

TOWN BOARD MEETING

TUESDAY, NOVEMBER 13, 2012

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 Politi, Councilman Favro, Councilman Miller, Councilman Rand, and Laurie Curtis Dudley

Members Absent: Councilman Doty

Others Present: Cathy Gregory, Attorney Ron Briggs, Larry Straight, James Morganson, Chris Morris, Ted Morgan

Supervisor Politi opened the Regular Town Board meeting at 7:30 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 October 9, 2012 and the Joint Town/Village meeting of October 29, 2012.

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

BUDGET AMENDMENTS

Supervisor Politi – Aging program equipment repairs is for the senior bus is offset from contingency fund. The Highway items are housekeeping. The \$150,000 for Craig Wood is from the 2012 budget. We also paid the Lake Placid Village \$11,729.09 for a water leak at the Horse Show Grounds.

November Board Meeting Budget Amendments

General Fund:					
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	VOUCHER NUMBER	ADDITIONAL INFO
INCREASE	A.1310.0461	BUDGET OFFICE. EMPLOYEE TRAVEL	175.00	122277	OSC 10/3-10/5-ACCOUNT CLERK TRAINING
DECREASE	A.1355.0413	ASSESSOR. OFFICE SUPPLIES	-175.00		
INCREASE	A.1989.0910	MANDATORY PHYSICAL EXAM	409.21	122323; 121865	STANDARD MEDICAL SERVICES \$375.00; MOUNTAIN MEDICAL SVCS DOT PHYSICALS BALANCE OF \$800.00
DECREASE	A.9060.0800	HOSPITAL & MEDICAL INSURANCE	-409.21		
INCREASE	A.6772.0417	AGING PROGRAM.EQUIPMENT REPAIRS	2294.02	122509; 122510	DON BROWN BUS SALES SENIOR BUS
INCREASE	A.6772.414	AGING PROGRAM.OTHER CONSUMABLE SUPPLIES	72.75	122224	OLYMPIC AUTO OIL CHANGE SUPPLIES FOR SENIOR BUS
	A.8810.0101	CEMETERY. PERSONAL SERVICES	891.79		PER PAYROLL NOVEMBER 8
DECREASE	A.1990.0400	CONTINGENT ACCOUNT	-3258.56		
			0.00		
		(BRIDGES)			
TOWN WIDE Highway Fund:					
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	VOUCHER NUMBER	ADDITIONAL INFO
INCREASE	DA.5120.0320	BRIDGES.IMPROVMENTS	309.99	122280; 122286	SPECIALTY WOOD PRODUCTS \$140.00; TRACTOR SUPPLY COMPANY \$ 169.99
DECREASE	DA.0000.0889	HIGHWAY RESERVE FUND	-309.99		
			0.00		
Highway Fund:					
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	VOUCHER NUMBER	ADDITIONAL INFO
INCREASE	DB.5110.0101	HIGHWAY ROAD MAINT. & GENERAL REPAIRS PERSONAL SVCS	25530.58		PER PAYROLL OCTOBER 11, 25, & NOVEMBER 8
INCREASE	DB.5110.414	HIGHWAY GENERAL REPAIRS. CONSUMABLE SUPPLIES	634.34	122525; 122337	GRAYMONT MATERIALS ALGONQUIN, REGULAR TOP

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INCREASE	DB.5112.414	HIGHWAY IMPROVEMENTS.	MACHINERY OTHER CONS	PERMANENT	-634.34
DECREASE	DB.5142.101	SNOW REMOVAL/SWEEPING. PERSONAL SVCS			-25530.58
					0.00

CRAIG WOOD CAP PROJECT					
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	VOUCHER NUMBER	ADDITIONAL INFO
DECREASE	H05.0000.5031	INTERFUND TRANSFERS (REVENUE)	-150000.00		POSSIBLE DISALLOWANCE OF STATE MEMBER ITEM FUNDING DUE TO BORROWING RESTRICTIONS ON GRANT NOT MADE KNOWN
DECREASE	H05.1350.0444	CRAIGWOOD CLUBHOUSE. CONTRACTS AND AGREEMENTS	-150000.00		
DECREASE	SP.9950.0900	INTERFUND TRANSFERS (TO CAPITAL PROJECT FUND FROM PARK DISTRICT)	-150000.00		
DECREASE	SP.0000.3597	STATE AID.CAPITAL PROJECTS	-150000.00		
			0.00		

Park District:					
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	VOUCHER NUMBER	ADDITIONAL INFO
INCREASE	SP.1114.0103	PARK GARAGE. PERSONAL SVC-O/T	5055.42		ALL PAYROLLS FOR 2012 (NO OVERTIME WAS BUDGETED FOR PARK GARAGE IN 2012) LEXMARK PRINTER/FAX MACHINE
INCREASE	SP.1114.0200	PARK GARAGE.EQUIPMENT	86.19	122507	
DECREASE	SP.1114.0417	PARK GARAGE. EQUIPMENT REPAIRS	-86.19		
INCREASE	SP.1346.0412	SHOWGROUNDS. GAS & DIESEL	3195.09	121818;122109; 122349; 122468	FUEL USAGE JULY, AUG, SEP, OCT
INCREASE	SP.1346.0414	SHOWGROUNDS. OTHER CONSUMABLE SUPPLIES	441.26	122271; 122285; 122419; 122438; 122485	MISC. TOOLS; GRINDERS; REPLACEMENT BLADES, ANTIFREEZE
INCREASE	SP.1346.0417	SHOWGROUNDS. GROUNDS REPAIR	4577.02	121487	6/26/12 INVOICE FROM VILLAGE OF LAKE PLACID TO FIX LEAK
DECREASE	SP.1346.102	SHOWGROUNDS. PAYROLL TEMPORARY	-4863.01		
INCREASE	SP.1346.417	SHOWGROUNDS. EQUIPMENT REPAIRS	1264.52	PO 26077; 122285; 121593; 121354	\$928.84 WARREN TIRES, MAKITA DRILL REPAIR \$66.29; SPECIALTY WOOD PRODUCTS \$140.00; TRACTOR HITCH \$135.87; LEBERGE & CURTIS TRACTOR REHAB;
INCREASE	SP.1346.423	SHOWGROUNDS. WATER & SEWER	7152.07	122466	VILLAGE OF LAKE PLACID 2011 INVOICE FOR WATER LEAK
INCREASE	SP.1357.0200	AIRPORT.EQUIPMENT	487.75	122325	EQUIPMENT AND LABOR TO REPAIR RADIO AND ANTENNA - AIRPORT
DECREASE	SP.1357.417	AIRPORT.EQUIPMENT REPAIRS	-487.75		
INCREASE	SP.1350.416	CRAIG WOOD. GROUNDS REPAIR	8795.82	MULTIPLE	ALL GROUNDS REPAIR WORK DONE FROM SEPTEMBER THROUGH OCTOBER-NOT RELATED
INCREASE	SP.1347.0421	TOB. SLIDE. TELEPHONE	125.00		TO THE CAPITAL PROJECT PER LYNN
DECREASE	SP.1990.0400	CONTINGENT ACCOUNT	-25743.19		
			0.00		

Councilman Miller moved and Councilman Favro seconded the motion to approve the budget amendments as written and presented. There being no further discussion, the motion was unanimously carried by those present.

TOWN HALL CLOSED – 11/22 AND 11/23 THANKSGIVING

Supervisor Politi – The Town Hall has traditionally been closed the Friday after Thanksgiving.

Councilman Favro moved and Councilman Rand seconded the motion to approve the building closed the Friday after Thanksgiving. There being no further discussion, the motion was unanimously carried by those present.

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APPROVE SARANAC LAKE RESCUE SQUAD CONTRACT

Attorney Briggs reviewed the Saranac Lake rescue squad contract and found it to be in proper order. It is the same contract as last year. The cost in 2012 was \$21,600 and the cost for 2013 has increased to \$29,333. Councilman Favro took part in the negotiation process.

Councilman Favro moved and Councilman Rand seconded the motion to approve the Saranac Lake rescue squad contract. There being no further discussion, the motion was unanimously carried by those present.

SARANAC LAKE FIRE CONTRACT

Attorney Briggs reviewed the Saranac Lake Fire Contract and found it to be in proper order. It is the same contract as last year. The cost in 2012 was \$31,726 and the cost for 2013 has decreased to \$31,204.

Supervisor Politi – I received a letter from John Sweeny saying the contracts have been approved by the SL Village Board and signed by the Village and Brendan Keough.

Councilman Favro moved and Councilman Miller seconded the motion to approve the Saranac Lake fire protection contract. There being no further discussion, the motion was unanimously carried by those present.

ENGINEERING AGREEMENT – CREIGHTON MANNING

Supervisor Politi – We had a discussion at the workshop meeting with Chuck Damp with regard to the engineering for the rail trail. The original cost projection for engineering was \$284,000 and the original cost estimate for the rail trail was about \$3.1 million. After negotiations, the cost of the rail trail is \$2.4 million and the estimated engineering cost for Creighton Manning is \$225,000. The overall cost is down about \$700,000. A lot of that is attributed to the elimination of a trailhead, reduction of engineering fees and the reduction in size of the gabions (wire baskets full of rocks) from 8 feet to 4 feet. We came to the conclusion that unless the cost dropped to a number we could live with we were concerned about proceeding. As a result of an inspection of the site those numbers are now feasible. Chuck was hoping the board would agree to move forward with hiring the engineer. Ron, I believe you have a copy of the contract.

Attorney Briggs – Its 59 pages long and I got it at noon today. I can give you the bottom line; the guaranteed maximum is \$224,707 for engineering services.

Councilman Miller – Are we obligating ourselves to only a portion of that?

Attorney Briggs – We are obligating ourselves to \$224,707. I would like through tomorrow to look at the contract.

Supervisor Politi – You have a choice here. We can either move to go forward subject to Ron's review and approval of the contract or we can delay and discuss it with Derek and Ron's review. I do know that the state is wanting this to get going.

Councilman Favro – The first grant is just hanging there if we don't get started.

Supervisor Politi – If we don't get started by January 31, 2013 then it's gone. We lose it.

Councilman Rand moved and Councilman Favro seconded the motion to approve Creighton Manning engineering subject to the contract approval of Attorney Briggs. Roll call vote: Councilman Rand; Aye, Councilman Favro; Aye, Councilman Miller; Aye, Supervisor Politi; Aye. Councilman Doty was absent.

FUEL USE AGREEMENT – ESSEX COUNTY

Supervisor Politi – The County is requesting a MOU with the Town of North Elba to be able to purchase and utilize gasoline and diesel fuel from the pumps at North Elba facilities. It has been

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worked out that the county personnel who are here can get gas here and we will bill them. I have reviewed this document and there really isn't anything to it. This does not just benefit the County but all of us in a direct and indirect way.

Councilman Favro moved and Councilman Miller seconded the motion to approve the fuel use agreement with Essex County. There being no further discussion, the motion was unanimously carried by those present.

MOU ESSEX CO. TRANSPORTATION

Supervisor Politi – I also received and MOU from the County regarding the transportation system. The transportation system has made a proposal along with the Visitors Bureau and the Village of Lake Placid would directly or indirectly enter into a contract to allow for the cost of bussing from Lake Placid to Whiteface Mountain. We have paid \$5,000 in the past. The Whiteface Mountain bus route would be coordinated by ORDA and the Village of Lake Placid. This is a result of a couple of years ago there not being funding available. That route was going to have to be shut down. At the last minute they needed funding and so the Village, the Town and the Visitors Bureau funded the route to allow it to continue given the primary users are hotels guest and citizens of the community. They billed us last year, and because I didn't have a MOU I wouldn't pay it. They are looking for the period of 2012 and 2013. I want you to be aware of it. Rather table it than vote on this tonight. I would like to call for a meeting with the County Manager, Jim McKenna, the Mayor and myself and Nancy Dougal who coordinates transportation for Essex County to discuss why this has becoming an annual affair as opposed to a one time bail out or an infusion of finance.

There was no objection to tabling the MOU with Essex County Transportation.

APPROVAL OF 2013 BUDGET

Supervisor Politi – Do you want to proceed to approve the 2013 Budget as proposed? I wish more people would come. Year after year we don't have anybody.

Attorney Briggs – They'll call you when they get the tax bill.

Supervisor politi – Exactly. This is a more difficult year than years past. It's worse at the county level. We are at the bare minimum for employees. We are paying for the operation of the beach. At one time the Village was having financial problems and the Park District stepped in to take care of that. Now the beach is more than cutting grass and raking sand. It's \$30,000 in lifeguards and overtime, Social Security benefits, toilet paper, telephone. It was never intended for the Town to have to spend close to \$50,000 per year to operate that beach. We have discussed a cooperative agreement with the Village that we would continue to oversee the beach but the Village would compensate us for a portion of those costs. The Village is talking about taking over and maintaining the village parks too. When I took office I inherited a \$2 million fund balance but they come from only one place; over budgeting or excess revenues. At the time we were enjoying a substantial amount of return from mortgage tax revenue and interest revenue. Today we don't get anything. Bond rates are now 2.5%. I think I've talked enough.

Councilman Miller – I proud of the board and I think we worked really hard. We went through every line. People are going to complain but we did everything.

Supervisor Politi – I could have been a lot worse. Does someone want to make a motion to accept the budget?

Councilman Rand moved and Councilman Favro seconded the motion to accept the 2013 budget. There being no further discussion, the motion as unanimously carried by those present.

COMMITTEE REPORTS:

Supervisor Politi – The C&D is done and the airport is done and looks fabulous. The Union Contract is done but I haven't signed it. It should be mentioned, the wage increase for employees

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is 2%. The Board members and the Judges did not have a change in salary. The other people are working every day.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor politi asked for approval of the audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 11/13/12			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	255261.77	40883.99	296145.76
DA FUND TOWN WIDE HIGHWAY	309.99	0.00	309.99
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	67126.25	18847.82	85974.07
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT			0.00
H02 -BLOCK HANGAR REHABILITATION AIRPORT CAP. PROJECT			0.00
H03 - 5 BAY T HANGAR			0.00
H04-C&D WASTE CELL	2886.90		2886.90
H05- CRAIG WOOD GOLF COURSE CONSTRUCTION	59389.54	0.00	59389.54
H06-TERMINAL BLDG			0.00
H07 RUN WAY REHAB	38557.55		38557.55
H08-AIRPORT MASTER PLAN	9375.08		9375.08
H09-APRON EXPANSION			0.00
H10-RSA IMPRV & RW 32 HLDNG BAY			0.00
RD03-THIEANOGUEN WAY ROAD DISTRICT			0.00
RD04-TAHAWUS WAY ROAD DISTRICT			0.00
SF1-FIRE PROTECTION DISTRICT #1			0.00
SF2-FIRE PROTECTION DISTRICT #2			0.00
SF3-FIRE PROTECTION DISTRICT #3			0.00
SP PARK DISTRICT	131939.43	90692.73	222632.16
SS21 CONSOLIDATED SEWER DISTRICT	0.00		0.00
SW1 SEWER DISTRICT #1	0.00		0.00
SW2 MCKENZIE			0.00
SW3 RAY BROOK	743.30	469.82	1213.12
T TRUST & AGENCY		334.83	334.83
TE PRIVATE PURPOSE TRUST			0.00
Batch 1228-1232	565589.81	151229.19	716819.00
122221-122228; 122252-122295; 122297-122359; 122384-122387; 122390-			
122442; 122466-122543			
Batch 999 (Payroll)	0.00	57665.79	57665.79
122229-122251; 122360-122382; 122443-122465			
Batch - HELD	4563.44	0.00	4563.44
112313, 120355, 121496, 121623			
DELETED VOUCHERS:			
122389			
OMITED VOUCHERS:		105.85	
122388			

Councilman Miller moved and Councilman Favro seconded eh motion to approve the audits as written and presented. There being no further discussion, the motion as unanimously carried by those present.

PRESS QUESTIONS – ESSEX COUNTY

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Chris Morris asked what Supervisor Politi thought about the increase in sales tax for additional revenue at the county.

Supervisor Politi - I see the suggestions by other board members about changes we should make. They are good ideas, but they all amount to pennies. The real issues are million dollar issues. If you are going to accomplish anything in the budget it's not whether you are taking your car home at night. It may be a starting point; it's about how do we save millions of dollars. Because of mandates, certain departments increase a million dollars. The family court, child services and indigent expense increased over \$1 million one year. When Horace Nye is gone it will be a substantial savings.

PRESS QUESTIONS – RAIL TRAIL

Ted Morgan - I would like to characterize the Boards feeling on the concept of moving forward with the trail expenditures. Specifically I characterize the grant money deadline and the reduction of the \$700,000 allowed the board comfortable with moving forward now.

Supervisor Politi – If the money is in your hand but you don't do it in 30 days then the money is gone. It makes the choice a lot easier. Our decision is always what is best for the community.

PRESS QUESTIONS – BUDGET

Ted Morgan – Why are you feeling bad about a budget when you didn't go over the tax cap?

Supervisor Politi – Many people don't understand that when you say “tax cap” many people think it's a cap on the tax. It doesn't mean that taxes are not going up more than 2%. Many people fall into that trap. It's a tax levy cap. We defend it because you feel badly anytime the taxes are going to go up. The question is, did we do the job right? Have we overturned everything? Taxes are going up. I wish that I could figure it out any other way. I wish I could put the sales tax money in the general fund. Unfortunately, because there is a Village the Comptroller's Office will not allow us to do it. If I could, we would be golden. I would love to put it in Park District but I can't. This board is handcuffed by what we can do. In some ways I am frustrated by what the state tells us what to do. We are extremely unusual in that we have a Park District that has that kind of expense. No one else does in the state. In my opinion we pay twice; we pay ORDA \$750,000 and we pay state income tax. If you tell me that the only people who use the Convention Center live in this community, well that isn't the case.

Councilman Favro – We question ourselves because there are still other things that we need to do but we can't because of things like health insurance is up 17%. That limits us from keeping up with things. Regarding the bike path, Chuck is fundraising to offset the match.

Supervisor Politi – We are hoping the rail trail isn't going to cost the taxpayers any money. Chuck told me today that he had interest in donations.

EXECUTIVE SESSION

Councilman Miller moved and Councilman Favro seconded the motion to go into executive session at 7:55 pm for the purposes of discussing pending litigation. The motion was unanimously carried by those present.

Councilman Favro moved and Councilman Rand seconded the motion to come out of executive session at 8:05 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 Rand seconded the motion to adjourn the meeting at 8:05 pm.

Respectfully Submitted,

Laurie Curtis Dudley, Town Clerk