

TOWN BOARD MEETING
TUESDAY, JANUARY 15, 2019

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

Members Present: Supervisor Politi, Councilman Favro, Councilman Miller, Councilman Doty, Councilman Rand, and Laurie Dudley

Others Present: Attorney Ron Briggs, Mike Orticelle, Daniel Cash

Supervisor Politi opened the Regular Town Board meeting at 7:00 pm by asking everyone to stand for the Pledge of Allegiance.

Supervisor Politi asked for a motion to approve minutes of December 11, 2018 Meeting and 2019 Organizational Meeting

Councilman Miller moved and Councilman Doty seconded the motion to approve the minutes as written and presented. There being no further discussion, the motion was unanimously carried.

SET PUBLIC HEARING DATE FOR JOINT VACATION RENTAL LAW

Supervisor Politi – I need to put on the record the Public Hearing on January 24, 2019 at 6:00pm at the convention center to discuss Vacation Rental Law.

Councilman Rand moved and Councilman Favro seconded the motion to approve the January 24, 2019 public hearing date for Vacation Rental Law. There being no further discussion, the motion was unanimously carried.

DISCUSS T-HANGAR CONSTRUCTION BIDS

Supervisor Politi- I sent you information in regards to the BIDS for the 5 Bay T-Hangars. The lowest BID was Reyell Constructions out of Ticonderoga and the BID was for \$496,000. Construction budget was only \$380,000. If we were to award this BID we would have a \$116,000 short fall. The issue we are facing if we decide not to pursue it we have expended engineering fees of \$61,000 anticipating it would come in at BID. We would have to pay this back. C&S does not understand how these guys come up with these numbers.

Councilman Miller- Can we just do three hangars?

Supervisor Politi- We could do three. It would have to be bonded and I was surprised there was no local people.

Councilman Doty- T-Hangar construction is as basic as it gets. We might have availability to change scope and build a ranch style. But there will still be a cost over.

Supervisor Politi- As Bob said maybe we only do three hangars.

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Councilman Miller- I hate to not use the money.

Supervisor Politi- We have more people wanting hangars they we can build. We rent these for \$250.00 a month. The idea of these grants is to generate interest in aviation.

Councilman Doty- So it's like a 6 or 7 year kick back.

Supervisor Politi- This is only to provide additional use for airplane users. This is not really at a cost to us unless we have to pay it back. So you want me to go back to Doug and talk about alternatives in terms of style and size.

Councilman Rand- We have gone this far I think we should see what they say.

DISCUSS UNSAFE BUILDING AT 62 BALSAM ST

Supervisor Politi- Mike, I have your notice about unsafe building on 62 Balsam St. We discussed this at the workshop. Next step?

Mike Orticelle- That requires you guys deciding if you want to go forward and hire someone to take it out, they can't afford it and they have no problem with us doing it.

Supervisor Politi- I wonder if Jerry will take it out.

Mike Orticelle- Jerry had many opportunities and hasn't done it. I believe it was for \$2500.00.

Councilman Miller- That's not a bad price at all.

Supervisor Politi- For \$2500.00 I feel like we need to do it that's a deal for us and the neighbors. We should move forward.

Councilman Doty- \$2500.00 might be to move it and an additional cost to dispose of it. I think the number was \$5400.00.

Supervisor Politi- Mike get us a price. Ask a few people we definitely want to clean that neighborhood up. We need to approve who does it to make sure they have proper insurance and so forth.

DISCUSS NORTHWOOD ROAD/ MIRROR LAKE DRIVE EASEMENTS

Attorney Ron Briggs- I spoke with Ivan this weekend and he is going to send me the language we need. I will speak with the owners of property and discuss this with them and let them know why we are doing this.

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Supervisor Politi- We can't do anything until the Spring. We could talk with them let them know why we are doing this and how it will affect their property.

APPROVAL AND SUPPORT – LP MARATHON

Supervisor Politi- We have a request from Greg Borzilleri asking for support for the Lake Placid Marathon on Sunday, June 9, 2019. This is the 15th running of the event and he will provide insurance etc.

Councilman Rand moved and Councilman Doty seconded the motion to approve the 15th Annual Lake Placid Marathon on Sunday, June 9, 2019. There being no further discussion, the motion was unanimously carried.

APPROVAL AND SUPPORT – IRONMAN LP TRIATHLON

Supervisor Politi- We have the same request for the Lake Placid Ironman Triathlon for Sunday, July 28, 2019 and the 70.3 on Sunday, September 8, 2019. Same conditions and insurance requirements.

Councilman Doty moved and Councilman Favro seconded the motion to approve the Lake Placid Ironman Triathlon on July 28, 2019 and the 70.3 Ironman on September 8, 2019. There being no further discussion, the motion was unanimously carried.

CLOSE PUBLIC HEARING COMMENTS- SEPTIC SYSTEM LAW

Supervisor Politi- At this time I am going to close the public hearing on the Septic System Law. This is Law #1 of 2019. I know we heard from the Lake Placid Shore Owners association. No major changes in the law so I will ask for a motion to approve this Law.

Councilman Favro moved and Councilman Rand seconded the motion to approve the Septic System Law #1 of 2019. There being no further discussion, the motion was unanimously carried.

DOH –REPORT RAY BROOK WATER DISTRICT

Supervisor Politi- This was the annual inspection of the Ray Brook Water District there were no violations, it says that they understand that the Town of North Elba has received grant money to fix the issues with regard to the reservoir and tank that are there. They look forward to working with us on the improvements to the facility to include the correctional facilities. The Department of Health is on top of this.

ACCEPT YEAR END REPORT –COMMUNITY DEVELOPMENT COMMISSION

Supervisor Politi- This was presented to us last week by Dean Dietrich. At this point I would like to accept this year end report for the record.

Councilman Rand moved and Councilman Favro seconded the motion to accept the 2018 year end report from the Community Development Commission. There being no further discussion, the motion was unanimously carried.

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APPOINT JEN JUBIN – 3 YR. TERM - COMMUNITY DEVELOPMENT COMMISSION

Supervisor Politi- We need approval to re-appoint Jen Jubin to a 3 year term to the Community Development Commission. Her terms will expire January 31, 2022.

Councilman Doty moved and Councilman Favro seconded the motion to approve the re-appointment of Jen Jubin to the Community Development Commission. There being no further discussion, the motion was unanimously carried.

APPOINT- APPEARANCE COMMITTEE MEMBERS – 2 YRS.

Supervisor Politi- We have a re-appointment of a few Appearance Committee Members. Dean Dietrich, Laurie Fitzgerald, Jamie Rogers, Cherise Bailey, Judy Shea, Margaret Murphy, Georgia Jones, Denise Bujold and Tim Robertson.

Councilman Miller moved and Councilman Rand seconded the motion to approve the re-appointment of the Appearance Committee Members. There being no further discussion, the motion was unanimously carried.

REVIEW FIREWORKS LOCAL LAW – SET PUBLIC HEARING

Supervisor Politi- Everyone has seen this, we are looking to propose a Local Law to regulate firework displays in the Town of North Elba. We currently have a Board Resolution restricting the same but we now want to make it a Local Law. The only firework displays that will be permitted are community sponsored sporting events, Olympic Regional Development Authority events, a public celebration that benefits the community as a whole and special events endorsed by this board, a cooperate event sponsored by ORDA or by the Office of Regional Tourism. Firework displays shall not be for any other event private or public.

Mike Orticelle- Page 2 Number 6 Town of North Elba Code Enforcement or Town Board may not approve more than so many displays with in a calendar year.

Attorney Ron Briggs- I don't know why that is in there I will take it out.

Supervisor Politi- Number 10 should say firework displays shall not be for any other event private or public and specifically include weddings, birthdays, and anniversaries.

Mike Orticelle- With fireworks do you mean anything, like sparklers or pinwheels?

Supervisor Politi- No anything that goes boom in the air.

Mike Orticelle- People have been inquiring about weddings and wondering if they can do certain things. Just something like a sign that lights up. I just want to get a definite answer. I can say as long as it doesn't go in the air and go bang.

Councilman Miller- This law defines fireworks.

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Supervisor Politi- We did this because the lodge and the club all wanting to do fireworks for someone's birthday and disturbing the neighborhood at 10 at night. They know they can't.

Mike Orticelle- I just want to make sure there is no room for error.

Supervisor Politi- The town attorney will give you more direction tomorrow. I need to set a public hearing date for February 12, 2019 at 6:45pm.

PERSONNEL ACTIONS- TOBOGGAN SLIDE

Supervisor Politi- We need to approve the following hiring for the toboggan chute. Hunter Spotts, Connor Reid, Noah Tavares, Dale Barber and Brandon Minor. These have been recommended by Butch Martin and starting pay is \$11.40 for 1st year to \$13.95 for multiple years.

TOWN OF NORTH
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PERSONNEL ACTIONS FOR BOARD MEETING

January 15,
2019

ACCEPT RETURNING SEASONAL EMPLOYEE APPOINTMENTS

NAME	POSITION	DATE OF HIRE	UNION CLASSIFICATION	RATE OF PAY	CIVIL SERVICE CLASSIFICATION
Hunter Spotts	Laborer for Toboggan Slide	1/4/2019	n/a	\$ 11.40	laborer
Connor Reid	Laborer for Toboggan Slide	1/4/2019	n/a	\$ 11.40	laborer
Noah Tavares	Laborer for Toboggan Slide	1/4/2019	n/a	\$ 11.40	laborer
Brandon Miner	Laborer for Toboggan Slide	1/4/2019	n/a	\$ 12.95	laborer
Dale Barber	Laborer for Toboggan Slide & Craig Wood	1/4/2019	n/a	\$ 13.95	laborer
Recommendation:	Butch Martin				

Councilman Doty moved and Councilman Favro seconded the motion to approve the hiring of seasonal staff for the Toboggan Slide. There being no further discussion, the motion was unanimously carried.

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BUDGET ADJUSTMENTS

Supervisor Politi- There are quite a few adjustments. This is cleaning up for 2018.

2018 BUDGET AMENDMENTS					
1/15/2019					
ACTION	ACCOUNT	DESCRIPTION	AMOUNT	REF	ADDITIONAL INFO
Increase Expenditure	A000.1355.0101.0000	Assessor Personal Services	3,862.08		December payroll over original 2018 budget
Decrease expenditure	A000.1355.0200.0000	Assessor. Equipment	(220.85)		Excess 2018 budget
Decrease expenditure	A000.1355.0413.0000	Assessor. Office Supplies	(259.73)		Excess 2018 budget
Decrease expenditure	A000.1355.0421.0000	Assessor. Telephone	(29.85)		Excess 2018 budget
Decrease expenditure	A000.1355.0441.0000	Assessor . Printing & Photos	(41.70)		Excess 2018 budget
Decrease expenditure	A000.1355.0444.0000	Assessor. Contracts & Agreement	(204.33)		Excess 2018 budget
Decrease expenditure	A000.1355.0445.0000	Assessor. Advertising/Legal Notices	(37.67)		Excess 2018 budget
Decrease expenditure	A000.1355.0449.0000	Assessor. Non Professional Svcs	(446.65)		Excess 2018 budget
Decrease expenditure	A000.1355.0461.0000	Assessor. Employee Travel	(1,194.49)		Excess 2018 budget
Decrease expenditure	A000.1355.0463.0000	Assessor. Dues & Fees	(400.00)		Excess 2018 budget
Decrease expenditure	A000.1356.0463.0000	Assessment Review Dues & Fees	(291.14)		Excess 2018 budget
Increase Expenditure	A000.1410.0101.0000	Town Clerk. Personal Services	2,626.61		December payroll over original 2018 budget
Increase Expenditure	A000.5132.0412.0000	Town Garage. Gas & Diesel	17,341.32		expenditures in excess of 2018 budget
Increase Expenditure	A000.5132.0422.0000	Town Garage. Electricity	1,471.73		expenditures in excess of 2018

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				budget
				expenditures in excess of 2018 budget
Increase Expenditure	A000.5132.0411.0000	Town Garage. Fuel Oil	450.18	expenditures in excess of 2018 budget
Increase Expenditure	A000.5132.0414.0000	Town Garage. Other Consumables	56.58	expenditures in excess of 2018 budget
Increase Expenditure	A000.5132.0444.0000	Town Garage. Contracts & Agreements	48.85	expenditures in excess of 2018 budget
Decrease expenditure	A000.5132.0200.0000	Town Garage. Equipment	(624.14)	Excess 2018 budget
Decrease expenditure	A000.5132.0415.0000	Town Garage. Building Repairs	(24.36)	Excess 2018 budget
Decrease expenditure	A000.5132.0421.0000	Town Garage. Telephone	(110.80)	Excess 2018 budget
Increase Expenditure	A000.5182.0422.0000	Street lighting. Electricity	2,040.19	expenditures in excess of 2018 budget
Increase Expenditure	A000.8010.0412.0000	Bldg & Code. Gas & Diesel	23.29	expenditures in excess of 2018 budget
Increase Expenditure	A000.8010.0417.0000	Bldg & Code. Equipment Repairs	112.50	expenditures in excess of 2018 budget
Increase Expenditure	A000.8010.0442.0000	Bldg & Code. Equipment Rentals	172.70	expenditures in excess of 2018 budget
Decrease expenditure	A000.8010.0101.0000	Bldg & Code. Personal Svcs	(308.49)	Excess 2018 budget
Increase Expenditure	A000.8160.0412.0000	Transfer Station. Gas & Diesel	190.77	expenditures in excess of 2018 budget
Increase Expenditure	A000.8160.0422.0000	Transfer Station. Electricity	365.46	expenditures in excess of 2018 budget
Decrease expenditure	A000.8160.0449.0000	Transfer Station. Non Professional Svcs	(556.23)	Excess 2018 budget
Increase Expenditure	A000.8810.0412.0000	Cemetery. Gas & Diesel	229.39	expenditures in excess of 2018 budget
Decrease expenditure	A000.8810.0103.0000	Cemetery. Personal Svcs Overtime	(229.39)	Excess 2018 budget
Increase Expenditure	A000.9050.0800.0000	General Fund Unemployment Insurance	740.91	expenditures in excess of 2018 budget
Increase Expenditure	A000.9055.0800.0000	Disability Insurance	53.81	expenditures in excess of 2018 budget
Decrease expenditure	A000.9030.0800.0000	General Fund Social Security	(6,187.59)	Excess 2018 budget
Decrease expenditure	A000.9035.0800.0000	General Fund Medicare	(1,512.52)	Excess 2018 budget
Decrease expenditure	A000.9060.0800.0000	General Fund Health Insurance	(9,673.36)	Excess 2018 budget
Decrease expenditure	A000.1110.0101.0000	Municipal Court. Personal Services	(7,433.08)	Excess 2018 budget
			<u>-</u>	
			<u>-</u>	
Increase Expenditure	DB00.5142.0101.0000	Snow Removal Personal Svcs	15,061.77	December payroll over original 2018 budget
Decrease Expenditure	DB00.5142.0448.0000	Snow Removal. Salt & Sand	(15,061.77)	Excess 2018 budget
			<u>-</u>	
			<u>-</u>	
Increase Expenditure	SP00.1346.0101.0000	Showgrounds. Personal Svcs	626.97	December payroll over original 2018 budget

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Decrease Expenditure	SP00.1346.0414.0000	Showgrounds. Other Consumable Supplies	(626.97)		Excess 2018 budget
Increase Expenditure	SP00.1350.0101.0000	Craig Wood. Personal Svcs	2,328.72		December payroll over original 2018 budget
Decrease Expenditure	SP00.1350.0442.0000	Craig Wood. Equipment Rentals	(2,328.72)		Excess 2018 budget
Increase Expenditure	SP00.7110.0101.0000	Parks. Personal Svcs	1,565.60		December payroll over original 2018 budget
Decrease Expenditure	SP00.7110.0417.0000	Parks. Equipment Repairs	(1,565.60)		Excess 2018 budget
Increase Expenditure	SP00.8310.0101.0000	Administration. Personal Svcs	171.15		December payroll over original 2018 budget
Decrease Expenditure	SP00.8310.0200.0000	Administration. Equipment	(171.15)		Excess 2018 budget
			-		
			-		
Increase Expenditure	SW03.8340.0459.0000	Ray Brook Water. Other Professional Svcs	1,955.00	vchr 182726	Ivan Zdrahal Associates.
Decrease Expenditure	SW03.8320.0414.0000	Ray Brook Water. Other consumable supplies	(1,642.33)		Excess 2018 budget
	SW03.8310.0417.0000	Ray Brook Water. Repairs to Lines	(312.67)		Excess 2018 budget
			-		

Councilman Miller moved and Councilman Favro seconded the motion to approve the budget adjustments as written and presented. There being no further discussion, the motion was unanimously carried

COMMITTEE REPORTS – DOG PARK

Supervisor Politi- I have not heard from Butch on this Jack will you follow up with him.

COMMITTEE REPORTS – TOBOGGAN SLIDE

Councilman Favro- I will talk with Butch. I also want to talk with him about getting banners made to hang up at toboggan chute. When you drive by it looks like nothing is happening.

Supervisor Politi- Its up and running and this weekend we should be open at night. The lights are up and running. Do we have a price on refrigeration?

Councilman Rand- I don't have a price but they use artificial sheets of ice at bob run and I think we should try these and see if they will work.

Supervisor Politi- I keep getting confronted by people about why we aren't open at Christmas. I tell them well first we need 9 inches of ice on the lake and then we need ice and snow for the chute.

Councilman Rand – The bob run runs into the same problems. I think we look into this. The other options is refrigeration which can be expensive.

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Supervisor Politi- Jimmy Shea said to me that they are going to be taking the plastic off some of the jumps and replacing it. If that happens is it useable over here?

Councilman Rand- It might be but I think the other stuff would be better. I should take a wooden toboggan out to jumps and try it. We should maybe have a local look at the refrigeration also. Come in with a better price. I will set up something.

Supervisor Politi- We cannot change the ice thickness. I am never going to tell an employee to drive on it if we don't think it's safe.

COMMITTEE REPORTS – RENTAL LAW

Councilman Miller- If we disagree with the Village on some points can there be two versions?

Attorney Ron Briggs- If you didn't want to be part of the Land Use Code you could do a stand-alone Local Law. It's a joint Land Use Code. There is a provision that says both boards have to approve.

Councilman Miller- Could you put something in there that would say outside Village?

Attorney Ron Briggs- Yes you can do that.

Supervisor Politi- I don't think there will be any disagreements and it makes no sense to not have one law. I hope the two boards can come to the same terms. There are two issues the number of days and maximum occupancy. I think there are votes on both sides to approve or deny these. We need to have regulations in the place for community, landlords and hotels. I don't want to rent a place and find out its unsafe.

Councilman Doty- That's one thing I think we have nailed and have right.

Mike Orticelle- Just remember that the hospital is moving next week. Another thing don't set a maximum occupancy and we need parking signs. If you have a house that can accommodate 16 people you are going to have a lot of cars but there are no No Parking Signs on the road.

Supervisor Politi- I would hope your office will tell people that there is only enough parking for this many cars. I will drive by there and send a picture to your office,

Mike Orticelle- I will call the state police. There should be a parking violation for this. I am talking during the day there are signs for overnight. I will be out of town for meeting.

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APPROVE AUDITS AS PER AUDIT #'S

Supervisor Politi – I need a motion to approve audits.

TOWN OF NORTH ELBA			
CLAIMS APPROVED FOR PAYMENT 1/15/19			
<u>PREPAID CLAIMS (NBT General Funds, NBT Park District, NBT Health Reimb. Bank Accounts)</u>	<u>Prepaid</u>	<u>Batch Number</u>	<u>Prepaid</u>
A000 FUND GENERAL FUND	1,275.80	5157	1,780.43
B000 FUND GENERAL OUTSIDE VILLAGE	-	5158	14.15
DB00 FUND TOWN OUTSIDE VILLAGE HIGHWAY	39.98	5159	163.42
SP00 FUND PARK DISTRICT	56.47		
SW03 FUND RAY BROOK	422.33		
T000 FUND TRUST & AGENCY	163.42		
(Prepays NBT Bank Accounts) (12/1/18-12/31/18)	1,958.00		1,958.00
182658-182663; 182680-182683	CATHY		
<u>ADK PAYROLL</u>			
T000 FUND TRUST & AGENCY		5155	25,946.96
		5156	72,087.39
(Payroll) (12/1/18-12/31/18)	98,034.35		98,034.35
182573-182586; 182589; 182594; 182641-182657			

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1,955.00

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	274,281.68
	CREDIT
A000.0000.0200.0104	189,003.57
B000.0000.0200.0104	-
DB00.0000.0200.0104	16,401.55
H017.0000.0200.0104	822.75
H018.0000.0200.0104	4,635.39
H021.0000.0200.0104	13,909.30
H022.0000.0200.0104	15,000.00
SF01.0000.0200.0000	72.66
SF03.0000.0200.0000	27.34
SP00.0000.0200.0104	32,454.12
SW03.0000.0200.0104	1,955.00
	274,281.68

Councilman Miller moved and Councilman Favro seconded the motion to approve the audits as written and presented. There being no further discussion, the motion was unanimously carried

AUDIENCE QUESTIONS - VACATION RENTAL LAW

Daniel Cash- I think this is a great start my concern is where the next step lead us. The crutch of the issue I think is partial and total structures. I think something to add to the law would be different rules for partial and total. An apartment and a house you own is a totally different thing from buying a house just for vacation rental commercially. You are just not making ends meet to afford a house.

Supervisor Politi- One of the things we did do was to allow owners to put in their basements apartments for long term rentals and to generate revenue for local people to stay. Unfortunately after that was passed they created apartments and the owners moved into apartment and rented there house.

Daniel Cash- So the owner is still on the property. The bigger issue in the community is that entire streets are being bought and not being lived in only used for rentals. If you are in an apartment that's great your kids are still going to school here.

Supervisor Politi- Talking with the Mayor and Village Board we no longer have a community we are turning into Vail. Fewer kids in our school system. More and more people are buying the house to enjoy the area but to rent them out for revenue and to me that is not a single family residence. Its commercial property.

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Daniel Cash- Did you explore zoning options?

Councilman Doty- It would mean retracting so much that's in place.

Supervisor Politi- You have to say you can't rent your house for more than X number of times or you can't rent to more than X amount of people. Certain districts would be very restricted and others not as much. I think the horse is out of the barn and to there is too many people in all of the districts. Why we ever permitted bed and breakfasts in all residential districts is beyond me now.

Attorney Ron Briggs- No one predicted this would happen. This Airbnb thing has grown in the last six years. It happened so fast.

Councilman Miller- The unfortunate thing is we wrote the Land Use Code for apartments and to get affordable housing for the workforce it was supposed to be long term.

Daniel Cash- Working for ROOST I pay more attention than most.

Supervisor Politi- This is a huge problem nationwide. You have areas that will only allow you to rent for 7 days and the owner must occupy the premises that a pretty strict law.

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Doty moved and Councilman Favro seconded the motion to adjourn the meeting at 7:55pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk