

Minutes of the Town of Lake George Town Board Meeting held on March 11, 2019 at the Town Center, 20 Old Post Road, Lake George, New York.

Present: Vincent Crocitto, Deputy Supervisor
Dan Hurley, Councilperson
Marisa Muratori, Councilperson
Nancy Stannard, Councilperson

Absent: Dennis Dickinson, Supervisor

Also Present: Deb Foley, Town Clerk, Jim Grey, Chris Bevilaqua, Sean Quirk,
Lori Barber, Chris Hawley, Kristina Algea, Mohammad Tariq

Deputy Supervisor Crocitto opened the meeting at 6:30 p.m., and Councilperson Muratori led the Pledge of Allegiance.

Christine Bevilaqua spoke regarding the Short Term Rental stating she received a letter from the Code Enforcement Officer stating they were not in compliance with the new Short Term Rental Policy. They own 796 and 800 Diamond Point Road. Prior to getting the letter she had spoken to Dan and when looking at the map they thought it was after 796. It turns out it is right down the middle of the two properties. She stated she called Dan to see if she could mail in her application and he stated to her he had made a mistake and he had looked at an old map. It was right after their house and the new map it is right between. They had rented the house last Summer and was planning to do it again this year. Dan stated they were going to try to rectify because there were a couple of houses that fall out of compliance that were formerly in compliance. She would like to see what we can do to rectify this situation. She stated they own another house up the road so they are here when the house is rented.

Councilperson Muratori stated there has been discussion regarding grandfathering in some of these properties that were in compliance and are now not. She stated they will be having discussions with Dan and will keep her informed.

Mohammed Tariq addressed the board regarding a Planning and Zoning issue. He stated he is planning to build an extension to his existing Doray Motel. They went through the procedure of the Planning Board and into the second meeting they found out that never before in the last 10 years a new building has come up which has an intricate situation where commercial and residential was supposed to take place. His engineer gave a setback of 20 feet where the residential houses are. According to the new law, it says it could be 30 feet setback or 50. When they found out that the setback has to be 50 feet, the shape of the building had to be the shape of the building would be now from east to south, L-shaped. This involved more expenses because the stormwater is a big issue. They went back to the drawing board and came up with a plan. The actual cost was about \$4,800 and he his project has been delayed due to lack of money. He has been talking with Supervisor Dickinson and he stated he was trying to do something and then it turned out that it is impossible and that he would have to go to the board and ask for help. He stated he is not blaming anybody but there was an oversight at the second Planning Board meeting where he needed to have a setback of 50 feet. He stated he is caught in the middle because the Planning Board did not pick up on the first meeting that there was an issue of

setback from 10 feet to 20 feet to 50 feet. He should have been informed before coming to the Planning Board that the setback has to be 50 feet. That changes the entire shape of the building. He is requesting \$4,800 as an outstanding bill which the Town should consider to make the payment.

Councilperson Muratori stated after he knew about the 50 feet, he still went ahead and had the engineering done.

Mohammed stated he did approach Supervisor Dickinson and he made this pending until today that we are reviewing. He was calling and not getting any answer and coming to the office and he wasn't here. He should have been told by that time so he could have done something to pay. He stated he had no other choice.

Councilperson Muratori stated the Town has paid \$900 of the Chazen bill and is much more than we've ever done for anybody at this point.

Sean Quirk stated he remembers the project. He stated there were full plans with stormwater. They showed concern for the residents on Stanton and the residents came to the Public Hearing. They did want to evaluate the plans further. The plans were already done and the stormwater was done. They gave him suggestions of making it an L-shaped; drop off a couple of rooms or go to the Zoning Board for a variance for the 20 feet.

MOTION TO APPROVE MINUTES

A motion was made by Councilperson Stannard and seconded by Councilperson Hurley to approve the January 14, 2019 and February 11, 2019 minutes.

All in favor.

Motion carried.

DISCUSSION REGARDING TRUCK PURCHASE FOR HIGHWAY

RESOLUTION #50-2019, Introduced by Councilperson Stannard and seconded by Councilperson Hurley.

RESOLVED, to finance two trucks for the Highway Department with a BAN not to exceed \$78,000 to be paid over a five year period.

Duly adopted this 11th day of March 2019, by the following vote:

AYES: Hurley, Muratori, Stannard, Crocitto
NOES: None
ABSENT: Dickinson

DISCUSSION ON LIGHTING UPGRADE AT DPW

There was a proposal for replacing the lights at the Highway Department with LED lights. Councilperson Muratori was concerned with what is the long term payback for the amount of money we will pay out.

This item will be tabled until more information is available.

TOWN OF LAKE GEORGE INCLEMENT WEATHER POLICY

RESOLUTION #51-2019, Introduced by Councilperson Stannard and seconded by Councilperson Muratori that the Town of Lake George Inclement Weather Policy be amended as follows:

TOWN OF LAKE GEORGE INCLEMENT WEATHER POLICY

POLICY 503 Emergency Situations

The Town of Lake George recognizes the fact that inclement weather and other emergencies can affect the town's ability to open for business and the employee's ability to get to work. The safety of our employees is paramount in any emergency situation. The Town of Lake George will make every effort to maintain normal work hours even during inclement weather. In the event that extraordinary weather conditions or other emergencies develop prior to the beginning or during the workday, the Town may authorize the closing of non-emergency operations, or, if extraordinary weather conditions or other emergencies develop during a workday, the Town may direct that certain employees who perform non-essential services leave work. ***DPW/Highway, Building & Grounds & Transfer station employees are considered essential employees and are required to operate at their normal hours. If a change in schedule/operating hours occurs, essential employees will receive direct communication from their Supervisor.***

PROVISIONS:

Provisions for FLSA non-covered or exempt employees will not be affected by an emergency closing. Pay for FLSA non-exempt employees will be in accordance with the provisions below:

- **Delays/Early Dismissal** - If the Town Supervisor and/or Highway Superintendent feel the Town Hall should delay a decision will be made by either party by 7:00 am. At this point the Secretary to the Supervisor/Superintendent will notify all Department Heads via text/phone. At this time it is the responsibility of the

Department Head to notify their staff immediately of the delay/early release. A full-time employee who is directed to leave work due to an emergency closing will be paid for the remainder of the employee's normal workday at the employee's regular rate of pay. Such time will not be included as time worked for the purpose of computing overtime. A permanent part-time employee will be paid for their normal scheduled hours. A part-time employee who is directed to leave work due to an emergency closing will not be paid for the remainder of the employee's normal workday. Such employee may choose to make up the time at a later date if agreed to by the Department Head. Employees should use their own discretion in determining whether they can commute safely to work due to inclement weather. If an employee comes into work on a day when there is a scheduled delay, the employee will earn Flex time for said time to be used on a later date. Likewise, if an employee feels he/she needs to leave earlier than the scheduled release, he/she will use their own time to cover the hours lacking until the time of the scheduled closing. The employee must use paid vacation, sick or personal leave, if available, or take the time off without pay.

- **Full Day Closure** - If a determination to close is made by Town Supervisor and/or the Highway Superintendent to close the Secretary to the Supervisor/Superintendent will notify all Department Heads via text/phone no later than 7:00 am. At this time it is the responsibility of the Department Head to notify their staff of the closure. A full-time employee who is directed not to report to work due to an emergency closing will be paid for the employee's normal workday at the employee's regular rate of pay. A permanent part-time employee will be paid for their normal scheduled hours. A part-time employee who is directed not to report to work will not be paid for the workday. Such employee may choose to make up the time at a later date if agreed to by the Department Head.

Duly adopted this 11th day of March 2019, by the following vote:

AYES: Hurley, Muratori, Stannard, Crocitto
NOES: None
ABSENT: Dickinson

DISCUSSION – DAN BARUSCH REMOTE WORK POLICY

Councilperson Muratori stated that Dan Barusch has been out for two weeks. He is now putting in for remote work which is 16 hours over the two week period, basically for handling between 185 and 200 e-mails.

RESOLUTION #52-2019, Introduced by Councilperson Stannard and seconded by Councilperson Muratori to approve Dan Barusch for 16 hours remote work for a two week period. In addition to this he is requesting 1-2 hours per day through March 31, 2019.

Duly adopted this 11th day of March 2019, by the following vote:

AYES: Hurley, Muratori, Stannard, Crocitto
NOES: None
ABSENT: Dickinson

RESOLUTION TO ACKNOWLEDGE JUSTICE COURT AUDIT

RESOLUTION #53-2019, Introduced by Councilperson Stannard and seconded by Councilperson Muratori.

WHEREAS: Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective town and village auditing boards, and that such records then be examined or audited and that fact be entered into the minutes of the board's proceedings; and

WHEREAS: Mary MacKrell, CPA Lutz, Selig & Zeronda, has examined the court records and dockets as required and has completed the Annual Checklist for Review of Justice Court Records for both Justice Stafford and Justice Reichenbach; and

THEREFORE BE IT RESOLVED: That the Town Board acknowledges that the required examination/audit was conducted on 02/22/2019.

Duly adopted this 11th day of March 2019, by the following vote:

AYES: Hurley, Muratori, Stannard, Crocitto
NOES: None
ABSENT: Dickinson

PLEDGE TO REDUCE ROAD SALT

A motion was made by Councilperson Muratori and seconded by Councilperson Stannard to agree to pledge to reduce road salt as per a Memorandum of Understanding from ADK Action.

All in favor.

Motion carried.

DONATIONS

RESOLUTION #54-2019, Introduced by Councilperson Stannard and seconded by Councilperson Muratori to accept the following donation to the Town:

Gillis Boat Repair	Softball Sponsorship, Gianna Gillis	\$	250.00
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Duly adopted this 11th day of March 2019, by the following vote:

AYES: Hurley, Muratori, Stannard, Crocitto
NOES: None
ABSENT: Dickinson

BUDGET TRANSFER

RESOLUTION #55-2019, Introduced by Councilperson Stannard and seconded by Councilperson Muratori to approve the following budget transfer:

- **\$8,000 from DB5110.466 Maintenance of Roads Sand/Gravel Pit to DB5142.200 Snow Removal Equipment & Capital Outlay for purchase of plow**

Duly adopted this 11th day of March 2019, by the following vote:

AYES: Hurley, Muratori, Stannard, Crocitto
NOES: None
ABSENT: Dickinson

COMMITTEE REPORTS

Councilperson Stannard -

Library – Program attendance on February 21st, 10 people; March 6, 7 people. There is a list of upcoming programs. National Library Week is April 7-14. The Annual Library Dinner is April 11 at the Holiday Inn at 5:30. You need to call the library to reserve.

Courts – 326 cases for February - \$26,145.00 was forwarded to Audit and Control.

Caldwell Sewer – Village forces spent 40 man hours checking the stations and performing daily maintenance. 6 man hours were spent on snow removal. 2 man hours spent on exercising valves in Upper and Lower stations. 4 man hours reinstalling mixer in Lower Station after being returned for repair. New control panel installed on the generator at the Lower Station.

Councilperson Muratori –

Planning and Zoning Report is available for review if anyone is interested.

Building and Grounds – The Corkland house has tested negative for asbestos which costs \$4,255 to have an independent firm do the testing. The building has now been demolished.

Councilperson Hurley -

Diamond Point Water – The chlorine pump went so we have ordered one. We are using the spare now. Everything tested good.

A motion was made by Councilperson Stannard and seconded by Councilperson Muratori to move to Executive Session at 7:52 p.m., to discuss a personnel matter.

All in favor.

Motion carried.

A motion was made by Councilperson Stannard and seconded by Councilperson Muratori to move from Executive Session to Regular Meeting at 8:30 p.m.

No decision was made during the Executive Session.

A motion was made by Councilperson Stannard and seconded by Councilperson Muratori to adjourn the meeting at 8:32 p.m.

Respectfully submitted,

Deb Foley, RMC
Town Clerk

Minutes typed by Patty Schuster