

Town of St. Armand  
Public Hearing – Adoption of Local Law #1 of 2020 – Parking in the Town of St. Armand - 6:15 pm  
Public Hearing – Introduction of Local Law # 2 of 2020 – Unsafe Building Removal – 6:20 pm  
Regular Board Meeting - 6:30 pm  
Tuesday, March 10, 2020

*These Meeting Minutes were approved by the Town Board on April 14, 2020.*

Two Public Hearings and the Regular Board Meeting of the Town of St. Armand were held on the above date and time at the Town Hall, Bloomingdale, NY.

**BOARD MEMBERS PRESENT:**

Town Supervisor Davina Winemiller, Deputy Supervisor D. Joseph Bates, Councilperson Donald Amell, Councilperson Jennifer Fuller, and Councilperson Karl Law.

*A quorum of the Board was in attendance.*

**TOWN EMPLOYEES PRESENT:**

Highway Superintendent Douglas Snickles, Water Superintendent Jeffrey Cotter, Wastewater Superintendent Stanley Ingison, and Town Bookkeeper Donna Bramer, and Town Clerk Barbara Darrah.

**EXCUSED:** Code Enforcement Officer Derrick Martineau was excused from the meeting.

**GUESTS:** Community members Sandy Hayes, Warren McCarthy and Sierra Grennon.

Notice was posted regarding the dates and times of the Public Hearings and Regular Board Meeting.

**PUBLIC HEARINGS**

Supervisor Winemiller called the Public Hearings to order at 6:25 pm and asked those present to stand for the Pledge of Allegiance.

Supervisor Winemiller announced the first Public Hearing was being held for the adoption of proposed Local Law #1 of 2020 for Parking in the Town of St. Armand and the second Public Hearing was for the introduction of proposed Local Law #2 of 2020 for Unsafe Building Removal. She asked Town Clerk Barbara Darrah to read the published Public Notices aloud.

Darrah: Notice is hereby given that the Town Board of the Town of St. Armand, Essex County, NY, will meet at the Town of St. Armand Town Hall, 1702 NYS Route 3, Bloomingdale, NY, 12913 on the 10th day of March, 2020 at 6:15 pm for the purpose of conducting a Public Hearing regarding the adoption of proposed Local Law #1 of 2020 for the parking in the Town of St. Armand. The public is invited to attend the hearing and all parties interested therein may be heard in favor or against any items contained therein. This Notice was published on March 5, 2020.

Further Notice is hereby given that the Town Board of the Town of St. Armand, Essex County, NY, will meet at the Town of St. Armand Town Hall, 1702 NYS Route 3, Bloomingdale, NY, 12913 on the 10th day of March 2020 at 6:20 pm for the purpose of conducting a Public Hearing for the introduction of proposed Local Law #2 of 2020 entitled, "Unsafe Building Removal". The public is invited to attend the hearing and all parties interested therein may be heard in favor or against any items contained therein. This Notice was published on March 5, 2020.

Winemiller: Does anyone from the audience have any questions, concerns or comments regarding the adoption of proposed Local Law #1 entitled, "Parking in the Town of St. Armand"? Does the Board have any questions or comments on proposed Local Law #1? There were no questions or concerns from either the audience or the Town Board.

Winemiller: Does anyone from the public have any questions, concerns or comments regarding the introduction of proposed Local Law # 2 entitled, "Unsafe Building Removal." Does the Board have any questions or comments on proposed Local Law #2? There were no questions or concerns from either the audience or the Town Board.

Winemiller: It is now 6:29 pm. Can I get a motion to close the Public Hearings, please?

Deputy Supervisor D. Joseph Bates: I move.

Winemiller: Can I have a second?

Councilperson Jennifer Fuller: I'll second.

Winemiller: All in Favor.

Board: Aye

REGULAR BOARD MEETING

Winemiller opened the Regular Board Meeting at 6:30 pm.

Winemiller: We will move right into Resolution #27 of 2020 which is the Adoption of Local Law #1, Parking in the Town of St. Armand.

RESOLUTION # 27 OF 2020

RESOLUTION OF ADOPTION OF PROPOSED LOCAL LAW NO. 1 OF 2020 ENTITLED "TOWN OF ST. ARMAND PARKING REGULATION LAW"

Deputy Supervisor D. Joseph Bates, who moved its adoption, offered the following Resolution:

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

BE IT RESOLVED that the Town of St. Armand Town Board hereby adopts proposed Local Law No. 1 of 2020 entitled "TOWN OF ST. ARMAND PARKING REGULATION LAW" reading and provided as follows:

TOWN OF ST. ARMAND PARKING REGULATION LAW

LOCAL LAW NUMBER 1 OF 2020

A Local Law regulating parking on all Town roads, drives, streets, lanes and avenues in the Town of St. Armand.

BE IT ENACTED by the Town Board of the Town of St. Armand as follows:

Section 1. Title.

This Local Law shall be entitled "TOWN OF ST. ARMAND PARKING REGULATION LAW."

Section 2. Definitions

The relevant provisions of Article I of the Vehicle and Traffic Law of the State of New York shall apply and be definitive of the verbiage used in this Local Law and as to the meaning thereof, save as hereinafter set forth, including but not limited to "vehicle," "highway," "park," and "parked."

Section 3. No Parking Areas

From time to time, the Town Board shall establish certain designated "NO PARKING" areas within the Town. The No Parking areas and any associated timeframe of effectiveness shall be designated by the erection of "NO PARKING" signs which clearly communicate the areas in which parking is prohibited. Parking in violation of the directives of such lawfully erected signs shall be a traffic infraction subject to enforcement and penalty as provided herein.

Section 4. Parking Violations

The following shall constitute a parking violation:

- a) Double parking a vehicle alongside an already parked vehicle;
- b) Parking a vehicle in a manner that impedes the flow of traffic on a public road;
- c) Parking a vehicle in a manner that obstructs access to a fire hydrant;
- d) Parking a vehicle between two No Parking signs;
- e) Parking a vehicle so that any portion of the vehicle is within the area of a designated cross walk;
- f) Parking a vehicle so that any portion of the vehicle obstructs a driveway;
- g) Parking a vehicle on the side of a public roadway where the front of the vehicle faces the lane of oncoming traffic;
- h) Parking a vehicle in a designated handicapped parking area without displaying a handicap parking authorization;
- i) Parking a vehicle on the sidewalk;
- j) Parking a vehicle in such a manner that it blocks the entrance to a hiking trailhead

Section 5. Exceptions

The prohibitive provisions of this Local Law shall not apply to the parking of any such vehicles for the following purposes or reasons:

- a) When in compliance with the directives of a police officer or traffic control device, sign, or signal.
- b) When parking temporarily for the purpose of and while actually engaged in the loading, unloading, or discharge of merchandise, passengers, or other personal property.

- c) When parking is exercised by a police officer, the operator of a fire fighting or fire protection vehicle or the operator of an ambulance or other emergency vehicle while actually engaged in the conduct or exercise of the official duties of said officer or operator.
- d) When there occurs an actual malfunction of a vehicle which prohibits further operation thereof.

#### Section 6. Fines

Any person who violates this Local Law shall be deemed to have committed a traffic infraction under this Local Law and any person convicted of any such offense after a hearing thereon shall be punished in accordance with the appropriate provisions of the Vehicle and Traffic Law of the State of New York, including but not limited to Article 45 thereof or any other provisions relating thereto.

#### Section 7. Enforcement

- a) The Town of St. Armand Board hereby appoints the Town Supervisor the ability to issue parking tickets in the Town of St. Armand. Further, the Town of St. Armand Board may, at its discretion, hire Parking Attendants or grant other town officials the authority to issue parking tickets by rule or regulation. Furthermore, any police officer or peace officer may issue an appearance ticket for a violation of this Local Law.
- b) Such appearance ticket shall be in form prescribed by the Criminal Procedure Law of the State of New York and shall be returnable before a Town Justice of the Town of St. Armand.
- c) Such appearance ticket shall designate the date, time and place of the violation, the make, license plate number and State of issue thereof and color of the vehicle involved and the date, time and place of the required appearance before said Town Justice.
- d) Such appearance ticket shall be delivered in a manner that complies with the relevant provisions of New York State law. Furthermore, nothing in this Local Law shall limit the authority of the Town Justice of the Town of St. Armand to secure the attendance of the owner or driver of the vehicle as the case may be, should such owner or driver fail to appear in court as directed by a lawfully issued appearance ticket pursuant to this Local Law.

#### Section 8. Towing and Impoundment of Vehicles

- a) Any vehicle parked in violation of any provision of this Local Law or parked or abandoned on any public highway, including state highways, in the Town of St. Armand during a snow storm, flood, fire, or other public emergency, which interferes with the carrying out of necessary services by the Town, may be towed away and impounded by an impound company established by contract with the Town Board. Towed vehicles may be redeemed by the owner thereof by paying the removal and impound fees. Such fees shall be established by the Town Board by contract with the impound company.
- b) The Town Supervisor or his or her designee, shall promptly report the towing and impoundment of any vehicle, to the extent possible, to the owner of the vehicle and advise the owner of the amount required to redeem the same.
- c) The provisions of the Vehicle and Traffic Law of the State of New York and in particular Section 1224 thereof shall be applicable in the event of an abandonment of a vehicle which is in the custody of an impound company pursuant to the provisions of this Local Law.

#### Section 9. Rules, Regulations, and Fees:

- a) The Town Board of the Town of St. Armand shall and is hereby authorized and empowered to hereafter and from time to time promulgate and establish such rules, provisions, regulations and schedule of fees or costs for towing, storage, or impoundment in addition to those set forth in this Local Law consistent with the Vehicle and Traffic Law of the State of New York or as otherwise may be provided for by statute.
- b) The Town Board of the Town of St. Armand shall further adopt and establish such administrative forms, documents, and procedures as it may deem necessary and appropriate incident to the enforcement of this Local Law and the implementation hereof, and, further, said Town Board is hereby authorized and empowered to designate and authorize personnel, being officers of the Town of St. Armand or otherwise, to assist in the enforcement and implementation of this Local Law.

#### Section 10. Severability

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Local Law.

#### Section 11. Effective Date

This Local Law shall take effect upon the filing of the same with the Office of the Secretary of State of the State of New York.

Section 12. Statutory authority:

This local law is adopted to the provisions of the Municipal Home Rule Law of the State of New York and Sections 1660 and 1224 of the Vehicle and Traffic Law of the State of New York.

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Armand shall hold and conduct a public hearing on the foregoing proposed local law on the 10th day of March 2020, at 6:15 p.m. in the forenoon of that day, to hear any and all persons concerning the same; and

BE IT FURTHER RESOLVED that the Clerk of the Town of St. Armand published a notice of such hearing in the designated Town newspaper five days prior to said hearing.

This Resolution was duly seconded by Councilperson Karly Law and adopted by Roll Call vote as follows:

Town Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE

Dated: March 10, 2020

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Barbara J. Darrah  
St. Armand Town Clerk

Winemiller: Resolution #28 of 2020 is the adoption of the Town of St. Armand Parking Rules and Regulations and this would go along with the Parking Law that was just passed.

RESOLUTION # 28 OF 2020

ADOPTION OF TOWN OF ST. ARMAND  
PARKING RULES AND REGULATIONS  
DATED MARCH 10, 2020

Councilperson Karl Law, who moved its adoption, offered the following Resolution:

WHEREAS, the Town Board of the Town of St. Armand met and conducted two Public Hearings regarding Proposed Local Law # 1 conducted on February 11, 2020 and March 10, 2020, which were announced in accordance with Town Law in the Adirondack Daily Enterprise, on the Bloomingdale Fire Department Marquis, and posted on the Town’s outdoor Announcement Board, and

WHEREAS, the Town Board of the Town of St. Armand did hereby adopt Local Law # 1 of 2020, entitled, “Parking in the Town of St. Armand”, and

WHEREAS, the Town of St. Armand Parking Rules and Regulations was created to further explain the enforcement details, fine amounts and vehicle towing procedures.

THEREFORE, LET IT BE RESOLVED the Town Board of the Town of St. Armand hereby adopts the finalized document entitled, “Town of St. Armand Parking Rules and Regulations, dated March 10, 2020, and these Rules and Regulations shall be effective upon the filing of Local Law #1 with the Office of the Secretary of State of the State of New York.

This Resolution was duly seconded by Councilperson Jennifer Fuller and adopted by Roll Call Vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE

Dated: March 10, 2020

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Barbara J. Darrah  
St. Armand Town Clerk

Winemiller: Resolution # 29 of 2020 is the introduction of proposed Local Law # 2 entitled, “A Local Law Providing for the Repair or Removal of Unsafe Buildings and Collapsed Structures. This is just an introduction. We are not adopting it this evening.

Councilperson Donald Amell, who moved its adoption, offered the following Resolution:

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

BE IT RESOLVED that the Town of St. Armand Town Board hereby introduces proposed Local Law No. 2 of 2020 entitled "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS AND COLLAPSED STRUCTURES" within the Town of St. Armand which Local Law reads and provides as follows:

TOWN OF ST. ARMAND LOCAL LAW NO. 2 OF 2020

A Local Law providing for the repair or removal of unsafe buildings and collapsed structures

BE IT ENACTED by the Town Board of the Town of St. Armand, New York:

SECTION 1. PURPOSE

Unsafe buildings pose a threat to life and property in the Town of St. Armand. Buildings and structures may become unsafe by reason of damage by fire, the elements, age or general deterioration. Vacant buildings not properly secured at doorways and windows also serve as an attractive nuisance for young children who may be injured therein, as well as a point of congregation by vagrants and transients. A dilapidated building may also serve as a place of rodent infestation thereby creating a health menace to the community. It is the purpose of this Local Law to provide for the safety, health protection and general welfare of persons and property in the Town of St. Armand by requiring such unsafe buildings be repaired or demolished and removed.

SECTION 2.

This Local Law shall be known as "Unsafe Buildings Law" of the Town of St. Armand.

SECTION 3. DEFINITIONS

- 1) "Building" means any building, structure or portion thereof used for residential, business or industrial purpose.
- 2) "Building Inspector" means the Code Enforcement Officer of the Town of St. Armand or such other person appointed by the Town Board to enforce the provisions of this Local Law.

SECTION 4. INVESTIGATION AND REPORT

When in the opinion of the Building Inspector or upon receipt of information (verbal or written) that a building:

- 1) is or may become dangerous or unsafe to the general public,
- 2) is open at the doorways or windows making it accessible to and an object of attraction to minors under eighteen years of age, as well as to vagrants and other trespassers,
- 3) is or may become a place of rodent infestation,
- 4) presents any other danger to the health, safety, morals and general welfare of the public,
- 5) is unfit for the purposes for which it may lawfully be used,
- 6) those whose interior walls or exterior bearing walls or other vertical structural members list, lean or buckle to such an extent as to weaken the structural support they provide,
- 7) those which, exclusive of the foundation, show 33% or more damage to or deterioration of the supporting member outside walls or covering,
- 8) those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonable safe for the purpose used,
- 9) those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety or the general health and welfare of the occupants of this Town,
- 10) Those which have become or are so dilapidated, decayed, vermin infested, unsafe or unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease to those living therein or adjacent thereto,
- 11) Those having light, air, sanitation facilities or heat facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live therein, with particular reference to the requirements of the State Uniform Fire Prevention and Building Code as a determinant,
- 12) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication, again referencing the requirements of the State Uniform Fire Prevention and Building Code as a determinant,
- 13) Those which have parts thereof which are so attached that they may fall and injure members of the public or property,

- 14) Those which consist of debris, rubble or parts of buildings left on the ground after demolition, reconstruction, fire or other casualty,
- 15) Those which, because of their condition are unsafe, unsanitary, overcrowded or dangerous to the health, safety or general welfare of the occupant(s) or people of this Town,
- 16) Those which are vacant and open at the doors and windows or,
- 17) Those which because of the failure of the owner or occupant to comply with notices or orders issued pursuant to this chapter, are unfit for human habitation, the Building Inspector shall cause or make an inspection thereof and report in writing to the Town Board their findings and recommendations in regard to its repair or demolition and removal.

#### SECTION 5. TOWN BOARD ORDER

The Town Board shall thereafter consider such report and by Resolution determine, if in its opinion the report so warrants, that such building is unsafe and dangerous and order its repair if the same can be safely repaired or its demolition and removal, and further order that a Notice be served upon the persons and in the manner provided herein.

#### SECTION 6. NOTICE – CONTENTS

The Notice shall contain the following:

- 1) A description of the premises including 911 address and tax map number,
- 2) A statement of the particulars in which the building is unsafe or dangerous,
- 3) An Order outlining the manner in which the building is to be made safe and secure, or demolished and removed,
- 4) A statement that the securing or removal of such building or structure shall commence within a period of not more than ten (10) days to thirty (30) days of the service of the Notice, and shall be completed not more than thirty (30) to ninety (90) days thereafter, the exact time frame for such commencement and completion to be determined in each instance by the Town Board, unless for good cause shown shall be extended
- 5) A date, time and place for a hearing before the Town Board in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the Notice and
- 6) A statement that in the event of neglect or refusal to comply with the Order to secure or demolish and remove the building, the Town Board is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

#### SECTION 7. SERVICE OF NOTICE

The said Notice shall be served

- 1) By personal service of a copy thereof upon the owner, executor, administrator, agent, lessee or any person having a vested or contingent interest in such unsafe building as show by the records of the receiver of taxes (or tax collector) or the County Clerk; if no such person can be reasonably found by mailing such owner by registered mail a copy of such notice directed to their last known address as shown by the above records, and
- 2) By personal service a copy of such notice upon any adult person residing in or occupying said premises if such person can be reasonably found and
- 3) By securely affixing a copy of such notice upon the unsafe building

#### SECTION 8.

A copy of the Notice served as provided herein shall be filed in the Office of the Essex County Clerk of the County of Essex, NY.

#### SECTION 9. REFUSAL TO COMPLY

In the event of the refusal or neglect of the person so notified to comply with said Order of the Town Board and after the hearing, the Town Board shall provide for the demolition and removal of such building or structure either by Town employees or by contract. Except in emergency as provided in Section 11 hereof, any contract for demolition and removal of a building in excess of \$30,000.00 (US DOLLARS) shall be awarded through competitive bidding.

#### SECTION 10. ASSESSMENT OF EXPENSES

All expenses incurred by the Town in connection with the proceedings to repair and secure or demolish and remove the unsafe building, including the cost of actually removing such building, shall be assessed against the land on which such building is located and shall be levied and collected in the same manner as provided in Article 15 of the Town Law for the levy and collection of special ad valorem levy or be collected by the commencement of a special proceeding against the owner of said unsafe or dangerous building or structure pursuant to General Municipal Law Section 78-b.

SECTION 11. EMERGENCY CASES

Where it reasonably appears that there is present a clear and imminent danger to the life, safety or health of any person or property, unless an unsafe building is immediately repaired and secured or demolished, the Town Board may, by Resolution, authorize the Building Inspector to immediately cause the repair or demolition of such unsafe building. The expenses of such repair or demolition shall be charged against the land on which it is located and shall be assessed, levied and collected as provided in Section 10 hereof.

SECTION 12. HEARING

The hearing shall be conducted before the Town Board. The Code Enforcement Officer shall present his/her report to the Town Board in writing. The owner or his/her representative, if present, shall call such witnesses as he/she deems necessary. The Town Board shall make written findings of fact from the testimony offered as to whether or not the building in questions is an unsafe building. If such owner shall neglect, fail or refuse to comply and shall fail to appear at said hearing, then the Town Board shall direct the repair or demolition of the building forthwith. If such owner shall neglect, fail or refuse to comply and after appearing at said hearing, the Town Board finds that the building is a public nuisance and directs its repair or demolition, the owner shall repair or demolish said building within the time prescribed by the Town Board. If the owner fails or neglects to repair or demolish said building as directed by the Town Board following the hearing, then the Town Board shall direct the repair or demolition of same forthwith.

SECTION 13.

This Local Law shall take effect immediately upon filing thereof in the Office of the Secretary of State of the State of New York.

SECTION 14.

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law and parts hereof are hereby repealed.

SECTION 15.

Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provision shall be deemed invalid, all other provisions hereof shall remain valid and enforceable.

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Armand shall hold and conduct a Public Hearing on the foregoing proposed Local Law on the 10th day of March, 2020, at 6:20 pm at the Town Hall in Bloomingdale, NY, to hear any and all persons concerning the same, and

BE IT FURTHER RESOLVED that the Clerk of the Town of St. Armand will publish a notice of such hearing the designated Town newspaper at least five (5) days prior to said hearing.

This Resolution was duly seconded by Councilperson Jennifer Fuller and adopted upon a roll call vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE

March 10, 2020

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Barbara J. Darrah  
St. Armand Town Clerk

Winemiller: At this time, I would like to set a date for a Public Hearing for the adoption of Local Law #2. The next regularly scheduled Board meeting is April 14<sup>th</sup>. Does the Board accept a 6:15 time on April 14<sup>th</sup>?

Fuller: I will not be here for that meeting.

Winemiller: Karl will you be here?

Law: Yes.

Winemiller: So, we will have a quorum. Jen, do you have any concerns about that Local Law that you would like to talk about? You are okay with it as it sits?

Fuller: Yes.

Winemiller: So, with the Board's approval, we will set the Public Hearing for 6:15 pm on April 14<sup>th</sup>.

HIGHWAY DEPARTMENT MONTHLY REPORT

Highway Superintendent presented the following written report to the Board

## Town of St. Armand Highway Report for the March 10, 2020 Board Meeting

- 1) A lot of clean up after the snowstorm: Sidewalks, fire hydrants, ends of driveways and mailboxes.
- 2) New tires are in for the Kubota tractor and they are scheduled to be changed.
- 3) We had to call Nortrax on the loader. It would shut down and not start for a period of time, which limited us from leaving the garage with it. They came up and spent three hours and couldn't find the problem. They upgraded the computer, and so far, no issues.
- 4) Most of the ditches that give us problems when weather starts to thaw have been dug out.
- 5) I ordered a pallet of cold patch for the potholes.
- 6) I have been keeping track of the humidity level in the garage. It is very high. We are still discussing what the best thing is to do.

Winemiller: So, one of the task forces that we created was formed to take a look at the issues that were plaguing the Highway Garage. I did email the Board a copy of the minutes for that task force. We have had several meetings. On the first meeting, Matt Raymond suggested getting a temperature humidity recorder and putting one in the attic and one in the high bay area and then another one outside the Superintendent's office and then one inside so that we could get humidity and temperature readings for all of those areas so we could compare. I did send you all a copy of the log we have been keeping. I did contact a gentleman out of Keeseville who does work on those fans. He was supposed to stop by on Monday, if he had time to come and look at the fans. We are working on that. We have another committee meeting next week and we will have everything to submit to the Board exactly what steps we think need to be taken.

Doug: Two of the guys, Matt and Tom Darrah are coming tomorrow night to get up there and take a look at the insulation and see what is going on. There is only one access, which is the soffit, to get out. A couple of people have mentioned sealing the concrete floors.

Winemiller: We do have a list of recommendations. We will be submitting that to the Board with quotes. Before we go any further, I tried to get quotes from three individuals for each of the issues so we can see what we are looking at price wise and make an educated decision.

- 7) We had a little oil spill at Rockledge and have since set up the trucks with some supplies for oil spills.

Winemiller: We estimated that it was approximately two gallons. I found out that we were not in the wrong on that. But where it landed, it did go down the owner's driveway. The owner had contacted DEC and I contacted Essex County Emergency Spill Response. They cleaned it all up. The next day the Highway crew went up and scraped and cleaned it all up per the DEC's specifications. Since this has happened, Doug and I agreed each truck should be set up with "oil only" pads and can immediately sop up any spills if it happens in the future. We replaced the pads that DEC had used in the original clean up.

- 8) Most of our storm drains are open and ready for the thaw.
- 9) We are getting things ready for when we can start picking up sand.

Winemiller: I just wanted to add that we are starting on the Judge's office tomorrow and the Highway crew is assisting with that. Does anyone have any questions for Doug?  
There were no questions.

## WATER DEPARTMENT MONTHLY REPORT

Water Superintendent Jeffrey Cotter presented the following written report to the Board:

### Town of St. Armand Water Report for the March 10, 2020 Board Meeting

1. Located the curb stop on Oregon Plains Road on 2/17/2020. I located the curb stop for Mr. Simpson in order to allow him to shut his water off and replace a leaking water meter. The curb stop was next to the sidewalk about 8" under the ground surface. We chopped dirt and ice off from around the curb stop to expose it. The curb stop did not function. We could not shut the water off to the residence. We will have to plan a street shutoff for this spring to allow him to replace his leaking meter.
2. Quarterly Water and Sewer Committee meeting- Attended this meeting held at the Town Hall on 2/18/2020.
3. Read meter at 1656 Route 3 on 2/18/2020 at Barb's request. The owner had asked Barb if the reader could be checked due to a higher than normal bill. I found that the reader appeared to be functioning normally.
4. Monthly coliform sample taken on 2/25/2020. I sent in a monthly coliform sample to the lab. The sample came back negative.
5. Received quote from Atlantic Underwater to install anodes in the water stand pipe storage tank. They recommended cleaning the tank first before installing the anodes because there would be sediment stirred up from the bottom of the tank installing the anodes with divers. The price was the same for cleaning the tank and installing the anodes or just installing the anodes because they will be using divers.
6. Purchasing anodes from Aquastore - On 3/2/2020 I sent a water sample in to Aquastore so they could test the sample for conductivity to enable them to properly size the anodes needed for cathodic protection of the standpipe. Once they know what anodes we need based on the water's conductivity, they will send me a quote for purchasing the anodes. This will be an additional cost for the cathodic protection of the standpipe.



Winemiller: Jeff, do you know when the last time that was cleaned?

Cotter: I don't think it has ever been cleaned.

Winemiller: I think it's time we have it cleaned.

7. New meter installed at 844 St. Regis- On 3/3/2020 I met with Mr. Burman of 844 St. Regis Ave to exercise his water shutoff at the curb stop. I exercised the valve and we verified that the shutoff did work. Mr. Burman was able to install a new meter at this residence. I also gave him a new reader to install.

8. Water reading at 12 Blue Spruce- On 3/4/2020 I obtained a reading for Barb at 12 Blue Spruce Way. New tenants moved in.

9. Retirement from State Service- On 4/10/2020 I will be retiring from NYS service with my first day of retirement being 4/11/2020. Per New York State retirement system, I cannot work the first day of my retirement, therefore I will be retiring from my position as the Town of St. Armand Water Superintendent also on 4/10/2020.

Cotter: I will be around to help train whoever replaces me.

Winemiller: I just want to say that you have done an outstanding job for this town. I would like to ask if you would be willing to stay on a little longer to train if we had to. Maybe we could keep you on as a consultant or something.

Cotter: Take me off the books and I will take a couple of weeks and then we'll talk. I will be here for next month's report. I tried to give as much notice as I could but I actually made the decision today. You have been a great Board to work with and my kids were raised here. It's a tough decision.

There were no further questions for Jeff.

#### CODE ENFORCEMENT OFFICER'S MONTHLY REPORT

Code Enforcement Officer Derrick Martineau was excused from the meeting. No written report was submitted to the Board.

#### WASTEWATER DEPARTMENT MONTHLY REPORT

Wastewater Superintendent Stanley Ingison presented the following written report to the Board.

##### Town of St. Armand Wastewater Report for the March 10, 2020 Board Meeting

- 1) Did daily collections, testing and recorded data.
- 2) Did daily checks of all systems at the PTB and WWTP and recorded the data.
- 3) Wrote up the DEC monthly operating report and the discharge monitoring report and submitted them digitally.
- 4) Did weekly generator checks.
- 5) Did weekly greasing of the paddle wheel drive and clarifier drives.
- 6) I did the weekly flexing of all the aeration diffusers.
- 7) After the Board okayed the PTB generator service work, Ampersand Electric ordered the parts and we are waiting for the parts to arrive.
- 8) The semi-annual service of both generators has been delayed because they had emergency calls due to storms to the south of us down near Albany. They are re-scheduled for Friday.
- 9) We did get the Wastewater Treatment Plant building boiler cleaned and serviced but couldn't get the alarm reset. I did manage to get Todd Hodgson to come over and he somehow tracked down the security password and did get it reset so we should be good for a couple more years.
- 10) The screen auger float has started not connecting and disconnecting the motor properly and thus it needs replacing. We have ordered a replacement float.

I continue to work on the St. Armand Wastewater Department Comprehensive Improvement and Repair Program

There were no further questions for Stan.

#### RESOLUTIONS # 30 - # 32

##### RESOLUTION # 30 OF 2020

##### TOWN OF ST. ARMAND ADOPTION OF ESSEX COUNTY HAZARD MITIGATION PLAN OF 2019.

Deputy Supervisor D. Joseph Bates, who moved its adoption, offered the following Resolution:

WHEREAS, the Town of St. Armand, Essex County, New York is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship, and threats to public health and safety, and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

WHEREAS, the Town of St. Armand acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and

WHEREAS, the Essex County 2019 Hazard Mitigation Plan has been developed by the Essex County Emergency Management Agency and in cooperation with other county departments, local municipal officials, and the citizens of the Town of St. Armand, and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Essex County 2019 Hazard Mitigation Plan, and

WHEREAS, the Essex County 2019 Hazard Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural and human-made hazards that face the County and its municipal governments.

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of St. Armand: The Essex County 2019 Hazard Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the Town of St. Armand.

This Resolution was duly seconded by Councilperson Jennifer Fuller and adopted by Roll Call Vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE

Dated: March 10, 2020

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Barbara J. Darrah  
St. Armand Town Clerk

RESOLUTION # 31 OF 2020

**AUTHORIZATION FOR HIGHWAY SUPERINTENDANT  
TO ENTER INTO NYS DOT SHARED SERVICE  
AGREEMENT FOR EMERGENCY ASSISTANCE**

Councilperson Karl Law, who moved its adoption, offered the following Resolution:

WHEREAS, the Town Board of the Town of St. Armand and the NYSDOT wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources and

WHEREAS, Shared Services shall mean any service provided by one party (Provider) to another party (Recipient) and include description and details of services, cost of services, materials or equipment to be shared, and

WHEREAS, the total amount of the agreement shall not exceed ten thousand dollars (\$10,000.00) and if applicable, indicate that the return exchange will be determined at a later date and

WHEREAS, the Provider's employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including but not limited to salary, insurance, benefits, and Workers Compensation and

WHEREAS, if the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient's use, the Recipient shall be responsible for such repairs.

THEREFORE, BE IT RESOLVED, the Town Board of the Town of St. Armand hereby authorizes Douglas Snickles, Town of St. Armand Highway Superintendent, to enter into the agreement.

This Resolution was duly seconded by Deputy Supervisor D. Joseph Bates and adopted by Roll Call Vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE

Dated: March 10, 2020

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Barbara J. Darrah  
St. Armand Town Clerk

RESOLUTION # 32 OF 2020

AUTHORIZATION FOR THE TOWN OF ST. ARMAND  
TO OPEN A NEW CHECKING ACCOUNT AT NBT  
FOR THE TOWN’S VETERANS MEMORIAL PARK  
DONATION FUND FOR PARK RENOVATIONS

Councilperson Donald Amell, who moved its adoption, offered the following Resolution:

WHEREAS, the Town of St. Armand recently created four Community Task Forces for the purpose of including residents of the Town of St. Armand in assisting with issues and future development of the designated task force for which they expressed interest, and

WHEREAS, one of those Task Forces was specifically created for the purpose of improving and renovating the Town’s Veterans Memorial Park, and funds will be needed to meet the goals of the committee in the improvements and renovations, and

WHEREAS, the Town Supervisor contacted the NYS Comptroller’s Office to seek guidance on how such funds should be handled, and

WHEREAS, the Comptroller’s Office stated town residents are allowed to solicit donations to accomplish the goals of the Veterans Memorial Park Task Force, and

WHEREAS, the Task Force in turn can donate the money to the Town for specific goals the designated Task Force has laid out, and

WHEREAS, the Town shall open a new checking account to hold the funds donated by the Task Force for a Veterans Memorial to be installed at Veterans Memorial Park.

THEREFORE, LET IT BE RESOLVED that the Town Board of the Town of St. Armand hereby approves the opening of a new checking account at NBT Bank for the Veterans Memorial Park funds, and

BE IT FURTHER RESOLVED, those funds may also be deposited in the NY CLASS fund, in order to accrue interest throughout the time those funds are available.

This Resolution was duly seconded by Councilperson Karl Law and adopted by Roll Call Vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE

Dated: March 10, 2020

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Barbara J. Darrah  
St. Armand Town Clerk

MOTION TO PAY MONTHLY BILLS

Payment vouchers for the month of March were presented to the Board for approval as follows:

- General Vouchers # 73 - # 100 in the amount of \$ 67,662.06
- Trust and Agency Fund Vouchers # 14- # 19 in the amount of \$ 1,438.32.
- Highway Vouchers # 37 - # 52 in the amount of \$ 11,527.50
- Highway Outside Vouchers - None
- Water and Sewer Vouchers # 29 - # 40 in the amount of \$ 5,312.38
- Rockledge Water District Voucher # 2 in the amount of \$ 15.00
- “B” Fund Vouchers – None
- Fire Protection Voucher # 2 in the amount of \$ 27,689.96
- I & I Fund Voucher # 2 in the amount of \$6,261.50

Councilperson Jennifer Fuller made the Motion to approve payment of this month's bills; the Motion was seconded by Councilperson Karl Law. A Roll Call Vote was as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE

All in favor. Motion carried.

Dated: March 10, 2020

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Barbara J. Darrah  
St. Armand Town Clerk

**MONTHLY REPORT FROM THE SUPERVISOR**

Supervisor Winemiller presented the Supervisor's Monthly Reports for January 2020 and February 2020 to the Board. Councilperson Donald Amell made the Motion to approve the Supervisor's Monthly Reports; the Motions was seconded by Deputy Supervisor D. Joseph Bates. All in favor. Motion carried.

**REVIEW AND MOTION TO APPROVE PREVIOUS MONTH'S MINUTES**

Councilperson Jennifer Fuller made the Motion to approve the Regular Board Meeting Minutes of February 11, 2020. The Motion was seconded by Councilperson Karl Law. All in favor. Motion carried.

**TOWN CLERK'S MONTHLY REPORT**

Town Clerk Barbara Darrah gave the following report for the month of February 2020:

There were (4) Dog Licenses for February 2020:

Spayed Females (3)	\$ 21.00	
Unneutered Male (1)	\$ 14.00	
Certified Death Certificates (30) Hewitt (10) and Gravelle (20)	\$ 300.00	
Certified Death Transcripts (2)	\$ 20.00	
Certified Marriage Transcripts (3)	\$ 30.00	
Total Revenue Earned		\$ 385.00

Paid to Town Supervisor: \$ 379.00

Paid to NYS Agriculture & Markets: \$ 6.00

**WATER AND SEWER BILLING MONTHLY REPORT**

The 1<sup>st</sup> quarter billing was in the amount of \$79,269.20, due on February 19, 2020. Late Fees were applied to all unpaid balances on February 20, 2020. As of March 10, 2020, the Water and Sewer Receivables balance is \$11,296.12. The meters will be read at the end of this month. 2<sup>nd</sup> quarter bills will be sent out in April.

**OLD BUSINESS**

Income Survey Update: Winemiller reported she found out today that the Town needs 13 more to be returned. There have been 2 rounds of mailings, phone calls, and she did one day of door knocking and will have to do one more day of door knocking.

Justice Court Repairs Update: The judge's office will be cleaned out tomorrow and the work will begin on Thursday and Friday and possibly Monday to do the work.

Town Hall Chimney Update: The estimate from Slab Hallow for repairing the chimney was \$4,476. Winemiller did try to get other quotes, but to no avail.

Fuller: Did you try Soot Busters?

Winemiller: I called him twice and he did not get back to me.

Fuller: I will see him tomorrow.

Trudeau property update for Cemetery: Winemiller reported we did receive a complete application from the APA for the Brookside Cemetery. We also received verbal approval from Mr. and Mrs. Black that they will

accept the trading of the right of ways. The APA has 60 days to make a determination and we are almost halfway there.

Veteran's Memorial Park Task Force update:

Bates: Did we ever get an idea and a quote for the memorial itself on the Veterans Memorial for the park?

Winemiller: Yes, we have some ideas. We are working with Rock of Ages Quarry out of Vermont right now to come up with a conceptual design and a price. We are getting there. The idea is a big pergola in the center and paving stones with engraved names around it. We would have the Civil War, WWI, WWII, Korea, Vietnam, Desert Storm, etc. He also recommended using the word "Era", because some served after the wars. We are discussing having an actual bell that people could ring in memory of their loved one. And, the minutes I gave you; I think will give you some ideas, also.

Youth Programs Task Force update:

Winemiller: We are working on hashing out everything for us to join the Harrietstown Summer Program.

One of the things is there has been discussion about having something like a Bloomingdale Block Party. Similar to what the Fireman's Field Day used to be, but rather than having it fall on the Fire Department and Auxiliary; having a bunch of civic organizations all join us and host booths for raising funds for the Rotary and Boosters, etc. The Boosters are talking about hosting a home run Derby. Having food trucks so the firemen aren't cooking all day. Having Hex and Hop and Bitters and Bones have beer trucks. It is in the conceptual state right now. I did speak with our insurance agent. He explained to me exactly what we would need to do to host that event. We have talked to the Fire Department and Auxiliary but have not firmed things up with them. We are going to have a meeting soon. We are talking about having Eric Wilson have Karaoke. I did speak with the Boosters about the insurance findings about the bleachers. The Boosters agreed to go in halves with us. The Town received \$4,060 from National Grid by going to the LED street lights. We received the rebate. I would like to use \$2,000 of that money to go toward the bleachers. And, I would like to suggest we donate the other half of that money to offset the costs of the block party. Does anyone have any questions on that? Board members are you all in agreement with that idea?

Board: So far.

Affordable Housing Task Force update:

Winemiller: We are talking about doing something similar to a Housing Authority. It is not the Town. It is a completely separate entity. We are discussing creating the St. Armand Housing Authority; getting grant monies to buy properties, fix them up to rent, buy land to build affordable apartments on, etc. We are still in the beginning stages of it. Bruce Misarski from the Essex County Housing Assistance Program will be attending our next meeting to explain how this whole thing would work and how we would apply for grants as a Housing Authority. It would have nothing to do with the town. As a matter of fact, it can't have anything to do with the town. A Housing Authority has to be separate from the town. It would have a separate Board, separate checking, etc. We are trying to come up with good, creative ways to help people find decent, affordable housing in St. Armand.

## NEW BUSINESS

Winemiller reported she attended a meeting in Lake Placid on March 4th with presenter from NYS Agriculture and Markets Deputy Commissioner David Valensky. She stated she asked the Deputy Commissioner pointed questions about phosphorus and brought his attention to that issue.

Winemiller reported she will be attending a meeting on March 13<sup>th</sup> with the DEC stemming from her meeting with Basil Seggos on January 31<sup>st</sup>.

Winemiller reported the Town was awarded the NYSEDA Grant for the Wastewater Treatment Plant solar panels.

## QUESTIONS OR CONCERNS FROM GUESTS AND STAFF:

Warrene McCarthy: The people that live next to the Wastewater Treatment Plant where the new solar panels will be placed wanted me to ask you if any trees will be taken down for that project.

Winemiller: I will tell you for 100% certainty there will not. The solar panels will be facing Sumner Brook. There are only 4 dead trees that will be taken down. There will be no trees removed on their side.

Sandy Hayes: The bump on the road in front of Joe's place. Does that have anything to do with the town?

Winemiller: It is NYS Route 3. We have no responsibility on that road whatsoever. I believe it is a frost heave. That is what I heard.

Fuller: The roadwork is all Essex County DOT.

Winemiller: The Town doesn't own NYS Route 3.

Hayes: I know you don't own it, but I wondered if it was a sewer line or water line that is causing it?

Winemiller: I've not heard anything.

Hayes: How many years has that been there?

Bates: It's been there for a while, but it is gotten worse. You can hear them when they hit it.

Hayes: I just didn't know if there was something broken under there or causing a problem.

Winemiller: If there was a water line, we would know. And, if there was a sewer line broken, we would know. Not to say that's impossible, but there would be indication of that if that were the case. We can look into that Sandy.

Bates: Isn't that very close to where that water break was years ago, where the valve broke?

Winemiller: Jakobe's. Yes, I think you are right. But we would know if there was a water break there.

Bates: Oh, I know, but I just wondered if it was underlying from that.

Winemiller: I don't know. Let me see if I can look into it.

Winemiller asked those present if there were any other questions or concerns or comments?

There were no other questions, comments, or concerns.

Winemiller announced the Board needed to go into Executive Session to discuss a Personnel issue and Legal Mitigation.

**MOTION TO MOVE INTO EXECUTIVE SESSION:**

Councilperson Donald Amell made a Motion to move into Executive Session. The Motion was seconded by Deputy Supervisor D. Joseph Bates. The Board entered Executive Session at 7:32 pm

**MOTION TO END EXECUTIVE SESSION:**

Councilperson Jennifer Fuller made a Motion to end the Executive Session. The Motion was seconded by Councilperson Karl Law. The Executive Session ended at 8:08 pm.

**MOTION TO ADJOURN REGULAR BOARD MEETING:**

Deputy Supervisor D. Joseph Bates made a Motion to adjourn the Regular Board Meeting. The Motion was seconded by Councilperson Jennifer Fuller. The Regular Board Meeting adjourned at 8:08 pm.

I, Barbara J. Darrah, Town Clerk for the Town of St. Armand, do hereby certify that the above is a true and correct transcript of the Public Hearing and the Regular Board Meeting minutes held on the above-referenced date.

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Barbara J. Darrah  
St. Armand Town Clerk

Dated: March 10, 2020