

2021 Resolutions
Town Board
Town of North Hudson

Resolution # 1 of 2021

2021 Appointments

| | | |
|-----------------|---------------------------|--------------------------------|
| | Joseph Provoncha..... | Historian |
| | Michael Marsden..... | Chairman of Board of Assessors |
| <i>Alt. Jan</i> | Sarah Potter..... | Dog Control Officer |
| | Martha King..... | Registrar |
| | Jean McKee..... | Deputy Registrar |
| | Kenneth Foster..... | Deputy Highway Superintendent |
| | Marshall Gero | Deputy Town Supervisor |
| | Jean McKee..... | Deputy Town Clerk |
| | Martha King | Town Auditor |
| | Stephanie DeZalia..... | Budget Officer |
| | Martha King..... | Records Management Officer |
| | Martha King | Records Access Officer |
| | Jon Senecal..... | Zoning/Building Codes |
| | Martha King..... | Health Officer |
| | Cassandra D'Agostino..... | Safety Coordinator |

Resolution so moved by Robert Dobie, Seconded by Marshall Gero
Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 2 of 2021

Resolve that the town supervisor appoints committees with the following duties and responsibilities. All members of the town board are members of 3 committees:

| | Chairman | Vice Chairman |
|----------------------------|-----------------|----------------------|
| Highway | Brian Caza, | Robert Dobie |
| Personnel**** | Robert Dobie | Maureen Marsden |
| Public Services*** | Brian Caza | Marshall Gero |
| Justice/Courts | Marshall Gero | Robert Dobie |
| Finance & Administration * | Maureen Marsden | Brian Caza |
| Human Services** | Maureen Marsden | Marshall Gero |

*Town Clerk, Town Board, Tax Collector, Supervisor, elections, zoning, planning, budget officer

**Youth, senior citizens, health, Social Services, ambulance contract, community beautification.

***Veterans, insurance, street lighting, beach, park, cemeteries, buildings, transfer station, animals, economic development, assessors, fire protection contract, and publicity.

****Policies and Contracts

Resolution so moved by Brian Caza and Seconded by Maureen Marsden

Roll call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 3 of 2021

Official Designations:

Official Depository ... Glens Falls National Bank

Investment Depository ... Glens Falls National Bank, CLASS and such institutions or depositories as the Supervisor may deem to be beneficial and with prior approval of the Board.

Official Newspaper ... Sun Community News

Resolution moved by Robert Dobie and Seconded by Maureen Marsden

Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 4 of 2021

Establishment of Salaries:

| | |
|--------------------------------------|------------------|
| Supervisor | \$25,000 |
| Deputy Supervisor | \$ 765 |
| Town Clerk/TC | \$16,500 |
| Registrar..... | \$ 306 |
| Deputy Town Clerk | \$ 510 |
| (4) Councilmen @5,098 each..... | \$ 20,392 |
| Justice..... | \$23,409 |
| Budget Officer..... | \$ 1,530 |
| (2) Assessors @ 5,930..... | \$ 11,860 |
| Chairman of Board of Assessors | \$ 9,572 |
| Superintendent of Highways. | \$46,410 |
| Deputy Supt. of Highways | \$ 612 |
| Animal Control Officer | \$ 887 |
| Zoning & Bldg. Codes Officer..... | \$ 25.00 per hr. |
| Health Officer..... | \$ 310 |
| Safety Coordinator..... | \$ 612 |

Be it further resolved that paychecks will be issued every two (2) weeks beginning January 15, 2021.

Marshall Gero Moved Resolution #4 and was seconded by Brian Caza

Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution #5 of 2020

The establishment of pay scale, benefits and fringe benefits for Highway Department employees.

Resolved that those classified as Heavy Equipment Operators shall be paid Sixteen dollars (\$16.00) per hour for forty (40) hours per week and after one (1) year of continuous service the pay rate will be nineteen dollars and fifteen cents (\$19.15) per hour for forty (40) hours and those classified as Laborers shall be paid fourteen dollars and eighty-three cents (\$14.83) per hour for forty (40) hours and be it further resolved that overtime pay for the time over forty (40) hours be at time and a half, and

Be it further resolved that paid holidays are as follows: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day, Christmas Day, and one floating holiday and

Be it further resolved that vacations be given as such: after completion of one year – one week; after three years – two weeks; after ten years – three weeks and after fifteen years – four weeks will be given, accumulated up to two weeks, and

Be it further resolved that sick time for full time Highway Department employees will be seven (7) days per year at the rate of eight (8) hours per day, accumulative to forty (40) days maximum, and two personal days per year (not accumulative) and

Be it further resolved the Highway Department employees shall be paid every two weeks, and

Be it further resolved that the payroll shall be based on those days worked or entitled to (sick, vacation, etc.) from Monday to Sunday encompassing two (2) weeks and the Superintendent of Highways will have the time sheets to the office of the Supervisor by 8 a.m. on Tuesday with the checks being issued by 11 a.m. on Thursday, and

Be it further resolved that the Town of North Hudson will provide up to two (2) pairs of OSHA-approved, steel-toed foot wear for each full time employee and the Superintendent of Highways and one (1) pair of OSHA-approved, steel-toed foot wear for part-time and/or seasonal employees per year at a cost of no more than One Hundred Dollars (\$100) per pair. OSHA-approved footwear shall be worn on the job at all times,

Be it further resolved that Highway employees will receive three (3) hours minimum call-in pay which occurs between November 1 through March 1, for the purposes of snow and ice removal, and

Be it further resolved that the Clerk of the Board is hereby authorized and directed to send a certified copy of this resolution to the Superintendent of Highways.

Moved by Robert Dobie, Seconded by Marshall Gero

Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 6 of 2021

Establishment of salaries of other town employees:

Clerk to the Supervisor \$ 17.27 per hour

Cleaning custodian \$ 12.50 per hour

Landfill attendant \$ 14.00 per hour
Substitute attendant\$ 12.50 per hour
Secretary to the Planning Bd, Zoning Bd of
Appeals and BAR \$ 12.50 per hour
Court Clerk \$ 14.00 per hour
So Moved by Brian Caza and Seconded by Robert Dobie
Roll: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 7 of 2021

Resolved that the Town Board authorizes the Court Clerk to maintain consistent posted working hours, Monday through Friday, up to 30 hours.
Resolution was moved by Maureen Marsden and Seconded by Marshall Gero
All in favor Ayes-5, No-0

Resolution # 8 of 2021

Resolved for the adoption of Current Policies, all of which have remained unchanged to this date.

Adoption of Policies

Code of Ethics

Open Meetings Law Policy

Clean Air Policy

Procurement Policy

Investment Policy

Resolution moved by Robert Dobie and Seconded by Maureen Marsden
Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 9 of 2021

Town Board Meetings

Resolved that the Regular Town Board meetings will, through the year 2021, be held on the **third Tuesday** of the month at **6:00 p.m.**

Meetings will be held in the North Hudson Town Hall.

The dates are as follows:

January 19, 2021

February 16, 2021

March 16, 2021

April 20, 2021

May 18, 2021

June 15, 2021

July 20, 2021

August 17, 2021

September 21, 2021

October 19, 2021

November 16, 2021

December 21, 2021

Be it further resolved that all Regular Town Board meetings and public hearings will be published prior to the meeting in the Official Newspaper, on the town website and/or

sign board. Special meetings may be called by the Supervisor at any time by giving at least a two-day notice in writing to other members of the Board and the Town Clerk and, Be it further resolved that any town official publishing a legal notice shall keep on file for one (1) year the notice from the paper.

Moved by Marshall Gero and Seconded by Brian Caza
Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 10 of 2021

Acknowledgement of the Books

Resolved that the town board will require that all official books concerning the collection and disbursement of monies be presented to the board for review and the Annual Accounting of the Books to be held no later than January 20th of the following calendar year. These are the books of the Judges, Town Clerk, Tax Collector and the Supervisor.

Resolution moved by Brian Caza and Seconded by Maureen Marsden
Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 11 of 2021

Authorizing the Highway Superintendent to purchase tools, equipment and repair orders.

Resolved that the Highway Superintendent be authorized to expend amounts up to One Thousand Dollars (\$1000) to purchase tools, equipment, supplies and amounts up to One Thousand Dollars (\$1000) for repair orders without the prior approval of the Town Board, but must follow the Town Procurement Policy.

Moved by Robert Dobie and Seconded by Maureen Marsden
Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 12 of 2021

Authorization to sign checks

Resolved that the town supervisor, or her deputy, be authorized to sign checks in the name of the Town, and

Be it further resolved that the Clerk to the Supervisor has the authorization to get information in regard to any and all accounts at the bank for the purpose of doing his/her job, such as balances, maturity dates and making deposits.

Moved by Brian Caza and Seconded Maureen Marsden
Roll call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 13 of 2021

Marriage Officer Appointment

Resolved to appoint Joseph Provoncha, Essex County Clerk, to be Marriage Officer for 2021.

Appointment was moved by Robert Dobie and Seconded by Maureen Marsden
All in Favor 5-Ayes, No-Noes

Resolution # 14 of 2021

Mileage

Resolved that the Town Board does hereby set the standard mileage rate at the amount set by the Internal Revenue Service for 2021, for the use of their vehicles while performing official duties, attending schools, convention and actual expenses. All mileage is measured from the Town Hall and must be submitted within sixty (60) days of the travel. (rate being .56 for 2021)

Moved by Marshall Gero and Seconded by Maureen Marsden

Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 15 of 2021

Renting Equipment

Resolved that the Superintendent of Highways be authorized to rent town equipment to other municipalities at the standard rates.

Moved by Maureen Marsden, Seconded by Robert Dobie,

Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 16 of 2021

Filing

Resolved that the Town Board order all town officers to place copies of up-to-date certificates and copies of all minutes of official committees of the Board on file in the Town Clerk's office.

Marshall Gero so moved the Resolution and was seconded by Brian Caza

All in favor-5, Opposed-0

Resolution # 17 of 2021

Inventory

Resolved that the town clerk shall distribute to all Department Heads inventory sheets each year by November 1, and

Further resolved that each Department Head will have the inventory completed by the Organization Meeting and copies shall be distributed to the town board thirty (30) days thereafter.

Motion by Maureen Marsden and Seconded Robert Dobie

In Favor-5 Ayes
Opposed-0 Noes

Resolution # 18 of 2021

Contracts

Fire Protection – Authorize the Town Supervisor to contract with the North Hudson Volunteer Fire Company in the amount of eighty-four thousand dollars (\$84,000) for the purpose of fire protection and in the amount of Ten thousand dollars (\$10,000) for the Fire Department Awards program.

Ambulance-Authorize the Town Supervisor to contract with the Schroon Lake Ambulance Squad for the purposes of Ambulance Services in the amount of eighty-three thousand eight hundred twenty-three dollars and forty-nine cents (\$83,823.49) and Life Flight in the amount of One Thousand dollars (\$1,000).

Moved by Maureen Marsden and Seconded by Marshall Gero

Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution #19 of 2021

Post-Audit payments authorized

Resolved that the Town Board gives permission to pay telephone, electric, health insurance and postage when the bills come in and that the bills be produced for auditing at the next town board meeting.

Moved by Maureen Marsden and Seconded by Brian Caza

Roll Call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 20 of 2021

Youth State Aid

Resolve that the Town Board authorizes the expenditure of at least one thousand dollars (\$1,000) for the Youth Program.

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Moved by Brian Caza, Seconded by Marshall Gero:

Roll Call: Caza-Aye , Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 21 of 2021

Association of Towns Meeting and Meal Money

Resolve that officials must have prior approval to attend the Association of Towns Meeting and authorization for upfront money for meals to any town officer going to an approved conference or training session.

Resolution moved by Maureen Marsden and was Seconded by Robert Dobie

Roll call: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 22 of 2021

Annual Report

Resolved that the Supervisor shall submit to the Town Clerk and to the State Comptroller a copy of the Annual Report of 2020 within sixty (60) days after the close of the year.

Moved by Robert Dobie and Seconded by Maureen Marsden

Roll: Caza-Aye, Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye

Resolution # 23 of 2021

Resolution appointing Supervisor DeZalia to attend the Annual Business Session of the Association of Towns and be designated as Voting Delegate, and to cast the vote for the Town of North Hudson, pursuant to sec 6 of Article III of the Constitution and Bylaws of said Association and if for some reason Supervisor DeZalia cannot be present to cast said vote, in her absence, said vote will be cast by Town Clerk, Martha King, set as and designated as Alternate.

Moved by Maureen Marsden and Seconded by Robert Dobie

Roll Call: Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye Excused: Mr. Caza

Resolution #24 of 2021

Resolution authorizing the Town Supervisor to contract with Essex County for the removal of snow and ice from the 21.64 miles of County roads within the Town of North Hudson at a rate of \$5,435.19 per mile for a sum of \$117,617.51 to be paid in 3 installments of \$39,205.84 on March 1st, \$39,205.84 on June 1st, and \$39,205.83 on Sept 1st. The contract will be in place for the 2021 calendar year unless it is determined to be terminated with written notice.

So moved by Maureen Marsden Seconded by Robert Dobie

Roll Call: Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye Excused: Mr. Caza

Resolution #25 of 2021

Resolution authorizing the acceptance and inclusion of the Adirondack Mountain Reserve properties to the 2021 Town of North Hudson Assessment Roll

Be it resolved, that the Town Board hereby authorizes the acceptance of the following properties to the Town of North Hudson 2021 assessment roll;

Treetops/Mesnard Tax Map 83.-1-1.100/4

Marcy Trail/Neilson Tax Map 83.-1-1.100/5

Mosshouses/Notman Tax Map 83.-1-1.100/6

And be it further resolved, that the Town Board authorizes the office of the Assessor to establish a suitable assessment of said properties.

So moved by Robert Dobie Seconded by Maureen Marsden

Roll Call: Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye Excused: Mr. Caza

Resolution #26 of 2021

Resolution amending **Resolution #73 of 2020** authorizing budget amendment for various department to now read

A5010.4 Highway Sup. Contractual \$1000 to go to A5010.1A Highway Super

A5132.4 Highway Garage \$715.50 to go to A5010.1A Highway Super

A5132.4 Highway Garage \$23.08 to go to A5010.1B Highway Deputy

In place of

A5010.4 Highway Contractual \$1715.50 to go to A5010.1A

A5010.4 Highway contractual \$23.08 to go to A5010.1B

Moved: Maureen Marsden Second: Robert Dobie

Roll: Roll: Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye Excused: Mr. Caza

Resolution #27 of 2021

Resolution authorizing budget amendment for the Refuse and Garbage Department.

Be it resolved that the Town Board hereby amends the 2020 North Hudson Budget as follows:

A8160.4 Contractual Expense \$4.87 to go to A8160.1 Personal Services

Moved: Marshall Gero Seconded: Maureen Marsden

Roll Call: Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye Excused: Mr. Caza

Resolution #28 of 2021

The following resolution was offered by Supervisor DeZalia; who moved its adoption.

RESOLUTION OF APPRECIATION TO SENATOR ELIZABETH O'C. LITTLE UPON HER RETIREMENT FROM PUBLIC SERVICE AS STATE OF NEW YORK SENATOR FOR THE 45TH SENATE DISTRICT

Upon the recommendation of the Town Board, and the same appearing proper and necessary.

WHEREAS, effective government depends upon those individuals who dedicate their time and talent to public service; and

WHEREAS, Senator Elizabeth O'C. Little has exhibited the rare characteristics of leadership, commitment to the public good, humility, hard work and pragmatism throughout her long career as a public servant; and

WHEREAS, Senator Elizabeth O'C. Little began her career as a member of the Warren County Board of Supervisors and the Supervisor of the Town of Queensbury in 1986; then as the New York State Assemblywoman for Assembly District 109 from 1995 through 2002; and for 9 terms, as the New York State Senator for the 45th Senate District which comprises Clinton, Essex, Franklin, Warren and parts of St. Lawrence and Washington Counties; and

WHEREAS, throughout her tenure, Senator Elizabeth O'C. Little has contributed greatly to the betterment of all of her constituencies, including the Town of North Hudson

and all of its residents, through her years of tireless and selfless public service; and

WHEREAS, throughout her political career, Senator Elizabeth O'C. Little has served with honor and distinction, and with purpose, always adhering to her personal convictions even when politically unpopular and never shirking from making tough decisions; and

WHEREAS, during her tenure, Senator Little adroitly operated as a savvy and skilled politician while, at the same time, was grounded in reality recognizing the delicate balance that politics plays in the lives of the people she represented; and

WHEREAS, Elizabeth O'C. Little selflessly devoted herself to improving state, county and town government efficiency and in promoting the best interests of her constituency, including the people of North Hudson; and

WHEREAS, Elizabeth O'C. Little was a true friend and public servant to the people of North Hudson, never failing to advance and provide for town interests whether they be local, statewide or on a national level; and

WHEREAS, the members of the Town of North Hudson Board wish to extend their appreciation to Senator Elizabeth O'C. Little for her contributions and accomplishments while in office, her hard work and dedication to the Town of North Hudson, as well as her friendship.

NOW, THEREFORE, BE IT RESOLVED that the North Hudson Town Board, its Clerk of the Board, hereby extend their deepest appreciation to Elizabeth O'C. Little for long, outstanding, dedicated and exemplary service to the people of North Hudson during her many years of public service; and

BE IT FURTHER RESOLVED, that the members of this Board, Clerk of this Board, send their best wishes to Elizabeth O'C. Little and wish her good luck in her future endeavors.

This resolution was unanimously seconded and adopted.

Resolution #29 of 2021

RESOLUTION OF CONGRATULATIONS TO JOSEPH A. PROVONCHA LONGEST SERVING COUNTY CLERK IN NEW YORK STATE

The following resolution was offered by Supervisor Stephanie DeZalia, who moved its adoption.

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

WHEREAS, as of January 1, 2021, Joseph A. Provoncha became the most senior County Clerk in the State of New York, having served as the longest of all County Clerks currently in office; and

WHEREAS, Joe first took office as Essex County Clerk on January 1, 1992, and was elected to his 8th term in 2019; and

WHEREAS, Joe has held a variety of titles in addition to County Clerk and Agent for the DMV Commissioner, including Records Management Officer, Commissioner of Jurors, and Commissioner of Youth Services and was awarded the Liberty Bell Award by the Essex County Bar Association in 1997 and 2014; and

WHEREAS, Joe has also received numerous New York State awards including, the NYS Archives and the Archives Partnership Trust - William H. Kelley Annual Archives Award for excellence in local government archival program development in 2018; and

WHEREAS, as a member of the New York State Association of County Clerks (NYSACC) Joe served as the Association President in 2000; is the current Recording Secretary having served since 2006; was named Clerk of the Year in 1996; and was awarded the Lifetime Achievement Award in 2001; and

WHEREAS, Joseph A. Provoncha has tirelessly, conscientiously and with the highest degree of professionalism, represented Essex County as its County Clerk and has provided invaluable knowledge, instruction and representation to the citizens of Essex County for the last 29 years; and

WHEREAS, Joe serves as the Town of North Hudson's Historian and Marriage Officer; and

WHEREAS, Joseph A. Provoncha is a true friend and public servant to the people of Essex County and its townships, always going the extra mile for his constituents and those in need; and

WHEREAS, Joe, in addition to his duties as County Clerk, has also devoted himself to Improving county government efficiency and continues to advance and provide for county interests whenever he can, be they local or statewide.

BE IT RESOLVED that the North Hudson Town Board, its Clerk of the Board, hereby extend their Congratulations and appreciation to Joseph A. Provoncha for his outstanding, dedicated and exemplary public service and recognizes him on becoming the most senior County Clerk in New York State currently in office and wish him continued success as our Essex County Clerk.

This resolution was unanimously seconded and adopted.

Resolution #30 of 2021

Resolved that the Town of North Hudson do hereby appoint Cassandra D'Agostino as Youth Commission Chairperson and Jan Talarico as her alternate for the 2021 calendar

year for the purposes of planning youth events and attending the Essex County Youth Bureau meetings.

Moved by Maureen Marsden and Seconded by Robert Dobie

Roll Call: Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye Excused: Mr. Caza

Resolution #31 of 2021

Resolved the approval and acceptance of the Annual Review of the Town of North Hudson Justice Court records for the calendar year 2020.

Be it resolved that this resolution is brought before the Town Board by the Court Committee, and be it resolved that the Annual review of said records has been completed, and they are hereby, accepted and approved.

Moved by Maureen Marsden and seconded by Robert Dobie

Roll Call: Gero-Aye, DeZalia-Aye, Dobie-Aye, Marsden-Aye Excused: Mr. Caza

Resolution # 32 of 2021

Resolved to contract with Sun Community News for an ad in the 2021 Spring North Country Living Magazine at a cost of \$ 89 that will run and be on newsstands around March 20, 2021.

No discussion.

Moved by Maureen Marsden Seconded by Marshal Gero.

Roll Call -

Brian Caza-Aye

Marshall Gero- Aye

Stephanie DeZalia-Aye

Robert Dobie -Aye

Maureen Marsden -Aye

Resolution # 33-2021

Resolution of Condolences to the family of Kenneth Delefrange of North Hudson.

Ken passed away this weekend,

So moved by Robert Dobie and Unanimous second.

Resolution #34-20201

Resolution authorizing the Supervisor to enter into a contract with the Essex County Board of Elections for the use of the North Hudson Town Hall for the 9 days leading up to the Primary Election in June 2021 and again for the 9 days leading up to the General election in November 2021. Whereas this Resolution will be in effect for the 2021 Election calendar year. The Town of North Hudson and the County of Essex will evaluate the success of the location for future use and a new resolution would be done as needed.

Moved by Robert Dobie Second by Maureen Marsden

Roll Call:
Supervisor DeZalia-Aye
Coincilmwoman Marsden-Aye
Councilman Dobie-Aye
Councilman Gero-Aye
Councilman Caza-Absent

Resolution #35-2021

Resolved for the Supervisor to purchase the needed replacement US flags, Armed Forces flags, poles and trucks from Rieighs and Amazon for a total of \$ 1, 396.22

Moved by Maureen Marsden Seconded by Robert Dobie

Roll Call:
Supervisor DeZalia-Aye
Coincilmwoman Marsden-Aye
Councilman Dobie-Aye
Councilman Gero-Aye
Councilman Caza-Absent

Resolution # 36-2021

Resolution granting the Supervisor to enter into agreement with Adirondack Landfill Services LLC for the Post Landfill annual testing of wells for the amount of \$2,541.

Moved by Mauren Marsden Seconded by Robert Dobie

Roll Call:
Supervisor DeZalia-Aye
Coincilmwoman Marsden-Aye
Councilman Dobie-Aye
Councilman Gero-Aye
Councilman Caza-Absent
Supervisor DeZalia

Resolution # 37-2021

Board Member Robert Dobie offered the following Resolution and moved its adoption:

RESOLUTION CALLING UPON NYS LEGISLATORS TO CURTAIL GOVERNOR ANDREW COUMO'S EMEGENCY POWERS AUTHORITY

WHEREAS, on March 32020 Chapter 23 of the Laws of 2020 amended Sections 20 and 29-a of the Executive Law to permit the Governor of the State of New York to issue by executive order any directive necessary to respond to a state of emergency including disease outbreak; and

WHEREAS, on March 7, 2020 the Governor declared a statewide emergency to address the threat that the novel Coronavirus COVID-19 poses to health and welfare; and

WHEREAS, the overriding concern is to slow the spread of the disease as to save lives and not overwhelm the capacity and resources of the medical system in New York State; and

WHEREAS, the NYS of Emergency has been extended numerous times and is still in effect; and

WHEREAS, on numerous occasions, Governor Coumo used emergency powers to execute nonemergency policy beyond the risks of the COVID-19 pandemic; and

WHEREAS, the Governor's broad response has come with great economic and social cost and has infringed on the basic freedoms of the people of the Town of North Hudson; now, therefore be it

RESOLVED, that the Town Board of North Hudson hereby calls upon New York State Legislators to curtail Governor Coumo's emergency powers authority to restore the balance of power and reinstate local home rule; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to the State Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator James Tedisco, Senator Daniel Stec, Assemblyman Robert Smullen, Assemblyman Matt Simpson, NYAOT and AATV.

Seconded by Councilman Marshall Gero and adopted by the following vote:

Gero-Aye
DeZalia-Aye
Dobie-Aye
Marsden-Aye
Caza-Absent

Resolution #38-2021

RESOLUTION URGING THE GOVERNOR AND FEDERAL GOVERNMENT TO EXPAND BRODBAND AND RURAL CELLULAR COVERAGE TO ALL NEW YORKERS

Resolution offered by: Maureen Marsden and Moved and adoption:

WHEREAS, in September, 2019 the Governor announced the Upstate Cellular Coverage Task Forces, stating 'every New Yorker should be able to access a stable cell connection, yet our upstate regions have struggled for too long to make the connections

that are vital to everyday life and commerce... Today we're leading the way forward by establishing a task force of cellular service experts, elected representatives and environmental advocates who will develop concrete policies and help to ensure service is provided and infrastructure for it is built in a sustainable way, and

WHEREAS, maps developed by the Federal Communications Commission (FCC) using Form 477 data are inaccurate and misrepresent the accessibility of broadband and cellular service and are referenced by the federal and state governments for finding purposes, and

WHEREAS, the FCC recently announced a \$99 million federal investment through the Rural Digital Opportunity Fund (RDOF) to deploy broadband technology to over 46,000 previously unserved locations in rural portions of upstate New York in the coming years, and

WHEREAS, the house of Representatives passed the Broadband Deployment Accuracy and Technology Availability Act, legislation which improves the accuracy of the FCC's broadband availability maps by strengthening the process by which broadband data is collected. The Broadband DATA Act was signed into law in March 23rd, 2020, and

WHEREAS, based on newer and more accurate data gathered directly from schools, municipalities, and other organization, there are large gaps in broadband and rural cellular service across rural and upstate New York, contradicting FCC maps, and

WHEREAS, the FCC staff also determined that the Mobility Fund Phase II coverage maps submitted by certain carriers overstated actual coverage and did not reflect on-the-ground performance in many instances, and

WHEREAS, the FCC ultimately terminated the planned Mobility Fund Phase II auction and replace it with a 5G Fund for Rural America, using multi-round reverse auctions to distribute up to \$9 billion to bring voice and 5G broadband service to rural areas of our country that are unlikely to see unsubsidized deployment of 5G-capable networks, and

WHEREAS, New York State has also adopted legislation that enacted a right-of-way use and occupancy fee for any fiber optics cables located in or crossing a state-controlled right of way and authorized the New York State Department of Transportation (DOT) to enter free-bearing permits with fiber optic installers, and

WHEREAS, understanding the financial constraints facing the State of New York, counties across the state endeavor to work with the State to incentivize the department of fiber connections in rural areas of the State, and

WHEREAS, our residents need access to reliable and affordable broadband and cellular service for school, employment, telehealth, and social aspects of life, and

WHEREAS, as we have seen in the face of this pandemic, broadband serves a vital need for breaking down the digital divide that creates groups of haves and haves-nots within our state, and

WHEREAS, broadband and cellular access provides a critical public infrastructure need for New York residents, towns, municipalities, counties, emergency services, and more,

NOW, THEREFORE, BE IT RESOLVED, the Town of North Hudson calls upon Governor Cuomo, our Federal and State legislative delegations to work with the Federal Communications Commission (FCC) and local leaders and officials to deploy new broadband and cellular service maps in order to deploy the 5G Fund for Rural America as well as broadband infrastructure programs, and

BE IT FURTHER RESOLVED, the Town of North Hudson, Board Members, asks the Governor and State Legislature to amend Section 24-c of the Highway Law and Section 7 of the Transportation Corporation Law to incentivize the deployment of fiber connectivity in rural and hard to serve regions of the State, and

BE IT FURTHER RESOLVED, the Town Board of the Town of North Hudson ask the Governor and our Federal and State legislative delegations to work to ensure this vital economic development infrastructure need us available to all New Yorkers to prevent the further isolation of those in need, and

BE IT FURTHER RESOLVED, copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions, and

BE IT FURTHER RESOLVED, that the North Hudson Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Congressional Delegation and all others deemed necessary and proper.

Second by Robert Dobie and adopted by the following vote:

Gero-Aye
DeZalia-Aye
Dobie-Aye
Marsden –Aye
Caza-Absent

Resolution #39-2021

RESOLUTION ADOPTING A PUBLIC EMPLOER HEALTH EMERGENCY PLAN

The following resolution was offered by Supervisor Stephanie DeZalia , who moved its adoption.

Upon the recommendation of the Supervisor, and the same appearing proper and necessary.

WHEREAS, on September 7th, 2020, the Governor of the State of New York signed legislation requiring all public employers to create plans to adequately protect workers In the event of another state disaster emergency involving a communicable disease, and **WHEREAS**, the Town of North Hudson has developed such a plan in accordance with the amended New York State Law §27-c and New York State Education Law Paragraphs K and I of subdivision 2 of § 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016); and

BE IT RESOLVED, that the Town Board hereby adopts such plan and authorizes the Supervisor to execute and publish such plan in accordance with law.

No discussion.

This resolution was seconded by Councilman Dobie and duly adopted

Roll Call:

Councilman Marshall Gero- Aye

Councilman Robert Dobie - Aye

Councilwoman Maureen Marsden- Aye

Supervisor Stephanie DeZalia - Aye

Councilman Brian Caza- Absent

Resolution # 40 of 2021

Resolution to authorize the Supervisor to pay the Town Court the amount of \$362.00. To reconcile their account from a 2014 fraud case, a foreign exchange and an nCourt error.

So moved by Councilwoman Marsden Seconded by Councilman Dobie

Roll Call:

Councilman Marshall Gero- Aye

Councilman Robert Dobie - Aye

Councilwoman Maureen Marsden- Aye

Supervisor Stephanie DeZalia - Aye

Councilman Brian Caza- Absent

Resolution # 41 of 2021

Be it Resolved that the Town of North Hudson hereby establish the following standard work day for the following titles and will report the officials to the NYSLRS based on their ROA.

Supervisor Stephanie DeZalia -6 hours

Highway Superintendent Kevin Duntley-8 hours

Town Clerk Martha M. King-6 hours

Town Councilman Brian Caza-6 hours

Moved by Councilwoman Marsden seconded by Councilman Gero

Roll Call:

Councilman Marshall Gero- Aye
Councilman Robert Dobie - Aye
Councilwoman Maureen Marsden- Aye
Supervisor Stephanie DeZalia - Aye
Councilman Brian Caza- Absent

Resolution # 42 of 2021

Resolved to place an ad in the Summer 2021 North County Living Magazine at a cost of \$ 267.00.

Motion by Councilman Dobie seconded by Maureen Marsden

Roll Call:

Councilman Marshall Gero- Aye
Councilman Robert Dobie - Aye
Councilwoman Maureen Marsden- Aye
Supervisor Stephanie DeZalia - Aye
Councilman Brian Caza- Absent

Resolution # 43 of 2021

The following was offered by Supervisor DeZalia.

Resolution of gratitude to Mike and Gina Lenhard for their commitment of 30 years of business in the Town of North Hudson. During this time, they employed numerous youth in our community and held and contributed to various charity events.

The Town Board extends a Congratulations to them on their well-deserved retirement. This resolution was seconded unanimously.

Roll Call:

Councilman Marshall Gero- Aye
Councilman Robert Dobie - Aye
Councilwoman Maureen Marsden- Aye
Supervisor Stephanie DeZalia - Aye
Councilman Brian Caza- Absent

Resolution # 44 of 2021

RESOLUTION OF APPRECIATION and SUPPORT

The following resolution was offered up by Supervisor DeZalia who moved for its adoption.

Whereas, the Town of North Hudson hereby acknowledges it has been fortunate to have a dedicated Highway Superintendent committed to the mission of Public Safety, and

Whereas, Kevin Duntley has now embarked on a new position away from the Town of North Hudson, and

Whereas, we, as members of the Town of North Hudson Town Board wish to extend our utmost appreciation for the work that he has done in keeping our roads safe for our community and visiting travelers, and his exemplary public service, and

Whereas, the Board wishes to extend our sincere best wishes for every happiness in the future of Kevin Duntley,

Now Therefore Be It Resolved, that the Town Board of North Hudson hereby recognizes and appreciates the service of Kevin Duntley upon his departure as Highway Superintendent, and wishes him well in all future endeavors, further, that this resolution of Appreciation and Support be duly recorded and spread across the minutes of the Town Board of North Hudson on this 12th day of May 2021.
This resolution was seconded unanimously.

Resolution # 45 of 2021

The Town of North Hudson Town Board hereby appoints Kenneth Foster to fill the vacant position of Highway Superintendent term to end December 31, 2021 at a prorated amount from this date forward.

Motion by Councilman Brian Caza

This resolution was seconded unanimously.

Roll call:

Councilman Marshall Gero- Aye

Councilman Robert Dobie - Aye

Councilwoman Maureen Marsden- Aye

Supervisor Stephanie DeZalia - Aye

Councilman Brian Caza- Aye

Resolution #46 of 2021

Resolution for the North Hudson Supervisor to sign the Worksite agreement with Essex County.

Roll Call

Councilwoman Marsden-Aye

Councilman Dobie- Aye

Council man Caza-Aye

Supervisor DeZalia- Aye

Councilman Gero- excused

Resolution # 47 of 2021

Resolved to give Supervisor DeZalia permission to surplus and scrap the following:

'11 Chevy pickup

'06 Ford pickup

2- 11' snow plows

1- 11' wing

1-8' V plow

1-9' Straight plow

1-8 1/2' XV2 plow

Motion by Councilman Dobie seconded by Councilwoman Marsden

Roll Call

Councilwoman Marsden-Aye

Councilman Dobie- Aye

Council man Caza-Aye

Supervisor DeZalia- Aye

Councilman Gero- excused

Resolution # 48 of 2021

Resolution appointing Larry Koller to the Board of Assessment Review for a term of 5 years effective today.

Moved by Councilman Dobie seconded by Councilman Caza

Roll Call

Councilwoman Marsden-Aye

Councilman Dobie- Aye

Council man Caza-Aye

Supervisor DeZalia- Aye

Councilman Gero- excused

Resolution # 49 of 2021

Resolution Requesting the Rescinding of the NYS Fiber Right of Way Fee

Whereas, the 2019-2020 New York State budget contained language that enacted a right of way use and occupancy fee for any fiber optic cables located or crossing state controlled right of way and authorized the New York State Department of Transportation (DOT) to enter fee bearing permits with fiber optic installers and;

Whereas, the 2019-2020 state budget also added Section 7 of the Transportation Law, allowing the DOT to charge fiber optic corporations installing and operating the utility lines for fair-market use and occupancy of the state right of way and;

Whereas, in early 2020 organizations, businesses, legislators and residents of northern New York became aware of the fee because the DOT started charging the fee and;

Whereas, in the rural counties of the North Country it's virtually impossible to install fiber optic cables for any distance without utilizing or crossing a state right of way and development requirements within the Adirondack Park almost entirely preclude installation of broadband in any location other than an existing state right-of-way and;

Whereas, the coronavirus pandemic has cause more people to be working from home and more students to be learning from home, and has increased the use of telemedicine, thus magnifying the need for additional broadband services in unserved and underserved areas so rural residents can engage in everyday activities and;

Whereas, Governor Coumo, in his 2021 State of the State address championed his Connectivity Agencies which includes, among other provisions, enactment of a requirement for affordable internet for low income families and a series of actions to promote broadband build-out and market competition and;

Whereas, the Governor said, “And without affordable broadband, people are not just disconnected, they are refranchised. Broadband must be available to everyone, everywhere. And in New York we will make sure it is” and;

Whereas, the DOT fiber right-of-way fees acting as a significant financial deterrent to broadband build-out in rural areas, with some projects already cancelled and others put on hold due to the fact that these fees will cost providers hundreds of thousands, and in some cases, millions of dollars annually, and;

Now, therefore be it

Resolved, that the Town of North Hudson formally opposes the enactment of the DOT right-of-way fees on fiber optic cable and urges the Governor and the New York State Legislature to rescind the right-of-way use and occupancy fees on fiber cable immediately so that the Governor’s pledge can be fulfilled and the expansion of the fiber network in the North Country can continue to serve critically unserved and underserved areas.

So moved by Councilman Dobie and seconded by Councilwoman Marsden

Roll Call

Councilwoman Marsden-Aye

Councilman Dobie- Aye

Council man Caza-Aye

Supervisor DeZalia- Aye

Councilman Gero- excused

Resolution # 50 of 2020 Resolved to change the Tuesday June 15, 2021 regular Town Board meeting to Wednesday June 23, 2021 at 6 p.m.

So moved by Supervisor DeZalia and seconded by Councilman Caza

Roll call

Councilwoman Marsden-Aye

Councilman Dobie- Aye

Council man Caza-Aye

Supervisor DeZalia- Aye

Councilman Gero- excused

Resolution #51 of 2021

Resolved for the Supervisor to order the needed brochure/flyer boxes for the outside visitor board not to exceed \$500.00.

So moved by Councilman Caza and seconded by Councilwoman Marsden.

Roll Call

Councilwoman Marsden-Aye

Councilman Dobie- Aye

Council man Caza-Aye

Supervisor DeZalia- Aye

Councilman Gero- excused