

**VILLAGE OF LAKE PLACID**  
**REGULAR BOARD MEETING**  
**MONDAY, APRIL 15, 2013**

Minutes of the Village of Lake Placid Regular Board meeting held on the above date beginning at 5:44 pm in the meeting room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York.

**Members Present:** Mayor Craig Randall, Trustee Peter Holderied, Trustee Jason Leon, Trustee Scott Monroe

**Members Absent:** Trustee Art Devlin

**Others Present:** Laurie Dudley, Attorney Janet Bliss, Treasurer Peggy Mousaw, Chuck Finley, Chris Knight, Mary Jane Colby, Justin Roy, Kresta Hanson, Gordon Kelly, Tory Hoffman Jarrod Colby, John Fagan, Richard Boyer, Matt Marshall, Jim Wasson, Sr.

**RESIDENCY LAW DISCUSSION CONTINUED**

Mayor Randall -The Board can decide to move forward with this or seek further Council before we act on it.

Trustee Leon – Is my information correct in that we have 60 days to act on this or have to initiate another Public Hearing?

Attorney Bliss –If you make substantial changes or 30 days passes, you have to hold another Public Hearing. The law doesn't become effective until it is filed with the Secretary of State's office.

Trustee Leon – What if we are to offer the waiver scenario. I am unclear what we need to do.

Attorney Bliss – I think we have to do more research into that.

Trustee Holderied – It seems to me, you have to accept applications first and then decide that you don't like any of them and then apply for the waiver.

Trustee Leon – With all things being equal, the applicant that is more qualified that lives external to the Village would need that waiver.

Attorney Bliss – You can always require that they move in within six months or some period of time. We have done that in the past.

Trustee Leon – We don't need to do that if the Mayor would request a waiver and by resolution we pass that waiver.

Mayor Randall – Keep in mind the Local Law basically since 1982 has not been abided by in the Village. That is another problem.

Trustee Holderied – We have many Village employees who live outside of the Village. We should amend that law since it is reality.

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Mayor Randall – It is recognition that folks buy their homes outside who can't afford to move inside. There are many reasons but the reality is that we have a local law that says you must reside within Districts 1, 3, or 4. In fact we know that for several years that has not been abided by. For good reasons I sense.

Trustee Holderied – I would agree there are employees outside the Village.

Trustee Monroe – I agree that it needs to be changed, but I don't think it needs to be changed in the way that it is worded right now.

Chuck Finley – Craig, it is also wrong because parts of District 6 is within the Village.

Mayor Randall – That is another point. The Districts have been changed since this law has been written.

Trustee Leon – It appears there is a fair amount of housecleaning in addition to this as well. Bringing in a candidate from outside the Village in reasonable, it is the process that is most important.

Trustee Holderied – If we could say, within the North Elba Voting Districts, we would all be happy with that. If there is a way to do that then great, but if there is not...

Trustee Leon – The waiver provides that and gives the ability to go outside.

Trustee Holderied – We don't know if the waiver is something we can do.

Trustee Leon – Other municipalities have done it.

Trustee Monroe – There are still two animals that we are fighting here. There is a difference between having appointed officials and regular employees. The wording that is in this Law is for Appointed Officials. Maybe we need to do it separately.

Mayor Randall – We have a current law that does include both and that is what we have to live by until we say otherwise.

Trustee Leon – Maybe what Scott is saying is that we go in that direction.

Trustee Monroe – If we do go in that direction, then we can say the Fire Department can be in the Fire District and the Police can be 25 miles from the center of the Police Department and all other employees can be the Town of North Elba. The ones we have a sticking point on are the Treasurer, the Clerk, and the Highway Superintendent.

Mayor Randall – There is nothing to say that they cannot be distinguished separately, but we still have to live by our own Laws. Until we change the law, this is what we have to work with. It presents a bit of a dilemma right now as we are trying to fill positions. It is time to clean it up and make it the way we see our Villages need right now.

Trustee Holderied – Can we research it to see if there is any way to make it happen?

Attorney Bliss – Yes.

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Mayor Randall – I take it then, we will table any action on this until another session.

Trustee Leon – I would also recommend that we come to the conclusion as soon as possible so we can move forward as quickly as possible.

Mayor Randall – I am actually going to do that. The next scheduled meeting is May 13<sup>th</sup>. Recognizing that the Conference of Mayors activities take out the first Monday in May, it is too long for bills to pile up. I am going to request a special Board meeting for April 29<sup>th</sup> for the purpose of addressing bills and any other matters to come before the Board.

Trustee Monroe – We can't amend the law as the way it is worded? We can either have to vote on it the way it is with no amendments whatsoever?

Attorney Bliss – No substantial amendments. If you are going bifurcate appointments and employment, that is a substantial change.

Mayor Randall – That is another Public Hearing. Although the intent and the spirit may be very clear here.

Trustee Monroe – I would be more in favor of voting it down and redrafting another one, then having a Public Hearing on something that we have researched. At some point we are going to have to vote on this and all we are going to do is drag it out if we can't make any substantial changes to it.

Trustee Holderied – Your saying, bring it up for vote and vote it down.

Trustee Monroe – Yes.

Mayor Randall – That leaves the current law in place until we can come up with something else.

Trustee Monroe – We can draft another one within a week or two and have another Public Hearing on what we want.

Trustee Leon – We would not be able to have another Public Hearing on a different law unless this one is taken care of.

Mayor Randall – Janet, a ten days' notice.

Attorney Bliss – I will not be able to get that in the paper tomorrow. Somebody else can.

Trustee Holderied – We don't know what is going to go in the paper.

Trustee Monroe – If we are just going to change the law to appointed people and not regular employees, we should be able to do that pretty quickly.

Attorney Bliss – That is correct.

Richard Boyer – You have one referendum on the floor and if you are going to change it before you vote on it.

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Mayor Randall – We don't have anything on the floor yet.

Trustee Holderied – If we change it, we have to post it.

Attorney Bliss – If you want to delete employment and have a vote on it that probably would be all right, but if you wanted to change employment to anything else that would be a substantial change. Deleting employment would not be a substantial change.

Trustee Monroe – I think I would still have a problem with it even if we have a Highway Superintendent that was living at a considerable distance away from here.

Attorney Bliss – That is an appointed position and safety sensitive positions. The Head Fire Driver or your Police Chief and maybe your Superintendent of Highways because if something happens they have to be close. Perhaps a different category than some other employees. You don't want your Police Chief living so far away because it is going to take him or her awhile to get here.

Mayor Randall – We did have a Police Officer from North Hudson. We had another one from Tupper Lake. We have one now living in Saranac Lake which isn't even in Essex County. The ambiguity in the law is something we have to address.

Trustee Leon – I may or may not be correct, but some of them may be part-time employees.

Mayor Randall – Council?

Attorney Bliss – I guess I have some research to do.

Mayor Randall – Depending on what we need to do, we will re-notice it. At least we had a good, lively, debated discussion about it. The sense from all of you is, if we had our druthers we would like to be able to give preference for people who live in the Village. Assuming there are no candidates there, there are people who live just outside the Village limits that can't be considered as eligible unless they are willing to move within the Village. That apparently is not practicable in our community anymore. I need to spend some time on it.

**LAND USE CODE AMENDMENT**

Mayor Randall – Dean Dietrich and group have been working diligently on Land Use Code issues. They have some recommendations for this evening. They want the both the Village and the Town Boards to approve so it can move forward.

Dean Dietrich – We worked diligently up until about a year ago and then we no longer existed. That is the problem. We were moving forward to get amendments done and the TSC just doesn't exist anymore. We haven't existed since May 2012. I am here not claiming any authority. I am here as a private citizen trying to get the ball moving again. Basically, the new land use code was created in January 2011. They asked if the TSC, the committee responsible for writing the Land Use Code, to meeting for a year to see what changes need to be made. (*Handouts were previously distributed*) The page entitled, TSC One Year Review, were the results of that committee meeting in January 2012. I presented them to the Village Board and the Town Board

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in May 2012. We can go over those if you want, but I don't think there were too many problems when we went over them last year. The May 15<sup>th</sup> memo is what I wrote last year after meeting with the Town and Village Boards as the Chairperson of the TSC. It basically says that we have our list after meeting with the Town and Village separately. I'll turn your attention to the last sentence of the first paragraph, "My understanding is that the Mayor and Town Supervisor are going to jointly schedule this Hearing to take place in the near future". That is where things fell apart. It never got scheduled. Basically, this list of amendments that we brought forth a year ago and are still floating around out there. I went to the Town Board who wants to get it moving forward. We are getting to another construction season and there is pressure to get it done. We have to make sure that the Public Hearing gets scheduled. As you are looking at your busy schedule, there is another one. There is a notification issue. We can probably still do it in May. Most of the amendments are not urgent issues but should be cleaned up. Last year, everyone is in agreement in most of the changes except the three noted in the memo.

Section 5: Whether the Code Enforcement Officer or the Review Board should have discretion regarding the approval of frame and support design for real-estate signs.

Section 10: Should any discretionary time period for enforcement be included, or should the code read that non-compliances should be corrected immediately?

Section 13: The parcels listed in the amendment were all zoned Commercial Business in the 2000 Code. They include different groups of lots that radiate from Saranac Ave. Some members of the Village Board expressed concern over including those lots that are between Saranac Ave and the Hillcrest Park (St Agnes area).

Dean Dietrich – I did go back to the Town Board last month and I can tell you where they stand on those three things. Section 5: They prefer the Review Board to approve a frame and support design for real-estate signs. Section 10: They would prefer there would be no time period for enforcement; enforcement should be immediate. Section 13: One of the things we did when we did the new code was to draw the boundary line incorrectly and missed 10 – 12 lots and put them in the wrong area. The Town Board said we are happy to go back to the "Gateway Corridor" from "Village Residential". This Board at that time had expressed concern about going as far as Hillcrest Park. The bottom line, we went over these a year ago and nothing happened. The TSC didn't exist so I wasn't around to nag. So I'm nagging now. Your council was saying you have to have the language. Tim Smith started drafting the language. There are a few sections that need to be worked on. After I left the Town and Village last year, I asked Tim to draft the language. We were all set for the Public Hearing and it fell through. I can't schedule for you. I don't know how you want to proceed or what you want to do.

Trustee Leon – Can we schedule the other Public Hearing at the same time as the one we just discussed?

Mayor Randall – We need to coordinate that with the Supervisor. I am happy to do that. Whether it coincides with the other matter we discussed this evening I will have to advise you on it.

Dean Dietrich – I'll just leave it in your hands.

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Mayor Randall – Are there any questions before we let Dean get away from us?

**SECTION 2: DIMENSIONAL STANDARDS**

2.7 (D) Increase residential density in Gateway Corridor to 10 units / acre

2.4(D) Use both sides of the street when determining the average front-yard setbacks in Town Residential (Min 35 ft if averaging method can not be used)

2.5(D) Use both sides of the street when determining the average front-yard setbacks in Village Residential (Min 20 ft if averaging method can not be used)

Trustee Holderied – I was wondering about this a year ago; 2.7 (D), the increase of density in the Gateway Corridor went to 10 units /acre. What did it used to be?

Dean Dietrich – It used to be 5 units /acre. We moved it to 8 and we can basically move it to 10 without causing any problems.

Trustee Holderied – 2.4 (D), the 35ft average; what was that?

Dean Dietrich – When we created the new Code, we redid all the districting. Sometimes two districts were put together. One might have had a 30 ft. setback and the other might have had a 35 ft. setback. The way we handled it was to say in the new district we take a look at the front setbacks and that is where it is going to be. That is how we handled it. The only language we had was on the road that the new building was being put on. Bill Hurley suggested that it would be better if we could look at the entire neighborhood.

Mayor Randall – You did that for the Hotel project, if I'm not mistaking?

Dean Dietrich – The new setback fits the neighborhood that way. That came from the Review Board.

**SECTION 4.2.2- NON-CONFORMING BUILDINGS**

4.2.2(D) A non-conforming building may not be altered in any way that increases any non-conformity (i.e. setbacks and height)

Dean Dietrich – The non-conforming building is a clarification of language. When we changed the Code we allowed any non-conforming building to expand within the setbacks as long as they did not increase the non-conforming. The old Code said a non-conforming could not expand at all; they could be a 15 ft. building and could not go up 20 ft. The new Code said the non-conforming building that is 15ft and the height restriction in that area is 20 ft. then it can go up to 20 ft. The question of the language was not clear enough to applicants.

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**SECTION 6: SIGNAGE**

6.4.4 (D) Neon signs must be turned off during non-business hours

6.3.4 Real Estate signs. Change height limit to 6 ft. add "The design of the frame and support must be approved by the Code Enforcement Officer"

6.6.3- Add language: Commercial signs in Village Residential and Town Residential shall be limited to 12 square feet. They may be wall, freestanding, or projecting in design.

Dean Dietrich – The neon signs in the signage got lost in the cut and paste. The old Code had that and the new Code should have had that. The Real Estate signs continue to be an issue. The TSC went out and measured signage and wrote our regulation accordingly. Between the times we did our research and the new Code was enacted, some real estate companies went out and bought new signs, and they aren't bad looking signs. They look like a mailbox and don't fit our sign law. We said people can take the different sign that could be a better sign to the Review Board. The taller signs are not intrusive and are better in the snow. A 3 ft. sign in 4 ft. of snow is problematic.

We added language about commercial signs in the Village Residential and Town Residential. There aren't commercial usage in residential however, State Law allows churches and daycare providers can exist anywhere. We allow 12square home occupation signs.

**SECTION 8: REVIEW PROCESS**

8.2.5 (A3)- Change "shall" to "may" require a Public Hearing

Dean Dietrich – The Review Process has about seven sections where we talked about the review process and sometimes there is a “may” involved and sometimes a “shall”. We just chose the wrong word for that one.

**SECTION 9 ENFORCEMENT**

9.5.2(A)- Eliminate 30 day time period for correction of violation

Dean Dietrich – The 30 day correction of violation has caused some issues. It was in the old Code and we kept it in the new Code however, we added in the new Code language about temporary signs. The problem is for example, a temporary sign or a sale which the Code Enforcement Officer says it has to come down and the person looks at the Code and says I have 30 days. He can keep his sign up for 30 days and by then the sale is over. People were playing that game. The change allows the Code Enforcement Officer to use discretion and say the sign has to be taken down now.

**SECTION 10: DEFINITIONS**

10.2- Lot- term does not apply to Townhouses  
Add definition of Townhouses

Dean Dietrich – We are still playing with definitions in terms of Townhouses. The issue is tax structure. State Law pushes towards the development of townhouses because they can be taxed differently from Condos. This is our push back to the State Law. The maps I explained are simply a mapping error. This is where we were a year ago and this is still where we are today. None has caused any traumatic problems in the year but if we were going to change them then,

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we should probably think about changing them now. The idea is to have a Public Hearing and let the TSC tell you what they thought. Again, the TSC no longer exists.

Mayor Randall –Actually, you should continue to exist forever. Your resources have been very helpful. With your blessing I will communicate with the Supervisor and see if we can schedule this for a Joint Public Hearing, which may or may not coincide with the other issue.

Dean Dietrich – It would be more convenient for you. You have Council, the Town board has Council and the Review Board has their Council too. I don't know who gets to do the Public Hearing notification. Tim is usually the one who takes care of the notification.

Councilman Bliss – We let him take the lead on those.

Dean Dietrich – He might have won because he is not here!

Mayor Randall – He might have won because he wrote the language and has been very accommodating on that. I will work with the Supervisor and Tim will get that on the calendar for us.

Dean Dietrich – I will be around for the Public Hearing and would be happy to speak.

Approve 2013 Organizational Minutes and Meeting Minutes of April 1, 2013

Mayor Randall – The first item is the approval of the 2013 Village Organizational meeting minutes that occurred on April 1, 2013.

Trustee Leon moved and Trustee Monroe seconded the motion to approve the 2013 Organizational minutes as presented.

Treasurer Mousaw – Change request. Page 2 of the minutes, it says “Fair Housing Officer”. We should note that the program was transferred to the Housing Assistance Program of Essex County.

Mayor Randall – Actually, the Fair Housing Officer doesn't tie to the Section 8. It ties to that particular function. The Town and Village both have a Fair Housing Officer appointed. It is the same lady if I believe. It is a committee that doesn't get called upon very often. If that clarifies, it is a good thing.

Trustee Monroe – The date at the top is wrong.

Treasurer Mousaw – There should be an “l” in Devlin on page 2.

Laurie Dudley – I will make the changes.



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Mayor Randall – With the date correction and the typo on page 2, is this acceptable to the gentlemen who moved it and seconded it? I will call the motion.

There being no further discussion, the motion to approve the 2013 Organizational minutes was unanimously carried by those present.

Mayor Randall - The minutes of the regular Board meeting for the Village also took place on Monday, April 1, 2013.

Trustee Holderied moved and Trustee Leon seconded the motion to approve the April 1, 2013 minutes as written and presented. There being no further discussion, the motion was unanimously carried by those present.

**ACTING HEAD FIRE DRIVER APPOINTMENT**

Mayor Randall – As we all know, our Head Fire Driver, Brad Jacques, last working day with the Village was completed on Friday, April 12<sup>th</sup>. His last day on the Village books will be April 23<sup>rd</sup>. He is using benefit time between now and then. The situation is that the Village posted this position as an anticipated opening back in the early fall of 2012. We received five applications; three were outside and two were existing members of the fire drivers group. Those were received in the Mayor's office and the Clerk's office at the time. Subsequently, delivered those to the Head Fire Driver and Fire Commissioner at the time and asked them to review them. Over a period of time they did that. I also, starting in November, held occasional meetings with the Head Fire Driver and myself. Could not get a recommendation; could not find a candidate in the group that actually fulfilled all of the duties that Brad Jacques has conducted so capably over the last several years. As a result of that, we are in a situation right now where it became apparent to me last week that a decision had to be made to enable the Department to go forward with direction, if you would. This evening I am appointing William P. (Bill) Moore to the Fire Drivers group for the next six months would recommend that they report through our Chief. During that period of time, the Chief will evaluate the Department in terms of our existing manpower. I believe you will find that here will be delineation or a delegation of duties and responsibilities. I am hopeful in that window of time we can present some further recommendations as to how we go forward. I am hopeful that it pleases everyone. My own belief is that we should be promoting from within when we can. When we can't, we go out. At this point this evening there are a number of things I need to do here. First is to appoint William P. Moore as the Acting Head Fire Driver. The additional compensation for the six month period would be \$1,250 a month. At the end of that time, we will reevaluate that leadership. Together with other recommendations that will come out of the Department by virtue of his time there. We met with three of the members this afternoon. I believe the Chief went back, Gordy, for further discussions.

Gordon Kelly – Yes he did.

Mayor Randall - The primary concern that was raised, and I had numerous meetings with not only Brad but I finally sat down with all the Department Heads that are effected; BPW, Police and Brad Jacques himself. The concern that came to the surface basically is that there had not

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been any release of duties to the members down there or to anyone in that environment such that you point to somebody and say here is where it is. We are looking to Bill to work very closely with the drivers. The Fire Commissioners, Art Devlin and myself, will be assisting to the extent that it's desired or needed with the development of the Department Budget. The Budget is pretty well prepared except for contractual items that get added later on in the budget cycle. Paying bills; those of us that are directly involved will have a much closer knowledge very soon than what we have right now. That is the appointment that I bring to the table tonight. I ask for your ratification of that appointment and arrangement for compensation.

Trustee Holderied – I moved to approve the Mayor's appointment of William P. Moore to be the acting Head Fire Driver for a period of six months at a compensation of \$1,250 per month.

Trustee Leon – I will second that just for a discussion to ensue.

Mayor Randall – The compensation was one of the concerns that I had. This matter had come up some weeks ago. That the compensation not be inconsistent with our other Department Heads. Other than our most senior Department Head, it is consistent. Any questions or comments?

Trustee Leon – A question I asked previously, and I haven't received a lot of information about is the overall structure in how this is going to take place. Are they going to see a pay increase as well as the Police Department representative who is going to assume more reasonability?

Mayor Randall – Recommendations will be forthcoming from Mr. Moore as time goes forward. As you may be aware, the Fire Drivers are covered by a Union Agreement and those are items that would be a subject of Union Negotiations.

Trustee Leon – My follow-up question; has the second in charge been decided already?

Mayor Randall – That would be based on a recommendation from the Chief. At this point it would be premature for him to do. It will be forthcoming. What I am hoping happens here is that there is an organization like the Police Department where there are levels of responsibility. That is what has been missing down there and I think there is good opportunity for our drivers if this is done correctly.

Trustee Monroe – Is Chief Moore going to be responsible for all of the duties of the Head Driver?

Mayor Randall – No, as I said, he will be assisted by the Commissioners for Budgeting and bill paying. I am guessing that payroll will come up to him and he will work through it. He is the only Department Head that has his own Administrative Secretary so I am expecting he will make some use of that resource.

Trustee Monroe – Overall, is he going to be responsible for them and then he is going to dole out responsibility like paying the bills and purchasing the equipment? Is he going to be their main contact if the Fire Chief has to get equipment, does he go to Billy and say he needs to buy this?

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Mayor Randall – He will come to Billy for that and the Commissioners. It will work back to this Board in that fashion, which isn't dissimilar than any other department.

Trustee Leon – Big purchases always come here.

Trustee Monroe – I realize that, but they have the day-to-day stuff. From running the Police Department I know there are a lot of little things that you buy as well.

Mayor Randall – Line items that are budgeted will continue to flow through him.

Trustee Monroe – And the preparing of the schedule and the shifts and maintaining the building? That is all going to be his responsibility whether he actually does it or not?

Trustee Holderied – He's the delegator.

Mayor Randall – He is the delegator and I am hoping that the delegations give our employees more opportunity.

Trustee Monroe – I have to be honest, I am a little leery of it because being a Chief of Police I know it is a 40 hour job, and Brad has proven that it is a 40 hour job down at the Fire Department. We are asking an awful lot of Chief Moore to try to run both places.

Mayor Randall – We are asking a great deal of him as we do all of our Department Heads right now. I am very grateful because there was no one else willing to step up and accept to even try it. There is a commitment between Bill and the Mayor's office to do the best we can to make this work and bring it to a good sound conclusion.

Trustee Monroe – I'm concerned that six months might be a little bit too long.

Mayor Randall – There is nothing to say that it can't happen in less than six.

Trustee Monroe – I am just trying to be fair to Chief Moore. If after three months he doesn't like this, does he have a chance to say he wants out?

Mayor Randall – He always has a chance to say that. The point is, four months puts us right in the middle of the summer and it's not a goodtime. It really doesn't provide adequate time for this to happen.

Trustee Leon – The motion is for six months. Could we make it August 31<sup>st</sup>? I believe six months is a bit long as well.

Trustee Holderied – Why?

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Trustee Leon – Why? There are a lot of unknowns. I feel there ought to be a Department Head in the Fire Department. The Mayor receives the Budget and now the Mayor is taking a more proactive role in what would be an emergency situation that probably didn't need to happen. I am uncomfortable and would like a Department Head prepare the Budget and bring it to the Mayor.

Mayor Randall – The Budget for this coming year, according to Mr. Jacques, is all but finished. The pieces that are not finished are purely contractual. There are things that the Treasurer's Office puts into the budget as they do all of our departments based upon our health insurance requirements, retirement requirements and our contractual wage adjustments. Those are already written in stone, so to speak.

Trustee Leon – I understand it and I respect it, but I feel there seems to be a movement from Governance to Management. I don't think they elected us to hands on manage a Department. They elected us to govern a Village. I think we are crossing that line in that regard. I have confidence in your budgeting ability however; we are going down a path that is not best for the Village. My confidence in Chief Moore is the only reason I would say this proposition has any credence, especially when I feel we have talent within the Department to be able to run it.

Mayor Randall – That may well be, but the previous Department Head failed to bring that forward in a meaningful way. In fact he indicated very clearly that he continued to maintain control even when he was away for periods of time in Florida. So what are you going to do?

Trustee Leon – I have a feeling he may have attempted to communicate certain things. That indication may have not reached the Mayor's office.

Mayor Randall – He was in the Mayor's office at least every month, including this last week. All I can say is anything he wanted to say he was there in a good audience. All of us were intent in trying to find a solution to the situation that required attention. At this point, the mayor doesn't have any other alternative plan except to see what we can do to evaluate the situation and bring it to a point where it will hopefully be satisfactory to the Village. These situations, when they happen, are always unsettling for all the people involved. In addition to the Fire Drivers, the Volunteer Department has also indicated to me that they have some concerns about how they will communicate with the Village. In the past, not only was Brad the mother of the driver's group, he was also the key contact person for the Volunteer Department.

Trustee Leon – I will not debate Brad's importance.

Mayor Randall – The wisdom, if there is good wisdom here, in appointing Mr. Moore is that he is a member of the Fire Department and has served as an Assistant Fire Chief. Am I right Jim?

Jim Wasson – I have no comment on that part.

Mayor Randall – If nothing else, he has some familiarity with that side of that organization.

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Trustee Leon – I believe six months may be too long.

Trustee Monroe – I would favor three to four months and if Billy needs more time then he can tell at that point. I'm afraid we are setting him up for failure. We're going to have two very mediocre departments. I am really concerned about that.

Mayor Randall – I don't think bringing this back to table in the middle of the Summer, Scott, given budgets that run into July, is a wise thing for us to be doing. There are other things that we have to finish in the time period.

Trustee Holderied – Mr. Mayor, where did the six months come from? Was that Billy or yourself?

Mayor Randall – That has been a compromise of interest here to try to provide enough time but not make it so short that nothing happens.

Trustee Holderied – Was that Billy's idea?

Mayor Randall – Initially it was presented to him on an annual basis. We pulled back from that. He wanted a defined window because some of the terms that I was dealing with were interim and indefinite. Putting a timeframe on it so that we had adequate time to make some things happen and still not have it conflict with the summertime, which is not a good time to make changes.

Trustee Monroe – If we go the six months, what is our plan during the six months to find a permanent replacement?

Mayor Randall – The plan is to get Bill in there and evaluate the staff that are there and determine whether we have a permanent and this may require changing the description of the Head Driver. There are a number of options that conceivably could happen here. One of which could be within the Union piece itself. There is the possibility of a job description being developed. It does not exist today. Until we have some time to evaluate the program, this is not something that can be done in a week. It wouldn't be fair to the guys that are in the Department.

Trustee Leon – The situation itself may not be fair to those in the Department. We are talking about two different issues. Correct me if I'm wrong. One is that we have a stop gap measure in order to provide leadership continuity and this may be the beginning of a transformation of the Department. Voting on one is an implicit support of the other. I am more comfortable separating the two.

Trustee Holderied – Anytime you have a new leader you are going to have a transformation of the Department.

Trustee Leon – It's presented in an emergency because we have no other person at this particular time. We are voting to make sure we have leadership there. Moving down the line, there may not be a Head Fire Driver. That is a removal of a Department Head.

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Mayor Randall – We can't say that today. Let me remind you that it is a Civil Service competitive position. There is no civil service list today. We don't really have any place to go at the moment. It has been done in the Village before, you can make provisional appointments. However, we have been down that road before and the Village has had its difficulties with that. That is not a pleasant place for the Village to be.

Trustee Leon – I understand. I haven't been told no those aren't two issues.

Mayor Randall – You are suggesting transformation. There is no potential transformation today. We don't know where this may go. There could be some changes that benefit the Department.

Trustee Leon – The phrase, "We don't know where this is going to go" in itself indicates that.

Trustee Holderied – Telling the truth?

Trustee Leon – In a sense it is telling the truth in that this isn't a short term option. This is laying the groundwork for something down the line.

Trustee Holderied – Perhaps. We don't know that.

Mayor Randall – We don't know that.

Trustee Leon – Maybe the Village of Lake Placid and the Town of North Elba needs to know that.

Mayor Randall – There appears to be a member of the Department that would like to speak.

John Fagan, Caption of the Fire Department – I am confused. There has been a transformation. Now we have a Head Driver who will not be responding with apparatus. He will be doing nothing on the fire ground. That is not what Brad did. There has been a transformation. Someone has been running the Fire Department while Brad was in Florida. Do you know who that was?

Mayor Randall – I am well aware.

John Fagan – Who?

Mayor Randall – Hasn't been running the Department. He is very good at the fire scene but he has not been in the management position.

Jarrold Colby – Who was watching the Fire House and doing payroll and everything else when Brad was away?

Mayor Randall – I think five men have been doing that.

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Jarrold Colby – Is that true? Were five men doing the payroll?

John Fagan – We have had one.

Mayor Randall – The payroll was actually done by fax from Florida.

Jarrold Colby – Are you aware who takes care of the boats and the mechanical work on the trucks?

Mayor Randall – I am fully aware. I think this Board is aware.

John Fagan – The bottom line is that we are down a man now. Billy Moore is not going to drive to the....

Mayor Randall – Let me finish because there is a second piece to this presentation that will address your concern, John. We have an appointment on the table.

Trustee Holderied – I made the motion.

Trustee Leon – I seconded the motion. I would like to amend the motion to have it for four months instead of six months.

Trustee Leon moved and Trustee Monroe seconded the motion to appoint William P. Moore to Head Fire Driver for the period of four months with compensation of \$1,250 per month. There being no further discussion, the motion was unanimously carried.

Mayor Randall – The second part of this is that Brad has obviously been a driver. We will be down, for what he described to me, a half person. What we need to do here is post the position for a driver, and start the interviewing process as soon as we can to accommodate the need that John has alluded to. Do I have a motion?

Trustee Monroe moved and trustee Holderied seconded the motion to post the position the for a half-time driver for the Fire Department.

Trustee Leon – Janet, is it legally possible to specify the type of position? My preference is a full-time position.

Attorney Bliss – When you post a job, you post a job for what it is for. It's up to the Board to decide whether you are posting for full-time or part-time.

Trustee Leon – I move to amend the motion to post a full-time position for a Fire Driver.

Trustee Monroe – I'll second that.

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Mayor Randall – What is the motion again so I am clear?

Laurie Dudley- The motion was to post a full-time position for a Fire Driver.

Mayor Randall – Discussion?

Trustee Holderied – I would like to see our options open. If you do the math, we don't actually need a 40 hour person.

Jim Wasson – How long have you been around?

Jerrod Colby – Come crawl down a fire floor with me and tell me that.

John Fagan – Are you kidding me?

Richard Boyer – What are the duties of a Head Fire Driver?

Mayor Randall – That is not the topic that is on the table.

Trustee Holderied – If you take six drivers' times five shift, do the math. There are a lot of overlapping, of course there is maintenance issues and all that stuff.

Trustee Monroe – There is time off.

Mayor Randall – It is fair to say that the Departed Head Fire Driver indicated to me that the Department does run, and I am not saying this is optimum, but it does run with four people. Frankly, today in discussion I have heard that there are times that it has had to run with four. That is not optimal and it does not provide the best climate down there. Whether we have a full-time driver or you have 2 half-time drivers it is bodies that you basically need when you are trying to do your work schedules. They have to be qualified in all cases.

Trustee Leon – When only necessary am I ever in favor of a part-time. I think it degrades a Department, it degrades a community.

Mayor Randall – This is not part-time Jason, I just said it is half-time. That is something that we use for many purposes. There are people out there. I am not saying that that is what we are going to end up with but it is certainly an option that we would like to keep on the table. Two half-time people equal a full-time position.

Trustee Leon – We are looking at a holistic or dynamic. I don't agree.

Mayor Randall – I would also like to point out for your benefit, we have used part-time relief drivers. In fact, three of the existing drivers started as part-time relief drivers. One in 1986, two in 2000 and one is now gone. Another started in 1987. I am not saying that is the way it will end up. It certainly would create a different option for the Department. We have used that technique



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in other departments. It has worked. We are using right now on the Accounting Department. I might add it is substantial savings to the tax payer which as your Chief Budget Officer I have to look at.

Trustee Leon – And you have enjoyed a Board who agree with you fiscally 100%. However, being down a Head Fire Driver and the nominal increase that Chief Moore will assume over the couple of months, I believe that we have the ability to afford one more full-time driver without experiencing significant impact on the tax payer.

Mayor Randall – You mean the tax payer can afford more?

Trustee Leon – For a more appropriate context. I guess the amendment is up for vote.

Trustee Holderied – For the four months?

Trustee Leon - We did that. This is for a posting for a full-time driver.

Mary Jane Colby – Am I correct in understanding that you said Brad made no recommendation to higher from within the Department?

Mayor Randall – Brad basically reviewed all of the applicants and indicated that he did not, in his opinion, feel that there was anybody in the group of five that applied that had all of the qualifications that his position currently describes.

Mary Jane Colby – Peter, is that your impression too?

Trustee Holderied – I asked Brad to make public his support for Matt. He told me he supported Matt privately but he would not make it public. I practically begged him.

Jarrold Colby – He in fact did make a recommendation, just not to the public.

Trustee Holderied – He said it to me privately. I don't believe he ever said it to the Mayor.

Jarrold Colby – Do you speak to the Mayor?

Trustee Holderied – All the time.

Jarrold Colby – Did you pass it on to the Mayor?

Trustee Holderied – Yes of course I did.

Jarrold Colby – So in fact you did get a recommendation from Brad, just not directly from him? Is that what you're saying?

Mayor Randall – Brad meets with me personally.

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Trustee Holderied – We all have reservations about Matt, including Brad.

Trustee Leon – Reservations, maybe there are challenges that certainly can be overcome.

Jarrold Colby – I certainly agree. He might be tough to talk to across the table. Maybe you ought to be considering what he provides at a fire scene or to that Department and the safety of the Village as opposed to personal conflicts that may occur across the table. I think the safety of the Village and the people who live in it is much more important than conflicts you all have with Matthew and how he presents himself to you.

Mayor Randall – I don't know that anyone has conflicts with Matt.

Jarrold Colby – Really?

Trustee Leon – I think we are moving off the topic here.

Jarrold Colby – I have one more question. I would like to know that you stated that you didn't find anybody in that group of five that has the qualifications that Brad did. What would those be that is going to bring this next person in? What are the qualifications exactly?

Mayor Randall – Let me read the job description to you. This is exactly the way it is posted. "The work involves responsibility for operating and maintaining fire apparatus as a Fire Driver. The incumbent is also responsible for supervising the maintenance of buildings and equipment, preparing budgets, payrolls, scheduling shifts and maintaining inventories. The work is performed under the general supervision of the Village Board and the Fire Chief with leeway allowed for exercise of independent judgment. Direct supervision is exercised over the work of subordinate employees. The incumbent does related work as required." Another obvious issue here, and it goes on to state this, "qualified candidates will be subject to a civil services examination". Civil Service does not have a test currently scheduled.

Jarrold Colby – Did Brad have that when he took the position or did he have to take it down the road?

Mayor Randall – He had to take the test. At this point we are off that topic. It's been moved and passed. The discussion right now is the replacement of a fire driver.

Jarrold Colby – The only qualification missing is the civil service.

Mayor Randall – Not necessarily. He does not have any experience with budgeting or payrolls. All of that was done from Florida unfortunately.

Jarrold Colby – And you are sure of that?

Mayor Randall – I am absolutely positive of it.

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Tory Hoffman - On the conversation of the full-time driver position, your concern is the overlapping of the positions and that maybe we don't need that many drivers. During that time these guys maintain the trucks and maintain the equipment that we depend on to save our lives inside of a fire so we can provide that service to the Village.

Mayor Randall – Have we ever failed in that function?

Tory Hoffman – Not recently, but we have had enough drivers.

Trustee Leon – Tory, can you mention for everyone involved and the press, your position?

Tory Hoffman – I am the present Chief of the Fire Department. I was elected for that position in April. My concern, our equipment continues to grow. Our requirements continue to grow as far as what we need to do: training, equipment, everything to provide that service to the Department. We as volunteers depend on all the drivers to make sure that when we go into those trucks the equipment is there and is ready for us to use. My concern is, if we get rid of that last full-time driver and you don't have the overlapping shift, how are these guys expected to maintain that equipment while they are answering for the Fire Department, the Ambulance, and the Police Department including 911. The Village has come to depend on that service because it is answered locally and the guys know the local area. They know who is on the other line and they know where they are sending people. The PD depends on them, the Ambulance depends on them and we depend on them to maintain our equipment. If we are down a driver and we don't have those overlapping shifts, who is going to actually maintain that equipment for us?

Mayor Randall – I think today, the back-up dispatch is still provided by PD when it is needed. That doesn't change.

Tory Hoffman – They can't come down when these guys are working on the trucks. The PD has a requirement too. The PD can't be sitting down at the Fire House when you expect them to be out on patrol. That is their job description.

Mayor Randall – That part of the operation has been going on as far as I know. There won't be any change in that. I can't say that we won't find opportunities to do something better.

Tory Hoffman – Without that full-time driver...

Mayor Randall – Nobody is saying that there won't be.

Tory Hoffman – I know it is up for discussion right now as to whether we want to post a full-time or a part-time. I just want to speak my peace is all. We need a full-time driver.

Trustee Leon – There have been several people who communicated to me, knowing that this issue has been in discussion are resistant to call Essex County. It is not a knock against Essex

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County, but they would hang up and call the Fire House because of the trust and respect they have for the Fire Department and the fact that the response time is quicker.

Mayor Randall – It is fair to say, while I was standing there this afternoon, there was a 911 call that came in. It was buttoned over from the County directly. I believe Gordy in fact took the call. It was handled well. Have there been issues with the County 911? I sat at a meeting the other day where that same topic came up. Yes they admit they have problems occasionally. However, for the most part, our Dispatch Center is going to remain in place. I don't see a time that we wouldn't be operating a Dispatch Center for Lake Placid. That was a topic that we discussed earlier today.

Trustee Leon – I think they would all agree that it is imperative that we continue that service. I guess the vote is...

Mayor Randall – We have a motion on the table that has been seconded.

Trustee Leon moved and Trustee Monroe seconded the motion to hire a full-time driver for the Fire department. There being no further discussion, the motion was unanimously carried by those present.

**MOTOR BOAT ON MIRROR LAKE**

Mayor Randall – The request from Peter Davis is an annual request to put his motor boat on the lake to install the Northwood School training course, Lake Placid International Canoe/Kayak event, the Ironman Triathlon and the Betsy Owens Swim Race. This is the standard request that we get every year. He has a four cycle engine on his boat.

Trustee Leon moved and Trustee Monroe seconded the motion to approve the request of Peter Davis to use his motor boat on Mirror Lake for the events listed. There being no further discussion, the motion was unanimously carried by those present.

**INTERNATIONAL REGATTA CANOE/KAYAK**

Mayor Randall – This is a request that has been tabled now for a couple of months. The request comes from Terry Kent who operates the Lake Placid International which is a canoe and kayak event that takes place July 6<sup>th</sup> and 7<sup>th</sup>. It substantially uses the Beach Park. The reason why we did not bring it to the table immediately was that last year the Supervisor and I jointly went over with some members of my Law Enforcement Unit. The event grew from a manageable 200 contestants to about 500. That is a wonderful success for Terry Kent and his people, but it raised questioned as private vendors appeared in the park selling goods for private gain, which we don't permit. There were issues with people carrying boats back and forth through the actual beach itself where people were trying to use the beach. The toilet facilities for 500 people were grossly inadequate and the garbage facilities were not suitable. Aside from that, this is a wonderful event. We are happy with the growth. We asked him last year to work with the Village to come up with a plan to avoid some of the criticisms and to accommodate the growth that this event has

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taken place. Another piece of it, and I have alerted him to it, is the parking around the beach area was difficult. This year they will have to find offsite parking for their trailers which carry all those boats. There is a plan. He is working with Clare Delnegro, Jim Farnum, Mac Hickox and Jared Steenberge. The components of the plan seem to be in place. You each have a copy of the map and the layout. One of the concerns that we had was that the Boat Launch side where the Fire Department would enter the water, was generally congested to a point where we could not get a public vessel in there if we had to. Item #7 on the map will be kept open. I was hopeful that Butch Martin would be back from his vacation because I want to get him into the conversation with Terry and his people about how the park will be managed to accommodate that group this year. Recognizing that Terry needs to move forward with the dates, I would like tonight is authorization authorizing the dates and use of the park subject to and contingent upon final signoff on all the arrangements for the use of the park itself. It is necessary if Butch's people are running the Beach. They have to be part of that discussion.

Trustee Leon – I believe Art Devlin...Deputy Devlin...

Mayor Randall – Art is the point person on this issue.

Trustee Leon – And he is comfortable that all the pieces have been put in place?

Mayor Randall – Yes.

Trustee Leon moved and Trustee Holderied seconded the motion to approve the 2013 Lake Placid International Canoe and Kayak subject to the final signoff on all the arrangements for the use of the Beach by Butch Martin. There being no further discussions, the motion was unanimously carried by those present.

**ELECTRIC DEPARTMENT – MILL POND FOUNTAIN/LIGHTING SYSTEM**

Mayor Randall – I have information that was received from the Electric Department Head Pete Kroha indicating that the fountain in the Mill Pond area is shot. When that was put in several years ago it was at a cost of about \$8,000. They researched it and have come up with a proposal to replace it at a cost, including the LED lighting, of \$5,904.45. Peter is asking for authorization to proceed with that purchase. This is owned by the Electric Department according to what he tells me.

Trustee Leon moves and Trustee Holderied seconded the motion to approve the purchase of equipment for the Mill Pond fountain and LED lighting. There being no further discussion, the motion was unanimously carried by those present.

Trustee Leon – It adds quite a bit to the park. It is very nice.

**CGA/HP HARDWARE SERVICE AGREEMENT**

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Mayor Randall – This is also a request from the Electric Department. All of our computer equipment down there is subject to Service Agreements by CG Automation Solutions. There were several proposals from them. Peter filtered through them. The three that you have in front of you are the two that he recommends. The total is indicated as \$8,475. You have the detail of each one of the agreements. We need authorization to execute the service agreements. The Electric Department will be responsible for paying for those.

Trustee Monroe moved and Trustee Holderied seconded the motion to approve the CG Automation Solutions Service Agreement in the amount of \$8,475 which will be paid by the Electric Department. There being no further discussion, the motion was unanimously carried by those present.

**POLICE DEPARTMENT REQUESTS-**

Mayor Randall – I have requests that came from the Police Department that are not on the agenda tonight. We have time enough with another meeting in April to properly bring this up. I am going to table that for the April 29<sup>th</sup> meeting with your approval. One is to send Frank Strack to Canton for Fire Arms training May 20<sup>th</sup> – 31<sup>st</sup> and the other is to send Chad Blinn to Tracks Conference in Syracuse May 22<sup>nd</sup> -23<sup>rd</sup>. Also he reminds me we have applications for the open meter position. He would like to start interviewing. That might be something we would want to give him some authority to begin doing. That could be done tonight if you chose. The other two could be done tonight if you would like.

Trustee Leon – My preference would be.

Trustee Monroe moved and Trustee Leon seconded the motion to approve the fire arms training for Frank Strack, the conference for Chad Blinn and permission to start interviewing applicants for the meter position. There being no further discussion, the motion was unanimously carried.

Mayor Randall – There was a fourth item on it that has to do with a pending taxi company approval which I have to do some research on. Remember, we changed the Local Law. I think something that came in was pending.

**BAND SHELL BID REVISIONS**

Mayor Randall – As you all recall, the bids for the Band Shell came in last fall much higher than expected. As a result, the architect, the engineer, Bill Billerman, Jamie and Peter worked very diligently in recent months to see if we could trim some cost out of that project. At this point, the primary reductions are going to require a redrafting of the bid documents that have to do with the foundations and the finishes that would go on substantial parts of it. As a result, there is a proposal from Andre Chary to rewrite the bid documents at an expense of \$3,000. It is necessary before we can put it back out to bid. The funding for this will come from funding that has been donated for this project and is currently held by Community Trust. With your approval tonight to proceed and authorize Andrew to do this, we would also be drawing down \$3,000 of that Fund.

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Trustee Leon moved and Trustee Holderied seconded the motion to approve the proposal from Andrew Chary to rewrite the bid documents for the Band Shell at a cost of \$3,000. Discussion continued.

Trustee Leon – What is our current investment in this project to date?

Mayor Randall – \$10,000 which was monies paid to the firm that designed the timber structure and the rather elaborate roof. It is really the crux of the cost in this band shell.

Trustee Holderied – The sponsors really want it. It's very difficult to build.

Trustee Leon – Does that \$10,000 include the \$3,000 that we are authorizing tonight or a \$13,000 total?

Trustee Holderied – It's a \$13,000 total.

Mayor Randall – All of that has come from monies donated by the community.

Attorney Bliss – The \$3,000 isn't coming from the Village.

Trustee Holderied – It is coming from ACT checking account and is going into our checking account.

Mayor Randall – Because the project is owned by the Village, it has to be done under Village standards. Much of the money has been raised by the community.

Trustee Holderied – Most of what the Village will spend will be in-kind services.

Mayor Randall – We have a motion and a second. All in favor?

There being no further discussion, the motion to approve the proposal from Andrew Chary to rewrite the bid documents for the Band Shell at a cost of \$3,000 was unanimously carried by those present.

**NATIONAL VOLUNTEER WEEK**

Mayor Randall – This is an annual event; the week of May 12 – 18 is the 39<sup>th</sup> Annual National Volunteer Week will be celebrated in Lake Placid. In connection with that, the Supervisor and the Mayor execute a Proclamation recognizing the great work that our volunteers do. I am proposing to do the same this year. You have a copy of that attached. I don't know if that actually needs an approval. Advertisements went out in the paper seeking that recognition.

**CLEAN WATER AND DRINKING WATER STATE REVOLVING FUND BOND**

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Mayor Randall – We have outstanding Water Department Funds. It is in the amount of \$475,000. The State, under the Environmental Facilities Corporation, has advised us that they are going out to refinance those Bonds at a lower interest rate in the current market. Thus, there is a savings to the Village that is passed through the Village and reduces our overall interest expense. We have done this before with the AFC very successfully. I would strongly recommend that you authorize the execution of the AFC Documents that will cause that to happen. They will go out to Market in July and this will become effective as of August 11st.

Trustee Leon moved and Trustee Monroe seconded the motion to approve the refinancing of the Water Department Funds. There being no further discussion, the motion was unanimously carried by those present.

Mayor Randall – Every once in a while we get something coming our way.

Extend Terms – Sewer Rate Rebilling Matter

Mayor Randall – This issue has been getting a lot of concern in the outside districts of the Village for those people who for a period of five or seven quarters have been billed the flat rate for water which was not available to them.

Treasurer Mousaw – Its sewer.

Mayor Randall – The total of those accounts as I reported at a previous meeting is \$111,000. We had indicated at the last meeting, based on the Treasurer's recommendation, that we would spread that over the next three quarters which would be spring, summer and fall. However, after meeting with numerous clients, it is pretty apparent to me that we need to give our customers who are affected, and it is not everybody in the outside districts, it is those who use and consume more than 2,000 cu. ft. of water but were only billed for 2,000 cu. ft. Inside the Village we have that classification. Outside, it does not exist. They were working on creating a rate table that did not exist. They used the Outside Rate Table to help create that but when they returned it they left the 2,000 Flat Rate triggered intact. It went unnoticed for at least five quarters. It came up this winter when Peter raised the question about a discrepancy in our sewer revenues, which are getting a lot of attention. Many of these fall within the range of \$40, \$22, but a majority of them are in the \$300, \$400 difference that is going to have to be made up. Those bills have gone out to those customers. Many have come in and spoken to us. I will say that some have actually paid whatever the amount was just to get it off their backs. After meeting with others, there are some that are in the \$3,000, \$4,000, \$5,000 range. There are two in particular; one organization owns a number of apartments that is \$22,000 and also a client on Saranac Avenue that has about \$12,000. These will have to be special circumstances. There is no issue of reading on the meters. They were correct. The only issue was when the rate was applied. The wrong rate was used. Therefore, what I am proposing tonight is to extend, for those customers that desire it, the payment period over the next eight quarters starting with May. It would be billed together with their normal quarterly billing. Providing that they stay current it would amortize over a two year period such that it will recover what the Village has not yet received but at a slower rate that was contemplated at the last meeting. The idea here would be so long as the customer is current there



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would be no relevy involved because with current payments it doesn't trigger relevy. There will be no late fees assessed to this portion that represents a corrected billing. There are a significant number of customers who don't pay their water bills every quarter but in fact let them go back on their Town Tax Bill and pay the whole amount when their tax bill comes out in January. That is a special situation that I don't totally have worked out in my mind. I felt that we did, but Jason has raised the issue tonight that if somebody is relieved would the total amount of the corrected segment be relieved or just the amount for that particular time period. That is something I will have to work on with the Treasurer and see what we can do to work that out.

Treasurer Mousaw – We would have to go into everybody who hasn't paid at the time that we produce the relevy and do an adjusted back to the amount less the additional billing.

Mayor Randall – This is a very complicated issue to resolve because not everybody makes their payments every quarter. We do have the relevy to look at. I know we have two very large accounts that are going to result in some negotiation. We can't forgive. That is unfortunate but we can try to make this as palatable as possible. We can only say at the end of the day it was in error. It was not found. It would never have been perhaps noticed had it not been for recognition that the revenue flows were suddenly not where they should be.

Trustee Leon – Mayor, where you have somewhat of a plan, the situation is still fluid. Would I be correct in that?

Mayor Randall – I would say at this point that what I have tried to address is those concerns that have been brought to me by a number of people and some have additionally come to the Treasurer who have indicated that they need time. They all recognize that the consumption was correct. The question is to how best to elevate this going forward. (A) They get them out of the way or (B) give them as much time as they need. I would also say that someone can at any time pay off the remaining exposure that might be.

Trustee Leon – Again, I feel that just for the record, are there going to be two bills, one for the bill that we made the mistake, and then their regular bill? Is that an option?

Treasurer Mousaw – Peter also recommended that and for us to do that we would have to set up every single account known. We would have to transfer the amount of the first account onto a second account.

Trustee Leon – I'm not hearing anything that would stop that.

Treasurer Mousaw – We are down a couple of positions and there is only me right now.

Trustee Leon - Considering the significance of our mistake. I don't think it is out of the realm of doing.

Treasurer Mousaw – Our next billing is May 1<sup>st</sup>.

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Trustee Leon – I understand that. There have been a lot of questions asked to me that the bills are confusing and what the bill shows may not be what they owe. A very broad example, one person had paid the amount for the quarter, the next quarter they had a credit that did not match what they had previously paid and they had a late payment in which they did pay it. I guess one issue would be having an informational session, and I know you are a very busy woman, how can we facilitate a situation where we can invite people in to have a conversation.

Mayor Randall – They are coming in now day by day. If you are hearing that, you should advise them to come to the Treasurer's Office.

Trustee Leon – Most people I know work during the day and don't have an opportunity until after 5pm or 6pm.

Treasurer Mousaw – Well I have been here until almost 9 pm every night for the last few weeks.

Trustee Leon – People aren't aware of that.

Mayor Randall – Let's do this. I will discuss with the Treasurer the possibility of creating an hour or hour and a half of time on evenings and see what we could do with that. We would have to establish a location. That has to be communicated somehow.

Trustee Leon – I agree 100%. That starts with your support and then I would be happy to take the lead on that.

Treasurer Mousaw – It would have to be soon because the next billing is May 1<sup>st</sup>.

Mayor Randall – We are talking about two weeks.

Trustee Leon – I have talked to a many number of people and they are very upset. What I am trying to do is provide opportunities because we made such a significant mistake to mitigate the impact of that mistake. I don't think I am asking anything out of the ordinary.

Treasurer Mousaw – In all fairness, we didn't make the mistake. The software company did.

Mayor Randall – All due respect, responsibility here is vested with the Village.

Trustee Leon – If we have to explore that with our company, I am all in favor. If anyone else has another opinion as to what we can do for our customers, feel free because I still have a couple more.

Trustee Monroe – Are we going to create a sub account for these people for that money? I am a little confused exactly what we're doing.

Treasurer Mousaw – That is what Peter offered.

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Mayor Randall – That is what Peter thinks. Frankly, for all of our customers it would be nice if they can see that delineated from their regular bill. Whether it can be done within the Village cycle as a separate line or has to be a separate bill. The Treasurer has to have some opportunity to work that out because she is the keeper of the system.

Trustee Monroe – I will have to agree with Peter. It is a simplistic way of doing it. I don't know how much work it creates for you and I don't know how many accounts we're talking about. If that is something that can be done I am all in favor of it.

Trustee Leon – The reason I ask, Mayor, if the situation is fluid this discussion wouldn't be pertinent if the issue has already been decided, as far as late fees?

Mayor Randall – We have already said that there won't be late fees on the corrected amount.

Trustee Leon – The payments are going to be spread out over a period of two years; there are going to be no late fees whatsoever.

Mayor Randall – No late fees. The only thing that would trigger is if they don't make those payments. We will have to relevel it. There is no choice on that.

Trustee Monroe – After two years, I think that's fair.

Trustee Leon – One more time, there are no late fees whatsoever.

Treasurer Mousaw – Not on the re-billed amount.

Trustee Holderied – You win.

Trustee Leon – I don't win. I think the Town of North Elba wins and our reputation is somewhat mended.

Mayor Randall – In the interest of time, can we move this along. I think we are in agreement.

Trustee Monroe – Can I ask one more question? I would like to propose that we institute a system similar to what the Electric Department does. They do a spot check of their accounts before they print the bills. It might require a little bit more work but in light of our situation, it would be worth spot checking a couple of people.

Trustee Mousaw – There are people who are already assigned to do that.

Trustee Monroe – Do we do any documentation with it that is provided and put in the minutes that we checked XYZ accounts and found no errors?

Trustee Leon – To create a sense of accountability, I can understand that.

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Mayor Randall – There was some discussion about whether Tyler was going to write something that was going to give significant deviation. That is another way of doing it.

Treasurer Mousaw – Here is the problem we have. The software company has reports for abnormal consumptions not billing. We made a custom report request to Tyler to give us a report for anytime we have an abnormal billing. They are two different animals. There is no report for that. We already have staff who are assigned as part of their job that are supposed to crosscheck for abnormalities and to review those bills when they are being processed.

Trustee Monroe – We actually take three or four outside water and sewer and verify that everything is correct. We actually verify and do the math and make sure it is correct?

Treasurer Mousaw – They are supposed to be doing that.

Trustee Monroe – You say “supposed”. That is why I said it would be nice to have a simple form showing that we checked these 15 accounts that somebody signs off on.

Treasurer Mousaw – You have to realize when we go to put out these bills we are doing 11,000 bills in two days. When they get the meters loaded onto the system that is the 29<sup>th</sup> or the 30<sup>th</sup> of the month. The bills have to go out the 1<sup>st</sup> or the 2<sup>nd</sup> of the next month. You are putting out 11,000 bills.

Trustee Leon – I don’t think you are saying something we don’t understand.

Trustee Monroe - You could check twelve accounts.

Treasurer Mousaw – You can’t check the billing until you physically run the bills.

Mayor Randall – The issue here is the window of time they have. I have actually watched the process and its paper.

Attorney Bliss – You could do it afterwards. The point is there wouldn’t be five quarters that go by before you find it.

Trustee Monroe – You can’t preview the bills before you print them?

Treasurer Mousaw – You can, Scott, but then you’ve blocked up the whole system until you reach a point where you can print them. You’re dead in the water unless you print them.

Trustee Monroe – It is not similar to the Electric Department where she gets a test page of what is going out and she verifies it before it goes to be printed?

Treasurer Mousaw – She actually has the luxury of that is all she does. She is not actually processing the other bills. It makes a difference.

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Trustee Monroe – I'm not disputing that, but in light of the situation if it takes us another half an hour to figure that out. I would rather delay the bills a half an hour than to have it happen again.

Treasurer Mousaw – You have to realize that it was \$20,000 a quarter for all these accounts. Roughly it was like a needle in haystack.

Treasure Monroe – I don't care if it's \$10,000 a quarter.

Treasurer Mousaw – It was 2% of the bills. You would have had to hit that specific bill to see it.

Trustee Leon – We appreciate your diligence and respect your ability. At this point we can't say, sorry Town there is nothing we can do.

Mayor Randall – At this point, she is trying to achieve software changes that will look at a deviation for dollars as well as consumption. Consumption we had and that didn't help us here because the consumption rates were all correct. The dollars billed were not. If we can get software that will create that, that may give us a significant sampling because I am thinking about people who use a lot of water in certain seasons and then drops to nothing. I don't know how well it will work but we are looking at it.

Trustee Leon – It is imperative that we do that, spot check.

Trustee Holderied – Anything that can be done to not have this happen in the future or lessen the likelihood.

Mayor Randall – It is enough agony for 300 customers that we are going to take every possible step to avoid it happening. Had it not been noted that the revenue flows were flattening out this might have been going on a lot longer.

Trustee Leon – No one is debating our appreciation for Peter and Peggy but now that it's done how do we assure it not happening again? Saying we really can't, which is what I'm getting, I don't think is an option.

Trustee Holderied – You can't promise perfection.

Trustee Leon – I can understand that but we can promise a procedure.

Treasurer Mousaw – I would recommend to have time for me to do that the water meters would have to be read before the 29<sup>th</sup>. You would have to set it back and all the books would have to be turned in by the 25<sup>th</sup> to allow us time to look at the billing registers.

Trustee Leon – I would love for you to write up a proposal in order to do that.

Trustee Holderied – Why not?

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Mayor Randall – Let's leave it at this; we are not going to solve it here at this table tonight.

Trustee Leon – Isn't that what we are supposed to do?

Mayor Randall – The instruction to the Treasurer is to investigate and provide whatever protective steps we can so this doesn't happen. That is a direction we all agree to give the Treasurer. Let's move on. The issue tonight is to approve what I have outlined as an extension of the time for repayment out eight quarters starting with the May quarter to allow people that period of time for those that need it. There is no interest. How that will appear is a topic that Peter will continue to work with the Treasurer.

Trustee Holderied – The one thing Jason brought up, there is no penalty on the portion. If they don't pay their payments in the next three quarters, will the relevy be automatically be retriggered come November 30<sup>th</sup>?

Trustee Leon – Only on the current amount.

Treasurer Mousaw – Everything is going to go on relevy. It will hit the relevy report the initial draft. What we have to do is go in and look at the accounts, unless we can do the separate accounts and separate out the amounts. If they have to stay on the current amount right now, we run the relevy report, get the total, go through every individual account that is out there, manually subtract out the rebilling amount off the relevy amount and adjust and send out an adjusted relevy report to the Town of North Elba.

Mayor Randall – We can do that.

Trustee Leon – I was going to say that. That is what people would expect us to do. I know it is not the ideal situation.

Treasurer Mousaw – This happening is not the ideal situation.

Trustee Holderied – I moved to extend the extension of the repayment of the other charge, if you will, for a period of eight quarters with no additional penalty or interest or late fee during that period of time.

Mayor Randall – What will happen here is 1/8<sup>th</sup> will bill out each quarter.

Trustee Leon – With the understanding that at the end of the two years there will be relevied.

Treasurer Mousaw – I have no way to do that. I have no way to bill out 1/8<sup>th</sup> each quarter. There is no way in the system to do that.

Trustee Monroe – Can it just get billed out as the whole amount?

Mayor Randall – We have to do something.

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Treasurer Mousaw – We can put on there that you have to pay 1/8<sup>th</sup> but I have no way to bill 1/8<sup>th</sup>.

Attorney Bliss – I can understand that.

Mayor Randall – Another complication. We will have to figure it out.

Trustee Leon – It's really hard to have informational sessions if we are still hammering that out. At least here is proof that we are moving in a direction that is outside of the box to help elevate the situation.

Laurie Dudley – Could I make a comment? If we could receive a separate bill for that money each quarter that reminds everybody that it is due in two years or it will be relieved.

Mayor Randall – Two years from now? What do we do for the people who pay nothing in between? My concern is who staying current with that and who isn't. It could show the total due and in the note language indicate that 1/8<sup>th</sup> of that should be paid.

Trustee Leon – At the end of two years it's going to be relieved anyway. If they are not going to pay, they are not going to pay.

Mayor Randall – The point of this was to give our customers an amortization period for which there would be no penalties. However, they would pay 1/8<sup>th</sup> over the next eight quarters to get that caught up. If we take that out of there, we are basically giving them no direction here. We are just giving a full ride for two more years. The pain will be just as bad in two years as it is today.

Trustee Leon – That is their choice.

Treasurer Mousaw – There is one thing you need to be aware of, if we do that on those accounts and anybody sells their house we will not have the ability to collect on that amount.

Trustee Leon – That is a legitimate concern. How do we address it?

Treasurer Mousaw – You know Janet. Sometimes Attorneys just call and tell us the house has changed and they know what the regular billing amount is. We won't know until after the fact that the house is gone.

Trustee Leon – I won't dispute that but how do we address that?

Trustee Monroe – Don't all taxes have to be paid with the relevy?

Attorney Bliss – Taxes but not water and electric.

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Mayor Randall – This creates problems if we let this go to two years. We can't do that because there are issues that come up. If you have a measured payout it is easy enough to track.

Attorney Bliss – Can you have an account that may be 7805 and have a subaccount that is 7085A for example?

Treasurer Mousaw – When people sell houses, when the system automatically rolls over. The account 73-1000-00 when the house is sold the system rolls it over to 73-1000-01. What I would have to do is set up the Account 73-1000-01-00 for the separate bill and then create all the customer information and pull that into every account and set those up first. After those are set up, you have to go back through and adjust the old account and put the balance on the new account. It will take three solid days.

Mayor Randall – The balance should never go on the new account because the consumption was by the seller and not by the buyer.

Treasurer Mousaw – Only the adjusted amounts would go on the new account to separate it off the old account like you have been discussing.

Trustee Leon – I have a feeling that those that are paying a higher rate now and then have another bill don't care. That is really what it boils down to. I am not concerned about the amount of work it takes on our end to do it. I have faith that we have the personnel to do it. I just want it done. I think people in the Town want that.

Mayor Randall – The best that we can do, Jason, at this point is to work with the Treasurer to come up with a plan that would somehow allow this to amortize the way it was proposed in my motion. There are issues. Properties selling are going to be an issue because that outstanding obligation needs to be paid at the point of sale because the buyer isn't going to assume that obligation. We are taking off the late charge trigger. We are trying to provide a window of time and a method for going forward so people can make an easy payment instead of having to pay it all at once. That is the objective of the motion.

Attorney Bliss – You said there was a couple big ones, there are small ones and a lot in between. If it is under "X" dollars, maybe you don't go out eight quarters. If it is \$100, does it make sense for someone to take two years to pay that?

Treasurer Mousaw – Many people have already paid.

Trustee Holderied – Then you are down to 100 accounts.

Mayor Randall – It's a little bit arbitrary depending on various household incomes. I know what you are saying. What I am trying to do is set up something that will allow the customer some roll in figuring out how this is going to get amortized.



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Trustee Leon – I assume the responsibility and I apologize; I voted along with the whole  $\frac{3}{4}$  of the year. That was inappropriate if us. I believe we have come a long way in order to address that. I feel like we aren't quite there yet.

Attorney Bliss – The mechanics aren't in place but you have a motion that was passed at the last meeting that only authorized the treasurer to let these accounts go out another three quarters. If your goal tonight is to extend that, you don't have much option because you have on the books a motion that only authorized her to go out three quarters. Either tonight you extend that and work out the mechanics or you are stuck with three quarters.

Trustee Leon – The motion has been made and seconded?

Attorney Bliss – Yes, you seconded it.

Trustee Leon – Wow, it's been a long discussion. Sweet mother of pearl!

Mayor Randall – Shall we call the motion and leave some of this with the Treasurer's Office to work with the system to see what we can do best. The spirit of the discussion tonight is to try and make it as humanly simple as we can.

Trustee Leon – It would behoove us to make a spot check system within the whole process.

Attorney Bliss – The motion has been made and seconded and called.

Trustee Leon – Then I will amend the motion to include the...

Attorney Bliss – The only person who can amend a motion is the person who made it. Peter made the motion.

Trustee Holderied – That would be the goal. Peggy brought up earlier to read the meters a week early and that to me sounds like a good plan.

Mayor Randall – Lets not make that part of this motion so that we can get the correction on the table and deal with that later.

Attorney Bliss – The only motion on the table is to extend from your now approved three quarters to eight quarters. That is the only motion. The extension would not include late fees.

Trustee Leon – Are you sure that the only person that can amend the motion is the person who made it?

Mayor Randall and Attorney Bliss unanimously answered "yes, that is correct".

Mayor Randall – We are going off the topic here. Can we vote the motion up or down and get it done and have another debate on other topics if you want? All in Favor? Apposed?

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There being no further discussion the motion to extend the repayment of the corrected Water/Sewer bills for a period of eight quarters with no additional penalty or interest or late fee during that period of time was unanimously carried by all present.

Mayor Randall – The Treasurer is already working with the Tyler to try to create a deviation report that will give us the dollar sign. We get the consumption side already. I don't know that we need to take any further steps there. I do think it would be appropriate that when we have that information to bring it back to this table as an information item. It doesn't require authority. It is something that we should be doing. Unless it is going to cost us a fortune then you are going to have to come to us.

**SENIOR WATER/SEWER RATE CHANGES – ACCT #70-5685-00 & #70-3830-00**

Mayor Randall – When we did our review of our senior eligibilities that fell out of the system as having achieved an income that no longer meets the senior water/sewer rate. There are two water/sewer accounts that the Treasurer is indicating to you that they are being removed from the eligibility list. Just as a reminder, seniors have opportunity to come in and qualify for senior a rate for Water/Sewer. That can be done at anytime. It is not a once a year window.

Trustee Monroe – Do they get notified?

Treasurer Mousaw – They receive a letter.

Mayor Randall – There is a process. They have to submit information in order for us to qualify them.

Treasurer Mousaw – We initially set up those senior Water/Sewer rates. The assumption was that it was based on the HUD medium income level table of at 55% for the year. We were going to get that table annually and let it update. Is that still my understanding?

Mayor Randall – That is what I understood. We need an approval on those two rate changes.

Trustee Holderied moved and trustee Monroe seconded the motion to remove Acct #70-5685-00 & #70-3830-00 from the senior water/sewer rate due to a change in income eligibility. There being no further discussion, the motion was unanimously carried by those present.

**MARCH 2013 UTILITY BILLING ADJUSTMENTS**

Mayor Randall – The 61 odd pages of Utility Adjustments were send to you. The adjustments are on the first page. The first four accounts you need to look at. The rest are primarily the corrected sewer bills. If you take the difference between the plus and minuses, that is what the total difference is that they were billed. Most of those pages relate to that. It is putting it in system documentation. I request a motion approving the Utility Billing Adjustments as presented by the Treasurer.

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Trustee Holderied moved and Trustee Monroe seconded the motion to approve the Utility Billing Adjustments as presented by the Treasurer. There being no further discussion, the motion was unanimously carried by those present.

**WARRANT #17; \$951,344.92**

Mayor Randall – This glorious basket of bills is Warrant Affidavit #17 totaling \$951,344.92 coming out of this current budget. Included are refund checks to customers from utility accounts totaling \$1,076.41. The rest of the bills are allocated is such; \$151,629.34 for General Fund items, \$360,303.34 from Electric Department Fund, \$185,428.32 from the Water Fund, \$211,190.42 from the Sewer Fund, nothing out of the Capital Fund and \$41,717.09 from the Custom Agency Fund. You all have the detail. The documentation that is required to be attached to each of the bills has been reviewed by Trustee Holderied and he signed off on those earlier today. Do I have a motion?

Trustee Monroe moved and Trustee Holderied seconded the motion to approve Warrant Affidavit #17 totaling \$951,344.92 as written and presented. There being no further discussions, the motion was unanimously carried by those present.

**ADP SERVICE AGREEMENT**

Mayor Randall – We have a Service Agreement with ADP. Although we are closing out our payroll services with ADP, we never the less have to sign this Premium Only Plan Service Agreement. We have to sign it in order to get the final...

Treasurer Mousaw – Actually, covers our pre-taxed deductions for Health Insurance for the IRS.

Trustee Holderied – It's for \$300.

Mayor Randal – In any event, it is an appropriate document to sign. I would ask your authorization to sign that on behalf of the Village.

Trustee Holderied moved and Trustee Monroe seconded the motion to approve the ADP Service Agreement. There being no further discussion, the motion was unanimously carried by those present.

**COMMISSIONER REPORTS: STATION STREET SIDEWALK**

Mayor Randall – If Artie were here, he would be reporting that we started cleaning the streets almost the same day we started putting more salt and sand back on them. I spoke with Brad Hathaway about Station Street across from Hurley Brother where the Placid Boatworks building burned. It may be a Code Enforcement issue. The sidewalk is littered with broken glass and debris. Apparently, the cleanup has stopped but the debris is still on our sidewalks where people walk. I have asked Brad to make sure he gets the sweeper over there and gets that off. I believe

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he was going to speak with the Code officer about getting a barricade along the sidewalk to keep people from stepping off the stones and getting hurt.

Chuck Finley – My understanding was that it was a DEC stop work order due to the fact that it was over a garage. That is from Harlow.

Attorney Bliss – But the Glass on the sidewalk would have nothing to do with that. They have the police tape floating so people can't even walk by because it hits you in the face.

Mayor Randall – The concern here is public safety in an area which is still in pretty rough shape. I am assuming that the property owner has some kind of responsibility to put up some kind of fencing.

Chuck Finley – It is possible that in removing that building they weakened the back bracing of pavestones too.

Mayor Randall – That is quite possible. That is being addressed by Brad and hopefully by Jim Morganson.

**COMMISSIONER REPORTS: STREET SWEEPER**

Mayor Randall – If Art were here he would tell you that it has arrived and the company that delivered it is providing training to the operators so we can get that out. There was a delay on it but I checked with Brad and he said the paperwork that we needed to submit didn't get finalized until January and their delivery time was between 90 and 100 day. They're right on schedule.

**COMMISSIONER REPORTS: NEW POLICE CARS**

Trustee Holderied – The new police cars are out.

Mayor Randall – The Police Department has received two new cars to replaced two SUVs. One is behind the storage yard behind the Fire House; we are probably going to put that out for disposal. The other one will be made available to another department who can make use of it. They have in excess of 100,000 miles on them. The one at the impound is deemed not to be worth keeping.

**MAYOR REPORT: SPECIAL BOARD MEETING APRIL 29TH**

Mayor Randall – Earlier I announced that I am going to request a Special Board Meeting for April 29<sup>th</sup> to primarily to take care of bills that accumulate so we don't end up with vendors having to call to say they haven't gotten paid. The first Monday a majority of the Board, if not all of the Board, will be attending the Annual Conference of Mayor's which is always a valuable educational opportunity for various topics. The Next regularly scheduled meeting in May would be May 13<sup>th</sup>. There would be quite a window of time between now and May 13<sup>th</sup> if we didn't call an extra meeting.

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**MAYOR REPORT: AMC EMERGENCY ROOM**

Mayor Randall – Discussion that is going to get quite a bit attention in our village over the next three weeks, maybe longer. Periodically, the Supervisor and I have a meeting with the AMC administrator. Friday I attended a meeting out at Heaven Hill Farm where several community leaders and Randy Preston from the Town of Wilmington were attending. I heard the same presentation that I heard last Tuesday at the Beach House when they presented to the Lake Placid Business Association. They are making a case, if you would, for the future of our future Lake Placid Emergency Room facility. At this point they are saying that can be replaced by an Urgent Care Center with no loss of service to the community or the people using it. In addition, I have heard from some of the affected people. Tonight I have 105 pages of petitions. There are 15 signatures on each completed page that says, “We the undersigned strongly support keeping the Lake Placid Emergency Department open so it may continue to provide vital emergency medical care to the members of the Lake Placid community and their visitors”. They are also announcing an informational and organization meeting that will be sponsored by Concerned Citizens of Lake Placid to be held on April 29<sup>th</sup> at 7:30 pm at Nicola’s on Main Street. I suspect that is going to be a well-attended meeting. AMC is proposing two public discussions to take place at the Center for the Arts. The first is May 1<sup>st</sup> at 6:00 pm and the second on May 8<sup>th</sup> at 7:00 pm. Other meetings that are noticed on here, and they made a mistake because we aren’t having our May 6<sup>th</sup> meeting, but they are indicating various meetings of the Village and Town Boards, the Keene Town Board, the Wilmington Town Board and the Jay Town Board. I do know from having attended the meeting Friday at Heaven Hill Farm that the problems are many for the community. I think they have done a good job at what works for the institution but there has been no communication whatsoever with the delivery system which is the EMS systems that exists in each of our communities. It will certainly have a significant impact on our volunteer squads in all of our communities. I pointed that out to the people during that meeting. Randy Preston, the supervisor of the Town of Wilmington, also indicated that the Town of Wilmington would be meeting with the Elizabethtown Hospital that took over and operate the medical clinic in Wilmington. They replaced AMC. Wilmington Ambulance service is operated by their Fire Department looking to transfer their Wilmington patients to Elizabethtown.

Jim Wasson – Keene, Keene Valley and Wilmington will no longer go to Saranac Lake. There are going to Elizabethtown. I can image AuSable Forks will go to CVPH. These people aren’t looking at that. I don’t think they care for our community anyway.

Mayor Randall – I am one of the last members of the Placid Memorial Hospital Board that was charged with the responsibility during the period of time the merger to General Hospital took place. At the time, neither institution had the capacity to succeed in the future. Although we each had characteristics that put together provided an opportunity. That was some 22 years ago. Placid could not get CONs for any new services did have the good fortune to have a substantial estate bequest that came to us over several years including some years after the merger. Saranac Lake had the attribute of a brand new hospital building to which they had just added the 3<sup>rd</sup> floor. That was the old General Hospital and they were not looking at a bright future either. The merger created an opportunity for the two institutions to come together and provide health services to the

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communities that they serve. Having said that, one of the most contentious issues in that negotiation was the continuation of Emergency Room Services for Lake Placid. The agreement that was finally struck in the merger agreements was that they would continue to provide 24/7 Emergency Room services. It basically requires them to be structured as a free standing hospital under the current health laws in the State of New York. It means they have to have a minimum of two beds, which they have and they get used occasionally. There is one other thing I would like to say is the ADK Medical Center as we know it today is a community resource. It is governed by and controlled by a Board of Directors who are self-perpetuating but have the continuing obligation of making sure they are providing health services to the communities they serve. Under that, the Board has an obligation to not only consider the views often various medical people at AMC who are promoting this, but also need to consider the greater health needs of the community at large and the impacts they may be having on our other delivery systems such as the ambulance squads. I listed to Stan Urban who is the current Chairman of the Board. I have been in his position. It is never easy when you have these situations occur but I don't think that they have completed their homework. I pointed out to them that they need to communicate with the communities and the ambulance services. Whether or not it makes sense to eliminate Lake Placid, which would likely mean that a number of admissions to AMC where they are already showing declining admissions to the hospital would be by-passing them completely and going to the East needs further consideration. I guess my request this evening is to indicate that those discussions have taken place. There is going to continue to be a focus. I do think it is appropriate for this Board and the Town Board to take a position and a stand on it. The Supervisor has advised his Board to attend the public meetings that will be held May 1<sup>st</sup> and May 8<sup>th</sup> for the purpose of hearing what the community at large has to say and then we would both respectfully or perhaps jointly make a very strong resolution about our positions.

Attorney Bliss – One meeting is the same as the Village Board meeting that you just scheduled. Didn't you say one is April 29<sup>th</sup> at 7:00pm?

Mayor Randall – The public meeting is at 7:30 pm. I don't expect the April 29<sup>th</sup> meeting to have a lot on the agenda. If we do, we will make sure we are done by 7:30. I don't know what you gentlemen are hearing in the community, but my sense is that this has not been well received. It was early on that AMC was moving towards a relocation of an Emergency Room Services from the old hospital site to the Uihlein site and there might have been some opportunity for them to relieve themselves of the nighttime Lake Placid ER which often has one patient and sometimes none. There is voluminous information about when patients come in. I have received from the ambulance squad statistics for Lake Placid for 2012. I am hoping to receive the same from Wilmington so I can get a little sense of the volume. In 2012, our ambulance squad reported 1442 runs for the year. Think about that if we have to add additional time for each run. It has to go to an emergency room. There has been some discussion that the squad could stop at an Urgent Center. The problem in New York State is that an ambulance squad can bill for an emergency room. It cannot bill for stopping at an urgent center. If they are staffing down the urgent centers, will the appropriate medicals staff be available to take care of that patient? There are many issues out here. I am not an expert on EMS. I know a little bit about it; just enough to know that I need to talk to those people. I did spend some time with Larry Brockway Saturday afternoon. I expect I will spend more time trying to understand their statistics. It is very clear that a high percentage

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of their calls occur between the hours of 6:00 am and 6:00 pm., roughly 60% and 6:00 pm to midnight another 1200 of the 1442. After midnight over the course of the year, 205 calls. Those average between a low of 11 and a high of 22. This is information that I would encourage the Board of Trustees of AMC hospital to at least meet with these people and understand the issues that are going to be created should they make that change.

Trustee Holderied – They are going to save a lot of money but lose a lot of income.

Mayor Randall – I can understand what is going on with sequestration. I can understand the nursing home has lost them a great deal of money since they acquired it. They do need to downsize that. They may perhaps do as the County is doing and getting out of the nursing home business. I think they are trying to find their way in terms of the broader picture of community health services that will both keep them in the black and meet the needs of the community. This one is a difficult issue. The issues about urgent care might serve our community better at this moment escape most of us. I hope you will all join me at those public meetings and certainly the meeting on the 29<sup>th</sup> when we will see a good representation of our providers who are trying to get their side of the story out there. This side of it I have never sat on although I do sit on the Life Flight Board that has a very different focus. It is basically on air service. The ground transport is a very special and complicated structure that works with a lot of volunteers. When a one hour run suddenly takes three hours, there are real questions being raised by the ambulance squad. It is a serious issue. We as Lake Placid and North Elba and Wilmington have to pay close attention to it.

**PUBLIC COMMENTS & QUESTIONS**

Jim Wasson – Since your done on that, I got here a few minutes late. I have one question. You can discuss it in the future. What is going to happen with this hotel up here where they put the drain in the back of my house? That is not a proposed road. It is a right-of-way or an easement. They have been using that all winter long for a driveway for the hotel delivering stuff. When they dug that drain, they flooded us out. Brad Hathaway was kind enough to come back and straighten it out. That is not supposed to be a road. I nearly got hit from a truck from some construction outfit on my back driveway. I have a right out the back driveway.

Mayor Randall – I don't think the Village has any jurisdiction over its use of a road at this point. We have easements. I don't know who uses it. In the winter I could certainly see that the traffic was going back and forth. The only thing I can do is to speak with the Code Officer because it is not a Village road.

Attorney Bliss – We have an easement for electric.

Trustee Holderied – The Lussis do not have an easement over that property.

Jim Wasson – He was putting up a stone wall all the way around. When it got to that spot there he quit. They have been using it. A guy got stuck up there this winter going in and out of there.

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Mayor Randall – It is certainly not a road that the Village maintains. The only time you would find equipment in there is in the event that we had a utility truck there.

Jim Wasson – The Village put crusher in there.

Mayor Randall – We did because the storm drain line that runs through there needed crusher.

Jim Wasson – You don't have to tell me anything about that storm drain. It came down my driveway, in my cellar and my neighbor's.

Mayor Randall- We did go in and put in a catch basin. I am hoping that is working for you. It looked like it was.

Jim Wasson – Well we haven't had any big storms.

Trustee Leon – Whose property is it? Is it State property?

Jim Wasson – Its part of the Jack Rabbit Trail.

Mayor Randall – The deed indicates that ownership is with the Lake Placid Timeshare Inc. and the Lake Placid Company. I don't know where that is today.

Jim Wasson – When they came in they cut the trees and everything. What are they doing cutting trees down on the other side of the yellow line? I am stating it because we had a meeting in here about it.

Mayor Randall – I recall your question at the time was, “what was the Village plan for that”. There is no plan for it.

Jim Wasson – The plan was from Parkside Drive. That was the only thing that was discussed in the beginning. I am here. Leave Park Side the way it is. If somebody gets in an accident up there, who is going to be at fault?

Mayor Randall – The property owners. Am I correct Janet?

Attorney Bliss – I wouldn't go into it.

Jim Wasson – He put stones across the end of it. Tractor trailers pull in and out all the time.

Mayor Randall – It comes down to the fact that we don't own the property. We have easements to it that allow us to use it that was signed at the time by the owner of the Lake Placid Company and the Lake Placid Timeshares. I don't know where it has gone since then.

Attorney Bliss – We don't control that.



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Jim Wasson – Artie Lussi has already made complaints about why I am doing through there. I have a right-away in my deed. I've been around for a long time. The only one who has been around here longer is you Craig. I have been here for over 50 years.

Mayor Randall – It is not an issue that I think we have jurisdiction over but I can sympathize with the property owners. Thank you, Jim.

**ADJOURNMENT**

There being no further business to come before the Village Board, Trustee Leon moved and Trustee Monroe seconded the motion to adjourn the meeting at 8:05 pm.

Respectfully Submitted,

Laurie Curtis Dudley, North Elba Town Clerk