

REGULAR TOWN BOARD MEETING

TUESDAY, MARCH 13, 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: Chris Knight, Attorney Ron Briggs, Larry Straight,

Supervisor Politi opened the Regular Town Board meeting at 7:00 pm by asking everyone to stand for the Pledge of Allegiance.

Supervisor Politi asked for a motion on the minutes of the Board meeting on February 14, 2012

Councilman Miller 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.

DOG CONTROL OFFICER – RFP

Supervisor Politi – I sent you a copy of an RFP for an animal Control Officer. What do you think?

Councilman Doty – It certainly covers everything but I wonder if carrying your own insurance would scare a candidate off.

Attorney Briggs – Did we talk to our carrier to see how much it would add to our premium to add this position? It might be nominal.

Supervisor Politi – That probably is a good idea. Cathy and Dan Palmer though it would be best to go with an independent contracted position. I don't know if we ever discussed if the Town's insurance might cover this position.

Attorney Briggs – You can have an independent contractor and have umbrella coverage.

Supervisor Politi – We do have several interested candidates based on Chris' article. We are required to post an RFP. If I have the Board's approval then we will move forward and do an RFP and get it out there for any other party that may be interested.

Councilman Doty moved and Councilman Rand seconded the motion to approve the RFP for the independent contractor position for Animal Control Officer. There being no further discussion, the motion was unanimously carried.

Supervisor Polity will look into an umbrella policy to cover the independent contractor position.

TAHAWUS LANE – SUPPLEMENTAL ORDER FOR PUBLIC HEARING

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Supervisor Politi - Attorney Briggs requested a Supplemental Order extending the public hearing on the construction and the street improvement extending the date of the petition from March 13, 2012 to continue the hearing to April 10, 2012 at 6:45 pm which requires this board's approval.

Attorney Briggs – I did that so the paper trail covers us completely.

Councilman Doty moved and Councilman Favro seconded the motion to approve the supplemental Order for an extension of the Public Hearing for the construction and the street improvement of Tahawus Way. There being no further discussion the motion was unanimously carried.

PERYEA LAND PURCHASE – UPDATE

Attorney Briggs – I received and reviewed the Abstract of Title. It looks straight forward. I do have to add some language to the deed as required by the APA permit that he got in October or November 2011. The good title is in Dana. After adding the APA requirements, it is ready to be signed and then to exchange money.

Councilman Doty asked if the Town could keep a copy of the Abstract of Title and Attorney Briggs informed him that the Town ordered so it is owned by the town. Dana Peryea didn't have one. Supervisor Politi will notify Dana that the abstract is in and the deed is being prepared.

Councilman Doty – How soon can we set a closing for that? We meet with hydrologist on the 21st about the location we pick, we are there and we don't own it.

Attorney Briggs – We just have to cut a check. We can do it tomorrow if you want to.

Supervisor Politi – I'll talk to Cathy.

Councilman Doty – Should we contact the Health Department once we acquire the property to see if there is a time limit to close it in because it is municipal water?

Supervisor Politi – My guess is that they would be thrilled that we bought the property and give us whatever time we need.

Attorney Briggs – Does the hydrologist check the water quality or is that not an issue?

Councilman Doty – It depends on what depth they find the water as to what regulations control whether you can use it or not.

Supervisor Politi – If the water quality is bad then we are in real trouble! The main well is about 4 feet away.

Discussion continued regarding the current well; the original well is the best producer and is 75 feet deep.

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Attorney Briggs – We need a resolution to accept the Title to the property and authorize the signing of the TP-584 and the RP-5217, the closing documents.

Supervisor Politi – We need a resolution from this Board for the Town to accept Title in exchange for the payment of \$22,500 plus survey and other incidental costs.

Councilman Doty moved and Councilman Miller seconded the motion to accept Title in exchange for the payment of \$22,500 plus survey and other incidental costs as well authorizing the signing of the TP-584 and the RP-5217 closing documents. There being no further discussion, the motion was unanimously carried.

APPROVE ACAP RENTAL AGREEMENT – SENIORS

Supervisor Politi – Adirondack Community Action Program runs the nutrition program for the elderly on the 2nd floor. We have an annual contract with them which needs to be executed. It is the same as it was last year. They pay rent of \$160 per month. They operate the facility Monday – Friday, 9:30am – 1:30 pm. They have evening meals the 1st and 3rd Thursday of each month. They are responsible for the care and maintenance of the rooms. The nutrition Staff and volunteers keep everything clean.

Councilman Doty – Where does their money for rent come from?

Supervisor Politi – The money comes from ACAP at the County. Does someone want to move me signing the Adirondack Community Action Program Rental Agreement?

Councilman Miller moved and Councilman Favro seconded the motion to approve the Adirondack Community Action Program Rental Agreement. There being no further discussion, the motion was unanimously carried.

HOST AGREEMENT – LACROSSE

Supervisor Politi – I have forwarded the Host Agreement with Adirondack Lacrosse to Ron for review. Butch and I have reviewed the parts you recommended and have made changes. Chris, this is a host contract agreement made between the Town of North Elba and the Adirondack Lacrosse Promotions, Inc. They do business with Adirondack Lacrosse. This is for a contract extending that event for the years 2012 to 2015. The tournament date is approximately a week. Rental fee for the year 2012 is \$12,500 for the year 2013 is \$15,000 for the year 2014 is \$17,500 and the year 2015 is \$20,000. This is up from our current agreement which is approx. \$7,250 per year. There are more teams and we are trying to recoup the cost for maintenance of fields and the facility. This arrangement makes better financial sense with the Town of North Elba.

Chris Morris – The folks that put it on are agreeable?

Supervisor Politi – We met with them and we have agreed. They are reviewing the substance of the contract now. My feeling is that there is nothing in the contract that is an issue or will be an issue to them. The Town has already approved the use of the facility for this year. I would like to

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get a conditional approval to sign this Host Agreement with Adirondack Lacrosse subject to their executing the agreement and returning it in its present form. Ron has reviewed the agreement.

Councilman Doty Moved and Councilman Miller seconded the motion to a conditional approval of the Host Agreement with Adirondack Lacrosse subject to their executing the agreement and returning it in its present form. There being no further discussion, the motion was unanimously carried.

SIGN PROCLAMATION – NATIONAL VOLUNTEER WEEK

Supervisor Politi – The Visitors Bureau has requested a Proclamation signed by the Town of North recognizing May 13th – 19th 2012 as National Volunteer Week. We do this every year.

Councilman Favro moved and Councilman Rand seconded the motion to approve the Proclamation recognizing May 13th – 19th 2012 as National Volunteer Week. There being no further discussion, the motion was unanimously carried.

BUDGET ADJUSTMENTS

Supervisor Politi asked for approval of the budget adjustments.

Increase A.1110.0200 Municipal Court. Equipment \$1,061.93 for JCAP grant expenditures: computer, software and office chair
Offset with Increase to A.0000.3089.0100, Other Gen. Govt. Aid \$1061.93

Increase A.1110.0200 Municipal Court. Equipment \$329.00 for Village court clerk office chair (purchased from 2008 JCAP funds)
Offset with Increase to A.0000.3089.0100, Other Gen. Govt. Aid \$329.00 (funds will be reclassified from deferred revenues)

Increase A.9089.0910 Other Employee Benefits \$61.79 for payment of Employee Assistance Services invoice in excess of budgeted amount
Offset with Decrease to A.1910.0431, Liability Insurance \$61.79

Increase A.5132.0415 Town Garage. Building Repairs \$613.42 for Hwy Superintendent office construction expenses incurred to date
Offset by appropriation of General Fund Balance \$613.42

Increase DB.5110.0414 Part town Highway General Repairs. Other Consumable Supplies	\$695.72
Increase DB.5130.0417 Part town Highway Equipment Repairs	\$5,789.74
Offset by increase in DB.0000.3960 State Aid-Emergency Disaster Assistance	\$6485.46

Increase DB.5130.0200 Part town Highway Machinery Equipment and Capital Outlay	\$30078.13
Offset by appropriation of Part town Highway fund balance	\$30078.13

Increase SP.1347.101 Toboggan Slide Personal Services	\$229.42
Offset by decrease in Toboggan Slide Grounds Repair	\$229.42

If Board decides to approve proposed purchase of lift for Craig Wood Garage from Olympic Auto:

Increase SP.1114.0200 Park Garage. Equipment	\$7200+installation fees
Decrease SP.1990.0400 Park District. Contingency	\$7200+installation fees

The last item in bold is for a lift at the Craig Wood Garage. Supervisor Politi asked Councilman Doty to explain.

Councilman Doty – The hydraulic lifts are retractable so they can fit every piece of equipment we have. There are cogs in the sliding arms that catch when you lock them in place. Ours are

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worn down from so much use that they don't stay in place anymore which is dangerous. New arms were quoted \$4,000 to \$5,000. A new lift is \$7,200. We have been running deficient in the weight category that the lift takes care of. We use it for Park District Vehicles that exceed the 9,000 lbs. limit. What is proposed is an 11,000 lb lift which locks differently. It is a lot safer. Do we spend \$5,000 and not take care of the larger vehicles or \$7,000 to get something that works right for all the vehicles. We are not going to get rid of the old lift.

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

APPROVE ENGINEERING SERVICE PROPOSAL - RECYCLING

Supervisor Politi – We talked at the workshop session about an engineering service proposal for the investigation of the damage and an evaluation of correction to the problems that exist at the recycling facility at the Transfer Station. We received a proposal from Don Coreless who is an engineer. His compensation would be \$75 per hour at an estimated time to complete the work is 3 to 4 days. He requires a \$500 retainer.

Superintendent Straight – When they pick up the bails of recycling, the machine has been pushing the wall out. A few of the beams are out of position and are buckling. The end of the building could fall in. Derek looked at it and he recommended Don Coreless to look at it and give a price on the engineering part of it.

Councilman Doty – Don is a good common sense guy that is a retired DEC engineer. He helps out where he can in the area and treats everybody good.

Attorney Briggs - We don't know the numbers but it is personal service and we don't need them.

Supervisor Politi – Correction to this problem is less than \$20,000? Is that what we thought?

Councilman Doty – I would not have any way of knowing that. He may give us different options. Is there any chance we have insurance coverage on that building?

Attorney Briggs – What caused the degradation of the building? Was it one event or the passing of time? It is possible that we have coverage for that.

Supervisor Politi - Tomorrow I will talk to Cathy about possible insurance coverage for the Dog Control Office and the recycling facility.

Councilman Doty moved and Councilman Favro seconded the motion to approve Don Coreless engineering service proposal for the investigation of the damage and an evaluation of correction to the problems that exist at the recycling facility at the Transfer Station. There being no further discussion, the motion was unanimously carried.

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The original proposal went to Superintendent Straight and copies to Cathy Gregory and the Clerk's Office.

COMMITTEE REPORTS: LAKE PLACID AIRPORT

Supervisor Politi – Larry and I are meeting at the airport tomorrow at 11:00 am to talk to Doug Bauer about the runway rehab scheduled for this Spring/Summer.

COMMITTEE REPORTS: HARRIETSTOWN AIRPORT

A meeting is scheduled for March 21, 2012 in Harrietstown regarding the Lake Clear Airport. Councilman Miller will attend the meeting and Councilman Doty will see if he can make it after his meeting with the Hydrologist in Ray Brook.

Supervisor Politi – My position has been very clear. Our airport and their airport are two different things. Chris probably knows more of what they want than I do.

Chris Knight – I think they want financing from all the towns and villages and anybody who they think benefit from the airport.

Supervisor Politi – We contribute, but my guess is that they want a larger contribution from us and the County. I believe that airport does contribute a lot to Lake Placid, but Clinton County also contributes an awful lot to Lake Placid because of the size of the planes and so forth. Essex County does not subsidize Clinton County. I don't think the Village of Lake Placid pays anything.

Councilman Miller – Whoever goes cannot take a position. We are going there to listen.

Supervisor Politi – We want to go there with an open mind, but we have to weigh our own airport as well as other things.

Councilman Favro – We pay a contribution to ORDA that nobody else pays for. If surrounding communities want to kick into that then maybe we could kick into the airport.

Supervisor Politi – That is true. We pay for all of ORDA and nobody else does. We actually pay twice; State income tax as well as the Park District tax. Saranac Lake doesn't pay at all because the Park District does not include the Saranac Lake area.

COMMITTEE REPORTS: SKATEBOARD PARK

Councilman Miller – I got a call from Wilmington asking about our equipment at the skateboard park. They are interested in using it and I don't know where we are with that.

Councilman Rand – I can't tell you anything more than I did last week. I will talk to Jeff, who is back now. I know this has been dragging. I will make a point of calling him tomorrow.

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Councilman Favro – Some of the venue managers told me they were interested and wanted it. They thought it was a good asset.

COMMITTEE REPORTS: TOUR OF LANDFILL

Councilman Miller – Larry gave me a tour of the grounds at the Landfill. We looked at a possible spot for the biodigester. We are more limited than I thought. I did call Tammy to let her know that Larry would be happy to meet with her. She is headed to North Carolina to see the manufacturer. She and two students are doing their senior project on the digester and want to come and address the Board and explain to us what it is she would like to do at the Landfill. Before our meeting, I sent Chris a link to a digester that is in Vancouver.

Supervisor Politi – If we had a biodigester, it would be the very first in the nation.

Chris Knight – What is a Biodigester?

Councilman Miller – Tammy Morgan is a science teacher at the school. She is a scientist who worked at Trudeau Institute for many years. She got involved with Cornell and Case Universities on putting in this system that takes all food wastes...

Councilman Doty – An excess of 30% of our household garbage in the United States is food waste.

Councilman Miller – In today's numbers the gas it produces is equivalent to \$88,000 of gasoline.

Councilman Doty – It's nothing more than a decay chamber. Gas goes to the top and solid settles to the bottom. You keep liquid inflexed into it and it keeps the process going. You draw gas off after 22 days. It would need no more than two people to operate it.

Councilman Rand gave Chris Night his information about the digester. The Board spoke about how exciting it would be to have the first Biodigester.

HIGHWAY – ROAD CLEANUP SCHEDULE

Superintendent Straight – I have the road cleanup schedule. Algonquin Drive is first this year and Ray Brook is last. Ray Brook was 3rd last year.

COMMITTEE REPORTS: C&D EXPANSION

Councilman Rand – Shannon has been helpful coordinating the C&D Expansion project. I think everything is still on schedule. The pre-bid meeting with the contractors is March 21st at 10:00 am. April 9, 2012 is the bid opening. Shannon was helpful in coordinating that. The topographic survey was done. Contract signing will be the first week in April to begin Construction the first week in May.

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COMMITTEE REPORTS: CRAIG WOOD GATOR

Councilman Doty – We have been working on the equipment replacement schedule. The Gator blew an engine a few years ago when Matt St. Louise worked there. He took a Honda engine and put it in the gator and it has been running for 5 years. The John Deere salesman took pictures for the company and they couldn't believe it. What these guys do to keep stuff running is unbelievable. My proposal includes a high ride ATV so they can get to the upper pond. The Gator is the only thing that can get there and it is on its last leg.

Supervisor Politi – Identifying the equipment issues is extremely important for the budget process. We appreciate your efforts in doing that.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 3/14/12			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	66506.13	28780.49	95286.62
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	27895.17	41995.22	69890.39
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT			0
H02 -BLOCK HANGAR REHABILITATION AIRPORT CAP. PROJECT	13977.03		13977.03
H03 - 5 BAY T HANGAR	8740		8740
H04-C&D WASTE CELL			0
H05- CRAIG WOOD GOLF COURSE CONSTRUCTION			0
H06-TERMINAL BLDG	240122.08		240122.08
H07 RUN WAY REHAB	3705		3705
H08-AIRPORT MASTER PLAN			0
H09-APRON EXPANSION	13585		13585
H10-RSA IMPRV & RW 32 HLDNG BAY	4289.25		4289.25
RD03-THIEANOGUEN WAY ROAD DISTRICT			0
SF1-FIRE PROTECTION DISTRICT #1			
SF2-FIRE PROTECTION DISTRICT #2	31726.25		
SF3-FIRE PROTECTION DISTRICT #3			
SP PARK DISTRICT	386293.55	14464.54	400758.09
SS21 CONSOLIDATED SEWER DISTRICT			0
SW1 SEWER DISTRICT #1			0
SW2 MCKENZIE			0
SW3 RAY BROOK	817.5	3373.8	4191.3
T TRUST & AGENCY		380.74	380.74
TE PRIVATE PURPOSE TRUST			0
Batch 1207-1210	797656.96	88994.79	886651.75
120407-120410; 120413-120472; 120474; 120503-120530; 120537-120545;			
120551-120626			

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Batch 999 (Payroll)	0	40085.12	40085.12
120385-120405; 120411-120412; 120475-120496; 120498-120508; 120531; 120536; 120546-120550			
Batch - HELD	47098.9	0	47098.9
112313, 112522, 120188, 120355, 120378			
DELETED VOUCHERS:			

Councilman Favro moved and Councilman Rand 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