

Town of St. Armand  
Public Hearing and Regular Board Meeting  
Tuesday, February 9, 2021  
6:30 PM

*These Meeting Minutes were approved by the St. Armand Town Board on March 9, 2021.*

A Public Hearing and Regular Board Meeting of the Town of St. Armand was held on the above date and time via a webinar conducted from the Town Hall, Bloomingdale, NY. The webinar Public Hearing and Regular Board meeting was advertised and made available to the public.

**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:** Code Enforcement Officer Derrick Martineau, Wastewater Superintendent Stanley Ingison, Town Accountant Donna Bramer, and Town Clerk Barbara Darrah.

**GUEST SPEAKERS:** Anna Reynolds and Rob Wick from Essex County Planning, Jennifer Stanton and Jillian Kara, interns from SUNY Plattsburgh, and Matt Norfolk and Craig Michaels, Town Attorneys for the Code Enforcement action.

**GUESTS FROM THE COMMUNITY:** Jim Abendroth, Justyna Babcock, Robert Burgher, Josh Colby, Dr. Kimberly Coleman, Kerry Crowningshield, Sara Jane DeHoff, Sue Abott Jones, Carolyn Koestner, Lake Placid Land Conservancy, Shannon Madden, Adam Mayville, Warren McCarthy, Ashley St. Dennis, and nine unidentified callers.

Public Notice was published in the Adirondack Daily Enterprise regarding the date and time of this meeting, and posted on the Town of St. Armand's outside marquis, the Town's Facebook page and the Bloomingdale Neighborhood Facebook Group page.

Supervisor Winemiller called the meeting to order at 6:30 p.m. and asked everyone to join in the Pledge of Allegiance.

**PUBLIC HEARING**

Supervisor Winemiller asked Town Clerk Barbara Darrah to read the Public Hearing Notice:

Notice of Public Hearing  
Town of St. Armand

The Town of St. Armand will hold a virtual Public Hearing on February 9, 2021 at 6:30 pm for the purpose of hearing public comments on the Town of St. Armand's community development needs, and to discuss the submission of one or more Community Development Block Grant (CDBG) applications for the 2021 program year. The CDBG program is administered by the State of New York Office of Community Renewal (OCR), and will make available to eligible local governments approximately \$20 million for the 2021 program year for public infrastructure, public facilities and community planning activities, with the principal purpose of benefitting low/moderate income individuals.

The hearing will provide further information about the CDBG program and will allow for citizen participation in the development of any proposed grant applications and/or to provide technical assistance to develop alternate proposals. Comments on the CDBG program or proposed project(s) will be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

The February 9<sup>th</sup> Regular Board Meeting will immediately follow the Public Hearing. Due to COVID-19, this hearing will be held virtually:

Special Board Meeting & Public Hearing

Tue, Jan 26, 2021 6:00 PM - 8:30 PM (EST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/474667973>

You can also dial in using your phone.

United States: +1 (408) 650-3123

Access Code: 474-667-973

For questions, please contact the Town of St. Armand at 518-891-3189. Written questions or comments are welcomed and may be submitted until February 8, 2021 at 11:00am. Please send to: Town of St. Armand, PO Box 338, Bloomingdale, NY 12913, or email: [info@townofstarmand.com](mailto:info@townofstarmand.com).

This notice was published in the Adirondack Daily Enterprise on February 1, 2021.

Winemiller: Thank you, Barb. This Public Hearing is regarding the Town's proposed CDBG grant for Wastewater. Does anyone present have any comments, questions or concerns regarding the public hearing?

There were none.

Winemiller: At this time, can I please get a motion to close the Public Hearing. Councilperson Jennifer Fuller made the motion to close the Public Hearing. The Motion was seconded by Councilperson Karl Law and the Public Hearing was adjourned at 6:34 pm.

## REGULAR BOARD MEETING

Supervisor Winemiller introduced Director Anna Reynolds and Rob Wick, of the Essex County Planning Department. Anna briefly described what the Office of Planning initiatives are, and then presented the two interns from Plattsburgh State University, Jillian Kara and Jennifer Stanton. Jillian and Jennifer explained their plans to create a survey for public outreach basically to see what they would like to see for the Town. They should be starting approximately the week of May 14<sup>th</sup>. Dr. Kim Coleman, also attending the meeting virtually, introduced herself and stated she would be overseeing the interns and their project. A presentation will be made to the Town Board after the project is completed. The two interns introduced themselves and explained their plan to create public outreach and find out what members of the community want.

Winemiller thanked the speakers and asked if there were any questions. There were none.

## CODE ENFORCEMENT ACTION REPORT

Derrick Martineau presented the following Code Enforcement Action Report to the Town Board:

TOWN OF ST. ARMAND  
P.O BOX 338  
BLOOMINGDALE, NY 12913

February 5, 2021

Town Board  
Town of St. Armand  
P.O. Box 338  
Bloomingtondale, New York 12913

Re: The Residence and Property of Mr. Monroe Gladd

To Supervisor Winemiller and the Town Board:

Pursuant to the Unsafe Building Law of the Town of St. Armand, Local Law No. 2 of 2020, I submit this report to the Town Board recommending that the residence of Mr. Monroe Gladd be demolished and removed immediately. Based on my repeated inspections over the past twelve months, the findings of which are set forth below, I see no alternative way to remediate what has become an increasingly dangerous and potentially life-threatening situation that will likely cause harm to Mr. Gladd, other residents in his home and his invitees.

### I. Background and Proceedings

As the Board is aware, Mr. Gladd's residence (the "Premises"), located at 10 School Street, Bloomingtondale, County of Essex, State of New York 12913, have been the subject of grave concern since at least 2015, pre-dating my employment as the Town of St. Armand's Code Enforcement Officer. In fact, problems with the Premises date back to at least 2004. The previous Code Enforcement Officers, Robert W. Hammond and Joseph Amell, conducted regular inspections and found multiple violations of the New York State Building Code; the New York State Uniform Fire Prevention and Building Code Act and the Town of St. Armand's local laws.

The violations reported by my predecessors include:

1. Exterior of premises was not maintained in clean, safe and sanitary condition;
2. Premises had accessory structures that were not maintained, structurally sound and in good repair;
3. Inoperative or unlicensed vehicles were parked, kept or stored on the Premises;
4. Premises had a swimming pool that was in a non-sanitary condition;
5. Exterior of premises was found to have combustible waste, refuse and large quantities of dry vegetation which constitute a fire hazard;
6. The mobile home used as the primary dwelling had a front addition that was not designed, permitted and constructed in compliance with the requirements of the residential code and was constructed without a building permit; and
7. No certificate of occupancy was issued for a front addition or rear addition of the dwelling.

As the Board is also aware, the People of the State of New York initiated a criminal proceeding against Mr. Gladd for his repeated violations of the New York State Building Code. On March 22, 2019, Mr. Gladd entered a plea agreement

requiring that he: remedy all violations alleged in the criminal complaint; maintain and keep the Premises and the improvements in lawful condition and in compliance with all applicable state and local laws; and permit the Code Enforcement Officer to enter upon the Premises. He has since violated this plea agreement and is due back in the Town of North Elba Justice Court later this month, as he has been charged with violating his plea agreement.

Mr. Gladd has not submitted any permit applications recently for any work on the Premises. To my knowledge, his last permit application was submitted in 2016. For the reasons set forth below, I can say without hesitation that I would not approve any permit for the construction or addition to the existing structures in fear of the structures not being stable enough to withstand extra weight.

## II. Dates of Inspections and Efforts to Access the Inside of the Residence

I inspected the outside of Mr. Gladd's Premises eleven (11) times on the following dates: April 17, 2020; May 8, 2020; June 5, 2020, June 19, 2020; July 17, 2020; August 14, 2020; September 11, 2020; October 2 2020; December 8, 2020; January 8, 2021; and January 20, 2021. As Mr. Gladd has never allowed me inside his residence, these inspections were conducted from the road and driveway.

In an effort to schedule a time to access the inside of Mr. Gladd's residence, and to inform him of the unsafe conditions of the premises, I wrote and sent via First Class Mail four (4) letters to Mr. Gladd on the following dates: March 4, 2020; two separate letters on September 18, 2020; and January 25, 2021. I never received a response.

Further, I tried to contact Mr. Gladd via telephone eight (8) times on the following dates: May 8, 2020; June 3, 2020; June 19, 2020; August 12, 2020; December 4, 2021; December 15, 2020, January 8, 2021 and January 20, 2021. Mr. Gladd never answered or returned any of these calls.

I was able to speak to Mr. Gladd on August 14, 2020. He claimed he was going to fix things up but there is no evidence that anything has been improved since at least 2015, nor has Mr. Gladd applied for the any necessary permits. I drive by the Premises on a weekly basis and notice that the conditions keep getting worse.

## III. Inspection Findings

During the inspections listed above, I observed the following:

1. The roof on the main mobile home is deteriorated, likely leaking and at risk of collapsing;
2. Mr. Gladd attempted to put another roof over the existing mobile home roof several years ago, but that too has fallen apart.
3. The main mobile home appears too deteriorated to be able to support any remediation efforts and I could not, and would not permit any additions such as a new roof.
4. Front and rear additions were made that were not permitted or built to code.
5. The front addition that Mr. Gladd previously built without the required permit is dilapidated and is at risk of collapsing at any time.
6. As part of the addition, there is a stove pipe of some sort going through the roof that does not look like it was, or is, properly installed. It could therefore be a leak point or, even worse, a fire hazard.
7. This stove pipe, a load bearing frame, appears to be against code because it is directly attached to the mobile home, which is not built to support it.
8. The porch is rotting and appears ready to fall off completely.
9. There are unlicensed and unregistered vehicles throughout the Premises, in violation of the Town's property maintenance code.
10. There is garbage and construction debris all over the Premises, including an old swimming pool and a camper, also violations of the Town's property maintenance code.
11. There is a shed and a camper on the Premises that are also dilapidated.

Over the course of my inspections, the condition of the building has visibly deteriorated drastically. On September 25, 2020, I officially posted a notice on the property that the Premises were unsafe for habitation. Mr. Gladd's Premises is in violation of the Town of St. Armand's Unsafe Building law. The structures on the Premises have become so dilapidated and decayed that they are unfit for human habitation; the unpermitted additions may collapse and cause injury; and the conditions are so unsafe so as to be dangerous to the health and safety of any occupants.

## IV. This is an Emergency Case

On October 2, 2020, I witnessed a school bus dropping off a girl who appeared to be approximately 6-7 years of age. The girl exited the bus and walked inside the dwelling. I fear every day for the safety of everyone on the Premises, especially this little girl who may live there.

In summary, the Premises are a clear and imminent danger to the life, safety and health of any person living on the property or in the residence. Under Section 11 of the Town's Unsafe Building Law, Local Law No. 2 of 2020, I recommend the Town Board adopt a resolution authorizing me to immediately cause the demolition of Mr. Gladd's unsafe building.

Then there are the attachments that I had forwarded to the Board and photos.

V. Attachments

\*\* Note: The attachments indicated below were sent to the Town Board and the photos were shown on the virtual meeting screen on February 9, 2021. All are available for viewing upon request to the Town Clerk, Town of St. Armand.\*\*

I attach the following documents to incorporate them into this report:

1. July 17, 2015 letter to Mr. Gladd from former CEO Robert W. Hammond;
2. August 26, 2015 letter to Mr. Gladd from former CEO Robert W. Hammond;
3. December 20, 2015 letter to Mr. Gladd from former CEO Robert W. Hammond;
4. May 31, 2016 Notice and Order to Mr. Gladd from the Town of St. Armand;
5. July 18, 2017 letter to Mr. Gladd from former CEO Robert W. Hammond;
6. August 27, 2018 criminal complaint and appearance ticket;
7. March 22, 2019 plea agreement entered into by Mr. Gladd;
8. March 4, 2020 letter to Mr. Gladd from CEO Derrick Martineau;
9. September 18, 2020 letters to Mr. Gladd from CEO Derrick Martineau;
10. January 25, 2021 letter to Mr. Gladd from CEO Derrick Martineau; and
11. Photos of the Premises from 2017 through 2021 that are accurate and unaltered.

Sincerely,

Derrick Martineau  
Code Enforcement Officer  
Town of St. Armand  
starmandcodes@gmail.com

Winemiller: Thank you for that report, Derrick. At this point, Matt (Norfolk), would you please explain the Resolution regarding this issue to the Board?

Norfolk: Sure. The Resolution under the Unsafe Building Law, the Resolution is necessary if you want to go to a hearing or push this further and have some sort of order to either do repairs to the property or even further, or even to the point of having it demolished. This Resolution, as any Town Resolution, has to be decided by the Town Board. Each Town Board member has to decide, based on Martineau's report here, does this justify enough cause here now to move forward and schedule a hearing. The hearing is somewhat akin to a quasi-judicial where there could be testimony taken or further proof, whether on Mr. Martineau's part or Mr. Gladd's part; because he has to have an opportunity to be heard, if you decide to go this route, before you make any final orders, whether to compel Mr. Gladd repair again or even ordering this unsafe residence demolished. Supervisor Winemiller, does that explain it?

Winemiller: Absolutely. I think the Town Board members are well versed in this property. Looking at these pictures, I am just terrified for anyone that is living there. Board members, if we decide to pass Resolution #34, which is ordering a public hearing to deem the structure unsafe, at this point, do all of you agree that that is warranted?

Don Amell: I do, Davina.

Joe Bates: Yes, we have to go forward with it.

Jen Fuller: Yes.

Karl Law: Yes. Thank you for the detailed report, Derrick

Martineau: You are welcome.

Winemiller: Very, very good report. Thank you, Derrick. Thank you, Matt. Thank you, Craig. Before Craig and Matt leave the meeting, let's set the date for the Public Hearing to put in the Resolution #34 and we will pass it a little bit later in the meeting. Ms. Darrah, I am thinking February 23<sup>rd</sup> at 6:30 pm. Does that give you enough time to post notice?

Darrah: Yes. Exactly. Yes.

Winemiller: Derrick, does that work for you?

Martineau: Yes, it does.

Winemiller: Matt Norfolk? Yes, the 23<sup>rd</sup> will work.

Norfolk: Yes, the 23<sup>rd</sup> will work. The hearing has to be scheduled at least 5 business days after personal serving notice. If we could serve him on Friday, the 12<sup>th</sup>, that will work.

Winemiller: Derrick, does that work for you?

Martineau: Should I be the one to serve him or should we hire someone outside to serve him?

Norfolk: We want to ensure that Mr. Gladd gets proper notice.

Winemiller: So, Matt and Craig, if we plan to serve him on the 12<sup>th</sup>, does that give you enough time to draw up the documents?

Craig Michaels: Yes.

Winemiller: Joe Bates, does the 23<sup>rd</sup> of February at 6:30 pm work for you?

Bates: Yes.

Winemiller: Don?

Amell: Yes.

Winemiller: Jen Fuller?

Fuller: Yes.

Winemiller: Karl Law?

Law: Yes. Good for me too.

Winemiller: So, Ms. Darrah, if you could please add the 23<sup>rd</sup> of February and the time of 6:30 into Resolution #34, we will pass that a little further on in the meeting. This meeting will be a webinar, so I will send the link to everyone.

Warrene McCarthy: Davina, can I ask a question?

Winemiller: Sure.

McCarthy: What happens if on the 12<sup>th</sup>, Mr. Monroe makes sure he is not available to be served?

Norfolk: Once he is put on notice, he gets to decide his own path as to how he wants to respond to this. If he doesn't respond and appear, we can go ahead with this without Mr. Gladd.

Craig: I think what you are asking is what if Mr. Gladd is not there? Personal service can be done if there is no one there to receive it. You can affix a copy of the notice to the property and that serves as notice.

Winemiller: So we can mail it and just post notice, and that will be good enough in the eyes of the law.

Norfolk: Again, we can address this, not in this meeting. I don't think this is the appropriate forum to discuss how we are going to execute the notice, but Craig is right on that.

Winemiller: Does anyone else have any questions?

There were none.

## MONTHLY REPORTS

### WASTEWATER DEPARTMENT MONTHLY REPORT

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

#### Town of St. Armand Wastewater Department Report for the February 9, 2021 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) Did weekly grit removal from the classifier drive outfall and unloaded it into the transfer station trash dumpster.
- 7) I did the weekly flexing of all the aeration diffusers.
- 8) The new computer in the PTB core climate system has been working well and all systems are operating the way they should.
- 9) I did get the solar panels cleared on all sides and ready for the insurance inspection work on 02/18/21 but now will have to keep them open for at least two weeks but maybe the rest of the winter if work is going to start.
- 10) The effluent box continues to ice up enough to almost stop flow at times but this summer I plan to work on getting it better insulated to slow that down. I did break up and remove the ice during the warm day on Friday to be ready for the cold nights of this week.
- 11) This summer the WWTP wheelbarrow's wooden frame arms had rotted enough that one had broken off so I needed to purchase a new wheel barrow. But, nicely someone threw away a badly damaged wheelbarrow with good frame pieces on it so I rebuilt the old wheelbarrow using the frame from the broken wheelbarrow.
- 12) My old pager that had come loose from my belt finally turned up after the third full-out search of the truck so we now have a spare unit.
- 13) I am having trouble with the phone line at the wastewater plant again and believe it is trouble with the spectrum system. Erica checked on-line and it says that everything seems fine from there end so I will try and troubleshoot it on line or call them to have it checked in person soon.
- 14) I continue to work on the St. Armand Wastewater Department Comprehensive Improvement and Repair Program.

Winemiller: Right now I would like to talk about the Solar panels. I talked with Todd Hodgson and based on his report, I submitted a claim to our insurance company for the solar panels to be repaired. We have a virtual meeting with the insurance company, Todd Hodgson, and Greg Swart of AES on February 18<sup>th</sup>. We do have coverage because it was either a power surge because of a lightning strike, or it was a power surge without a lightning strike. The maximum amount the Town of St. Armand will have to pay is \$5,000. I wanted to show the Board, as you can see this is our fund balance with actuals of 2020. As you can see, we have plenty of money in unreserved money and sewer repair. We have over \$48,000 to cover the \$5,000 and anything else that might come up.

Winemiller: So, based on that I am going to turn it over to Anna and Rob, because we are going to talk about the \$24,000 that we discussed last month of the unreserved fund balance going into the Sewer improvements.

Rob Wick: Good evening. This is Rob. I would actually like to turn it back over to the Board Members, because I think the last meeting we had talked a lot about the mechanics of how the grant programs work, how the match works and the constraints that are on the Treatment plant with DEC to get the disinfection upgrades online. I hope you folks have some additional questions that we can answer, because it was a lot to digest, I know.

Winemiller: Does any Board member have any questions or concerns based Rob's report to us last month?

Don Amell: Davina, isn't Resolution # 29 coming up that response?

Winemiller: That is. But I wanted to talk about it while Anna and Rob are still here.

Amell: I didn't have any questions.

Winemiller: Based on the Solar panel information with the solar panels, which was the concern last month, are you more willing at this point to move that \$24,000 from the unreserved fund balance into the Sewer Capital Improvement for the match for the grant?

Amell: Sure. I'm okay with it. As you point out, now that we know the \$5,000 is the max is what we are facing, then I am okay with it.

Winemiller: Joe, how do you feel?

Bates: I think I am okay with it, Davina. It looks like we will be fine, as long as the max is going to be the \$5,000.

Jennifer: I'm okay with it as well.

Karl: The max being the \$5,000, then I am absolutely okay with it.

Winemiller: So, Anna and Rob, do you want to give us a quick rundown of what the timeline is that we are looking at now for the grant process?

Rob Wick: Yes, sure. I can speak to that. We have I believe already, another Public Hearing scheduled for this particular OCR grant packet. This particular grant will be due the first week of March. We will get that submitted. We don't really know when we are going to be hearing back on the grant awards for this particular program. As I mentioned the last time we met, these grants that kind of came up available to apply for were a bit of a surprise because they were outside the time frame as to when the State opens these up. So, we are going to assume that it is going to probably be around June or July when we hear back on when these grants are going to be awarded. Because we have also heard from other funding agencies within the state, that they are kind of optimistic about having another round of funding this summer. That was not something we were aware of the last time we spoke. So, I bring that up only to mention that it is possible we could apply again, if for whatever reason we were unsuccessful this round. We can keep it on the back burner for a possible plan B. Usually there is a grant award made, let's assume in June or July. It takes a couple of months to get through the minutia and paperwork that the state requires to execute the agreements and then be able to move forward into having access on those funds; to be able to draw down and get reimbursements for money you have already spent. That's probably going to be August or September before the grant funds would be accessible. That kind of falls into being able to launch into the final design with AES commission to move into the final design of the disinfection phase. We want to keep that running in parallel with AES being able to move forward and our office helping the town get through all the minutia getting access to all your grant funds. Our goal or timeline we put together is hopefully being able to bid this project out hopefully this time next year. That will allow us to take advantage of the construction season next year and use your existing DEC grant for the disinfection as well as this OCR grant and meet the public constraints you are under right now with DEC. We are looking at the completed construction by the end of Spring of 2023. Right now, the constraint date that we are trying to work backwards from: DEC wanted the seasonal disinfection online in May of 2023, so that is the goal that we are working backwards from.

Winemiller: Ok. I did briefly speak with Anna today about a letter to Rob Streeter. Anna can you explain that to the Board?

Anna Reynolds: Sure. The SPEDES permit schedule A deadline had planned seasonal disinfection was due December 31, 2020. We know the background of this; as the phosphorus limits came in and so we weren't able to move forward with the DEC. Rob Streeter contacted us today and had asked for a letter requesting an extension of the deadline for the plans and said they are going to work with us. We will request an extension and then still have that deadline for the construction for Spring of 2023.

Winemiller: Ok. Perfect. Thank you so much for all your hard work on our behalf. It is so truly appreciated. We are incredibly grateful to the Essex County Planning Department; Anna, Rob and Jess, you just bend over backwards to help us out. We are just truly, truly, grateful for your expertise and assistance.

Jennifer Fuller: Yes, thank you both very much.

Winemiller: Are there were any questions for Anna and Rob?

There were none.

## HIGHWAY DEPARTMENT MONTHLY REPORT

Highway Superintendent Douglas Snickles submitted the following written report to the Board:

### Town of St. Armand Highway Report for the February 9, 2021 Board Meeting

We have been busy plowing and sanding just about every day.

- 1) We have been busy plowing and sanding just about every day.
- 2) We have been keeping up with keeping the sidewalks and fire hydrants clear.  
There have been no major breakdowns. Everything has been running good so far.
- 3) We received a phone call from someone asking why we don't pick up the snow from the sidewalks like we used to.
- 4) We bought the snowblower to try and save people from shoveling the ends of their driveways every time we plow the roads. I understand some people don't want snow blown on their lawns, but we try to pick the best spots to do so. We do still pick up the snow when we can relieve a dump truck, the loader, and the men. It takes all of us to do so. The snowblower was also purchased to try and keep the heavy equipment off of the sidewalks as much as possible.
- 5) The sand pile is holding up well, even from having to use it every day. No salt has been used yet.
- 6) C'mon Spring!!

Winemiller: Does anyone have any questions for Highway?

There were none.

## WATER DEPARTMENT MONTHLY REPORT

Cory Skiff submitted the following written report to the Board.

### Town of St. Armand Water Report for the February 9, 2021 Board Meeting

- 1/6/21: Monthly sample sent to lab.
- 1/11/21: Turned water back on at 70 River road after the plumber installed a new water meter.
- 1/18/21: Checked the quarterly water reading list from Barb.  
Dropped off a copy and discussed the results of the lead water test with Dean Everritt.
- 1/20/21: Picked up sample bottles for our Dioxane test.
- 1/21/21: Picked up more chlorine from Hulbert's for treatment purposes.  
Talked to Gunners Supply about different codes on some of the Badger water readers.
- 1/26/21: Turned off water at 70 River road.
- 1/27/21: Reinstalled the water reader at 36 Blue Spruce way. (Owner plowed and knocked it off)
- 1/28/21: Talked to Dave Bickford (plumber) about installing a new water service at 22 Poplar Lane.  
I checked the reader at 36 Blue Spruce way, and found it was not working.
- 1/29/21: Dropped off a new reader at 36 Blue Spruce way.  
There was no water at 42 Maple lane. I checked under the house and found the water was frozen just above the slab. The homeowners brother came over and thawed the pipes out.

Winemiller: Does anyone have any questions for Water?  
There were none.

## CODE ENFORCEMENT OFFICER'S MONTHLY REPORT

Code Enforcement Officer Derrick Martineau presented the following report to the Board:

### Town of St. Armand Code Enforcement Officer Report for the February 9, 2021 Board Meeting

1. Permits issued: 2
2. Answered 14 phone calls and 7 emails.

Martineau: I did speak with Mrs. Fisher about the Dollar General. We are going to meet and look at the plans to see what her concerns are.

3. Davina and I have had numerous meetings and continuous communication with the Town's attorneys to keep things moving forward with the Gladd property. I have written a report to the Town Board asking that they invoke Town's Unsafe Structure law.
4. I am continuing to work with Dollar General on the new store.
5. I am continuing inspections.
6. I am working on end of year State and FEMA reports.

Winemiller: Does anyone have any questions for Derrick?

Warrene McCarthy: Derrick, I was just wondering what the timeline is on the Gladd property after the public hearing?

Martineau: That is hard to say right now and the only reason I say that is with the whole COVID thing, it could be a little more difficult getting him out of the residence than it normally would be. Because, there is a moratorium on evictions and things like that. It is supposed to only be COVID related, but I have seen in a couple of other instances that I have dealt with in other areas where it is a lot harder to get people out. We are going to try and make it as quick as we possibly can, because I do fear for the safety, number one, of the people there, and number two, it is an eyesore and a problem that I want to get rid of.

McCarthy: So, I guess what you are saying is it could still be months.

Martineau: It could be. I am hoping not, but that is a real possibility.

Winemiller: Any other questions?

Justyna Babcock: I have a question. Can you tell us a little bit more about the Dollar General? Is there a timeline or are they decided?

Martineau: They were hoping to try and start the project mid-March, but it is all weather-dependent. Now that we have gotten all this snow, we are thinking it is going to be pushed more toward April. I believe they still have to do the closing with the property owner.

Babcock: Where is it located?

Winemiller: It is just past Niederbuhl's wood lot on Route 3. Are there any more questions?

There were none.

## TOWN JUSTICE REPORT

Town Justice Frank Whitelaw submitted the following written report to the Board:

### Town of St. Armand Justice Report for the February 9, 2021 Regular Board Meeting

Town Justice Francis Whitelaw assumed the bench on January 1st. North Elba Town Court clerk Victoria Duffy stayed on at the judge's request until January 15th, to teach him the clerical duties of the office. She was extremely skilled and efficient as a clerk, making the transition very smooth. The services of Judge Dean Dietrich and Ms. Duffy are greatly appreciated.

Approximately 375 open and pending cases have been transferred to Judge Whitelaw.

The court is mailing out reminder letters to those who have not answered tickets or those who have not paid their fines. Many of these date back several years. The responses are encouraging. Many of these cases require a DMV search to determine current addresses. The courts are currently prohibited from suspending licenses or operating privileges, due to COVID amnesty. Normally, failure to answer a summons or to pay a fine would result in a suspension. The reminder letters being sent out do warn recipients that their license or operating privilege may be suspended if they fail to respond, since the amnesty is only temporary.

JANUARY 2021 FINES and SURCHARGES: \$2,869.00

The courts remain closed for in-person appearances until further notice, due to COVID, per the order of the 4th Judicial District. Once in-person appearances resume, the court will operate EVERY Friday from 10:00am until 3:00pm, as opposed to the normal 1st and 3rd Fridays of the month, until the backlog is significantly reduced.

Winemiller: Any questions regarding the Justice Court report?  
There were none.

RESOLUTIONS # 29, # 31 - # 34

\*\*\* This Resolution, # 29 of 2021 was tabled until the February 9, 2021 Regular Board Meeting \*\*\*

RESOLUTION # 29 OF 2021

RESOLUTION TRANSFERRING FUNDS FROM THE UNRESERVED WASTEWATER FUND BALANCE TO THE CAPTIATL RESERVE "WASTEWATER IMPROVEMENTS" FUND OF THE TOWN OF ST. ARMAND UNDER SECTION 6-C OF THE GENERAL MUNICIPAL LAW"

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

The Town of St. Armand, duly convened in a Special Board Meeting session, does hereby resolve as follows:

SECTION 1. RESOLVED that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Wastewater Capital Reserve Improvement Fund." The purpose of this Reserve Fund is to accumulate monies to finance the costs of matching grant funds.

SECTION 2. Such fund is to be known as the "Wastewater Capital Reserve Improvement Fund of the Town of St. Armand."

SECTION 3. The Town Supervisor is hereby directed to transfer monies in the amount of \$24,000.00 of the Unreserved Wastewater fund balance in the manner provided by Section 10 of the General Municipal Law. The Supervisor may invest the monies in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, consistent with the investment policy of the Town of St. Armand. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Reserve Fund. The Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the cash and investments of the Reserve Fund.

SECTION 4. Out of the surplus monies of said district now on hand for the year 2021 and not otherwise appropriated, the sum of \$ 24,000.00 is hereby appropriated for Reserve Fund and the Supervisor is hereby authorized, empowered and directed to transfer from surplus monies of said district the sum of \$24,000.00 to the fund.

SECTION 5. Such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 6. The monies in the fund shall be deposited in a separate account.

SECTION 7. Except as otherwise provided by Section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from the Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by Section 6-c of the General Municipal including permissive referendum, if required by law.

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

Dated: February 9, 2021

\_\_\_\_\_  
Barbara J. Darrah  
St. Armand Town Clerk

RESOLUTION # 31 OF 2021

TOWN OF ST. ARMAND TOWN BOARD  
APPROVAL TO ACCEPT PROPOSED  
ARCHITECTURAL SERVICES FROM ARCHITECT  
FRED KEIL, FOR A HANDICAPPED LIFT  
BETWEEN THE FIRST AND SECOND FLOOR  
OF THE TOWN HALL

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

WHEREAS, the Town of St. Armand is seeking grant funds to install a handicapped lift between the first and second floor of the Town Hall, and

WHEREAS, the Essex County Community Resources staff will prepare the grant application, and

WHEREAS, the Town Board of the Town of St. Armand does understand the need for architectural services in regard to proper construction for the handicapped lift to be installed.

THEREFORE, LET IT BE RESOLVED the Town Board of the Town of St. Armand does hereby approve the architectural services proposal submitted by Fred Keil, Architect, in the amount of \$5,000.

This Resolution was duly seconded by Councilperson Donald Amell 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: February 9, 2021

\_\_\_\_\_  
Barbara J. Darrah  
St. Armand Town Clerk

Supervisor Winemiller opened the floor to Kerry Crowningshield, Lake Placid Land Conservancy to address the Board regarding a resolution of approval for the Lake Placid Land Conservancy’s project to purchase the former Camp Woodsmoke located on the Town’s Echo Bay property.

Kerry Crowningshield: Hello. What we are looking for is a ten and ½ acre property located at the north end of Lake Placid along Echo Bay, just over the St. Armand town line. There is a series of properties there. The property came up for sale in August. It has been on our radar for quite a few years now in terms of its importance of conservation due to its remoteness. There is approximately 1,300 feet of shoreline on Lake Placid. It is a drinking water source for Lake Placid. So, that is for water quality protection. There is 850’ of Falls Brook tributary to Lake Placid that flows in there. That is a cold- water fishery, Brooks Browning habitat, and that is pretty close to the mouth of the tributary. It is kind of pristine in the fact there is no impediments and no dam that is noted there, so it is an important habitat to protect for spawning habitat for trout.

Above that, most of the development there was previous use was for Camp Woodsmoke, which was a kids camp for about 50 years that went out in the 2010’s. For a number of years that is where kids went there, generation after generation and created a nice connection to the Adirondacks and cared for our environment and learned how to fish and enjoy our resources. When this property came up for sale, we immediately reached out to the seller because we were interested in purchasing it for permanent protection. What that means is we have reached out to the State of New York. Our intention for Lake Placid Lake Conservancy is to fundraise to purchase the property and over the course of the next five plus years, we would like to give to the state as part of the Forest preserve. The reason is for that it is adjacent to state land and the highest and best use due to its remoteness is to not build a large boathouse structure, which the representation is pictured on the screen. The current owner applied for and received a permit to build a nearly 8,0000 square-foot boathouse on that

property and that happened just before the APA increased their regulations so that shortly after that no structure of that size could ever be built in the Adirondacks on the lake front, just due to its size. With the property goes the right to build that kind of massive structure. It is important to us because #1, we worry about water quality protection for Lake Placid, and #2, it's the scenic views, one of which is of Whiteface Mountain overlooking the McKenzie Mountain wilderness and the Town of St. Armand land, of which this sits. If that boathouse were to be built, it would be a pretty big obstruction for that scenic view that people love, appreciate and enjoy and come there to see. In addition to the ecological value, it is hard to draw a straight line on all of the impacts, I think tourism it would have an impact, as it wouldn't have quite that wild character feel at the northern end of Lake Placid if you have a massive boat house directly in front of that view.

We are essentially here tonight because we are looking for your support in this project. We know it is in the Town of St. Armand. We have reached out to some folks that live on the lake. Unfortunately, it is not a typical project where it is right next to a roadside or trailhead, where we could reach out to neighbors that live in St. Armand. One of the neighbors to the north and east is state land, so there are no neighbors to reach out to there. We have reached out to the current owner of the land who is supportive of this becoming part of the State forest preserve eventually to conserve it, as well as other folks who are supportive of the property and have donated toward the purchase of it, if we are successful.

A big piece of why we are seeking Town support is that #1, we want to be a good neighbor and obviously work within the confines of the Town of St. Armand and we want this to be a good collaborative project for us. Also, the State of New York has given a letter of intent that they are interested in the property, meaning that according to the NYS open space conservation plan, it kicks all the boxes for lands that should be conserved. The ecological value is there. The potential is that for this type of project, we fundraise as much as we can for this type of purchase, but obviously it is a higher price tag for a small organization, so the potential is that the State could reimburse us for some of our costs that are outstanding. There are buildings on the property that in various states of disrepair. In order for it to be transferred to state land all of those structures would have to be removed, including the boat house structures that are currently in place, that are considered an eyesore by a lot of people. Part of the deal with that reimbursement piece is state funding for this reimbursement would come from the Environmental Protection fund. That pot of money essentially drives a lot of conservation projects. In order for the State to reimburse us, any projects should be approved by any towns. That is where you come into play. It also helps to free up other potential sources of funding, as well. Other conservation groups and other lenders, they also follow suit in that chain of command meaning that their lending to us is based on the fact that the State is interested, and the Town is supportive of the project. We want to be good neighbors and do a good supportive project. Our outcome for this type of deal: It's pretty remote; direct access there would be by limited to boat, but it would be an additional access point, eventually for people to pull up in a canoe or kayak to a primitive dock and happen onto current trails that are there that lead up to the Whiteface landing. It would also be an educational point to talk a little bit of history of the property and say that any properties closer to the lake that fall along the old shore owners' association trail is actually private land. There is no signage there now, so there is a little confusion about whether people are allowed to walk there or not. It would be a great opportunity to inform the public about the use of the land and what is considered private and public. There is also the sentimental piece to it as well. A lot of folks from Camp Woodsmoke grew up going there, generation after generation and they would say that they would love to be able to relive the fond memories of the past and us being able to create that opportunity. It would be super valuable for the community. I think that pretty much sums up what I would like to share. I have a few board members online here, and I wonder if they would like to share anything? (There was no comments). Kerry thanked the Town Board for their time.

Winemiller offered the floor to any other comments of support of this project. One Lake Placid Land Conservancy Board member expressed the beauty of the area and her support for the development of others' enjoyment of the property.

Winemiller: Is there anyone who would like to speak regarding supporting the Lake Placid Land Conservancy? There were none.

Winemiller: I am going to take this opportunity to speak about this. I will state unequivocally right now that this is my personal opinion and after I am done speaking, I am going to call on each board member individually to express their personal opinions about this. I think it is telling what was just mentioned about the amount of state land. One thing that I do know is the Town of St. Armand is approximately 57 square miles and approximately 40 square miles of that is state land. (Winemiller indicated a map on the screen where Camp Woodsmoke is located). This map is directly from the Adirondack Park Agency. You can see that we have a ton of wilderness and wild forest. There is not a lot of land left with actual full tax valuation rates. (Winemiller then displayed a property tax document on the screen). I took the 2021 tax bills for Camp Woodsmoke property right now. The land taxes that they pay on the 4 parcels is \$25,784.55 and the school taxes that they pay is \$32,608.04. I reached out to Dave Wainright, who is the Director of Essex County Real Property, in order to determine what this would mean to the tax base of St. Armand, if Camp Woodsmoke were to become state land. As Kerry explained earlier, the Lake Placid Land Conservancy plans on taking over the property for up to about five years while they remove all the structures in order for it to be considered forever wild. The Lake Placid Land Conservancy is a tax-exempt organization, so during that time the Town of St. Armand and the Saranac Lake School District would get little to no tax for those years that the Lake Placid Land Conservancy held the property. After that, I asked Dave to try and estimate what the State of New York would actually pay to the Town of St. Armand in that land tax. He took a look at several different properties and he estimated approximately \$8,225.00 per year is what the State of New York would pay to the Town of St. Armand, if they took it over and all of the buildings were removed, and it was forever wild. He did stress that this was an estimate. The State of New York does have their own way of assessing property and they would assign the value based on their metrics, not on our metrics. So, right now the property is assessed at 3.2 million, and that would definitely go down if the building were removed. I do understand the need to preserve the Adirondacks, but as I said before, the State already owns 40 square miles of St. Armand and the taxes that the other residents of St. Armand would have to pay; I mean we are talking about \$100,000 in just five years. It really would

put a huge tax burden on the other residents. It is important to note that Kerry did also state that this property is boat access only, and it is beautiful. But it is a five-mile boat ride from the boat launch to the property. Most people in St. Armand are not going to be going there and utilizing that state land. Yes, we would probably have visitors go there, and yes, the adjacent property owners would absolutely love that. I can understand their glee in the possibility of this happening. I personally do not support this because the way I am looking at this, the tax paying citizens of St. Armand lose out three different ways: Land taxes would increase, school taxes would increase, and then once New York State took it over, not only would the state reimburse the LPLC for their several hundred thousand dollars, I have no idea exactly how much it would be, I don't know if Kerry even knows at this point, what they expect to be reimbursed for, but then the citizens are paying that again as a NYS resident paying taxes. So, for that reason alone, I can't personally support it, but I am going to ask the Board members. Joe Bates, what do you think?

Joe Bates: Davina, I think you summed it all up. The main thing is the burden it would put on our residents in the Town of St. Armand tax-wise. I don't see the property after all the demolition and buildings are gone being a big tourist draw. It is going to be a draw probably for the Lake Placid residents. It is going to be absolutely zero benefit to the Town of St. Armand. I have to say no.

Don Amell: I am of the same opinion as you and Joe, Davina. The map is just too bad for the Town of St. Armand's taxpayers.

Jennifer Fuller: I would have to agree. I think as Board members it is our job to look out for our constituency here in the town. We have to do what is in the best interest for them. If it means increasing taxes, I cannot support that. I do thank you for your time, Kerry.

Karl Law: Likewise. Based off all the information that you've provided, and Joe summed it up saying it best with the burden falls completely on the taxpayers of the Town St. Armand. At this time, I have to say no, as well.

Winemiller: So let's move into Resolution # 32 of 2021. This is a Board's decision to approve the Conservancy's efforts to purchase the former Camp Woodsmoke. Does anyone make a motion?

**\*All members of the St. Armand Town Board were offered the floor to make a motion for this Resolution, # 32 of 2020\* \*\***

<b>Supervisor Davina Winemiller</b>	<b>NAY</b>
<b>Deputy Supervisor D. Joseph Bates</b>	<b>NAY</b>
<b>Councilperson Donald Amell</b>	<b>NAY</b>
<b>Councilperson Jennifer Fuller</b>	<b>NAY</b>
<b>Councilperson Karl Law</b>	<b>NAY</b>

RESOLUTION # 32 OF 2021

ST. ARMAND TOWN BOARD DECISION TO APPROVE THE LAKE PLACID LAND CONSERVANCY'S EFFORTS TO PURCHASE THE FORMER CAMP WOODSMOKE LOCATED ON THE TOWN OF ST. ARMAND ECHO BAY PROPERTY

WHEREAS, the Lake Placid Land Conservancy has submitted a request for support from the St. Armand Town Board in their efforts to purchase four parcels of land, tax map #33.8-2-10.000, 33.8-2-11.000, 33.8-2-12.000, 33.8-2-13.000, totaling 10.24 acres of land with 1,294 feet of Lake Placid shoreline, and

WHEREAS, the Lake Placid Land Conservancy has expressed interest in donating the above-mentioned property to the State of New York in order for the land to be turned into "forever wild" land in the Adirondack Park, and

WHEREAS, the Town of St. Armand has received several letters of support from area property owners expressing their approval of such conveyance.

THEREFORE, LET IT BE RESOLVED, that the Town Board of the Town of St. Armand hereby states that they approve of the request from the Lake Placid Land Conservancy, and further fully support such gift of land to the State of New York.

**\*\* THIS RESOLUTION, #32 OF 2021, FAILED TO BE MOVED FOR INTRODUCTION FOR ADOPTION\*\***

Dated February 9, 2021

\_\_\_\_\_  
Barbara J. Darrah  
St. Armand Town Clerk

RESOLUTION # 33 OF 2021

ST. ARMAND TOWN BOARD DECISION TO OPPOSE THE LAKE PLACID LAND CONSERVANCY'S EFFORTS TO PURCHASE

THE FORMER CAMP WOODSMOKE  
LOCATED ON THE TOWN OF ST. ARMAND  
ECHO BAY PROPERTY

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

WHEREAS, the Lake Placid Land Conservancy has submitted a request for support from the St. Armand Town Board in their efforts to purchase four parcels of land, tax map #33.8-2-10.000, 33.8-2-11.000, 33.8-2-12.000, 33.8-2-13.000, totaling 10.24 acres of land with 1,294 feet of Lake Placid shoreline, and

WHEREAS, the Lake Placid Land Conservancy has expressed interest in donating the above-mentioned property to the State of New York in order for the land to be turned into “forever wild” land in the Adirondack Park, and

WHEREAS, the Town of St. Armand has carefully reviewed the request by the Lake Placid Land Conservancy and has taken into account several letters of support by adjacent property owners, and

WHEREAS, it is the opinion of the St. Armand Town Board that this project should not move forward as it will negatively impact the majority of the tax paying property owners in the Town of St. Armand by the loss of tax revenue on such parcels, and

WHEREAS, it is the opinion of the St. Armand Town Board that while “forever wild” lands in the Adirondack Park are necessary and imperative to the Adirondacks, this particular site of “forever wild” land would only benefit a few select individuals near the Echo Bay location, and

WHEREAS, the State of New York is currently in a state of dire financial deficit and is struggling to properly maintain their current vast land holdings, and further, the number of forest rangers that are currently employed by the DEC has been deemed inadequate and more state land would further exasperate the need for more DEC forest rangers.

THEREFORE, LET IT BE RESOLVED, that the Town Board of the Town of St. Armand hereby states that they do not approve of the request from the Lake Placid Land Conservancy, and further do not support such gift of land to the State of New York.

This Resolution, #33 of 2021, 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 February 9, 2021

---

Barbara J. Darrah  
St. Armand Town Clerk

RESOLUTION # 34 OF 2021

RESOLUTION TO DECLARE A BUILDING UNSAFE  
AND DANGEROUS AND PROCEDURE TO ORDER  
ITS IMMEDIATE DEMOLITION PURSUANT TO THE  
TOWN OF ST. ARMAND’S UNSAFE BUILDINGS LAW

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,

WHEREAS pursuant to the 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 (hereinafter referred to as the “Unsafe Buildings Law”), the Town Board of the Town of St. Armand (hereinafter referred to as the “Town Board”) having received and reviewed the findings of the Building Inspector and Code Enforcement Officer of the Town of St. Armand (hereinafter referred to as “Code Enforcement Officer”), and;

WHEREAS the Town Board has reviewed the Report of the Code Enforcement Officer, dated February 5, 2021 (hereinafter referred to as the “Report”) regarding the unsafe buildings located at 10 School Street, Town of St. Armand, County of Essex, State of New York, bearing the tax parcel number 13.65-1-5.000, having the street address of 10 School Street, Bloomingdale, New York 12913 and owned by Mr. Monroe Gladd (hereinafter referred to as the “Gladd residence”), and;

WHEREAS the Town Board incorporates by reference the Code Enforcement Officer’s Report into this Resolution, and;

WHEREAS the Report describes the years-long history of problems with unsafe buildings at the Gladd residence and shows that Mr. Gladd has failed to remedy any of these problem for at least six (6) years, and;

WHEREAS the Report details the increasingly unsafe building conditions at the Gladd residence, which are violations of the Town's Unsafe Buildings Law, including: a deteriorated roof in risk of collapse; garbage, construction debris, and unlicensed and unregistered vehicles scattered throughout the residence; parts of buildings that are rotting and likely to fall off completely; additions to the buildings that were not permitted by the Town, nor built to code, and for which certificates of occupancy were never issued, among other violations, and;

WHEREAS Mr. Gladd is now the subject of a criminal matter in the Justice Court of the Town of North Elba for his repeated violations of the Town's building and land use laws, the New York State Building Code and the New York State Building and Fire Prevention Code, and;

WHEREAS Mr. Gladd entered into a plea agreement to remedy all violations no later than July 31, 2019, and has failed to do so;

Sufficient cause appearing therefor, THE TOWN BOARD OF THE TOWN OF ST. ARMAND HEREBY RESOLVES AS FOLLOWS:

BE IT RESOLVED that pursuant to the Town's Unsafe Buildings Law, Section 6 (Notice - Contents), Notice shall hereby be given to MONROE GLADD, the owner of the buildings and property located at 10 School Street, Town of St. Armand, County of Essex, State of New York, bearing the tax parcel number 13.65-1-5.000, having the street address of 10 School Street, Bloomingdale, New York 12913 of a Hearing before the Town Board of the Town of St. Armand shall be scheduled on:

Tuesday, February 23rd, 2021 at 6:30 pm

in relation to the unsafe buildings described hereinabove, and such hearing shall be held in accordance with Section 12 of the Town's Unsafe Buildings Law, and directly following the Hearing, a Special Board Meeting shall be conducted in reference to Hearing.

BE IT FURTHER RESOLVED that pursuant to the Town's Unsafe Buildings Law, Notice shall be served by personal service in accordance with Section 7 (Service of Notice), and;

BE IT FURTHER RESOLVED that a copy of the Notice served shall be filed in the Office of the Essex County Clerk of the County of Essex, New York, and;

BE IT FURTHER RESOLVED that the Clerk of the Town of St. Armand shall publish a notice of such hearing in the designated Town newspaper at least five (5) days prior to the hearing described herein above;

This Resolution was duly seconded by Councilperson Karl Law, 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

Dated: February 9, 2021

\_\_\_\_\_  
Barbara J. Darrah  
St. Armond Town Clerk

STATE OF NEW YORK  
County of Essex, Town of St. Armand

I, Barbara J. Darrah, Town Clerk of the Town of St. Armand, Essex County, New York, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at 1702 NYS Route 3, Bloomingdale, Essex County, New York, and that the same is a true and correct copy of the original and the whole thereof.

I further certify that all members of the Town Board had proper notice of the meeting at which the Resolution was adopted.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Town of St. Armand this ninth day of February, 2021

-----  
Town Clerk of the Town of St. Armand, Essex County, New York

MOTION TO PAY MONTHLY BILLS

The payment vouchers for February 2021 were presented for the Board’s approval as follows:

- General Vouchers # 38 - # 79 in the amount of \$ 23,554.83
- Trust and Agency Fund Vouchers # 8 - # 11 in the amount of \$ 1,029.86
- Highway Vouchers # 19 - # 31 in the amount of \$ 7,547.95
- Highway Outside Voucher #1 in the amount of \$ 1,239.48
- Water and Sewer Vouchers # 16 - # 28 in the amount of \$ 4,433.39
- Fire Protection Vouchers # 1 - # 4 in the amount of \$ 104,286.80
- Rockledge Water District Voucher # 1 in the amount of \$ 557.86

Winemiller: I wanted to advise you of an error made in January’s Highway Outside Voucher #1 - DB. It should have been coded to Highway Town-wide – DA. The fund coding was corrected the following day.

Deputy Supervisor D. Joseph Bates made the Motion to approve payment of this month’s bills; the Motion was seconded by Councilperson Jennifer Fuller. 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: February 9, 2021

\_\_\_\_\_  
Barbara J. Darrah,  
St. Armand Town Clerk

MONTHLY REPORT FROM THE SUPERVISOR

Supervisor Winemiller presented the Supervisor’s Monthly Report for January 2021. Councilperson Donald Amell made the Motion to approve January’s Supervisor’s Report. The Motion was seconded by Councilperson Karl Law. All in favor. Motion carried.

REVIEW AND MOTION TO APPROVE PREVIOUS MONTH’S MINUTES

Deputy Supervisor D. Joseph Bates made the Motion to approve the Regular Board Meeting Minutes of January 12, 2021 and the Special Board Meeting Minutes of January 26, 2021. The Motion was seconded by Councilperson Donald Amell. All in favor. Motion carried.

TOWN CLERK’S MONTHLY REPORT

Town Clerk Barbara Darrah gave the following report for the month of January 2021:

There were (9) Dog Licenses for January 2021. 4 FS, 5MN	\$ 63.00
Total Revenue Earned	\$ 63.00

Paid to Town Supervisor: \$ 54.00    Paid to NYS Agriculture & Markets: \$ 9.00

WATER AND SEWER BILLING MONTHLY REPORT:

The 1<sup>st</sup> Quarter Water and Sewer Billing was in the amount of \$72,283.17. As of today, the current receivables are \$51,062.17. The bills were mailed on January 19<sup>th</sup>, with a due date of Thursday, February 18, 2021. Just to mention, Governor Cuomo’s Executive Order regarding utilities and late fees continues until March 31, 2021, therefore, late fees will not be applied this quarter for balances past due after February 18<sup>th</sup>.

OLD BUSINESS:

Winemiller: Moody Pond Parking Ticket Volunteers – I had discussed this last month with the Board and you all had some questions. One of the questions was is it a conflict of interest because they live right next to where this parking area

is? I posed the question to Essex County Attorney Dan Manning. I explained the situation. I gave him a copy of the local law and I asked him would this be a conflict of interest for these two gentlemen to volunteer to issue parking tickets? And, his answer was no, with two reasons. A), there is a local law with clear guidelines they would have to follow and B) If it were a conflict of interest, then no one could ever issue parking tickets and live in the same town. So, it is definitely not a conflict of interest. I would definitely do training with them and I would be the only one to make the determination if someone were to be towed. The second question was if they are volunteers, would they be covered by our insurance? I posed the question to Rob Reyell and he said yes. I also asked Essex County, who handles our worker's comp if volunteers would be covered under our Workers Compensation Plan. Their response was yes. I hope that answers the Board's questions. I did ask the two gentlemen if they were still interested. They are willing to give it a try and see how it goes. So, I would like to ask the Board their feelings on this topic. Joe?

D. Joseph Bates: Davina, I am a little concerned with what might possibly escalate into something that we don't really want to be a part of with things getting out of hand. With these people being residents of the Moody Pond area, they might have the possibility of being a little more high-strung than someone else might be.

Not everybody gets ticketed everywhere. There is not always a case of if somebody calls that someone is parked in a no parking zone that you have to get here right away. I don't think so. If you miss some, you miss some. People park all the time, and don't get tickets.

Winemiller: I understand what you are saying. I have talked to these gentlemen many, many, many times. This is not something they want to be over-zealous about and punish, punish, punish. That is not it. That is not who they are and that is not how they operate. They absolutely agreed when I told them I was doing the warning tickets, they thought that was a great idea.....more education rather than immediately writing tickets. I personally feel very confident that these two gentlemen would not be overzealous in the manner that you are concerned about.

Don Amell: I never really have been in favor of the idea of ticketing up there in the first place. I don't know the answer to the idea of putting up blockades. I have never heard otherwise as to why that wouldn't work; blockades, movement of guard rails, get rid of the problem by getting rid of parking.

Winemiller: That is absolutely one of the things that we could do, Don. But, I will tell you right now, that this is what is happening right now. When we are plowing around the pond right now, if people park on the side of the road near the trailhead before we have a chance to plow, they literally stop and park in the road. I have actually issued tickets to people who have literally parked in the road in the month of January. One of them actually wrote a letter complaining and sent a picture of themselves literally parked in the road and stated that it was our fault because we didn't plow. If you guys would prefer to do away with the parking tickets and simply put up guard rails and say no parking, we can do that.

Amell: The reason I mention that is from what I saw on the vouchers today, that is kind of what we are doing anyway.

Winemiller: What do you mean?

Amell: There was a voucher for signs galore up there.

Winemiller: Those are the signs we put in this past Spring.

Amell: Understood. But again, the fact that you can't park there, we are notifying them. You pointed it out, you couldn't handle it over the summer.

Winemiller: It is not that I couldn't handle it, it is that I didn't get a day off for 53 days. It wasn't that I couldn't handle the job.

Amell: Again, let's take the people out of it. Let's talk about the function That is my opinion. I think it should be blocked.

Winemiller: If we do that..... Right now there is legal parking for 10 or 12 cars on the Town of St. Armand side. If we put up guardrails, and make it so no one can park there, I am telling you right now, people are going to park in the road and it is going to be worse than it is now.

Amell: If someone parks in the road, whose jurisdiction is it now? If someone parks in the road, doesn't that become a State Police issue?

Winemiller: No, sir. They will not deal with it.

Amell: That really wasn't where my question was going. If we put up guardrails and someone parks in the road. Let's say they park in the road and someone hits them, isn't that a police issue?

Amell: If we put up guard rails and prohibit parking, isn't this something the police would handle?

Winemiller: I will speak to this because I do have a little experience with this. The Village of Saranac Lake police will not because it is the Town of St. Armand. The State Police have been called there many times before and they say it is up to the Essex County Sheriff. The Essex County Sheriff is in Elizabethtown and when called they will get there in a couple of hours. By the time they get there, the car is gone. I understand what you are saying Don. And I am not going to keep us on this too much longer here. Can we put this on the agenda before for the 23<sup>rd</sup> after the Public Hearing? We can discuss it a little more in depth. Maybe I can get Brian Goetz or Sheriff Reynolds to come on and speak to us, as well.

Amell: Okay with me.

Karl Law: I second that idea, as well. We can get a little more information on it. It is clear we have to address the issue at hand and take care of the property owners up there and try not to stop the flow of traffic. Whatever way is the best way of doing that, I'm not sure. I'm not opposed to Don.

Winemiller: Don is raising some good points and I do want to explore that further.

The Board agreed.

Winemiller: We will start the Special Board Meeting at 6:00 pm on the 23<sup>rd</sup> and then the Public Hearing at 6:30 pm.

Winemiller: Solar Farming Local Law Update: The Board members had asked me to reach out to the two local farms that we have. Jacob Vennie-Vollrath owns Moonstone Farm on route 3, and the Trudeaus own the potato field also on Route 3. I asked their opinions on the local law. They were both opposed to it. I found the reasoning intriguing. Jacob informed me they are finding big solar farms out west are actually having huge success with being a solar farm and being

a vegetable farm. Some of the products actually grow better under the solar panels. Watermelons, cantaloupe particularly are thriving. He did not want to be boxed out of having solar panels as part of his farm. I spoke with Mrs. Carolyn Trudeau and she was very opposed to the Town proceeding with the local law.

Bates: I have to agree with both of them. The other reason for that is with this new carbon emission tax that is probably going into effect, how can you eliminate or ignore the solar form of energy? I am against telling someone they can't do something on their own property within reason.

Winemiller: I concur. Are any of the Board members opposed to just dropping the solar local law?

Jennifer Fuller: No. I agree.

Don Amell: Same here. Drop it.

Donna Bramer: Davina, can I ask a question? There already are laws on the books for people who want to have solar. They get a solar credit on their tax returns. I would just want St. Armand to be careful about these huge solar farms coming in and taking up large areas. Are you talking about just regular residents having solar panels on their property or are you talking about big lots of solar panels?

Winemiller: The Solar local law was something Essex County suggested that we look into. What they were referring to was solar farms taking over key agriculture land.

Bramer: Exactly. Can you imagine going down Route 3 by the bus garage and seeing rows and rows of solar panels. We don't know how solar panels affect the market, so we are not assessing them on private properties. To me, a solar farm, is a whole field of solar panels. Like the whole potato field being all solar panels.

I think we need to tread carefully on this, to make sure we don't let these big solar farms come in.

Amell: The original proposal we heard about was concerning restricting farms and farmland from solar farms. My understanding is farms in the United States are struggling. I can't see putting restrictions on them in putting up solar arrays to alleviate some of that loss.

Bramer: I am talking about outsiders coming in and buying farms. I am not talking about your regular farmer. I am talking about big, huge solar farms.

Winemiller: The only one we haven't heard from is Karl? So, Joe, Don and Jen are all in agreement that we should drop the proposed solar local law. I want to get Karl's input.

Karl Law: With you reaching out to the local farmers and getting their input, which is greatly appreciated, I am going to agree with the rest of the Board members on this at this point in time, to drop it. Having said that, I do hear Donna's concerns and I cannot imagine driving by the bus garage, I can't imagine seeing that entire field covered with them. So maybe down the road, maybe coming up with a compromise, something a little more specific or size-wise for the Town to pass a Resolution on. Would that be possible?

Winemiller: Sure. Derrick, are you still here?

Martineau: Yes, I am.

Winemiller: Can you tell us if there are any building code regulations regarding this?

Martineau: Not at this time. As long as there are no local laws and if the APA agrees with it, they can come in and do pretty much do what they want to do, as long as there are no wetlands. There are no height issues or anything. There was one company that reached out back a few months and questioned about doing this. They had a pretty decent-sized solar array that they had planned on doing to feed back to the power company. I haven't heard anymore from them. They were checking to see if the town had any local laws against them at this point.

Winemiller: Would the Board members be opposed if I did a little bit more research and talk about this? Do you want me to pursue it at all?

Jennifer Fuller: I am going to agree with Karl. I do think we need to look into this a little more and perhaps need to discuss further.

Winemiller: All right. I am going to go ahead and table this and do a little more research and we can discuss this further on March 9<sup>th</sup>.

Martineau: Davina, I will also get in contact with that company to see if they have any further plans and just get a better feel for what they were talking about doing and where so I can give you a heads-up on that, as well.

Bramer: And Davina, I will get reach out to the Ticonderoga assessor because I believe there were a couple of solar farms that went in in Ticonderoga and I will talk to her about that, as well.

Winemiller: All right. That sounds great. So, Derrick, Donna and I will speak about this before the next meeting in March and I will report back to the Board on March 9<sup>th</sup>.

Winemiller: Youth Field Youth Building Update: (Winemiller referred to documents regarding the on the screen). I actually had an epiphany. I was thinking about a way that we could make this have a little bit more room for the ice skating oval. Originally, when I proposed it, it was smaller, and now it could look like this (showing a new sketch). One of the other things the youth task force wanted was a snack bar area, where if there were special events, we could sell food, and hot dogs, or whatever. There would also be a space for equipment storage; an area to hold ice skates, hockey equipment, roller blades, and things like that. I did reach out to the Bloomingdale Boosters. I gave them this example. They loved it. They thought it was a great idea. They thought it would be a great addition to the park. They thought it was a great location. They asked when there were baseball games if we could open it up and make sure the kids and parents could use the space, so if it were too sunny or if it was raining, they could use it. I reached out to Kevin Woodruff, Fire Chief for Bloomingdale. I asked him his thoughts on this. He brought it up before the fire department members.

The only concern he had was where they had put in an underground propane tank. He wanted to make sure we put in additional drainage in that area so it would not run down the hill. They had no objections.

I am bringing this back to the Town Board and asking your opinion and if you all agree, then the Youth Task Force will begin the process and start fundraising in order to build this building. Joe Bates, what do you think?

D. Joseph Bates: I think it's a grand idea as long as the fire department and the Youth Commission are all good with its location and none of the funds for its construction are not coming out of the taxpayers, it's all good.

Donald Amell: As long as, like Joe says, the Fire Department and the Boosters are good with it, I have no problem.

Jennifer Fuller: I think it's a great idea. Remind me who is raising the funds again?

Winemiller: It's the St. Armand Youth Task Force. We are actually becoming a not-for-profit organization. This is not going to cost the Town any money. We are going to fundraise for the building. It will cost the town to maintain it. As we are collecting funds, we will put the money collected into the Class funds to earn interest, but it will not cost the taxpayers anything. It will not cost the taxpayer for the building.

Jennifer Fuller: Ok. I am good with it.

Karl Law: The last time we spoke about it, the concerns were hearing the Fire Department's thoughts or concerns. It sounds like you did that and it's great to hear the Boosters are on board with it. It sounds good to me.

I really like the new layout. You made the remark of while baseball games are going on, it will give the opportunity for other kids to do something while the games are going on. Davina, didn't we have a generous donation a few years ago that we could use toward this?

Winemiller: We had a donation of about \$20,000. We have slowly chipped away at that, doing a lot of repairs and maintenance and upgrades there. We have \$5,020.00. We don't have a ton of money left in that youth program fund. Certainly, we can use that for something specific, if that's what you choose. Maybe the Town wants to buy the mats for the walkways or something.

Bramer: Davina, could the Roost money be used for this?

Winemiller: No. The Roost money is a payment. The money has to specifically be used for an event or bringing tourism to the town. I specifically asked Jim McKenna if the money could be used for a Veterans Memorial, and he said yes to that, because large groups of people travel to different towns to visit Veterans Memorials. Another thing that the St. Armand youth task force wants to do is a local block party. I planned on talking about the block party at the March 9<sup>th</sup> meeting. The town can donate some of that Roost money to the youth task force to promote that block party.

Does anyone have any more questions about this?

There were none.

Winemiller: Year-end Report Error: There was an error in the Town Supervisor's year-end report that I wanted to bring to your attention. A journal entry in the amount of \$428.00 was backwards. It was \$428.00 more in garbage and \$428.00 less in interest, but the bottom line remained the same. Are there any questions on that?

There were none.

## NEW BUSINESS

Winemiller: Town Hall Phone System Issues: I wanted to talk to the Board tonight about the Town Hall's phone system. What is happening is the messages are going to the wrong extensions.

Bramer: The phone won't stop ringing. Ringing and ringing and ringing.

Winemiller: Also what is happening is they are going to the wrong extension. The person calling in pushes the button for let's say the judge, and the message is being left on my voice mail. Basically, these phones are really, really old and they are using old technology. The technician came to fix the phones, he told us everything that was wrong and basically said we need a new system. And the repair cost us approximately \$328.00. I have displayed a quote here from Twinstare for a new system. We definitely have the money for a new system. We need to communicate with our constituents.

Don Amell: Are we dealing with Twinstare now?

Winemiller: Yes.

Amell: Then why aren't we looking elsewhere? There are a lot of phone companies out there.

Winemiller: Ok. If the Board has anyone in particular, send me an email. I will get a few more quotes and get back to you on March 9<sup>th</sup>.

Winemiller: Transfer Station Employee Change: Roger Lagree has given his notice. He and Debbie are leaving for Florida and when they return in the summer, he will be working elsewhere. I did get one additional person to fill in, but she is only temporary. I would like to advertise for another person, as well, to ensure coverage.

Winemiller: Town Hall Schedule: I was considering returning the Town Hall back to regular hours starting the week of February 15<sup>th</sup>. The door would remain locked so that we don't have a bunch of visitors except by appointment. I wanted to ask the Board members for their opinions. Is it too soon? What do you think?

Donald Amell: How are the staff in the Town Hall doing for the vaccinations?

Winemiller: Oh, no one has gotten vaccinated yet, Don. We are not even close to being there.

Amell: So I don't think .....

Jennifer Fuller: I think it would be how employees feel. Are they comfortable given they haven't been vaccinated yet?

Would they be comfortable doing that? Kind of get a feel of what people are thinking. Barb, do you have any concerns?

Barb Darrah: Thank you. I do. Being that, and I am going to date myself here, I am over the recommended age. I do have respiratory issues. I know my family is very concerned. I do work from home and try to keep up as much as I can, but I would like to get my vaccinations all set in the timeframe that they are recommending.

Jen fuller: Of course. I agree.

Winemiller: Ok. So why don't we hold off on that, and maybe we will wait and see at the end of March we will talk about it again, and see where we are at with the vaccinations?

Darrah: Yes. Absolutely. I think Don, you mentioned you were looking at March?

Don Amell: Exactly. We just got scheduled for mid-March, that was the soonest we could get in.

Darrah: My antenna is up. I am waiting to hear who has it and when we can get in. That's all.

Winemiller: Ok. We will revisit this at the end of March and see where we are with the vaccinations at that time.

QUESTION OR CONCERNS FROM GUESTS AND STAFF:

Winemiller: Does anyone have any questions or concerns for the Board?  
There were none.

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 Karl Law the Regular Board Meeting adjourned at 8:50 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 Regular Board Meeting minutes held on the above-referenced date.

---

Barbara J. Darrah  
St. Armand Town Clerk

Dated: February 9, 2021