

**TOWN BOARD MEETING**  
TUESDAY, OCTOBER 9, 2018

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 Miller, Councilman Doty, Councilman Rand, and Laurie Dudley

**Others Present:** Attorney Ron Briggs, Larry Straight, Mike Orticelle, Mrs. Barbara Clark, Kim Clark, (daughter), Mark Clark, Laura Clark, (daughter), Cheryl Megliory,

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 on September 11, 2018.

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

**RESOLUTION OF CONDOLENCE- REG CLARK**

Supervisor Politi- Tonight is special this is something we actually did at the county. I knew it would be hard to get everyone down there. The county passed a resolution to recognize the contributes and service of Reg Clark in the Lake Placid community on behalf of the Essex County Board. Barbara please come on up here.

Supervisor Politi read the Resolution

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
REGINALD “REG” F. CLARK**

The following resolution was offered by Supervisor Politi, who moved its adoption. Upon a motion to consider from the floor, and the same appearing proper and necessary.

WHEREAS, Reginald “Reg” F. Clark, of Lake Placid, New York passed away peacefully on July 30, 2018, with his loving family by his side; and

WHEREAS, Reg was born in Lake Placid, New York on July 27, 1929, the son of Matthew B. Clark and Beatrice Lengfeld; and

WHEREAS, he attended Lake Placid High School, graduating in 1947, and attended the Simmons School of Embalming and Mortuary Science, graduating in 1949; and

WHEREAS, upon graduating, Reg apprenticed under his father, eventually taking ownership of the generational funeral home and served as the community’s funeral director for many decades; and

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WHEREAS, in 1960, he married Barbara Fadden at Lovely Lane Methodist Church in Baltimore, Maryland and

WHEREAS, Reg and Barbara purchased the Palace Theatre on Main Street, Lake Placid in 1961, where Reg was often found behind his antique ticket machine; and

WHEREAS, Reg was an active member of his community, serving as a member of the Adirondack Community Church, Lake Placid Masonic Lodge, Saranac Lake Elks Club and Lake Placid Historical Society and was a board member to the Lake Placid Chamber of Commerce and the Lake Placid Historical Society; and

WHEREAS, Reg's most loved philanthropic groups were the Kiwanis Club of Lake Placid and the Lake Placid High School Alumni Association; and

WHEREAS, Reg was a well-known and well-respected resident of Lake Placid and a pillar of his community; and

WHEREAS, Reg was predeceased by his two brothers Matthew and Richard; and

WHEREAS, he is survived by his five children, Kim, Mark, Cheryl, Brian and Keith and their spouses Jim, Laura, Aaron, Deanna and Tricia; twelve grandchildren, Heahter, Warren, Samantha, Alexis, Paige, Melanie, Miranda, Sora, Ashley, Courtney, Connor and Chelsea; and several nieces and nephews; and

WHEREAS, Reg was a loving husband, son, father, grandfather, brother, uncle and friend who will be sorely missed but never forgotten.

BE IT RESOLVED, that the Essex County Board of Supervisors, Clerk of the Board, County Manager and County Attorney, hereby express and extend their deepest sympathy and condolences to the family of Reginald "Reg" F. Clark; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this Board of Supervisors, with a suitably embossed copy thereof to be forwarded to the Clark family. This resolution was unanimously seconded and adopted.

Supervisor Politi- Lake Placid appreciated Reg so much. Especially my family I grew up with the Clark family. My mom and dad were activity involved with the Clark's. We really appreciate everything the Clark family does.

Supervisor Politi presented the resolution to Mrs. Barbara Clark and thanked them all for coming.

**RESOLUTION OF SUPPORT- JCAP GRANT**

Supervisor Politi – We talked about the resolution of support for the Justice Grant I would like to formally approve this. We moved this at the workshop on October 2, 2018. Councilman Favro

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moved and Councilman Miller seconded the motion to approve the application of the Village and Town Court to get a JCAP Grant to offset consolidation of the office of the Municipal Court Clerks from the Office of Court Administration.

Councilman Favro moved and Councilman Miller seconded the motion to officially approve the resolution in support of the JCAP grant. There being no further discussion, the motion was unanimously carried.

### **SEXUAL HARASSMENT POLICY**

Supervisor Politi- Cathy sent you all a copy of the Sexual Harassment Policy this is something that the State of New York has mandated. This replaces the policy we have in place.

Councilman Rand moved and Councilman Doty seconded the motion to approve the sexual Harassment Policy. There being no further discussion, the motion was unanimously carried.

### **ROAD NAME CHANGE REQUEST- WILLOW WAY EXT.**

Supervisor Politi- We got a request for a road name change. Larry I am not sure if you are aware of this presently Willow Way Ext. It's on McKenzie Pond Road they are requesting the change it's really a driveway. They would like to change the name to Moose Way. The county was going to change it to Fire Lane #1. It has been cleared by 911.

Councilman Miller moved and Councilman Doty seconded the motion to approve that Willow Way Ext. be changed to Moose Way. There being no further discussion, the motion was unanimously carried.

### **APPROVE LOCAL LAW- GAME OF CHANCE**

Supervisor Politi – We had a public hearing on the Game of Chance Law know one appeared. We need to approve said law.

Councilman Doty moved and Councilman Miller seconded the motion to approve the Game of Chance Law. There being no further discussion, the motion was unanimously carried.

### **CHANGE WORKSHOP MEETING- WEDNESDAY NOVEMBER 7TH**

Supervisor Politi- The first Tuesday in November is Election Day so I am looking to move workshop Meeting to November 7<sup>th</sup>.

### **DISCUSSION EXTERIOR WALL OUTSIDE COURT ROOM**

Councilman Doty- The logical way to do this is to seal outside wall first. We initially thought Larry would have time to do the excavating. His guys are too busy. I think what we need to do is let Bob DiMarco come in and rent a small machine. It is going to take him about half a day to do.

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Larry Straight- I really don't have the time.

Councilman Doty- It's also more convenient when the contractor who is doing the work has the machine right there. Larry could come down and do it and contractor could say it's not right for them.

Larry Straight- Do they plan on hauling the materials?

Councilman Doty- I was hoping not, if anything we will bring in a load of stone. The big thing is getting material on the side of that wall. All he needs is a 9 or 6 inch bucket, let it dry for a few days and decide what he needs for material. Mike do you want to get ahold of DiMarco?

Mike Orticelle – I can do that.

Supervisor Politi- Lets do this ASAP.

Councilman Doty- I will trust his judgement. We won't know until he sees that seem. But if you need me holler I will come over.

**DISCUSSION ABOUT LACROSSE FIELDS**

Councilman Doty- The other project is the Lacrosse Fields. The logical time to so this is now so that all the new seed and healing can happen in the spring. Butch was hesitant to have his guys do the digging. I disagree I think with the people we have it will work.

Larry Straight- I have an operator rather than Tracy.

Councilman Doty- So if we rent a machine you have someone great that's the way I prefer to go. Butch still has to have someone run down and pick up the tops.

Supervisor Politi- I just want to make sure we have the money for this. Was it budgeted last year?

Councilman Doty - Yes it was. We budgeted the \$3000. Larry got the estimate for us last year. I will call Butch and get someone down to get the tops. We can set those two tanks in a day they are 8ft tanks.

**BUDGET ADJUSTMENTS**

Supervisor Politi- We were over budget on a paving job \$13,291.00 offset by insurance recoveries. Replace Town Clerks computer and software monies coming from unused money in building code travel and unrestricted fund balance. Airport grounds repairs for \$5000 New York State Fence Inc. What is this?

Larry Straight – The gate opener on the main gate, it was a PO# not to exceed \$5000.00 I don't believe it will be that much he was only there for half a day . We have not received a bill yet.

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TOWN OF NORTH ELBA							
PERSONNEL ACTIONS FOR BOARD MEETING		October 9, 2018					
ACCEPT RECOMMENDATION OF NEW HIRES:							
NAME	POSITION	DATE OF HIRE	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION	Appropriation account	MSD 428 SENT TO COUNTY ON
Deborah Mueller	Assessor's Aide	9/20/2018	n/a	\$19.00/HR	competitive	A000.1355.0101	
* Recommendation made by: Todd Anthony							

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

**APPROVE HIRE OF ASSESSORS AIDE**

Supervisor Politi- We need to approve the hiring of Deborah Mueller as Assessor's Aide at a rate of pay of \$19.00 hr. This is a competitive position and not a clerk's position. Based on a recommendation from Todd Anthony the assessor.

Councilman Doty moved and Councilman Favro seconded the motion to approve the hiring of Deborah Mueller as Assessor's Aid at a rate of \$19.00 per hour. There being no further discussion, the motion was unanimously carried

**COMMITTEE REPORTS- WHITEFACE CLUB AND RESORT FIREWORKS**

Supervisor Politi- Laurie received a letter today about a wedding they are having August 10<sup>th</sup> of next year and they want fireworks. I said we have a resolution in place of denying private firework displays. I have instructed Laurie to correspond with her and say we will not allow a permit for private use and in addition I want Laurie to tell them that if they are going to have loud music outside after 9:30 they need to get a permit. The problem I see is it's a resolution not a law, so what if they say who cares. I often here fireworks at Whiteface Lodge at night. You cannot get a permit for this in the Town of North Elba you can in the Village.

Larry Straight- My neighbor provided fireworks for his guests.

Councilman Miller- So if Lakeside shoots off fireworks do you tickets the HOA?

Mike Orticelle- First of all possession of fireworks at certain times of the year is illegal. If they don't have a permit to shoot them off then the State Police and the Fire Department can be called.

Supervisor Politi- I think at a wedding it's the owner of the property responsibility. If it's at a house or condo it's the individual. What bothers me about this is in the past that people advertise there is no noise ordinance. These wedding planners have no idea. I know they had a wedding for over 450 out at Lodge Road the other night.

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Mike Orticelle- We inspected the tents and got permits. They had tents on the Whiteface property and fireworks there is a lot of things they should know and be aware of.

Supervisor Politi- I am not aware of this until 10pm at night when I hear them going off and I am not going to call Mike then.

Mike Orticelle- By the next morning it's all gone, so there is no proof. Most of these companies set up at night and break down right away and head out. We need pictures of it happening.

Supervisor Politi- So what is the penalty of getting caught?

Mike Orticelle- First penalty is a \$350.00 fine or jail time and its goes up every day.

Councilman Miller- Is this in the land use code?

Attorney Briggs- We incorporated it into the land use code. The violation of a state code is a violation of our code.

Supervisor Politi- For a fine of \$350.00 I would shoot them off, the guy would say I am guilty and write a check for the fine. The majority of fireworks for weddings are held at the Whiteface Club Golf House. People are not happy they are looking for their dogs for a week.

**COMMITTEE REPORTS- WESVALLEY AVE**

Supervisor Politi- Larry I got a call about Wesvalley Rd about the curbing. I agree the curb is bad and there is pot hole that is going to be replaced by the county.

Larry Straight- I will take care of it.

**COMMITTEE REPORTS- LAKE PLACID HALF MARATHON**

Supervisor Politi- There were 700 runners and their families in town. I spoke with a few business owners they said how wonderful it was this past weekend with all the people.

**COMMITTEE REOPORTS- IRIGATION CRAIG WOOD**

Councilman Doty- Andrew is working with Jim Gerard to get estimate on irrigation equipment he is the logical one to put it in.

**COMMITTEE REPORTS- SEXUAL HARASSMENT TRAINING**

Mike Orticelle- As far has the training for the Sexual Harassment Policy employees can do this all online.

Supervisor Politi- Cathy mentioned sending Rose for training and her putting on the training for everybody but it came up you can do it online.

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

Supervisor Politi asked for approval of the audits.

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TOWN OF NORTH ELBA				
CLAIMS APPROVED FOR PAYMENT 10/9/18				
		<b>Batch</b>		
<b>PREPAID CLAIMS (NBT General Funds, NBT Park District, NBT Health Reimb. Bank Accounts)</b>	<b>Prepaid</b>	<b>Number</b>	<b>Prepaid</b>	
A000 FUND GENERAL FUND	6,829.35			
B000 FUND GENERAL OUTSIDE VILLAGE	91.54	5118	6,644.59	
DB00 FUND TOWN OUTSIDE VILLAGE HIGHWAY	5,875.88	5121	1,229.71	
SP00 FUND PARK DISTRICT	40,862.35	5122	499.50	
SW03 FUND RAY BROOK	358.06	5127	8,717.88	
T000 FUND TRUST & AGENCY	499.50	MCB	37,425.00	
<b>Batch 5118, 5121, 5122, 5127 (Prepays NBT Bank Accounts) (9/1/18-9/30/18)</b>	<b>54,516.68</b>		<b>54,516.68</b>	
181935, 181951, 182000, 182085-18294; 182096-182103; 182136				
<b>ADK PAYROLL</b>				
T000 FUND TRUST & AGENCY	103,344.04	5119	29,443.49	
		5123	73,900.52	
<b>Batch 5119, 5123 (Payroll &amp; Health Reimbursement Arrangement) (9/1/18-9/30/18)</b>	<b>103,344.04</b>		<b>103,344.01</b>	
181936-181950;182020, 182053-182070				
<b>REGULAR CLAIMS (Adirondack Claims Bank Account)</b>	<b>Regular</b>			<b>Claims</b>
A FUND GENERAL FUND	372,891.90	5124		422,148.50
B FUND GENERAL OUTSIDE VILLAGE	107.00	5125		65,861.47
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	25,139.49	5126		118,546.67
H18-Replace RW14 PAPI & TW AB&C light construction	-			
H42-Equipment Bonding fund	-			
SP PARK DISTRICT	208,390.55			
SW3 RAY BROOK	27.70			
182025-182052; 182071-182084; 182104-182118; 182137-182180				606,556.64
<b>DELETED VOUCHERS:</b>				
182081				
<b>Batch 5124, 5125, 5126</b>	<b>606,556.64</b>			<b>#####</b>
Batch 5128 completed to correct & reissue AXA life insurance check from August				
Batch 5129 completed to correct September claims checks issued for vendors Bath & Briggs				
NOTES:				

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Moffet Turf Equipment released for payment 181961 from Sept 2018 hold	998.00			
Rose & Kiernan voucher 182077 (held for payment due to \$243.10 credit from Sept 2018	(131.00)			
FIT WITHHOLDING FROM VCHRS 182033, 182034	(132.70)			
<b>AMOUNT TRANSFERRED TO CLAIMS CHECKING ACCOUNT FOR CHECK RUN xx:</b>	<b>607,290.94</b>			
<b>AMOUNT TRANSFERRED TO PAYROLL FOR FIT WITHHOLDING</b>	<b>132.70</b>			
	<b>607,423.64</b>			
	-			
	<b>DEBIT</b>			
A000.0000.0200.0200	372,760.90			
B000.0000.0200.0200	107.00			
DB00.0000.0200.0200	25,139.49			
H018.0000.0200.0200	-			
H042.0000.0200.0200	-			
SP00.0000.0200.0200	209,388.55			
SW03.0000.0200.0200	27.70			
	607,423.64			
	<b>CREDIT</b>			
A000.0000.0200.0104	372,760.90			
B000.0000.0200.0104	107.00			
DB00.0000.0200.0104	25,139.49			
H018.0000.0200.0104	-			
H042.0000.0200.0104	-			
SP00.0000.0200.0104	209,388.55			
SW03.0000.0200.0104	27.70			
	607,423.64			
After posting Claims Transfer Recurring Journal Entry as listed above				
Next post Amberly Rounds Withholding transfer of funds from Adk Claims to				
Adk Payroll for the amount of the FIT withholding listed above				
Next go to open Payroll Batch and create Recurring Voucher for Amberly Rounds				
FIT withholding for claims paid				
Finally, transfer funds from Adk Cap Proj to Adk Claims				
next, transfer funds from Adk Claims to Adk Payroll (for FIT)				

Councilman Doty 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



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Jay I. Rand	Voting:	Aye
Derek Doty	Voting:	Aye
Jack Favro	Voting:	Absent

I hereby certify that the within Certificate of Consent was duly passed by the Town Board of the Town of North Elba at a regular meeting of the Town Board on Tuesday, October 9, 2018.

Councilman Rand moved and Councilman Doty seconded the motion to approve certificate of consent for the Undercliff Sewage Work Corporation subject to that each individual be liable for their own property. There being no further discussion, the motion was unanimously carried

**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 7:50pm.

Respectfully Submitted,

Laurie Curtis Dudley  
Town Clerk