

## **TOWN BOARD MEETING**

TUESDAY, MARCH 10, 2015

Minutes of the Regular Board meeting held on the above date beginning at 7:00 pm at the Lake Placid Volunteer Ambulance Station 388 Mill Pond Dr, Lake Placid, N.Y.

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

**Others Present:** Attorney Ron Briggs, Larry Straight, Matt Turner, Drew Miorca

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 to approve minutes of February 10, 2015 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.

### **READ ACROSS AMERICA PROCLAMATION MARCH 2015**

Supervisor Politi – You received a copy for the Read Across America Proclamation for March 2015 in your packets. It was scheduled for March 2, 2015 to read to children but the Proclamation resolves that the National Education Foundation’s Read Across program which engages children to become better readers recognizes the month of March. Will somebody move that we recognize the Month of March as being Read Across America month.

Councilman Favro moved and Councilman Doty seconded the motion to recognize March as being Read Across America month. There being no further discussion, the motion was unanimously carried.

### **ESSEX CO. COMMUNITY RECOURSES CONTRACT**

Supervisor Politi – I am requesting that this Board approve my signing of a Community Resource contract between the Town of North Elba and Essex County. This is for the year 2014. They are running a year behind. It is for the reimbursement of \$500 from Essex County to the Town of North Elba for our Youth Commission program.

Councilman Favro moved and Councilman Rand seconded the motion to approve the contract between the Town of North Elba and Essex County for 2014 reimbursement for the Youth Commission program. There being no further discussion, the motion was unanimously carried.

### **APPROVE APRIL BOARD MEETING DATE CHANGE- APRIL 7TH, 2015**

Supervisor Politi – I would like to change the April Board meeting from the April 14<sup>th</sup> to April 7<sup>th</sup>. It helps my schedule and Jay’s. I will have the work session at the same time and have the Board meeting in the evening.

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Supervisor Politi will be on vacation and Councilman Doty leaves on April 17<sup>th</sup> for vacation. Councilman Doty can sign checks in advanced or Cathy Briggs can get signature approval from Supervisor Politi over the phone.

Councilman Favro moved and Councilman Doty seconded the motion to Move the April meeting to April 7<sup>th</sup>. There being no further discussion, the motion was unanimously carried.

### POST CLOSURE ENVIRONMENTAL MONITORING CONTRACT

Supervisor Politi – The Post Closure Environmental Monitoring Contract has to be completed each year over a period of 30 yrs. This is the 25<sup>th</sup> year. The provider of the service is Adirondack Landfill Services from Plattsburgh. They sample six ground water monitoring wells, do a laboratory analysis, report preparation and submittal to DEC. Over the last 3 yrs, the cost has been \$3,926 per year. This year the cost is \$4,216. Jeff May said that they have tried to keep it the same over the period of the last 3 years but this year with lab costs and increased cost associated because of oil. He said it increased cost by \$300 primarily due to sampling costs.

Councilman Doty – If we have five more years, does that mean we couldn't utilize any of that land. We wanted to do this greenhouse project with this Bio firm three years down the road. We can't do it?

Supervisor Politi – You can't utilize that site for a period of 30 years. It's been 25yrs and we have 5 yrs to go.

Councilman Doty – We have \$100,000 just in monitoring and we spent \$400,000 to dig a hole to put construction debris in. There is half a million.

Supervisor Politi – This is required by DEC. I asked Jeff and the problem is he has no idea what the DEC is going to do after 30 yrs. They don't know if they are going to allow us to use it but continue to monitor. He said some of the wells down by the river are dirty. They require constant monitoring.

Attorney Briggs – Isn't there a warrantee from the people who did the work?

Councilman Doty – They were closed according to DEC Specs.

Councilman Miller – They monitor it to do what?

Councilman Doty – To draw-off if the leachate is too fast. That is why the piping runs throughout.

Supervisor Politi – It seems like a lot of money but if you see the book that he has to prepare for DEC with all of the tests on each of the wells and the number of times he has to do it.

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The Board discussed the number of active wells; there were 14 wells with 8 wells closed and only 6 wells open. Jeff May with Adirondack Landfill Services will be looking into closing some more.

Supervisor Politi -He is concerned about the wells down by the river.

Councilman Doty – That’s just job security.

Supervisor Politi – It may be but the fact is that the DEC requires it. We are bound to get somebody. The interesting thing is that there is only one company who does it. The cost is \$4,216 for a year. We need to move that.

Councilman Rand moved and Councilman Favro seconded the motion to approve the Post Closure Environmental Mentoring Contract with Adirondack Landfill Services in the amount of \$4,216. There being no further discussion, the motion was unanimously carried.

**PERSONNEL APPOINTMENTS**

Supervisor Politi asked for approval of the following non-competitive seasonal appointments.

**ACCEPT RETURNING SEASONAL EMPLOYEE APPOINTMENTS**

<b>NAME</b>	<b>POSITION</b>	<b>DATE OF HIRE</b>	<b>UNION CLASSIFICATION</b>	<b>RATE OF PAY</b>	<b>CIVIL SERVICE CLASSIFICATION</b>
EVAN KNOX**	TOB SLIDE	2/6/2015	N/A	\$11.25/HR	LABORER
**RECOMMENDATION MADE BY: BUTCH MARTIN					
James Van Woert	BLACK FLY CONTROL	3/31/2014	N/A	\$22.80/hr	NON COMPETITIVE
Stephanie Sears	BLACK FLY CONTROL	4/4/2014	N/A	\$14.28/hr	NON COMPETITIVE
Bill Ulinski	BLACK FLY CONTROL	4/4/2014	N/A	16.32/hr	NON COMPETITIVE
Shannon Fegley	BLACK FLY CONTROL	5/6/2014	N/A	16.83/HR	NON COMPETITIVE

\* Recommendation made by: John Reilly

**ACCEPT RECOMMENDATION OF NEW HIRE:**

<b>NAME</b>	<b>POSITION</b>	<b>DATE OF HIRE</b>	<b>UNION CLASSIFICATION</b>	<b>RATE OF PAY</b>	<b>CIVIL SERVICE CLASSIFICATION</b>
Andrew Seligmann	Black Fly Technician	2/24/2015	n/a	\$13.00/hr	non competitive
Dustin Ulrich	Black Fly Technician	3/2/2015	n/a	\$13.00/hr	non competitive

\* Recommendation made by: John Reilly

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

**WEDDING OFFICIANT APPROVAL- PETER GEISLER JR.**

Supervisor Politi – We received a request by Peter Giesler, Jr. to act as a wedding officiant for the wedding for his cousin Weston Wheeler on July 4, 2015. If you don’t want to approve it, tell me know now so I can leave town!

Councilman Miller moved and Councilman Doty seconded the motion to approve Peter Giesler, Jr. as an officiant for the wedding of Weston Wheeler on July 4, 2015. There being no further discussion, the motion was unanimously carried.

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### BOND RESOLUTION- EQUIPMENT PURCHASE & TOWN HALL CABLE

Supervisor Politi – We need to move a Bond Resolution in the amount of \$219,000; \$160,000 is for the purchase of a tandem plow truck for the Highway Department, \$34,000 is an estimated maximum amount for a pick-up truck for the Park District and a maximum cost of \$25,000 for the installation of wiring for the Town Hall phone system.

Councilman Doty – Why are we bonding the wiring? Why don't we take it from Fund Balance?

Supervisor Politi – That does not include \$12,000 for the cost for the telephones. We will take that money out of Fund Balance.

Councilman Miller – Do they all have the same length of time on the bond? Can the phone be the same time as a truck?

Supervisor Politi – Cathy would never have approved this unless they have the same useful life. We talked about T3 wiring. Time Warner has told Cathy that they would install it for free provided that we sign a three year agreement with Time Warner for this building. Although the phones may cost us \$12,000, we may not have a cost for the T3 lines.

Councilman Doty – I would still like to talk about it before we go that route. I work with them a lot. If it costs us \$5,000 to run it ourselves, then I would like to look at our options.

Councilman Favro – I wouldn't sign an agreement when I don't think we need it. They'll just charge you more. There are other providers.

Supervisor Politi – To continue with the Bond; \$194,000 of the Bond is for a term of 15 years. The \$25,000 for the wiring will be for 10 yrs. It is based on the economic life of the item. Bond council says we can get 10 years on that.

Councilman Favro – Do we want to go 15 years on the truck?

Superintendent Straight – You'd be paying on a dead horse. Ten years is stretching a truck.

Supervisor Politi reads the Bond and later in Section 4 it states that the Bond is for five years.

Councilman Doty moved and Councilman Miller seconded the motion to approve the Bond Resolution in the amount not to exceed \$219,000. There being no further discussion the motion was unanimously carried.

Roll Call Vote: Councilman Doty; Aye, Councilman Miller; Aye, Councilman Favro; Aye, Councilman Rand; Aye, Supervisor Politi; Aye

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### **APPROVE CHANGE IN POLICY DENTAL INSURANCE**

Supervisor Politi – We need to approve a policy change for health insurance which amends both dental and vision policies. The anniversary date being changed to January 1, 2016 with open enrollment period from December 1<sup>st</sup> to December 31<sup>st</sup>. We need to amend the dental and vision policy to cover dependents to age 26 effective March 2015. These were brought to our attention by Tish.

Councilman Miller – I talked to Cathy about it today and she said there will be no additional cost.

Councilman Rand moved and Councilman Favro seconded the motion to approve the modifications to the dental and vision policies. There being no further discussion, the motion was unanimously carried.

### **WRITE OFF OLD COMPUTER EQUIPMENT**

Supervisor Politi – Cathy would like us to write off a number of very old computers that are no longer in use.

Councilman Doty moved and Councilman Miller seconded the motion to approve writing off the old computer equipment. There being no further discussion, the motion was unanimously carried.

### **RESOLUTION TO PROMOTE TOURISM**

Supervisor Politi – We all got a copy of the proposed resolution to promote tourism in the region. I got it from Clyde Rabidue. A copy was sent to Jim McKenna and Gary Douglas.

Councilman Doty – It's just a sign program.

Supervisor Politi – It's to make our region more hospitable to our Canadian friend and make our street signs and advertising bi-lingual in English and in French. This is not every street sign. It is for signage that would identify Whiteface or the ski jumps. It is where practical and cost efficient. This is just endorsing the program.

Councilman Rand – I'm concerned about the cost and whether it is necessary. Most everybody speaks English now.

Supervisor Politi – I have a Swiss friend that speaks French and he went to Whiteface and there is nothing where you buy tickets welcoming Canadians. There were some French Canadians there that could only speak a little English and couldn't communicate with anyone. He had to help them because he is fluid in French. There was no one behind the desk that speaks French.

Councilman Rand – I'm not against it, but I don't think it's necessary.

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Councilman Miller – I don't think it's necessary but the more welcoming we can be to a market base.

Attorney Briggs – The menus should say in French “gratuity is welcome” at the bottom.

Councilman Doty – The Plattsburgh Airport is all French. A majority of their business is Canadians.

Councilman Miller moved and Councilman Favro seconded the motion to approve the Resolution to promote tourism in the Adirondacks/ North Country. There being no further discussion, the motion was unanimously carried.

### COMMITTEE REPORTS – SL YOUTH PROGRAM

Councilman Doty – To bring you up to speed on the SL Youth Program, we are actually well in gear. Paul Leahy came back as Director for this current year and has been hired on an interim basis. Peter Snyder, who is a marketing rep. for Serge, will find time to organize and find councilors to get us into the program. As I mentioned, there is a retired science teacher that owned his own kids' camp in Canada that is very interested. He will be meeting with Paul as a potential successor. Fortunately, through the grape vine I heard that at the Village meeting they passed a resolution to carry us for this final year. They named one of their trustees as a representative. We have not been notified officially which I am sure it is just a formality. At least this year is saved. One of the brighter things we are working on, because we have to move ahead, I met last week with the former Director of the SL Chamber of Commerce, Sylvie Nelson. She now works for Workforce Investment Board out of Plattsburgh. She represents Hamilton, Clinton, Essex and Franklin Counties. They are under ACAP which also has a youth division. They have actively administered and sought grants for other youth programs. We are looking at the possibility of that organization becoming the administrator. Sylvie has a department that actively looks for grants to help us with food distribution. There is also the possibility for transportation. When we have events we can secure some money for transportation which is major problem right now because we are not guaranteed school busing. We are still working with the new superintendent Diane Fox and her head of food services Ruth Peno. They have agreed to be on our committee and are represented at each meeting. If anything, we are going to be stronger coming out of this.

Councilman Politi – I am glad that Matt is here tonight because I wanted to ask Matt if John Sweeney really said that North Elba was the problem with that program.

Matt Turner – I didn't write that Chris Night did. I do remember reading that he felt North Elba was going to take the program. It stuck out to me too.

Supervisor Politi – I'm surprised he didn't ask before he wrote it.

Councilman Doty – It came way out of context because at one of our previous meetings I talked about moving forward to pattern what North Elba already does to help save the program. They

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must have took that as North Elba would overtake the program. I'm sure that is what the comment was from Clyde saying that I have turned 180°.

Councilman Miller – Clyde call me the morning after that was in the paper at 8:00am and he said he was blindsided by the whole thing. He said the information he received from John Sweeney was that North Elba was taking over the program. I said to him that we will continue with discussions about having North Elba taking over the program. I was not aware that you weren't. It was just miscommunication.

Supervisor Politi – That surprises me. Mike Mascarenas wants to continue his support of that program

### **COMMITTEE DISCUSSIONS - KEENE PARTNERS WITH CASELLA**

Councilman Miller – I read in today's paper that Keene was entering into a partnership with Casella to handle their recyclables. I called Bill Ferebee and asked him about the agreement and what his thoughts were. As you know he is doing a one year program to see how things work out. I think it is interesting. I called Shannon today and asked her for numbers as to what it costs us to recycle. She though\it was a wash or it actually made money but I can't see how that could be possible when you figure out employee pay in benefits. At the very least we should be asking theses questions and looking at alternatives. Is there a way to provide the same service or something even better at possibly less cost? The only way we can know that is by doing a little homework.

Supervisor Politi – If that is the question you want to ask, then not only do you need to know the incomes and expenses associated with the program but you need to know if there is anyone out there who is willing to do the program and for how much.

Councilman Miller – I agree. What is their vision of how the job will be accomplished? As you mentioned earlier, you can't go from a program where we are truly recycling everything in the building and go to a system where only 10% is actually recycled. That is not an acceptable alternative.

Supervisor Politi – That is what I have heard. That zero sort is not necessarily all recycled. I am also concerned that recycling does not necessarily equate to garbage and yet the company who has an interest in recycling probably wants garbage. I am very concerned about if we go that route, you can never come back. The price could be reasonable for two to three years and then shoot up.

Councilman Miller – We are also trying to involve Casella with this Biodigester program so they are going to be down there anyway. They want to get involved not only because there might be profit but because it is a good company PR move.

### **BILL MOORE – GREASE TRAPS**

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Supervisor Politi – I received a letter from Bill Moore, which was also sent to Jim Morganson and Dean Dietrich, about a problem with grease traps and fans blowing on neighbors. Neighbors are fighting. He would like us to discuss modification to zoning to change ventilating on the side of buildings.

The Board discussed real estate sale signs with arrows. They are all over the place. Councilman Doty pointed out the wilted balloons left out after an open house.

**BUDGET ADJUSTMENTS**

Supervisor Politi asked for approval of the audits

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 3/10/15			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	\$113,931.86	\$38,851.39	\$152,783.25
B FUND GENERAL OUTSIDE VILLAGE	\$37.79	\$0.00	\$37.79
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	\$35,497.85	\$19,969.22	\$55,467.07
H11-APRON EXPANSION CONSTRUCTION	\$94,664.93		\$94,664.93
H12-OBSTRUCTION REMOVAL	\$11,898.58		\$11,898.58
SP PARK DISTRICT	\$25,525.41	\$14,059.53	\$39,584.94
SW3 RAY BROOK	\$2,229.27	\$821.55	\$3,050.82
<b>Batch 1506-1509</b>	<b>\$283,785.69</b>	<b>\$73,701.69</b>	<b>\$357,487.38</b>
142650-142651; 150205; 150222; 150282- 150283;150308-150350; 150375- 150383; 150388-150495			
<b>Batch 999 (Payroll)</b>	<b>\$0.00</b>	<b>\$47,312.19</b>	<b>\$47,312.19</b>
150284-150307; 150351-150374; 150384-150387			
<b>Batch - HELD</b>		<b>\$0.00</b>	<b>\$0.00</b>
<b>DELETED VOUCHERS:</b>			

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

**ESSEX COUNTY UPDATE - OCCUPANCY TAX**

Supervisor Politi - There was a push from the lodging industry to collect bed tax from vacation rentals. This came to the Finance Committee. They would have to have a Public Hearing to make a modification to the law. I will not vote because of a conflict of interest. It's a data system enforcement issue. Honest people will pay but not everybody will. I see it as voluntary

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compliance. We will discuss and debate over the next few weeks. This is a home rule, not state. Vacation rentals make a small portion of income. \$62,000 from the LP Resort Lodges x 52 wks which is over \$300,000. If Bob owns and wants to rent, who is to say that he let his friends use his house for the weekend without charge.

**ESSEX COUNTY UPDATE - WEIGHS AND MEANS – WAYNE TAYLOR**

Councilman Miller – I read in Denton Publishing that the scales at Price Chopper have been off and have been reported. They pay fines and don't get them fixed.

Supervisor Politi – The scales at Hannaford receive fines too. The fines are about \$70k per year. It's not them, it's the distributor. Joe Lamb gets fines for his nails. He may get 50 lbs. of nails and sells 48 lbs. It's not them but the distributor of the product.

**ADJOURNMENT**

There being no further business to come before the Town Board, Councilman Doty moved and Councilman Favro seconded the motion to adjourn the meeting at 8:03 pm.

Respectfully Submitted,

Laurie C. Dudley, Town Clerk