

TOWN BOARD MEETING

TUESDAY, SEPTEMBER 10, 2013

Minutes of the Regular Board meeting held on the above date beginning at 7:00 pm at the Saranac Lake Town House, 191 River Street, Saranac Lake, New York.

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

Others Present: Attorney Ron Briggs, Larry Straight, Ted Morgan, Jessica Collier, Art Devlin, Mary Dietrich, Chris Labarge, Stuart Hemsley, Mike "Twig" McGlynn

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 on the minutes of the Board meeting of September 10, 2013 Board Meeting.

Councilman Doty 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.

ART DEVLIN

Supervisor Politi invited Art Devlin and Mary Dietrich forward to address the Board. Art Devlin passed out key chains with the new Lake Placid/North Elba Half Marathon logo.

Art Devlin – We have a new logo for our half marathon. On September 7th it was the 43rd running of the Lake Placid/North Elba Half Marathon. We had 356 runners' signup and 324 finishers. Our main focus and the bulk of this race is to give back to the community and the youth of the Lake Placid area. The first race we returned \$1,500 to a charity. Our goal for this year was \$5,000. Our charity this year was CYC and we were able to turn over a check last night for \$7,500. On top of that, we were able to put aside \$1,600 worth of seed money. Mary was having a problem with getting her students involved because they were gone for the summer. This will enable her to get started right away. In closing, I would like to thank you again for all the years you kept this running and to give special thanks to Butch Martin and Larry Straight for all their help.

Supervisor Politi – We appreciate your efforts. We got to a point where we just couldn't do it.

Art Devlin – It's a community effort. It makes it a lot easier. You carried the ball all alone for a long time. We had 68 volunteers which does not include the police and the Town.

Supervisor Politi – It's a great cause and we are glad you and Rick picked it up. I know that Butch loves that kind of stuff.

Mary Dietrich – The nicest part of this was the involvement of the students. A senior, Juliana Motos, organized the volunteers as her senior project. She used her contacts at school to get the different clubs to provide workers for different aide stations. We will share some of our proceeds with them. Juliana learned a lot about herself, a lot about leadership and organization. The kids felt a real value and a connection with the community, which is what we really want them to feel. From that standpoint, I really appreciate the support that the Town gave. Thank you.

Supervisor Politi – Thank you for all that you do for the kids in the community. We appreciate it very much, and Dean also. I can't tell him enough.

Mary Dietrich – It is a community we love.

RESOLUTION ON BULLYING

Supervisor Politi – We have a resolution on the agenda which I am going to do while Mary is here. I believe the Village Board passed the Joint Anti-Bullying Proclamation.

(Supervisor Politi read the following resolution which is on file in the Clerk's Office.)

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Whereas, *we must safeguard schools and communities for our children, and through our recognition of the serious issues that face them each day, offer our children an environment that holds promise and security; and*

Whereas, *Many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and*

Whereas, *Each day an estimated 160,000 children refuse to go to school because they dread the physical and verbal aggression of their peers, and the loneliness that comes from being excluded and made the target of rumors and cyber-bullying, many more students attend school in a chronic state of anxiety, and*

Whereas, *It is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause in your youth as well as the risks of teenage suicide; and*

Whereas, *Providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and*

Whereas, *It is time to “Stand UP for Character – DOWN to Bullying!”; Now, therefore be it*

Proclaimed, *that we, the Village of Lake Placid and the Town of North Elba do hereby designate the month of October, 2013 as Anti-Bullying Awareness Month the Village of Lake Placid, Town of North Elba, New York as a symbol of our commitment to the year-round struggle against bullying.*

Dated this first day of October 2013.

Supervisor Politi - Gentlemen, I would like to offer this as a resolution and would like to have your unanimous approval.

Councilman Rand seconded the motion to approve the Town of North Elba and the Village of Lake Placid Joint Anti-Bullying Proclamation as presented. There being no further discussion the motion was unanimously carried.

Supervisor Politi – Mary, the Mayor and I both signed this. Art, I appreciate the Village’s efforts.

Mary Dietrich – As I put my other hat on, this is important to the CYC as well as the School Board. We have a lot of activity planned for this month as well as ongoing throughout the year at the school. As I said at the Village meeting, this is an important gesture on the part of both government entities. The school also has the same resolution. All three are taking a united stand against this kind of behavior. I think that it’s a real important message to send to the whole community.

Supervisor Politi - It worked out well that you were here for this.

Mary Dietrich – It’s a double whammy! Thank you for having me here.

Councilman Miller – Congratulations for the work that you’ve done on the School Board. It is pretty important stuff to our community. Your Board and your organization are building real stability in a respectful manner to a very important institution.

Mary Dietrich – It is really gratifying to see the change that happened at school. People are smiling and excited about being there. The kids are excited about being there. There is lay administrative leadership now. The school is moving forward and it’s really a great time to be involved in the school.

CHRIS LABARGE- TOWN HOUSE PARKING LOT

Supervisor Politi – Jay wanted to take a look at the lot and so forth. Bob didn’t realize it was so big because the other property makes the parking lot so much bigger. I would like you to briefly go over what we previously discussed for the press and Ron.

Chris Labarge – As the developer for the Lake Flower Lodging property which is taking place across the street where the three motels sit on Lake Flower, we identified on a project perspective a shortfall on needed parking. The required number of parking spaces depends upon

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the total number of rooms and total number of tables that we put in the restaurants based on the Saranac Lake Village zoning. We had to seek alternative sites for parking. One site is the property adjacent to this property with the blue house. We are in contract to purchase that house for the purpose of taking it down and turning it into parking spaces. Because we are short about 55 parking spaces, the other considerations, which I approached Roby for consideration by the Town of North Elba, is to consider this parking lot with some type of lease agreement for alternative overflow parking. The property adjacent would be used for employees and overflow. This property would be available to the property across the street. It would only be used, and we would sign and control appropriately, outside of normal business hours of the Saranac Lake Chamber. We understand that there may be nights such as this meeting or weekends that the Chamber is open and we would try to mitigate that with the guests through signing or by staff. We had an opportunity to address the committee last week to discuss it in more detail and provide a sketch plan as to what it would look like. The parking spaces are 10x19 because of the limited space next door even though the zoning in the Village is 10x20. We are under a Planned Unit District Development consideration for our project. I submitted a request that the Village include these two parcels in that PUDD review process so that this is part of the project. If the Board would so agree to an opportunity for a long-term lease in exchange for taking the responsibility from a zoning and also paving, striping and signage would be the responsibility of the project. This would be in exchange for a lease option.

Supervisor Politi – Have you looked at the boundary lines of this lot? Do you know where they're located? How far beyond the last parking space? It appears as though they may go further than what we see.

Chris Labarge – Based on property lines and layout, without survey, it appears beyond the gravel areas probably only 10 ft. We may have to take on the responsibility to survey the property. We will have to take storm water management into consideration. There was a discussion that there may be a water issue with the basement here and we need to total that for review by whoever you feel is appropriate before anything would proceed forward if we did enter into some type of agreement. You could approve the plan as we laid it out.

Attorney Briggs – You talked about controlling the use of the parking during hours when it is used by the Town or the Chamber. How would you control that?

Councilman Rand – Is the bank coming down between the lots being removed?

Chris Labarge – I haven't done a lot of engineering on this. We did a conceptual layout. Would we take the other property down to make it consistent with yours, maybe not? The access to that driveway is between NCCC. There is a right-of-way to be able to access that property. It is more likely that the property would slope. We would put in a retaining wall unless the elevation is conducive to tapering it.

Supervisor Politi – Back to Ron's question, how are you going to control people from parking here when they shouldn't?

Chris Labarge – The first thing we will do is put up signage that would be appropriate with the hours that it is conducive to overflow parking. It could indicate if you are parking here long-term in these hours then you will be towed at owner's expense. The first precaution is signage.

Supervisor Politi – Do you see this as employee parking or hotel parking?

Chris Labarge – Hotel parking will be primarily across the street unless we have a long-term guest. We would valet their car for them and put it in the parking lot here. I see the use here for the restaurant. The hours of operation will be 5pm and later into the evening. We may not be able to accommodate that parking onsite depending on the hotel guests. When we have banquets or meetings, which are typically at night or on the weekends, it will be clear that this is not available when this building is in operation. In those situations we may need to have someone from our staff here to control that.

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Supervisor Politi – The only time I can think of at night that would be an issue is when we have meetings and Election Day. The Election runs until 9pm and there is a lot of traffic in and out throughout the day. That would be a tough time for the parking lot to be utilized.

Councilman Doty – It sounds like the flow of traffic will be in the upper lot. Each will have its own ingress and egress. I know it's just a dotted line and not a survey but apparently we have a neighbor that I didn't even know about.

Chris Labarge – From what I understand, your parcel is made up of two parcels and it goes through the center of the building.

Councilman Doty – Look from the street in.

Chris Labarge – You might have an easement through their property.

Supervisor Politi – Election Day is always on a Tuesday. It might not be a problem with the restaurant.

Chris Labarge – We might if people who came to vote wish to patron the restaurant. That is a great example. If people start walking across the street, we need to do stop them and tell them they need to take their car with them.

Supervisor Politi – We discussed this once. Ron wasn't there. This discussion is for him.

Attorney Briggs – We have to have some specific details about how to control the conflicts in terms of use. That is really the only concern that I have. The devil is in the details and it always is. We would have to make that very clear.

Councilman Doty – Logistically too, Ron, Chris was asking for a long-term lease. We're not sure as a 2 and 4 year board how long we can extend a lease like this.

Councilman Miller – Does it have to be a paved parking lot or would you consider crusher run. On a shorter term lease, a crusher run is easier for us to bring back. I'm just thinking out loud. Have we talked about compensation for them using this parking lot or is it the pleasure of their company?

Supervisor Politi – Originally, the discussion was that they would do the survey, pave the entire lot, stripe lot and agreed to limited use in exchange for maintaining the lot. They would be plowing the lot. All of those things would be an offset to us. Right now it sits and is not utilized. This would get the parking lot paved and striped and help with drainage around the building. The water would be redirected away from the building where we've had a problem in the past.

Attorney Briggs – Is this going to be a fully taxable project or it going to be a PILOT or some development agency or IDA financing? Do you know?

Chris Labarge – I don't have all those answers at this point. We did appeal to the regional council and did get named a priority project with that.

Councilman Miller – Is this shielded from the road at all? Are we talking about something like Price Chopper lot?

Chris Labarge – A question that came up at the planning board was about taking away a house to add parking and how we are to provide that architectural element or screening. The answer is yes, but I don't have the details. The concern was presented by the Village.

Supervisor Politi – I still want to make it clear that this zoning authority is for the Village of Saranac Lake and not the Town of North Elba.

Chris Labarge – That is correct. It is why we asked it be included in the PUDD so that can be taken into consideration.

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Supervisor Politi – Ron, I think that conceptually the Board felt last week that we had no problem with the concept of a parking lot, the idea of Chris' group doing the work improving the parking lot with certain provisions with regard to drainage and limited usage. Given the fact that he might be expending money for paving and so forth, his issue was how long a lease can he get from the Town. I am a little concerned myself about a long-term lease agreement without an ability to get out.

Attorney Briggs – I checked the law on that but maybe it is a conceptual depending upon the details.

Supervisor Politi – I think he has to go somewhere with this soon.

Chris Labarge – The purpose of coming to the meeting is to acknowledge and conceptually agree that we can come into some type of agreement. That way I can get this into the PUDD with the Village for consideration and submit it with my application for a rezoning of the property. They can consider the setbacks if they are not consistent with their current zoning. Under the PUDD they can say they understand what the plan is and can be approved under the entire project.

Attorney Briggs – At this conceptual stage, do you really need to know the duration of what might be a lease? I wouldn't think so.

Chris Labarge – We don't need to know the duration today. We had some discussion that 20 years was probably too long. I was hoping that we could start with a base of 10 yrs with 5 yr renewals after that. No, I don't think that is critical today. I would like something to provide back to the Village and then I can mature this plan from and get that under consideration.

Councilman Miller – Do we need to make a resolution based on...

Attorney Briggs – ...the concept.

Supervisor Politi – You can give a conceptual approval via a resolution for the use of the Town's parking lot until such time as the terms and conditions of the lease are finalized. As Ron says, the devil is in the details. I don't think anyone of us has objection to the concept to allow for this going forward. One of the things that Ron said is that it is a relevant point the consideration of a PILOT because it is not something the Town of North Elba will likely endorse or has endorsed in a long time for a lot of reasons. It would require school, Town and Village approval. I would want you to know that it is something that is somewhat of a concern for us.

Chris Labarge – To be upfront, there have been discussions on that. We're looking at how the Village of Saranac Lake is going to treat out project for consideration but there is another project that is to be considered that is not in Essex County. From that perspective, we need to be competitive in this market, which is a different market than Lake Placid. We are going to be looking to see what is available. I believe they will apply a Village consistency. That is where it's at today.

Supervisor Politi – Gentleman, does somebody want to move that resolution?

Councilman Miller moved and Councilman Doty seconded the motion to approve a conceptual resolution for the use of the Town's parking lot on River Street in Saranac Lake until such time as the terms and conditions of the lease are finalized. There being no further discussion, the motion was unanimously carried.

Councilman Miller – I'm sure everyone is aware of the safety concern with everybody crossing the road at night.

Chris Labarge – That was a question that came up. We have had discussions with the DOT in Watertown. They have some work being done on the road and the sidewalk. That is a concern of ours as well. The DOT really has ultimate control over that. We are working with the agencies to let them know where our parking will be and we need to make the best safe pedestrian access to that property. We are working on that.

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YOUTH SOCCER TOURNAMENT: STUART HEMSLEY AND MIKE "TWIG" MCGLYNN

Supervisor Politi – I don't want you two gentlemen here all night. I'm going to move you up on the agenda as persons wanting to speak to this Board. Stuart and Mike are here to talk to us about a planned soccer event for 2014.

Mike McGlynn – Stuart recently changed his career. He is also the Lake Placid High School coach. We were talking one night about having a tournament. 8yrs ago I got involved with our host at St. Lawrence University, Bob Durocher, who is a national championship coach. We started a club called FC Freeze that now has 200 kids who are travel teams. Those are kids that have a chance to play in college. It is very competitive. If you look at the FC Freeze website, it covers between Watertown and Plattsburgh. Kids that are very good that live over that way have to go to Syracuse and the kids that live in Plattsburgh would have to go to Albany if they're going to go to the next level. FC Freeze is going to be the host club which is a US Soccer Sanctioned Club. We are in a district that is out of the Capital District. I think there are 15,000 kids total that play soccer towards Albany. This event will be a sanctioned event. We looked at a slow time in town which is just after the Horseshow. Lacrosse has used the fields for a couple of years. We're ready to go. Between us we have a lot of years of experience.

Stuart Hemsley – Living in the Town we know it is an event driven town. Twig spoke to me about doing something. For those of you may remember the Dawn to Dark Soccer Festival that used to go on in April, which is a real quiet time. When I came into town, I didn't know it was a quiet time. When we came into town for soccer, it was soccer that took over. I don't see soccer taking over now. I see families coming in the youth division who can only be brought in by parents, college coaches that are part of an alumni group, high school participation and clubs. This has bigger potential to me than Rugby or Lacrosse. To have another event like that in town, utilizing the facilities, bringing people into restaurants, putting people in beds, showing them around the Olympic facilities is primetime. We don't look any better than in July. We did have a quiet time leading into Ironman this year with two weekends off. We've got space in town. That was the weekend we picked because it led into residential soccer camps at St. Lawrence. We have a day camp at the Elementary School that follows on the week after the tournaments. Six weeks prior to this the World Cup starts. In a dream time, England will be playing the US! We are looking for people to stay around for another day. The first might not be so big, but it will grow. Everybody is playing; boys, girls, moms, dads.

Councilman Doty – Can you talk about age groups and numbers of teams that are expected to come? Logistically, I would like to be able to understand the wear and tear because we already know we need a dozen more fields.

Stuart Hemsley – Provided we've got you're blessing, we will have a meeting with Butch and Mr. Sawyer at the High School. We are not looking for full sized fields; for the adult portion there could be six-a-side and seven-a-side activities as well as clinics for coaches. The school's got goals, we've got fields. There is still the Fishing Game club. If it gets big enough we spread over to Saranac Lake, but that's a good thing for everybody. The wear and tear on the field, it's not like rugby and it's not like lacrosse. We're all very light-footed.

Supervisor Politi – You're not going to hurt our fields. I've talked to Butch about this. Butch gives his blessing. My assumption is that from July 11th to the 13th you would be utilizing the six Town fields plus school and other fields. We have a seventh field planned in the very near future right next to the six that exist. It won't be the same size. It is an exhibition field but it will work as a seventh field. If you are going to do this it has to be subject to providing appropriate insurance. I would want you to get together with Larry Straight, to utilize a roadway that is closed, and Butch for the facilities. In addition to that, you would have to coordinate with Shannon and Larry with regard to recycling and trash pick-up at the site. Everything has to be recycled and picked up. It is no different than Ironman or any other events. It is one of the things that are required for approval. Porta potties are something you are going to have to handle. You will need security because of my concern with the location of the fields to the C&D facility next door. As you know, during Summit Lacrosse there is a security group there only to make sure that we don't have kids up in an area that might be dangerous. Those are the kinds of things that we would look for. We look forward to having folks like yourselves who are dedicated to the youth of our community that want to put on these kind of events. That is what Lake Placid is all about. We look forward to it. We applaud you. I assume these things are acceptable to you. I

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can't envision this board not saying ok let's go let's make it bigger, and let's make it better. I know the both of you so well that whatever you're going to touch is really going to work out.

Stuart Hemsley – We still have big contacts with the teams that came up with the Dawn to Dark. I worked a couple of years with Twig and we had 86 teams on three turfs. Turf is now in every community. That is one of the reasons why Dawn to Dark died. There is no better place to come during the summer.

Supervisor Politi – Absolutely! People will love it. Success is in the details too. Until we get the C&D facility out of there, I don't want to have an incident.

Mike McGlynn – Is there an existing fence now between.

Supervisor Politi – There isn't one now, but we can put up something.

Stuart Hemsley – In talking with the school, security is not an issue. They offer the concession stand, changing rooms and bathrooms. Maybe in the first year when it's not so big we will speak to Butch to let him know how many teams we have and how many fields we need. The side shows, the three-on-three pickup for the kids. There will be skills tests for the kids and the grownup can do aside from just playing. Maybe one area rugby and lacrosse don't do, we want them to stay on the fields and enjoy the day.

Supervisor Politi – The one good thing about our fields is that there is parking for endless number of cars. We haven't really had any problems with the C&D. I just want to make sure that we've taken that into consideration.

Stuart Hemsley – Are there any plans for buildings. My concern is no cover out on the Town's fields.

Supervisor Politi – Butch will help you with tents. Lacrosse is talking about adding buildings for storage of equipment. There is no reason that you can't have a tent pavilion which is what they do. I think you have to take that into consideration.

Mike McGlynn – We are getting the FC Freeze going in this area over the winter. If we end up with only one or two youth teams 14 yrs. or 16 yrs boys or girls that start to play against the Plattsburgh and Canton teams. That will also start at the same time. This tournament will give the opportunity for those kids to play competitive tournaments as teams come in from outside.

Supervisor Politi – Gentlemen, do you want to make a motion to approve the use of these fields for this time period subject to insurance, recycling, trash removal and provisions of our normal agreement.

Councilman Rand moved and Councilman Favro seconded the motion to approve the use of these fields for this time period subject to insurance, recycling, trash removal and provisions of our normal agreement. There being no further discussion, the motion was unanimously carried.

Mike McGlynn – Can we get a copy of that standard agreement?

Supervisor Politi – See Cathy Gregory for the insurance requirements. I can give you a copy of the agreements we have for others for use of the facilities. Basically, the resolution is acceptable. What will the money be utilized for here? What are your intentions?

Mike McGlynn – Having been involved in soccer education and soccer promotion in this town a longtime. It has always been a breakeven situation.

Supervisor Politi – Summit Lacrosse and Rugby pay to be able to utilize the fields because they are for profit organizations. If you are in a situation where the money you are raising is going to be utilized for the betterment of youth programs, or whatever, that is one thing. If it is a profit organization than we can't treat you any differently than we treat rugby. Ruby pays \$2,000 for the use of our fields. If you don't know, that is something we are going to have to iron out in

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terms of what your intent is. I don't want you going away from here thinking that anything other than for profit we will have to charge you. If it's not for profit than that is something different.

Mike McGlynn – We actually haven't gotten that far yet. We need to get on the calendar.

Supervisor Politi – Let's do this, this resolution will pass on a conceptual basis subject to what you decide in terms of the entity itself. Is that fair? If it is a for profit, there will be a cost and you'll have to build that cost into the registration fee.

Councilman Doty – Butch has already approved the dates?

Supervisor Politi – Yes, the dates fall right between the Horseshow and Ironman. It works out very well. Thank you, Gentlemen.

JEWISH CEMETERY

Supervisor Politi – Ron, we need to talk about the Jewish Cemetery. I need you to explain to the Board the scenario with the monies that we have. What can be spent and what can't be spent.

Attorney Briggs – The Supreme Court Order which was signed in 1994 is specific about what the Town can and can't do. The sum of \$20,000 is transferred and becomes a Perpetual Memorial Fund. You can only use the income from it. You cannot touch the principal. Only the income can be used to maintain the cemetery property. The idea being that there will always be \$20,000 in a perpetual fund that the Town of North Elba manages and maintains. With that, you have the right to sell burial plots for at least \$600 plus a \$100 perpetual care fee.

Supervisor Politi – How many Jewish Cemetery plots are there?

Attorney Briggs – I have no idea. It is not in this agreement. It also goes on to state, no portion of the principal of the Perpetual Care Fund shall be used or expended except by an Order of a New York State Supreme Court. You could authorize me, if you want to change this, to go into court and ask it to be modified.

Supervisor Politi – So that I understand what you said, according to Cathy she told me that on August 31, 2013 there was a total of \$26,995.15 in the fund. From what you said, there is no reason why every penny above \$20,000 can't be transferred for burials, maintenance and upkeep of the Jewish portion of the cemetery.

Attorney Briggs – We can presume that anything over \$20,000 is income.

Supervisor Politi – Natalie is desperate for funding.

Attorney Briggs – I've talked to her several times. I explained it to her and she would like to have not only the \$7,000 but total control of the fund. I said that can't happen without going to Supreme Court and getting a judge to change this. Who do you give notice to? Who has the right to object to it?

Supervisor Politi – I thought that Rick Meyer would take the lead on this to say that this is what we should do. Basically, he said the Town attorney knows how to do it.

Attorney Briggs – If he was an active Supreme Court Judge, that is where we would go but he's not.

Supervisor Politi – Does everybody agree to release to Pine Ridge Cemetery management all funds above \$20,000?

Councilman Doty – I'm going back to when we went thought the same thing maybe 10 years ago. You realize there are two sections; there is Pine Ridge Cemetery and then there is a section within it that is the Jewish Cemetery.

Supervisor Politi – Yes but the Pine Ridge people have to maintain it.

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Councilman Doty – Pine Ridge has the maintenance agreement to take care of that. Do we have to have proof that the money we are giving is just being used for the Jewish section or is it to maintain all of Pine Ridge?

Attorney Briggs – It is clearly only for the Jewish Section.

Councilman Doty – Is that clear to Natalie and what she is asking for? It is just to fix the Jewish section.

Attorney Briggs – In my conversations it was, but we want to make it abundantly crystal clear.

Supervisor Politi – We wouldn't release the money without some kind of an agreement.

Councilman Doty – I'm glad we have the funds to help. We all know what would happen if they weren't self-sufficient.

Supervisor Politi – It is their money. It just a matter of how you go about releasing.

Councilman Doty – There used to be a Board that would ask for that money.

Supervisor Politi – That's why they gave it to us. They didn't want to have to do it anymore.

Councilman Favro – Once we release over the \$20,000 it is going to be forever before more money is there.

Attorney Briggs – At today's interest rate, it's going to be a long, long time.

Councilman Doty – I would entertain that I would go to Supreme Court so she can secure that money. I'm all for it.

Supervisor Politi – She would not be able to do it. It would be the Town of North Elba as the entity who is in charge of maintaining the funding.

Attorney Briggs – Does the Jewish Community Center of Saranac Lake, Inc. still exist? It does not. There was disillusionment and that is how this came to be.

Councilman Favro – Once that \$6,000 is gone there is no more money unless we go back to court, right?

Councilman Doty – If we have an avenue to free up that money, it buys everybody time.

Supervisor Politi – What if we agree to release to Natalie the amount of money above \$20,000 that she feels is necessary for the maintenance and upkeep of the Jewish Cemetery. Ron will have to work it out with her.

Councilman Miller – I'm concerned what is going to happen in two years.

Councilman Doty – That is why I wonder if we should start this process to amend that we use the \$20,000.

Supervisor Politi – At some point we will have to go to Supreme Court. I will tell you, it may not just happen quick.

Councilman Miller – To reiterate Derek's point, maybe we ought to consider looking into it now. That \$20,000 is going to buy us some time.

Supervisor Politi – That's not buying us anything. It's not our money.

Councilman Miller – If they can't access money in a few years, it's going to be our responsibility to care of it. If we can get that \$20,000 leased in two-three-four years, it can only help us.

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Supervisor Politi – We can get it done before then. How should I leave it Ron?

Attorney Briggs – If you want to get it all done now, you're going to have a long wait because that is how they move, slowly.

Councilman Miller – Maybe we should be moving on this now because it will take a longtime.

Supervisor Politi – We can move to release up to \$7,000 and then in the meantime we can start the process.

Councilman Favro moved and Councilman Miller seconded the motion to release the income from the Jewish Perpetual Fund over the \$20,000 to Natalie Laduc for the maintenance of the Jewish Cemetery and to move forward to seek Supreme Court release the \$20,000 to the Town for use by that area designated as the Jewish Cemetery. There being no further discussion, the motion was unanimously carried.

PERSONNEL ACTIONS: DANIEL DABY, DONALD WALTON, TERRY SNYDER, LEIGH STANTON

Supervisor Politi – We have to accept the resignation of Dan Daby as the Town Custodian effective September 15, 2013 and the resignation of Donald Walton from his position as Heavy Equipment Operator for the Town of North Elba effective November 1, 2013. I need to approve Terry Snyder to the position of Town Hall Maintenance Custodian at \$13.50 per hour which is a non-competitive position beginning September 19, 2013. He was recommended by Butch Martin and Cathy Gregory. Larry Straight is seeking the recommendation for promotion of Leigh Stanton from Equipment Operator to Heavy Equipment Operator effective November 15, 2013 at \$14.41 per hour which is a non-competitive position.

Councilman Favro moved and Councilman Rand seconded the motion to approve the personnel actions presented. Discussion continued.

Councilman Doty – Did you talk to Mike with Union and are we all set with the pay scale?

Councilman Favro – Yes. You made the thing and Cathy checked it all out. We should be good. It had to be 3 ½ % over what he made before.

Councilman Doty – He knows everything, Larry?

Superintendent Straight – Yes, I talked to him this morning.

Councilman Miller – Terry Snyder was interviewed by a person of character?

Supervisor Politi – Terry Snyder works for us. He is the gentleman who cleans our Beach facilities, Craig Wood and has filled in for Dan Daby when he is on vacation. I have gotten rave reviews from every lady in the building over the quality of the lady's rooms as well as from the Police Department as far as cleanliness. Butch says he does a great job at the Horseshow Grounds, Beach and Craig Wood.

Councilman Favro – Didn't he do the sidewalk for us at Craig Wood?

Supervisor Politi- He did the sidewalk at Craig Wood on his own. He painted all of the guard rails around the parking lot.

Councilman Doty – He is an appreciative worker.

Supervisor Politi – He was a good choice.

There being no further discussion, the motion was unanimously carried.

TOWN BOARD MEETING

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SL TENNIS COURT – ELECTRICAL

Supervisor Politi – Derek, do you want to talk about the Saranac Lake tennis court?

Councilman Doty – In reading what was done it was certainly needed. They had to work with National Grid and it looks like they changed out a transformer and put in new panels. I know it was needed but I'm not sure I understand our relationship, if you would. We could have gotten a call saying we are doing this work instead of asking for half after the work is done. That is my only complaint so far. We can help with something major like that because it is a tennis court in our town. I would have liked better communication.

Supervisor Politi – They are wrong in the letter because they are asking for it to be covered by the North Elba Parks budget and this property is not in the Park District. I don't know that we have the money available right now. We did put in \$5,000 a couple of years ago to do that. I agree with you. They shouldn't have done the work and sent a bill. They should have asked the question first.

Councilman Miller – Maybe this is a good opportunity for the Town of North Elba to help the Village of Saranac Lake and maybe it will start a relationship with them; a little give and take. Maybe one day when they are driving by the parking lot here they can actually drop a plow. Who knows? Let's hope this is the beginning of a new and wonderful relationship.

Supervisor Politi – The bill is \$20,000 and something and they want us to pay \$1,177.50

Ted Morgan asked Councilman Miller to reiterate his view of the relationship with the Village of Saranac Lake.

Councilman Miller – The Village does not have a relationship with neighboring towns of give-and-take. It seems like they are happy to "take" but there isn't a lot of "give". Let's hope that us helping them moves them in the direction of give-and-take.

Supervisor Politi – Gentlemen, do you want to pay this? They are asking us to reimburse them for \$1,177.50

Councilman Miller – Let's wait until after the first snowfall.

Councilman Favro – Derek and I talked to them about plowing and it is has always been on the burner somewhere.

Councilman Miller – Derek and I just went to the meeting on rescue and 54% of the calls go in the Village but they are paying 18% of the bill. They won't even negotiate it. I have a problem with that.

Supervisor Politi – Are you voting no?

Councilman Miller – I'm ranting now. I'll make the motion to pay it.

Councilman Miller moved and Councilman Doty seconded the motion to pay the \$1,177.50 bill received from the Village of Saranac Lake for electric work completed at the tennis courts. Councilman Rand voted for the motion. Supervisor Politi and Councilman Favro voted against it stating they did not like the procedure.

Councilman Rand – I didn't like the procedure also but thought it was a step forward.

BUDGET ADJUSTMENTS

Supervisor Politi asked for a motion on the budget amendments.

TOWN BOARD MEETING
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OCT 2013 Board Meeting Budget Amendments

ACTION	ACCOUNT	DESCRIPTION	AMOUNT	REFERENCE	ADDITIONAL INFO	
INCREASE EXPENDITURE	A.6772.417	SENIOR.EQUIP REPAIRS	790.92	VCHR 132146	WARREN TIRE	
INCREASE EXPENDITURE	A.8160.0200	TRANSFER STATION .EQUIPMENT	425.00	VCHR 132200	PARADIGM SOFTWARE NEW PRINTER FOR SCALEHOUSE	
INCREASE EXPENDITURE	A.8810.0444	CEMETERY CONTRACTS & AGREEMENTS	225.00	VCHR 131850	TERMINIX PEST CONTROL ANNUAL AGREEMENT PER LARRY FOR CARPENTER ANTS-NOT IN BUDGET	
DECREASE EXPENDITURE	A.8810.0200	CEMETERY EQUIPMENT	(40.80)			
DECREASE EXPENDITURE	A.8160.0444	TRANSFER STATION. CONTRACTS & AGREEMENTS	(1,400.12)		C&D LAND LEASE BUDGET NOT USED	
			-			
INCREASE EXPENDITURE	SP.1350.0200	CRAIG WOOD.EQUIPMENT	771.52	VCHR 131997	NEW BILL ACCEPTOR FROM RANGE SERVANT AMERICA	
DECREASE EXPENDITURE	SP.1350.0444.0053	CRAIG WOOD CONTRACTS & AGREEMENTS	(771.52)		BUDGET AMOUNT NOT USED	
			-			
RECOGNIZE CONTRIBUTIONS:	SP..2705	OLYMPIC TORCH RESTORATION CONTRIBUTION	(7,833.30)		SHAMPENY CONTRACTING	\$4,917.00
					DUKE CONCRETE	\$ 900.00
					MLB ASSOCIATES	\$2,016.30
RECOGNIZE EXPENDITURES	SP.7110.0200.2705	OLYMPIC TORCH RESTORATION EXPENDITURE	8,833.30			
USE OF RESTRICTED FUND BALANCE FOR OLYMPIC TORCH RESTORATION			1,000.00	VCHR 132157	SHAMPENY CONTRACTING	

Supervisor Politi – We have a cost for the Olympic Torch Restoration project in the amount of \$8,833.30. \$7,833.30 was a gift by Worth Champeny of his time. He is only seeking payment of \$1,000 for payment of his employees. That will come out of Fund balance that is restricted for use of the Olympic Torch Restoration project. He did all the stonework around the viewing platform.

Councilman Doty – It was nice of him to do that.

Councilman Favro – He did a great job.

Supervisor Politi – We got all the stones for free and he did all of the work himself.

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

COMMITTEE REPORTS: SARANAC LAKE YOUTH

Councilman Doty – They had a good year. We had 24 kids involved from North Elba which is about 8% of the total program. It is a very successful program. We helped them with swimming lessons.

COMMITTEE REPORTS: AIRPORT

Supervisor Politi – Is anything happening there with the hot water? The doors? Has anybody seen Murnane?

Superintendent Straight – The doors have been repaired. Murnane has not been back. The hot water heater is still on the back burner.

COMMITTEE REPORTS: CRAIG WOOD

Supervisor Politi – Craig Wood looks great. They removed a lot of the thorn bushes on 3 and 9. The place looks great. I would like to remove the pavement and seed it.

Superintendent Straight – I have the guys out on Loj Road right now. There are lots of potholes. It's in bad shape from the Bridge up to Jack Levitt's to the bottom of that hill.

2% TAX CAP

Supervisor Politi – Ron, I sent you a Proposed Resolution to override the tax levy because we have to consider as a local law prior to the final budget. We have to advertise it at least 30 days prior to our next meeting. It would be smart on our part to do it this way.

Attorney Briggs – We can do the resolution and not adopt a local law. You want to preserve the option to do so. That is fine.

Supervisor Politi – I want to do this at the November meeting and I wanted you to have it. I think it is going to be very difficult for the Town of North Elba to meet the tax cap of 1.66% for 2014. The State wants you to maintain a tax levy of 1.66% and yet they are out there sending us increases in New York State retirement contributions of 12%-15%-20%. The only way that small

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towns are able to meet the tax cap in recent years is by utilizing all of their fund balance. They deplete their funds and they can't provide the services they need to provide. Maintaining the tax cap is extremely difficult for small towns and counties. Our governor can say they can keep the budget under such-and-such which isn't hard to do when they are using all our money and passing all the costs down to us. I think it is going to be extremely difficult given the fact that we have major expenses such as \$750,000 a year that we have to pay ORDA. We have a Park District that is struggling to keep its nose above water with no real sources of revenue because of that kind of expenditure, other than Craig Wood Golf Course which is not enough revenue to pay for half of it. I am not saying payment to ORDA is a bad thing because we have a great partnership but the fact is, it is a awful lot of money for a little town to have to pay given the fact that we also have to pay income tax. If the Governor could tell me that he could maintain an income tax level of 1.66%, I would gladly try to find out how to reduce the tax levy.

Councilman Miller –We deferred a lot of expenses in order to stay beneath the tax cap. Larry needs a new tandem. I would still like us to do something with the mountain at the C&D. Stuart being here today is another example of why it may be important to this town to get rid of that eyesore. I know that is expensive and if we spend money like that we will go over the tax cap.

Supervisor Politi – Unfortunately, when you say the tax cap is X and it applies to everyone in the state with no consideration for the special situation that those towns and counties may be in, such as Essex County with a such a low tax rate to begin with. It is easy for some of these counties that have a tax rate of \$10 per \$1000 compared to ours at \$4 per \$1,000. Of course they can meet the tax cap because their charging so much. The little guy who was trying to save money and do a good job managing funds gets burned. I have a real problem with the tax cap. It's not one size fits all. There are only 11 Park Districts in the State of New York. None of them pay a government authority such as ORDA \$750,000 when you only have a community of 8,000 people. In addition to that, we also have to pay taxes which pay for all the other State operations. I have a problem with it. I don't want to see our constituents suffer for our not having proper equipment or being able to pave roads that are in desperate need just because we want to stay under a tax cap. We took a \$1.8 million fund balance and had to deplete it over a couple of years down to \$700,000 just so we looked good. That's nonsense. I'm going to stop right now before this gets back to the Governor!

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 10/8/13			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	89369.11	2135.8	91504.91
B FUND GENERAL OUTSIDE VILLAGE	408.79		408.79
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	12484.49	47630.48	60114.97
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT			0
H02 -BLOCK HANGAR REHABILITIATION AIRPORT CAP. PROJECT			0
H03 - 5 BAY T HANGAR			0
H04-C&D WASTE CELL			0
H05- CRAIG WOOD GOLF COURSE CONSTRUCTION	169	2131.55	2300.55
H08-AIRPORT MASTER PLAN			0
H11 TAXIWAY -APRON EXPANSION	67.63		67.63
H41-REC (BIKE) PATH	0		0
RD03-THIEANOGUEN 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	18491.14	68866.43	87357.57
SS21 CONSOLIDATED SEWER DISTRICT	21000		21000
SW1 SEWER DISTRICT #1			0
SW2 MCKENZIE			0
SW3 RAY BROOK	15.25	448.49	463.74
T TRUST & AGENCY			0

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TE PRIVATE PURPOSE TRUST			0
Batch 1337-1340	142005.41	121212.75	263218.16
132104-132158; 132193-132216; 132218-132266; 132292			

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

PRESS QUESTIONS: 2% TAX CAP

Ted Morgan – That resolution is going to be at the next month’s board meeting?

Supervisor Politi – Yes, right now the preliminary budget was about 20%. It is a wish list and we always cut it down. We have to figure out ways to reduce things. As Bob was saying, we have a desperate need for a tandem plow truck and the cost for that is in there. You have a couple of choices; you use \$200,000 in fund balance to pay for that or you have to bond for it and defer the payment to 2015. You get the equipment but keep deferring the cost. Last year we utilized \$500,000 from various Fund Balances. That is a lot of money to be throwing at a tax levy just so you can look good to state government. It doesn’t necessarily make it the right management decision. It is going to be extremely difficult this year. Is it going to be 20%? No, it’s not. It is going to be some reasonable number. I don’t foresee it at 1.66% or 2%. It’s just the way it is. Our tax rate has been so low for a long time because we have been utilizing fund balance too. You get to a point where you can’t continue to meet some artificial number that somebody created in Albany to look good.

Jessica Collier – The budget right now is just a wish list?

Supervisor Politi – The preliminary budget is always a wish list at this stage. We will have budget meetings starting this Wednesday and Thursday. It will go on every week until we pass the budget on November 12th.

PRESS QUESTIONS: YOUTH SOCCER

Ted Morgan – Would you comment on the soccer scheduled between the Horse Show and Ironman?

Councilman Rand – I think it is a great use of the fields. They were put in a few years ago for the Lacrosse Tournament. Any major tournaments that we can generate will draw more people into the area. After the Horseshow and before Ironman there is always a lull. It fits right into everything we are doing. It’s fantastic to hear about the idea from two people that know a lot about soccer. It’s good stuff.

Supervisor Politi – The Horse Show would go directly into the soccer then to Ironman to Rugby and directly to Summit Lacrosse and the Ragnar Relay. That takes up the Lake Placid summer’s entire schedule.

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Rand moved and Councilman Doty seconded the motion to adjourn the meeting at 8:26 pm.

Respectfully Submitted,

Laurie Curtis Dudley, Town Clerk