

TOWN BOARD MEETING

TUESDAY, DECEMBER 10, 2019

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

Members Present: Supervisor Politi, Councilman Favro, Councilman Doty, Councilman Rand, and Laurie Dudley

Members Absent: Councilman Miller

Others Present: Larry Straight, Mike Orticelle, Emily Politi, Richard Cummings, Elizabeth Izzo, Fred Balzac, Chelsie Geesler

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

Supervisor Politi asked for a motion for the minutes of the November 12th, 2019 Public Hearings and Board meeting.

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

RESOLUTION ALLOWING ATTORNEY FOR TOWN TO SIGN CONSENT AGREEMENT 89-JPS LLC

Supervisor Politi – Attorney Briggs needs a resolution approving the agreement with the Board of Assessors against 89-JPS LLC.

Attorney Briggs – 89-JPS LLC is the owner of the Smoke Signals building. We have been involved in tax return cases against them for 5 years pending. They say the value of the building is \$248,000. We say the building is worth \$2,284,000. We resolved on the following basis, going forward there will be no refunds of any kind, all cases will be resolved and the assessment will be \$2,200,000 for the next three years. This is based on a section of the Real Property Tax Law which requires to keep it at that. After 2023 we can increase the assessment to whatever the market value is. In conclusion, we are going down to \$2,200,000 for the next 3 years, resolving these 5 cases and making no refunds of any kind.

Supervisor Politi – I want to impress upon you all as Board members going forward that it is imperative in these tax cases that you try to resolve them without paying any refunds. There is a reason for it and one of the primary reasons is that The Town of North Elba makes the decisions on assessments. The Village has chosen to utilize the Town role. Any instance where we can resolve a case without paying refunds it is in the best interest of the community.

Attorney Briggs – Every time we start one of these cases I tell the attorney for the petitioner that the Towns policy is we will not settle where there is any refunds to be made. We take that as part of the negotiations from the beginning. It comes to a point where each side has to get an appraisal done and that becomes very costly. The law provides that you get appraised and exchange them simultaneously.

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Councilman Favro moved and Councilman Doty seconded the motion to approve a Resolution allowing Attorney for Town to sign Consent Agreement 89-JPS LLC. There being no further discussion, the motion was unanimously carried.

APPROVE THE USE OF TOWN ROADS – LP CROSS COUNTRY TEAM

Supervisor Politi – The Lake Placid Cross Country Team is planning on having a series of 5K runs.

The proposed dates for these races are January 4th, February 8th, and March 7th, 2020. It is primarily in the Village but they will use a portion of Town roads and are seeking Town approval to host such an event. The race will start at 9 AM and expect to conclude by 10:30 AM. We request that traffic on School Street be stopped for approximately three minutes (8:58-9:01) for the start of the race.

Benefits the Lake Placid Cross Country Team

Councilman Rand moved and Councilman Favro seconded the motion to approve the Lake Placid High School cross country races. There being no further discussion, the motion was unanimously carried.

APPROVE THE 2020 CRAIG WOOD MEMBERSHIP RATE

Supervisor Politi – Craig Wood Membership Rates were discussed in the Workshop. The new rate is to encourage additional membership. The reduction in the rate would be down to \$199 for all Members and \$120 for Students with locker rentals at \$25. We have had a drop in membership and competition is difficult but mainly we are trying to encourage more people to utilize the Golf Course.

Councilman Doty moved and Councilman Favro seconded the motion to approve the new membership rates for Craig Wood. There being no further discussion, the motion was unanimously carried.

APPROVE MAINTENANCE AGREEMENT – HIGHWAY GARAGE GENERATOR

Larry Straight – The generator at the Highway Garage services the Village of Lake Placid Highway Electric and the School Bus Garage so the cost will be shared equally between the three entities.

Supervisor Politi – We have a Memorandum of Understanding with the Village and the School that any costs associated with upkeep maintenance and fuel at the facility will be shared on a 1/3 basis. Servicing the generator is something that needs to be done.

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Councilman Rand moved and Councilman Favro seconded the motion to approve maintenance agreement for the generator at the highway garage. There being no further discussion, the motion was unanimously carried.

APPROVE MODIFIED CABLE TELEVISION AGREEMENT

Attorney Briggs – There were a couple of things that were missing from the original agreement. Most important of which was they put it through at 3% Franchise fee. Our contract states we are going to mirror whatever the Village does. Comparing the two agreements I pointed out that the Village was at 5% so going forward we wanted 5%. They agreed to that and made the change. The only significant change was the increase from 3% to 5%.

Councilman Rand moved and Councilman Favro seconded the motion to approve the modified Cable Television Agreement. There being no further discussion, the motion was unanimously carried.

APPROVE MEMORANDUM OF UNDERSTANDING – CORNELL TRANSPARENCY STUDY

Supervisor Politi – This is a student who is doing a report as part of their educational requirements. This individual is going to be interviewing people associated with the Town and Village governments relative to transparency issues and issues dealing with relationships between the Public and Local Government. This is no cost to us, Cornell each year has been collaborating with the Town and the Village on various projects, proposals and studies within our community. Dean Dietrich thought it would be helpful to have this student prepare such a report that will be passed on to both the Town and the Village. This is more just approving our willingness to participate with Cornell and executing a Memorandum of Understanding so the student can receive credit.

Councilman Favro moved and Councilman Rand seconded the motion to approve the Memorandum of Understanding for the Cornell Transparency Study. There being no further discussion, the motion was unanimously carried.

BUDGET AMENDMENTS

Supervisor Politi asked for approval of the budget adjustments.

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**2019 BUDGET
AMENDMENTS
12/10/2019**

ACTION	DESCRIPTION	AMOUNT	REF	ADDITIONAL INFO
Increase Expenditure	Legislative Board. Employee Travel	80.00	Vchr 2219	Adirondack Assoc of Towns & Village-meeting registration for J. Rand
Increase Expenditure	Town Hall. Fuel Oil	10,186.33	Vchr 2311	Hyde Fuel 5001.3 gal for Old hospital building-amount over budget
Increase Expenditure	Street Lighting. Electricity	1,558.11	Vchr 2272	Village of Lake Placid-amount over budget
Increase Expenditure	State Retirement	417.20	Vchr 2242	NYS & Local Employees -annual invoice amount over budget
Increase Expenditure	Hospital & Medical Insurance	7,839.78	Vchr 2203	Excellus Health Plan-December premium amount over budget
Decrease Expenditure	Insect Control. Payroll Temporary	(18,888.54)		
Decrease Expenditure	Insect Control. Employee Travel	<u>(1,192.88)</u>		
		<u>-</u>		
Increase Expenditure	Road Repairs & Road Maintenance Personal Svcs	28,526.54	Payroll 11/14/19 & 11/27/19	Amount over budget
Increase Expenditure	State Retirement	230.34	Vchr 2242	NYS & Local Employees -annual invoice amount over budget
Increase Expenditure	Hospital & Medical Insurance	8,364.13	Vchr 2203	Excellus Health Plan-December premium amount over budget
Decrease Expenditure	Interfund transfers	<u>(37,121.01)</u>		
		<u>-</u>		
Increase Expenditure	Craigwood Personal Svc	16,239.89	Payroll 11/14/19 & 11/27/19	Amount over budget
Increase Expenditure	Parks. Gas & Diesel	71.88	Vchr 2296	Town of North Elba-November fuel use amount over budget
Increase Expenditure	State Retirement	215.25	Vchr 2242	NYS & Local Employees -annual invoice amount over budget
Decrease Expenditure	Interfund transfers	<u>(16,527.02)</u>		
		<u>-</u>		

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

COMMITTEE REPORTS

Airport: Terry Tree Services was contracted for \$781,000. They are going to start January 13th and the first part they are going to do is the trailer center and then they will cut the trees down to stumps due to some wetland. They only have 11 days to do that and they are going to grind it up and it will be taken at the Transfer Station. A disposition for overtime has been sent to the Department of Labor, this is a form that was recommended by C&S. The permit application has been sent to the Essex County.

Community Development: There will be a meeting tomorrow, an appearance committee at 8AM and Thursday will be the monthly meeting with the biggest things on the Agenda being Main Street and STRs.

Sidewalk around Mirror Lake: The Town would like to get the Permacon brick because it comes in different sizes, is bigger and looks nicer. Ivan Zdrahal has to put it out for bid in mid-January

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then the products will be evaluated. Once that is done the brick will be selected and the process can begin.

SL Town House Efficiency Study: The Efficiency Study that was started about a year ago with NYSERTA the Town agreed to have the SL Townhouse looked at. An extensive walk through was done and resulted in half a dozen recommendations. They would like someone from the Park District to use an extension ladder to check the insulation in the roof, and LED light fixtures were discussed. This will all be provided by NYSERTA at no cost.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the Audits.

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Mike Orticelle – I would like to say Thank You to Roby. The Board has been phenomenal for my office, Roby has been a big supporter for me for years both on the County and Local level and I appreciate that. I look forward to working with the new Board members and I think we are heading in the right direction so keep up the good work and enjoy your retirement.

Councilman Rand – Roby, you and I have been lifetime friends, graduated from the same class with birthdays just a few days apart. You have been a great friend and I think you have done an absolutely fantastic job as the leader of this group. You are organized, well spoken, on the ball and ahead of everything. Congratulations.

Councilman Favro – Thinking about Roby and all that has been accomplished, I thought about the Loj Rd Bridge, Craig Wood rebuilt, the Park, money from the state to offset ORDA things, Sales Tax, the list goes on. The nice part is, you always looked out for everyone and looked ahead which helped us look ahead and move faster and better. You set the bar pretty high and we have to continue that bar and raise it higher but I think that we can do that. Thank you.

Councilman Doty – I look at Roby’s strengths and agree with Jack. He has always called on our strengths and there were times when one of us had that lead that helped make an issue go and that gives me the most respect for you Roby because you always let us be us. This is what made us an unbeatable Board in my opinion and I want to thank you for your years.

EXECUTIVE SESSION

Councilman Rand moved and Councilman Doty seconded the motion to go into Executive Session at 7:35 pm for the purposes of discussing contract negotiations and personnel. The motion was unanimously carried.

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 Board, Councilman Favro moved and Councilman Doty seconded the motion to adjourn the meeting at 8:15pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk

Typed by,

Chelsie Geesler
Deputy Clerk