

Organizational Meeting
January 03, 2008

Minutes of the Organizational Meeting held on the above date beginning at 4:00 p.m. in the Meeting Room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York.

Members present: Supervisor Robert Politi, Councilmen Jay Rand, Bob Miller, Chuck Damp and Denice P. Fredericks, Deputy Town Clerk.

Members absent : Councilman Favro, excused.

Others present: Father Morgan, Joseph Provoncha, Attorney Ronald Briggs, Margaret Gadwaw, Catherine Gregory, Larry Straight, Kim Daby, Jim Morganson, Fred Warner, Britt Pickard, Emily Kilburn, William Kissel, Kristina Wheeler, Maggie Politi, M/M James McKenna, John McKenna, M/M Jerry Strack, Lou Higgins, Tom Politi and daughter, Karen Huttlinger, Kathy McKillip, Pat Gallagher, Chief Scott Monroe, William Moore and Michael Clarke, Jacob Resneck and Blair Hadley.

Supervisor Politi called the first meeting for the year 2008 for the Town of North Elba Board to order at 4:00 p.m. He stated that he would like to thank everyone for coming. He stated it is very nice to see everyone here and that he is very thankful for so many of his friends and relatives are here and people that I am going to be working with and I know the other Board members feel the exact same way. He stated thank you very much for coming here today for this little official gathering.

Supervisor Politi asked everyone to stand and honor our flag with the Pledge of Allegiance.

Supervisor Politi presented Essex County Clerk Joe Provoncha who administered the oaths of office.

Supervisor Politi introduced Father Morgan and asked him to give us a prayer on behalf of the Board and the Community for the new year of 2008.

Supervisor Politi thanked Father Morgan for coming today.

Supervisor Politi introduced Board members and Department heads.

Supervisor Politi then moved a resolution of commitment for the year 2008 which will be attached to the minutes. The resolution was seconded by Councilman Rand and was followed by a roll call vote. Councilman Rand, AYE, Councilman Damp, AYE, Councilman Miller, AYE, Supervisor Politi, AYE and the forgoing resolution was hereby adopted by this Town Board.

Supervisor Politi stated I just want to say that I really look forward to the opportunity of working on behalf of all the people of the Town of North Elba I look forward to working with the Councilman here and I really forward to making a difference in County Government. He stated I thank you very much for taking the time out of your day today to be here to honor us with your presents and appreciate the support that you have given me in the past and I am sure the other Board Members feel the same way and look forward to working with you on an open basis. He stated my door is always open and this Board is going to work together as a team and a unit and we are also going to work closely with the Village Board because what is most important here is that we are dealing with Community not necessarily a particular aspect of our municipality Town versus Village we all have one common goal and that is to make things better. He stated I give you that commitment and I know my fellow Board members feel the same way so if at any point you have any questions of me in the future you can reach me here or you can reach me at my other office or you can call any one of and we will do our best to answer your questions or tell you why we can't necessarily do what some of you may want us to do as I noted earlier.

Supervisor Politi stated at this point we will move on to the Organizational meeting and you are welcome to stay but it is basically the procedural duties of this Board for 2008. He stated again, I thank you very much and appreciate your coming today.

Supervisor Politi stated that he will read thru the proposed 2008 format.

Supervisor Politi then presented the proposed format for the year 2008 as follows:

1. That the Regular Meeting of the Town Board of the Town of North Elba be held on the second Tuesday of each month at 7:00 p.m. in Lake Placid except for the months of July and September at which time they will be held at the North Elba Town House in Saranac Lake, New York.
2. Rules of order governing the Town of North Elba shall be pursuant to section

Organizational Meeting
January 03, 2008

63 of Town Law allowing any Board member (including the Supervisor) to bring a motion, and second a motion before said motion comes to a vote.

3. That Councilman Rand be appointed at the pleasure of the Supervisor to the position of Deputy Supervisor with the power to sign all checks of the Town of North Elba and preside over all meetings and functions during the absence or the inability to act of the Supervisor.
4. That the Supervisor of the Town of North Elba (or in the Supervisor's absence or inability to act, the Deputy Supervisor) shall have the authority to perform such ministerial functions and duties necessary and appropriate to the business affairs of all Districts of the Town during those occasions when the Town Board is not in session; and the Supervisor (or the Deputy Supervisor) shall report such actions to the Town Board at the next regularly scheduled meeting. In the event a District-related issue involves a matter that could require a policy determination by the Board as a whole, or require a commitment or expenditure of funds not previously approved and authorized, the Supervisor or the Deputy Supervisor, acting in accordance with Town law, shall commence a special meeting of the governing Board.
5. That the Town Board approve the recommendation of Margaret E. Gadwaw (Town Clerk) of Denice P. Fredericks as Deputy Clerk/Registrar.
6. That Catherine Gregory be appointed as Budget Officer for the Town of North Elba, the North Elba Park District and all Special Districts.
7. That Ronald J. Briggs be appointed as Town Attorney.
8. That Kimball W. Daby be named as Chairman/Clerk of the Board of Assessors.
9. That the Board approve Denice P. Fredericks as Clerk to the Supervisor.
10. That Barbara Whitney be appointed as Assistant Tax Collector to work with the Town Clerk in the collection of the 2008 Town taxes over a period not to exceed 5 weeks at her normal rate of pay as calculated for 2008.
11. Beverly Reid be named as Town Historian.
12. That Pamela Lundin be named Human Resource Coordinator and Administrative Assistant to the Supervisor.
13. That James Morganson serve as Director of Codes with the function of overseeing building inspections, fire codes and enforcement actions.
14. That Emily Kilburn be appointed Clerk of the Joint Review Board, Zoning Board of Appeals, and Planning Commission.
15. That Fred Warner be appointed as Building and Electrical Enforcement Officer.
16. That Timothy Smith, Esq. be appointed as the attorney for the Joint Town Village Review Board and Planning Commission and shall also fill in for the attorney for the Zoning Board of Appeals in all instances where there is a conflict or if said attorney is unable to attend a particular meeting.
17. That William Kissel, Esq. be appointed as the attorney for the Zoning Board of Appeals to serve at the pleasure of the Board and to fill in for the Attorney Smith in all instances where Attorney Smith has a conflict or is unable to attend such meetings. The compensation for such services shall not exceed \$6000. per year plus appropriate health insurance benefits.
18. That Marty Perkins be re-appointed as North Elba Animal Control Officer to serve as the pleasure of the Town Board.

Supervisor Politi asked for a second to items 1-18 as presented? Councilman Damp second the motion to accept the item 1-18 as read by Supervisor Politi. Discussion?

Councilman Damp asked what the reason is that number #16 doesn't have a dollar amount attached to it?

Supervisor Politi stated the reason #16 doesn't have a dollar attached to it is because that I forgot. He stated the dollar amount is \$10,000.00.

There being no further discussion the motion was unanimously carried with 4 in favor

Organizational Meeting
January 03, 2008

and none opposed.

Supervisor Politi then continued to read the Organizational procedures.

19. That the following named Zoning Board Members shall serve at the pleasure of the Town Board until such time that the new Land Use Code shall take effect.

Joint Town/Village Zoning Board of Appeals
Connie Bonsignore
Lorriane Vondell
Ken Jubin

Joint Town/ Village Review Board
Horst Weber
Olga Krone

Joint Town/Village Planning Commission
Georgia Jones
John Hopkinson
Michael Clarke

20. That the following Town Board Committee appointments as recommended by the Supervisor be approved for 2008:
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| a. Insurance | Councilman Damp/Councilman Miller |
| b. Lake Placid Village Liaison | Councilman Rand/Supervisor Politi |
| c. Saranac Lake Village Liaison | Councilman Damp/Supervisor Politi |
| d. Highway | Councilman Favro/Councilman Damp |
| e. Craig Wood | Councilman Favro/Supervisor Politi |
| f. North Country Community College | Councilman Damp/Councilman Miller |
| g. Landfill | Councilman Favro/Councilman Miller |
| h. Airport | Councilman Rand/Supervisor Politi |
| I. ORDA | Councilman Damp/Supervisor Politi |
| J. Lake Placid Central School | Councilman Favro/Councilman Rand |
| K. Municipal Beach & Parks | Councilman Rand/Councilman Damp |
| L. APA/DEC matters | Councilman Miller/Councilman Favro |
| M. BTI program | Councilman Rand/ Councilman Miller |
| N. Zoning Matters | Councilman Rand/ Councilman Miller |
| O. Fire Dept. Liaison | Councilman Favro/Councilman Damp |
21. That the Town of North Elba continue as a member of the New York State Association of Towns.
22. That Supervisor Politi be delegate and that Councilman Damp be the alternate to the Association of Towns and further authorizing the attendance of any Board members or appropriate others and the payment of their "actual or necessary" expenses for said meetings as authorized by State law.
23. That Councilman Favro and Councilman Miller be representatives of the North Elba Town Youth Commission.
24. That John Rickard be appointed Constable to patrol the Lake Placid Lake area.
25. That the National Bank & Trust, Adirondack Bank, Community Bank, Citizens Bank and the Champlain National bank be recognized as official depositories of the Town of North Elba funds.
26. That the Lake Placid News and the Adirondack Daily Enterprise be designated as the official newspapers of the Town of North Elba.
27. That salaries and wages of all Town employees be set forth by the North Elba Town Board in accordance with section 27 of Town Law.
28. That the Town Clerk be empowered in the absence of the Supervisor and/or Town Board to open all competitive bids, record same and report to the Town Board.
29. That the mileage allowances for official Town business be \$.50.5 per mile.
30. A petty cash fund of \$100.00 be established for the Town Clerk.
31. A petty cash fund of \$200.00 be established for the collection of taxes by the Town Clerk/Tax Collector.

Organizational Meeting
January 03, 2008

32. That all travel expenses (including mileage) must be itemized and/or logged and/or documented before payment.

Supervisor Politi asked for a second on items #19 through #32 as presented. The motion was seconded by Councilman Rand. Discussion?

There being no further discussion the motion was unanimously carried with four in favor and none opposed.

Supervisor Politi then continued to read the Organizational procedures.

33. That the Town Superintendent of Highways be authorized to purchase materials and equipment not to exceed \$5,000.00 without prior approval of the Town Board.
34. Authorize the payment in advance of claims for utility services, postage, freight, fire protection and express charges.
35. That the hiring and firing of all Town, Park District and Highway employees be subject to prior approval of the Town Board except as otherwise provided by the Policy Manual and /or statute.
36. The Town of North Elba shall provide for the defense and indemnification of Town employees who may be sued for acts or omissions in their official capacities as provided by Section 18 of Public officers law and the Town of North Elba Local Law 1980.
37. That the Supervisor be empowered to execute and sign all contracts and agreements for services on behalf of the Town of North Elba.
38. That the Supervisor is authorized to file a copy of the Annual Report of the Town (90) days after the close of the 2007 fiscal year and cause the Clerk to publish a summary of the same in the Lake Placid News.
39. That all appropriation accounts of the Town of North Elba, the North Elba Park District and all special districts be encumbered and such balances carried forward to the 2008 appropriations for the purpose of paying the 2007 amounts encumbered.
40. That a third party custodial account be assigned to all investment procedures as per Town of North Elba Resolution of 3/8/88.
41. That all monies received by the Town Clerk as Tax Collector shall be deposited within 72 hours of their receipt at an official depository of the Town of North Elba.
42. That all monies be invested in interest bearing at any and all times whenever possible.
43. That the bills for audit be either certified or notarized.
44. That there shall be a charge of \$15.00 on each check tendered as payment to the Town which is returned for insufficient funds pursuant to General Municipal law Section 85.
45. That the Supervisor, in consultation with the North Elba Town Board, shall have the authority to appoint a Grant Writer for the Town of North Elba.
46. That the approved minutes of any regular meeting or special meeting of the Town Board may be posted on the Town web site.
47. That all Municipal Officers and Employees be held accountable for any prohibitable actions pursuant to Article 18 of General Municipal law Section (805-a) relative to conflicts of interest and/or the disclosure of confidential information.

Supervisor Politi asked for a motion to accept items #33 through #47 of the Organizational procedure as presented. Councilman Damp seconded the motion as presented. Discussion?

Councilman Damp stated on #46 the word may be replaced with the word will.

Catherine Gregory asked if on number #34 can we include statutory debt in that.

Organizational Meeting
January 03, 2008

Supervisor Politi stated how do you want it to read?

Catherine Gregory stated just add it to the end of that list of fire protection, express charges and statutory debt.

Supervisor Politi stated do you want to explain that?

Catherine Gregory stated we have bonds that come payable and sometimes the bills or notices that we get for them come in after claims are processed one month and before they will be due before they are processed the second month and to avoid late charges and nasty phone calls. She stated we have been doing it all along.

Supervisor Politi asked for approval on the provisions 33 through 47 as modified. The motion was seconded by Councilman Damp. There being no further discussion the motion was unanimously carried.

48 Procurement Policy:

Whereas:, Section 104-b of the General Municipal Law (GML) requires every Town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, 103 or any other law; and WHEREAS, comments have been solicited from those officers of the Town involved with procurement; NOW, THEREFORE, be it
RESOLVED: That the Town of North Elba does hereby adopt the following procurement policies and procedures.

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, 103. Every Town Officer, Board, Department Head or other personnel with the requisite purchasing authority (hereinafter purchaser) shall estimate the cumulative amount of the items of supply of equipment needed in a given fiscal year. That estimate shall include the canvass of other Town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of a) supplies or equipment which will exceed \$10,000.00 in the fiscal year or b) public works contracts over \$20,000.00 shall be formally bid pursuant to GML, 103.

Guideline 3. All estimated purchases of:

- * Less than \$10,000.00 but greater than \$3,000.00 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- * Less than \$3,000. but greater than \$1,000. require an oral request for the goods and oral/fax quotes from two vendors.
- * Less than \$1000. are left to the discretion of the Purchaser.

All estimated public works contracts of:

- * Less than \$20,000.00 but greater than \$10,000.00 require a written RFP and fax/proposals from three contractors.
- * Less than \$10,000.00 but greater than \$3,000.00 require a written RFP and fax/proposals from two contractors.
- * Less than \$3,000.00 but greater than \$500.00 are left to the discretion of the purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with documentation supporting the subsequent purchase of public works contract.

Organizational Meeting
January 03, 2008

providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting the judgement shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services.
- b) Procurement of insurance requires two quotations, verbal or written
- c) Sole source situation
- d) Goods purchased from agencies for the blind or severely handicapped
- e) Goods purchased from correctional facilities
- f) Goods purchased from another governmental agency
- g) Goods purchased at auction
- h) Goods purchased for less than \$250.00
- I) Public works contracts for less than \$500.00

Guideline 7. This policy shall be reviewed annually by the Town Board at its Organizational Meeting or as soon thereafter as is reasonably practicable.

Supervisor Politi moved the motion to accept the Procurement Policy item #48 guidelines 1 through 7. Councilman Rand seconded the motion. Discussion? There being no discussion the motion was unanimously carried.

Supervisor Politi stated there is no further business to come before this Board.

Councilman Damp moved and Councilman Rand seconded the motion to adjourn the Organizational meeting at 4:35 pm

Supervisor Politi stated this is the end of our Organizational Meeting and thank you everyone for coming.

Respectfully submitted,

Denice P. Fredericks
Deputy Town Clerk