



Lake Placid Village, Inc.
Village Board Minutes
June 19, 2017 Board Meeting and Public Hearing

Minutes of the Lake Placid Village Board of Trustees Regular Meeting and Public Hearing held on the above date at 5:00 pm in the Board Room on the first floor of the Municipal Hall, 2693 Main Street, Lake Placid, NY.

Present:	Craig Randall Art Devlin Scott Monroe Jason Leon Peter Holderied Paul Ellis Ellen M. Clark Janet Bliss	Mayor Deputy Mayor Trustee Trustee Trustee Treasurer Clerk Attorney
Others Present:	Antonio Olivero Bill Billerman Dean Dieterich Bob Boitras Leah Demo Bob Maswick Jim Morganson Margaret Murphy Katie Osgood Jim Wasson Brendan Wiltse	Adirondack Daily Enterprise Mirror Lake Watershed Association Community Development Commission Ausable River Association

PUBLIC HEARING

Mayor Randall opened the Public Hearing at 5:00 pm with the Pledge of Allegiance and the reading of the Public Notice for the Public Hearing below which is included herein:-

Tentative Village Budget

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Lake Placid Village Board of Trustees will hold a public hearing in the 1st floor meeting room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York on the 19th day of June, 2017 at 5:00 pm to consider the tentative budgets for the general fund as well as for the water, sewer, and electric funds of the Village of Lake Placid for the fiscal year commencing August 1, 2017 and terminating July 31, 2018.

Lake Placid Village, Inc.
Regular Board Meeting and Public Hearing
Monday, June 19, 2017

A copy of the tentative budget is available on the Village website at <http://villageoflakeplacid.ny.gov> or you may obtain a copy at the Village Clerk's Office, 2693 Main Street, Suite 204, Lake Placid, NY.

Dated: June 12, 2017.

Ellen M. Clark, Village Clerk

The Mayor discussed different aspects of the budget which he reviewed fund by fund.

The Public was heard and the Public Hearing was closed at 5:12 pm.

REGULAR BOARD MEETING

The Regular Board meeting was opened at 5:13 pm.

Speakers

Bob Boitras, Essex County's insurance broker and Leah Demo of Public Employer Risk Management Association (PERMA) were introduced. PERMA is being considered as a new provider of Workers' Compensation for the Village. PERMA would increase services provided at a lower cost than the Village is currently paying for Workers' Comp, saving roughly \$95,000 annually as well as consolidating some services to include the Volunteer Fireman's Department.

CHANGE IN WORKERS' COMP CARRIER

Resolution #127 – 2017

On motion by Mayor Randall, seconded by Trustee Devlin, the Board resolved as follows:-

To approve the Village of Lake Placid joining with PERMA to provide workman's comp coverage as appropriate for its general employees and also members of the Lake Placid Volunteer Fire Department and that the mayor be authorized upon legal opinion to execute the documentation required to accomplish that.

Trustee Devlin, Trustee Leon, Trustee Holderied and Trustee Monroe voted AYE.

The documents to be signed are included as follows:

RESOLUTION OF THE VILLAGE OF LAKE PLACID REQUESTING OF ESSEX COUNTY TO BE ADMITTED AS A PARTICIPANT IN THE ESSEX COUNTY SELF-INSURANCE PLAN AS DEFINED WITHIN LOCAL LAWS NO. 3 OF 1959, LOCAL LAW NO. 1 OF 1981, AND LOCAL LAW NO. 3 OF 2006

The following resolution was offered by Trustee Peter Huldreich who moved its adoption.

WHEREAS, Local Law # 3 of 1959, under Section 1., Sub Section A. Participation, provides for the following;

In addition to the County, participation in the Essex County Self-Insurance Plan shall be available to:

- (1) Cities
- (2) Towns
- (3) Villages

WHEREAS, Such participation shall be allowable provided that a certified copy of a resolution of the governing body of the applicant shall be filed with the Committee by the preceding July 1st, and

WHEREAS, Section 50, Subdivision 4-a of the New York State Workers' Compensation Law as amended by Chapter 61, laws of 1989, effective April 1, 1989 and provided for the following as it applies to group coverage;

A county, city, village, town, school district, fire district or other political subdivision of the state may secure compensation to its employees in accordance with subdivision one or two or three-a of this section, and a public corporation as defined in subdivision one of section sixty of this chapter may also secure such compensation in accordance with article five of this chapter. If compensation is not so secured, a county, city, village, town, school district, fire district or other political subdivision shall be deemed to have elected to secure compensation pursuant to subdivision three of this section and in such case, no proof of financial ability or deposit or securities need be made in compliance with such subdivision. All other requirements prescribed by this chapter for employers so electing shall be complies with and notice of such elections shall be filed with the Chair. For failure to file such notice of election, prescribed in form by the Chair, within ten days after the election

was made, the treasurer, or other financial officer shall be liable to pay to the Chair the sum of one hundred dollars as a penalty, to be transferred to the state treasury.

WHEREAS, Essex County Local Law No. 3 of 2006, defines the contributions formulas for the participating members, whereby such participating members allocate the overall cost of such plan among the participants, and

WHEREAS, the Village of Lake Placid as a new participant of the plan shall hereby agree to the following formula as their allocated cost of such overall plan costs;

The annual estimated expenses shall be apportioned among the participants based upon the following three factors:

- A. 50% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants on the basis of claims paid over the previous five (5) completed years of claims and shall be calculated based upon the following;
 1. The Administrator of the Plan shall compile and certify the dollar amount of claims for all participants based upon the previous (5) completed years of claims attributable to such participant.
 2. The percentage of claims for each participant shall be determined by dividing the five (5) year claims totals of each participant into the aggregate five (5) year claims total.
 3. Each participants contribution amount attributable to Claims Experience shall be determined using the following formula; multiply 50% of the estimated amount needed to operate the plan by the percentage of claims as determined in Section A., subsection 2. above.
- B. 25% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants on the basis of budgeted payroll for the current year and shall be calculated based upon the following;
 1. The Administrator of the Plan shall compile and certify the dollar amount of participants payroll based upon adopted budgets as submitted yearly to the Clerk of the Board.
 2. The percentage of payroll for each participant shall be determined by dividing the payroll totals of each participant into

the aggregate payroll total.

3. Each participants contribution amount attributable to payroll shall be determined using the following formula; multiply 25% of the estimated amount needed to operate the plan by the percentage of payroll as determined in Section B., subsection 2., above.
- C. 25% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants as follows;
1. Shares for the towns shall be apportioned among them based upon simple majority weighted votes as determined every ten years by population census, and shall be calculated based upon percentage of weighted vote.
 2. The percentage of weighted vote for each town shall be determined by dividing the simple majority weighted votes of each town into the aggregate simple majority weighted vote total.
 3. The Village as a new participant does not have weighted votes, therefore the Village apportionment for Section C., shall be set at 50% of the amount determined necessary for Section C., as defined in Section B.
 4. The County as an entity does not have weighted votes, therefore the County apportionment for Section C., shall be set at 75% of the amount determined necessary for Section C.
 5. The Town participant share shall be determined using the following formula; use the amount determined for Section C., subtract the County's 75% share, then multiple by the percentage of weighted vote as determined in Section C., subsection 2., above.

WHEREAS, the Village has a fiscal year which does not run according to the calendar year as does the other participants of the plan, therefore the County agrees to prorate such contributions of the plan according to the Village Fiscal year beginning ~~July~~ ^{EMC} August 1st of the year and running until ~~June 30th~~ ^{JULY 31ST}, and

WHEREAS, the plan is currently administered by PERMA for coverage and PERMA has a one time entry fee of \$7, 237.00, which the Village shall be responsible for payment

of the same directly to PERMA, SHOULD PERMA requires it.

End.

BE IT RESOLVED, the Village of Lake Placid hereby requests of the County of Essex to be admitted as a participant in the Essex County Self-Insurance Plan as defined within the various Local Laws and the resolution of the County of Essex dated June 6, 2017.

This resolution was seconded by Rep. Mayor Matt DeVin and duly adopted, upon a roll-call vote as follows:

AYES:	4	votes
NOES:	0	votes
ABSENT:	0	votes

Dated: June 19, 2017

RESOLUTION TO JOIN MUNICIPAL GROUP SELF-INSURANCE PROGRAM

WHEREAS, the Village of Lake Placid Board of Trustees (hereinafter "Board") desires to secure the Village of Lake Placid's obligation to provide volunteer firefighters' benefit law, volunteer ambulance workers' benefit law and workers' compensation benefits, as applicable, through participation in a group self-insurance program of which the Village of Lake Placid will be a member,

The Board duly convened in regular session, does hereby resolve, pursuant to, and in accordance with the provisions of Section 50 of the New York State Workers Compensation Law and other applicable provisions of law and regulations thereunder, as follows:

Section 1. The Board does hereby resolve to secure the Village of Lake Placid's obligation to provide volunteer firefighters' benefit law, volunteer ambulance workers' benefit law and workers' compensation benefits, as applicable, through participation in a group self-insurance plan of which the Village of Lake Placid will be a member;

Section 2. The Board of the Village of Lake Placid does hereby resolve to become a member of Public Employer Risk Management Association, Inc., a workers' compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York;

Section 3. In order to affect the Village of Lake Placid's membership in said group self-insurance program, the Mayor of the Village of Lake Placid is hereby authorized to execute and enter into the Public Employer Risk Management Association Workers' Compensation Program Agreement, annexed hereto as Exhibit A, on behalf of the Village of Lake Placid.

Section 4. This Resolution shall take effect immediately.

DATED: JUNE 19, 2017.

Bill Billerman addressed the Board on behalf of the Mirror Lake Watershed Association. He introduced Brendan Wiltse of the Ausable River Association to present the findings of water quality testing from 2016 and discussed the group's budget for 2016 and anticipated spending for 2017 and 2018. Highlights of his report include:

1. The lake continues to show seasonal anoxia (lack of oxygen) in the bottom waters but the group is surprised and concerned about how early in the season this is now being exhibited, which is detrimental to the lake trout.
2. There is a salt buildup in the bottom of the lake, primarily in winter, caused by salt runoff from the roads. The buildup has consistently been more present following harsher winters with more salt used.
3. The group is focusing on establishing a rigorous monitoring program on the lake to assess how things are happening so that they determine can how effective it is on certain issues and better understand the mechanisms that are causing things to happen so they can be more targeted in a management action and help catch these things in advance in the future.
4. There are significant long-term trends of increasing sodium and chloride in the lake which can potentially kill the organisms of the lake.
5. There is an unexplained, increased source of calcium in the lake that could make it susceptible to the invasive species, zebra mussels.

Mayor Randall commended the work of the Watershed Association.

MIRROR LAKE WATERSHED REQUEST FOR FUNDING 2018

Resolution #128 - 2017

On motion by Trustee Holderied, seconded by Trustee Devlin, the Board resolved as follows:

To approve the request of the Mirror Lake Watershed Association for funding in the amount of \$3,000 for 2018 to continue monitoring the water quality of Mirror Lake.

Trustee Devlin, Trustee Monroe, Trustee Leon and Trustee Holderied voted AYE.

APPEARANCE COMMITTEE PRINCIPLES

Dean Dietrich spoke about the reconfigured Appearance Committee, which is clarified as being advisory only. It is comprised of ten representatives: Community Development Commission, Lake Placid Business Association, Tree Board, Lake Placid Beautification, Garden Club, Mirror Lake Watershed Association, Lake Placid Shore Owners Association, Joint Review Board and At-Large members of the community (two). Their intention is to widen their objectives, beyond just beautification. Anyone can come and speak at the meetings, but the number of voting members is limited. Any member of the commission is beholden to the stakeholders they are representing and can be removed by that group.

Lake Placid Village, Inc.
Regular Board Meeting and Public Hearing
Monday, June 19, 2017

Resolution #129 - 2017

On motion by Trustee Leon, seconded by Trustee Devlin, the Board resolved as follows:

To adopt the operating principles as proposed for the Appearance Committee by the Community Development Commission.

Trustee Devlin, Trustee Monroe, Trustee Leon and Trustee Holderied voted AYE.

APPEARANCE COMMITTEE NOMINATIONS

Resolution #130 - 2017

On motion by Trustee Leon, seconded by Trustee Holderied, the Board resolved as follows:

To approve the following nominees for the Appearance Committee, with terms to expire January 31, 2018:

Community Development Commission, Mavis Miller
Lake Placid Business Association, Lori Fitzgerald
Tree Board, Jamie Rogers
Lake Placid Beautification, Cherise Bailey
Garden Club, Judy Shea
Mirror Lake Watershed Association, Margaret Murphey
Lake Placid Shore Owners Association, Georgia Jones
Joint Review Board, Christine Varden
At-Large Members of the Community, Dean Dietrich and a Student Representative to be named

Trustee Devlin, Trustee Monroe, Trustee Leon and Trustee Holderied voted AYE.

Dean then spoke about the Draft Ordinance for Transient Rental Registration prepared by the Community Development Commission. A \$100 fee for registration is being proposed, but left out of the wording of the ordinance, so that it can be changed as needed without having to amend the ordinance. The legislation being considered addresses the impacts of short-term vacation rental activities on the neighborhoods in terms of safety and quality of life, as opposed to being an enforcement tool to collect occupancy tax. A date will be determined for a joint meeting between the Village of Lake Placid and the Town of North Elba to further discuss this issue and agree to a joint resolution.

Clerk's Items

2ND CAPTAIN FOR LAKE PLACID VOLUNTEER FIRE DEPT. FOR 2017-18

Resolution #131 - 2017

On motion by Trustee Holderied, seconded by Trustee Leon, the Board duly resolved as follows:-

To approve Ryan St. Louis as 2nd Captain for Lake Placid Volunteer Fire Department for the 2017-18 term, as recommended by the Volunteer Fire Department.

Trustees Devlin, Trustee Holderied, Trustee Leon and Trustee Monroe voted AYE.

BOARD MINUTES OF JUNE 5, 2017

Resolution #132 – 2017

On motion by Trustee Devlin, seconded by Trustee Holderied, the Board duly resolved as follows:-

To approve the regular Board Minutes of June 5, 2017, as prepared by the Village Clerk.

Trustee Devlin, Trustee Leon, Trustee Holderied and Trustee Monroe voted AYE.

BOARD MINUTES OF JUNE 12, 2017

Resolution #133 – 2017

On motion by Trustee Devlin, seconded by Trustee Holderied, the Board duly resolved as follows:-

To approve the special Board Minutes of June 12, 2017, as prepared by the Village Clerk.

Trustee Devlin, Trustee Leon, Trustee Holderied and Trustee Monroe voted AYE.

RETIREMENT OF GORDON KELLY FROM LAKE PLACID FIRE DEPARTMENT

Resolution #134 – 2017

On motion by Trustee Devlin, seconded by Trustee Holderied, the Board duly resolved as follows:-

To approve the retirement of Gordon Kelly as a paid driver for the Lake Placid Fire Department effective July 26, 2017. The Village expresses appreciation for his 32 years of service to the community and wishes him the best in retirement.

Trustee Devlin, Trustee Leon, Trustee Monroe and Trustee Holderied voted AYE.

Lake Placid Village, Inc.
Regular Board Meeting and Public Hearing
Monday, June 19, 2017

POSTING OF FIRE DRIVER POSITION

Resolution #135 – 2017

On motion by Trustee Monroe, seconded by Trustee Holderied, the Board duly resolved as follows:-

To authorize the posting of the Fire Driver position for the Village Fire Department.

Trustees Devlin, Trustee Leon, Trustee Monroe and Trustee Holderied voted AYE.

WATER/WASTEWATER LABORATORY COURSE, PLATTSBURGH, NY, 7/12/2017

Resolution #136 – 2017

On motion by Trustee Monroe, seconded by Trustee Holderied, the Board duly resolved as follows:-

To authorize Brad Hathaway to attend Laboratory Training in Plattsburgh, NY on July 12th, with approved expenses paid.

Trustees Devlin, Trustee Holderied, Trustee Leon and Trustee Monroe voted AYE.

USE OF MOTOR BOAT ON MIRROR LAKE

Resolution #137-2017

On motion by Trustee Monroe, seconded by Trustee Leon, the Board unanimously resolved as follows:-

To table the request of use of a motor boat on Mirror Lake to tow a dock into place, pending evidence of required permits, that it not be during any scheduled event, and that the boat be inspected.

Trustee Devlin, Trustee Leon, Trustee Monroe and Trustee Holderied voted AYE.

BETSY OWENS MEMORIAL SWIMS

Resolution #138 - 2017

On motion by Trustee Leon, seconded by Trustee Devlin the Board resolved as follows:-

To approve the request of Greenleaf Racing LLC for the Betsy Owens Memorial Swim to be held on August 12, 2017 in Mirror Lake.

Trustee Devlin, Trustee Monroe, Trustee Leon and Trustee Holderied voted AYE.

AGREEMENT WITH PLACID SENIOR CITIZEN ASSOCIATION

Resolution #139 – 2017

On a motion made by Trustee Leon and seconded by Trustee Devlin, the Board resolved as follows:-

To authorize Mayor Randall to sign the 2017-18 annual agreement with the Placid Senior Citizens and authorize the payment of \$2,000.

Trustee Monroe, Trustee Leon, Trustee Devlin and Trustee Holderied voted AYE.

Treasurer's Items

WARRANT AFFIDAVIT #21 – 2016-17

Trustee Monroe questioned the purchase of a vehicle for the Police Department and said he did not recall when it had been authorized. The Treasurer explained that it had been authorized in a prior year but was not purchased at the time. He further explained that the current Purchase Order system does not adequately handle encumbrances and carry over purchases, but that he was working on upgrading the system. A conversation ensued about where the money for the car was coming from. Clerk Clark said she would look into who signed the PO for the truck and inform the Board.

Resolution #140 - 2017

On motion offered by Trustee Monroe, seconded by Trustee Holderied, the Board resolved as follows:-

To authorize the payment of the bills as presented on Warrant Affidavit #21 – 2016-17. The affidavit is included below.

Trustee Leon, Trustee Holderied, Trustee Monroe and Trustee Devlin voted AYE.

Lake Placid Village, Inc.
Regular Board Meeting and Public Hearing
Monday, June 19, 2017

LAKE PLACID VILLAGE, INC.

2693 Main Street, Lake Placid, New York 12946

Phone: 518-523-9952, Fax: 518-523-1362

www.villageoflakeplacid.ny.gov

AFFIDAVIT #21 2016-2017

We, the undersigned, acting as a Board of Auditors to the Village of Lake Placid, NY
do approve that the Village Treasurer is authorized to issue checks as per the presented
and approved Warrant and is also authorized to make the following transfers as listed
below based on the warrants approved at the Board Meeting on **June 19, 2017**.

Checks and bank drafts for 06/06/2017-06/19/2017 for Fiscal Year 2016-2017:
Check #'s 50713-50782, DOC #S: 336059 – 336301

<u>TOTAL WARRANT OF ITEMS PRESENTED:</u>		559,971.16
PLUS: UTILITY REFUND CKS =	\$	1,011.74
TOTAL WARRANT AND REFUNDS	\$	560,982.90

CREDIT – LISTED FUND CASH ACCOUNT

GENERAL (A1) FUND: A1-0001-0200	-\$	147,032.28
HUD REVOLVING LOAN (CM) 0001-0200	-\$	0.00
ELECTRIC (EE) FUND: EE-0001-0200	-\$	354,872.91
WATER (FX) FUND: FX-0001-0200	-\$	13,593.57
SEWER (G3) FUND: G3-0001-0200	-\$	28,052.42
CAPITAL (H8) FUND: H8-0001-0200	-\$	16,419.98
TRUST & AGENCY (TA): TA-0001-0200	-\$	0.00

Date: June 19, 2017
[Signature], Mayor

[Signature], Trustee

[Signature], Trustee

[Signature], Trustee

[Signature], Trustee

Audit Review by: [Signature], Board Member Date: 6/19/2017

Attest: [Signature], Village Clerk

BUDGET ADJUSTMENTS REPORT

Resolution #141 - 2016

On motion by Trustee Devlin, seconded by Trustee Monroe, the Board resolved as follows:-

To accept the Budget Adjustments Report as prepared and submitted by the Village Treasurer.

Trustee Devlin, Trustee Monroe, Trustee Leon and Trustee Holderied voted AYE.

Lake Placid Village, Inc.
Regular Board Meeting and Public Hearing
Monday, June 19, 2017

BUDGET REPORT

Resolution #142 - 2016

On motion by Trustee Holderied, seconded by Trustee Monroe, the Board resolved as follows:-

To accept the Budget Report as prepared and submitted by the Village Treasurer.

Trustee Devlin, Trustee Monroe, Trustee Leon and Trustee Holderied voted AYE.

Paul reported that he continues to clean up the account codes to make it easier for Department Heads to code invoices and simplifies the reports. His next areas to focus on will be payroll classifications and then the General Fund.

Mayor's Items

There was a contractor's meeting this morning regarding installing paver stones but there needs to be a change order submitted for approval before that moves ahead.

ADJOURNMENT

With no further business to come before the Board, a motion to adjourn was made by Trustee Monroe, seconded by Trustee Devlin and the meeting was unanimously adjourned at 7:25 pm and the Board continued into a Budget Work Session.

Respectfully submitted,



Ellen M. Clark
Village Clerk