

Minutes of the Town of Lake George Regular Town Board Meeting held on July 12, 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: Debbie Foley, Town Clerk, Chris Navitsky, Joe Stanek, Joanne Gavin, John Salvador, Kathy Redpath, Mary Alice Leary, Karen Azer, Rita Dorman

Supervisor McCoy stated that auditors from the State have begun a routine audit of the Town of Lake George. Because the Town has not been audited in 15 years and with a new administration, this is a normal function of the State. As a newly elected Supervisor, I welcome any suggestions that the auditor may have to help our community save money and strengthen our accounting practices.

APPROVAL OF MINUTES

A motion was made by Councilperson Clark and seconded by Councilperson Wood to accept the minutes of May 10, 2010, June 14, 2010, June 23, 2010, June 25, 2010 and July 2, 2010.

Ayes: 5 McCoy, Clark, Wood, Crocitto, Heinrich
Nays: 0
Abstain: 0

PRIVILEGE OF THE FLOOR

Councilperson Heinrich stated that back a few months ago, she mentioned to the board in her committee report that the Emergency Squad was looking for a new building because they are not in conformance with the requirements for male and female sleeping quarters. Since that time, Frank and I have met with the President and Chief of the Squad several times and we have been mulling over several different options and we thought that it might be a good time for them to come to present some of their plans to the board and to the public.

BRUCE KILBURN

I am President of the Lake George Emergency Squad. I have been with the EMS for approximately 19 years and Past Chief of the Lake George Fire Department and have been a member for over 20 years. As Fran stated, we are outgrowing our present facilities and our building does not suit our needs at this time. The volunteer portion of our operation for EMS and fire is very unfortunately dwindling. Volunteers that we used to see and have just aren't there anymore and that being said, we've had to go to paid staffing. Now that we have paid staffing, we have male and female workers there at the building mostly 24 hours a day, 365 days a year. We have to accommodate male and female accommodations which we cannot do. Our building does not meet a lot of the codes and compliances with fire. Back in the day when it was first put up, that was minor because we did have the volunteers that didn't stay there. That's not the case any more. At some point we have to start looking at a new location and a new building. This of course, does not come without cost. We have looked at some financing through the USDA grants and that seems to be very favorable for a possible grant and a low interest loan for the balance. We, as the squad now, would not be adequate enough to pay that payment and do what we have to do. This is pretty much in the formulating stages right now. We've got some ideas. We haven't put them on paper yet. We did contact an architect but to sit down with him, we're looking at \$10,000 just for her services to sit down and draw something up, to put together and give us the square footage cost. We will hopefully be able to budget for that in the near future. Just to give you an idea of some of the requirements that we do need. We need new bay space for the ambulances; vehicle maintenance supply area; training/meeting rooms; storage area for tables, chairs, media supplies; day room, kitchen facilities, quiet area; overnight quarters for male and female personnel; locker rooms; medical supply storage; office space for administration, operations and training; record storage, office supplies, oxygen storage and fill areas; workout and exercise room; decontamination room and laundry facilities. This is just a small list. We do some looking at the US Fire Administration Guide and that is a 224 page document of what they suggest would be necessary to have a building to accommodate what we have to do. Being a public safety building we meet different standards than just building a house. It's something we're looking into. It's something the community needs because sickness and injury is never going to go away. It doesn't slow up. It sometimes gets a lot busier than we'd like to see it. We have to be able to take care of our workers and our paid people and the paid staffing has been a big help to us in getting an ambulance off the floor which New York State Department of Health likes to see the ambulance off the floor in less than 10 minutes. Most of the time we can meet that goal. There are times when circumstances just won't allow it. There were a couple I've been kind of embarrassed about but we just couldn't do anything to change it because we didn't have the people. I just wanted to be on

record with the Town and let everybody else know that this is going to have to be considered in the future and very seriously. The thing that fears me the most is the sexual harassment suits that are around out there today. If somebody wanted to be miserable and say something happened overnight which we do, guys and girls, we're in a mess. We have no way of separating that and that's a big concern to me as President because I don't want to have to be forced into some kind of a situation where we're going to get into a lawsuit for something like that and costing the squad and the town a lot of money. It's happened. It's happened a lot. When we met with our insurance people this year, he related to me that he's seen a lot of this going on and people are winning. They're winning big dollars. It's time for us to really start considering looking at places, looking at lots and putting together a real good plan to make it as easy for everybody in the community as we can and hopefully, getting the Village on board to give us a hand. We're open to any kind of suggestions to help us achieve this goal. I thank you for your time and hope we can all come to a good conclusion to make this whole thing work. Thank you very much.

Supervisor McCoy stated that he and Councilperson Heinrich did meet with Mayor Blais and Trustee Earl and informed them of the situation that we were at some point in time going to be looking for a new emergency squad building and asked for their help. We contributed 50% towards their firehouse and we would expect them to contribute towards our emergency squad building for basically the same reason. The Village gets an awful lot of emergency squad calls and we can't swing this by ourselves. We would expect the Village to step up to the plate.

Councilperson Heinrich stated that Supervisor McCoy had a good idea when they were talking with the Emergency Squad. He proposed meeting with the Hudson Headwaters Health Network to see if they would be interested in bringing a health center to our area. They would be possibly utilizing the same building as the EMS. Supervisor McCoy and Councilperson Heinrich met with Dr. Ruge and they have been in contact with Trip Shannon, Chief Development Officer. He ran a count of the people that visit the Health Centers in our area from our zip code. The count that he came up with was 4,143 patients and 10,582 visits. This is a pretty good size number, however it includes the jail and the nursing home. He stated the number was favorable enough for us to continue on and go visit the Schroon Lake Health Center which she is hopeful she and Supervisor McCoy can do this month.

Supervisor McCoy stated the thought process is land is so expensive in Lake George that if we can buy a piece of land for two entities it helps defray the cost from just buying a piece of land for one entity. This is going to be a process. It's not something that you get overnight. There is money out there in the new Obama Health Care Bill that was just passed, there is a billion dollars for rural health care and while we're not

exactly rural health care, we're very close and we would score very high on an application. This is something that we're working on down the road and we're trying to work on it in conjunction with an EMS building and getting the Village on board.

Chris Navitsky

We're very proud to announce the document the Fund for Lake George and the Waterkeeper have been working on for almost a year now which is the Guide To Do It Yourself Water Quality. We have provided a document that gives a lot of detail and technical background that has been scaled down to a layman's way. We talk about the watershed and the importance of natural features and reducing stormwater and try to walk people through how that happens and then provide information on how people can do it themselves. We talk about how to walk them through the design process and plan your site accordingly; information on rain gardens and septic system management; the important of buffers and how to create a proper buffer. We talk about pesticides and herbicides and their impacts. We also talk about trying to minimize lawns and the impacts that that has on the lake. We also provide a list of native species that people can plant. We are making this available to the public. We will be here at the Town Hall a week from Wednesday on the 19th and there we will have a presentation and also copies for the public. There is no cost to them. We want to get this information out there. We've put a lot of time and effort into it so we'd just like to have the boards have them and we will also provide them to the Planning and Zoning Boards. We want to thank the Town for their actions last month regarding the phosphorus fertilizer ban and we've just put out a brief fact sheet basically summarizing what the highlights are that we feel are in there. We will leave some at the Town Hall as well.

Supervisor McCoy stated the LGA is doing a mailing to every household in Lake George. It's basically a one page pamphlet on how to look for fertilizers and how to look for non-phosphorus fertilizers and some of the nuances of our new law.

George McGowan

Concerning the pipe which will be excavated on the Gaslight Village properties or along those highways; an 8 inch smooth interior pipe with $\frac{3}{4}$ full and regular atmospheric discharge, it looks like it's about 350 gallons per day. That may account for as much as much as $\frac{1}{3}$ of the flows in the Caldwell Sewer District. It is illegal to discharge groundwater into a sanitary sewer system which of course includes the Department of Environmental Conservation. Upon plugging this, there should be a precipitous falling in the gallonage levels. The difference should be billed in a suit of damages payable to the Caldwell Sewer District. An illegal hookup is costing the taxpayers hundreds of

thousands of dollars and it has done so for 32 years. The guilty party should be as held accountable as they have held accountable the people like families, farms, gas stations and private septic owners. There should be one law, one justice and En-con should not be excluded.

John Salvador

I came here at your last meeting and talked about the parties up on Shaw Road and their obligations to maintain the road. Those obligations are spelled out in the Declaration of Visual Easement and Road Maintenance. I'd like to talk about the visual easement. When that subdivision was laid out, it was laid out such as that Lot B that was undevelopable. It was the view easement. Since that was done, they have been flip-flopping lot lines around to where Lot B has lost its identity. Part of it became A-1 and part of it is attached to Lot D. In any case, what the Hyman's have done is they have built right on the view easement. If you look at it carefully, that building was supposed to be set back from the bluff. That was a requirement from the Planning Board. The dimensions on the site plan work agree with what the Planning Board asked for but the building is not built there. It's on the view easement and it's up on the bluff. With regard to the audit you mentioned, has the comptroller issued a Bill of Particulars?

Supervisor McCoy: No.

John Salvador: Are they going to have an interview with you?

Supervisor McCoy: They already had it.

John Salvador: Do you know what they're looking for?

Supervisor McCoy: They didn't give us a list.

John Salvador: I'd like to let you know that on Friday of last week, we were visited by an inspector of the Offices of the Environmental Protection Agency. It was a surprise. We were not expecting him. The groundwater compliance section of the US EPA has given notice. Inspection is hereby given according to 1445B of the Safe Drinking Water Act. My point tonight is we were not aware of the current new requirements that all of us who discharge to the groundwater are expected to comply with and we don't even know what they are. This fellow came on the site; he did his inspection we had to show him everything we had and what we were doing. He took a lot of pictures. He got us on a GPS system. Every tank, every underground facility is cited. He went away and we're expecting a report. There is a footnote here and I'll read it to you "whoever fails or refuses to allow the administrator, the Comptroller General or representative of either to enter and conduct any audit or inspection authorized by Section B shall be subject to a civil

penalty not to exceed \$27.500 per day. In any case, I read into this that the EPA has lost faith in our DEC, in our local governments to protect the groundwater and they're out doing the inspections themselves. You can expect to hear more about that. Thank you.

New Business

Councilperson Heinrich reported on a Early Retirement Incentive the State is offering. She stated she has spent a lot of time investigating this. There is a Part A and a Part B. Part A targets certain positions. She has spoken to all the employees who are in a position where they could retire, that would mean between 50 and 54 years old, 10 years of service and for an employee who is 55 years old and 5 years of service. There are two employees who are interested. They have not gotten back to her yet. You need to demonstrate a savings of 50% of the employees combined two year salary for the next two years. As far as Part B goes, after speaking to all of the employees, there are no employees who want to retire.

Supervisor McCoy stated he does not feel we should get involved in this.

Resolution #69-2010, Introduced by Councilperson Heinrich and seconded by Councilperson Clark not to participate in the New York State Retirement Incentive.

Ayes: 5 McCoy, Clark, Wood, Crocitto, Heinrich
Nays: 0
Abstain: 0

Supervisor McCoy stated there are some budget transfers that are necessary. There are 19 transfers.

Resolution #70-2010, Introduced by Councilperson Clark and seconded by Councilperson Wood to authorize 19 budget transfers.

Ayes: 5 McCoy, Clark, Wood, Crocitto, Heinrich
Nays: 0
Abstain: 0

Resolution #71-2010, Introduced by Councilperson Heinrich and seconded by Councilperson Crocitto

RESOLUTION TO REQUEST WARREN COUNTY TO REINSTITUTE THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES

WHEREAS Leftover household products that contain corrosive, toxic, ignitable or reactive ingredients are considered to be

“Hazardous Household Wastes” or “HHW”. Products such as paints, cleaners, oils, batteries and pesticides require special care when they are disposed; and

WHEREAS According to the United States Environmental Protection Agency, the average home can accumulate as much as 100 pounds of HHW in the basement and garage and storage closets; and

WHEREAS Improper disposal of HHW can include pouring them down the drain into municipal sewer systems or septic systems, on the ground, into storm sewers or disposing of them with the trash; and

WHEREAS The dangers of such disposal methods of HHW can result in non point source pollution, enter our waterways or groundwater, pollute our environment, negatively impacting water quality as well as pose a threat to human health; and

WHEREAS The County of Warren, where the Town of Lake George is located, delegated solid waste disposal to the local municipalities in 1997 and terminated the collection of HHW; and

WHEREAS The Town of Lake George does not currently have the ability or means to provides its residents a lawful method to properly dispose of HHW.

NOW THEREFORE BE IT RESOLVED That the Town of Lake George recognized the potential of negative impacts to the water quality of Lake George and to the health of its residents is greatly increased with the accumulation of Household Hazardous Wastes.

AND BE IT FURTHER RESOLVED That the Town of Lake George requests the County of Warren to reinstitute the collection and disposal of Household Hazardous Wastes for the benefit of the residents of the Town of Lake George and of the County of Warren.

Ayes: 5 McCoy, Clark, Wood, Crocitto, Heinrich
Nays: 0
Abstain: 0

Supervisor McCoy thanked Chris Navitsky for writing the resolution.

Committee Reports

Councilperson Clark

Libraries – They will be giving a report every three months. She reported last month.

Senior Citizens – Did not have their meeting last Friday. The Church asked if they could use the Senior Center that day for a reception.

Records Management – Continuing to work on the records and dispose those that are timely.

Lighting – Nothing new. She did receive a letter that they have started with 10 of the 65 new lights on Lakeshore Drive. Those will be changing 102 mercury vapor lamps to high sodium density with a savings of \$6,000 per year.

Employee Handbook – Still working on this. It will take time.

Councilperson Wood

Buildings and Grounds – Repaired fences at Usher's Park, Usher's Beach and Town Center. Repaired phone line problem at Usher's Beach; fixed broken lawn sprinkler heads at the Courthouse; had a full fire alarm sprinkler test done at the Courthouse and everything is okay. We are mowing. Rearranging schedules to supply people for parking at Gaslight. No overtime is allowed. Rick came in on Saturday and Sunday to lock up the money. The crew installed a new metal door at the Highway garage to meet the requirements of the last State inspection. They are working on a new water system at Usher's Park. The crew attended a State required training held at the Senior Center Building. They removed the voting machines at the Fort William Henry Conference Center for the Firemen's Convention. They finished the new fountain at Usher's Park. The water is running and it looks good and is very popular. They moved 30 chairs to the Diamond Point Library for a meeting. Had problems with the dishwasher at the Senior Center and they repaired it. They repaired part of the dock at Diamond Point Beach. The dock is in poor shape and we will have to do something with it soon.

Pending Lawsuits – Rick Moon and John Salvador. We are purchasing the judge for a decision.

Olympian Village – Mark is answering this.

Alan Moon – Has agreed to allow the Town to tear the house down.

Halada Drive – Golf course need to remove non-pervious areas.

Casale – Waiting to see if they are going to submit to the Planning Board.

Councilperson Heinrich

Courts – Justices have heard 523 cases in June. They forwarded \$36,352.46 to Audit and Control.

Fire Department – Supporting a grant application to replace Scott Air Packs.

They will be holding a Boater Safety Course to be held at the station.

They logged a total of 31 incidences in June.

Sewer & Water – A very tough month for the Caldwell Sewer District. We have had a couple of pumps go at the lower pumping station and today we had a pump go, the couplings were shared off at the upper pumping station. They are going to Albany to pick up a new one and have it installed by D.K. Enterprises.

We had a meeting with Mr. Hall from the State regarding the capping of the lines from the Fort George Battleground Park Area. We have the camera again and will take another look tomorrow because our employees want to ensure that we have the exact measurements prior to starting to dig. The plan is to cap the lines with the State next week.

She has spoken to Dave Wick of Warren County Soil and Water Conservation District and Chris Navitsky, the Waterkeeper and they have only heard from four people regarding sump pumps. We have heard from two people. The letter went out on May 13th so they really only have one day left to get back to us regarding sump pumps.

The board received some information from Kathy Muncil regarding sidewalks and she will forward this to Jim Mathis.

The public may want to go online to see what was presented to the board last week with the Exit 21 Corridor. It was wonderful and very nice looking.

She received an e-mail today stating on July 17th from 11:30 to 2:00, the Board of Elections will be introducing the New York State Certified Voting System Scanner to the public and anyone interested can attend.

Councilperson Crocitto

Highway Department – Had a routine month finishing up working on some culverts and blacktop; mowing throughout the Town and working on equipment.

Youth Commission – Baseball/Softball program is over. The Summer Program has begun with a very good turn out. We hosted a Little League All Star Tournament at the Rec Center from June 29th to July 4th with 7 and 8 year olds and 11 and 12 year olds with a total of 10 teams coming from Vermont and all around us. Cutting Edge Construction and the Town of Whitehall brought in lights so they had night games. They were playing from 10:00 a.m. to 10:00 p.m. There was a bake sale and the profits went to Evergreen Cemetery for the victims of the Fort Edward Fire and we also donated money to the Ray Chandler Scholarship Fund. It was a big success and we hope we can do it again next year. We had a dedication on Saturday at the Rec Center dedicating the snack bar to Walter Marinelli for his efforts in working and designing the Rec Center years ago and Field B was dedication to Ray Chandler for all his services and all his time he has put into the community and the youth program.

Supervisor McCoy stated we did have our Exit 21 Corridor Public Meeting on Wednesday night. The plan is beautiful. They will have another Public Hearing in September and the committee will present it to the board possibly in September or October and then we will see if we can get grant money.

Supervisor McCoy stated he had a meeting with Supervisor Conover and Belden. They went over the Watershed grants for this year. He has three grants in; one is for \$120,000 for a new salt shed. One is for \$45,000 to pay for the work done on the Caldwell Sewer District and one is for \$37,500 to take care of the erosion at the Highway Garage. The applications have already been scored except for the Supervisors and he hopes that we score very well.

Supervisor McCoy stated Dave Rosebrook is going to start giving the board an Assessor's Report. There is \$3 million dollars more of assessed valuation than we had last year.

Supervisor McCoy stated year to date our expenses are down \$125,000 from last year and payroll is down \$20,000 from last year.

Communications

- Watershed Coalition – Our membership is \$7,000 a year. We did not budget any money to join the Watershed Coalition. This is where we have applied for the grants and we should pay the bill.

A motion was made by Councilperson Heinrich and seconded by Councilperson Clark to pay the \$7,000 bill.

All in favor.

Motion carried.

- Time Warner
- Nadine Battaglia – Fort George Advice – Newsletter of the Lake George Battlefield Park Alliance.
- News & Views – Lake George School
- Barton and Loguidice – Beach Road Water Main Replacement
- Letter from Mayor to Tom McKinney – 209D Funds
- Adirondack Park Agency – Public Comment “Change in Use of Existing Commercial and Semi-Public for Industrial Buildings”.
- Thank you card from Stephanie Merrill & Caryl Clark
- Joanne Gavin – Thanking the Town for Support of Ben Osborne

Councilperson Clark urged people to attend the Board of Elections Seminar on July 17th.

A motion was made by Councilperson Wood and seconded by Councilperson Heinrich to adjourn at 8:25 p.m.

Minutes typed by Patty McKinney.

Respectfully Submitted,

Deborah Foley
Town Clerk