

**Town of North Hudson  
Regular Town Board Meeting  
Thursday  
November 17, 2022  
6 p.m.**

Present were Supervisor Stephanie DeZalia, Councilman Brian Caza, Councilwoman Maureen Marsden, Councilman Brian DeZalia and Councilman Larry Koller and Town Clerk Martha (Candy) King.

Guests present were Nona and Tony Talarico, Tracee and Jake Parent and Cassandra D'Agostino.

Deborah Duntley arrived at 6:07. Kevin Duntley arrived at 7:26pm.

**Call to Order and Salute to the Flag**

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

**Approval of the minutes**

Motion to approve the minutes of the October 4, 2022 Special Town Board Meeting by Councilwoman Marsden Second: Councilman DeZalia

All in favor - 5, opposed- 0

Motion to approve October 7, 2022 Special Board Meeting by Councilwoman Marsden Second: Councilman Caza

All in favor- 5, opposed- 0

Motion to approve October 11, 2022 Special Town Board Meeting by Councilwoman Marsden Second: Councilman DeZalia

All in favor- 5, opposed- 0

Motion to Approve the October 20, 2022 Regular Board Meeting as amended by Councilwoman Marsden Second: Councilman Koller

All in favor- 5, opposed- 0

Motion to approve the minutes of the November 4, 2022 Special Board Meeting as amended.

by Councilwoman Marsden Second: Councilman Koller

All in favor -5, opposed- 0

Motion to approve the minutes of the Public Hearing of the Preliminary Budget on November 10, 2022 by Supervisor DeZalia Second by Councilman Koller

All in favor - 5, opposed- 0

**Supervisors Financial Report**

As of October 31, 2022

Checking Accounts

Town of North Hudson Checking	0.10%	\$ 684,800.56
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General Fund	\$ 651,830.56		
Fire District	\$ 32,970.00		
Highway Fund Checking		0.10%	\$ 722,001.59
		<u>Total All Funds</u>	<u>\$ 1,406,802.1</u>

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Fire District	\$ 32,970.00		
Highway Fund Checking		0.10%	\$ 722,001.59
		<u>Total All Funds</u>	<u>\$ 1,406,802.1</u>

**Executive Session**

Motion to go into executive session for a personnel matter at 6:05 pm by Super DeZalia second by Councilman Caza

Ayes-5 Noes-0

All in favor- 5, opposed- 0

Motion to return from executive session at 6:46 by Supervisor DeZalia second: Councilman Caza

Ayes- 5, opposed- 0

a.- Clerk to the Town Justice newly created title

**Resolution # 95 of 2022**

Resolution accepting and approving the new clerk to the Town Justice Civil Service position created but not yet in the Essex County Civil Service Rules;

Whereas, such position will be considered of the competitive Classification until such time classification is deemed Exempt by New York State Civil Service;

Whereas, the Town of North Hudson will resolve to accept this new position at such time it is deemed classified as Exempt;

Wherefore, in the interim time, the Town of North Hudson will continue to offer the Civil Service competitive position of Clerk as a title position for the Town of North Hudson Court Clerk position.

Moved by Supervisor DeZalia second Councilman Caza

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- Aye

M. Marsden- Aye

B. DeZalia-Aye

**6. Old Business-**

**A-** Groomer Storage – discussion on use of Town Facilities for Schroon Lake- North Hudson Snowmobile Club Groomer.

**B-** Adirondack Community Action Program Inc. – discussion on ‘Holidays for Sharing Program’. This program is for children 0-16 years of age. Applications are available at the Town Hall and are due back by December 2, 2022.

**C-** Surplus Bid Items-

The Town Clerk read the legal notice published in local newspapers.

Bids were opened and discussed by the Board.

**2004 Komatsu Loader**

Bids: 5

\$18,500.00 by Stewart Daniels

\$12,500.00 by John D. Howe

\$11,161.00 by James W. Graves

\$21,690.00 by Village Truck Sales

\$15,565.00 by Larry Koller

Motion was moved by Councilman Caza and second by Councilwoman Marsden to accept a bid in the amount of \$ 21,690.00 from Village Truck Sales for the used surplused 2004 Komatsu Loader.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- Aye

M. Marsden- Aye

B. DeZalia-Aye

**2003 International Tandem**

Bids: 3

\$2,500.00 by Stewart Daniels

\$2,000.00 by John D. Howe

\$4,290.00 by Village Truck Sales

Motion was moved by Councilman Caza and second by Councilwoman Marsden to accept a bid in the amount of \$4,290.00 from Village Truck Sales for the used surplused 2003 International Tandem.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- Aye

M. Marsden- Aye

B. DeZalia-Aye

**Toro Land Tractor**

Bids: 2

\$100.00 by Mike Marnell

\$125.00 by Stewart Daniels

Motion was moved by Councilman Caza and second by Councilman Koller to accept a bid in the amount of \$ 125.00 from Stewart Daniels for the used surplused

Toro Land Tractor.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- abstain

M. Marsden- Aye

B. DeZalia-Aye

**1998 International Single Axle with Sander**

Bids: 5

\$2,200.00 by Stewart Daniels

\$517.00 by John Ockrin

\$5,161.00 by James W. Graves

\$1,500 by John D. Howe

\$3,890.00 by Village Truck Sales

Motion was moved by Councilman Caza and second by Councilwoman Marsden to accept a bid in the amount of \$ 5,161.00 from James W. Graves for the used surplused 1998 International Single Axle with Sander.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- Aye

M. Marsden- Aye

B. DeZalia-Aye

### **3-Ton Engine Hoist**

Bids: 0

There were no bids on the 3-Ton Engine Hoist.

### **Drill Press**

Bids: 1

\$ 55.00 by Mike Marnell

Motion was moved by Councilman Caza and second by Councilman Koller to accept a bid in the amount of \$ 55.00 from Michael Marnell for the used surplused

Drill Press.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- Aye

M. Marsden- Aye

B. DeZalia-Aye

### **14' Hopper Sander**

Bids: 1

\$1,490.00 by Village Truck Sales

Motion was moved by Councilman Caza and second by Councilwoman Marsden to accept a bid in the amount of \$ 1,490.00 from Village Truck Sales for the used surplused 14' Hopper Sander.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- Aye

M. Marsden- Aye

B. DeZalia-Aye

### **500 Gallon Fuel Tank**

Bids: 1

\$50.00 by Stewart Daniels

Motion was made by Councilman Caza and second by Councilwoman Marsden to accept a bid in the amount of \$ 50.00 from Stewart Daniels for the used surplused 500 Gallon fuel tank.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- abstain

M. Marsden- Aye

B. DeZalia-Aye

### **Cub Cadet Snow Blower**

Bids: 1

\$75.00 by Stewart Daniels

Motion was moved by Councilman Caza and second by Councilwoman Marsden to accept a bid in the amount of \$ 75.00 from Stewart Daniels for the used surplused Cub Cadet snow blower.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- abstain

M. Marsden- Aye

B. DeZalia-Aye

### **4 Rolls 6' Chain Link Fencing**

Bids: 1

\$100.00 by William Knapp

Motion was moved by Councilman Caza and second by Councilwoman Marsden to accept a bid in the amount of \$ 100.00 from William Knapp for the used surplused 4 rolls 6' chain link fencing.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- Aye

M. Marsden- Aye

B. DeZalia-Aye

### **21 Stackable Chairs**

Bids: 1

\$20.00 by Stewart Daniels

Motion was moved by Councilman DeZalia and second by Councilman Caza to accept a bid in the amount of \$ 20.00 from Stewart Daniels for the used surplused 21 Stacking Chairs.

Roll Call:

B. Caza- Aye

L. Koller- Aye

S. DeZalia- abstain  
M. Marsden- Aye  
B. DeZalia-Aye

Supervisor DeZalia thanked everyone who took the time to bid on the items. A notice of bid awards will be sent out to bidding parties.

**D. Local Law#1 of 2022**

**Resolution # 96 of 2022**

**LOCAL LAW NO. #1 of 2022**

**“A Local Law to Override the Tax Levy Limit for Fiscal Year 2023”**

Be it enacted by the Town Board of the Town of North Hudson as follows:

**SECTION 1. AUTHORITY.** This Local Law is enacted pursuant to subdivision 5 of N.Y. General Municipal Law §3-c (the “Property Tax Cap Law”), which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

**SECTION 2. PURPOSE.** The purpose of this local law is to permit the Town Board to override the tax levy limit on the amount of property taxes that may be levied by the Town of North Hudson pursuant to the Property Tax Cap Law, and to allow the Town to adopt a budget for Fiscal Year 2023 that requires a real property tax levy in excess of the “tax levy limit” as defined by the Property Tax Cap Law. Such override is necessary and in the best interests of the Town.

**SECTION 3. TAX LEVY LIMIT OVERRIDE.** The Town of North Hudson Town Board is hereby authorized to override the Tax Levy Limit established pursuant to N.Y. General Municipal Law §3-c, for Fiscal Year 2023, and to adopt a budget for Fiscal Year 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in N.Y. General Municipal Law §3-c.

**SECTION 4. SEVERABILITY.** If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such order or judgment shall be rendered.

**SECTION 5. EFFECTIVE DATE.** This local law shall take effect immediately upon its filing with the Secretary of State as provided in §27 of the N.Y. Municipal Home Rule

Moved by Supervisor DeZalia Second by Councilwoman Marsden

Roll Call:

Councilman Brian Caza-Aye  
Councilman Larry Koller- Aye  
Councilman Brian DeZalia – Aye  
Councilwoman Maureen Marsden –Aye  
Supervisor Stephanie DeZalia-Aye

**E. Budget Adoption**

Supervisor DeZalia stated that this has been a very challenging budget season. There were many unforeseen breakdowns in the middle of the Budget process that caused

unexpected expenditures for 2022. The Town has purchased a new Tandem for the Highway Department will come from budgeted funds next spring. Employees were given above average increases to bring them to a competitive wage. Some paving jobs and some other projects will also come from budgeted and grant funds in 2023

**Resolution # 97 of 2022**

Resolved to adopt the proposed 2023 Annual Budget as written and presented for the Town of North Hudson.

Moved by Supervisor DeZalia

Second by Councilwoman Marsden

Councilman Caza briefly stated his disagreement of one personal services line item of the Budget. No other Board members made comment.

Roll Call:

Councilman Caza- No

Councilman Koller-Aye

Supervisor DeZalia – Aye

Councilwoman Marsden-Aye

Councilman DeZalia-No

3- Ayes, 2-Noes

So moved. Budget is passed.

**New Business**

**A. Department Reports**

Court: Discussion on forthcoming bids on a generator.

Assessor: A letter of resignation has been received by the Town Clerk from Anthony Talarico Sr. effective December 31, 2022. This will leave a vacancy for 2023 until the November 2023 election for a 4-year term.

Codes: The 3<sup>rd</sup> quarter report has been submitted and is in the Board packets.

**B. County Reports**

1. Essex County Clerk Joseph Provoncha has officially retired as of November 1, 2022.

**Resolution# 99 of 2022**

Resolution of Congratulations and Thank You to Joseph A. Provoncha for his many years of service to the Town of North Hudson and the County of Essex State of New York.

Moved by Supervisor DeZalia Second: Unanimous

**C. Contract Authorization**

**Resolution #100 of 2022**

**Whereas:** North Country LIFE FLIGHT, Inc., is a non-for-profit, tax exempt corporation which is responsible for all aspects of patient care by providing medical equipment, training medical personnel and administering the medical portion utilizing the New York State Police helicopter based in Saranac Lake and private fixed –wing aviation resources; and

**Whereas:** The New York State Police aviation resources do not provide a medically trained team or medical equipment for patient transports: and

**Whereas:** The people of Clinton, Essex, Franklin, Hamilton and St. Lawrence Counties receive vital emergency service for critically ill and seriously injured patients, and, therefore municipal governments are asked to pledge monies for this worthwhile program:

**Now, Therefore, be it Resolved:** That the Town Board of the Town of North Hudson hereby authorizes the Supervisor to enter into a contract with North Country LIFE FLIGHT, Inc. for the purpose of operating the medical component of the medevac program, which will serve its residents and visitors, paying the amount of \$1,000.00 which represents the Town's share for 2023; and be it

**Further Resolved:** That the sum of \$1,000.00 is hereby appropriated to Account # 4540.4 for payment to North Country LIFE FLIGHT, Inc.

Motion by Councilman Caza

Seconded by Councilman DeZalia

Roll Call:

Councilman Caza-Aye

Councilman Koller- Aye

Supervisor DeZalia-Aye

Councilwoman Marsden –Aye

Councilman DeZalia

**D. Budget Amendments**

Discussion on Budget transfers.

**Resolution #101 of 2022**

Resolution authorizing Budget Amendments for various departments. Be it Resolved that the Town of North Hudson hereby amends the 2022 Town of North Hudson General Fund Budget Expenditures as follows:

Account Code	Account	Available Balance	November Debits	Amount Needed	Total Transfer	Amount to come from	Account name
A1110.110	Justice Court Clerk PS	776.28	1886.54	1110.26 2900.00	to date to year end <b>4010.26</b>	A1990.4	Contingent
A1110.4	Justice-Contractual	351.19	582.24	231.05	to date to year end <b>781.05</b>	A110.20	Justice Equipment
A1355.40	Assessor-	691.61	120.00	811.61	To date To year end <b>811.61</b>	A1200.4	Supervisor Contr.

So moved by Supervisor DeZalia second: Councilwoman Marsden

Roll Call:

Councilman Caza-Aye

Councilman Koller- Aye

Supervisor DeZalia-Aye

Councilwoman Marsden –Aye

Councilman DeZalia

**E. 2023 Meetings and Organizational Meeting**

Discussion on setting dates for the 2023 Town Board Meetings.

The Board was in agreement to continue to hold Regular Monthly Town Board meetings on the 3<sup>rd</sup> Thursday of the month.

The Organizational meeting will be held on Thursday January 19, 2023.



As per Town Law §123, an annual accounting by town officers and employees who receive and disperse monies shall be done by January 20<sup>th</sup> unless such town relies on a comptroller or public accountant to comply with their annual audit requirement and in which case the audit would be completed within 60 days of fiscal year end. An amendment to the law eliminated the necessity for a town board to convene between December 28<sup>th</sup> and 31<sup>st</sup>.

Supervisor DeZalia requested that all 2022 books to be presented to the Supervisors office for auditing purposes by Tuesday January 10, 2023. Board members can audit the books between January 10 and January 19<sup>th</sup> prior to the meeting.

The Board will try to cover all year end matters at the December 15<sup>th</sup> meeting.

**8. Abstracts for General and Highway Funds**

Motion was moved by Councilwoman Marsden with second by Councilman Koller.

All in favor Ayes-5, Noes-0

**9. Audit Judges Financial Report**

Motion was moved by Councilwoman Marsden with second Councilman Caza

All in favor Ayes-5, Noes-0

**10. Memory Tree**

The lighting of the Memory Tree will be on December 17 at 5:45 pm. Anyone wishing to submit names of remembrance to be included in the reading please see or call Cassandra prior to the 17<sup>th</sup> with a \$1.00 donation per name.

Immediately following the Tree Lighting there will be Touch a Truck with Santa at the North Hudson Fire Department at 6pm.

Supervisor DeZalia motioned to adjourn at 7:37pm second by Councilman Koller.

All in favor.

Respectfully submitted

Martha M King  
Town Clerk