

# Regular Town Board Meeting

Tuesday December 21, 2021

6:00 p.m.

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

Guests in attendance were Brian DeZalia, and Larry Koller.

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

### Approval of Minutes

-Approval of the November 16, 2021 Regular Town Board meeting minutes as amended Moved by Supervisor DeZalia seconded by Councilwoman Marsden.

All in Favor: Ayes-5 Noes -0

### Supervisors Financial Report

As of November 30, 2021

#### Checking Accounts

Town of North Hudson Checking	0.10%	\$ 603,857.53
General Fund		\$ 570,887.53
Fire District		\$ 32,970.00
Highway Fund Checking	0.10%	\$ 670,926.78
<u>Total All Funds</u>		<u>\$ 1,274,784.31</u>

### Old Business

Supervisor DeZalia reminded the newly elected officials of the upcoming AOT Annual Newly Elected Officials Training School being held virtually January 6 & 7. She encouraged them to take this training as it will provide them with the basics needed in their new positions. The form is available and tuition is paid for by the Town.

She also reminded everyone of the upcoming AOT Annual Meeting & Training School being held February 20th-23rd, 2022 in NYC at the Marriot Marquis. Anyone wishing to attend is asked to let Cassandra know by January 7th so the Town can get the early bird registration price.

The resolution for these trainings has been done previously.

### New Business

Supervisor stated the contents of the board packets. They include Supervisors financial report, Vendor payments, Revenue Summary Report, Expenditures Summary Report, the monthly Justice report, the Town Clerk's report, the Town's monthly bank reconciliation's, and various informational sheets to be discussed.

### A. Department Reports

#### Supervisor-

Supervisor DeZalia put forth the following resolutions-

#### Resolution #111-2021

Resolution for the Town to sign an agreement with the Adirondack Park Local Government Review Board with Annual Dues of \$300.00. The Agreement will be in effect for the 2022 calendar year.

Moved: Councilman Dobie Second: Councilwoman Marsden

Roll Call:

Councilman Caza-Aye

Councilman Gero- Aye

Councilman Dobie – Aye

Councilwoman Marsden –Aye

Supervisor DeZalia-Aye

**Resolution #112 -2021**

Resolution to allow the Town Supervisor and the Highway Superintendent to enter into an Agreement with the County of Essex for the Control of Snow on three (3) County Roads. Contract amount is \$117,617.51 for the year with payment of \$39,205.84 to be made on March 1<sup>st</sup>, June 1<sup>st</sup>, and September 1<sup>st</sup> with continuation to be evaluated again in the Spring of 2022 before the next Budget is set.

Moved: Councilman Gero Second: Councilman Caza

Roll Call:

Councilman Caza-Aye

Councilman Gero- Aye

Councilman Dobie – Aye

Councilwoman Marsden –Aye

Supervisor DeZalia-Aye

Supervisor DeZalia reminded the Board that this contract can be cancelled at any time with a written 30-day written notice. Discussion took place on whether the Town will continue doing this as it is most likely not profitable. The Board consensus was the lack of record keeping makes it impossible to know exactly what is being spent on maintaining the County roads. It was stressed the Highway Departments needs to keep accurate up to date records as it is vital to determining this.

**Resolution #113 of 2021**

Resolution to allow the Town Supervisor and the Highway Superintendent to enter into an agreement with the County of Essex for the maintenance of County Roads for the calendar year 2022. The contract is based on actual costs.

Moved by Councilman Dobie second Councilman Gero

Roll Call:

Councilman Caza-Aye

Councilman Gero- Aye

Councilman Dobie – Aye

Councilwoman Marsden –Aye

Supervisor DeZalia-Aye

Supervisor DeZalia spoke to the Board on the matter of purchasing new office furniture for the Supervisors office. This has previously been budgeted for and remains needed. The current furniture could be considered for the proposed Community Resource Center.

**Resolution # 114 of 2021**

Resolution to allow the Supervisor to order the new office furniture for the Supervisors office not to exceed the budgeted amount of \$2,000.00

Moved Councilman Caza second Councilwoman Marsden

Roll Call:

Councilman Caza-Aye

Councilman Gero- Aye  
Councilman Dobie – Aye  
Councilwoman Marsden –Aye  
Supervisor DeZalia-Aye

**Highway Department-  
Resolution # 115 of 2021**

Resolved for the Town Supervisor and the Highway Superintendent to sign the NYSDOT Annual Work Permit to cover repairs of existing public facilities with the NYS right of way. The permit will be valid January 1, 2022 to December 31, 2022.

Moved Councilman Caza Second Councilman Gero

All in Favor Ayes-5 Noes-0

**Resolution # 116 of 2021**

Resolved for the Highway Superintendent to purchase a new Tarco Spreader Chain for the '03 in the amount of \$1,205.96.

moved Councilman Caza second Councilman Gero

Discussion: It was noted that this has already been purchased, and the Highway Superintendent did not adhere to the procurement policy. Reminder that any purchase over \$1,000.00 needs Town Board Approval before purchase can be made.

Roll Call:

Councilman Caza-Aye  
Councilman Gero- Aye  
Councilman Dobie – Aye  
Councilwoman Marsden –Aye  
Supervisor DeZalia-Aye

**Resolution # 117 of 2021**

Resolution is hereby made for the Town Supervisor, the Town Highway Superintendent, the Town Board, and the Essex County Superintendent of Highways to enter into an agreement for the Expenditures of Highway Moneys for the fiscal year 2022. Pursuant the provisions of §284 of the Highway Law, we agree that monies levied and collected in the Town for the repair and improvement of highways and received from the State Aid for the repair of the highways shall be expended as so indicated on such agreement.

Moved Supervisor DeZalia second Councilwoman Marsden

Roll Call:

Councilman Caza-Aye  
Councilman Gero- Aye  
Councilman Dobie – Aye  
Councilwoman Marsden –Aye  
Supervisor DeZalia-Aye

**Transfer Station-**

Landfill attendant, Tony Venner, has offered to open the landfill on Sunday December 26, 2021 10am to 4pm for the convenience of the residents of North Hudson.

**Supervisor**

Supervisors Clerk is using the Williamson accounting and payroll program. Supervisor DeZalia pointed out how much more efficient it is. Cassandra is still working out a few things with these programs.

**Codes Dept-  
Court-**

Supervisor DeZalia informed the Board there is a change in personnel due to the results of the recent election.

**Town Clerk-**

Supervisor DeZalia informed the Board that she had received a copy of the Collectors Tax warrant for 2022 total being \$ 1,339,992.18. She informed them this was down from the 2021 Tax Warrant by \$21,351.35.

**Assessors-**

**BTI-**

**Resolution # 118 of 2021**

Be it resolved that Michael Marsden has permission to attend the Annual Pesticide school on December 7 and 8, 2021 in Piseco, N.Y. at a total cost of \$441.16 which is to include mileage, meals, tuition and lodging.

Moved Councilman Caza Second Councilman Gero

Roll Call:

Councilman Caza-Aye

Councilman Gero- Aye

Councilman Dobie – Aye

Councilwoman Marsden –Aye

Supervisor DeZalia-Aye

Supervisor gave a reminder to all employees and officers, that the resolution and approval for expenditures such as trainings, conferences and schools when at all possible, be done prior to the expenditure being incurred.

**B. County Reports-**

1. On Wednesday December 8<sup>th</sup>, Essex County along with the other counties encompassing the North Country region declared a State of Emergency to remain in effect for 30 days to address the concerns associated with the impacts of COVID-19 in Essex County. She noted that Essex County continues to be in a period of high transmission as defined by NYS.

2. Supervisor DeZalia noted there will be several new Supervisors in January due to retirements and elections.

3. Jim Dougan and his crew were down on the County property doing some tree clearing to allow for more sunlight there and for them to begin looking at the layout of more trails and the new Arena that is being planned.

**C. Moriah Shock**

Supervisor DeZalia offered the following Resolution in opposition to the closing of Moriah Shock as announced by NYS Governor Hochul.

**Resolution #119 of 2021**

**RESOLUTION IN OPPOSITION TO GOVERNOR HOCHUL'S PROPOSED  
CLOSURE OF THE MORIAH SHOCK INCARCERATION FACILITY  
LOCATED IN MORIAH, NEW YORK**

The following resolution was offered by Supervisor DeZalia, who moved its adoption. WHEREAS, this Board has been informed by the New York State Department of Correctional Services that the State of New York plans to permanently close the Moriah Shock Incarceration Correctional Facility located in Moriah, New York within 90 days; and

WHEREAS, the County of Essex and, more specifically, the Town of Moriah, have during the past 50 years experienced a sharp and extreme loss in industry due to the closure of mills, mines and other heavy and light industry and the creation of the Adirondack Park Agency and stringent conservation laws which have made it cost prohibitive for industry and most businesses to operate within Essex County, and the Town of Moriah; and WHEREAS, the Town of Moriah lost its main iron ore industry in the 1970's which resulted in a huge loss of employment, a shrinking tax base, loss of commercial activity, and deterioration of the Town's buildings and infrastructure; and WHEREAS, the County of Essex is comprised of only 39,000 people and is located wholly within the Adirondack Park and is one of the most underdeveloped, remote and economically depressed counties in the State of New York with 42% of all land located within the County designated 'Forever Wild" and an additional 22% of privately owned forest land which leaves little or no opportunity for economic growth; and WHEREAS, Essex County has come to rely upon Moriah Shock Incarceration Correctional Facility located in the Town of Moriah, as a substitute for industry which has left the area; and

WHEREAS, the closure of the Moriah Shock Incarceration Correctional Facility will have a devastating economic impact directly upon the Town of Moriah and the County of Essex in that it will be one more loss of an important employer in the Town and County and the consequences thereof will flow through to local businesses and nearby communities and the Town of North Hudson; and

WHEREAS, the loss of the Moriah Shock Incarceration Correctional Facility will devastate the economy and well-being of the Town of Moriah and Essex County; and WHEREAS, it must be recognized that these Correctional Facilities are a substitute for the business and industry which are not permitted to exist within the Adirondack Park and the loss of this prison will be devastating and catastrophic; and WHEREAS, it must be recognized that the programs offered and carried out at the Moriah Shock facility are a benefit to our society as a whole; and that many local governments, County governments and New York State DEC benefit from the inmate workforce that they develop there; and

WHEREAS, it is unconscionable that the New York State Department of Corrections and the State of New York would consider closing the Moriah Shock Incarceration Camp knowing full well its importance to the Town of Moriah and the County of Essex and the depressed economic climate of this rural County. BE IT RESOLVED that the North Hudson Town Board vehemently opposes Governor Hochul's proposed closure of the Moriah Shock Incarceration Correctional Facility and implores and demands that the New York State Department of Correctional Services, the Governor of the State of New York and the New York State Legislature remove the Moriah Shock Incarceration Correctional Facility from the current closure list and allow it to continue to operate and serve the people of the State of New York; and

BE IT FURTHER RESOLVED, this Board regards this matter with the highest degree of importance to the Town and County and finds it unconscionable and irresponsible that the decision to close this facility did not examine the myriad of economic, social, governmental and community considerations and impacts which exist; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Commissioner of the New York State Department of Correctional Facilities, Governor Kathy Hochul; New

York State Senate Majority Leader; Senator Daniel G. Stec; Senate Minority Leader; Assembly Speaker; Assemblyman Matthew Simpson; Congresswoman Elise Stefanik; U.S. Senators Charles E. Schumer and Kirstin Gillibrand.

This Resolution was unanimously seconded and duly adopted.

**Audit Books**

Supervisor DeZalia reminded the Town Clerk, the Clerk to the Supervisor and the Town Justice to submit their books for the end of the year audit to be completed at the December 28 meeting.

**Approval of General and Highway Abstracts**

Motion to approve the abstracts for General Fund and Highway Fund.

Moved by Councilman Caza second Supervisor DeZalia

Roll Call:

Councilman Caza-Aye

Councilman Gero- Aye

Councilman Dobie – Aye

Councilwoman Marsden –Aye

Supervisor DeZalia-Aye

**Audit of Judges Report**

Motion to approve by Councilman Gero second Councilman Dobie

Roll Call:

Councilman Caza-Aye

Councilman Gero- Aye

Councilman Dobie – Aye

Councilwoman Marsden –Aye

Supervisor DeZalia-Aye

**Privilege of the Floor-**

Supervisor DeZalia reminded all that the Board Meetings will be following Roberts Rules of Order.

Councilman Gero asked when the Board was going to get back to Resolution# 63.

Supervisor DeZalia addressed this question by stating that it was taken care of even though it was not rescinded. Based on advice from the Towns Attorney it is null and void as the Board did not have the authority to authorize this. The Board, after an executive session, made the decision to hire an outside firm to define the classifications stating “benefits cannot be given to specific people only to classifications of people.” There was additional discussion on this matter. The Board was reminded that based on advice from AOT attorney, Public Sector LLC and our attorney Resolution #63 is null and void. Councilman Gero stated he does not agree with this decision and he believes he is still entitled to receive Medicare reimbursement.

Supervisor DeZalia reminded the Board of the hours just spent by them reviewing the proposed Handbook. And of their time spent defining full time and part time elected officials and employees and what classifications would be eligible for benefits.

The Town attorney and Public Sector will look at the work this Board has done on the Handbook and then the Board will need to make a resolution to approve it.

**Motion to Adjourn**

Meeting adjourned at 6:40 pm.

Motion by Councilman Dobie second Councilwoman Marsden

All in favor

Ayes -5, Noes-0

Respectfully submitted  
Martha M. King  
Town Clerk