

TOWN BOARD MEETING

JUNE 14, 2016

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

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

Others Present: Attorney Ron Briggs, Larry Straight, James Morganson, Anthony Olivera

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 May 10, 2016.

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.

SENATOR LITTLE'S LOCAL ASSISTANCE AWARD

Supervisor Politi – The NYS Senate Initiative Forum is a Local Assistance Award in the amount of \$250,000 which has been granted to the Town of North Elba for purposes of offsetting the cost, upkeep and maintenance of the ORDA facilities. It was sponsored by Senator Little. It is a tremendous savings to the tax payers of the Town of North Elba. It is something Senator Little recognizes and understands. I request that we prepare a Resolution of Appreciation for Senator Little of behalf of the people of the Town of North Elba for consideration in getting this award granted to us.

Supervisor moved and the Board unanimously seconded the motion to approve a Resolution of Appreciation for Senator Little. There being no further discussion, the motion was carried.

TOWN RESOLUTION- SIGNS, MONUMENTS & PLAQUES

Supervisor Politi – We talked about personalized signs, and monuments and plaques on Town Property some time ago but have followed up with it.

Supervisor Politi – We discussed this because everyone wants to dedicate something, i.e. a hole on a golf course or particular park owned by the Town of North Elba. We approved this at a Workshop session but wanted it approved for public record.

Councilman Doty – It is a fare policy. There are people who are deserving but you could not remember all of the names.

The Resolution states as follows:

Resolution #7 2016
Personalized Signs, Monuments and Plaques

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It shall be the Town of North Elba policy that no personalized signs, monuments or plaques to commemorate individual residents on Town owned property shall be permitted except for the following:

1. Those special persons recognized by the Town Board as having exhibited exceptional accomplishments or having contributed exceptional recognition or dedication to community and/or
2. Those instances where the Town Board recognizes a substantial donation or project gift which benefits all residents of the community and/or
3. Those instances where the Town Board initiates or approves any specific memorial donation project or benefit program such a memorial tree, benches, paving stones or other walkways, picnic table etc.

Now therefore be it Resolved, that the Town of North Elba town board approves said resolution to take effect immediately.

Councilman Rand moved and Councilman Doty seconded the motion to approve the resolution regarding signs, monuments and plaques. There being no further discussion, the motion was unanimously carried.

SARANAC LAKE WATER AGREEMENT

Supervisor Politi asked Attorney Briggs where the Town stands with the Saranac Lake Water Agreement.

Attorney Briggs – We got this agreement which is a complete revision to the agreement that was put in place with Saranac Lake for at least a decade or more. There are a number of things in the contract that cause me some concerns. I would like to meet with Brad Hathaway to get his opinion because it is fairly technical. With his advice and council, I will send back to the Village Attorney for Saranac Lake a marked up version with suggested revisions. I hope to have that done in a couple of days.

Supervisor Politi – Will you do us a favor and contact Janelle.

Attorney Briggs - I sent her an email yesterday and said, I received your document and will have a marked up version by the end of the week. I will meet that deadline.

N.E. RESOLUTION AUTHORIZING GRANT

Supervisor Politi- We received a request from Essex County to draft a resolution due by July for purposing of submitting to the Office of Parks and Recreation to seek a grant for the Horseshow Grounds footings. The Resolution is as follows:

That Robert Politi as Town Supervisor of the Town of North Elba is hereby authorized and directed to file an application through the Consolidated Funding Application(CFA) Process for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed

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\$500,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of North Elba for the Reconstruction of Arena Footings at the Horseshow Grounds and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

Supervisor Politi – Originally, this application was going to contain the proposed project costs of the Toboggan Slide. However, it does not qualify now. This is one project that will qualify. The Horseshow Grounds footings has been turned down in the past and they want to resubmit it.

Councilman Doty – I'm not sure I understand. I thought we did all the footings when the \$2,000,000 of new stuff was put down.

Supervisor Politi – I guess there is additional work that needs to be done. It is something the Horseshow approached me about a year ago.

Councilman Doty asked if there is engineering specs to go with the application and Supervisor stated there is not with this grant. The County is asking for the Town's authorization to submit a request for the money. They submitted it last year and this is a follow-up.

Councilman Favro moved and Councilman Doty seconded the motion to approve the resolution authorizing the County to file a grant application for the Horseshow Grounds. There being no further discussion, the motion was unanimously carried.

FAWN RIDGE/ROUTE 86 INTERSECTION FAMILY DOLLAR

Supervisor Politi invited James Morganson to discuss the proposed intersection at Fawn Ridge Road and Route 86.

Jim Morganson – I have brought this to you many times. Ron and Larry were involved today. Ron has legal language. This is the request given to you from the Planning Board. I have discussed it with the developers at the Dollar Store and they are going to take on this work with a little assistance from Larry. This work will take care of items 1, 3 & 4 of the Review Board letter and relocating the entrance as you can see in the drawing. Ron Briggs discussed with their attorney to get it on paper.

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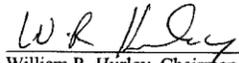
Re: Intersection of Fawn Ridge Road and NYS Route 86

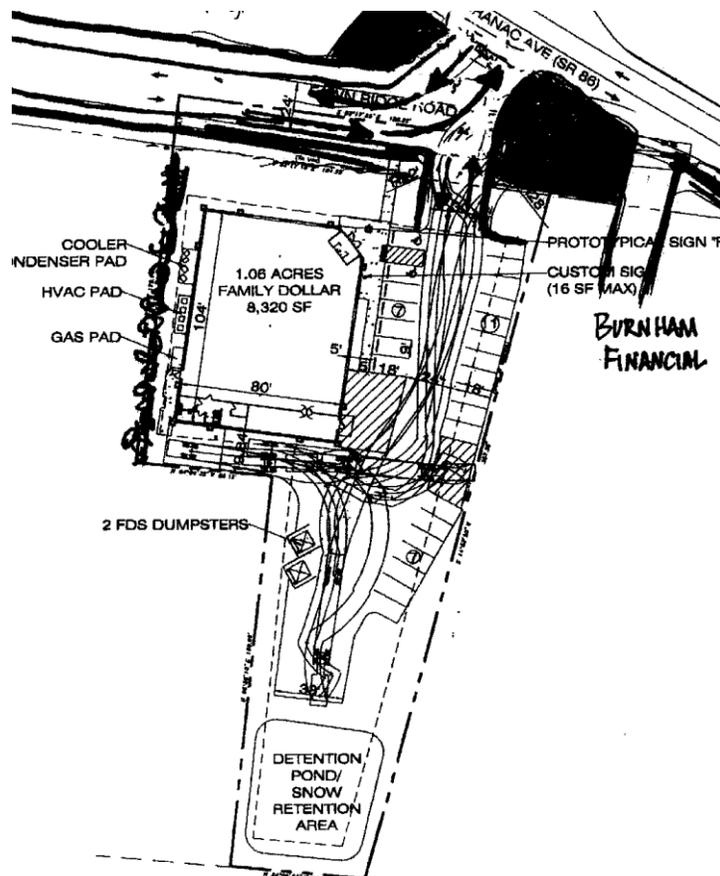
The Review Board has reviewed and approved the recent application for the construction of a "Family Dollar" retail store on the south side of Fawn Ridge Road. During our deliberations, we noted issues with the intersection of Fawn Ridge Road and NYS Route 86.

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.

Thank you for considering our views. I will be happy to attend your meetings for further discussion if you would like.


William R. Hurley, Chairman
Review Board



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Superintendent Straight – After had a discussion with Ron today about what is expected. I am to provide crusher run, asphalt and trucking. They wanted us to include the storm drain and I said, no. They are changing the intersection so they will buy it.

Attorney Briggs – It is really a great improvement. Jim has agreed to work on the permit with you.

Superintendent Straight – There is a storm drain there that has to be brought up to the road level or they may have to change it. The permits should be their responsibility.

Attorney Briggs – The attorneys with the LUNCO Corp. will draft an agreement subject to my review and approval. You could approve this modification to the intersection subject to receiving an agreement in satisfactory form. The documents should say that the Town is limited to providing the sub-base, assault and trucking. That is it. I will not agree to anything without Larry's review and approval.

Councilman Doty – With the Dollar Store and Aubuchon Hardware, I can image the intersection tricky right there.

Councilman Rand moved and Councilman Miller seconded the motion to conceptually approve the design and layout as indicated in the drawing subject to the contract approval by Attorney Briggs. There being no further discussion, the motion was unanimously carried.

BUDGET ADJUSTMENTS & PERSONNEL ACTIONS

Supervisor Politi asked for approval of the following Budget Adjustments and the seasonal employees for Youth Commission and Lifeguards which are noncompetitive positions.

<u>ACTION</u>	<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>REFERENCE</u>	<u>ADDITIONAL INFO</u>
INCREASE EXPENDITURE	SW3.8320.0459	RAY BROOK WATER DISTRICT OTHER PROFESSIONAL SERVICES	1,800.00	PO 29234	ROV INSPECTION OF WATER STORAGE TANK UNDER CONTRACT WITH VLP
APPROPRIATE FUND BALANCE	SW3.0909	APPROPRIATE RAY BROOK WATER DISTRICT FUND BALANCE	<u>1,800.00</u>		
INCREASE EXPENDITURE	A.1610.0444	CENTRAL ADMIN CONTRACTS	649.50	VOUCHER 161822	50% COST OF TWINSTATE MASTER SERVICE AGREEMENT FOR TELEPHONE AND INTERNET HARDWARE AUGUST 1, 2016- DEC 31, 2016
DECREASE EXPENDITURE	A.1010.0461	TOWN BOARD TRAVEL	<u>(649.50)</u>		
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PERSONNEL ACTIONS FOR BOARD MEETING June 14, 2016

ACCEPT RETURNING SEASONAL EMPLOYEE APPOINTMENTS--for LIFEGUARD AND YOUTH COMMISSION

NAME	POSITION	DATE OF REHIRE	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION
FOX, DEB	Head Lifeguard	6/14/2016	N/A	\$14.50/hr	NON COMPETITIVE
EATON, E	Lifeguard	6/14/2016	N/A	\$10.50/HR	NON COMPETITIVE
MEGLIORE	CPR cert	6/2/2016	N/A	\$10.00/HR	NON COMPETITIVE
LAUTENSCHETZ	CPR cert	6/2/2016	N/A	\$10.00/HR	NON COMPETITIVE
ROSSI, L	Lifeguard	6/14/2016	N/A	\$10.25/HR	NON COMPETITIVE
SKUFCA, C	Lifeguard (FILLIN)	6/14/2016	N/A	\$10.75/hr	NON COMPETITIVE
BROCKWAY, D	Lifeguard (FILLIN)	6/14/2016	N/A	\$11.00/HR	NON COMPETITIVE
SKUFCA, E	Lifeguard	6/14/2016	N/A	\$10.75/hr	NON COMPETITIVE
Fremante, Jon	Youth Commission	6/14/2016	N/A	\$19.50/HR	NON COMPETITIVE
Barney, Samantha	Youth Commission	6/14/2016	N/A	\$9.25/hr	NON COMPETITIVE
Cassidy, Kamm	Youth Commission	6/14/2016	N/A	\$9.25/hr	NON COMPETITIVE
Geesler, Kevin	Youth Commission	6/14/2016	N/A	\$9.25/hr	NON COMPETITIVE
Graham, Mary Kate	Youth Commission	6/14/2016	N/A	\$9.75/hr	NON COMPETITIVE
Jones, Natalie (Carly)	Youth Commission	6/14/2016	N/A	\$9.25/hr	NON COMPETITIVE
Lautenschetz, Greta	Youth Commission	6/14/2016	N/A	\$10.00/hr	NON COMPETITIVE
Megliore, Alexis	Youth Commission	6/14/2016	N/A	\$9.25/hr	NON COMPETITIVE
Meyer, Ryan	Youth Commission	6/14/2016	N/A	\$9.75/hr	NON COMPETITIVE
Patterson, Rhiannon	Youth Commission	6/14/2016	N/A	\$9.25/hr	NON COMPETITIVE
Phillip, Jasmine	Youth Commission	6/14/2016	N/A	\$9.50/hr	NON COMPETITIVE

ACCEPT Recommendation of New EMPLOYEE APPOINTMENTS--for LIFEGUARD AND YOUTH COMMISSION

NAME	POSITION	DATE OF HIRE	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION
Janeen Streeter	Asst. Head Lifeguard	6/14/2016	N/A	\$12.00/HR	NON COMPETITIVE
Graci Daby	Lifeguard	6/14/2016	N/A	\$10.00/HR	NON COMPETITIVE
Nick Stosiek	Lifeguard	6/14/2016	N/A	\$10.00/HR	NON COMPETITIVE
Cheyenne Blair	Lifeguard	6/14/2016	N/A	\$10.00/HR	NON COMPETITIVE

* Recommendation made by: BUTCH MARTIN/Jessica Scriver

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

COMMITTEE REPORT - TOBOGGAN SLIDE

Councilman Rand – Jim and I met and spoke with Tim from Northwood Engineering. We wanted all the information and timeline for repairs. We also requested a design build to see how that would compare with the renovations. He called me a few nights ago and was hopeful he could get that information for tonight’s meeting. Unfortunately, I didn’t really give him enough time. I wanted to reemphasize its importance to the community. Did you agree with that Jim?

Jim Morganson – You did a great job emphasizing it as a community project. I didn’t hear his date going forward.

Councilman Rand – He didn’t. I asked him for a specific date last night as to when we will get the design build information. The schedule was July 1st to get the bid documents. We need to decide if we want just repair or design build if it is in the realm of possibilities on the timeline. Among other things, we would have to tear the structure down.

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Supervisor Politi asked how long it would be to get the steel and Jim Morganson informed the Board that it would not take long to get the steel but will find out the timeline or sure.

Supervisor Politi – Once the steel is erected, you then have a lot of framing to do.

Councilman Rand – We really have to stay on top of Tim. We have to decide which way we want to go and push it.

Supervisor Politi - We received a cost for the steel from Jeffers for \$75,000 which doesn't include the wood.

Councilman Rand – It is going to be fairly expensive to take it down.

Jim Morganson – We have to do new foundations. Let me talk to Larry and I will get back to you tomorrow with a better timeline.

COMMITTEE REPORTS – C&D PILE

The C&D pile was seeded and Councilman Doty and Superintendent Straight reported that grass has started to grow.

COMMITTEE REPORTS - BIODIGESTER

Councilman Miller – We had a meeting on the Biodigester last week. We are hitting the go or no-go point pretty quickly. We are now trying to find day-to-day management of the site. Derek asked if the biodigester work with frozen food in it and the answerer was, no. Now we are thinking of all the “what ifs” including the questions we don't know to ask. We are very concerned. This is a project that we want to make happen. We need to ask tough questions and make sure that it is the right decision going forward.

Supervisor Politi – It is very important if we had the product and it works efficiently at a reasonable cost. We don't want to have a situation where it is a great idea but we can't afford it.

Councilman Miller – The real concern with this project is that it is a wonderful idea that has not been done before on this scale. It is tough to be the first one.

Councilman Doty – They did small test runs done while the system was being designed to determine how much biogas will there be, how much electricity you can produce and what can you get for compost. We now know what to expect but what we don't have a guarantee that the transportation system will work right. We are looking at operational concerns and logistical concerns. The buck stops here with the five of us.

Supervisor Politi – It is important to note that we are looking into the potential of additional funding to help offset the operation costs.

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Councilman Miller – The advisors told us that it may require a trained individual with a certain skill set that we don't currently have. As Roby said, that management is going to come at a cost. We have to find out if there is funding for management.

TOWN ATTORNEY REPORT - NOTICE OF CLAIM – SKATER ON MIRROR LAKE

Attorney Briggs – There was a skater who fell on the ice on Mirror Lake. The attorney for the skater filed a Notice of Claim against the Town and the Village. It is not a Lawsuit. It is a precondition. You must file a notice of claim within 90 days to be able to start a Lawsuit. It does not mean they will but they have the intention to.

Supervisor Politi – That is ridiculous.

Attorney Briggs – It's like hiking in the woods and tripping over a log. The good news for the Town is that last year there wasn't a lot of snow so the Town's role in plowing was limited.

Supervisor Politi – Most of the winter the lake was open water. There was no way to open the toboggan slide.

Attorney Briggs – I don't see any big exposure there.

TOWN ATTORNEY REPORT - ARTICLE 7 THE GREENWOOD

Attorney Briggs – There needs to be a resolution authorizing me to sign the proposal from our appraiser. There are two options; Summery Appraisal Report or Self-contained Appraisal Report. If we go for the self-contained, we save \$2,000 then we go to litigation.

Supervisor Politi – If you are going into litigation, the only thing you can use is a Self -contained Report. A judge would want to read a report. You don't want to do it twice. That cost is \$10,000. We make a counter proposal, which they did not accept, or we defend the assessment. All assessments are presumed to be correct until so proven in court. This is what I do for a living. My advice, unless you are willing to lay down on this, I believe the request on behalf of the griever is not substantiated.

Councilman Doty – We will do a self-contained appraisal?

Attorney Briggs – That is correct. This particular appraiser, Don Fischer, has testified before in front of Judge Muller in the Ausable Club Case and he was found to be very convincing because the Ausable Club was totally victorious in that case. Judge Muller knows this particular person.

Supervisor Politi – I am an MAI and he is an MAI. He is a friend of mine and is very professional. Many times I have been on the opposite side of him in different cases and he will do an excellent job.

Councilman Miller – I will defer to your expertise.

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Attorney Briggs – We could not. As you may recall, we are negotiating over a confidentiality agreement to look at their appraisal so we can make an informed judgment about what kind of offer to make. I learned today the petitioner rejected it even though we worked it out with council.

Supervisor Politi – I’m not worried about that and I’m not worried about the case. I need a motion to approve the expenditure from budgeted funds for the preparation of a Self-contained Appraisal Report on The Greenwood property at 89 Greenwood Street, Lake Placid, NY.

Councilman Miller moved and Councilman Doty seconded the motion to approve the expenditure from budgeted funds for the preparation of a Self-contained Appraisal Report on The Greenwood property. There being no further discussion, the motion was unanimously carried.

COMMITTEE REPORTS – SL AREA YOUTH PROGRAM

Councilman Doty – The youth program is up and ready to start running. It runs for five weeks starting July 5th. As you all know, the administrator is now the Town of Harrietstown not the Village of Saranac Lake. The SL Village has, under Mike’s suggestion from Harrietstown, a new Trustee and is the representative. He recognizes the importance of the program. We are better organized now with Mike Kilroy. We have laid out budgets that are easy to see. We can find out anything we need to know. Things are moving good. Mac Rand will be with us through this year. Behind him we will be leading towards the former woman from Harrietstown. Things are good.

COMMITTEE REPORTS – LP HOSPITAL SCHEDULE

Councilman Favor reported the Lake Placid Hospital will be open 24 hours a day the two days of Ironman and then 8 hours.

Councilman Doty asked about the medical waste for Shannon and Superintendent Straight said it was taken care of last year.

APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi asked for approval of the Audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 06/14/16			
	Regular	Prepaid	Totals
A FUND GENERAL FUND	110780.77	33076.40	143857.17
B FUND GENERAL OUTSIDE VILLAGE	935.73	45.43	981.16
DB FUND TOWN OUTSIDE VILLAGE HIGHWAY	5998.87	9515.71	15514.58
H12- OBSTRUCTION REMOVAL	1283.62		1283.62
H14-TAXIWAY LIGHTING	46200.00		46200.00

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H16-5 BAY THANGAR	3842.50		3842.50
H42-HIGHWAY MACHINERY PURCHASE	176624.15		176624.15
SF1 FIRE PROTECTION DISTRICT	240295.93		240295.93
SF3 FIRE PROTECTION DISTRICT	93531.39		93531.39
SP PARK DISTRICT	107890.26	10366.68	118256.94
SS21-CONSOLIDATED SEWER DISTRICT	707.17		707.17
SW3 RAY BROOK	15.99	385.85	401.84
1619-1623	\$ 788,106.38	\$ 53,390.07	\$ 841,496.45
161038; 161104; 161106-161136; 161161-161164; 161169-161192; 161194-			
161197; 161222-161267; 161269-161353; 161355-161357; 161382; 161387			
Batch 999 (Payroll & Health Reimbursement Arrangement)	\$ -	\$ 54,303.59	\$ 54,303.59
160989-161012; 161061-161062; 161137-161160; 161165-161168;			
161193; 161268			
Batch - HELD		\$ (386.31)	\$ (386.31)
160583; 161096-161098			
DELETED VOUCHERS:			

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

PRESS QUESTIONS – UBER SERVICE

Tony Olivero- With the movement in the State Legislature for the possibility of ride-sharing services, I wanted to know if the Board had an opinion whether it could help or hurt.

Supervisor Politi – I am unfamiliar.

Tony Olivero- Ride-share service like Uber where a regular person who is not a licensed taxi can pick you up when you need a ride. Is there a place here in the Upstate economy for something like this?

Supervisor Politi – I have used Uber in the City. They tend to be much cleaner. If you call and ask for pick up at 10:00, they are there sharp. I have never had an issue. How would it hurt the taxi service here? Is there demand now in Lake Placid for Uber services? I don't know. I have never taken a taxi in Lake Placid. I don't even know how many taxi services there are in Lake Placid. I don't know how it would work here. Do you see it being used by tourists?

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Tony Olivero - I am talking about a ride from Saranac Lake to Lake Placid or businesses that are further off Main Street. I spoke briefly with the Police Department and Chuck Dobson said the only time he sees demand is late night however he does not see an over demand for an Uber service.

Councilman Miller – It sounds like you already wrote your story.

Supervisor Politi – The real story is the \$250,000 awarded to the Town of North Elba from Senator Little. It is a tremendous savings to the taxpayers.

EXECUTIVE SESSION

Councilman Rand moved and Councilman Favro seconded the motion to go into Executive Session for the purpose of discussing personnel at 8:45 PM.

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Doty moved and Councilman Favro seconded the motion come out of executive session. There being no action taken, Supervisor Politi adjourn the meeting at 9:00pm.

Respectfully Submitted,

Laurie C. Dudley, Town Clerk