

PUBLIC HEARING: LOCAL DOG LAW REVISION/ TOWN BOARD MEETING

TUESDAY, MAY 10, 2011

Minutes of Public Hearing held on the above date beginning at 6:50 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 Miller, Councilman Favro, Laurie Curtis Dudley

Members Absent: Councilman Rand

Others Present: Larry Straight, Chris Morris, Nathan Brown, Jim McCulley, Tony Goodwin, Sean Ayres, Cathy Gregory, William Gregory, Chris Theobald

Supervisor Politi called the Public Hearing to order at 6:50 pm.

PUBLIC HEARING –DOG LAW REVISIONS

Supervisor Politi read the following notice; Please take notice that the Town of North Elba will hold a public hearing on May 10, 2011 at 6:50 p.m. at the North Elba Town Hall, 2693 Main Street, Lake Placid, New York, for the purpose of discussing a proposed local law as follows: Dog Control Law providing for the restriction of dog ownership, mandatory licensing of dogs, procedure for seizing dogs, and penalties for violation of said Dog Control Law. This Local Law shall take effect immediately upon filing with the Secretary of State. Copies of this proposed Local Law are available for inspection at the office of the Supervisor for the Town of North Elba, at the Town Hall, 2693 Main Street, Lake Placid, New York.

Said notice was Properly Published and posted.

Supervisor Politi reviewed the proposed changes to the Local Law #1 of 2011, Dog Law. That language now would read:

Section 4 (c):

“Run at Large” means to be on private lands without the knowledge, consent, and approval of the owner of such lands or upon public lands without being tethered with a leash.

Section 6(c):

Fees for Licensing of Dogs: The fee for a spayed or neutered dog will be \$9.00 plus \$1.00 surcharge for the purpose of carrying out animal population control and the fee for an unsprayed or unneutered dog will be \$17.00 plus a \$3.00 surcharge for the purpose of carrying out population control with such fees being reviewed by the Town Board, if deemed necessary. There shall be a \$5.00 fee for replacement of Municipal Identification

Section 7 (c):

Any person who observes a dog in violation of this Law may file a complaint under oath with the Lake Placid Police Department, Dog Control Officer, any police agency having jurisdiction or other such entity having authority to receive such complaints specifying the nature of the violation, the date thereof, a description of the dog and the name and residence of the owner, if known, of such dog. Such complaints may serve as a basis for enforcing the provisions of this Local Law.

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Section 7 (a) (iv):

All seized dogs shall be kept and disposed of in accordance with the provisions of Article 7 of Agriculture and Markets or with the provisions of this Local Law.

Section 7 (d) (iv)

Pay the cost to impound the dog in an amount not to exceed \$75.00.

Section 8:

Penalties: any person convicted of a violation of this Local Law shall be subject to a fine in a minimum amount of \$25.00 but not to exceed \$250.00 and to a term of incarceration not to exceed fifteen (15) days, or both. Additionally, an owner shall pay a penalty of \$75.00 for any dog seized and the cost to impound said dog in an amount not to exceed \$75.00

Supervisor Politi - I will open the public hearing to all those who would like to address this Board with regard to Local Law #3 which is the modified Local Law #1 of 2011. I will leave the public Hearing open until 7:00 for all those who do want to discuss the local law or if the press would like to ask questions with regard to the amended Local Law #3.

Jim McCulley - I would like to say that I agree with the law. In my neighborhood we have dogs running wild and anything to curve that back is a good idea.

Supervisor Politi - This law is designed to have more teeth so those offenders will take it more seriously. We have had a number of issues. This means that you cannot walk your dog without a leash on a public highway.

Chris Morris – This is more of neighbors enforcing? You're not going to be enforcing it with a town employee?

Supervisor Politi – The modifications are really meant to more clearly address offenders. If you have a problem with a dog and you file a complaint, in the past they have been fined and they didn't pay the fine. Now there is a little more bite in this law in that if you don't pay the fine, the Judge can also sentence you up to 15 days in jail. That has a tendency to get people's attention. It is a way of making sure that offenders understand the ramification of allowing their dog to run free and to disturb their neighbors.

There being no further discussion, Supervisor Politi closed the Public Meeting at 7:00 pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk

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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 Doty, Councilman Miller, Councilman Favro, Laurie Curtis Dudley

Members Absent: Councilman Rand

Others Present: Larry Straight, Chris Morris, Nathan Brown, Jim McCulley, Tony Goodwin, Sean Ayres, Cathy Gregory, William Gregory, Chris Theobald

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 April 5, 2011.

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

Supervisor Politi introduced William Gregory to the Board stating he is here as part of a Scout Project and his Merit Badge stating he is here to listen to a bunch of boring old men.

JIM MCCULLEY & TONY GOODWIN – RAILROAD

Supervisor Politi welcomed Jim McCulley & Tony Goodwin joking they were the “odd couple”.

Mr. Goodwin – We are going for drinks afterwards; Jim will be drinking Plank Road Beer and I will be drinking Long Trail Ale! He says his goes further and I say mine is healthier.

Jim McCulley – During the winter he lets me borrow his skis and I let his borrow my snowmobile. It’s not as big as a stretch as you may think!

Supervisor Politi invited Jim McCulley & Tony Goodwin to come forward.

Mr. Goodwin – We are here for somewhat independent reasons but for the same hopeful outcome. And that is that the Town decides to hold off spending any money on a parallel rail trail. The grant money will go a whole lot further producing a real community recreation trail once we get the rails removed. In this climate and with the recent decline in ridership here and other problems, that pressure that we are working on the DOT will at some point in the fairly near future get the decision that the rails will be removed. Do we have any guarantees? No. Two years ago I was here at a meeting when Mr. Kennedy and Mr. Branson made a plea for supporting their request for further grants. They talked about the rail revival and how all railroads were going to somehow blossom. The real revival occurred because railroads with Staggers Act were suddenly allowed to easily abandon long dead-end branch lines through thin territory, which were dragging the profits down. If this isn’t a Long Branch line within thin

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territory, I don't know what is. They talked about fuel efficiency; there is no question that when CSX went 120 car double stack container train from Buffalo to Frontier yard to Albany Selkirk Yard they have got at least a four if not a six-to-one advantage over the semi trucks on the parallel New York State Thruway. The passenger and freight service that they are envisioning on the Adirondack Railroad here year round is going to be inefficient fuel wise and is going to be more line Petticoat Junction than real modern railroading. There just doesn't seem to be any efficiency here. As far as getting passengers to Lake Placid should gas go to \$10 a gallon, running them from Albany to Utica and all the way around the horn over a course of 10 hours is going to be a whole lot less fuel efficient and less user friendly than taking a bus from NYC here in about five hours. Ten hours is what they were willing to admit to when I talked to them after the meeting. Jim would say it will be more like 12 to 14 hours.

Mr. McCulley – From NYC to Utica on Amtrak right now is five and a half hours. Then you have to come north so you can do the math.

Mr. Goodwin – One of the things that the Staggers Act did permit was rail banking. This is still definitely a rail banking operation. This doesn't say we will never have a railroad here but in the meantime, let's maintain the road bed and the right of way and let's use it for something better in the mean time. There have been questions of why it is going to be difficult perhaps to remove the rails. I served on the Citizens Advisory Committee back in the 1990's. I am very familiar with the unit management that was finally written for the corridor. It gave several options, one was full recreational use/ removal of the rails and that was considered to be just as viable and just as likely an option in the long run as a full rail service. It was definitely a wait and see. DOT has in a letter that I received from them four years ago, they were also willing to admit it was a wait and see. They hadn't yet given up on it in 2006 but they were monitoring very closely their expenses and the benefit to the public. As I said at the beginning, why should you delay the use of this grant? You're probably not going to have enough money to get to Ray Brook given the current increase in cost. Once the tracks are up, and I don't know the details of this grant and how it could be modified and how the deadline can be expanded, but you would be able to put some serious money into it.

Supervisor Politi – Let me give you a little update. This Board considered consolidation of the two grants because we came to the conclusion that the funding for the first grant would not be enough to get us to Ray Brook. We would need additional monies given the need to bypass the wetlands. Chuck Damp, Bob Miller and myself met with representatives of Congressman Gibson seeking Federal help to have those grants consolidated. We have received a response from the Congressman's office stating that the request to combine the projects has been denied by the NYS Department of Transportation Project Manager. Which means this makes it very difficult for us to consider a parallel recreational bike path under these circumstances. Unless the two grants are consolidated, were there is some agreement in the future, and the indication is not positive from what I read here, that the likelihood that we continue in this project is only speculation at this time.

Mr. McCulley – There is another part of this too. We know economically the railroad can't survive. I am going to leave these with you because a lot of you will find this interesting. It is the 2008 and 2009 tax return of the Adirondack Scenic Railroad. You will find that every year they are being subsidized between \$300,000 and \$600,000. This stack of paperwork here is the bills

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submitted to the DOT for payment by the Adirondack Scenic Railroad for 2009. One year without a grant, the Adirondack Scenic Railroad is bankrupt. I would really hate to see us start doing something parallel when the truth of the matter is they can't even afford the electricity to run their crossing guard lights.

Councilman Miller – What does it come out to Jim in subsidies per passenger?

Mr. McCulley – Per passenger? It is tough to tell because they are running four different lines. They run what is called the Polar Express between Holland Patton and Utica, which is not on this line and they have 8,300 riders. They run a line from Utica to Old Forge which has 8,300 riders on that. I figured the Old Forge and Lake Placid line at one point we pay about \$50 for every rider. There is always debate on their numbers, but we figured it is about 5,100. The project they are doing on the railroad bed in Saranac Lake means we are subsidizing \$12 for every rider for just that one project. That is if you go with their \$64,000 number. I have always been told that the cost of a crossing is between \$200,000 and \$300,000. Let's face the facts; the State of New York is bankrupt. The reality is the State is at some point going to shut down the spigot. I think this Board would be wise to push for that spigot to be shut down rather than attempting a trail next to it. I walked it on Sunday and I advise all of you to also walk that. It is a swamp land for miles.

Supervisor Politi – I've walked it. All I can tell you with regard to your position with this Board, it would appear that the parallel recreational path is not going forward given the fact that NYS DOT has not agreed to consolidate the loans. If they don't agree to consolidate the loans, it not going to happen.

Mr. Goodwin – Is this Board at this meeting or a future meeting prepared to pass a Resolution that request that the subsidy be cut off and rail service be ended?

Supervisor Politi – I don't think at this point we are.

Mr. McCulley – Just for your information, the St. Lawrence County Board of Supervisors has already passed a resolution asking for the removal.

Supervisor Politi – I was not aware of this.

Mr. McCulley – St. Lawrence County tracks run between Sabattis and Piercefield. They have already requested that this be done.

Supervisor Politi – From day one, our concern with these grants was if you spend any of the monies and you don't fulfill the commitment, you have to pay it back. This Board has always taken the position that we were not about to impose that kind of a cost burden on the tax payers and not be able to achieve what we started out to do, which is the parallel bike trail. Given what we know now, that is not going to happen unless there is a change.

Mr. McCulley and Mr. Goodwin thanked the board for their time.

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There being no one else to address the Board, Supervisor Politi moved on to Old Business.

MODIFIED DOG LAW

Supervisor Politi – Now that we had the Public Hearing, if you so choose we can approve the Town of North Elba Local Law #3 of 2011, modified and amended Dog Ordinance.

Councilman Miller moved and Councilman Favro seconded the motion to approve the Town of North Elba Local Law #3 of 2011; modified Dog Ordinance. There being no further discussion, the motion was unanimously carried by those present.

Supervisor Politi – Ron, you will make the arrangements to file the Law.

LABOR NEGOTIATIONS - UPDATE

Supervisor Politi asked Councilman Miller and Councilman Doty for an update with regard to the landfill labor negotiations.

Councilman Miller – We negotiated with the Union employees and negotiated a proposal which would have offered them a raise each year for three years but would require them to pay the same amount for their health insurance while they were retired as while they are working. They voted it down. What is the next step, we are not really sure.

Supervisor Politi – I think the press would want to know what the percentage of the annual raise was.

Councilman Miller - It was 2% a year for three years. There were some minor incidentals

Councilman Doty – Just to clarify it, it was Landfill and Highway.

Councilman Miller – We went to impasse and the State provided a mediator. We met with the mediator on three separate occasions, gave them what was our final proposal after over six months of negotiations and they voted it down.

Councilman Doty stated we are headed for Fact Finding.

Councilman Miller – Well we are not sure of that yet. If they want to, but they don't have to.

Councilman Favro – At this point everything is off the table and we pretty much start over?

Councilman Miller – It can be, and Ron, correct me if I am wrong. We can do what is called regressive negotiating.

Attorney Briggs – It has been a long time since I looked at it, but as I recall you have fact finding and then eventually appearing. At the end of the day you can impose the same contract as before.

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Councilman Miller – We would then start negotiations all over again. If we get that far, we can't say now we are going to punish you. But we can do take into a change in the economic climate. Let's face it, we offered them a raise back in August 2010 before gas prices went up. Since that time we have had a loss in state aid. There have been changes. The Governor has just negotiated the first contract with State employees since '92 and he is having State employees pay 35% of health insurance. We asked our Town employees to pay the 23% which is what they are paying while they are working. Things have changed since we started negotiating. I think the wise thing for us to do is draft a letter to the Union suggesting to them that we do value what they do. I know I speak for everyone at this table when I say we truly value the work they do. We are under pretty severe economic constraints and we are trying to provide them with the best package that we possibly can. If they reject this package and we go through this process, then yes we will be starting again.

Supervisor Politi – No one is questioning their work performance. This is an issue with regard to economics.

HANDICAP ACCESS TOWN HOUSE – SARANAC LAKE

Supervisor Politi – We had discussed handicap access at the Town House in Saranac Lake. Derinda Sherman of the Board of Elections has so noted now that a mandate for voting halls to have handicap entrances. We talked about this at a workshop with Butch.

Councilman Doty – Butch and myself each went over and took measurements. There are two different ways to do it and it is just a matter of following through. It is not a big problem.

Supervisor Politi - It needs to be done before the next primary election in September.

Councilman Doty - I will get together with Butch and present the Board next meeting. The most logical is a concrete pour.

Supervisor Politi – I spoke with Cathy and she told me there is money in the Repair Account that would likely cover that cost.

Councilman Doty will follow up with Butch and Sylvie Nelson.

SEASONAL EMPLOYEE – ZACH FITZGERALD – LANDFILL & CEMETERY

Supervisor Politi asked for approval for the following Seasonal Employees:

- Lee Stanton – Seasonal employee; Park Attendant at Craig Wood & Show Grounds at \$11.00 per hour
- Jason Beaney – Seasonal laborer; Park Attendant for Craig Wood at \$11.75 per hour
- Ray Tempestilli - Seasonal laborer; Park Attendant for Craig Wood at \$12.00 per hour
- John Hence – Returning laborer; Park Attendant for Craig Wood at \$11.00 per hour
- Zack Fitzgerald – Returning laborer for the Cemetery at \$10.50 per hour

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- Robert Russell Shaw – Seasonal motor equipment operator at \$12.39 per hour

Councilman Doty moved and Councilman Favro seconded the motion to approve the above referenced employees. There being no further discussion, the motion was unanimously carried by those present.

MODIFIED DATES FOR PRE-BID MTG. – TERMINAL PROJECT – AIRPORT

Supervisor Politi – I wanted to make a note that the bid for the Terminal Project at the airport has been postponed until Monday the 16th for a pre bid meeting and the Bid Opening will be Wednesday, May 25th. They are also looking for any local contractors who can contact C&S.

Councilman Doty – What did they get, four more bidders?

Supervisor Politi – I don't know. They didn't tell me that.

ARBOR DAY CELEBRATION MAY 19, 2011

Supervisor Politi – I also want to make you aware that there is an Arbor Day celebration on May 19th at 5:30 pm in Jewtraw Park. It is put on by the Tree Committee. You are all invited.

REQUEST FOR LIVE MUSIC PERMIT – TAIL O' PUP

Supervisor Politi – Jim Morganson did get a request for a Live Music Permit at the Tail O' Pup. You may have gotten a copy of the letter and the email from one of the neighbors who has objected in the past to this particular permit. It was a written request to Jim Morganson on March 30th requesting the permit. We did discuss this at a workshop and I did draft a proposed permit agreement.

Supervisor Politi read the agreement which is on file in the Clerk's Office.

Supervisor Politi – I think that it covers what we have to address.

Councilman Miller – Well Done. Is that Mr. Briggs?

Attorney Briggs – No. That is all Robby.

Councilman Doty – We just have to address last weekend when he had live music?

Supervisor Politi – He is allowed to have music. You are not required to have live music during the day. If he violates the Noise Ordinance than that is another thing. Interns of a permit for live music, you do not need one anywhere in the Town of North Elba after sunrise and before sunset, However, you are subject to the Noise Ordinance Law. This would make it noon in this particular case.

Councilman Miller – If he is in violation of a sign ordinance?

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Supervisor Politi – Again, if he violates any imposed item within the 2011 Joint Land Use Code he is in violation.

Councilman Miller – And he understands that?

Supervisor Politi – I don't know whether he understands it. He certainly will before he signs it. We had a problem in the past with off premises signs and would be in violation of the 2011 Land Use Code which would subject him to the loss of the permit and the loss of a security deposit. I doubt he wants to take that risk. To me this is a little bit like the Dog Law; sometimes you have to get bit before you can understand the ramifications of the permit requirements. If you are in agreement, I will sign it and if he wants to sign it then we will give him a permit. If he doesn't want to sign it then he doesn't get a permit. Last year was the best year yet. Everyone needs to know what the deal is and that is the deal.

The Board agreed it was, "very good". Supervisor Politi signed the agreement which will go to Jim Morganson for Eddie Yanchitis.

BIKE PATH – CONSOLIDATION OF GRANT MONIES

Supervisor Politi – The bike path is on here to talk about the consolidation of grant monies. We've discussed that. The next step would be to meet with the Governor's office or NYS DOT to find out how flexible or inflexible they are with regard to the consolidation of the grants. That is the logical next step. At that point it is determined there is no flexibility then we maybe dead in the water.

Councilman Doty – The 1st Phase money must be time sensitive anyway.

Cathy Gregory – It was a four year extension.

Supervisor Politi – We are fine with a couple of years to go.

Councilman Miller – Is Betty Little aware or should we make her aware?

Supervisor Politi – I will make her aware. I don't know if she is aware because it just happened.

RESOLUTION ACCEPTING T. LINCOLN RESIGNATION- HIGHWAY

Supervisor Politi – We received a resignation from Tom Lincoln and want to get a resolution from the Board accepting Tom Lincoln's resignation from the Highway department which was effective Friday, April 29, 2011. We wish him well. Tom worked for us not only as a seasonal employee but as a full time employee. He did a good job but wants to take time for himself. The gentleman that we approve today, Robert Shaw, will be replacing him but on a seasonal basis.

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Councilman Doty moved and Councilman Miller seconded the motion to accept the resignation of Tom Lincoln. There being no further discussion, the motion was unanimously carried by those present.

THANK YOU AND APPRECIATION – HEIDI/PETER ROLAND

Supervisor Politi – I want to publically thank Heidi and Peter Poland for the great job they do every year with regard to cleaning up our village and our roads and streets. For the record I want to so note our appreciation as a Town Board and the community for their volunteer work.

The Board gave a unanimous second.

APPROVE BUDGET ADJUSTMENTS:

Supervisor Politi – We had several Budget Adjustments. The amendments are as follows:

- Increase cemetery contracts & agreements \$900.00; offset with Decrease in cemetery personal services for April burial services
- Increase toboggan slide personal services \$168.00 and Increase toboggan slide payroll temporary \$344.00; offset with Increase in Toboggan Slide admissions for final payroll expense for 2011 season
- Increase town hall building repairs for sprinkler head repositioning quoted from Adk Sprinkler for \$2900.00; offset with release of designated fund balance for building repairs (left over from funding of records inventory grant)
- Increase black fly control equipment \$29.90; offset with Decrease in black fly control equipment repairs; purchase of snow shoes that exceeded budgeted funds
- Increase park equipment \$4,795.00; offset with Decrease in toboggan slide unexpended budgeted funds (\$1,041.90); Decrease in toboggan slide equipment (\$1,500) and Increase in toboggan slide admissions \$2,253.10; to cover purchase of plow needed for new truck purchased for park district maintenance.

Supervisor Politi – No additional monies necessary to burden the taxpayers. If I could have a motion to approve those budget adjustments for the finance officer?

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

RAY BROOK WATER DIST. CONTRACT – LPV

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Supervisor Politi – Every year we do a contract for the Ray Brook Water District with the Village of Lake Placid. This contract begins June 1, 2011 and extends to May 31, 2012. It is part of our 2012 budget. This is a proposal from the Lake Placid Village Water Department in the amount of \$24,900. This figure includes a 5% labor cost increase and a 5% gasoline increase.

The contract is on file in the Clerk's office.

Supervisor Politi – The amount last year was \$22,637.67.

Councilman Doty – I will be the first to move that and mention what we get from Brad and his crew is immeasurable. We have done a lot of work in Ray Brook last year and they are a great group to work with.

Councilman Doty moved and Councilman Favro seconded the motion to approve the Ray Brook Water District contract with the Village of Lake Placid. There being no further discussion, the motion was unanimously carried by those present.

SARANAK – REQUEST – FUND RAISER ADK LOJ. ROAD

Supervisor Politi - The next item is a request by the Search and Rescue of the Northern Adirondacks. They are requesting permission from the Town of North Elba to hold two fundraisers during 2011. They want to station themselves at Meadow Lane intersection on Saturday and Sunday May 28th and 29th and on October 8th and 9th from 7am – 1pm. This is the Adirondack Lodge Road fundraiser that they do every year which is primarily soliciting those people who are utilizing the High Peaks Region because they provide this service to anyone who is lost, sick or stranded in the mountains.

Councilman Favro moved and Councilman Doty seconded the motion to approve the Search and Rescue of the Northern Adirondacks fundraiser. There being no further discussion, the motion was unanimously carried by those present.

Supervisor Politi asked Laurie to Contact Scott Tooker letting him know of the Town Board's approval.

3 YR. CONTACT – PHONE, CABLE & INTERNET

Supervisor Politi – Cathy did research the phone cost related to the Town of North Elba, as well as cable television and internet. She solicited several quotes. One Communication is presently handling our telephone services. She received a quote from Cornerstone and Time Warner. It is apparent from the findings that the Time Warner proposal would save about 301.67 per month which is a total of \$3,620.04 a year. They are requesting three year contract. The cost savings over the three years would be about \$10,800. They did an inspection of all the sites and they will have to pull a few lines with some construction costs on their part. They will take care of the construction costs.

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Attorney Briggs – We switched in our office from Verizon to Time Warner about a year and a half ago and have saved a lot of money.

Cathy Gregory – I got five or six references and talked to four of them and they are all happy.

Councilman Miller – Will we be able to keep the same phone numbers?

Cathy Gregory – Basically is the infrastructure outside our building.

Supervisor Politi – I applaud you Cathy. Thank you. It is a considerable amount of savings and in these times it is certainly appreciated that you take the time and effort to do it. Do I have a conceptual approval subject to a review of the contract by the Town Attorney?

Councilman Miller moved and Councilman Favro seconded the motion to conceptually approve the change to Time Warner subject to a review of the contract by the Town Attorney. There being no further discussion, the motion was unanimously carried by those present.

RAY BROOK WATER METERS (RADIO READ)

Supervisor Politi – We found that we had a need for five commercial water meters in Ray Brook. They were instances where the Village has found them inoperable or gotten no response. Cathy would like the Town to consider a purchase of radio read meters for five places in Ray Brook. The total cost being \$1,405.92 to be paid from Equipment Repairs Account that we have budgeted for and the funds have not been utilized on a consistent basis. The money is there. It would make it a lot easier not only for the Village but also for Cathy's records.

Councilman Doty – On a commercial basis that cost would probably be paid for in one billing.

Cathy Gregory – It depends. The purpose of doing this is to ease the backs of the person who is reading it, but also for the accuracy of the reading.

Councilman Doty – That is a huge tool for Brad and the guys to have when they have actual usage. It helps them trace a major water leak a lot faster.

Supervisor Politi – Also, if they can't get into read a place and when they finally get in to read, the person has such a huge bill that they don't want to pay it. It just makes sense.

Councilman Doty moved and Councilman Favro seconded the motion to approve the purchase of five commercial water meters for Ray Brook. There being no further discussion, the motion was unanimously carried by those present.

COMMITTEE REPORTS - CRAIG WOOD CLUBHOUSE & SEPTIC SYSTEM

Supervisor Politi – We did receive the North Woods Engineering report. I believe, Bob, You forwarded the report to Berry Halperin for his review. It is probably a good time to talk about the report.

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Councilman Doty – What it boils down to is the Board is trying to assess Craig Wood and be as efficient as we can and still have a first rate facility. The building is old and shows a lot a wear in different areas. We accepted the responsibility to assess its current condition and weigh that against renovation cost and maybe possible additions. Adding different amenities; better disabled access, elevator access maybe, better storage, better refrigeration, better kitchen, better electrical... the whole bit. Long story short, Joe Garso from North Woods Engineering was kind enough to go on a tour with Jim Morganson, our Code Enforcement Officer, myself and two construction experts. That produced the report Joe gave us that basically said that the building is sound but there are major improvements needed. Mainly in the roof, the siding, electrical upgrades, stairs, new Codes, windows... it pretty much needs a full face lift. The major thing at hand is the septic system which is very old and has caused problems in the last few years. We are at the mind to pretty much jump right on that.

Supervisor Politi – One of the problems there is that it is located within 100 feet of the well and it is not code. It needs to corrected, and it needs to be corrected immediately.

Councilman Doty – That is a major one. One other major item we are looking at is a better supply of water. That is where we are in relation to the old building.

Councilman Miller – I forwarded that report to Berry Halperin, the architect. He has communicated with Jim Morganson. He is going to get us an idea of numbers in understanding what the end product that we want. How much will that cost renovating the old building vs. building a new building?

Supervisor Politi –Joe Garso was nice enough to this pro-gratis. It makes sense to contact Joe in designing a system and let's get the cost and get it moving ASAP. It is almost an emergency situation.

Attorney Briggs – It is an emergency situation indeed.

Supervisor Politi – Get together with Larry or with Butch to find out where the best place is and who can do the necessary digging. Let's resolve that problem ASAP. We open tomorrow at Craig Wood for the season. It just needs to be done.

Councilman Doty – I will get on it tomorrow morning.

Supervisor Politi - He said the capacity has to be larger?

Councilman Doty – There is a couple different things that apply now. Grease trap is a major thing. In the old days that wasn't code. Now that we accommodate over a certain number of people in the Club House, codes come into play for a grease trap, which is the major contributor to the failing system now.

Supervisor Politi – I read this report then I remembered some of the things that you mentioned. I understand that the structure and frame is sound, but it concerns me that by the time you are

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talking about the roof and the siding, and the windows and the deck. One of the things that we talked about originally is that the kitchen is not adequate. I think you told me that it ran around \$300 a square foot. If we had to replace the kitchen alone you are talking about \$300,000. By the time you add up the kitchen and the roof and the decks, an elevator and such and such, it is a good idea we know.

Councilman Doty – I would be easier to represent our selves to the community. If we are looking at a \$400,000 to renovate and \$980,000 for a new facility that is going to last 35 more years, none of us are convinced that is the direction, but we need to know.

Councilman Miller – When I talked to Barry he said I do this all the time. He said it is a responsible approach the Board is taking and it makes sense. He got a hold of Jim and said he would get right on the ball park numbers so we can make the best decision.

Supervisor Politi – I appreciate that. You did a great job on that and it is appreciated.

COMMITTEE REPORTS - SHIPMAN CENTER – SKATEBOARD PARK

Supervisor Politi – Bob you did receive an email, which I saw. John Fremante was supposed to get together with you. Did that happen?

Councilman Miller – We are getting together tomorrow at 3:30 pm. You did see the report I received from them? (Councilman Miller did not forward the report to the Board) A synopsis of the report is, I have been asking since last September to report on their numbers to tell us how our \$7,000 is used. It was sunny the whole summer. I finally got it at the end of April. What it reflected was ¾ of the time no kids showed up. Of the time kids showed up. The majority of the time it was out of town kids. It was used very little by local kids. I can tell you on a personal perspective, my daughter and I maintain the gardens at the Youth Center. We were there every single day. It was almost a funny thing; a lot of times we would arrive there and there would be kids inside the skateboard park, but no supervision. As soon as the supervision showed up, the kids left. It is almost like we paid \$7,000 to black out a time for these kids. I am going to meet with Dmitry and Jon and they are going to talk to me before they address the Board. They are going to have to come up with some very good ideas before we put \$7,000 into something that is not being utilized.

Supervisor Politi – It is too bad we couldn't move it to the Community Church. Like all kids, they want exposure.

Councilman Miller – They want exposure, but skateboarding isn't in anymore. I talked to Art Summers and he said the kids are into long boarding.

COMMITTEE REPORTS - CRAIG WOOD BIKE TRAIL

Supervisor Politi – I know that Jeff Erenstone met with Butch, and did he meet with you Derek?

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Councilman Doty – I had early conversation with him just to hold him off until Butch got back from vacation at which time they were both going to agree on a proposed course and then come back to us.

Supervisor Politi – They met with Butch and have come to the conclusion that they do not have to go behind the 6th tee and across Scott's Coble and behind the 3rd tee, which are all cliffs anyway. They have decided that is nit in the cards and is really not in our best interest. They have plenty of room to design a course. It will run behind 9, 6 and down by 10. They have plenty of room, and Butch has no problem. They have flagged it and with our blessing we let them go. Given the fact that we may not have a bike trail along the rail corridor, it is nice to have this bike option in conjunction with the Lussi family giving proposed bike trails along the golf course. When something doesn't work something else does.

TOWN ATTORNEY REPORTS

Attorney Briggs – We have to talk about my report in executive session.

COMMITTEE REPORTS – MOODY POND WATER BREAK

Councilman Doty – Roby, I have a few small items on committee reports. One is to touch base that we are in touch with Saranac Lake Village; Larry and I were part of inspecting a water break on Moody Pond about a month ago. It was at night and an emergency situation. The Village stepped in and fixed that for us. They have since sent us a bill that I have to clarify and verify for the Board. It is straight forward. However that bill will not be submitted to our Town for payment but to those water users that the line is actually supplying. It is a weird situation over there in that it is they are people in the Saranac Lake Water District that are using their own private lines underneath North Elba roads. It is certainly unique and we need to work probably over these next few months to come up with the Village to come up with an agreement if you will. Certainly they were very good to jump in and save the washout of the road. We owe them thanks for that. It is the second time they have helped us in the last five or six years.

Councilman Doty – The other thing, I put in everybody's packet a cover sheet from Grey Stone Engineers that has to do with the Spill Prevention Plan that we need to bring up to date down at our Town Garage. That is ongoing. They are going to send us a draft estimate of proposed costs.

Supervisor Politi – I did not get that.

Councilman Doty – I have two here. All it is a cover of their company.

Superintendent Straight – Is this a federal regulation?

Councilman Doty – It is a federal regulation that we have to adhere to. We will call it equal to the state. Facilities over 1,320 gallons of fuel are under these. In any respect, we will get those estimates shortly. We were in search for some CAD drawings of the Town Garage which would

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save quite a bit of money in their estimate. I don't know where we might have those. We may not have them.

COMMITTEE REPORTS - LANDFILL/ TRANSFER STATION COMPACTORS

Councilman Doty – The only other thing I would like to bring up is, with current things going on at the Landfill/ Transfer Station, we are having problems with compactors and it is a big cost for the County as well as ourselves. As we look at ways to be more efficient at the Landfill, I would like to recommend to the Board that we consider a Landfill assessment if you will. Maybe look at our leases with the County; how long do they go on for. What the County's plans are for the replacement of the compactors? I would also like to suggest maybe consider the possibility or the option leasing out our landfill facilities for a certain fee as long as the services are still provided to the taxpayers. I am not suggesting that's the option we go but I would like to do a thorough assessment of our landfill as far as current tonnage, our profit margin against what we might be able to lease for. It has been quite a few years since we have assessed it.

Councilman Miller –Casella that does that? Does Casella do Clinton County and Franklin County? Do they do towns?

Supervisor Politi – Circle does it right now and Casella. We have a couple of options. They do not do Essex County. Larry, do you know if individual towns contract out?

Superintendent Straight – No. Not to my knowledge. Everything in Essex County goes to Essex County.

Supervisor Politi – That is not to say that it can't be done.

Councilman Miller – What I am saying is, every town operation is run by the town. No towns contract their town services out?

Supervisor Politi – What you have is a lot of towns don't have a facility and they have to truck it to the nearest transfer station.

Councilman Doty – And we run a very efficient operation right now. I'm in no way suggesting that we are not doing very well. Shannon and Larry together with just our recycling program is very successful. But just to assess it every few years I think would be smart to know what our tonnage is and what our profit margin is.

Superintendent Straight – I called Tony LaVigne this afternoon about the compactor equipment inspection he did last fall. In essence, the equipment that we have is worn out. He is suggesting that this equipment cannot be repaired; it would be too costly. New compactors this size are \$80,000 a piece.

Councilman Miller – That is the County's responsibility, right?

Superintendent Straight – The County owns those compactors.

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Supervisor Politi – The County is talking about having to do so in several places.

Superintendent Straight – He said the County should be out of the business.

Supervisor Politi – Towns are considering the same thing! The next step is for Jack and Derek.

Councilman Doty – Can you find out about our contract, Roby?

Supervisor Politi – I will get you one. I have it and will get everybody one. I want to say there is five years left, 2017.

Superintendent Straight – We contract to the County to hall our trash. Tony said that is good for three more years.

Supervisor Politi – I am thinking about the County contract with Circle. I couldn't remember if it was 2014 or 2017.

Councilman Doty – So we will inch along, and keep gathering info.

LABOR NEGOTIATIONS - CONTINUED

Councilman Miller – I have a question and I don't know the appropriate time is to talk about it but, I was going to suggest that if this negotiating continues do we want to go into Fact Finding. I have no problem handling and trying to save us a little bit of money having had professional labor relations.

Supervisor Politi – Our labor relations contract is on a per-incident. It is not a year round contract. The Town Board can certainly do that if you so choose.

Councilman Miller – So we can use him as we see fit.

Supervisor Politi – Yes, absolutely. He is an independent contractor on a per need basis.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the audits.

TOWN OF NORTH ELBA		
CLAIMS APPROVED FOR PAYMENT 5/11/10		
	Regular	Prepaid
A FUND	60810.58	40266.79
DA FUND	2350.73	0.00
DB FUND	4413.41	9876.92
H43 2008 AIRPORT CAPITAL PROJECT	0.00	22930.00
SF1 FIRE PROTECTION DISTRICT	0.00	0.00

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SF2 FIRE PROTECTION DISTRICT	0.00	
SF3 FIRE PROTECTION DISTRICT	0.00	0.00
SP PARK DISTRICT	354254.06	39420.06
SS21 CONSOLIDATED SEWER DISTRICT	0.00	0.00
SW1 SEWER DISTRICT #1	0.00	0.00
SW2 MCKENZIE	0.00	73.80
SW3 RAY BROOK	4379.00	712.09
T TRUST & AGENCY	0.00	1607.51
TE PRIVATE PURPOSE TRUST	0.00	0.00
	426207.78	114887.17
10869-100896; 100901; 100903-100932; 100954-100963; 100966-101057		

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

PRESS QUESTION – RECREATION PATH GRANT

Nathan Brown asked if the DOT give a reason as to why they would not consolidate the grants.

Supervisor Politi read the letter from the DOT explaining the grants were issued as separate and distinct locations; Phase I being from here to Ray Brook and Phase II being from Ray Brook to Saranac Lake. Do to the competitive nature of the funding process and out of fairness to all other applicants whose projects were not funded, this request to combine the projects has been denied by NYS DOT Project Manager.

Chris Morris – Does it have the person’s name by any chance?

Supervisor Politi – No it doesn’t give a name but we have talked to NYS DOT and his name is Wilson Moore.

Chris Morris – How much does each grant cost?

Supervisor Politi – It didn’t cost us. The total amount of the award was over \$2 million. I gave that to you Nathan. Can you share that with Chris? A portion of that comes from us and a portion comes from them. If we don’t fulfill the agreement when we utilize any of their funds then we have to pay it back.

Nathan Brown – What happens to the funds if you can’t use it?

Supervisor Politi – The money goes back into the pool. The Feds will utilize the money for other projects.

Nathan Brown – What about your future corridor?

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Supervisor Politi – That is the issue. That is what we have been talking about. It is a potential problem. If we can't consolidate the loans we can't go forward with the parallel trail. If you can't go forward with the parallel trail the next issue is, if the railroad stays you just have the rail corridor and utilize bike trails in other locations such as the Lussi property and Craig Wood property. Obviously that is not the priority. We would love to have a corridor to Saranac Lake but that may not happen.

PRESS QUESTION - UNION CONTRACT

Chris Morris asked when the Union contract between the Town and the Highway expired and Nathan Brown asked if the old contract stays into effect.

Councilman Miller – It expired January 1, 2011 and the old contract stays in effect until the new contract.

Nathan Brown asked what the retirees paid in health benefits in the old contract and what is the annual raise?

Councilman Miller – They pay 10% of the health benefit and the annual raise is 2% for 3 years.

Supervisor Politi – The issue is now that if you are working now and paying 23%, when you retire under the present contract you only have to pay 10%. Our position is, if you are paying 23% now and you retire, you should be paying 23%. That is what the real world is these days.

Councilman Miller – well, in the real world they don't even have lifetime health benefits.

PRESS QUESTION – RAILROAD OR TRACKS GONE?

Nathan Brown – If the parallel trail is not going to happen, what would you rather see, the railroad there or the tracks gone?

The Board chuckled and Councilman Doty offered Supervisor Politi to go first!

Supervisor Politi – I have made my statement in the past! We have all learned a lot to this process and we are all trying to come up with something that makes sense for the community and for Saranac Lake. It would have been nice to be able to have both. If you can't have the recreational trail, then the next best thing is the railroad. If the railroad is not there then the next option is a better means of direct access to Saranac Lake. I would love to see that. Everything is economics and it is only a matter of time as to whether these things prove financially beneficial.

Sean Ayres – There is another idea; everybody should see the letter to the editor in tonight's Enterprise about the condition of Route 86. It is hard to imagine how many years have gone by now and maybe we can finally get something going. The letter to the editor way back when and I thought the consensus of the Town Board at that time was that it is a great concept as long as it didn't cost the taxpayers any money. That was what was repeated time and time again. I think it

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has been over 8 years. In all do respects to all our residence here, but Ray Brook is not a destination.

Councilman Doty chimed in – Not yet!

Sean Ayres – It would be great if we could get that DOT funding and convert it into something like Route 86. It needs bicycle lanes which can also function as emergency breakdown lanes and could be safer for everyone. It is going to providing that “green” concept of commuting to work. Route 3 from Saranac Lake to Tupper Lake was done; it is a concept that works.

Supervisor Politi – We don’t disagree. It is something that has been addressed. I have a letter from DOT expressing that it is not a priority.

Councilman Doty – Wasn’t the original Old Military tract that was going to be done and we lost six feet in their acquisition. It’s the same idea.

Supervisor Politi – There are a lot of bikers who are very concerned about the quality of road between here and Saranac Lake. It is just not in the right region and that is the problem.

Sean Ayres – What do you mean? If you want to pick two sections of highway in the Adirondack Mountains Region, it gets the most use day in and day out year round. Route 86 between Saranac Lake and Lake Placid and then to Wilmington. It’s about time we did something about them.

Supervisor Politi – The funding for our region has the tendency to go to Albany. I am hopeful they will do something because there is crusher and the Ironman is a huge event; \$10 Million a year in revenues to this region. For some reason this DOT region doesn’t get the attention. We do all agree with you.

ADJOURN TO EXECUTIVE SESSION

There being no further business to come before the Town Board, Councilman Doty moved and Councilman Favro seconded the motion to go into Executive Session at 8:18 pm for the purposes of discussing pending litigation. The motion was unanimously carried by those present.

Councilman Favro moved and Councilman Miller seconded the motion to come out of Executive Session at 8:30 pm

There being no business conducted during Executive Session and no further business to come before the board, Councilman Favro moved and Councilman Doty seconded the motion to adjourn the meeting 8:30 pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk

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