

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

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 Doty, Councilman Rand, and Laurie Curtis Dudley

Others Present: Chris Knight, Jon Alexander, Ron Briggs, Larry Straight, Sean Ayers

Supervisor Politi opened the Regular Town Board meeting at 7:00 pm by asking everyone to stand and honor our Flag with the Pledge of Allegiance.

Supervisor Politi asked for a motion on the minutes of the Board meeting on March 9, 2010 and minutes of the Public Hearing

Councilman Doty moved and Councilman Miller seconded the motion to approve the minutes as written and presented. There being no further discussion, the motion was unanimously carried by those present with Councilman Favro abstaining because he was absent at the March 9th meeting and Councilman Rand was absent at this point.

Approval- Local Law – Condominiums

Supervisor Politi stated last month we had a Public Hearing on the proposed Town Law with regard to the conversion of Condominiums in the Town of North Elba. No one appeared at that meeting to object to that Law. I would ask that we move toward the enactment of the Local Law that will not take place until it is filed with the New York State Secretary of State. He stated we can enact that local law subject to those conditions.

The Local Condominium Law is #1 of the year 2010 and is on file in the Clerk's office.

Councilman Miller moved and Councilman Doty seconded the motion to enact the Local Condominium Law as written and presented.

Roll call vote: Councilman Doty; AYE, Councilman Miller; AYE, Councilman Favro; AYE, Councilman Rand; AYE, Supervisor Politi; AYE

There being no further discussion the Local Condominium Law was passed unanimously.

Transfer Station – Brush & Punch Cards

Punch cards:

Supervisor Politi stated we talked about the punch cards down at the Transfer Station. For purposes of renewing that conversation, are there any changes?

Councilman Favro stated Larry Straight and I talked and decided to give it a little more time and see what we can do to ensure to make it more consistent.

Supervisor Politi confirmed that the Transfer Station will keep the punch cards the way they are for the time being and see how it works out.

Brush:

Supervisor Politi stated as you know the DEC passed a regulation regarding outdoor burning. I'm sure you have had people call you and I have certainly had people come in to the office to talk to me about the fact that they are accumulating brush and don't know where to take it. My understanding is at times we have put brush into the compactor which is not necessarily a healthy thing to continue. We are taking measures to allow local people to bring brush into the Transfer Station, and will talk about the cost of accepting brush later on the agenda.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

RFP – Saranac Townhouse Painting with insurance requirements

Supervisor Politi stated one of the things that we originally neglected to do was to outline the Town insurance criteria. He reads the following RFP:

Painting RFP

*The Town House of North Elba requests bids for proposal to scrape, repair and paint the exterior/interior of the Saranac Lake Town House on River Street, Saranac Lake. Exterior separate bid from interior. Contact Councilman Derek Doty to arrange site visit, at 891-1438 or 569-7448.
Subject to: Town Insurance Criteria*

Supervisor Politi stated the Board has already said to go ahead with this. Unless somebody has a change Please get a bid for us subject to that criteria.

Discussion continued regarding the minimum time requirements to run the bid and Attorney Briggs stated he will double check. Supervisor Politi spoke with Chuck Damp who said that it is not applicable to Workers Comp which Councilman Doty offered to verify with Cathy Gregory and will be included in the press release.

Councilman Miller asked if a person can bid for the job that does not currently have insurance but is willing to get it if they are offered the job.

Supervisor politi stated yes. They need to provide us with proof of insurance that meets our standard criteria.

Approve Highway Garage Security Proposal

Supervisor Politi stated Derek you were kind enough to solicit bids with regards to the security system for the Town of North Elba Highway Garage. We receive two bids and one was less than \$10,000 and meets the conditions of the procurement policy. Bids were received from Zone One Alarm; \$9,995 and Mahoney; \$13,500.

Supervisor Politi stated unless there is an objection, I would like someone to move to accept the low bid pursuant to the Highway Superintendent's review and acceptance to the conditions and specifications of the security system.

Councilman Favro Moved and Councilman Doty seconded the motion to accept the low bid pursuant to the Highway Superintendent's review and acceptance to the conditions and specifications of the security system.

Discussion continued as Councilman Doty stated either company will need to sit down with Larry so he understands everything that he is getting and to know how all the other Departments, the Village and the School, will control their own keypads. We need everybody to be comfortable with the system.

Supervisor Politi stated the motion would be to accept Zone One Alarm subject to Larry's review and acceptance of the standards and specifications as they apply not only to the Town but to the School and the Village of Lake Placid and to meet with those Department Heads to make sure there are no issues with the other Department Heads that utilize space in that facility.

Councilman Doty stated I think the terms are in the bid; 50% down and 50% when we are satisfied with the job.

Councilman Miller asked if the bids are comparable and Councilman Doty stated they were almost identical.

Supervisor Politi stated there is substantial cost savings to the tax payers by having the security system rather than having a full-time employee with benefits. We decided to this because it is in the best interest to the financial community.

Councilman Doty stated should I leave moving forward up to Superintendent Straight when it works with him to get a hold of Greg, or do you want me to orchestrate that when I get back in another 10 days.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

Superintendent Straight said he would call him and Supervisor Politi confirmed that Larry Straight will meet with the Department Heads to review exactly what will be done and to see if it is satisfactory. He reiterated that the bid is not be accepted until such time that everyone is on the same page; no harm no foul.

Supervisor Politi stated given the conditions of acceptance discussed, are all in favor of the motion?

Councilman Doty; AYE, Councilman Miller; AYE, Councilman Favro; AYE, Councilman Rand; AYE, Supervisor Politi; AYE

The motion was moved unanimously.

Resolution – National Volunteer Week

Supervisor Politi stated we have been asked by the Visitors Bureau to recognize by Proclamation that the week of April 18th thru 21st 2010 be National Volunteer Week through the Town of North Elba and Essex County. There is a ceremony to recognize those people who made a difference in this community.

The Board received a copy of the Proclamation which is on file in the Clerk's office. Supervisor Politi asked for a motion to move this proclamation and to have the Supervisor sign it.

Councilman Favro moved and Councilman Miller seconded the motion to approve Proclamation that the week of April 18th thru 21st 2010 be National Volunteer Week. There being no further discussion the motion was unanimously carried.

Arbor Day Tree City Recognition

Supervisor Politi stated the Town of North Elba has been recognized for the second year in a row by the Arbor Day Foundation as a Tree City USA. We hope the residence of North Elba take pride in the fact that they live in a community where planting and nurturing of trees is a priority. The trees are a vital component of the infrastructure of our community providing environmental and health benefits to all of our citizens. We are all happy to be a part of this undertaking and organization with our tree community.

Hire Appraiser – MH Communities

Supervisor Politi stated the MH Communities Partnership has had an ongoing Article 7 action for a number of years with regards to the reduction of their assessment. We were unable to reach an agreement on the tax assessments for the years 2006, 2007, 2008 and 2009. We were willing to make a reduction in assessment. However, they are also looking for a greater reduction in their assessment and monetary refunds. We felt that we made a reasonable offer. He stated the original assessment was in the \$6 million range and we agreed to reduce it to \$3.2 million. They are looking for their assessment to be reduced much lower, and I could not come to an agreement with them. At this point the Court has asked that we move forward.

Attorney Briggs stated there is a requirement under the rules that when a petitioner obtains an appraisal, that triggers a responsibility for the Town to also get an appraisal. Our attorneys, Hacker & Murphy, are asking for authority to hire Charlie Francis to appraise the property.

Supervisor Politi stated Charlie Francis has done work for us before. His professional fee is \$5,700 to do reports for those years, '06, '07, '08 & '09. We hope that these types of things don't end up in court and hope that they get settled.

Councilman Doty asked if this has already been to court.

Supervisor Politi stated technically yes, but it has not been tried.

Attorney Briggs stated it is now on the Trial calendar. Once it gets on the calendar it triggers a responsibility first for the Petitioner to get an appraisal report. Once they get their appraisal report in hand then it is our responsibility to also get an appraisal.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

Councilman Doty stated so we in effect have been sued and have been out of the negotiation stage for a while.

Attorney Briggs stated we have been sued for four years in a row; '06, '07, '08 & '09

Supervisor Politi stated we have been out of the negotiation stage for about a year. We have been sitting on it seeing if they would agree to settle.

Councilman Doty stated what is the difference between Mr. Francis and Mr. Murphy that represented us for Whiteface Lodge?

Supervisor Politi stated Mr. Murphy is the attorney and the Court required you provide a credible appraisal because the other side has for preparedness for court. They have obtained an appraisal, and the Judge looks to the Town and says, Gentleman we either settling this now or you need to provide an appraisal. They don't give us a copy of their appraisal.

Attorney Briggs stated you exchange appraisals simultaneously. We don't get to see theirs before we give them ours. The cost is what it is because the appraisal the Court requires for an Article 7 is different than a home appraisal for a bank loan. It is very detailed and there are certain rules of how it has to be prepared.

Councilman Miller stated the appraiser will look at the value of what it was four years ago and what is it appraised for right now?

Supervisor Politi stated it is assessed for about \$4 million dollars right now. At one point it was \$6 million. I recognize at that time we needed to adjust and try to make a deal without having to pay a refund.

Councilman Miller stated is he ok with the assessment today? Does he just want money back for years past?

Attorney Briggs stated we will know if they are happy with 2010 assessed value on the 4th Tuesday in May.

Councilman Doty stated when a Judge looks at an appraisal, he is trying to take the appraisal and compare it to the assessment. They are two totally different things.

Supervisor Politi stated they shouldn't be; they are supposed to be the same value. The problem is negotiating these things, the attorneys want to be paid now and they get a percentage. Many time they are not willing to negotiate these deals to the point where we are agreeable to reduce their assessments going forward. They want the cash because they want to get paid. That is their incentive. It is harder to negotiate these deals than it is when you get in front of the Judge. The Judge may find that the offer is reasonable and want the case to be settled.

Councilman Doty stated at this commercial scale, this guy you want to get, that is what he does?

Supervisor Politi stated yes. I am familiar with all these guys. We try to get the guy that we feel is reasonable and will do a good job. It is someone David Murphy, Attorney Briggs and I are familiar with. It is not an unreasonable fee. The last fee for the Whiteface Lodge was around \$60,000. This is \$5,700 and is something at this point we have to consider as reasonable.

Councilman Doty stated is there any chance that the community at the Cascade Acres smaller; is there something underlying to this?

Supervisor Politi stated it is solely a monetary thing. The people who live there aren't getting money back.

Councilman Miller asked if they were locally owned and Attorney Briggs stated they are from New Hampshire and that they have a number of mobile home parks around the North East.

Supervisor Politi stated we have companies that file Article 7s each year and it doesn't make a difference what the assessment is or if it doesn't change at all. Many of the large corporations

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

file. There are probably more tax certiorari filed this year because people think values have gone down. Our assessments have stayed flat with no change what-so-ever and people are not happy with it. Unfortunately in the value business, value is always changing. You have to be able to prove it and the burden of proof is on the tax payer and not the Town. We need a motion to move forward to authorize the appraisal to be started.

Councilman Doty moved and Councilman Favro seconded the motion to approve the appraisal of the MH Communities Partnership property. There being no further discussion, the motion was unanimously carried.

Resolution of Opposition – ORDA budget cuts

Supervisor Politi stated I gave each of you in your packets a Resolution in Opposition to the Proposed Olympic Regional Development Authority Budget Cuts.

Supervisor Politi read the Resolution which is on file in the Clerk's office and asked for a motion to adopt the resolution.

Councilman Rand moved and Councilman Favro seconded the motion to approve the Resolution in Opposition to the Proposed Olympic Regional Development Authority Budget Cuts. There being no further discussion, the motion was unanimously carried.

Resolution Approving Consultant agreement – Airport

Supervisor Politi stated I need a resolution approving C & S Engineering consulting services for the following projects at the Airport:

- The Block Hanger; the consultant fee is \$28,000. This part of the New York State DOT grant upgrade amounts to about \$320,000.
- The 5 Bay T-Hangers; the consultant fee is \$19,500. This is part of the New York State DOT Grant in the amount of \$333,330.
- The Security Fence; the engineering fee is \$29,750. The New York State DOT Grant for this project is \$500,000.

Supervisor Politi stated we discussed the Block Hanger with Jim Morrissey, and I did meet with Butch to go over the map and what he wanted with the fence. He does want the fence extended on the Horseshow side at a height of 6 feet but no higher. He wants to replace the one that is falling down.

Supervisor Politi asked for a motion to move the Resolution for the three consultant agreements.

Councilman Rand moved and Councilman Doty seconded the motion to approve the Consultant Agreement for C& S Engineering for the Bock Hanger, 5 Bay T-Hanger, and the Security Fence projects at the Lake Placid Regional Airport.

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

There being no further discussion the motion was unanimously carried.

Budget Adjustments – claims approved for payment

Supervisor Politi stated there are a few Budget Amendments that are somewhat extensive.

- \$210 to be transferred from the "Town Clerks Postage" account to "Town Clerk/ Equipment" fund to cover the excess cost of the new floor. Supervisor Politi stated I hope you all have had a chance to see the new office. I am so happy with not only the way the office looks but the way that it is now run. He stated it is very refreshing.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

- \$1,000 to be transferred from the “Contingent” account” to “Building Repairs” account for the elevator electronic eye installation. They do not make the eye for that elevator and we have the opportunity to get one.
- \$245,000 to be transferred from the “Fund Balance/General Fund” to “Article 7’s Judgments and Claims” for the Judgment on Whiteface Lodge Article 7. The Board agreed to take the money from Fund Balance.
- \$138.48 to be transferred from “Park District Consumable Supply” to “Parks Equipment Fund” for a pump that is necessary for the hockey box.

Supervisor Politi state the last transfer will be covered later which is the transfer of “Reserve Fund” for the Adirondack Lodge Road Bridge. We will come back to this amount. He stated can I get a motion to accept these budget adjustments as noted with the exception of the reserved monies for the bridge.

Councilman Doty moved and Councilman Favro seconded the motion to approve the budget adjustments as presented with the exception of the reserved monies for the bridge. There being no further discussion, the motion was unanimously carried.

Hiring Seasonal Employees

Supervisor Politi stated we need to hire the following seasonal employees:

- Black Fly Department;
Returning part-time seasonal technicians; Daniel Korony, Craig Wright, and Shannon Fegley at \$14.00/ hr. New hire as a Vector Control AIDE, Joseph Wilson, at \$13.00/hr. Returning long-term technicians; James VanWoertat at \$20.65/hr, Lora Couture at \$21.00/hr, John Reilly as the returning seasonal supervisor.

At the recommendation of Superintendent Larry Straight,

- North Elba Cemetery; Part-time Park attendant, William Barney at \$10.00/hr.

At the recommendation of Butch Martin,

- Craigwood Golf Course; returning seasonal, John Hence at \$10.50/hr.

Councilman Rand moved and Councilman Miller seconded the motion to approve the seasonal employees as recommended. There being no further discussion, the motion was unanimously carried.

Close Out Payment – Airport Obstruction Removal

Supervisor Politi stated we have to close out the airport obstruction removal which was for tree removal at the airport. There was a remaining balance of \$24,136.74 which is due to Terry Tree Services. It has been reviewed by Attorney Briggs. I have spoken to the State, Cathy Gregory, and to C&S Engineering about this and there are no issues with their work. The retainer should be paid.

Councilman Favro moved and Councilman Doty seconded the motion to approve the close out payment to Terry Tree Service. There being no further discussion, the motion was unanimously carried.

Transfer of Reserves; Highway Fund to Adirondack Loj Bridge

Supervisor Politi stated we need to transfer \$275,000 from the “Reserve Townwide Highway” account to be utilized specifically for bridge repair for purposes of installation of the Adirondack Loj Road bridge which would be subject to not only the approval of this Board but also subject to potential Permissive Referendum. We discussed that about \$300,000 was set aside specifically to cover the cost of repair and maintenance. We anticipate the cost to be about \$250,000. The motion would be not to exceed \$275,000 in the event there was a potential oversight on some of these projects.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

Councilman Doty stated the money is dedicated anyway.

Supervisor Politi stated that is the other part of the Budget Amendments. I need a motion to move forward to utilize those funds. If someone decides to file a petition within the next thirty days for Permissive Referendum they can certainly do so.

Councilman Doty moved and Councilman Miller seconded the motion to approve the Budget Amendment to transfer \$275,000 from the "Reserve Townwide Highway" account to be utilized specifically for bridge repair for purposes of installation of the Adirondack Loj Road Bridge.

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

There being no further discussion the motion was unanimously carried.

New Transfer Station Brush Fees

Supervisor Politi stated this is really something that involves Bob, Derek and Jack because I wasn't here. We have had a number of complaints about not being able to bring in brush. We felt that the new fees were just too reasonable a number that it made sense. We have to figure out a way to get rid of the brush which will have a cost to the Town. We are willing to take that cost but need to charge a little more so that we are at least able to accept it. He stated I did receive an email from Shannon Porter that asks "if we should make cars and SUVs pay the minimum charge of \$6. It is quite a jump in price from a \$1 to \$15. I would think \$1 would apply if they brought a small amount. We do have some that come in with quite a load in their vehicles and if we are charging a small pick-up fee of \$15 it doesn't make sense. I would think the guys should be able to use their judgment and discretion on what consists of a \$1 load vs. a \$6 load"... and so forth.

Councilman Miller stated that turns into a slippery slope.

Supervisor Politi stated that was the point. I don't think she was saying anything other than raising the issue. We are talking about brush prices for pick-ups and single axle trailers in the amount of \$15. What is that up from?

Councilman Miller stated it's up from \$1.

Supervisor Politi stated one ton to two axle trailers to \$25.

Discussion continued regarding the new pricing and where the numbers came from. In a previous meeting \$20, \$30 and \$50 we agreed upon. Superintendent Straight changed the cost to \$15, \$25, \$30.

Councilman Miller stated it is a tough decision. I know the community wants us to provide a place for brush. The State is putting us in a heck of an uncomfortable situation. People are going to have an awful lot of brush and there will be fire hazards because they won't let the Town burn it safely.

Supervisor Politi stated I heard on the news, maybe in Vermont, where all the people were burning in their backyards.

Councilman Doty stated it doesn't make any sense for a thousand fires versus one that is controlled.

Supervisor Politi stated I did learn from Don Jaques who is Emergency Services Manager at the County who said that Fire Departments can have a training program and burn anywhere. They are not controlled by the DEC. If they want to have a practice burn they can, and there is not any reason they cannot have a practice burn with our brush.

Councilman Doty stated do we have to spend another \$3,000 like the C&D pit so they can burn it.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

Supervisor Politi stated no because the DEC considers brush to be waste and yet if you buy a chipper it is still waste and therefore the same problem. We all know that this is a ridiculous rule and regulation that is not applicable to this region on New York State. It will only be a matter of time when we have a dry summer and all these fires that people are burning in their back yards becomes a disaster.

Councilman Miller stated are you recommending something?

Supervisor Politi stated I am not recommending anything. I just made a point or an observation. If the Fire Department so chooses, they can have such a fire.

Councilman Doty stated Jay at Whiteface with the miles of ski trails must have a large amount of brush that comes off of their trails in a course of a year or our Craigwood golf course. Our little golf course (Whiteface Inn) has one of our building lots packed as full as twenty feet high just in one year's time because I got nowhere to bring it.

Councilman Miller asked Councilman Rand if they are allowed to burn at Whiteface and he replied that they cannot get burn permits now.

Supervisor Politi stated that the issue came up at the Local Government Day. The question was asked of the DEC, if there were 100 fire permits around town do they believe that those 100 fires don't do more damage than one controlled burn once every couple of weeks.

Councilman Miller stated taking on the challenge of taking brush maybe a temporary solution to the problem. If we are going to provide the service then it has to be a very limited service.

Councilman Favro stated we talked about checking with a logging company who has several of the big chippers. They can ship it out and chip it all at a cost.

Supervisor Politi stated it makes good sense for us to ask Brad Jaques at the Village Fire Department if he is willing or has an interest to undertake that kind of training. I think the Town of Moriah is doing it. Again there is no statute and there are no regulations.

Councilman Favro state there is a fire hydrant at the athletic fields. It is good training. It good for the firefighters to experience the high heat and a house is not the place to first experience that.

Supervisor Politi stated it is no different than a forest fire or a backyard brush fire. It is good training and would certainly be a controlled burn. He stated we will hold off on this until such time that we can make a decision with the Fire Department. In the meantime, take brush.

Superintendent Straight stated are we charging for it.?

Councilman Miller stated right now we are taking it for \$1.

Superintendent Straight stated we are taking it at those new prices; \$15 for pick-ups and single axle trailers, \$25 for one ton and two axle trailers, \$35 for single axle dump trucks, \$50 for a tandem dump truck.

Supervisor Politi stated the prices are reasonable. He asked for a motion to accept the prices on a temporary basis. To answer Councilman Millers question with regards to Shannon Porters email about the automobiles, he stated we are not addressing it. Superintendent Straight confirmed they are currently charging \$1 for cars, SUVs and vans.

Councilman Favro moved and Councilman Miller seconded the motion to accept the new brush pricing on a temporary basis. There being no further discussion, the motion was unanimously carried.

Craig Wood Club House Replacement

Supervisor Politi stated the Craigwood clubhouse came up at the workshop meeting. Councilman Doty and I had an opportunity to go out and meet with Andrew Chary who is interested for gratis work to look at the clubhouse. If any of you have not been out there lately, the building is getting

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

to the end of its economic useful life. The shingles are coming off and the estimate last year to replace the roof was close to \$25,000. Derek looked at it today too. There is dry rot and water damage. The building is 30 years old. It makes sense, given the cost of money today and the value of that asset, that the timing may be right for us to consider removing the existing clubhouse after Labor Day and constructing a new facility that is more indicative of the environment and setting that exists out there. It is not only for golfers but to attract additional revenue with banquettes, weddings and so forth. He stated the beautiful setting is very similar to sitting out at the Lake Placid Club and looking out over the mountains. We now have this facility that is outdated and needs to be addressed. Rather than throwing good money after bad, maybe we should consider doing this.

Supervisor Politi stated there are a number of financial opportunities; we can bond for it over a five or ten year period, a five year bond is 3%. We still have a fairly substantial amount of Fund Balance monies in the Park District. I had Cathy Gregory give me an idea of how it would affect tax payers if we did bond for \$750,000 at 3%. Cathy figured it to be about .08¢ per \$1000. It is something that is very affordable for all of us now. I am not asking the Board for a motion. I just want to throw it out there on the table. It is something I want to hear from you in terms of your thoughts on preserving that capital asset which this community, I believe, thoroughly enjoys. He stated Derek was there, so I will give him the floor.

Councilman Doty stated everyone is very proud of Craigwood and it is probably one of our greatest resources. Think of another town that has a facility like that and it is protected by our Park district. This new facility will open up a new revenue base that stretches far beyond golf. It is still important to know that because the golf is so successful at Craigwood, which actually helps the whole community. We talked about Craigwood's annual "Monster Weekend". By closing down that one golf course one weekend fills every other golf course within a 50 mile radius. That brags of how successful that area is. He stated Roby is right. Money is cheap right now. I suppose a lot of people might say the times aren't right, but economically speaking and affordability you heard what it will cost. Sometimes you have to make a decision that looks farther down the road. There are many items that need to be fixed at the clubhouse; they need water storage or a domestic water system that can take care of the crowds that want to be there, having a kitchen and dining facility that can host bigger events is something that is needed. There are many events that happen downtown but there is also a great contingent that wants to be out at that country setting. Everyone that was there today is very excited about putting this proposal together and giving it a good honest look.

Supervisor Politi stated I have said this before, especially about John Brown, sometimes the most trying of times are the best of times for opportunity. I know in the real estate business the fact that the market is soft doesn't necessarily mean that it is not a great time to be active in the business. The same is applicable here especially when you are talking about the low cost of money.

Councilman Doty stated as we give that facility a chance to create greater revenues it will actually be cheaper for the tax payer to support Craigwood.

Councilman Miller stated you had said that .08¢ per \$1000 for \$750,000 is to pay back the principal and interest over 5 years. We may get that money back just on revenues alone.

Supervisor Politi stated is only .05¢ per \$1000 if you do it over 10 years but of course there is more interest. The rates vary on a five year bond and you do have attorney's fees for issuing the bond documents. It is relatively inexpensive.

Councilman Miller stated it is beautiful out there and that building is embarrassing.

Councilman Doty stated a summer vendor that wants to go there now to lease the restaurant and bar for instance is much more willing to pay twice that amount because he knows he can put 200 to 250 people in there every weekend.

Supervisor Politi stated we are talking about a year round facility. We don't use the property enough because we can't use the building year round.

Councilman Doty stated we can link up with cross country ski trails with the Jack Rabbit.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

Councilman Rand stated you have said it all except that we need tennis courts out there! We should definitely take pride in our facilities. That building is starting to fall apart and the building has to be fixed which will be an expense.

Supervisor Politi stated it was put up by a volunteer base of local residence and it has served its purpose and we now need to move on. I will have Andrew Chary put together plans so we can take a look at it and put together some numbers to see what the costs are. If it makes sense we will move in that direction. As soon as the Craigwood season is over, we'll "Git -r-done"!

Proposed Trunk Sewer Relocation – Roth

Supervisor Politi stated I have a request for proposed trunk sewer relocation from the Roths on Lake Placid. Brad Hathaway does not have a problem with it. The land owner will commit permanent utility easement over a section of the trunk sewer line to the Town of North Elba. Brad Hathaway feels that since this will be done at the owner's expense, it is replacing an old decrepit line and it saves him money, he is very happy with it. This would be approving subject to Attorney Briggs review of the utility easement and Brad Hathaway signing off.

Supervisor Politi had the plans available for the Board to review.

Councilman Doty had questions after looking at the plans and will ask Brad Hathaway at a later date with regards to there being a drywell or a pumping station at the angle on the plans.

Supervisor Politi stated I called him to make sure he doesn't have a problem because he is the one going to oversee and maintain the sewer line. He said to tell the Board that I have reviewed it onsite and am happy with it.

Councilman Doty moved and Councilman Favro seconded the motion to approve the trunk sewer relocation as presented subject to Attorney Briggs review of the utility easement and Brad Hathaway signing off. There being no further discussion, the motion was unanimously carried.

Request for NO-Cost Time Extension - Jet Fuel Tank

Supervisor Politi stated the request for a no-cost time extension came from the State. They are requiring that this letter be sent to them signed by me so that we can get an extension on the jet fuel grant money.

Councilman Doty stated I think that extension only takes you into April and Attorney Briggs responded that it is a one year extension to April 1st 2011.

Supervisor Politi stated I need a motion to sign this extension.

Councilman Doty moved and Councilman Miller seconded the motion to approve the request for time extension for the jet fuel tank grant money. There being no further discussion, the motion was unanimously carried.

Request from the After School Program - Bottle Drive

Supervisor Politi stated I want to talk about the C&D. I got a note this afternoon from Shannon Porter saying that she received a letter from Kristen Boslet from the Lake Placid After School Program in honor of Earth Day to benefit the Lake Placid Elementary School's new playground. The After School Program would like to host a bottle drive. The request states, "Would it be possible to get some assistance from North Elba Recycling Center as a possible drop location and get assistance in transporting bottles to the redemption center. If so, we could use your generosity. We would like to get the High School Students who need community service credit on board with this drive."

Supervisor Politi stated they want us to collect and take it for them.

Councilman Miller stated there are boxes of bottles down there. If they want them then they can take them. Am I wrong, Larry?

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

Superintendent Straight stated they want us to collect them and then deliver them to the Plattsburgh redemption center for then.

Councilman Favro stated so does the Boy Scouts and Girl Scouts.

Supervisor Politi stated we will tell them we are happy to collect and give them the bottles that are there but they will have to get the School District to deliver the bottles to the redemption center for the collection of the revenues. Larry will you please tell Shannon that.

Committee Reports - C& D Expansion Status

Supervisor Politi asked that Councilman Rand report on the C&D pile.

Councilman Rand stated Cindy Garso got another proposal from Tisdale. When she comes back from vacation she will report on it. Larry, please jump in anytime, I did notice that it went up \$5,000 but the Notice of Intent and the Notice of Termination is definitely in this as well as the APA permitting and the storm water.

Councilman Doty stated did they address the cost of the onsite testing.

Councilman Rand stated the cost went up from \$61,550 and its \$66,550 now. I imagine that's what the \$5,000 included. She said she was satisfied now and would like to come explain it to us. I will contact her and set up a date. There was one bid for \$65,000 but it is probably non-conclusive as well. I think we have to listen to her recommendation and take the new cost into consideration.

Supervisor Politi stated if her bid has gone up above the other bids, then we have a problem.

Councilman Rand stated her new bid reads \$66,500.

Supervisor Politi stated we need someone to review that. We need to give it to the low bidder on the same terms and conditions. They raised their bid \$5,000 and are now higher than someone else then we have a problem.

Attorney Briggs stated a big problem is that we did not have a detailed set of specs. We need to assume some responsibility for that.

Councilman Rand stated we did go the extra step to get an engineer to look at all of them so they could compare apples to apples.

Supervisor Politi stated someone on this Board made a statement that the C&D pile was in compliance. It is not in compliance. Dave Mt. Pleasant, at the DEC, put us on notice. He read in the paper that we had stated we are in total compliance and we are not. In terms of height, there are a couple of sections that re not in compliance. He stated for the record, that was our mistake.

Councilman Doty stated the total pit is not out of compliance. Certain areas have grades that are too steep. In leveling it out, we still have area to put the debris. Some areas got a little out of control and we have to grade them off.

Committee Reports - Union Negotiations

Supervisor Politi stated the Negotiation Procedures for the Union states, in the event the Union or the employer decides to reach a success or agreement the other party must notified the other in writing of its desire no later than May 1st of the last year of that agreement. Once the notice is issued, and they provided us that notice, the parties will make a good faith effort to begin negotiations no later than July 1, 2010. We talked about appointing Bob Miller and Derek Doty along with Cathy Gregory, as Human Resource Officer, and Larry Straight, as Highway Superintendent, to be part of the negotiating team. We previously approved Dan McKillip if he is needed.

Councilman Doty stated has there been an initiator yet.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

Supervisor Politi stated no. I just wanted to put it on the record with you Gentlemen. I know Jack Favro is traveling all the time, Jay Rand has done it for many years, and I do not have the energy. I would make that appointment subject to the Board's approval.

Councilman Favro moved and Councilman Rand seconded the motion to approve Councilman Miller, Councilman Doty, Cathy Gregory, and Larry Straight as a Negotiating Committee for the purposes of Union Contract Negotiations.

Councilman Doty stated we won't have a workshop session to talk about how this gets initiated. If they don't contact us and we don't contact them, how does it proceed?

Supervisor Politi stated we have to make a good faith effort and so we will do that. We have the luxury of Bob Miller having been the president of a Union.

Councilman Miller stated we will get the process started and make the initial contact. We will then all get together.

There being no further discussion and no objection, the motion of union representative appointments was unanimously carried.

Approved Audits

Supervisor Politi asked for a motion to approve the audits per the audit numbers.

TOWN OF NORTH ELBA		
CLAIMS APPROVED FOR PAYMENT 4/13/10		
	Regular	Prepaid
A FUND	95,102.01	32,068.22
DB FUND	17,907.78	9,823.11
H43 2008 AIRPORT CAPITAL PROJECT	31,140.57	-
SF1 FIRE PROTECTION DISTRICT	230,380.42	-
SF2 FIRE PROTECTION DISTRICT	-	-
SF3 FIRE PROTECTION DISTRICT	83,703.31	-
SP PARK DISTRICT	23,422.46	39,347.21
SS21 CONSOLIDATED SEWER DISTRICT	2,605.00	-
SW1 SEWER DISTRICT #1	1,020.00	-
SW2 MCKENZIE	-	73.80
SW3 RAY BROOK	-	814.67
T TRUST & AGENCY	-	667.79
TE PRIVATE PURPOSE TRUST	-	-
	485,281.55	82,794.80
100130;100169; 100171; 100411; 100574-100603; 100625-100700;		
100746-100844; 100866-100868		

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

Questions from the Press

Adk Loj Bridge:

Chris Knight asked about the Highway Funds for the Loj Road Bridge; were the funds transferred from the reserves to their own fund? Where do they stand with the timing of that?

Supervisor Politi stated the transfer goes from the Highway Improvement Reserve Fund to the North Meadow Brook Bridge Reserve Fund. The bridge is coming tomorrow and will be stored behind the highway garage.

The plan is to start the bridge construction in the fall. The old bridge will be there for use while the new bridge will be put in place.

REGULAR TOWN BOARD MEETING
TUESDAY, APRIL 13, 2010

MH Communities Appraisal:

Chris Knight asked about the appraisal for the Cascade Acres; what was the difference you stated from the initial assessment to what they are asking.

Supervisor Politi stated I think the assessment was in the \$6 million range and they want it to be reduced to the \$2 million range. We were willing to reduce the assessment, but not that far. It is a substantial reduction.

County increase in taxes:

Jon Alexander asked Supervisor Politi about the possible 30% tax increase for the County.

Supervisor Politi stated 30% sounds like some huge number. It's important to remember that the tax rate for Essex County is one of the 5th lowest in the State of New York. It is currently about \$3 per 1,000. From a county standpoint, economic times are tough. We were looking for ideas to generate revenue and cut costs; more of a temporary thing. Will it continue? No. It is best to reduce costs that will affect everyone rather than just pick on certain portions of the employee base and give an increase of pay to some and not others. We are looking at freezing salaries for everybody. It may be necessary to do that. We talked about potential savings with Horace Nye Nursing Home. It is impossible for that to happen this year, but we have to consider the potential of privatization or continuing what we are doing into the future. We know we cannot solve the problem this year or in 2011 but we may be able to solve the problem in 2012 or 2013. You have to take steps now to save money in the long run. The Deficit Reduction Committee is trying to find ways to save taxpayers money.

Councilman Miller stated I was surprised to hear on the news that Tom Scozzafava had never heard anyone be concerned about the County owning the nursing home.

Supervisor Politi stated Counties are closing nursing homes left and right. They are not closing them in large population areas like Albany. Horace Nye nursing home only has 100 occupied beds. We have 115 employees. If we do not get the NYS GTI money, it is going to cost the County \$4 million a year out of the Fund Balance just to break even. You cannot do that every year. The County has been taking \$7 million from the Fund Balance every year and it just doesn't last that long, especially in hard financial times. If the County can save money by privatizing the nursing home and keep the employees, than that is the best way to do it rather than close it and people not having jobs. We are looking for alternative ways to save money as well as alternative ways to raise money. He stated we talked about increasing sales tax to 8%. Most of the Counties around this area are at 8% and we are currently 7 ¾%. By raising the sales tax ¼%, it generates \$2 million in revenue. People will still come to Lake Placid and stay in our hotels even with the ¼ % increase in sales tax. I have spent the last three months in New York City and nobody has an idea what it costs. Compared to many other places, this is still a cheap place to visit. The fact is, we can't control bad economic times. The Landfill, for example, the revenues are down. The question was, should we raise revenues. We can raise the cost all we want, but the people that don't have the money aren't going to the transfer Station. You just aren't going to increase the revenue. It is just the sign of the times, and they will change.

Adjournment to Executive Session:

There being no further business to come before the Town Board, Councilman Doty moved and Councilman Miller seconded the motion to go into Executive Session for the purpose of discussing the legal contract with a union with regards to health insurance at 8:20 p.m.

There being no motions made Councilman Favro moved and Councilman Miller seconded the motion come out of Executive Session and to adjourn the Regular Town Board meeting at 8:45 p.m.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk