

Minutes of the Town of Lake George Regular Town Board Meeting held on January 11, 2010 at the Town Center, 20 Old Post Road, Lake George, New York 12845.

The meeting was called to order at 7:30 p.m., by Supervisor McCoy. He led those in attendance in the Pledge of Allegiance.

Members Present: Frank McCoy, Supervisor
Vinnie Crocitto, Councilperson
Fran Heinrich, Councilperson
Caryl Clark, Councilperson
Scott Wood, Councilperson

Others Present: John Vice, Dan Cracco, Jack Abrahams, Jim Grey, Frank Carvoce, Cam Aust, Ken & Laura Collette, Patty McKinney, Bob McKinney, Peter Keating, Kathy Redpath, Dave Redpath, John Kearney, Joanne Gavin, Mary Didio, Mary Alice Leary, Joe Stanek, Doug Wipply, John Hill, Tim Hill, Alex Lanfear, Dana Seguljic, Mike Seguljic, Janie Green, Hollis Ovitt, Tim Goutos, Tina Cacchello, Kathryn Muncil, Connor Muncil,

APPROVAL OF MINUTES

A motion was made by Councilperson Crocitto and seconded by Councilperson Clark to accept the December 14, 2009 Town Board Minutes.

Ayes: 4 McCoy, Clark, Wood, Crocitto
Nays: 0
Abstain: 1 Heinrich

Motion carried.

Supervisor McCoy stated they were going to change things around a bit. He would like to do the privilege of the floor first. This gives the board a chance to respond to things people do say during the privilege of the floor. He suggested that beginning next month if you want to speak on privilege of the floor, that you let Debbie know before 12:30 on Friday and she will put you on the agenda. This gives the board a chance to do a little research on what the public will be speaking about. He stated he would like to have a time limit. He asked for the board's thoughts.

Councilperson Clark said if you know what someone is going to speak about, this would give the board a chance to research.

Councilperson Heinrich stated that when a citizen has privilege of the floor, there may be someone else in the audience who wants to respond and they should be able to do that.

Councilperson Crocitto stated privilege of the floor is for the public and does not feel they can put a time limit on it.

Councilperson Wood stated they could still sign up, but if there was someone else who wished to speak, they could allow this.

The board agreed that it would be good if you called ahead, but they would still allow privilege of the floor at the meeting.

PRIVILEGE OF THE FLOOR

John Kearney: Good evening. I'm sure you realize, everybody else realizes and anybody that opened their property tax bill this week, if you're still alive, God Bless You, that you didn't die of a heart attack. I will say this to the Town Board, my understanding is, we know where the problem came. It came from the Warren County Board of Supervisors when they decided to go with the massive property tax increase as opposed to the 1% temporary sales tax increase. My understanding is that had they voted for that, that we would not have had an increase in the Warren County or the Town taxes. Is that correct?

Supervisor McCoy responded that neither one of them would have been as great as it was.

John Kearney: I congratulate you for sticking to your guns; you, the former board and Supervisor for at least hanging in there and voting against this. This is an Obama nation. On the tax bill this year we got whammied four times. We got an increase in the County, an increase in the Town, an increase for the firehouse and a magical little amount reappeared on my bill this year called the sewer assessment, which wasn't there last year. It was there the year before. We had a big discussion about this. We changed the way the sewer tax was collected based on units, not as good as meters, but at least it is more fair. Last year my understanding was that there was a surplus in the sewer funds and that Lou and the board elected to use that to cover this extra assessment. No objection. Thank you. The problem is we never got a letter explaining that. I would have been here a year ago if that's the case. The only thing I'm here for tonight is I am not in favor of and will fight to the death any type of sewer or water or any other miserable commodity being part of assessment. It's not fair. It's bad enough what we're paying for units. In my house, there are two of us there and we pay far more in sewer because of units that somebody who lives over here that has four or five or six people using that toilet every day. We're still getting hammered for this. That extra \$539.00 tied to my

assessment is absolutely unfair. I would like to see that part of it rolled in to the unit charge. That's all I'm asking for at this point. I'd like to see meters, but that being aside, using the unit system that we have now, all of the sewer should be based on the units. We're subsidizing other people. We're getting killed with land taxes and we're subsidizing people that don't live on the lake. The sewer is a miserable commodity. X number of dollars being spent on sewer every year, that has to be spread out over units or meters. I don't believe it's fair to be charged sewer based on assessment. I have two people living in my house. I don't even use the minimum amount of water. How can I be using \$1,300 a year for sewer? That's ridiculous. I'm asking the board to go back in and take that extra charge and put it back in with the units. I commend you for at least trying to keep our tax rate down. One quick thing, I assume most of you young folks are here because of the skateboard park. I'm not at all opposed to you having a skateboard park. Have fun. Enjoy yourselves. Be safe. You have picked probably the worst time in history to come and ask for money. This is about as bad as it is going to get with everybody getting their tax increase. If you can find a way to self-fund, God Bless You.

Luisa Craig-Sherman: Executive Director of the Lake George Regional Chamber of Commerce and Convention Visitor Bureau. I'm presenting tonight a special initiative that the Lake George Regional Chamber has taken on under its program committee. It has come about based on local business people coming to us and saying can we put together some type of committee. I'll read you my statement here. The Lake George Regional Chamber of Commerce and CVB through its program committee has recently launched an initiative called LG Vision 2020. The naming of this ad hock committee was very purposely done. LG Vision 2020 is charged with looking at the strengths and weaknesses of the business community, the interdependency between the residential and business sectors within the Town and the Village of Lake George and to bring to the forefront key goals for economic growth and tourism development to be realized by the year 2020. The Lake George Regional Chamber of Commerce has over 85 retail, restaurant and attraction members and 96 hotel, motel and campground members, for a total of 181 chamber members and organizations just within the boundary of Diamond Point to the southern end of the Town of Lake George. We recognize that through our process, an increased awareness of the codependent needs of the environment, business and residents will be realized. While it may seem a long way off, nothing takes the place of good, strategic and well thought out planning and an implementation process to reach major goals. We can plan all we want, but if don't create measurable implementation plans, we're going to turn around at 2020 and say it was a good idea, but nothing got done. Our goal is to get things done. We are at our starting point. This effort has been initiated by our own chamber member businesses, in retail, restaurant and attraction sectors, who have asked the chamber to start a program and who own businesses

in Lake George. Over time we will expand to include hoteliers and residents both in the Town and Village. Our goal here tonight is to begin the open communication process with elected officials and Town Departments as we move forward. We will look to you, our Government leaders, for support and recommendations on project plans and objectives. Together we can celebrate New Years Day on 2020 with pride and a stronger Lake George. We anticipate focusing on helping our community become an even more clean, safe and friendly community over the coming years. This clean, safe and friendly mantra is one that is used by thousands of organized National and State main street districts across the United States. Through their extensive studies and surveys nationwide, the National Main Street program based in Washington, DC has noted that when a community is clean, safe and friendly, their residents and their businesses thrive. Their economic health improves and they are able to elevate their quality of life without having to sacrifice affordability for both the residents and the businesses. We will be using the Town and the Village's Master Plans as useful tools and will strive to elevate involvement of business leaders and residents alike. We will be looking outside our boundaries to other tourism based communities near and far to see what best practices we may employ here to our own benefit and to ensure that we maintain and grow our tourism base. It is hugely important for the residential community that our tourism base stays strong. Otherwise, what this gentleman just said about taxes, you don't even want to go there if you don't have the tourism tax base supporting the bigger bottom line. Currently, we are seeing an erosion of that base. People are going elsewhere. They have more choices. Further economic erosion could spell the need to shift the majority of the tax burden currently being supported by the business sectors onto the backs of residents if we continue to see a decline in our tourism segment. The rising tide floats all the ships and the LG Vision 2020 subcommittee of the Lake George Regional Chamber of Commerce and CVB is happy to provide the facilitation for such an effort. We ask for your support at this early juncture and look forward to bringing you timely updates on our progress. One more step that we did initiate at the Village meeting was the Board of Trustees did appoint a liaison to work with this Vision 2020 committee so we would ask if there is someone on your board who would like to be entrusted with that liaison, we would love to have them. Our meetings do happen during the weekday hours. Thank you.

Supervisor McCoy opened the comments to the floor.

Kathy Muncil: Welcome Supervisor McCoy. I gave everybody a copy of this, all the board members. Although I am on this side of the table from all of you, be assured we who are on this side are actually on the same side as the board. I look forward to working with each of you to make Lake George a magnificent place to live and visit. For me to be able to participate as an educated citizen, I respectfully request that you consider the following:

Budget Process for the future

- Please schedule the public budget meetings now for next year so that interested residents and business people can plan to attend. Like many school systems do, can you please identify what area of the budget will be addressed at each meeting? This allows for people to participate in the areas in which they are interested.
- Can you please release the first available budget earlier than the 2010 budget was released? It should be released at least a week before the first budget meeting with enough detail for citizens to understand or to ask questions.
- In the case of an election year, can you please issue the draft at least 2 weeks before the election?
- Please provide a written summary which addresses each area of the budget. This should be compared to last year and the reason or theory behind why the budget is crafted as presented. Is this currently available for 2010? I ask this specifically because I have had different responses on the same questions from different Board Members.
- The current budgets handed out have no detail – as a stand alone document they provide absolutely no understandable detail for a citizen to discern the financial status of the Town. Would you please consider assembling a Citizens Advisory Committee to review what financial information can reasonably be presented to citizens? At a minimum, it should be information at the same level of detail that Town Managers get to make decisions.

Current 2010 Budget

- Can you please prepare a summary of any increases and decreases in expenses or revenues over 2% compared to last year with reasons why?
- Will you continue to work at reducing this year's budget in hopes the Town will end the year with a surplus?
- Will you use that surplus against next years tax to reduce the 2011 taxes collected?
- What capital projects are budgeted and at what amount?

Helping all residents to be knowledgeable – Transparency

- Can you please make a financial review of budget to actual part of the monthly meeting? Prior to this, please post the financial document on the website so that meeting attendees can review and ask questions ahead of a monthly meeting rather than take up time at a public meeting. They can be scanned and put on the website like agendas and minutes.
- Will you please create minutes which are verbatim? This question has been asked but I have not heard an answer. I see the last minutes were not verbatim.
- Will you please have the meetings televised for the many concerned citizens who can not make the meetings?
- Will you please answer questions asked in the following meeting in writing? If the answers to the many questions raised are posted on the website it would save your staff a great deal of time with FOIL's?

I look forward to the answer to these questions. I respectfully ask that they be made in writing so there is no misunderstanding of the answers.

Tim Goutos: I'm first going to start by saying, we are only 6 people here right now, but the skateboarding movement and the body is a lot bigger than this. There are a lot more in our school and also a lot of younger brothers and sisters in the Elementary School that are aspiring skateboarders. We're not here to ask for money because we know it isn't there right now. We're here to ask for support and to show that there is a need and a want for a skate park here. We need land. That is our first request. We've got some money ourselves and we're perfectly capable of getting more money, but support from the Town, the Village, the community and the parents is what we're here for right now. I know we all may look like a bunch of skater kids. Honestly, I have respect for each and every one of these kids. This is one of the biggest things that we've been asking for. I know that we do skate on a lot of the property on the off season, but we do have very much respect for property and other people's land area. We are looking for a skate park that we could get in for free. When I go on vacation my parents always look for skate parks for me to go to. I'm almost positive that when people come here for vacation, they will be looking for a skate park.

Tina Cachello: I've been working with these kids. What I understand is the space that we're looking at on this property is about 22,662 feet. The measurements that we came up with, it's a removable skate park, so if the first place we have doesn't work out, it's removable. We can move it other places. It's 50 x 80. It's half the amount of space we have here

at Town Hall. We're not asking for money to do this. We're looking at car washes. I had a spaghetti dinner. Communities that Care, Act for Youth; they are all working with these kids. We had looked into a Tony Hawk's Grant, but we got denied that. There are a lot of other grants we can look into. As far as the measurements, they're all kind of raw. I just got them tonight. I'm trying to work with them. Any help. Any suggestions would be great.

Councilperson Clark questioned the lighting.

Tina Cachello stated it was going to be lighted and locked and gated. I don't know maybe down the road, we can look into, in Ravenna and Clifton Park, it's run through the Parks and Recreation Program. I know there are waivers that you have to sign for insurance, but we are looking into that.

Councilperson Clark asked about the supervision of the park and also asked if the Mayor has come up with an idea of where he wants this.

Tina Cacchello responded it will be supervised, gated, locked at night with limited hours.

Dan Cracco, Director of the Youth Commission. He stated he supports the kids 100%, but does not see how it can be under the banner of Youth Commission. He does not see how it is going to work as waivers do need to be signed. He stated he has been talking with businesses in the Village and would like to sit down with the kids to see what they can come up with. He stated he does not feel that the Town parking lot is a safe area as they will be skateboarding down the hill when they leave. He stated he is 100% behind them and will help them find the right area.

Councilperson Crocitto asked who would be using this park.

They kids responded that anybody would be welcome. It would be open to anyone even if they were not from Lake George.

Supervisor McCoy commended the kids for coming before the board tonight.

Dave Redpath: I'm a resident of the Town of Lake George. First of all, I wish you all a very peaceful and productive 2010. Benchmarks, at last month's Town Board Meeting, I spoke about the need to have a written report of Town Board Meetings, which accurately reflects what transpired at those meetings. Debbie Foley I congratulate you on the excellent job you did on reporting on the proceedings of the December 2009 meeting. Fran Heinrich, welcome to the board and thank you for your willingness to serve the community.

Patricia Dow: I want to speak in support of consideration of the skate park effort. I think these kids should be commended for stepping forward and doing it in a respectful fashion, earning money and trying to find a safe place for their application. The Lake George Communities that Comes Together is behind them and would like to support it also. It's a health activity for kids. It doesn't involve drinking or drugs and I think the community would do well to support them. It also shows leadership that they would come forth and organize to earn the money and to think about these things. I would like to ask that politics could be put aside and the efforts of both the Village and the Town could work together to find a place that is suitable and making positive steps towards achievement of this goal. Whether its run under the Youth Commission, or its run by the Town or the Village or private community, I don't feel like it matters, I feel the important thing is to honor their pride of trying to be a community member and seek to go forward on this. They are working hard on being a good citizen. I think it behooves all of us adults to honor this commitment and step forward and work non-partisan on their behalf. I would urge you to continue the conversation and try to meet with them and find a way. I also think it would benefit the tourism base. I totally buy into the idea that parents need to something to do with their pre-teen kids when they come visiting. Thank you.

Jack Abrahams: I'm a resident of the Town of Lake George. Welcome Fran. Welcome Frank to your new position. It is a new board and there are different responsibilities to the board and I think we should all take a deep breath and support the board in any way the residents can to bring us to the year 2011. Good Luck and I know it will work.

John Carr: I'd like to congratulate Fran and Supervisor McCoy on their success and the whole board and wish you the best of luck. I'm excited about the new board. It's a challenging time. Budgets are tough. I urge the board to look for other sources. We've got communities that we do have good relationships with, but we do compete with them; whether it's Saratoga or Glens Falls, Bolton Landing. We compete with those for tourist dollars. I look at what Queensbury has done with their economy and their rooms. I look at Downtown Glens Falls with almost \$1,000,000 in grant money. I hope this board is going to go out and look and be creative and dig around and use some of the connections you have in Albany and various places to bring new money into the community. I also think it's important that the public and everybody be aware that whether it's a sales tax increase or a property tax increase, that this isn't something that this particular board had a lot to do with. This is something that happened at the County and I hope that as Supervisor McCoy takes over at the County to represent the Town of Lake George, that the community realizes that this is something that started 10 years ago. Not something that you started or this particular board started this year. The County Budget has gone from \$70 million in 2000 to \$148

million in 2009. That's doubling in 9 years. It shouldn't be a question of should we do sales tax or property tax. It shouldn't be A or B. It should be choice C which is to reduce spending and reduce it, but include the programs that benefit the people. I hope when you go there you represent the concern that a lot of Lake George people have about taxes. I hope the public understands that the problems were in right now didn't start 10 days ago when you took office. These were things that started 10 years ago and it's going to take some time and I hope instead of being negative that everyone works with you.

Jack Abrahams: I heard tonight people requesting the minutes verbatim. These meetings can get very lengthy and when you sit down and type 131 pages, it's very costly to the Town and I think that decision was made a while ago to take the minutes, the most important part and type them, because they are on tape. That's a huge expense to the Town.

Joanne Gavin: I just want to refer back to what Jack just said, I think that one of the reasons the subject came up about minutes being verbatim is that we are often finding that the minutes are not accurate and that's why we ask for verbatim minutes. One of the things that I did last month is one of the reasons I try to do a written statement and read it to you is I can take it from my computer and send it to Debbie as a word document and she can put it right into the computer. That saves a tremendous amount of time. I need to clear the air so we can all be assured that this is a fresh start. I would like to inform this board that the Lake George Citizens Group, including myself, is a group of concerned citizens. As citizens, it is our responsibility to keep our elected officials informed so that they can work on behalf of the people they represent. We are a non-political group and we come from a variety of backgrounds. We are not critics or trouble-makers. We are not your adversaries. We advocate when necessary to let our opinions be known. We formed because of concerns over Gaslight Village property and buildings. Over the past two years, this issue has been batted around and we still do not have the truth. Within the first week of this new administration, Mr. McCoy stated to the Post Star that \$29,000 had been spent on materials on the site. This is not a true accounting of the monies being spent. The Town has been FOIL'd numerous times by a citizen's group member to get a true accounting of the cost on the project. These FOIL requests were never complete. Our former Town Supervisor, Lou Tessier said he would get these buildings fixed up for less than \$50,000. We are well over that amount. All costs must be counted. For example, the \$2,500 fine as related to unauthorized handling of asbestos material, as well as the \$11,000 plus cost for certified haulers to remove the asbestos. Those did come to us through FOIL's. A true accounting for this non-approved, non-budgeted project must be completed. As citizens we see our money being wasted daily with work being done on this site. We are now watching a second roof go on the shaky Opera House. We watch this building being taken down

piece by piece on taxpayer dollars when it could have been removed at no cost to the taxpayer under the grant obtained by the Three E's. Now we hear that there was a \$200,000 over-run in the Town DPW budget because of Gaslight expenses. That issue has not been settled. Mayor Blais says one thing and our Town Board says another. I think part of that is we don't even know what the budget was. Is there a way to let citizens know when they have a question on something like this, the DPW was this; this is what was spent on and this is what it turns out at the end of the year.

Councilperson Crocitto stated this is a rumor as the Highway budget came in under budget.

Joanne Gavin: Mr. McCoy, we now have a third report by a professional group saying the expense was not justified. You didn't agree with their report and referred to the Barrow Report done in August 2008, which by the way had a cost to the Town taxpayer and should be include in the accounting as well. We have read the Barrow Report and find it to be a visual as they declare it to be cursory inspection. It never states the buildings are sound. The Town has not agreed with the professionals and went ahead and did the work on these buildings. These are the professionals who gave us the advice. These are the professionals that we paid money to, whether it be Town money or County money. They were paid so we could get their professional opinion and we have ignored their professional opinion. It is time for a true accounting and work on these buildings to be halted. There is no solid plan for this site. There is no budget for this, what should be considered a capital project. It has not been approved by the citizens. Your citizens should be fully informed and since the previous FOIL's have come back sorely incomplete, I am publicly submitting a new FOIL for a full accounting of all monies spent at the Gaslight Village property since May of 2008. I will be asking for:

- A spreadsheet of all expenses associated with the Gaslight Village buildings and property from May 1, 2008 through January 11, 2010. This should include, but not be limited to:
 - All materials and supplies
 - All labor hours and costs
 - All overtime labor hours and costs
 - All permits
 - All hauling
 - All equipment expenses
 - All fuel expenses
 - All fines
 - Barrow Report Cost
 - Town's share of Clark Patterson Lee Report
 - Town's share of McGillivray Report

This should be a full accounting with support documents i.e., receipts, bills, etc.

When complete, I will review them at the Town Office and I will at that time make the request for the copies that I need at that time. Thank you.

Tim Hill: Resident of the Village. I'm here to support the boys. Most of them are at my house a lot of time. They are all good kids. They skate in the Village. It is disruptive a lot of time with pedestrian traffic. Where can they go? They really do need a spot. If there's a designated spot, then they can be blamed for being someplace but when there is no place for them, how can you tell them to just keep going. They are all good kids. They're not destructive kids. They deserve a chance to find a place to play. They're up at 6:30 a.m., to go for a morning skate. They're energetic about it. They're serious and they deserve the Town's support just because they're children and we should support our children. Thank you.

Joe Stanek: Last year at the budget review meeting, I expressed some concerns that there was a potential revenue shortfall based on the economic conditions that were being forecast. I was told that the Town was concerted in the revenue and that the surplus account should be more than enough if that should happen on a revenue shortfall. What I have provided you today is a chart that was taken off the tax records that each individual gets. What it is is simply recording the amount of money that the County gets from the Town of Lake George residents and the amount of money that the Town gets. This does not include the fire or any sewer districts. I tracked them out to show that the County has a steady growth going up considerably. It has not been one year, two year, and the sales tax that we're talking about here is a short term solution. We have to take a look at what are we spending our money on and how come it keeps on increasing here in the County, and you're our representative Frank so hopefully we'll get back on track down there. In looking at the Town, you can see that the Town is fairly level up until this year and we had a spike of 28% as you all know. In looking at it, you can see that over 7 years, the County increase has been 162% and the Town is up 56%. The rate of inflation is 16%. We have a difficult task on our hands to take a look at this and see. I would echo the person that said we could have a resident committee work with the Town. I would be glad to devote time. I'm fairly good with numbers and take a look at having the Town have at least quarterly reporting of what's the plan, what's the actuals to date and force each of the departments to do a monthly plan for the full year and take a look at what's the variance and what's the action to try to get the variance straightened before the end of the year. We can't wait until the end of the year and what we're doing there is essentially tracking verses managing budget. We can't

track it anymore. We have to manage it. Like I said, my goal is to try to help out as much as possible in this area. What I'd like to do is see in 2011, us back down below the 28%. This is a one time bubble here. We don't want to see it continue to be straight-lined and another step up in another three or four years.

Supervisor McCoy responded that they are already working on things. They saved some money on the insurance and a couple other things. We're going to start pumping water out of the lake to sprinkler Usher's Park. Dave Decker is working on a grant to put the pump in. Caryl will do a lighting audit to see what we need and what we don't need. He stated we spend at \$75,000 a year on street lights. He stated he is literally going through line item by line item.

Joe Stanek: I'm very familiar with the budget and I think we need to see a plan from the Department Heads on what they're planning to spend on a monthly basis or at least a quarterly basis. Each Department Manager should be held accountable for this. I'd be glad to help out.

Supervisor McCoy stated he would take him up on it.

John Vice: I live in the Town of Lake George and I'll speak to the sewer assessment. There is a very simple way to do this. Everybody is metered for their water. They just don't use the meters. They only use the meters if they go over the minimum. They don't use the meters. Whatever is coming into that house is going out through the sewer unless it goes on the lawn. All you have to do is come up with a rate. There is one other thing that I would suggest to you is to get it spread you look at your sewer cost and you come up with a per household readiness to serve charge and then everything above the rest of the money that you have to recover for the future you do that through your water meter and the whole job is done and that's one I'd be happy to help with.

Supervisor McCoy stated he thinks that it is a wonderful idea except so many residents in Lake George are Summer residents. He stated that he is afraid the year round residents will pay the bulk share of the sewer tax.

John Vice: You have a base cost. The base cost you bill that out through your readiness to serve. You determine that cost by what your set budget is; chemicals, repairs to the lines, all of those things that the system can't do without. Everybody pays a piece of that pie. You have two pieces, one is a readiness to serve charge and then above and beyond that, it's by usage. It's by water usage. I came here for one thing tonight and I really would beseech the board to stop work at Gaslight Village; just stop work on the Opera House. It's not money that we have. We see what's going on with the budgets and everything and I've listened to everybody here tonight and I didn't hear any requests for any

information, for budget reports, for minutes. I didn't hear anything that didn't make good business sense. Everyone here, I'm just amazed because I think what the people are trying to do here is to help. I think there are people in the room who have the expertise that are willing to share with you guys. I know that in my fields, I'd be more than happy to share with you. We want to see you succeed. We don't want to see you fall down. That Opera House has just become an obsession with me. We need to find a way to get everybody together and working in the same direction and I wish you well with it. The other thing that I'd say is if you pull it down, these guys could have that area. I really mean it. I hope that the board and the people can figure out how to get these kids where they are trying to go. This is what it's all about is our kids.

Supervisor McCoy read two resolutions. One from the Village of Lake George and one from Warren County authorizing their consent to repairs, improvements and renovations being made to the Opera House and the Cavalcade of Cars by the Town of Lake George. He stated the Town of Lake George has never built anything shoddy. He stated if you look at the parks, the Town Hall, the Senior Citizen Center, the cemetery, the roads, they are the best around.

Kathy Gleason stated there are many, many people who come in her office regularly and can't wait for something to be there and they really want it. There is a large group in the Town of Lake George who want this building.

Councilperson Heinrich asked if the Village and the County would need to rescind the original resolutions.

Supervisor McCoy stated he would have thought they should rescind the resolutions.

Supervisor McCoy stated when they purchased this for \$350,000, they felt they were getting buildings. The Town of Lake George has to pay for the upkeep of that environmental park.

Joanne Gavin stated her concern is that these buildings are a disgrace. Everything is going up and we keep putting money into these buildings.

Kathy Muncil asked what the project was. She stated no one has ever submitted a plan saying this is the project, it will look like this, it will cost this much and when we finish it will bring this much revenue in. No one has shown this.

Luisa Craig-Sherman stated that one of the things that the Chamber of Commerce and Board of Directors has done on several times is 3 or 4 tours of that property. They are not engineers, but are tourism professionals and does understand what this area needs to bring new

business here. We don't have a large space that can handle 1,000 people to sit down and watch a concert or go to a banquet. She stated they have a full time sales director going around the country trying to bring this type of business here. The Cavalcade of Cars building is an excellent venue for bringing in business. As far as the Opera House, she stated they are not engineers and have always held out a reserve as to whether they felt this was a viable building to rehab. There could certainly be a use for a covered pavilion. She stated she agreed with Supervisor McCoy that we will not know unless we have that building and have the chance to be able to use it and market it.

John Vice stated we don't have a good business plan for Gaslight Village and he thinks we need to put one together. He is not against the Cavalcade of Cars, but is against the Opera House. He stated let's do it and do it right so it fits and looks the way it should look.

John Kearney stated he wanted to thank everyone for speaking tonight. We are all on the same page. We all want the same things; to cut our costs, increase our revenues and keep our taxes low.

Dave Kenny stated he would love to see Warren County as a wedding destination for outdoor weddings. He would love to see a tent on the top of Prospect Mountain for just the ceremony.

Janie Green: I'd like to welcome the new board as well. I'm glad that there are so many people here this evening. I just want to hit on a couple of the things that were brought up. I have gone to a lot of the meetings with the kids and I do encourage the board to look into whatever we can do to help. It would make our streets safer and it would help tourism. I'd also like to remind the board, I went to all of the Planning meetings when Gaslight was proposed way before it was purchased. I saw the creation of the 3 E's and the 3 M's. I saw meetings with them and thought it was like 6 children who weren't going to get along. Being a taxpayer, it's one of my top concerns. I'd love to see so much tourism that are businesses are successful and the revenue can carry us and keep our taxes down. When you think about the Gaslight property and the County at the end of the year was getting to the point where they were realizing their budget problems and talked about selling their share of the Gaslight project. That scares me. The Village may or may not dissolve and that will be put on the back of the Town. Even if it does go to the 3 E's, that doesn't give us free money, free building tear downs, free repairs. The Town will still have to maintain that property. If we do create tourism and bring people to our area, that's for the good of everybody. Thank you.

Mike Seguljic:

We would like to wish you all Happy New Year and we extend our congratulations to our new Supervisor, Frank McCoy, and newly elected Town Board member, Fran Heinrich. We wish you the best. To the entire board and everyone, we wish a Happy and Prosperous New Year, filled with good health.

We'd like to express that we are still concerned about the Gaslight Village project and the situation with the Village sewer plant and connections for the town. With that said, we have re-submitted tonight (for the third time) our Topics of Concern we presented at the October 19, 2009 Town Board meeting. During that meeting, we discussed Sewer Issues and available credits, as well as Gaslight Village. For whatever reason, this document was not included as requested in the meeting minutes. In addition, we also requested a correction to the minutes of the December 14, 2009 Town Board meeting minutes in which we were incorrectly quoted as saying that, "he feels that that we need to get a handle on the development in this area." We asked that the statement be corrected to read, "he feels that the Town of Lake George really needs to get a handle on the Town's Planning, Zoning, & Enforcement responsibilities."

At future meetings, we'd like to re-visit some of the assorted topics contained within our document we entitled Random Thoughts for Those Who Care. As many of you know, we have been following many issues that face our Town. We really do not want to be here...We'd rather be sitting in our warm home, confident that our Town government is doing the right thing. We hope that in the near future we begin to feel confidence in our government. Until then, we feel that we must be here to see what is going on in our Town & speak up, as we feel necessary.

In the spirit of lending a hand to the Town, we would like to share some paperwork with you that I noted during a recent file review of Planning Department files in the Town of Mount Pleasant. The paperwork concerns the Planning Board SEQRA and Site Plan review of a proposed warehouse/office building, associated parking, and stormwater controls planned for a one-third of acre site. The parcel is located within a commercial setting serviced by municipal water and sewer and is bounded by the Taconic State Parkway, a town or county road, and an active railway. The paperwork includes:

- SEQR Determination of Significance Negative Declaration;
- Reasons Supporting This Determination; and
- Site Plan Approval.

Review of the documents revealed a clear listing of Conditions related to the Endorsement of the Site Plan and construction activities, and

subsequent issuance of the Building Permit and Certificate of Occupancy. Clearly identified were the associated Plans to be utilized for the proposed construction (e.g., Site Plan, Floor/Building Plans, Impervious Surface Plan, and Drainage & Erosion Control Plan). Also clearly noted were dates, including the last revision date, of the Plans to be utilized for the proposed project. It appears that if the Town of Lake George utilized something like this Planning practice it may have helped prevent the abhorrent damage to the Casale site (SBL 251.10-1-28 / Site Plan Application #33-2007). To prevent this type of damage from occurring in the first place, it is necessary for a municipality to follow its own codes and to practice the proper enforcement.

Prior to ending my discussion, I also submitted a letter from Paul Fucito and referenced his disbelief as to how the work at the Casale site was allowed, especially situated right next to English Brook. We also mentioned that Mr. Fucito felt a building moratorium was warranted considering the current state of affairs in the Town of Lake George.

Based on review of the Town of Mount Pleasant Planning Department documents, it appears they performed a more comprehensive review on this piece of scrub land, consisting of a dirt & gravel lot void of any trees, than the Town of Lake George does when reviewing projects that call for subdividing two and three hundred acres of sensitive lands into residential subdivisions! For example, we were extremely disappointed by the Town's SEQRA review of the Brown Subdivision (a sixteen-lot subdivision, which wraps around the Diamond Point Water District well field).

The SEQRA review the Town performed was almost an after thought...and we feel that it did not mirror the existing site conditions, nor truly represent the potential adverse impacts to the site, or vicinity, nor explain how any adverse impacts were mitigated. The Town even identified the project as an "unlisted" action...until the Warren County Health Department informed the Town of Lake George that the subdivision needed to be identified as a Type I action requiring a review of the environmental impacts to the property and site vicinity potentially caused by the proposed project. The subsequent SEQRA review of the project by the Town's Planning Board was pathetic with no pertinent discussion of potentially significant adverse environmental impacts, or how they were mitigated, if at all.

This sixteen-lot subdivision was approved on two hundred six acres, on lands that according to our recollection the Master Plan indicates is "unsuitable for development." How many other projects were subjected to this woeful and inadequate Planning and SEQRA review process? If we continue with these practices, we risk losing Lake George forever.

Thank you and Happy New Year to all! Respectfully submitted by Mike & Dana Seguljic

Kathy Bozony: Lake George Waterkeeper. I wasn't aware of what Mike was speaking about as far as the form with the conditions by the Planning Board. I'm here to speak for other Town residents that want Town regulations to be enforced. I am specifically referring to the construction on the property on Hubbell Lane. This proposed single-family dwelling was presented to the Planning Board in 2005. After months of Planning Board review and lengthy discussions, the project was finally approved on July 1, 2008 with the following conditions: there shall be a double row of silt fence as shown on the plan; that the silt fence be checked every 24 hours during construction; and that an orange snow fence be placed around the perimeter of the disturbance areas as shown on the plan. In November 2008, after construction began the office of the Lake George Waterkeeper submitted a letter concerning the lack of enforcement of the construction on site, including the fact that the amount of earth work, the cut and fill, had expanded from the approved plan. During the entire process, we had questioned the ability of construction on the steep slopes and the unrealistic limits of disturbance that were being proposed. We pointed out with photographs that 4 feet of fill had been removed from the area where the proposed wastewater treatment site point was designated. At that point we were questioning what was going on with the site work. The fill had been deposited down the slope with larger rocks. In addition, the silt fences at that time were not installed properly including the required condition of the double silt fence, which the Planning Board had conditioned. The barriers for the orange fencing were not in the areas of what looked like had been approved for the limits of disturbance. I know that a Stop Work Order was issued November 2009. I have heard that it is going to go back to the Planning Board with a new site plan. We don't know the height of that building because there is question of where the actual grade is that should be started for the measurement of that construction because of the retaining walls. I'm just asking that even with the process that we do have in place with those 3 conditions that were imposed on this Site Plan that had been discussed for months and months, they were not enforced. This whole process where it is going to be going back to the boards for approval or review, again, we're not looking at it up front. We're spending a lot of extra time and money by the applicants, the boards, the staff when we're not adhering to our own enforcement of what the conditions are.

Councilperson Heinrich asked what happened when she submitted her letter in November 2008.

Kathy Bozony: "We had heard that silt fences were put up and established that were more properly installed. We did point out the fact that there was a lot of earthwork that had been done that did not look

like it correlated with original site plan. Now if you go back and pull the 2005 drawings of the original house that was submitted and the original plans, you'll see that was what was built. So basically, an applicant came in, presented something. It was turned down. It never got approval. Came back a year later with the same plan, it got modified, became a different plan, was approved and it appears to me that the applicant built what the original plan was that was presented in 2005.

Councilperson Wood asked if it was in the house or the retaining walls?

Kathy Bozony: "Both. The one plan that I saw with the house which also seemed to surface with the other application, Russell Thomas, down the road, in 2008 with an underground garage, and that was what was actually built. It took almost three years for the whole process to go through and it almost appears the applicant built exactly what they wanted before the entire process happened. It's at a Stop Work Order. I don't know if the site is stabilized at this point. I'm hoping it's going to be addressed in the near future. It will be very interesting to see what the outcome is.

Councilperson Wood stated the condition of every 24 hours was not meant to be by the Zoning Officer. It was intended for who was working on the site.

Kathy Bozony: It doesn't state that and that's why I am a big proponent of verbatim minutes as well. If we listen to the minutes, it may say something different. In one sense, you'll have a better record of what happened in the meetings for future. Hiring a transcriptionist may be a real inexpensive way of doing these minutes. Thank you very much.

Joe Mastrodomenico: Just to comment about the Skate Park. I myself as a Village Trustees is very aware of what the kids are trying to do. We will work as hard as we can with the kids and the Town, if the Town sees fit to include themselves in the project. I can't speak for the Village Board, but I'm pretty sure the Mayor is 100% behind this park also so whatever help the Town could give would be great.

Skateboard Park

Supervisor McCoy stated the kids would like to put their skateboard park over near the Village Hall on the vacant property which is owned by the Town.

Councilperson Clark confirmed this is a 50 x 80 foot proposed site on the corner of the end of the property near the Village Hall.

Councilperson Wood asked if the actual improvements, the ramps, etc., if this was something they already had and asked how they would be

policing themselves that no one would be going down the hill on their skateboards.

Councilperson Crocitto asked if they had met with the school.

Dan Cracco stated the school will not let anything like this on school property. They are glad that the kids are looking into a park, but the school will not allow it on their property.

Councilperson Clark asked about the water filtration plant and if there was any room there. She asked Joe Mastrodomenico to check into this.

Councilperson Heinrich asked about the grant they had applied for and how they would raise the money for this park.

Tim Goutos stated if the land was given to them, they would be able to raise the money for the equipment.

Councilperson Heinrich asked about insurance liability.

Councilperson Clark stated the insurance company sent New York Municipal Insurance Reciprocal Fact Sheet designing and building a Skate Park. She stated there have to be releases signed by the parents. There is a lot of information and she will look further into this.

Councilperson Heinrich asked Robb Hickey if the parcel that the Village wanted to use as a Skate Park is a buildable lot.

Robb Hickey stated anything is buildable and you could place a small structure on the front.

Patricia Dow stated the person who was going to be designing this would be here in the beginning of February and could then present a detailed plan of what they wanted. She stated the purpose for coming tonight was to get the momentum going. The kids are going to raise the money for this.

Councilperson Heinrich stated her biggest concern is the liability and she feels if this parcel is not buildable and not something the Town can do anything with, the Town should give the property to the Village and let the Village do what they want to do with it.

Dave Kenny suggested that since the kids in Lake George School District also live in the Town of Queensbury that perhaps another location which would be centrally located could be in Queensbury at the Gurney Lane Pool.

Supervisor McCoy stated he feels the Town can work something out and they do want to work with everybody.

Old Business

Resolution #28-2010 introduced by Councilperson Clark and seconded by Councilperson Wood to adopt Section 104b of the General Municipal Law. The current requirements of General Municipal Law, Section 104b, mandate that all local governments adopt, on an annual basis, a Procurement Policy that stipulates how that government will process all purchases and contracts that are not subject to the competitive bidding statutes.

Ayes: 4 McCoy, Clark, Wood, Crocitto, Heinrich
Nays: 0

Motion carried.

Supervisor McCoy asked Councilperson Heinrich to check with the Village as far as the moratorium. Supervisor McCoy stated they are not going to allow any building for six months.

New Business

Resolution #35-2010 introduced by Supervisor McCoy and seconded by Councilperson Clark to accept the audit report of the Justice Court records submitted by the Comptroller.

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that the Town and Village Justices annually provide their court records and dockets to their respective Town and Village Auditing Boards, and

WHEREAS, the Comptroller has audited the Town of Lake George Justice Court records and dockets and after careful review, has presented this audit to the Town Board, NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Lake George accept the audit report of the Justice Court records submitted by the Comptroller.

Ayes: 4 McCoy, Clark, Wood, Crocitto, Heinrich
Nays: 0

Motion carried.

Supervisor McCoy stated there was a discussion of setting up a Board of Ethics Committee.

Councilperson Clark stated this was in place when she was Town Clerk.

Supervisor McCoy asked the clerk to advertise for letters of interest of citizens who wish to sit on the Board of Ethics Committee.

Supervisor McCoy requested that a Public Hearing on Dissolution be scheduled. This would be for public input from Town residents on their opinions for dissolution with the Village. He asked the clerk to advertise this hearing.

National Grid Lighting Audit

Councilperson Clark stated she is meeting with National Grid who will be giving her the inventory of street lights and how many are the mercury vapor lamps that are expensive and perhaps we can look at changing them to the high pressure sodium. She will report on this at the February meeting.

Supervisor McCoy stated the Town spends \$75,000 a year on street lights.

Kathy Bozony asked that when the board started looking at street lights and the cost, she asked if perhaps they could look into the dark sky initiative.

Resolution #36-2010 introduced by Councilperson Wood and seconded by Councilperson Clark.

RESOLVED, that the fee for Usher Park pavilion rental be raised from \$50.00 to \$100.00 for non-residents;

RESOLVED, that it still be free of charge for residents of the Town of Lake George.

Ayes: 4 McCoy, Clark, Wood, Crocitto, Heinrich

Nays: 0

Motion carried.

Public Workshop on the State of the Lake

Supervisor McCoy stated this will be put on by the Lake George Association on January 26th from 7:00 p.m. to 9:00 p.m. This will also count for training for the municipal boards.

Consolidated Board of Health Discussion

Supervisor McCoy stated he had a discussion with the Mayor who feels that the Consolidated Board of Health does not deal with the Village. All of the issues are in the Town. He wants to look into the possibility of dissolving the Consolidated Board of Health, which is Town and Village

and just have a Town Board of Health, which would consist of the Town Board.

Councilperson Clark stated this was set by the Legislature in 1921.

Councilperson Wood stated he had a discussion with Mark Schachner and he is looking into whether or not this can be changed through a resolution.

DISCUSSION REGARDING MINUTES

Supervisor McCoy discussed the fact of more complete minutes which the people are requesting. He stated this would cost more money.

Councilperson Heinrich stated the Town just hired Patty McKinney to be the Supervisor's Secretary and she will be doing more minutes.

Councilperson Wood asked if it was possible to put the minutes on CD.

Supervisor McCoy stated Jim Mathis was going to research putting these minutes in an audio version on the website.

Councilperson Clark stated she felt on Public Hearings there should be more, but does not feel the entire meeting should be verbatim.

Councilperson Heinrich stated she researched this issue and it did say that they do not have to be verbatim. It says that it's a board decision. Most Towns and Governments don't want it to be verbatim because it can get them in a lot of trouble. She stated she likes to have things thorough but does not think it is necessary at the Town Board level as much as it is at the Planning and Zoning level.

Councilperson Wood asked what the public was looking for.

Kathy Redpath stated she felt that some of their comments during the Privilege of the Floor were being misconstrued. She stated if the person is making a presentation, they should hand in their copy of what they said, it could be in the minutes and it would not be misquoted.

Committee Reports

Councilperson Clark stated the Senior Citizens had their meeting and luncheon on Friday. She was not able to attend.

She stated records management is ongoing. Everyone is busy, but we are continuing to work on the records.

She stated she is on a new committee which is personnel, which is a long time coming.

Councilperson Wood reported on Buildings and Grounds. He stated they are still working on the addition of the garage at Usher's Park. They have been doing a lot of shoveling and plowing and are in the process of moving offices around at the Town Hall. They are maintaining the ice skating pond by the Elementary School.

He reported on the Planning and Zoning Office, stating the Zoning Board this year has reviewed 27 area variances and one use variance; the Planning Board has reviewed 36 Site Plan Applications, 3 Subdivision Applications and the Planning and Zoning Office has issued 77 Zoning Compliance Certificates. He stated there has been a pending violation with Rick Moon, who has filed a Motion to Dismiss. This is now in Judge Krogman's hands as to what he wants to do with it. Also, John Salvador has a pending Article 78 against the Town. He discussed Tony Casale. He stated there is a Stop Work Order. They are awaiting reports from the engineers. He did talk to Tom Jarrett today and he stated he feels the environmental issues are stable. The silt fences are up. They have put a retaining wall or fence on the top of the 16 foot high wall so someone doesn't fall off it. Boulders were put in place. There was an area down by the stream where there was some breach of siltation that came down. The board wanted them to move it out before the winter, but it has snow on it. This is at least 30 to 40 feet from the stream. He stated the Town has an issue where there is runoff from the road going down into the property. He stated this was Mr. Casale's intention with the retaining wall to try to keep the property from flooding. He stated he is hearing it is possible that the house is not where it was supposed to be and they have asked for an as-built. He then discussed the Indian Tee Pee. He stated there was a violation issued last year regarding the tent between the two buildings. He stated he is concerned that they will put the tent back up this year without going to the Planning Board for Site Plan Review. Scott said he would talk to Mark Schachner to see what the next step is.

Councilperson Heinrich reported on the EMS. She stated they had 750 calls last year which was less than other years. The Squad continues to train in CPR, Pediatric Advanced Life Support, Pre-Hospital Trauma Life Support and Advanced Cardiac Life Support. They trained 14 local firefighters in CPR this year. They have a problem where they can't exchange drugs with Glens Falls Hospital as they used to do due to the Glens Falls Hospital cutting their costs. They will have to have additional expenses as their drugs will need to be purchased from an outside source. They will need to purchase a new building in the near future as they currently don't meet the male and female accommodations and sleeping quarters.

Fran met with Fire Chief James Barber who provided a lengthy year-end report. She stated the Hudson Valley Volunteer Firemen's Association will be honoring local firefighter Thomas McKinney and she will be present at the celebration to present a Proclamation and Plaque on behalf of the Town. The Fire Department has two new members who have completed the application process. Both the Fire Department and the Emergency Squad continue to seek new members.

She met with Court Clerk Carolyn Hughes and Nancy Earl last week and they provided their year-end reports. The Judges had 2,938 cases this year. She intends to meet with the Judges this week. The Court Clerk's have requested signage to more clearly define where they are located. She met with Rick Morehouse from Buildings and Grounds and he stated he would take care of this.

She has not met with Danny Merino. She will be speaking with him as soon as she can about the camera and sewer lines.

She stated she plans to speak with all the employees over the next 6 months to reacquaint herself with their jobs and duties as a member of the personnel committee.

Councilperson Crocitto stated the Town has two employees trained on the camera system.

He stated they are looking at ways to save money at the Transfer Station. They are changing who they use to remove the Freon from the appliances that are dropped off. The old company charged \$9.00 per appliance and the new company will charge \$5.00 per refrigerator and freezer and \$1.00 per air conditioner and they will take away the air conditioners as well. They are also changing who they use to take the cardboard and newspaper. We're being paid \$5.00 per ton currently. The new company will be paying \$52.50.

He stated at the Youth Commission, they are saving money as the players of the baseball program will have to start purchasing their own baseball pants. This will save the Town approximately \$1,050. We will be selling the old little league baseball pants which should profit \$500.00 to \$1,000.00. We are planning to sell advertising on the banners on the outside of the fence at the Rec Center. This would be a cost of \$150.00 to \$350.00 per banner for local businesses. The Youth Commission Ski Program begins Thursday night at West Mountain.

Vinnie reminded everyone that January 24th 11:00 a.m. to 2:00 p.m., a thank you brunch honoring Lou Tessier.

Communications

- Adirondack In Roads – Fall 2009 Newsletter
- Creighton Manning Engineering Exit 20 Corridor Management Plan
- Time Warner Cable – NBA is going to HD and also is going to Digital Tier as of December 31, 2009.
- Letter from Mayor Blais regarding topics of discussion he would like to discuss with the Town Board.
- New York State Office of the State Comptroller's Report of Audit

Councilperson Crocitto stated that during his campaign he sent out a questionnaire. He stated that the first question was:

What do you believe are the main issues facing the Lake George Community today? It was rated on a 1 to 10 basis; one being the most important issue and 10 being the least.

1. Taxes
2. Protecting our Lake
3. Sewer & Water
4. Planning & Zoning Regulations
5. Town Services (Highway, Grounds, Transfer Station)
6. Tourism
7. Dissolution
8. Gaslight Village
9. Youth & Senior Projects
10. Other

Do you believe there is adequate communication with your Town officials?

2 to 1 said no.

Would you like to see an annual newsletter?

3 to 1 said yes and 90% wanted it mailed and not web based

Would you be interested in serving on a board or a volunteer committee?

4 to 1 said no.

There was a comment section and the most popular comments were:

- Sewer lines going up the Bolton Road
- Sidewalks south on Route 9
- Keep Landfill open on Mondays or Sundays, closed on Tuesday or Wednesday
- Skateboarding Park to get youths off Village streets

- Police Involvement for drug activity/crowd control
- More promotion for tourism
- Less emphasis on tourism
- Against Americade – Too large
- Stop Town employees from working on Gaslight Village
- Taxes taken into consideration for Senior Citizens
- Against Consolidated of Village and Town.
- Take down buildings at Gaslight Village

Motion to adjourn by Councilperson Wood and seconded by Councilperson Crocitto to adjourn at 10:45 p.m.

Minutes typed by Patty McKinney.

Respectfully Submitted,

Deborah Foley
Town Clerk