

Regular Town Board Meeting
May 10, 2007

Mr. Kissel stated we are not acting yet.

Supervisor Seney stated let us go here to the concern of the JRB of legal counsel for the Adirondack Museum application.

Councilman Doty stated I have a couple questions. He stated the perimeters of what you are asking for is just a determination. He stated I am not in favor of saying go get an Attorney and let's open this thing up I am going to turn the book back to a simple sign thing we went through is there room for some kind of mediation before we go head to head, I don't know if there isn't Bill.

Bill Hurley stated with this applicant at this point in time no, most of our applicants work I mean we sit there and go you want this we want this so let's meet in the middle. He stated as of our last meeting the applicant said this is our application we aren't changing anything.

Councilman Doty stated can you go down your architectural decisions and say it's the timbers that are the big problem or it's the walkway.

Bill Hurley stated we can do that but when you write that decision an they are going to challenge you need to have someone write it who can defend it.

Councilman Damp stated some of the increase costs that have been in my tenure here have been a result of what could be considered incomplete work at the beginning stages and what Bill is talking about is to make sure the work is complete and dependable from step one and that way it is cheaper in the long run to defend a total package and it also gives us a better opportunity to make a decision based on the probability of a defendable case or not. He stated with the last one it was just a burn factor it was ugly it was all over the place.

Bill Hurley stated you can't bring a Lawyer in after the decision has been made and say clean it up.

Councilman Damp stated if we don't have our I's dotted and our T's crossed from the beginning it is only going to be more costly in the end.

Bill Hurley stated the Board is not looking for a fight by any stretch of the imagination. He stated the book is there and we have to do what the book says and some people will see that our way and some people won't. He stated I have had people call me and say what do you mean you don't want the museum here I want the museum nobody on my Board doesn't want the museum here but you have to follow like everybody else and we will apply the rules like everybody else. He stated we need to have a Lawyer from step one so if there is a problem and hopefully there won't be but if there is a problem we have our I's dotted and T's crossed.

Councilman Doty stated that the way it is presented now doesn't pass.

Mr. Kissel stated we can't discuss that.

Councilman Doty stated we are insinuating it sitting here for a half an hour.

Mr. Kissel stated no he is simply saying there are issues that his Board needs guidance on that are legal in nature with our saying pro or con.

Councilman Doty stated then back to my original question is hiring the Lawyer for a determination period?

Mr. Kissel stated it is hiring the Lawyer for whatever legal advice and help is needed.

Bill Hurley stated if our Board makes a determination that it does meet the architectural guideline the case will move forward in front of us and then we don't have a Lawyer incase another issue comes up. He stated is that what you want to limit it to. he stated if e declare it meets the architectural guidelines the project can move forward if we declare that it doesn't meet the architectural guidelines it's dead there is no variance request there is no nothing.

Councilman Doty stated those are the sole issues you are talking about are architectural?

Bill Hurley stated right now but if we declare that it does meet the architectural guidelines we have the whole rest of the process to go through and there could be other issues that come up we can't limit it to the one thing.

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Supervisor Seney stated our funds are getting smaller and smaller for legal fees.

Bill Hurley stated the only controls I can suggest is that we limit I know in other cases individual Board members were calling the Attorney and it's every fifteen minutes it's seventy five bucks so we are going to limit that and the applicant was calling the Attorney and racking up the Town's bills.

Mr. Kissel stated the applicant's Attorney is going to have to talk to the applicant I think Bill is right in trying to limit that but you can't eliminate it. He stated what normally is done and I think Bill was going down this road from the last communication I saw from him to this Board was to ask Michael Naughton if he is the one that is going to be hired or whoever is hired for what we Lawyer's call a scope of engagement and there is nothing wrong with that. He stated that may change but if it changes it doesn't just change it changes by saying stop something is different this is what we now contemplate here's the new scope here's the new projected cost. He stated there is nothing wrong with holding Lawyer's like anyone else accountable on that basis and I think Bill has given us enough thought that he could structure along with Michael or whoever is used that kind of engagement letter. He stated you ought to see it we ought to know it we probably need to stay closer in touch with Bill's Board on these kind of legal issues what is it up to now is it \$5,000. is it \$10,000. as Ken mentioned sometimes they can go whacko out of control and I don't think any of us are going to let that happen again.

Bill Hurley stated my Board had no clue what the cost was of the Lawyer, we aren't seeing the bill but if you say okay I need a weekly report from a Lawyer fine I will get you a weekly report.

Mr. Kissel stated it is not unusual for us to have an arrangement where you are not authorized to go beyond a certain amount and when you get there stop because if you don't you are at risk and a lawyer knows that. He stated you have a Board here or both Board's frankly that are attentive and responsible so I don't think that is going to happen he stated what happened happened but certainly isn't typical of what will happen here.

Supervisor Seney stated this fee if we agree to this will be a total fee paid for by the Town of North Elba?

Mr. Kissel stated that is a whole other issue this Board has to discuss and it has nothing to do with these gentlemen they don't need to be held up way or the other. He stated we should discuss that later tonight Shirley because it is very much an issue we have to address.

Mr. Kissel stated you have had initial chat with Michael?

Bill Hurley stated I have spoken with Michael and the only thing I got from them that I supplied to Shirley was a retention letter with his rates and saying I'm available and will be happy to help us. He stated his normal rate is \$300.00 and he knocked it down to \$225.00.

Mr. Kissel stated I think what I should do is review this with Bill and then I can chat if Michael is your choice or their choice.

Bill Hurley stated Dennis Curtin's name was brought up by my Board. He stated it was a case that he came in late but we didn't like the way he handled the Pond matter. he stated the majority of my Board did not like the way that sign case was handled. He stated the majority of our Board suggested Michael Naughton if we get Dennis Curtin we will settle for Dennis Curtin I guess but we would prefer Michael Naughton.

Mr. Kissel stated I think Shirley we should discuss this later tonight and discuss it in the context of the question that you asked Shirley whose paying the bill are we paying the whole bill or is the Village paying part of the bill or is the Village paying the whole bill. He stated we ought to consider this in conjunction with ken's request which we are about to hear and I think we can make a decision tonight.

Bill Hurley stated our meeting is normally next week but it was postponed due to lack of a quorum till the week after which I believe is the May 23rd. He stated every applicant wants everything right away but if you make your decision tonight I will put them on the agenda if it is going to be delayed before we meet the 23rd of May if you don't have your decision made before Monday the 14th...

Supervisor Seney stated Bill we will have our decision tonight.

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professional and was is a straight shooter is was right on I don't know how to explain it we go through a lot of stuff that could go slanted one way or another and it was just right down the middle straight narrow and focused.

Councilman Doty stated then you don't oppose Dennis Curtin?

Ken Jubin stated I do not oppose Dennis Curtin.

Supervisor Seney stated you are in the process now of a recusal?

Ken Jubin stated I am in the process of a recusal and on this particular recommendation I would appreciate it if you would support my recommendation of Matt Norfolk for this one particular case.

Mr. Kissel stated it looks like the issue is quite narrow in your opinion.

Ken Jubin stated it is very narrow it is on a title situation and he is up to speed and he knows what is going on.

Supervisor Seney stated what does he charge an hour?

Ken Jubin stated he charges \$175.00 per hour.

Councilman Damp stated I have no objection to Matt Norfolk being hired for this particular case along as the opposing side doesn't raise the issues that you brought up earlier. He stated as long as that works you need counsel.

Councilman Favro stated is this Town?

Ken Jubin stated this is a real funny situation this is a Town/ Village situation part of the land is on Town and part is on Village. He stated part of the deck is on Village and the House is on Town so it's one of those things.

Mr. Kissel stated unless you have further questions of Ken or if he wants to give us additional input we can put this on that discussion we are going to have about Bill's request later in the meeting. he stated if you have something you want said in Executive Session the Board can invite you in.

Ken Jubin stated if you would I don't want to ruffle feathers or anything like that it is my understanding that when our normal Attorney recuses himself even though you guys are funding it is suppose to come out of the Planning and Zoning budget or Planning budget that we have complete authority to chose who ever we want obviously we are going through a process here where we are trying to work it out but the State law is set up and maybe Bill you can explain this to them so that the Town or Village Board does not interfere with the ZBA processes or in any shape or form not that this Board is going to influence us or anything but that is the way it is set up so I am just telling you that's the law and that's the way it is set up. He stated we are trying to do things here to work things out we are a small Community and we all know each other.

Supervisor Seney stated you are saying you can go out and hire any Attorney you want without our approval.

Ken Jubin stated that's correct.

Mr. Kissel stated no you don't want to be in that situation because we have to pay the bill.

Ken Jubin stated this is the law and we can if we wanted to.

Mr. Kissel stated the question is do you want to be part of the system they were just describing when they put it in place which they are going to very soon if you don't if you are going to say the law says we can do this we can stop this discussion and I can go do some research and we can have a further discussion.

Ken Jubin stated I am just telling you what the law is.

Mr. Kissel stated why are you telling us that if they are probably going to put the system in that they are talking about?

Ken Jubin stated because the bottom line is that the law is set up to keep the integrity of the ZBA separate.

Mr. Kissel stated the Planning Board too.

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Mr. Kissel stated neither one of them is in a different category when it comes to independence from the Town Board they are both independent from the Town Board and must remain so.

Ken Jubin stated they are but the ZBA is specifically designed to be completely different completely separate. He stated we are already getting into this and I don't want to go there.

Mr. Kissel stated we don't want to go there unless Ken makes us go there and I think he is making us go there and he is saying he has this position whether he has retained a Lawyer or whether he is now interpreting as a Lawyer I don't really care. he stated there is another view point which I can certainly appreciate and I can research it if need be but my question Ken is why is that on the table tonight is that ultimately where you may want to go?

Ken Jubin stated no I just think it should be out in the open on where everybody stands with everything and then that is the foundation. He stated I am not going any where with it I am not going to...

Mr. Kissel stated you hired Matt Norfolk without coming to this Board correct?

Ken Jubin stated that is correct.

Supervisor Seney stated so you have already hired him?

Ken Jubin stated okay this is what has happened in the past when I have been deficient of an Attorney or Tim has recused himself then it has been up to me to scramble and find someone.

Mr. Kissel stated not after the Briggs fiasco.

Ken Jubin stated after the Briggs fiasco there was suppose to be this thing in place that never worked it was suppose to go to you it was suppose to go to Jamie, Jamie never knew about it was a big disaster.

Mr. Kissel stated that what both the Village and the Town Board made clear that it would not in the future that is the way I understood what they said would not just wake up and say oh somebody hired counsel and here's the bill.

Mr. Kissel stated right now we need to determine if what ken is telling us and I expect that he is and I may disagree that he has hired counsel without approval or consultation with this Board and he intends to continue to do so.

Councilman Rand stated earlier I heard you say you would like to use him is that correct?

Ken Jubin stated that is correct.

Mr. Kissel stated that your communication says that you hired him and you told us a minute ago that he is talking to Lussi.

Ken Jubin stated that is a very stern posture you are taking and putting words in my mouth i am trying to work with your Board here.

Mr. Kissel stated let's get your letter out. He stated we are not going to mince words here. He stated at last nights meeting the ZBA approved the hiring of Matt Norfolk.

Ken Jubin please read the whole thing because there is a lot in there that i m reaching out to this Town Board in an effort to keep things in a very congenial matter.

ken Jubin stated per your recommendation I am writing the Town Board in regard to the above referenced matter; first normally when Tim excuses himself because he or his partner Janet Bliss have a conflict the ZBA on minor variance applications are given latitude to hire counsel this is a minor variance application this sis not where a code enforcement officer decision is being challenged this is not a Spoor or a Brockway this is just a run of the mill typical minor variance application.

Councilman Rand stated are you saying that you pass most of this back to the applicant?

Ken Jubin stated when we hired Greg LaDuke or Lou Higgins in the past then the Town has footed that bill it has been very...

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talked before your Board passed a resolution to hire those Lawyers. I may be mistaken but I didn't understand that is what you have done with Matt here certainly. He stated I want to know going forward particularly in view of the statement you made that the ZBA has the authority to hire counsel.

Ken Jubin stated I would like to discuss this in Executive Session.

Supervisor Seney stated we need to approve Danny Miller which we were suppose to do this at our meeting Tuesday night he stated as a custodian May 9th as recommended by human resources at \$10.00 per hour.

Councilman Damp moved and Councilman Rand seconded the motion to approve of the hiring of Danny Miller for custodian at the rate of \$10.00 per hour effective may 9, 2007. There being no discussion, the motion was unanimously carried.

Supervisor Seney stated we need to approve Matthew St. Louis effective May 8th as Craig Wood mechanic at \$11.35 per hour as recommend by human resources.

Councilman Rand moved and Councilman Damp seconded the motion to approve the hiring of Matthew St. Louis as mechanic at Craig Wood at the rate of \$11.35 per hour effective May 8, 2007. There being no discussion, the motion was unanimously carried.

Supervisor Seney stated we need to review the CGR Town/Village agreement of the MOU Bill are you ready to do that?

Mr. Kissel stated that the only comment I have is that the consultant is allowed to terminate it without cause on 30 days notice. He stated I noticed that it is set up for signature with the Village an maybe they are going to be the contract party.

Supervisor Seney stated the MOU grant is in their name.

Mr. Kissel stated it is in their name but if the contractor did decide to walk the fact that it technically just with the Village wouldn't give us much comfort because we would be out of luck as well. He stated I don't know what the reason is for that?

Supervisor Seney stated do you think that perhaps this was agreed on at the Village after our meeting.

Mr. Kissel stated no I think is standard clause that they have in that if nobody picks it up it's like hey we can tell you we are going to walk away from this at some point. He stated there is no provision that says we have to complete the work in progress we have give you other then 30 days notice may heads up the next phase is not going to be completed. He stated do you know if Jamie has signed this?

Supervisor Seney stated I don't know I have no idea.

Mr. Kissel stated Shirley what are we needing here are we needing to tell the Village we are okay with the Village signing it.

Supervisor Seney stated I got this from Angel she e-mailed it to me and I just assume that we are suppose to because we are in this together and we met as a joint Town and Village Committee that we would both have to agree to the work.

Mr. Kissel stated that's not the way it is set up it's between them and the Village.

Supervisor Seney stated if they can go forward with the signature of the Village..

Mr. Kissel stated that is what they are preparing to do I can tell you right now.

Supervisor Seney stated it certainly looks like it right here what is our role in this?

Councilman Doty stated we only had to be a co-operating party to qualify for the grant.

Councilman damp stated we did a resolution of support.

Supervisor Seney stated I will send this back to Angel and will ask her what she wants us to do with it.

Supervisor Seney stated we have a request from Mary Brown who is the team co-ordiantor of SARNAK it is Search and Rescue of the Northern Adirondacks an she is requesting as they have in the past to have a coin drop out at the Adirondack Lodge

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from SARNAK for a coin drop. There being no further discussion, the motion was unanimously carried.

Supervisor Seney stated we received a letter from the Department of State where they are encouraging us to send our Code Enforcement & Fire Codes Officer to the State Conference in Rochester. She stated it is from May 21st to May 26th.

Councilman Doty stated he will call Jim in the morning and cross reference what he told us he was leaving next week maybe he is mistaken and this was what he was talking about.

Supervisor Seney stated we have a request from the Saranac Lake National Guard to use the runway for training. She stated Norm has taken him up to another area.

Norm Harlow stated he talked to the Sargent about the Airport and they want to run on the pavement they don't want to run on the grass because these are all older people it isn't training it's a test what they call a PT test. He stated Steve isn't real keen about closing the runway and it's a convention these people are all recruiters they are at the Crown Plaza they booked a couple places one was Bobsled lane and the other suggestion I had that he really liked a lot was Mountain Meadows. He stated I told him I could close the road. He stated he like it a lot but his Sargent Major is coming in a week or two and we are going to go visit these again.

Mr. Kissel stated it doesn't sound like it is ready for tonight anyway.

Supervisor Seney if this man comes back and Alfred Lane is okay may I have conceptual approval of this so that we can give him approval and ask him for a certificate of insurance do we need a certificate of insurance?

Norm Harlow stated I don't think we need a certificate of insurance this is the government.

Councilman Damp moved and Councilman Favro carried the motion for conceptual approval for the National Guard to use Alfred Lane for their PT testing. There being no discussion, the motion was unanimously carried.

Supervisor Seney stated we need to do a RFP for the Town Hall Roof repair and replacement of windows so that we can get that out. She stated I don't know if you want to do them both at one time or if you want to do them separate.

Councilman Rand stated I think you should do them separate.

Councilman Doty stated I didn't know that we discussed the windows on enough depth to know that we want to spend \$150,000.00.

Supervisor Seney stated that's okay but we do to look at them because the electric heat is going right out the windows and we probably could save half again but I would like to put it on the agenda at some point where we do, do them before next winter.

Councilman Rand stated these windows are not that old I am wondering if the problem is the windows or just the casing around them.

Supervisor Seney stated the priority is the roof and the second priority are the windows because we are losing with the cost of electricity right now e could probably cut our light bill in half.

Councilman Favro stated we should talk to Jamie and see if there are any grants with the electric department and help us energize the place.

Councilman Rand stated we have to get an Engineer to design some specs so that everybody is bidding on the same thing.

Supervisor Seney stated we need to go out to bid.

Norm Harlow stated that is why an RFP is so much better because you can pick the one that is going to do the job right Bill?

Mr. Kissel stated are you talking about engineer or contractor?

Norm Harlow stated contractor.

Mr. Kissel stated it has to be bid.

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see if they are available to put something together for us.

Supervisor Seney stated can talk about the windows later.

Councilman Damp couldn't we do an energy audit before we do windows.

Supervisor Seney stated we have a request from a taxpayer.

Mr. Kissel stated I think we ought to do that in Executive Session it is potential litigation Shirley.

Supervisor Seney stated we need approval for the sick leave revisions.

Councilman Damp stated I am a little reluctant to approve this inserting in to the handbook at this time as opposed to making this part of a budgetary discussion process.

Supervisor Seney stated we told her at the workshop to go ahead and do this.

Councilman Damp stated I am not saying that her wording is misguided I just thinking if this goes into the handbook the way it is worded and maybe that is our intent once it is in the book it is a lot harder to take it out.

Councilman Favro stated it's in the book it just is not worded correctly.

Councilman Damp stated this appears to give incentives for something that is paid for already and I don't mean to sound hard that is not the point and this is something I don't agree with.

Councilman Favro stated you probably need to look and see what is in the handbook currently and understand the clarification that she is trying to do I know what is in there kind of says what that says except a little more confusing.

Councilman Damp stated I appreciate that but I am just not convinced with the whole concept and I would be more comfortable with this as part of a budget discussion because it is a budgetary concern and I am not trying to short anybody or pick out anybody in particular I just think in general there are some things that we need to address and some I have mentioned before and some are retirement issues and things like that.

Councilman Favro stated before we move maybe we should go back and look at the book.

Councilman Doty stated is the language any different on you side Norm?

Norm Harlow stated we discussed it during Union negotiation and I don't think you are giving any money away I think what you are actually doing is clarifying. He stated the way it is now is if you don't use any sick time which is a gimme I know sick time is a gimme but if you don't use any sick time an you have so many sick days banked you are allowed to use 5 days basically as personnel days so 5 extra vacation days. He stated the way a lot of people interpret it now is that you don't use the 5 sick days when that happens and that is what we clarified with the Union yes you do lose the 5 sick days. He stated what most people don't understand is that you are going to lose them anyway if you have that many days banked the 5 days aren't going to kill you because you are doing 18 days a year so actually all you are doing is using sick days up front. He stated you aren't paying anybody off on them it's not a cash thing.

Councilman Damp stated I think this is a budget issue.

Councilman Favro stated in this case we have to decide if we are going to clarify something in the handbook or take it out of the handbook.

Councilman Rand stated when we were dealing with negotiation we tried to keep things pretty equal between the Town and the Union.

Norm Harlow actually a lot of the things that came out with the Union we talked about adopting in the Town but it didn't happen. He stated a lot of the Union things were very good because they were very clear. He stated the Union gave up some things and the Town gave up some things and the employees Town wide say some of the things the Union got and wanted those but they didn't want to give up the others they wanted both.

Councilman Rand stated maybe we should go back and make sure everybody understands it the same way before we put anything in there so there are no misunderstanding on

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Councilman Rand stated make a work group with Dan.

Councilman Favro stated let's just hold it till next month.

Supervisor Seney stated under Town Attorney reports Bill you recommended that Norm you do this. She stated we received a letter from DEC that says we recommend that Delaware Engineering review the Storm Water Plan for the Cedar Crest Subdivision in Ray Brook. She stated apparently Norm needs some expertise on that and we recommended that he hire Delaware Engineering.

Councilman Doty stated doesn't Joint Review Board take care of storm water management through the permit process?

Norm Harlow stated this is another new thing that is coming in now where they are putting these in our right of way and we have to maintain them. He stated this road is coming up for Town dedication.

Mr. Kissel stated you need some Engineering help with the adjoining property.

Norm Harlow stated I don't dare just sign off on this.

Councilman Damp stated can we send that expense back to the developer?

Mr. Kissel stated did you get a written request from somebody?

Norm Harlow stated I got a request.

Mr. Kissel stated from who?

Norm Harlow stated from the project sponsor who is Greg Ruppert.

Supervisor Seney stated shouldn't he be paying for that?

Norm Harlow stated that's the part I don't know that's why I didn't want to spend the money but I also didn't want to give the letter.

Mr. Kissel stated what is driving Greg to ask you APA?

Norm Harlow stated the Park Agency it's the final thing they want to know that the Town will take this over.

Norm Harlow stated they have to get the water department letter to say they can hook up then they have to get a letter from us saying we will take over this whole sub drainage system.

Mr. Kissel stated you are not in any position to say that right at this point? He stated not if you don't get some engineering help to determine this. he stated with that kind of request I would think we could say to the person requesting it we would be glad to at your expense. He stated it that something you would normally be doing Norm?

Norm Harlow stated most of the time if I know...

Mr. Kissel stated first Ruppert has to put it in writing and second I would think your response would be the Town Board has authorized me undertake this at your expense and we will need an agreement to that effect and then he would probably talk to Kathy or whoever you are going to use for an engineer and get an estimate.

Norm Harlow stated I don't want him to hire the person, he can pay them but I want to be the person to hire.

Mr. Kissel stated it doesn't need to be a motion you are being directed by the Town Board to get that developer to give you a letter so you can ask on it and authorize you to do what you need to do.

Supervisor Seney stated you are being directed by the Board to get the letter and authorized to go forward and do what you need to do.

Supervisor Seney stated do you have anything else under Attorney reports?

Mr. Kissel stated no other then what we are doing in Executive Session.

Norm Harlow stated I have something somebody rolled a big rock or boulder into the Mountain Lane and blocked off the last 250 ft before the State line. he stated the

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Ken Jubin stated I e-mailed Norm and he e-mailed me back that Jim McCulley had questioned him about it and Norm went out and saw it and it does look like a chain come along was used.

Mr. Kissel stated is it impairing what you do on that road?

Norm Harlow stated it would if there was a rescue.

Mr. Kissel stated if it is not interfering with your operation.

Norm Harlow stated it is right in our right away.

Mr. Kissel stated let your highway superintendent deal with the issue in the field which is what he is hired to do.

Supervisor Seney stated under Essex County reports the County has been sued for one hundred million dollars for the accident that happened on the Northway.

Supervisor Seney stated we received a letter from the Lake Placid Center for the Arts and they are very upset because we cut their budget they didn't realize it till they came to get their \$1,000.00 this week and they were told we did not include them in our budget.

Supervisor Seney stated she received a letter from the Mayor wanting the Town to help the Village with the cost of repair of the tennis courts. She read paragraph five of the Town and Village Parks agreement stating that the Village covenants and agrees to provide at no expense to the District #1 all existing equipment, fixtures, apparatus and personal property now located in several parks and Village remains responsible for all repairs, replacements or additions there to during the term of this permit and #2. regular Village Police and security patrols and services to the Parks as to prevent waste, nuisance and or illegal activities occurring in the park area. She stated that she told the mayor his request would be addressed at our Town Board meeting this evening. She stated there has been a lot of trouble with NSA and Butch has had to get the Police. She stated this is not part of the agreement we have.

Mr. Kissel stated has Jamie responded to your e-mail?

Supervisor Seney stated no instead he brought me down four quotes.

Supervisor Seney stated what am I going to tell them?

Councilman Favro stated no it's not a budgeted item.

Supervisor Seney stated is that agreeable?

Supervisor Seney stated the skate board park we have ordered the equipment we are in the process of getting the park ready we have all kinds of contractors donating time to do different things and the Village is going to put up the lights.

Mr. Kissel stated what is the Town's involvement with the project.

Supervisor Seney stated I got \$100,000. grant and the school is allowing the equipment to be put on there parking lot at the Tom Shipman Youth Center. She stated it will be more then \$100,000. and there will be a fund raiser being done by Dan Leff.

Mr. Kissel stated who is doing the construction?

Norm Harlow stated Ledger Construction.

Supervisor Seney stated they are coming in with their equipment they being the people that we bought the material from and there is a group of the older students that are going to help put it together, the insurance is being for by the School, the lights are being installed by the Village and the fence is going to be given by Dan Leff and he is going to give an additional number of dollars till the funds come in. She stated it is going to be done by the 31st of May.

Mr. Kissel stated who will oversee or manage it Shirley?

Supervisor Seney stated the School. She stated it will be secured and will have set hours.

Supervisor Seney asked for a motion to approve the audits per the audit numbers as

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Town General: The total is \$171,238.37 with the following voucher numbers; 20070614; 20070616-627; 20070629-637; 20070641; 20070648; 20070684-710; 20070746-758; 20070761; 20070768; 20070775; 20070777-785; 20070790-791.

Part Town (B): The total is 170.36 with the following voucher numbers; 20070614; 20070711-712.

Town Highway Fund (DA): The total is \$37,113.83 with the following voucher numbers; 20070628; 20070638-640; 20070642-647; 20070649-650; 20070713-714; 20070759-760; 20070762-763; 20070776; 20070786.

Park District (SP) The total is \$23,914.00 with the following voucher number; 20070614; 20070651-669; 20070715-726; 20070769-772; 20070787-788.

Total Claims is \$232,436.56.

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

Councilman Doty moved and Councilman Rand seconded the motion to go into Executive Session at 10:05 p.m. for litigation. There being no discussion, the motion was unanimously carried.

Councilman Doty moved and Councilman Damp seconded the motion to hire Dennis Curtin if he is available and Michael Naughton if Curtin is not available for legal Counsel for the Adirondack Museum project. there being no further discussion, the motion was unanimously carried.

Councilman Doty moved and Councilman Damp seconded the motion to hire Matt Norfolk for the ZBA Lussi variance. there being no discussion, the motion was unanimously carried.

Councilman Rand moved and Councilman Favro seconded the motion to come out of Executive Session, and go back into Regular Session at 10:30 p.m. and adjourned at 10:45 p.m.

Respectfully submitted,

Denice p. Fredericks, Deputy Town Clerk.