

Regular Town Board Meeting
August 12, 2008

Minutes of the Regular 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, NY 12946.

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

Others Present: Attorney Ronald Briggs, Larry Straight, Jacob Resneck, George Earl, Kim Dedam, Mary Merrill, Brenda Jock, Sean Ayres and Connie Issleb.

Supervisor Politi called the Regular Town Board Meeting to order at 7:00 p.m. by asking everyone to stand for the Pledge of Allegiance.

Supervisor Politi asked for a motion on the minutes of the Regular Town Board Meeting of July 8, 2008.

Councilman Damp moved and Councilman Favro seconded the motion to approve the minutes as written and presented. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Politi asked if there were additional items for the agenda.

Supervisor Politi asked for a motion on the agenda.

Councilman Favor moved and Councilman Damp seconded the motion to approve the agenda as presented. There being no discussion, the motion was unanimously carried by those members present.

Supervisor Politi stated next is persons present have the opportunity to speak and I have Mary Merrill here from Cascade Acres and she would like to speak to this Board about the road situation and the cutting of the trees.

Mary Merrill stated first of all I would like to thank you for the two speed limit signs you put there because there are a lot of children that play on that road. She stated I don't know how many of you have driven down the Dump Road or Recycling Lane as they now call it and have seen where the Village of Lake Placid have cut down the trees on the Cascade Acres side of the road because of the power lines and because they did that you can now see the back of everybody's home that lives in Cascade Acres and I am unfortunate to have a neighbor that his property is not really attractive and I would hope that you as the Town Board could write a letter to Cascade and ask them to make the people clean up their yards on that side of the road so that the Village of Lake Placid residents the tourists that come to Town to go to the events that happen on that road wouldn't have to see that.

Supervisor Politi stated that you mentioned to me also that there were a couple of vehicles that did not have plates.

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Mary Merrill stated there are three unregistered vehicles in my neighbor's lawn that he literally drives around the park because I met him on the roadway yesterday with one of them.

Supervisor Politi stated they don't have license plates.

Mary Merrill stated they have no license plates so they probably have no insurance.

Supervisor Politi I think that, that Town law Ronnie applies to every private location and if there are vehicles that don't have plates and have been there for an extended period of time.

Mary Merrill stated I called the management of Cascade Acres in Nashua New Hampshire and I told them about that and they say they will do something about it.

Supervisor Politi stated did you speak with Jim Morganson's office Mary because he has jurisdiction over that kind of thing and those vehicles would be in violation if they don't have a plate on them.

Mary Merrill stated before I came here tonight Cascade Acres sends out rules and regulations every year to all there residents and that was one of the things in the rulers and regulations was that you could not have an unregistered vehicle but no body makes them comply.

Supervisor Politi stated I will speak to Jim tomorrow about those vehicles that are located there. He stated it seems to me there are a couple of issues here one issue is the cutting of the trees which was unfortunate and two the second issue is the unsightliness that you are talking about. He stated that as far as the trees are concerned I spoke to peter Kroha today and un fortunately he was aware that the trees had been cut because he was on vacation at the time and he actually went down and take a look at it and he was not happy the fact that the trees had been cut all the way to the ground so he spoke to me about a possible solution to that problem and although we haven't resolved the issue we have talked about possibly getting some type of shrubbery or plantings to go along in the area where those trees were removed to close off the road from Cascade Acres. He stated we are also concerned about it because the fact that the trees have been cut it is relatively easy now for anyone on a motor cycle to go from Cascade Acres directly on to Recycle Circle Lane and use it as there own private drag strip because they have it blocked off on both sides and they can fly up and down and use it as if it is there own road way so it does potentially pose a problem for the Town also. He stated I do want you to know that as a result of your call I have spoken to him and we are going to address that with the Village. He stated I really don't want to put up a fence but he talked potentially putting a fence up I don't want to do that, or a series of sections of fence areas that are open but I don't know what the answer is.

Supervisor Politi stated we are addressing that but I don't have an answer for you tonight but I will talk to the other Board Members Bob and jack because they are the Councilmen that are working on that particular area of interest for the Town and we will come u p with some type of solution and co-ordinate that with the Village.

Mary Merrill stated are you willing to write these people a letter and ask them to clean up.

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Supervisor Politi stated I don't have a problem with writing them a letter, Ron you represent them right?

Attorney Briggs stated yes.

Supervisor Politi stated so Ronnie couldn't write the letter.

Brenda Jock stated don't they have to have a building permit in order to erect a shed there?

Supervisor Politi stated they would have to of gotten one at the time they built it.

Brenda Jock stated it is in the process, it has been in the process for three months.

Supervisor Politi stated Jim can pay a visit and see what is going on.

Brenda Jock stated that is one way to get him to complete it.

Mary Merrill stated I invite everybody on this Board to take a ride down there.

Supervisor Politi stated I have ridden down there and I was very surprised to see the way it looked.

Brenda Jock stated I like your idea of shrubbery that would buffer the noise. She stated there are retired people on that side of the street and I know the first lady on the street the little German lady got fined for removing trees from there had to replant trees then they cut trees that they made her replant and she said the noise is just horrible because there was traffic going on all night it was like main street for three or four days there. She stated it would buffer the noise and also serve as a barrier for the children JJ Ledwith's children were right on the end of the road and they were not far from the cars so just something that would serve as a boundary for the children, buffer the noise and make it more beautiful for all the people that are going to visit Lake Placid and see that as a residential area I think that is a great idea and trees grow fast here.

Supervisor Politi stated do we have any other plans Larry for that road?

Larry Straight stated I have speed bumps coming in.

Supervisor Politi stated they are seasonal speed bumps but they will slow people down.

Supervisor Politi stated thank you very much for coming and bringing it to our attention.

Supervisor Politi stated let's move to old business and the first thing is the Northwood Road speed limit reduction. He stated I have had a number of complaints and I have spoken with Ed Good also And he would like to see that section of road between Mirror Lake Drive and Cobble Hill Road reduced from a 35 mile per hour speed limit to a 25 mile per hour speed limit because of the school and the kids are playing there in the Summer time and I think it is a reasonable request and is one of the few places doesn't have a speed zone around a school. He stated I do have a resolution on this. He stated is there any discussion on this?

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Councilman Miller stated is it the entire length of the road?

Supervisor Politi stated no it is from Mirror Lake Drive to Cobble Hill Road in other words where Mirror Lake Drive and Northwood Road intersect go past Northwood School just as you go down the hill there is a road going to the left there and that is Cobble Hill Road so it would only go from Cobble Hill Road basically the area where Northwood School is located and those residences which are adjacent to it.

Supervisor Politi read the resolution which is on file in the Town Clerk's office.

Supervisor Politi stated this would have to be sent to DOT with a copy of the resolution from the Clerk and the County Highway Superintendent. He stated the only thing in here I note Ronnie is that it states and maybe this is the law during school days between 7:00 a.m. and 6:00 p.m.

Attorney Briggs stated I think the law talks about when school is in session.

Supervisor Politi stated what if school is not in session what do you do?

Attorney Briggs stated it is interesting I noticed now that at the Elementary School they are blinking because it is being used.

Supervisor Politi stated I am happy with it just being 25 miles per hour I don't really care because the public is going to see it and slow down.

Councilman Damp stated we have tried to get speed limits changed just from the posted to a reduction that is more problematic then the school zone reduction you have more chance of getting the school zone then you will of getting it changed because we tried on Old Military Road.

Attorney Briggs stated let me ask Larry a question if this gets adopted by DOT do intend to install the same source of signs with the digital blinking?

Larry Straight stated no, it is not necessary.

Supervisor Politi stated does anyone have an issue with this if not may I have a motion.

Councilman Damp moved and Councilman Favro seconded the motion to approve the reduction of speed from 35 miles per hour to 25 miles per hour from Mirror Lake Drive to Cobble Hill Road. There being no further discussion, the motion was unanimously carried by those members present...

Supervisor Politi stated the next thing on the agenda is a request from the Village of Saranac Lake for payment of 25% of the engineering service of work for the Ray Brook water and evidently the cost was to be split between the Village of Saranac Lake, the Town of North Elba, the Federal Correctional Institute and the Adirondack Correctional Facility and the total cost was \$19,000.

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Councilman Damp stated it was a set dollar amount it was a percentage was it, wasn't it something like \$5,000.

Supervisor Politi stated is \$4, 750.00.

Councilman Damp stated I think we approved up to \$5,000. in 2006 didn't we?

Supervisor Politi stated it has never been paid.

Supervisor Politi stated here is a letter from Shirley dated July 20, 2006 saying that North Elba is willing to commit 25% of the cost.

Councilman Damp stated wasn't the amount like \$5,000.

Supervisor Politi stated she said it was \$7,000.

Councilman Damp stated when was that?

Supervisor Politi stated it was July, 2006 and this is for \$4,750.00.

Supervisor Politi stated if this was agreed upon.

Councilman Damp stated it was agreed upon but I thought it was \$5,000.but it was \$7, 0000.

Supervisor Politi stated I thought Jay would have been here.

Councilman Damp stated I am not going to argue over the dollar amount but I do remember agreeing to it but of course it probably was in the budget then but now it wasn't because we didn't spend it right?

Supervisor Politi stated I think that Cathy told me she carried it over.

Councilman Miller stated what was the study for?

Supervisor Miller stated it was for the Ray Brook Water Line study for bringing the water line from....

Councilman Damp stated the prisons right now supply their own water and it was a study to bring water in. He stated there were three different routes they looked at up 86 and going McKenzie Pond across some property there up to the reservoir and then there was some discussion which I don't think there was ever any kind of decisions made as to if we were going to buy water from the Village of Saranac Lake but I don't think we ever got to that point it was more the feasibility of doing it, how much it was going to cost, what was the more practical route and that type of thing.

Councilman Miller stated so was the study complete?

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Councilman Damp stated I thought I made a report a couple of months back about a meeting I went to where Barton Loguidice made a presentation. He stated I think the study is complete but no decisions have been made by the Village of Saranac Lake because they need to get their source in order before anything really can be accomplished. He stated that have some major infrastructure issues that need to be addressed before we can make any kind of decision making because right now they can't supply the water it's just not practical for them to do that. He stated the prisons want to get out of the water production business, it seems to be the indication that they want to get out of that production business.

Supervisor Politi stated actually you had been talking to Saranac Lake about the possibility of running that water line down the tracks.

Councilman Damp stated that was the conclusion that, that would be the most practical location to put it along the tracks and that seemed to marry with the recreational path if we could tie it together with phase II of the recreational path they are going to dig up the dirt anyway and what better way to put it back is to put it over the rec path. He stated we really aren't there yet , of course the fact that we just hired Barton & Loguidice to do the rec path engineering might bring some synergies to the table that otherwise not of been.

Supervisor Politi stated would someone make a motion.

Councilman Damp moved and Councilman Favro seconded the motion to pay 25% of the cost of the study that was done by Barton & Loguidice for the Ray Brook water line expansion which is \$4,750.00. Discussion?

There being no further discussion, the Supervisor asked for a roll call vote: Councilman Favro; AYE: Councilman Rand: AYE: Councilman Damp; AYE: Councilman Miller; AYE; and Supervisor Politi; AYE: the motion was unanimously carried.

Supervisor Politi stated Ronnie you prepared the agreement for fuel services between the Town, Village and the School I think everyone has a copy of it, have you spoken to Bill Kissel?

Attorney Briggs stated I have spoken with Linda and he has a copy of it as of a week or ten days ago.

Supervisor Politi stated the Mayor voiced a concern to me about was that the Village has a concern about the reserves and it is not with the ten cents the concern is at what point do the reserves stop is there a limit for the reserves or do the reserves continue to go on and on and on?

Councilman Damp stated how much did we just spend on the whole fuel depot?

Supervisor Politi stated about \$200,000.

Councilman Damp stated that it would make sense to me that we would stop at about \$200,000.

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Attorney Briggs stated I think an accountant could give us a schedule they can project the estimated replacement costs.

Supervisor Politi stated it probably wouldn't be any different then the bonding term my guess the bonding term would be no longer then 20 years. He stated the Mayor wanted to ask that the Town and Village get together in a joint meeting and discuss this.

Councilman Damp we have a cost right now for doing the plant over it seems to me we could use a logical starting point of...

Supervisor Politi stated do you gentlemen having any problem with me discussing it with him I don't think the school has issue with it and we don't have any issue with it and the Village had agreed to it in the past and now they have raised the issue but I can understand their cause for raising the issue.

Supervisor Politi stated do we have a motion subject to our getting together on a cap?

Attorney Briggs stated there is another qualification also you notice that in paragraph two the total cost is not inserted and that is because Cathy said all the numbers aren't in yet so that is the second qualification.

Supervisor Politi stated we could always make an agreement that the cost of the reserve shall not be anymore then half the cost or whatever you want it to be. He stated that ultimately if it has to be replaced it is probably going to be replaced in the same manner so I don't know what difference it makes. He stated I don't know if they have to have 100% reserve but if we have a reasonable amount of reserve.

Councilman Damp stated I agree with you but this is a fairly easy way to build up the reserve without anybody feeling any major pain and if we could get it to a point where the pot is mostly full it will be a lot easier.

Councilman Rand stated we may have maintenance issues that may require the money and I think it is good.

Supervisor Politi stated let's just say it won't be anymore then the cost.

Councilman Miller moved and Councilman Favro seconded the motion to approve the agreement for the fuel services subject to the cap and inserting the total cost in the agreement in paragraph 2.

There being no further discussion the motion was unanimously carried.

Supervisor Politi stated next on the agenda is the Cascade Sewer District update.

Attorney Briggs stated the Town Engineer Ivan Zdrahal is preparing the boundary line map which will determine all of the properties within the district and once that is established we have to give

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notice to have a public hearing and everyone whose property is within the district has a opportunity to come to the meeting and be heard about whether to be included or not so the first step is to get that boundary line map concluded and Ivan is working on that. He stated I tried to reach him today but I missed him so I am not sure where that is in the pipeline but he knows that is a priority to the Town and it is being worked on.

Supervisor Politi asked if anyone has any questions.

Councilman Damp stated I thought there was a map from Souzzo that had the district on it.

Supervisor Politi stated there is but we need to expand the district to include half of Cascade Acres, the map is there but we need to extend that as well as the water line to the lacrosse fields and a meets and bounds description is needed.

Supervisor Politi stated next is an update on the new athletic fields I don't know if any of you have had an opportunity to go down there over the weekend.

Councilman Rand stated I went down on Friday and walked around and spoke to our maintenance guys, Zack was down there and the gentleman that was in charge. He stated I thought it was a great gathering it was definitely wet I would say if there is any problems it was where the drainage is between the fields and a couple of the fields were wet because we have had so much rain. He stated Saturday and Sunday they had better days but I thought it was a great asset we are going to be able to use those fields for a lot of things I don't think there is any other place that has 6 full size fields side by side that can be used for soccer or lacrosse.

Councilman Miller stated Roby is there a way to send our thanks to all those folks that got those fields up to the condition they were in. He stated I stopped down as well on Friday and was very happy to see our Town employees running around making sure everything was done.

Supervisor Politi stated they did a great job they are to be complimented and the village this was a coloration we are so lucky to be able to have the relationship Larry has with Brad Hathaway, the guys from the village highway, village water as well as our own guys they just dropped everything and went out there and made it better. He stated there were over 90 teams it was the largest lacrosse tournament in the United States and as far as we know North America.

Councilman Rand stated there were over 2,000 athletes and with family members it brought in over 5,000 people.

Councilman Miller stated do we need to do any grading?

Supervisor Politi stated we need to re-seed and we probably need to dig some drainage ditches.

Councilman Miller there was some areas between the fields that there was a considerable amount of water.

Councilman Rand stated we haven't got to the drainage, right Larry?

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Larry Straight stated on the fields themselves?

Councilman Rand stated the fields are great they were so well designed.

Supervisor Politi stated as soon as it dries we need to put a drainage ditch with crushed stone.

Councilman Rand stated I would like to say what a great job you guys did Larry the road was really taking a pounding and it held up pretty well.

Councilman Damp stated somebody made an observation you might want to tell the trolley to go the back way in I guess it was a challenge for them going in. He stated I don't know if that would introduce some other people to the back way in either.

Councilman Rand stated do you think it may be a good idea in the future to put a little blacktop on just that hill?

Supervisor Politi stated we probably will have to at some point.

Councilman Damp stated as far as the waste collection I guess it was not local is that right?

Larry Straight stated yes it was not they hired an outside firm the recyclables and trash was shipped out.

Supervisor Politi stated my guess George didn't make that decision but one thing he did say was that next year they want to make it a full week tournament from Sunday to Sunday.

Supervisor Politi stated in any event it was close to a miracle that it even happened there was no grass there and in matter of three weeks there was three inches of grass.

Supervisor Politi stated the Ray Brook bike path RFQ's Chuck do you want to talk bout this we received 6 RFQ's.

Councilman Damp stated we did receive 6 RFQ's and Barton & Loguidice was awarded that and I guess they accepted. He stated they have a couple of bike guru's as far as recreational paths throughout the country so they have a lot of expertise in this and it sounds like they are ready to get the ball rolling.

Supervisor Politi stated it is basically conceptual approval there was 6 RFQ's and we chose them and the approval is subject to a satisfactory approval from DOT as well as our acceptance of a financial contract with them. Which we don't have yet nor do we have the numbers.

Councilman Damp stated it was basically submission of resumes and expertises and we went to the next step and picked that firm.

Supervisor Politi asked is there any other old business?

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Supervisor Politi stated that ORDA is formally requesting from the Town of North Elba the approval of a zip line. He stated I did get a letter from Ted Blazer asking in accordance with the memorandum of understanding dated July 12, 1983 between the Town Board of the Town of North Elba as Trustees for the Town of North Parks and Playgrounds District and the New York State Olympic Regional Authority ORDA respectfully requests approval for permission of the undertaking of the capital improvement to the Ski Jumping Complex the scope of the capital Improvement will include the installation of a zip line system. He stated the estimated cost of the upgrade to the Ski Jumping Complex is about \$650,000. He stated it has been successful in other places and they are looking for revenue opportunities and they would like our approval and I think that I would like a motion to approve ORDA's undertaking of the zip line with the assurance that it does not affect the International status of the Ski Jumps.

Councilman Damp moved and Councilman Favro seconded the motion to approve the request from the Olympic Regional Developmental Authority for the undertaking of the capital project improvement to the Ski Jumping Complex being the installation of a zip line with the assurance that it does not affect the International status of the Ski Jumps. The motion was unanimously carried by everyone with the exception of Councilman Rand who abstained because of his relationship with the Olympic Regional Authority.

Supervisor Politi stated Larry your up next with a highway resolution expenditure of funds to resurface highway roads. He stated that pursuant to the provisions of Section 284 of the Highway Law the Town agrees that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows: General Repairs: the sum of \$100,760.00 shall be set aside to be expended for primary work and general repairs upon 30 miles of Town Highways, including sluices, culverts and bridges having span of less than five feet and boardwalks or the renewals thereof. He stated for Improvements in the sum of \$322,000.00 shall be set aside to be expended for the improvement of the following town highways: 1st. On Mirror Lake Drive commencing at the Village line to George & Bliss Rd a total distance of 3500 feet 2nd. On Jersey Drive commencing at Averyville Lane a total distance of 1100 feet 3rd. On Fawn Ridge Road commencing on Route 86 on Saranac Avenue a total distance of 1400 feet and the 4th On George And Bliss Road commencing at Mirror Lake Drive a distance of 600 feet. He stated it is my understanding that you have sent proposals out already for bids on those particular items?

Supervisor Politi stated I need a motion to approve the signing of this agreement to spend said moneys.

Councilman Rand moved and Councilman Damp seconded the motion to approve of the signing of the agreement to spend Town Highway funds as quoted above. The motion was unanimously carried. Supervisor Politi asked for a roll call vote: Councilman Damp; AYE, Councilman Rand; AYE, Councilman Favro: AYE, Councilman Miller; AYE and Supervisor Politi; AYE.

Supervisor Politi next is a resolution to seek a Justice Court Grant in conjunction with the Village of Lake Placid seeking a maximum award from the Judicial Court Assistance Program up to

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\$30,000. he stated it can be utilized for furniture, court room renovations, security equipment, office equipment and so forth.

Councilman Favro moved and Councilman Rand seconded the motion to approve the resolution to seek a Justice Court Grant with the Village of Lake Placid from the Judicial Court Assistance Program. There being no discussion, the motion was unanimously carried.

Supervisor Politi stated this is informational purposes only we have received verification of the fact that the equalization rate established for the Town of North Elba has been verified by the State Board of Equalization of Assessment at 100%. He stated there were 4 towns in the County that are not at 100%.

Supervisor Politi I would just like to bring this to the attention of the public because I have had calls on this in the past re the results of the water tests that we took the day after Ironman because the public has voiced concerns about the water quality and so forth. He stated we do this every year and the results of the water tests are negative and the chloroform bacterial counts are way below the results that would necessitate further testing.

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 Damp moved and Councilman Miller seconded the motion to approve of the budget transfers as recommended. Supervisor Politi asked for a roll call vote: Councilman Damp; AYE, Councilman Rand; AYE, Councilman Miller; Aye, Councilman Favro: AYE and Supervisor Politi; AYE. There being no further discussion, the motion was unanimously carried by those present.

Supervisor Politi stated we need to approve the authorization of the Supervisor to sign the DEC contract between the DEC and the Town of North Elba in the amount of \$155,250.00. He stated it is attributable to the Olympic Regional Developmental Authority. He stated as the legislature appropriated \$155,250.00 to the Town of North Elba as provided for in the executive budget for local assistance this funding is for the services expended related to promoting and organizing activities and special events for the Village of Lake Placid and the Town of North Elba. He stated it is something that is done every year but requires a resolution of approval from this Board.

Councilman Damp moved and Councilman Favro seconded the motion to authorize the Supervisor To sign the contract for the Town of North Elba with DEC for \$155,250.00 for Aid to Localities. There being no further discussion, the motion was unanimously carried with Councilman Rand abstaining because of his relationship with ORDA.

Supervisor Politi stated Bob this is something you requested be brought up before the Board it is a Board resolution proposal for union and non-union employee benefits and it is my understanding that there are situations where union employees have different benefits from non-union employees.

Councilman Miller stated I think we discussed it just to give the non-union employees the same benefit package that the union employees have I think Pam found three areas where it was slightly different and I can make a proposal to bring them up to standards.

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Councilman Miller moved and Councilman Rand seconded the motion to approve the proposal for non-union employees as recommended by human resources. Discussion?

Councilman Damp stated I would like to be clearer on the health insurance part of triggering I don't know if it is Pam or you Bob that we ask this but it is unclear as to when the declaration occurs can it occur anytime during the year.

Councilman Miller stated I don't know you will have to ask Pam that it is the same language that is in the Union contract.

Councilman Favro stated I believe it is January.

Councilman Damp stated can they make the decision in November for the buyout and get the \$3,600. He stated I don't know what the union agreement is I guess I just want clarification as to when. He stated it seems likely it is January.

Supervisor Politi stated does anyone have any problem with the concept of the non-union employees being treated the same as the union employees for benefit purposes? He stated my feeling is if it is fair for one group it should be fair for the other group I would hate to think that our non-union employees think that they are treated any differently or that they consider themselves second class employees to union employees if that is the situation. He stated I don't have any problem with it but I also don't have a problem if you want to table this until the workshop meeting in September so you can talk to Pam about it.

Councilman Damp stated I conceptually I don't have any problem with the thought process; I just want a bit of a clarification.

Councilman Miller stated I will withdraw my motion then until we can talk about it at the work session.

Supervisor Politi stated it is not going to be a problem because we can bring it up in 30 days and approve it then but I want everyone to be happy with the language. He stated it sounds like everyone is happy with the concept.

Supervisor Politi stated there is a request to approve a road name change Jack to Scott's Way.

Councilman Favro stated it is a new name, Scott's Way it above Mountain Lane but below Whispering Pines.

Supervisor Politi stated I don't think anyone has any problem approving this road.

Supervisor Politi stated may I have a motion to approve this road?

Councilman Favro moved and Councilman Miller seconded the motion to approve the naming of the road Scott's Way. There being no further discussion the motion was unanimously carried.

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Supervisor Politi stated the next item is a resolution regarding Bill Kissel and confirming his separation from service. He stated he wrote me a letter saying I am enclosing a copy of the letter received from the New York State Retirement System in response to a letter I have written on June the 19th, 2008 as you will see from the letter enclosed Mr. Degener of the York State Retirement System has stated that they are requiring him to be separated from service from the Town in order for him to receive retirement benefits accordingly this letter is intended to advise you and the Town Board that I wish to be separated from service with the Town effective immediately. I would appreciate if the Town Board would pass a resolution confirming my separation from service which I believe has been discussed with you and Pam. He stated I call your attention to their letter which states that this must be done within 30 days of this letter.

Supervisor Politi stated he would us to pass this resolution recognizing the fact that his previous job as Town Attorney is separated from what he is doing now then in two weeks we will put him back on as the Town Planning Board of Appeals Attorney and he asked to be separated for two weeks.

Councilman Miller stated for what purpose?

Supervisor Politi for people who qualify for retirement and are coming back and working. He stated he needs to be separated by the Town officially.

Councilman Damp moved and Councilman Rand seconded the motion to approve said separation of service for Bill Kissel for retirement purposes. There being no further discussion, the motion was unanimously carried.

Supervisor Politi stated under committee reports Butch sent me this and I just want the public to know this is in regard to our 2008 Lake Placid Summer Recreation Program he said it was a great success this year 200 children ages 5 to 14 were registered in the program and the program averaged 100 to 125 attendees a day. He stated they did a lot of things including twice weekly trips to the beach, Halloween in July, talent shows, and trips to the ski jump, wet and wild and on August 6th they took a group of kids to Great Escape.

Supervisor Politi stated Jay I have you down to discuss the energy audit.

Councilman Rand stated when we talked about putting in new windows about a year ago at a very high cost and that is what started this whole thing. He stated this is through the New York Power Authority and they did make a few recommendations. He stated first of all it tells about what been done additional bags of insulation were put in the attic, credit for using more efficient light bulbs, and if we ever do a renovation it does stress that hazardous material such as lead, asbestos, mercury, PCB's and others may be present in the building and a specialist would have to come in and consult with us . He stated under the summary of findings the annual energy costs for the Town building for 2007 was \$18,984.00 which was 95 cents per foot.

Supervisor Politi stated there really were two things they recommended they recommended that we go to T8 fluorescent bulbs and that we also consider programmable thermostats. He stated according to them it would save us half the costs the first year.

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Councilman Rand stated the big thing here was the windows if we do replace them they are not suggesting that we do but the payback would be 20 years. He stated that they estimated that the new windows would cost \$98,560. With savings of approximately \$1,137.00 annually.

Supervisor Politi stated I think one of the things we want to do is consider at the next budget process we will consider the thermostats.

Councilman Rand stated we could replace a few windows each year in the offices.

Supervisor Politi stated are there any other issues to talk about?

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

Attorney Briggs stated I have three things to talk about all involving litigation one pending and done potential and we will have to do that in Executive Session.

Supervisor Politi stated we also have a personnel issue we need to discuss so we have to have an Executive Session for that and for purposes of litigation.

Supervisor Politi stated from the Essex County standpoint there is not a lot to be said. He stated there was a vote on the County Manager and I guess the deal was done when I got there the vote was 17-1. He stated in all fairness to Dan Palmer I would say he is a very capable fellow and I am not saying he was not the most qualified but no one else got an opportunity.

Supervisor Politi asked for a motion to approve of the audits as per the audit number s as follows: 81400; 81422-81533; 81554-81566; 81568-81577; 81580-81651; 81672-81673; 81675-81729.

	<u>Regular</u>	<u>Prepaid</u>
A Fund	156,056.46	31,674.60
DA Fund	5,763.97	5,534.70
DB Fund	1,427.12	-
H43 2008 Airport Capital Project	39,774.13	-
H44 Soccer Fields	24,080.92	4, 174.04
H45 Fuel Dispensing System	2,191.21	-
SF2 Fire Protection	-	38,631.21
SP Park District	461,866.85	22,647.76
SW2 McKenzie Water Dist.	-	67.10
SW3 Ray Brook Water Dist.	6,114.16	688.19
T Trust & Agency	-	140.00
TE Hebrew Memorial	-	-
	<hr/>	<hr/>
	\$697,274.82	\$103,557.60

Regular Town Board Meeting
August 12, 2008

Councilman Damp moved and Councilman Miller 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. for personnel and litigation. Councilman Favro seconded the motion. There being no further discussion, the motion was unanimously carried.

Councilman Favro moved and Councilman Rand seconded the motion to come out of Executive Session with the following motions:

Councilman Miller moved and Councilman Favro seconded the motion to approve the Wilson farms Article 7 tax settlement as proposed by the Town Attorney. There being no discussion, the Motion was unanimously carried.

Councilman Favro moved and Councilman Rand seconded the motion to approve Riffenberg (SP) Airport settlement agreement on recommendation of Town engineers. There being no discussion, the motion was unanimously carried.

There being no further business to come before this Board Councilman Miller moved and Councilman Damp seconded the motion to adjourn the Regular Board meeting at 8:50 p.m.

Respectfully submitted,

Denice Fredericks