

## TOWN BOARD MEETING

TUESDAY, MAY, 9, 2017

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 Rand, and Laurie Dudley

**Members Absent:** Councilman Miller and Councilman Doty

**Others Present:** Attorney Ron Briggs, Larry Straight, Antonio Olivera, Brendan Wiltse and Corey Laxson

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

Supervisor Politi – I ask that you continue to stand a moment in remembrance of Steve Holcomb who was a great friend of this community, a member of the USOC family, associated with ORDA and a great ambassador of Lake Placid who we unfortunately lost two days ago. I ask that we give him a moment of silence on behalf of the Lake Placid Community.

Supervisor Politi asked for a motion for the minutes of the Board meeting on April 4, 2017.

Councilman Rand 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.

### **BRENDAN WILTSE- MIRROR LAKE WATER QUALITY TESTING**

Supervisor Politi invited Brendan Wiltse and Cory Laxson to come forward who reported on the water quality of Mirror Lake. They handed out the 2016 Report and reviewed the following Executive Summary.

Brendan Wiltse – Ausable River Association and the Adirondack Watershed Institute released the report of the work that we have been doing on Mirror Lake. This was partially supported by the contribution from the Town made to the Ausable River Association. It is important to note, we went back to past reports on Mirror Lake which dates back to 1971 when Ray Oglesby was commissioned by the Shareowners' Association. The Reports from Olgesby, Don Charles and Paul Smith's students reports are now included in the one report which includes all of the information we are aware of at this time. This gives us the best picture of the health of Mirror Lake. I will review the Executive Summary which is in the Front of the document. I will be happy to answer any questions you may have and we can discuss it more detail.

### **Executive Summary (Review)**

- (1) We discussed the historical data.
- (2) The trophic study of Mirror Lake; measures how productive Mirror Lake is which is a concern to users of the lake becomes overly productive. You are going to have algae blooms occurring in the lake and decrease the aesthetics which can cause issues with dissolved oxygen in fish. A few years ago there was concern that the lake might be

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showing increasing levels of phosphorus but when we incorporate all the data we compiled, we don't see that in the long-term trend of the lake. The good news is that the lake is oligotrophic and doesn't appear to be changing over time.

- (3) There is an issue in Mirror Lake during the summer months. There is a lack of dissolved oxygen at the bottom of the lake. That is a concern for fish species like lake trout and rainbow trout. During that time of year, they are looking for that happy medium of cold water and enough oxygen and food. There is a concern of climate change that will see the available habitat in the lake shrink. At this point, we do not know if this is a natural condition for Mirror Lake or if this has been exasperated by the development around the lake as well as road salt. There is a big question mark there. We do have is good data on this which we did not have previously.
- (4) The calcium concentrations in the lake have increased significantly since 1971. This is a concern because of the threat of the introduction of zebra mussels. There are a lot of lakes in the Adirondacks with concentrations too low to support a population of zebra mussels. Mirror Lake is getting to the point where it could support zebra mussels.
- (5) & (6) Deal with the issue of road salt. Corey and I went over the concentration data and find the lake is 45-50 mg/L. The data from the Watershed Institute analyzed lakes without paved roads would expect the average concentrate to be .24 mg/L for chloride. Mirror Lake is much higher. The recent testing we are looking at the whole water column and see that the chloride build up at the bottom of the lake in the winter and into the spring. At the bottom of Mirror Lake we are seeing over 100mg/L. It is 100X higher than what it would be with no roads around the lake. That is the highest concentration in a lake that has been measured. Lake George is investing millions of dollars monitoring and understanding Lake George and road salt is an issue. The concentration in Lake George is 15 Mg/L.

Supervisor Politi – Lake George is 100X larger than Mirror Lake.

Corry Wiltse – Mirror Lake is hit hard because it is a small body of water and everything is concentrated. I reviewed the Storm water data a year ago of what we collected two winters ago. What we see is that there are high concentrations of salt coming out of the storm drains around the entire perimeter of the lake. This isn't an issue that we can put all on the State and what they are doing on a mile of the road. The southeast side of the lake has high concentrations coming out of a dozen storm drains. We can't say where the salt it coming from.

Supervisor Politi – It could come from parking lots at the hotels.

Brendan Wiltse – Also the sidewalk application that the Village does.

Brendan Wiltse summarizes the major findings and the budget in the back of the report.is the Budget.

Brendan Wiltse – Originally, we thought we were going to monitor for \$4500 and we developed a relationship with AWI and AsRA. Both contributed in-kind support in terms of hours and lab analysis. We are projecting the same level of expenses to maintain the same level of monitoring which is just over \$10,000/ yr. It is really important that we continue to monitor Mirror Lake in

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this detailed manner. In the previous monitoring efforts we did not know where the concentration of chloride was in the lake, about the dissolved oxygen issue or the dissolved chloride issue. By continuing this effort, if the Village, Town or State decided to take some action to remedy this we now have a good baseline of information to determine if the remedy was successful or not.

Supervisor Politi – I understand the cost. In terms of a resolution, is it primarily salt? I don't think we can change the development. We need to continue to pressure the State of New York and have the Village and Town change its practices with regard to the road around the lake.

Brendan Wiltse – I am happy to talk about that but we don't make management recommendations in this document.

Supervisor Politi – I understand that. Is the issue the amount of salt?

Brendan Wiltse – It is the major issue facing Mirror Lake.

Supervisor Politi – Mirror Lake amazes me because I have been here my entire life and the fish are huge at 20-30 lb lake trout and many loons are there every day. The blueharrons are my dock stand 2-4 feet tall. The fish are rising constantly nipping at the top of the waterline. The fish and bird population continues year after year and has been that way for so long. They have been able to withstand the changes as a result of human misuse of the shoreline. Unfortunately, we are charged with making sure that people don't have accidents around the lake. To resolve that problem creates another problem.

Brendan Wiltse – The Town's efforts to divert the storm water will help Mirror Lake and what that means for the Chubb River and the West Branch of the Ausable. Certainly diverting the storm water away from going directly into Mirror Lake is going to be beneficial. The concentrations on the bottom of the lake are reaching levels where we are to expect larger impacts on aquatic life. The EPA recommendation is 250 ml/L. In 1974 the concentration in Mirror Lake was 4.4 mg/L.

Supervisor Politi - I remember a dead lake that is gorgeous but there is nothing living in the lake. We would hate to see that ever happening to Mirror Lake.

Brendan Wiltse – I don't think that is about to happen to Mirror Lake. Like you said, the organisms in them are resilient. It is worth working collaboratively to reduce the amount of salt that is entering the lake. We are inventive people here and should be able to figure out a way to reduce the salt entering the lake while keeping the roads and sidewalks safe. If we started addressing the salt in the lake twenty years ago things would be different. They did a report in the 70's and we should have seen this problem coming.

Supervisor Politi – Unfortunately, success has its challenges. Lake Placid has been a victim of its own success.

### ROAD NAME APPROVAL- WHITE BIRCH WAY

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Supervisor Politi – They want to name the driveway “White Birch Way” which is off of the Peninsula which feeds Jamie Rhode’s boathouse and a few other houses there. It was approved by Matt Colby and Emergency Services. (Supervisor Politi gave the paperwork to Larry Straight)

Councilman Favro moved and Councilman Rand seconded the motion to approve the road name White Birch Way. There being no further discussion, the motion was unanimously carried.

### SEASONAL APPOINTMENTS - N.E. CEMETERY & CRAIG WOOD

Supervisor Politi asked for approval of the seasonal appointments for returning employees and new employees at Craig Wood as well as Mark Bowen at the Cemetery. The rates of pay are listed. They are seasonal appointment with no health insurance.

TOWN OF NORTH ELBA  
PERSONNEL ACTIONS FOR BOARD MEETING May 9, 2017

#### ACCEPT RECOMMENDATION OF NEW HIRES:

NAME	POSITION	DATE OF HIRE	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION	Appropriation account
Leonard Sweeney	Craig Wood	5/2/2017	n/a	\$12.00/hr	labor-cashier	SP.1350.0102
Dale Barber	Craig Wood	5/2/2017	n/a	\$13.00/hr	labor-grounds	SP.1350.0102
* Recommendation made by: Jeff Estes						
Mark Bowen	Cemetery	5/4/2017	n/a	\$12.00/hr	labor	A.8810.0102
* Recommendation made by: Larry Straight						

#### ACCEPT RETURNING SEASONAL EMPLOYEE APPOINTMENTS

NAME	POSITION	Date of reappointment	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION	
Tom O'Neill	Craig Wood	5/2/2017	n/a	\$10.50/hr	labor-grounds (golf ranger)	SP.1350.0102
James Colby	Craig Wood	5/2/2017	n/a	\$12.50/hr	labor-cashier	SP.1350.0102
Don Mortensen	Craig Wood	5/2/2017	n/a	\$12.75/hr	labor-cashier	SP.1350.0102
Larry Gadwaw	Craig Wood	5/2/2017	n/a	\$12.75/hr	labor-cashier	SP.1350.0102
Jason Beaney	Craig Wood	5/2/2017	n/a	\$14.10/hr	labor-grounds (greens)	SP.1350.0102
Chuck St. John	Craig Wood	5/2/2017	n/a	\$14.10/hr	labor-grounds (greens)	SP.1350.0102
Dick Strack	Craig Wood	5/2/2017	n/a	\$14.75/hr	labor-grounds (greens)	SP.1350.0102
* Recommendation made by: Jeff Estes						

Councilman Favro moved and Councilman Rand seconded the motion to approve the Seasonal Appointments presented. There being no further discussion, the motion was unanimously carried.

### MIRROR LAKE SIDEWALK

Supervisor Politi – I mentioned the repair of the Mirror Lake sidewalks before and this is for the purpose of discussion. We have received an estimate to replace 3700 lineal feet of pavestone sidewalk and curbing around Mirror Lake. The estimated cost is about \$606,000. We discussed this in the workshop with Larry and the issue was that we had to repair the sidewalk because it is a safety issue and a beautification issue. It is a presentation issue to the community as people walk around Mirror Lake which is utilized by so many people. We had considered bonding for the reconstruction of the Hockey Box with an estimated cost of \$500,000. This Board decided to withdrawal that bond and to utilize monies going forward for the replacement of the sidewalk. Larry and I have both received criticism about filling the holes with asphalt. People said it looks like hell and there is no question, it does look like hell. The reason we did it as a temporary fix was so that nobody would fall walking at night. Our intention has always been to replace that brick. We are committed to do so. This issue is how we want to go about it. We can go through the Highway District or the General Fund. You received an email from me and an email from

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Cathy. Personally, I would like to go through the Highway fund because people in the Village do not contribute to the Town Highway Fund. The Village will have to pay for the sidewalk in the Village. If we go through General Funds, they will end up paying twice. Wisely, this Board chose to eliminate the Highway Tax eight years ago for Lake Placid Village and Saranac Lake Village residences so that they were not double taxed. By going through the Highway Fund, those that are paying for it are the people who live in the Town of North Elba. We are generating reserve Fund Balance in the Highway Fund because it is the only place sales tax revenues are paid to us from the County. The Village receives its sales tax monies. It is an attempt to be fair and equitable to all the people of North Elba. This is the Best way to do this. You could establish a Sidewalk Special District Tax however it would mean the Village of Lake Placid and Saranac Lake paying twice. I never liked that concept. We can use half of the sales tax monies and the \$500,000 bond saved from monies for the hockey box for the replacement of the sidewalk. We will put natural ice on the hockey box this winter. In the summer, we will use the hockey box for Pickle Ball. Many people are asking for one and it is a great place to put it. Bob and Derek are not here but they have responded by email and believe that it is imperative that we replace the sidewalk.

Councilman Rand – I agree 100%. That is the fairest way to do it. I will add to what you said, the Village and the Town will be working together.

Supervisor Politi – The Village has hired Kurbricky to replace theirs. They would just pickup ours. It saves taxpayer money because it is part of their bid. It saves us from having to bid it a second time. It makes sense.

Councilman Favro – I don't like the Sidewalk District because we are not creating hundreds of sidewalks and it creates something else for us to deal with. Using the General Fund was something I thought about but in the end, I do not want to double charge people. Using the Highway fund is great because the tax money goes into the fund already. We were going to use tax money to decrease taxes which we will have done to offset the Bond money.

Supervisor Politi – I think the taxes have gone up about a penny every year for the last three years. This is an opportunity to continue to beatify this community and make it special.

Councilman Favro – If we get more tax money, we might be able to pay that off quicker.

Supervisor Politi – Jay is right, it strengthens our partnership with the Village.

Councilman Rand – We all know the sidewalk is a valuable commodity. Visitors and residents use it. It is something that most communities do not have.

Supervisor Politi – I would like to have approval to continue to move forward.

Councilman Rand moved and Councilman Favro seconded the motion to move forward with the sidewalk utilizing the \$500,000 Bond and sales tax through the Highway Fund. There being no further discussion, the motion was unanimously carried.

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Supervisor Politi – I will express to Brad Hathaway on behalf of the Town that we want to move forward and that we are ready, willing and able to begin that project as soon as possible.

### **MIRROR LAKE ROAD REPAIRS**

Supervisor Politi asked Larry Straight about road repairs on Mirror Lake Drive.

Superintendent Straight – Two weeks ago, there was a cave in on Mirror Lake Drive at the Echo Pond Outlet on Mount Whitney Road. The culvert across the road to the storm drains has failed and collapsed. As a result, there is a 4x4x6 deep hole next to the sidewalk. We talked about replacing the culvert all the way across the road and connecting it to the existing 18” culvert which runs out into Mirror Lake. The estimated cost to repair it is \$25,000.

Supervisor Politi – We are going to utilize the \$25,000 out of Highway Fund Balance. The Board and Ron are aware of it. Has the process begun?

Superintendent Straight- The catch basins have been ordered. They had to be special made because of the size of the pipe. Harlow will be doing the digging.

Supervisor Politi – This is an emergency repair item at \$25,000.

Superintendent Straight – I would like to go back to the sidewalk. We should address the new box culvert that is going in before we do the sidewalk there.

Supervisor Politi – You will have that done long before we start the sidewalk. The Village is going to start first.

Superintendent Straight – I’m not talking about temporary repair.

Supervisor Politi – When we start the sidewalk we can stop at some point for the section and do it later. I don’t want to wait a year and a half to do that sidewalk.

### **USE OF TOWN HALL FRONT ENTRANCE AREA- RELAY FOR LIFE (IRONMAN)**

Supervisor Politi – Laurie has requested the use of the Town Hall front grass area for Relay for Life during Ironman.

Councilman Rand moved and Councilman Favro seconded the motion to approve the use of the grass in front of the Town Hall for Relay for Life fundraiser during Ironman. There being no further discussion, the motion was unanimously carried.

### **JOINT TOWN/VILLAGE MEETING ON MAY 18, 2017**

Supervisor Politi informed the Board of the Joint Town/Village meeting on May 18, 2017 at 4pm for purposes of discussing modifications to the Joint Land Use Code.

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**NORTH ELBA/SUMMIT LACROSSE LEASE**

Supervisor Politi asked Attorney Briggs if he looked at the lease between the Town of North Elba and Summit Lacrosse.

Attorney Briggs –George Lavelle has retained Joe Bare and was to send me a lease incorporating those terms.

Supervisor Politi – He wants to get it done. My only issue is the 5 year option. The 5 year option under State law becomes a 10 year lease. The Park District law says only 5 years period.

Attorney Briggs – If the Town is obligated under the same terms and conditions, it is a 10 year lease.

Supervisor Politi – I drafted it so that it is not automatic. He has to understand that in some states it is added on and considered but the Park District Specifically identifies only five years and no more.

Attorney Briggs – I will look at it.

**RESOLUTION – SUPPORTING JAMES MORGANSON**

Supervisor Politi – Jim Morganson wanted a resolution of support from the Town of North Elba for his reelection to an at-large seat on the International Code Council Board of Directors. His term is up. I don't know if anybody has an issue with it.

Councilman Rand moved and Councilman Favro seconded the motion to approve the Resolution in support of the reelection of Jim Morganson to an at-large seat on the International Code Council Board of Directors. There being no further discussion, the motion was unanimously carried.

**HOCKEY BOX SUMMER CONVERSION PICKLE BALL COURT**

Supervisor Politi – Does anyone have any objections in converting the hockey box to a Pickle Ball Court? Amazingly, I have had a lot of requests. Bill Borzillari wanted to run it. Tennis Courts are being replaced by Pickle Ball courts all over the country. It is the fastest growing sport in Florida. This would be the only one in Lake Placid. Butch has the equipment and the hockey box is the perfect size.

Mike Orticelle – Bill Borzillari runs a Tuesday Night Pickle Ball league at the High School in the winter. It is a great game for us old-timers. It is a lot of fun.

Supervisor Politi – I thought they were playing tennis in Florida but they were using a racket ball racket. It is a great game for the old folks.

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Antonio Olivera - We were the only paper to report on the Pickle Ball trend. You crack jokes that it is older people that play. I went to Putnam County High School and we played Pickle Ball in gym class and they were intense games.

Conversation continued about Pickle Ball including the tournaments in Plattsburgh.

**BUDGET AMENDMENTS**

Supervisor Politi – The Saranac Lake Town House had an overage of \$10,227.72 for the repair of the floor, walls, bathrooms, equipment and painting which is offset from Fund Balance monies.

<b>DESCRIPTION</b>	<b>AMOUNT</b>	<b>REFERENCE</b>	<b>ADDITIONAL INFO</b>
FINANCE EQUIPMENT AND CAPITAL OUTLAY	1,266.69	VCHR 170897	BOARD APPROVAL PER EMAIL
TOWN HALL EQUIPMENT AND CAPITAL OUTLAY	470.00	VCHR 170628; PO 29995	MASON, AUTOMATIC SCRUBBER FOR TOWN HALL, WED DRY VAC WITH SQUEEGE
SL TOWN HOUSE FLOOR AND WALL REPAIR AND PAINTING	8,491.03	VCHR 171011; 170995; 170988	ADIRONDACK SVCS \$3,021.03; GARAGE DETAILERS (J. RUGAR) \$3,195.00; JACK RUGAR \$2,275.00
	<u>10,227.72</u>		

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

**COMMITTEE REPORTS -COMMUNITY DEVELOPMENT**

Supervisor Politi reported he has a meeting with Dean Dietrich tomorrow at 1:00 pm regarding vacation rentals and a few other topics. Councilman Rand expressed interest in attending the meeting.

**COMMITTEE REPORTS – AIRPORT ELECTRICAL**

Kimball Daby will be willing to meet with Larry Straight about the electrical at the Airport which will save the Town money.

**TOWN ATTORNEY REPORT**

Attorney Briggs reported that he filed a brief on behalf of the Town for the Mountain Road case which is moving forward. It will be a long time because they are not going to want to make a decision.

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**APPROVE AUDITS AS PER AUDIT #'S**

Supervisor Politi asked for approval of the audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 05/10/17			
	<b>Regular</b>	<b>Prepaid</b>	<b>Totals</b>
A FUND GENERAL FUND	93,506.61	28,644.66	122,151.27
B FUND GENERAL OUTSIDE VILLAGE	110.99	45.29	156.28
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	18,137.82	40,951.61	59,089.43
H17-TOBOGGAN SLIDE	1,858.51		1,858.51
H42-EQUIPMENT BONDING FUND	54.05		54.05
RD04-TAHAWAS ROAD DISTRICT		4,777.50	4,777.50
SF2-FIRE PROTECTION DISTRICT	28,270.00		28,270.00
		60,304.23	462,700.75
SW3 RAY BROOK	6,454.00	575.90	7,029.90
T TRUST & AGENCY		33,648.66	33,648.66
<b>Batch 1714-1718</b>	<b>\$ 550,788.50</b>	<b>\$ 168,947.85</b>	<b>\$ 719,736.35</b>
170702; 170749-170785;170788; 170790; 170795-170812; 170815-170828;			
170830-170832; 170860-170866; 170869-170884; 170887-170930; 170958-			
170995; 170997-171021; 171023-1710729; 171031-171039;171041-171043			
<b>Batch 999 (Payroll &amp; Health Reimbursement Arrangement)</b>	<b>\$ -</b>	<b>\$ 55,344.83</b>	<b>\$ 55,344.83</b>
170721-170746; 170787; 170789; 170791-170794; 170813-170814; 170829;			
170833-170859; 170868; 170885; 170999; 171022;			
<b>Batch - HELD</b>	<b>\$ (372.09)</b>		
171030			
<b>DELETED VOUCHERS:</b>			

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.

**PRESS QUESTIONS – ANTONIO OLIVERA**

Paver Stones

Antonio asked about the paver stone and Superior Politi informed him that the Town is doing its 3700 linear feet which runs from Lake Street to just past Beach Hill. The Village is replacing the sidewalk from there all the way around the Lake. The Village found a brick 3” thick that will last the harsh winter weather. The new bricks are the same as those at the beach and at Mid’s Park.

The Village has the pavers and will start within the month beginning at the Beach House.

Transfer Station Fire

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Antonio asked for more details about the fire at the Transfer Station. Supervisor Politi was not aware of the fire and Councilman Favro reported there was a garbage fire inside a garbage trailer. The trailer was removed and was replaced with a new trailer. The cause of the fire was from a bag of hot ashes.

Second Ironman Repaving

Supervisor Politi Reported the Town and County are repaving the Mount Van Hoevenberg Road as part of the Ironman racecourse.

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Favro moved and Councilman Rand seconded the motion to adjourn the meeting at 8:08 pm.

Respectfully Submitted,

Laurie Curtis Dudley  
Town Clerk