

Minutes  
Lake Placid Village Board Meeting  
Monday, January 24, 2011  
5:30 p.m. – Town Hall

Present: Mayor Randall, Trustees Curtis, Leon & Jones, Village Treasurer Peggy Mousaw, Village Attorney Janet Bliss, Derinda Sherman, Robert Pell-deChame, Virginia Partridge, Lorraine VonDell, Mary Merrill, Connie Issleb, Richard Smith, Bob Marvin, Gail Joseph, Betty McIntyre, Peter Holderied, Nathan Brown and Wayne Johnston.

Absent: Trustee Art Devlin

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

Mayor Randall said I'd like to welcome you all here this evening. Tonight, we have Derinda Sherman, the Republican Election Commissioner from the County of Essex, together with Robert Pell-deChame, the Democratic Election Commissioner from the County of Essex. They are both here this evening to discuss the upcoming Village Election. As some of you may recall, last Fall we were advised of many changes to the Election Law. There is still quite a bit of ambiguity and a lack of adequate direction from the State Board of Elections, however Villages have been told that we may not use the old lever machines and conduct our own Elections. Its now mandatory that we use the new machines, which are owned by the County of Essex. School Districts were given until 2012, however Villages were not given that time frame. Last Fall, the Clerk and I met with Dr. Richards of the Lake Placid Central School District to try to figure out where we were headed with these upcoming Elections. At this time, there is pending legislation that may grant Village's the right to use the lever machines this year, but there is no guarantee it will be adopted prior to March 15<sup>th</sup> of 2011.

Derinda Sherman said Robert and I would discuss the issues and try to nail down some of the costs associated with the us running the Village's Election. Of course, we will try to keep the costs at a minimum, as we'll use this experience as a learning tool because we are all learning from this Election! The rental fee of the machine is \$50.00, and we will need a certificate of liability insurance in case of any damage or loss moving the machines. The cost of transportation, because you have to have a closed cab with tie-downs, and the machines must be rolled onto the truck because they cannot be lifted. I think you'll only need one machine this year.

Trustee Jones said you can't lift these machines?

Derinda Sherman said no, because it can jar the programming of the machines. You must have a vehicle you can push the machines up into, because they are on wheels. When the inspectors are trained on the machines, they specifically advise them not to lift them at any time.

Trustee Jones said we have vans, I guess I don't understand why that wouldn't work.

Village Clerk said when I was talking with Derinda about this on the phone, Brad Hathaway was with me, and he does not have any lifts or ramps for any of the Village vehicles.

Derinda Sherman said that's right, and so what most people do is rent a U-haul truck with a ramp and the tie-downs. So that will be an expense for the Village itself.

Mary Merrill said may I say something? I worked during the Election last November and the Senior Citizens were getting very upset because if you don't fill the oval in just right, you have problems. Also, they thought that if they brought it back you'd know who they voted for and they were getting upset.

Derinda Sherman said here's what you do if you're uncomfortable. You fill in all the ovals and no one knows who they voted for. Also, all the inspectors take an oath of office to be inspectors and any violation of that oath would be a crime. I think the Village's ballot this year, will be much smaller than the last Election.

Mayor Randall said maybe we can make the ovals larger!

Derinda Sherman said the flash cards, which are the brains of the voting machines, cost \$40.00 for two cards. There is a printout on the machine and that's where the inspectors read the results. Then the results are sent to the Board of Elections for the official results. The next expense would be for the ballots. We have used Fort Orange Printing for the ballots, with a cost of .57 cents per ballot. There is a \$150.00 layout fee, and we do the layout and prepare the ballot for you. I think its only necessary for you to use one machine, which is what they did in Ticonderoga last election. The inspectors must be certified inspectors from the County's list, and I believe you already have that taken care of on your end.

Derinda continued saying by statute, the candidates need to notified by letter of the date of the "test decking" of the voting machines prior to the Election. This shows the candidates and the Board of Elections that the machines are set-up correctly and working properly. By law, the candidates can be there, so there will be a need to notify the candidates of the date for the test decking, and I will advise Kathryn of that once we know when its going to be happening.

Derinda said we've never run a Village Election before but a suggestion when the printout results of the Election, you should probably have the Police Dept. take custody of the flashcard until it can be returned to us the next morning.

Mayor Randall said yes, that's something we would need to consider.

Trustee Jones said that's fine, but we would know the results at the close of the polls?

Derinda Sherman said oh yes, you'll know the result immediately when the inspectors read the machine, however, you should as a security precaution, have your law enforcement people take custody of the bag and the flashcard for security purposes, until the next morning when you deliver the machine. I should also mention, that if you have a close election and there needs to be a recanvass, the recanvass is conducted by the Board of Elections.

Robert Pell-deChame said there is also a required audit following the election.

Derinda Sherman said yes, there needs to be 3% mandatory audit of the one machine, which you will not be charged for that. We do have to charge \$160.00 for labor related to our services for the Village Election.

Mayor Randall asked about paying the election inspectors?

Derinda Sherman said the Village pays to election inspectors the set rate directly. Absentee ballots will be prepared by the Board of Elections, but mailed out by the Village Clerk. All the various publications have already been sent to the newspaper by the Village Clerk. Also, the Village will need to send a letter request for the Essex County Board of Elections to handle the election.

Mayor Randall said I doubt the legislation will be happening before March 15<sup>th</sup>, so we really have no alternative! We'll get a letter out next week.

Derinda Sherman said you need to send two people to pick-up the machines. Do you want the privacy screens, or we have a desk with sides. Which would you prefer?

Trustee Jones said I think the privacy booths are fine.

Derinda Sherman said we will be preparing the ballot, which will look a lot like the primary ballot. Does the board have any further questions for us?

Mayor Randall said the Village Clerk just attended a NYCOM Workshop in Syracuse to address this issue. There are many changes, and not really a lot of definitive answers yet. We've been sharing information with the school district, because, really we're all in this boat together!!

Derinda Sherman said yes, Kathryn and I have been speaking on the phone regularly!

Mayor Randall said we'll pass this information along, and we look forward to working with you and Robert. It was very helpful for you to come up this evening, and thank you for the information!

Trustee Jones said yes, thank you for driving up tonight!

**Old Business**

**2010 Historian Report**

Mayor Randall said once again, Bev Reid has provided the Village Board with her annual report for 2010. She keeps an excellent record of every inquiry she receives during the year and I'd like to have her report entered into the minutes.

Motion by Trustee Jones, seconded by Trustee Leon and carried to enter the report of the Historian, Beverley Pratt Reid for the year 2010 entered into the minutes.

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

**Update BST**

Mayor Randall said I'd like to just give a brief update on progress of BST. Phase I was completed last week. A representative of BST was here last week and met with all the Dept. Heads and started going over policies and procedures we have in place now in an effort to gather information to move forward with recommendations for new policies and procedures, and eventually a new policy manual. I'm hopeful that with BST and the managers all working together on this project, we can come up with new policies, procedures and a policy manual we can all work with and find easy to implement on a daily basis. BST will also be helping the Village in its response to the Comptroller's report, and I believe we have until the end of March to respond. Its already January 24<sup>th</sup>, 2011! We will be updating you as we keep moving forward with this project.

**New Business**

Use of Jewtraw Park – May 14, 2011 Wedding

Motion by Trustee Jones, seconded by Trustee Leon and carried to authorize the Preston wedding to take place at Jewtraw Park on May 14, 2011, with the necessary insurance and clean-up fee as required.

Election Inspectors – March 15, 2011

Motion by Trustee Jones, seconded by Trustee Curtis and carried to authorize Mary Bigelow, Carol Brown, Denice Fredericks and Margaret Daby to be Election Inspectors for the Village Election on March 15, 2011. The rate of pay is \$100.00 per day per inspector. Carol Perkins will serve as an alternate Election Inspector.

### *ORDA FIREWORK REQUESTS*

Motion by Trustee Jones, seconded by Trustee Leon and carried to authorize a fireworks display for the Synchronized Skating event on February 4, 2011, from the roof the arena. The fireworks display is to take place no later than 10:00 p.m. The necessary paperwork must be filed with the Code Enforcement office prior to the event.

Motion by Trustee Leon, seconded by Trustee Jones and carried to authorize a fireworks display for the Red Bull event on February 10, 2011, from the Lake Placid Club property. The fireworks display is to take place between 9-9:30 p.m. The necessary paperwork must be filed with the Code Enforcement office prior to the event.

### *Mountain Medical Agreement*

Motion by Trustee Jones, seconded by Trustee Leon and carried to authorize the Mayor to sign the Mountain Medical Agreement for the year 2011. Mountain Medical performs the LPVFD volunteer physicals, and trolley testing.

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

### *NYCOM Winter Legislative Meeting*

Motion by Trustee Jones, seconded by Trustee Leon and carried to authorize Mayor Randall, or any other board member wishing to attend the NYCOM Winter Legislative meeting in Albany, New York, February 27-28, 2011, with all necessary expenses to be paid for by the Lake Placid Village, Inc.

### *Budget Modification #7 of 2010-2011 Budget*

Motion by Trustee Leon, seconded by Trustee Jones and carried to approve the budget modification #7 of 2010-2011 as presented by the Village Treasurer as follows:’

A1-0001-3889 25,0000	State Aid Revenue, Culture & Recreation -25,000
A1-7110-4350 +25,000	Village Parks Engineering Expense +25,000
A1-0001-3589 5,000	State Aid, Planning Studies -5,000
A1-5650-4350 +5,000	Off Street Parking, Engineering Expense +5,000

Mayor Randall clarified that \$5,000 of the \$25,000 is for Main Street Wall Project at the NBT lot, which River Street Planning & Development will be working on. The

other \$20,000 is expenditures for ELAN and the Power Pond project. The Village Treasurer confirmed that was correct.

#### *NYRWA Workshops*

Motion by Trustee Jones, seconded by Trustee Curtis and carried to authorize the Water Dept. employees to attend the workshops on February 17, 2011 in Ballston Spa, and March 31, 2011 in Lake Luzerne, with all necessary expenses to be paid by Lake Placid Village, Inc.

#### *AMC – Uihlein Water/Sewer Bill*

Mayor Randall explained we received a letter to AMC Uihlein advising their Water & Sewer bill for the quarter ending October 31, 2010 was \$69,730.00. Due to a water leak under the kitchen floor caused by a ruptured water line; and a chiller unit valve opened by a maintenance worker to keep the air conditioning system functioning properly. They are requesting a credit to their bill for the sewer portion only.

Mayor Randall said I have spoken with Brad Hathaway the DPW Superintendent, and he agrees that a credit should be given for the sewer portion of the bill only.

Trustee Jones said we have, generally, given a credit on the sewer portion only. Its not common, but it has happened in the past.

Motion by Trustee Leon, seconded by Trustee Jones and carried to authorize the Village Treasurer to credit the sewer portion only of the AMC Uihlein account number 53-0750-00 for 200,000 cubic feet on the February 2011 bill in the approximate amount of \$16,339.00.

A copy of the letter from AMC Uihlein is annexed hereto as Exhibit 3 and made a part hereof.

#### *Taxi Cab Operator #13 -2011*

Motion by Trustee Curtis, seconded by Trustee Jones and carried to authorize Taxi Cab Operator #13 (Michael Corsetti) to operated in the Village of Lake Placid for the year 2011.

#### *HAPEC Drawdown #6*

Motion by Trustee Jones, seconded by Trustee Leon and carried to authorize the Treasurer to proceed forward to submit the necessary paperwork to the New York State Office of Community Development to request payment in the sum of \$51,179.81 to the Village of Lake Placid for CDBG Rehab Program Project No. 611HR133-09 for drawdown #6. The Village Board hereby authorizes the Treasurer to pay the bill in the sum of \$51,179.81 for services per contract between HAPEC and the Village of Lake

Placid for Administration of its single purpose Small Cities Community Development Block Grant, once the funds are received from the NYS Office of Community Development in the Village's account.

A copy of Drawdown #6 is annexed hereto as Exhibit 4 and made a part hereof.

*Approval of the Warrant by Fund*

**LAKE PLACID VILLAGE, INC.**

2693 Main Street, Lake Placid, New York 12946

Phone: 518-523-2597, Fax: 518-523-1321

[www.lakeplacid.com/village](http://www.lakeplacid.com/village)

**AFFIDAVIT**

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 **January 24, 2011**.

**Check #35121-35236: plus ACH for 01/07/11-01/19/11 for Fiscal Year 2010-2011: Docket #'s 302742-303119**

**TOTAL WARRANT OF ITEMS PRESENTED: \$681,146.94**  
**TOTAL WITH REFUND CHECKS = \$0 \$ 681,146.94**

**DEBIT: VOUCHERED EXPENSE ACCOUNTS**

**CREDIT:**

CASH - GENERAL (A1) FUND: A1-001-0200	-\$	110,182.25
CASH - WATER (FX) FUND: FX-0001-0200	-\$	27,369.18
CASH - SEWER (G3) FUND: G3-0001-0200	-\$	30,207.26
CASH - ELECTRIC (EE) FUND: EE-0001-0200	-\$	436,330.38
CASH - CAPITAL (H8) FUND: H8-0001-0200	-\$	- 0 -
CASH - SECTION 8, HUD (CD): CD-0001-0200	-\$	10,867.34
CASH - HAPEC (CH): CM-0001-0200	-\$	51,179.81
CASH - TRUST & AGENCY (TA): TA-0001-0200	-\$	15,010.72
<b>Electric (EE) Refund Checks # --</b>	<b>\$0</b>	

Date: 1-24-2011

[Signature], Mayor

[Signature], Trustee

[Signature], Trustee

[Signature], Trustee

[Signature], Trustee

Audit Review by: [Signature], Board Member Date: 1/24/11

Attest: [Signature], Village Clerk

Mayor Randall reads the warrant aloud by fund.

Trustee Leon reviewed the bills in the Village Clerk's office this afternoon and recommends they be paid.

Trustee Jones said I was not able to open the attachment, so I was not able to review the bills.

Motion by Trustee Leon, seconded by Trustee Curtis and carried to accept the warrant in the total amount of \$681,146.94 as presented by the Village Treasurer. Trustee Jones abstained from voting, and Mayor Randall voted in favor of accepting the warrant.

### **Retirement of Wes Stanton**

Mayor Randall said I've received a memo from Chief Monroe advising Wes Stanton will be retiring effective March 31, 2011, as Parking Enforcement Officer.

Trustee Curtis said Wes has done a great job!

Mayor Randall said yes, he's done a wonderful job on the Main Street. We accept his retirement notice with regret!

Mayor Randall said we also need to authorize the Chief to advertise for a replacement. We'll need to conduct interviews and train someone before Wes is done. Wes would also like to be used on an on-call basis, if and when we have big events. As you know, right now we are having a heightened review of positions being replaced. This is not a new position, its replacement of a position, and we need to have people on the Main Street. Wes, has done a great job with the visitors and clearly, we need to replace that position. Mayor Randall said I support the replacement of this position and recommend advertising the position as soon as possible.

Trustee Jones said yes, this is replacement position, not a new hire. We also need two people now that we've extended the parking meters to lower Main Street.

Motion by Trustee Jones, seconded by Trustee Curtis and carried to authorize the Chief to advertise for a replacement for Wes Stanton as Parking Enforcement Officer, and also authorize Wes Stanton to be used in the future on an "on-call" basis as Parking Enforcement Officer for large events in the community.



### **Retiree Health Insurance**

Mayor Randall said I'd like to table this item, pending further investigation before taking any action on this item.

### **Bubbler Issue – Lake Placid Lake**

Mayor Randall said there's been discussion about contractor's getting access up the lake to work during the winter months. There are bubblers on both sides of the DEC boat launch which are restricting the ice from forming and allowing the contractors to access the lake with their equipment.

Trustee Curtis said I just found out today.

Mayor Randall said we really don't have any jurisdiction there, except around the Fire Boat House, there's a lot of water movement around the launch area. I think there was some type of boom and apron that used to be installed at the boat house.

Trustee Curtis said yes, and its in shreds at the fire house and can't be used. Brad said they usually last about 3 years.

Trustee Jones said don't we usually have this problem during the spring thaw?

Trustee Curtis said between the boat house and Doc Smith's there's lots of action, the spring is a different situation.

Mayor Randall said I think we should have Brad get some prices on replacing the peers, or boom and apron, because I think we need to replace that.

Village Attorney Janet Bliss said I think it's a boom with a skirt on it.

Trustee Curtis said yes, and I think Brad thought it may run somewhere around \$2,000 to \$3,000 to replace.

Mayor Randall said I'd like Brad to get some prices and go over them with the Commissioners, and inform me of your findings.

Trustee Curtis asked where's this coming out of in the budget?

Trustee Jones said maybe Electric and Fire could share the cost?

Mayor Randall said its an asset of the Fire Dept., so I believe it would come from the fire department's budget. I know Brad doesn't like to spend money that's not in the plan, but that's where I feel it should be coming from.

Motion by Trustee Curtis, seconded by Trustee Jones and carried to authorize Brad Jaques to get prices together on replacing the boom and apron at the Fire Dept. Boat House, and bring a recommendation back to the Mayor and Commissioners for further action.

**Executive Session**

Motion by Trustee Jones, seconded by Trustee Curtis and carried to enter into Executive Session at 7:10 p.m. to discuss personnel and litigation.

Motion by Trustee Leon, seconded by Trustee Jones and carried to return to the regular meeting at 8:00 p.m.

There being no further business to come before this meeting, motion by Trustee Jones, seconded by Trustee Curtis and carried to adjourn the meeting at 8:00 p.m.

Kathryn McKillip  
Village Clerk