

TOWN BOARD MEETING

TUESDAY, FEBRUARY 12, 2019

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

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

Others Present: Attorney Ron Briggs, Larry Straight, Nick McKay

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 for the minutes of the Board meeting on January 15, 2019.

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.

CLOSE PUBLIC HEARING ON SHORT TERM RENTAL LAW

Supervisor Politi closed the Short-Term Rental Public Hearing as of Thursday, February 7, 2019 which is the date the Village also closed the public hearing.

DISCUSS OR APPROVE FIREWORKS LAW – LOCAL LAW #2 OF 2019

Supervisor Politi – We had the Public Hearing for the Fireworks Local Law. We need to make a motion for this law.

Councilman Miller moved and Councilman Favro seconded the motion to approve the fireworks law. There being no further discussion, the motion was unanimously carried.

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

APPOINT WILLIAM MORRIS TO ZBA

Supervisor Politi- John Hopkinson has requested William Morris be appointed to the ZBA. I don't know if you read his background, he was chairman of ZBA for New Jersey planning board for 12 years. He will be filling Lorraine Vondell position.

Councilman Rand moved and Councilman Miller seconded the motion approve William Morris to the ZBA. There being no further discussion, the motion was unanimously carried.

APPOINT JACKIE KELLEY TO REVIEW BOARD

Supervisor Politi- We have a request from Bill Hurley to appoint Jackie Kelly to the Review Board.

TOWN BOARD MEETING

TUESDAY, FEBRUARY 12, 2019

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

APPROVE MOU – ADIRONDACK ACTION – ROAD SALT

Supervisor Politi- We have a request from Adirondack Action from all the Towns and County's and Adirondack Region on moderation of Salt. I made some changes on some of Larry's concern. The original agreement asked us to tell the Highway Superintendent how to conduct business in three situations. One dealing with data collection another with salt application and third with training of employees. I modified this to say we will recommend to Highway Superintendent to consider such.

Councilman Doty- I don't think they meant to offend anyone with that. They have really come a long way I don't think they understood how it works.

Councilman Doty moved and Councilman Miller seconded the motion approve the MOU with Adirondack Action regarding road salt. There being no further discussion, the motion was unanimously carried

APPROVE BOND RESOLUTION – HIGHWAY EQUIPMENT

Supervisor Politi- Cathy has given us a Bond Resolution. This is not to exceed \$230,000. This is for a John Deer loader in the amount of \$185, 000, heavy equipment trailer at \$35,000 and a skid mounted water tank in the amount of \$10,000.

Councilman Doty- Do you have dates of when you will be getting those?

Larry Straight- We are 4 to 6 months out. Loader and Water tank are from Rochester and Trailer from Watertown.

Councilman Doty moved and Councilman Miller seconded the motion approve the Bond resolution for Highway equipment as presented. There being no further discussion, the motion was unanimously carried

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

PERSONNEL ACTIONS- TOBOGGAN SLIDE

Supervisor Politi- Cathy has given me a few personnel actions for the toboggan slide. Butch told me the revenue is around \$40,000 and he expects it to be around \$80,000. We have never been that high. Butch has recommended seasonal employment.

TOWN BOARD MEETING
TUESDAY, FEBRUARY 12, 2019

TOWN OF NORTH ELBA
PERSONNEL ACTIONS FOR BOARD MEETING

February 12, 2019

ACCEPT RETURNING SEASONAL EMPLOYEE APPOINTMENTS

<u>NAME</u>	<u>POSITION</u>	<u>DATE OF HIRE</u>	<u>UNION CLASSIFICATION</u>	<u>RATE OF PAY</u>	<u>CIVIL SERVICE CLASSIFICATION</u>
Bryce Paries	Laborer for Toboggan Slide	2/1/2019	n/a	\$12.95/hr	laborer
Logan Brown	Laborer for Toboggan Slide	2/4/2019	n/a	\$12.95/hr	laborer
Recommendation:	Butch Martin				

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

SETTLEMENT APPROVAL – ARTICLE 7 CASES

Attorney Briggs -These are the two cases at Whiteface Club and Resort. These were assessment grievances. For Danussi and Zeilberger/Meyer. We just need approval of these.

Councilman Favro moved and Councilman Miller seconded the motion approve the settlement of the two Whiteface Club and Resort Article 7 cases. There being no further discussion, the motion was unanimously carried

COMMITTEE REPORTS - PENDING LAWSUIT

Supervisor Politi- We still have a pending lawsuit with VanNortwick in Saranac Lake.

Attorney Briggs- Yes, we had a pretrial conference and we had an appraisal done on the property. His assessment is at \$92,000 and his appraisal came in at \$104,000 which was done by Don Hoffman so we are under assessed. He is asking it to be reduced to \$50,000. The trial is scheduled for June 7th and we are going to win it. This will go in front of the Supreme Court. We are under assessed and we offered him a while back \$90,000 and he walked away from it.

NICK MCKAY ASKED ABOUT THE AIR B&B DECISION

Nick McKay - Did you set a date?

Supervisor Politi- No not yet we got about 100 responses on this we need to have time for everyone to review them. We will have a meeting with the Village Board, Dean Dietrich, Review Board, ZBA Board and Code Enforcement to discuss modification in March. Then we will work at that time to put together a modified draft and once that is in place, we will have another public hearing and we can't do that in April no one will be here. At the very earliest late March and at the latest early May, once we have the public hearing, we will have another meeting of the boards and see if more changes need to be made and if we do, we will need another public hearing. If the law is passed it won't go into effect for a few months to give people time to get the permits and everyone signed up.

Councilman Doty- So it could mean the first of the year.

TOWN BOARD MEETING

TUESDAY, FEBRUARY 12, 2019

Supervisor Politi- If you try and do it too fast people aren't happy. We haven't really formally talked to Village yet. We need to get all the boards feelings on changes. We heard what people had to say. This is not an easy position we are working to find a middle ground.

COMMITTEE REPORTS – DOG PARK

Supervisor Politi- We are working on establishing a plan for this Dog Park. Butch is getting something together.

COMMITTEE REPORTS – TOBOGGAN SLIDE

Councilman Miller- Did you make a decision on that plastic?

Councilman Doty- We are not sure yet. There are 4 sheets that interlock. We are trying to think of a synthetic material to put in the chute so it will be good all winter. Jay talked to Tony and they had this sheets that are good to skate on. You can buy it at 800 bucks a sheet. Jay also talked about steal tracks.

Councilman Rand- It's as fast as snow and I think they have the same thing in Lebanon, New Jersey. It's a steal track and I think it will be a little stronger. Although it has been buried in snow year after year it holds up. I would like to get some pricing and info. I think it will be less friction even though it's really smooth. We need to test it.

Councilman Favro- There is stuff you can spray on it. I think the metal would be better.

Councilman Rand- It has little bumps all down it. I will get a sample.

Councilman Miller- It doesn't get jammed up?

Councilman Doty- It's the same theory as curling its pebbled. The friction is on the top of all the bumps.

Councilman Miller- What if you had a salesman come and look at toboggan chute and advise us.

Councilman Rand- I will contact someone. We have to decide to if we want plastic with a tube in summer.

Supervisor Politi- So you take out the runs and make it one with a tube.

Councilman Rand- The plastic is the same stuff you land on in the summer and it's overlapped. We have a number of alternatives.

COMMITTEE REPORTS – RAY BROOK WATER

Councilman Doty- Did you get an email from Ivan about Ray Brook Water. We better call him I can't get into it. I will call him.

TOWN BOARD MEETING
TUESDAY, FEBRUARY 12, 2019

COMMITTEE REPORTS - SIDEWALKS

Supervisor Politi- I can't get in to it either. He did call me about sidewalks and he is planning on putting out bid opening the beginning of April. I told him to go ahead and get this started.

COMMITTEE REPORTS - AIRPORT

Supervisor Politi- State approved 3 Bay T-Hanger and it will go out to bid. Doug Bauer is working on it.

APPROVE AUDITS AS PER AUDIT #'S

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 2/12/19			
<u>PREPAID CLAIMS (NBT General Funds, NBT Park District, NBT Health Reimb. Bank Accounts)</u>	Batch Number	Batch Totals	Fund Totals
		Prepaid	Prepaid
A000 FUND GENERAL FUND	5	190,642.86	85,582.03
B000 FUND GENERAL OUTSIDE VILLAGE	6	30.00	92.25
DB00 FUND TOWN OUTSIDE VILLAGE HIGHWAY	7	750.00	
SP00 FUND PARK DISTRICT			99,037.29
SW03 FUND RAY BROOK			5,961.29
T000 FUND TRUST & AGENCY			750.00
(Prepays NBT Bank Accounts) (1/1/19-1/31/19)		191,422.86	191,422.86
1-6, 9-15, 53, 55-58, 65-66, 71-72, 116-119, 153-155			
<u>ADK PAYROLL</u>			
T000 FUND TRUST & AGENCY	8	28,386.32	103,200.06
	9	74,813.74	
(Payroll) (1/1/19-1/31/19)		103,200.06	103,200.06
7,16-29,99-115			
<u>REGULAR CLAIMS (Adirondack Claims Bank Account)</u>			
A000 FUND GENERAL FUND	2	72,426.74	191,214.54
B000 FUND GENERAL OUTSIDE VILLAGE	3	489,829.17	
DB00 FUND TOWN OUTSIDE VILLAGE HIGHWAY	4	9,548.84	25,725.05
H017-TOBOGGAN SLIDE	12	96,700.81	

TOWN BOARD MEETING
TUESDAY, FEBRUARY 12, 2019

H018-Replace RW14 PAPI & TW AB&C light construction		2,000.00
H020- MIRROR LAKE DR./WHITNEY RD DRAINAGE		3.90
H021-MIRROR LAKE SIDEWALK		5,785.00
H022-On & Off Airport Obst. Mitigation		15,000.00
SF01-FIRE PROTECTION DISTRICT 1		223,608.51
SF02-FIRE PROTECTION DISTRICT 2		72,996.16
SF03-FIRE PROTECTION DISTRICT 3		87,271.94
SP00 PARK DISTRICT		44,900.46
SW03 RAY BROOK		
73-98, 120-152, 156-169, 184-212, 214-249		668,505.56
DELETED VOUCHERS:		
Batch	668,505.56	668,505.56
NOTES:		
FIT WITHHOLDING FROM VCHRS 87 & 88	(144.22)	
AMOUNT TRANSFERRED TO CLAIMS CHECKING ACCOUNT FOR CHECK RUN 78:	#REF!	
AMOUNT TRANSFERRED TO PAYROLL FOR FIT WITHHOLDING	144.22	
	#REF!	
	DEBIT	
A000.0000.0200.0200	191,214.54	
B000.0000.0200.0200	-	
DB00.0000.0200.0200	25,725.05	
H017.0000.0200.0200	-	
H018.0000.0200.0200	2,000.00	
H020.0000.0200.0200	3.90	
H021.0000.0200.0200	5,785.00	
H022.0000.0200.0200	15,000.00	
SF01.0000.0200.0200	223,608.51	
SF02.0000.0200.0200	72,996.16	
SF03.0000.0200.0200	87,271.94	
SP00.0000.0200.0200	44,900.46	
SW03.0000.0200.0200	-	
	668,505.56	
	CREDIT	

TOWN BOARD MEETING
TUESDAY, FEBRUARY 12, 2019

A000.0000.0200.0104	191,214.54
B000.0000.0200.0104	-
DB00.0000.0200.0104	25,725.05
H017.0000.0200.0104	-
H018.0000.0200.0104	2,000.00
H020.0000.0200.0104	3.90
H021.0000.0200.0104	5,785.00
H022.0000.0200.0104	15,000.00
SF01.0000.0200.0104	223,608.51
SF02.0000.0200.0104	72,996.16
SF03.0000.0200.0104	87,271.94
SP00.0000.0200.0104	44,900.46
SW03.0000.0200.0104	-
	668,505.56
	668,505.56

1. Post Claims Transfer Journal Entry as listed above
2. Post Amberly Rounds Withholding transfer of funds from Adk Claims to Adk Payroll for the amount of the FIT withholding listed above
3. In open Payroll Batch and create Recurring Voucher for Amberly Rounds FIT withholding for claims paid
4. transfer funds from Adk Cap Proj to Adk Claims
5. transfer funds from Adk Claims to Adk Payroll (for FIT)
6. log in to eftps and pay withholding for 945

Councilman Rand moved and Councilman Doty seconded the motion approve the audits as presented. There being no further discussion, the motion was unanimously carried

DISCUSSION CONTINUED ON VACATION RENTAL LAW

Supervisor Politi- People are gone in April so we will have a meeting in March. I will talk with Mayor about setting up a meeting.

Councilman Doty- I think taking our time for first of year will calm a lot of people. I would like to see the rules we have in place. Parking is a bigger issue then I knew in the beginning. Half the places I take care of would not qualify. It could be critical.

Councilman Miller- Why can't we just say your driveway can hold this may cars? Why do we care if that means 8 or 16 people?

Attorney Briggs- Because if they say we can rent for 16 people they are going to find ways to make room for parking.

TOWN BOARD MEETING

TUESDAY, FEBRUARY 12, 2019

Councilman Doty- Pine Lodge has 9 units if 4 owners come and 4 rent and there are two cars for each there is not enough spaces for all of them.

Councilman Miller- Then that is a HOA problem and they need to talk with them.

Attorney Briggs- Its two separate things the number of occupancy and the number of parking spots.

Supervisor Politi- I have reviewed a lot of ordinance and I have not seen one that doesn't address those two issues. We may have to and Mike may be right I am worried about on street parking and we will have to have signs. Northwood Road is a big concern and there are no signs that say no street parking. This is a problem nationwide.

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Doty moved and Councilman Miller seconded the motion to adjourn the meeting at 7:35pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk

Typed by Jessica Scriver