

TOWN BOARD MEETING

TUESDAY, APRIL 8, 2014

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 C. Dudley

Others Present: Attorney Ron Briggs, Ted Morgan, Dean Dietrich, Art Devlin, Carol Hayes

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 March 11, 2014.

Councilman Doty moved and Councilman Miller seconded the motion to approve the minutes as written and presented. There being no further discussion, the motion was unanimously carried by those present. Councilman Rand abstained because he was absent.

COMMUNITY DEVELOPMENT BOARD EXTENSION & MEMBERS

Supervisor Politi – We need a resolution approving the extension of the Community Development Board and the following members thereof; Julie Ball, Jean Brennan, Dean Dietrich, Pat Gallagher, Georgia Jones, Kelly Kennedy and Tim Robinson. Tim Smith had recommended staggered terms. Dean thinks that these people will serve at least three years.

Dean Dietrich – Three years is what the Committee came up with. It is my by-laws as much as the committee by-laws. In reality people serve on boards until they get tired. The letter from Naj said there should be a separate group that looks at art education. We can bring a member on for a awhile that takes a look at that and then goes away.

Supervisor Politi – What if we say those seven folks for a term of three years with an additional three people appointed if and when necessary for the same term. Is that all right with you gentlemen? We are going to approve the extension of the Board and approve those individuals for a term for three years with a membership of 7-10 people.

Councilman Doty moved and Councilman Rand seconded the motion to approve a resolution extending the Community Development Board and approve the individuals listed for a term for three years with a total membership of 7-10 people. There being no further discussion, the motion was unanimously carried by those present.

COMMUNITY DEVELOPMENT BOARD BY-LAWS

Supervisor Politi – Now we will approve the by-laws that Dean Dietrich has presented and Attorney Smith has modified. What was the modification you wanted to see Dean?

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Dean Dietrich – The functions is the most important thing. Our job is to find champions to bring the implementation measures forward. We would be the group that goes to the Historic Society and ask them to work on historic preservation. We would also be the group that would write grants. By having our membership approved and by approving the by-laws helps us. We also serve as your advisors. If you say you would like a citizens committee to advice us on something, we will help to do that for you. That is basically our function. We want to continue communicating with you. One way is to have the Board select one of your Board members to do that.

Supervisor Politi – We have already spoken about that and Jay has volunteered.

Dean Dietrich – We changed our name to Commission because we thought a board made decisions and a commission gives advice. On the second paragraph that needs to be changed. Tim smith pointed out that a simple majority of the entire membership of the Commission shall represent a necessary quorum. That needs to be changed. We don't have any power. We would give advice only and you take that advice or not. Our annual report was the Public Hearing. We put you in the amendment process because we thought that you approved the by-laws then you should be able to amend the by-laws.

Supervisor Politi – Can you email this to Laurie and she will get it to Jessica who will make the changes. We are going to pass these by-laws now with the modifications.

Councilman Doty moved and Councilman Miller seconded the motion to approve the Community Development Commission By-Laws with the modifications discussed. There being no further discussion, the motion was unanimously carried by those present.

Discussion continued about the best way to get together with Dean Dietrich's group and the Village to discuss the amendments to the Comprehensive Plan. It was decided to allow the two Boards to discuss it amongst themselves, possibly at a Workshop, and then sit down with committee representative to hash out a few things.

ENDORSE- 44TH ANNUAL LAKE PLACID/NORTH ELBA HALF MARATHON

Supervisor Politi invited Carol Hayes and Art Devlin to come forward to talk about the Lake Placid/ North Elba Half Marathon.

Art Devlin – There is a change to the letter. The new start is not going to happen. The race will be the same as last year. If we can work out the new start we will come back to you asking for permission. As I said last year, thank you very much for your support.

Supervisor Politi – The race is Saturday, September 6th. It is the same course as last year.

Councilman Favro moved and Councilman Miller seconded the motion to approve the Lake Placid/ North Elba Half Marathon scheduled for September 6, 2014. There being no further discussion, the motion was unanimously carried.

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Carol Hayes – I wanted to thank you for your consideration. By being part of the benefactor of the marathon it gets the kids involved and helps them envision the mission statement of a healthy, spirit minded body and volunteerism. We would like to thank you. This has been able to back a number of our programs. The magazine we have for you is one that we are doing all by ourselves.

Supervisor Politi gave Art Devlin the latter address to Rick Preston stating the Town Board's support of the Marathon. The Board thanked Carol Hayes and Art Devlin for what they do.

EXTENSION REQUEST- JET FUEL- 2 YEARS

Supervisor Politi – By letter dated today we requested an extension on the jet fuel facility. We received a grant under the 2005 Transportation Bond Act. The reason for the extension is a timing issue. It makes no sense to put the Jet fuel facility in until the apron expansion is complete.

Councilman Doty – It will take them two years to find enough money anyway.

Supervisor Politi – The jet fuel extension is until April 1, 2016.

Councilman Doty – Is our agreement with Steve Short satisfied? Are we going to do something formal?

Supervisor politi – He has agreed to put up the money. I haven't done anything formal yet. I want to get the extension first. Without the extension then there is no reason to do it.

VILLAGE CLEAN UP DAY

Supervisor Politi – I want to announce May 10th as Village Clean up Day with a rain date set for May 17th. I want to thank those at the Adirondack Foundation, Trish Garrett and Andrea Grout for getting involved.

POST CLOSURE ENVIRONMENTAL MONITORING- LANDFILL

Supervisor Politi- We need to approve the Post Closure Environmental Monitoring for the contract at the landfill. It's with the Adirondack Landfill Services, LLC. The price is \$3,978 and is the same as last year. It is a requirement under DEC.

Councilman Doty – What do we have for time left on that?

Supervisor Politi – We have 9 years left on it. It has been 21 years. It was a 30 year program. Unless someone has an idea that there is someone else out there, the Adirondack Landfill Services, LLC is out of Keeseville, does it for most of the Towns.

Councilman Rand moved and Councilman Doty seconded the motion to approve the Post Closure Environmental Monitoring for the contract with Adirondack Landfill Services, LLC. There being no further discussion, the motion was unanimously carried.

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APPROVE - COMBINED ELEVATOR MAINTENANCE CONTRACT

Supervisor Politi – Derek worked on the Bay State Elevator Contract. Derek talked to Bay State about getting the two contracts, Town Hall and Craig Wood, combined into one contractual agreement. By combining the two, they knocked the Town Hall elevator from \$237 down to \$220 per month and Craig Wood elevator from \$175 to \$160 per month. It is about \$400 per year of savings between the two. I need a motion to accept this contract.

Councilman Doty moved and Councilman Favro seconded the motion to accept the Bay State Elevator Contract as presented. There being no further discussion, the motion was unanimously carried.

APPROVE- MAHONEY FIRE ALARM INSPECTION AGREEMENT

Supervisor Politi- The Mahoney Fire Alarm gave us a contract this year and we have last year's. It's very confusing.

Councilman Doty – That's the alarm system for the elevator or maybe the alarm system at the Highway garage.

Supervisor Politi – They both say Craig Wood.

Councilman Doty – Our basic smoke alarm and fire protection at Craig Wood was Mahoney. Then we had Mahoney upgrade the elevator to satisfy the NYS regulations which sends out an alarm if someone is stuck in there.

Supervisor Politi – Last year the alarm system preventive maintenance and inspection was \$375 and this year it's \$384. The other one preventive maintenance and inspection of the fire alarm systems. It doesn't say elevator. Last year it was for \$384 and this year is \$685 for a semiannual inspection. Not one place does it mention elevators.

Councilman Doty and Supervisor Politi review the agreements trying to make sense of them. Approving the agreements has been tabled for a month and Councilman Doty will look into it.

RAY BROOK WATER BILLING

Supervisor Politi – Cathy sent you all an email on March 31st requesting that the board approve a policy effective May 1, 2014 that all past due balances in the Ray Brook Water district be assessed a finance charge of 1.5% per month.

Councilman Doty – I think it is to follow suit to the way the other water is billed.

Supervisor Politi – Once you start doing it, people start paying.

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Councilman Favro moved and Councilman Rand seconded the motion to approve the 1.5% interest rate for the Ray Brook Water District. There being no further discussion the motion was unanimously carried.

CREDIT CARDS - LANDFILL

Councilman Rand – Is the credit card idea at the landfill on hold?

Supervisor Politi – We can discuss that now if you want. She sent you all a note saying a credit card system would be wonderful but she has not had verification from the company that the computer system down there is compatible. She doesn't want to get in the situation where it going to cost \$10,000.

Councilman Miller – You can do it on your Smartphone now with a \$20 attachment.

Councilman Favro – Our programs aren't compatible with it but we have a separate swipe machine like all the stores have.

Supervisor Politi – I questioned her on it and she said she wanted to consider this. We won't have to cut people off if they can pay by credit card.

Councilman Doty – She is probably thinking of a point of sale system.

Councilman Favro – If anyone can go down to the landfill and put the bill on their credit card then it's a good thing.

Supervisor Politi – I don't see why you can't pay your taxes with your credit card. You are going to be able to do it at the County.

Councilman Favro – The Electric Department takes credit cards but you have to pay the fee.

Supervisor Politi – Let's look into it and see what we can do.

ACCEPTANCE- GRANT DISBURSEMENT AGREEMENT- AIRPORT

Attorney Briggs – I failed to cc the Town when I mailed the proper opinion letter out to the Office of Parks and Recreation so you didn't know it existed nor did Cathy. I clarified that today with Cathy and got her a copy of it. I am hand delivering originals which she is putting in the packets.

Supervisor Politi – There is a place that I am to sign and a place for Laurie to sign.

Councilman Doty – What is this for?

Supervisor Politi – This is for the \$150,000 of Betty Little money for Airport Capital Projects. I need a resolution accepting the Grant Disbursement Agreement for the Airport in the amount of \$150,000 from the New York Economic and Development Capital Program.

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Councilman Rand moved and Councilman Favro seconded the motion to approve a resolution accepting the Grant Disbursement Agreement for the Airport in the amount of \$150,000 from the New York Economic and Development Capital Program. There being no further discussion, the motion was unanimously carried.

APPROVE- AUSABLE RIVER ASSOC. GRANT (\$78,500)

Supervisor Politi – We need to approve a Memorandum of Understanding between the Town of North Elba and the Ausable River Association. There is a grant in the amount of \$78,500 and we have to front \$39,250 to the Association. They will bill the State of New York and we will get the money back. There is no cost to us.

Councilman Miller moved and Councilman Rand seconded the motion to approve the Memorandum of Understanding between the Town of North Elba and the Ausable River Association and to front \$39,250 to the Ausable River Association. There being no further discussion, the motion was unanimously carried.

RESOLUTION HORSE SHOW CONTRIBUTION ACCOUNT

Supervisor Politi – Cathy wants us to approve a Horse Show Contribution Account which requires my signature, Bob's and Cathy's. The purpose of this is to receive donations for the Horse Show in the form Stocks and Bonds. The account that we had was terminated. In order to allow this to happen, Cathy needs to open another account.

Councilman Doty – I'm surprised we do that for them.

Supervisor Politi – We get a percentage of what the Horse Show gets.

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

BUDGET AMENDMENTS & PERSONNEL ACTIONS

Supervisor Politi – Everyone got copies of the budget adjustments. I wanted to note that the Toboggan Slide personnel services went over but I think Cathy said we earned close to \$50,000.

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ACTION	ACCOUNT	DESCRIPTION	AMOUNT	REFERENCE	ADDITIONAL INFO
INCREASE EXPENDITURE	SF2.3410.0449	FIRE DISTRICT 2 OTHER NON PROFESSIONAL SERVICE	4,854.26	VCHR 140187	2013 AMENDED CONTRACT with vsl AFTER PULL OUT BY hamletstown
DECREASE EXPENDITURE	SF2.0962	BUDGETARY PROVISIONS FOR OTHER USES	(125.00)		
INCREASE REVENUE	SF2.2401	INTEREST & EARNINGS	5.88		
appropriate fund balance	sf2.909	fire district 2 fund balance	(4,723.38)	\$3377.20 IS BEING LOANED FROM GENERAL FUND UNTIL 2015 TAX YEAR	
INCREASE REVENUE	SP.2690	PARK DISTRICT INSURANCE RECOVERIES	3,333.64		
INCREASE EXPENDITURE	SP.1346.0417	SHOWGROUNDS EQUIPMENT REPAIRS	3,333.64	REPAIRS TO 2011 GMC PU	
INCREASE EXPENDITURE	A.6772.417	SENIOR BUS. EQUIPMENT REPAIRS	4,081.00	PO 27378	QUOTE FROM HIGH PEAKS FORD FOR REPLACEMENT ENGINE
DECREASE EXPENDITURE	A.1990.0400	CONTINGENT ACCOUNT	(4,081.00)		
INCREASE REVENUE	SP.2025.3141	TOB. SLIDE ADMISSIONS	3,982.65		CURRENT EXCESS REVENUES OVER BUDGET TOTAL \$17,997
INCREASE EXPENDITURE	SP.1347.101	TOB. SLIDE PERSONNEL SERVICES	3,982.65		THROUGH PAY DATE 03/27/2014 EXTENDED SEASON
INCREASE EXPENDITURE	H46.4500.444	AUSABLE WATERSHED MANAGEMENT GRANT CONTRACTS & AGREEMENTS	31,375.45	VCHR 140704	FIRST PAY REQUEST BY AUSABLE RIVER ASSOCIATION FOR WORK ON GRANT PER AGREEMENT EXECUTED JULY 2013
INCREASE REVENUE	H46.3097	STATE GRANT CONTRACT T007057	31,375.45		GENERAL FUND BALANCE APPROPRIATION FOR LOAN OF FUNDS TO AUSABLE WATERSHED MANAGEMENT GRANT PENDING RECEIPT OF GRANT FUNDS FROM DEPT OF STATE

TOWN OF NORTH ELBA
PERSONNEL ACTIONS FOR BOARD MEETING April 8, 2014

ACCEPT RETURNING SEASONAL EMPLOYEE APPOINTMENTS--for Black Fly Control Department

NAME	POSITION	DATE OF HIRE	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION	
James Van Woert	BLACK FLY CONTROL	3/31/2014	N/A	\$22.35/hour	NON COMPETITIVE	HAS BEEN WITH THE TOWN SINCE 2006
Craig Wright	BLACK FLY CONTROL	3/31/2014	N/A	\$16.50/hr	NON COMPETITIVE	HAS BEEN WITH THE TOWN SINCE 2009

**RECOMMENDATION MADE BY: JOHN REILLY

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

COMMITTEE REPORTS: LAKE PLACID HOSPITAL

Councilman Favro – We had a meeting with Chandler Ralph from the hospital, two doctors and Senator Betty Little.

Supervisor Politi – It was a meeting called by the Senator.

Councilman Favro – I thought the meeting was very good. We got a lot of honesty on the table and helped them give a direction of where they need to go in order to do the right thing for the public. The bottom line, the Emergency Room is going to close for certain hours. It will be open from 11am – 11pm with clinic hours from 8am – 11pm.

Supervisor Politi – We are pushing pretty hard still for an independent study to work at a resolution to the best interest for the hospital and the community.

Councilman Favro – I think the best thing that came out of the meeting was deciding the right place for the EMT service and whether they are in the right place right now or to make it independent.

Supervisor Politi – To our interest, a Certificate of Need has not been approved yet. Until that is done, they can't do anything.

Councilman Favro – It still could be a while.

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Councilman Miller – So they had it down for this month to switch over.

Councilman Favro – They did but they are not really ready. The Health Department hasn't given them the okay yet. There are a lot of things hanging out there that still need to be fixed. That is where the consultant can help.

Supervisor Politi – We made it very clear that we weren't happy about the communication.

Councilman Rand asked what hours the Emergency Room would be open and Councilman Favro stated they are contemplating 11am – 11pm with clinic hours from 8am – 5pm. The building will be closed from 11pm to 8am.

Councilman Favro – They were talking about extending hours for events or busy times during the summer.

Supervisor Politi- Nothing is cast in stone. These are just discussions.

Councilman Miller – There are a lot of people in town that don't know the hospital is open still.

Supervisor Politi – Senator Little was pushing for appropriate signage. There should be signage and an education program so hotels know that the hospital emergency room is still open. If it is not open because it is in the middle of the night and you need an ambulance or go to Saranac Lake. Quite frankly, it is a community hospital so we would like it to be a decision that is made that considers the best interest of the population of our community. Ultimately, the Board of Directors is going to make the decision.

COMMITTEE REPORTS: SARANAC LAKE YOUTH

Councilman Doty – Every year we have a different business step up to help the youth. This year Romano's had offered to do a bowling tournament fundraiser for the kids. We want to incorporate Romano's into rainy day events. There is great enthusiasm for the Youth Commission. The challenge is out for North Elba to put a team of four together for May 3rd.

Councilman Miller – You're not even going to be here.

Councilman Doty – No, but I'll root for you Bob! Our budget is \$35,000 - \$40,000 and 10% - 15% comes from private donations every year. We do it by asking \$60 to sponsor a kid which gets them 5 weeks. It's \$12 per week, and they get breakfast and lunch. It is the most successful day program.

TOWN ATTORNEY REPORTS

Attorney Briggs – We have to settle the Adirondack Inn. They got an appraisal and wanted it down to \$70,000. We were at \$188,000. You authorized extending \$115,000 and they rejected it and then finally took it at the end of the day. The property is the vacant land on River Street across from the toboggan slide. I need approval to do the stipulation.

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Supervisor Politi – I need a resolution approving the stipulation settlement on the Adirondack Inn.

Councilman Rand moved and Councilman Miller seconded the motion adopting a resolution approving the stipulation settlement on the Adirondack Inn. There being no further discussion the motion was unanimously carried.

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JOE BARILE UPDATE

Supervisor Politi – Dave Murphy called me regarding the outstanding bill of Barile that I have refused to pay over the last couple of years. They called crying about how much work they had done and would we agree to settle. The bill was for \$16,000. I said I understand they did a certain amount of work and we basically got it solved. I said I'd pay \$8,000 and he said I'll take it.

Attorney Briggs – Joe never wants people going on that property so Roby negotiated the resolution.

Supervisor Politi – He has Indian Pass Ranch and the property on Cascade Road.

POTHoles – SKI JUMP BRIDGE

Councilman Rand – The Bridge by the Ski Jumps has bad potholes. I saw a car get thrown into the other lane. I know it's there so I slow down to 5mph and so do the other locals. Many people come barreling through there. With the water there you can't see the holes.

Discussion continued regarding the road conditions. Councilman Rand will ask Shannon Porter to find the highway contact in Elizabethtown to notice the defects.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the Audits.

	Regular	Prepaid	Totals
A FUND GENERAL FUND	\$91,153.58	\$29,845.23	\$120,998.81
B FUND GENERAL OUTSIDE VILLAGE	\$38.62	\$0.00	\$38.62
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	\$16,548.33	\$13,379.52	\$29,927.85
H11 APRON EXPANSION CONST.AND TW DESIGN	\$0.00		\$0.00
H46 -AUSABLE WATERSHED MANAGEMENT GRANT	\$31,375.45	\$0.00	\$31,375.45
SF1 FIRE PROTECTION DISTRICT	\$0.00		\$0.00
SF2 FIRE PROTECTION DISTRICT	\$0.00	\$28,755.00	\$28,755.00
SF3 FIRE PROTECTION DISTRICT	\$0.00		\$0.00
SP PARK DISTRICT	\$36,239.31	\$17,062.28	\$53,301.59
SS21 CONSOLIDATED SEWER DISTRICT	\$500.00		\$500.00
SW1 SEWER DISTRICT #1			\$0.00
SW2 MCKENZIE			\$0.00
SW3 RAY BROOK	\$0.00	\$1,329.87	\$1,329.87
T TRUST & AGENCY			\$0.00
TE PRIVATE PURPOSE TRUST			\$0.00
Batch 1407-1410	\$175,855.29	\$90,371.90	\$266,227.19
140537-140595; 140618-140711			
Batch 999 (Payroll)	\$0.00	\$43,311.48	\$43,311.48
140515-140536; M140596-140618			

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Batch - HELD		\$0.00	\$0.00
DELETED VOUCHERS:			
140402, 140403	\$550.00		

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

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Favro moved and Councilman Miller seconded the motion to adjourn the meeting at 7:50 pm.

Respectfully Submitted,

Laurie C. Dudley, Town Clerk