

Minutes
Lake Placid Village Board Meeting
Monday, October 19, 2009
5:30 p.m. – Town Hall

Present: Mayor Randall, Trustees Curtis, Jones, Leon and Devlin, Village Attorney Janet Bliss, Richard Smith, Connie Issleb, Chris Knight, Bill Billerman, Mark Wilson, Eileen Valentine, Wayne Johnston and Chris Morris.

Mayor Randall opened the meeting at 5:30 p.m. with the Pledge of Allegiance.

People on Agenda to Speak

Bill Billerman – Mirror Lake Watershed Association

Mayor Randall introduced Bill Billerman and gave him the floor.

Bill Billerman said as a follow-up to the fireworks discussion at the last meeting, the fireworks for Tuesday night have been moved back closer to the Agora Theatre and tennis court area, instead of the normal spot, with the hope that the rubble will not end up in the lake. The Lussi family decided to have the fireworks moved back to the Agora Theatre area. I think it would be a better place to shoot the fireworks off from.

Bill Billerman also added he attended a Town Board meeting recently and it appears the Town is aware of some statute or law which prohibits fireworks for any private events, such as weddings, etc.

Village Attorney Janet Bliss said she was not aware of that and would have to take a look at it.

Trustee Jones said yes, I just read something about that in the newspaper recently.

Bill Billerman said certainly, civic organizations could be permitted to have fireworks, not private individuals. Anyway – just a follow-up!

Trustee Devlin asked how about judges having fireworks?

Bill Billerman said I'm not sure about that! As a follow-up to my email I sent the board last week, there are some opportunities for grants that are becoming available. I was wondering if we could apply for some type of grant money to start taking a look at the east side of Mirror Lake's storm water system. Its possible we could receive up to \$10,000, and while that's not enough to cover engineering expenses, it's a start. Maybe we could get an idea of the cost and apply for a grant for pollution technical assistance.

Mayor Randall asked if the county's field technician was aware of these grants?

Bill Billerman said this is a follow-up to a 2001 grant that we received for the watershed. Northwoods Engineering did a survey and inventoried all of the watershed around and completed the Mirror Lake Action Plan. As a follow-up to that project, maybe we could do a new system for the east side of the lake, since the vortex units near the Mirror Lake Inn tie into a previous grant. Of course, with any grant there area always matches, or volunteer assistance, or in-kind services that are needed. I think the MLWA and the Village could work together on that and I'd like to talk with Northwoods Engineering to see what the next step would be in this process.

Trustee Jones asked Bill if the board was copies on the Mirror Lake Action Plan?

Bill Billerman handed a copy of the report to Trustee Jones.

Trustee Jones said oh yes, I remember this now.

Bill Billerman said what we really need for the east side of the lake is a collection system to combine with a vortex unit which treats the water before it enters Mirror Lake.

Trustee Jones said the vortex unit really doesn't treat the water.

Bill Billerman said a vortex takes the oil, sand, silt and particles out of the water.

Mayor Randall said I've been cautioned recently, that even vortex units can be overwhelmed when you experience extreme flows. I'm told by the experts on this that under normal circumstances you can still have incidents of particles in the watershed.

Bill Billerman said there is a bypass on the vortex for extreme conditions, and if the volume is heavy it can bypass and particles get into the water system. A vortex system would lessen the amount of particles. Right now, there's no treatment really on the east side stopping things such as metal, bacteria and more. With a vortex system you have two filters that help to keep the bacteria and phosphorous out of the systems.

Trustee Devlin asked do you mean the units near the Cinderella Shop and Roomers?

Bill Billerman said yes, they have inserts which are fabric filters in them. It was something the Village Board approved to test a couple of years ago and I think one cost about \$550.00 and the other was \$8-900.00, but they are effective. I know in talking to Brad the catchment can freeze up in winter, but for the most part I think they have been very effective.

Trustee Jones said as you know Bill, we don't have a grant writer at the moment and some of this task has been placed on the shoulders of Peggy Mousaw. Depending upon her availability, and I see this looks like it needs to be done by December 4th, that's really

about a month away to get everything in place. Would you be willing to assist her with this application, I mean I'm speaking for myself here, I don't know how the rest of the board feels, but is that something you think you could do?

Bill Billerman said yes, I'd like to speak with Joe Garso of Northwoods Engineering and talk to him about it to find out what the cost might be and proceed from there.

Mayor Randall advised he recently attended a Waterfront Revitalization Meeting where the Dept. of State makes available funds for projects, which now has about \$60,000 available. The communities of Ausable Forks, Jay, Keene, and I think its Wilmington that started the process with their waterfront revitalization project first, all have a list of projects. I gave them about 8 to 10 projects that I thought would be appropriate for the Village of Lake Placid's watershed including the replacing of the stone wall at the outlet of the Village beach, the wall at the NBT parking lot which is deteriorating as we speak, and the storm water runoff at that location, as well as the Mill Pond Dam project, and of course, the trunk line sewer project. The engineering cost for the Mill Pond Dam electric generating system could be somewhere around \$200,000. Certainly, we have many varying projects that would come under that type of funding source, whether we are lucky enough to be approved, is another question.

Bill Billerman said I would be happy to work with Peggy and see if we get some grant money.

Mayor Randall said gentlemen, any questions for Bill? Certainly, I think this board would like you to pursue the grant opportunity and I think it's a very worthwhile idea.

Bill Billerman said great, I'll contact Northwood Engineering and take it from there. Thank you.

The Village Board thanked Bill for coming.

Terry Kent – 2010 International Regatta

Terry Kent said thank you very much, and I apologize for being late but I went to the Beach House first! This was the fifth year of running the Lake Placid International Regatta and its becoming more popular each year. This year I worked with the Chief of Police and the Village Board with parking issues and we had no problems whatsoever. We had good communication this year and I think that really helped to make things run smoothly.

Trustee Curtis asked what about the work at the tennis courts? What if we are in the middle of construction during the competition? I'm sure the construction will take up extra space surrounding the tennis courts and think maybe that's something we need to think about.

Terry Kent said I'm sure we can work around the construction if we have to.

Trustee Jones said I think probably we would schedule construction after Labor Day when the beach area closes. Certainly, we are not going to be getting started this year.

Trustee Curtis said yes, that's probably a good idea, but I just wanted to mention it in case it was going to be a problem.

Mayor Randall said originally, we thought things were going to get started this fall and finish up in the spring before tennis season, but that's something we should keep in mind as a board.

Trustee Devlin asked do we have any issues with milfoil on the racing shells?

Terry Kent said no, not really, we watch for it all the time.

Mark Wilson added not the shells, but the chase boats can bring it in.

Trustee Devlin asked what about parking the boats at the Village launch. Didn't we have a problem with emergency vehicles getting in and out of the lake this year?

Village Clerk McKillip said yes, that was a problem and we are not going to allow boats to be placed in front of the launch area in case of emergency.

Terry Kent said that's fine, we can do that.

Trustee Jones asked what about the vendor tents? Are they the easy-up 10 x 10 tents that sell t-shirts and coffee, etc.?

Terry Kent said yes, and I purchase a hawkers/peddler's permit as I have in past years to have a kind of festival atmosphere over there. We had Starbucks and other vendors with t-shirts and over by the outlet we have vendors with paddles and kayaks, just give it a little variety.

Motion by Trustee David Jones, seconded by Trustee Jason Leon and carried to authorize the 2010 Lake Placid International Regatta July 2-4, 2010, with the following guidelines:

- (1) athletes to place their canoes and kayaks on the park for competition;
- (2) no canoes or kayaks will be allowed to park front of the launch site;
- (3) placing of a finish line trailer from ORDA;
- (4) placing of a small finish tower off the shore;
- (5) placing a small public address system at the finish line trailer;
- (6) placing several 10 x 10 tents for vendors, volunteers & officials;
- (7) purchase of hawkers/vendors permit;
- (8) placing of the canoe and kayak race course installed on Mirror Lake;
- (9) three (3) 4 stroke engine launches on Mirror Lake;

- (10) trailer parking to be secured at another location – drop off and pick-up only - no all day parking at the site; and
- (11) proper insurance provided to the Village Clerk prior to the event.

The Village Board thanked Terry for coming.

Approval of Minutes

Motion by Trustee Jones, seconded by Trustee Curtis and carried to accept the minutes of the October 5th, 2009 meeting as presented by the Village Clerk.

Old Business

NYPA Agreement

Mayor Randall explained the Village Board was given a copy of the Agreement between NYPA and the Village concerning energy services expanded measures to review at the last meeting. I think everyone has had an opportunity to look at it. Janet, have you had an opportunity to review this?

Village Attorney Janet Bliss said yes, its pretty straight-forward the only issue is the interest rate.

Mayor Randall said my understanding, and Dave Jones jump in if you like, is from the most recent MEUA meetings, that the interest rate is to be zero, and I'm not sure if that occurred yet or not. Whatever interest rate NYPA will get should be good. I've spoken with Peter Kroha on this and he supports us signing the Agreement because this program will help those in the community. Peter would also like to hand it to them when we return from Tupper Lake tomorrow afternoon. Does anyone have any questions? If not, then I'd entertain a motion.

Motion by Trustee Curtis, seconded by Trustee Jones and carried to authorize the Mayor to sign the Agreement between the New York Power Authority and the Village of Lake Placid Municipal or Rural Electric Systems Cooperative Customer Concerning Energy Services Expanded Measures.

New Business

NYCOM Legislative Priorities Workshop

Motion by Trustee Jones, seconded by Trustee Devlin and carried to authorize any board member to attend the NYCOM Legislative Priorities Workshop in Albany, NY, on Monday, November 9, 2009, with all necessary expenses to be paid for by the Village of Lake Placid.

NYS Magistrates Fireworks

Motion by Trustee Jones, seconded by Trustee Leon and carried to authorize fireworks by ORDA for the NYS Magistrates Conference on Tuesday, October 20, 2009 between 7:10 p.m. – 7:30 p.m., pending sign-off from the Chief of Police and Head Fire Driver.

CHE Banner Requests

2009-2010 Banner Schedule for Village of Lake Placid

Oct. 5-11	2009	CanAm
Oct. 15-18	2009	CHE
Oct. 19-26	2009	CanAm
Oct. 26- Nov 2	2009	CanAm
Nov. 9-15	2009	SKATE AMERICA – no banners permitted
Nov. 16-23	2009	CanAm
Nov. 23-30	2009	CanAm
Nov. 30 – Dec. 7	2009	CanAm
Dec. 10-13	2009	CHE
Dec. 17-20	2009	CHE
Dec. 31-Jan. 3	9/10	CHE
Jan. 7-10	2010	CHE

Problem:

Jan. 25 – Feb.1	2010	CanAm	no banners permitted
Jan. 28- Feb. 4	2010	CHE	
Feb. 4-7	2010	CHE	
Feb. 25-28	2010	CHE	
Mar. 8 – April 18	2010	CanAm	
April 22-25	2010	CHE	
June 10-13	2010	CHE	
June 14-20	2010	CanAm	

Motion by Trustee Jones, seconded by Trustee Devlin and carried to approve the CHE dates requested for 2009-2010 seasons with the required fees paid and policies followed.

Jr. Membership LPVFD

Motion by Trustee Curtis, seconded by Trustee Leon and unanimously carried to appoint Brady Hayes as a Junior Member of the Lake Placid Volunteer Fire Department.

Trustee Curtis said Brady is a great guy! He's third generation in the LPVFD. He's Greg Hayes' son and he's doing a great job and we're happy to have him in the dept.

Mayor Randall added its nice to see young people becoming active in the community!

Morrisville Basic Operations WWTP

Motion by Trustee Jones, seconded by Trustee Leon and carried to authorize Eugene Jewtraw to attend Basic Operations Course at Morrisville College November 30 to December 11t, 2009, with all necessary expenses paid for by the Village of Lake Placid.

Taxi Cab Operator #24

Motion by Trustee Jones, seconded by Trustee Curtis and carried to authorize taxi cab operator #24 (Orianna Lamica) to operate in the Village of Lake Placid for 2009.

Mark Wilson – LPSOA

Mark Wilson, who was not on the agenda, asked to speak during the question and answer period of the meeting. Mayor Randall allowed him to do so.

Mark asked what the Village of Lake Placid planned to contribute, or what the ballpark figure from the Village would be because the deadline for the Town budget process was looming next week and he needs to know what the Village plans on doing.

Mayor Randall advised the board he had spoken with Mark on the phone during the afternoon and had planned on discussing this with the board this evening. I really don't know what to say until the Town and Village have had a chance to meet together and discuss this, because its really more a Town issue.

Trustee Leon said I'm glad to hear its not just the Village, that it's a Town/Village thing and we need to do something as a team.

Trustee Curtis added the Town and Village have different budget cycles.

Mark Wilson continued on at length going over the cost and need to man both launch sites for 15 weeks during the year from Memorial Day to Labor Day at a cost of \$3,300 per week for a total of approximately \$42,000.00. He again explained the stewardship program with Paul Smiths College.

Richard Smith said as a taxpayer, I'm paying twice! The problem is all in the Town, not the Village!

Mayor Randall said Roby and I have discussed this fact that we are all Town taxpayers, so for the Village to do likewise in these economic times would be inappropriate.

Richard Smith said the bottom line is, its both!

Mark Wilson continued discussing the chief concern is Paradox Bay and the need to protect the water because Lake Placid is not immune to invasives, and we need to protect the quality of the water.

Trustee Leon said he agrees with the water quality issue and we need to keep testing.

Trustee Jones noted the weekly costs seem rather high. Over \$3,000 a week for a student to be there?

Mark Wilson said he will be meeting with the Town Board on Wednesday.

Mayor Randall said thank you very much.

Sewer District Contract for Maintenance with Town of North Elba

Motion by Trustee Jones, seconded by Trustee Curtis and carried to authorize the Mayor to sign the contract with the Town of North Elba with regard to the maintenance contract for Sewer Districts between the Village of Lake Placid and Town of North Elba.

A copy of the Agreement is annexed hereto as Exhibit 1 and made a part hereof.

NYS Community Development Block Grant - \$400,000.00

Motion by Trustee Leon, seconded by Trustee Devlin and carried to authorize the Mayor to sign the contract for the New York State Community Development Block Grant Agreement in the amount of \$400,000.00, project #611HR133-09.

A copy of the Contract is annexed hereto as Exhibit 2 and made a part hereof.

Resolution to Open Non-Interest Bearing Account – NYS CDBG Funds

The following Resolution was duly moved by Trustee David W. Jones, seconded by Trustee Art Devlin, as follows:

WHEREAS, the Village Board by Resolution dated April 13, 2009, has designated the Village Clerk and the Treasurer to act and sign on all accounts for the

*Village of Lake Placid as designated authorized agents for the Village of Lake Placid;
and*

WHEREAS, *the Village of Lake Placid has been awarded a grant by the Office of Community Renewal and the New York State Housing Trust Fund Corporation, for the Village of Lake Placid’s Housing Rehabilitation Program in the sum of \$400,000.00, one of the requirements for the grant agreement requires a non-interest bearing account be opened for the transfer of funds for the grant, entitled “Lake Placid Village Inc. NYS CDBG Funds Project No. 611HR13309”.*

NOW, THEREFORE, BE IT RESOLVED *a non-interest bearing account be opened at Adirondack Bank solely for the purpose of administering these grant funds.*

The motion was put to a roll call vote which resulted as follows:

<i>Mayor Craig H. Randall</i>	<i>Aye</i>
<i>Trustee David W. Jones</i>	<i>Aye</i>
<i>Trustee Zay B. Curtis, III</i>	<i>Aye</i>
<i>Trustee Art Devlin</i>	<i>Aye</i>
<i>Trustee Jason Leon</i>	<i>Aye</i>

The Resolution was duly adopted.

I, Kathryn McKillip, Village Clerk of the Village of Lake Placid, do hereby certify that the above Resolution was duly adopted at the Lake Placid Village Board of Trustees Meeting held on Monday, October 19, 2009.

Seal

*Kathryn A. McKillip
Village Clerk*

A copy of the Adirondack Bank Account documentation is annexed hereto as Exhibit 3 and made a part hereof.

Contract with HAPEC

Motion by Trustee Curtis, seconded by Trustee Jones and carried to authorize the Mayor to sign the contract with Housing Assistance Program of Essex County, Inc. (HAPEC) as administrator of the residential rehabilitation program to be implemented through the NYS Community Development Block Grant in the amount of \$400,000.00, project #611HR133-09.

A copy of the Contract is annexed hereto as Exhibit 4 and made a part hereof.

Audit Bills

The Village Board, acting as a Board of Auditors to the Village of Lake Placid, do hereby certify that the attached is a complete and true abstract of all accounts audited by this Board at its regular meeting held on October 19, 2009, including the amount claimed and the amount allowed thereof, and including bills totaling the amount of:

\$	348,980.43	General Vouchers
\$	306,749.17	Electric Vouchers
\$	41,968.26	Water Vouchers
\$	83,498.30	Sewer Vouchers
\$	132.00	HUD & Sec 8 Vouchers

The total of all vouchers on Abstract #6: \$781,328.16

Executive Session

Motion by Trustee Curtis, seconded by Trustee Jones and carried to enter into Executive Session at 6:45 p.m. to discuss contract and litigation matters.

Motion by Trustee Devlin, seconded by Trustee Curtis and carried to return to the regular meeting at 7:30 p.m.

There being no further business to come before this meeting, motion by Trustee Leon, seconded by Trustee Devlin and carried to adjourn the meeting at 7:30 p.m.

Kathryn A. McKillip
Village Clerk