harrington had a meeting to discuss the possibility of some agreements for buildings and grounds.

Carpeting is scheduled to be installed in the building and she is recommending charging some of the other organizations who use the building for meetings since, at times, they spill coffee, etc. as well as suggesting that for those groups who meet in the evening hours if they could use the Senior Citizens building. She recommends charging a fee of \$50.00 but will check with the Seniors to see if they are agreeable to her suggestion.

- Warren County Bicycle Committee –

She was told by Lloyd Mott that John Carr, who served on the Board of Directors, has resigned and she would like to put it out to any citizen who might be interested. She had conversations with Bert Weber in the past and will try to approach him again; John Root and Dave Legg are other suggestions.

### **Councilperson Marisa Muratori:**

- Planning and Zoning –

She received a thorough report from Robb Hickey and will share some of the highlights: the lawsuits that the Town has are still in Court awaiting decisions. Adele Behrmann is now helping Robb a great deal with Planning and Zoning in the office. Robb is continuing to check the sump pumps and different activities and project that are currently in progress. He has met with the Exit 23 grocery store engineers and plans were submitted. Robb believes that it will most likely take one year before the project is finalized since there are some issues with the sewer that need to be worked out. It is likely that a new sewer district may be formed in the Town of Lake George. The report from Robb Hickey is available to anyone who is interested in looking at it.

Eventually Planning and Zoning will be moved to a digital system which means that everything will be stored digitally as well.

Another issue is the sign ordinance and enforcement of it by Robb Hickey.

- Courts –

Justice Stafford's cases were mostly vehicle and traffic ones and the money forwarded to audit control year to date is \$12,005.00; as for Justice Reichenbach, he had 135 cases mostly vehicle & traffic cases. The money forwarded to audit control was \$12,682.50.

- Transfer Station –

She and Councilperson Crocitto have been working on the Transfer Station project which is a complicated one. The question is how to upgrade it, take a look at all the workings including the budget and how to make it cost neutral. A decision was made that very soon the recycling truck will be phased out since there are not a lot of people using it and to save money.

The goal for recycling for the Town is to make it more accessible and more central. She would like to encourage people to visit the transfer station for all kinds of reasons with the ultimate goal being to make most of what people dispense with recyclable and very little of it as trash to be brought to the burn plant. They are exploring different companies who take recyclables and what they have to offer. They would like to make the transfer station as an interesting place where people can pick up compost or wood chips and/or access other services that the Town has to offer such as trails, etc.

Putting up solar energy collection on the Town and Village properties is also being pursued. They have talked to three companies and they have three different approaches to it. Two of them will provide 100% finance; they have come in to review the buildings however the last one in was the most interesting one since they proposed to put a solar farm at the transfer station; the energy would be collected into a station and transferred to substations directly into the grid. She hopes that in the near future, the transfer station and the rec center will become a lot more interesting.

**Supervisor Dickinson** states that solar power is interesting however the savings is only about 10% however the solar farm is interesting since it will go directly into the grid which the Town will get credit for.

## **SUPERVISOR REPORT:**

**Supervisor Dickinson** has been quite busy with meetings at the County. At a DPW meeting one of the resolutions passed was to take 1/3 of the DPW load and give it to the Facilities Committee. He also had a meeting with the Tourism Committee and was very pleased with their professionalism and the fact that they are very active and diversified and have a lot of information directly tied to their advertising. They have an IT person in charge of their web site which is in a constant state of flux with almost instantaneous updates. He was also updated on how bus tours are tracked and how different tours are approached to try to get them to come to Lake George. He looks forward on continuing on this committee.

He received a letter from Cole Gailor asking if he would attend his Eagle Scout Ceremony which he did. He is a very ambitious young man and Supervisor Dickinson was very impressed by the number of qualifications to meet in order to receive this badge.

He has had several meeting with the Exit 23 grocery store with the Price Chopper people and the developers. It looks like a nice project and the Mini Chopper will be kept open. They are asking for the Town to help with the sewer and water. The Town of Warrensburg has extended their water across the bridge and is serving some of the people in the Caldwell District as well as Price Chopper however the sewer is different. The end of the sewer line is before the bridge and Price Chopper can tie into it but will have to find out how much it will cost from Warrensburg. The other alternative is to go to Harrington Hill Road to another pump station which would accept their sewage however in this case the grade is very steep with existing wet land. DEC has allowed them to form a district by picking up four or five clients.

He is glad to hear that the digital initiative is moving ahead since it will save a lot of paper for the Town. Washington County Planning and Zoning office are digitalized and are very pleased with it.

He spoke to David Decker, head of DEC in Warrensburg and was told that he has some grant money available for sewer improvement therefore they will meet again at a future date.

## **PRIVILEGE OF THE FLOOR:**

**John Salvador** asks about the septic and sanitary to which Supervisor Dickinson replies that the Board does not have a full report to present and are compiling the information. As soon as they have it a public hearing will be held. His second issue is with the alternate members of both the Planning and Zoning Board of Appeals. The Town law dictates that a Board member can be substituted with an alternate only in the even of a conflict of interest and not if the Board member is sick, out, etc. Supervisor Dickinson states that he will take this issue into consideration. He continues that he received two tax bills for the same parcel of land one for the Lake George School District and one for the Warrensburg School District and after some research he found out that the Warrensburg School District extends in the Town of Lake George into the Shaw Road area.

**Supervisor Dickinson** informs Mr. Salvador that a portion of Lake George is serviced by the Warrensburg Fire Department however he was erroneously included in Warrensburg Fire District and is in fact in the Lake George district. He then directs Mr. Salvador to a map that Robb Hickey has showing the correct fire district.

**Robb Hickey** informs Mr. Salvador that his map is not correct and if he were to call the fire department with an incident on Shaw Road, the County would dispatch the Lake George Fire Department.

**Supervisor Dickinson** adds that the map will have to be corrected by removing the parcel from the Warrensburg Fire District and adding it to the Lake George Fire District which is more expensive. Mr. Salvador asks if the same can be done for the school district to which the answer is no.

**Melissa Vito** she would like to make the Board aware that it is time to realize that the unthinkable has happened to Lake George. Dead zones and algae blooms can be found in the lake as well as the fact that it is now on the impaired water bodies list and everyone's goal should be to reverse the degradation and bring the lake back to its pristine condition. She is disturbed by the variances and permits being granted by the Planning and Zoning Boards for projects with no strict regulations on buffers and ban on fertilizers and pesticides; there should be more oversight by the Boards and considerations to better the process. The Waterkeeper does a good job analyzing the projects and making suggestions but the Boards seem to ignore them; the Town Board might consider revising the codes in order to protect the lake.

**Chris Navitsky** would like to comment on several recent subdivisions applications being reviewed by the Planning Board concerning proposed density exceeding the capacity of the land. Requests have been made to the Planning Board to reduce the density by removing the unbuildable land from the density calculations unfortunately the Board has been allowed to maximize the amount of buildings based on zoning and not the potential negative impact to the environment or community. The Planning Board claims it cannot be done which is incorrect based on Town Laws. He disagrees with the position taken by the Planning Board since it should be flexible with the codes and grant waivers to subdivisions based on site and community conditions such as the grocery project where the Board was instrumental on the architecture of the building. NYS Town Law states that the Planning Board has an advisory obligation to be aware of the community needs and goals and then continues to quote from a section of the NYS Town Law. (A full version of the comments are attached).

**Supervisor Dickinson** responds to both Melissa Vito and Chris Navitsky by stating that since he has taken office he has been working closely with the Planning Board members on different projects. The Town has qualified Members and Chairman who are interested in the health and well being of the Town, they take their jobs seriously, take educational courses to improve themselves and they are doing an excellent job. In some instances they are restricted by the Town's ordinances however he is in the process of reviewing these ordinances and the master plan as well and to that end he has had some discussions with the APA and when more information is obtained he will make it public and hopes that the Waterkeeper will be involved also.

**Joanne Gavin** comments on the trolley issue and since some volunteered to drive the trolley, her question is if the drivers will all be volunteers to which Supervisor Dickinson replies that nothing has been finalized and they are still just discussing it.

**Councilperson Heinrich** responds that the driver of the van has to be a Town employee who will want to be compensated.

A discussion ensues among the Board Members and Joanne Gavin.

**Joanne Gavin** continues by stating that the trolley is also used once a month to bring the seniors to the racino and has no seat belts; it is handicapped accessible, etc. These are issues she brought up to the last Board and is now bringing up to this Board since it is a concern. She would like to see the Board follow up on the flows in the Caldwell Sewer District with the State since it is costing the residents potentially a lot of money. She is informing the Board that Home Depot has a recycling bin for light bulbs to which Councilperson Muratori adds that she is looking into a company that takes any light bulb. She agrees with the statements that Melissa Vito

and Chris Navitsky made and hopes that the Board will consider them and possibly form committees to try to address these concerns.

**Supervisor Dickinson** states that these issues are important to the Board and it is frustrating to try to change any legal documents since it is a lengthy process. He would like to see an emergency fund for the County should there be a need to deal with invasive species since currently there are no funds. Another project that is being researched is a boat wash to be put in place before the summer. These issues all take time and the Board is just as concerned with the environment as anyone.

**Robb Hickey** is speaking as a Board of Directors with the Fire Company on the van issue. It seems as though the offer by the Fire Department to use the van as needed on occasion changed to it being used any time with volunteers driving it. He is willing to help the community however there should be some control over it by the Fire Company. The Town can consider purchasing a van if it will be used exclusively for the seniors and will be driven by volunteers.

**Councilperson Hurley** replies that he will research it further.

A motion is made by Councilperson Crocitto and seconded by Councilperson Heinrich to adjourn the meeting at 8:55 pm.

All in favor, motion carried.

Minutes typed by Adele Behrmann.

Respectfully Submitted,

Deborah Foley  
Town Clerk