

**Town of North Hudson
Regular Town Board Meeting
December 15, 2020 6p.m.**

Present were Supervisor Stephanie DeZalia, Councilman Marshall Gero, Councilman Brian Caza, Councilman Robert Dobie, Councilwoman Maureen Marsden and Town Clerk Martha King.

No public in attendance. Meeting was closed to the public due to COVID.

Supervisor DeZalia called the meeting to order at 6:00p.m. and led in the salute to the Flag.

Approval of Minutes

Approval of the minutes of the November 17, 2020 meeting as amended.

So moved by Marshall Gero and seconded by Maureen Marsden.

All in Favor. Ayes -5, Noes-0

Supervisors Financial Report

As of November 30, 2020

Checking Accounts

Town of North Hudson Checking	0.10%	\$ 476,264.68
General Fund		\$ 443,294.68
Fire District		\$ 32,970.00
Highway Fund Checking	0.10%	\$530,452.55
	<u>Total All Funds</u>	<u>\$1,006,717.23</u>

Old Business

A. Town Website

Supervisor DeZalia is reviewing the invoices from Paradox Consulting who currently manages the Town of North Hudson's Website. Numerous bookkeeping errors in the invoices were noted and invoice copies of were placed in the Boards packets for review. It was pointed out by Supervisor DeZalia some months were not billed for then some months were double billed. She explained that the monthly maintainance fee of \$118 is to include all the backups, website maintenance, hosting fee, domain registration and making website updates. It was explained to the Board that the meeting minutes, notices, photos and announcements were being added by Cassandra or herself and not by Paradox Consulting. Supervisor DeZalia stated the only thing left for them to do is add the required Accessibility Statement to satisfy the Americans with Disabilities Act. Paradox Consulting stated their current hourly rates will be increasing in January from \$125 to \$150. Currently we pay a monthly maintenance fee of \$118. If they go over the one hour agreed on the Town is billed for the extra time. Supervisor DeZalia doesn't believe these ongoing charges were a part of the original website plan. The Town paid over \$5,000 to this company to set up this website late 2017 early 2018 and there is no contract in place for them to continue their services. Councilman Caza inquired if it was fiscally wise to continue this monthly fee when all updates were already being done by Town employees. He also noted there were other local independent computer people

who the Town could use should a problem occur. He suggested the Town no longer continue to pay the monthly fee of \$118 for one hour of maintenance work to Paradox Consulting once the ADA statement is added to the website.

Motion to discontinue Paradox Consulting services by Brian Caza and seconded by Marshall Gero.

Roll Call Vote:

Brian Caza- Aye

Marshall Gero- Aye

Stephanie DeZalia-Aye

Robert Dobie-Aye

Maureen Marsden- Aye

B. Speed Signs and Digital Sign Board

Supervisor DeZalia is still in process of gathering more information on the speed signs and sign board. The Board needs to have at least 3 vendors for each to compare specs and prices.

This information will be presented to the Board at the January regular Town Board meeting to make a decision on both.

C. NYS Public Employer Mandatory Emergency Planning Law

Supervisor DeZalia said at the organizational meeting there will be the formation of a new committee for the purpose of having the NYS Public Employer Emergency Plan in place and approved by April 1. She will be speaking with all department heads for their input and stated Councilman Caza would probably be named to this committee especially with his current occupation at Emergency Services and his experiences with the Fire Department.

New Business

A. Department Reports

Supervisor-

Supervisor DeZalia met with Senator Elect Dan Stec and one of his staff members here in the North Hudson Town Hall last week. She updated him on all things in North Hudson and the Five Towns. They spoke extensively about the Conservation Easement and the hold up with the State at the AG's office. He asked Supervisor DeZalia to put together a report of events and a timeline of what was involved and who was involved so he could possibly go to the AG's office and check the status, hopefully move things along for us. She worked on this report and it was sent off to him on Friday 12/11/2020.

However today Supervisor DeZalia received an email from Attorney John Silvestri who also was following up on this matter asking for all parties involved. In the short time between receiving this email and the meeting she received another email from the DEC Attorney stating the AG's office were denying acceptance of the insurance to cover the 3/8 interest in question. We will have to go to court to show due diligence. Supervisor DeZalia has emails from multiple occasions documenting the State saying they will pay the expenses incurred including court and attorney fees in this Conservation easement process. Mr. Silvestri will need to file an Article 15. He also believes we will need to hire a genealogist to show due diligence to look for parties involved. The State said they had another case that was similar from the 1940's and that the attorney involved produced affidavits to prove to the court they had done due diligence. Supervisor DeZalia added in

our case the title issue arises from around 1900 and we should have no problem being able to do the same.

The annual lighting of the Memory Tree was held on December 12. Emmet Thompson and Kenny Foster did a good job putting the lights on the tree and the Town Hall. Supervisor DeZalia extended a thank you to all who participated in this event either by donations or attending it. She explained the money donated for the names on the Memory Tree this goes into the Youth and senior activities fund. She also commented that Maureen Marsden and Cassandra D'Agostino did a nice job decorating Town Hall. Supervisor DeZalia stated she purchased a camera and microphone for her desktop computer to aid her in attending and participating in the many virtual meetings, workshops and webinars she has to attend. Until now she has had to use her personal cell phone for this purpose. The cost of this was \$55.

Supervisor DeZalia is working on DEC permitting for the mitigation work to be done on Pepper Hollow in 2021. She is closer to completing one of these projects and hopes to get a check soon on the Lazy Street project.

Town Hall will be closing at noon on December 24th and will be closed on December 25th. The transfer station will be open on Saturday December 26th. Town Hall will also be closing at noon on 12/31 and will be closed January 1, 2021 New Year's Day. The Transfer Station will be open on Saturday January 2nd.

Codes Department-

Supervisor DeZalia has placed in Board packets the following:

- a copy of the updated report from Codes Officer Jon Senecal regarding the complaint at 2941 US RT 9. The report includes a copy of a letter dated 7/16/2015 from CEO Don Sage addressing the "Change of Use" permit applicant and previous property owner. The letter states by Local Zoning Law Compliance the property is eligible for a Change of Use permit and can return to commercial use. It also states the required zoning law and NYS Property Maintenance code items that need to be met.

Including a List of violations and possible remedies

- Citation of sections of Code that are relevant to the case violations and sections relevant to the enforcement of such laws which include items of action we have already taken and details of further enforcement such as Stop Work Orders, Criminal Justice Proceedings, Fines and penalties and Revocation of the Permit.

All of these items were discussed by the Board. Mr. Dobie asked Mr Caza if he felt anything had been accomplished after the last meeting. Mr. Caza replied that he told Mr. Plumstead he was to remove the vehicles and put up 2 pieces of fence. Mr. Plumstead moved the blue vehicle however it has since been replaced by a black vehicle. Mr. Caza went on to state that Mr. Plumstead said he is not putting up a fence, as he has never received anything in writing requesting he put up a fence, therefor he isn't doing anything. Mr. Caza, Mr. Dobie and Mr. Gero all stated this has gone on for too long and needs to be resolved. The letter from Mr. Sage clearly states what needed to be done to be in compliance. It was noted that Mr. Plumstead also had applied for the change from residential use to commercial. Mr. Gero indicated nothing is to be visible from the road. Mr. Senecal will be instructed to send a certified letter to Mr. Plumstead requesting a meeting with him to clarify steps needed to be in compliance and given a timeline to do so. A copy of the letter from CEO Don Sage is to be included with Mr. Senecals' letter. Mr. Caza and Mr. Dobie both stated the Town has been too lenient as this has been going on for 5 years now.

The Board will also be taking a look at open permits after the first of the year. Supervisor DeZalia will be requesting a report on these from Mr. Senecal as well.

B. County Reports

All County meetings are still being held remotely other than those that are the chairs of the committee.

Some State and Federal monies are starting to come in now.

Supervisor DeZalia just received Sales Tax information from The Treasurer.

She pointed out that Essex County has received 2 of the 3 payments that are normally received in December.

She read the following information from the Finance Committee Meeting held on 12/14/2020:

-“So far we are down by \$211,701.17. For all of 2020, the County is down \$894,263.70 / -2.951%. This includes \$322,039 taken in December by NYS to pay AIM. Money to Essex County Towns that used to be paid directly by NYS’. So the State is paying us AIM out of our own money.

-“Room Occupancy Tax- For the month of November –for October rentals- the County took in \$389,935.74. This is more than twice as much as was taken in for this month in 2019. For the year to date, the County has received \$772,108.10 more in 2020 compared to 2019”. Partially because of the increase from 3% to 5%.

C. 2021 Contracts

To date the town has received the annual contract for the North Country SPCA, Mountain Medical Services, Adk. Park Local Government Review Board, The Association of Towns and Hudson Headwaters.

Resolution #70-2020

Resolution Authorizing Contracts for Fiscal year 2021 for which funds are appropriated in the 2021 Town of North Hudson Budget.

Be it resolved that the Supervisor of the Town of North Hudson is hereby authorized and directed to execute all contracts for the fiscal year 2021 for the various departments of the Town for which funds have been appropriated in the 2021 Town of North Hudson Budget.

So moved by Robert Dobie and seconded by Marshall Gero.

Roll Call Vote:

Brian Caza – Aye

Marshall Gero – Aye

Stephanie DeZalia- Aye

Robert Dobie – Aye

Maureen Marsden – Aye

Councilwoman Marsden asked if the Town had a new County Snow and Ice contract. Supervisor DeZalia stated the current contract expires on December 31 and we have not received anything yet, and it could be that Jim Dugan from the County was waiting to hear from the Town of North Hudson on this. Mr. Dobie stated the Town loses money on this contract and suggested having another meeting with County Public Works deputy Jim Dugan, Highway Superintendent Duntley, the Highway Committee and

Newcomb Highway Department. Superintendent Duntley had not attended the first scheduled meeting. The Board members were in agreement that Mr. Duntley should attend this meeting. He should be putting his input into this contract as it is his department that oversees this work. Mr. Caza asked who would make the decision on this contract if the Highway Superintendent does not attend. Mr. Dobie stated that ultimately the Supervisor would have to make the decision and the Highway Superintendent will have to abide by it or accept the consequences whatever they may be. The Board would like this meeting to be held even if Superintendent Duntley does make it. Supervisor DeZalia stated that ultimately she signs the contract and can make the decision on this contract if need be. Supervisor DeZalia will reach out to the County and Superintendent Duntley and all the parties to set that up.

Trainings & Meetings

NYS Department of State Division of Local Government Services has posted their 2020-2021 Winter Webinar Series. Supervisor DeZalia place a copy of it in the Board packets. They are all virtual webinars. The Board was asked to please notify her if they would like to attend any of them, access to these webinars can be arranged if needed. Supervisor DeZalia noted there was one entitled “Skills *that make a great Board Member*”.

Resolution #71-2020

Resolution authorizing any and all elected Officials to attend the OSC Academy for Local Officials 2021 Training School on Jan 12th which will all be done on line.

Moved by Mr. Dobie and seconded by Maureen Marsden

Roll Call Vote:

Brian Caza – Aye

Marshall Gero – Aye

Stephanie DeZalia- Aye

Robert Dobie – Aye

Maureen Marsden – Aye

Resolution # 72-2020

Resolution authorizing any elected official for the Town of North Hudson to attend the 2021 Annual Meeting and Training School for the Association of Towns to be held virtually on February 14-17th at a rate of \$100 per member.

Moved by Marshall Gero and seconded by Maureen Marsden

Roll Call Vote:

Brian Caza – Aye

Marshall Gero – Aye

Stephanie DeZalia- Aye

Robert Dobie – Aye

Maureen Marsden – Aye

All sessions will be through the *eventmobi.com/nytowns2021* App. The agenda was also placed in Board packets. Supervisor DeZalia stated any interested needs to be registered by January 26th.

Supervisor DeZalia stated the Board needed to do various amendments to budgeted line items. She explained most were due to the last payroll of 2019 coming from the 2020 budget causing 3 payrolls in January. The Board had not accounted for that extra payroll in the budget numbers. Also the dog control transfer is due to the additional expense of \$500 for the dangerous dog contract.

Resolution #73-2020

Resolution authorizing Budget Amendments for various departments. Be it resolved that the Town Board hereby amends the 2020 Town of North Hudson Budget as follows:

Account Code	Account	Available Balance	Amount Needed	Transfer from	Account Name
A1010.1	Town Board PS	\$7.09	\$761.83	A1010.4	Town Board Contra.
A1110.1	Justice PC	\$17.25	\$865.44	A1110.4	Justice Contra
A1110.1B	Court Clerk	\$32.24	\$778.96	A1110.4	Justice Contra
A1220.1A	Supervisor	\$119.25	\$784.60	A1220.4	Supervisor Contra
A1220.1B	Bookkeeper	-\$31.84	\$1,115.36	A1220.4	Supervisor Contra
A1220.1C	Deputy	\$0.00	\$28.85	A1220.4	Supervisor Contra
A1330.1	Tax PC	-\$200.00	\$200.00	A1410.4	Town Clerk Contra
A1340.1	Budget Officer	\$9.75	\$47.94	A1220.4	Supervisor Contra
A1355.1	Assessors PC	\$15.75	\$792.41	A1355.4	Assessor Contra
A1410.1	Town Clerk	\$211.50	\$365.42	A1410.4	Town Clerk Contra
A3510.4	Dog Contra	-\$367.20	\$370.00	A1990.4	Contingent
A4020.1	Registrar	\$11.50	\$1.00	A1410.5	Town Clerk Contra
A4068.1	Insect Control	\$23.75	\$288.56	A4068.4	Insect Control Contra
A5010.1A	Highway Sup	\$34.50	\$1,715.50	A5010.4	Highway Sup. Contra
A5010.1B	Deputy	\$0.00	\$23.08	A5010.4	Highway Sup. Contra
A8160.1	Garbage	-\$71.00	\$541.00	A8160.4	Garbage Contra
DA9785.7	Lease-Interest	-\$0.14	\$1.00	DA5110.4	General Repair Contra

A2770 misc. revenue increase revenue from 2,500 to 22,500 (ROOST amt.)

Moved by Robert Dobie and seconded by Marshall Gero

Roll Call Vote:

Brian Caza – Aye

Marshall Gero – Aye

Stephanie DeZalia- Aye

Robert Dobie – Aye

Maureen Marsden – Aye

Resolution #74-2020

Resolution that the Town of North Hudson Hereby establishes the standard work day for the Town Justice title and will report to the NYS and Local Retirement System based on their record of activities for retirement reporting.

Moved by Stephanie DeZalia and seconded by Marshall Gero

Roll Call Vote:

Brian Caza – Aye

Marshall Gero – Aye

Stephanie DeZalia- Aye

Robert Dobie – Aye

Maureen Marsden – Aye

Mr Caza asked what the hours were. Supervisor DeZalia explained the process of keeping a 3-month journal and then it is applied to the formula. The total is 6 hr work day for the Town Justice.

Resolution #75-2020

The Organizational meeting will be held at the North Hudson Town Hall on Tuesday January 5, 2021 at 6:00 pm. Notice will be posted and given to the media.

Moved by Maureen Marsden and Seconded by Marshall Gero.

All in favor.

Ayes-5, Noes-0

Annual Accounting Meeting

The meeting for the Annual Accounting of the Books will be held on January 19, 2021 as part of the regular January Town Board meeting. By requirement of Town Law 123, an annual accounting by Town Officers and employees who receive or disburse monies shall be done by January 20th unless such Town relies on a comptroller or public accountant to compliant with their annual audit requirement and in which case the audit would be completed within 60 days of fiscal year end. An amended law eliminated the necessity for a Town Board to convene between December 28th and 31st.

Supervisor DeZalia has requested all 2020 books be presented to the Supervisors office by Tuesday January 5th. The Town Board can audit the books between then and the January 19th meeting.

Approval of General and Highway Funds

Motion to approve Abstracts for General and Highway Funds.

Moved by Maureen Marsden and seconded by Robert Dobie.

All in favor.

Ayes-5

Noes-0

Judges Financial Report

Motion to approve the Audit of the Judges Report

Approval of Judges Report

Moved by Maureen Marsden and seconded by Robert Dobie

All in favor.

Ayes-5,

Noes-0

Mr. Gero asked if Superintendent Duntley had signed any vouchers. Supervisor DeZalia stated he had not and noted that she does not believe Superintendent Duntley has signed any voucher since January. Legally he is required to sign these vouchers presented to the Board. Mr. Dobie commented that if the vouchers are not signed by the department head the Board will not pay them. Supervisor DeZalia stated as of January 1, 2021 things, including vouchers and time sheets, will be done differently and this will be one of those things, the voucher will be signed.

Privilege of the Floor

No public in attendance due to COVID restrictions.

The Board was asked if they had anything to bring forth.

Mr. Dobie asked if the pellet stove at the Highway Garage was working? Supervisor DeZalia stated some parts still need to be replaced and it is no longer under warranty. The last information she received was Andy Boutin of Pellerger, LLC. was to send them the needed parts and the Highway employees were going to try to fix it themselves. Supervisor DeZalia will follow up with Superintendent Duntley to see if the parts came in and if the pellet stove was now being used. Mr. Dobie made the suggestion to get the pellet stove fixed by Andy Boutin of Pellerger so it can be used.

Mr. Caza asked about the loader. It is not working yet. He asked the mechanic who had been working on it “when is enough enough”? He has been unable to diagnose the problem and fix it. The mechanic said he didn’t know why they aren’t calling Anderson. Mr. Dobie said the Highway Department has a new lowboy and they need to use it to put the loader on and take it to Anderson to be fixed. Mr. Dobie believes it still has value and should be fixed. The Board was in agreement that after it is repaired they can make the decision to keep or sell it.

Discussion on the old pickups at the Town Garage not being used still being insured. Mr. Caza mentioned there were some old plows as well. Supervisor DeZalia will ask Superintendent Duntley for the specs on them and for a list of all the surplus equipment. The inventory list will need to be completed to determine exactly what is there.

Supervisor DeZalia informed the Board that the 2021 North Hudson Property tax collection is being encouraged to be done by mail due to COVID. Appointments will be made for anyone who absolutely cannot mail it.

Meeting adjourned at 7:20pm

Respectfully submitted,

Martha M. King

Town Clerk

