



Kenneth W. Parker
Chairman

Dave Wick
Executive Director

MEETING MINUTES

MEETING No. 521

TUESDAY, DECEMBER 20, 2022

FORT WILLIAM HENRY CONFERENCE CENTER, LAKE GEORGE, NY

PRESIDING:

Kenneth W. Parker, Chairman

COMMISSION MEMBERS PRESENT:

Dave Floyd, Secretary/Treasurer
Joe Stanek
Dean Cook
Catherine LaBombard
Kathryn Muncil
William Mason
John McDonald
Erin Burns

COMMISSION MEMBERS ABSENT:

None

COMMISSION STAFF PRESENT:

Dave Wick, Executive Director
Joseph Johns, Director of Law Enforcement
Joe Thouin, Environmental Analyst II
Justin Luyk, Park Ranger
Michelle Way, Office Assistant III, Calculations

COMMISSION COUNSEL PRESENT:

Karla Williams Buettner

OTHERS PRESENT:

Erik Reardon	Rosemary Pusateri	Chris Navitsky	Tom Jarrett
Greg Sherry	David Miller		

Item #1 — Welcome, Introductions, Roll Call, and Minutes of Previous Meeting: Kenneth W. Parker, Chairman

The meeting was called to order at 10:15 a.m. and roll call was taken.

Item #2 — Approval of Meeting Minutes and Fiscal Actions Report: Kenneth W. Parker, Chairman

Joe Stanek made a motion to approve the November meeting minutes which was seconded by Dave Floyd; all members present voted unanimously.

John McDonald made a motion to approve the November Fiscal Actions report which was seconded by Joe Stanek; all members present voted unanimously.

Item #3 — Presentation: The Round Goby Threat – The Champlain Canal and Aquatic Invasive Species Spread Prevention: Erik Reardon, DEC Environmental Analyst/Outreach

Erik Reardon, Aquatic Invasive Species Specialist, from the Lake Champlain Basin Program, spoke about the threat of Round Goby to our local waterways. He noted that in July of 2021 Round Goby was found in Waterford, NY.

Mr. Reardon spoke further about the history of Champlain Canal which opened on September 10, 1823. The Champlain Canal was opened for the commerce/transportation industry.

A discussion followed regarding the negative impacts of Round Goby as well as Water Chestnut, Eurasian Watermilfoil, Zebra Mussels, Allewife, Hydrilla, Asian Carp, Silver Carp, Bighead Carp, Northern Snakehead, and Quagga Mussels.

Mr. Reardon explained that the Round Goby adult can grow to about 8-10 inches, they are prolific spawners and reproduce every few weeks, they prey on Zebra Mussels and are native to the Caspian and Black Sea.

The Round Goby was found in Lake Saint Catherine in 1990 and by 1995 had spread to all the Great Lakes.

There is currently no way to eradicate or stop the Round Goby.

To listen to the presentation in its entirety, please watch the meeting video at <https://lgpc.ny.gov>.

Item #4 — Lake George Septic Inspection Program: Kenneth Parker, Chairman

Chairman Parker explained that the resolution being read today will get this program enacted into law. It's been 12-18 months of hard work and it took lots of bodies to get us to this point.

Karla Williams Buettner, Commission Counsel, said that all comments have been assessed and they are on the LGPC website along with the transcript of the public hearing.

Karla Williams Buettner read Resolution 2022-42. Dave Floyd moved to approve the resolution which was seconded by Joe Stanek; all members present voted unanimously.

WHEREAS The Lake George Park Commission is established and authorized by Article 43 of the Environmental Conservation Law (ECL) to provide a means for the people who reside or visit within the Lake George Park to preserve, protect and enhance the unique natural and scenic resources of the lake, and

WHEREAS The Commission seeks to adopt rules and regulations, in conformity with the provisions of the Environmental Conservation Law ("ECL"), including Section 43-0110 requiring promulgation of rules and regulations relative to the discharge of sewage and treated sewage effluent onto the land or into the groundwater of the park to ensure optimum protection of ground and surface waters within the park, including sewage or treated sewage effluent applied to the soil or entering the groundwater through runoff, seepage, percolation, spray irrigation and ground and spring water flow through rule making pursuant to the State Administrative Procedure Act; and

WHEREAS the Commission authorized the publication of Notice of Proposed Rulemaking with supporting documentation under State Administrative Procedure Act for the proposed regulations to LGPC designated 6 NYCRR § 646-3; and

WHEREAS the Notice of Proposed Rulemaking with supporting documentation was published in the New York State Register on September 7, 2022; and

- WHEREAS** the public hearing on the proposed regulations was conducted by the Commission on November 22, 2022; and
- WHEREAS** the Commission has reviewed and responded to all comments made at the public hearing and received during the public comment period; and
- WHEREAS** the Commission has determined to make no substantive changes to the proposed revised regulations which were published in the New York State Register on September 7, 2022; and
- WHEREAS** the Commission adopted a Resolution Determining No Significant Impact and Issuing a Negative Declaration under the State Environmental Quality Review Act on April 26, 2022; and
- WHEREAS** the Commission has reviewed the following documents:
1. Notice of Adoption of Rule.
 2. Full text of the proposed regulations of 6 NYCRR § 646-3 with the supporting documentation that was previously published in the New York State Register on September 7, 2022 with minor and incidental non-substantive and grammatical changes; and
 3. Assessment of Public Comments; and
- WHEREAS** pursuant to ECL § 43-0110, the Commission consulted with each municipality within the Park, the NYS Department of Environmental Conservation and the Department of Health prior to the adoption of the proposed regulations of 6 NYCRR § 646-3 and is awaiting final approval from both Department; and
- WHEREAS** the Commission desires to adopt the proposed regulations of 6 NYCRR §646-3 as a final rule pursuant to SAPA, together with the Notice of Adoption, Assessment of Public Comment and all necessary statements and documents under SAPA; and
- WHEREAS** the Commission finds that the proposed regulations are necessary to enhance the protection of the water quality of Lake George and its tributaries

NOW, THEREFORE, BE IT RESOLVED that the proposed regulations regarding wastewater inspection and management, to be found in 6 NYCRR § 646-3, are

hereby adopted as a final rule under SAPA of the Commission; and

BE IT FURTHER RESOLVED that the Executive Director is directed to submit formal requests for approval from the NYS Department of Environmental Conservation and NYS Department of Health; and

BE IT FURTHER RESOLVED that upon receipt of formal approvals from the NYS Department of Environmental Conservation and NYS Department of Health, the Commission hereby authorizes the Chairman or Vice-Chairman, Executive Director and Counsel to file the Notice of Adoption of Rule, the text of the adopted rule, and all necessary supporting documentation to the Secretary of State for the publication in the State Register; and

BE IT FURTHER RESOLVED that the Chairman or Vice Chairman, Executive Director and Counsel are hereby authorized to make any and all modifications to the aforesaid documents approved by the Commission as they may deem necessary and appropriate and to prepare and file any additional documents as may be necessary to complete publication of the adopted rule in the State Register and to comply with SAPA; and

BE IT FURTHER RESOLVED that the Executive Director and staff are hereby authorized and directed to take any and all necessary measures to implement the purposes of this resolution and the adopted regulation of 6 NYCRR §646-3.

**Item #5 — Lake George Aquatic Invasive Species Prevention Program Staffing:
Justin Luyk**

Justin Luyk said that the LGPC requested bids from several staffing agencies. Seven bids were received, Lane Federal Solutions is the apparent low bidder.

Joe Stanek read and moved to approve Resolution 2022-43 which was seconded by William Mason; all members present voted unanimously.

WHEREAS the Commission released an Invitation for Bid (IFB) to temporary employment service providers regarding staffing for the 2023 through 2026 LGPC Boat Inspection Seasons, and

WHEREAS the IFB was advertised on the NYS Contract Reporter website with bids due November 21st, 2022, and

WHEREAS the Commission received a total of seven bids in response to the IFB, with the lowest cost provider being Laine Federal Solutions, Inc, and

WHEREAS the Commission finds the bid provided by Laine Federal Solutions, Inc. responsive to all requirements set forth in the IFB and the Commission finds it in its best interests to enter a contract with Laine Federal for the aforementioned services for a total of four seasons of boat inspection program staffing not to exceed \$2,400,000.00.

NOW THEREFORE BE IT RESOLVED THAT the Commission authorizes the Executive Director to execute a contract with Laine Federal Solutions, Inc. subject to the review and approval of the NYS Comptroller and the NYS Attorney General for the staffing needs of the 2023 through 2026 Boat Inspection Seasons.

Item #6 — Remembering Commissioner Jim Kneeshaw: Kenneth Parker, Chairman

Kenneth Parker spoke about James Kneeshaw and said that he was a good friend who will be missed greatly.

John McDonald read and moved to approve Resolution 2022-46 which was seconded by Dave Floyd; all members present voted affirmatively.

WHEREAS the Lake George Park Commission is the New York State Agency charged with the long-term protection of Lake George and its many users, and

WHEREAS James T. Kneeshaw was first nominated by Governor George Pataki and confirmed by New York State Senate to join the Commission Board in 2005, and

WHEREAS During Jim’s 17 years of voluntary service he contributed with distinction as a member of the Executive Committee, Project Review Committee, and countless other roles, and

WHEREAS A graduate of Bolton Central High School, Jim’s unwavering service to the Commission reflects a lifetime of thoughtful commitment to the Lake George region and beyond including as a school principal and Superintendent, Planning board member, member of the Bolton Rescue

Squad, as well as his service as an US Navy pilot (1957-1962) and Commission Marine Patrol Officer (1964-1968), and

WHEREAS In his contributions to the Commission, Jim has attended hundreds of meetings and site visits throughout the basin and reviewed thousands of documents, devoting countless hours in his voluntary service to the public for the preservation and protection of Lake George, and

WHEREAS Jim's experience, wit, and affable nature have routinely guided Commission dialogue and action, and positively shaped the organization and its decision-making, and

WHEREAS Jim's contributions including his support for Marine Patrol, the Boat Inspection regulations, Parasail safety measures, and Stormwater and Stream Corridor regulations serve as a lasting legacy of protection for the communities he has long served.

NOW THEREFORE BE IT RESOLVED that the Commission pauses today to give special recognition to James T. Kneeshaw, retiring member and friend, upon the celebration of his completion of 17 years of voluntary service as a Commissioner of the Lake George Park, and

BE IT FURTHER RESOLVED that we convey on behalf of ourselves and all those who love Lake George, our great appreciation for your service. May you go forward from today with the satisfaction that your contributions to public service stand as a water mark for us all.

Item #7 — Project Review, Acceptance of the Project Review Actions Report: Joe Thouin

Resolution 2022-44— Project Review Actions Report

Joe Stanek read and moved to approve the Project Review Actions Report which was seconded by William Mason; all members present voted unanimously.

WHEREAS the Commission has received and reviewed the Project Review Actions Report prepared by staff and dated December 14, 2022.

WHEREAS the Project Review Committee recommends acceptance of the Project Review Actions Report.

NOW THEREFORE BE IT RESOLVED that the Commission directs that the Project Review Actions Report be incorporated in the minutes of the full Commission meeting.

Item #8 — Law Enforcement Committee Report: Dave Floyd, Law Enforcement Committee Chairman

Law Enforcement Committee Chairman, Dave Floyd reported that the Law Enforcement Committee did meet this morning. One boat is in the water but will be removed in the next week. He said that the water temperature is currently 42 degrees.

Mr. Floyd also spoke about the \$120,000.00 navigational reimbursement and said that new and existing law enforcement cases were discussed..

Dave Floyd read and moved to approve Resolution 2022-45 which was seconded by Cathy LaBombard; all members present voted unanimously.

WHEREAS the Law Enforcement Committee met on December 20, 2022, to review matters pertaining to the Lake George Park Commission's Marine Patrol and the Commission's Law Enforcement Program, and

WHEREAS active Law Enforcement cases and their status were reviewed in Executive Session, and

WHEREAS the Law Enforcement Committee has reported on the results of that committee meeting at this full Commission meeting, and

WHEREAS the Law Enforcement Committee recommends acceptance of this month's Law Enforcement Report.

NOW THEREFORE BE IT RESOLVED that the Commission accepts the report of the Law Enforcement Committee.

Item #9 — Public Comments

Chris Navitsky thanked the LGPC for all their work on the wastewater program and he also expressed his sorrow and sadness at the loss of James Kneeshaw.

David Miller of the Adirondack Council thanked everyone for their work on the wastewater regulations and said that this is a historic day!

Item #10 — Adjournment

Joe Stanek made a motion to adjourn which was seconded by William Mason; all members voting affirmatively. The meeting was adjourned at 12:28 p.m.

SECRETARY'S NOTE: The next Commission meeting is scheduled for **Tuesday, January 24, 2022** at 10:00 a.m. at the Fort William Henry Conference Center.