

REGULAR TOWN BOARD MEETING
TUESDAY, JUNE 8, 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, John Alexander, Ron Briggs, Larry Straight, Mary Liz Alexander, "Paw Print Park" representatives; Katrina Kroes, Mandy Mihill, Rick Retrosi, and Cary Donatello

Supervisor Politi opened the Regular Town Board meeting at 7:00 pm by asking everyone to stand for the Pledge of Allegiance.

Supervisor Politi amended the agenda removing item "e", LP Airport Jet Fuel Distribution & T-Hanger until additional information is received from C&S Engineering and replaced it with a Marriage Officer request.

Supervisor Politi asked for a motion on the minutes of the Board meeting on May 11, 2010 and minutes of the Public Hearing.

Councilman Favro moved and Councilman Doty seconded the motion to approve the minutes as written and presented. There being no further discussion, the motion was unanimously carried with Councilman Rand abstaining because he was absent at the May 11th meeting.

GUEST SPEAKER; KATRINA KROES – "PAW PRINT PARK"

Katrina Kroes addressed the Board well prepared with park designs and a Power Point presentation of "Paw Print Park" which will replace the Lake Placid Elementary School Project Playground. Both the designs and the presentation are on file in the Clerk's office.

Mrs. Kroes stated the current playground is over 20 years old with broken features and unsafe ground cover. It has been an amazing playground and the school has been lucky to have it for over 20 years. It is time to replace it. We have the opportunity to build anything. We would like it to be something that sets our community and school apart as well as an asset to both our school and our community.

The playground committee is comprised of school administration, teachers, parents, and interested people in the community. There are approximately 30 people involved. Research began in 2008. They found three different solutions:

1. Maintain Existing Structure; Leathers & Associates who build Project Playground stated that they could bring it up to code now but would only get a few more years of use because of the splintering. They did not think this was a very good option.
2. Purchase New Traditional Playground; received four quotes that ranged from \$100,000 to \$150,000. Ready to go in that direction until the Wild Center opened the Pines which caught their attention.

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3. Create a Nature Inspired Playground; became their commitment and are excited about building it on the elementary school property.

A Nature Inspired Playground is a play space made of natural materials, structures and features where children play, run, climb, build and learn. Children direct their own play stimulating imagination, creative play, social interaction, intellectual and physical growth as well as motor fitness.

Paw Prints of animals and children will be found throughout the park. A wheel chair accessible tree house is a goal if the funds are available. Tunnels are made out of willow trees or out of vines and music is a big part of the Nature Inspired Playground. The playground offers four season play; space to spread out, trees for shade and an outdoor classroom for the children to learn about the natural eco systems. A vegetable garden could be ready to open as early as next week. The kids can see the growth of a seed to a vegetable and in to the cafeteria. The topography is used for the layout of a Nature Inspired Playground. The hill behind the school will be used to build a large Otter Slide someday.

The committee visited a playground in Vermont. The school has had their playground for two years and the principal spoke very highly of the Nature Inspired Playground. A video of the Vermont school can be found on the LP Central School website <http://lps-lpds-ny.schoolloop.com>

The Committee has reached out to the Lake Placid School Board, Variety of Community presentations, local clubs, LP Village Board, APA meeting and consulting with the Wild Center throughout. They received designer contacts through community presentations. The name "Paw Print Park" was chosen from a school contest and the Gallagher family won. The logo is designed by the Art teacher at the LP Elementary School. The children drew designs of what they hoped the playground would be. The Natural Playground Company gave a design quote of \$14,000 however Andrew Chary and Wynde Kate Reese have donated all of their design services.

Funding events thus far raised \$17,222.08 between an Italian dinner, Arbonne sale, Flower Power sale, Fox Farm wreath sale, and the Spring Carnival Silent Auction. Future events include a family golf day at the Lake Placid Club, host the craft table on Green Market Wednesdays at the Center for the Arts, Ironman Aid Station, Paw Print stepping stones to sell for the park and a fun run is planned for the fall. Community appeal letters are in the process of being mailed. Word of mouth has already raised \$20,815. The community is very supportive.

Foundation Grants are where a big part of the funding will come from. To date they have received \$5,400 plus a Uihlein Foundation challenge grant which will donate \$1 for every \$2 raised this point forward. The grant has a \$20,000 cap. They have also applied to a variety of foundations for possible grants. The goal is to raise \$100,000 of which they have \$43,437.08. The school in New Hampshire spent about \$140,000 but they hope that in-kind services off set the difference.

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Supervisor Politi stated I think it is a great idea and the concept innovative. I wasn't aware of this when I walked in today. It's just beautiful. I know you have been asked this before, but you were concerned about splinters now. With the natural product, you are probably going to have the same problem.

Councilman Miller stated the difference would be that the old playground has arsenic in the pressure treated wood.

Mrs. Kroes stated if we exceed our goals in raising money, Jim McKenna recommended that we start a fund with ACT for maintenance. The rocks and mounds are not going anywhere but the logs will need to be changed and maintained. The garden will also need maintenance.

Councilman Doty stated we live in an area where logs and the rest are our way of life. You are spending \$100,000 with a company that is coming to show us what we do. Many of us can construct things like your balance beams. Is there a certification that this company gives you that you can't get by having for example Paul Mitchell from Tupper Lake come in and give you all your walkways?

Mrs. Kroes stated we chose not to go with that company. We are doing it ourselves. \$100,000 is lower than what he had quoted. We know the tree house and the otter slides cost money. There are things that can be done in-kind and we are counting on that. If the Town has trucks that can haul rocks from somebody's property for our bolder labyrinth then that is awesome. If you are taking down trees for the power lines then bring them on over.

Supervisor Politi stated it's a combination of efforts that would be fairly easy to coordinate with all of our municipal entities. The real key here is money. It's nice to provide in-kind services, which we certainly can do. You need to raise money and it is essential to get this off the ground. You have done a great job in raised close to \$44,000. Did you get a commitment from the Village at all?

Mrs. Kroes stated not a financial but an in-kind commitment. They already started by building the garden beds. We needed two big culverts for the kids to climb through and they said they could find some, but no financial commitment.

Supervisor Politi stated I don't have any problem telling you that I would entertain a financial commitment on behalf of the Town. The people in the Village also live within the Town. To have the Village also give financially would essentially be hitting them twice because they are paying tax dollars via the Town. We can also help with in-kind services. These are the kind of projects that we like to do if we can find money and make it available. These are the type of things that we want to make the money available because it benefits the community. This is something that benefits everyone. How do you feel about moving in that direction, Gentlemen?

Councilman Miller asked if the school was making a financial commitment.

Supervisor Politi stated one way or another; the taxpayers are going to pay.

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Councilman Miller stated I was concerned to know if the taxpayers were going to pay three times. If it is one entity paying then it makes sense.

Supervisor Politi stated the school is contributing the land, the Village is contributing in-kind and we are going to do the same and add financial. If anyone has financial wows right now it's the school.

Councilman Favro stated this is the type of thing that we should be doing for the community.

Councilman Doty stated if you look at our Town efforts in expenditures outside of actual government costs they are always oriented toward the youth. We have a long standing support for the youth.

Supervisor Politi stated we support so many programs for the young and the old not only here in the Town but also the Village of Saranac Lake. This fits in quite well. The question is how much, and of course Cathy is not here, I think that we could consider \$5,000?

Councilman Doty stated as we go through the agenda I will find you some of that tonight.

Supervisor Politi asked the Board what they want to make available to the organization this year. It is not a budgeted item. Councilman Miller wished to talk about it at a later time.

Councilman Rand stated the last playground was done with every contractor and every Village Department working together. The community of Lake Placid and Saranac Lake came together. It was so well organized.

Mrs. Kroes stated it will be a tough act to follow. We are building it in phases because we know we cannot raise all the money before two weeks from now. Phase 1 includes the garden, a Beaver House, a Bear Climbing Wall, Log Balance Beams and a Bunny Hop. The current playground will stay for one year and the plan is to tear it down next June 25th just as school ends. The mounds have tunnels going through and a slide going down. The kids can bolder climb up to the mound. I have two in front of my house and my kids play on there for hours.

Mrs. Mihill stated everyone we have presented this to has been very embracing as well. It is especially nice to hear this from you here. We have been talking about wanting it to be a real community endeavor and it is very steadily and very quickly building into that. Definitely, thank you for joining our group.

The Board thanked Katrina Kroes for her presentation and the committee for coming.

DEC – VIOLATION – ABOVE GROUND TANK

Supervisor Politi stated we had discussed at the last meeting the DEC violation with the above ground tanks. It is my understanding that the painting is completed and the decal upgrades will be started on Thursday by Valley Petroleum and the DEC has given an extension.

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Superintendent Straight confirmed the Supervisor Politi's statement to be accurate.

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SARANAC LAKE TOWNHOUSE PAINTING BIDS

The Town received several bids for the painting of the Saranac Lake Townhouse. Supervisor Politi asked Councilman Doty to update the Board.

Councilman Doty stated through our ads, we were in excess of 30 days accepting bids. We received bids from five contractors. The bids included the exterior of the building and two different areas of the interior; (1) the side foyer, down the stairs and downstairs (2) the main office area. Some contractors only bid certain aspects of the building. The Bids ranged from \$9,200 to \$19,000 to do both aspects. There was a huge range between contractors. If we decide to go with low bids, the low bid for the exterior of the SL Townhouse was presented by Roger Lagree at \$3,800. The low bid for the office area was \$2,725 from Sawyers Construction. Only one person bid the foyer and the side entryway. I am suggesting to the Board that we hold off and don't do that area. Our priorities are the main office and the exterior. There is no urgency to do the side foyer. It leaves us a total of \$6,500 to spend on SL Townhouse. We allocated \$10,000 so I found you a little money for the playground.

Supervisor Politi stated we need to get going on it while the weather is good.

Councilman Doty stated the only thing we need to follow-up with is to make sure their insurance satisfies Cathy.

Supervisor Politi stated will these two contractors bid individually and agree to just do a section. Will they have a problem with one contractor working on the inside and the other on the outside? And are you familiar with them?

Councilman Miller asked what Sawyer and Councilman Doty checked into his bid and it was determined to be Bruce Sawyer. Conversation continued regarding the next bid up which was determined to be Roger Lagree at \$5,400. The other contractors only bid the exterior. Councilman Doty said he would go back and review the original two and break it down and email it to everyone.

Supervisor Politi was concerned that one bid is \$2,700 and the next is \$5,400. Councilman Doty said their explanations were identical.

Attorney Briggs stated did they tell you what kind of paint they were using.

Councilman Doty stated all of them mentioned that they were going to use all acceptable environmental paints. In fact I had one contractor comment did he fall under the new laws on finishing led paint. The SL Townhouse does not fall under those regulations. Residential, school and hospital do fall under those regulations.

Supervisor Politi stated you said you were going to put together a synopsis for each of the Board members.

Councilman Doty stated I will come down and do it with Laurie and we will put it in everybody's folder.

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Supervisor Politi stated then awarding of the bid will be subject to the insurance.

POLICE TARGET SHOOTING RANGE

Supervisor Politi stated the Lake Placid Police Department gave a presentation at our workshop meeting and have an interest in developing a shooting range at the North Elba Landfill. They have received a jurisdictional determination from the APA that the project does not pose any violation of any regulations. The range would be built at their expense. It would be built on the very northeasterly end of the landfill. It is an area that provides adequate protection and would most likely squelch sound. Berms will be built. It will not be open to the general public. It will only be opened to police personnel and administered by Assistant Chief Bill Moore who is also Range Officer. He would be present, and practice would only occur on Thursday when the landfill is closed. I do not want them shooting in the evening and would prefer they shoot during the work day on Thursdays.

Councilman Doty stated do we need a rider on our liability insurance for the Town having a range. Do we need an MOU on this for Village Town relations? Little by little we are doing that with every shared service.

Supervisor Politi stated it is a good question, but I doubt it is an issue. If it were then ORDA would have a problem with it at their different ranges. The Fishing Game Club would have more of an issue than anyone. I do think it's a good question to address. The Village of Lake Placid would have to hold the Town harmless. An MOU is important for every shared service.

Attorney Briggs stated they have agreed to hold the Town harmless. It wouldn't hurt to have an MOU.

Supervisor Politi stated we also have to consider the Highway Garage lease agreement which is over 20 years old and probably should be modified and updated.

Supervisor Politi asked Councilman Miller his professional thoughts being a retired Range Officer.

Councilman Miller stated I am surprised they don't have led collection with shredded tires. I will not object. I'm just surprised. Law enforcement needs a range.

Supervisor Politi stated the Range will include movable targets only. The APA permit states no structures proposed.

Superintendent Straight stated Bill Moore talked about putting up a shed for the targets.

They will be shooting down in a pit and using sandbags as backstops with approximately 10 feet berms all around. The shed could be portable. The Board agrees that the Fish and Game Club is not a safe place for the police with kids playing just yards away.

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Councilman Rand stated it has to be carefully monitored, spelled out who can use it and the hours of operation. Above anything it has to be monitored as Bill was suggesting when he gave his presentation. Noise is a concern.

Supervisor Politi asked for a motion subject to an agreeable Memorandum of Understanding between the Village and the Town that shows clarity in terms of days, time and administration.

Superintendent Straight stated who do you want on the Town's side to sit down and talk to Bill Moore about what we want. Do you want a Board member to do it or do you want me to do it?

Supervisor Politi stated I haven't thought about that; probably me. I can meet with the Mayor and the Police Department and tell them what we expect. If that is alright with you, then we should move a resolution to approve it subject to those conditions.

Councilman Favro moved and Councilman Miller seconded the motion to approve the Lake Placid Police Department shooting range located at the North Elba landfill subject to the Memorandum of Understanding between the Village of Lake Placid and the Town of North Elba. There being no further discussion, the motion was unanimously carried.

Councilman Rand suggested using Councilman Miller's expertise to be the Board representative and Supervisor Politi agreed.

ECONOMIC DEVELOPMENT STUDY – RAIL/BIKE CORRIDOR

Supervisor Politi stated as you remember Chuck Damp is our Town of North Elba appointed representative of the Recreational Corridor Taskforce. At the last workshop meeting, he requested the Town approve the commissioning of a study to present supportable conclusions on the relative economic impact of the rail corridor. The study is on two particular aspects; rails-without-trail option which studies the expansion of the rail road for passenger transport to Tupper Lake. The other option is rails-to-trail which studies the abandonment of the rail road to a conversion to multiuse recreational pathway. The study would consider the conversion on both a permanent and temporary basis. An RFP did go out with regard to those particular items. I received three bids; Rails-to-Trails Conservancy in the amount of \$25,452, Comoy, Barton & Loguidice in the amount of \$44,995 and the LA Group in the amount of \$69,572. It is my understanding that there is currently \$55,000 being held by ANKA. Cathy Gregory has indicated that there is about \$16,000 in the savings account which she controls with regard to expenditures for the Bike Path. There is enough money in these accounts to cover the cost. Chuck Damp did feel that the bid from the Rail-to-Trails Conservancy might be tainted in they might have a conflict of interest in the outcome of that report. It may be best if we pass over that particular bid. He has recommended that we consider the bid from Comoy, Barton & Loguidice in the amount of \$44,995. We tabled the original development plans due to cost constraints. We had a meeting with the rail road and discussions with those that are only advocating a recreational trail. It may be a good idea that we have nonbiased information justifying what might be the best direction to go. He stated I would like to open it up for discussion.

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Councilman Favro stated I agree. It would give options and good information and leaves people's feelings out.

Councilman Doty stated I too agree. My only point of moving forward is for closure. This effort has been underway for six or seven years now, and we need to decide a direction.

Supervisor Politi stated we have been in a holding pattern. I hate studies because they typically cost a lot of money and ends up on a shelf. I will use this to make a decision as to the direction the Town needs to go. I do not want the Town caught in the situation where we can't finalize this project, and we have to pay money back. I'm not going to do that.

Councilman Doty stated many studies spend so much time and get nowhere. We will be relying on this to pick a direction. However, in this particular instance I really feel that a Phase 1 needs to be aimed at what actually can be done legally. There are questions that center around ownership of the rail road system and whether this Rails-to-Trails idea is even something that can be accomplished. I don't want to spend six months on a study if we know from day one that the tracks are staying. There is a tract from here to SL that is wetlands and if we work with the APA and find a way around that and both recreational services can work.

Supervisor Politi stated the APA has already given us a permit. The problem has been cost.

Councilman Doty stated if we know there is a way for both to work and the energy is there to promote them both then maybe it can be done.

Supervisor Politi stated I agree with that. I know we don't want to get into this study only to find out the study says it is a great concept, but you can't do it.

Councilman Miller stated the study just may say that.

Councilman Doty stated the first Phase of the study should tell us if any of this is feasible and find out right away.

Councilman Favro stated that is what Chuck Damp was saying. They were looking at what the initial impact would be at first and very methodically go through the whole thing. The other important part to note is that these are not tax dollars being spent; it's money in forms of donations from the public for the bike path. It is not tax payer dollars. We are still the guardians of the money and need to be very careful with it.

Supervisor Politi stated it says it is a legal, environmental and logistical and ownership issues relative to any alternatives will be described and evaluated.

Councilman Doty stated it is important where it is in the lineup of the study that makes a difference.

Councilman Miller stated is there a timeframe on the study as to a completion date.

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Supervisor Politi looked for the information and was unable to locate it in the scope. Memory suggested that each gave a timetable.

Supervisor Politi stated what direction would you like to go. Would you like to approve the study subject to the study undertaking the legal right-of-way and ownership concerns of the corridor first?

Attorney Briggs stated you then have to have them bid it differently. They are not going to accept a bid and do a small piece and stop.

Councilman Doty stated the scope of work needs to be re-determined. Can you see spending \$44,000 to know in the first ten minutes that it can't be done?

Attorney Briggs stated that is a very good point.

Councilman Miller stated you are always thinking Doty, and Councilman Doty replied well, we've got to pay for that playground! For which the entire room got a good chuckle.

Discussion continued regarding the ownership concerns. Before the Board approves the study they decided to take the initiative and research the ownership issue themselves. DOT gave permission for the recreational path after many years. It may be DOT that controls the RR. It was determined to have Attorney Briggs do the preliminary ownership research.

Attorney Briggs stated is there a relationship between the DOT and the group that runs the rail road. If so I will look into it and find out.

Supervisor Politi stated do you want to approve this conceptually subject to Ron's determination on the legal status of the line.

Councilman Favro moved and Councilman Miller seconded the motion to conceptually approve the rail road study subject to the ownership findings from Attorney Ron Briggs. There being no further discussion the motion was unanimously carried.

Councilman Miller gave kudos to Chuck Damp for his continued persistence.

PRIVATE ROAD NAME CHANGE – AVERYVILLE

Supervisor Politi stated we have a request for a private road name change on Averyville. The owners have asked the road be named "Ripple Way". It has been approved by the Lake Placid Fire Department and Essex County.

Councilman Rand moved and Councilman Doty seconded the motion to approve the private road name "Ripple Way". There being no further discussion, the motion was unanimously carried.

Supervisor Politi stated it's a much better name then a road in Malone called "Lovers Lane Way"!

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BUDGET ADJUSTMENTS

Supervisor Politi stated we have the following budget amendments:

\$347.00 to be transferred from Craig Wood Ground Repair to Craigwood Equipment for the purchase of a grinder for mower blades.

\$175.99 to be transferred from Parks Other Consumable Supplies to Parks Equipment for the purchase of a weed whacker/string trimmer.

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

MARRIAGE OFFICER REQUEST

Supervisor Politi asked Attorney Briggs if he had a chance to read the marriage officer law. A request for Board approval was made by Dr. Craig DuMond to officiate a marriage for a family member. The wedding is scheduled for either August 6th or 13th. Dr. DuMond would like approval for a two week period. He will not charge to perform the ceremony.

Councilman Miller stated I have never heard of that.

Supervisor Politi stated anyone can be a marriage officer as long as they are appointed by the Board. Do you want to do it Bob as another retirement job. You can leave the Range and then can call it a true Shot-Gun-Wedding!

Councilman Doty moved and Councilman Favro seconded the motion to approve Dr. Craig DuMond as a marriage officer for the weeks of August 6, 2010 and August 13, 2010. There being no further discussion the motion was unanimously carried.

Councilman Doty stated I believe that he is given a Declaration or Resolution stating the Board's approval.

PROPOSAL – LANDFILL POST CLOSURE SERVICES

Supervisor Politi stated you all have a copy of the Landfill Post Closure Services from Adirondack Landfill. The Proposal states; the enclosed agreement is for initiating the 2010 post closure monitoring program at the landfill. The Adirondack Landfill Services will conduct the post closure environmental monitoring including sampling six ground water monitoring wells. Laboratory analysis will report preparation and submittal to DEC for the 2010 annual baseline monitoring schedule for \$3,978. This is the same price as last year less \$1,000 since the two Chub River samples are no longer required by DEC. Discontinuing the collection of the Chub River samples will save an estimated \$16,000 during the remaining post-closure sampling period.

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Councilman Doty stated there are now six wells that now need to be monitored and two that were disbanded.

Supervisor Politi stated this is the same firm that we have been doing business with for years. He asked for a motion to approve the proposal for services at the landfill for post-closure.

Councilman Miller moved and Councilman Doty seconded the motion to approve the proposal for services at the landfill for post-closure. There being no further discussion the motion was unanimously carried.

APPROVE AGREEMENT TO SPEND HIGHWAY FUNDS

Supervisor Politi stated Larry has given me a proposal to spend Highway Funds for the 2010 summer season. General Repairs in the amount of \$74,700 shall be set aside for preliminary work and general repairs. In addition, improvements in the sum of \$176,880.50 shall be set aside to be expended for the improvement of the following highways; Partridge Lane commencing at Averyville Lane for a distance of 1584 ft. with 1 ½" type 6 top Mix, width of traveled surface is 20 ft with an asphalt sub base. Breezy Acres Lane commencing at McKenzie Pond Road for a total distance of 1584 ft with 2" type 6 top Mix, width of traveled surface is 20 ft with an asphalt sub base. John Brown Road commencing at Old Military Road for a total distance of 3696 ft with 2" type 6 top Mix, width of traveled surface is 20 ft with an asphalt sub base. The total is about \$250,000. He stated this is a request which is required under Town Highway Law between the Town Highway Superintendent and the Town Board subject to Section 284. We do this every year.

Councilman Favro moved and Councilman Rand seconded the motion to approve the agreement to spend highway funds. The floor was opened for discussion.

Councilman Doty stated it is about 1 ¼ mile and we are looking at \$250,000.

Superintendent Straight stated not \$250,000 for 1 ¼ mile. There is \$74,000 for repair road is not included in the \$176,000 of road improvement.

Supervisor Politi stated you are talking about dividing \$176,000 by 1 ¼ mile.

Councilman Doty stated that's a lot of money. Do you have a better base on Partridge Place to just put on 1 ½ inch? You are asking for 2 inches on Breezy Acres and John Brown.

Superintendent Straight stated we already put an inch on Partridge Place as a repair last year so we don't need as much on that road as we do the other two roads. I can break it down for you as to cost per road if that is what you are looking for.

Supervisor Politi stated that is fine. These are the primary roads where the money will be spent. There are other roads that are not listed. He asked for a roll call vote.

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Roll call vote: Councilmen Doty; Aye, Councilman Miller; Aye, Councilman Favro; Aye, Councilman Rand; Aye, Supervisor Politi; Aye.

There being no further discussion the motion was unanimously carried.

HIGHWAY DEPT REQUEST – COMPLETE PATCH LANE PAVING

Supervisor Politi stated Superintendent Straight has also made a request for the Highway Department to take \$19,326 to complete the Patch Lane paving project of 2009. The project was budgeted for \$40,512 but only \$21,186 was expended at the time.

Superintendent Straight stated we ran out of time at the end of the season. That money was transferred into the Fund Balance and now I am asking for it to be transferred back.

Supervisor Politi stated it is Fund Balance money that is already there to be utilized for this project.

Councilman Favro moved and Councilman Miller seconded the motion to approve the transfer of funds from the Fund balance back to the Highway Department Patch Lane paving project. There being no further discussion, the motion was unanimously carried.

HIGHWAY DEPT REQUEST – COMPLETE THEIANOQUEN WAY

Supervisor Politi stated the Highway Department is requesting the remaining \$15,211 to complete work on Theianoguen Way. This was money which was Bonded and not utilized.

Councilman Favro moved and Councilman Doty seconded the motion to approve the release of the bonded monies for the completion of Theianoguen Way. There being no further discussion the motion was unanimously carried with Councilman Miller abstaining due to his living on Theianoguen Way.

Roll call vote: Councilmen Doty; Aye, Councilman Favro; Aye, Councilman Rand; Aye, Supervisor Politi; Aye.

ZONE 1 – SECURITY SYSTEM FOR HIGHWAY GARAGE

Supervisor Politi stated the contract for the low bidder, Zone 1 Alarm System to install a security system at the North Elba town Garage building. The cost of the system is \$9,995. Zone 1 is requesting \$5,000 down payment and the remainder upon completion. This was discussed prior. He stated it is my understanding that both the school and the village have no problem with the system. It does not include the monitoring service which will come via another agreement and is approximately \$263 a year.

Councilman Doty reviewed the system and walked it out with Greg Parker and Larry Straight. It was at that time contingent on his proposed installation and the approval of Superintendent Straight.

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Councilman Doty moved and Councilman Rand seconded the motion to approve Zone 1 Security System for the North Elba Town Garage building. There being no further discussion, the motion was unanimously carried.

COMMITTEE REPORTS – VILLAGE OF SL FIRE PROTECTION SERVICE CHARGE

Councilman Doty stated there is not much to report. Most of the outlining towns that contract with Saranac Lake Fire Department are nervous about the Village wanting to go to an assessment system. All the towns minus the Village were invited to a meeting at the Town of Franklin last week. The talk centered around assumptions with no concrete numbers. The Village of SL has not presented their plan on what it will mean for new rates. There is little to no animosity held toward the Fire Department itself, but there are some feelings out there that things will not be equitable. The system works for us over here. The assessment makes it equitable for us. I believe in the long run that the Village of Saranac Lake is trying to make things fair. Until we get numbers it is hard to put everybody around the table. He stated it should be noted that the state recognizes the assessment way of doing fire protection over any other system. It is done per call in Saranac Lake now. I look forward to the meetings down the road to calm all the parties. It is hard to guess where you will be in the line-up.

COMMITTEE REPORT – TISDALE CONTRACT

Councilman Rand stated Larry and I spoke this morning. Because I was not here at the last meeting, I confirmed with Roby that we decided to go with Tisdale and advised Cindy at Northwoods Engineering to draw up a contract. She will get the appropriate signatures.

Supervisor Politi stated I think it is best that the Engineering Company finalize the agreement.

COMMITTEE REPORTS – PAW PRINT PARK DISCUSSION

Councilman Favro stated we should talk about the park. It was a nice presentation. We have the ability to do something as far as money. \$5,000 is a fair amount to start. It is not budgeted but we have money in the Park District and other monies that can be used.

Supervisor Politi stated we have a Fund Balance we can use. We are very healthy. We have not replaced many jobs when people left.

Councilman Favro stated they have a chance to get matching funds through Uihlein; our \$5,000 is \$7,500. Maybe we can help them get the momentum going and help generate a lot more for them.

Councilman Doty stated we are not counting what we will do in-kind. We can take some of our guys with some Village guys and go over to show the community that it really is a fun community project.

Supervisor Politi stated I think it is a very worthwhile undertaking.

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Discussion continued with regard to the children playing and going back to class wet and dirty. The Board loves the playground idea.

Councilman Favro moved and Councilman Miller seconded the motion to provide \$5,000 to Paw Print Park. There being no further discussion, the motion was unanimously carried.

COMMITTEE REPORT – NEW SENIOR BUS

Supervisor Politi stated Superintendent Straight brought me a quote for a new senior citizen bus; a 12 passenger seating package with wheelchair access and air conditioning for \$44,130.79. This is a State contract price. The old bus does not have air conditioning and the door does not close. There is always something wrong with it. Will they take a trade in on the old bus?

Superintendent Straight stated I have to ask.

Councilman Doty stated we did not budget for it. Can we borrow and catch up on it next year?

Supervisor Politi stated I want to see what the trade in would be and then talk to Cathy Gregory.

Councilman Favro stated this is a really good price. We were looking to replace one similar at a price close to \$70,000.

TOWN ATTORNEY REPORTS – CASCADE/MEISTER SEWER LINE

Supervisor Politi asked Attorney Ron Briggs to update the Board on the cascade sewer line.

Attorney Briggs stated I sent everyone a copy of the operative agreement. Exhibit 3 to that agreement was the letter from Deputy Supervisor Perkins to Meister articulating the essence of the agreement that they negotiated; Meister put in the cost of the sewer line from manhole 11 to the sewer treatment plant. I suspect manhole 11 is right at their hotel property. I have not been in the field to see it and I have no maps to show it other than the map attached to the agreement which is illegible. At the time, Meister wanted to be paid in full for their cost of putting in the piping and equipment. There was a lift station in that line which had to be replaced by the Village. The agreement was that Meister would receive a \$40,000 payment at that time with the right to claim additional monies if and when a sewer district was formed which encompassed the area which was serviced by his line. He stated eighteen years later we form a sewer district and now Meister has the “right” to claim additional compensation. We don’t have to do anything but respond to their claim. They have not made a claim to my knowledge. I know they have called and said they need to be paid. We don’t have to pay them anything. They have the right to make the claim, and then we sit down and negotiate it. Brad Hathaway tells me that they have done a lot of improvements in the last 18 years; replacing the lift station and other improvements. In his opinion, the present value of the stuff that was put in 18 years ago is de minimis if anything. Having received \$40,000 might be all they are entitled to get.

Supervisor Politi stated what is the amount they say they are entitled to.

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Attorney Briggs stated if you look at the letter from Perkins, it now says that it is \$70-\$80 thousand. I will make the argument that they are limited to no more than that. What the present value of something that has been improved and maintained for 18 years. We could have it appraise by an engineer. I don't know what to do.

Supervisor Politi stated I will have to call Marry Ann Meister and tell her that she has to make a claim. She has called me and out of courtesy I need to follow up with her.

Councilman Doty stated I don't understand the basis for this.

Supervisor Politi stated they wanted to have sewer when they were building the Econo Lodge. They agreed to run the line from their place to the sewer treatment plant. If we ever formed a sewer district and added on to the line they would be paid back their expense. They did get paid \$40,000 when the Village hooked onto the line and took it to the ski jumps. There was a part of the agreement that said they would be entitled to request more money at such time that we formed a sewer district for that entire area. Based upon what they spend originally which was approximately \$75,000.

Councilman Doty stated so the discrepancy is between \$40,000 and \$75,000.

Attorney Briggs stated the maximum they could passably claim is another \$35,000. The question is what the value is today.

Supervisor Politi stated I don't think anybody anticipated it would take 20 year before a sewer district was formed. A lot of the section that they put in has had to be replaced by the Village. The question becomes did the line out live its economic use or is it in good shape. I am under the impression that portions of it are in pretty good shape. I will talk to Mary.

COUNTY REPORT – SALES TAX INCREASE UPDATE

Supervisor Politi stated there is a meeting this Thursday with regards to the request for the sales tax increase in Essex County from 7 ¾% to 8%. About 46 of 57 counties in the State of New York are at 8% or higher. We are presently at 7 ¾%. The only reason the County is considering raising it is the economic conditions that are existing. He stated we have to do two things because of the budget defecate; cut costs and increase revenues. This ¼% should generate over \$1 Million dollars. We have to make up a considerable amount more than that over the course of the year to offset what could be a substantial tax increase due to the condition of the State of New York.

COUNTY REPORT – HORACE NYE NURSING HOME

Councilman Miller asked when the County will get the report on Horace Nye nursing home.

Supervisor Politi stated we are working on the report now. The Horace Nye committee meeting will be June 21st to discuss efficiencies or inefficiencies at the nursing home. Discussions of other alternatives include privatization and/or through a sale, takeover facility, or the County doing a better job. We are looking at the possibility of a \$4 million outlay by the County. It is a difficult situation. You don't want to displace the older folks and yet it is costing us so much

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money. The good news is that typically nursing homes such as ours that are so inefficient are so attractive to the private sector. They can come in and run them efficiently and make money. Suffolk County nursing home has a 250 bed facility just sold for \$36 million.

Councilman Doty stated you could help subsidize a new private company and still save the county a lot of money.

Supervisor Politi stated that is one of the alternatives. We are a long way before we get to that point. Consultants are coming to talk about our facility and in 2004 a report was done with recommendations. We are in the process of reviewing those recommendations to see how many of them were administered and how many weren't. Are we worst off today than we were 2004 and if we are then we need to consider a different direction.

APPROVED AUDITS AS PER AUDIT #'S

Supervisor Politi stated we need to approve the audits per the audit numbers

TOWN OF NORTH ELBA		
CLAIMS APPROVED FOR PAYMENT 6/8/2010		
	Regular	Prepaid
A FUND	89812.06	141515.49
DA FUND	2802.5	0
DB FUND	8243.5	8486.2
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT	4945.94	0
H31- CODE UPDATE	24.33	0
H43 2008 AIRPORT CAPITAL PROJECT	6433.83	0
SF1 FIRE PROTECTION DISTRICT	0	0
SF2 FIRE PROTECTION DISTRICT	0	0
SF3 FIRE PROTECTION DISTRICT	0	0
SP PARK DISTRICT	37589.46	19110.24
SS21 CONSOLIDATED SEWER DISTRICT	0	0
SW1 SEWER DISTRICT #1	0	0
SW2 MCKENZIE	0	73.8
SW3 RAY BROOK	0	548.62
T TRUST & AGENCY	0	694.57
TE PRIVATE PURPOSE TRUST	0	0
	149851.62	170428.92
100411, 100582, 100662, 100680, 100809, 101079-101096; 101098-101111;		
101113-101154; 101176-101267		

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

PRESS- QUESTIONS

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John Alexander asked for more detail on the rail corridor as far as ownership; he asked if they are looking into the ownership of the rails or the bed itself and Supervisor Politi confirmed it is the bed itself.

John Alexander asked if the scope of the study is from here to Tupper Lake, why is North Elba administering the study.

Supervisor Politi stated we are administering it because we need to know the standpoint of Lake Placid side to Saranac Lake anyway. The extension of the Rail without trail side goes to Tupper Lake. A portion of the Study goes to Tupper Lake. The other portion goes between Saranac Lake and Lake Placid. We were the lead agency and we had the funding money.

Chris Knight confirmed the two options; the economic impact on extending the tracks to Tupper Lake and the economic impact of removing the track entirely.

Supervisor Politi stated there are three. We are also looking at the impact of both, the rail and trail being together as one entity.

Chris Knight asked if Chuck Damp brought this to the table with ANKA or on his own.

Supervisor Politi stated he brought it to the table because he was dealing with Adirondack Action. They were talking about the option of extending the rails to trail and were interested in funding a portion of it. They had a discussion about it and Chuck Damp brought it to us. We thought that before we could make a logical decision we need to find out for ourselves.

Jon Alexander asked for the timeline and Supervisor Politi stated the proposals are about 30 pages long and I can't remember. It is relatively short period of time.

Chris Knight asked if the \$55,000 is from ANKA and Supervisor Politi replied stating ANKA is holding about \$55,000. It is our money that they are holding it for us. He stated at some point in the near future I will meet with Kate Fish.

Jon Alexander asked where the money came from and Supervisor Politi stated donation and grant money. There is an adequate amount of money to fund the study without costing the Town.

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Miller moved and Councilman Favro seconded the motion to adjourn the Regular Town Board meeting at 8:40p.m.