

ORGANIZATIONAL MEETING  
JANUARY 5, 2010

Minutes of the Organizational Meeting held on the above date beginning at 2:00 p.m. in the Meeting Room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York.

Members present: Supervisor Robert Politi, Councilmen Jay Rand, Bob Miller, Derek Doty and Laurie Curtis Dudley, Town Clerk.

Members absent:

Others present: Jessica L. Jocko, Catherine Gregory, James E. Morganson, Rev. William Saxton, Dean Dietrich, Chris Knight, Timothy Smith, Ronald Briggs, Larry Straight.

Supervisor Politi called the first meeting for the year 2010 for the Town of North Elba Board to order at 2:00 p.m. He stated that he would like to thank everyone for coming. He stated thank you very much for coming here today for this little official gathering.

Supervisor Politi asked everyone to stand and honor our flag with the Pledge of Allegiance.

Supervisor Politi introduced **Rev. William Saxton** and asked him to offer us a prayer on behalf of the Board and the Community for the new year of 2010.

Supervisor Politi thanked **Rev. William Saxton** for coming today.

Supervisor Politi introduced Board members and Department heads.

**Oath of office for Robert Politi, Jack Favro, Derek Doty, Ronald Briggs, Dean Dietrich, Timothy Smith**

**Resolution of Commitment**

Today marks the beginning of a new municipal year and I look forward to once again working with each of you including our newest old board member – Derek Doty. Although we may not always agree on all of the issues all of the time, we must remain unified in our pursuit of the highest standards for the Town as a whole.

As individuals, we are presented from time to time with ethical dilemmas:

Sometimes **honesty** about the facts of a situation will conflict with **loyalty** to our family, friends and supporters.

Sometimes **short-term** solutions will conflict with the **long-term** good.

Sometimes what is best for the **community** will be at odds with the rights of individuals.

And, sometimes hard choices need to be made between **forbearance** for some and **justice** for others.

**As a Board, however, we are expected to make decision-good decisions. It is our job.**

Now, therefore, let us resolve to work together, respecting each other's differences and dilemmas, to make the right decisions for the people of the Town of North Elba. Do I have a second to this Resolution of commitment to the people of North Elba.

The resolution was unanimously seconded and was followed by a roll call vote. Councilman Doty, AYE, Councilman Miller, AYE, Councilman Rand, AYE, Councilman Favro, AYE, Supervisor Politi, AYE and the foregoing resolution was hereby adopted by this Town Board.

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The foregoing Resolution is hereby declared duly adopted by this Town Board.

Supervisor Politi stated that he looked forward to the opportunity of working on behalf of all the people of the Town of North Elba. He then congratulated **Derek Doty** on his election to the Board for the second time and that everyone looked forward to having his expertise and commitment to public office. He then thanked **Chuck Damp** for his service to the community. He then thanked **Denise Fredericks** for the record for her years of service and congratulated her on her retirement. He thanked Jack Favro for his service to the Town as Deputy Supervisor and for the outstanding job.

Supervisor Politi stated at this point we will move on to the Organizational Meeting and you are welcome to stay, but it is basically reciting the procedural duties of this Board for 2010.

Supervisor Politi stated that he will read thru the proposed 2010 format.

Supervisor Politi then presented the proposed format for the year 2010 as follows:

1. The regular meeting of the Town Board of the Town of North Elba be held on the **second Tuesday of each month** at 7:00 p.m. in Lake Placid, except for the months of July and September at which time they will be held at the North Elba Town House in Saranac Lake, New York.
2. Rules of order governing the Town of North Elba shall be pursuant to Section 63 of Town Law allowing any Board member (including the Supervisor) to bring a motion, and second a motion before said motion comes to a vote.
3. That **Councilman Miller** be appointed at the pleasure of the Supervisor to the position of Deputy Supervisor with the power to sign all checks of the Town of North Elba and preside over all meetings and functions during the absence or inability to act of the Supervisor.
4. That the Supervisor of the Town of North Elba (or in the Supervisor's absence or inability to act, the Deputy Supervisor) shall have the authority to perform such ministerial functions and duties necessary and appropriate to the business affairs of all Districts of the Town during those occasions when the Town Board is not in session; and the Supervisor (or the Deputy Supervisor) shall report such actions to the Town Board at the next regularly scheduled meeting. In the event a District related issues involves a matter that could require a policy determination by the Board as a whole, or require a commitment or expenditure of funds not previously approved and authorized, the Supervisor or the Deputy Supervisor acting in accordance with Town Law, shall commence a special meeting of the governing Board.
5. That the Town Board approve the recommendation of Laurie Curtis Dudley Town Clerk/ Registrar of **Jessica L. Jocko** as Deputy Clerk/Registrar.
6. That **Catherine Gregory** be appointed as Budget Officer for the Town of North Elba, the North Elba Park District and all Special Districts.
7. That **Ronald J. Briggs** be appointed as Town Attorney.
8. That **Kimball W. Daby** be named as Chairman/Clerk of the Board of Assessors.
9. That the Board approve **Jessica L. Jocko** as Clerk to the Supervisor.
10. **Beverly Reid** be named as Town Historian.
11. That **Catherine Gregory** assume the duties as Human Resource Coordinator.

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12. That **James E. Morganson** serve as Director of Codes with the function of overseeing building inspection, fire codes and enforcement actions.
13. That **Timothy Smith**, Esq. be appointed as the attorney for the Joint Review Board and Planning Commission and shall also fill in for the attorney for the Zoning Board of Appeals in all instances where there is a conflict or if said attorney is unable to attend a particular meeting. The compensation for such serves shall not exceed \$10,000 per year plus appropriate health insurance benefits.
14. That **William Kissel**, Esq. be appointed as the attorney for the Zoning Board of Appeals to serve at the pleasure of the Board and to fill in for Attorney Smith in all instances where Attorney Smith has a conflict or is unable to attend such meetings. The compensation for such services shall not exceed \$6,000 per year, plus appropriate health insurance benefits.
15. That **Darcy LaFave** be appointed as the Clerk of the Review Board and the Zoning Board of Appeals.
16. That **Marty Perkins** be re-appointed as North Elba Animal Control Officer to serve at the pleasure of the Board.

Supervisor Politi asked for a second to items 1-16 as presented. Councilman Rand seconded the motion to accept items 1-16 as read by Supervisor Politi and followed by a roll call vote. Councilman Doty, AYE, Councilman Rand, AYE, Councilman Miller, AYE, Councilman Favro, AYE, Supervisor Politi, AYE. There being no further discussion the motion was unanimously carried.

Supervisor Politi then continued to read the Organizational procedures:

17. That the existing Zoning Board Members serve at the pleasure of the Town Board only until such time that the new Land Use Code shall take effect.
18. That the following Town Board Committee appointments, as recommended by the Supervisor, be approved for 2010:
  - a. Insurance Councilman Doty/Councilman Miller
  - b. Lake Placid Village Liaison Councilman Rand/Supervisor Politi
  - c. Saranac Lake Village Liaison Councilman Doty/Supervisor
  - d. Highway Councilman Favro/Councilman Doty
  - e. Craig Wood Councilman Doty/Supervisor Politi
  - f. North Country C.C. Councilman Doty/Councilman Miller
  - g. Landfill Councilman Favro/Councilman Miller
  - h. Airport Councilman Rand/Supervisor Politi
  - i. ORDA Councilman Doty/Supervisor Politi
  - j. Lake Placid Central School Councilman Favro/Councilman Rand
  - k. Municipal Beach & Parks Councilman Rand/Councilman Miller
  - l. APA/DEC Matters Councilman Miller/Councilman Favro
  - m. BTI Program Councilman Rand/Councilman Miller
  - n. Zoning Matters Councilman Rand/Councilman Miller
  - o. Fire Dept. Liaison Councilman Favro/Councilman Doty
19. That the Town of North Elba continue as a member of the New York State Association of Towns.
20. That **Supervisor Politi** be delegate and that **Councilman Miller** be the alternate to the Association of Towns and further authorizing the attendance of any Board members or appropriate others and the payment of their “actual or necessary” expenses for said meetings as authorized by State Law.

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21. That Councilman **Favro** and Councilman **Miller** be representatives of the North Elba Town Youth Commission.
22. That **John Rickard** be appointed Constable to patrol the Lake Placid Lake area.
23. That the National Bank & Trust, Adirondack Bank, Community Bank, Citizen's Bank and the Champlain National Bank be recognized as official depositories of the Town of North Elba funds.
24. That the Lake Placid News and the Adirondack Daily Enterprise be designated as the official newspapers of the Town of North Elba.
25. That salaries and wages of all Town employees be set forth by the Town of North Elba Town Board in accordance with Section 27 of Town Law.
26. That the Town Clerk be empowered in the absence of the Supervisor and/or Town Board to open all competitive bids, record same and report to the Town Board.
27. That the mileage allowances for official Town business be \$.50 per mile.
28. A petty cash fund of \$100.00 be established for the Town Clerk.
29. A petty cash fund of \$200.00 be established for the collection of taxes by the Town Clerk/Tax Collector.
30. A petty cash fund of \$100.00 be established for the collection of Transfer Station payments by the Deputy Clerk.
31. That all travel expenses (including mileage) must be itemized and/or logged and/or documented before payment.
32. The use of any town credit cards be done so subject to the provisions of the Town credit card policy.
33. That **Shirley Seney** be appointed to serve as the Town of North Elba representative to the community advisory board to the Bureau of Prisons.

Supervisor Politi asked for a second to items #17 through #33, as presented. The motion was seconded by Councilman Favro. There being no further discussion, the motion was unanimously carried.

Supervisor Politi then continued reading the Organizational procedures.

34. That the Town Superintendent of Highways be authorized to purchase materials and equipment not to exceed \$5,000 without prior approval of the Town Board.
35. Authorize the payment in advance of claims for utility services, postage, freight, fire protection, express charges and statutory debt.
36. That the hiring and firing of all Town, Park District and Highway employees be subject to prior approval of the Town Board except as otherwise provided by the Policy Manual and/or by statute.
37. The Town of North Elba shall provide for the defense and indemnification of Town employees who may be sued for acts or omissions in their official capacities as provided by Section 18 of the Public Officers law and the Town of North Elba Local Law 1980.
38. That the Supervisor be empowered to execute and sign all contracts and agreements for services on behalf of the Town of North Elba.

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39. That the Supervisor is authorized to file a copy of the Annual Report of the Town ninety (90) days after the close of the 2009 fiscal year and cause the Clerk to publish a summary of the same in the Lake Placid News.
40. That all appropriation accounts of the Town of North Elba, the North Elba Park District and all special districts be encumbered and such balances carried forward to the 2010 appropriations for the purpose of paying the 2008 amounts encumbered.
41. That a third party custodial account be assigned to all investment procedures as per Town of North Elba Resolution of 3/8/88.
42. That all monies received by the Town Clerk as Tax Collector shall be deposited within 72 hours of the receipt at an official depository of the Town of North Elba.
43. That all monies be invested in interest bearing accounts at any and all times when possible.
44. That the bills for audit be either certified or notarized.
45. That there shall be a charge of \$15.00 on each check tendered as payment to the Town which is returned for insufficient funds pursuant to General Municipal Law, Section 85.
46. That the Supervisor, in consultation with the North Elba Town Board, shall have the authority to appoint a Grant Writer for the Town of North Elba if deemed appropriate.
47. That the approved minutes of any regular meeting or special meeting of the Town Board will be posted on the Town website.
48. That all Municipal Officers and Employees be held accountable for any prohibitable actions pursuant to Article 18 of the General Municipal Law, Section 805-a, relative to conflicts of interest and/or the disclosure of confidential information.

Supervisor Politi asked for a motion to accept items #34 through #48 of the Organizational procedure as presented. Councilman Miller seconded the motion as presented. There being no further discussion, the motion was unanimously carried.

Supervisor Politi stated no changes for 2010 Procurement Policy asked for a motion to wave reading following General Municipal Law Councilman Favro motioned and Councilman Rand seconded the motion to wave reading of Procurement Policy. There being no further discussion, the motion was unanimously carried.

49. Procurement Policy

Whereas: Section 104-b of the General Municipal Law (GML) requires every Town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, 103 or any other law; and WHEREAS, comments have been solicited from these officers of the Town involved with procurement; NOW, THEREFORE, be is RESOLVED, that the Town of North Elba does hereby adopt the following procurement policies and procedures.

Guideline 1: Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103. Every Town Officer, Board, Department Head or other personnel with the requisite purchasing authority (hereinafter purchaser) shall estimate the cumulative amount of the items of supply of equipment needed in a fiscal year. That estimate shall include the canvass of other Town departments and past history to determine the likely year value of the commodity to be acquired. The information gathered and conclusions reached

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shall be documented and kept with the file or other documentation supporting the purchasing activity.

Guideline 2: All purchases of a) supplies or equipment which will exceed \$10,000.00 in the fiscal year or b) public works contracts over \$20,000.00 shall be formally bid, pursuant to GML 103.

Guideline 3: All estimated purchases of:

- Less than \$10,000.00, but greater than \$3,000.00 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- Less than \$3,000.00, but greater than \$1,000.00 require an oral request for the goods and oral/fax quotes from two vendors.
- Less than \$1,000.00 are left to the discretion of the purchaser.

All estimated public work contracts of:

- Less than \$20,000.00 but greater than \$10,000.00 require a written RFP and fax/proposals from three contractors.
- Less than \$10,000.00 but greater than \$3,000.00 require a written RFP and fax/proposals from two contractors.
- Less than \$3,000.00 but greater than \$500.00 are left to the discretion of the purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of the Guideline shall be preserved and filed with documentation supporting the subsequent purchase of public works contract.

Guideline 4: The lowest responsible bidder shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest if the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting the judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5: A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required amount of proposals or quotations, the purchaser shall document the attempts made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6: Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a. Acquisition of professional services.
- b. Procurement of insurance requires two quotations, verbal or written.
- c. Sole source situation.
- d. Goods purchased from agencies for the blind or severely handicapped.
- e. Goods purchased from correctional facilities.
- f. Goods purchased from another governmental agency.
- g. Goods purchased at auction.
- h. Goods purchased for less than \$250.00.
- i. Public works contracts for less than \$500.00.

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Guideline 7: This policy shall be reviewed annually by the Town Board at its Organizational Meeting or as soon thereafter is reasonably practicable.

Supervisor Politi stated there is no further business to come before this Board.

Councilman Favro moved and Councilman Rand seconded the motion to adjourn the Organizational Meeting at 2:30 p.m.

Supervisor Politi stated that this is the end of the Organizational Meeting and thank you everyone for coming.

Respectfully submitted,

Jessica L. Jocko,  
Deputy Town Clerk