

TOWN BOARD MEETING

TUESDAY, SEPTEMBER 8, 2015

Minutes of the Regular Board meeting held on the above date beginning at 7:00 at the Saranac Lake Town House, 193 River Street, Saranac Lake, New York.

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

Others Present: 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 for the minutes of the Board meeting of August 11, 2015.

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.

OLD MTN. ROAD

Supervisor Politi – I sent you a copy of the correspondence between Bob Stegemann and myself to each of you. Ron is unfortunately sick. I made it very clear what our position was. As you saw in his email, he said he would get back to me next week. I didn't hear from him but I assume I will. I made it very clear to him that we had opened it up. I think it would be a nice idea on our part that we finish the parking lot and we name it the Joan Martez Public Parking!

Councilman Doty – Compliments of John Brown.

Councilman Miller – I understand McCulley took a picture of himself with his truck and posted it on his Facebook page. Nothing has changed.

Councilman Doty – Of all issues to grab, that was one of the poorest.

Councilman Miller – Did McCulley sign on as friend of the court?

Supervisor Politi – That is McCulley's fight. As far as we are concerned, we still have ownership of the easement. There is no reason for us. They have not tried to stop us. I made it very clear that we don't side with their position. I would be a long and costly lawsuit.

Councilman Doty – Were there deadlines when they were going to act?

Supervisor Politi – I talked to Jim McCulley about it and he said it was a matter of principal for him and he knows they are not going to be able to take a snowmobile out there. He said he is doing this because they said we couldn't. Do you really think we should participate in that?

Councilman Miller – No not necessarily.

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Supervisor Politi – It is ours as far as we are concerned. It is ours and if they put something up then we are taking it down. We will extend the road even further if we have to. Let them sew us. I made it clear that we do not recognize their position.

LANDFILL CREDIT CARDS

Supervisor Politi - This canceling accounts at the Landfill has caused many complaints.

Councilman Doty – I wonder if you have received as many as I have.

Supervisor Politi – I sent you all a copy today of an email I received from Cathy. I talked to Cathy and Shannon about this. I got visits from Peter Holderied, Peter Roy, Dan Wikoff, Jerry Strack and Scott Monroe.

Superintendent Straight – Shannon hears it from people all day.

Supervisor Politi – We each have heard from many people.

Councilman Miller – Scott and I talked about it. He wondered if they could have a debit account where they prepay and it's deducted. Like an easy-pass when they go over the scales. That way we are not waiting on people to pay.

Supervisor Politi – Cathy's email says the current system works fine. We just have a few bad payers. Cathy suggests changing the billing to Net 25 basis instead of a Net 45 and said it will work a lot easier. She doesn't want to have anything to do with saving someone's credit card information or prepaid money. She is afraid that someone will break into the system through hacking or breaking into the building. She does not want the Town to have any Liability whatsoever. Cathy suggests changing the due dates for billing accounts, accept credit cards and cut people off when they get behind.

Councilman Doty – In other words, you still have your account but if you don't pay it within 25 days, you lose the privilege of having an account.

Supervisor Politi - Cathy would send the bills out on the 5th day of the month with payment due by the last day of the month. Anyone that doesn't pay will lose the privilege and have to pay in cash, check or credit card.

Councilman Miller – For how long? If someone is delinquent they are never allowed to charge? If they are 3 days late they can't charge anymore?

Supervisor Politi – Shannon said to me it would be a first time warning and second time done.

Councilman Doty – What happens with the times of transactions. When it's busy over there and everyone is taking more time at the window. Also, if the card declines how do we handle it?

Councilman Rand – If a card declines, we will know right then and there.

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Supervisor Politi – Then what are they going to do, go back and take their garbage out?

Councilman Miller – That is why I thought we should keep a credit card or debit system.

Supervisor Politi – Peter Roy said he is not giving his credit card to one of my employees. He said they will start charging gas or whatever on it. He said he pays his bill and is never behind.

Councilman Miller – Maybe he should look at who he is hiring.

Councilman Doty – We are accomplishing what we are after with this newer version. Those that don't pay lose the privilege, period. That is fare. Do you remember when we went to the punch card tickets? It was 6 months before all the crying calmed down.

Supervisor Politi – We need to make this final and make it as part of the minutes. The new Transfer Station Billing Policy will be effective January 1, 2016 with a Net 25 billing cycle. The first time with a late payment will result in a warning and the second time they will lose the privilege of having an account.

Councilman Favro moved and Councilman Doty seconded the motion to approve the Transfer Station Billing Policy effective January 1, 2016. There being no further discussion, the motion was unanimously carried.

ANIMAL CONTROL OFFICER

Supervisor Politi – We talked about the Animal Control Officer at the workshop. For the record, can I get a motion to approve Dave Coursen as an Animal Control Officer with Peace Officer duties to work alongside Jeremy Mihill? We will have two Animal Control Officers, one on when one's off so that we have full coverage. He will be an independent contractor at an annual salary of \$10,000 per year.

Councilman Doty – I am assuming that because we have two, we have no uncovered time.

Councilman Miller – How will they coordinate this? Will they make sure that there is someone available to respond?

Supervisor Politi – They are doing it themselves. One is on and one is off. They have one cell phone between the two because they did not want to complicate things with the numbers. It will be Jeremy on this week and Coursen the next. Dave Coursen is a very responsible guy. He's not a drinker, he's a worker. In the budget adjustments we got them pepper spray and gloves.

Councilman Doty – What is our relationship with the Village and their Animal Control?

Supervisor Politi – The Village does their own.

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Laurie Dudley explained that in our Law it states that the Police Department acts as Animal Control for the Town. They were sworn in and the Oath of Office for all the Police Officers is on file.

Councilman Doty – Billy Moore has the Animal Control truck. I still have to catch up with him to see if we can use the truck. If the Village needs it, all the stuff will be in it. It works out well.

Councilman Miller moved and Councilman Favro seconded the motion to approve David Coursen as the second Animal Control Officer at a salary of \$10,000 per year. There being no further discussion, the motion was unanimously carried.

Councilman Doty – We will have to remember this additional cost at budget time.

Laurie Dudley asked about ticketing dogs running at large and unlicensed dog owners to help subsidize the \$20,000 and Supervisor Politi explained that they will write a ticket to non-licensed dogs and they will put it in their pocket and tell them they will not turn it in provided they go and license their dog. If they don't get a license then they will get two tickets; one for the dog running and one for the unlicensed dog. That is the only way to get people to license their dogs.

Councilman Favro – It is a State Mandate. We have to have Animal Control.

Supervisor Politi – I am more concerned about having people license their dogs because you want to know if the dog bites someone that they have had their rabies vaccination. If they license their dog you will know that. If they don't have a license and you get bit and you can't find the owner, then you have a problem.

Councilman Miller asked what the fines are and Laurie Dudley explained that the fine for an unlicensed dog and a running at large ranges from \$25 to \$250. They have to go to court and the fine is set by the Judge. The fine for a seized dog is \$150 but you have to have a current license to get your dog back. Councilman Miller disagreed with the cost of \$150 and Laurie Explained that it is the Town Law that the Town Board passed. The vet sends a quarterly bill for their \$75 per seizure.

Councilman Miller – They pay \$150 to get their dog back but it's up to the Judge?

Laurie Dudley explained that if the dog was wondering and they bring it to the LP Animal hospital the fine to get your dog back is \$150, which is divided \$75 to the Vet and \$75 to the Town, or Village if the dog was in the Village. However, the State says they should issue a ticket for the dog running at large and a ticket if the dog is not licensed. Tickets go to court and the judge determines if the fine will be \$25 - \$250. He could waive the unlicensed dog if they show him that they came in to license their dog.

Councilman Miller – Are we charging too much? I know people who cry because they have to give up their dog because they don't have \$150. If someone's dog gets out for the first time, is \$100 an adequate penalty?

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Councilman Doty – We went over this two years ago because there wasn't enough enforcement to defray what was happening. Do you remember the pit-bull running at St. Agnes one morning? Every cop in town was trying to catch it and it bit about 6 people. If a first time affiance, I bet no judge will hand down that size offense. If it spends the night in the vet, we have no control of that.

Councilman Miller – I think that by charging people \$150 we are hitting them too hard.

Supervisor Politi – So what you are saying is the vet charges them \$75 and we shouldn't get anything? The money we get goes back into the fund that helps to pay for these guys and the cost of licenses.

Councilman Miller - \$150 is so much money. I got bit by the dog and the dog needed to be quarantined for 10 days. She said she couldn't afford to do that so she gave him up.

Supervisor Politi – We have a Law into effect. If you want to modify the Law we can modify the Law. However, it requires a Public Hearing and Modification of Law and then we have to vote on it. We can't just do it here anyway. If you want to come up with a proposal modification of the Law, I don't have a problem with it. Give it to Ron and we will have to set a Public Hearing Date. We were cited by the State and so was the Village because there were some people charged \$75 and some charged \$150.

Councilman Miller – It is supposed to be a deterrent.

Supervisor Politi – Bob, if you want to come up with an amendment that everyone agrees with we can move forward. I want to have a Law in effect and I want it to be enforced and I want people to get their dogs licensed so we know if someone get bit whether we have a problem or not.

Councilman Favro – How are we going to promote that they have to license a dog. Many people don't know you have to have a license.

Discussion continued regarding those that have dogs but do not license them.

BUDGET AMENDMENTS

Supervisor Politi – The budget adjustments are for the Animal Control Officers. The equipment purchased was for dog muzzles, Ramp, gloves and pepper spray. The cell phone will be shared between Jeremy Mihill and Dave Coursen.

sep 2015 BUDGET AMENDMENTS

ACTION	ACCOUNT	DESCRIPTION	AMOUNT	REFERENCE	ADDITIONAL INFO
INCREASE EXPENDITURE	A.3510.0414	ANIMAL CONTROL,OTHER CONSUMABLE SUPPLIES	565.72	PO. 28635 & 28636	PURCHASE OF ANIMAL CONTROL EQUIPMENT PER TOWN BOARD
INCREASE REVENUE	A.3510.0421 A..0909	ANIMAL CONTROL,TELEPHONE APPROPRIATE FUND BALANCE	37.03 602.75	VCHR 151857	VERIZON WIRELESS CONTRACT (THIS WILL BE A RECURRING BILL MONTHLY)

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Councilman Doty 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.

STATE ASSISTANCE TAX CAP RESOLUTION

Supervisor Politi –I sent you all the State Assistance Tax cap Resolution. The County passed it. Basically, not criticizing but objecting to the Tax Cap and the effects it has on the small towns like ours and smaller towns like Minerva and Moriah where you can't fix any infrastructure. It discourages communities to be able to improve themselves. The Tax cap this year is .73%. That is ridiculous.

Councilman Doty – That is not realistic. If we get in a position where the prison water thing comes through, to upgrade our line for 200 yards we won't be able to do it.

Supervisor Politi- If everyone has had a chance to read this and you make a motion, I will send it to the Governor's Office.

Discussion continued regarding the schools and County that couldn't possible make it with .73% Tax cap.

Councilman Doty moved and Councilman Rand seconded the motion to approve the State Assistance Tax Cap Resolution. There being no further discussion, the motion was unanimously carried.

DISCUSS WATER CANNON LACROSSE FIELDS

Councilman Favro – I went down to see the athletic fields. They look good. I was talking to Zach and we have two water cannons, the ones with the two big reels that spray on both sides. They then have to move it down the center to spray on down the field. They have to keep on moving it. We are doing a lot of labor. With the new field you will need a new one. The one they have does not have a motor so there is little pressure. Purchasing a new self driving cannon cost about \$7,000. The pump is for when there is not enough pressure in the hose. Cathy is looking into it for the match on the new Field Grant.

Supervisor Politi – Cathy is trying to get it to go through the grant. If it is not paid by the grant, what do you want to do? There is money in the Fund Balance in Park District. Do you want to utilize some of that money to do this and also the Bridge at Craig Wood?

Councilman Doty – I agree; the bridge is a statement.

Councilman Favro – We just had a great year with the toboggan shoot but we can't claim that money until the end of the year. That would more than cover the cost of both of those and we will still have money left.

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Councilman Doty – We have Youth Lacrosse coming in the spring and if we don't get a good start on the fields, they will crumble with all the traffic we have on them. One cannot do a whole field.

Councilman Favro – They go on the outside and put one in the middle. They need three to do it.

Supervisor Politi – Would you like to make a motion to approve this in the event that it is not covered by the State Grant and to also utilize additional monies not to exceed \$20,000 to include the repair of the bridge and culvert at Craig Wood?

Councilman Favro moved and Councilman Doty seconded the motion to approve expenses not to exceed \$20,000 in the event that it is not covered under State Grant. There being no further discussion, the motion was unanimously carried.

COMMITTEE REPORTS – BEACH CITATION

Supervisor Politi- Butch told me that we got cited by the Department of Health today for the Beach. It was because the Beach is closed but he had the Beach House open. In addition to that, there were no lifeguards and there had to be close to 80 people on the beach. The state wants us to have the beach house closed and want us to fence off the water. The funny thing is that you can go in where they do the mini-triathlon and swim right into the swim area.

Councilman Favro – Even better; you can go to the Lake Clear Beach State Park and state signs are everywhere and there had to be 200 people at the beach. No lifeguards. It's a piece of State Property.

Supervisor Politi – I told Butch to close the Beach House.

Councilman Miller – We have to find a way to solve the problem. We have the same problem every year.

Councilman Favro. I think you are right. I saw a couple athletes there from the Training Center that had lifeguard shirts on. They are always there in the Fall.

Councilman Miller – Maybe we are not paying them enough.

Councilman Favro – Another comment that I heard was the swim test. Did you know they have to have a swim test to be able to swim past the ropes? They do it for tourists. Who makes them do that? Two kids were on the raft and the Lifeguard is yelling at them to come back because they have to have a swim test. They swim back to the Lifeguard who makes them take a swim test. My Grandson who is two was told not to touch the ropes because he would stretch them out. There are so many complaints.

Supervisor Politi – It's Red Cross and the State of New York.

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Councilman Miller - The problem is that it costs the Lifeguards \$400 to be certified. The Town should chip in \$200 and give them the summer to pay their money back; we may get a larger pool to choose from. A 16 year old can't pay that at once.

Councilman Favro - We should look into adults. There has to be teachers that would like to work.

Discussion continued about what we pay the Lifeguards and when we should be advertizing. Councilman Miller noted he would talk to Jessica about the Beach problems.

Councilman Favro – We are looking at little issues here; whether it is Craig Wood or the Beach. We do not need to micromanage. It is the Department Head that should be coming to us.

COMMITTEE REPORTS – CRAIG WOOD

Supervisor Politi – I saw Jackie Irvin today and he said when I built the Club House, I told those guys that the decks needed to be stained in one year. It has been three years and nobody has done anything other than pressure wash the decks. Jeff Estes was there with Richie Morgan. He is a professional painter and said he would do the decks and Jeff told him he would get paid the same an hour. We have to buy the materials.

JOINT TOWN/VILLAGE MEETING

Supervisor Politi informed the Board that there is a Joint meeting scheduled for Sept 23rd at 3:30 for the Community Development Committee. Vacation Rental Requirements is one topic to be discussion.

COMMITTEE REPORTS –NOISE ORDINANCE FOR WEDDINGS AND PARTIES

Supervisor Politi – Another issue with vacation rentals is weddings. I have received complaints from Jim McGregor about the McBurney's using their place on Adirondack Loj Road every weekend for weddings. It has become an issue for him. Last weekend they had a big wedding that was so loud. He called the State Police twice. They went out there and finally told him that the Town of North Elba does not have a noise ordinance. People can have weddings in their own back yard. The McBurney's are renting their house for weddings and make noise until 2am. They are not going to get Jim Morganson that late. The State police could care less. We do have an ordinance that says you can't have a live band in a commercial place. We hold Eddie Yanchitis to that and he has to get a permit. McBurney has advertizes weddings and charges for weddings, it would seem to me that they fall in the same category and would have to have a permit. Otherwise, we are treating Eddie differently than we treat everyone else. Jim said he was going to follow up on it.

Councilman Doty – McGraw's wedding was huge. I have never seen anything like it.

Supervisor Politi – According to McGregor, McGraw's wedding was not noisy. He had the state of the art technology. I don't think it is fair that we hold Eddie Yanchitis to a standard that we

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don't hold anybody else. If your child is getting married in your back yard is different. You work that out with your neighbors. If you are advertizing weddings then you should follow the same rules.

Superintendant Straight – The house near me has loud parties and fireworks every weekend.

Supervisor Politi – The next problem is the weddings on the Lake. The noise radiates .They are all becoming a problem because they are trying to circumvent the Whiteface Inn or Lussi's. I think we have to modify the ordinance to say wedding of a commercial nature are not permitted in whatever zoning districts.

Councilmen Miller – How do you enforce that?

Supervisor Politi – We could go back and fine the McBurney's \$2,000 and I will guarantee you they aren't going to do it again. When we take a deposit from Eddie he has never stepped over the line because he didn't want to lose \$1,000.

Councilman Rand – McBurney probably doesn't know there is a law. Step one is to tell him.

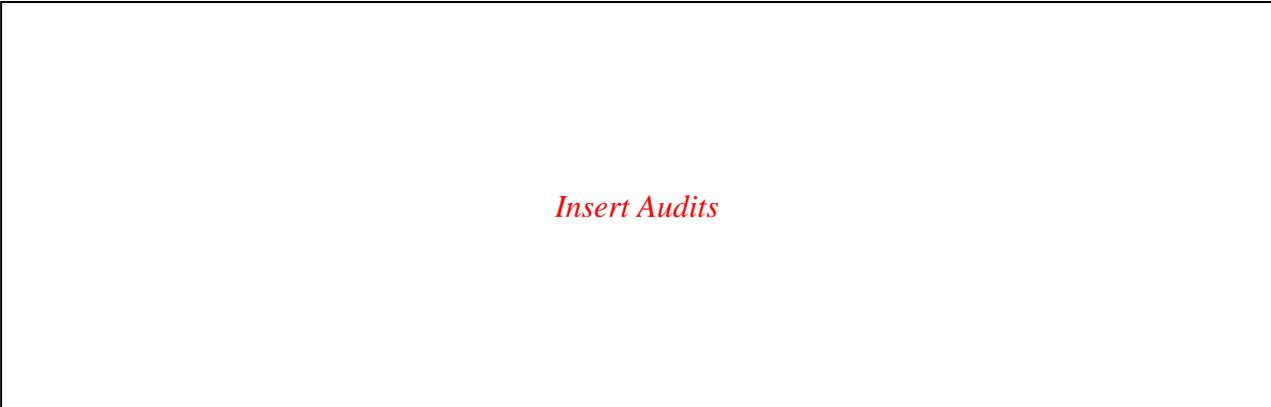
Councilman Miller – I get calls all the time. People just don't care.

Supervisor Politi – It is always circumstances where the owners are not here.

Discussion continued about Sassafras and the loud music on the lake.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the audits.



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

COMMITTEE REPORTS – SL YOUTH CENTER

Councilman Doty – Budget session is coming up. The Saranac Lake Youth Program is still in limbo for an Administrator. We are assuming Harrietstown will take over the roll as the Village was doing. The Village has not released any financials so we don't really know where we are at. We had charges this year that in the past were given to the kids; Pirate's Cove said something about corporate regulations and the bowling alley put it to us. We broke all kinds of records with 204 kids. 120 out of 200 are Village kids.

Supervisor Politi – Derek, you have to get Mike Kilroy to do something because I just don't see us taking on that program.

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Rand moved and Councilman Doty seconded the motion to adjourn the meeting at 7:53 pm.

Respectfully Submitted,

Laurie C. Dudley, Town Clerk