

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

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

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

Others Present: Attorney Ron Briggs, Larry Straight, Chris Knight, Andy Flynn, Dean Dietrich, Mary Liz Alexander

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 2012 Organizational Meeting, Town Board Meeting January 10, 2012 and Special Board Meeting on February 2, 2012.

Councilman Doty moved and Councilman Favro seconded the motion to approve the minutes as written and presented. There being no further discussion, the motion was unanimously carried. Councilman Rand was absent for the Special Board Meeting on February 2, 2012 and therefore abstained.

DEAN DIETRICH – COMPREHENSIVE PLAN UPDATE

Supervisor Politi welcomed Dean Dietrich. Mr. Dietrich previously gave two memos which included a request for funding the Comprehensive Plan Initiative and suggested amendments made by the Technical Steering Committee. Both handouts are filed in the Clerk's office.

Comprehensive Plan Update:

Mr. Dietrich – We are moving forward. We are having an organizational meeting Wednesday night at 7:00 pm in the North Elba room at the Conference Center. At that time, we hope to get our subcommittees up and running. The goal is to get the comprehensive plan at a point where we it would be ratified and in place January 2014. We have been moving forward well and have a number of people ready to serve on committees. We expect about 40 people tomorrow night. I will be an orientation session and are trying to get as many committee members as possible; here is your goal, here is what it looks like. This is very much a do-it-yourself project. The Community Development Board is doing a lot of the work. I sent you a memo which is dated October 14, 2011 but it is basically very apropos today. By the time you get the Community Board Developments and in-kind services, it is probably \$40,000 to \$50,000 project. We are asking for some money. When I wrote this on October 14th we had just applied for the Watershed Revitalization Grant. We had previously applied for a Smart Growth Grant. We were turned down for both of those. We apparently scored well in the regional application round, but didn't pass muster at the very end. I think they were looking for more "shovel ready" kind of programs. We are going to need some money. We need to hire someone to actually write the reports. The 60 to 70 page report should be done by an expert who is familiar with the way those sound things sound and look. We are also looking for expert advice in terms of someone to say, if this is the goal then this is what other areas are doing in terms of implementation methods and here is the

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

latest research of that in that area. We are also looking for someone to give us some ideas of metrics. Where do we find all the statistics we need i.e. housing statistics regarding the age of the stock? We need somebody to be able to tell us where those are. We are sure we can come under \$25,000. I presented this to the Village Board last night and our theory was, if the two municipalities split it creates a cash flow for us. The village Board didn't say a resoundingly yes but they didn't say no. they said it was a very important program and they were going to try and put it in their budget. They are in their budget process and their money would start to flow in August. If we can get each Board to put in \$4,500 each year for the next three years, it gives us a cash flow. The Village money from August to January and the Town mown money would start in January until the Village money again. If both sides put the same amount in, and if we are under budget then that money would be divided. There wouldn't be a burden on any municipality in any particular year. The cash flow is what we really need. We have had feelers out for the cost of consultants but don't really know how much money we need. We are asking for \$4,500 per year for the next three years so we can move that project forward. I would wager, that if you went to your Towns Association meeting and said you are getting a comprehensive Plan for \$25,000 they would say, how in the world did you do that? We are way below the industry average because it is a do-it-yourself project. It may be a little less professional because of that, but there is more buy in and community support. That is the tradeoff. That is where we are and would like you to see if you can make the meeting tomorrow night. We would appreciate it. If you can't, we understand. It will be online and you are also all on my email.

Councilman Doty – Town wide certainly will encompass Saranac Lake as well as Lake Placid. Do you envision participants from both ends?

Dean Dietrich – The Comprehensive Plan actually handles our Planning Districts. We are looking at regional cooperation. There are some things that really need a regional effort i.e. environmental things, broadband, technology. There are some people in the Saranac Lake area that are very interested in joining. We do have some people coming in that are serving on committees. The Comprehensive Plan itself is the same as our planning districts. One of the items of discussion is doing a region too. Similar to the cross contracts you have with equipment and things. There is no real mechanism for that. Setup some kind of mechanism is on our agenda. I hope that answers your question.

Councilman Miller – How do you come up with a \$25,000 number? Like you said, You don't have any responses yet and don't know if you will find someone to do this work that will cost you a lot more or if you will be able to come up with a Clarkson student...

Dean Dietrich – The nice thing about working through the two grants did force us to do some budget calculations. We did contact different consulting areas. We talked to Garret Day in Elizabethtown. I have feelers with Cornell Cooperative Extension, with Colgate, Plattsburgh, St. Lawrence... how much would it cost to get you guys on board? Because of the fact we had to go through the budget process twice, we are pretty sure we can do it for that amount.

Supervisor Politi – Unfortunately, our budget process was about the time we were aware. There is money available in the Contingency Fund. I think all of us feel we spent an awful lot of time

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

on the Joint Code and you certainly have to continue to maintain it. Otherwise you have wasted a lot of time and effort of people in the past. None of us look at zoning other than how it affects us personally. We have to rely on those that we have appointed to give us guidance as to the direction we should be going. In that respect, I would say I endorse what you are doing and assume most of us feel the same way.

Dean Dietrich – This goes beyond the Code. The Code deals with income based housing and this deals with better ways and community policies that can promote the area.

Supervisor Politi – They both go together.

Dean Dietrich – Absolutely, and it is a continuing process. We are premature because we need the Village commitment, and I think we will. That means the money starts to flow in August. We would be ok if that happens.

Supervisor Politi – One of thing that has already come out of this is are things you have noted on page two and three which are amendments. Our community is changing everyday and we have to look for new directions. Already we have seen a number of changes and there will be changes going forward.

Dean Dietrich – There are pressures at the Town now that are demographics pressures, technology pressures, the environment that needs to be taken into consideration.

TSC One Year Review: Suggested Amendments

Dean Dietrich – This is a good segway into phase II. I'll put on my other hat as the Chairperson. This is my last report as TSC because we are out of existence after this year. When we passes the Code in December 2010 to make it effective in January 2011, both the Town and Village boards asked the TSC to hang around for one year. To talk to people who have been working with the Code to see what kind of changes need to be made. There was another round of amendments that came up. We felt that we were still held to that one year standard. Around December, I sent a memo to the ZBA, Review Board and Planning Office and asked them what they see after working with the Code for a year. We had a meeting on January 12th and came up with these amendments. Some are tweaks, some are clarifications and some are flat out mistakes. Would you like me to go through them?

Supervisor Politi – Yes, sure.

Referring to Section 2: Dimensional Standards, 2.7(D)

Dean Dietrich – The Gateway Corridor is Route 73 and Route 86. We increased the Density from 3 units per acre to 6 units per acre. When the Code changed, people started to think about things conceptually. We were contacted by architects who said they could actually fit 10 to 12 units and still meet all your permeability requirements, parking requirements, vision requirements, screening requirements... The Gateway Corridor does allow a 30 or a 90 unit hotel if it could fit. After looking at some of the conceptual things that came in, we feel that you

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

could move that to 10 Units per acre. That is basically building rights; you still have the standards.

Referring to Section 2: Dimensional Standards, 2.4(D) & 2.5(D)

Dean Dietrich – 2.4(D) and 2.5(D) are both tweaks too. The problem we had with the new Code was that we took 18 zoning units and basically put them down to 8. In one section it might be 25 ft. setback and the next level might be a 30 ft setback. It is basically the same character neighborhood so we ended up in the same Zone. But now you have one area that is 25 ft and one that is 30 ft. The way we handled it with the new zone is, if you want to figure the setback in those areas you take a look at the neighborhood. If everybody is 30 ft then you build it 30 ft. Bill Hurley and the Review Board though it would be better to look at the whole neighborhood instead of just one side of the street. No survey is necessary. It can be done through aerial photography.

Councilman Doty – The setback is discretionary and not written.

Dean Dietrich – It is except if you can't do it then it is set. This is for front yard setbacks; a line of sight.

Referring to Section 4.2.2: Non-Conforming Buildings, 4.2.2(D)

Dean Dietrich – We had to word “enlarge” and did not add the (i.e. setbacks and height) examples. What it should mean is that you can expand the building up until the setbacks. It was being interpreted as a building that is already non-conforming and you enlarge it in anyway then you are enlarging and non-conforming. The (i.e. setbacks and height) should clarify it. If a building has been around for 10 years and is now non-conforming because of the code changes should be able to expand.

Referring to Section 6: Signage, 6.4.4(d)

Dean Dietrich – We cut and pasted many times writing the new Code. For awhile we were going to have all business signs turned off during non-business hours. A lot of people came to the public meetings and said we use the lit signs as security purposes. We backed off and in doing so forgot to keep the Neon signs. Turning off the Neon signs existed in the 2000 Code. If you have a Budweiser sign, it should be off after business hours.

Referring to Section 6: Signage, 6.3.4

Dean Dietrich – We went back and forth on real estate signs. After the Code was established, We got a letter from a realtor who said some of the mailbox type of signs that are 5 ft tall, which are nice looking signs, said we just invested \$2,000 in those and asked if we meant to ban those. I don't think we did. Also, a 3 ft sign on a snow pile is now 6ft. above the ground. The real limit is that the design of the sign and the support must be approved by the Code Enforcement Officer.

Attorney Briggs – What is the standard? Whatever he likes that day?

Dean Dietrich – We keep the height limited to 6 ft.

Attorney Briggs – I see problems with that.

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

Councilman Miller – It's going to be the same problems we have now. We changed from 3 ft to 6 ft but still have one 50 ft in the air.

Referring to Section 6: Signage, 6.6.3

Dean Dietrich – This was a mistake too. We did make perfusions for home occupation signs. That is a conditional activity that does take place in a residential area. With certain limitations, you can open a consulting firm in your basement. We forgot the State Law says that you have to allow daycare centers and churches anywhere. In the fall, a church wanted to open up in a residential area and there is nothing in the Land Use Code about the size sign a church can have in a residential area. The Review Board looked at the standard for home occupation sign, which is 12 sq. ft. and the church said that is fine.

Supervisor Politi – I don't think a church is commercial. It's religious.

Dean Dietrich – “Conditional Use” rather than commercial might be a better term.

Supervisor Politi – This doesn't help the church.

Dean Dietrich – These are basically notes from our meeting and Tim Smith is going to make it into the “real language”. I will talk to him about putting standards for real estate signs also. The Village Board had the same concerns when I approached them last night.

Referring to Section 8: Review Process, 8.2.5 (A3)

Dean Dietrich – We talked about public hearings with the Review Board and the ZBA about 12 times. The ZBA is always “shall”; the ZBA has to have public hearings because they are actually changing the law. The Review Board is “may”; having a public hearing is discretionary. We change it so many times and missed the one on 8.2.5(A3).

Referring to Section 9: Enforcement, 9.5.2 (A)

Dean Dietrich – This is a request from Jim Morganson. There is a three step process now; he notified the landowner, the landowner then has 30 days to remedy the problem. After 30 days, Jim can give him an appearance ticket and with the approval of the Board can move forward with prosecution. We kept that in the new Code. For a temporary sign, that creates a problem; someone puts up a temporary sign and Jim tells them to rectify it in 30 days and temporary sign is probably gone in 30 days. Jim requested to eliminate the 30 days and gives him more discretion.

Supervisor Politi – It also gets the job done.

Attorney Briggs – What would the language say, forthwith?

Dean Dietrich – That would be at the discussion of the Code Enforcement Officer. I would think that Jim would want to give someone who started digging a hole a little more time to remedy the situation.

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

Attorney Briggs – Maybe saying, “As soon as practicable”. I think that too much discretion creates problems.

Supervisor Politi – I don’t have a problem with 5 days. If it is violation, get it fixed.

Dean Dietrich – A temporary sign you want taken down right now.

Supervisor Politi – A temporary sign for something this weekend, what do they care? They’re going to leave it up.

Attorney Briggs – Thinking about what I just suggested, “As soon as practicable”; the offender might say it is not practicable. Immediately.

Supervisor politi – You have got to set a limit.

Councilman Miller – Let them defend why they can’t do it.

Dean Dietrich – It has been 30 days since 1996.

Supervisor Politi – It has been 30 days too long.

Referring to Section 10: Definitions, 10.2

Dean Dietrich – While we were talking about increasing density and looking at some of the conceptual plans, we tried to allow for lot averages. There are certain tax advantages that Townhouses have over condominiums. Sometimes it is hard to do a townhouse because of a lot size. A ten unit townhouse in the Gateway Corridor the term “lot” doesn’t apply. You can do a townhouse and get it done. You still have the densities that are there.

Supervisor politi – I just assume you eliminate condominiums anyway. For tax reasons. They are discriminatory.

Dean Dietrich – Not sure if we can do that in the Code, You may have to do that with advise from council.

Supervisor Politi – Condominiums are discriminatory.

Councilman Doty – I thought we researched that and legislation said we couldn’t keep it out.

Supervisor politi – It is being challenged in western New York. They zoned them out because of the tax ramifications because condominiums can be taxed at different standard than anyone else that is a resident. It’s not right.

Dean Dietrich – I understand what you are saying. We made it very easy to do it. We took away all the barriers.

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

Supervisor politi – I would like to see you make it very easy to build a townhouse and very difficult for a condominium. It is no different than making it difficult for Wal-Mart to come into our community. We set standards there were they couldn't come in. We can set standards to discourage condominium development.

Dean Dietrich – I hear where you are coming from. I would pause it that the difference there that Wal-Mart came in with a size. It is easy to have a standard with size. Whereas condominiums are lot sizes which is very difficult to differentiate different types of ownership.

Supervisor Politi- Maybe condominiums should have a lot large common area because townhouses you own a fee for the land underneath and condominiums you don't. There should be a requirement that there is a much larger area to encompass a green area that townhouses would have. It is discriminatory and it troubling. It kills resort communities like Lake placid. It is unfortunate. It is not fair that you and I should pay one number and someone who owns a condominium gets a 30% or 40% break off of value. It is nonsense. Make it more difficult.

Dean Dietrich – I like your idea. I don't what is to prevent you from doing it.

Supervisor Politi – There isn't. Those are standards and we have standards in the community. It is my business, but I am going to tell you that it is not right.

Dean Dietrich – What we got from the planning people in Albany is that you are running into legal problems. So we backed right off.

Supervisor Politi – You would be running into legal problems if you said no condominiums. You would not be running into problems if you said it must have "x" number of areas of land.

Dean Dietrich – That is not going to happen at his particular round of amendments.

Supervisor Politi – I know. I'm just spouting off because I am tired of these assessment cases. They are not fair to anybody who lives around here.

Referring to Maps

Dean Dietrich – There were certain areas of Nash Road that were always C2 in the past (commercial). We zoomed in and drew a line around the map; we just screwed up there. I'm sure there will be more.

Supervisor Politi – Is Attorney Tim Smith going to put this in the form of a proposed law change?

Dean Dietrich – I go back to time with the Town and Village Board comments and he works his way through that. Meanwhile, you and Mr. Mayor get together and have another Public Hearing. The TSC have fulfilled our commitment and don't feel that we have a mandate anymore. We did talk to Bill Hurley and he is willing to go to the Planning Board. We are certainly willing to give advice. The Comprehensive Plan will take a good hard look at your ideas about condominiums.

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

Supervisor Politi – We all appreciate everything that you do. You are a real activist in terms of this project. Quite frankly, it probably wouldn't get done without you.

Dean Dietrich – I can't say enough about Michael Clark, Bill Billerman and Pat Gallagher. They were at every meeting and they are nice guys. I have had some of the best graduate level conversations.

Supervisor Politi – We appreciate you coming in and give us a new direction and also give us modifications to a Code that in different areas you have found to be deficient. It shows us that the process is working.

Councilman Miller – I think it's wonderful how many people you are able to get involved.

The Planning Board meeting is Wednesday, February 15th in the North Elba room at the Convention Center. Councilman Miller and councilman Rand will attend.

NATURE OF PUBLIC HEARING - TAHAWUS WAY

Supervisor Politi – Attorney Briggs provided me with a request for an order of public hearing on the construction subject to Section 200 of Tahawus Way. We have the petition that has been signed by 80% of the owners. We have to have a public hearing to go out for bonding.

Attorney Briggs – If you approve it and find it to be in the public interest, you adopt a resolution at that meeting with details about going forward.

The Public Hearing is scheduled for Tuesday, March 13th at 6:45 pm prior to the regularly scheduled Town Board meeting.

Supervisor Politi – Can I have a motion to send out a notice of Public Hearing for Tahawus Way?

Councilman Favro moved and Councilman Doty seconded the motion to notice the public hearing for Tahawus Way. There being no further discussion, the motion was unanimously carried.

PERYEA LAND PURCHASE – SURVEY PAYMENT APPROVAL – HYDROLOGIST & WELL DRILLER

Supervisor Politi – Regarding the Peryea land purchase, we talked about the survey at our workshop. That report is in place. There is a Joint Review Board meeting tomorrow night at 7:00 pm for minor sub-division approval. It is a two lot sub-division of the 8 ½ acres which the Town has agreed to purchase from Peryea with no building rights for purposes of protecting the integrity of the water system for Ray Brook. As soon as that is approved, and Jim Morganson will be appearing on our behalf, then we can move forward to purchase that property using Fund Balance from Ray Brook Water District. We received a bill from Bob Marvin in the amount of \$3,300 for the survey. He needs to be paid. I would like to get approval from this board to pay his bill which is part of the purchase price.

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

Councilman Doty – It is not in our vouchers tonight?

Supervisor Politi – No it is not.

Councilman Doty – We already allocated money for this?

Supervisor Politi – Yes we did. I just want to put it on the record that we approve the utilization of Ray Brook Water District Fund Balance for the payment.

Councilman Doty moved and Councilman Miller seconded the motion to approve the utilization of Ray Brook Water District Fund Balance for the survey bill from Bob Marvin.

Councilman Doty – It will be a budget amendment?

Supervisor Politi – It won't be a Budget Amendment. She can just take it directly from Ray Brook Water.

There being no further discussion, the motion was unanimously carried.

Supervisor Politi – Brad Hathaway was in my office and told me Ron Gill is out of business. They have recommended two other people. Brad is planning on interviewing the hydrogeologist, and we are going to set up a meeting to discuss the area to drill. I am leaving that in Brad's hands. I am sure he will get together with you, Derek.

Attorney Briggs – Is Dana represented by council so I can get an abstract of title?

Supervisor Politi –The answer was, Bob Marvin did the survey and would most likely have the abstract of title. If you don't have any luck, then I will call Dana. There is an APA permit in place. The only thing lacking is the minor sub-division approval which is forthcoming.

ROAD CHANGE APPROVAL – SLIP SLIDIN A

Supervisor Politi – Ken Jubin requested a road name approval for “Slip Slidin A” which is off of the Old Mountain Road. Essex County and the Fire Department are ok with the road name. I would like a motion to approve the road name.

Councilman Rand moved and Councilman Miller seconded the motion to approve the road name “SLIP SLIDIN A” as presented. There being no further discussion, the motion was unanimously carried by those present.

Superintendent Straight will order the sign.

RAGNAR RELAY APPROVAL

Supervisor Politi – We have a request from Ragnar Relay in the Adirondacks to run through the Town of North Elba on September 28, 2012 and September 29, 2012. It is an overnight running

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

relay race from Saratoga Springs to Lake Placid. They included the description of the event with date and hours, port-a-potties, first aid, race route, traffic control, insurance and waste receptacles. Before we approve this I want to make sure they agree to a recycling program for any plastics that are used which is what we do with the other events in our community. Do you want to approve this conditionally upon their agreeing to such?

Councilman Favro moved and Councilman Miller seconded the motion to approve the Ragnar Relay subject to an agreement to a recycling program. There being no further discussion, the motion was unanimously carried.

The event was reviewed by Butch Martin.

RESOLUTION JACOBS TAX CASE AND GOLDEN RING

Supervisor Politi- Next is the Resolution to the Harry Jacobs tax Article 7 and the resolution of the Golden Ring tax case.

Attorney Brigs – Talking about Jacobs; as you probably know the petitioner for Harry Jacobs did get an appraisal which came in at \$1.8 million and we have him assessed for \$2.4 million. We offered \$2.1 as part of the negotiations. They came back at \$1,950,000. Kim Daby thought it was fine. Don Hoffman did the appraisal and has a good reputation.

Councilman Miller – If the appraisal comes in at \$1.8, then why are we just assessing it at \$1.8?

Supervisor Politi – That is what that appraiser said. Our appraiser did not necessarily say that.

Attorney Briggs – I didn't look at the contract. I will review the contract and give you my opinion. I didn't do it. I just forgot to do it.

Supervisor Politi – I would like you to set up a meeting with Barry for you and myself and Derek or Jack. You bring them down here to just discuss it.

BUDGET ADJUSTMENTS

Supervisor Politi asked for approval of the following budget Adjustments

Final Amendments to 2011 Budget for adjustments made to close 2011 year end:

- Increase A.1420.451 Law. Legal Fees \$5176.50 for 2011 share of invoice from Briggs Norfolk for Spellman case
- Decrease A.1930.0451 Article 7s.Legal Fees \$5176.50
- Increase DB.5130.0417 Highway Equipment Repairs \$668.04 for Sep 2011 invoice from Bobcat of Watertown not billed until Jan 2012
- Decrease DB.5130.0200 Highway Machinery Equip and Capital Outlay \$668.04

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

- Increase SF2.3410.0449 Other Non Professional Services for \$850.80 related to service calls paid to Adirondack Correctional Facility in Nov 2011
- Appropriate from SF2 fund balance, taxes were raised in 2012 to cover the expense and will return to fund balance when 2012 year is closed
- Increase SP.1114.0442 Park Garage. Equipment Rentals \$6.39 for Dec 2011 rental of water cooler crystal rock
- Increase SP.1331.0465 Youth Commission Summer Program \$100.00 for replenishment of petty cash (adjustment made when closing 2011 books)
- Increase SP.1346.0423 Showgrounds.Water & Sewer \$2341.19 for water bill for show grounds 7/29/11-10/29/11 (paid portion same period in 2010-pending outstanding balance \$8664.32)
- Increase SP.9060.0800 Park District. Hospital & Medical Insurance \$10779.70 (for Jan 2011 health insurance erroneously posted to 2010 fiscal year (adjustment made when closing 2011 books)

Offset all of SP adjustments as follows:

- Decrease SP.1350.445 Craigwood Advertising \$5446.88
- Decrease SP.1357.431 Airport Liability Insurance \$666.00
- Appropriate Park District Fund Balance \$7114.40

Park District fund balance as of close of 2011 books is \$119,491 (of this \$3543.08 is restricted to Olympic Torch Contributions) and \$28,198 represents prepaid expenses for retirement—that is it has already been spent.)

2012 Budget Adjustment:

- Increase A.1420.0444 Law. Contracts & Agreements \$42155.35
- Decrease A.1420.0101 Law. Personal Services \$42155.35

Related to reclassification of Ronald Briggs from employee to contractor _per agreement submitted to Board

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

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

IRONMAN RACE APPROVAL

Greg Borzilleri is now the Ironman Race Director. The race is scheduled for July 22, 2012 with over 3200 athletes competing this year. He needs a letter of support as well as allowing the race to be televised. Supervisor Politi will write the letter.

This is the last year of the Ironman contract. There are ongoing negotiations and the Board is optimistic that the race will stay in Lake Placid.

Councilman Favro moved and Councilman Miller seconded the motion to support the Ironman and Supervisor Politi to write a letter stating such. There being no further discussion, the motion was unanimously carried.

DOG CONTROL OFFICER

Supervisor Politi suggested an RFQ to seek a Dog Control Officer to work part-time in the Town of North Elba.

The Essex County Public Health requires the Town to provide an animal Control Officer, shelter and a rabies program. We currently do not have one. The Village will only patrol the Village. The Village owns the pound but has offered the Town to use it.

Supervisor Politi said the position needs to be advertized. It would be great for a retiree who has his own truck. We might want to consider offering benefits in lieu of payment. We currently pay the Village \$12,000 a year and it is a problem.

Councilman Miller suggested we hire someone to cover the Town and the Village.

Councilman Favro moved and Councilman Miller seconded the motion to advertise for a Dog control Officer. There being no further discussion, the motion was unanimously carried.

RESOLUTION TO AMEND BID – HIGHWAY 4-WHEEL TRUCK W/ PLOW & ACCEPT LOW BID

Supervisor Politi – We received three bids for the truck with plow; Capitaland Motors at \$31,655.00, Adirondack Chevrolet at 29,030.00 and Knight Automotive at \$29,693.16. Before we approve the low bid, we need amend the bid. The bid was advertised as a Park District and should have said Town of North Elba. This is just a formality.

Councilman Doty moved and Councilman Rand seconded the motion to approve a resolution amending the bid for the 4-wheel truck with plow. There being no further discussion, the motion was unanimously carried.

RESOLUTION TO APPROVE JIM WASSON CONTRACT FOR 2012

Supervisor Politi – Derek, Jay and Butch met with Jim Wasson regarding his contract at Craig Wood. It is the same as the past except the distribution of money; payments would be equal each month. The Craig Wood tournament is a 60/40 payout.

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

Councilman Doty – It was a great process to go through and to hear how Craig Wood is run

Councilman Doty moved and Councilman Rand seconded the motion to approve the 2012 renewal of contract for Jim Wasson. There being no further discussion, the motion was unanimously carried.

TRI-LAKES YOUTH TOURNAMENT APPROVAL

Supervisor Politi – I received a request from the Tri-Lakes Youth Tournament which is run by Bill Larzelere. The tournament is scheduled for June 23-24 and involves children from 3rd grade to 6th grade. They would like to utilize the fields. I would like approval subject to insurance and a recycling program.

Councilman Miller moved and Councilman Rand seconded the motion to approve the Tri-Lakes Youth Tournament subject to insurance and a recycling program. There being no further discussion, the motion was unanimously carried.

APPROVAL – ATTORNEY FOR TOWN AGREEMENT

Attorney Briggs explained that on September 2011 he requested a title change from “Town Attorney” to “Attorney for the Town”. He requested the change because he is close to retirement. The new title saves the Town money.

Supervisor Politi asked for a motion to approve Attorney Briggs’ agreement with the Town.

Councilman Favro moved and Councilman Miller seconded the motion to approve the Attorney for the Town agreement for 2012. There being no further discussion, the motion was unanimously carried.

POST-CLOSURE MONITORING LANDFILL

Supervisor Politi reads excerpts from the Adirondack Landfill Service, LLC report which is filed in the Clerk’s Office. The cost is \$3,978 which is the same as last year. They petitioned NYSDEC in 2010 to discontinue the two Chubb River water samples which saves \$16,000 during the remaining sample period.

Councilman Rand moved and Councilman Doty seconded the motion to approve the 2012 Post-Closure agreement for the North Elba landfill. There being no further discussion, the motion was unanimously carried.

RESOLUTION – YOUTH COMMISSION BOARD

Supervisor Politi asked for a resolution to approve Butch Martin to act as the representative of the Essex County Youth Commission Board and Jon Fremante as his Alternate. Councilman Rand and Councilman Miller will also be representatives. They are required to attend 4 meetings.

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

A copy of the contract is in the Clerk's Office.

Councilman Doty moved and Councilman Favro seconded the motion to approve a Resolution appointing said persons to the Essex County Youth Commission Board. There being no further discussion, the motion was unanimously carried.

APPROVAL FOR LAKE PLACID MARATHON AND ½ MARATHON

Supervisor Politi – Jeff Edwards is seeking permission to hold the 8th Annual Lake Placid Marathon and ½ Marathon on June 10, 2012 from 8am to 2pm. He is expecting 1800 runners. I would like approval subject to trash removal and a recycling program.

Councilman Doty moved and Councilman Favro seconded the motion to approve the 8th Annual Marathon and ½ Marathon subject to trash removal and a recycling program. There being no further discussion, the motion was unanimously carried.

COMMITTEE REPORTS: CRAIG WOOD

Food service

Councilman Doty, Councilman Rand and Butch Martin met regarding the Food Service RFQ. They received interest from Cascade Inn and Andrew Quinn. Councilman Rand said they were both excellent choices. They will interview both.

Golf Rates

Councilman Doty reported the rates will stay the same as last year. They are looking at new marketing ideas for summer traffic as well as the voucher system.

It was suggested offering different rates for taxpayers vs. non-taxpayers rates however there are about 7 locals who don't have a membership.

Marketing

Jimmy Wasson made a presentation at the workshop for "Course Trends", a marketing solution website company. The Express Package is \$295/mo which is 3 T-times per week during the hours of 10am -1pm. Supervisor Politi asked advice from Advertisers Workshop. They suggested the Premier Package which offers iphone, smart phone, facebook page and twiter at a cost of \$495/mo which is 5 T-times per week during the hours of 10am -1pm. The contract is for 3 years

Councilman Doty moved and Councilman Rand seconded the motion to approve the Premier package with Course Trends subject to the review of contract by Attorney Briggs. There being no further discussion, the motion was unanimously carried.

COMMITTEE REPORTS: TRANSFER STATION

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

C&D Pile

Shannon and Larry requested a bid proposal in January. They are on schedule.

Building

Superintendent Straight made a request to expand the office. He said he should be able to talk to people privately if he so chooses. The work can be done in-house. The cost will be approximately \$1,800 and the funds can come from the General Fund.

The recycle building needs to be repaired. The forklifts push against the outer walls when moving bins. An engineer is needed and they may look for a retired engineer. Shannon is looking for grant money.

COMMITTEE REPORTS: SKATEBOARD PARK

Councilman Rand will try to push ORDA to take the Skateboard Park

COMMITTEE REPORTS: TOWN HISTORIAN

Supervisor Politi expressed his gratitude to Mrs. Reid. Her annual report is thorough and an interesting read. He thanked her for all she does.

COMMITTEE REPORTS: CRAIG WOOD EQUIPMENT

Councilman Favro explained they are working on a replacement plan for equipment at Craig wood. Brad Jacques has done a great job of this at the fire department.

TOWN ATTORNEY REPORTS

Attorney Briggs explained the Grimditch matter is at the Appellate Division and there should be a decision in about a month.

ESSEX COUNTY UPDATE

Supervisor Politi reported the jail revenue is down. A few counties have pulled out of our jail because they can find less expensive ways, i.e. ankle bracelets. Prisoners are now coming from Vermont.

Supervisor Politi stated their next issue is the nursing home.

REGULAR TOWN BOARD MEETING

TUESDAY, FEBRUARY 14, 2012

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for a motion approving the audits.

	Regular	Prepaid
TOWN OF NORTH ELBA		
CLAIMS APPROVED FOR PAYMENT 4/13/10		
A FUND	95102.01	32068.22
DB FUND	17907.78	9823.11
H43 2008 AIRPORT CAPITAL PROJECT	31140.57	0
SF1 FIRE PROTECTION DISTRICT	230380.42	0
SF2 FIRE PROTECTION DISTRICT	0	
SF3 FIRE PROTECTION DISTRICT	83703.31	0
SP PARK DISTRICT	23422.46	39347.21
SS21 CONSOLIDATED SEWER DISTRICT	2605	0
SW1 SEWER DISTRICT #1	1020	0
SW2 MCKENZIE	0	73.8
SW3 RAY BROOK	0	814.67
T TRUST & AGENCY	0	667.79
TE PRIVATE PURPOSE TRUST	0	0
	485281.55	82794.8
100130;100169; 100171; 100411; 100574-100603; 100625-100700;		
100746-100844; 100866-100868		

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

ADJOURNMENT

There being no further business to come before the board, Councilman Doty moved and Councilman Rand seconded the motion to adjourn the meeting 8:55 pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk