

TOWN BOARD MEETING

TUESDAY, JUNE 12, 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 Miller, Councilman Doty, Councilman Rand, and Laurie Curtis Dudley

Members Absent: Councilman Favro

Others Present: Attorney Ronald Briggs, Larry Straight, Chris Morris, Ted Morgan, Andy Flynn, Kenneth Wright, Gene Hicks, Lindy Ellis, Peggy Wiltberger, Jon Vinograd, Dan Leff, Brian Leff, Pat Ledger, Collin Grady, Rick Preston, Art Devlin

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 May 8, 2012

Councilman Miller moved and Supervisor Politi 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 and Councilman Doty were absent at the May 8, 2012 meeting.

ART DEVLIN & RICK PRESTON – HALF MARATHON

Rick Preston - The Board received a letter from the Hospital proposing to take over the September ½ Marathon. Art and I are spearheading the marathon and the Hospital is taking a sponsorship role in supporting our efforts. We received Village approval to start the race in the Village of Lake Placid. We are here now to seek the Town's approval for continuing the race on the old race route and finishing at the Horseshow Grounds.

Supervisor Politi –You need to request a permit from the County to go out River Road. I will take a copy of your letter to Tony LaVigne. It will not be an issue. You just need to list the County on your insurance.

Art Devlin – We are planning to talk to Bill Moore next. He should know what we need next.

Supervisor Politi – To go over the bridge by the ski jumps you will need a permit from the DOT. The State Police might need to be notified. Contact Jeff Edwards. He will know exactly what you need.

Councilman Miller – We are glad you could keep it going.

Art Devlin – We look at this as a joint effort between the Village, the Town and the Hospital.

The race name is “Lake Placid/North Elba ½ Marathon”. It is scheduled for September 8, 2012 with a 9:00 am start.

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GENE HICKS AND KENNETH WRIGHT – THE COM LINKS WAY

Gene Hicks and Kenneth Write were not on the agenda. Supervisor Politi invited them forward to speak.

Gene Hicks – I live in the Ausable area and am a member of the American Legion and Officer with the Military Officer Association of the North Country. Ken Write is a Military Veteran who lives at Greenwood. I spoke to the President of the MOAA of the North Country yesterday and received this email; *recently it has come to my attention that there has been the possibility of housing discrimination in a low-cost housing residence in the Lake Placid area to elderly and disabled residents. As president of a military association that serves that area, I am concerned whether there were veterans involved and the impact this incident may be having upon them. Please look into this matter at your convenience. Paul Sova, LCD(ret), President, North Country, MOAA Chapter.*

Supervisor Politi – Specifically, what are you talking about?

Gene Hicks – Specifically, Wesvalley II which is in North Elba and not the Village. It was ComLinks Housing and now Franklin County Housing.

Supervisor Politi – Ron, this is a transfer of title that I questioned you about the PILOT Agreement.

Attorney Briggs – I am aware it.

Supervisor Politi – Is this about the notice for tenants to vacate the premises if they have an animal?

Gene Hicks – That is correct. The residents asked me to talk to you about three issues. I talked to Jim Morganson about it this morning and he said to bring it to the Town Board. I am going to make a couple of comments on the article that appeared last Tuesday in the Enterprise.

1. Wesvalley II. The eve side of the two story building has no eaves and when the residents step out they get hit with water. Tenants had to move out over the last ten years because of the mold. The snow comes off the building and when it melts water comes inside the building. Jim said it was the first he heard about it. I just wanted to bring this to the Town board's attention.
2. Snow removal. I am told that after two of three storms, there is no access to Wesvalley II. I was told by a lady two days ago that if it snows a few inches they are there but if it snows a foot then they don't see them for 48 hours. I operated a snow removal business and I can speculate that they get the contract and when it snows they are out making money somewhere else. It has been an issue for years. Jim said he didn't know anything about it and to bring it to the Town board. I am doing that.

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3. Dog Control Officer. I understand from the Town Clerk that this issue is being taken care of. Needless to say, a disabled resident was out with their service dog and was attacked by a boxer mix that came out of the woods. The clerk was called and they were instructed to call the Village Police. You are obviously addressing that issue tonight.
4. The biggest concern up there. Julie Karpp wrote a memo on May 1st to the residents. The memo goes on to say, *many of you remember me as I managed this property 10 years before.... Eileen Gillen, Director of FCCHC and Carol Duvall-Barrett, Senior On-Site & Family Partnerships Coordinator also came to the housing program with a wealth of knowledge and experience. Both previously held the same roles under ComLinks Housing...*

Supervisor Politi – I understand this. The real issue is that they initiated a no pets policy at the complex. Correct? Subsequent to it being run by ComLinks it is now run by Franklin County Community Housing Project. The issue you are here for tonight is whether they have the right to terminate occupancy?

Gene Hicks – No sir. I am expecting the Town Board to look into and I will follow up with the State Commander of the American Legion about the Adirondack Enterprise article that Gillen states the “State” has asked her agency to come into compliance. The State is telling them that they are in violation. Who is this mystery “State Agency?” No one can figure out who this State Agency is. Ms Gillen told a councilor at the Tri-Lake’s Center for Independence that, *my hands are tied because the State is making me do this*. What State Agency? Is there a state agency or is Ms. Gillen fabricating it? That is the issue to everyone and should be an issue of the Town Board.

Attorney Briggs – Making them do what?

Gene Hicks - Implement a no pet’s policy.

Attorney Briggs – So it comes down to a no pet’s policy. Do the tenants have a written lease?

Gene Hicks - Yes they do.

Attorney Briggs - The terms and conditions that govern the relationship between you and the apartment is the lease itself. That is where your rights arise and fall. We don’t have a copy of the lease agreement.

Gene Hicks – Sir, this is a HUD funded project. Irrelevant to what is in the lease it must comply according to Federal Law with the Fair Housing Act, the Section 504 of the 1973 Rehab Act, the American with Disabilities Act...

Attorney Briggs – What does the Town of North Elba have to do with that lease relationship?

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Gene Hicks – I spoke to an investigator for the Office of the Inspector General for HUD in Washington who said when a Town accepts HUD money there is a relationship.

Attorney Briggs – The Town never accepted any money for that project. It is a Franklin County project. That is where the money came from. ComLinks purchased the property and it has nothing to do with the Town of North Elba other than the fact that it is physically here.

Gene Hicks – Your Code Enforcement Officer said these are Town Board issues.

Attorney Briggs – If he said that then he is wrong.

Supervisor Politi – I doubt very much that the leases that you have say that no pets are allowed.

Gene Hicks – The leases do say that. They do not make an exception for FHA companionship animals or service animals. Ms. Gillen sent out another memo that remains in violation. The other reason I am here which is a concern to the American Legion in Essex County is at least three weeks ago I gave a letter to the county attorney and the Town Supervisor, which is you Mr. Politi, to look into this matter.

Supervisor Politi – I did call Eileen Gillen but she did not return my phone call.

Gene Hicks – It took a legal aid attorney from Albany to call the Attorney General from Plattsburgh to come and deal with these issues. For a fact, there is a family up there that was notified that they would be evicted. The father just went to Afghanistan. They are separated.

Supervisor Politi – No one wants to see anybody get evicted. Did you call Senator Betty Little's office?

Gene Hicks – Senator Little was the first person we talked to. She sent us to Paul Maroon, The Supervisor of Tupper Lake. Nothing came of it. I talked to Teresa Sayward's office and her secretary hung up on me.

Supervisor Politi – This is a State funded project. It is a state issue. I cannot believe that the two most powerful representatives in our area would turn their back on it.

Kenneth Wright – I've lived at Greenwood for a little over a year now. In this news article Gillen wrote, *there has been much discussion regarding the no pet policy*. She included ferrets. I can see cats and dogs. She doesn't allow service animals.

Gene Hicks – They cannot determine what is a service animal. You have a strong bully pulpit and I have not seen it.

Supervisor Politi – We do not have any control over landlord/tenant situations or pet policies with regard to state funded housing projects. However, I will gladly make the phone call to Senator Little to find out her position on it for you. That is the best I can do.

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Attorney Briggs – I can tell you that they don't have to leave until some court says they have to leave.

Gene Hicks – Most of these people are frail and afraid to speak. They are on SSI and this is why they have service animals. It is a copout to say it is out of your hands when there are gross violations of civil rights of the disabled going on in your town and you feel you have no moral responsibility. You should step up.

Supervisor Politi – This is the first we have heard of it ever. If it has been going on for years, where have you guys been?

Gene Hicks – It wasn't brought to our attention until now.

Gene Hicks and Kenneth Wright thanked the Board for their time.

SKATEBOARD PARK – BOB MILLER (DISCUSSION)

Supervisor Politi invited Dan Leff and Rick Preston to the table.

Councilman Miller – I would like to first start this off if I may. A week and a half ago we came up with the idea of the school leasing the land to the Shipman Youth Center for \$1. This would allow them to take down the fence. I spoke to the school about the idea and they were going to check with their attorney. I haven't heard back from them. I had a few conversations with Dan and Pat and Dan would like some time to figure it out himself. I told him the Board was not in a hurry and we would be happy to give him time.

Dan Leff – I wanted to come and say thank you. It is the right call. Pat Ledger and I will be working on a solution. We will get it to work in the existing spot or where it is an additive to the Town. When we exhaust all possibilities then we can find a better solution. Again, I want to thank you because it is the right call.

Supervisor Politi – We understand you are a primary stakeholder and we did have Bob working on this for over a year. We thought we had a solution with ORDA and unfortunately it fell through. Bob asked me about this a few days ago. Quite frankly, it has been sitting there a year without use. 30 more days would not make a difference.

Councilman Miller – The initially meeting didn't come to fruition is because we thought we had the problem solved. Unfortunately, it fell through this spring. It has been two years and I want to see kids use the equipment. If we can't use it in our town then there are people here from Saranac Lake who would love to have the equipment.

Lindy Ellis – We represent the skateboarders in Saranac Lake. If Lake Placid cannot find an alternative site then we hope North Elba will see we have need.

Dan Leff – That makes total sense.

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Brian Leff – I have been skateboarding for 15 years, and I helped my Dad and Pat design the park. I hopped the fence to skate it just the other day. I like to skate it every time I'm in town. Some kids won't jump the fence and it is a shame it's not being used.

Supervisor Politi – As Bob said, we tried to get the fence down but it hasn't been approved by the school.

Brian Leff – It seems so simple but it's obviously not.

Councilman Doty – A problem with relocating it has been the noise. Could it be sprayed to calm it down? As we think about site, that is a barrier.

Pat Ledger – We could put up plywood sides. Financially, it is best to leave it where it is. The Hockey Box is on the school property and runs without the same stipulations.

Supervisor Politi – They received approval. There is a substantial amount of money set aside for long term maintenance. We insure the hockey box and so does the school.

Pat Ledger – The Hockey Box is also school property while the skateboard park needs a fence and supervision.

Councilman Miller – You could take down the fence and have it unsupervised but it is the insurance company for the school that is choosing not to because of liability.

Supervisor Politi – If is not going to be used here, there are others who want it.

Pat Ledger – We understand that. We just want to exhaust every possible avenue.

Supervisor Politi – The decision doesn't have to happen tonight.

Pat Ledger and Dan Leff thanked the Town Board.

PRESS UPDATE - THE COM LINKS WAY

Chris Morris informed the Board that the ComLinks Apartment compliance problems are currently being resolved.

DOG CONTROL OFFICER - BOB MILLER - JAY RAND

Supervisor Politi asked for an update on the Dog Control Officer.

Councilman Miller – We received multiple applications and narrowed it down to two viable candidates. We recommend Scott Monroe who is already a peace officer. His salary is \$10,000 and is an independent contractor who will be covered under the Town insurance. He will use his own truck.

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Councilman Doty – We should buy him a few cages for his truck.

Councilman Miller – I spoke to Billy Moore and Marty Perkins who said the Humane Society will lend him a cage. We might have to buy a snare.

Supervisor Politi – Do you want to move a resolution to hire Scott Monroe as an independent contractor at an annual fee of \$10,000 subject to those terms and conditions found to be acceptable to Scott and the Town Attorney?

Discussion continued regarding the contract which will automatically be renewed unless terminated. Attorney Briggs will draw up the contracts. The dogs are picked and dropped off at the kennel. The Town needs to have a contract with the kennel. The Village has a contract. All calls to Scott Monroe will go through the Village dispatch.

Supervisor Politi – It is important to note that the money for the animal control Officer has already been budgeted for.

Councilman Miller moved and Councilman Doty seconded the motion to hire Scott Monroe as an independent contractor at an annual fee of \$10,000 subject to those terms and conditions found to be acceptable to Scott and the Town Attorney. There being no further discussion. The motion was unanimously carried by those present.

REQUEST FOR APPROVAL – 10K FOOT RACE RIVER ROAD

Supervisor Politi – We have a request for approval for a 10K foot race to be held on River Road. The race is scheduled for June 30, 2012 at 9am and is a fundraiser for St. Jude’s Children’s Hospital. The contact for the race is Vicki Kurshner. She would like approval from the Town to use the Horseshow Grounds. Butch has approved it.

Discussion continued regarding the parking situation because the Horse Show. The Board called Butch Martin to ask him about parking. He didn’t know their parking plans. ORDA may allow them to use the main parking lot at the ski jumps.

Councilman Doty moved and Councilman Rand seconded the motion to approve the 10K foot race subject to a recycling program and parking plans that would not interfere with the Horse Show. There being no further discussion. The motion was unanimously carried by those present.

ZONING RECLASSIFICATION – BALSAMS

Supervisor Politi – We got a request from the Joint Town/Village Review Board for a zoning reclassification application for the Balsams. The property is in a “Town Residential” and he is asking for approval to be “Planned Development.” It has been approved by the Review Board. I’m not sure if the Village approved it or is about to approve it. The property site is an approximately 4.19 acre parcel on the north side of Old Military Road. The application was the subject of a public hearing held by the Review Board jointly with the Town and Village Boards on April 11, 2012 at which members of the public were afforded an opportunity to make

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comments on the application. The Review Board found that a portion of the property was, under the prior approval granted by the Review Board, to be reserved for onsite septic and leach fields. The Town of North Elba/Village of Lake Placid have now allowed the sewer system for The Balsams project to be connected to the municipal system. As a result, this land no longer needs to be utilized for onsite septic system use. On the basis of the foregoing, the Review Board recommends to the Town and Village Boards that the 4.19 acre parcel, identified above, be reclassified as a Planned Development

Councilman Doty – Will a Planned Development District mandate us to take over the utilities. We still need info from Brad.

Supervisor Politi – One thing has nothing to do with the other.

Councilman Doty – Does the 4.19 Acres include the already developed land? It is easier to see new area reclassified then the already developed area.

Supervisor Politi – It is separate. All I can tell you is the Review Board didn't have a problem with it.

Councilman Miller – I wouldn't mind waiting to make a decision. I would really appreciate some time to reflect.

Councilman Doty – I don't want to hold off on possible job opportunities with construction.

Supervisor Politi – They were originally approved for 44 units and haven't finished building them.

APPROVAL SEPT RACE – HALF MARATHON

Supervisor Politi – Do you want to approve the Half Marathon that Art Devin and Rick Preston talked to us about?

Councilman Doty moved and Councilman Rand seconded the motion to approve the Lake Placid/North Elba Half Marathon scheduled for September 8, 2012. There being no further discussion, the motion was unanimously carried.

LAKE PLACID CHAMBER CONTRACT APPROVAL

Supervisor Politi – We received a new contract between the North Elba Park District and the Lake Placid Chamber of Commerce. We budgeted \$80,000 which has been reduced to \$60,000. It is for the year 2012 with the first payments in May and June. It is the same contract as last year with the exception of the promotional service reduction of \$20,000. I would like a resolution approving me to sign this agreement which Jim McKenna has already signed.

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Councilman Rand moved and Councilman Doty seconded the motion to approve the 2012 contract between the Lake Placid Chamber and the North Elba Park District. There being no further discussion, the motion was unanimously carried by those present.

Andy Flynn read the agenda information online and found a typo in the contract. Supervisor Politi thanked Andy and initialed the change.

BUDGET AMENDMENTS

Supervisor Politi asked for approval of the budget amendments which are basic housekeeping items.

INCREASE A..3089.0100 GOVERNMENT AID JUSTICE GRANT \$74.04 (REVENUE)
INCREASE A.1110.0200 MUNICIPAL COURT.EQUIPMENT \$74.04 (EXPENSE)
TO RECOGNIZE DEFERRED JCAP GRANT BALANCE FOR PURCHASE OF CHAIR
FOR COURTROOM
BENCH

**INCREASE DB.5110.0414 HIGHWAY GENERAL REPAIRS OTHER CONSUMABLE
SUPPLIES**
\$6716.55 FOR THE FOLLOWING: LANE ENTERPRISES; \$2042.40, OLYMPIC AUTO
FILTERS; \$184.49,
WARREN TIRE ; \$786.75, GRAYMONT CRUSHER RUN; \$2503.24, WARREN TIRE;
\$1146.80 AND
HAMILTON CASTER; \$132.27 TOTALING \$\$6,795.95

**INCREASE DB.5130.0200 HIGHWAY MACHINERY EQUIPMENT AND CAPITAL
OUTLAY \$362.41**
YIPES STRIPES; \$362.41 FOR TRUCK PURCHASED AND LOANED TO PARK
DISTRICT

APPROPRIATE FUND BALANCE OF HIGHWAY FUND \$\$7,078.96

INCREASE SP.1335.0463 PARK DISTRICT SPORTS OFFICE DUES AND FEES \$13.53
DECREASE SP.8310.0463 PARK DISTRICT ADMINISTRATION. DUES AND FEES \$13.53
FOR FEDEX CHARGES TO RETURN ITEMS
FROM 2011 HALF MARATHON TO KEY AUYER

Councilman Rand Moved and Councilman Doty seconded the motion to approve the budget adjustments as written and presented. There being no further discussion, the motion was unanimously carried by those present.

REGARDING SEASONAL EMPLOYEES:

Supervisor Politi asked for approval of the following seasonal employees.

Craig Wood:

Jason Beaney	Craig Wood	Park Attendent	\$12.50
John J. Hence, III	Craig Wood	Park Attendent	\$11.50
Jacob Nason	Craig Wood	Park Attendent	\$10.50
Pat Peryea	Craig Wood	Park Attendent	\$11.00
Charles St. John	Craig Wood	Park Attendent	\$12.50

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Robert Stephens	Craig Wood	Golf ranger	\$9.75
Raymond Tempistelli	Craig Wood	Park Attendent	\$13.00
Richard Strack	Craig Wood	Club House Attendant	\$13.25

Beach lifeguards:

Casey McDermott	Beach	Head Lifeguard	\$15.50
Ema Nye	Beach	Asst. Head Lifeguard	\$12.50
Shannon Fegley	Beach	Lifeguard	\$12.25
Peter Madden	Beach	Lifeguard	\$10.50
Matthew Saehrig	Beach	Lifeguard	\$10.25
Rhonwen Jones	Beach	Lifeguard	\$10.25
Eliza Lenon	Beach	Lifeguard	\$10.00
Halle Kent	Beach	Lifeguard	\$10.00
Glynis Jones	Beach	Lifeguard	\$10.00

Councilman Doty moved and Councilman Rand seconded the motion to approve the seasonal employees as listed. There being no further discussion, the motion was unanimously carried by those present.

HAZARDOUS WASTE DAY RESOLUTION 8/11/12

Supervisor Politi – I received a resolution from Shannon Porter and Larry Straight regarding Hazardous Waste Day. It is scheduled for August 11, 2012 and located at the Highway Garage. The estimated cost to the town is \$10,000 - \$15,000. We receive a grant from the DEC for 50% of the total cost.

Councilman Doty moved and Councilman Rand seconded the motion to approve the Hazardous Waste Day resolution scheduled for August 11, 2012. There being no further discussion, the motion was unanimously carried by those present.

APPOINTMENT MEO POSITION – HIGHWAY

Supervisor Politi – I received a recommendation from Larry Straight for Leeland Stanton to be appointed from a seasonal MEO to a permanent position at a rate of \$12.89 per hour. He is replacing Dave Luck.

Councilman Doty moved and Councilman Miller seconded the motion to approve Leeland Stanton as a permanent MEO at a rate of \$12.89 per hour. There being no further discussion, the motion was unanimously carried by those present.

AGREEMENT TO SPEND HIGHWAY FUNDS

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Supervisor Politi – Larry Straight provided me with an Agreement to Spend Town Highway Funds pursuant to the provisions of Section 284 of the Highway Law.

Supervisor Politi read the following agreement which is on file in the Clerk's office.

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

AGREEMENT between the Town Highway Superintendent of the Town of North Elba, Essex County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 96,083.93 shall be set aside to be expended for primary work and general repairs upon 30.88 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. IMPROVEMENTS. The sum of \$ 82,840.00 shall be set aside to be expended for the improvement of the following town highways:

- a) On Carolyn Road commencing at the Old Military Road, a total distance of 2650 feet. Type: 1½" type 6 top mix. Width of traveled surface: 21± feet. Sub base: asphalt.
- b) On Kate Smith Ave., Commencing at the Grandview Ave., a total distance of 900 feet. Type: 1½" type 6 top mix. Width of traveled surface: 24± feet. Sub base: asphalt.
- c) On Moongate Lane, Commencing at Amanda Drive, a total distance of 1900 feet. Type: 1½" type 6 top mix. Width of traveled surface: 21± feet. Sub base: asphalt.

Councilman Rand moved and Councilman Doty seconded the motion to approve the Agreement to Spend Highway Funds as presented. There being no further discussion, the motion was unanimously carried by those present.

PROPOSAL FOR ENVIRONMENTAL SERVICES

Supervisor Politi – Larry also brought me a proposal for environmental services for the tanks at the highway and the airport. Does someone want to explain?

Councilman Doty – It resembles the state regulation in having a written, educational spill response plan. This is an engineering firm that I worked with on two different spill plans. They gave us a very good deal.

Councilman Doty read an excerpt from the Greystone Evolutions proposal which is on file in the clerk's office.

DESCRIPTION OF SERVICES

Greystone Envolutions, LLC (Greystone) will prepare a Spill Prevention, Control and Countermeasure (SPCC) Plan for the Lake Placid Airport located in Lake Placid, New York (hereinafter referred to as the "Site"). Our scope of services includes a file review, interviews with Town of North Elba personnel familiar with site operations, a visit to the Site (unlimited access will be provided by the Town of North Elba), preparation of an oil storage inventory for the facility, and preparation of a SPCC Plan ("Plan"). The Plan will meet the regulatory requirements of USEPA 40 CFR Part 112- Oil Pollution Prevention. The draft Plan will be submitted to the Town of North Elba for review and approval and one set of comments will be incorporated to prepare the final Plan. The final Plan will be provided to the Town of North Elba to support ongoing operations.

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Supervisor Politi - The proposed cost is \$2,500 for each facility.

Councilman Doty moved and Councilman Rand seconded the motion to approve the Proposal for Environmental Services from Greystone Evolutions. There being no further discussion, the motion was unanimously carried by those present.

RESOLUTION TO PROCEED TO CONTRACT NEGOTIATIONS/ MULTI USE TRAIL

Supervisor Politi – Jack Favro is not here tonight. He participated with Chuck Damp in the interviews for the Lake Placid to Saranac Lake multi-use trail. The interviews were conducted with ANKA and the NYS DOT representatives. As a result of the interview process, the committee has recommended we proceed with contract negotiations with Creighton Manning Engineering. The organization is staffed by project manager Don Adams, principal in charge is Edward Woods and Richard Miller, PE. Chuck would like us to move a resolution to move toward formal negotiations in terms of a cost with this particular outfit. I wish Jack could be here but he had to be in New York. Creighton Manning has a familiarity with Lake Placid, involving with the Greater Lake Placid Transportation Study, the reconstruction of Mirror Lake Drive and River Street, Main street public parking, Lake Placid transmission line to Saranac Lake, the US Olympic training Center, the Adirondack regional airport and Stage 1 design report for the LP to SL multi use trail. They are also involved with the Old Military Road reconstruction, the Lake Placid Central School Athletic Complex, and a new management plan for Whiteface and Gore.

Attorney Briggs – They also pointed out they had some innovative out of the box ideas to improve the trail.

Supervisor Politi – Also money saving ideas by utilizing material that they may have access to.

Councilman Doty – And crossing the tracks in a few places to avoid the wetlands.

Councilman Miller moved and Councilman Rand seconded the motion to conditionally approve Creighton Manning Engineering and to proceed to contract negotiations for the multi use trail. There being no further discussion, the motion was unanimously carried by those present.

IRONMAN CONTRACT EXTENSION

Supervisor Politi – The extension of the Ironman contract is from 2012 to 2017. It requires the approval of the Lake Placid Village, the Town of North Elba and the Visitors Bureau. Approval comes to us first. Any changes in revenue streams get approved by the Visitor Bureau. It is basically the same contract. The approval tonight is for the contract extension. They have to pay a substantial amount in other areas. We are recognized as one of the most popular spots for the venue. It is anticipated that the extension of another 5 years will directly generate fifty to sixty million dollars. Which is somewhere from ten to eleven million dollars a year. Do I have a motion to allow me to sign the contract extension for another five years subject to those terms and conditions to be determined by the Visitors Bureau?

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Councilman Doty moved and Councilman Rand seconded the motion to approve the Supervisor signing the Ironman contract extension for another five years subject to those terms and conditions to be determined by the Visitors Bureau. There being no further discussion, the motion was carried by those present.

COMMITTEE REPORTS – LP AIRPORT RUNWAY REHAB

Supervisor Politi – We delayed the repaving of the Lake Placid Airport runway until the day after Labor Day. The reason for that is because the State is tying up the blacktop for repaving Route 86 between Lake Placid and Saranac Lake. We were on a very tight time schedule; if it rains it could not be done and we had to get it done before the Horse show. We thought it was too risky and Jack and I made the call to put it off. We have to get it done because the grant runs out this year. The contract is for 30 days but they do not expect to take that long.

COMMITTEE REPORTS –NEXT MEETING AT THE AIRPORT

Supervisor Politi – I would like to move our next meeting to the conference room at the Lake Placid Airport. I want everyone to see what the facilities are like there. It is amazing. The Board meets in July and September at the Saranac Lake Town House. The August meeting can be scheduled to be held at the airport. I need a motion to move that meeting.

Councilman Rand moved and Councilman Doty seconded the motion to approve the August 14th Town Board meeting to be moved to the Lake Placid Airport. There being no further discussion, the motion was unanimously carried by those present.

COMMITTEE REPORTS –LAKE CLEAR AIRPORT

Councilman Doty – Bob and I volunteered to sit on the committee for the Lake Clear Airport. There is nothing to report. They are still in a fact finding and people are just coming up with ideas. It's important to get the right people there who can make decisions that will count. Maybe the Town Board could petition ORDA to get involved. They could be called to the table to act in some capacity. Different marketing ideas were talked about.

Supervisor Politi – I'm actually surprised that ORDA wasn't invited.

Councilman Doty – They were invited. If you don't have an objection, I can ask Pat if he could have somebody there.

Supervisor Politi – That is not a problem.

COMMITTEE REPORTS –EVALUATION SYSTEM FOR THE UNION EMPLOYEES

Councilman Miller – Derek, regarding the union employees, have you finished figuring out an evaluation system yet?

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Councilman Doty – The answer is yes and no. Yes we have a draft agreement. We tried to meet before our work session but it was an unscheduled meeting where the reps were in town and Jack couldn't make it so it fell apart. I asked the union to draft what we had and put it in front of us. The answer is yes. We have had three meetings and they have gone very well. We have to define a little bit with the evaluation system but also in connection with that we have taken everybody's pay scale and adapted it to the contract and an evaluation system. I can't explain unless it is written right in front of me. July 1 was our deadline but we were all so late adopting this new contract. Talks have been good. The last meeting Larry was not invited. That was not our oversight. We asked the union to invite him and they never did. In this last round, we basically canceled the meeting because of the same thing. Your employees didn't even know about it so Jack and I said this is off base, draft what you have and notify all the players.

Councilman Miller – You'll bring it to one of our workshops? I would like to see an evaluation system we can use for all the employees.

Councilman Doty – We tried a point system and we are more inclined to give pay raises to high scores.

Supervisor Politi – Its quality verses seniority.

COMMITTEE REPORTS – C&D UPDATE

Councilman Rand – The C&D reconstruction is going well. The berms around the pit have been removed and they are grading the final level.

Superintendent Straight - It looks totally different when they excavated and graded the site.

Supervisor Politi – I know Chris and Andy are aware of the C&D reconstruction, but Ted you may not; we have a C& D facility that is three acres and we utilize about one and a half acres so we got a permit to expand the C&D. What we have now is what we refer to as “Little Whiteface”, a mound that kept getting bigger and bigger. From the airport it cuts half of whiteface. We are expanding the pit to drop that mountain down.

COMMITTEE REPORTS – CRAIG WOOD UPDATE

Gold Course Irrigation:

Councilman Doty – At the Course we talked about putting in another retention pond for irrigation. The end on #1 fairway is the only place to put it. I would like permission to keep working with Lynn Wilson and Jim Wasson to define the area so we can pursue a DEC permit so we can do some excavating in late fall. It could take until then to get a permit in hand.

Supervisor Politi – Now is the time to do it.

Clubhouse Deed:

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Supervisor Politi – Ron, Cathy sent an email about a grant from the state for \$150,000. The grant documents require a deed that shows the Town ownership for which the clubhouse sits. She said she was working with Kimball which has been delayed due to his health.

Attorney Briggs – We just have to do a title search. I will call an abstractor and get it. It could go back 200 years where it was owned by the Club itself.

Project Manager:

Councilman Doty – Tomorrow I meet with a project manager to define our scope of work. I want to include the septic system, the parking lot and the well for adequate water. Once I have the job description written, I will go to an engineer for elevation pictures. I need an appropriate entryway and an elevator shaft dimensions. There is no sense meeting with an architect until I have all the dimensions.

Councilman Doty is meeting the project manager midmorning tomorrow and Councilman Miller would like to be there.

COMMITTEE REPORTS – EQUALIZATION RATE

Supervisor Politi – New York State ORPTS has issued an equalization rate of 100%. They were talking about increasing some of our neighbors on the lake by 4% but we had a little discussion on the County level. They changed their minds so we are at 100%.

TOWN ATTORNEY REPORT – JIM MORGANSON

Attorney Briggs – The Town Board may have seen the email from Jim Morganson regarding Bernie Dayan situation on John Brown Rd and Old Military. I need to know from this Board if six weeks is acceptable. It was my understanding that when Jim came to the workshop that he was told to do it immediately.

Supervisor Politi – Six weeks is not acceptable to me.

Councilman Doty – I spoke to Jim today and there must be a clause in the Code which he called “voluntary compliance”. Are we obligated to give someone this time to do an infraction?

Attorney Briggs – No, not at all. It has been in violation for a very long time. We don’t have to wait at all.

Councilman Doty – Do we have more than one parcel with the same issue?

Attorney Briggs – Of course we do.

Supervisor Politi – We have to treat them each individually.

Councilman Doty – Are we affording them all 30 days?

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Councilman Miller – We told him at this meeting to move immediately on all of these issues.

Supervisor Politi – We received another complaint from somebody who lives out there. In my opinion, six weeks is unreasonable.

Councilman Miller – I would like him to start cleaning up the mess he started so long ago.

Attorney Briggs – I bring it up because I would like the Board to speak with one voice when I speak with Jim Morganson.

Supervisor Politi – If someone is not in compliance and hasn't been for a long time, six weeks is not reasonable.

Councilman Miller – I want to have it done now. The man is a contractor. If he got approval to start a job, the equipment would be out of there tomorrow. He doesn't need more time to get it done.

The Board agreed that two weeks to get the job done was reasonable and the cleanup must be completely done by July 1, 2012.

Supervisor politi asked for a motion for a resolution stating such.

Councilman Doty moved and Councilman Miller seconded the motion to require the property on John Brown Rd and Old Military owned by Bernie Dayan to become compliant with the Land Use Code by July 1, 2012. There being no further discussion, the motion was unanimously carried by those present.

Supervisor Politi – I hate that it has to be a Town Board decision when it should be the Code enforcement Officer's.

PRESS QUESTIONS – SKATEBOARD PARK

Chris Morris – You spoke with the school district about the Town leasing that property for \$1?

Councilman Miller – I spoke to the school about taking down the fence and remove the need for supervision because I'm not sure the insurance company requires it. He was understandably concerned about liability. My next question was, would you consider leasing the land to the Youth Center and would that remove your liability? He said he would get back to me. I haven't heard anything yet.

Attorney Briggs – They would lease to the Youth Center and require their insurance to indemnify the school.

Councilman Miller – I talked to Dominic about it and he said he would bring it to his Board. He seemed to be happy about the idea. We are still waiting for answers.

TOWN BOARD MEETING

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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 6/12/12			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	84018.97	136804.90	220823.87
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	25188.02	16564.80	41752.82
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT	0.00		0.00
H02 -BLOCK HANGAR REHABILITATION AIRPORT CAP. PROJECT	0.00		0.00
H03 - 5 BAY T HANGAR	4130.20		4130.20
H04-C&D WASTE CELL	82945.00		82945.00
H05- CRAIG WOOD GOLF COURSE CONSTRUCTION	3957.63		3957.63
H06-TERMINAL BLDG	1330.00	5134.50	6464.50
H07 RUN WAY REHAB	19.06		19.06
H08-AIRPORT MASTER PLAN	20183.90		20183.90
H09-APRON EXPANSION	0.00		0.00
H10-RSA IMPRV & RW 32 HLDNG BAY	0.00		0.00
RD03-THIEANOGUEN WAY ROAD DISTRICT	0.00		0.00
RD04-TAHAWUS WAY ROAD DISTRICT	4217.79		4217.79
SF1-FIRE PROTECTION DISTRICT #1	0.00		0.00
SF2-FIRE PROTECTION DISTRICT #2	21600.00		21600.00
SF3-FIRE PROTECTION DISTRICT #3	0.00		0.00
SP PARK DISTRICT	71455.38	17757.03	89212.41
SS21 CONSOLIDATED SEWER DISTRICT	1276.13		1276.13
SW1 SEWER DISTRICT #1	0.00		0.00
SW2 MCKENZIE	0.00		0.00
SW3 RAY BROOK	4781.71	498.97	5280.68
T TRUST & AGENCY		89.94	89.94
TE PRIVATE PURPOSE TRUST			0.00
Batch 1219-1223	325103.79	176850.14	501953.93
121113-121180; 121204-121223; 121225-121275; 121299-121385			
Batch 999 (Payroll)	0.00	44877.41	44877.41
121062-121080; 121084-121085; 121104-121110; 121181-121203			
Batch - HELD	19974.44	0.00	19974.44
112313, 120188, 120355, 121224			
DELETED VOUCHERS:			
121081-121083; 121086-121103; 121111-121112; 121409			

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

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ADJOURNMENT

There being no further business to come before the board, Councilman Rand moved and Councilman Miller seconded the motion to adjourn the meeting 8:50 pm.

Respectfully Submitted,

Laurie Curtis Dudley, Town Clerk