

PUBLIC HEARING/REGULAR TOWN BOARD MEETING

TUESDAY, OCTOBER 12, 2010

Minutes of the Public Hearing held on the above date beginning at 6:45 pm in the meeting room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York.

Members Present: Supervisor Politi, Councilman Doty, Councilman Favro, Councilman Miller, Laurie Curtis Dudley

Members Absent: Councilman Rand

Others Present: Larry Straight, Jon Alexander

Supervisor Politi called the Public Hearing to order at 6:45 pm.

PUBLIC HEARING – SL FIRE SERVICE CONTRACT

Supervisor Politi read the following notice; PLEASE TAKE NOTICE, that the Town of North Elba Town Board will hold a Public Hearing on October 12, 2010 at 6:45 p.m. for the purpose of a Contractual Agreement between the Village of Saranac Lake and the Town of North Elba regarding Fire Contract Services. Said hearing shall be held at the North Elba Town Hall, 2693 Main Street, Lake Placid, New York 12946. The notice was properly published and posted.

Supervisor Politi stated this contract shall provide Fire Department Services to the Town of North Elba for a period of one year. The Town is not required to make a payment until February 1, 2011. The period of service is from June 1, 2010 to May 31, 2011. The amount of the contract is \$39,281.35. He stated this is the same agreement we discussed at our last Board meeting and Workshop which required a Public Hearing. Last year we paid \$41,584.33. It represents a decrease in payment of \$2,302.98 which is approximately 5.86%. The contract is for fire protection, ambulance services, emergency rescue and first, squad relief and fire police protection services.

No one appeared to speak regarding the SL Fire Contract.

There being no further business to be brought before the Town Board at this time, the Public Hearing was adjourned at 6:49 pm.

Minutes of the Regular Board meeting held on the above date beginning at 7:00 pm in the meeting room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York.

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

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

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

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Supervisor Politi asked for a motion on the minutes of the Board meeting of September 21, 2010 and the Special Board meeting of October 5, 2010.

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

GREENWOOD APARTMENTS

Supervisor Politi stated I thought we would have Greenwood here. We did talk about it. I called John today and never heard from him.

Attorney Briggs confirmed that he had not heard from him either.

SL FIRE SERVICE CONTRACT

Supervisor Politi stated we just had a public hearing on the Saranac Lake Fire Contract. Attorney Briggs has reviewed the contract. I need a motion to accept the Fire Contract providing fire protection, ambulance services, emergency rescue and first, squad relief and fire police protection services with the Village of Saranac Lake. It is a one year contract in the amount of \$39,281.35 which represents a decrease of 5.86%.

Councilman Favro moved and Councilman Doty seconded the motion to accept the Fire Contract providing fire protection, ambulance services, emergency rescue and first, squad relief and fire police protection services with the Village of Saranac Lake. There being no further discussion, the motion was unanimously carried.

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

ADIRONDACK LOJ ROAD BRIDGE – AWARD CONTRACT

Supervisor Politi stated we received seven bids for the Adirondack Loj Road Bridge. They range from \$450,000 to the low bidder of \$289,803 from Stephen Miller General Contractors, Inc. of Mayfield, NY.

Attorney Briggs stated I went through all that today. I have the contract document just about done for you to sign. If you approve it subject to my review.

Supervisor Politi stated I know the County is happy with it. I would like a motion to approve this contract of the low bidder subject to final approval from the Town Attorney.

Councilman Miller moved and Councilman Rand seconded the motion to approve the contract of the low bidder subject to final approval from the Town Attorney and to authorize Supervisor Politi to sign the contract. There being no further discussion, the motion was unanimously carried by those present.

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

SEQR COMPLIANCE – AIRPORT TERMINAL EXPANSION

Supervisor Politi stated we are required to provide a SEQR Declaration with regard to the proposed new terminal expansion at the Lake Placid Airport. It is for the renovation to the existing terminal building, including the construction of small additional storage, upgrading lighting in the hanger area, upgrading bathrooms, offices and waiting lounge area.

Attorney Briggs asked Supervisor Politi to read the SEQR Negative Declaration which is on file in the Clerk's office.

Councilman Rand moved and Councilman Favro seconded the motion to adopt the Negative Declaration for the renovation of the terminal building at the Lake Placid Airport. There being no further discussion, the motion was unanimously carried.

Supervisor Politi stated this is part of that grant we talked about. We got \$346,000 for expansion of the terminal.

RAY BROOK WATER DISTRICT CONTRACT

Supervisor Politi stated I received a letter from the Village of Lake Placid Water Superintendent, Brad Hathaway regarding the Raybrook Water District. The contract between the Village of Lake Placid and the Town of North is for \$22,637.67, effective June 1, 2010. This includes 5% labor cost and 5% gas cost increase. The figure includes the fringe benefits but does not include emergency work, chemicals or materials. The contract period is June 1, 2010 to May 31, 2011. It is an increase in the charge for the water district but it has been a 10% increase for 10 years. He stated I was thinking about putting it on as a public hearing item but it has never been done in 10 years.

Supervisor Politi asked for a motion to approve his signing of this agreement on behalf of the Town of North Elba.

Councilman Doty moved and Councilman Favro seconded the motion to approve the Raybrook Water District contract between the Village of Lake Placid and the Town of North for \$22,637.67, effective June 1, 2010. There being no further discussion, the motion was unanimously carried by those present.

APPOINT JAMIE ROGERS – BOR

Supervisor Politi stated Bob Olsen died on Sunday. On behalf of all of us and the Town of North Elba, we want to recognize the time and efforts that he put in for the Town as the Chairman of the Board of Assessment Review. I want to recognize everything that Bob Olsen did for this community. He was President of NBT. He was always very conscientious man of integrity. He will be missed in Lake Placid and North Elba.

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Supervisor Politi stated coincidentally, he had decided to step down and Kim Daby had given me the name of Jamie Rogers to appoint in his place. Kim has spoken to Jamie Rogers and Jamie is interested and would like to become a member of the Board of Assessment Review. I think he would be a great candidate.

Supervisor Politi asked for a motion to approve Jamie Rogers to the Board of Assessment Review.

Councilman Doty moved and Councilman Rand seconded the motion to approve Jamie Rogers to the Board of Assessment Review. There being no further discussion, the motion was unanimously carried.

Supervisor Politi stated it would be good to have some people who have been involved in government and also younger folks to get involved in this challenging job. Bob, you too would be great at it!

APPROVAL- SEASONAL EMPLOYEE HIGHWAY DEPT.

Supervisor Politi stated Larry Straight has requested that we appoint Donald Walton as an MEO at an hourly wage of \$12.39 as a non-competitive seasonal position. The department is one short for the winter. Donald Walton will be plowing.

Councilman Favro moved and Councilman Doty seconded the motion to approve the hire of Donald Walton as an MEO at an hourly wage of \$12.39 as a non-competitive seasonal position. There being no further discussion, the motion was unanimously approved.

BUDGET AMENDMENTS

Supervisor Politi stated there are four budget amendments:

- 511.50 to be transferred from Town Clerk Postage to Town Clerk Equipment for the purchase of a new printer (\$200.00) and a new dictation machine (\$311.50)
- \$1,630.80 to be transferred from Park District Beach Personal Services to Park District Sport Office Running for the overage related to the purchase of plaques and stock medals for the half-marathon.due to increased participation.
- \$5,000 to be transferred from Park District Beach Personal Services to Park District Administration Contracts and Agreements for the \$5,000 Board approved funding for Paw Print Park.
- \$1,047.25 to be transferred from Town Garage Personal Services to Town Cemetery Personal Services due to the overage related to 10/14/10 payroll and not having seasonal employee budgeted for summer.

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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.

LOCAL DOG CONTROL LAW

Supervisor Politi asked Attorney Briggs to report on the Dog Law.

Attorney Briggs stated I made a change based upon Derek's comments in section 7(a) i; you can seize the dog when it is on the owner's property, you must first give a written notice and one weeks time within which to get a license.

Supervisor Politi stated has this been reviewed by the Village.

Attorney Briggs stated to my knowledge it has not. I have not provided it to them.

Supervisor Politi stated I would think we should have the two laws somewhat similar. We also have to have a public hearing on this.

Attorney Briggs stated I can work with Janet Bliss.

Supervisor Politi asked if everyone has had a chance to review this law and if anyone had additional comments or amendments. The Board has reviewed the proposed law.

NYS DEC – STATE AID FOR ORDA

Supervisor Politi stated Cathy received an email from Laurie King, from the NYS DEC regarding the budget for State Aide for ORDA. She has confirmed that those funds are no longer available to the Town. Her issue is, what do we do about that; cutback funding by \$100,000 to ORDA or eat the \$100,000 that the State has always given us is now gone. The Senator told me that she was surprised to hear that it was no longer and that she wasn't aware of it. It was line item C30 3895.

Councilman Doty stated it was her line item.

Supervisor Politi stated I know. As I have told you, I have not heard back from her.

Councilman Doty stated you hang in there, there's a new sheriff comin' to town!

Councilman Miller stated don't be a believer. We'll have the same financial problems no matter who's in there. It's a mess

Supervisor Politi stated yes but maybe somebody will answer the phone.

Councilman Doty stated on a serious note; with that missing \$100,000 is there a meet in the middle situation with ORDA? We haven't made our second payment yet, right?

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Supervisor Politi stated it's one of those things that we don't want to push too hard and the State say we're not going to give you anything. It is a catch 22. We have a relationship with the State of New York and yet there is a delicate balance as to what to do. Is it right that the DEC now tells us in October? Is that the way the State of New York does things, yes. In this financial crisis it does. I think I am going to rely on Betty Little to see what she can do. I certainly want to talk about it. I want to know what your opinion is.

Councilman Doty stated Ted gave a great summation of this year's budget as it is with some new revenues and some serious cuts. I don't know if the Town would be willing to suck up \$50,000 of it. I don't know how our tax base will feel about it.

Supervisor Politi stated you have to consider the contract had been going up at a rate of about 3% a year. A couple of years ago I said it was getting out of hand and it stopped. In some ways we slowed it down. It is one of those things, how far do you push.

Councilman Miller stated there is no delicate way to this. Our success depends on a great part on ORDA's success. If we hold money back from them, we may be holding it back from us.

Supervisor Politi stated the money they don't get from us, they don't get.

Councilman Favro stated they were partners with us when we asked them to hold the line, a couple of times. There was one other time before you did that Jerry Strack talked to them. They lowered it. It was escalating really high. It is a partnership that we have to have but it is a balance.

Supervisor Politi stated it is unfortunate that we find out now. For all of us it is easy if we found out in Oct of last year we would not have put it in our budget. Every indication was that the money would be there. It has been decreasing every year, but it has been there.

Councilman Rand agreed with, "all of the above".

Councilman Doty stated many people don't understand how the money that we pay to ORDA came about. It goes way back to the years when North Elba ran the arena. As ORDA came in with its venues the Town couldn't successfully run the arena.

Councilman Rand stated it was the arena and the jumps. The Town could not run them after the Olympics. Even with the Jumps being the smallest venue, there were enormous expenses with snow making and equipment.

COMMITTEE REPORTS – C&D PRESENTATION

Councilman Rand was absent at the C& D presentation and asked for an update.

Councilman Doty stated they finalized permits which are into the DEC and approved.

Superintendent Straight reported that the APA told the Engineer firm exactly what the Town had told them; they were not involved in it.

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Supervisor Politi stated they sent us a letter saying they were involved. They are hard to figure out.

TOWN ATTORNEY REPORTS

Attorney Briggs asked that the Board refer to his recent email.

APPROVE AUDITS AS PER AUDIT #'S

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

TOWN OF NORTH ELBA		
CLAIMS APPROVED FOR PAYMENT 10/12/10		
	Regular	Prepaid
A FUND	70304.23	72365.09
DA FUND	0.00	0.00
DB FUND	12746.99	17828.13
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT	0.00	0.00
H31- CODE UPDATE	0.00	0.00
RD03-THEIANOQUEN WAY ROAD DISTRICT	0.00	0.00
SF1 FIRE PROTECTION DISTRICT	0.00	0.00
SF2 FIRE PROTECTION DISTRICT	0.00	0.00
SF3 FIRE PROTECTION DISTRICT	0.00	0.00
SP PARK DISTRICT	35551.53	55316.41
SS21 CONSOLIDATED SEWER DISTRICT	24005.00	0.00
SW1 SEWER DISTRICT #1	14620.00	0.00
SW2 MCKENZIE	0.00	73.80
SW3 RAY BROOK	5.48	612.72
T TRUST & AGENCY	0.00	0.00
TE PRIVATE PURPOSE TRUST	0.00	342.33
	157233.23	146538.48
100141; 102081-102084; 102086-102091; 102093-102149; 102169-102175		
102177; 102180-102227; 102229-102263		

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

ESSEX COUNTY –UPDATE

Supervisor Politi and Jon Alexander spoke about an article written by Brian Mann.

Supervisor Politi stated it questioned whether Saranac Lake should have its own representative in Elizabethtown. The deep part of it was the Essex County vote. *(The request of funding for upgrading and renovating NCCC.)* It was probably one of the most agonizing and most difficult votes I ever had to make. One side of me said I did the right thing and the other side didn't. People don't realize, when you go down to Essex County, you can be the Supervisor of any particular community, but you are voting on issues that affect the entire county and you have to make sound judgment decisions that are in the best interest of the whole and not the few. NCCC

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is in our town. As I have stated for the record I whole heartedly do support NCCC. The timing wasn't right for that request. The College had agreed to take it off the table and at the last minute decided to force it to a vote. It was well known that Franklin County was not going to approve it. Essex County wasn't going to approve it. It became a political issue. When I made that vote, I was thinking in terms of another million dollars of debt added to a \$14 million deficit in that county. The increase in county taxes will be close to 50%. Everybody wants something and at some point you have to draw the line. If you are drawing the line on one issue, then I am drawing the line on every issue. We are facing a financial crisis in the County because of things that are happening in the State. We need to tighten our belts like we have never done before. In the long run when they get their tax bill I am hopeful that they will understand it. Unfortunately the tax bills are still going to be increased over what they would have been. We are going to do everything we can to cut costs.

Supervisor Politi stated you asked me fairly if Saranac Lake needs other representation. There is no highway tax in Saranac Lake and sales tax money which they have never gotten before. As I said kiddingly earlier; if Saranac Lake thinks it should have representation then maybe Raybrook and Maybe the Village of Lake Placid and maybe Black Brook also need representation. You have to draw the line somewhere. I was elected to make these decisions and why I am paid the big bucks!

ADJOURNMENT

There being no further business to come before the Board Councilman Doty moved and Councilman Favro seconded the motion to adjourn the regular Town Board meeting at 7:37 pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk