

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 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 Miller, Councilman Doty, Councilman Rand, and Laurie Curtis Dudley

Members Absent: Councilman Favro

Others Present: Chris Knight, Ron Briggs, Larry Straight, Chuck Damp, James Morganson, Jim Wasson and Barry Halperin

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

Supervisor Politi asked for a motion to approve the minutes of the Board meetings on June 8, 2010 and June 29, 2010.

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.

BARRY HALPERIN – CRAIG WOOD CLUBHOUSE

Barry Halperin, with Beardsley Design Associates located in Malone, NY, worked closely with Jim Wasson, Jim Morganson and Supervisor Politi on a proposed design for the Craig Wood Club House. Supervisor Politi asked Mr. Halperin to present the plans to the board.

Mr. Halperin distributed copies of the proposed plan as well as a larger board version for review; He stated the building is approximately 5,000 sq. ft. not including the basement. The scale varies a bit from elevation to floor plan. I have attempted to stay a little modest while keeping in the Adirondack vernacular style but not overdue it. The images are purely speculative. The folks at the Golf course have seen the plans and have not yet complained. I am looking to see if I am close to what you are looking for as well as raise a couple of thoughts that go along with programmatically; one cost and the other schedule. I am under the impression the budget is potentially under \$1 million.

Supervisor Politi stated that is the ideal budget scenario but it depends on size too; whether we live with 5,000 sq. ft or if we can live with 4,000 sq. ft., modifying the size of the dining room.

Mr. Halperin stated for those who were not involved in early discussion, we went through one that was smaller and did not seat as many people. We chose to pursue the larger one.

Councilman Miller was concerned about not enough seating to fill the niche for weddings and other events. They spoke about indoor seating as well as outdoor patio seating which offers a total of approx. 150 seats. The new Club House will not compete with other restaurants and large events.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Mr. Halperin stated I'm not familiar with the dynamics of this particular market. I am following your lead. It would be an attractive place to have other events, but it may be just for golf tournaments.

Councilman Doty stated with a full golf tournament, the space here will be packed. (Jim Wasson interjected stating 144 is a packed tournament) The floor plan is perfect. The idea of having outside seating is nice but I would lend towards something that left that enclosed with screens or other window treatments so it can be usable other seasons.

Mr. Halperin stated it can be done; it is whatever you want. The seating arrangement can be tightened up and fit more. I tend to be more conservative on the numbers that can fit in the space.

Councilman Doty expressed his concern about the size of the kitchen mentioning the waitresses coming and going. He would like to see "In" and "Out" doors stating in a square kitchen movement cannot be obtained. He is looking at the investment having a revenue return to help offset the cost of building the new club house. Malone golf course has a similar situation and they do make money from their facility. Councilman Doty continued expressing his concern with the size of the bar area stating it is way too small. To fit the golfers after a tournament, at least two of the walls will need to be removed. He believes the floor plan fits but would like to see a few changes. No Less than 160 to 170 seating will accomplish what we want to do.

Councilman Miller stated the question is whether we can afford to do all that.

Supervisor Politi stated the economic time are not very good. You have to be careful about the amount of money that we spend given the economic climate that exists today. There is a certain facet of the community that would automatically be concerned about us competing with other businesses.

Councilman Miller stated we don't need to compete. We can fill a different niche. There are families like mine who could never afford to have my kids wedding at one of those places. Maybe a place like this could fill that niche.

Councilman Doty stated certainly I want any town facility to be the best it can be. I don't see an area in this floor plan where there is an area for a cooler or storage to feed 118 people. However the way to separate the pro shop and the dining room fits perfect. I like the amount of glass.

Mr. Halperin stated there are some unknowns. I am trying to work a program and budget that I am told to work to and hopefully reconcile those two things.

Discussion continued regarding the basement area which can be used for cooler space and the use of a dumbwaiter. The plans are designed with four top tables. The space can be doubled with round eight tops. The space is approximately 2500 sq. ft. which is limited to how many people will meet the code.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Mr. Halperin estimates the cost to be approx. \$250 per sq. ft. totaling \$1,250,000 which includes the building and site work but does not include the kitchen equipment. This cost could change more or less depending on the complexity and finishes. Bids have come in lower than his estimates over the last year. A publically funded housing project in Hogansburg went out to bid and only three bids were submitted. There is a market that is in the Town's favor assuming it is bid soon.

Supervisor Politi stated the Board should know that I spoke with Jim Wasson and members of the Golf Committee and talked about the flow of the office, pro shop and the bathrooms as one that make all involved happy. The bar area can always be extended to the display case. The entry door makes a lot of sense to go straight through that area. We also envisioned the possibility of the patio being in more use than is in now.

Mr. Halperin agrees with the flow of the kitchen. Councilmen Miller and Doty talked about moving walls that would allow for 50 to 70 people to stand comfortably. Councilman Doty included the possibility of moving the fireplace to the center of the dining room but the stonework cost would definitely put the Town over budget as well as block any guest speakers and a dance floor for weddings.

The plans show a 20ft. deep patio with a covered porch. Councilman Miller suggested the windows onto the patio be changed to slider doors. There are many different types of doors that can be used for that area.

Councilman Doty stated if the cooler is going in the basement; we would have to include a delivery entrance.

The basement plans do not give a second way in and out. Mr. Morganson would like two ways out especially since it is all new construction. The second exit has yet to be decided.

Supervisor Politi stated we are in a situation where we have to decide or this project does not get done for another year. The questions are; is everyone satisfied with the quality of thinking and where do we stand with the designs. Mr. Halperin has to put a plan together that is acceptable, we have to go to an RFP bid package for 30 days, then prepare a Bond Resolution, the Bond resolution will take another 30 days for the money to flow. It will be December before we could get started. Yes this is an essential aspect of this community, but we have a financial responsibility to the taxpayers to make sure this was done as economical a manner as possible while still preserving the integrity of the venue.

Mr. Halperin state the way we were approaching the project until now is a simple teardown and rebuild where the other one is. I would like to suggest build next to the existing building and then tear down the old. I am worried about the schedule. The best time to bid a project is December and January.

Supervisor Politi stated if you are going to do this type of project then it has to be down in October. You can operate out of a trailer for a couple of months in the spring if you have to. To start the project in the spring would be a disaster.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Mr. Halperin stated to meet these goals I could have the drawings and specs done in 6 weeks which brings us to the end of September. I am concerned about winter construction costs. I understand you do not want to disrupt things during your season.

Councilman Doty stated we haven't talked about water. We can build the nicest building now that does nothing without a water supply. There is a lot of underground work that has to be done before demolition.

Mr. Halperin stated there are always unknowns.

Discussion continued regarding how easy the current building would be to take down; joking that a good breeze could just knock it down for them. The new building site ideas were discussed. It was Mr. Halperin that suggested building the new one in the parking lot and then tearing down the old. Supervisor Politi would rather do it right and have everything in place to start the project after Labor Day 2011. The Board and Mr. Halperin were all in agreement to sort out the details so to be ready for demolition and construction in the fall of 2011.

Summarizing the time frame; a bid package could be at least 6 weeks, to develop an RFP takes 4 weeks, bid window is 4 weeks, after securing the Bond another 4 weeks will pass before the money is released. Realistically, it could be January. The current building is not impressive but can make it into next year. The Building can be down in September after the Craigwood Golf Tournament scheduled for September 12, 2011. They would then have three months, Oct – Dec, to enclose the building.

Councilman Miller asked why not start construction in the spring and Supervisor Politi explained they would rather use the building as it is now than have the members use a trailer. They would be without bathrooms, locker rooms or a bar. People will not be happy and membership numbers will suffer.

Councilman Rand ask if there is any possibility to build it in the back where all the parking is. It seems more logical.

Supervisor Politi stated it makes no difference. We are still talking 16 weeks.

Councilman Rand stated we can start in the spring and still use the other building.

Mr. Halperin pointed out the issue of noise as well as trucks going in and out during peak golf season. There will also be a few issues with parking.

Supervisor Politi stated it is not going to hurt to wait. The only bad thing about waiting is interest rates. Right now the rates on a bond are so low; they might not change in ten months.

Mr. Halperin stated if you want to move forward because you like what I did, then we can start talking about potential terms for me to do that. I am perfectly willing to send a draft proposal to whomever on the Board for review. I could spend a little more time to make this evolve, but at

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

some point I am going to start to feel a little pressure from those I work with. Prospecting is not out of the ordinary. It is a good thing.

Supervisor Politi stated it is nice for you to come in and talk to us, but you have too many cooks in the kitchen. Everybody wants to change it their way and it becomes very difficult. My insight came from Jim Wasson and the Golf Committee who are always there. I would lean towards Derek's ideas about the kitchen.

Councilman Miller stated and the bar, he knows about the bar!

Supervisor Politi stated we are not going to be a restaurant competing with other restaurants in the area. We cannot do that. I want to make that clear. We are not going into that business. It has to be a kitchen that will suffice.

Councilman Doty discussed different structural changes with Mr. Morganson wanting to know if they would make code. Mr. Morganson suggested this wasn't the time because he hasn't had the chance to talk to Mr. Halperin. An easy suggestion is to move the kitchen door to a double door entering into the banquet space which changes the dynamics. The design is close to the club house in Tupper Lake. Mr. Morganson would like to see the door move closer to the pro shop to offer a museum element. Jim Wasson has an idea in that respect and will discuss it with Mr. Halperin at a later date.

Mr. Morganson stated as Jay has pointed out, we can add as much patio space as we would like at little or no cost. Changing some windows into sliding glass doors accomplish those opportunities.

Mr. Damp stated the most popular lunch spot at the club is outside.

Mr. Halperin will put together a proposal consisting of a final plan and bid package for the Board to review and as set up a meeting with Jim Morganson and Jimmy Wasson to come up with a final plan as soon as possible. Supervisor Politi thanked Mr. Halperin and took the poster board copy of the plans for Craig Wood Golf Course.

JAMES MORGANSON – LOCAL IRONMAN ATHLETES

Mr. Morganson wrote a letter on behalf of the local Ironman athletes which is on file in the Clerk's office. The letter was presented to the Village Board. Jeff Edwards has not yet received a copy because Mr. Morganson wanted to inform both Boards. He stated he is mindful of these who live here, train here and race here and some race on an annual basis.

CHUCK DAMP – RAIL TRAIL MONEY

Mr. Damp stated one of the components for ANCA to release funds was the research Attorney Briggs did on the trails. We contacted the largest monitory donors; I could identify about \$100,000. I have \$72,000 committed to utilizing their monies as we see fit; obviously toward some recreational pathway and not to build the new Craig Wood club house. He stated I focused

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

on the Economic Feasibility Study. The sign off sheet states, "The Town of North Elba has authorized to utilize monies that (donor's name) donated towards a recreational pathway they have been trying to build on the rail corridor for an Economic Feasibility Study. The donor understands this study is to determine the Economic Feasibility of continuing the corridors current use or the replacement with the multi-use recreational path." That hit everything that Kate Fish was looking for. That is essentially the \$72,000 of sign on. It was not all unanimous. There was a \$1,000 donor who said no; they want their funds specifically for the building of the Rec. Path. They did not care if the train was there or not, they just didn't want to fund a study. That was the only no I got. He stated on top of that, there is a group that I have been working with that has identified other funding if ANCA is not comfortable with the answers that we have come up with.

Attorney Briggs asked for clarification on "other funding if ANCA is not comfortable with the answers".

Mr. Damp stated her letter was phrased with some proration language that wasn't very clear to me. If \$72,000 isn't enough and they wanted \$90,000, then there are additional funds that can be tapped.

Attorney Briggs stated is she talking about proration of money that has already been spent relative to what remains.

Supervisor Politi stated I believe she is looking to see that at least an X percentage of that money has approved of spend that money in this way.

Mr. Damp stated I am unclear as well. There is additional money that is available. The only reason I haven't asked them to donate now is that these funds can be cultivated into larger amounts at a future date.

Supervisor Politi stated you have the \$45,000 proposed cost well covered by sign-offs. You are now looking for this Board to move forward to approve that study.

Mr. Damp stated we have a contract with Camoin & Associates that hasn't been signed so they have not yet technically been hired. Timing wise, it makes sense to do this now. The sooner we do this the better because obviously we are going to have major changes come November, whatever side prevails. It would seem like having data at that time would be opportune.

Supervisor Politi asked Attorney Briggs if he found there was an indication from DOT of the importance of such a study.

Attorney Briggs stated he said specifically, that might be the catalyst necessary to get us to reopen and take another look at alternate uses. He made the point of saying an "objective" economic development study.

Supervisor Politi stated the ideal scenario is to have both but the study is what the study is. We don't know what they are going to say. I am in an agreement. I hate studies too.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Mr. Damp stated Roby you worked with me for two years and some worked with me for four. I am not an advocate of studies. It is an odd hat to be wearing. I looked at all the 1994 and the data that they talked about and it just isn't there; the 2004 stuff isn't there. It didn't do the homework that I think necessarily needs to be done.

Supervisor Politi stated if the donors don't have a problem spending the money on a study than I don't have a problem. They donated that money and if they want to use it for this than what do we care.

Councilman Damp stated the largest was a \$50,000 donor and they are definitely on board. I know it is not in the ANCA report but I am 90% sure there was \$25,000 paid to the Town by Betty Little by the State that it never went to ANCA because it couldn't. ANCA is there because it is a 501C3 to manage the grants. Betty's money couldn't go there so there is an additional \$25,000 that we expended down. That money should be applied to that prorated percentage.

Discussion continued regarding ANCA releasing the money; all agreed the Town "instruct" ANCA to release the money. Councilman Doty asked the status of the DOT grant; is there \$1 million left in it? Mr. Damp stated both grants are still open; the first grant was not \$1 million it was a total of a million with approx \$300,000 left. The second phase was \$1.2 Million.

Supervisor Politi stated the problem is if you use the money and don't finish the project then you have to pay it back.

Councilman Doty stated what I am leading up to; in trying to determine what this economic impact is going to show us that a multiuse rail bed is the way to go, who is going to except the cost of tearing up the tracks? I am on both sides of the coin here. I know a lot of things that you don't know Ron in relation to the State's reaction to things. One of them being if the tracks ever do come out, the bridges are coming out with the tracks because the State won't accept the liability of those bridges.

Mr. Damp stated everybody received a copy of the RFP which does address some of the costs related to that.

Councilman Doty shared his concern about the legal issues that are involved with preceding forward the historical status of those tracks and Mr. Damp informed him that it is the land that is historical. The classification of that land changing was also a concern of Councilman Doty.

Mr. Damp stated the RFP is very detailed; it may not dot every "i" and cross every "t" but it will get them a lot closer than they are now.

Mr. Damp stated we had some bids in the \$80K and with every set of facts that we asked them to hash out costs us more. They are going to have the economic impact on Lake Placid, Saranac Lake and the surrounding areas. They identified many areas as models for usage. They are also doing the same thing for the trains like the Montana line. I think this is one of the fairest shake

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

downs you're going to get. I have had a lot of positive feedback about this since it has been in the paper and very little negative.

Supervisor Politi stated we aren't saying we are eliminating anything.

Mr. Damp stated we will let the facts speak for themselves. Right now we are doing nothing on it. Bike shops get the question "where is the bike path" not "do you have one".

Discussion continued regarding the possible bike path on Old Military Rd. Unfortunately, the State cut the budget and the width for a bike path isn't there. The hope was to put in a path all the way to the USOC. It makes no sense to spend all that money digging up the road and not adding two more feet.

Supervisor Politi made a comparison to the County Nursing Home; decisions cannot be made until you have all the facts. Passing a resolution is necessary to instruct ANCA to release funding up to the amount of the contract pursuant to their satisfaction with the signed waivers.

Mr. Damp stated I have two wet signatures and the others are fax copies. I will bring them to Roby.

Supervisor Politi stated this is basically your donors instructing the Town that they would like to go in this direction.

Mr. Damp stated all of these were people I had hit up at one time or another, so it was a relatively easy conversation with most of them. There were a few sizable donations made when Rick Preston was doing the Ironman. He hyped that as the Janice Project which matched the donations.

Supervisor Politi asked for a resolution as he had previously noted.

Councilman Miller moved and Councilman Rand seconded the motion to instruct ANCA to release funding up to the amount of the contract pursuant to their satisfaction with the signed waivers. There being no further discussion the motion was carried by those present with Councilman Doty standing in opposition.

Councilman Doty stated I should clarify; it is only because my impression is that the legal fight could turn into years and I question any impact study today what it will be worth later.

Supervisor Politi stated but it is not your money or Town money. It is the donors money and they said go ahead and do it.

Councilman Doty stated when the verdict comes back, go ahead and do it. We turn into seven years in court trying to decide whether the tracks come up or not.

Supervisor Politi we didn't make the decision. We were instructed.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Councilman Doty stated we are making the decision here tonight to turn this back into a Town issue. Not into a private venue to do the study.

Mr. Damp stated it has always been a Town issue. It has been a Town project from day one.

Councilman Doty stated and the Town project was for the corridor with path. We are changing the terms of this direction.

Mr. Damp stated first off, I fully understand where you are coming from. That is the reason I was charged to do the polling; I did that and it was successful. The Town doesn't have the authority to say rip those tracks up, if that's what the facts come back. It has to be the DOT because they own it. We are just supplying them with some facts. If we are going to spend \$2 million, which could be more than \$4.5 million, then we should do our homework.

Councilman Doty stated there are so many sides to this. I can't realistically ok this knowing the efforts that Tupper Lake is going through.

Mr. Damp stated as a \$1,500 donor to their station, I fully appreciate what you are talking about. That is a beautiful building they have there and I think they will get more use out of it. But I don't know what the facts are going to tell us. The Guy who owns the paper over there was quoted as saying it would get more return off snowmobile use then he will from the train.

Supervisor Politi stated nobody has stated they are against the train.

Councilman Doty stated this whole effort did not come from people that support the train.

Supervisor Politi stated the same people you are talking about are saying utilize this money to find out more facts.

Councilman Doty stated and that is ok. You will get the study done and I need to stand where I'm at.

Supervisor Politi stated you are the one who wanted to explain your position. We just took exception.

Chuck Damp thanked the board and said good night.

DEC VIOLATION – ABOVE GROUND TANKS – UPDATE

Supervisor Politi stated as Larry stated earlier, DEC has requested more photos, copy of monthly inspection and so forth. They are obviously shorthanded. Superintendent Straight sent them their pictures. Itt is still in a holding pattern that will probably go on forever.

POLICE TARGET SHOOTING RANGE - UPDATE

REGULAR TOWN BOARD MEETING
TUESDAY, AUGUST 10, 2010

Supervisor Politi referred to a letter that was received from Jim Brooks. Councilman Doty asked to respond.

Councilman Doty stated the implication is that it is a “non-conditional use” caught me off guard but I believe we have the right to do that.

Supervisor Politi stated it is interesting that he says it is “non-conditional use” and then goes on to say if we agree to deal. It tells me that he doesn’t have a real strong position and he would like to make a deal.

Councilman Doty stated I am concerned about Bill Moore having two dozen men having to qualify and we have restricted the use of that to one Thursday a month. In training sessions there could be six Thursdays in a row that they need it and then they don’t touch it again four months.

Supervisor Politi stated Bill Moore said he is willing to work it out. The point is, we don’t have a proposed Memorandum of Understanding from the Village on this. Until we have that, this is just an issue that has to be dealt with when the time comes.

Attorney Briggs stated I spoke with Janet Bliss and she is working on the MOU.

ADIRONDACK LOJ ROAD - BRIDGE WORK.

Supervisor Politi asked Attorney Briggs for an update.

Attorney Briggs stated I spoke with Janet Bliss who represents the Carolyn Delaney Trust. She faxed over a few changes to the easement, nothing that would cause us any concern. I have made those changes and will get them back to her tomorrow. She will then have Carolyn Delaney sign them. Regarding McGregor, Tim Smith represents the McGregors. He spoke with Sarah, the wife, and as soon as her husband comes back from Athens, Georgia he will sign and they will deliver it.

Supervisor Politi stated they won’t have a problem with it because this takes less land than before.

Attorney Briggs stated we will have it in hand shortly.

Superintendent Straight stated I spoke with Tony LaVigne who said as long as Roby instructed him to do so then he doesn’t have a problem.

Supervisor Politi stated just looking for approval from the Vice Chairman!

BID OPENING- AIRPORT PERIMETER FENCE

Supervisor Politi stated we estimated the cost to be \$224,000. We received six bids ranging from \$218, 440 to \$277,705. I received a letter from Doug Bauer with C&S Engineering saying, “The

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

six bids for the above referenced project were received. The Bids have been reviewed, tabulated and the low bidder is Bruce Fence Company, Inc. 1161 Loudon Road, Cohoes, NY in the amount of \$218,440. The low bid submitted was reviewed and found to be in order. The low bid submitted is 12% below the engineer's opinion of construction cost of the project and is considered reasonable. The low bidder has completed similar projects at airports in Sidney, NY and Canandaigua, NY. The low bidder has also completed numerous projects of similar magnitude all over the State of New York. Based upon our review, we recommend that you award the security perimeter fence contract in the amount of \$218, 440 to Bruce Fence Company, Inc. By copy of this letter we are requesting NYS DOT concurrence of the award." He stated I need a motion to award the bid and for me to sign the documents.

Councilman Rand moved and Councilman Doty seconded the motion to award the security perimeter fence contract in the amount of \$218, 440 to Bruce Fence Company, Inc. There being no further discussion, the motion was unanimously carried by those present.

The fence will be black without babe wire and will be 8 feet around the soccer fields and 6 feet around the airport. A copy of the letter from C&S will be given to Superintendent Straight.

SEQR ACTION- AIRPORT PERIMETER FENCING

Supervisor Politi stated the SEQR action is required by NYS Environmental Quality Review Act effective August 1975.

Attorney Briggs stated the Negative Declaration is in that packet. You just need a resolution at this point which I sent to you.

Supervisor Politi reads the following Resolution; "RESOLVED, that the Town Board has determined that the installation of approximately 4,000 linear feet of eight (8) foot chain link security/perimeter fence at the Lake Placid Airport is an unlisted action under the State Environmental Quality Review Act and such installation will not have a significant impact on the environment."

Councilman Rand moved and Councilman Doty seconded the motion to approve resolution as written and allowing Supervisor Politi to sign the information for the DOT and FAA on behalf of the Town. There being no further discussion, the motion was unanimously carried by those present.

VILLAGE OF SARANAC LAKE – FIRE SERVICE CHARGE – 2011

Supervisor Politi stated the Village of Saranac Lake has provided us with a letter regarding the Fire Service charge for 2011. I received the letter thanking us for attention of the notice stating, "We look forward to continuing partnership. If we did not hear from you by Monday, August 16th we will be sending out your contract for your signature." The 2011 charge for Fire and Ambulance amounts to a total of \$39,281.35. We spent a combined \$41,584.33 this year. It amounts to about a \$2,300 decrease going forward. There are other towns that are going to pay more.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

They are calculating on an assessed valuation. A typical home assessed at \$150,000 will be paying \$59.80 a years for Fire and Ambulance protection under the full taxable assessed value formula.

Councilman Miller stated are the other towns doing this and will it come back to us if the other towns don't sign.

Councilman Doty stated we are locked in.

RESOLUTION CONSIDERATION- JET FUEL/T HANGERS (NEW PLAN)

Supervisor Politi showed a map of the new jet fuel/T-hanger design; He stated they don't want us to give this money back because they think it will end any money coming to North Elba in the future. The design moves additional tie downs in the area where the fuel tank was proposed to be. The whole flat area will be tie downs which gives us a lot of room for the new T-hangers. The proposed jet fuel tank would be way down on the end and can be whatever size we want.

Councilman Doty stated now that makes sense. Were the hell were they when this started?

Supervisor Politi stated this is a new guy, Doug Bauer. He did the fencing. He looked at it and said we had all kinds of space here and a trench. We can go right all over it. If we put it over by the garage and then decided we don't want to use it for jet fuel then the Highway can use it for gasoline. They also said it would be easy in that area for a plane to make a turnaround.

Councilman Miller state if we did go with jet fuel then a plane can pull up right to it and we don't need a truck now to move it.

Supervisor Politi reads Doug Bauer's letter, "This plan includes the construction of the future 10 bay T-hanger. Currently there are 12 tie downs marking positions in the proposed location. Under construction of the T-hanger, these 12 positions would be reduced to 10. However, the proposed apron expansion will delineate 12 new tie downs locations east of the T-hanger. In addition to the location of currently sited for the proposed jet fuel tank, the new alternative locations"

Councilman Doty stated what we ought to think about is eliminating T-hangers when you start parking jets things start making sense. They must have been asleep on the first go around.

Councilman Miller asked for verification.

Councilman Doty stated T-hangers do not make the money that 15 jets coming in and fueling will. This is a way to prove whether Steve is actually right in what we are going to do or not.

Supervisor Politi stated the FAA likes T-hangers because it encourages people to get planes and become more interested in the flying business. Doug Bauer at C&S feels if we give back the money we may never get it again. They would like us to approve moving forward without giving

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

the money back while we consider our options. The project is not on the current capital project plan. If you approve this, C&S will request to place this on the CIP and the Airport layout plan.

TNE & UNITED FOOD AND COMMERCIAL WORKERS AT IMPASSE

Councilman Miller and Councilman Doty reported that they have met the United Food and Commercial Workers Union, who represent the Highway and Landfill, five times with a total of 15 to 18 hours. All issues are outstanding and no issues have been resolved. Those include, bereavement, vacation, part-time employees, health & Dental, retiree health, wages, grievances & arbitration, terms of the agreement, paid time-off for personal reasons, work boots, attendance, safety bonus; the whole thing. They made no progress in negotiations. The Town negotiating team has declared an impasse.

Councilman Miller stated it is unfortunate and not where we wanted to be, but it is where we are.

NEW HIRE- SEASONAL EMPLOYEE – PARK DISTRICT

Supervisor Politi stated the Park District requested the hire of Leigh Stanton as a Seasonal Park District Attendant for \$10.25 per hour.

Councilman Miller moved and Councilman Doty seconded the motion to approve the hire of Leigh Stanton as a seasonal Park District Attendant. There being no further discussion, the motion was unanimously carried by those present.

NEW HIRE- SEASONAL EMPLOYEE- CEMETERY

Supervisor Politi stated the Highway Department has requested the hire of Zachary Fitzgerald as a seasonal laborer at the Cemetery for \$10.00 per hour. He will be mowing the Cemetery.

Councilman Doty moved and Councilman Miller seconded the motion to approve the seasonal hire of Zachary Fitzgerald as a seasonal laborer at the Cemetery. There being no further discussion, the motion was unanimously carried by those present.

BUDGET ADJUSTMENT

Supervisor Politi stated there are a couple of budget adjustments:

- To recognize deferred revenue; amend budget for remaining justice court funds from 2009 Grant revenue adding \$841.26 leaving \$1,021.26 left to expense.
- To reclassify budgeted amounts for Blackfly expenditures; \$680 spent for mapping/GIS and \$450.00 for consumables to be transferred from Blackfly Payroll totaling \$1130.00.

Councilman Doty moved and Councilman Miller seconded the motion to approve the Budget Adjustments as written and presented. There being no further discussion, the motion was unanimously carried by those present.

MOVE SEPTEMBER MEETING DATE- SEPTEMBER 21ST- SL (PRIMARY DAY)

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Supervisor Politi stated we have to move the September Board Meeting from September 14th to September 21st due to the Primary Election.

HAZARDOUS WASTE DAY- 210 CARS

Supervisor Politi stated we had 210 cars for Hazardous Waste Day but less material. It went well and was a success.

AGS & MARKET NYS. – DOING AWAY WITH DOG LICENSING

Supervisor Politi stated NYS Ags & Market are doing away with dog licensing. They are moving the responsibility to the Towns.

Councilman Miller asked if it is going to change anything for us and Supervisor Politi explained that it means more work for Laurie and Jessica.

Laurie Curtis Dudley explained that Ags & Market are not sending renewal notices or delinquent dog notices as of January 1, 2011. The responsibility will fall on the Clerk's office. The Town does get to keep the revenue.

Attorney Briggs asked if we can raise the fees and Supervisor Politi said he has Dan Palmer looking into it. A portion of the fees have to be given back.

Councilman Miller asked how many dogs are licensed in the Town of North Elba and Laurie Curtis Dudley said that there are approximately 400 licensed and about 800 that are on the delinquent list of which some might be deceased.

Attorney Briggs stated you have to license your dog. I didn't know that. I'll do that soon.

Laurie Curtis Dudley stated see you too are a delinquent dog owner!

Supervisor Politi joked that the last time your dog beat-up everyone at Whiteface Resort you are lucky you didn't go to jail because you didn't have a license.

HORSE SHOW MEETING- AUGUST 30TH (RICHARD FELDMAN)

Supervisor Politi asked if August 30th at 10am works for everyone for the Horseshow meeting with Richard Felton. All agreed and they have it on their calendars.

REQUEST CATHERINE GREGORY ATTEND NYS FALL SEMINAR

Supervisor Politi stated Cathy Gregory has requested to attend the NYS fall seminar for Accounting. The cost is \$40 plus travel expenses.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Councilman Rand moved and Councilman Doty seconded the motion to approve Cathy Gregory's to attend NYS Fall Accounting Seminar. There being no further discussion, the motion was unanimously carried by those present.

EMPLOYEE TRAVEL EXPENSE – CONFERENCE FOR ACCOUNTING SYSTEM

Supervisor Politi stated Cathy Gregory has requested to send Rose VanWormer to attend a 2010 KVS User Conference in the Village of Colonie. The cost is \$20 plus travel expenses.

Councilman Doty moved and Councilman Rand seconded the motion to approve Rose VanWormer to attend a 2010 KVS User Conference. There being no further discussion, the motion was unanimously carried by those present.

WORKPLACE VIOLENCE PREVENTION PROGRAM MANUAL

Supervisor Politi stated Rose VanWormer provide me with a copy of the Workplace Violence Prevention Program Manual. You all received copy of the manual. She made modifications based on changes I made to it. I thought it was crazy to include "homicide"; at that point it is too late. There is a standard zero tolerance and none of us will condone homicide. He stated if you have read this and do not have a problem with it then we have to pass this as a Resolution to make it effective as of tomorrows date.

Councilman Miller moved and Councilman Doty seconded the motion to approve the Workplace Violence Prevention Program as written and presented. There being no further discussion, the motion was unanimously carried by those present.

UPDATE; DR. CRAIG DUMOND TO OFFICIANT A MARRIAGE

Councilman Doty asked Laurie Curtis Dudley if she followed with the right for Dr. Craig DuMond to marry his nephew. Laurie confirmed that the Board passed a resolution a few months ago and it was mailed the next day to Dr. DuMond.

UPDATE: SL TOWN HOUSE PAINTING

Councilman Doty stated I spoke to Lou Conway. He is going to get to the Town House shortly.

DISCUSSION: TEMPORARY SIGNS

Councilman Miller stated we spoke earlier about all these political type signs that are popping up all over town. They are unsightly.

Supervisor Politi stated these are temporary signs that have gotten out of hand in this community.

Councilman Miller asked if it was legal to put signs on public property. The signs on the triangle are from the National Guard, Essex County Fair, US Luge, Placid Planet, Eric & Eric out of Albany... why are we doing this Land Use Code if we are not going to enforce these rules.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Supervisor Politi agreed. They discussed the political signs having to be removed within 5 days after the election and 30 days prior.

Councilman Miller stated do we need to now pass an ordinance stating that you can't put up temporary signs with the exception of political signs.

Attorney Briggs stated it is unlawful but nobody enforces it.

Supervisor Politi suggested Councilman Miller talk to Dave Jones who is also so upset about Political signs going up too early and staying out too late.

Councilman Miller stated I did talk to David Jones. He was upset about the political signs and meanwhile there are five private business signs around it. I don't have a problem with someone's real estate sign on someone's private property. I have a problem with the signs on the corners saying there is a house for sale a mile down this road.

Supervisor Politi stated you cannot do that in the new Code. No directional signs allowed. I don't think you can tell Jerry Strack that he can't put an Essex County Fair sign up. He owns the whole triangle but I don't know that he is aware of the other signs. You are right. It is going on everywhere and it is only going to continue.

COMMITTEE REPORTS; TRANSITION COMMITTEE

Councilman Rand stated I went to a meeting the other day. Not sure how much you are aware of, but they are thinking about a Community Development Board. The task now is to look for people who are interested in the Review Board and Zoning Board of Appeals. Tim Smith drafted a memo to the present people on those boards to see what the interest is to staying. They talked about having 5 public folks and 2 elected officials on the Community Development Board.

Supervisor Politi said the information was covered at the Joint Town/Village meeting. He joked with Chris Knight asking if he would move to the town of North Elba for a position on a board.

Chris Knight stated not with what I've been reporting on you guys lately!

ADIRONDACK LOJ ROAD - POTHLES

Not to put you on the spot Larry, I have heard a lot about the Adirondack Loj Rd. I know it is a tough road to keep in shape. Are there any plans to fill potholes?

Superintendent Straight stated I got a complaint today and probably you got the same complaint. From Jack Levitt's out, we haven't done anything in a couple of years.

Supervisor Politi stated we had hoped we had it resolved. We wanted to trade it with the State but nothing is happening, they can't get out of their own way and make a decision. You did a good job with the Mountain Road. You are going to get an awful lot of traffic from now thru

REGULAR TOWN BOARD MEETING
TUESDAY, AUGUST 10, 2010

October. It is a very busy road. If you do have time, it would behoove you to go out. Although the worse it gets the more attention it draws to the State.

Superintendent Straight stated we did have this discussion and that individual has the problem with the Loj Rd.

Councilman Rand stated I have heard it from other people too. It is a tough road.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi stated we need to approve the audits.

TOWN OF NORTH ELBA		
CLAIMS APPROVED FOR PAYMENT 8/10/10		
	Regular	Prepaid
A FUND	101474.66	84628.00
DA FUND	0.00	0.00
DB FUND	34026.66	5795.64
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT	58.18	0.00
H31- CODE UPDATE	0.00	0.00
H43 2008 AIRPORT CAPITAL PROJECT	0.00	0.00
SF1 FIRE PROTECTION DISTRICT	0.00	230380.41
SF2 FIRE PROTECTION DISTRICT	0.00	0.00
SF3 FIRE PROTECTION DISTRICT	0.00	83703.31
SP PARK DISTRICT	44035.02	50812.26
SS21 CONSOLIDATED SEWER DISTRICT	0.00	0.00
SW1 SEWER DISTRICT #1	0.00	0.00
SW2 MCKENZIE	0.00	73.80
SW3 RAY BROOK	23.24	529.15
T TRUST & AGENCY	0.00	0.00
TE PRIVATE PURPOSE TRUST	62.83	0.00
	179680.59	455922.57
100164; 100172; 101134; 101352; 101559-101621; 101642-101716		

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

TOWN ATTORNEY – MEISTER UPDATE

Supervisor Politi asked if we had ever heard from Meister and Attorney Briggs said he had not heard a word.

PRESS QUESTIONS: CLARIFICATION ON THE SHOOTING RANGE

Chris Knight asked for clarification on the status of the shooting range.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

Supervisor Politi stated we are waiting for a MOU from the Village attorney outlining what they would like to have in the agreement. We have received a letter from Attorney Jim Brooks on behalf of a joining land owner requesting that certain limitations be placed upon the use. As soon as we hear from Janet Bliss, we will discuss all of those items and hopefully come to an agreement that would be signed by both the Town and the Village. It appears to be moving forward subject to certain constraints.

PRESS QUESTIONS: LOJ RD BRIDGE WORK

Chris Knight asked for clarification on the Loj Road bridge work.

Supervisor Politi stated in order to proceed we needed to secure two easements from adjoining land owners which are in the process right now. The County has put an RFP out for bids for the abutments.

PRESS QUESTIONS: SL FIRE SERVICE CHARGE

Chris Knight asked for clarification on the Saranac Lake Fire Service Charge.

Supervisor Politi stated we are going to receive a contract from the Village. It would appear as though there is a cost savings for the Town of North Elba of about \$2,300 between Fire and Ambulance if things remained the same as last year. The difficulty with that is the ambulance budget process does not begin until September 1st.

PRESS QUESTIONS: CLARIFICATION ON THE SHOOTING RANGE

Chris Knight asked for clarification on the committee that Chuck Damp mentioned once the study goes underway.

Supervisor Politi stated Chuck has always been the representative of the Town on this. He has taken the lead on day one in terms of getting this done. I would certainly hope that he would continue in a position making sure that it goes in the right direction.

Chris Knight stated as far as any kind of committee to oversee or direct the study.

Supervisor Politi stated I am not going to tell the people how to do their study. The RFP has been done and there may have been a couple of issues that we addressed tonight with regard to historical issues or ownership. Those are the things that Chuck and Ron can talk about.

Meeting Adjourned 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 litigation at 8:48 p.m.

REGULAR TOWN BOARD MEETING

TUESDAY, AUGUST 10, 2010

There being no motions made Councilman Rand moved and Councilman Miller seconded the motion come out of Executive Session and to adjourn the Regular Town Board meeting at 8:53 p.m.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk