



**Lake Placid Village, Inc.
Village Board Minutes
Tuesday, September 4, 2018**

Minutes of the Lake Placid Village Board of Trustees Regular Meeting held on the above date at 5:00 pm in the David Ackerman Room on the first floor of the Beach House, 49 Parkside Drive, Lake Placid, NY.

Present:	Craig Randall	Mayor
	Art Devlin	Trustee
	Peter Holderied	Trustee
	Scott Monroe	Trustee
	Anita A. Estling	Clerk
	Paul Ellis	Treasurer
	Janet Bliss	Attorney
Absent:	Jason Leon	Trustee
Others Present:	Kimball Daby	Electric Superintendent
	Jim Wasson	LP Volunteer Fire Department Chief
	Bill Billerman	Mirror Lake Watershed Association
	Griffin Kelly	ADK. Daily Enterprise

Mayor Randall opened the meeting at 5:00 pm and presided over the meeting starting with the Pledge of Allegiance.

Clerk Items

VILLAGE BOARD MEETING MINUTES – AUGUST 20, 2018

Resolution #213 – 2018

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

To approve the minutes of the August 20, 2018 Board Meeting.

Trustee Monroe, Trustee Devlin and Trustee Holderied voted AYE.

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BOND RESOLUTION FOR ELECTRIC SUBSTATION I BYPASS PROJECT

Resolution #214 - 2018

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

BE IT RESOLVED, by the Board of Trustees of the Village of Lake Placid, Essex County, New York (the "Village") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the construction of a new control house, a new 115-kV receiving structure and new transmission lines, including relay upgrades, circuit breaker upgrades and acquisition and installation of two new circuit breakers for safety purposes, to allow incoming power to bypass electric substation 1 and be redirected to electric substation 3. The estimated maximum cost of said purpose is \$2,400,000.

SECTION 2. The Board of Trustees plans to finance a portion of the cost of said purpose by the issuance of serial bonds of the Village in an amount not to exceed \$2,300,000, hereby authorized to be issued therefor pursuant to the Local Finance Law. The balance of the cost of said purpose, that being \$100,000, shall be financed as provided in Resolution #286 – 2017 of the Board of Trustees adopted on December 18, 2017.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 5 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years.

SECTION 4. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds authorized by this resolution, and any notes issued in anticipation thereof, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the specific purpose set forth herein. This resolution shall constitute a statement of official intent for purposes of Treasury Regulation Section 1.150-2 of the United States Treasury Department.

SECTION 7. Each of the bonds authorized by this resolution, and any notes issued in anticipation thereof, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes, and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including, without limitation, dates, denominations, maturities, interest payment dates, consolidation with other issues, manner of execution and redemption rights), and the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of said bonds, are hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Adirondack Daily Enterprise, a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication, after the period of time shall have elapsed for the submission and filing of a petition for a permissive referendum and a valid petition shall not have been submitted and filed.

SECTION 12. This resolution is adopted subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law.

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The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Craig H. Randall	VOTING	<u>AYE</u>
Art Devlin	VOTING	<u>AYE</u>
Peter Holderied	VOTING	<u>AYE</u>
Jason Leon	VOTING	Absent
Scott Monroe	VOTING	<u>AYE</u>

The foregoing resolution was thereupon declared duly adopted.

BOND RESOLUTION FOR LAND ACQUISITION FOR PROPOSED PARKING STRUCTURE

Resolution #215 – 2018

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

BE IT RESOLVED, by the Board of Trustees of the Village of Lake Placid, Essex County, New York (the "Village") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the acquisition of land for the construction of a proposed parking structure to be centrally located on Main Street in the Village. The estimated maximum cost of said purpose is \$990,000.

SECTION 2. The Board of Trustees plans to finance the total cost of said purpose by the issuance of serial bonds of the Village in an amount not to exceed \$990,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years.

SECTION 4. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds authorized by this resolution, and any notes issued in anticipation thereof, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the specific purpose set forth herein. This resolution shall constitute a statement of official intent for purposes of Treasury Regulation Section 1.150-2 of the United States Treasury Department.

SECTION 7. Each of the bonds authorized by this resolution, and any notes issued in anticipation thereof, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes, and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including, without limitation, dates, denominations, maturities, interest payment dates, consolidation with other issues, manner of execution and redemption rights), and the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of said bonds, are hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Adirondack Daily Enterprise, a newspaper having a general circulation in the Village

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and hereby designated as the official newspaper of the Village for such publication, after the period of time shall have elapsed for the submission and filing of a petition for a permissive referendum and a valid petition shall not have been submitted and filed.

SECTION 12. This resolution is adopted subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Craig H. Randall	VOTING	<u>AYE</u>
Art Devlin	VOTING	<u>AYE</u>
Peter Holderied	VOTING	<u>AYE</u>
Jason Leon	VOTING	Absent
Scott Monroe	VOTING	<u>AYE</u>

The foregoing resolution was thereupon declared duly adopted.

CHANGE ORDER NO. 2 FOR MAIN STREET SANITARY SEWER IMPROVEMENTS PROJECT

Resolution #216 – 2018

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

To approve Change Order No. 2 for the Main Street Sanitary Sewer Improvements Project, which reduces project costs by \$35,500.42.

Trustee Monroe, Trustee Holderied and Trustee Devlin voted AYE

TWO VEHICLES AS SURPLUS

Resolution #217 – 2018

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

To approve the following Village owned vehicles as surplus:

2002 GMC 1 Ton Dual Wheel Pickup, VIN # 1GTJK34U62E188834
2008 Chevrolet Tahoe, VIN #1GNFK0307RR238944

Trustee Monroe, Trustee Holderied and Trustee Devlin voted AYE

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MIRROR LAKE WATERSHED REQUEST FOR FUNDING

Resolution #218 – 2018

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

To approve the Mirror Lake Watershed Association request for funding of \$3,000 for continued water testing on Mirror Lake.

Trustee Monroe, Trustee Holderied and Trustee Devlin voted AYE

Mayor Randall and Bill Billerman both expressed their appreciation for the Ausable River Association, the hard work they do and the scientific background they provide to support keeping the waterways in healthy condition.

SONGS AT MIRROR LAKE 2019 REQUESTS

Resolution #219 – 2018

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

To approve the requested dates and signage for Songs at Mirror Lake Music Series for 2019 as detailed below.

Trustee Monroe, Trustee Holderied and Trustee Devlin voted AYE

The dates requested are Tuesdays: June 26, July 3, 10, 17, 24, 31 and August 7, 2019.

- Five sponsor banners placed on the rails, SAML banner rear of stage
- Two sponsor EZ Ups tents with sponsor signage on the fascia and banner on adjacent railing
- Two stage side vertical banners listing our concerts and major sponsors
- One 3'x 8' Songs at Mirror Lake banner at street level day of concert
- Storage of chairs, tents, etc. in the basement of band shell
- An information and sale table for SAML and band merchandise
- All signage/banners/tents displayed only on the day of the concert

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Treasurer Items

WARRANT AFFIDAVIT #27 – 2017-18

Resolution #220 - 2018

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

To approve the payment of Warrant Affidavit #27– 2017-18 as submitted by the Village Treasurer and reviewed by Trustee Devlin. The affidavit is included below:-

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 #27 2018-2019

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 **September 4, 2018**

Checks and bank drafts for 09/05/2018-09/05/2018 for Fiscal Year 2018-2019:
Check #'s 53413-53425, DOC #S: 342456-342526

<u>TOTAL WARRANT OF ITEMS PRESENTED:</u>		22,443.17
PLUS: UTILITY REFUND CKS =	\$	0.00
TOTAL WARRANT AND REFUNDS	\$	22,443.17

CREDIT – LISTED FUND CASH ACCOUNT		
GENERAL (A1) FUND: A1-0001-0200	-\$	11,683.46
HUD REVOLVING LOAN (CM) 0001-0200	-\$	0.00
ELECTRIC (EE) FUND: EE-0001-0200	-\$	5,336.67
WATER (FX) FUND: FX-0001-0200	-\$	871.06
SEWER (G3) FUND: G3-0001-0200	-\$	4,551.98
CAPITAL (H8) FUND: H8-0001-0200	-\$	0.00
TRUST & AGENCY (TA): TA-0001-0200	-\$	0.00

Date: 9-4-2018

[Signature], Mayor

[Signature], Trustee

[Signature], Trustee

[Signature], Trustee

[Signature], Trustee

Audit Review by: ART DEVLIN, Board Member Date: 9-4-2018

Attest: [Signature], Village Clerk

Trustee Devlin, Trustee Holderied and Trustee Monroe voted AYE.

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WARRANT AFFIDAVIT #3 – 2018-19

Resolution #221 - 2018

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

To approve the payment of Warrant Affidavit #2– 2018-19 as submitted by the Village Treasurer and reviewed by Trustee Devlin. The affidavit is included below:-

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 #3 2018-2019

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 **September 4, 2018**

Checks and bank drafts for 08/21/2018-09/04/2018 for Fiscal Year 2018-2019:
Check #'s 53333-53412, DOC #S: 342304-342455

<u>TOTAL WARRANT OF ITEMS PRESENTED:</u>		439,142.13
PLUS: UTILITY REFUND CKS =	\$	0.00
TOTAL WARRANT AND REFUNDS	\$	439,142.13

CREDIT – LISTED FUND CASH ACCOUNT		
GENERAL (A1) FUND: A1-0001-0200	-\$	231,113.06
HUD REVOLVING LOAN (CM) 0001-0200	-\$	0.00
ELECTRIC (EE) FUND: EE-0001-0200	-\$	94,594.07
WATER (FX) FUND: FX-0001-0200	-\$	54,173.25
SEWER (G3) FUND: G3-0001-0200	-\$	56,761.75
CAPITAL (H8) FUND: H8-0001-0200	-\$	0.00
TRUST & AGENCY (TA): TA-0001-0200	-\$	2,500.00

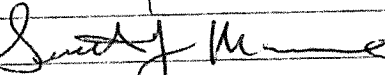
Date: 9-4-2018

, Mayor


, Trustee

, Trustee

, Trustee

, Trustee

Audit Review by: ART DEVLIN, Board Member Date: 9-4-2018

Attest: , Village Clerk

Trustee Devlin, Trustee Holderied and Trustee Monroe voted AYE.

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New Business

Mayor Randall announced a requirement received from the Department of State to require owners of parking garages to obtain operating permits to operate such parking garages and have periodic condition assessments of those parking garages performed by professional engineers. The Village will have to adopt a local law to that effect. Attorney Bliss will work on crafting the law.

Old Business

The vacation rentals project continues to move along with the draft legislation being worked on.

Mayor's Items

HEAD FIRE DRIVER APPOINTMENT

Resolution #222 – 2018

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

To appoint Justin Roy as Head Fire Driver effective September 5, 2018 at the same annual salary as his predecessor, \$60,805, as recommended by Mayor Craig H. Randall, with a six-month probation period. Mr. Roy will receive all manager benefits, including one extra week vacation time. He will no longer be a member of the Lake Placid Professional Firefighters Association.

Trustee Devlin, Trustee Holderied and Mayor Randall voted AYE. Trustee Monroe voted NAY.

Mayor Randall commended Justin's performance to date with the department, his strong background including military service with the US Marines, and most significantly, an outstanding ability to work with the volunteer fire fighters on training.

RECOGNITION OF SERVICE

Resolution #223 – 2018

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

To recognize Fire Driver Greg Hayes for additional commitment and service to the department during the transition of Head Fire Drivers. Mr. Hayes will receive 640 hours of retro pay, calculated at the difference between his hourly rate and the previous Head Fire Driver's hourly rate, for a time period of 16 weeks, for a total of \$4,953.60.

Trustee Devlin, Trustee Holderied and Trustee Monroe voted AYE.

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ESSEX COUNTY SHARED SERVICES PANEL

Mayor Randall attended the first of two meetings with the Essex County Shared Services Panel in Elizabethtown this morning. Following are the proposed panel projects: centralized emergency medical services, centralized information technology systems service, integrated geographical information systems database (GIS mapping), collaborative highway/public works project planning and formalized community planning services. The next meeting is Monday, September 17, and at that time each member of the panel will need opt in or out of each of the programs, and state the reason for why if they choose to opt out.

Commissioner Reports

Trustee Monroe asked for the status of the request from a retired Village Police Officer who asked to have his sick time cashed out and to go off the Village health insurance. The Treasurer stated that a letter had gone out to the officer stating that his request was against Village policy. The Village Clerk will distribute a copy of that letter to the Trustees tomorrow. A conversation ensued about whether it was indeed against Village policy and whether such policy made fiscal sense. The Mayor stated that changing that policy would be a dramatic change and would have to be discussed with individual unions during collective bargaining.

Correspondence

A letter was shared from Peter Day at Martha Day Realty questioning the way municipal water and sewer is billed to different users (meters vs flat fees) and expressing hope that the Village can find a "fair and equitable" way of splitting the costs among users. The Mayor appreciates the letter and stated that the Village is looking at metering all users, which will involve seeing if a Local Law needs to be added/changed to allow for such a mandate.

ADJOURNMENT

With no further business to come before the Board, a motion to adjourn was made by Trustee Monroe, seconded by Trustee Holderied and the meeting was unanimously adjourned at 6:31 pm.

Respectfully submitted,



Anita A. Estling
Village Clerk