

Regular Town Board Meeting
January 8, 2008

Minutes of the Regular Town Board Meeting of the North Elba Town Board held on the above date beginning at 7:00 p.m. in the North Elba Town Hall, 2693 Main Street, Lake Placid, New York 12946.

Members Present: Supervisor Robert Politi, Councilman Jay Rand, Councilman Jack Favro, Councilman Chuck Damp, Councilman Bob Miller and Denice Fredericks, Deputy Town Clerk.

Others Present: Attorney Ronald Briggs, Connie Issleb, Dick Smith, Sean Ayres, Jacob Resneck, Frank Sapone and Michael Pall.

Supervisor Politi called the Regular Town Board meeting to order at 7:00 p.m. by asking everyone to stand to pay tribute to our flag.

Supervisor Politi asked for a motion of the minutes of the Regular Town Board meeting of December 11, 2007 and the Organizational Meeting of January 3, 2008.

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

Supervisor Politi asked for review of the agenda for any additional items. There being no additional items to add to the agenda Councilman Rand moved and Councilman Favro seconded the motion to approve the agenda as presented. There being no discussion the motion was unanimously carried.

Supervisor Politi asked there is anyone present that would like to address the Board?

Supervisor Politi stated that this is our first Board meeting and that there is not a lot of business to be conducted at our first meeting and I apologize for the fact that there is not going to be a lot of good stuff to talk about.

Supervisor Politi stated that we are going to move to old business and Ronnie you and I have talked about the shared service agreement with the Village and it is something that was discussed in the past with regard to maintenance of the sidewalk from the Village at approximately Horst Webber's to Price Chopper. He stated it is my understanding that the Village has agreed to do that because they have the sweepers. He stated I have talked to Brad Hathaway he said the same thing I am just verifying things that you already know but one of the things is that we did not have a memorandum of understanding and a agreement of indemnification relative to the work that would be done on that sidewalk.

Attorney Briggs stated let me give you a update. He stated I spoke to Janet yesterday and she brought it to the attention of the Village Board at the meeting last night and she called me this morning and said it's the Village's feeling that rather than have three separate agreements regarding the maintenance of sidewalks they have one along Mirror Lake Drive that we will do a new agreement which encompasses all of the sidewalks which are outside of the Village within the Town that the Village will clean and sand. He stated that he has drafted that agreement and it simply says that it defines the sidewalks as any sidewalks located within the corporate limits of the Town and outside the Village to be mutually agreed upon by the Town and Village so it leaves open additional sidewalks other then the three that are now in existence. He stated a that is how the Village wanted it and I agreed with it, it makes it more flexible. He stated I drafted that agreement and I sent it to Janet today for her review if she finds it acceptable and I have to make some changes it should be approved by the Village Board at there next meeting that is coming up soon. He stated it is on her desk now and I incorporated all the things she wanted.

Supervisor Politi stated this is what I don't want to see happen I don't want to have a situation where sidewalks do not get maintained from now until the time the Village has their meeting.

Attorney Briggs stated I explained that to her.

Supervisor Politi stated what was her response?

Attorney Briggs stated that she said she will bring that up with the Village. He stated I think that if you or Larry speak to Brad we can just get it done.

Supervisor Politi stated I want the public and the press to know there is no charge for the services this is basically an agreement that we have had with the Village in the past. It is a shared service we fill in and do work they need to have done in

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certain areas and they do the same for us. He stated it was all part of that original understanding of years ago where the Village sweepers would go around Mirror Lake and they would get to John Mckenna's house and then they would lift the sweeper up then they would continue driving around the Lake until they got to Judge Soden's former offices then they would put it down and sweep the sidewalk but between point A and B the sidewalks were not getting done and it was not in the best interest of the Community.

Supervisor Politi asked if the Board has any issues with that?

Councilman Damp stated I noticed that parts of it still aren't being done.

Supervisor Politi stated I talked to them the other day and they said we still don't have this agreement and that is what led to this.

Attorney Briggs stated each Community is well insured and that shouldn't stand in the way of getting it done.

Supervisor Politi stated let's move on to the bike path.

Councilman Damp stated that we do have the APA permit that is filed. He stated we are now in the process of engineering the plans to the permit although the permit was based on the engineers plans there is some tweaking that needs to be done then we go to the bid process. He stated that we are hoping to look at Spring for some dirt turning.

Supervisor Politi stated that the bike paths is so important to the communities and I am sure that once this bike path gets established you are going to see all kind of people including the Supervisor and probably a majority of the Councilmen using it. He stated it is a great attraction to the Community.

Supervisor Politi stated I appreciate you taking time out of your day to go over there and be at those hearings on behalf of the Town.

Councilman Miller stated once it's tweaked it doesn't have to go back to the APA right?

Councilman Damp stated some of the engineering has to be changed somewhat because of the permitting process. He stated we do need to go back with some final function issues with some fence removal but otherwise it's pretty much done.

Councilman Miller stated what is the time frame?

Councilman Damp stated I hope we are going to bid in the next couple of months then start turning dirt in the spring as weather permits.

Councilman Miller stated how long will it take to complete?

Councilman Damp stated I hope we will be going stone dust by fall but I am overly optimistic. He stated I wish we were turning dirt four years ago but we weren't.

Councilman Rand stated right now it goes to Ray Brook right?

Councilman Damp stated to Scarface head. He stated right now there is some debate as to whether we are going to cross that bridge area or utilize Old Ray Brook road corridor. He stated I have the feeling we are going to utilize Old ray Brook road at least back to where it marries to Lapan Peninsula or Pendergast Farm road right in front of my house and it would come back and head down the corridor again at that point.

Councilman Rand stated the final surface is?

Councilman Damp stated is still to be debated the permit allows macadam but it also stone dust. He stated stone dust would be a very good base for paving any ways. He stated the permit allows for that it's the funding end of it that may be the challenge to pay. he stated I know we are going to go stone dust first then we are going to take it from there.

Supervisor Politi stated does anybody have any other questions of Chuck?

Councilman Damp stated we will gear up fundraising in earnest once we really have some numbers and that is the reason we have hesitated all along to go out, let's face it we went out five years ago asking for money and it would be hard to go out back to the well and say we need more.

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Supervisor Politi stated in regard to the discussion and follow up on Old Military road I had a meeting on the 13th of December with Norm, Larry Straight, Fred Buck from Essex County and the engineers. He stated I think I gave everyone a copy of the minutes of that particular meeting but for the public so that they know there is a plan for additional public hearings in regard to the Old Military Road project. He stated that one of things that was discussed that ties in with what Chuck was saying is that the plans are for the bike path to continue from the point where the railroad tracks cross Old Military Road in the section by the Fire Department the bike trail will cross the road there and will continue toward the Fish and Game Club along the snow field side of the road where the parking is for the Horseshow vans and so forth then the plan is that there will be a bike path that will be an extension of a new bridge that will go in right across from where Madeline Sellers lives. He stated you will be able to ride that bike path back down to the railroad tracks plus the railroad tracks go across the inside of that bridge there will be a bike path there that will continue to the Ledger Development which will be a new Village dedicated street and will be able to bear left into that development along the Village street back out to Station Street you will be able to take a right there go back up to Old Military Road then we hope to extend that bike path all the way to the USOC.

Supervisor Politi stated that I don't know if all of you are aware of it but if you were at the Planning Board meetings you would that there are plans for a development of bike trails behind the Uihlein Mercy Center in what is called Henry's woods which was property that is open to the Community for hiking and for bike trials.

Supervisor Politi stated that the meeting was very informational and they do plan on having another Public Hearing to answer any questions. He stated one of the things you will find is that the maps regarding particular project are all on line now and as a property owner you can tie in or link in to those maps on line and see how your property may be affected. He stated I don't think the project is starting right away but the estimated cost is now at 8.3 million dollars which is 1.7 million dollars above the funds that were allocated for the project. He stated the primary priority is between Rikki Hill and the intersection of Station Street and Old Military Road.

Supervisor Politi stated one of the things that was brought up and it is up to the Board members to discuss was the possibility of reducing the speed limit on that road to 35 mph. He stated that was with recommendation of Fred Buck from the County and ultimately the road will be turned over to the State of New York and he said if in fact it is something we wanted to do that he would follow up and help us out in applying for the speed reduction that area. He stated I know there are conflicting opinions on that some people believe that if the speed limit gets reduced it's just an opportunity for the Local Police to be able to use that area as a speed trap area but again there is no question as soon as you widen a road and you pave a road people are going to pick up speed it's just normal that, that kind of thing happens. He stated that one of the things I would like to see avoided is for Old Military Road to become a real thoroughfare and this is potentially one of the ways we would do it but I think that we probably would need the input from the residents that live there. He stated I am asking each of you what you think about that, I don't have any problem putting that on the agenda or having a public hearing in regard to the speed limit.

Councilman Rand stated a few years back this came up and we tried to reduce that and it went to the State and they didn't pass it, they said it would become a speed trap and normal speed was 45 mph and that was a good safe speed. He stated whatever the residents want in that area I think is what

Supervisor Politi stated was it the same time I mean the School been there since that time and the USOC has been there since that time. He asked Jack has it affected any of your athletes?

Councilman Favro stated I think the big part is the times you are going to have athletes running up and down the road and if you have 45 mph that is an issue. He stated yes there is a certain section of that street that is more residential than others so maybe you could start slowing them down before they get to the School 45 mph to 25 mph is pretty drastic.

Councilman Rand stated that you have pretty dangerous sections of that road where it where it goes up Rikki Hill but I guess that will be straightened out.

Councilman Damp stated I am in favor of dropping it to 35 mph.

Councilman Miller asked can there be different speed limits in different area of the road?

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Supervisor Politi stated that is a good question Bob I don't know that answer I would think they would want it uniformed.

Attorney Briggs stated they have very rigid rules about any changes.

Supervisor Politi stated the next item on the agenda is the Saranac Lake/North Elba Fire contract. he stated I don't think that, that ever got taken care of.

Attorney Briggs stated I reviewed it. He stated who is the Attorney on the other side or who drafted this agreement.

Councilman Damp stated I have been going to the meetings fairly regularly the Fire Advisory Board was there a Attorney involved probably Maher at some point.

Attorney Briggs stated it is pretty well drafted.

Supervisor Politi stated the contract terminated on December 31st, 2007 so it is something that needs to be approved and there is money in the budget I believe.

Councilman Damp stated I don't see any reason why we wouldn't approve it.

Councilman Favro stated it is a straight forward agreement.

Supervisor Politi stated Jack and Chuck are these the numbers that were agreed upon on \$38,631.21?

Councilman Damp stated next year they are hiring a full time EMT to deal with some of the delays in response time. He stated all of the Towns and the Village agreed that, that could be approved and the advertising process is starting as we speak. he stated as a matter of fact there is a Fire Advisory meeting tomorrow at 4:00 p.m.

Attorney Briggs stated it looks like a one time it was a three year agreement and this says it is a one year agreement that is alwfully tight.

Councilman Damp stated I think part of that has to do with the fact that there is going to be some different costs that will go up plus it is part of the phase in process it is transitional. He stated we are only in the second year of this Advisory group but there is a intent to go back to the three year pattern.

Supervisor Politi stated Jake let me explain this agreement is between the Village of Saranac Lake and it has to do with the contract in Saranac Lake section it is \$38,631.21 it is made in semi-annual payments of \$19,315.61 for the year 2008. He stated I don't know if they may have raised the same issues that it hadn't been signed yet by Saranac Lake.

Supervisor Politi stated I will have Ronnie fill it in and I will sign it on behalf of the Town of North Elba.

Councilman Damp moved and Councilman Favro seconded the motion to approve the Supervisor to sign the Village of Saranac Lake/North Elba Fire Contract. There being no discussion the motion was unanimously carried.

Attorney Briggs stated while we are making motions it might make sense going back to the sidewalk project to get authority for you to sign the agreement once it is done.

Supervisor Politi stated technically I have the authority under the Organizational agreement to sign all the contracts on behalf of the Town so I don't know if it is necessary to do that.

Attorney Briggs stated yes you do that's correct.

Supervisor Politi stated the next item is the Town of Harrietstown and this si another housekeeping issue the contract for services between the Town of Harrietstown and the Town of North Elba. He stated gentlemen I am not up to date on this as much as you are. He stated according to Cathy this was a item that was budgeted for 2008.

Councilman Favro stated I think it was for \$2,000.00.

Supervisor Politi stated there is no amount of money in this particular agreement.

Supervisor Politi stated is this something you have looked at Ronnie?

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Attorney Briggs stated no I have not seen this.

Supervisor Politi stated my understanding was that there was a budget item in the amount of \$2,000.00 and I don't believe there was anything paid in 2007.

Councilman Favro stated correct.

Supervisor Politi stated does anyone have any thoughts on this particular contract?

Councilman Damp stated we have already gone through all this during the budget process and I am not in favor of it but it's done. He stated it is my understanding is that the \$2,000.00 is to secure advertising space at the Airport.

Councilman Rand stated yes because it is illegal to pay it to another Township.

Supervisor Politi stated this is a contract of services so you can make a appropriation for services.

Attorney Briggs stated that is why it was drafted that way.

Councilman Damp stated the way it was put back into the budget from 0 was that it was advertising space.

Councilman Rand stated it use to be \$8,000.00.

Councilman Damp stated maybe those were the services.

Supervisor Politi stated mayI have a motion to expend \$2,000.00 for services with the Town of Harrietstown at the Airport subject to Attorney Briggs review of this particular contract.

Councilman Rand moved the motion stating that the Airport is extremely important to the area and we can get some good advertising over there and that was the purpose from the beginning when we use to make a contribution and then we were advised that there would have to be some arrangement for services and past Boards have agreed to do it and it was reduced over time but I am in favor of it.

Supervisor Politi seconded the motion for purposes of discussion.

Councilman Favro stated I am in the same boat as Chuck I am not in favor of giving them any money, they do have the Airport they do nice things but if our airplanes come in like for the Horseshow they pay a landing fee they pay for fuel that's a benefit to them. He stated I don't see that Airport as being the hub of the area I think Plattsburgh is going to be a better hub and probably a more likely thing to happen.

Councilman Damp stated with that being said I don't think you are advocating that we are going to send what ever money we were going to send to Harrietstown to Plattsburgh.

Councilman Favro stated no.

Councilman Favro stated financially I don't support it I have some other things with Harrietstown just some bad stuff in the past for example we offered to buy some tailings for the road to try to cut down on the costs of fixing some roads from the Airport because they were grinding them and they ended up giving them to other Towns instead of giving or selling them to us. He stated in my mind when they are not really taking care of us like that and we were giving them money then why would we give them money again?

Councilman Miller asked was that last year?

Councilman Favro stated it was the year before.

Councilman Rand stated from a business standpoint then still a lot of people when you go to a Airport you wait for your baggage or whatever if you have the right message there that is what you are going to stand and look at whether it's Albany or Burlington I see it all the time.

Councilman Damp stated on top of all that North Elba funds and owns an Airport we aren't asking anybody else and rightfully so to help us fund that Airport. He stated I just have some misgivings about that whole thing.

Councilman Miller stated my personal feelings are we should wait and see how things

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shake out with the Airport they do provide a service to North Elba residents as long as they have a contract with somebody to fly planes in and out.

Councilman Damp stated we are subsidizing that thing in other ways to the tune of about 6 million dollars through income taxes.

Councilman Rand stated at one point Chuck but it was quite a while ago we were subsidizing \$25,000.00 a year.

Councilman Damp stated it was determined that it was illegal for us to do that and then they did advertising they bought a poster size place on the wall for \$8,000.00 a year.

Councilman Rand stated it's through the Chamber.

Councilman Damp stated I understand that and that is actually what I thought was approved is that the Chamber was going to negotiate some kind of marketing over there I didn't realize it was going to come to this.

Supervisor Politi stated it just came to me and if you want to rescind the motion till such time we have had the opportunity to speak to Jim Mckenna about it and so forth we can.

Councilman Damp stated that's the direction I thought it was headed Jay.

Councilman Rand stated Chuck I think you are actually right.

Councilman Rand rescinded the motion to allocate funds to the Town of Harrietstown Airport till we can further review this.

Councilman Miller stated I am hopeful we can have a better working relationship with them because I remember that issue I remember reading it in the paper and I was bothered by it and I would like to be able to help them out because I would like to be able to have a good working relationship but that is going to have to be reciprocal it is going to have to come from them as well.

Supervisor Politi stated there are things that you and I are not aware of that are going to be brought to our attention in the coming weeks, I was not aware of this particular incident and I think I would of been disappointed and I ...

Councilman Miller stated I think we should frankly discuss it with them I think we should tell them we were disappointed and that we want a better relationship than that if they want help from us we are going to need that from them.

Councilman Damp stated it was shared with them and we are certainly working very closely with the fire contracts and some of the economic issues in Saranac Lake and what not. He stated I don't think this is a make or break ... cash is not working with somebody.

Councilman Favro stated when we did the budget and we did they we could of put \$2,000.00 over here for the seniors or over here for somebody else that I think would of made a better impact for the people then we would of by doing that.

Supervisor Politi stated I think all those things make sense so I think when we have an opportunity we will talk to Jim about it.

Supervisor Politi stated gentlemen you came in late so I don't want you to wait till the end of the meeting because I think that you would like to address this Board and I think you may want to address this Board about old business I assume that you are here to talk about or ask questions regarding the McKenzie Pond subdivision road and I correct. He stated and your names are?

The gentlemen stated we are Frank Sapone, President and Mike Pall.

Supervisor Politi stated why don't you come up here and sit because this is very informal and I know you were working with members of this Board in the past and there are new members of the Board now and I know the issue has to do with the dedication of the McKenzie Pond Road.

Supervisor Politi stated Ronnie I have mentioned to you that this potentially could come up although I haven't had a chance to talk to Larry Straight about it.

Attorney Briggs stated I did speak to Larry I spoke to Larry the day that he went to inspect it and it is my understanding that the road still needs to be topped off to

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meet the Town specs for dedication and that is the only thing that is missing is that correct that is my understanding?

Michael Pall stated that there needs to be some grading work done we have the engineers reports worked up the figure of \$286,000.00 plus a 10% contingency based on what the price of oil might be. He stated we are going to float a 20 year bond to pay for it and I think you have everything you need from the HOA you have our Attorney.

Attorney Briggs stated I have all that but the road doesn't currently meet the Town specs and it requires more favorable weather to get that done is that correct?

Michael Pall stated yes the plan was always to do that in the Summer and what Norm said was if the Board agreed to okay the project he would take over the plowing immediately. He stated that I am not too concerned about because I already have told my plowing contractor that it looks like we are going to be paying for the plowing I am more concerned about getting the okay from the Board that they are going to move ahead with this and I am sure there is a lot of legal stuff but the engineers reports were all done we have an Attorney, there was also some deed issues with nine homeowners where the road was built on to their property so we already have had Bob Marvin draw up new deed descriptions and our Attorney has them she is pulling the deeds from the Essex County court down there and basically that was one of the questions you were going to discuss with Sue Millington is will the deeds be absorbed by the Town or does that have to be done by the HOA before hand taking those properties over?

Attorney Briggs stated it is cleaner to have the deeds go into the HOA and then we get one clean deed from you.

Supervisor Politi stated I think that as far as the Board is concerned provided that you have all the legal paper work in proper order and that Larry Straight says the road meets the specifications.

Frank Sapone stated that we were told that the Town of North Elba would bring the road up to specifications but we would be paying for it and that is where that \$300,000.00 figure came in. He stated that he said the cost to us would be the cost of the asphalt the black top and all the labor was going to be provided by the Town. He stated Andy Abdullah our Engineer had drawn up the figures.

Attorney Briggs stated are you putting up a performance bond or a cash bond to secure it.

Frank Sapone stated that is where I thought the Town was going to get involved.

Attorney Briggs stated if we are going to do the work then that is what we have to have.

Frank Sapone stated some sort of a bond as long as it is a fixed rate that was all that I was concerned about and I am sure between you and Sue you can figure out how that works. He stated we never got that far this project has been going for a couple of years I took over about a year and a half ago and as soon as I got involved we hired the Engineer we hired the Attorneys and we've been waiting.

Attorney Briggs stated I will tell you what I have been told and it is to get it done so I will get it done.

Frank Sapone stated we want to get everything ready to go so this way Larry can go ahead this Summer and do the roads.

Attorney Briggs stated I have the Town file I didn't get the file from the former Attorney Bill Kissel but we haven't gotten together yet but I do have the Engineering file.

Frank Sapone stated you do have a new Town Engineer now right?

Supervisor Politi stated no not that I am aware of.

Supervisor Politi stated the Town is going to do it that is the commitment that was made. He stated I don't know if I want to make that commitment in the future.

Councilman Miller stated what do you mean the Town is going to pave that road?

Attorney Briggs stated that is what we are hearing.

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Councilman Miller stated don't they bring in Luck Brothers and the Town works with Luck Brothers?

Mike Pall stated no Norm said they would do the work and we would be paying for all the materials and that is how Andy Abdullah came up with that figure.

Supervisor Politi stated if the Town was doing that we would be spending all the time on your road and not getting anything else done. He stated usually the developer does the roads or in this particular situation Luck Brothers or somebody else comes in does the road you pay for it but it has to meet specifications.

Frank Sapone stated just to give you a little history of why we are confused or whatever our first meeting with Shirley Seney regarding this was June 25th, of 2005 and that is coming on three years ago so that is why over the years...

Councilman Damp stated for fairness for Shirley and the few of us that have been around the McKenzie Pond Home Owners Association pulled it off for a while. He stated I don't want it to sound that the Town has been one sided. He stated I fully agree with Roby and everybody else comments that we are fully on board to it in to the Town.

Councilman Miller stated at this point is your Attorney going to be contacting the Town Attorney and making sure that the Town conveys to your Attorney what information we need to be able to do this.

Mike Pall stated you have everything from the HOA already.

Attorney Briggs stated except for evidence of the conveyance from the individual properties into the HOA.

Mike Pall stated that there is one more signature and that she is holding that till she hears from you.

Supervisor Politi stated that the next step in the process is the road is ready for dedication the legal work is done, you sign off and we sign off and that is the end of it. He stated the process is going to take a while because nothing is going to happen till the road meets specifications.

Supervisor Politi thanked them for coming.

Supervisor Politi asked if there is any other old business at this time and if not we will move to new business.

Supervisor Politi stated I have a resolution that was forwarded to me on behalf of the Visitors Bureau and Jim McKenna regarding a million dollar grant monies available from New York State Department of Environmental Conservation and it is regarding Adirondack Park Community Smart Growth and we would be applying with several other Towns in the region. He stated this would be in conjunction with several other Towns that would benefit from these funds and the application is not to exceed a hundred thousand dollars and Jim wanted an approval of the authorization so he can move forward in seeking these monies.

Councilman Damp moved and Councilman Rand seconded the motion to approve the Supervisor to sign the Adirondack Park Community Smart Growth grant. There being no further discussion a roll call vote was taken. Councilman Rand; AYE, Councilman Favro; AYE, Councilman Damp; AYE, Councilman Miller; AYE and Supervisor Politi; AYE. The motion was unanimously carried.

Supervisor Politi stated that we need to approve the retainer agreement with North Country Relations for 2008 which is a budgeted item. He stated the contract expired in December of 2007 and it for the amount of \$700.00 a month and a budgeted item of \$8,400.00 with a six year agreement. He stated that is the only issue and this is something we have done in the past and...

Councilman Damp stated was it six years before?

Councilman Favro stated I think it was year to year. He stated was there a 30 day clause in there?

Councilman Politi stated yes there is I think it is the same agreement I think Dan just put it together and it hadn't gotten done.

Attorney Briggs stated I have a point of clarification I find it to be unclear it is unclear whether or not the scope of services outlined 1 thru 8 in the first page are

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included in the \$700.00 per month or if it set at \$90.00 an hour. He stated that it is unclear and needs to be clarified.

Supervisor Politi stated do you feel it should say representation and or other services included?

Attorney Briggs stated I don't know what the intention is because I am new to this but of the \$700.00 per month includes items 1 thru 8 it should expressly state that and it does not state that.

Supervisor Politi stated I thought that the intention was for those things to be included.

Councilman Damp stated there was some discussion a year or two ago we were going over this and I agree with you that it should be in writing but I am quite confident that it includes 1 thru 8 because we talked about possibly not renewing the contract and he gave us a number per hour and what the same services would cost and then we were doing the math on the labor negotiations and the \$700.00 per month were a better deal.

Attorney Briggs stated I think one sentence will clarify it that's all.

Supervisor Politi stated I found that in working with Dan while I was Mayor his services were just absolute necessity in dealing with employee based unions and it is inevitable that we will have grievances and other issues and I will tell you I am not an expert probably Jack and Jay are probably more experts than I am because they are dealing with large numbers of employees but his services are worth it.

Supervisor Politi stated that he is requesting a motion to approve the retainer subject to the language being clarified.

Councilman Rand moved and Councilman Favro seconded the motion to approve the retainer from Dan McKillip subject to the language being clarified. There being no discussion the motion was unanimously carried.

Supervisor Politi stated I received a call from Bay State Elevator telling me the elevator has problems here. He stated I know they did a considerable amount of work a few years ago but evidently there is a obsolete control valve which is leaking in the system and there are not parts available and they will have to make parts to get it to operate. He stated what I requested in this letter was an evaluation of the condition of the elevator and an evaluation of the proposed expenditures and how the expenditures would prolong the life of the unit. He stated there are two prices here one price is \$4,775.00 and my understanding of that is to remove the leaking obsolete control valve and then to install a new control valve with necessary piping to retrofit the existing system. He stated there is a alternative price of \$7,575.00 to replace the complete power unit, pump, motor, control valve, holding tank and etc. He stated when I spoke to this gentleman on the phone he told me that if you replace the entire unit at the cost of \$7,575.00 it should extend the life of the elevator twenty plus years. He stated that he said unfortunately the parts are outdated the elevator is close to 30 years old and the don't happen to make the parts for this particular unit anymore and would have to remake them and the cost in remaking the parts might be fine but if it breaks again you are going to have part remade as opposed to a new unit with a warranty.

Councilman Damp stated what was the \$25,000.00 last year for?

Councilman Favro stated wasn't it the shaft in the pump it's self.

Councilman Politi stated I said to him didn't we just have it done and he said you did but now we have a leaking part that wasn't part of what was done and I can't replace it so I would have to retrofit. He stated I don't mind spending the money providing it extends the life of the elevator and the other thing is that he told me is that is going to probably going to take a full day to put a new system in.

Councilman Damp stated for three thousand dollars I certainly am in favor of going for the better fix I don't think we are talking about a big enough difference here.

Supervisor Politi stated that \$5,000.00 or \$7,500.00 for \$2,500.00 and you have a guarantee that it is going to extend the life of the elevator that long I think it makes sense to do it.

Councilman Rand stated I would like to see Denise if you have a copy of the contract sometime that the Town has if you can I would appreciate it. He stated I think it makes sense if you can extend the life 20 plus years.

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Supervisor Politi stated would you like to make a motion to go forward with the cost of \$7,575.00 to replace the complete power unit, pump motor, control valve and holding tank for this elevator?

Councilman Favro moved and Councilman Damp seconded the motion to approve the expenditure of \$7,575.00 for the elevator repairs. Discussion? There being no further discussion the motion was unanimously carried.

Supervisor Politi asked for a motion on the Budget transfers as recommended by Cathy Gregory our Budget officer and filed in the Town Clerk's office.

Councilman Favro moved and Councilman Damp seconded the motion to approve of the budget transfers as recommended. There being no discussion, the motion was unanimously carried.

Supervisor Politi stated he has a letter from Larry Straight regarding a request to appoint Ronald Hathaway to the position of Deputy Highway Superintendent for the Town of North Elba Highway effective January 4, 2008 pursuant to Town Law Sec 32.

Councilman Damp moved and Councilman Favro seconded the motion to approve of the appoint of Ronald Hathaway as Deputy Highway Superintendent effective January 4, 2008. Discussion?

There being no discussion the motion was unanimously carried.

Supervisor Politi stated is there any other new business?

Supervisor Politi asked do you guys want to talk about the letter from the editor?

Councilman Damp stated it's just not right.

Supervisor Politi stated there was a letter to the editor regarding recyclables at the landfill Center basically saying that certain items were being thrown in the garbage and not recycled which is not true. He stated Larry wants to respond and let the public know that this in fact is not the case and to let people know what the case is.

Councilman Favro stated he was going to write a letter and say we recycle this, this and this to try and help promote that. He stated last year we made about \$50,000.00 on recycables. He stated this one part they are talking about here with the glass currently there is no market for glass but it's not being thrown in the Landfill it is being put in the berm of the C&D because we have to build the berm up. He stated I asked Larry today and if something is not selling do we not want to take it and the concern there was once we stop people from doing it and the comes back then are they going to bring it back. He stated the cardboard, paper and plastics right now are huge.

Councilman Damp stated I can't believe the amount of paper and cardboard that are going in to the compactor obviously people are paying for that right to do it and I don't know if we want to get in to the garbage police busy. He stated maybe it should be more encouraged because the message has been out there for a while of why bother. He stated what concerns me the most about this is somebody is sort of lying.

Supervisor Politi stated I asked Shannon that question and she said well sometimes there are volunteers there other then personal that are helping out so forth and somebody may of mislead somebody into thinking it was done one way when in fact it wasn't.

Councilman Miller stated I would love to see us advertise more to encourage people to recycle I do see a lot of stuff thrown in the trash that are recycables and I do think we need to come up with ways to discourage that.

Supervisor Politi stated maybe it is time to write a letter of public notice educating people.

Councilman Miller stated is there a Town ordinance that requires recycling?

Councilman Favro stated no.

Supervisor Politi stated it's an education process ad I think that we have to encourage people and a lot of it is just that people don't know what can be recycled so let's tell people what can be because it is good for the Adirondacks, the environment and also monetarily it's good for the Town.

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Councilman Favro stated maybe we could put a sign near the building.

Jacob Resneck stated towards the end of the last administration at one of the last meetings there was a motion that was introduced to change the responsibility of the Landfill from the Highway Superintendent to someone else and that was tabled can you tell me the status of that.

Supervisor Politi stated I don't think it has support, somebody can raise the motion but at this point until such time I think that Bob has had an opportunity to familiarize himself with that particular function which is his in conjunction with Jack. He stated there are negatives in doing that. He stated I guess the benefit would be that there would be somebody there all the time but I think if you have a good foreman down there he would do just as good a job.

Councilman Favro stated I think what Larry wants to do is get Shannon more involved in the brokering of the recycling stuff.

Jacob Resneck stated for the record can you say where the recycling are going now?

Supervisor Politi stated I don't know, Shannon would know that because she is the one who brokers it.

Supervisor Politi stated next are Town Attorney reports Ron do you have anything to report?

Attorney Briggs stated no I have reported what I have to report.

Supervisor Politi stated from the Supervisor's stand point I just want you to know that I did get sworn yesterday to the Board of Supervisors and I was appointed to the Finance Committee, Economic Development and Legislative Committee's for the County. He stated finance is very important. He stated I was also appointed as the ORDA rep and on the sales tax sub-committee because we are talking about the potential of doing something on the sales tax standpoint returning money to Towns. He stated it's a step in the right direction. He stated he was also appointed to the snow mobile trail system.

Councilman Damp stated Cathy Moses speech stated one of the things under the radar being the nursing home and what to do.

Supervisor Politi stated what little I know about it is that the Horace Nye nursing home has become out dated and I believe does not meet specifications and may need to be replaced, rebuilt or up graded.

Councilman Damp stated what was shared with us in the last year and a half is that there is about a two million dollar annual deficit there. He stated I was just wondering why we are in this business.

Supervisor Politi stated that is an issue and I think the radio system is an issue we are talking about spending twenty some million dollars.

Attorney Briggs stated what is the purpose of the radio system again?

Supervisor Politi stated it is communication through out the County. He stated we have our own system here that works very well, Lake Placid is really an anomaly compared to other communities we have so much we should be thankful for in terms of fire protection, ambulance protection and police protection most of the other communities are not capable of having what we have so as a result we are the engine that drives a lot of these things so we have to be careful of losing our dispatch to the county I am very nervous about that I think we do a great job here but I am in necessarily in favor of it.

Supervisor Politi stated does anyone else have any questions I want to be very open as to what is going on in the County so I want you all to know but I have to tell you in all honesty after one meeting and it wasn't a business meeting.

Dick Smith stated I am not sure what the protocol is how you are going to handle a meeting that once the meeting is done and you are past where people in the audience have the opportunity to speak and once the discussion is all done something comes up and somebody either wants a question or comment how are you going to handle that? Supervisor Politi stated you mean in terms of normal meetings the way I operate is that contrary to what the law may be that you are there to be a spectator I don't operate that way and I have no problem with the public raising a question but I will recognize you at a point. He stated I don't have any problem with you raising your hand and want to ask a question I want to let the Board members discuss it first and

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at such point I have no problem with talking to the public about it. He stated I am not going to allow the meeting to get out of hand and allow the people to get so involved it disrupts the meeting but I will give everyone and always have the opportunity to speak.

Dick Smith stated being that this is the first Town Board meeting that I have been to inquire some time one of the things I did pick up quite quickly that there might be some concerns that the Board does not want to get in to being a paving company.

Supervisor Politi stated you means in terms of what happened tonight you mean?

Dick Smith stated in light of what the Town Highway has to do to keep everything else up they might be suggested to go out on their own.

Supervisor Politi stated that is what is going to happen. he stated let me tell you it always was for many many years and I have been developing property longer then anybody around here it was my responsibility as a developer to prepare the road and prepare the legals and meet the specifications for a dedication to the Township and to that point I would meet with the Highway Superintendent he would look over the thing and say this has to be done, that has to be done and I would correct it and he might say we will accept dedication in seven months, I want to see how the road holds up I have had that happen. He stated I know things have changed slightly but I would much rather the developer did the work. He stated I this is a little unusual because I think the developer pulled out of this particular situation.

Dick Smith stated I guess what I am saying to shorten this whole time frame is maybe to suggest to these people they go out and get their own contractor they don't have to go through bids they don't have to go any of that stuff like the Town is going to have to do. He stated you don't have to tie up the Town employees to take care of that when you get this all done you come back to us with it.

Supervisor Politi stated I don't anticipate that the Town is going to do anything other then Larry going out and looking at somebody else's work and saying...

Dick Smith stated what I got was that the Town was going to do the work.

Supervisor Politi stated no we are not going to do that.

Councilman Miller stated Dick I think you misunderstood that the Town is going to work with the contractor and you do want the Town involved as I have gone through both my roads first at Patch Lane and the Town did not participate and we did not get the product that the Town expended to get and when the Town did participate in Theianoguen they were there to make sure the taxpayers...

Dick Smith stated I guess I misunderstood.

Supervisor Politi stated all Larry is going to do is go up and look at it and say it meet specs and I am willing to accept it or not.

Supervisor Politi asked for a motion to approve the audits as per the audit numbers as follows: 20072377-20072435; 20072456-20072519.

Town General (A)	\$319,250.76
Part Town (B)	\$ 4,558.45
Townwide Highway Fund (DA)	\$ 11,585.57
Town Wide Highway Fund(DB)	\$ 5,218.50
Rec (Bike) Path (H41)	\$ 8,043.38
Park District (SP)	\$ 75,416.58
Ray Brook Water (SW3)	\$ 8,877.48
Total Claims	\$432,950.72

Councilman Favro moved and Councilman Damp seconded the motion to approve the audits to be paid as presented. There being no discussion, the motion was unanimously carried.

There being no further business to be brought before this Board at this time, Supervisor Politi moved to go into Executive Session at 8:25 p.m. to discuss

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personnel. Councilman Damp seconded the motion. There being no discussion, the motion was unanimously carried.

Councilman Damp moved and Councilman Favro seconded the motion to come out of Executive Session 8:30 p.m. and adjourned the Regular Town Board meeting with no motions being made.

Respectfully submitted,

Denice P. Fredericks
Deputy Town Clerk

