

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Minutes of the Regular Board meeting held on the above date beginning at 7:00 pm at the Saranac Lake Town House, 191 River Street, Saranac Lake, New York 12983.

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

**Others Present:** Attorney Ron Briggs, Larry Straight, Nathan Brown, John Vinograd, Peggy Wiltberger, Corey Hurwitch, Tammy Morgan, Attorney Tim Smith

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 on the minutes of the Board meeting on August 9, 2011.

Councilman Favro 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.

Supervisor Politi - Thank you all for coming. We should come to Saranac Lake More often; I don't think we ever had five people come to a meeting!

Councilman Doty – Can I ask if it is a misprint or not, under New Business item “a” Trunk Sewer Relocation, is it Cobble Hill Holdings?

Supervisor Politi – It is Cobble Hill Holdings. It was something that was sent to me by Brad Hathaway. It is a Town sewer line that Brad has signed off on. They are moving a line from private property to the rear of the property.

Councilman Doty – This is in our sewer district.

Supervisor Politi – Yes it is. If there are no modifications or additions to the agenda then we will move on.

**DEAN DIETRICH – COMMUNITY DEVELOPMENT BOARD**

Dean Dietrich – I'm not going to take a whole lot of time. I want to do two things; One, report that the Community Development Board is on its way with a kick-off meeting tomorrow night for the Comprehensive Plan and would like to invite you all here. You probably got emails; we did press releases. We are running against some fundraisers. We will have to decide if we are going to do it again. We are also taping it for Channel 2 which will reach out to the community. This is the beginning of getting public input for the Comprehensive Plan. The other reason for being here is not so good. We were denied our Smart Growth Grant. We asked for \$25,000 from the State. The grants that were accepted were a small number of much larger grants. We are also applying for the Adirondack Watershed Grant and Ausable Watershed Grant in October. If everything falls through, we might be coming to you for some help. We are looking at \$25,000

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

for a two year period split between the Town and the Village. We are looking at \$12,000 for two years which is \$6,000 each year. I just wanted to put that out there.

Supervisor Politi – You should call Mike Mascarenas at the County.

Dean Dietrich – We did talk to them and they gave us a list of some things to look at. We are pursuing everything we can pursue. I don't know what more I can tell you. We will try to get as much alternate funding as we can.

Supervisor Politi – I just wanted you to be aware that there is some funding becoming available. It is something that happened a couple of days ago.

Dean Dietrich – I will get back to him then. See you tomorrow night at 7:00pm at the Legacy Room at the Conference Center. Hopefully it will be an hour. It will mostly be interactive. We are looking for input and recruit people to be part of the process. The Community Development Board would be a steering committee but we really want to get out into the community. The '97 Plan used about 100 people and we would like to do the same thing.

The Board thanked Mr. Dietrich for coming.

**TAMMY MORGAN – PACE**

Tammy Morgan - For those who don't know who I am, I am Tammy Morgan and I teach at the Lake Placid High School. This summer I worked for PACE University Law School as a Bio Energy intern. I was given an interesting challenge to come up with a project that involves bio energy and took a problem that I knew existed and tried to fix that problem. What bothered me about living in the Town of North Elba was the fact that we are throwing away all of our food waste. 60% of what goes into a landfill is made up of organic material. Anything that is organic has both matter and energy. Those are two things that we cannot afford to be throwing away. Those are also two things that we are spending a lot of money to transport very long distances because there are no open landfills in the Adirondack Park and nor are there likely be any. The two landfills that are closest to us are Franklin and Clinton. Both, if you look at their DEC permit and how much they are permitted each year to put into their landfill and the capacity that they are permitted to receive, are running out of space eventually. When I say eventually, Franklin county numbers are looking at six years under their current permit. When looking at Clinton County we are looking at 37 years. That is not hundreds of years. That is tens of years. We need to come up with a solution that keeps those valuable materials here in our neighborhood and allows us to create something useful out of them. With the help of a lot of different people from PACE and Cornell University, the grant that I was working under a US Department of Agriculture Grant this summer and went through the Land Grant College. Cornell and PACE was one of those that was also on that grant. They have been helping me develop this. I have been in contact with a lot of community members and students to try to develop it. The plan right now is to take all of the food waste from a 30 mile radius of the North Elba Transfer Station to bring the food waste. It needs to be separated at the source, when I was in Finland last year I saw it work. It was really simple. It took them 5 years to decrease 50% of their waste, just by talking to people and saying

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

this is what we are going to do. Composting is great but it doesn't work very well with oils, fats and greases. When you look at restaurant waste and cafeteria waste from the kids and trust me when you look at the kids there is a lot of fats and oils and greases. Those have really high energy content. The best way to take care of them is an anaerobic digester. With the digester, you put in all the food scraps and everything. There is no sorting vegetables, grease and oil. The oil from the fryers can go into this as well as bones, everything. That goes into the digesters which produces two products; a biogas that is 70% methane, the same as natural gas, which can be used to produce electricity, heat, or a transportation fuel. When looking at our community and the best use of that, the other product that comes from the digester is the solid at the bottom and the liquid die-gestate are loaded with fertilizer. Organic farmers get their potting soil from Vermont or Canada. We are buying fertilizer and this plant would make fertilizer and biogas. What can we do with that gas? We can create a passive solar green house that is at that site, using biogas to generate both the power and the heat that you need in the winter to grow crops year round in the Adirondacks. Use that for the greenhouse. Then the greenhouse is producing marketable local food products that are not going to have to come miles and miles to get to our restaurants. It is a complete cycle. There are no wastes in this plan. It is completely sustainable in our region. It is being done in other places. Toronto just started a food waste recycling program in 2005. They have been so successful that they are doubling their capacity and building another digester the exact same size, a 55 thousand ton facility. What am I asking right now? At this point I am looking for conceptual support to continue gathering the data I need to know exactly how much food that we are throwing away. We are talking about from that 30 mile radius. I am involving students from both Clarkson University and my own students to go out and deliver a survey that gathers that information. We can do the calculations and say this is exactly how much gas and how much electricity that it calculates into. We can then do the cost analysis to figure out how we can make this work. There are 15 digesters in New York State right now that are currently digesting only dairy waste. We don't have a lot of dairy farms here and if you look at the energy chart at the bottom of the middle page it shows that dairy waste energy value is down on the list. Food wastes and fats, oils and greases are at the top of that list. If they can do it with manure, we can certainly do it with fats, oils and greases and food waste. So that's my spiel!

Supervisor Politi – I love your enthusiasm. I know that you spoke with Bob and Derek. I have a couple of questions; how much is a digester?

Tammy Morgan – I am looking at a lot of different plans. It is definitely in the range of a couple of million dollars. It depends on which company we go with. My suggestion is that we put this together as a proposal for the County and they use this as part of their solid waste management plan. I read the Beyond Waste document that came from NYS DEC this past September. In it, they're asking all State Counties to come up with food recycling programs. It would be great to hand this to them and say the money is there right now and is not going to be there forever. If we have something that is ready to go before everybody else than we ...

Supervisor Politi – You are talking about one of the largest counties in the State of New York which is potentially a transportation problem. It is really going to take a coordinated effort. I am curious how you came at 30 square miles around Lake Placid. The reason I say that is because

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

other communities do not deliver to Lake Placid, such as Keene. Keene would not come to Lake Placid. Keene goes to the transfer station in Lewis.

Councilman Miller – They might if we become the county receiving facility.

Supervisor Politi – It would have to be coordinated.

Tammy Miller – Don't forget all of the food waste right now are being transported to Franklin or Clinton. We are a little bit closer to Lewis and those areas than they are.

Councilman Doty – Plus there is legislation on the horizon that is going to make us separate.

Attorney Briggs – It's going to happen.

Councilman Miller – It is going to happen. Derek and I have met with Tammy a couple of times and we think it is a really exciting program. We want to be a part of this cutting edge. There are still some questions that we have to have answered. We talked yesterday about who is going to maintain the facility. These are things that Tammy is still looking into. If we get the grants to put this project down at the Transfer Station, I would love to be able to be partners with her in this project as long as we could afford to do that. We did spend some time yesterday talking about cost.

Supervisor Politi – It is likely that the County is going to go out of the business.

Councilman Miller – We talked about that. We also talked about a private company coming in and possibly leasing the entire transfer station.

Supervisor Politi – That is most likely going to happen when you find the county walking away from that.

Councilman Miller – The company that Tammy is already dealing with has dealt with some of the waste haulers. They are doing this in Vermont.

Tammy Morgan – Energy Visions is a company that supports projects like this. They are based in Long Island and are responsible for Smith Town and Huntsville. They were the ones that were impetus for creating their waste to fuel garbage program where all of the waste hauling vehicles are run on compressed natural gas and fill up with the natural gas that is made at the landfill. We are in communication with them and are hoping to have them help us find a business that will take this over by maybe buying it from us or lease it from the town in a public/private relationship. My timeline right now, I have students working on the feed stock analysis right now. Why I chose the 30 mile radius was just as a starting point. If we can make it economically feasible with this small area then it is just going to become more feasible if other counties see it. It will decrease what they have to send to the landfills. Again, they don't have a huge live span; not 100 years but tens of years. They are going to have to come up with a solution. We could provide that solution and be that solution for them. Right now I am just working out the cost

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

benefit for that small region. Because again, if it can work here it would definitely work when we expand and add more fuel to that fire.

Supervisor Politi – We talked about composting for a long time.

Councilman Doty – The closest we get is our horseshow piles.

Tammy Morgan – Composting in a cold climate is not necessary the answer for everything. This would have to be in conjunction with composting. When you look at food waste you have a lot of fats, oils and greases and that slows down the composting process. Being in a cold region, it slows it down. When composting you need large areas of land to do it. This is taking those steps and putting it into small vessel and doing it anaerobically. Instead of taking years and months to compost, it only takes about 20 days. The food goes in and processes after 20 days and in the end you have product that can be used.

Councilman Rand – Is it just a big vat?

Tammy Morgan – We have them at every sewage treatment plant in the area. There are different types of systems. Some are a plug design that is used by a lot of dairy farms; you put it in one end and it takes 21 days to come out. It is almost exactly like your intestines; put in one way and it comes out another. Others are more of a batch system where you have waste sit in a vat for a couple of days and it may be stirred with some of the gases that are there and then moves to another vessel and then to another after another week. At each step you are collecting the gas off of it.

Councilman Rand – Is there machinery in there that churns it around?

Tammy Morgan – Depending on what design works best. Back to the timeline, I am hoping to have a feed stock analysis to know an estimate of how much food waste we are talking about which means how much energy we are talking about. Then we will have a bunch of designs that I would love to take back to the Board and say here are the options on the table and this is what I would recommend.

Supervisor Politi – From what I have heard conceptually, this Board is positive on the design and thinking.

Councilman Miller – Do we need to make a final resolution for you of conceptual support? Does that help?

Tammy Morgan – I would love to start handing these out to restraints and to farmers in the region so that I can get that feedback data and I don't want to do that without a formal resolution. That is truly why I am here.

Supervisor Politi – Are we putting the cart before the horse if we don't know the financial ramifications?

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Councilman Miller – Derek and I talked to Tammy yesterday about the 2% property tax cap and she understands the financial constraints we have. I think what we say is that conceptually we support the project. We just don't have the money. Am I right in saying that?

Councilman Doty – If three major Universities find the importance to put a stamp of approval to keep the research going.

Councilman Miller – We are hoping to find partners, even in private enterprise, to come down to the recycling center. Maybe we lease out the recycling center and this becomes part of the contract. They are going to run this digester.

Councilman Favro – It may just lead to other things. Food waste is big. At the Training Center we do about 30 gallons of food waste a day. We have pig farmers that come and recycle it. As an operator you think that this is going to be a pain to separate the food but when you get into it is really easy and quick. It is not dirty. The other restaurants do it to for the pig farmers. The people are already thinking about it so it is a good thing.

Tammy Morgan – The bottom line, we are going to have to come up with a solution because we can't continue to send it away as far as we are sending it. The deal that NYS made with Essex was a 20 year deal. That was made in 1998. We are getting towards the end. We pay very low tipping fees right now because they are giving us money to subsidize that. That is up in seven years. And I guarantee you in seven years the tipping fees are going up and transportation costs are going to go up. That is state wide. Nationwide really.

Supervisor Politi – Bob, Derek, do you want to offer a resolution conceptually supporting?

Councilman Miller moved and Councilman Doty seconded the motion to conceptually support Tammy Morgan's efforts to helping us get a digester down at the Transfer Station. There being no further discussion, the motion was unanimously carried by those present.

Supervisor Politi – Are you going to be here for a few years? These types of projects don't go anywhere without energy and without passion.

Tammy Morgan – Did you catch my last name? I'm not going anywhere. I'm not allowed! One of the nice things about this is the only reason why PACE feels that it can work is the fact that we have so much local support already. I have the grant writer from the Wild Center helping us find grants and will start that process in the winter. ACAP is involved. The Green Circle is going to help me with the analysis piece. I have a student from Clarkson University. Clarkson just started digesting all of their food waste from their cafeteria. They have built this model that I am talking about on a smaller scale. They are doing all the experiments and the trouble shooting right now. Those students are actually helping us figure out the engineering questions.

Supervisor Politi - Do you know Mike Mascarenas? He coordinates all the grant writing at the County.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Tammy Morgan said she would look into any and all possibilities. The Board thanked Tammy for coming.

**COREY HURWITCH – ADK. REGIONAL AIRPORT – FUNDING REQUEST**

Supervisor Politi introduced Corey Hurwitch to the Board. Corey brought handouts.

Corey Hurwitch – I'm not sure where you are in your budgeting season. We want to thank you guys for your past support and give you an idea of what we offer you in return. One of the misnomers is that we are competition with Lake Placid Airport. I completely disagree with that. We are a completely different market. What really works out well is that we compliment the Lake Placid Airport; what they can't offer we can offer. During the Horseshow there were a couple of days that the ceilings were just low enough that some of the small business jets and some of the turbo props were not able to land there. Having an alternate like Adirondack Regional Airport really helps make LP Airport a viable destination for some of these aircraft. Without the alternate, they may not try to plan for Lake Placid. We really do complement each other very well. During the storm of Irene, some of the planes that couldn't be hangered at the LP Airport came to our airport because we had a little extra hanger space. We really work together well. Some of the planes that come into Adk Regional Airport make a little more noise than you want over North Elba anyway. That is some of the benefits. Last year the NYS DOT put out an economic impact study. It basically said that the ADK Regional has an economic impact on the entire region of around \$7.9 million dollars, 74 direct and indirect jobs. Direct jobs include town jobs, TSA jobs, rental cars, restaurant, hangers, State Police Aviation Unit. The indirect jobs include those multi-million and billion dollar customers that bring their caretakers and whole crews that take care of their camps. Those types of customers may not be coming to the Adirondacks if it were not for a facility like Adirondack Regional Airport. We have the corporate side of things but then we have the commercial and people along my income that might be able to afford flying. Cape Air has done really very well. They are responsible and reliable. They will be with us for awhile. We were the first airport that the DOT ever gave a four year air service subsidy out to. We are proud of that. It shows the commitment that Cape Air has to our area. They have increased their passenger load every year and it looks like they will increase it this year again. Considering the economic times that is really impressive. Some other benefits, most of our passengers and crews end up in North Elba. Over the summer we had over 200 turbo prop or jet aircraft. This is not including the small single engine. These are the larger jets and the turbo props that stayed over 200 nights at our airport over the summer and each has a crew which is looking for lodging which has almost always gone to North Elba. They are over here and they are lodging here and they are eating out over here. They are bringing their golf clubs and going to the tours stuff too. Many of them drive back with their families because they like the area so much. Having the Adk Regional Airport for the crews really enhances the total benefits to the community. We are also there for events like hurricane Irene. Unfortunately it hit over here a little bit worse than where we are but the facility set itself up well for emergency situations. We have the NYS Police base there, we have plenty of space for aircraft and we have plenty of runway length. In this case we had helicopter traffic. National Grid sent helicopters and North Country Life Flight are valuable resources to have that benefit the entire region. Again, we

**TOWN BOARD MEETING**  
**SARANAC LAKE TOWN HOUSE**

TUESDAY, SEPTEMBER 13, 2011

are not in competition with Lake Placid. We want to thank you for your past support and continue to ask for support us in the future. It is only getting more difficult for us to run the airport in these tough economic times. A lot of the larger jets used to take a lot of fuel. There are a lot of fuel management companies out there that dictate to these air crews what they are allowed to buy. We have to cut into or margins a little bit to offer a good price. We are still getting the traffic, but not selling the large bulk quantities of fuel. It's all the economic crunch so and support you can give us is really, really greatly appreciated. We hit the Harrietstown taxpayers up pretty hard so any additional support outside of Harrietstown is greatly appreciated.

Supervisor Politi – Did you send a letter to the finance officer for the Town of North Elba requesting funding. It is better you do that than rely on anyone of us to remember.

Corey Hurwitch – I believe that has occurred. You may have read that there have been some changes at the airport. I am trying to play catch up a little. I wanted to offer myself if you have any questions about the airport or what we are doing.

Supervisor Politi – The change that occurred, is that for financial reasons or administrative.

Corey Hurwitch – It was personnel reasons. I did not have much to do with it and do not have background of it.

Supervisor Politi – You don't have to say anymore.

Councilman Rand – Are you going to have air shows this summer?

Corey Hurwitch – The air shows are on hold indefinitely because of the financial status. It costs a significant amount of money to put the air shows on. They don't bring in enough revenue to continue supporting them.

Supervisor Politi – The jet fuel sales are down considerably?

Corey Hurwitch – Jet fuel sales unfortunately look like they are down significantly in terms of quantity.

Councilman Doty – Corey, I have a question relating to jet fuel sales. We are in the process of putting a small facility in for the size jet we can accommodate. It is few compared to what you can take care of because of the length of our runway and the size jets that can land. Long story short, in being able to buy fuel competitively, do you think there is any way that, for instance when you have a 10,000 gallon tanker coming, we would be able to buy 3,000 gallons from you and help with the transportation or whatever?

Corey Hurwitch – We would have to look into the requirements of transportation. Our fuel trucks are not authorized down on public roads.

Councilman Doty – I mean when a delivery comes.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Corey Hurwitch – The deliveries would have to be spaced with our deliveries. Unfortunately, do to the size of our tanks we really have to time our deliveries, especially holiday weekends because you pay more. In some ways splitting a load of fuel could benefit us if it came on a Friday but it would depend on what you had in your tank and what we had in our tank. We try to maximize it with 10,500 gallons deliveries which is the most we can get up here so we have less deliveries. The size of the facility would depend on it.

Councilman Doty – Our demand would be small.

Supervisor Politi – There is also the shelf life.

Corey Hurwitch – The shelf life is all about quality control. One of the benefits of being up here is that we very rarely have our fuel go above the 70° mark. Once you are above, you have a chance of growing bacterial in the fuel. Luckily for us, when we are at those temperatures we are going through it fast enough that it is not a real problem. There are test that you can do on fuel that are pretty inexpensive.

Supervisor Politi – The questions are geared toward we don't want to compete with you

Corey Hurwitch – Until it happens we wouldn't know the impact that it would have on us. I will tell you some of the challenging aspects that I think you guys would have. We lease our mobile refuelers. We own one and the other we lease for about \$1200 a month. That is a fee. We have to change our filters at least once a year. There are three to four filters on a farm at \$100 each. If you are not mobile then you have to have towing capacity. Those planes are not going to want to fire up their engines just to pull away so someone else can fuel up. Tugs are expensive. We are using very old tugs because we can't afford a new tug. Testing of the farm needs to be done every few years. We just had our whole farm cleaned out and it was thousands of dollars.

Councilman Doty - \$18,000 I think.

Corey Hurwitch – It is a combined space and you have to get people that are willing to go in there. Finding a company who is willing to do that environmentally safe is difficult to do. There are a lot of challenges I foresee for you if you were to have a jet farm. There are a lot of associated costs. Luckily this year we have not had any fuel spills. They get very expensive very quickly. We've had a couple of small ones since I've been here and that can eat away your profits like that (snap!). There are a lot of things to think about. Jet-A is a little bit different and safer than Avgas. It is not quite as explosive but it doesn't have the same evaporation as Jet-A. When you have a spill, it is more difficult to clean up once it is in the soil.

Councilman Rand – Do cold temperatures affect that at all?

Corey Hurwitch – Cold temperatures effect the equipment more than anything. Last year at one of our fuel spill our guy was able to shut it off very quickly so we only lost a couple of gallons. Basically, there was some moisture that built up on the hose reel and when he applied the

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

pressure of the fuel to it, it exploded. The cold temperatures do affect it. Some of our equipment doesn't like to start in the wintertime.

Councilman Rand – Historically, Saranac Lake Airport has been very significant to the area. I think we've all flown out 100 times.

Corey Hurwitch – I will leave business cards. If you would like to stop by the airport or have any other questions, please feel free to stop by for a visit or give me a call.

The Board thanked Corey Hurwitch for coming.

**SKATE BOARD PARK - JOHN VINOGRAD AND PEGGY WILTBERGER**

Supervisor Politi invited John Vinograd and Peggy Wiltberger to come up to the table and introduced them to the Board.

John Vinograd – Thank you very much for allowing us to take a moment of your time this evening. I am a resident of the Village of Saranac Lake since 1983. Peggy Wiltberger, who is the sparkplug of the Skate Park Committee for the Village of SL, is also a resident. We have been led to believe by a couple of folks that you may be considering a change of the use of your skate park equipment. If that is so, we came this evening, because you have been so kind to make your way across town, to answer any questions you may have if this does come to consideration before your board.

Supervisor Politi – Clyde called me this morning about the same topic. Bob Miller and Derek Doty have been working on it more than anyone on the association we have with the LP Central School and the Shipman Youth Center. Some of us are not as in tuned with the specifics.

Councilman Miller –The skateboard park update; two years ago we had it open during the summer. We spent \$7,000 for supervision. Of the 63 days, 38 days there were no kids. We had a teacher, John Burdick, sitting in his car by himself day after day. There were no kids. We talked to the Shipman Youth Center about using our tax money wisely. If the kids are not going to use it, there is no sense in paying a teacher to sit there by himself. We have a problem because it is on school property, we own the equipment and the Shipman Youth Center was running the park. My personal feeling is that here has to be one entity running this thing. Derek and I have met with the school superintendent. I met with ORDA. We considered an option of send it down to the ski jumps. Unfortunately, ORDA wanted us to pay them \$20,000 to \$25,000 to accept the equipment to build the concrete pad. I can understand. I talked to the Mayor today so we are thinking of options. I did email the school superintendent, Randy Richards, again today. Dmitry Feld at the Shipman Youth Center has a board meeting on the 28<sup>th</sup> of this month where they are going to talk some more about it. In a perfect world, the Shipman Youth Center will take charge of this project and will try to run it and the school and Town will provide as much support as we can. I am not sure if the Youth Center wants to do that. If they don't, I don't know what alternative we have.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Supervisor Politi – One thing you should know is that there was a major donor that gave a substantial amount of money for the skateboard park...

Councilman Miller - \$35,000

Councilman Doty – On top of the \$100,000 the taxpayers put in.

Supervisor Politi – There were other people who were very passionate about having it here and so forth. Before we make such a decision, we would definitely want to have the blessing of those people who gave so much.

Councilman Miller – We are talking to them. We are trying to keep everybody informed of what we are doing. We're really trying to look for solutions. There may have been a balloon sent up saying, I know SL is searching for a skateboard park and we have one the kids aren't using. I'm not sure that that would be a solution.

Peggy Wiltberger – We understand that. You have a park there. You are invested in it. If you can make it work there where people have already put a lot of energy and the commitment makes sense. Like I said we are mostly here if you have any questions of us.

John Vinograd – If you are unable to find a home for the equipment, we would take it. It would save us \$100,000 of trying to find that much money locally. We are not going to get that from the State anymore.

Councilman Miller – The bottom line, I would rather see that equipment used by kids than sitting in a locked park.

John Vinograd – I went over there today to take picture. It looked rather forlorn.

Councilman Miller – It looks sad, and the kids are skating outside the skateboard park on pallets and plywood.

Councilman Doty – We know our charge is to provide a program that allows the kids to show off. Kids just want to show off what they learned and that location is tough. Whether you develop tournaments with prizes, something has to be done to lure the kids back. It is not that skateboarding is dead because that would be far from the truth.

Peggy Wiltberger – Getting in the situation of not having insurance constraints and having to have supervision...in Saranac Lake it would be under NYMIR, and they don't require supervision. It is \$300 a year for a skate park rider that doesn't need to be fenced. If you could find that solution in North Elba... well here I am encouraging you to make it work. It makes it unfeasible in a small community like ours. There aren't thousands of kids skating so if they go and it is not open they aren't likely to go.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Supervisor Politi – We aren't going to allow it to just fall apart. There is going to be a decision made at some point.

Peggy Wiltberger – That is good to hear. We were here to let you know that we are working hard to get a skate park here. If we could put it on some North Elba land here, we would. You could annex some!

Supervisor Politi - It is very important that it is used.

Councilman Favro – It's all one community. Some don't think it is but it is to us.

The Board thanked Peggy Wiltberger and John Vinograd to coming,

John Vinograd – About the digester, if you actually did that and sold all the electricity back to the National Grid. The question might be how quickly would it pay for itself? Sell the power instead of filling methane busses and methane transportation.

Supervisor Politi – It is interesting, if it was wind power they would have to buy it back but I don't know if they have to buy this back.

John Vinograd – There is water power too. It would be interesting to see why not.

**RESOLUTION –NOTICE OF PUBLIC HEARING – CRAIG WOOD GOLF HOUSE**

Supervisor Politi - The Resolution to hold a public hearing for the Craig Wood clubhouse says A public hearing shall be held on September 27, 2011 at 3:00 p.m. at the North Elba Town Hall for the purpose of hearing all persons interested in the proposed improvement to the clubhouse at the Craig Wood Golf Course in the District. The estimated cost of the proposed improvement is \$900,000. It is expected that following the public hearing the Town Board of the Town will consider a bond resolution authorizing the issuance of its general obligations in an amount not to exceed \$750,000. The balance of the cost of the proposed improvement, that being \$150,000 will be paid from grant funds received from the State of New York.

Supervisor Politi – I don't know whether it is a Serial Bond or a Statutory Bond. Cathy has Serial Bond but I don't know if it has to be one or the other.

Councilman Miller – What's the difference?

Attorney Briggs – I think Serial is a fixed rate but I'm not 100% sure.

Supervisor Politi – The cost is .04¢ per \$1,000 of assessed value. If you own a \$500,000 house, it would cost you approximately \$20. It is 4.25% over a period of 15 years. We need a resolution to allow us to hold a public hearing on September 27<sup>th</sup>. Cathy gave us a calendar.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Councilman Rand moved and Councilman Favro seconded the motion to approve the resolution calling for a public hearing for the Craig Wood clubhouse at 3:00pm on September 27, 2011. There being no further discussion, the motion was unanimously carried.

Discussion continued regarding the schedule; the public hearing is scheduled for September 27<sup>th</sup>, after the public hearing we sign a contract with Beardsley to keep going, the money will be available by October 28<sup>th</sup>, the bidding starts about 6 to 8 weeks after he gets the contract, we could potentially break ground before January.

Supervisor Politi - Technically, Ron can modify this contract if you want we could sign a contract with Beardsley conditioned upon public approval.

Attorney Briggs – If you adopt a resolution on the 27<sup>th</sup> after the public hearing, there is a 20 day permissive referendum period. That means people have the right to file a petition within that 20 day period putting this to a vote at a referendum. Once that 20 day estoppel period runs, the bond resolution is fixed and bonding. In all the years I have yet to see that happen. It's just the law.

Supervisor Politi - We can sign a contract with them saying they can start but they take the risk that there is a problem. Then they would have to stop.

Councilman Doty – In relation to that kind of clause for the architect, what about if it gets cold early and the bond has been okayed. What limitations are there for when the money is used? What if we got in the septic and demolished the building and things turned sour and we couldn't start framing until April?

Councilman Miller – That would be fine but then we have Craig Wood a construction site in the summer.

Councilman Favro – It is the same thing we did with the town garage. We did bits and pieces of it. We had that bond tied into other stuff.

Supervisor Politi – It is accruing interest right away. You borrow the whole amount and work as quickly as you can because you're still paying on it.

Councilman Doty – Like a construction loan.

Attorney Briggs – With construction loans you only pay as you draw down the money, here you are paying the interest on the whole amount from the start.

Councilman Miller - The interest rate is 4.25%? That seems high.

Discussion regarding the 4.25% interest rate and the Beardsley contract continued simultaneously. Councilman Miller thought the 4.25% was high because that is what homeowners are getting loans for. He said he would follow up with Cathy Gregory to find out why. The Beardsley discussion was regarding the contract contingency cost of construction and oversight being 10% or 11% which was

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

determined to mean that his costs could be 10% either way. They agreed the contract cost should be 10% of the project.

Councilman Miller made the motion to get the architect started subject to closing of the Bond.

Councilman Doty – He’s going to want to wait until the public hearing.

Councilman Miller – I don’t think so. I think he wants to get moving on this right away.

Councilman Doty – Well, I want to wait until the public hearing.

Supervisor Politi – There is no cost involved to us.

Councilman Doty – Sure, but it’s just theoretical but no big deal either way. OK if you want to present it to him.

Supervisor Politi asked Councilman Miller to give him a call with the 10%. If he says yes then he will come back to the Board.

**AWARD IFE BID FOR AIRPORT MASTER PLAN**

Supervisor Politi – We need to award the IFE Bid for the Airport Master Plan. We talked about this the other day. Two bids came in; Pesaro at \$1,900 and the other from McFarland at \$2,000. We need to formally on the record accept the low bid pursuant to the review by C&S Engineering.

Councilman Miller moved and Councilman Rand seconded the motion to accept the low bid pursuant to the review by C&S Engineering for the Airport master Plan. There being no further discussion, the motion was unanimously carried.

**RESOLUTION – DRILLING WELL – RAY BROOK (CAPITAL PROJECT)**

Supervisor Politi – We need a resolution for the well drilling for the Ray Brook Capital Project. Derek had spoken about the Town of North Elba would seek the funding for the cost of a new production well in Ray Brook Water District. Whereas, Ivan Zdrahal Associates has prepared a map and plan in connection with said proposed improvement; and whereas, the estimated cost of said proposed improvement is \$144,000; A public hearing shall be held on September 27, 2011 at 3:15 p.m. at the North Elba Town Hall for the purpose of hearing all persons interested in the proposed improvement in the District. It is expected that following the public hearing the Town Board of the Town will consider a bond resolution authorizing the issuance of its general obligations in an amount not to exceed \$85,000 pursuant to the Local Finance Law. The balance of the cost of the proposed improvement, that being \$59,000, will be paid from unrestricted fund balance of the Ray Brook Water District.

Councilman Doty – Did Cathy break down cost per thousand on that?

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Supervisor Politi – We will have to have that before the public hearing. Brad will be at the Public Hearing.

Councilman Doty moved and Councilman Rand seconded the motion to approve the resolution to hold a public hearing on the drilling of the well in Ray Brook. There being no further discussion the motion was unanimously carried.

Councilman Doty – For the press it is important to note that we only have one primary well that is serving the community now. There is no back up because it has failed. This effort is to bring our domestic water system back in compliance, if you will. Along with that, we might mention that we are also doing an inspection very shortly on our reservoir tank.

**PD DISTRICT DESIGNATION - PLACID GOLD**

Supervisor Politi – Attorney Tim Smith, the PD District designation for Placid Gold?

Attorney Smith – The Village passed a Local Law last night. Further, there was a Joint Public Hearing that your Board had with the Village Board and the Review Board on August 24<sup>th</sup>. The Village passed the Law to reclassify these two pieces of Placid Gold land as PD and to adopt the setbacks that had been recommended. The owner has found it to be workable from a project planning standpoint.

Councilman Miller – Is that the 25’ setbacks? There were different setbacks talked about.

Attorney Smith – You almost need a map to understand them, but the two most important ones are the ones along Mirror Lake Drive. The “dorm lot” will have a front setback that is consistent with the front setbacks of Lake Placid Pub and Brew on the south and the 1<sup>st</sup> timeshare unit on the north. It’s a concept that has been inculcated in the new code. They are trying to have a consistent setback. On the “hotel lot” the building setback recommended is 75’ from the white line on the eastern edge of the driving surface of Mirror Lake Drive. The Review Board is going to require that it be surveyed as part of the project because after all it could move from time to time with resurfacing and the like. That would take the project back to about where the hotel was several decades ago. The law only becomes law and amends the Land Use Code if your Board follows suit with Village Board and adopts a Negative Declaration under SEQR and adopts the local law in a form that has been presented.

Supervisor Politi – Do you have the Negative Declaration and the SEQR with you? This is a project that is in the Village.

Councilman Miller – Did they also talk about distances between the buildings within the PD? Was it 25’?

Attorney Smith – It was discussed. They finally discarded that. They decided there were too many permutations to the project planning to try to pre-prescribe that. It would be best to address

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

the setback questions, other than the perimeter setback, at a later date and as part of the project review.

Councilman Miller – That was decided by the Village Board or the Planning Board?

Attorney Smith – It was the recommendation of the Review Board and the Village Board adopted what the Review Board recommended in the August 26<sup>th</sup> memo. I think it was a wise decision. There are many types of projects that do not have any setbacks at all with party walls. It will be an interesting thing to see play out. The developer has in anticipation of this law being inactive had a preliminary meeting with the Review Board last Wednesday night. This is a project in the review process that will play out over the course of a couple of months. There will be a public hearing with newspaper notice and adjoining landowner notice. It will be a noteworthy thing to follow.

Supervisor Politi – From a Negative Declaration standpoint, there is nothing that will affect the principle characteristics?

Attorney Smith – No, it is a paper change. It notes that the Review Board has comprehensive jurisdiction over all the land used in PD and the Land Use Code allows for an amendment. This isn't like a variance. It is an amendment. There has been no dissent so far either among the Review Board or the Village Board members as to the appropriateness of this project.

Supervisor Politi – Can I have a motion to approve the Negative Declaration on the SEQR?

Councilman Favro moved and Councilman Doty seconded the motion to approve the Negative Declaration on the SEQR. There being no further discussion the motion was unanimously carried.

Supervisor Politi – This is a Village property. If we approve something then we would like the Village to follow us in the town. They approved something and I think it is wise that we follow. Can I have a motion to approve the Planned Development District designation for Placid Gold?

Councilman Miller moved and Councilman Favro seconded the motion to approve the Planned Development District designation for Placid Gold. There being no further discussion, the motion was unanimously carried.

**RESOLUTION – MOVE FORWARD RAIL PROJECT**

Supervisor Politi – Chuck Damp met with us last week and has requested a resolution to move forward on the rail project. I think you remember him noting that he felt the importance of starting this project as soon as possible. And although he felt that it did make sense, in his opinion, to work on the rail bed but the likely hood of that happening in the near future would lend the project likely a long delay. His recommendation to this board was that we move forward with a resolution with the Rail/Trail running beside the railroad bed. Is that fair?

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Councilman Doty – Yes! Is the whole project dependent upon an APA permit for Ray Brook to Saranac Lake? Is that being worked on now? Our latest \$1.2 million incorporates it all.

Supervisor Politi – I don't foresee it being a problem. The APA permit that we received for the first section runs through wetlands.

Supervisor Politi – We all feel that from a cost standpoint it would be easier to go on the existing rail bed, but that is likely not going to happen.

Councilman Miller – Financially, taxpayers supporting the railroad is ridiculous.

Councilman Miller – We need to do what we need to do to get this bike path. I give Chuck Damp so much credit for working so hard for so many years on a project that just never quite got to where it needed to be. It looks like he's finally getting there. Kudos to Chuck!

Councilman Favro – When you are talking about taxpayers paying, it's Federal money so everybody in the country is paying. It is not local money.

Councilman Doty – And the borrowed money to keep it running on the rail system is almost paid off. There is still a little miss information out there.

Councilman Favro – It's a waste.

Councilman Miller – It's a train to nowhere.

Councilman Miller offered to make the motion.

Councilman Miller moved and Councilman Favro seconded the motion to approve a resolution in support of moving forward with the recreation path alongside the railroad corridor. There being no further discussion the motion was unanimously carried.

**TRUNK SEWER RELOCATION – COBBLE HILL HOLDINGS**

Supervisor Politi – Ron, are you familiar with the trunk sewer relocation?

Attorney Briggs – Ivan Zdrahal sent me the plans. We have done it in the past.

Councilman Doty could not picture it's exact location and Supervisor Politi explained that it is the Roth property on Whiteface Inn Lane. It is marked out by tape. Councilman Miller asked who pays for it and Attorney Briggs confirmed that the owner pays 100% of it.

Supervisor Politi – As Brad Hathaway says, every time we get a new line it has been surveyed at their cost.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Attorney Briggs – We did one a year or so ago and had an agreement that was prepared by their attorney that was acceptable. We need an agreement. Approve it subject to that. It is the same attorney too, John Wilkins.

Councilman Doty – Brad okayed that 90?

Supervisor Politi – I called him today to ask if he had any problems with it and he said no. I did not want to ahead unless he approved.

Councilman Doty moved and Councilman Rand seconded the motion to approve the trunk sewer relocation subject to a permanent sewer easement and/or agreement for maintenance upkeep. There being no further discussion, the motion was unanimously carried.

Supervisor Politi confirmed that Attorney Briggs will get in touch with John Wilkins.

Councilman Doty – There is no mention of water in that so he must be pulling that from the Lake.

**APPOINTMENT OF BAR MEMBERS**

Supervisor Politi – We spoke about the appointment of two Board of Assessment Review members at our last workshop. Virginia Hazelton is a reappointment for another four year term commencing October 1, 2011. Kim has requested we appoint Pat Gallagher to fill the unexpired term of Neil Pratt ending on September 30, 2014.

Councilman Miller and Councilman Doty both commented that Pat Gallagher was a good choice.

Councilman Favro moved and Councilman Rand seconded the motion to reappoint Virginia Hazelton for a four year term commencing October 1, 2011 and Pat Gallagher to fill the unexpired term of Neil Pratt ending on September 30, 2014. There being no further discussion, the motion was unanimously carried.

**APPOINTMENT HIGHWAY DEPT. MEO.**

Supervisor Politi – Larry Straight has recommended that the Town appoint Robert Shaw to a permanent position of MEO at his current salary. It is a position replacing Dave Luck.

Councilman Favro moved and Councilman Rand seconded the motion to approve the appointment of Robert Shaw to a permanent position of MEO in the Highway Department.

Councilman Doty – He doesn't qualify for HEO yet?

Councilman Miller – I thought we weren't going to hire any more MEOs? Am I wrong?

Councilman Doty – There is no contract so we don't care.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Councilman Miller – I didn't know we needed a contract. I thought we weren't hiring anymore MEOs. But you are saying only if we had a contract. It's tough when we are negotiating with them and telling them that we don't need an MEO anymore on the books because we are not going to hire anymore MEOs.

Superintendent Straight – He won't qualify for an HEO until after his six months probation.

Councilman Doty – MEO's was one of the issues of our negotiating.

Councilman Miller – We took it out because we said we weren't going to hire anymore.

Superintendent Straight – I think it was an issue with Cathy. She said we need to have a certain number of MEOs.

Councilman Miller – I am not blaming anybody. It just put us in an uncomfortable spot.

Supervisor Politi – Are you satisfied with that Bob?

Councilman Miller – I don't know. All I know is that I sat across the table from people telling them we are not hiring anymore MEOs and we are hiring an MEO.

Councilman Favro – Why would we do that?

Councilman Doty – There were trying to justify the level of skill there was within our department in order to get to a pay scale.

Councilman Miller – No. I think our side said we no longer need that category anymore because we are going to hire a guy that can run every bit of machinery that we have.

Councilman Doty – It was with two exceptions and David Luck was one of them.

Councilman Miller - The exceptions were with people we already had. So we weren't going to hire any more.

Supervisor Politi – What are you saying; that we would have to hire an HEO and we wouldn't hire a lower level MEO to get to an HEO?

Councilman Doty – It was part of the grade change that eliminated that category.

Supervisor Politi – What would happen if there wasn't an HEO to hire?

Councilman Doty – Then he would stay at a laborer status until he could qualify.

Supervisor Politi – But then he couldn't drive trucks.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Councilman Doty – In all actuality, we are starting a brand new slate as far as I am concerned.

Councilman Miller – I agree with you. What we negotiate is gone and we have to start over anyway. I don't have a problem with that but I want to make sure what we are telling someone we are actually doing.

Councilman Doty – While we were telling them that, we were in negotiations. That is over and done with.

Councilman Favro – I think your actions just took care of that if you are going to have another step there for people to grow. For people to come in as an HEO and be that forever and ever, offers no growth.

Supervisor Politi – Larry, what is he now?

Superintendent Straight – He is an MEO now. He is seasonal and we are just making him permanent.

Councilman Miller –What is the difference between the MEO and HEO? He qualifies to be an HEO or he doesn't?

Larry – It's time and grade for an MEO to be an HEO. He has to have so much time as an MEO to be a HEO.

Councilman Miller asked if or when they go back into negotiating they should leave an MEO in and Superintendent Straight said he needs him there so he can step up. Councilman Miller was okay with that. Councilman Doty said you have to snowplow before you can slalom!

There being no further discussion, the motion to approve the Highway Department appointment of Robert Shaw to a permanent position of MEO was unanimously carried.

**IRONGATE ZONING REQUEST**

Supervisor Politi – Ronnie, I received this letter about Irongate and gave board members a copy. It is from Dr. Bob Evans. His complaint is that we have zoning on Lake Placid but there is no Zoning in St. Armand. He would like to see an arrangement where Jim Morganson can represent St. Armand on our Lake instead of the Code Enforcement Officer in Bloomingdale who never goes up there.

Attorney Briggs – He would have to have the Town of St. Armand adopt a Land Use Code.

Supervisor Politi – He wants it to be our Land Use Code and that is not going to happen.

Councilman Miller – Their Board takes the position that they want nothing to do with zoning.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Supervisor Politi – If they don't have any zoning in St. Armand, why do they have a paid Code Officer?

Councilman Miller – It's Bob Drosdowich and I think his job is to make sure people are following the state code. St. Armand does not have code for where you build on your property and what you build. I have talked to Joyce and Paul Woodruff about this and they have a philosophical problem about telling someone what they can do on their property. Am I wrong?

Councilman Favro – I think you are right.

Supervisor Politi – I know that they have no problem with the building of 13 boat slips because it's a substantial assessment increase for them.

Attorney Briggs – He ought to send a letter to Joyce Morency.

**BUDGET AMENDMENTS - AUGUST**

Supervisor Politi – Cathy sent you a copy of the budget amendments.

- Increase A.5132.0412 Town Garage. Gas & Diesel by \$8,319.91 for expenditures to Griffith Oil (for amount expended over annual budget—this will be a recurring budget amendment for the remainder of this year); offset with increase to A.0000.2801 Interfund revenues. Town Gas Sales
- Increase DA.5120.0320 Bridges. Improvements \$81,076.07 for pay request no.3 erroneously omitted from July Audits when retainage was paid; offset by releasing \$84,076.07 from reserved fund balance.
- Increase DB.5130.0417 Part Town Highway Equipment Repairs for \$5,659.25 to be appropriated from fund balance
- Increase DB.5130.412 Par Town Highway Gas & Diesel for \$5,526.54 to be appropriated from fund balance
- Increase SP.7110.0416 Park District Parks Grounds Repair \$2,697.52 for Sand for topdressing of athletic fields (to Trudeau Sand and Gravel, \$1,868.16) and fertilizer treatment for athletic fields (to Turf Management, \$2,896.53); offset with Decrease to SP.1331.0102 Youth Commission. Payroll by \$2,718.71
- Increase SW3.8320.0459 Ray Brook Water Other Professional Services \$7,597.64 for Engineering services related to new production well (Ivan Zdrahal \$9,562.64); to be appropriated from unrestricted fund balance of Ray Brook Water District.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Councilman Doty – I have a procedural question; whether it is Highway or Park District overran their budget by \$30,000 in one area and Cathy put this budget amendment in front of us. What are the consequences if we don't approve? We don't pay that supplier?

Supervisor Politi – Most of these are gas and diesel. Is it a reflection on the department head or a reflection on the board or a reflection on the budget officer? How do you estimate these things?

Councilman Doty – I should premise why I am asking this question because in this 2% property tax cap, can you imagine what this time next year is going to be like?

Supervisor Politi – That is why it doesn't make any sense. How do you budget for the price of a barrel of oil? How do you budget for a spring flood or a hurricane? It is just one of those things. I think that most of the Municipalities are saying, this doesn't make any sense at all. I talked to Betty Little about this the other day. She said it is really getting to be a problem because nobody can do it. The cost of health insurance alone is greater than 2%. Unfortunately, we as a body oversee all of those funds. We have to override the entire thing. I always thought we could override Special Districts but that is not the case. Special Districts are thrown in. Many towns at the county say there is no way unless you fire everybody. It makes sense for urban areas where you have runaway costs. It makes no sense for communities like ours that are responsible and really care about what the tax rate is and what you spend money on. Our tax rate is less than \$4 per thousand. The County is the same. That is unusual for the State. Most all other tax rates exceed \$4 and is closer to \$10. The ones that are really going to have a problem are schools.

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

**HABITAT FOR HUMANITY**

Councilman Doty – I sit on Habitat for Humanity Board and I offered to because there is a Lake Placid tangency now. Phil Thayer has offered land on Otter Way. It is a nice gift but we have a lot of questions for the JRB as to the setbacks and if you can fit the building on these. They are tiny oddball corners. They are our first options to overtake that for the rest of that development.

Supervisor Politi – I don't understand that.

Councilman Doty – Clyde has first option on all that down there so we have to meet his standards for siding and type of building, and the whole bit. If he takes it. It is a time deal. Also there is a road association involved and for a young family that is a lot. I thought it was a good boost for Lake Placid to have the opportunity to build a couple of homes.

**ESSEX COUNTY – HORACE NYE**

Councilman Miller – Where are you with the nursing home?

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE

TUESDAY, SEPTEMBER 13, 2011

Supervisor Politi – It was going to come up to the Board for a vote but given what has happened we don't have enough people coming. It is an emotional topic and it is in the best interest of the County to have all of the Supervisors in attendance. My guess it will come to a vote soon. It just can't continue.

Councilman Miller – The storm must have pushed some of the supervisors over the edge. How do you afford all of this?

Supervisor Politi – You can't. The County has to Bond for a substantial amount of money for repairs to roads. Larry, how many roads were closed at one time? About 118 at one time and I don't know how many bridges were out. Something like 27. A lot of them were towns and the towns don't have the money and they have to Bond for them right now. It is a big issue.

**APPROVE AUDITS AS PER AUDIT #'S**

Supervisor Politi – Can I have a motion to approve the audits?

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 9/13/11			
	<b>Regular</b>	<b>Prepaid</b>	<b>Totals</b>
A FUND GENERAL FUND	132598.59	26233.67	158832.26
DA FUND	84076.07	0.00	84076.07
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	90082.13	10339.68	100421.81
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT	0.00	0.00	0.00
H02 -BLOCK HANGAR REHABILITIATION AIRPORT CAP. PROJECT	8372.67	0.00	8372.67
H03 - 5 BAY T HANGAR	16976.55	0.00	16976.55
H04-C&D WASTE CELL	0.00	0.00	0.00
H05- CRAIG WOOD GOLF COURSE CONSTRUCTION	0.00	0.00	0.00
H06-TERMINAL BLDG	13664.21		
H07 RUN WAY REHAB	0.00		0.00
H09-APRON EXPANSION	1700.00		1700.00
SF1 FIRE PROTECTION DISTRICT	0.00		0.00
SF3 FIRE PROTECTION DISTRICT	0.00		0.00
SP PARK DISTRICT	215620.56	16694.63	232315.19
SS21 CONSOLIDATED SEWER DISTRICT	0.00	0.00	0.00
SW1 SEWER DISTRICT #1	0.00	0.00	0.00
SW2 MCKENZIE	0.00	73.80	73.80
SW3 RAY BROOK	15.18	574.65	589.83
T TRUST & AGENCY	0.00	946.93	946.93
TE PRIVATE PURPOSE TRUST	0.00	0.00	0.00
<b>Batch 1118-1123</b>	<b>563105.96</b>	<b>54863.36</b>	<b>617969.32</b>
111602; 111708-111709; 111711-111712; 111715-111750; 111772-111785			
111787-111839; 111866-111913;111915-111920; 111922-111953			

**TOWN BOARD MEETING**  
**SARANAC LAKE TOWN HOUSE**  
**TUESDAY, SEPTEMBER 13, 2011**

<b>Batch 999 (Payroll)</b>	<b>0.00</b>	<b>46567.16</b>	<b>46567.16</b>
111751-111771; 111840-111865			
<b>Batch - HELD</b>	<b>10276.33</b>	<b>0.00</b>	<b>10276.33</b>
110338; 111006; 111102; 111921			
<b>DELETED VOUCHERS:</b>			
111786-LAKE PLACID RENTAL AND SUPPLY (COUNTY EXPENSE)	550.00		
111914-LAKE PLACID RENTAL AND SUPPLY (COUNTY EXPENSE)	750.00		

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

**GRIMDITCH UPDATE**

Supervisor Politi – Derek wanted to be brought up to date on the litigation on the lake.

Councilman Doty – We had some quick emails back and forth but I just need a quick understanding.

Supervisor Politi – Is this for executive session?

Attorney Briggs – No, I don't think so. It's just an update. A motion was filed by Order of Show Cause with the Pellet Division by Mike Hutter just the other day in which he requested two things. One, an adjournment of the Sanctions Hearing; Mike Hutter wrote a letter to Judge Meyer asking him to adjourn the Sanctions Hearing pending the determination by the Appellate Division on the overall case.

Councilman Doty – Basically, it says wait until we hear from them.

Attorney Briggs – Exactly, Judge Meyer did not respond quickly so Mike Hutter added that to his motion to consolidate. He made a motion to do two things; consolidate all the appeals we have pending with the new one as well as asking the Appellate Division to adjourn the Sanctions Hearing. He filled that on, I think, last Thursday and the day after he filed it Judge Meyer did adjourn the Sanctions Hearing. The Appellate Division is now entertaining the consolidation of all the appeals. The appeal of the most recent decision which was a couple of weeks ago on the summary judgment with the other appeals we had pending from the September 29, 2010 Order and March 25<sup>th</sup> Order. The Appellate Division is going to hear everything at one time. In addition, John Privitera, attorney for the neighbor's Moccia and McMillan had successfully intervened in the earlier Appellate. I just received a motion today where he is asking everything to be consolidated and that he be included in the overall consolidated appeals. The Appellate Division has interest in hearing everything at one time. They don't want to hear one this month

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

and another on the same subject matter a month later. Everything will be heard at one time in the November term in Albany.

Councilman Doty – Explain why this has all happened after the settlement agreement was canceled. How could we be at a point where there was a potential settlement?

Attorney Briggs – First of all, we never asked for a settlement conference, Jim Brooks on behalf of his clients Grimditch did not ask for a settlement conference, John Privitera on behalf of his clients did not ask for a settlement conference. That came from the Judge unsolicited by anyone. No sooner did we get it and four days later he canceled it. It is a mystery to all the lawyers as to what happened there.

Councilman Miller – I am glad to hear we are in the Appellate Court.

Attorney Briggs – Some other things are going on. The Adirondack Council will be filing a Amicus Brief. They are going to be getting into the case. They hired Jim Sanborn who successfully represented the Town of Santa Clara in the Beneki case. He is coming into the case in supporting our position as well as the Shore Owners Association. Now we have Privitera representing land owners in supporting our position and the DEC might get into the case also through the Attorney General's Office, but that is unclear at this moment.

Councilman Doty – This thing could wrap up this current year.

Attorney Briggs – It's going to. They will go to argument in November and they usually take 60 days to rule. It is entirely possible that will happen in this year.

**PRESS QUESTIONS**

Nathan Brown asked about the amount of the clubhouse bond which Supervisor Politi answered no more than \$750,000. The Public Hearing is scheduled for September 27<sup>th</sup> at 3:00 pm.

Nathan Brown asked what the next step is for the Recreation Path and Supervisor Politi said the next step would be to coordinate engineering and referred him to Chuck Damp for more information.

Supervisor Politi – I want to congratulate you, Nathan, on your new job.

The Board said a good-bye to Nathan Brown. Chris will be taking his place.

**ADJOURNMENT**

There being no further business to come before the board, Councilman Doty moved and Councilman Favro seconded the motion to adjourn the meeting 8:45 pm.

**TOWN BOARD MEETING**  
SARANAC LAKE TOWN HOUSE  
TUESDAY, SEPTEMBER 13, 2011

Respectfully Submitted,

Laurie Curtis Dudley  
Town Clerk