

Town of North Hudson
Regular Town Board Meeting
Tuesday February 16, 2021
5:45 p.m.

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

Due to COVID the meeting was closed to the public. No Public in attendance

Supervisor DeZalia called the meeting to order at 5:45pm and led in the salute to the Flag.

Approval of the Jan 19, 2021 minutes as amended.

Moved by Maureen Marsden and seconded by Robert Dobie.

All in Favor. Ayes-5, Noes -0

Supervisors Financial Report

As of January 31, 2021

Checking Accounts

Town of North Hudson Checking	0.10%	\$ 587,367.22
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General Fund		\$ 554,397.22
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Fire District		\$ 32,970.00
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Highway Fund Checking	0.10%	\$ 464,558.30
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Total All Funds		\$ 1,051,925.52
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Old Business

A. Mark Carpenter is working on an Insurance Proposal for the Town. We are waiting for the renewal Proposal from the Upstate Agency. Jaeger and Flynn were also asked to submit a proposal however they don't believe they will be able to do so prior to the renewal deadline. They are starting to write for other municipalities. This will be looked at again next spring for policy and rate comparison.

B. Supervisor DeZalia has spoken to the Board previously about the Board of Elections reaching out to her to possibly use North Hudson as a site for Early Voting. There are questions regarding liability, security and hours of operation. North Hudson is a much closer location for the towns in southern Essex County. The early voting site is being moved from Lewis to North Elba being the most populated town in Essex County per the new legislation. If approved North Hudson could be a second early voting site for the 10 days prior to an election. Once all the information is gathered Supervisor DeZalia will bring it back to the Board.

C. At the January meeting the Board discussed the exclusion of the 23.3 acres of Town land from the Conservation Easement with the State. Corey with DEC has walked the corridor that was proposed for a multi-use trail and feels that a part of this terrain is too steep for snowmobile trails. She also questioned future development. Supervisor DeZalia is waiting on ESD to take a look at the elevation map again. She has asked them to proceed excluding the 23.3 acres from the Conservation Easement.

New Business

Departmental Reports

Supervisor-

Supervisor has spoken to the Board at various times regarding the Tree Cutting litigation that the Environmental groups have filed against the DEC. A court date has been set for the end of March. She met via ZOOM with Peg Olsen, director of the Adirondack Chapter of the Nature Conservancy. They have filed with the court for permission to file an Amicus Brief in support of the DEC. They stand behind the DEC and the 5-Towns as they know the Community Connector trails were a stipulation and promise to the towns. Since doing so, Open Space Institute and Adirondack Mountain Club have done the same.

Supervisor DeZalia had been in talks with someone that was interested in a town or county lot for a small industrial business. A meeting had been set up with Dan Palmer and Shaun for this Friday but the business owner contacted her and would like to hold off as COVID has caused substantial price increases in building materials.

Supervisor DeZalia is attending the weekly updates from the control room via Shaun Gilliland and Linda Beers about the vaccine rollout. Many are frustrated as the roll out has not gone as hoped. Public Health, pharmacies are only receiving a small portion of what was ordered. There has been increased frustration with the elderly population finding it hard to get an appointment for the vaccine yet the governor keeps adding more people to the pool of eligible. This has made it even harder for our most vulnerable to get their appointments.

Highway-

The Town has gotten new Reclamation quotes from Gorman Bros., Inc. out of Albany as Bell and Flynn won't be doing contracts in NY this year. They have come in higher than Bell and Flynn. The new numbers have been submitted to FEMA and to the State for Pepper Hollow mitigation work approval.

Highway committee members were asked to submit 3 dates and times to present to Highway Superintendent Duntley and Public Works Superintendent Jim Dugan.

Supervisor DeZalia stressed the importance of scheduling this meeting and indicated since there was much to discuss there probably would be more than one meeting.

Tentative dates of March 17th, 18th, 22nd, 23rd, 25th or 26th were discussed and presented to the Supervisor by committee members Councilman Caza and Councilman Dobie.

Codes Department-

Zoning and Codes Officer has submitted his annual Report, it was included in the Board packets. He also has submitted it to the State.

There is a permit Application Fee Schedule comparison done by Ken Hughes, Town of Essex Supervisor, included in Board packets as well. Supervisor DeZalia asked the Board to look at it and see how we compare to others. She asked the Board to see if they think the Town of North Hudson needs to take a look at the current fee schedule.

Supervisors Clerk-

Cassandra is signed up and attended some of the Association of Towns sessions at the 2021 Virtual Conference. Cassandra has developed a new time sheet that will better show the employee's accrued benefit time. All employees that have benefit time have started using the new time sheets. A sample was included in the Board packet.

Courts-

Office of Court Services has a "Pause" on all in person appearances at this time. This is presently being conducted virtually.

Town Clerk-

Candy is also attending virtual sessions at the Association of Towns Virtual Conference as well.

County Reports

1. Essex County Soil and Water Conservation District are holding their annual Tree and Shrub sale. Order by March 12 and the order will arrive April 30th. Order forms are available at the Town Hall and on the Facebook page.

2. Supervisor DeZalia as the personnel committee chair along with vice chair Jim Monty, Dan Palmer, Mike Mascarenas and Wayne Taylor have conducted interviews to fill the weights and measures position as Wayne has retired.

3. The State withheld \$ 189,378 from Essex County sales tax in January to deposit into a Distressed Provider Assistance account to fund financially distressed hospitals and nursing homes. Had this not come out the county would have had an increase of \$3,213. The state will continue to take a portion of sales tax each quarter this year to fund this account. If the County gets less of their sales tax from the State, then the towns will be getting less as well.

State Executive Budget-

Supervisor DeZalia pointed out a few of the items in the proposed NYS Budget.

- All Towns would shift from AIM to AIM –related payment program. All AIM payments would be reduced by 20%.

- CHIPS and Marchiselli Program is maintained at last year's level. The budget continues \$100 million in highway aid through PAVE NY, 100 million to fund local bridge projects from the Bridge NY program. North Hudson had received funds from CHIPS and Extreme Winter Recovery last year at a 10% reduced rate. This means less revenue to the town for our road infrastructure.

-Legalizes adult use recreational cannabis in NYS. No direct revenue for towns or local opt-in or opt-out is listed.

-Extend Real Property exemption for renewable energy projects.

- New enhanced STAR applicants have to shift to enhanced STAR credit to retain Basic STAR exemption.

-Vacation rental marketplace providers (AIRBNB and VRBO) must collect sales tax on the vacation rentals they facilitate. This will be enforced by the new Weights and measures person.

-Police reform plan must be submitted to the State by April 1st. The State will appoint a monitor to oversee the compliance with EO 203. The monitor will be at the local expense.

-Election reform to include the hours of early voting, time frame to process absentee ballots, & time frame to request an absentee ballot has been extended.

-Extends local government authority to piggyback on competitively bid contracts from the Federal government and State government. Makes permanent the Countywide Shared Services initiative.

-Court Judgements moves from a fixed 9% interest rate to a variable market based interest.

-Extends the moratorium on terminating a residential customers service for failure to pay municipal water and utilities.

- Allows a notary public to remotely notarize documents using audio-video communication.

- Amends various statutes to protect municipal highway workers. Makes it a class E Felony to intentionally place a highway worker in reasonable fear of death, imminent serious physical injury or physical injury. Also proposes a Class B misdemeanor for drivers who intrude into an active work zone.

****Return of withheld funds. The State will release all but 5% of the 20% in local aid that has been withheld between June and December 2020. These amounts should be reconciled and be repaid by March 2, 2021. AOT believes this will include AIM, CHIPS, and any other that was withheld. More information will be forthcoming.

C. In 2020 the Town resolved to run an ad in the Spring North Country Living Magazine, however due to COVID the magazine did not print and billings were canceled. The North Country Living Magazine has offered the same ad for the same price of \$89 for the 2021 magazine to the Town.

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.

7. Abstracts General and Highway funds

Motion to approve Marshal Gero Seconded by Brian Caza

Roll call-

Brian Caza-Aye

Marshall Gero- Aye

Stephanie DeZalia-Aye

Robert Dobie –Aye

Maureen Marsden –Aye

8. *Judges Financial Report- *January

Motion to approve Marshal Gero Seconded by Robert Dobie

Roll call-

Brian Caza-Aye

Marshall Gero- Aye

Stephanie DeZalia-Aye

Robert Dobie –Aye

Maureen Marsden –Aye

*Judges Financial Report -*February

Motion to approve Marshal Gero Seconded by Brian Caza

Roll call-

Brian Caza-Aye

Marshall Gero- Aye

Stephanie DeZalia-Aye

Robert Dobie –Aye

Maureen Marsden –Aye

9. Privilege of the Floor

Brian Caza addressed the Board about health care and Medicare reimbursement benefits. He presented to the Board the need to amend the Employee handbook. He stressed some long time employees are entitled to these benefits. He requested the Board look into this and employees be given what they are entitled to receive. He stated both full time and part time employees were entitled to this, and elected official used to receive this benefit. Supervisor DeZalia stated she is researching this and wants to make sure employees who are entitled to benefits receive them. Mr. Caza has asked the Board to investigate long time employees and the benefits they received prior to 2003. He believes there are some employees that should have been grandfathered. Supervisor DeZalia said if you don't receive benefits while being employed you wouldn't receive them after you leave. Mr. Gero stated he believes the Employee Handbook was written to include and exclude certain people. Mr. Dobie stated the task of getting a handbook approved by 5 people is a hard thing to do. He stated it was created in good faith and nothing was taken away from anyone prior to the handbook. Mr. Dobie went on to state that you have to be of retirement age when you retired from your office to get the benefits. Supervisor DeZalia will continue to research this and find out who got benefits prior to 2003 and who continued benefits after they retired prior to 2003, as this set a statute. Mr. Gero indicated that when he was in office he was told he would be eligible to continue to receive benefits after he left office. He stated he had 17 consecutive years of service to the Town at that time and should have been grandfathered in. However, he went on to say he doesn't receive any benefits and has been told he is ineligible to receive them and he disagrees with this.

Supervisor DeZalia will continue to gather all the information available and present her findings to the Board. If any changes are to be made to the handbook it will need to be voted on. She reminded the Board that there is a committee to review all the policies and the handbook is included in this.

Councilman Brian Caza was excused at 6:30 pm for work.

Mr. Gero inquired about the State parking lots. He asked if they were still being plowed out by the Town. Supervisor DeZalia indicated that they are currently being maintained by the Town but we not being paid for this. It is beneficial to the Town for the parking lots to be plowed to help generate tourism but agreed we should be reimbursed for this service. Supervisor DeZalia will look at both the County and the State shared services agreements, see if the State this can be billed. Mr. Gero asked about the Town's salt usage. Supervisor DeZalia will have Cassandra print out a comparison report for review.

10. Motion to adjourn 6:45 pm by Supervisor DeZalia Seconded by Maureen Marsden

All in favor

Ayes-4, Noes-0, 1 excused

Respectfully Submitted,
Martha M. King
Town Clerk