

Town of St. Armand  
Public Hearing – Increase & Improvement of the Waste Water Treatment Facilities  
Public Hearing – Proposed Local Law 2 of 2015 – Nuisance Abatement  
Regular Board Meeting  
Tuesday, March 10, 2015

*Meeting minutes approved April 14, 2015*

A Public Hearing regarding the Increase & Improvement of the Waste Water Treatment Facilities, a Public Hearing regarding Proposed Local Law 2 of 2015 – Nuisance Abatement and a Regular Board Meeting of the Town of St. Armand was held on the above date at the Town Hall, Bloomingdale, NY.

**BOARD MEMBERS PRESENT:**

Town Supervisor Charles Whitson, Jr., Deputy Supervisor Sam Grimone, Councilperson Don Amell, Councilperson Jennifer Fuller, Councilperson D. Joseph Bates

**TOWN EMPLOYEES PRESENT:**

Town Clerk Davina Thurston, Water Superintendent Jeff Cotter, Code Enforcement Officer Robert Drosdowich, Code Enforcement Officer Robert Hammond, Sewer Superintendent Stan Ingison

**GUESTS:** Sandy Hayes, Jim Dougan of AES Northeast, Warrene McCarthy, Ives McCarty, Chastity McCarty, JP O’Neil, Tom Burman, Diane McKeough, Dean Everitt, Mark McCarty, Roxanne McCarty, Tyler Chase, Tracy Kratts, Ben Klein, Alelie Serrano-Hovey

Notice was posted regarding the date of this meeting.

**PUBLIC HEARING – Increase & Improvement of the Waste Water Treatment Facility**

Supervisor Whitson called the Public Hearing to order at 6:31 p.m.

Deputy Supervisor Grimone led the Pledge of Allegiance.

Town Clerk Davina Thurston read the following statement that had been previously published in the Adirondack Daily Enterprise:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of St. Armand, Essex County, New York, will meet at the Town Hall, 1702 New York State Route 3 in Bloomingdale, New York, in said Town, on March 10, 2015, at 6:30 P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report including a revised estimate of cost prepared in relation to the proposed increase and improvement of the facilities of the Bloomingdale Sewer District in the Town of St. Armand, Essex County, New York, of the acquisition of a parcel of land adjacent to the existing River Road pump station and construction thereon of a new pump station, together with reconstruction of the existing pump station, including, in each case, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith. The maximum estimated cost of the aforesaid increase and improvement of the facilities of the Bloomingdale Sewer District in the Town is \$5,405,670.90, an increase of \$600,000 over that previously authorized, for additional related improvements to the wastewater treatment system to be funded by a grant for \$600,000 to be provided by the State of New York.

The project has been determined to be a "Type II Action" for purposes of the State Environmental Quality Review Act, which as proposed, the Town Board has determined will not result in a significant environmental effect due to an Order on Consent between the Town and the New York State Department of Environmental Conservation.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Bloomingdale, New York,  
February 12, 2015

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF ST. ARMAND**

Jim Dougan, Construction Engineer for AES Northeast, explained the process by which the \$600,000.00 in grant funding was acquired. Lengthy discussion ensued regarding proposed solar

panels, water main installation, laboratory requirements, equipment, DEC requirements, NY State Law requirements and alternative processes.

Deputy Supervisor Grimone made a motion to close the Public Hearing at 6:55 pm; motion was seconded by Councilperson Fuller. All approved, motion carried.

#### PUBLIC HEARING – LOCAL LAW 2 OF 2015 – NUISANCE ABATEMENT

Supervisor Whitson opened the Public Hearing regarding Local Law 2 of 2015 – Nuisance Abatement at 6:55 pm. Town Clerk Davina Thurston read the following Public Hearing Notice that was published in the Adirondack Daily Enterprise:

NOTICE IS HEREBY GIVEN that the St. Armand Town Board will hold a public hearing on Tuesday, March 10th, 2015 beginning at 6:30 p.m. at the Bloomingdale Town Hall, 1702 NYS Route 3, in the Town of St. Armand, concerning proposed Local Law No. 2 of 2015. Proposed Local Law No. 2 would establish a procedure for Town Board review of conditions that may endanger the health, safety and welfare of the community and to provide for abatement of conditions which constitute a public nuisance.

A copy of the proposed Local Law is on file in the Town Clerk's Office. Please call 518-891-3189 ext 3 or email: [starmand@roadrunner.com](mailto:starmand@roadrunner.com) to receive a copy of this Proposed Law.

PLEASE TAKE FURTHER NOTICE that all interested parties will be heard at this time and place.

Dated: February 5, 2015

Supervisor Whitson asked for public comments. Tom Burman addressed the Board and stated that he felt the law was too broad, and should be more targeted. Tom provided an edited version of the Nuisance Abatement Law for the Board to consider. Tom stated that he felt future Board members could use this broad law to abuse their power. Lengthy discussion ensued.

Councilperson Fuller made a motion to close the Public Hearing at 7:34 p.m., Councilperson Bates seconded the motion, all in favor, motion carried.

#### REGULAR BOARD MEETING

Supervisor Whitson called the Regular Board Meeting to order at 7:35 pm.

Resolution 60 of 2015 – Increase and Improvements for St. Armand Waste Water Treatment Plant

The following Resolution was offered by Deputy Supervisor Grimone:

WHEREAS, pursuant to proceedings heretofore had and taken by the Town Board of the Town of St. Armand, Essex County, New York, pursuant to the provisions of Section 202-b of the Town Law, it has been determined to be in the public interest to provide for a certain increase and improvement of the facilities of the Bloomingdale Sewer District in said Town, at a maximum estimated cost of \$4,805,670.90; and

WHEREAS, such increase and improvement of facilities consists of the acquisition of a parcel of land adjacent to the existing River Road pump station and construction thereon of a new pump station, together with reconstruction of the existing pump station, including, in each case, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, all as more fully described in the map, plan and report including an estimate of cost prepared in connection therewith which is on file in the office of the Town Clerk of such Town; and

WHEREAS, in order to complete the improvements to the aforesaid facilities with additional related improvements, it will be necessary to expend the sum of \$5,405,670.90, an increase of \$600,000 over that previously authorized; and

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects, based upon an Order of Consent between the Town and the New York State Department of Environmental Conservation; and

WHEREAS, it is now desired to call a public hearing on the question of authorizing such

increase and improvement of facilities at a revised cost of \$5,405,670.90;

NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of St. Armand, Essex County, New York, as follows:

Section 1. A public hearing will be held in the Town Hall, at 1702 NYS Route 3 in Bloomingdale, New York, in said Town, on March 10, 2015 at 6:30 PM, Prevailing Time, on the question of the increase and improvement of the facilities of Bloomingdale Sewer District in the Town of St. Armand, Essex County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the Adirondack Daily Enterprise, the official newspaper designated for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of St. Armand, Essex County, New York, will meet at the Town Hall, 1702 New York State Route 3 in Bloomingdale, New York, in said Town, on March 10, 2015, at 6:30 P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report including a revised estimate of cost prepared in relation to the proposed increase and improvement of the facilities of the Bloomingdale Sewer District in the Town of St. Armand, Essex County, New York, of the acquisition of a parcel of land adjacent to the existing River Road pump station and construction thereon of a new pump station, together with reconstruction of the existing pump station, including, in each case, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith. The maximum estimated cost of the aforesaid increase and improvement of the facilities of the Bloomingdale Sewer District in the Town is \$5,405,670.90, an increase of \$600,000 over that previously authorized, for additional related improvements to the wastewater treatment system to be funded by a grant for \$600,000 to be provided by the State of New York.

The project has been determined to be a "Type II Action" for purposes of the State Environmental Quality Review Act, which as proposed, the Town Board has determined will not result in a significant environmental effect due to an Order on Consent between the Town and the New York State Department of Environmental Conservation.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Bloomingdale, New York,  
February 12, 2015

BY ORDER OF THE  
TOWN BOARD OF THE TOWN OF ST. ARMAND,  
ESSEX COUNTY, NEW YORK  
Davina M. Thurston, Town Clerk

Section 4. This Order shall take effect immediately.

Councilperson Fuller duly seconded this Resolution, and adopted by roll-call vote as follows:

Supervisor Charles Whitson, Jr.	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson D. Joseph Bates	AYE

I, Davina M. Thurston, Town Clerk for the Town of St. Armand, do hereby certify that the above is a true and correct transcript of the Board Meeting minutes, held on March 10, 2015.

March 10, 2015

Davina M. Thurston  
St. Armand Town Clerk

Resolution 61 of 2015  
RESOLUTION OF THE ST. ARMAND TOWN BOARD  
ADOPTING LOCAL LAW NO. 2 OF 2015  
TO ABATE PUBLIC NUISANCES

The following Resolution was offered by Deputy Supervisor Grimone:

WHEREAS, the Town Board wishes to consider adoption of Local Law No. 2 of 2015 to abate public nuisances, and

WHEREAS, this legislation is authorized in accordance with the Town's police powers and by New York State Town Law Section 130; and

WHEREAS, the Town Board scheduled a Public Hearing on this Local Law to be held at 6:30 p.m. on March 10, 2015; and

WHEREAS, notice of such Public Hearing was duly posted and published in accordance with law; and

WHEREAS, in addition, the Town Board provided notice by mail, in 2014, to residents advising of the proposed Local Law and providing instructions on how to obtain or review the proposed Local Law; and

WHEREAS, the Town Board duly held a Public Hearing on the proposed Local Law on October 21, 2014 and March 10, 2015, and heard all interested persons;

NOW, THEREFORE, BE IT RESOLVED, that the St. Armand Town Board hereby finds that it is in the best interest of the public health, safety and welfare to abate public nuisances; and

BE IT FURTHER RESOLVED, that the St. Armand Town Board hereby adopts Local Law No. 2 of 2015; and

BE IT FURTHER RESOLVED, that the St. Armand Town Board hereby authorizes and directs the Town Clerk to file the Local Law with the New York Secretary of State in accordance with the provisions of the Municipal Home Rule Law and acknowledges that the Local Law will take effect immediately upon filing by the Secretary of State.

This Resolution was seconded by Councilperson Bates, and adopted by roll-call vote as follows:

Supervisor Charles Whitson, Jr	AYE
Deputy Supervisor Samuel Grimone	AYE
Councilperson Donald Amell	NAY
Councilperson Jennifer Fuller	AYE
Councilperson D. Joseph Bates	AYE

Dated: March 10, 2015

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Davina M. Thurston  
St. Armand Town Clerk

#### WATER DEPARTMENT MONTHLY REPORT

Water Superintendant Jeff Cotter reviewed the following written report with the Board:  
Town of St. Armand Water Dept. Report 3/10/15

1. 2/11/15 – Installed new reader at 764 St. Regis Ave
2. 2/12/15 – Began blowing down the fire hydrant at the end of Rock Ledge in Saranac Lake daily to help prevent the line from freezing due to very cold temperatures. The hydrant itself froze on 3/2/15 and the water main froze on 3/9/15. I contacted Don Loya on 3/10/15 to schedule him to thaw out the water main on 3/11/15.
3. We have had at least 8 service connection freeze-ups this month including the Town Hall.
4. Our water consumption began to dramatically increase during this month due to customers running their water to prevent freeze-ups. We have seen an increase from an average of 50,000 gallons per day to over 80,000 gallons per day. To help keep up with the increase in water demand I placed well #3 back on line with well #5. Well #8 is currently on standby.
5. Test ran both the well field and the pump house generator with no issues.

6. The monthly Coliform sample taken from the Highway Dept. Garage came back negative
7. I had problems with the Stand Pipe level indicator that sends an electronic signal from the Stand Pipe to the Pump House. I was getting no signal. I had to go up to the Stand Pipe daily for my level readings. This problem went away when warmer weather arrived this week. The extreme cold weather was affecting the signal.
8. The water meter at the pump house that meters water discharged from the Pump House is not working. I am currently looking into replacement parts for this meter. We may have to replace this meter. This will be a project because the original meter was installed without couplings installed so I am going to have to disassemble a lot of the piping in the Pump House to be able to install a new meter.

Discussion ensued regarding the above report.

#### FREEZING WATER LINES

Supervisor Whitson asked members of the audience to speak regarding the frozen water lines in the district. Ives McCarty informed the Board that his water line had frozen at his home at 49 Roosevelt Street. Ives explained to the Board the hardships that he faced due to the fact that in St. Armand, the homeowner is responsible for the lateral line all the way to the main, going under the road. Ives stated that he felt it was unsafe for homeowners to do this repair, as it caused disruption of traffic as well as a large hole that he had to dig to get to the line to make the repair. Ives stated that he did not feel that he was qualified to do this type of repair, but felt he had no choice because of the high cost of having a professional excavator, such as Trudeau, complete the work. After 7 days of struggle, he was able to get the water line thawed out. Several other individuals related similar stories, including Mark McCarty, Ben Klein, Dean Everitt, JP O'Neil, and Tom Burman. Jim Dougan of AES stated that Essex County may be getting FEMA grant funds for Hazard Mitigation for this type of repair. Supervisor Whitson asked Town Clerk Thurston to gather this data to report back to the Essex County Board of Supervisors. It was decided to hold a Special Board Meeting on March 24, at 6:30 pm for further consideration of this issue.

#### CODE ENFORCEMENT

Resolution 62 of 2015 – Appreciation for the service of Robert Drosdowich

This resolution was offered by All Councilmember's, who moved its adoption:

WHEREAS, effective government depends upon those individuals who dedicate their time and effort to Public Service; and

WHEREAS, it is always a privilege to honor an individual who possesses the rare characteristics of honesty and commitment to the public good, and who is willing to devote their time and energy to the conduct of assisting members of their community; and

WHEREAS, Robert Drosdowich is such an individual; and

WHEREAS, Robert Drosdowich has ably served the Town of St. Armand as Code Enforcement Officer, and

WHEREAS, Robert Drosdowich has been considerate of the needs of the residents of St. Armand, and has supplied countless hours of service to his community, and

NOW, THEREFORE, LET IT BE RESOLVED, that the Board of the Town of St. Armand, hereby extends its sincere gratitude and appreciation, on behalf of the Constituents of the Town of St. Armand, to Robert Drosdowich.

This Resolution was duly seconded by All Councilmember's, and adopted as follows:

Supervisor Charles Whitson, Jr.	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson D. Joseph Bates	AYE

I, Davina M. Thurston, Town Clerk for the Town of St. Armand, do hereby certify that the above is a true and correct transcript of the Board Meeting minutes, held on March 10, 2015.

March 10, 2015

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Davina M. Thurston  
St. Armand Town Clerk

#### OATH OF OFFICE

Town Clerk Davina Thurston administered the Oath of Office to newly appointed Code Enforcement Officer Robert W. Hammond.

#### CODE ENFORCEMENT OFFICER'S REPORT

CEO Robert Hammond gave the Board the following written report:

Code Enforcement Officer & Building Inspection  
Codes Report for the Month of February 2015  
Building Permits Issued: 1  
Fees Collected: \$100.00  
Inspections Completed: 1  
Review completed on Town Hall Renovations.  
Annual Training Complete.

#### TOWN HALL RENOVATIONS

CEO Robert Hammond reviewed his report with the Board regarding the proposed renovations of the second floor of the Town Hall. Robert stated that plans need to be finalized, but he believes a second set of stairs will be mandatory.

#### WATER AND SEWER DEBT SERVICE

Tracy Kratts, Diane Burman and Tom Burman expressed their opinions on the current way water and sewer debt services are billed. Lengthy discussion ensued. It was decided that a Committee should be formed to further review this issue. Town Clerk Davina Thurston will insert a note into the next billing cycle asking for volunteers to be on this committee and will report to the Board on April 14<sup>th</sup>. At that time, the Board will formalize the committee and set a date for the first work session.

#### MOTION TO PAY MONTHLY BILLS

Deputy Supervisor Grimone made a motion to pay this month's bills; the motion was seconded by Councilperson Bates. All agreed. Motion carried

#### REVIEW AND APPROVAL OF PREVIOUS MINUTES

Councilperson Amell made the motion to approve the minutes of the Special Board Meeting February 24, 2015. Motion seconded by Councilperson Bates. All approved. Motion carried.

#### MONTHLY REPORT FROM THE SUPERVISOR

Supervisor Whitson gave the Board the Supervisor's monthly financial report. This report is kept on file and can be viewed at the Bloomingdale Town Hall, in the Town Clerk's file. Councilperson

Fuller made a motion to accept the Supervisors report; Councilperson Bates seconded the motion. All approved. Motion carried.

Supervisor Whitson asked the Board if they wanted to join with Saranac Lake on the youth swimming program. Discussion ensued. The Board requested more information, Supervisor Whitson will report back to them at the April 14<sup>th</sup> Board Meeting.

#### TOWN CLERK MONTHLY REPORT

Town Clerk Davina Thurston gave the following report for the month of February 2015:

Dog Licenses	7 spayed/neutered	\$49.00
One Family Cemetery Plot Sold		\$600.00
Total Revenues to Supervisor		\$642.00
Revenue to NYS Dept of Agriculture & Markets		\$7.00

Davina informed the Board that Chenille Palyswiat wanted to pay a flat rental fee per year for the Town Hall to hold essential oil classes. After much debate and discussion, the Board decided that the Town Hall should not be rented out to any for-profit businesses.

#### WATER & SEWER BILLING MONTHLY REPORT

Water & Sewer Clerk Davina Thurston gave the following report to the Board:

Total outstanding revenues: \$15,896.00

#### GUEST COMMENTS

Sandy Hayes asked the Board to support random drug-testing for people receiving public assistance. Sandy asked about the formation of a new water district area, lengthy discussion ensued.

#### EXECUTIVE SESSION

Deputy Supervisor Grimone made the motion to enter Executive Session to discuss Personnel at 9:49 pm. Motion was seconded by Councilperson Bates, all approved, motion carried.

#### REGULAR BOARD MEETING RESUMED

Regular Board Meeting resumed at 10:05 pm.

#### MOTION TO ADJOURN

Deputy Supervisor Grimone made a motion to adjourn, seconded by Councilpersons Bates. Supervisor Whitson adjourned the meeting at 10:05 pm.

I, Davina M. Thurston, Town Clerk for the Town of St. Armand, do hereby certify that the above is a true and correct transcript of the Special Board meeting minutes held on the above-referenced date.

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Davina M. Thurston  
St. Armand Town Clerk

March 10, 2015