

TOWN BOARD MEETING
TUESDAY, AUGUST 12, 2014

Minutes of the Regular Board meeting held on the above date beginning at 7:00 pm at the Lake Placid Volunteer Ambulance Station 388 Mill Pond Dr, Lake Placid, N.Y.

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

Others Present: Attorney Ron Briggs, Larry Straight, Ted Morgan, Curtis Rissberger, Anna Izzo and James Morganson

Supervisor Politi opened the Regular Town Board meeting at 7:00 pm by asking everyone to stand for the Pledge of Allegiance.

STUDENT VISITORS – CURTIS RISSBERGER AND ANNA IZZO

Supervisor Politi Welcomes Curtis and Anna and introduced them to the Town Board. He stated the meeting is informal and he wants them to take active notes because Councilman Miller will ask you questions when we're done.

Supervisor Politi asked for a motion for the minutes of the July 8, 2014 Board Meeting and Joint Village/Town meeting July 27, 2014.

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

AWARD INDEPENDENT FEE ESTIMATE PROPOSAL FOR AIRPORT ENVIRONMENTAL ASSESSMENT

Supervisor Politi – We need to award the Independent Fee Estimate proposal for Airport Environmental Assessment. We received two bids; McFarland and Johnson for \$1,000 and Passero Associates for \$2,000. C&S Engineering recommends that we accept the proposal of McFarland and Johnson in the amount of \$1,000.

Councilman Rand moved and Councilman Doty seconded the motion to approve the proposal of McFarland and Johnson in the amount of \$1,000. There being no further discussion, the motion was unanimously carried.

AWARD CONTRACT FOR TAXIWAY CRACK REPAIR

Supervisor Politi – We received two bids for contracts for the Taxiway Crack Repair; Luck Brothers in the amount of \$194,021.00 and Reale Construction In the amount of \$230,000.00. It is interesting that the Engineer's estimate of cost was \$307,000. Both bids came in substantially below cost estimates. Based on a review from C&S Engineering, I would like a motion to award this bid to Luck Brothers in the amount of \$194, 021.

Councilmen Rand moved and Councilman Favro seconded. Discussion continued

Councilman Doty – What construction company that we had numerous things hanging? Was it Murnane or Luck Brothers?

Supervisor Politi – It was Murnane. They didn't bid. I don't think they can do this kind of work.

Councilman Doty – All this crack repair is on taxiway where the new work is going on?

Superintendent Straight – Correct, this is our main taxiway. This is a maintenance type thing because we had the taxiway done two years ago.

Councilman Doty asked for the financial breakdown and Supervisor Politi explained that it break down is; Town 5%, State 5% and Feds 90%.

There being no further discussion, the motion the motion to award the contract to Luck Brothers in the amount of \$194,021.00 was unanimously carried.

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APPROVE EXECUTION OF CONSULTANT AGREEMENT – TAXIWAY CRACK REPAIR WITH C&S ENGINEERING

Supervisor Politi – We need to approve the execution for the consultant agreement for the taxiway repair with C&S Engineering which has been approved by the Feds. The amount for their engineering services is \$44,750. It is all part of the overall grant.

Councilman Doty moved and Councilman Favro seconded the motion to approve the execution for the consultant agreement for the taxiway repair with C&S Engineering in the amount of \$44,750. There being no further discussion, the motion was unanimously carried.

APPROVE RESOLUTION OF ENDORSEMENT AND EXECUTION OF GRANT OFFER FOR AIRPORT PROJECT #3-36-0051-038-2014 TAXIWAY CRACK REPAIR (\$216,900)

Supervisor Politi – We also have to approve a resolution of endorsement and the execution of the grant offer for airport project #3-36-0051-038-2014 for Taxiway Crack Repair in the amount of \$216,900. This is from the Federal Aviation Administration.

Councilman Doty – Is this pay and wait?

Supervisor Politi – It is but they usually pay pretty quickly. The money has been released. The Feds require a resolution allowing me to execute the federal grant for monies.

Councilman Doty asked when they would start and Superintendent Straight believes they will begin in the Spring.

Councilman Doty moved and Councilman Rand seconded the motion to approve a Resolution of Endorsement and Execution. There being no further discussion, the motion was unanimously carried.

CHANGE LOCATION OF SEPTEMBER BOARD MEETING

Supervisor Politi – I need a motion to change the September Board Meeting to the Beach House. The reason is because there is a Primary Election the same day. This building and SL Town House will be unavailable. We can then move the October meeting to the SL Town House.

Councilman Favro moved and Councilman Rand seconded the motion to move the September meeting to the Beach House in Lake Placid and hold the October meeting at the Town House in Saranac Lake. There being no further discussion, the motion was unanimously carried.

REVIEW BOARD REQUEST FOR ROAD MODIFICATIONS – FAWN RIDGE ROAD

Supervisor Politi –A request from Bill Hurley was sent to the Highway Department and the Town Board to consider several alternatives with regard to potential traffic issues with the construction of the Family Dollar store on the Southside of Fawn Ridge Rd in Lake Placid. An excerpt of the letter is as follows:

The Review Board has reviewed and approved the recent application for the construction of a “Family Dollar” retail store on the south side of Fawn Ridge Road. During our deliberations, we noted issues with the intersection of Fawn Ridge Road and NYS Route 86.

After careful review of the engineered Traffic Impact Assessment and observations of traffic flow in this area, the Review Board has the following ideas and would like you to consider doing one or any combination thereof:

1. Design a total reconfiguration of the intersection, making a 90-degree “T” intersection with NYS Route 86 opposite the entrance to the new Family Dollar store (see attached diagram);
2. Install an electronic speed detection sign at the top of NYS Route 86/Saranac Avenue (similar to those existing on the Wilmington Road and Cascade Road entrance to Lake Placid), to slow down traffic and encourage drivers to adhere to the speed limit;
3. Relocate the existing fire hydrant at the eastern end of Fawn Ridge Road;
4. Remove the “point” of dirt in the acute angle formed by Fawn Ridge Road and Route 86, and widen the corner/intersection;
5. Install a “no left turn” sign at the eastern end of Fawn Ridge Road.

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Supervisor Politi – It is interesting that this would come to the Town Board after the fact. I would guess this is meant for Larry but also directed to us. We would need to hear from the Highway superintendent before any decision is made on our part.

Superintendent Straight – I don't have anything to say about the signage. That would have to be approved by the Town Board. As far as the configuration of the intersection, I talked to Bill Hurley about it but want to talk to the engineer to make sure that the intersection is to my approval. I want enough room for a plow.

Councilman Doty – How is the No Left Turn going to work?

Superintendent Straight – I don't agree with that.

Supervisor Politi – That was just one of the things for consideration. It wasn't that each and everyone one was deemed acceptable. It was just for consideration. The five of us would feel that this is your decision. You are the elected official and you make the decision on highways. The signage doesn't make sense and we are not going to buy a speed detector.

Superintendent Straight – It is a State road so we don't have any jurisdiction on the speed detector.

James Morganson – The positive thing that came out of all the discussion is that all we heard from the folks from that community was that speeding was a problem.

A discussion continued regarding Speed Detectors. The detectors that are in the Village are part of a grant. The detector in Keene is on a State road and was paid for by the Town of Keene. Supervisor Politi pointed out there are three in town but there is not one on Route 86.

Supervisor Politi – I will talk to Mark Mascarenas to see if there is potential grant money for a speed detector. I have to talk to Mark Bonfey with regard to Peninsula Road. In the mean time we will table this until Larry has had the opportunity to speak to the engineer.

APPROVE RETENTION OF FLA. ATTORNEY RE: STATEMENT OF CLAIM – ESTATE OF WM. GRIMDITCH

Supervisor Politi – For the record, I would like approval for the Town to engage the Law Firm of Stuart Evans Stewarts & Emmons PA as our council in the State of Florida to make a statement of claim and or objection to the estate of William H. Grimditch Jr. That would include an engagement retainer for that law firm in the amount of \$5000.00 which is tied in pending legal actions against the Grimditch family relative to the illegal construction of boat house on Lake Placid.

Attorney Briggs- Under Florida law when someone has a claim against an estate there is a 30 day requirement that you have to follow your claim within 30 days of a certain date that was set by the person's representative. We filed that claim against the estate and they objected to the claim which triggers another 30 day period within which the claimant must then commence an action on the Florida law to preserve our claim. The nature of our claim is we are seeking to recover from the Grimditch our counsel fee, cost expenses and fines, which could be very significant at the end of the case.

Councilman Doty moved and Councilman Rand seconded the motion to execute a check in the amount of \$5000.00 as an engagement retainer to Stuart Evans Stewarts & Emmons for the statement of claim or objection to estate of William H. Grimditch Jr. There being no further discussion, the motion was unanimously carried.

BUDGET ADJUSTMENTS FOR AUGUST

Supervisor Politi- The first is for the purchase of a new copier, second if for a retainer for legal counsel in the matter Town vs. Grimditch. Third the repair of a compactor at the transfer station, fourth the repair of electrical line that has malfunctioned at the cemetery and last is to offset budgetary cost on Adirondack Lodge Rd and repaving of Grandview Ave along with a new

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culvert and work on highway equipment repairs. These cost are offset by contingency funds and highway unreserved fund balance in the amount of \$43,000 and overage in equipment rental as well as insurance recovers in the amount of \$1020.00. The total amount \$51,428.42.

AUGUST 2014 Board Meeting Budget Amendments

ACTION	ACCOUNT	DESCRIPTION	AMOUNT	REFERENCE	ADDITIONAL INFO
INCREASE EXPENDITURE	A.1355.0200	ASSESSOR. EQUIPMENT	5,549.00	PO 27737	PURCHASE OF NEW COPIER TO REPLACE LEASED MACHINE (LEASE EXPIRES 9/28/14)
DECREASE EXPENDITURE	A.1355.0442	ASSESSOR. EQUIPMENT RENTALS	(290.62)		
DECREASE EXPENDITURE	A.1356.0463	ASSESSMENT REVIEW.DUES & FEES	(1,100.00)		
DECREASE EXPENDITURE	A.1990.0400	CONTINGENCY	(4,158.38)		
			-		
INCREASE EXPENDITURE	A.1420.0451	LAW LEGAL FEES	5,000.00	vchr 141702	RETAINER FOR GRIMDITCH
DECREASE EXPENDITURE	A.1990.0400	CONTINGENCY	(5,000.00)		
			-		
INCREASE EXPENDITURE	A.8160.0414	TRANSFER STATION. EQUIPMENT REPAIRS	4,471.00	PO 27735	REPAIR OF COMPACTOR
DECREASE EXPENDITURE	A.8160.0200	TRANSFER STATION. EQUIPMENT	(4,471.00)		
			-		
INCREASE EXPENDITURE	A.8810.0416	CEMETERY GROUNDS REPAIR	2,344.94	PO 27729	REPAIR OF ELECTRICAL ESTIMATE \$4575; OVER BUDGET
APPROPRIATE GENERAL FUND BAL	A..0909	UNRESERVED FUND BALANCE	(2,344.94)		
			-		
INCREASE EXPENDITURE	DB.5112.414	HIGHWAY PERMANENT IMPROVEMENTS	21,129.29	VCHR 141694	GRAYMONT MATERIALS OVER BUDGET (ADK LOJ RD)
INCREASE EXPENDITURE	DB.5110.0414	HIGHWAY GENERAL REPAIR OTHER CONSUMABLE	22,000.00		
			-		ESTIMATE FOR GRANDVIEW AVE \$12,000; ESTIMATE FOR CULVERT WORK \$10,000
INCREASE EXPENDITURE	DB.5130.417	HIGHWAY MACHINERY EQUIPMENT REPAIRS	8,299.21	SEE ATTACHED LISTING	
INCREASE REVENUE	DB.0000.2600	HIGHWAY INSURANCE RECOVERIES	(1,020.04)		
INCREASE REVENUE	DB.0000.2416	HIGHWAY RENTAL OF EQUIPMENT	(7,350.78)		
APPROPRIATE FUND BALANCE	DB..0909	HIGHWAY UNRESERVED FUND BALANCE	(43,057.68)		
			-		

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

PERSONNEL ACTIONS – YOUTH COMMISSION & PARK DISTRICT

Supervisor Politi- Personal actions for the increase of wage rate for Greta Lautenschuetz going back to beginning of season her rate was put in incorrectly at \$8.25 per hour which should have been \$8.50 and the seasonal hiring of Evan Knox for Parks and Maintenance at a starting rate of pay of \$11.00 per hour.

Councilman Favro moved and Councilman Doty seconded the motion approving personal actions for youth commission and park district. There being no further discussion, the motion was unanimously carried.

RESCIND ROAD NAME APPROVED – LAVERY WAY

Supervisor Politi- Last meeting we passed approval of a road name in Ray Brook and have since been notified by Essex County 911 that the information we received at that time was incorrect and that they will not endorse this name change. I would like to rescind the road name approval of Lavery Way until such time that it can be worked out between Mr. Lavery’s neighbors and Essex County 911.

Councilman Favro moved and Councilman Doty seconded the motion approving rescinding the road name change approval of Lavery Way. There being no further discussion the motion was unanimously carried.

COMMITTEE REPORTS- SARANAC LAKE TOWN HOUSE

Councilman Doty- There was an unfortunate accident over in Saranac Lake and a gentleman went off the road and hit a major telephone pole right in front of our Town House. Sunday it was replaced by National Grid. Monday when the Chamber of Commerce opened up they starting have problems with water drainage and sewage. Long story short either while taking out the pole or setting a new one, the sewer line collapsed or broke. We met with National Grid today and John Sweeney from Saranac Lake identified exactly where the problem was. We have to do the repair work and then file a claim. Everyone was good and responded right away.

COMMITTEE REPORTS- LAKE PLACID AMBULANCE

Councilman Favro- I am meeting with Craig this week to talk about some of the challenges they are having and look at some opportunities and ways we can enhance service.

Supervisor Politi- I am not sure the board members are aware of what happen.

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Councilman Favro- Over the weekend on Friday from 6:00am to Sunday at 6:00pm a message went out looking for ambulance coverage. They need a paramedic, driver and hopefully a back up crew. Because they did not have coverage for 48 hours, the Village stationed one of the ambulances at the Fire House and had an EMT and driver ready. Luckily there were not a lot of calls. On Sunday they had another call for backup and a Fire Driver ended up going down to the Ambulance Service with an EMT took back up calls. Basically what happen is they have trouble finding people to cover from Friday to Sunday. They are having struggles with back up calls because there is only one crew. They rely on mutual aid which may take 20 to 45 minutes to respond which is a concern for all of us. I spoke with Roby today and this is not necessarily something that is tied to emergency room it is happening all over New York State where there is a shortage of volunteers due to training requirements. Most Towns around us are starting to make sure they have 24 hour paid coverage. I believe it's bigger than that when you start looking at the fire aspect. It's tough right now to be a volunteer because of the amount of hours you need to be a paramedic is huge, EMT is huge.

Supervisor Politi- It was really a concern because this past weekend we had some of Lacrosse in Town. It is our second largest event. We had somewhere between 10,000 and 12,000 people in the community in addition to residents. When you have those numbers of people it's a good thing to have an ambulance available. It is better to have two ambulances available. Unfortunately we had neither during some parts of the weekend which forced Mayor Randall to make the decision to move the ambulance from volunteers to the Fire Department where we have full time paid drivers. It's an issue in most small towns across the states. It's unfortunate that the state has made certification so difficult. In an attempt to make the system better they have made it worse.

Councilman Favro- In this community we have we cannot afford to not have the best service possible and support.

Supervisor Politi- I agree when people come to Lake Placid they want to be safe. There is a movement towards full time paid ambulance services which poses a potential problem for the volunteer ambulance. They just put a lot of money into a building just recently and it's wonderful but would be nicer to have people who can drive the ambulances. It's something the Town and Village need to address and come up with a solution that makes sense not only for the people that live here but people who visit our community.

COMMITTEE REPORTS- DEVELOPMENT COMMITTEE

Councilman Rand- The committee meets again tomorrow. There were not many people at the last one. Dean was out of Town. Art and I outnumbered the people there.

COMMITTEE REPORTS- UNION CONTRACT

Councilman Miller and Councilman Doty reported they are still fine tuning the language for the Union Contract.

COMMITTEE REPORTS- CRAIG WOOD

Councilman Doty- Did a tour last week. Things are starting to heal but we still have some bad spots. We are thinking we need to adjust again our rental rates or compensation towards using the facility at Craig Wood.

Supervisor- Politi- I have a problem changing it in the middle of the season.

Councilman Doty- I would not even propose changing it for this year.

Supervisor Politi- It's not necessarily the cost it's how you package the cost.

Councilman Doty- I think we should design a percentage into the package so that the user fee is part of the total event.

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Supervisor Politi- The other issue there might be is the room to small. We looked at a canopy and the cost was something like \$30,000 to cover the deck. If you modified the two windows and another slider and another canopy in there you go from 100 to 160.

Councilman Doty- That would be a major investment and we would have to market basically wedding. The things we are mostly missing out on are the small gatherings like baby showers and birthday parties for 50 people and under. That's actually where are market is to tell you the truth.

Councilman Miller- We are missing out because we are charging too much.

Councilman Doty- I don't feel it is because we are charging too much. I feels it the way we are presenting ourselves for the cost of going there.

Councilman Favro- Not we, it's how the purveyor is doing it.

Councilman Doty- Yes we know what we need as minimal charge so we can recover some of the huge investment we put out there but along with that incorporate a percentage in his cost to each person per event. I can draw something up over the winter. it's too late to do anything this season. There are a lot of small venues that want to use the place.

Councilman Favro- Or do we just switch it to a flat fee for him, a rental fee and by now he should know the level of business he has.

Councilman Doty- Just creates a rental agreement with the purveyor.

Supervisor Politi- Derik, Meet with Joe and talk to him about it and then come up with a recommendation.

COMMITTEE REPORTS- GRIMDITCH BOAT HOUSE

James Morganson- The close of business today I received a call from the neighbor that the Grimditch boat house was in use. If it's true it's another violation and should be attached to all the work we are doing. I am going to investigate first thing in the morning.

Supervisor Politi- We needs a written affiliated. My understanding is they are renting the whole property.

Attorney Briggs- That would make sense the renters would just do it.

Ted Morgan- Is it still considered a violation if it was the renters?

Attorney Briggs- Yes they own the property so they are still responsible.

Supervisor Politi- The lawsuit was such that they are not allowed to use the boat house. They have the responsibility to convey the message to the renters.

COMMITTEE REPORTS- PINE RIDGE CEMETERY

Attorney Briggs- We need a resolution authorizing the Supervisor to sign the indenture and trust unite with regard to the lots in Pine Ridge Cemetery. This is the final step we have to take to release the monies. Years ago the Town of North Elba was established as a trustee to maintain the Hebrew Memorial Cemetery which is part of the Pine Ridge Cemetery in Saranac Lake. Over the year the town was really not engaged in the maintenance of it. These are the final step. We are now conveying the Hebrew lots to the Pine Ridge Cemetery Inc and also having them sign a trust agreement whereby they agree to maintain the lots in a certain fashion and agree to use the money for the sale of lots..

Councilman Doty- This is the first time I heard two combined, so in other words all monies taken in on Pine Ridge Cemetery lots with be conveyed to them. So that's something you will have to watch.

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Laurie Dudley- We maintain the records for the Hebrew Cemetery. We have nothing to do with Pine Ridge. We were only responsible for the payments and burial at the Hebrew Cemetery.

Councilman Favro moved and Councilman Doty seconded the resolution authorizing the Supervisor to sign the deed and trust agreement for Pine Ridge Cemetery lots. There being no further discussion the motion was unanimously carried.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the audits as presented.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 8/12/14			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	95446.98	36115.84	131562.82
B FUND GENERAL OUTSIDE VILLAGE	40467.4		40467.4
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	179917.76	13779.47	193697.23
H11 APRON EXPANSION CONST.AND TW DESIGN	273045.8		273045.8
SP PARK DISTRICT	81621.36	16451.44	98072.8
SW3 RAY BROOK	514.85	788.36	1303.21
Batch 1427- 1431	671014.15	67135.11	738149.26
141451-141492; 141514-141603; 141624-141627; 141632-141711; 141714- 141719; 141721			
Batch 999 (Payroll)	0	59171.89	59171.89
141493-141513; 141604-141623			
Batch - HELD	0	0	0
DELETED VOUCHERS:			
	0		

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.

ADJOURNMENT

There being no business and no further business to come before the Town Boards, Councilman Favro moved and Councilman Doty seconded the motion to adjourn the meeting at 7:57 pm.

Respectfully Submitted,

Laurie C. Dudley
Town Clerk

Jessica L. Scriver
Deputy Town Clerk