

**Town of Saranac Work Session
May 10, 2021 6PM Town Hall**

Present:

Tim Napper, Supervisor
Gerald Delaney, Councilman
Michele Petrashune, Councilwoman
Tracy Eggleston, Councilman
Jim Facteau, Councilman

Attending: Jim Waldron, Highway Superintendent; Todd Perry; Daisy Filion; Meg Bobbin

Pledge of Allegiance

Meeting called to order at 6:00 PM

Resolution 64-2021

Registrar of Vital Statistics Administrative Leave

Motion by: Jim Facteau

Second by: Gerald Delaney

GERALD DELANEY	YES	
MICHELE PETRASHUNE	YES	
TRACY EGGLESTON	YES	
JIM FACTEAU	YES	
TIMOTHY NAPPER	YES	CARRIED

WHEREAS, Mary Bell is the elected Town Clerk for the Town of Saranac, which includes the title, duties and responsibilities of Registrar of Vital Statistics; and

WHEREAS, on April 29, 2021, NYS Comptroller DiNapoli and Clinton County DA Wylie issued a press release announcing that Mary Bell, in the performance of her official duties as Town Clerk, was indicted for five counts of falsifying business records in the first degree (all class E felonies), one count of corrupting the government in the fourth degree (class E felony) and official misconduct (class A misdemeanor); and

WHEREAS, due to these charges, on May 3, 2021, the Town Board of the Town of Saranac placed Town Clerk Mary Bell and Deputy Town Clerk Leo Bell both on administrative leave; now

THEREFORE BE IT RESOLVED, that the Town Board takes the additional step to include placing Ms. Bell and Mr. Bell on administrative leave under the title of Registrar of Vital Statistics until the aforementioned charges are resolved. During this time on administrative leave, Mrs. Bell will continue to receive her Clerk's salary, however, pursuant to Town Law Section 64, effective immediately and until the aforementioned charges are resolved, Mrs. Bell is prohibited from entering Town of Saranac Town Hall and the Town shall take effective measures to prevent her further access.

Resolution 65-2021

Appointing Deputy Town Clerk and Deputy Registrar of Vital Statistics

Motion by: Michele Petrashune

Second by: Gerald Delaney

GERALD DELANEY	YES	
MICHELE PETRASHUNE	YES	
TRACY EGGLESTON	YES	
JIM FACTEAU	YES	
TIMOTHY NAPPER	YES	CARRIED

WHEREAS, Town Clerk Mary Bell and Deputy Town Clerk Leo Bell have both been placed on administrative leave; now

THEREFORE BE IT RESOLVED, pursuant to Town Law Section 30(10) the Town Board notes that there is no duly appointed and qualified first deputy town clerk present and able to act and therefore the Town Board hereby appoints James E. Facteau as Deputy Town Clerk and Deputy Registrar of Vital Statistics to serve until Mary Bell’s criminal matter is resolved in her favor and she resumes her duties or a new Town Clerk is duly elected and assumes the roles of Town Clerk. The Deputy Town Clerk shall be compensated at a salary to be determined, effective May 11, 2021.

THEREFORE BE IT RESOLVED, that Mr. Facteau take an oath of office within thirty days of this Resolution and that a copy be put in his personnel file.

Call with Sheriff Dave Favro

Supervisor Napper said that Sheriff Dave Favro feels his deputy did a thorough investigation and that there is a liability issue if the board doesn’t pass a resolution prohibiting guns on town property. Supervisor Napper asked for a motion for Resolution 66-2021. Michele made the motion, Tim seconded. Tracy brought up H.R.218 - Law Enforcement Officers Safety Act of 2004, and he said he still doesn’t feel that Sheriff Favro did a thorough enough investigation if he only talked to the defendant and no victims. Further, Tracy said as the resolution is written, anyone can still have a gun on town property in their own vehicle. Michele said the town needs to set the example with firearms prohibition. Discussion ensued about edits to the resolution.

Resolution 66-2021

Prohibit the possession of any firearm on public land and in public buildings

Motion by: Michele Petrashune

Second by: Timothy Napper

GERALD DELANEY	YES	
MICHELE PETRASHUNE	YES	
TRACY EGGLESTON	YES	
JIM FACTEAU	YES	
TIMOTHY NAPPER	YES	CARRIED

WHEREAS, the Town Board of the Town of Saranac (hereafter “Town”), in order to assure the proper protection, health, safety and welfare of persons lawfully in the public buildings and town

vehicles of the Town, and in order to ensure the performance of essential governmental functions by town employees without threat or intimidation to such employees or others, finds it to be in the public interest to prohibit the possession of any firearm on public land and in public buildings; and

WHEREAS, when used in this resolution, the following words and phrases shall have the meanings herein ascribed to them:

CARRY or DISPLAY: The possession or transport by any person of any firearm as hereinafter defined, except where such possession or transportation is consistent with the purpose(s) of an authorized activity or function at the specific town building where such possession occurs.

PERSON: Any person except a police officer or peace officer as designated in § 2.10 of the Criminal Procedures Law or those individuals covered by H.R. 218. This includes town employees.

PUBLIC LAND/BUILDINGS: All buildings owned, occupied, leased or operated by the Town of Saranac, such as parking areas, parks, parking lots.

WEAPON: Any firearms, or any other weapon as defined in § 265 of the Penal Law.

NOW THEREFORE, it is hereby RESOLVED, effective immediately and upon approval of the town attorney, no person, other than those designated above, including any town employee, shall carry or display any weapon on public land and in public buildings; and

NOW THEREFORE, be it further RESOLVED, that failure to comply with this resolution by any town employee could result in disciplinary action, including termination; and

NOW THEREFORE, be it further RESOLVED, that a copy of this resolution be given to all department heads and a copy be attached to the employee handbook.

Town lawn

Tim is hopeful that more projects will be completed as the weather improves.

Food waste

The JCEO pantry in Saranac receives more food than it can distribute. Rick St. Louis requested increased garbage pick-up from Casella. Cindy found local pigs to feed it to instead. Michele noted that there must be people in town who could use extra food. It was suggested to make announcements on Facebook and the town website and post it on the town message board.

Asbestos report

Tim reported that the asbestos testing quote came in at around \$1000. There was only one bid, as there are only two companies in the region who do it—Tim will reach out to the other company for a bid. Discussion ensued about the best course of action for the roof. Tim concluded that the town would proceed with the testing.

Square Dashnaw Bridge

An email from the engineer reported that the bid was too late for the bridge to be built this year. Additionally, the contractor who submitted the low bid based the bid on different specs. Jerry confirmed that the Betty Little grant can be repurposed, and that the timeline is similar to the Bridge NY project. Jerry made a motion to reject all bids received last year and rebid for September 1, 2021. Michele seconded; all in favor.

Paving schedule

Jim Waldron reported that paving has been moved up. Another the week to May 24. Dannemora has two miles of roads to do. They will start at Cold Brook Road. They have done culverts on Cringle and Cane roads. They are working on the transmission on the bucket truck. Moore Road measured 2,397 feet.

Loss of 3.33 miles since 2013

Tim calculated that the state's road measurements have decreased by 3.33 miles since 2013, which, he said, affects CHIPS funding. It was mentioned that the state DOT uses Google maps to take measurements. Tim asked Jim Waldron to start wheeling roads.

Moore Road FOILs

With the town clerk being absent, Tim is working on collecting documents relating to the Moore Road and another for the Standish water plant project.

Salt/storage facility

Good progress is being made on the building. Trusses will come in on Wednesday.

MEO vacancy

Jim Waldron reported that there is a vacancy in the highway department. He asked that the position be posted on the town message board.

Background checks

Jerry laid out a plan to use the basic plan for existing employees, including new lifeguards who have been vetted by Jaki Carter and Cullen Coryer prior to employment, and use more robust background checks for new hires with periodic basic background checks to follow.

Pool supplies

Some pool supplies are in short supply. The plan is to stock up early on what is needed for the season.

Payroll companies

Jerry reported that he and Meg Bobbin have been researching payroll companies.

DASNY grant

Tim confirmed that the grant needs to be wrapped up by 2022. \$82,000 has to be used on specific park projects. Jerry said it is a big decision and the public should weigh in on it. Tim proposed to invite the public to a meeting on the town green during the regularly scheduled board meeting on May 24 with a rain site at the park pavilion.

Resolution 67-2021

Requesting the Rescinding of the NYS Fiber Right of Way Fee

Motion by: Gerald Delaney

Second by: Jim Facticeau

GERALD DELANEY	YES	
MICHELE PETRASHUNE	YES	
TRACY EGGLESTON	YES	
JIM FACTEAU	YES	
TIMOTHY NAPPER	YES	CARRIED

Whereas, the 2019-2020 New York State budget contained language that enacted a right-of-way use and occupancy fee for any fiber optic cables located in or crossing a state-controlled right of way and authorized the New York State Department of Transportation (DOT) to enter fee bearing permits with fiber optic installers and;

Whereas, the 2019-2020 state budget also added Section 7 of the Transportation Corporation Law, allowing the DOT to charge fiber optic corporations installing and operating the utility lines for fair-market use and occupancy of the state right-of-way and;

Whereas, in early 2020 organizations, businesses, legislators and residents of northern New York became aware of the fee because the DOT started charging the fee and;

Whereas, in the rural counties of the North Country it's virtually impossible to install fiber optic cables for any distance without utilizing or crossing a state right-of-way and development requirements within the Adirondack Park almost entirely preclude installation of broadband in any location other than an existing state right-of-way and;

Whereas, the coronavirus pandemic has caused more people to be working from home and more students to be learning from home, and has increased the use of telemedicine, thus magnifying the need for additional broadband services in unserved and underserved areas so rural residents can engage in everyday activities and;

Whereas, Governor Cuomo, in his 2021 State of the State address championed his Connectivity Agenda which includes, among other provisions, enactment of a requirement for affordable internet for low-income families and a series of actions to promote broadband build-out and market competition and;

Whereas, the Governor said, "And without affordable broadband, people are not just disconnected, they are disenfranchised. Broadband must be available to everyone, everywhere. And in New York we will make sure it is" and;

Whereas, the DOT fiber right-of-way fee is acting as a significant financial deterrent to broadband build-out in rural areas, with some projects already cancelled and others put on hold due to the fact that these fees will cost providers hundreds of thousands, and in some cases, millions of dollars annually, and

Now, therefore be it

Resolved, that Town of Saranac formally opposes the enactment of the DOT right-of-way fees on fiber optic cable and urges the Governor and the New York State Legislature to rescind the right-of-way use and occupancy fees on fiber cable immediately so that the Governor's pledge can be fulfilled and the expansion of the fiber network in the North Country can continue in order to serve critically unserved and underserved areas.

2019 AUD

Tim shared that Kevin Rowland from OSC figured the issues were due to payables coming in after Patti had completed the AUD. He assured Tim there is no issue.

Firehouse training

Michele made an announcement that there is training about marijuana legalization at the firehouse on May 19 from 7-9pm.

Resolution 68-2021

Authorization to pay audited warrants

Motion by: Michele Petrashune

Second by: Jim Facteau

GERALD DELANEY	YES	
MICHELE PETRASHUNE	YES	
TRACY EGGLESTON	YES	
JIM FACTEAU	YES	
TIMOTHY NAPPER	YES	CARRIED

Questions, comments, petitions from the floor

Daisy Filion introduced herself as a resident of Moore Road and made inquiries about the recent decision to name it an official town road.

The meeting adjourned at 7:38pm

Motion: Tracy Eggleston

Second: Jim Facteau

All in favor

Respectfully submitted,

Meg Bobbin

Secretary to the Supervisor

The next regular meeting is scheduled for May 24, 2021 at 6:00 pm at the town green
The next work session is scheduled for June 14, 2021 at 6:00 pm at town hall