

TOWN BOARD MEETING
TUESDAY, AUGUST 14, 2012

Minutes of the Regular Board meeting held on the above date beginning at 7:00 pm in the meeting room at the Lake Placid Airport, 27 Airport Lane, Lake Placid, New York.

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

Others Present: Chris Morris, Ron Briggs, Larry Straight, Tony Goodwin, Jim McCulley, Craig Stevens, Nichole Brownell, Jim Morganson, Kim Mahaney, Gene Hicks

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 July 10, 2012.

Councilman Doty 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.

CRAIG STEVENS – SL CHAMBER

Craig Stevens – I am here as the president of the Saranac Lake Chamber. It is not a secret that we have been in a bit of disarray since our director left in mid May. We have been regrouping, retooling and redefining our role in the Saranac Lake area. The Town provides us with rent free office space so you should know what we are up to too.

Supervisor Politi – We appreciate it.

Craig Stevens – This is a strategic Plan (handout provided) that we put together Mid June. It has been revised a couple of times. It is a living document and needs to be changed accordingly. It addresses key point that the Chamber will be working towards. Focus will be on member benefits and services. Workshops will include how to set up QuickBooks accounts, how to set up social media accounts like Facebook and Twitter and how to make your best web page. We have a new website that was done by Ad Workshop that is very clean and nice. It does not have advertisements, just great local pictures. It is a tool for visitor to look at Saranac Lake and once they are here they can find information on what to do. The website is www.saranaclake.com. The handout tells you what we intend to do, our timeframe, our financial concerns, our partnerships with ROOST (Regional Office of Sustainable Tourism). How we are going to address our staffing issue. We are working towards redefining what an Executive Director does and should be doing. First and foremost it is going to be getting back on board with our membership, networking opportunities for workshops in the fall.

Supervisor Politi – Do you have an Executive Director in place now?

Craig Stevens – No. We are reexamining a new job description and salary requirements. Adrienne is our Chamber Administrator. She has been there for 5+ years. She is very capable and we depend on her a lot.

Supervisor Politi – Are you able to make use of Jim McKenna’s organization? Are they going to be working more closely with you?

Craig Stevens – We started talking to Jim in early June about how we can partner closer to have then handle the tourism piece of things. They have the expertise and the knowledge. That couples with our new website is a good partnership. It comes down to resources. We are hoping for funding from Essex County, the Village of Saranac Lake and Harrietstown.

Councilman Miller – What about the Village of Saranac Lake?

Craig Stevens – We met with the Local Development Corp. last night. Jim and I both spoke and this topic was the central point of conversation. How do we all work together to have ROOST become the tourism driver for this area and to incorporate the Saranac Lake area as another entity

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much like it does in Schroon Lake. We have these cross boundary issues that we have to work with. ROOST talks about how tourism does not have political boundaries but those are the realities that we face with funding sources. We have talked about partnering with Tupper, Malone, Franklin County, offering services to Lake Placid, because it does not have a ‘Chamber’ per say.

Supervisor Politi – Ideally, the mission for all entities should be the same. Unfortunately, there has been some fragmentation in recent years, which is unfortunate.

Craig Stevens – Everyone is out protecting their turf, duplication and lack of efficiency.

Supervisor Politi – If we thought we were protecting our turf, we certainly would not be giving the building and paying for the cost of the heat and electricity. The people that are there are our constituents and are part of our community. Towns and Villages have to be moving in the same direction.

Craig Stevens – Comments were not directed at this table. We are hoping to get the lines of communication reopened. The building has been a great facility. The visitor count has been phenomenal over the last twelve months. It has great viability and is easy to get in and out of. It has worked out very well.

Councilman Doty – I didn’t notice timelines in your report. Did you set timelines? The last thing people want to see is that you are stuck in neutral. If your strategy was to get one or two things done every couple of months, then the area can see progress. We remember different comments from the Village that you are not doing this or that. I know those are the things that you are battling with right now but you definitely have to stay in gear.

Craig Stevens – I understand, Derek. We do have 6 month and 9 month timelines on our goals. The past is the past and we are moving forward. We just want to benefit the area. What’s our goal? How can we help you and how can you help us.

Councilman Doty – I think many of the problems will dissolve if you can partner with Jim McKenna.

Craig Stevens – Nichol Brownell who owns Lake Flower Inn, is on our Board. She has been a great supporter and advocate for the hospitality side of the line for us.

Supervisor Politi – We are open-minded and we want to see you succeed. If you succeed it means that Saranac Lake succeeds. It benefits people on that side of North Elba and the surrounding community. Lake Placid is going to continue on the same mission and that is not ever going to change. However, the outlining areas also benefit from what goes on here and vice versa. Rugby is a perfect example of that. We handled 50 games here which benefits the tournament which ultimately benefits the Saranac Lake community.

Nichol Brownell – In our business, the communities work together. My guests don’t have a problem staying with me while spending their money for a day in Lake Placid, or the Tupper Lake Wild Center. That’s just how it works. It is essential that we all work together. I have been seeing everyone coming together to work together. It’s epic. It’s huge.

Supervisor Politi – The visitor doesn’t know the line or the issues.

Craig Stevens – We have a very good board with a lot of new people. Everybody is engaged. Friday we are putting our committees together and tackling all the irons in the fire. We are meeting every two weeks because we have so much to do. We are not idle.

Councilman Doty – I am not suggesting that you are.

Craig Stevens – We need to get the word out to the community.

Supervisor Politi – Using the word “engaged” is very appropriate. We hope that it continues.

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Nichole Brownell – Do you have a suggestion on how we can get that out to the community?

Supervisor Politi – It's solely in communication and enthusiasm. No one has really ever come to us before and met with us to say, this is what we're doing and this is where we're going. We weren't looking for it, but nobody has done it.

Craig Stevens – Regrettably, that didn't happen to our own Village and Town Boards.

Supervisor Politi – We have had our share of issues there too. Derek, did Butch send you the estimates to fix the outside lights at the Saranac Lake Town House?

Councilman Doty – We talked about it but I didn't see it.

Supervisor Politi – We have \$2600 available in the budget. Why don't you explain what needs to be done.

Councilman Doty – There is dim lighting in the entrance of the building. The Board of Elections noticed it because they use the building into the evening.

Supervisor Politi – The estimate to fix the lighting on the inside and the outside of the building, replace fixtures where needed, check all switches and controls and install new photo eye. The estimate received from J. Barney Electrical is \$651.00. We are going to proceed. It was a committee item but thought it was appropriate to bring it up now.

Craig Stevens – I did notice the lighting the last time I was there voting.

Councilman Doty – We put the ramp in the side entrance for wheelchair access and it managed to cause rainwater to go into the basement.

Supervisor Politi – Can I have a motion to approve the J. Barnet electrical estimate?

Councilman Doty moved and Councilman Miller seconded the motion to accept J. Barney electric estimate for the lighting at the Saranac Lake Town House. There being no further discussion, the motion was unanimously carried.

Craig Stevens – While you are here and it is your property, I left you a voice mail regarding an attraction for the property.

Supervisor Politi – There is a reason I didn't respond. We have legal difficulties with the individual that you mentioned. I wanted to address the Board rather than give you my personal stamp of approval. It is ultimately your decision.

The Saranac Lake Chamber Board meets the 3rd Friday of every month at 8:00 am in the Harriestown board room. The SL Camber will update the Town Board quarterly.

JIM McCULLEY – RAIL TRAIL

Supervisor Politi invited Jim McCulley and Tony Goodwin to the table.

Tony Goodwin – We will keep this short. We made our case and you know where we stand. It is wonderful we are in this 21st century building trying to get rid of a 19th century anachronism that hangs on. It doesn't appear that anything has changed. The surge in ridership that they are claiming means that they count every round trip passenger as two.

Supervisor Politi – We were hoping that you were going to enlighten us with information that the rails were coming out.

Tony Goodwin – We are getting close to the point where they are going to make an announcement. We cannot claim that that is the case.

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Supervisor Politi – Jim had indicated that they might have been the case. I was hoping you were coming here tonight to announce the rails were going out. Yesterday, the DOT told me otherwise.

Jim McCulley – I read the letters to Kate Fish. They said we are currently not looking at that. “Currently” is an objective word. “Currently” I don’t plan on going to Saranac Lake tonight but I might go. It comes down to leadership from the Boards like this and across the spectrum that says we have seen enough and we don’t want this anymore. We are asking the Board to pass a resolution stating that since the tracks from Saranac Lake to Old Forge are only used twice a year, once to go up and once to go back. We would like the tracks to be removed from Saranac Lake to Old Forge and do that as a compromise. If the train folks want to continue to run up here then they can leave their train and equipment here. We are losing 80 miles of what could be the greatest trails in the world. I know we will have the Lake Placid rail next to trail path coming soon.

Supervisor Politi – Unless the tracks come out. Our feeling is that we want the trail. Ideally, we would live to utilize the existing corridor without the rails. That is the ideal scenario. We also don’t want to pass up the opportunity of having this additional recreational corridor to go to Saranac Lake. But if the rails are gone, we are all for it. It makes it a lot easier and cheaper.

Jim McCulley – Then pass that resolution and we will be fine.

Councilman Miller – Why would we pass a resolution for Saranac Lake?

Jim McCulley – Because of the economic impact. The Saranac Lake Chamber just said everyone’s ecology works together and is connected in the region.

Supervisor Politi – I don’t know how the people from Saranac Lake to Old Forge feel about it.

Councilman Miller – I’m not a Tupper Lake representative. I’m concerned about what is going on here.

Jim McCulley – St. Lawrence County already passed a resolution asking for the tracks to be removed. I was impressed at the St. Lawrence County meeting with the ATV representative that was there. She said I will never see ATVs on the trail but the trail is too important to the economy of the region to hold it up for ATVs. The Boards need vision and need to understand that what we are asking for is to look down the road as to what is best for the entire region.

Supervisor Politi – Does St. Lawrence County use the rail?

Jim McCulley – The rail is dead everywhere except here.

Councilman Doty – Has ARGO looked at the new idea of the Onchiota Bike Trail that is already graded.

Jim McCulley – That is currently being used. I think people fail to understand about that entire situation is this; we are looking for a trail that connects community to community. Onchiota is used quite heavily just like this would be used in connecting Tupper Lake, Cranberry Lake, Long Lake... this is how important this is.

Supervisor Politi – The discussion for Franklin County and St. Lawrence County is an easy one if they aren’t utilizing the tracks. It is a different scenario when the tracks are being utilized. I doubt Essex County would get in the fight because you are talking about different counties.

Jim McCulley – I understand your point of view, but it comes down to having another dead end, Lake Placid to Saranac Lake.

Supervisor Politi – The difference is that between Lake Placid and Saranac Lake it is a functional tourism attraction. If it stays there, there is going to be a trail too. Ideally, if you were coming to tell us the tracks are coming out, we would be thrilled. It’s a savings.

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Jim McCulley – Has your Board requested the tracks be removed by the state?

Councilman Favro – Most of us believe the tracks are a waste of money but we don't want to lose the option of the bike path.

Supervisor Politi – for us it is a catch 22.

Tony Goodwin – I appreciate the dilemma that you are in. With the Onchiota trail there is a state land route from the Bloomingdale bog up to Onchiota. Once you get there you run into Buck Pond campground and private land that has taken over the right-of-way.

Supervisor Politi – I have met with high DOT officials and they have all said unless the Governor says they are coming out, they aren't coming out.

Tony Godwin – That's what we're working on!

Supervisor Politi – If that happens then we support that. The story hasn't changed; we don't want to lose the opportunity for a recreational trail to Saranac Lake because it benefits that community, our community and the people who live here.

Jim McCulley – Have you had estimates on the cost to do the trail to rail?

Supervisor Politi – Chuck Damp has really worked in it. Right now we have about \$4.3 Million dollars.

Jim McCulley – Is that to go all the way to Saranac Lake?

Supervisor Politi - \$4.3 Million dollars is to go as far as we can go. The estimates are less than that. We are hoping at the very least to get to Ray Brook. However, once you get something started the money is found to get to where you have to go. A perfect example is the Airport. We could never have accomplished what is here. It started with 5 T-hangers and a grant for the Terminal and then another grand for the Block Hanger. Lake Placid seems to attract interest from the state. I am confident that going forward we will get to Saranac Lake very shortly. Hopefully, if the tracks come out, \$4.3 million dollars will get us there and back. We don't disagree with you, Jim. That call has to be made by one guy. I was hopeful that it was why you were here. We can't change our plans. We have to precede one way or the other.

Jim McCulley –As a taxpayer, what is the decision going to be if the cost comes in very high? Is the Town of North Elba going to put the money in to do it?

Supervisor Politi – It is 80% funded and 20% must be paid by the locality. So far, monies have been raised and the intention is to continue to raise money to offset that cost. We can do as much in-kind as we can to not cost the taxpayers anything. Chuck Damp has raised a lot of money which stopped when we didn't know if we could get it done or not. Senator Schumer came up with another \$1.5 million dollars which made it feasible. The issue for us has been, if you start and don't complete it then you have to pay it back. I'm not going to take that risk. If we don't move forward now we have to pay back about \$75,000.

Councilman Doty – The bulk of the money is to get by the wetlands.

Supervisor Politi – Mary Ann Mariotti from DOT is heading this up. It's amazing that it is an environmentally sensitive area and yet the people who are most for it are the environmentally sensitive folks.

Tony Godwin – I wrote a letter to the editor twenty years ago when the Adk Council said they wanted a parallel trail within the right-a-way, I commented either the Adk Council knows nothing about the terrain or they secretly like to fill wetlands.

Councilman Miller –I road bikes in Pennsylvania and it was fun to go from community to community and see what is on the side of the road. It was 15 miles and through three towns. It was beautiful.

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Tony Goodwin – We have had reports from people who have been all over the country.

Councilman Miller – Have you been to the trail on Cape Cod? I rode the trails every day for two weeks this summer and just talked to people and many made the trip to Cape Cod just to ride the trail.

Jim McCulley – That is exactly what we are talking about.

Supervisor Politi – There is only one person who can make the call. He identifies with the financials.

Jim McCulley – The recent article in the Albany Times Union is pushing in our digestion for this. It benefits for tourism and the quality of life for the entire community. My brother has Parkinson's one of the therapy is biking. He rides around our neighborhood a little but he's scared of the hills and he's scared of traffic. He rides on a trail at my sister's in Michigan and loves it. People don't understand what quality of life it could be for everybody.

Supervisor Politi – That is the reason we wanted the path.

Councilman Doty – You'll have to give the Governor a little push.

BALSAMS

Supervisor Politi – I put the Balsams on the agenda for the dedication of the pumping station but Ron tells me it is not ready.

Attorney Ron Briggs – I got a call from Joe Pella telling me were delivering a package and I have not received anything thus far.

Supervisor Politi – We obviously cannot dedicate the pumping station because you don't have anything to review.

LP AIRPORT OPERATION LEASE

Supervisor Politi – Kim is here on behalf of Steve Short who has a charter flight. The Lake Placid Operation Lease has expired. It was for a 5 year period. It needs to be renewed. The lease was such in the past that each year the amount of rent increased by \$500. The last contract started at \$11,500 per year and ended at \$13,500. We budgeted for this year \$14,000 which would be the additional \$500. I know that you might say it is very reasonable rent and yet it is not so easy to keep this place operated that still providing a service that is necessary to the clientele that we have. This arrangement is not unlike we have at Craig Wood. Service is in some ways more important than the amount of rent. People are treated nicely.

Councilman Doty – Originally, that is when the fuel idea came up; to augment the revenue. The two issues are tied together. Maybe we can be more lenient on the rent if we can strike a 50/50 deal on fuel.

Supervisor Politi – Kim has been paying rent based on last year's lease. It is important that we offer a proposed lease that would increase the rent and update the insurance coverage that we require. The prior lease had a number of items that need to be fixed or replaced. The section of the lease that dealt with housing on the property needs to be omitted; Steve once had a home on the property that is no longer here. Jenet Bliss has represented Lake Placid, Inc in the past. Do you want to proceed with another five years lease or a three year lease?

Councilman Favro – Five years is fine and I'm happy with the rate change.

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Supervisor Politi – Do you want to make a motion to extend the lease for another five years based on the same increase with modifications and the insurance and those necessary housekeeping items?

Councilman Favro moved and Councilman Rand seconded the motion the extend the Lake Placid, Inc lease for another five years based on the same rent increase with lease modifications and insurance. There being no further discussion, the motion was unanimously carried.

BUDGET AMENDMENTS

Supervisor Politi – We should all have a copy of the Budget Adjustments. The legal fees of \$29,920.30 are a combination of Grimditch and a few Article 7s of which \$5,000 comes out of Contingency Fund and \$24,920.30 out of the unrestricted Fund Balance. Everything else is housekeeping.

Budget Amendments

General Fund:

ACTION	ACCOUNT	DESCRIPTION	AMOUNT	VOUCHER NUMBER	ADDITIONAL INFO
INCREASE	A.1420.0451	LEGAL FEES	29,920.30	121393	GRIMDITCH BOATHOUSE
DECREASE	A.1990.0400	CONTINGENT	(5,000.00)		
APPROPRIATE	A.0000.0909	UNRESERVED FUND BALANCE	(24,920.30)		
			-		

Highway Fund:

ACTION	ACCOUNT	DESCRIPTION	AMOUNT	VOUCHER NUMBER	ADDITIONAL INFO
INCREASE	DB.5112.0414	PERMANENT IMPRV. CONSUMABLE SUPPLIES	18,609.44	121622	LAKE PLACID RENTAL AND SUPPLY RENTAL OF VIBRATORY ROLLER, WALK BEHIND CONCRETE SAW, AND EXCAVATOR \$765.00
				121654	BRUNELL & SONS FOR PAVING CAROLYN, KATE SMITH, MOONGATE \$13440
				121725	GRAYMONT MATERIALS FOR BLACKTOP \$1994.13
				121798	LAKE PLACID RENTAL AND SUPPLY RENTAL OF VIBRATORY ROLLER \$345.00
				121900	GRAYMONT MATERIALS FOR FINE CRUSHER RUN \$294.96
				122196	RITE AID FOR DRINKING WATER \$70.35
				25855	PO NO. TRUDEAU SAND & GRAVEL FOR ATHLETIC FIELD PARKING \$1800.00
INCREASE	DB.5130.0417	MACHINERY. EQUIPMENT REPAIRS	23,578.36		FOR ALL VOUCHERS PAID FROM APRIL THROUGH CURRENT-SEE ATTACHED \$21826.13
					SO BUDGET FOR GAS & DIESEL IS NOT DEPLETED FOR REMAINDER OF YEAR
					BALANCE OF \$1,752.23 IS RELATED TO SHELDON TRUCK PURCHASE ORDER FOR REPAIR OF TRUCK 51
INCREASE	DB.0000.2680	INSURANCE RECOVERIES	6,778.14		2012 NON BUDGETED REVENUE
INCREASE	DB.0000.3501	CONSOLIDATED HIGHWAY AID	15,372.58		2012 NON BUDGETED REVENUE
INCREASE	DB.0000.3960	STATE AID- EMERGENCY DISASTER ASSISTANCE	20,037.08		2012 NON BUDGETED REVENUE
			-		
INCREASE	DB.5110.0101	GENERAL REPAIRS. PERSONAL SERVICE	2,624.30		FOR AUGUST 16, 2012 PAYROLL
DECREASE	DB.5112.0101	PERMANENT IMPROVEMENTS. PERSONAL SVC	(2,624.30)		FOR AUGUST 16, 2012 PAYROLL
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Park District:

ACTION	ACCOUNT	DESCRIPTION	AMOUNT	VOUCHER NUMBER	ADDITIONAL INFO
INCREASE	SP.1114.0200	PARK GARAGE. EQUIPMENT	1,131.11	121802	OLYMPIC AUTO \$1100.00 FOR INSTALLATION OF NEW LIFT
DECREASE	SP.1347.0200	TOBOGGAN SLIDE. EQUIPMENT	(1,131.11)	121810	OLYMPIC AUTO \$96.99 FOR TIRE PLUG GUN KIT
			-		

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

FUEL GRANT EXTENSION

Supervisor Politi – I received a letter from Doug Bauer asking about the Fuel Grant extension for the fuel facility. The grant expires April 1, 2013. Ivan is saying construction could not take place until around that date. Doug Bauer is recommending that we send a letter to the New York State Department of Transportation to the attention of Denise Gerardi requesting that the grant be extended to April 1, 2014. They have given us one extension so far. They think we will get the extension. The reasoning for this is that we are anticipating the repaving of the apron and tie-down areas. If that is delayed at all, it could affect the grant. We would like another year for the jet fuel area and the apron around it.

Councilman Doty – That will give us time to sit back and know what size is feasible.

Supervisor Politi – This is a \$265,000 grant. This is an opportunity for us to discuss it more.

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Councilman Doty – We have to better identify the demand so we know the size of the tank and we have not confirmed the exact location.

Supervisor Politi – I will write a letter to NYS Department of Transportation with regard to the jet fuel grant requesting an extension to April 1, 2014. Would someone like to make a motion?

Councilman Doty moved and Councilman Rand seconded the motion to approve the request for an extension of the jet fuel grant to April 1, 2014. There being no further discussion, the motion was unanimously carried.

Councilman Doty – Doug Bauer wanted to give us new regulations on the jet fuel tanks. The jet fuel and the aviation fuel will be in two different locations which carries different restrictions.

Supervisor Politi – I thought we talked about putting the tank down by the garage and in the event that we decided that if we didn't want to utilize it for jet fuel we could utilize it for gasoline for the Highway trucks to plow the airport.

Superintendent Straight – Doug and I did talk about that.

Supervisor Politi – A jet could turn around at that location without hitting the t-hangers.

MOU'S – LP VILLAGE (PARKS ETC.)

Supervisor Politi – The issue of Memorandum of Understanding with the Village came up most recently in a conversation with regard to Parks and a water bill. In 2004 the Town of North Elba did have a MOU with the Village on whereby we would maintain and provide the service and upkeep of parks that were throughout the Village including the #1 Main Street Park, the Band Shell Park, Hillcrest Ave. Park, Mill Pond Park, McKinley St. Park and the Wesvalley/McKinley corner. It did not include the Beach; that was a separate agreement. We have maintained and taken care of all the parks. I don't think any of us disagree that that is what the park District is about. We have all been on the same page with the Village in the past in working toward one common goal and that is making the community better and cleaner. This MOU has expired and so has the one with the Beach. Going forward, we should have an agreement in place with the Village so we are on the same page with the common goal. I propose we take the prior MOUs and convert it to one.

Councilman Miller – Do we have to discuss that with the Village?

Supervisor Politi – Yes, this is nothing more than talking about it. Derek has brought up in the past that we have agreements that have been a verbal understanding and it is time it is more than verbal. When an issue does arise, then it is understood.

Councilman Miller – I would like to sit down with them to know we are all on the same page so to eliminate the duplication of services as much as we can. We need to make sure the Village has the same understanding.

Supervisor Politi – The Village provides us with great services; Brad Hathaway with the Water & Sewer Department and the Electric Company. These guys are wonderful. They did things for us and we did things for them. That is the way it should always be.

Councilman Miller – I went to the Association of Towns meeting in New York and they talked about communities working together to combine services, and Lake Placid and North Elba were one of their prime examples of how to do it successfully.

Councilman Favro – We are both doing this for a good reason. We should note that taking care of the beach costs say \$40,000 of which we are fine with that.

Councilman Doty – We could add our cost for all of the venues. Do an appraisal on each section so we can have a document we share.

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Councilman Miller – We need to be careful about that. We said we were not going tit-for-tat. If we bring values into it then somebody is looking at what side of the line they're on.

Supervisor Politi – I hate keeping score.

Councilman Doty – There are costs like the Village rent.

Supervisor Politi – We have some great partnerships now. We wouldn't have a fire department without the partnership. North Elba has more users that keep the Village Electric Department going. We have had agreements in the past that have expired and we need to clean it up. Bob, you addressed the importance of a meeting with the Village.

Supervisor Politi will contact Mayor Randall to set up a joint Town/ Village meeting.

RAY BROOK WELL

Supervisor Politi – We did get two bids in for the Ray Brook well; Frey Well Drilling, Inc for \$79, 060 and Hanson Well Drilling/Pump Co. Inc for \$78,558. At the recommendation of our engineer, Ivan Zdrahal, Superintendent of Water and the Hydrologist the bid from Frey Drilling was accepted at \$79,060. I need a motion to accept.

Councilman Doty moved and Councilman Favro seconded the motion to accept the bid from Frey Well Drilling, Inc for \$79, 060. There being no further discussion, the motion was unanimously carried.

ENDORSEMENT OF NYS GRANT RUNWAY RE-HAB

Supervisor Politi – I need an approval of the endorsement of New York State grant for the runway rehab. This is a requirement from the Department of Transportation that it be in resolution form and signed by me as Supervisor. The job is to start shortly at an estimated cost is \$936, 100. The Federal share is \$842,490 and local share is \$46,805. We are basically getting a new runway of 4200 ft x 60 ft with lighting. We can offset the cost because they will be utilizing the garage for their offices. We get credit for it. We are also trucking the millings.

Councilman Rand moved and Councilman Doty seconded the motion to approve the resolution for the New York State grant for the runway rehab. There being no further discussion, the motion was unanimously carried.

CRAIG WOOD CONCESSION LEASE EXTENSION

Supervisor Politi – Jack had brought up extending the concession agreement at Craig Wood.

Councilman Favro – Because of construction and the late start of the year, we thought we would extend the concession agreement. We would like to add a user fee of \$5 per person for special events. Non-profit events would not be changed.

Supervisor Politi – Any event would pay \$5 a head except not-for-profit. The legion golf tournament would not be charged but a wedding would be charged.

Councilman Favro – We were late in accepting Joe so there was a hold up for the liquor license. We will be cutting into the Fall with construction. He has done a great job turning the place around.

Councilman Favro moved and Councilman Doty seconded the motion to extend the Concession Lease for one more year and to charge \$5 per person for events. There being no further discussion, the motion was unanimously carried.

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PUNCH CARD DISCUSSION

Supervisor Politi – Larry sent us an email with regard to the issues at the transfer station with regard to the oversized loads.

Superintendent Straight – There is no simple solution. We are proposing a 6 bag limit for punch cards. Anything over that will have to be weighed in.

Supervisor Politi – What happens, someone has 15 bags of garbage then you send them back to go over the scale? And your guys will check that?

Councilman Doty – 6 bags is a considerable amount of garbage.

Councilman Favro – The idea of the punch cards was to help the local family without a minimum charge of \$6.00

TELEPHONE SERVICE AGREEMENT 2013

Supervisor Politi – Our one year service agreement with Illuminating Concepts, Inc. for the telephone maintenance for the Comdial DX 80 System to furnish parts and services needs to be renewed. The contract for 2011-2012 was for \$780 and the proposed 2012-2013 contract is for \$850 which is about a 10% increase. The agreement would begin September 1, 2012. Cathy would like you to consider approving this service agreement.

Councilman Favro moved and Councilman Doty seconded the motion to approve the 2012-2013 service agreement with Illuminating Concepts, Inc for \$850. There being no further discussion, the motion was unanimously carried.

ATHLETIC FIELDS – REPAIR COSTS

Supervisor Politi – Butch provided me with a copy of the proposal from Jim Gerard for the repair of the soccer fields for next year. The estimated cost is not to exceed \$21,149.53. Last year the cost was \$22, 664. We budgeted \$25,000 for this purpose and have already utilized \$5,057 for preparation of the field prior which leaves us about \$1,100 over budget. Cathy would like to utilize the money we set aside a pay the balance in 2013. People said these fields are in the most phenomenal condition. After 500 games, they look like they haven't been played on.

Councilman Doty – It will be an annual cost but I remember we adjusted our fees to help compensate that.

Councilman Miller – Is this something we can't do ourselves?

Councilman Doty –We could do every aspect on there, but we don't have the personnel to do it. The equipment would be \$20,000 alone. We would be tripping over ourselves trying to take care of those six fields.

Supervisor Politi – This year we will get \$14,000 in revenue from the fields and it goes up every year. The community makes about \$5 Million dollars. Zack waters the fields and has done a great job. Jim Gerard was there every day at the event watering it himself. He is a grass doctor. Butch asked for approval of the proposal.

Councilman Rand – I remember a couple of years ago when there wasn't any grass on the fields and look at them now.

Councilman Doty moved and Councilman Rand seconded the motion to approve the proposal from Jim Gerard for the repair of the soccer fields at a cost not to exceed \$21,149.53. There being no further discussion, the motion was unanimously carried.

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LAKE PLACID BYWAYS – REC. TRAIL RESOLUTION

Supervisor Politi – The Lake Placid Byways – Recreation Trail is something we just discussed. The DOT is requesting that we provide them with a resolution whereby we agree to move forward with this grant in the amount of \$1,510,866 which is the Phase III grant. The first grant was for \$1,121,825 and the second grant was for \$1,797,960 and the third grant is for \$1,510,866. The total was \$4,430,655. We have received \$75,000 in reimbursement to date. There is \$4.3 million available to be spent on this project. \$950,000 will be the approximate local share of which has been raised through fundraisers. If we do not move forward with this, we would have to reimburse the Federal Government \$75,000. This is the Resolution; Whereby the Town of North Elba agrees to accept the \$1,510,866 grant for engineering and construction work for the Olympic Byway Recreational Path and that you authorize me as the Supervisor to sign this agreement with the New York State Department of Transportation.

Councilman Miller – What happens if Jim McCulley is right and they do announce that they are taking out the tracks? What does it do to the grants?

Supervisor Politi – We utilize what we have. It doesn't change the grants. It means it won't cost as much money to do the project.

Councilman Miller – to go back to Jim's question; has your board ever passed a resolution asking to take the tracks out. Is there a downside to that?

Supervisor Politi – We haven't done it in the past because it was creating a problem with the rail people who at the time were pushing for us to get the money. Subsequently, it happened. I feel that this money game about because of Gary Douglas' interest in the project. We did have meeting with the rail people and I don't think the decision is going to be made on how we feel.

Councilman Miller – If people all around us are trying to accomplish something that we agree would be in the best interest of the taxpayers of North Elba, should we be silent and let them request it?

Councilman Doty – The train will be invaluable during construction phase on our trail. It has been proven that they have offered to be the hauler. Do you have any idea what adding ten feet for 5 miles is going to like? It is tremendous.

Councilman Miller – I know, but we have to think long-term.

Councilman Doty – I keep going back to anyone disabled or overweight that can't peddle a bike. We are supplying a service whether it is for 14,000 or 4,000 people.

Councilman Miller – I don't want to argue the merits of having the railroad. My only question is, I don't want to stir up something but don't want to sit back when I shouldn't be.

Councilman Doty – You might want to wait until our trail is in and then have us assess just how much it will cost the Town to maintain trail that is ten feet wide for six miles. There are so many questions that haven't come up yet. No one has said who will maintain this big corridor. You know how I stand. There will be a time when there will be an easy decision. Right now it isn't. To have the DOT backing us with this trail... I don't know.

Supervisor Politi – To a certain extent, with DOT pushing for this and turn around and do something is like a slap in the face to them. The ideal scenario is if the rails are out but I have been told that it is not going to happen because the corridor is extremely important as a travel corridor and the rails were not coming out. Until such time when I am told otherwise, I think it is counterproductive to accomplishing what is ultimately good for both Saranac Lake and Lake Placid. I understand your position and in some ways feel the same way.

Attorney Briggs – The letter from the DOT requires that you put language in the resolution which says, Maintenance of the path will be the responsibility of the Town of North Elba, with the assistance of the Villages of Lake Placid and Saranac Lake where it exists within their boundaries.

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Supervisor Politi – The resolution that I was given does not have that language in it.

Attorney Briggs – It says it should be added to the sample resolution.

Supervisor Politi – I am not agreeable to the language in the resolution. I don't think anyone here should be in a position to make a decision for the Villages of Lake Placid and Saranac Lake. If we move a resolution to do this now and two other resolutions need to be received by those two particular entities. Mary Ann Mariotti with the DOT said this has to be done.

Attorney Briggs – The resolution has to be done. It is a matter of law that you can only obligate yourself.

Supervisor Politi – The sample resolution that they provided did not contain that language. I think that is the one that we should go with. It is the one they have accepted twice before. If someone would move that resolution for the New York State Byway project pin # SB06.10.32 to be funded 80% federal and 20% non federal funds for the rail byway corridor.

Councilman Doty moved and Councilman Favro seconded the motion to approve the sample resolution provided by the DOT for the DOT for the NYS Olympic Byway Recreational Path, P.I.N. SB06.10.32. There being no further discussion, the motion was unanimously carried.

ANCA MOU – REC. TRAIL

Supervisor Politi – Ron reviewed the ANKA MOU Agreement for the recreation trail. The agreement is for them to administer the contract. We pay them from the money we receive as well as the engineer. How much is it, Ron.

Attorney Briggs – There is a colored spreadsheet attached. I cannot speak to the numbers.

Supervisor Politi – The chart says \$26,929 over the term of the project. Would somebody like to move this, Gentlemen?

Councilman Favro moved and Councilman Doty seconded the motion to approve the ANKA MOU Agreement for the recreation trail. There being no further discussion, the motion was unanimously carried.

Attorney Briggs will mail the originals and provide the Town Clerk with copies.

RESOLUTION OF SUPPORT – ADK MOUNTAIN CLUB

Supervisor Politi – The Adirondack Mountain Club is applying for NYS Office of Parks Recreation Historic Preservation for a grant under the Environmental Protection Fund for a park project to be located at the Adirondack Heart Lake Program Center. The Heart Lake Master Plan outlines upgrades and future development to the Adirondack Mountain Club's (ADK) property located adjacent to the Eastern High Peaks Wilderness Area outside Lake Placid, NY. This portal to the Adirondack Park's most popular public lands is the gateway for approximately 75,000 visitors annually and includes the busiest hiking trailhead in New York State. This project would renovate and upgrade the High Peaks Information Center facility, create an additional campground loop with both tent sites and lean-tos, and include related infrastructure such as a well, washhouse, and septic. These updates will create an expanded opportunity for education of the public on responsible recreation, wilderness regulations, and Leave No Trace ethics. The grant requires a resolution of support from the Town of North Elba.

Councilman Favro moved and Councilman Miller seconded the motion to approve a Resolution of Support for the Adirondack Heart Lake Program Center Park Project. There being no further discussion, the motion was unanimously carried.

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COMMITTEE REPORTS – TAMMY MORGAN / BIODIGESTER

Councilman Miller – Tammy Morgan did a twenty page feasibility study for the Biodigester. It is extremely impressive. She would like to present a synopsis to the Board. She is sending it around to various Universities because she wants everything verified before it gets to us. If I can have 10 minutes to cover everything she is looking to do. It is very impressive stuff and I think you will be proud of what she has done.

Supervisor Politi – Please remind me and I will put you first on the agenda.

COMMITTEE REPORTS – CRAIG WOOD

Councilman Doty – Last week we finished the bid document. Our closing is in a couple of weeks. Jim was able to secure a bid for our elevator entrance. The bid includes; composite siding, a new roof, composite decks, new window, new sliders. We have a number of contractors interested already.

Jim Morganson – seven people took bid documents. We have been on the phone quite a bit. They are also giving their opinions about what could make it better or less expensive. We are still playing with the plans trying to get the staircase correct.

The bid opening is September 10, 2012 with construction beginning September 15, 2012 and completed by November 30, 2012. Mr. Morganson handed out plans which can be viewed in the Clerk's Office.

COMMITTEE REPORTS – DOG WARDEN

Supervisor Politi – There have been a number of rabid raccoon cases reported. There was one case in Wilmington yesterday, Ticonderoga, and Jay a couple of weeks ago.

The email regarding rabid raccoon was forwarded to Scott Monroe. Councilman Miller reported he has responded nicely to complaints.

COMMITTEE REPORTS – C&D

Superintendent Straight – The C& D is completed. We are waiting for Tisdale to send the file to the DEC.

Supervisor Politi – Jack, do you want to explain your memo?

Councilman Favro – We got a few estimates for trucking out the C&D. It will give us a good idea.

Superintendent Straight – We are changing the days we are accepting C&D to only three days which will allow us two days more to pack down the pile. We will start it September 17th.

Councilman Favro – We will send the information for the construction material as well as the six bag maximum for punch cards will be included in all the bills.

The Transfer Station will accept construction material on Wednesday, Friday and Saturday 8:00am – 4:00pm as of September 17, 2012.

Councilman Doty – We also talked about mixing sand and mulch and then hydro seed that side.

Councilman Miller asked for clarification on transporting the C&D

Councilman Favro – We are proposing that all new C&D be trucked out to another facility. Thus no further accumulation would happen at the land fill. We would take out the new and add the

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old to provide weight of about 32 tons for each truck load. The end goal is to reduce the current C&D and limit the new C&D.

TOWN ATTORNEY REPORTS

Attorney Briggs – I have one item for Executive Session.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 8/14/12			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	139461.64	38053.71	177515.35
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	72624	15685.46	88309.46
H01 SECURITY/PERIMETER FENCE AIRPORT CAP. PROJECT	0		0
H02 -BLOCK HANGAR REHABILITATION AIRPORT CAP. PROJECT	1925.28		1925.28
H03 - 5 BAY T HANGAR	5396.42		5396.42
H04-C&D WASTE CELL	86337.2		86337.2
H05- CRAIG WOOD GOLF COURSE CONSTRUCTION	193.23	0	193.23
H06-TERMINAL BLDG	0	0	0
H07 RUN WAY REHAB	9671.95		9671.95
H08-AIRPORT MASTER PLAN	6527.11		6527.11
H09-APRON EXPANSION	0		0
H10-RSA IMPRV & RW 32 HLDNG BAY	0		0
RD03-THIEANOUEW WAY ROAD DISTRICT	0		0
RD04-TAHAWUS WAY ROAD DISTRICT	0		0
SF1-FIRE PROTECTION DISTRICT #1	0		0
SF2-FIRE PROTECTION DISTRICT #2	0		0
SF3-FIRE PROTECTION DISTRICT #3	0		0
SP PARK DISTRICT	526942.04	20407.79	547349.83
SS21 CONSOLIDATED SEWER DISTRICT	0		0
SW1 SEWER DISTRICT #1	0		0
SW2 MCKENZIE	0		0
SW3 RAY BROOK	379.24	511.45	890.69
T TRUST & AGENCY		159.18	159.18
TE PRIVATE PURPOSE TRUST			0
Batch 1228-1232	849458.11	74817.59	924275.7
121393; 121585-121611; 121614-121622; 161624-121668; 121692-121747;			
121771-121835; 121837-121863; 121865-121869			
Batch 999 (Payroll)	0	53175.743	53175.743
121669-121691; 121748-121770			
Batch - HELD	18563.44	0	18563.44
112313, 120355, 121496, 121623, 121836			
DELETED VOUCHERS:			
121864			

Councilman Rand 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.

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GENE HICKS – COMLINKS WAY

Supervisor Politi invited Gene Hicks to address the Board.

Gene Hicks – What has brought me here over the last couple of months is the disabled. The Federal DOT was kicking around some numbers that there are 56 million disabled people in the country. The Federal Government wants to point out that they are the most loyal customers for tourism or otherwise. Basically, and I will try to get through this in 5 minutes. I am here again for the Military Officers Association of The North Country and the Adirondacks. They serve the northern part of NYS for over 50 years. People have asked me why I am in North Elba. It is part of the North Country so it does bring me here. There were four points that were mentioned in the minutes that were approved from June. There were questions that were raised at that meeting. I didn't have the answers for. I wanted to answer a couple of those questions and make a couple of clarifications. I have the minutes in front of me. Attorney Briggs said, *"It has nothing to do with the Town of North Elba other than the fact that it is physically here."* The Comlinks project is smack in the middle of the Town. Early in that session, I raised this question, as you know the State of New York was involved after ComLinks melted down as management of Wesvalley. The State is telling them they are in Violation. Who is this mystery state agency? No one can figure out who this state agency is. I'll quote, *"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."* I did get a call from the State Agency who is the New York Division of Housing, HCR. The point of contact is Barbara Roff. Her number is 518-486-6102. She tells me she is the project manager signed to Essex, Franklin and Warren Counties that were formerly ComLinks. I would like that information in the record. The second issue that Attorney Briggs and I were discussing back and forth is the lease question. Attorney Briggs say, *"Do the tenants have a written lease? The terms and conditions that govern a relationship between the tenant and the apartment is the lease itself. That is where the rights rise and fall. We don't have a copy of a lease agreement."* I have been able to attain a copy of that lease agreement and I will leave that with the Town Fathers for North Elba. The names have been redacted from it. The lease dates are from August 2010 to August 2011. The addendum in the back refers to service animals. It says, the tenant may not have pets or animals of any kind except for those except permitted in writing in the pet rules. As they were established there has been much discussion of the policy that remains intact. There are no exceptions to the rule. No animals. I am also including a letter from the Village abdicates requesting on May 3rd that the Wesvalley housing come into the Federal law, the ADA, the Fair Housing Act and Department of Justice Regulations. The interim policy that Ms. Gillen put out on June 5th specifies that it will follow State Law. There is no mention of the Federal Law. We know the State of New York has not officially recognized the Fair Housings ACT, the 1973 Rehab ACT that requires recipients of federal money to comply with the Federal Law regarding the disabled. There are two other points. Supervisor Politi stated, *"This is a state funded project. It is a state issue"*. I spoke with bill Kelting who is the CPA for ComLinks Inc. He assured me that this project was partially built with HUD funds. Often federal funding gets mixed in with state funding. For the record, it is a State funded and Federal funded project. The last question, Supervisor Politi said, *"I did call Eileen Gillen and she did not return my phone call."* I will ask you now, have you been able to contact Ms. Gillen since. Perhaps you might want to contact her again.

Supervisor Politi – She did not want return my call. I don't know what she is going to tell me. It doesn't sound like she wants to be cooperative.

Gene Hicks – In her defense, and I never thought I would be saying that, the landlord is the State of New York Division of Housing HCR which was appointed by the Governor not too long ago.

Supervisor Politi – What is the issue, has someone been thrown out?

Gene Hicks – There was a big issue over the service animal question and the state has never accepted the federal law. No one has ever sued the state to say that they have to follow the federal law. Disability advocates is not going to let go of this. This could take a long time. I am a retired nurse from the Elizabethtown Community Hospital and I have people calling me because they know I give a dam. It is hard to hear former patients of mine in tears on the phone telling me these problems. This has been going on for four months and it is staggering to me.

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Supervisor Politi – Is it people who have pets...

Gene Hicks – It isn't just the animal issue. That is the tip of the iceberg. The State of New York does not recognize the Fair Housing Act.

Attorney Briggs – Other than pets, what specifically are they doing there?

Gene Hicks – Like we talked about before, the Fair Housing ACT and reasonable accommodation. I am impressed with the new Board of Directors. They are trying to fix things the best they can. HUD 4350 is the HUD handbook and is from the project manager who manages all the HUD funding for Northern NY. His name is Scott Holden. He states, these are the rules ComLinks is expected to operate under. As of today, ComLinks is the owner of this property. The Fair Housing ACT is directed at the owners and not the managers.

Councilman Doty – I have to interrupt. Give me an example. I'm so confused. I don't know what exactly you're talking about.

Councilman Miller – I'm hearing all this stuff but know what you want from us.

Attorney Briggs – You still haven't said what they are doing to these tenants.

Gene Hicks – Tenants have unreasonable accommodations that were approved by ComLinks. Fixture changes that they spent their own money. It is in the Fair Housing Act that you can make reasonable accommodations to any part of his or her unit or to the related common area at his or her own expenses. The State is taken over as manager through Franklin County Housing. ComLinks remains the owner.

Councilman Doty – What action has been taken to discriminate?

Attorney Briggs – Some lady made some changes to her apartment and the state is saying change it back. Is that right?

Gene Hicks – That is an example.

Councilman Miller – I'm hearing 10 minutes of this stuff. I want to hear what the problem is and what you want us to do about it.

Gene Hicks – The problem is that the State of New York does not officially recognize the Fair Housing ACT that is basic civil right legislation.

Councilman Miller – What are you asking us to do?

Gene Hicks – I'm bringing it to your attention. It is in North Elba.

Supervisor Politi – I would like to see the State do something about it.

Gene Hicks – They aren't at this time. These people are your neighbors, residents of the Town and constituents. They are votes. They are not aliens. They qualify for low income housing in North Elba.

Attorney Briggs – The Town of North Elba has no legal stance to do anything for the tenants. The tenants have legal rights which can be perused by a legal aid society if their rights are being violated on a Federal Law.

Gene Hicks – These people are being wacked around. If you think it is difficult to be a town in New York State, try being a tenant in a low income housing project.

Councilman Favro – Are you hoping we will pass a resolution or something?

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Gene Hicks – Something from the bully pulpit from the Town of North Elba to say whatever Ron would think appropriate.

Councilman Miller – With all due respect, it sounds to me like the tenant has a problem with the owner. The tenant needs to deal with the owner. I'm not sure I think the Town of North Elba has a play in this.

Supervisor Politi – Gene has obviously been banging his head against the wall and I'm afraid you are going to bang your head against the wall for a long time for the State of New York to come around. Just like the rail trail, you are going to wait on the State to see if it will ever get addressed. You are going to wait forever. I feel badly for those people but don't know how you are going to solve that problem.

Gene Hicks – If nothing else, it is on the record and the Town of North Elba is aware of it.

Supervisor Politi – This organization can pursue a discriminatory lawsuit against New York.

Gene Hicks – This will take time. The disability Advocates are already involved in this. They expect it to take years. The question is what happens to your neighbors in the Town of North Elba. It is now on the record.

Jim Morganson – I spent three days there and the woman has not lost her dog. She still has a roof over her head. If you want me to go back over then I will.

Gene Hicks – Jim has made a difference.

Supervisor Politi - I asked Ron to check the PILOT agreement because if in fact there was a change of ownership than they should be paying taxes. I wanted to see if there was a violation in terms of ownership. There wasn't. ComLinks is the owner.

Gene Hicks – Jim Kilting email said ComLinks is still the owner of the property. The source saying they must follow the HUD rule is another source within the NYS Division of Housing.

Supervisor Politi – It's on record Gene.

EXECUTIVE SESSION

Councilman Doty moved and Councilman Favro seconded the motion to go into executive session at 9:05 pm for the purposes of discussing pending litigation. The motion was unanimously carried.

Councilman Favro moved and Councilman Rand seconded the motion to come out of executive session.

ADJOURNMENT

There being no business conducted during Executive Session and no further business to come before the Town Board, Councilman Doty moved and Councilman Favro seconded the motion to adjourn the meeting at 9:10 pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk