

REGULAR TOWN BOARD MEETING

TUESDAY, NOVEMBER 10, 2011

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 Rand, and Laurie Curtis Dudley

Members Absent: Councilman Doty

Others Present: Chris Knight, 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.

Supervisor Politi read the following notice which was properly published and posted:

Please take notice, that the North Elba Town Board will hold the Regular November Board Meeting on Thursday November 10, 2011 at 7:00 pm. Said meeting shall be held at the Town Hall, 2693 Main Street, Lake Placid, NY 12946

Supervisor Politi asked for a motion on the minutes of the Board meeting on Meeting October 11, 2011

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

PERYEA APPRAISAL

Supervisor Politi – The appraiser has been there and the evaluation is being done. We should have it in the near future.

APPROVAL OF 2012 BUDGET

Supervisor Politi – As discussed in the Public Hearing and approved by our Budget Officer, the 2012 Budget needs to be approved.

Councilman Miller moved and Councilman Favro seconded the motion to approve the 2012 Budget as written and presented. There being no further discussion, the motion was unanimously carried by those present.

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

ROAD NAME APPROVAL

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Supervisor Politi – On Adk Loj Rd they want to move the road name “Last Chance Way” to the further entrance which is a new road going into Last Chance Ranch. They want to rename the old road as “Lost Bridge Way”. We have two road changes; “Last Chance Way” being moved and “Lost Bridge Way” being the new name for the old location. Larry Straight is familiar with the road changes as well as the County and LP Fire Department.

Councilman Rand moved and Councilman Favro seconded the motion to approve the road names of “Last Chance Way” being moved and “Lost Bridge Way” being the new name for the old location. There being no further discussion, the motion was unanimously carried by those present.

Superintendent Straight has already ordered the signs.

SISTER CITY PROCLAMATION

Supervisor Politi read a Sister City Proclamation which is on file in the Clerk’s Office.

Supervisor Politi – I gave you all a copy of the Sister City Proclamation. I would like to move for the record.

Councilman Miller moved followed by a unanimous second to approve the Sister City Proclamation. There being no further discussion, the motion was carried by those present.

CONSULTING SERVICES NORTH ELBA PATHWAY

Chuck Damp, who could not attend, wanted to talk about the Consulting Agreement on the Bike Path. The topic was tabled for such.

Supervisor Politi – I haven’t heard much from the public. They want to know why the state is spending \$3 million when it is in such a bad state. They need to ask Schumer.

RESOLUTION: REGARDING BIKE LANES

Jim Morganson wrote a letter regarding complete bike lanes. Supervisor Politi read the following letter:

Re: Complete Lack of Bike Lanes

This office recently received information about the APA Permit for Old Military Road. It was disturbing to find that no accommodations for bike lanes were included in the approved design.

In fact, it appears no one even included bike lanes in the application for the permit.

Therefore, I write on behalf of the multitude of possible users who have been shortchanged by the lack of inclusion of a bike lane along Old Military Road.

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Sheer frustration is another compelling reason to question how come roads continue to be maintained without addressing the need (express desire) for safe biking/multi-use lanes.

In the example of Old Military Road, numerous studies were done and hours of engineered surveying was completed. Public Hearings took place and promises were made. Local citizens had a high expectation that bike lanes were part of the design.

In fact, everyone who attended the Public Hearings were told bike lanes would be included. The plans the public saw included bike lanes.

This community has a Comprehensive Plan that supports the need for including bike lanes. Various times during the year we all witness and are alarmed, even angered, by the conflict between bicyclists and vehicles.

On any given day Old Military is being used by the finest athletes in the world. On a good day one might encounter a gold, silver or bronze medalist athlete just trying to stay conditioned for a quality event, world cup or even an Olympic event.

Until now the general public was led to believe bike/multi-use lanes would be included in any improvements to Old Military Road.

So, I now ask "How can this situation be corrected/re-evaluated?"

Please advise what you and the Town Board will be doing about including bike lanes throughout this community.

If another group or committee is necessary to complete this goal, I would work on the effort.

Absent any formal arrangement, I will continue to promote a dialogue on bike lanes.

James E. Morganson
Code Enforcement Officer

Supervisor Politi – It's a matter of money.

Councilman Miller – I was at some of those meeting and I remember we were promised a bike bath and there was a grant with "Bikes to Schools". We were going to have a bike path. I talked to you about it and now the idea is gone.

Supervisor Politi – We also talked about the possibility of a bike lane from Lake Placid to Saranac Lake along Route 86, especially now that they put off repairing their road until the spring. It would probably be a good idea that as a Board we move a resolution endorsing the concept of bike lanes build along Old Military Road and Route 86.

Councilman Miller – Is the Old Military project even going to happen?

Supervisor Politi – They keep shortening it. They were going to go all the way to the US Olympic Training Center but now they are running it just past the bridge. But there is no reason we couldn't move a resolution requesting the State of New York to consider an expansion of at least one side of a road for a bike lane.

Councilman Miller – What happened to the bikes to schools grant?

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Superintendent Straight – Stagecoach to Carolina Road. I heard from Tony that they got their APA Permits.

Supervisor Politi – I think it is a good idea to move a resolution and we can send it to the State of New York and Joan McDonald, Commissioner of NYS DOT.

Supervisor Politi moved with a unanimous second to approve a resolution requesting the State of New York consider the expansion of at least one side of Old Military Rd and Route 86 for a designated bike lane. There being no further discussion, the motion was unanimously carried by those present.

Supervisor Politi – I will write the resolution which will be mailed to the State and Joan McDonald.

BUDGET ADJUSTMENTS

Supervisor Politi asked Cathy Gregory to explain the following Budget Adjustments:

Increase A.5132.0412 Town Garage. Gas & Diesel by \$28,768.44 for expenditures to Gordon Oil and Griffith Oil (for amount expended over annual budget—this will be a recurring budget amendment for the remainder of this year); offset with increase \$1,913.25 to A.0000.2801 Interfund Revenues. Town Gas Sales and \$26,855.19 to A.0000.2655 Sales –Gas to Other Entities (received more revenue than budgeted for 2011 for both accounts)

Increase A.8010.0200.8888 Building & Code. Equipment \$319.82 for computer purchased for Zoning Clerk; offset with decrease \$319.82 to A.8010.0461.8888 Bldg & Code. Employee Travel

Increase DB.5130.0200 Part-Town Highway Fund. Equipment \$4,438.58 for purchase of plow blades from Chemung Supply; offset with decrease \$4,438.58 to DB.5112.414 Part-Town Highway Fund. Permanent Improvements

Increase DB.5130.0414 Part-Town Highway Fund. Gas & Diesel \$3,010.94; offset with \$3,010.94 decrease to DB.5112.414 Part-Town Highway Fund. Permanent Improvements

Increase SP.0000.5700 Park District. Proceeds of Obligations \$750,000 for Craig Wood Bond revenue; offset with Increase to Park District. Interfund Transfers to Capital Projects \$750,000

Increase SP.1357.0459 Airport. Other Professional Svcs \$1,730.00 for Atlantic Testing Laboratories, dry well testing services at Airport (this has been submitted to C&S for consideration under the Block Hangar Capital Project) (if accepted, then it will be reclassified to the capital project); offset with \$1,730.00 decrease to SP.1350.0459 Craig Wood. Other Professional Svcs.

Increase SP.7110.0200 Parks. Equipment \$499.00 for purchase of Resin Storage Shed for Ice Rink/Hockey Box

Increase SP.7110.0412 Parks. Gas & Diesel \$890.19

Increase SP.7110.0414 Parks. Other Consumable Supplies \$155.96 for supplies to set up the Ice Rink/Hockey Box (Hulbert's Tri-Lakes)

Increase SP.7110.0417 Parks. Equipment Repairs \$550.10 for repair to Park District Radios (Wells Communications)

Increase SP.7110.0423 Parks. Water & Sewer \$150.49 (over budget for Athletic Fields)

Increase SP.7110.0463 Parks. Dues & Fees \$100.00 for base fee to NYS DEC for Athletic fields

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Increase SP.9950.0900 Park District. Interfund Transfers to Airport Capital Projects \$14,958.20 (for Town's share of airport capital project funding)

Offset all of the above as follows:

Decrease SP.8310.101 Park District. Administration-Personal Svcs \$5,000.00

Decrease SP.1350.0459 Craig Wood. Other Professional Svcs \$1,770.00

Decrease SP.9730.0710 Park District. Debt Svc. Interest \$625.25

Either Decrease SP.1331.0477 Thomas Shipman Youth Center \$7,000 and remaining \$2,908.69 from fund balance

Discussion continued as to whether the \$7,000 was coming out of the Youth Center and remaining \$2,908.69 out of Fund Balance. \$7,200 was budgeted for the Youth Center and \$7,000 for the Skateboard Park.

Councilman Miller – We gave the Shipman Youth Center the \$7,200 but did not give them the \$7,000 for the skateboard park.

Supervisor Politi – They haven't asked for it again. I don't know how many years they do this.

Cathy Gregory – They asked for it, but they have not provided the information that we need.

Supervisor Politi – We are talking about the money for the Skateboard Park. I never signed the voucher for the skateboard

Cathy Gregory – We can either take all \$9,908.69 from Fund Balance and leave the Shipman Youth Center line alone or we can decrease it by \$7,000 and take the \$2,908.69 from Fund balance. It will go back into fund balance anyway.

The Board agreed to take the \$7,000 from the 2011 Shipman Youth Center Skateboard Park fund and \$2,908.69 from Fund Balance.

Councilman Rand moved 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.

RESOLUTION OF SETTLEMENT – TAX ASSESSMENT (GOLDEN RING)

Supervisor Politi asked Attorney Briggs to explain the Golden Ring settlement which is the property known as the former Nice & Easy and where Subway is located.

Attorney Briggs – It came from Cathy Drobny. It is a combination of six separate tax map parcel numbers and have all been adjusted. They went from an original assessment of \$2,283,000 down to \$1,134,000. They had an appraisal done.

Supervisor Politi – There is no payment on this? It is just reducing it one year?

Councilman Miller – It is reducing it going forward?

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Attorney Briggs – exactly.

Councilman Rand asked if the six parcels were all together in the same location. Attorney Briggs explained that they are all connected and for some reason they were never merged into one.

Councilman Miller moved and Councilman Favro seconded the motion to approve a Resolution of Settlement for the assessment reduction for Golden Ring parcels as recommended by Cathy Drobny. There being no further discussion, the motion was unanimously carried by those present.

**Discussion continued under TOWN ATTORNEY REPORTS -- GOLDEN RING. The motion to approve a Resolution of Settlement was amended.

SEASONAL EMPLOYEE APPOINTMENT – HIGHWAY

Supervisor Politi – Larry Straight has requested the seasonal employee appointment of Lee Francis Stanton as a Seasonal MEO at the rate of \$12.39 per hour. He is presently an employee with the Park District and wanted to transfer to the Highway Department. He has his DCL. Superintendent Straight advertized the position and did not receive any other qualified applicants from the Town of North Elba.

Councilman Favro and Councilman Doty are aware of the appointment.

Councilman Favro moved and Councilman Rand seconded the motion to approve the seasonal appointment of Lee Stanton at \$12.39 per hour as a MEO for the Highway Department. There being no further discussion, the motion was unanimously carried by those present.

COMMITTEE REPORTS: SARANAC LAKE AMBULANCE

Councilman Favro – Derek attended the meeting. They decided to go with the original billing process and not by assessment, which is \$40,000 from each town.

Supervisor Politi – Did Saranac Lake agree?

Councilman Favro – I don't know. We will have to ask Derek about that. Harrietstown was a substantial increase if they went with assessment as well as a few others.

COMMITTEE REPORTS: AIRPORT UPDATE

Councilman Rand – All the projects are going well at the Airport.

Supervisor Politi – The place looks great. I do want to tell you, you are going to get a call from Doug Bauer. I want to start doing any work that we possibly can do at the airport between now and whenever. Any day the Highway has time, get them at the Airport. We are trying to offset costs for our in-kind share. Or anything that we have done that can be related, we can get a credit for it.

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TOWN ATTORNEY REPORTS- YOULEN

Attorney Briggs – I finally have the paperwork from Youlen. It was approved sometime ago but needs to be signed.

Supervisor Politi signed the paper work.

TOWN ATTORNEY REPORTS-- GOLDEN RING

Attorney Briggs – Let's go back to the Golden Ring. I said there would be no reduction or refund in that settlement. It is unclear to me from looking at the file. Cathy Drobny represented the Town on this and it looks as though the Board of Assessment Review deduced the assessment to the level that is in the Stipulation of Settlement. I cannot confirm to you in the paperwork that there is no refund. I will have to speak with Cathy Drobny tomorrow before we finalize this.

Supervisor Politi – Then I want to modify that resolution to approve the Golden Ring assessment reduction to approval subject to the Town not having to refund any money and the assessment reduction going henceforth.

Supervisor Politi moved and Councilman Favro seconded the modification to the original motion of Assessment Reduction for Golden Ring parcels to include the approval subject to the Town not having to refund any money and the assessment reduction going henceforth. There being no further discussion, the motion was unanimously carried by those present.

Attorney Briggs has the signed settlement agreement and will confirm the details with Cathy Drobny.

ESSEX COUNTY UPDATE

Supervisor Politi – Wow! I don't know where to begin. We have huge budgetary problems. We are moving to signing an agreement for the sale or lease of the Horace Nye Nursing Home. I maintain and continue to always say that we should not be in the nursing home business. It makes no sense to consider laying off people when you can move jobs to the private sector, save money and still protecting beds for patients. It is very emotional. A lot of people have family members and there is a lot of pressure from nurses. This issue is not about healthcare and it is not about the quality of the facility. It is only about what makes financial sense. The nursing home does not make financial sense. Ultimately, a lot of services are going to be cut and people are going to lose their jobs. On one hand everybody wants all the services and on the other hand you have people who don't their taxes to go up a nickel. There are a lot of services that are very beneficial to senior citizens such as our nutrition program. There is a possibility that that program would be eliminated and for many it is one of the few good meals they get. Those seeing people and meeting with others would be gone. It is a tough thing and will not be much fun down at the County. Unless you want me to change my course...

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Councilman Miller – I wish they had listened to you years ago. I am afraid we are going to lose important programs like you mentioned.

Supervisor Politi – What they did do years before I was there, they were continuing to use Fund Balance every year at the costs so the tax rate wouldn't increase. It was so Supervisors would look great and the budget looked great. That doesn't work.

Councilman Miller – How much of the Fund Balance did they use each year?

Supervisor Politi – At one time, the Fund Balance was \$28 Million. Now the Fund Balance is close to \$11 Million. Every year they have taken \$7 Million to \$8 Million to reduce the gap so that there would be no increase in taxes. You would be better off increasing taxes 3% every year and still have a healthy Fund Balance, but they wouldn't do it. If we took the \$7 Million we used last year, we would be only down to \$4 million for next year. They are not going to narrow the gap using Fund Balance. They are going to have to cut. I see the nursing home, the fish hatchery, visiting nurses program, jobs, the Fairgrounds... are all in trouble.

Councilman Miller – I wish they would deal with the Fish Hatchery and the Fairgrounds so that we can keep the nutrition program. That should be a priority. They are not making the tough decisions and the vulnerable are going to pay.

Supervisor Politi – Chris can tell you how sad it was the day we had a vote. They had the residents wheeled in. It is unfortunate.

Chris Morris – You have to wonder where the people who are complaining about taxes are at those meetings. I don't know if that makes a difference to the board.

Supervisor Politi – We will find out when it comes to the Public Hearing on the Budget. The only people who come to meetings are those that feel they have been hurt in anyway. Overall, the majority of the people you do not hear from. Obviously there is a wave of people who are concerned about taxes or the Governor would not have put the tax levy cap in place. Unfortunately, people say they don't expect their taxes to go up more than 2% based on that cap. What they don't understand that it is a tax levy cap, not a tax rate cap.

Councilman Favro – Is it possible for a town to make a Special District that would be funded some other way and that district could rebuild the toboggan shout and lease it back to the town? Like a governing authority or a foundation.

Attorney Briggs – It has to be special legislation by the State. Under the law, you can do certain things. If it is not in one of the existing categories, you need special legislation.

Supervisor Politi – We couldn't have the Park District without special. Those things happen all the time with football stadiums. There is an authority that owns the land and builds the facility and leases it back to someone who operates it.

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Councilman Favro – Our budget and our payment to ORDA is similar to Harrietstown struggle with the airport. North Elba is paying for all other communities who benefit from ORDA but don't pay.

Supervisor Politi – It is an interesting idea.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi – We need to approve the audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 11/10/11			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	63290.74	33794.77	97085.51
DA FUND	0	0	0
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	9620.82	5329.72	14950.54
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT	0	0	0
H02 -BLOCK HANGAR REHABILITATION AIRPORT CAP. PROJECT	3328.1	0	3328.1
H03 - 5 BAY T HANGAR	4567.78	0	4567.78
H04-C&D WASTE CELL	0	0	0
H05- CRAIG WOOD GOLF COURSE CONSTRUCTION	12732.56	0	12732.56
H06-TERMINAL BLDG	157611.5		
H07 RUN WAY REHAB	0		0
H09-APRON EXPANSION	15032.52		15032.52
SF1 FIRE PROTECTION DISTRICT	0		0
SF3 FIRE PROTECTION DISTRICT	844.02		844.02
SP PARK DISTRICT	48093.82	19243.47	67337.29
SS21 CONSOLIDATED SEWER DISTRICT	0	0	0
SW1 SEWER DISTRICT #1	0	0	0
SW2 MCKENZIE	73.8	0	73.8
SW3 RAY BROOK	0	464.73	464.73
T TRUST & AGENCY	0	221.67	221.67
TE PRIVATE PURPOSE TRUST	0	0	0
Batch 1141-1143	315195.66	59054.36	374250.02
110338; 112195-112248; 112271-112312; 112314-112355			
Batch 999 (Payroll)	0	61022.1	61022.1
112250-112270			
Batch - HELD	4902.85	0	4902.85
112313, 112168, 111921			
DELETED VOUCHERS:			
112249			

Councilman Miller 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.

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ADJOURNMENT

There being no further business to come before the board, Councilman Miller moved and Councilman Rand seconded the motion to adjourn the meeting 7:45 pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk