

REGULAR TOWN BOARD MEETING
JUNE 12, 2007

Minutes of the Regular Town Board held on June 12, 2007 in the Meeting Room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York 12946

Members Present: Supervisor Shirley Seney, Councilmen Jay Rand, Derek Doty, Chuck Damp and Barbara Whitney, Town Clerk.

Member Absent: Jack Favro.

Others Present: Norm Harlow, M/M Kelly Locke, Bob Miller, Naj Wikoff, M/M Don Scammell, Bill Kissel, Ruth Richards, Keith Wells, Sylvie Nelson and M/M Robert Eccelston.

Supervisor Seney called the Regular Town Board Meeting to order at 7:30 p.m. by asking everyone to stand for the Pledge of Allegiance.

Supervisor Seney then asked for a motion on the minutes of the 5/10/07 Regular Town Board meeting.

Councilman Doty moved and Councilman Rand seconded the motion to approve of the minutes as written and presented. There being no discussion, the motion was unanimously approved by those members present.

Supervisor Seney then asked for a motion on the proposed agenda.

Councilman Doty moved and Councilman Rand seconded that the proposed agenda be approved as presented. There being no discussion, the motion was unanimously approved by those members present.

Supervisor Seney invited Sylvie Nelson and Keith Wells to the table stating that they are from the Saranac Lake Area Chamber of Commerce.

Sylvie Nelson stated that what they are here for is to basically, gather some support for the efforts that our Adirondack Marketing Committee, which is part of the Chamber, has accomplished to try to help promote the Adirondack Regional Airport. She stated that they are trying to bring awareness to the region about the importance that the Adirondack Regional Airport plays in our area. She stated that we started a Marketing campaign with Commute Air, which at this time is going to be leaving us, but we have tried to entice people to recognize that we do have a regional airport in the area and for them to utilize it. She stated that in January the usage went up 40%, in February it went up 75% and in March it went up 110% and we expect the numbers to be high as well for May.

Keith Wells, Chairman of the Committee stated that it is the only Commercial Airport in the Adirondack Park. He stated that they developed a Marketing Team to do two things; we responded directly to Commute Airs promotional air fare, which was round trip to Albany for \$78.00, that was significantly lower than their published, normal commercial fare. He stated that it helped generate ridership in January, February and March, during the time that the promotion existed. He stated that the overall awareness has increased. He stated that we wanted also, from the Commercial side, represented as a destination airport for people who are flying in. He stated that they are working on marketing promotions to do that. He stated, additionally, the airport represents a jewel for general aviation. He stated that they have a significant amounts of flights everyday, both corporate and private to visit the Adirondack Park. He stated that that is a sustaining part of the airport. He stated that the airport is nearly in the black, break even with no tax dollars supporting it from our local venues. He stated that that is a significant achievement that has been being worked at over a number of years. He stated that they expect that next year they will be totally financed, other than the essential air services support that the commercial flyers get to provide service to us, Plattsburgh and Rutland.

Mr. Wells stated that the reason that they are here tonight to bring to the Boards attention the assets of the airport, we are looking for funds to help improve the general aviation aspect of it, we have established a marketing plan to talk about establishing an executive airport operation, a fixed base operation. He stated that they aren't asking for any money. He stated that what they are really looking for is your support to recognize that it is an asset in this region. He stated that they are going to continue to work to make it grow and they would ask that the Town of North Elba join the Partnership Coalition to say, we support that effort and we recognize that the Airport can be and will be a viable contributor to our economic growth.

Mr. Wells stated that the economic impact of the airport in this region, with all the people that it employs, with all the jobs and suppliers that supply that airport

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is in the range of \$13 - \$15,000,000.00, we feel that that is a pretty significant amount with very little attention being paid to it until now. He stated that the Chamber has undertaken this role, he Chairs that activity to market this airport and try to make sure that we can build a coalition that we can make this something that we can point to and say, yes, we did that and we made it work as a partner.

Discussion continued.

Councilman Rand moved and Supervisor Seney seconded the motion to support the Coalition Partnership for the Lake Clear Airport. Discussion? There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that you will get a letter of support from the Town of North Elba.

Supervisor Seney recognized Naj Wikoff. She explained that we asked Naj to come up with something for the triangle that is owned by the Edgertons. She explained that everyone has approved of this except the Town of North Elba. She stated that Naj is here to show us what he has come up with.

Naj Wikoff stated that he has come up with a design, which will be approximately 40 feet tall, with 2 rings, one represents the 32 games and the other represents the 80 games. He stated that one ring is slightly leaning on top of the other, because without the 32 games, we wouldn't have had the 80 games. He stated that the rings are made out of steel, the edge is a series of steel bands, tightly compressed and each is a color of the Olympic rings. He stated that the outer surface is a highly polished chrome steel, highly reflective. He stated that when you look at this you are going to see the blue sky, the sun, the trees, the mountains, it is going to reflect nature. He stated that that the inner side is a gold tint and the idea is to have a simple reflective pool in the center. He stated that the 3rd ring reflects the dreams of the people who went after the 32 and 80 Olympics and perhaps some Olympics in the future.

Mr. Wikoff stated that he has gotten support from everyone and if the Town of North Elba were in favor of this and supported this concept and the design, he would do a couple of things, one, is to speak to some fabricators to find out what it would cost to install it, build it, then he would have to go through the various permit process and then put together a committee to help raise the funds to pay for it. He stated that the maintenance would be fairly simple, you wash off the salt every now and then.

Supervisor Seney stated that she asked the question, is there going to be a glare? She stated that Naj stated that it would be just a split second.

Councilman Doty stated that he likes it, it is a good concept.

Mr. Wikoff stated that he will scale the design to the site. He stated that he wants it a fairly good size.

Councilman Damp stated that this is going to be an attractive nuisance. He stated that you don't want to clutter it up with signs that say "No Parking" but cars are going to be stopping to take pictures and cause a problem.

Naj stated that there is parking at the Horseshow Grounds and at the Ski Jump.

Councilman Rand stated that it is his fear that the area is going to be too busy, with the Ski Jumps, the Horseshow Grounds and this design that you want to erect on the triangle. He asked if this is the right place for this design?

Supervisor Seney asked what Mr. Wikoff is asking for?

Naj stated that he can't go forward without the Town's support. He stated that he needs the Town Board to say that they like this design and you want this to be pursued.

Supervisor Seney asked if someone is going to write a grant for this project?

Naj stated that he has no idea, possibly a combination of grants and individual contributions. He stated that he is not asking for any tax dollars, just support.

Councilman Doty stated that, at this point, all we can do is give conceptual approval of this, because DOT has first say on it, if it's private property, it takes us out of the equation. He stated that he would like to know that there is a lot of other support for this, out there. He stated that he would like to know who

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the players are in this project.

Councilman Rand asked if this design might be better placed over by the torch rather than the triangle, especially if we have a conflict with the DOT.

Supervisor Seney stated that what we need for you to do is go back to Linda Friedlander and her group and the Garden Club and dot their i's and cross their t's and get something from the owners of the property, make sure that everybody is on the same page and then bring it back to us.

Councilman Doty stated that he feels that there may be some confusion on the permit process for this project.

Supervisor Seney stated that she will get some names at the DOT to contact.

Supervisor Seney stated that the next item on the agenda is the Tawhaus Road Dedication, Norm Harlow and Bill Kissel. She asked if there is anything further to add. She then recognized Ruth Richards who lives on Tawhaus Road.

Ruth Richards stated that everyone on the road has agreed to the dedication except Mr. Puckhaber. She asked what the time frame is before the Town officially takes over the road?

Supervisor Seney stated that, unless you get permission from the last party, we can't do anything.

Mr. Kissel stated that, if we don't get him to voluntarily give up the land, then we're going to have to go through a formal, legal condemnation process. He stated, although he is the only one that wants to be paid, others may decide they also want to be paid and the process is the same for 10 as it would be for one. He stated that the legal process is long, even without a condemnation process.

Mr. Kissel stated that he had prepared an outline of the steps that have to be taken and have given a copy to you. He stated that, once the petition has been submitted, the process begins. He stated that the Town then has to hold a Public Hearing and they can make an initial determination that they want to take over the road, formally, then they have to hire an Engineer who works with the Highway Superintendent to determine what the approximate costs will be. He stated that that is a several month process even without the condemnation, 4 to 6 months from the day that we have all the petitions filed and in hand. He stated that the condemnation would add several more months, 6 months to 1 year could be added to the process. He then stated that that is assuming that the Town Board decides in that circumstance to proceed. He stated that it has the authority to exercise eminent domain. He stated that it also is a Town Board decision as to whether they want to front the money for the proceedings. He stated that if for some reason the process wasn't completed and the Town did not get a dedication of the road, that would be a general expense that would fall back to all the taxpayers in the Town, if the process goes forward to completion the costs would go back to the owners on the roadway.

Supervisor Seney stated that the next item is the Town/Village agreement with the new Sewer District.

Mr. Kissel stated that this is something we should discuss with the sewer district update. He stated that on Friday he received from Janet Bliss some comments on our last draft on the agreement between the Town and the Village, he needs to get with the Town Clerk about some questions she's asked about who owns the lines and he needs to get with Norm in terms of what's in the field. He stated that he thinks that there is a committee that will work with him on the project. He stated that he copied Kathy Suozzo on the questions that Janet asked, she said that she would look into them. He asked that this be kept on the agenda.

Supervisor Seney stated that the next item is the Theianguen Way update. She recognized Bob Miller, spokesperson for the landowners along the roadway.

Bob Miller stated that we have been trying to get this road dedicated for a year now and he stated that Peg Doran had the abstract. He stated that the petition has been signed by each and every landowner, 100%.

Mr. Kissel stated that there is a problem with 2 of them, one wasn't properly notarized and the other was something that should be reviewed. He asked that the petitions be left with us tonight and he will look them over tomorrow. He stated that this one is a little more complicated because the road is owned by the Association, which means, as the owner, that Association has to take certain, formal legal steps. He stated, unfortunately, Bob and his group went through all the

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steps, that indicate that a majority of the owners wish to have this road dedicated, but, there are two issues; he stated that he is not sure what the final adopted formal version of their covenants that were imposed on the property, which relate to ownership and how they dedicate a road and their by-laws in terms of how they vote or how they approve dedication. He stated that the versions that Bob brought to him that are in draft form, require some typically, specific formal action to be taken, which he feels has not been taken. He stated that the first thing that needs to be solved are, what are the formal documents? He stated that when they have those, he will look at them and either confirm that the prior version are the steps that they have to go through or if the steps are different. He stated that it doesn't say that the Association will approve at the vote of the Association, which is often the case, it says, they shall sign, a majority of them, 75%, shall sign a document that is recorded. He stated that that is in the form of a deed, not a petition or a letter, that is a very formal document and is a very cumbersome proceeding.

Bob Miller stated that this is the problem, everyone agrees, it is just getting through the legal process of getting everyone to sign notarized statements, getting to Elizabethtown to get them recorded and get certified copies and being able to communicate with these people and it is a time consuming process. He asked, can we get moving along with the process, get our road done and comply with the legal steps along the way?

After a short discussion, Mr. Kissel stated that he has told Bob and this Board now, he has really done more legal work than he is authorized to do and that is proper for him to do as the Town Attorney. He stated that maybe they need to get a lawyer. He stated that he has done the best he can to identify the issues and the steps that he thinks that need to be done, without giving you formal legal advice or trying to be your lawyer.

Mr. Kissel stated that the Town is not authorized to fulfill Bob's request that we allow them to put in the road now and do all the legal work later. He stated that the developer didn't dedicate the road, the developer didn't build the road to specs, the developer left it to the Homeowner's Association and then put handcuffs on them.

Mr. Miller stated that he thinks that they can comply with everything that the Town needs, it is just a matter of time. He asked if the Engineering process could be started so, as owners, we could have an estimate of what the cost is going to be?

Mr. Kissel stated that Kathy Suozzo is very reasonable and he would not have a problem, if this Board said to Norm, get with Kathy Suozzo on both of these roads and give us a preliminary workup of what we're going to be having to do workwise and what the budget might look like within a range.

Councilman Doty asked, who would be paying for this?

Mr. Kissel stated that it would be a Town charge, unless and until the dedication is happens. He stated that he thinks that Kathy would do both roads for less than \$1,000.00.

Councilman Rand moved and Councilman Doty seconded the motion to approve of Kathy Suozzo being hired to do the Engineering work on both Tahawus and Theianguen Way at the expense of the Town of North Elba. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that the Auleron Small Cities grant is the next item on the agenda. She stated that she has been in touch with the Essex County IDA. She stated that the Essex County IDA office received an e-mail from Auleron which stated that they are pulling everything out right now because they are going to be losing this Small Cities Grant and they are going to have to regroup and do whatever it is they need to do. She stated that until we hear from them she will take this item off the agenda.

Supervisor Seney stated that we have gotten an update from Dean Dietrich and his committee on the Landworks completion of the Code. She stated that he would like to set up a meeting with the Committee, the Town and Village Board either July 5th or 6th.

Councilman Doty stated that this is very important so they should just go ahead and schedule a meeting.

Councilman Damp stated that he knows that he will not be available that week.

Supervisor Seney stated that she will try and get a couple of dates into the week

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after the 4th, and try and set up the meeting.

Supervisor Seney stated that she went out with Norm today and walked through the where the soccer fields are to be built and it will take about 2 years to have them ready for use. She stated that Norm has built a road around to the fields where the vehicles will not be near the landing strips. She stated that we will get with Butch and see how long it is going to take him to get things going.

Councilman Damp stated that if the fields were sodded it wouldn't take 2 years before they could be used.

Supervisor Seney stated that Bill was going to get in touch with the N.Y.S. Office of Parks and Recreation and Historic Preservation about the grant.

Mr. Kissel stated that we needed to have a title search prepared, he now has that and am ready to give them the opinion that they want. He stated that he will send that out tomorrow.

Councilman Doty asked, didn't we come up with a basic figure of \$50 - \$60,000.00 to sod everything that is down there?

Norm stated that if we can do it with a reasonable amount of topsoil, he has to know how critical there are about the plane of the land. He stated that the land is pretty flat right now.

Councilman Damp and Councilman Doty agreed that we need to get this going.

Norm stated that they have quite a bit of topsoil stockpiled.

Councilman Doty stated that all we do is make a barrier between the sod and sand base so the roots can grab to it, not too much topsoil. He stated that sod needs only 5 to 6 weeks to take hold before it's played on. He stated that irrigation is the only detriment.

Supervisor Seney stated that we can get water from the AuSable River.

Councilman Damp stated that if we can get a pretty decent ball park figure on the cost, we could explore this potential money that is out there.

Supervisor Seney stated that we have the \$39,000.00.

Norm stated that the road that would have to be put there from the Transfer Station Road we could do with inkind services and we could make it a Town Road on Town property.

Councilman Damp stated that the fields are crucial, plus it solves the School's problem, when they're going to be down, if we can get them up and running, at least then there's an alternate set of soccer fields.

Councilman Doty stated that this is a logical time, the Scammell's are here to talk about concerns that relate directly to these fields.

Supervisor Seney stated that we have made a communication, we have not heard anything from anybody.

Councilman Doty suggested that we clarify that for them, that would help things a lot. He stated that, they want to hear that we are going to get these fields ready as quickly as possible.

Don Scammell stated that he had been informed by Jim McKenna that you, as Supervisor, had sent Uihlein Foundation a request to use the Heaven Hill Farm for the Lacrosse Tournament for the next two years.

Supervisor Seney stated that she just sent it and has had no communication back.

Mr. Scammell asked, how does the protocol of the Board work? He asked, how can the Supervisor send that communication out, without discussion within the Board?

Supervisor Seney stated that the Board authorized her to send the letter, they asked that it be sent.

Councilman Doty stated that we had an appeal from Jim McKenna to search out potential spots for other fields.

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Councilman Damp stated that in fairness to Jim, he stated that the appeal was from him, in communication and in concert with Jim, but also as a result of the charge that he was given to pursue these fields and continue discussion with a 90 team event that potentially was going elsewhere. He stated that they are also meeting with the School District in Saranac Lake, next week. He stated that the Uihlein fields were always the last choice, it wasn't a preferred choice. He stated that we hope to be able to use the Saranac fields and that's it. He stated that the other thing that was in discussion was, the development of the Landfill for 4 playing surfaces. He stated that Uihlein was only a fall back position, it is not, by any means, the choice location.

A discussion ensued.

Mr. Scammell stated that he is going to be pursuing this legally with Tom Ulasewicz, who knows Henry's will, and will probably get an injunction that will take enough time up that if it ever falls to that, it won't happen.

Supervisor Seney explained that this was discussed at our work session last week where there are no minutes taken and no votes taken. She stated that Jay did say that he couldn't get into the discussion, but the majority urged her to write the letter, which she did.

Supervisor Seney thanked Mr. & Mrs. Scammell for coming.

Supervisor Seney stated that the next item is the RFP Town Hall roof repair/replacement windows. She asked Jay if he had sent out more than one RFP?

Councilman Rand stated that they hadn't sent out for any. He stated that the last time this was discussed, it was recommended by our Counsel that we get specs for this. He stated that Northwoods will do it for \$4,300.00 but we have to put it into the form of a motion. He stated that it is his recommendation and feels that it is a very reasonable proposal.

Councilman Doty moved and Supervisor Seney seconded the motion to hire Northwoods Engineering for the engineering and the bid process for the North Elba Town Hall roof repair at the total cost of \$4,300.00. There being no discussion, the motion was unanimously carried by those members present.

Councilman Rand stated that he would be glad to give them a call and tell them to proceed.

Norm Harlow asked if it would be okay for him to talk to the Engineer at Northwoods Engineering about the process that he has to go through to get the FEMA money for the Adirondack Loj Road?

The Board told Norm to go ahead and call them.

Councilman Rand stated that he got ahold of NIPA on the windows and they agreed to do an energy audit on the windows for a Municipality and they can do it at no charge, but they will get to it in 6 to 7 months. He stated that he will proceed with this.

Supervisor Seney stated that she has been trying to get ahold of the young man that we awarded the bid too to paint the North Elba Town House in Saranac Lake. She stated that she will keep trying or we will have to get someone else to do the work.

Supervisor Seney stated that the next item is the CGR review for the Town/Village agreement at the MOU. She asked the Town Attorney if we have to do anything with it?

Mr. Kissel stated that he got a proposed contract from the Consultant, Janet reviewed it, made a few changes, the most significant being that she added the Town of North Elba as a signatory to it. He stated that he feels that this is appropriate. He stated that he made a few minor changes.

Councilman Damp moved and Councilman Doty seconded the motion to authorize the Supervisor to sign said agreement on behalf of the Town. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that she received a reply from the Jake Brake's Law from Counsel of the N.Y.S. Association of Towns. She stated that we can not prohibit the use truck engine compression brakes by Local Law. She stated that they gave us a copy of the opinion.

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Supervisor Seney asked for a motion to approve the Budget appropriations given to us by the Budget Officer.

Councilman Doty moved and Councilman Rand seconded the motion to approve of the budget appropriations. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that back in April Cathy gave the Town Board a recommendation of the Capital Assessed Policy that has been recommended by the Auditor that we had. She stated that Cathy is asking that the Town Board approve the policy, adopt it as a new policy and she will implement it and work with the Department Heads to perform the new inventory evaluation.

Councilman Damp moved and Councilman Doty seconded the motion to approve of the Capital Assessed Policy as recommended. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that Norm has asked that the Town Board approve recycling of tree stumps at the Transfer Station at \$35.00 per ton for this year, because we aren't going to be able to burn next year.

Norm stated that he will grind up the stumps and mix them in with our mulch and make mulch. He stated that there is no place to get rid of stumps anymore.

Councilman Rand moved and Councilman Doty seconded the motion to approve of recycling tree stumps. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that Norm has also made a request from Wells Communication.

Norm stated that he keeps getting audits from the Insurance Company, NYMIR, PERMA, we're lacking in our security system. He stated that we have a blind spot at the brush area and a blind spot in our security system and we have had a problem with people leaving hazardous waste, needles, outside the Recycling building. He stated that we would be expanding the Security System that we have. He stated that he does have money in the budget.

Norm stated that since we have put the cameras into effect, the vandalism has stopped at the Transfer Station and the Salt Shed.

Councilman Damp moved and Councilman Doty seconded the motion to approve of the upgrade in the Security System at the Landfill. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that she and Chuck met with the Bike Path group and we need a resolution from N.Y.S. DOT for the Bike Path. She stated that she has the resolution and it is for the implementation and funding for Phase II in the amount of \$1,797,964.00.

Councilman Rand moved and Councilman Doty seconded the motion to approve of this resolution and authorize the Supervisor to sign said resolution. There being no discussion, the motion was unanimously carried by those members present.

Councilman Damp stated that they thought that they were delivering a complete package to the APA, but, we need to get the Village to join in the permit as an interested party. He stated that the Village has agreed to do this. He stated that this is imminent at some point, very soon.

Supervisor Seney stated that the next item on the agenda is the N.Y.S. DEC approval of the Fawn Ridge Sewer District extension.

In the discussion, it was determined that the property in question is already in the Fawn Ridge Sewer District.

Norm stated that he will get with Kathy Suozzo again.

Supervisor Seney stated that Terri Politi's lease was up as of April 1st, 2007. She stated that Cathy said, at budget time, we had discussed that, at the time of renewal we would increase his monthly rent. She stated that he now pays \$70.00 per month. She stated that we need to renew the lease and we also need to discuss what the increase will be. She stated that the rent is for the use of the land, he owns the hangar.

Councilman Doty asked, does Terri give us an Insurance Policy holding harmless and

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carry a certain amount of liability?

Councilman Damp looked through the lease for an Insurance clause and found it. He stated that the insurance amount are not the normal and he should be at the normal range for his insurance.

Councilman Damp stated that we should go with whatever we discussed at Budget time.

Councilman Doty moved and Councilman Damp seconded the motion to notify Terri that his lease is up and his rent will be increase at the rate that we discussed at Budget time. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that the FBO, 5-year contract is up as of 5/31/2007. She stated that it is written in the contract that his rent goes up during the course of his 5 year contract. She stated that the rent went up \$250.00 each year for 5 years.

Councilman Doty asked, do we want an extended lease again or do we want a shorter one?

Supervisor Seney stated that we did not approve this agreement until the 13th day of August 2002, so we still have some time. She asked if the Town Attorney would like to take the existing lease and look at it?

Councilman Doty stated that he feels that 5 years seems like a long time to him.

Councilman Doty asked if the Board had okayed gas sales for the Airport? That wasn't part of our FAA program?

Norm Harlow stated that Steve Short gets the gas sales. He stated that what they spoke about was the jet fuel, the deal was, if we went with the jet fuel he would come up with 25%. He stated that he discussed it with Steve after he found out what C & S said it would cost, he told Steve that his share could be \$35 - \$40,000.00, he said that Steve told him that that wasn't a problem. He stated that Steve handles the sales, so he reaps the profit. He explained that, since then, he has done some research and it is not going to cost what C & S says it is going to cost, it is going to cost from \$150 - \$180,000.00 depending on what system we pick, so Steve's share would be \$16 - \$20,000.00.

Councilman Doty stated that he is just looking to protect the Town, in this gas situation, because he doesn't think that a Commuter Air Service is not going to be that easy to find for Lake Clear and the big boost towards these Executive Jets and the private market is where business is going to go. He stated that he is not sure that we want to give it away.

Councilman Rand stated that he feels that Saranac Lake is a better place for jets.

Councilman Damp stated that he has no idea as to what this asset is worth. He stated that he would feel more comfortable with a short term lease. He stated that maybe we should do a one year this time and then seek out information about some realistic figures. He then suggested extending the existing contract for one year and revisit the situation next year.

Councilman Doty asked for a month to do some research.

Supervisor Seney stated that she will have Denice make a copy of the FBO lease and put it into your packet. She stated that she will let Steve know that we are in the process of looking at his lease and we will take care of this in July.

Supervisor Seney stated that the next item is to review the Town's financial budget obligations to the Lake Placid Village. She stated that the Village is now working on their budget for 2007-2008. She stated that they've asked Cathy to give them some sort of projection as to what we're going to be doing with rates so that they can put them in their budget process.

Supervisor Seney said that Cathy is waiting for figures from Councilman Damp on floor space.

Councilman Doty stated that he thought that the Board had agreed to double the rate per square foot.

Supervisor Seney stated that we are now billing floor space at \$6.25 per sq. ft. plus we pay 1/2 electric, water and sewer for the Town Hall.

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Councilman Damp stated that \$6.25 on the market is substantially low.

Councilman Doty stated that, on the Main Street, it is \$25 - \$45.00 per sq. ft. He stated that we have to minimally double the price per sq. ft., even at \$12.00 per sq. ft. it is a bargain.

Councilman Damp stated that there are a couple of things that are going to happen with the Fire Contract that you aren't seeing here. He stated that the clearing of the Fire Hydrants, in the past, has been budgeted through the Water & Sewer Department, now it is going to be charged back to the Fire Department so they are going to absorb that, too. He stated that we weren't paying for that service because the Water & Sewer was, so the Village Taxpayer was. Now, we will be paying 70% of the charge through the Fire Department Budget.

Councilman Damp stated that they also want to charge for water use at a fire, outside of a district.

Councilman Doty stated that, if you live outside a Fire District and lose your home, not only are you going to lose your home, you are going to also have to pay for the water that was used.

Councilman Damp stated that the other aspect is, they want to hire 3 full time dispatchers. He stated that the dispatchers get 260 calls a day, on average, of which the Fire Department is about 5 - 8% of that, the Police Department, Electric, Water & Sewer and the Highway are going to go through those dispatchers. He stated, because they will be going to the Fire Department we will be paying 70% of those charges.

Supervisor Seney asked, we didn't agree to that did we?

Councilman Damp stated that he and Jack said, we don't get a say, we just get a bill. He stated that Jack stated that this is the first time that we've had a meeting together beforehand. He stated that they concurred that this is a heads up type thing. He stated that we were there, we were at the table, but it was the first we'd heard of it. He stated that, we don't have any other options but to agree.

Councilman Damp moved and Councilman Rand seconded the motion to approve of an increase to \$7.00 per sq. ft. for the Village's Office space. There being no further discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that she received a letter from Comsec Security that they are selling their business to Kevin Mahoney of Glens Falls. She stated that Bill Borland is going to continue to work for Kevin Mahoney. She read that the effective date of the transfer is June 1st. She stated that they are asking if we want to continue with Kevin Mahoney.

Councilman Rand stated that they are a reputable group.

Councilman Doty stated that if our contracts are up, we should put everything to bid.

Supervisor Seney stated that she will check with Cathy and have her research as to when the contract will end and we can go from there.

Supervisor Seney stated that Time Warner Cable has sent through the renewal for their Franchise agreement.

Attorney Kissel stated that the Town has to have a Public Hearing on the Franchise renewal. He stated that this is a 10 year franchise.

Supervisor Seney stated that we will schedule the Public Hearing for July 10th in the Saranac Lake Town House at 7:20 p.m. just before the Regular Meeting.

Supervisor Seney stated that she has received a letter from the Village Board who want to rename the Toboggan Chute after Gerald F. Cassidy.

Mr. Kissel stated that they have already done this.

Supervisor Seney stated, yes they did, but they rescinded it because she went up and told the Mayor that the Town of North Elba owns the Toboggan Chute. She stated that Matt Clark sent her information that says that the Village traded property down by the Electric Department and Sewage Treatment Plant for the land that the Chute sits on, so we own the Chute plus the land that it sits on.

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Councilman Doty stated that if the Village owns something that they want to name after Jerry, go ahead. He stated that this is not our issue.

Supervisor Seney stated that she will tell the Village Board that we are taking under consideration your request that we name one of our facilities for a particular person.

Supervisor Seney stated that she had received a letter of complaint about the Assessor's Department.

Mr. Kissel stated that he doesn't feel that there is anything to discuss, it is a letter to the Review Board. He stated that there is no need to do anything until the Review Board finishes whatever it's going to do.

Supervisor Seney stated that C & S Engineers sent us paperwork on the Lake Placid Airport Business Development Grant that we approved at our last meeting. She stated that she needs a resolution and a SEQRA decision. She stated that this is to construct a Jet Fuel Facility and install an Automatic Weather System. She stated that all this paperwork came in on Friday.

Mr. Kissel stated that if we have the time, we could do this at the next meeting and if not, we will have to get the SEQRA form required and go through SEQRA before we make a resolution.

Supervisor Seney asked for a motion from the Town Board to approve of the Skate Board Park. She stated that she would hope that we would agree to turn this facility over to the Youth Center.

Councilman Doty stated that there is still a discrepancy between \$10,000.00 and then it went to \$14,000.00.

Supervisor Seney stated that what we had talked about is that we would do the salary for 27 - 28 weeks and they put in the \$14,000.00 salary and it might not even be that much. She stated that Cathy is going to make out the details for transferring.

Councilman Doty asked, is this a year after year, \$14,000.00 that we're budgeting for the Skate Board Park?

Supervisor Seney answered, yes, just for the seasonal salary of that person, each Board would have to act on this each year. She stated that we are not committing other Boards to this item.

Councilman Doty stated that he hopes that this will be a serious venue, but we are taking \$14,000.00 and we could be appealing to 50 kids. He stated that for 50 kids it is a great project but we don't typically take that kind of per capita money towards anything else in any of our extra curricular deals. He stated that we don't give the Civic Center that kind of money, per kid. He stated that we are setting a precedent for a lot of money per user. He stated that if the Skate Board Park takes care of 200 kids, it's a different deal. He stated that the Town needs to assess how successful that program is.

Supervisor Seney stated that they have been letting them skate, because it has been ready and the Saranac Lake kids are coming over, there has been children from Keene and Jay that have come up. She stated that she thinks that it is going to be more of a regional thing, that it is going to be a community. She stated that there is no charge to use the facility.

Supervisor Seney stated that Cathy told her that she has taken all of the Capital Projects that we've done and we're through with and she has put it all back in the Park District, where we borrowed from. She stated that Cathy can well cover this, because there is money there that she can take.

Councilman Rand stated that skate board parks are really popular, nationwide.

Supervisor Seney stated that Jon Fremonte, from the Tom Shipman Youth Center is going to be in charge of it, he is going to oversee the program. She stated that there is a port-a-potty in there but she is going to get touch with Richard Boyer and ask him if he will give us a break on it. She stated that the Village has erected additional light poles on the site and will supply the electricity for it.

Supervisor Seney stated that she is asking approval for this project, so that we can get an agreement together so that it can be signed by the School, the Tom Shipman Youth Center and the Town of North Elba.

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Councilman Rand moved and Councilman Damp seconded the motion to approve of giving the Tom Shipman Youth Center \$14,000.00 for the 40 hour seasonal person. There being no further discussion, the motion was unanimously carried by those members present.

Supervisor Seney stated that our July Town Board meeting will be held at the North Elba Town House in Saranac Lake beginning at 7:20 p.m. with the Public Hearing and 7:30 p.m. starts the Regular Meeting.

Mr. Kissel stated that we need to do SEQRA on the Airport grants. He stated that one is the grant for funds to construct the Jet Fuel Facility at the Lake Placid Airport.

The Town Board reviewed the Short Environmental Assessment form under SEQRA for the Jet Fuel Facility at the Lake Placid Airport and answered all the questions in the negative.

Mr. Kissel stated, after going through all the SEQRA questions, he told the Board that they can entertain a motion that the proposed actions will not result in significant adverse Environmental Impact.

Councilman Damp moved and Councilman Doty seconded the motion that the grant for the Jet Fuel Facility at the Lake Placid Airport will not result in significant adverse Environmental Impact. There being no discussion, a vote was taken Chuck, AYE; Derek, AYE; Jay, AYE and Shirley, AYE. The motion was unanimously carried by those members present.

Mr. Kissel then stated that we now need to do SEQRA on the Automated Weather System at the Lake Placid Airport.

The Town Board reviewed the Short Environmental Assessment form under SEQRA for the Automated Weather System at the Airport and answered all the questions in the negative.

Mr. Kissel stated, after going through all the SEQRA questions, he told the Board that they can entertain a motion that the proposed actions will not result in significant adverse Environmental Impact.

Councilman Damp moved and Councilman Doty seconded the motion that the grant for the Automated Weather System at the Lake Placid Airport will not result in significant adverse Environmental Impact. There being no discussion, a vote was taken; Chuck, AYE; Derek, AYE; Jay, AYE and Shirley, AYE. The motion was unanimously carried by those members present.

Mr. Kissel stated that you have done SEQRA for both projects, now you need to make a motion to approve the grant application for the funding.

Councilman Damp moved and Councilman Rand seconded the motion to move the following resolution Authorizing acceptance of a grant offer from the N.Y.S. DOT for work at the Lake Placid, Airport described as Construct Jet Fuel Facility and Install Automated Weather System PIN 1904.96 and 1904.98.

WHEREAS, the Town of North Elba desires to advance the Project by committing funds for the local match, the funding shares being State \$234,000; 211,000; Local \$26,000; \$23,444; and Total \$260,000; \$234,444; and NOW, THEREFORE, the Town Board does hereby RESOLVE, that the Town Board hereby approves the above subject Project; and it is hereby further RESOLVED, that the Board of the Town of North Elba be and is hereby authorized to execute all necessary Agreements on behalf of the Town of North Elba with NYSDOT in connection with the Project, and it is further RESOLVED< that Certified copy of this Resolution be filed and the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further RESOLVED, that this Resolution shall take effect immediately.

There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney asked for a motion on the Jet Fuel Facility.

Councilman Damp moved and Councilman Rand seconded the motion to approve of the resolution for the Jet Fuel Facility. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney then asked for a motion on the Automated Weather System.

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Councilman Damp moved and Councilman Doty seconded the motion to approve of the resolution for the Automated Weather System. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Seney asked Mr. Kissel if we have to do anything on the storm water plan at the Cedar Crest subdivision in Raybrook?

Mr. Kissel stated that this is something that Norm was working on and we got the developer to agree to pay to have Kathy Suozzo's firm give Norm some input. He stated that it is Greg Ruppert. He stated that we don't need to do anything because Norm sent a letter to Mr. Ruppert saying that we needed his consent for us to hire an Engineer and for him to pay for it. He stated that he told Norm to get the money up front before he hired the Engineer, so Ruppert agreed to do that. He stated that it has to go to Kathy and presumably there will be a report coming back to us.

Supervisor Seney stated that Susan Waters e-mailed she and Derek, talking about the Town of Harrietstown and the Village of Saranac Lake having an upcoming meeting for a kickoff for comprehensive planning on the Recreation Commission. She stated that they are asking us for approval.

Councilman Doty stated that conceptually, he is fine, but he would like to see their finer points.

Supervisor Seney stated that she will contact Susan and tell her that, conceptually we are fine with it.

Supervisor Seney stated that, under Essex County Reports, when it comes to discussing Cliff Donaldson's legal fees, she is going to probably make a comment that the Essex County Taxpayer's should not be responsible for that charge but George Cannon should, because George Cannon instigated that lawsuit against Cliff without the Board's permission and we have the minutes to prove where he said, in the minutes, that this will not cost the taxpayer's, one cent. She stated that she is going to stand up to that.

Supervisor Seney asked for a motion to approve of the audits as per the audit numbers as follows: Abstract #5 for the month of May 2007

Town General: The total is \$94,990.21 with the following voucher numbers: 20070838-847; 20070889-893; 20070903-917; 20070949-959; 20070974-981; 20070983-995; 20072020-2022; 20071013-1017; 20071019-1025; 20071031-1035; 20071071; 20071073-1074.

Part Town: The total is \$1,008.38 with the following voucher numbers: 20070848-854; 20070889; 20070960; 20070996; 20071036.

Townwide Highway Fund: The total is \$16,347.76 with the following voucher numbers: 20070855-857; 20070894-896; 20070918; 20070961; 20070997-998; 20071012.

Town outside of Village Fund: The total is \$5,165.65 with the following voucher number: 20070999.

Park District: The total is \$36,824.73 with the following voucher numbers: 20070858-864; 20070876-887; 20070889; 20070897-902; 20070919-926; 20070962-966; 20070982; 20072000-1004; 20071006-1009; 20071018; 20071023; 20071038-1069; 20071072.

Sewer District: The total is \$1,418.70 with the following voucher numbers: 20071070; 20072075.

Raybrook Water: The total is \$5,576.80 with the following voucher numbers: 20070967; 20071037-1074.

Capital Projects-Adk Loj Road: The total is \$2,286.08 with the following voucher numbers: 20071026-1027.

Private Purpose Trust: the total is \$500.00 with the following voucher number: 20070968.

Total Claims: \$164,118.31.

Councilman Doty moved and Councilman Rand seconded the motion to approve and pay the audits as presented. There being no discussion, the motion was unanimously carried by those members present.

There being no business to be brought before the Town Board, Councilman Doty moved

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and Councilman Rand seconded that the Town Board meeting be adjourned at 10:58 p.m.

Respectfully submitted,

Barbara S. Whitney, Town Clerk

