

**TOWN BOARD MEETING**

TUESDAY, OCTOBER 13, 2015

Minutes of the Regular Board meeting held on the above date beginning at 7:00 at the North Elba Town Hall, 2693 Main St, Lake Placid, New York.

**Members Present:** Supervisor Politi, Councilman Miller, Councilman Doty, Councilman Rand, and Jessica Scriver

**Absent:** Councilman Favro

**Others Present:** Larry Straight, Attorney Ronald Briggs, Matt Turner

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 September 8, 2015.

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.

**APPROVE 2015 LP CHAMBER CONTRACT**

Supervisor Politi - Lake Placid Chamber contract is the same as last year \$50,000.00.

Councilman Doty moved and Councilman Miller seconded the motion to approve the 2015 Lake Placid Chamber Contract.

Councilman Doty- We had brought it down from \$80,000 is \$50,000 where we are going to hold?

Supervisor Politi- That's what we had talked about. We can go further if you want. I think you could make the new argument to go lower with the new bed tax.

Councilman Doty- If we get some data that supports itself.

Supervisor Politi- This is the contract for 2015. We are going to have another contract the beginning of January.

Councilman Doty- Naturally if all marketing efforts are taken care of with bed tax that could relieve us.

Supervisor Politi- This contract is really 8 months behind. This is something we will want to talk about and discuss.

There being no further discussion, the motion was unanimously carried.

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**RESOLUTION OF ENDORSEMENT- AIRPORT GRANT**

Supervisor Politi- Ron I have the paper work on the resolution for a state grant for Airport Pavement Management Program for replacement of taxiway A, B, C lighting and signage. The total cost \$136, 300.00. Federal government is paying \$122, 670.00, State \$6815.00 and Town \$6815.00. I need a resolution endorsing this grant and then we need a SEQR.

Councilman Doty- Is it additional lighting or new lighting?

Supervisor Politi- New lighting.

Councilman Doty- I knew that we added lights 8 or 9 years ago. So new on the taxiways.

Councilman Doty moved and Councilman Miller seconded the motion to approve the Resolution of Endorsement for Airport Grant. There being no further discussion, the motion was unanimously carried.

**SEQR COMPLIANCE STATEMENT**

Supervisor Politi- We need a motion to sign the SEQR (State Environmental Quality Review). This is a type two action.

Attorney Briggs- This resolution is saying that there are no adverse environmental impacts.

Councilman Rand moved and Councilman Doty seconded the motion to approve the SEQR Compliance Statement. There being no further discussion, the motion was unanimously carried.

**BUDGET AMENDMENTS**

Supervisor Politi –We need a motion to approve these amendments.

Supervisor Politi read the adjustments as presented.

OCT 2015 BUDGET AMENDMENTS						
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	REFERENCE	ADDITIONAL INFO	
INCREASE EXPENDITURE	A.1420.0451	GENERAL FUND.LEGAL FEES	8,353.79	VCHR 152055 & 152122	GRIMDITCH	
INCREASE EXPENDITURE	A.3510.0414	ANIMAL CONTROL.OTHER CONSUMABLE SUPPLIES	110.61	vchr 151972 & 151959	ups store for return of gloves ordered (too small), reorder gloves	
INCREASE EXPENDITURE	A.3510.0421	ANIMAL CONTROL.TELEPHONE	8.13	vchr 152037	VERIZON WIRELESS CONTRACT (THIS WILL BE A RECURRING BILL MONTHLY)	
INCREASE EXPENDITURE	A.3510.0444	ANIMAL CONTROL.CONTRACTS & AGREEMENTS	3,159.43	2015 COURSEN	ADDITIONAL DOG CONTROL OFFICER	
INCREASE EXPENDITURE	A.9010.0800	RETIREMENT	6,374.40		December 2015 prepayment estimate is larger than budgeted	
APPROPRIATE FUND BALANCE	A..0909		18,006.36			
INCREASE EXPENDITURE	DB.9010.0800	RETIREMENT	3,089.15		December 2015 prepayment estimate is larger than budgeted	
INCREASE EXPENDITURE	DB.5130.0200	HIGHWAY EQUIPMENT	51,727.26	PO 28691		
INCREASE EXPENDITURE	DB.5130.0200	HIGHWAY/CRAIGWOOD EQUIPMENT	72,314.90	PO 28681+28688	PURCHASE OF 4WD TRUCK AND B95C BACKHOE & BUCKET	
APPROPRIATE FUND BALANCE	DB..909		127,131.31			
INCREASE EXPENDITURE	SP.9010.0800	RETIREMENT	3,963.44		December 2015 prepayment estimate is larger than budgeted	
INCREASE EXPENDITURE	SP.1350.0200	HIGHWAY/CRAIGWOOD EQUIPMENT	72,314.90	PO 28681+28688	PURCHASE OF 4WD TRUCK AND B95C BACKHOE & BUCKET	

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APPROPRIATE FUND  
BALANCE

SP..909

76,278.34

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.

**RESOLUTION AUTHORIZING AN ARTICLE 78 ACTION- AGAINST DEC- OLD MTN. ROAD**

Supervisor Politi – Ron would you talk about the resolution authorizing the article 78.

Attorney Briggs- The DEC rendered a decision that the Old Mtn. Road pursuant to the Master Plan has been abandoned. So by serving the Town with notice of that decision it causes us to have to take action and disagree with it. The Board considering and authorizing tonight to commence and Article 78 is a vehicle to challenge the DEC. There have been some statements in the decision that are clearly unsupported by facts.

Matt Turner - What part of the decision are you questioning?

Attorney Briggs- There are a couple of decisions where they argue that the State Wilderness Master Plan is that in the same at legislation and it has the force of law which it completely does not; it has nothing to do with the legal foundation of whether the road has been abandoned or is in use. Under the case law any use of the public road would not deem it abandoned say it's used for pedestrians, bicycles, hiking as long as it gets use it should stay as a public road.

Matt Turner- Why is this being challenged? Is it to stop precedence?

Attorney Briggs- If we don't challenge it, the DEC would then say we didn't argue that it was a Town road.

Supervisor Politi- We have already voiced our opinion that we disagree with their decision. In fact we have taken measures to improve portions of the road and recently we have closed the road for the winter. So our position is that the right of way is owned by the Town of North Elba. We in fact have a snowmobile ordinance which applies specifically to that road way. We are not backing down.

Supervisor Politi moved and the motion was unanimously seconded to approve the Resolution authorizing Article 78 Action against DEC- Old. Mtn. Road. There being no further discussion, the motion was carried.

**WEDDING OFFICIANT- EMILY KILBURN**

Supervisor Politi- Emily Kilburn has asked for approval to perform a wedding ceremony for Elisabeth Schulte and John Joseph Cottom IV on November 14, 2015 at the Boathouse Restaurant on Mirror Lake.

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Councilman Rand moved and Councilman Doty seconded the motion to approve Emily Kilburn to officiate a wedding ceremony on November 14, 2015. There being no further discussion, the motion was unanimously carried.

**APPROVE FUNDING REQUEST- SL VOLUNTEER RESCUE**

Supervisor Politi- You all got a copy of the 2016 Saranac Lake Volunteer Rescue contract. Does it look in order? They're asking for \$28,270.00.

Councilman Doty- Yes it certainly didn't climb that much.

Supervisor Politi- I was going to ask you Matt has it come up that there was a dramatic increase in the Saranac Lake Fire Department cost? Harrietstown with an increase of \$50,000 and a substantial increase to the Town of St. Armand.

Matt Turner- I have not heard anything.

Councilman Doty- However I want to keep track of when this 5 year period is over and they turn more revenue on the insurance company's and less on the towns. We all agreed 3 to 5 years to give them money to get them going. They are doing transports from the hospital which gives them an extra \$200,000 to \$400,000 dollars a year.

Supervisor Politi- We are the same as St. Clara, St. Armand and Franklin. Village of Saranac Lake and Harrietstown are \$39,033.00.

Councilman Miller- Are they realizing income from that? We were at that meeting where they discussed charging the hospital.

Councilman Doty- This could be a break year. I am guessing this is the last year they will need support.

Supervisor Politi- They estimated that it costs about a thousand a day to run the rescue squad.

Councilman Doty moved and Councilman Rand seconded the motion to approve the funding request from Saranac Lake Volunteer Rescue in the amount of \$28,270.00. There being no further discussion, the motion was unanimously carried.

**CONSOLIDATION OF DISTRICTS FOR TOWN/VILLAGE VITAL RECORDS**

Supervisor Politi- Laurie has a request a resolution for consolidated districts. It's combining birth and death records in the town and village. Village of Lake Placid has passed a resolution supporting this action. It makes so much more sense.

Councilman Rand moved and Councilman Doty seconded the motion to approve the Resolution of Consolidation of Districts for Town/Village Vital Records. There being no further discussion, the motion was unanimously carried.

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### **APPROVE VENDER FOR PHONE SERVICE**

Supervisor Politi- Cathy put a vendor recommendation in your files. She met with Paul Ellis on Westelcom and Slic Network Solutions. The cost of the Slic proposal was less than that of Westelcom and provided higher upload speeds to accommodate future needs. Cathy and Paul discussed payments between the two. They recommend the town receives the bill because it's our building and further the cost be split 50/50 on a monthly basis do to equal use of the service.

Councilman Doty moved and Councilman Miller seconded the motion to approve the Vender for Phone Service with Slic Network Solutions. There being no further discussion, the motion was unanimously carried.

### **CHANGE NOVEMBER WORKSHOP- MONDAY, NOVEMBER 2, 2015**

Supervisor Politi- We have to change next month's workshop to Monday November 2, 2015. This is due to the election. The meeting will take place on the third floor in the ANNEX room.

Councilman Miller moved and Councilman Rand seconded the motion to change November workshop to Monday, November 2, 2015 at 3:00pm. There being no further discussion, the motion was unanimously carried.

### **COMMITTEE REPORTS – AIRPORT TREES**

Councilman Doty- You met with Mr. Wexler on the airport stuff.

Supervisor Politi- I didn't meet with him I sent him a letter he responded by email saying no problem.

Councilman Doty- Does that whole block need to be clear cut or just topped?

Supervisor Politi- Just topped and we are thinking about coming in from Craig Wood so it will not affect his property.

Councilman Doty- Talk to Jeff about that lower section. Jeff would like to look and see if we have some timber value. We have 6 acres and it was going to be cut.

Supervisor Politi- No we are not cutting it. My guess it we are going to top just those trees identified. They have a profile on which trees need to be done.

Councilman Doty- They were not big on topping because the growth is actually faster than taking the tree down.

Supervisor Politi- We may just drop them. He seems to be very amendable to work with us.

### **COMMITTEE REPORTS – SKI JUMP BRIDGE**

Supervisor Politi- Larry I gave you this letter that Jeff Fischer gave me about putting a staging area where the sand pit is. Is that possible? There is enough space and we own some of that. I don't think there will be an issue.

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Larry Straight- Yes there is enough space

Supervisor Politi- They showed me this map of possible DEC parking. I thought this was privately owned.

Larry Straight- It is privately owned.

Councilman Rand- They are going to be putting the other bridge on that side also?

Supervisor Politi- Temporarily

Larry Straight- The new bridge is going to go on the side by the parking lot. This is going to create a bigger hazard than you have down there right now.

Supervisor Politi- It's for DEC fishing, what nonsense. No one parks down there to fish.

**COMMITTEE REPORTS – SL YOUTH PROGRAM**

Councilman Doty- The Village dropped us as of September 20th. Mac Rand and I went to the awards to accept from Adirondack Foundation. They gave the program \$1500.00 which is like a lifesaver. We are targeting that money for the 2016 season. With the Village dropping us I am not about to send that money in for last year. Save this money until we know who the administrator is for the program. The Village has made mention that they would take it to vote and possibly let us stay on for another year. All of us that are on that Board want nothing to do with the Village. We still don't have an end of the year report, we can't get one. Whoever is filling in for Paul is overwhelmed. Our efforts now are with Harrietstown and hopefully they will take over. How do you feel about this youth program whether it's in the hands of Village of Saranac Lake or Harrietstown?

Supervisor Politi- I have no problem with Harrietstown. I have more of a problem with us doing it.

**COMMITTEE REPORTS – NORTH COUNTRY COMMUNITY COLLEGE**

Councilman Miller- I met with some folks today who are very concerned. They said to me with no exaggeration this college is close to closing in a year. Is the county aware and is there anything they can do?

Supervisor Politi- North Country Community College is funded by three sources; State of New York funds 75%, Franklin county 25% and Essex County 25%. We approve the budget not their president. I don't know what going on. For all I know its employee's verses management.

Councilman Miller- Shouldn't we know what is happening. It's affecting our town. So do we rely on the State of New York to do the right thing or are we going to do something ourselves.

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Supervisor Politi- I don't think it's our job to micromanage the college.

Councilman Miller- We are giving them 25% of our tax dollars. Don't we have invested interest in this. We need to encourage the State of New York to be involved. We need to communicate to the comptroller's office that we are concerned.

Supervisor Politi- NCCC had requested a meeting with the Essex County Board of Supervisors. We had to reschedule this meeting do to Shirley Seney's Funeral. They have not rescheduled. I don't think it's a bad idea by resolution for Essex County to request the Dept. of Education to look into it. We talked about this today at the County. The Governor's office reads ever newspaper. They are aware of the situation.

Attorney Briggs- You have a Board of Trustees that makes the decision and according to the paper they are supporting the president.

Supervisor Politi- Our position would be, we have appointed members on that Board. Essex County could request a report.

Councilman Miller- If what the folks say today is true, we have a potential crisis and I hope that we as a town and as a county are doing all that we can within our responsibilities and authority to be sure what is happening there should be.

Supervisor Politi- I will contact Dan Palmer and Bill Ferebee tomorrow to contact the members of the Board of Trustees and Franklin County and see their position on this.

Discussion continued on North Country Community College

**COMMITTEE REPORTS – GRANT APPLICATION STORM DRAINS**

Councilman Doty- Larry and I attended a meeting last night and we have a good plan heading into that lake. Watershed is going be down our throats about getting it fixed. Larry was probably in the best shape of any representation of work around that lake. We are at 6%-7% salt down from 12%-15% over five years. State is pure salt and the Village is coming up with a new chemical to put on the sidewalks. A new grant application is going in on the Village behalf for both sides of storm drains on Main Street. It's major.

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

Supervisor Politi asked for approval of the audits.

TOWN OF NORTH ELBA  
CLAIMS APPROVED FOR PAYMENT 10/13/15

	<u>Regular</u>	<u>Prepaid</u>	<u>Totals</u>
A FUND GENERAL FUND	87,974.68	28,558.21	116,532.89
B FUND GENERAL OUTSIDE VILLAGE	37.94	-	37.94
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	13,484.79	11,768.69	25,253.48
H12-Obstruction Removal Environmental Assessment	4,883.18		4,883.18

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H13-JET FUEL STATION	80,348.15		80,348.15
H14-TAXIWAY LIGHTING	-		-
H42-MACHINERY AND EQUIPMENT PURCHASE	-		-
H44-ATHLETIC FIELDS	7,110.00		7,110.00
SF1-FIRE PROTECTION DISTRICT			-
SF2-FIRE PROTECTION DISTRICT			-
SF3-FIRE PROTECTION DISTRICT			-
SP PARK DISTRICT	67,545.35	11,645.09	79,190.44
SS21 CONSOLIDATED SEWER DISTRICT			-
SW3 RAY BROOK	373.10		373.10
<b>Batch 1536-1540</b>	<b>\$ 261,757.19</b>	<b>\$ 51,971.99</b>	<b>\$ 313,729.18</b>
151923-151976; 152003-152020; 152022-152082; 152085-152086; 152113-152122			
<b>Batch 999 (Payroll &amp; Health Reimbursement Arrangement)</b>	<b>\$ -</b>	<b>\$ 49,518.75</b>	<b>\$ 49,518.75</b>
151897-151922; 151977-152002; 152083-152084			
<b>Batch - HELD</b>		<b>\$ -</b>	<b>\$ -</b>

**DELETED VOUCHERS:**

151875; 151876

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.

**ADJOURNMENT**

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

Respectfully Submitted,

Jessica Scriver, Deputy Town Clerk