

TOWN BOARD MEETING

TUESDAY, FEBRUARY 11, 2020

Minutes of the Regular Board meeting held on the above date beginning at 6:00 PM in the Meeting Room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York.

Members Present: Supervisor Rand, Councilman Favro, Councilwoman Kilburn-Politi, Councilman Doty, Councilman Cummings, and Laurie Dudley.

Others Present: Mike Orticelle, Elizabeth Izzo, Ken Porter, Steve Sama, Josh Wilson, Denise Dramm, Fred Ace, Robert Nip Rogers, Peter Fish, Shayn Armstrong, Karen Armstrong, Katie Byrne, Trish Friedlander, Carol Nevulis, Heidi Roland, Bill Billerman, Bob Farmer.

Supervisor Rand opened the Regular Town Board meeting at 6:00 PM by asking everyone to stand for the Pledge of Allegiance.

Supervisor Rand asked for a motion for the minutes of the Board meeting of January 14th 2020.

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

PERSONS PRESENT TO BE HEARD

Denise Dramm – I was wondering if the Board received a copy of the letter that Fred Ace and I sent to you. It started out with amendments that should be made to the proposed vacation rental law for Lake Placid and North Elba. I wanted to point out number one, that your law as it is proposed right now has a lot of inconsistencies. That is a problem when you say people can have twice the number of people that are in the house gathering, partying, etc and they can stay until 10:00 PM when your quiet hours are 9:00 PM. We have called the State Police to find out what they do if there is a call for noise problems. They replied they will go to the call and ask people to quiet down but have no enforcement over that. There lies a very big problem since we don't have a Town police and I don't think the Code Enforcement Officer wants calls at 1:00 AM. Things like that will have to be solved in some way.

Attorney Briggs – The current version will be published on the webpage for both the Village and Town and there will be a Public Hearing on that. After the Public Hearing if the public comment is received the Boards may well change that draft. It is final as of now but after the Public Hearing there will be a lot of input and each of the Boards may consider further revisions to it.

Denise Dramm – The only other thing that concerns me is that the police are not documenting calls to homes that there is a problem. When we called they replied they didn't know who is a vacation rental and who is not.

Attorney Briggs – Was this the State Police or the Local Police?

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Denise Dramm – Both. My question is, especially the local police in conjunction; Town and Village trying to work together on a law. I would think that the Chief of Police would be instructed to let his officers know when they get a call by asking are you a permit resident or are you renting on a transient basis.

Attorney Briggs – Does it make a difference if someone is making excessive noise?

Denise Dramm – Well it does make a difference because the Town Board and Village Board have stated in the past that there is no way of tracking all the problems that are going on. They are going by hearsay of neighbors and people speaking up but they don't have it documented by the police. In going forward if there is such a law, if this is not documented and it is only if people are reporting to the Code Enforcement Officer, that's not really a good situation because you're putting neighbors in jeopardy of possibly being harassed or worse by drunken people if they approach the house and ask them to please quiet down. There is no Code Enforcement Officer that is going to answer the phone at 2:00 AM and if you go up to a home that is being rented and people are drunk you are opening yourself up to a problem and you are opening yourself to a liability suit from the owner of the home for "harassing" their guest.

Attorney Briggs – The current version draft has a contact person who would be called at 2:00 AM whose job it is to quiet the occupants down.

Denise Dramm – I appreciate that but it also says that we have to get that information, who the contact person is from the Fire Station. I think that is a little crazy to tie up the Fire Stations phones with non-emergency calls.

Attorney Briggs – That would be considered an emergency call. If you have a problem at 3:00 AM that is who would answer the phone, they dispatch for the police.

Denise Dramm – I think the police should be called. The police should be documenting this. If there is a hearing of this committee that is going to review any complaints, etc. An officer can come and state what happened. This is not a communist country, we aren't here to go on about all the things our neighbors have done wrong. It is just an unfair burden to put on the neighborhoods.

Attorney Briggs – The call in the middle of the night would go to the police station that is answered by the dispatch at the Fire Department. They contact the police officer and report the incident and provide the address then the police go to that site.

Fred Ace – In the proposed law are you going to combine the Police Department and the State Police to forward reports to the Code Enforcement Officer, will that be required?

Attorney Briggs – Absolutely, the Code Enforcement Officer will keep track of all of those records.

Denise Dramm – The only other problem, one of the major problems I saw was in part one of your proposal there is nothing that is going to stop the incursion of more vacation rentals in the

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neighborhoods. In other words, the Boards have not addressed this issue. In my letter to the Board I just suggested that if and when a law is passed you have a period of time, 60 days and you must be permitted by the State. Otherwise there will be no more permits going forward. If someone wants to try to bypass the law, oh well you are no longer allowed to be a vacation rental.

Supervisor Rand – Again, we will have Public Hearing on the law. At the end of our Agenda we will have a motion to vote on having a Public Hearing on the 25th of this month.

Attorney Briggs – The current version of this proposed law will be available tomorrow on the Town and Village websites.

Karen Armstrong – We have been told to come to these meetings and I think that some of the issues that are being discussed we won't even have if you use your current Land Use Code and strengthen the loopholes that you have in there. It is fine for primary residents to continue to do this as they have always done but to permit and now to allow these predatory investors to start taking over more and more of our neighborhoods, is that okay? It is not what the people want and to just keep putting them out at a Public Hearing and have everyone say this isn't what we want, I don't think is a good process. I would ask that you revisit what you drafted very quickly at that 2:00 PM meeting and really listen to your constituents and to really understand the crisis the community is in and to look at what you already have and say we intended to preserve residential neighborhoods let's do that by strengthening and tightening up these loopholes. I would hope that you would allow other people to speak if they wanted to about this.

Trish Friedlander – I am going to ditto what she said, I think it is important for the Boards to strengthen the Land Use Code. Number 1, allow owner occupied rentals in residential districts. Number 2, if it is not owner occupied then allow no more than 30 days. Number 3, if they want more than 30 days they can have it in a commercial district. I think it's pretty simple and I know you want to get something going. Let's get what I said going and what your constituents said going, let's get that on the books and go from there.

Supervisor Rand – Thank you.

RESOLUTION OF APPRECIATION FOR NIP ROGERS FOR THE TOWN HALL ENTRANCE MURAL

Supervisor Rand - I would like to give this presentation. Has everyone seen the new mural as you walk in the Town Hall? That was done by Nip Rogers. We have a resolution of Appreciation I would like to present. This was much appreciated and everyone should take a moment to look back at the building as you are leaving to see this fine artistic work. Thank you.

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RESOLUTION OF APPRECIATION

**AT THE REGULAR MEETING OF THE NORTH ELBA TOWN BOARD HELD ON
NOVEMBER 12, 2019 THE FOLLOWING RESOLUTION WAS MADE AND
UNANIMOUSLY APPROVED.**

**IN RECOGNITION OF HIS ARTISTIC MURAL DONATED TO THE PEOPLE OF LAKE
PLACID AND NORTH ELBA WHICH NOW HIGHLIGHTS AND EXEMPLIFIES THE
ESSENCE OF LIFE IN THE ADIRONDACKS AND,**

**GIVEN HIS CREATIVE TALENTS TOGETHER WITH HIS LOVE FOR THE OLYMPIC
VILLAGE AND ITS PICTURESQUE SETTING,**

**NOW THEREFORE, THE TOWN OF NORTH ELBA TOWN BOARD DOES HEREBY
RECOGNIZE AND EXPRESS ITS FORMAL APPRECIATION AND GRATITUDE TO**

NIP ROGERS

**FOR MAKING THE TOWN MUNICIPAL BUILDING MORE COLORFUL AND
AESTHETICALLY PLEASING FOR ALL OUR VISITORS TO ENJOY. WE THANK HIM
FOR HIS GIFT OF FLAIR AND CRAFTSMANSHIP.**

BARKEATER TRAILS ALLIANCE (BETA) – JOSH WILSON, PETER FISH

Josh Wilson – I am the Executive Director of Barkeater Trails. Thank you for inviting us, just a bit of background. We met with Jay shortly have the election and he suggested we come to the Board and give a recap of what we are up to. I will try to give a brief summary, there is a lot going on both on the ski trails and the mountain bike trail development in the Town of North Elba. If you are not familiar with BETA, it is the Barkeater Trails Alliance we are celebrating our 10th anniversary this year. We started in 2009 with a focus on mountain bike trail building as a volunteer grassroots group. We immediately partnered with the Adirondack Ski Touring Council, the group that founded the Jack Rabbit Ski Trail and Tony Goodwin. After a few years we combined those two groups under the same umbrella and renamed it Bark Eater Trails. I took over for Tony shortly after that. Now we are not only doing the mountain bike trails but we have assumed maintenance of the Jack Rabbit Trail and continue to work on improving that. Also maintaining a lot of back country ski routes in the area. Since we started about 10 years ago there were very little mountain bike trails on the ground, they were here and there places people were riding but now we have exceeded about 80 miles of trails that have been built in four towns. Saranac Lake, Lake Placid, Wilmington, and the more recently Elizabethtown. Mainly what I wanted to discuss tonight is work in the Town of North Elba that has happened over the past few years and what we have planned in the future. In three areas primarily, the main one being Town

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property at Craigwood Golf Course where the Jack Rabbit has long utilized that connection from River Road to the crossing of Route 73 to reach Cascade Ski Center. We have continued to maintain and improve that trail. It was in 2010 when our group first came to the Town Board to receive permission to start building mountain bike trails at Craigwood so we have been working there for 9 years now and have built about 8 miles of bike trails in the forest surrounding the Golf Course. The most recent effort there has been on Scotts Cobble on the old ski area site that started with a Smart Growth Grant from the DEC that we secured in 2017. That was to plan and construct a trail system on the old ski area property. That is now pretty much completed, it's a work in progress as it is a ton of work and a challenging site but it is getting a ton of use and has become very popular for both skiing and biking. We realized once we started to plan the mountain bike trails there we could fairly easily open up some of the old ski terrain what was the hill and the lift line just by clearing blown down and people are now skiing on some of that terrain too. It is nice and connected to the Jack Rabbit and the parking lot, especially with the Towns support of plowing is being used daily.

Councilman Doty – Josh, is it still adequate?

Josh Wilson – I believe so. We haven't noticed that it has become an issue parking. There is parking on the side of the road and people do have the option of going up to the Clubhouse and parking too. At Craigwood that work is mostly done, there is opportunity to add a little more mountain bike trail. We are looking at some areas where we might be able to continue to expand the trail network, offer some easier trails beyond what is there now but for the most part what is there is what we originally planned to build and that is done and now we are just maintaining it.

Peter Fish – One thing on the financial investment that the total investment from the Barkeater Trail Alliance with conjunction with grant money is close to \$50,000. Between trails building materials and our staff and equipment rental, those sorts of things.

Josh Wilson – Related to Craigwood and then moving on to the Jack Rabbit Trail there has been an effort by organization and the Ski Touring Council before us to add new sections to the Jack Rabbit Trail and some of this has been going on for over a decade. It is stuff that Tony started to advocate for in the late 1990's. The biggest priority there that we have long sought to do is to build a trail bypassing Mountain Lane. If you are going down Route 73 towards Keene, you turn onto Mountain Lane to go towards the start of the Old Mountain Road. Back when the trail was first built that road wasn't used very much. It wasn't plowed regularly as skiers could easily cross it as part of the route coming from Cascade to the Old Mountain Road. Now that there is more houses and it is plowed and sanded on a regular basis for about the last 15 years, people have had to walk that almost 2 miles up to the Old Mountain Road from Route 73. In the last two years both of the management plans that are needed for that connection have been passed and that trail bypass has been approved on the State land portion. There is the sentinel range wilderness area, closest to Old Mountain Road and then there is a small chunk of the Saranac Lake Wild Forest down on the end closer to Route 73. Our plan from 73 to Old Mountain Road is to build that bypass, the DEC is planning to expand that small parking area that is there at the end of the road and the idea is that we start to cut the trail on the State land portions. Back when Tony Goodwin first started working on this we got permission from most of the landowners on that side of the road to cross their property. However that was now over a decade ago so we have

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to go back as some of those lands have changed hands so that is a part of what we are doing now. We are really excited, it is the first expansion, new section of the Jack Rabbit Trail in at least a decade. More recently, when that Sentinel Range Wilderness Unit Management Plan was being drafted, the initial draft showed another ski trail that the DEC has proposed basically connecting Craigwood to Route 73 in the vicinity of Mountain Lane. This was a great idea because it would cut out the two road crossings that you now have to do if you are skiing through from Lake Placid to Keene and it was a great area where there is already a lot of ski terrain. We looked at it, it seemed really feasible and a perfect connection to the Jack Rabbit on the golf course and we supported it when the UMP was in its draft form and when it was approved last year and it has now been finalized by the DEC, it was included. The only difference is they changed it so it would come all the way to Mountain Lane. Basically with these two new sections of trail it would once built it would be possible to reach Old Mountain Road directly from Craigwood without crossing the highway.

Councilman Doty – How far is that?

Peter Fish – I walked it. It is 1.2 miles. It goes from around behind Scotts Cobble and there is an old hunting road that goes in there.

Councilman Doty – Opening it up won't be that difficult then?

Josh Wilson – It won't be and what we didn't consider at the time but became obvious when we began poking around there is the Towns Waterline Trail that is being abandoned as part of that Unit Management Plan. That trail has been kept open and for the most part it is perfect to use as a ski route, so that eliminates at least 1/3 of what we would have to cut to make that connection. Initially at least the DEC seems open to that idea of using that. That is a big development for the Jack Rabbit, a big project on our plate and the biggest obstacle at this point is the lawsuits that have been ongoing over tree cutting on State lands. The court decision that came out this past summer led the DEC to more or less put a moratorium on new trail construction involving tree cutting for groups like ours. Until that lawsuit is appealed there is a lot of uncertainty about whether we will get the final approvals to start working or not. It all hinges on counting the number of trees that are going to be cut and then DEC making those approvals. As it stands now, it went from we used to have to count everything 3in and greater and now the lawsuit more or less said everything is a tree whether it is 2in tall or 100ft tall. Hopefully that will be resolved with more clarity and will result in having more standards for tree cutting that will be stricter. We still believe all of this will be possible.

Josh Wilson – The other piece of this is also related to the Saranac Lake Wild Forest and mostly having to do with Mountain Bike development. When BETA first formed in 2010, part of that reason was to begin to build what had been approved in Wilmington Wild Forest and that was the first official Mountain Bike Trails approved on State land in the park. We have mobilized to start to do that work. Since then our group along with others have built about 25 miles of bike trails in Wilmington that have become hugely popular. Right away we recognized that the Saranac Lake Wild Forest had the same opportunity especially in the area between Lake Placid and Saranac Lake south of Route 86 around Scarface and the entire area that the rail corridor passes through. Over time as the Rail Trail Project has developed we realized how crucial and

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interwoven that will be. Our trail network that we have proposed and is now approved in that whole area between Saranac Lake and here would all be interconnected with the Rail Trail. If and when the Rail Trail is built people would be able to access that trail system on their bikes, on foot or on skis, right from town from either direction. The way we are approaching it, it is a huge amount of work and it will take us many years. It is roughly 20 miles of new construction between the Village of Saranac Lake and Old Military Road and a little bit on the Lake Placid side of Old Military Road that would connect into Fawn Ridge so it's another connection from the Village. We are working it from the edges in towards the middle and the stuff around the middle around Scarface will take the most work and the most amount of resources. There is a lot that can be done on the periphery and the smaller tracks so we have started to work on the Saranac Lake side in the Town of North Elba, more or less where the railroad crosses near the edge of town. There is two pieces of State land there, part of where the Jack Rabbit passes through now and we have begun to build a trail system there last summer. We anticipate we will start to work on the Lake Placid side working towards the middle over time. The biggest challenge is funding. We are able to do quite a lot with a little, we raise a lot of money through memberships, fundraisers, and events. There are grants for certain projects but we don't have access to State funding for the most part as it relates to trail work. We can't get funding directly from DEC to build on State land so that remains our biggest challenge at this point.

Peter Fish – Other Towns and communities are investing money in their recreational infrastructure. I wanted to say two things about that. One, against the backdrop of struggling about defining the community of people in this town and rentals and things like that. This organization has been focused on developing trails for the local community for 35 years since the advent of the Jack Rabbit Trail. It has always been for local community members and it is for free. It is one of those things that we have been passionate about for a long time, it keeps a community of people that is a really young and vibrant group. It is a growing thing that is happening in this town and in Wilmington, Saranac Lake and certainly Elizabethtown. Other communities are investing in it, all this work that we just described is in the boundary of North Elba. There is a massive amount of work that has already been done. My own appeal is that we do need some sort of vehicle for funding, it could come from the 2% if that passes. I want to put on the table that if the Town Supervisor or this group could help find us those funds because we can do a lot with a little and it is great for the community.

Supervisor Rand – You mentioned memberships. How much do your memberships cost?

Josh Wilson – We do a \$35 individual membership, \$50 for families, there are other donation levels that people take advantage of too. We have about 500 members.

Pete Fish – Our proposed budget for next year is around \$120,000. All of that is raised through memberships, events, fundraisers, grants, also private foundations. It would really be helpful to have municipal support. In addition to what has been done in offering land up, which is incredible.

Denise Dramm – Do you sell advertising? Placid Bay would be glad to advertise.

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Peter Fish – We have a sponsorship program that has raised about \$15-\$20,000 a year through local businesses.

Supervisor Rand – There is no question that this is a great thing. These maps are really impressive and I know mountain biking continues to grow and grow. Wilmington is heavily invested in it too. We can't promise anything at this point but we are certainly appreciative in the fact you came.

Peter Fish – We aren't interested in short term. We are looking to develop a long term relationship that is our goal.

Josh Wilson – In addition to our bread and butter of building and maintaining these trails and motivating volunteers, there are thousands of hours of volunteer labor put in by local people going into these things. The big need for funding that we have is hiring people seasonally to do this work as well. It is just a couple of people but it has made a world of difference. As the mileage goes up we start to outpace the capacity of the volunteers and a lot of this stuff was completely done with volunteers. Those people are more than willing to continue working but as the work load grows we need to offset it with paid staff. This has been really successful. We have always had a focus on education and trying to get good information out to people using the trails but with everything happening with overcrowding, busy hiking trails, all these issues that have been coming up the last year or so we don't want that to happen to mountain biking. I don't think it will ever become an issue with skiing but mountain biking has that potential and we want people to come here, we want to contribute to the tourism. However, we certainly don't want it to become an issue that people see as a problem. We are trying to get ahead of that and think about how we can prevent that and not let that happen on the mountain bike side of things. The last piece of that, with some injuries in the past, crashes and what not on the trails we believe there is some work to be done with the Fire Departments that would be the people responding to an emergency call to trails that are not on State land. If someone gets hurt on State lands and a call goes out a Forest Ranger is responding most of the time and those individuals usually know the trails really well. That is not the case on private land or on Town property, it would be the local Fire Department responding so all the Towns recognize this and we are working on a way as we a plan to visit with Fire Departments and Emergency Services this year. We are trying to create a system where we can educate the Fire Departments and we can learn what they need to know and at the very least they can have maps which would show the best places to access the trail systems if they need to rescue someone. Then possibly setting up a call network that is similar to rock climbing rescues that if assistance is needed from volunteers there is a network of individuals from each town that is really familiar with the bike trails.

Councilman Doty – As far as funds go for this group we do our Budget in September and usually wrap it up in November. Every organization that looks for money appeals to us at the end of the summer so we have time to look at everything.

Josh Wilson and Pete Fish thank the Board for allowing their presentation. The Board thanks them for coming and Supervisor Rand suggests assistance in helping them get together with the Fire Department.

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CONCERT REQUEST – BOB FARMER

Supervisor Rand – We have a concert request from Bob Farmer.

Bob Farmer – This is a new venture for me. There is no money being requested, I just want to ask for permission and advice. I know some of you may be familiar with this property, it is up next to the old Village dump. There is 5 acres, the open land part that is a big field is about 60yds wide by about 150yds long. I have an idea of turning it into a small outdoor event space. A friend of mine and myself came up with an idea to host some outdoor concerts this summer. I spoke to Mike Orticelle about code issues. We don't have anything set in stone yet, we are talking to a couple of performers but we don't have anything lined up just yet. I want to make sure I take care of everything first. I understand if a tent exceeds a certain size we have to obtain and permit and so on. We don't know what size tents we would need just yet.

Supervisor Rand – Dean Dietrich who is the head of our Development Committee, there is a committee that has been established for event planning. Has anyone contacted you from that committee yet?

Bob Farmer – No

Supervisor Rand – Okay, someone should be. They have an application and I think that is where we need to start. There is a series of questions and gives you more of a guide as to how to proceed.

Councilwoman Kilburn-Politi – It is the events commission if it is one event but if you are thinking about turning it into a venue and it's a regularly occurring thing then I believe that is a Conditional Use Permit.

Bob Farmer – I think we are going to start with one event and see how it works out. If it is not a great success than I am not going to go forward.

Supervisor Rand – I will have someone give you a call to help you get started at least with the application.

Bob Farmer – Does this committee have to approve what I am doing or do they just give me information? How does it work?

Supervisor Rand – Eventually the approval has to come from here but the committee holds all the information that we would require to help us make a decision.

Bob Farmer – My only concern is that we are trying to contact these performers as they are filling up their schedules for the summer and I was thinking I would get a yes or no tonight so I can move forward.

Supervisor Rand – That can't happen tonight. We have to start with the application and guidelines to get us as much information as you can.

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Councilwoman Kilburn-Politi – I believe the last time we spoke with Dean about it he said that they meet on an adhoc basis so you won't have a long waiting period for this events committee to meet.

Councilman Doty – I think determining factors are if you are going to supply food meaning is the Health Department going to be involved, and some of the other safety features.

Bob Farmer – That would all be contracted out.

Councilman Doty – The events committee will be a good committee to work with and I don't think it will be a long process.

PERSONNEL ACTION- JENNIFER HAYES AS COURT CLERK – REPLACEMENT

Supervisor Rand – Jennifer Mihill our long time Court Clerk has done a fabulous job has decided to retire. I am going to need a motion to approve Jennifer Hayes as the Court Clerk. We had three candidates, it was advertised, and interviews were conducted by a very qualified group. Jennifer has thirteen years' experience as an ORDA clerk and was considered best qualified and she will have to take a Civil Service Exam as well.

Jennifer Hayes Court Clerk 2/12/2020 n/a \$20.00/hr competitive A-1110
**Recommendation: Dean Dietrich

Other Personnel Actions

TOWN OF NORTH ELBA
PERSONNEL ACTIONS FOR BOARD MEETING February 11, 2020

ACCEPT RETURNING SEASONAL EMPLOYEE APPOINTMENTS

NAME	POSITION	DATE OF HIRE	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION	Fund
Logan Brown	Laborer for Toboggan Slide	2/4/2020	n/a	\$12.10/hr	laborer	SP-1347
Brandon Miner	Laborer for Toboggan Slide	2/4/2020	n/a	\$13.20/hr	laborer	SP-1347
Connor Reid	Laborer for Toboggan Slide	2/4/2020	n/a	\$12.10/hr	laborer	SP-1347
Hunter Wilmot	Laborer for Toboggan Slide	2/4/2020	n/a	\$12.10/hr	laborer	SP-1347
Dale Barber	Laborer for Toboggan Slide	2/4/2020	n/a	\$14.20/hr	laborer	SP-1347
Noah Tavares	Laborer for Toboggan Slide	2/4/2020	n/a	\$12.10/hr	laborer	SP-1347

ACCEPT RECOMMENDATION OF NEW HIRES:

NAME	POSITION	DATE OF HIRE	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION	Fund
Brady Tremblay	Labor for Toboggan Slide	2/4/2020	n/a	\$11.80/hr	laborer	SP-1347
John Armstrong	Labor for Toboggan Slide	2/4/2020	n/a	\$11.80/hr	laborer	SP-1347

*Recommendation: Butch Martin

Councilman Favro moved and Councilman Doty seconded the motion to approve Jennifer Hayes as the Court Clerk and all Personnel Actions. There being no further discussion, the motion was unanimously carried.

RESOLUTION TO APPROVE THE STANDARD WORK DAY RESOLUTION FOR RETIREMENT SYSTEM FOR NON-ELECTED AND NON-APPOINTED EMPLOYEES.

The Standard Work Day Resolution for non-elected and non-employees is something new and was done by request of the State Comptroller's Office. It defines the standard work day by job title and is kept on record in the Town Clerks office and the Finance office.

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Councilman Favro moved and Councilman Doty seconded the motion to approve the Standard Work Day Resolution for non-elected and non-appointed employees. There being no further discussion, the motion was unanimously carried.

BARB GREENE REQUEST – DISCUSSION FOR CROSS AT ACCIDENT SITE NEAR OJC BRIDGE (RTE. 86)

Supervisor Rand – Barb Greene has sent us an email. Her son was involved in a motor vehicle accident in 2007 by the ski jumps. She would like to know the process in how to get a sign in his memory put near the bridge and if there are any costs involved. It is a State highway so I believe it would have to go to the State.

Attorney Briggs – It is, it is within the State right of way so we have no jurisdiction over that.

Councilman Doty – We will need to give her a call and follow up with that information.

DISCUSSION – LP HOSPITAL (DEMOLITION, ASBESTOS ABATEMENT, ETC.) & PETROLEUM BULK STORAGE APPLICATION

Councilman Doty – I just wanted to do a quick update. We are moving forward in trying to determine demolition costs and we are considering some different ideas for the property. My appeal tonight is to continue following through with an asbestos abatement plan. Should we be the entity that demolishes it, we don't know who is going to end up with the property but we do know there is a liability there with old asbestos. I have an estimate from a company in Plattsburgh who has all the previous reports from the hospital when AMC was in the hospital so it would make sense to contract with them. In addition to them doing an updated inventory of asbestos they do all hazardous materials so they can give us advice on the buried fuel tanks, inside diesel for the generator, whether any of the flooring has asbestos in it. Once they are done with that report then they will even offer a scope of work so if we end up looking for a bidder to come in and do that part of the project we will have a scope of work so we have something ready for a bid process. It is \$5,600 which is in the case of dealing with that hospital it is mandatory, we need to have this done. Tonight I am asking to continue following forward and contact that company. There are very few companies that do this and it just so happens this company has been doing ongoing asbestos inventory at that building for years so it will save us an enormous amount of money over someone new coming in and starting from scratch.

Catherine Edman – We did have a budget in our contingency line for unexpected or unidentified funds related to the old hospital building so we do have money in the budget we would just have to reallocate it out of the contingency fund for that specific purpose that you use it for.

Councilman Doty – In relation to the building other than asbestos I am continuing to try to find Town property where unregulated material, mainly brick and concrete can be dumped. I am in the process of working with DEC right now.

Attorney Briggs – What is the \$5,600 fee? In other words, what do we get from this company?

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Councilman Doty – The report on what is in the building and how to deal with it and a scope of work. They will basically give us an RFP. There are two different phases, one is hazardous material taken out and then there is demolition. I am working on basic costs for demolition as well and I have a basic figure now but I prefer not to bring that figure public in case we go to bid.

Attorney Briggs – Would the demolition company do the abatement as well?

Councilman Doty – No, that is a high certification.

Attorney Briggs – Would a demolition company typically subcontract with someone to do the abatement?

Councilman Doty – Sometimes that is the way it works. It is a matter if a construction company that is big enough has that service. Generally, if we run one company like that they will make money on that subcontractor and I am trying to avoid those kind of costs.

Supervisor Rand – This would be a good thing but I would like to delay it about two weeks to see what other options are available and if not then we can go ahead with it.

Councilman Favro moved and Councilman Doty seconded the motion to approve hiring a company for hazardous waste and asbestos abatement pending a meeting with ORDA. There being no further discussion, the motion was unanimously carried.

LP HOSPITAL – FIRE TRAINING USE

Councilman Favro – The fire department wants to use the hospital for neighboring communities also to come in and do mutual aids, it is similar to hotels. A lot of times for a house you don't generally get in past 50 ft. A hose is 50ft. There they can go in two or three hose lengths, it will be charged but I will tell them not to spray the asbestos. If you think about pulling 300ft of hose on your hands and knees in the dark and smoke it is pretty intense. This would be good training and that is what they would want it for. They wanted to start in the spring but we could probably get it moving faster.

Councilwoman Kilburn-Politi – Are we suggesting we wait until we get this assessment done? Just so we know where potentially hazardous things are.

Councilman Cummings – At this point it is noninvasive.

Councilman Favro – Their suits and gear are made to protect from all that and they wash them after. Even if something fell on them it is not going to matter.

RECYCLING DISCUSSION ON MATERIALS AT THE RECYCLING CENTER

Councilman Cummings – Derek and I met the other day with Shannon Porter and glass is unable to be recycled anymore. There is no market for it, we talked and our thinking is to stop recycling

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it and put it in the garbage. Right now that it is where it goes. We all know that the other material is up and down but the market for glass isn't just low, there is zero market for it.

Councilman Doty – We really don't have a choice and it is wrong to tell the public that we are recycling something when we are not.

Councilwoman Kilburn-Politi – When is the last time there was a market for glass?

Councilman Doty – We haven't recycled it for at least four years.

Supervisor Rand – If it does turn around and there is a market for it then we can always go back.

Councilman Cummings – We should ship out all the proper notices and give a time then eventually in the garbage it goes.

MEETING DISCUSSION WITH CEO OF ADIRONDACK HEALTH – DICK AND DEREK

Councilman Cummings – Derek and I went over and met with Sylvia Getman, CEO of Adirondack Health. She was very receptive to us. At this point there is not a lot we can do or say but we offered, if she has any prospective physicians, nurse practitioners, or any other professionals that are interested in seeing the area, Derek or I would voluntarily take them around to show them the sites. She showed us about five people on the hook right now, nothing immediate but considering it and she stressed to us that it isn't just here it is everywhere. We had a very good meeting, I sent her an email thanking her and we will see what comes of it. The recruiter, Joanne Preston has been there for quite a few years and I have a feeling that at some point we may get a call saying could you meet with Joanne and see what we can do from there.

RESOLUTION OF APPRECIATION AND ACCEPTANCE OF THE TOWN HISTORIAN'S 2019 ANNUAL HISTORY REPORT – BEVERLY REID

Supervisor Rand – I would like to make the Resolution of Appreciation and Acceptance of the Town Historians 2019 Annual History Report. Beverly Reid as always did an excellent job and I will send her a letter recognizing that.

Councilman Doty moved and the motion to approve the Resolution of Appreciation and Acceptance of the Town Historian's 2019 Annual History Report was unanimously carried.

STATUS OF ON & OFF AIRPORT OBSTRUCTION MITIGATION FAA PROJECT

Supervisor Rand – The FAA had identified trees as we all know that needed to come down for safety at the airport and Terry Tree Service has done that in about half the time they anticipated. They have a letter to C&S, the engineering firm to lay off the project and get to phase two in May where they are going to re-plant about 250 trees.

Councilman Doty – I believe it is worth noting that when we were first put on notice that the trees were encroaching for approaches was six years ago. That is how long it takes to put a

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project like this into action. We are thankful they went into Cascade Trailer Park because that is where the worst problems were with pines that were 150ft tall. The trees that are being re-planted in the clear cut areas were a species that was chosen due to they only grow 30-32ft.

ALBANY TRAINING CONFERENCE – (JANUARY 15-17TH) COMMENTS FROM ATTENDEES

Supervisor Rand – This was a very good training school. This was for new Board members and new Supervisors. We spent three days there. It was basically an overview of Town government and Administration. It was very interesting with good material and an overall success for all those who attended.

ASSOCIATION OF TOWNS AND VILLAGES MEETING – NYC FEBRUARY 16TH-19TH

Supervisor Rand – This is a meeting that was recommended by the County, usually we have someone there from our local government so I will be going down for two days. As stated this is highly recommended by the County as it has very helpful information.

APPROVAL TO SET A PUBLIC HEARING DATE OF FEBRUARY 25TH, 2020 AT 6:00 PM AT THE OLYMPIC CENTER IN REFERENCE TO THE REVISED STR LAW

Councilman Favro moved and Councilman Doty seconded the motion to approve February 25th, 2020 at 6:00PM at the Conference Center as the date for the Public Hearing in reference to the revised STR law. There being no further discussion, the motion was unanimously carried.

Attorney Briggs – Note the Village has already made that decision.

Supervisor Rand – So noted.

Denise Dramm – How much time will people be allowed?

Supervisor Rand – I would assume we will keep the same as the last two meetings. Around 3 minutes.

Denise Dramm – Three minutes is not a lot of time.

Laurie Curtis Dudley – You may submit anything in writing for the minutes and it will be accurate.

Attorney Briggs – This will be announced on the website tomorrow, we will contact Anita to do the same for the Village.

Fred Ace - Will you consider a second meeting if you are overwhelmed?

Supervisor Rand – We will get through it.

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APPROVE VENDOR FOR BUILDING DEPARTMENT VEHICLE LEASE

Catherine Edman - The Building Department currently has a leased vehicle that they have had for three years. The lease is expiring on the 18th of this month. We received quotes for three different vehicles. Two from Huttig in Plattsburgh and one from Upstate Auto. It should be noted that these are considered to be operating leases not capital leases so we don't have to go out for a bid or request for quotes but we did our due diligence by doing this. The recommendation is that we go with the 2020 Nissan Rouge SUV. The \$3,000 down payment will include the first months lease and then every month after that for 35 months it would be \$262.34. It is less expensive than the option we had from Upstate Auto for a Jeep Grand Cherokee and we were looking for a vehicle size wise that would be comfortable for Mike to be able to drive around the community because what he has right now is just too small.

Councilman Doty – Do you know what mileage package they picked?

Catherine Edman – We are looking at a 10,000 mile per year. It is my understanding from Mike and Darci that they don't put anywhere near that on the vehicle. 10,000 is the lowest they would go. The only thing I wanted to throw out there is regardless of whether we go with Nissan or they decided Upstate, in this year's budget we would need to have a very small increase in the budget for that because of the disposition fees for turning in the other vehicle. There is lettering on the side of that vehicle that has to be removed and we are not renewing our lease with Chrysler so they charge a fee for that. We are talking a total of less than \$300 for the whole year.

Councilman Doty – When something goes wrong and you need help who is close and who isn't. That is big in my book.

Catherine Edman – Upstate Auto is in Saranac Lake and Nissan is in Plattsburgh. I don't know if there are any closer Nissan dealerships. Upstate is about a 25 minute drive and Nissan is an hour.

Councilman Cummings – If you have to bring it in for warranty work or another issue and it takes an hour to get there to drop it off, someone has to come back, then pick it back up. That is two trips and takes two people.

Catherine Edman – Is that a concern of yours Mike?

Mike Orticelle – We will work it out.

Catherine Edman – I drive it every day. Regular maintenance, tires, oil, etc. can be done here at Central Garage. He is generally who we use for the departments vehicles. Unless it is a major warranty item I don't foresee an issue.

Councilman Doty – I am comfortable any way they want to go.

Supervisor Rand – Mike, any preference?

Mike Orticelle – The Nissan. It is the only car that comes in under the budget and is comfortable.

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Councilwoman Kilburn-Politi moved and Councilman Cummings seconded the motion to approve the Building Department Vehicle. There being no further discussion, the motion was unanimously carried.

COMMUNITY HOUSING UPDATE

Councilwoman Kilburn- Politi – In the last couple of weeks I have had some great conversations around community housing. There is a huge momentum right now, my most recent and fruitful conversations have been involving ROOST. It is great to have Jim McKenna and MJ tied in because it obviously relates directly to work force and that is there initiative behind it and in respect to the Comoin work we also found out that there is a major gap in that below 50% of AMI which is most of our service industry and most of our workforce employees are saying they are having a problem. With Jim and Mary Jane we actually reached out to Senator Little and we are going to go on a site visit to a developer in the Glens Falls area. He does these affordable housing developments all over in NYS and comes highly recommended from Senator Little. We are doing a site visit to see what he produces and talk about his experience. So this is one developer and I have also spoken with a different developer who uses the same process, working with homes in community renewal in NYS, same funding sources. I think it is good that we have more than one developer who is interested and I don't necessarily know if they can bid off each other but if we have more than one project, why not have more than one developer. AMI is Area Median Income and for a family of 4 I would say that 80% of AMI is about \$60,000. A family of 4 can be one working parent and 3 kids, it can be any configuration of a family of 4. All subsidized housing has to be below 80% of AMI that is the target population you are serving. When you start layering different types of state subsidy and when you start deepening the subsidy you have to go lower and lower. We need that type of housing it's just that we also need other types of housing so that is a huge hurdle, is how to get to that middle and middle upper housing. This is a starting point, so if we are going to start somewhere let's start where there is State money, Federal money and go from there. I have asked several combinations of questions to these developers. If you have a minimum wage job and you are a single person you would be below 50% of AMI so as long as you are making minimum wage you are below 50% of AMI. That works for almost all the funding sources that we would be looking at but all of a sudden if you are a dual income household you sky rocket. Even if you are both minimum wage you all of a sudden are up to 100% AMI because it is right at 50. Throw some kids in there then you really drop that level down. It is just red tape, its bureaucracy, it's the way it works and you just have to work within it and we need this type of housing. We need all types of housing as we have seen from the report and so it is somewhere to start.

Councilman Doty – Subsidy of some kind will still be an issue.

Attorney Briggs – You have to have it, it is not going to work otherwise. The numbers don't work.

Councilman Cummings – This development you are going to look at, how many units is it? Do you know offhand?

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Councilwoman Kilburn- Politi – No because we are looking at multiple sites. The developer that I have been speaking with directly says that 28 is his sweet spot. I have asked them both if they could do scattered site, if we have 5 acres in one area and 3 in another. They said yes but it does make it more complicated but as were building up units there is a bigger economy of scale and so they will consider scattered site. The only other thing you want to watch out for is we don't want to oversaturate the market with 150 units coming online at the same time. It is definitely a process but I think everything is falling into place to get at least 28 units but hopefully more than that within what is a reasonable amount of time.

BUDGET ADJUSTMENTS

2019 BUDGET AMENDMENTS		Board Meeting Date	2/11/2020		
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	REF	ADDITIONAL INFO
Increase Expenditure	sp00.7110.0423	Parks Water & Sewer	79.05	vchr 182967	amount over 2019 budget
Decrease Expenditure	SP00.7110.0103	Parks Personal Services overtime	(79.05)		
			<u>-</u>		
Books for 2019 are closed.					
2020 BUDGET AMENDMENTS					
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	REF	ADDITIONAL INFO
Increase Expenditure	A000.1220.0461.0000	Supervisor, Employee Travel	59.00	voucher 182941	Courtyard by Marriott Lake George 12/1/19-12/2/19
Increase Expenditure	A000.1610.0444.0000	Central Admin.Contracts & Agreements	4,430.00	PO32133	Twinstare Technologies; \$2500 prepaid time(12 % discount off of client standard rate of \$145.00 hour); 10 months of email hosted exchange server and email protection licenses (\$1930.00)
Decrease Expenditure	A000.1610.0459.0000	Central Admin. Other professional services	(900.00)		budget for email hosting with Adworkshop
Increase Expenditure	A000.1950.0470.0000	Taxes & Assessments on Municipal Property	5,601.84	vchr 182789	taxes assessed on old hospital building; agreement with KAS approved for evaluation of asbestos
Increase Expenditure	A000.8097.0444.0000	Home & Community Services. Planning & Surveys	4,025.00	vchr 183068	Camoin 50% share of Short Term Rental Assessment
Decrease Expenditure	A000.1990.0400.0000	CONTINGENT ACCOUNT	(5,600.00)		
Appropriate Fund Balance	A000.0000.0917	Unassigned Unappropriated Fund Balance	<u>7,615.84</u>		balance as of 2/10/2020 is \$1,436,227.05
Increase Expenditure	B000.9010.0800.0000	Part Town General Fund. State Retirement	2.73		1/1/20-3/31/20 state retirement (prepaid in No 2019) amount over budget for 2020
Appropriate Fund Balance	B000.0000.0915.0000	Assigned Unappropriated Fund Balance	<u>2.73</u>		balance as of 2/10/2020 is \$86,332.38
Increase Expenditure	DB00.5130.0200.0000	Machinery Equipment and Capital Outlay	800.00	voucher 182983	plow purchased from Central Garage for new F550; amount over original budgeted amount
Decrease Expenditure	DB00.5130.0200.0000	Machinery Equipment and Capital Outlay	(28,000.00)		new F550 approved to purchase in Nov 2019
Return to Fund Balance	DB00.0000.0915.0000	Assigned Unappropriated Fund Balance	<u>(27,200.00)</u>		balance as of 2/10/2020 is \$1,266,773.78
Increase Expenditure	SP00.1346.0422.0000	Showgrounds Electricity	16,500.00		per 2020 budget workshops -board did not want to budget for electricity until Village confirmed that LP Horseshow Association pays for the electricity for the office space they occupy. Verified with Sharon at Village 2/10/20. 2019 expenditures were \$16,357.11.
Increase Expenditure	SP00.1357.0417.0000	Airport Loader Equipment Repair	421.46	vchr 183017	Powerplan/Nortrax amount over 2020 budget
Appropriate Fund Balance	SP00.0000.0915.0000	Assigned Unappropriated Fund Balance	<u>16,921.46</u>		balance as of 2/10/2020 is \$876,254.03

Councilman Doty moved and Councilman Cummings seconded the motion to approve the Budget Adjustments. There being no further discussion, the motion was unanimously carried.

APPROVE CLAIMS

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TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 02/11/2020			
PREPAID CLAIMS (NBT General Funds, NBT Park District, NBT Health Reimb. Bank Accounts)			
	Batch Number	Batch Totals Prepaid	Fund Totals Prepaid
A000 FUND GENERAL FUND	124	24,055.61	14,709.65
B000 FUND GENERAL OUTSIDE VILLAGE	125	117.49	46.82
DB00 FUND TOWN OUTSIDE VILLAGE HIGHWAY	126		-
RD04 FUND TAHANAS ROAD DISTRICT	manual	500.00	-
SP00 FUND PARK DISTRICT			9,350.19
SW03 FUND RAY BROOK			506.44
T000 FUND TRUST & AGENCY			19.47
(Prepays NBT Bank Accounts) (01/01/2020-01/31/2020)		24,673.10	24,683.57
182768-182771; 182816; 182820; 182894; 182936-182943; 182945-182951			
ADK PAYROLL			
T000 FUND TRUST & AGENCY	122	26,506.93	
	123	77,129.55	
(Payroll) (01/01/2020-01/31/2020)		103,636.48	103,636.48
182795-182808; 182818; 182859-182864; 182866-182876			
REGULAR CLAIMS (Adirondack Claims Bank Account)			
		Regular	Claims
A000 FUND GENERAL FUND	127	94,157.22	136,984.94
B000 FUND GENERAL OUTSIDE VILLAGE	128	9,538.19	-
DB00 FUND TOWN OUTSIDE VILLAGE HIGHWAY	129	173,459.17	88,841.77
H017-TOBOGGAN SLIDE	130	74,690.98	-
H018-Replace RH14 PAPI & TN AB&C light construction	131	52,363.74	-
H020- MIRROR LAKE DR./WHITNEY RD DRAINAGE			1,842.50
H021-MIRROR LAKE SIDEWALK			-
H022-On & Off Airport Obst. Mitigation			15,000.00
H023-TWY B & C Rehabilitation			6,189.66
H024-GA APRON Rehabilitation			-
H025- On & Off Airport Obst. Mitigation Const.			3,296.47
H032-Ray Brook Storage Tank and Distribution			-
H042-Equipment Bonding Fund			-
H044-Athletic Fields			-
H046-Ausable Watershed Management Pass through			-
SF01-FIRE PROTECTION DISTRICT 1			72.66
SF02-FIRE PROTECTION DISTRICT 2			-
SF03-FIRE PROTECTION DISTRICT 3			27.34
SP00 PARK DISTRICT			151,953.96
S521-CONSOLIDATED SEWER DISTRICT			-
SW03 RAY BROOK			-
182822-182854; 182883-182889; 182891; 182893; 182900-182926; 182929-182935; 182952-182961; 182963-182966; 182982-182984; 182986-182995; 182997-183068; 182855-182858; 182881-182882; 182890; 182896-182899; 182962; 182967			-
DELETED VOUCHERS: 182821, 182895, 182892			
		404,209.30	404,209.30
NOTES:			
FIT WITHHOLDING FROM VCHRS 182841 & 182842		(144.22)	
AMOUNT TRANSFERRED TO CLAIMS CHECKING ACCOUNT FOR CHECK RUN :		404,209.30	
AMOUNT TRANSFERRED TO PAYROLL FOR FIT WITHHOLDING		144.22	
		404,353.52	

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

EXECUTIVE SESSION

Councilman Favro moved and Councilman Doty seconded the motion to go into Executive Session at 7:55 PM for the purposes of discussing Personnel Actions. The motion was unanimously carried.

Councilman Favro moved and Councilman Cummings seconded the motion to come out of Executive Session at 8:18 PM.

DISCUSSION

Elizabeth Izzo asked if the Toboggan Slide was open. The Board confirmed it is open and will be running Friday February 15th - Sunday February 23rd for Presidents Week. Hours of operation can be found on northelba.org.

Denise Dramm – What would it take to put a referendum on the ballot in North Elba/ Lake Placid?

Attorney Briggs- Certain things under the law are subject to referendum, local laws are not. Spending money is a bond resolution, but local law is the purgative of the elected officials.

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Fred Ace – What is going to happen is the State is going to come in and say those vacation rentals you worked on are null and void, we are setting the rules because they are doing it in other states.

ADJOURNMENT

There being no business transacted during Executive Session and no further business to come before the Town Board, Councilman Doty moved and Councilman Favro seconded the motion to adjourn the meeting at 8:20 PM.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk

Typed By,

Chelsie Geesler
Deputy Clerk