

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, August 9, 2018 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

**Present:** Thomas Scozzafava Supervisor  
Paul Salerno Councilman  
Luci Carpenter Councilwoman  
Matt Brassard Councilman

**Absent:** Tom Anderson Councilman

**Others Present:** Rich Lapier, Jamie Wilson, Cecelia Wojciukiewicz, Bill Trybendis, Rene Anderson, Paul Reese, Ginger Currier & Daughter, Chip Perry, Ann Tesar, Art Morgan, Tim Rowland and Rose French-Town Clerk.

Supervisor Scozzafava opened the meeting at 6:00pm by saluting the flag.

**ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** that the Town of Moriah Town Board approve the minutes from the previous meeting.

#### **Floor Open to the Public:**

Rene Anderson from the Chamber reported that Champ Day was a success. She thanked the Supervisor and Councilman Anderson for volunteering for the dunking booth. They are looking for some garbage cans and cones from the Town for the Labor Day Celebration. This year's celebration will honor the fireman. The Chamber is looking for people who want to do floats for the parade.

#### **Department Head Reports:**

Rich Lapier: Issued 4 building permits for the month of July. Issued 1 certificate of occupancy. Most of his days have been consumed with the burnt building on Main Street; asbestos testing, numerous phone calls with Verizon to get the wires off the building. Going to court with no avail.

Art Morgan: Nothing to report.

Chip Perry: They had some pump failures during the month of July at the Waste Water Plant. One is back up and running and the other should be back up and running the end of this week. The Port Henry Water Plant is running well. They have an air compressor issue right now at the Moriah Water Plant. Mr. Perry addressed the water conservation ban. Art Morgan stated that they fixed a leak on the back side of the dam and they have had no problems since. He feels we can take the water conservation off. Mr. Perry agreed, he thanked the community for their help with this situation. Mr. Perry stated the Community Development Block Grant is complete. Income surveys are % 100 complete. He thanked the Planning Board for all their help. Mr. Perry Stated that Manhole 13 is all set with CP Rail, start date should be August 20<sup>th</sup>. He thanked Ed Roberts and the inmates for clearing so they could get access to the project. Supervisor Scozzafava stated that Manfred Construction will be starting the Sewer Project in Witherbee; there should be minor disruptions. Cecelia Wojciukiewicz asked when the project would be starting and the Supervisor stated in the next 2-3 weeks; the contracts are still being reviewed by the Town Attorney.

Jamie Wilson reported that they have been working on Switchback Road, Stone Street and also Cheney Road, cutting brush and ditching. They also rebuilt storm drains on Broad Street. He stated that all the department heads have been busy with the burnt building on Main Street. They got 3 trucks back that were out for repair. The Supervisor asked about paving. Mr. Wilson stated they hope to start within the month. They would like to do Edgemont, Cheney Road, Prospect and Bridge Street if they have enough money. Mr. Wilson stated they have not heard

back yet on the sidewalk grant and the Supervisor stated we did not get the sidewalk grant but we will be awarded the grant shortly for the speed limit signs.

### **Town Board Report's:**

Councilwoman Carpenter reported there will be a rabies drop. The doors on the Iron Center are almost complete. There is no Police Report. The deadline for investors has been extended for the Waterfront Development. The Supervisor stated that the Iron Center doors look great. He and Mr. Lapier asked the contractor to give us a price on replacing the fascia board. We will have to rent a man lift to repair it.

Councilman Brassard spoke to Cheyenne at the Transfer Station; Cheyenne feels like we made money on the C & D container this month thanks to the backhoe. The Supervisor stated we didn't make money on the container, we broke even. Councilman Brassard stated that a resident contacted himself and Councilman Salerno regarding garbage pickup at the campsite. The resident feels it is not fair that the Town picks up garbage at the Campsite, but not for residents. Rich Lapier stated the campsite is reducing people's taxes. The Supervisor stated that the campers pay for the trash pick-up when they rent the site. Councilman Salerno stated that is what he told the resident.

Councilman Salerno reported that Champ RV Park has 52 Seasonals and last year they only had 41. They have 30 transient sites reserved. Bulwagga Bay has 133 seasonals and last year we had 135. They have 13 transient sites reserved. Councilman Brassard stated that we had a water break on College Street and the employees did a great job getting it fixed. He also stated that Ed Roberts and the inmates have been working hard.

### **Supervisor's Report:**

The Supervisor reported that he was back in court due to the burnt building on Main Street. We received the asbestos survey and the invoice for that. He has had several meetings with the Department of Labor with Rich Lapier and Jamie Wilson. The building will be coming down, starting Monday. A State of Emergency will go into effect 12:00AM on August 10, 2018. People are going to watch the demolition, but they will have to be on the other side of the road. The brick will be set aside. We had a contractor bid out of Albany on the demolition and their price was \$130,000. Kubricky Construction has offered the Town a machine and an operator to do the demolition with help from Town employees and the cost will roughly be \$20,000. They will use rolling floor trailers. The construction debris will be taken to Franklin County Landfill. Essex County has a contract with them. The Supervisor feels it is a shame to take the building down but it is not salvageable. The Town Board has to take it down for public safety reasons. The Town tried to work with the owners, but they didn't show up in court. Hopefully after it is cleaned up somebody will buy the property. The Town cannot take it by eminent domain. The Supervisor stated this has not been an easy process and the Town has explored all our options. The Town is doing it legally. We have \$8,000 in Attorney fees already. Hopefully all these fees can be recouped when they go on the tax bill as a lien. The County will reimburse the Town for the County tax/back taxes and then turn it over to the Town. Then we can try to sell it to recoup some of the cost. Councilman Salerno asked if the Justices can serve a fine on the individual and the Supervisor stated the Town can file and arrest and then it is out of our hands. The Supervisor stated that if there are no consequences, people will keep doing what they want. The Supervisor stated that the Town Board only has control over the courts budget; that is it. Ann Tesar asked if the Town has insurance on the employees who will be helping with the demolition. The Supervisor stated that at first our insurance carrier said we would need a rider, but due to the fact it is private property and it is a state of emergency, they are covered. The Supervisor reminded everyone that Kubricky will be doing it and the Town employees will be helping. The Supervisor stated it is a very difficult job due to the fact that it is attached to the building next to it. Ann Tesar asked where would the trailers be parked and the Supervisor stated they would be parked on St. Patrick's Place. We are hoping to keep Route 9N & 22 open. Councilman Salerno asked if we would have Police there and the Supervisor said yes. Councilman Brassard asked if the surrounding residents were notified and the Supervisor said yes, Officer Stahl went door to door. The demolition will begin Monday at 7:00AM.

The Supervisor stated that NYS kicked Spectrum out; they did not meet the milestones after the merger with Charter. They will be going to court.

We had a rabies outbreak in Witherbee. The DEC patrolled for the fox for roughly 3 days, we have had no other reports. Jamie Wilson stated there were also a rabid raccoon in the area and also a bear in Mineville and Witherbee. The Supervisor reported that the DEC said they are only coming into neighborhoods for food. Residents need to keep their garbage covered.

Both Beaches were closed due to blue/green algae a couple of weeks ago. Mr. Perry stated it has nothing to do with the City of Burlington, the lake flows north. Councilman Salerno asked when we close the beach is it the designated area with the ropes and the Supervisor said yes, but the Lifeguards should tell people if they see them swimming elsewhere.

The Town did not receive any bids for the old fire truck parts. The Supervisor spoke to Jim Hughes, he is going to try and get in contact with the person who bought the truck to see if they would be interested in the parts. Jamie Wilson stated there isn't really much there for parts.

**132. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** to offer the box of miscellaneous parts for a 1941 Dodge Fire Truck to the person who bought the Fire Truck.

The Supervisor received a summary report for the Summer Program Inspection; there were no violations, which is great because on any given day there were roughly 130 kids attending.

The Supervisor called Betty Little regarding the grant for a consolidation study of the 3 fire districts; the State will not give the Town the money until the consolidation is complete. The study would cost roughly \$25,000-\$35,000; the Town would have to get RFP's to have a third party do the study and then the facts would be presented to the residents of the Town of Moriah.

The Supervisor stated that there are pros and cons to going to a sole assessor. It is not an easy job; you have to be certified and pass an exam and the pay is not that great. Assessors make \$7,000 a year and the chairman gets \$12,000. There hasn't been a race for assessor in years. The Board has 2 choices; 1) Board Resolution and a Public Hearing or 2) Leave it up to the people. We can get it on the ballot for November. The Supervisor feels he has not had time to get adequate facts for the Board to make a decision and would like to wait to move forward until they have all the information. Councilwoman Carpenter asked if there would be a public meeting. Councilman Brassard asked if we could get someone from the County to come to a meeting and explain the process. The Supervisor said yes. The Supervisor stated that back in 2006 it was on the ballot and was defeated. The Board was in agreement to wait until they got more information.

The Supervisor reported that there has been some debate over whether or not farm animals are allowed in Port Henry. According to the Local Law you cannot; not even chickens. Councilman Brassard stated that is debatable; when he was on the Village Board some people fought that if they were used for transportation or food it is ok. The Supervisor stated that the Town Board could limit how many chickens you could have by Local Law. Councilman Salerno asked how long the Village of Port Henry Local Laws are good for and the Supervisor said 3 years.

The Supervisor stated that the Town and Village have a lot of Local Laws that are redundant. We have \$9,000 available in leftover grant monies and he and Chip Perry would like to have all of the Local Laws looked at to see if we could consolidate some of them. Mr. Perry stated that the planning office put an RFP out to see if there was any interest; they will put it out again, there is a woman in Willsboro who is interested.

There will be a Lifenet open house in Ticonderoga on August 21, 2018 from 4:00pm-8:00pm at 1207 NYS Route 9N. If you are interested, please RSVP to [Steve.Anderson@airmethods.com](mailto:Steve.Anderson@airmethods.com).

Both Campgrounds were inspected and everything was fine except for one dumping station issue at Bulwagga Bay Campsite.

**Resolutions:**

- 133. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** to declare surplus and put out to bid one 1988 Coachmen 35 foot travel trailer; bid opening at September 13, 2018 Town Board Meeting at 6:00pm at the Court House.

Discussion: The camper can be seen at Bulwagga Bay Campsite. It has been in storage for 3 years; the Town took possession of it. Councilman Salerno asked if one of his family members could bid on it and the Supervisor said yes as long as he abstained from voting. Paul Reese asked why Councilman Salerno could not bid on the camper and the Supervisor stated it would be a conflict of interest because it is something he would be voting on.

- 134. ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** to authorize the Supervisor to notify by letter that lease to Fire District #3 for the Town owned Henry Building for 2019 will require Fire District to pay all utility costs; IE: water, sewer, power and fuel oil.

Discussion: Councilwoman Carpenter asked if they lease it would the Town be responsible for the repairs and the Supervisor said yes. The Supervisor also stated that the Fire District is looking at other options. He said that the utilities would run roughly \$20,000 a year. Jamie Wilson stated the Town still has a little bit of stuff in the basement that they would have to get out. Councilman Brassard asked how the bills would get paid and the Supervisor stated that the Commissioners feel the bills should go directly to them.

- 135. ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** authorization to start the legal proceedings to extend Water District #4 to Stone Street South to service 13 existing homes. This will require a map/plan report and preliminary engineering costs. Costs to proceed will be from leftover EFC Grant monies from 2012 Water District #4. Amount \$185,000.

Discussion: The Supervisor stated this is leftover EFC monies from the original Water District #4 project.

- 136. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** to go to bid for fuel oil, propane, diesel and kerosene for period 10/1/18-9/30/19. Bid opening at September 13, 2018 board meeting at 6:00pm.

- 137. ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** to pay Chamber \$2,500 in advance for Occupancy Tax Share to Town.

Discussion: The Chamber needs the funds for the Labor Day Celebration.

**138. ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** to authorize the Supervisor to sign contract with Kubricky Construction in the amount of proposal dated 8/2/18 for the demolition of 4314 Main Street as per Declaration of State of Emergency.

Discussion: The Supervisor read the agreement with Kubricky; it should take them 3-4 days to demolish the building.

**Resolutions too late for the Agenda:**

**139. ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** to authorize the Supervisor to get appraisals on the Henry Building; 14 Church Street, Port Henry (Port Henry Fire Department).

Discussion: The Supervisor stated he met with Rick Dolivar, he would love to buy this building. The first step is to get appraisals. If the Town is petitioned we would have to have public meetings, if not; it would be a board decision.

**140. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Brassard
	Nays	0
	Absent	Anderson

**RESOLVED** to approve payment of the warrant.

**141. ON MOTION** by Councilwoman Carpenter, the following resolution was

TABLED to pay Orkin \$1,198.25 to service the Highway Garage; Jamie Wilson does not feel it is needed at this time.

**Floor open to the public:**

Cecelia Wojciukiewicz asked when the rabies bait drop would be; Councilwoman Carpenter could not remember the date but she said it was in the Times of Ti.

Jamie Wilson stated the new gazebo arrived at Raymond Wright Park; it is all set up. He stated the deck to the old one will be moved to Bartlett Pond for the kids to use for fishing.

The meeting adjourned at 7:05pm.

**Abstract Distributions:**

**Claim Numbers:**

July 20, 2018

General	\$4,905.00	2018/6629-6633
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July 23, 2018

General	\$1,355.00	2018/6634
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July 26, 2018

General	\$7,956.19	2018/6636-6653
Highway	\$2,335.94	

Water #1	\$82.29
Water #2	\$55.84
Water #3	\$111.22
Water #4	\$8.86
Sewer #1	\$246.51
Sewer #2	\$131.68

August 9, 2018

General	\$48,615.24	2018/6657-6811
Highway	\$28,660.87	
Water #1	\$2,433.98	
Water #2	\$1,776.70	
Water #3	\$3,696.76	
Water #4	\$127.22	
Sewer #1	\$7,563.86	
Sewer #2	\$3,971.29	

**Capital Projects:**

Waterfront Development	Michael Crane	\$6,250.00	#12
Main Street Technical Grant	Pride of Ticonderoga	\$1,000.00	#5

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Town Clerk