

TOWN OF NORTH HUDSON
REGULAR TOWN BOARD MEETING
OCTOBER 20, 2020

Present were Supervisor DeZalia, Supervisors Deputy Marhall Gero, Maureen Marsden, Robert Dobie, Brian Caza, and Town Clerk Martha M.(Candy) King.

Guests present Tracee and Jake Parent and Will Plumstead.

Supervisor DeZalia called the meeting to order at 6:00 pm and led in Salute to the Flag.

Approval of minutes from September 15, 2020 as amended.

So moved Robert Dobie and seconded by Maureen Marsden.

All in favor. Ayes-5 Noes-0.

October 5, 2020 Special Board meeting minutes to be approved at the next meeting.

Supervisors Financial Report:

As of September 30, 2020

Checking Accounts

Town of North Hudson Checking	0.10%	\$499,379.22
General Fund	\$ 466,409.22	
Fire district	\$ 32,970.00	
Highway Checking	0.10%	\$500,769.97
Total All Funds		\$1,000,149.19

Old Business

A. Town Attorney

Payment of the attorney bill for services on the Conservation easement was discussed. It was discussed since moneys were budgeted for they should be paid. The Town can put this amount in for reimbursement with the conservation easement fees.

Resolution #60-2020

Resolution approving and accepting the statement of services rendered to date from Attorney John Silvestri in the amount of \$12,003.00. Resolved that the supervisor hereby has permission to pay John Silvestri the amount of \$ 12,003.00.

Moved by Robert Dobie and seconded by Maureen Marsden.

All in favor. Ayes-5, Noes-0

The town attorney bill will be submitted to the State for reimbursement with the conservation easement fees.

B. Highway Litter Signs

Supervisor DeZalia spoke to Mark Bonfey of NYS DOT regarding signs. His response was that if we are experiencing excessive problems in certain areas the Regional Traffic Group would look at those specific areas. They would then decide if it was appropriate. If allowed, there are specifics to installation as they are not traffic control devices.

Per Jim Dugan, Essex County does not allow them to be installed on County roads but that doesn't mean that the Town can't install them on Town roads. That is left up to the Highway Superintendent. He does not recommend installing them as they are not MUTCD approved and can open the Town up for liability claims.

Example; A driver who causes an accident could claim the unapproved sign distracted him /her thus causing the accident. He also said the Town could request the State DOT to install them on DOT roads in North Hudson but he is pretty sure they will say no for the same reason as the County.

As far as the stop sign at the end of Frontier Town, they will install one as the work load permits. (The sign has been installed.) The board discussed the possibility of extending the guardrail there as well.

The State DOT was asked about ditching and fixing the black top drop off on the highway. The shoulder has in places a big drop-off. They have come and rectified some of these areas.

Also discussed was the possibility of extending the 45mph area to include the Paradox brewery area due to high volume of traffic. The Underwood Club area has also inquired about the speed limit being set at 45 mph in that area. Discussion on a flashing light sign that shows the vehicles speed on it will cause traffic to slow down. This could be paid for with money out of advertising.

C. Dangerous Dog Contract

The SPCA facility is not taking dangerous dogs at this time due to the failure of NYS Ags and Markets inspection. They are working on the facility and hope to be able to be able to do so next year. Many Essex County Towns got letters of unsatisfactory from Ags and Markets. They have extended the deadline for compliance already and we need to comply by the end of October. Many Town Supervisors working on this and they have proposed contracts from the Eagles Nest Veterinary Hospital in Plattsburgh and the SPCA in Saranac Lake. Both proposals are the same price and the same except the Eagles Nest has a Veterinarian on site and dogs would not need to be transported elsewhere. The contract is for \$500 be for one year. Hopefully by then the Westport facility will be set up. Dan Manning is looking the contract over. If we go over that amount, then the Town would owe the additional fees.

Resolution # 61-2020

Resolved that the Supervisor may sign and contract with the Eagles Nest Veterinary Hospital for the boarding and housing of any dog that is deemed dangerous. The contract will have an initial \$ 500 retainer fee that would be used toward services rendered. If no services are needed, the fee remains the property of the Eagles Nest Veterinary Hospital at the end of the contract year. Moved by Brian Caza and seconded by Maureen Marsden.

Roll call:

Brian Caza- Aye

Marshall Gero- Aye

Stephanie DeZalia –Aye

Robert Dobie- Aye

Maureen Marsden-Aye

New Business

A. Department Reports

Supervisor: Supervisor DeZalia received notice that The Association of Towns Annual Training in NYC will be held virtual over the course of a number of days in February. Once the schedule is

available she will inform all. There will probably be fees associated with the classes. Supervisor DeZalia will keep the board updated on this as information becomes available.

Supervisor DeZalia was notified by the Town Clerk of an act of vandalism on a photo on a photo on display in the hallway of Town Hall Supervisor DeZalia has already spoken with all Board Members except for Brian Caza and with the person who brought it to the Clerks attention. All were in agreement that it was childish, uncalled for and will be noted as an act of vandalism. Supervisor DeZalia stated that *“we will not tolerate such behavior, if it continues or if the Town finds out who the perpetrator is the Town will be force to take action.”*

Supervisor DeZalia received the schedule of Fall Workshops from Cornell Local Roads Program and she has also given Superintendent of Roads, Kevin Duntley, the schedule on a few times. He to date has not notified her of any intent to attend them. She would like to attend them both in person and virtually. The live are \$ 10 per live session. There are 3 live and three virtual sessions.

Resolution # 62-2020

Resolved to allow the Town supervisor to attend a series of workshops with the Cornell Local Roads Program at a fee of \$30.

Moved by Maureen Marsden and seconded by Robert Dobie.

Brian Caza- Aye

Marshall Gero- Aye

Stephanie DeZalia –Aye

Robert Dobie- Aye

Maureen Marsden-Aye

Highway: Supervisor DeZalia has contacted Superintendent Duntley to set up final inspection of the Pepper Hollow FEMA site. Mr. Duntley is not available next week for this inspection therefore the morning of November 5th has been set as a tentative date for this inspection.

Transfer Station: Tony Venner may need to be out next month. Supervisor DeZalia has spoke with Kevin Duntley and Emmet Thompson and they have agreed to provide coverage if needed at the transfer station.

Also the County State normally gives \$300,00 to the County for transfer station revenue and it was announced that this is being discontinued. There is a good chance our price will increase to offset this account.

Codes Department: A copy of Mr. Senecal’s quarterly Report is in the board packet. Jon has been very busy with permits, CO’s and inspections. Supervisor DeZalia requested a briefing from the committee that met with Jon on any open violation complaints.

Supervisors Clerk: Cassandra has been assisting Supervisor DeZalia with the budget as needed. She is also preparing to do the Sexual Harassment training as it is due again.

Cassandra sat in on the webinar about the new Emergency Plan as the Town’s Safety Officer.

Courts: The work on the Courthouse porch is to begin next week.

Town Clerk: Candy has been working on the Towns cemetery. Maureen Marsden gave the clerk a copy of the Town of Schroon Lakes cemetery by laws.

Supervisor DeZalia would like the Cemetery committee to meet in the near future to review it and come up with the North Hudson Cemetery rules and Regulations. The town received a call from Earl Gould and he and his wife Priscilla would like to purchase two (2) plots as they have other family members buried in the Schroon River Cemetery. As they are not residents of North Hudson the Town Board needs to approve. Mr. Gould is aware that there is a fee for this. Discussion followed on the cost of a plot for a nonresident.

Resolution # 63-2020

Resolution Setting Non Resident cemetery plots at all North Hudson Cemeteries to \$300 per plot for Non Residents.

Moved by Brian Caza and seconded by Maureen Marsden.

All in favor.

Brian Caza- Aye

Marshall Gero- Aye

Stephanie DeZalia –Aye

Robert Dobie- Aye

Maureen Marsden-Aye

Resolution # 64-2020

Resolution allowing Earl and Pricilla Gould to purchase cemetery plots in Schroon River Cemetery for the amount of \$ 300 per plot as non-residents. No Charge for residents.

Moved by Brian Caza and seconded by Maureen Marsden.

All in Favor.

Brian Caza- Aye

Marshall Gero- Aye

Stephanie DeZalia –Aye

Robert Dobie- Aye

Maureen Marsden-Aye

Assessors- no report

B. County Reports:

1. Public Health Department continues to report to the Supervisors on COVID-19 clusters and updates are done daily by email daily and at the weekly meetings. A Flu Shot Clinic was held October 19th for the County employees and the Supervisors. Supervisor DeZalia reported that she received hers.

2. The Essex County Supervisors continue to let the State know they are unhappy about the withholding the County revenue. This does seem to be helping as Essex County did receive some of the Social Services funds they have withheld.

C. Supervisor DeZalia was contacted by the Sun Community News for an ad in the Veterans Day Special. The last time the Town did this was 2018 and the price was \$49.00. The Price remains the same. No action taken

D. NYS has required all public employers to create a contingency operations plan to protect public workers in future health emergencies. Supervisor DeZalia and Cassandra attended a AOT

webinar on October 7th explaining the overall requirements. The Town needs to have a finalized plan in place by April 1, 2021.

It is going to be an extensive amount of additional work as there is quite a lot of detail and various scenarios looked at.

E. Supervisor DeZalia proposed to initiate a Local Law to Override the Tax Levy Limit in case the final budget is over the cap.

A Resolution is required for this.

Resolution # 65-2020

Resolution introducing Proposed Local Law of 2020 entitled A Law to Override the Tax Levy limit established in General Municipal Law 3-C. Public hearing to be held on November 5, 2020 at the North Hudson Town Hall.

Moved by Robert Dobie and seconded by Maureen Marsden.

All in Favor

Brian Caza- Aye

Marshall Gero- Aye

Stephanie DeZalia –Aye

Robert Dobie- Aye

Maureen Marsden-Aye

Resolution Introducing Proposed Local Law No. #2 of 2020 Entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c”

The following resolution was offered by Robert Dobie who moved its adoption.

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

Be It Resolved that the Town of North Hudson Town Board hereby introduces proposed Local Law No. #2 of 2020 entitled “A local Law to Override the Tax Levy Established in General Municipal Law §3-c,” reading and provided as follows:

“Town of North Hudson Local Law No. 2 of 2020”

A Local Law to Override the Tax Levy Established in General Municipal Law §3-c.

Be It Enacted, by the Town of North Hudson Town Board as follows:

Section 1. Legislative Intent.

It is the intention of this local law to override the limit on the real property taxes that may be levied by the Town of North Hudson pursuant to General Municipal Law § 3-c, and to allow the town of North Hudson to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town of North Hudson to adoption of a local law approve by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override- Budget Authorization

The Town Board of the Town of North Hudson hereby overrides the tax levy limit for the Town of North Hudson hereby overrides the tax levy limit for the Town of North Hudson for 2021 and authorizes the Town of North Hudson, after completing all required procedures for the adoption of a budget for 2021 that requires a tax levy that is greater than the tax levy limit calculated for 2021 pursuant to §3-c of the General Municipal Law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, form, or corporation, or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Be it Further Resolved that the Town Board of the Town of North Hudson shall hold and conduct a public hearing on the foregoing proposed local law on the 5th day of November, 2020 at 5p.m. in the forenoon of that day, to hear any and all persons concerning the same, and

Be It Further Resolved that the Clerk of the Town of North Hudson will publish a notice of such hearing in the designated Town newspaper at least 5 days prior to said hearing.

This resolution was duly seconded by Maureen Marsden and adopted upon a roll call vote as follows:

Brian Caza- Aye
Marshall Gero- Aye
Stephanie DeZalia –Aye
Robert Dobie- Aye
Maureen Marsden-Aye

Resolution # 66

Resolution setting the date of the Public Hearing on proposed Local Law #2-2020 entitled A Local Law to Override the tax Levy Limit established in GML3-c to be Held at the North Hudson Town Hall on Thursday November 5, 2020 at 5:00 pm.

Moved by Maureen Marsden and seconded by Robert Dobie.

All in Favor.

Brian Caza- Aye
Marshall Gero- Aye
Stephanie DeZalia –Aye
Robert Dobie- Aye
Maureen Marsden-Aye

Resolution # 67-2020

Resolution setting Public Hearing date for the Proposed Preliminary Budget of the Town of North Hudson to be held on November 5th at 5:15 pm at the North Hudson Hall.

Moved by Robert Dobie seconded by Maureen Marsden.

All in Favor.

Brian Caza- Aye
Marshall Gero- Aye
Stephanie DeZalia –Aye
Robert Dobie- Aye
Maureen Marsden-Aye

Approval of the abstracts for General and Highway funds.

Moved by Maureen Marsden and seconded by Marshall Gero

All in favor. Ayes-5, Noes-0

Approval of Judges report

Motion by

Robert Dobie and seconded by Maureen Marsden.

All in Favor. Ayes -5, Noes-0

Privilege of the floor:

Mr. Plumstead asked inquired about what Schroon Lake Ambulance asked for in the budget.

Supervisor DeZalia said they were not asking for an increase. He also stated there is a “no littering” sign currently in place on the Moriah side of Ensign Pond road.

Thank You card addressed to the board was opened and read by Supervisor DeZalia from Tyler Sabia and Dani Parent thanking the town for the use of the parking lot for their recent engagement celebration. The Town Board congratulated the couple.

Brian Caza asked how the meeting with Jim Dugan, from the county, went and what transpired.

Mr. Dobie said it was a good meeting however Mr. Duntley was absent. Supervisor DeZalia requested a report on the meeting. The Board was in agreement with Supervisor DeZalia that Highway Superintendent Duntley needs to be involved in this as there is much to take into consideration. North Hudson doesn't make any money maintaining county roads in the town of North Hudson. Mr. Plumstead asked the question what happens if North Hudson doesn't sign the County contract. Mr. Dobie commented that the County would have to contract with someone else.

Salt usage and the new NYS law that was put forth by Randy Preston before he passed away being referred to as “Randy's law” were discussed. It was explained by Supervisor DeZalia this

law was to decrease salt usage and a memorandum to decrease salt usage was signed last year by Superintendent Duntley and herself. Since it is now a NYS law it must be followed. Discussion about the highway department plowing out residents' mailboxes and sanding driveways. The question being the cost vs the benefit.

Mr. Caza asked the status of adding life insurance benefits for town employees. Supervisor DeZalia said estimated cost for a \$50,00 policy for 9 town employees would be around \$ 5,700.00. Mr. Gero and Mr. Dobie both commented the way things are that this not something they would like to see in the budget. Mrs. Marsden was in agreement with them. Mr. Caza would like to see this added as an employee benefit. Supervisor DeZalia agreed that it certainly would benefit the family of any employee. She asked for the board to take into consideration the fact that our employees are our biggest asset. Life insurance has not been added the 2021 budget. Board members were asked to send Supervisor DeZalia any thoughts or recommendations on this or anything else as she works on the 2021 Budget.

Meeting adjourned at 7:12 p.m.

Respectfully submitted

Martha M King
Town Clerk