

**TOWN BOARD MEETING**

TUESDAY, JANUARY 14<sup>TH</sup>, 2020

Minutes of the Regular Board meeting held on the above date beginning at 7:00 PM in the Meeting Room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York.

**Members Present:** Supervisor Rand, Councilwoman Kilburn-Politi, Councilman Doty, Councilman Cummings, and Laurie Dudley

**Others Present:** Kenneth Porter, Mike Orticelle, Steve Sama, Elizabeth Izzo, Kayla DeLgado, Carol Nevulis, James Flanigan, Alison Flanigan, Kai Frantz, Michael Shutt, Sarah Galvin, Kayla Martinez, Karen Armstrong, Cathy Johnston.

Supervisor Rand opened the Regular Town Board meeting by asking everyone to stand for the Pledge of Allegiance.

Supervisor Rand asked for a motion for the minutes of the Board meeting December 10<sup>th</sup>, 2019 Meeting and Organizational Meeting of January 7, 2020

Councilman Doty moved and Councilwoman Kilburn-Politi seconded the motion to approve the minutes as written and presented. There being no further discussion, the motion was unanimously carried.

**PERSONNEL ACTION - RYAN TUMMONS HIGHWAY DEPT. – HEO**

The position is for the Highway Department for a Heavy Equipment Operator. This position was advertised and there were two candidates.

Ryan Tummons 18.68/Hr.

Councilman Cummings moved and Councilman Doty seconded the motion to approve the personnel action. There being no further discussion, the motion was unanimously carried.

**BOARD OF ASSESSMENT REVIEW – REAPPOINTMENT – PAT GALLAGHER**

3 year term 1/1/20 – 12/31/23

Councilman Doty moved and Councilman Cummings seconded the motion to approve the Reappointment for the Board of Assessment Review. There being no further discussion, the motion was unanimously carried.

**JOINT REVIEW BOARD – REAPPOINTMENTS:**

Reappointments- Jackie Kelly and Chip Bissell - 5 year term 1/1/20-12/31/24

Appointments - Bob Rafferty and Richard Thompson Approve - 5 year term 1/1/20-12/31/24

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Councilwoman Kilburn-Politi moved and Councilman Doty seconded the motion to approve the Appointments and Re-appointments for the Joint Review Board. There being no further discussion, the motion was unanimously carried.

**DEVELOPMENT COMMITTEE APPOINTEES**

Reappoint Mike Butler, Dean Dietrich, Pat Gallagher, Georgia Jones (1/1/20-12/31/23)

Sarah Galvin to replace Kelly Kennedy (Expires 1/31/23)

Bob Demarco to replace Jesse Seguin (Expires 1/31/23)

Councilwoman Kilburn-Politi will replace Supervisor Rand as the liaison to the committee.

Councilman Doty moved and Councilman Cummings seconded the motion to approve the Development Committee Appointees. There being no further discussion, the motion was unanimously carried.

**RESOLUTION TO APPROVE ROAD NAME –“ SOULSHINE WAY”**

This is a short road off of Balsam St. that belongs to the owner of the Soulshine Bagel Shop on Main Street.

Councilman Doty moved and Councilwoman Kilburn- Politi seconded the motion to approve the road name. There being no further discussion, the motion was unanimously carried.

**RESOLUTION TO GRANT DOT AUTHORITY TO ADJUST MUNICIPALLY OWNED FACILITIES (WATER VALVES) ALONG ROUTE 86.**

The DOT requires a Municipal Resolution for height adjustments to one or more water valves along the route.

(Resolution attached)

Councilman Doty moved and Councilman Cummings seconded the motion to approve the Resolution to grant the DOT authority to adjust the water valves along route 86. There being no further discussion, the motion was unanimously carried.

**RESOLUTION TO INCREASE ANNUAL STAFF UNIFORM REIMBURSEMENT FROM \$350-\$600**

Councilman Doty - Our Town has been fair about representing Town employees and Union employees. We try to keep the playing field equal for each and through last Contract Negotiations with the Union they were awarded an annual allowance for clothing for outside of \$600. We thought it fair to bring the Park District employees who work outside to \$600. This has been an ongoing effort to remain fair on both sides.

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Supervisor Rand – It used to be that the Town provided uniforms via Unifirst. However, this reimbursement is preferred so the employees can choose their own footwear and jackets. In the long run this is more cost effective and keeps our employees happy. It is better overall for these weather conditions for the employees to choose their own outdoor gear.

Councilman Doty moved and Councilwoman Kilburn-Politi seconded the motion to increase Annual Staff Uniform Reimbursement Rates. There being no further discussion, the motion was unanimously carried.

### **RESOLUTION APPROVAL – APA LAND RECLASSIFICATION**

Attorney Briggs – Jim McKenna came and gave a presentation to the Board. They are working with ORDA, the Town, and the Village to try to find a suitable site for athlete housing for the FISU games in 2023. One of the sites that is a potential is the Cell Science Center property. It is a 34 acre site and one of the first things to ask the APA to change is the Land Use Classification. It is not a Moderate Intensity Use which is only 3.2 acres per dwelling unit. It adjoins the Town and is suitable for changing that designation to Hamlet which would limit the APA jurisdiction to either wetlands jurisdiction, over 99 units, or height. It is just to make this site as an option for possible athlete housing and some after use. The first step to do that and make that available is to have the APA change the designation to Hamlet.

Supervisor Rand – The Resolution would be;

The Town of North Elba formally requests that the NYS APA reclassify on the Adirondack Park Land use and Development Plan Map, Town of North Elba Tax Map parcels 42.10-1-1.1 and 42.10-1-1.2 from a Moderate Intensity Land Use area to Hamlet Land Use area.

Be it further resolved that the Town of North Elba Supervisor have Board approval to sign the application for this amendment when received.

Councilwoman Kilburn Politi – There is no change in ownership at this point? Is there a financial obligation? What if the Hamlet designation is given and it doesn't go for the revocation.

Attorney Briggs – There is no change in ownership and no financial obligation. I spoke with Dan Kelleher from the APA and this is about a 4 month process. At any time during this process we can withdraw the application for the map amendments. We are not agreeing on anything right now. This Board can change its mind on this application at any time before it is finally approved.

Councilman Doty – Who is the applicant? The owners or the Town of North Elba?

Attorney Briggs – Right now it is the Town asking the APA to change the designation.

Councilman Doty – In the course of how the APA accepts applications, generally it is always owners. I am wondering how the relationship is and how will the APA recognize us as not owning the property?

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Attorney Briggs – You don't need to own it. We are just a municipality asking for zoning.

Councilwoman Kilburn Politi moved and Councilman Cummings seconded the motion for the Resolution for the APA Land Reclassification. There being no further discussion, the motion was unanimously carried.

**UPDATE -LAKE PLACID HOSPITAL MEMORIAL HOSPITAL STATUS**

Supervisor Rand – Councilman Doty has been going to the old hospital, which we now own and checking things out.

Councilman Doty – When we first took things over we thought we had a potential tenant for a couple of years. It did not materialize and in this year's budget we allocated a serious amount of money to heat it through the winter. At this point because we don't have a potential tenant it doesn't make sense for us to heat the building. We could be looking at another \$20-30,000 to get through the winter. As a Board we have decided to shut it down. Shut the water off, take care of the boiler and shut that down, and to protect the building. We will notify the Fire Department that the water is shut off. Only one of the boilers is working anyway. We have organized with the Village, the Electric department and Fuel Company to help us with the boiler. We will look after the generator, get that shut down and we will put it to bed for a few months.

Councilwoman Kilburn-Politi – I believe this has been discussed before, about getting an estimate for a tear down cost?

Supervisor Rand – I have heard 1.5 Million to tear it down due to asbestos and other issues.

Councilman Doty – That estimate came from ORDA. I am actively working with Brad Hathaway and some other contractors to find a comparable company that does asbestos removal.

Councilwoman Kilburn-Politi – This estimate was from a specific company that ORDA had asked?

Councilman Doty – Yes.

Councilwoman Kilburn-Politi – If it is possible I think it would be good to have a second estimate.

Supervisor Rand – I think that is wise, we will move forward on that. ORDA has shown some interest in the hospital to expand the training center in the future, to try and get more rooms that are necessary and would be helpful for the 2023 games. There are no other details as of now but it is a possibility.

**UPDATE - CAMOINE PRESENTATION – WED, JAN 22, JOINT TOWN/ LPV MEETING (2PM) & PUBLIC PRESENTATION (6PM)**

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Councilwoman Kilburn-Politi – Camoine will be here on Wednesday the 22<sup>nd</sup>. The first part of their day here will be a 2:00 PM presentation to the Town and Village Boards where they will cover two topics. We asked Camoine to do two separate projects, the first big one was the Community Housing Needs Assessment. There will be a public presentation later that evening which will be the focus of that 6:00 PM presentation to the public. They are going to cover this quickly so you and the Village Board are aware, but the main focus of the 2:00 PM meeting will be to go over the STR Ordinance Research which was the second project we charged them with. We asked them to look at our draft ordinance and compare it with other communities that are similar in size or similar in recreational activities. Also, some of the ones they chose were leaders and STR legislation. They are well known for being at the forefront of it so they chose nine other communities, took our ordinance and compared it to those other communities then said where we fell within the limit and where we fell outside the limits. Where we lined and where we didn't align. In addition to that, we also asked them to do a literature review of existing unbiased research that has come out about STR and their effects on the community, whether positive or negative. We asked them to summarize those findings and they will be ready to present that on January 22<sup>nd</sup> at 2:00 PM. The evening presentation will only be Community Housing, not STR Ordinance. This is something that the community has been involved in and there has been so much community behind it that I believe we will have a great turn out. The information for that report is now public and it is on the futurelakeplacid.com webpage which is the development commission's webpage. There is a hardcopy that I will leave with Laurie so it is in the office if the public would like to view a hardcopy. It is really interesting, there are so many great statistics and I believe it is a wonderful starting point to move forward on what we want our strategies to be. It outlines the changing trends in population, demographics, housing, and also offers some steps we can take to help with these unmet needs in housing.

Supervisor Rand – I think it will be a great presentation and I thank you for all your hard work and dedication to this.

### **APPROVE CHANGE MONTHLY MEETING TIME FROM 7PM-6PM**

Supervisor Rand – We need to approve the change in our meeting time from 7:00 PM to 6:00 PM. This may be more beneficial to the public and our employees as it closer to the end of work day hours.

Councilwoman Kilburn-Politi moved and Councilman Cummings seconded the motion to change the monthly meeting time from 7:00 PM to 6:00 PM. There being no further discussion, the motion was unanimously carried.

### **DISCUSSION OLD RAY BROOK RD BRIDGE REPLACEMENT**

Supervisor Rand – I spoke with Jim Duggan from the County. This came up in 2018, there are culverts underneath the bridge and in 2019 it deteriorated further so they closed the whole thing. It is now designed and permitted and they hope to put it out to bid but they need an approval from the DPW committee, the award apparently will be forthcoming March or April. They hope to begin the work in May and it sounds very positive.

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Kenneth Porter – There is a similar situation on Mill Pond Drive off of Wes Valley, culverts on the corner by the Fireman's race track. The county engineer is hoping we speak with Jim Duggan to put some pressure on and hopefully get some funding for this because we are talking about a million dollars to replace.

Supervisor Rand – Ken Porter is the Highway Superintendent for those of you who don't know that. This sounds like they will be looking into that and when Jim come up we will get together and discuss.

### **DISCUSSION AIRPORT OBSTRUCTION REMOVAL PROJECT**

Supervisor Rand – This project is under FAA instructions for our Airport safety. It is an Obstruction and Removal project of trees that are over a certain height and in the flight path of the planes coming in. They are in the trailer center, along the runway and up on the southern end on the Wexler property. This is undergoing right now. These are FAA grant funds. Normally we do some of the work to offset the Town portion which is pretty small. It is Federal, State, and Town. The engineering firm is C & S out of Syracuse which has worked with us for years and have been excellent. Also, Terry Tree Service out of Syracuse is another company working on the project.

Kenneth Porter – A minor update, I spoke with the foreman today and the engineer that is overseeing the project from C & S. The weather has been cooperative which has allowed a great jump to the project. They are doing really well and appreciate all the cooperation they have received from us and the residents at Cascade Acres. They are going to work as much as possible to get this project done quickly.

### **ADIRONDACK HEALTH –MEDICAL PERSONNEL**

Councilman Cummings - As you know, we have been losing a number of Physicians, Physician's Assistants, and Nurse Practitioners in the area. This is not just Lake Placid but in the greater area and there have been very little replacements. I have seen a few come in the area but definitely not enough and not enough Family Practitioners. That is really what we need, not that we don't need other specialties but we have acute need for Family Practitioners. I thought if we as a Board could go to the appropriate administration officials at Adirondack Health in Saranac Lake and see what we as a Town can do. When they have respective people come in and apply or come to the area to check things out we could be ambassadors for North Elba. I am in hopes that over the next few weeks we would be able to have a meeting with the appropriate people and see what we can do.

Councilwoman Kilburn-Politi – Another organization that may be able to help as ambassadors is ORDA. They are pretty good about giving people tours of Lake Placid.

Supervisor Rand – The next time Mike Pratt comes up we can talk to him about that.

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### **ALBANY TRAINING SCHOOL (NEWLY ELECTED OFFICIALS)**

Supervisor Rand – Four Town Employees are going to the Albany Training School for newly elected officials. This is a recommended training for new Councilmen, and new Supervisors. This is a three day training and I have checked the agenda. I believe this will be very good and worthwhile.

### **UPDATE COURT CLERK REPLACEMENT**

Supervisor Rand – We have to replace our Town Court Clerk, Jen Mihill. She will be finishing up with us due to their private business which is becoming more time consuming for her. She has been great, and will be sticking it out until we find a replacement. We have put out a notification and the applications are due by Friday, January 17<sup>th</sup>. I believe there are a couple of applications in as of now so as the schedule goes, interviews will be conducted January 23-27<sup>th</sup> with notification hopefully by January 31<sup>st</sup>. All of the information relating to this position can be found on our website. Jen will be hard to replace, she has been here a long time and does great work. She will be missed.

### **BUDGET AMENDMENTS**

(See Attached)

Councilman Doty moved and Councilman Cummings seconded the motion to approve the Budget Amendments and Claims for 2019 & 2020. There being no further discussion, the motion was unanimously carried.

### **COMMITTEE REPORTS**

#### **CRAIG WOOD**

Councilman Doty – With our recent weather between rain and warm temperatures it raises havoc on our greens out at Craig Wood. Most of them stayed covered which is protection. The ones that barred up and now in freezing temperatures could cause damage. Every golf course goes through this when it freezes and thaws. I guess this is an early warning that we could have some trouble in the spring however it is too early to tell. There hasn't been any freeze kill yet and hopefully we will get a fresh coat of snow that will help things out.

Supervisor Rand – The water situation is difficult during the summer now with the pipe?

Councilman Doty – It has been a tough deal. There have been a number of wells drilled out there. Everyone who lives out there goes down 600-800ft with no guarantee on good recovery. Our one act of will right now only gives us back between 1-12 gallons a minute and we use all of that water to keep the Clubhouse going.

### **TOBOGGAN SLIDE**

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Supervisor Rand – Butch has sent out an update on the Toboggan Slide. This is always an area where everyone is asking a lot of questions.

Councilman Doty – They are working on the lanes now, they are laying them out on the lake. Dilemma is, we have no snow to pack the lanes.

Supervisor Rand – The reason that sometimes it seems we can't get it open is because the depth of the ice needs to be about a foot and we need to put trucks out there to really clear it. Years ago a truck did go through in about 30 ft. of water and the two guys in the truck put their heads up and found the hole to get themselves out safe. We don't want that happening and we have to think about everyone's safety before we can open.

### **QUESTIONS AND COMMENTS**

Carol Nevulis – Are you aware that Woods and Pearl Mcahill read an advertisement for family practitioners on the ORDA sign and that's how they came here.

Supervisor Rand and the Town Board all agree that is an excellent piece of information and will be explored as an option to expanding the search for Medical Personnel.

Karen Armstrong – Health care is huge and I really appreciate the Boards concern. I am unaware if there has been any conversations about bringing in new Physicians with maybe loan forgiveness? Something at the State or National level that could help with that in terms of rural areas.

Supervisor Rand – There is a program that I was talking with Woods about a few days ago. I don't have all the information but from what I was told, under certain circumstances the State will pay your college debts if you commit to a certain amount of time.

Councilman Cummings – I have spoken with a number of Physicians and other individuals in the healthcare field and that is one thing that did come up, along with many others. Also, somehow getting an arrangement with UVM as far as bringing interns in, not network or anything like that. It is a teaching school so it may attract individuals at that facility to come over here and put in 6 months to a year.

Elizabeth Izzo – I was hoping you could repeat the area for the potential athlete housing site.

Supervisor Rand – One would be the training center, USOTC.

Attorney Briggs – I believe that is the very early stages of that analysis. This site, the Cell Science Center site is a possibility but it is very, very early stages of the process.

### **EXECUTIVE SESSION – PENDING ARTICLE 7 LITIGATION**

Councilman Doty moved and Councilman Cummings seconded the motion to go into Executive Session at 7:55 PM for the purposes of discussing Pending Article 7 Litigation. The motion was unanimously carried.

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Councilman Doty moved and Councilman Rand seconded the motion to come out of Executive Session at 8:17 PM.

**ADJOURNMENT**

There being no business transacted during Executive Session and no further business to come before the Town Board, Councilman Cummings moved and Councilman Doty seconded the motion to adjourn the meeting at 8:20 PM.

Respectfully Submitted,

Laurie Curtis Dudley  
Town Clerk

Typed By,

Chelsie Geesler  
Deputy Clerk