

TOWN BOARD MEETING

TUESDAY, JULY 9, 2013

Minutes of the Regular Board meeting held on the above date beginning at 7:00 pm at the Craig Wood Clubhouse, 141 Country Club Lane, Lake Placid, New York.

Members Present: Supervisor Politi, Councilman Favro, Councilman Miller, Councilman Doty, Councilman Rand

Others Present: Laurie Dudley, Ted Morgan, Larry Straight, Mary Schubert, Marty Schubert, Colleen Warren, Lynn Wilson

Supervisor Politi opened the Town Board meeting at 7:00 pm by asking everyone to stand for the Pledge of Allegiance.

Supervisor Politi asked for a motion on the minutes of the Board meeting on June 11, 2013.

Councilman Rand noted a typo on pg 102.

Councilman Rand moved and Councilman Favro seconded the motion to approve the minutes with one modification. There being no further discussion, the motion was unanimously carried.

RECOGNITION OF LYNN WILSON & JACK IRVIN

Supervisor Politi – I want to take a moment to express our appreciation for everything everyone contributed to this process. It is an important venue that the Town of North Elba owns. The new facility will improve the golf course for many, many years to come. It took a lot of effort from a lot of people and would not have gotten done without so many of our employees and others. If you have walked around the facility, you now realize the amount of effort it took and in a short period of time without affecting the course play. We are very appreciative of that. Larry, we appreciate everything that your guys did, everything that the county did and the contribution of Derek and Jack working with the kitchen and equipment. We sincerely want to thank Senator Little for helping us with tourism monies that were utilized to improve this facility. When you undertake a project like this, it usually takes three to four months longer. We were so lucky to have the Village Electric Department dig the trenches for the electric upgrades. Andrew St. Louis worked with Lynn Wilson on the crew who were able to put a new septic system in. All of those things saved the community a substantial amount of money. In that regard, I see this as a real community effort. I thank all of you.

Supervisor Politi read the following Proclamation of Appreciation recognizing Lynn Wilson:

Proclamation of Appreciation

On this day, the ninth day of July 2013, the Town Board of the Town of North Elba takes great pleasure in recognizing Lynn Wilson and the Craig Wood employees for their exemplary work ethic and contribution to the completion of the Craig Wood Club house.

The dedication and skills exhibited by these individuals has resulted in a building and infrastructure produced at a cost savings to taxpayers and for the betterment of Lake Placid.

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By virtue of and based upon the aforementioned, the North Elba Town Board hereby acknowledges the efforts of Lynn Wilson and his crew.

As witnessed by all those present at this Town Board meeting being held at the Craig Wood Clubhouse on 7/9/2013. I sign this proclamation, thereby making it an official entry into the Town minutes.

Robert T. Politi
Town Supervisor

Supervisor Politi – It is because of you and the guys and all of the work that has been done here, we turned this into an exceptional golf course.

Lynn Wilson – We appreciate this. It has been a fun challenge.

Supervisor Politi – Jack is not here tonight. This is the proclamation of appreciation recognizing Jack Irvin and Evergreen Design:

Proclamation of Appreciation

On this day, the ninth day of July 2013, the Town Board of the Town of North Elba takes great pleasure in recognizing Jack Irvin and Evergreen Design for their skills in the completion of the Craig Wood Clubhouse at the historical Craig Wood Golf Course.

The quality of workmanship together with the builder's attention to detail and timing has resulted in a facility that will only enhance the characteristics of this important recreational venue.

By virtue of and based upon the aforementioned, the North Elba Town Board hereby acknowledges the contributions and efforts of Jack Irvin and the employees of Evergreen Design toward the betterment of the Lake Placid community.

Witnessed by all those present at this Town Board meeting held on 7/9/2013. I sign this proclamation, thereby making it official.

Executed at the Craig Wood Golf Course on behalf of the People of North Elba.

Robert T. Politi
Town Supervisor

Supervisor Politi – We appreciate Jack's work. He took great pride in working on this project. He stuck to his word. He accomplished everything on a timely manner. It is a real credit to the building profession. He and all the guys that work for him did a marvelous job. We thank Jack very much for an outstanding job and effort on his part.

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REALTOR SIGN VIOLATIONS

Supervisor Politi – You all saw a copy of a letter that was sent to the realtors in town for sign violations. The letter stated the updated ordinance so there was no confusion with regard to real estate signs that are primarily off premises or they are on premises but exceed the limits of size. I wanted to report that our Code Enforcement Officer has taken that under his wing and has taken care of it.

BUILDING CLOSURE IRONMAN FRIDAY

Supervisor Politi – I need a motion to allow for the closure of the Town Hall on Ironman Friday. This is something that we do every year. This year it is July 26th. The reason we close the building on the Friday before Ironman is because we are inundated with users of our bathroom facilities. It becomes a nightmare. There are plenty of porta potties around town. We would have to have someone there the entire time the building is open just cleaning bathrooms.

Councilman Miller – You can't do business because there is no place to park.

Councilman Doty – I remember the building being mobbed. Does the Village follow suit?

Supervisor Politi – They don't. They keep the Electric Department open.

Councilman Doty moved and Councilman Favro seconded the motion to approve the closing of the Town Hall on July 26, 2013. There being no further discussion, the motion was unanimously carried.

CROSSWALK HARBOR CONDOS

Supervisor Politi – We had a request for a crosswalk at the location on Lake Street and Mirror Lake Drive where the steps come down from the Harbor Condominiums. The stairway comes down and the last step is into the highway. The residents have requested that the crosswalk be put there for safety reasons. They say a lot of people use the stairs to get to the sidewalk on Mirror Lake Drive. This section of Mirror Lake Drive is outside the Village. Larry has discussed it with us. It is a bad corner. We discussed the concept of putting up two signs before and after the corner noting that there is a crosswalk for the drivers much like in other places throughout the community.

Councilman Doty – The idea scares the hell out of me. I know that people have to get across the street but I hope they pay attention to the signs.

Supervisor Politi – Unfortunately there is no sidewalk that goes down Lake Street. No matter where anybody is walking it is dangerous because they are walking in the road.

Councilman Miller – Can we approve a crosswalk? Do we have to get approval from DOT?

Supervisor Politi – That is only for a speed limit. I guess you can argue both ways. I understand that it is a dangerous corner. There is not a crosswalk so there is no legal designated crosswalk

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area. We are going to have to put another one at the new entrance to Northwood School. Maybe people need to slow down going around Mirror Lake Drive. A problem we have is people that come from Wilmington, Ausable and those places to the east that want to avoid Main Street. They take Victor Herbert Road. The police are constantly on Victor Herbert Road with speed traps. I don't know that it is such a bad thing for people to be aware of the fact that there might be crosswalks at the entrance to Northwood Road and here. I don't know what you all think but I would rather pass the baton to Larry in terms of what he thinks. I am not the expert on this.

Superintendent Straight – I feel like Derek does. The corner has a blind spot but I don't see an alternative. Unless we build a sidewalk on that side of the road and move the crosswalk down. I don't see any other place to put it.

Councilman Doty – You don't suppose they would move the steps.

Councilman Rand – Just like on Main Street, there is no guarantee that a car is not going to come through there. Some cars stop one way and not the other.

Superintendent Straight – The problem with Main Street is that you have cars parked right on the line. People think they can just step out because it's a crosswalk.

Councilman Rand – It is dangerous but as a pedestrian you have to take some of the responsibility.

Councilman Miller – I do see cars stop more often on Main Street than on other crosswalks like the one at St. Agnes Church.

Superintendent Straight – That is an enforcement issue.

Councilman Miller – If we put a crosswalk there, it is going to be the same situation where cars aren't going to stop.

Supervisor Politi – A crosswalk does encourage people to walk at the one spot rather than many different places. Right now it is as dangerous without a crosswalk as it would be if there was a crosswalk. I don't think it would hurt.

Councilman Rand – I agree.

Councilman Miller – Unless the pedestrian has a sense of entitlement.

Supervisor Politi – That is not the law. You aren't entitled just to walk out or step out. What do you want to do with this?

Councilman Rand – I would put it in.

Councilman Doty – You made a good point. It moves everybody to one spot.

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Supervisor Politi – If they are utilizing the stairs to the condos then they are not walking up Lake Street which is even more dangerous.

Councilman Doty – Will it be white stripes or the red like in downtown?

Supervisor Politi – I think white is better because you can see it at night. The signs also have an illuminating paint around them as well. We beat this to death.

The Board was unanimously in favor of adding a crosswalk from the steps at the Harbor Condominiums to the sidewalk on Mirror Lake Drive.

RECOGNITION OF LIFEGUARDS

Supervisor Politi – I wanted to take a moment to recognize the lifeguards. We had an incident at the beach last week and we had three lifeguards involved in saving an individual who was in trouble. I wanted to take a moment to acknowledge Carter Cruickshank, Emma Nye, and Halle Kent for utilizing the lifesaving skills that they learned in their training program. A construction worker was in trouble and the three of them were able to get him out of the water safely. It is a good indication of the quality of people that we have chosen to work there. All three were returning lifeguards. If you see them, please thank them.

APPROVE WEDDING CELEBRANT

Supervisor Politi – We received a request from Martin Ruglis to be approved as a wedding celebrant on October 13, 2013. This Board has a right to approve an individual to conduct a marriage for one day. We have done it twice before.

Councilman Doty – Aren't you going to put Wendy Greenhut up. That wedding is August 10th. Didn't she call you?

Laurie Dudley – She did call. She said she is ordained online which is different. This is for a person who is not ordained and is asking to perform a ceremony for one occasion. We did the same thing for Kim Weibrecht for her brother's marriage to Denja Rand.

Councilman Doty moved and Councilman Favro seconded the motion to approve the request of Martin Ruglis to be a marriage officer for Sunday, October 13, 2013. There being no further discussion the motion was unanimously carried.

APPROVE HOST AGREEMENT CAN-AM RUGBY

Supervisor Politi – Can-Am Rugby has asked for use of our fields again this year. We required last year that they sign a Host Agreement. The tournament is August 3, 2013. Last year they paid \$1,000. They were told that amount would increase this year because last year they didn't realize they had to have a permit. It was last minute and they had already booked teams coming before they realized they had to sign a Host Agreement. We didn't want to disrupt that tournament. This year the user fee is \$1,500. It is for one day. They then move the tournament to Saranac Lake. It

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is the same terms and conditions with the exception of the date and user fee. If someone will move that, I will sign it on behalf of the Town.

Councilman Rand moved and Councilman Favro seconded the motion to approve the Can-Am Rugby Host Agreement for August 3, 2013 with a user fee of \$1,500. There being no further discussion the motion was unanimously carried.

TERRY POLITI T-HANGAR

Supervisor Politi – The hanger ground lease for my brother has expired. The lease needs to be renewed. I was hoping Ron Briggs would be back from Providence in time for tonight’s meeting. I would like to table this until such time that he has had an opportunity to review it for my sake.

Councilman Doty – Should we identify the services that are done in that building?

Supervisor Politi – I modified the language because the prior agreements that we had at the airport were in violation of Federal Law. Federal Aviation Regulations state that if an airport receives federal funds, which we do, the only thing that you can restrict a hanger use is to aeronautical in nature. You cannot restrict it by saying; you can store planes but you can’t work on engines. You can restrict it by saying; you cannot store boats or cars or household goods or whatever in a T-hanger or a hanger where an airport has received federal money. The lease agreement reads, “this lease agreement does not grant the lessee the exclusive right to use the airport facilities it being understood and agreed that the lessee and any other user or tenant of the premises must at all time comply with the Navigational Standards Policies and aircraft landing fees as established by the airport fixed base operator subject to the New York State and Federal Airport Provision.” In effect, it doesn’t give somebody the right if you have a hanger there to land there for free although we don’t charge. If we did charge, it doesn’t exclude you from not having to pay like everyone else. It needs to be in there and it needs to be understood that whatever the fixed base operator fee is it applies to everyone else. The fact that we receive so much federal money for that airport it puts us in a different category. In the past, no one ever recognized that. Some of the agreements said you cannot work on plane engines and you can only store planes. We can’t do that.

PERSONNEL ACTIONS

Supervisor Politi – We had a request for personnel appointments for Bob Stephens as a Golf Ranger working weekends at a rate of pay of \$10.00 per hour and Erin Skufca as a Lifeguard at a rate of \$10.00 per hour. The civil service classification for the Golf Ranger is a laborer and the lifeguard is a non-competitive part-time position. Neither of these employees receives any type of benefits.

Councilman Doty moved and Councilman Rand seconded the motion to approve the personnel and pay as noted. There being no further discussion the motion was unanimously carried.

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BUDGET AMENDMENTS:

Supervisor Politi – There is one budget amendment in the amount of \$26.93 for a Norton Antivirus subscription. The new computer Cathy got did not have this. There was additional money in her contingency account.

Councilman Favro moved and Councilman Doty seconded the motion to approve the budget amendments as presented. There being no further discussion, the motion was unanimously carried.

COMMITTEE REPORTS: - SARANAC LAKE ADULT CENTER -

Councilman Miller – I got a call last night from a Saranac Lake resident that uses the Saranac Lake Adult Center with concerns that he has. They have had some turnover there. Franklin County Office of the Aging has fired the Director that works at the SL Adult Center. There was a little bit of a brewhaha over that because she was pretty popular. She went back after she was fired just to spend time with the elderly. Franklin County ordered the Saranac Lake Adult Center Board to bar her from the premises or they will no longer fund the meals on wheels. The Board consulted with their attorney Bob White who said it is likely illegal to bar someone from the premises just because you don't like them. The Board voted to do it anyway. On top of that, there are concerns as to whether their board is listening to those that use the services. Three individuals signed up to speak at their last meeting. When it came time for them to speak, the Board got up and left. I called Deborah Donaldson today and she confirmed that it did happen. I told her that I thought it was unfortunate.

Supervisor Politi – We have in the past funded the Saranac Lake Adult Center.

Councilman Miller – The reason I bring it up here is because we help fund the Adult Center. I spoke to Bob Bevilacqua this morning who said he was about to dial my number. They contribute \$18,000 per year. I asked him for a copy of it and I apologize for the late notice. Harriestown is very concerned about what is happening. They are wondering if they should be contributing to what appears to be a difficult situation. This Thursday at 1:00 the Adult Center is having a Board meeting. I told their president that I would attend and if anyone here would go with me. I received a call from a North Elba resident today who asked me to please pay attention to what is going on there. I think the elderly people want to know that the community is aware of what is happening and that we care about what is happening. They want to know that we want our money to provide them service and respect.

Supervisor Politi – I believe that we provide them with at least \$1,000. At one point we provided \$2,000. I do not know if that money has been dispersed. Tomorrow I can find out. If you would like to hold off on the distribution until such time as you have had the opportunity to discuss this with the Board of Directors and the Town of Harriestown and those other governing bodies that have taken interest. Laurie, please remind me to ask if that check has been cut.

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COMMITTEE REPORTS: CRAIG WOOD

Supervisor Politi – Lynn, do you want to talk about Craig Wood?

Lynn Wilson – Other than the fact that it's wet, we're going well. We aren't the only ones. It has been a problem. It certainly couldn't look any better. We did well during the Horseshow and had days we were quite busy which is unusual. The equipment is brand new and working well.

Supervisor Politi – The sod out here by the fence looks fabulous. Did the bubbler ever work?

Lynn Wilson – It did not work. I don't know if it is broken or not. When Andrew put it in it didn't work. I will ask him tomorrow because that is stuff he takes care of. The new pump that we bought will be programmed sometime this week. It's programmable so we can pump 5 gallons a minute or 250 gallons a minute. We have to be careful of what we take out of there because we can only replenish 28 gallons a minute. Last year we ran into that problem with our electric bill because the pump ran for 38 days to keep the pond going. We are going to have to play with that pump to see how much we can water with it and still be able to maintain a water level. This year hasn't been a problem because we haven't had to water yet. Other than that we are in good shape. We are finishing up on projects five and six and the sand traps here.

Supervisor Politi – It looks good. Thank you.

COMMITTEE REPORTS: AIRPORT

Councilman Rand – There is a pre-bid meeting on July 23rd for the Apron Expansion for the contractors. Larry is going to be there and I will try to be there as well.

Supervisor Politi – We talked about the state wanting us to get bids. It looks like they are going to give us additional monies for the expansion of the apron around the T-Hanger area. It's a grant of about \$800,000. It just seems to go on and on and on. They have given millions of dollars for the Lake Placid Airport.

Superintendent Straight – The only other issue is the hot water in the bathrooms.

Councilman Rand – They are going to have to put a hot water tank in there.

Supervisor Politi – C&S met with me and said they were responsible for the settling and they were going to take care of it. They said it was their engineering problem. The new terminal is amazing. It's nice for our community.

Councilman Doty – Roby, did you say that grant was State or FAA?

Supervisor Politi – It's a combination of Fed and State. Our in-kind is 10%.

Councilman Doty – Is jet fuel still on the docket?

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Supervisor Politi – They want us to bid the jet fuel. If we get an apron expansion, the expansion goes right to where the jet fuel tank will be. Whether or not we put jet fuel in is another thing.

HEARING - GRIMDITCH

Supervisor Politi – I wanted you to know that tomorrow is the hearing in Elizabethtown on Grimditch vs. the Town of North Elba, McMillan, and Moccia. My guess is depending on his ruling it is not far from being over. Ron Briggs will be there tomorrow. John Privitera will be there on behalf McMillan and Moccia.

Mary Schubert – What time is that tomorrow?

Supervisor Politi – I don't know. I want to say 1:00 but I am not sure. I would guess that it will be an open court.

MIRROR LAKE DRIVE PARKING

Supervisor Politi – On Mirror Lake Drive we are having a problem at the DEC boat launch parking lot. Conservation officers are leaving tickets on vehicles. They are mostly contractors that are working up the lake. Instead of parking there, they are moving onto Mirror Lake Drive. Trucks are parked all the way down past the marina, past Joe Small's house and almost all the way to John Rosenthal's. The rules and regulations there are unique. It says, "No person shall leave, abandon or park a boat, auto, trailer, float, raft or vehicle of any type for more than 24 hours at a State boat launch facility and no vehicle except one used in loading and unloading or launching of a boat shall be left or parked at anytime." It is extremely ambiguous. They are writing what are called Honest Abe tickets. They put it on your vehicle and unless you fill out the back of it telling the court who you are, nobody knows who you are. The judges are not adjudicating those particular tickets. It has become a problem. What's to say that someone who is parked there didn't load a boat? What's to say that someone isn't a contractor that gets in a boat to go up the lake to work? There is a grey area that is causing a parking problem in the community. The tickets that they are writing are not enforceable. Jim Morganson called DEC and Larry went up to look at it.

Councilman Doty – There are vehicles parked from Northwood School all the way along there because of the construction.

Superintendent Straight – Most of the vehicles are getting off the street. The Castles place where the wall is has become a problem because they are in the road right-a-way.

Supervisor Politi – I am going to talk to Bob Steckler who is the regional director at the DEC.

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APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 7/9/13			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	59301.89	26467.99	85769.88
B FUND GENERAL OUTSIDE VILLAGE	1736.85		1736.85
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	37037.19	6558.19	43595.38
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT			0
H02 -BLOCK HANGAR REHABILITATION AIRPORT CAP. PROJECT			0
H03 - 5 BAY T HANGAR			0
H04-C&D WASTE CELL			0
H05- CRAIG WOOD GOLF COURSE CONSTRUCTION	9363.79	44012	53375.79
H06-TERMINAL BLDG			0
H07 RUN WAY REHAB	1812.22		1812.22
H08-AIRPORT MASTER PLAN	16966.71		16966.71
H09-APRON EXPANSION			0
H41-REC (BIKE) PATH	7253.52		7253.52
RD03-THIEANOUEW WAY ROAD DISTRICT			0
RD04-TAHAWUS WAY ROAD DISTRICT			0
SF1- FIRE PROTECTION DISTRICT 1			0
SF2- FIRE PROTECTION DISTRICT 2			0
SF3 - FIRE PROTECTION DISTRICT 3			0
SP PARK DISTRICT	119298.54	13845.88	133144.42
SS21 CONSOLIDATED SEWER DISTRICT		212	212
SW1 SEWER DISTRICT #1			0
SW2 MCKENZIE			0
SW3 RAY BROOK		1007.51	1007.51
T TRUST & AGENCY		133.54	133.54
TE PRIVATE PURPOSE TRUST			0
Batch 1324-1327	252770.71	92237.11	345007.82
131348-131364; 131389-131461; 131463-131524; 131549-131572			
Batch 999 (Payroll)	0	53500.36	53500.36
131365-131388; 131525-131548			
Batch - HELD	UNPAID VOUCHERS		
130419-MURNANE BUILDING RELATED TO AIRPORT TERMINAL	0	34252	34252
DELETED VOUCHERS:			
131462,			

Councilman Rand moved and Councilman Favro seconded the motion to approve the audits as presented. There being no further discussion, the motion was unanimously carried.

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CAKE & TOUR BREAK

Supervisor Politi provided a cake and Colleen Warren provided coffee to celebrate the renovated clubhouse. Councilman Doty and Lynn Wilson were available for tours.

EXECUTIVE SESSION

Councilman Rand moved and Councilman Favro seconded the motion to go into executive session at 8:02 pm for the purposes of discussing personnel. The motion was unanimously carried by those present.

Councilman Favro moved and Councilman Rand seconded the motion to come out of executive session at 8:15 pm.

ADJOURNMENT

There being no business transacted during Executive Session and no further business to come before the Town, Councilman Doty moved and Councilman Rand seconded the motion to adjourn the meeting at 8:15pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk