

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, February 9, 2017 at 6:23pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

Present:	Thomas Scozzafava	Supervisor
	Paul Salerno	Councilman
	Timothy Garrison	Councilman
	Thomas Anderson	Councilman
	Lucille Carpenter	Councilwoman

Others Present: William Trybendis, Sharon O'Connor, Arthur Morgan-Water & Sewer Superintendent, Richard LaPier-Building Codes, Jamie Wilson-Highway Superintendent, Charli Lewis-Essex County Real Property, Lohrer McKinstry, Paul Mazzotte-Assessor Chair, Linda Smyth, Larry Hammond and Rose French-Town Clerk.

Supervisor Scozzafava opened the meeting at 6:23pm.

ON MOTION by Councilwoman Carpenter, seconded by Councilman Anderson, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Anderson, Carpenter, Garrison
	Nays	0

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

Special Guest, Fred Keil, Architect-Presentation on the Iron Center had to reschedule. He has a 45 minute power point presentation for the Town Board and the Historical Society. Supervisor Scozzafava will schedule a special meeting for him to come.

Floor open to the public:

Larry Hammond spoke. He said that ever since the Town put a new culvert in, his land is very wet. He said Rich Lapier told him his lands were now considered "wet lands". The Supervisor stated he has not seen a "wet lands" map so he cannot confirm this. Mr. Hammond said when he put a septic tank in; Mr. Lapier told him his land was "wet lands". The Supervisor said he thought Mr. Lapier was talking about the land being too wet for a septic tank, that is all. The Supervisor told Mr. Hammond that the Town Board does not have the authority to designate "wet lands". Supervisor Scozzafava suggested Mr. Hammond speak to Jamie Wilson, Highway Superintendent.

Department Head Reports:

Art Morgan-Water & Sewer Superintendent: They have been busy turning water on and off for different homes that people have just walked away from, and pipes are freezing and bursting. They will be fixing the windshield on the backhoe, it was approved by the insurance and we already got a check for the repairs. The Supervisor stated he will meet with Mr. Morgan regarding the fire hydrant claim. Councilman Salerno stated Moriah Shock could be used to access the hydrants by shoveling the snow around them.

Rich Lapier-Building Codes: Issued 3 building permit for the month of January. Inspected 1 for certificate of occupancy. Issued 6 junk yard notices. Supervisor Scozzafava reported that the APA has cited Leroy for all the junk cars. The DEC and DMV are also involved.

Jamie Wilson-Highway Superintendent: They have been dealing with all the recent storms. Employees have had a lot of hours and they have also been dealing with break downs in between all the storms. They are going out to bid for a used loader, that will be in the paper February 18, 2017. The Supervisor thinks we should explore lease options also. The Supervisor also reported that he had many calls regarding why school was closed yesterday and not today. He reminded everyone that it is not his decision whether or not school is canceled, that is up to the Superintendent. The Highway Superintendent does contact the Superintendent regarding road conditions and bad weather. Mr. Wilson reported that they have gone through 5,000 yards of sand and they are almost out of salt, they have more ordered. Linda Smyth asked if they were out all night salting and sanding when it was 45 degrees that day. Mr. Wilson said yes because

everything that melted during the day froze over again that night. The Supervisor stated that the Town of Moriah is hard to keep up with, with icy road conditions because it's all up hill or all downhill. He stated there are other options other than ice, like calcium, but it is very expensive.

Ed Roberts, Building & Grounds Superintendent: Excused.

Town Board Reports:

Councilman Salerno would like to thank Ed Roberts, John Aurilio and all the inmates for all their hard work keeping the sidewalks clear of snow. He, Councilwoman Carpenter, Rich Lapier, and Julie Ida met regarding both campsites. He would like to get the letters out by March 1. They would like to make the rates the same for both campsites. There are 61 Seasonals at Port Henry Campsite. They will be meeting again with Matt Brassard, Village Trustee and Norman Wright-Port Henry Campsite Manager on February 28, 2017. They have a lot of work to do; the Village of Port Henry sold the golf cart and honey wagon that was used at the Port Henry Beach. The Town Beach golf cart is 6 years old. The Supervisor would like everything to remain the same at the Village Beach this year. Mr. Salerno said the Village had a concession stand also, and the Supervisor said that is a bookkeeping nightmare. Councilman Garrison would like to see the Town put the pump outs out to bid and get the Town right out of doing them. Jamie Wilson suggested letting the campers empty their own honey wagons.

Councilman Garrison: Had nothing to report.

Councilwoman Carpenter: Reported that after one phone call, the Town is on Business Class for Time Warner Cable internet.

Steve Stahl-Officer in Charge: Absent: Report read by Councilwoman Carpenter: Handled 146 calls for service. 4 Violations-1-failure to license a dog, 1-failure to provide adequate shelter for a dog, 1-harassment second degree, 1-dangerous dog. 12 Misdemeanors: 10 issuing a bad check, 1 animal cruelty, 1-operating with a suspended license. 0 Felonies. Issued 12 traffic tickets. Handled 7 traffic accidents. Conducted 17 pistol permit background investigations.

Councilman Anderson: Had nothing to report.

Supervisor's Report:

The Supervisor received a letter from the New York State DEC approving the transfer of the SPDES permit from the joint Waste Water Treatment Plant from the Village of Port Henry & Town of Moriah to just the Town of Moriah due to the dissolution of the Village. He reported it was a lot of work and Chip Perry did a great job getting it all prepared.

There will be an informational meeting on February 16, 2017 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, NY to discuss the sale of several Tub Mill Pond parcels located on the Ensign Pond Road to New York State. They would be purchasing these parcels with Environmental Protection Fund monies. The Supervisor reported that they would still be able to purchase these even if the Town didn't support it.

Ed Roberts went out and checked on street lights to see how many were out, we had 70 out. The Supervisor called National Grid and we will get a credit for these outages. For the past several days there have been crews in the area replacing them. If anybody has a street light that is out, get the pole # and call the Town Hall at 546-3341 and report it, we have a form that needs to be filled out and faxed to National Grid.

The Supervisor has the application and income guidelines for ACAP Weatherization if interested.

The Supervisor received a letter from the New York State Department of State announcing that the Town will be getting \$50,000 towards dissolution expenses. The Supervisor has been working with Real Property regarding the new water and sewer districts. A map plan and report has to be done and it is subject to permissive referendum.

Councilman Salerno asked if the Village doesn't get reimbursed for the monies they have spent on the dissolution, does the Town get it; the Supervisor said yes, we will, however, we also get all the bills that go along with it.

The Supervisor received an email from Charli Lewis regarding the Solar Panel Exemption. If the Town does not opt out of the exemption, we are automatically in.

Resolutions:

1. **ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was
APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson, Garrison
Nays 0

RESOLVED to correct the minutes of Town Board Meeting of June 9, 2016 to record that Councilman Garrison was excused at 7:04pm and to correct resolution votes.

Discussion: The Supervisor stated this is no fault of the Town Clerk, The Town Board approves the minutes from the previous meeting at every board meeting and nobody caught it, including the Supervisor himself.

2. **ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was
APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson, Garrison
Nays 0

RESOLVED to authorize the Supervisor to sign agreement with Department of Transportation for \$100,000 Grant for installation of sidewalk on east side of 9N & 22 from the Liquor Store to Mac's. Also to replace street lights with lamps as are now in the park.

3. **ON MOTION** by Councilman Anderson, seconded by Councilman Salerno, the following resolution was
APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson, Garrison
Nays 0

RESOLVED to appoint William Callahan to Board of Assessment and Review due to the resignation of Patsy McCaughin, term to expire September 30, 2020.

Discussion: The Supervisor has spoken to Mr. Callahan and he is aware of the training and certification that is involved.

4. **ON MOTION** by Councilman Anderson, seconded by Councilwoman Carpenter, the following resolution was
APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson, Garrison
Nays 0

RESOLVED to authorize the Supervisor to sign contract with Mountain Lake Services for employees at Transfer Station and cleaning the Town Hall.

5. **ON MOTION** by Councilman Garrison, seconded by Councilwoman Carpenter, the following resolution was
APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson, Garrison
Nays 0

RESOLVED to authorize payment to Crane Associates in the amount of \$9,434.00 as per contract for Water Plan.

Discussion: This is through a grant from NYS Department of State.

6. **ON MOTION** by Councilman Anderson, seconded by Councilman Salerno, the following resolution was
APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson, Garrison
Nays 0

RESOLVED to authorize the Supervisor to renew shared services agreement with NYS Department of Transportation for emergency services.

Discussion: The Supervisor asked Mr. Wilson, Highway Superintendent if he looked it over and was satisfied with it, Mr. Wilson said yes.

7. **ON MOTION** by Councilman Anderson, seconded by Councilwoman Carpenter, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson, Garrison
Nays 0

RESOLVED authorization to pay Laberge Group \$10,681.00 for dissolution services.

Discussion: Reimbursed through Department of State.

8. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson
Nays Garrison

RESOLVED to authorize the transfer of employees due to dissolution of Village of Port Henry in accordance with the Dissolution Plan effective March 31, 2017:

Whereas, the Village of Port Henry will dissolve effective March 31, 2017 and whereas, the Town of Moriah Town Board approved the plan at the June 9, 2017 Town Board Meeting:

Be it resolved that the following positions shall be created in accordance with the NYS Town Law with the wages as per the current contract with the Teamsters Union for each position, and that each employee that transfers as a Heavy Equipment Operator will receive Labor Position wages until such time (6 months) that they obtain a CDL license. If they do not acquire a CDL within this time frame, the position will no longer be available for that individual.

Highway Department

*Thomas Slattery HEO @ \$19.30 per hour, 40 hours per week
*Lucas Cutting HEO @ \$19.30 per hour, 40 hours per week
*Timothy Breeyear HEO @ \$19.30 per hour, 40 hours per week

Water & Sewer Department

*David Laing Water & Sewer Maintenance Person \$19.30/hr, 40 hours per week
*Peter Towne Water & Sewer Plant Operator Assistant \$20.01/hr, 40 hours per week
Carl Perry Water & Sewer Plant Chief Operator, Salary Management Confidential Position (non-union) \$60,000 per year

Building & Grounds

*John Hickey Maintenance Person @\$17.28 per hour, 40 hours per week

Town Office

Denise Daly [Clerk@ \\$12.75](#) per hour, 30 hours per week

*Union Positions

Discussion: Councilman Garrison stated the Town Board did not “approve” the plan, they “supported” the plan, there is a big difference. The Supervisor stated that not everybody outside of the Village supports the plan and they didn’t even get a say in the matter. Councilman Garrison feels the Board did not discuss the dissolution long enough. Councilman Anderson and Councilwoman Carpenter strongly disagreed. Councilman Anderson stated that if Councilman Garrison was not satisfied with how much time was spent on the dissolution at meetings, he should have said something long before now. The Supervisor stated he gave the Board ample time to discuss anything they wanted to on the dissolution. There was a tense discussion between Councilman Garrison and Councilman Anderson. The Supervisor stated that this dissolution has not

been easy on anybody. He reminded everyone about the positions that require a CDL, if the employees coming over from the Village do not get one in the 6 month grace period, they will be done. He also stated that until they get their CDL, they will be making \$17.28/hr, laborers pay. Highway Superintendent Jamie Wilson spoke to the Village regarding the new hires and he was told it was an “emergency hire” due to it being in the middle of winter, they needed the help. The Village asked Mr. Wilson if the Town would hire these people as long as they get their CDL in the allowed amount of time. The 6 month grace period started when they were hired by the Village. Councilman Salerno stated that Mr. Hickey will be working for Building and Grounds, can he be utilized at the Campsite’s and the Supervisor said yes. Mr. Hickey will be working under Ed Roberts-Building & Grounds. Mr. Salerno asked if the Supervisor had met with Denice Daly, Village Clerk and the Supervisor said yes. The Supervisor stated that the Village employees coming to the Town will get all the benefits the Town employees currently get; however, there is no pay differential. Councilwoman Carpenter stated that it is “Daniel” Laing not “David” Laing. That will need to be corrected. Councilman Salerno asked if Mr. Laing’s position was a union position and the Supervisor said yes, it was. Councilman Anderson wanted to know what the labor pay rate was and the Supervisor said it is \$17.28, which is what Mr. Hickey will be making.

9. **ON MOTION** by Councilman Garrison, seconded by Councilman Anderson, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson, Garrison
	Nays	0

RESOLVED to amend resolution #8 to change “approved” to “supported” the dissolution plan and to change “David” Laing to “Daniel” Laing.

The Resolution was passed as amended .

10. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson, Garrison
	Nays	0

RESOLVED to approve campsite rates for Bulwagga Bay Campsite and Champ Beach Campsite for the 2017 Season to be the same.

*see attached

Discussion: Councilman Salerno said he heard that at the Village Campsite, they were allowed to have 2 units on one site, will that be the case at the Town Beach and the Supervisor said no, only one unit per site. He also reported that on February 28, 2017, Councilwoman Carpenter and he will meet with Matt Brassard, Village Trustee to go over the Rules and Regulations on the campsites. Linda Smyth asked if the Town was going to allow camper storage at the Village Beach and the Supervisor said no, it is a flood prone area. She also asked if the Town would consider a lottery system, some campers have been on the same site for years. Councilman Salerno he agreed, but he didn’t know how to go about it. The Supervisor reminded everyone that we are currently in a campground study; hopefully this will shed some light on how we can improve both campsites. Councilman Garrison would like to get RFP’s for pump outs at both campsites.

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

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson, Garrison
	Nays	0

RESOLVED to go to bid for RFP’s for the pump outs at both the Town and Village Campgrounds.

Discussion: The Supervisor asked Councilman Garrison if the Town would get a percentage of the prophet from the company doing the pump outs and Councilman Garrison thought it should be 5%. The Supervisor said we will have to wait and see if we get any interest in the job. Councilwoman Carpenter asked what about letting the

Camper's know and the Supervisor thought something should be put in their letters that we are looking into it.

12. ON MOTION by Councilman Garrison, seconded by Councilman Salerno, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson, Garrison\
Nays 0

RESOLVED to approve payment of the warrant.

Floor open to the public:

Linda Smyth asked if the people could pick out the street lights that will be replaced. Supervisor Scozzafava thought that was a great idea; maybe the Beautification Committee can do it.

Linda Smyth asked Jamie Wilson, Highway Superintendent if anything else on the list of stuff for sale from the Village would be sold and Mr. Wilson said they are not selling anything else, he only looked at the list, it is not him that is selling anything, it is the Village. The Supervisor stated that any money from any sales would be transferred to the Town anyway.

Linda Smyth asked if YouTube was fixed yet. Councilwoman Carpenter stated it was not YouTube, she has been waiting for a computer from the County to set up at the Town Hall to be used for Board Meetings only, the process was taking up too much room on her personal computer.

Linda Smyth asked Councilman Garrison what his issue was with the resolution hiring the employees from the Village. He said he would have liked to see the Town advertise for the positions. The Supervisor said if an employee gets let go at IP, they are offered another job at another IP plant. He feels the Village employees should have the first chance at these positions. Councilman Garrison said the Board should just not assume this.

Jamie Wilson-Highway Superintendent just wanted to let everyone know that one of the furnaces at the Highway Garage went down. It's probably going to be around \$2,500 to fix it. Councilman Salerno will work with Mr. Wilson on this problem.

Linda Smyth wanted to bring up the tethering law but she will wait until Mr. Roberts can be at the meeting to answer questions. The Supervisor reported that we had the first case in Moriah today. He also reminded everyone that the Town cannot make an arrest on hearsay. It is a tough law to enforce.

The meeting adjourned at 7:35pm.

Abstract Distributions:

Claim Numbers:

December 31, 2016

General	\$105.98	2016/6159-6161
Highway	\$14,529.80	

December 31, 2016

General	\$7,534.61	2016/6208-6265
Highway	\$3,113.11	

January 18, 2017

General	\$625.00	2016/6148-6150
Water #1	\$35.00	
Water #2	\$23.75	
Water #4	\$3.75	
Sewer	\$62.50	

January 19, 2017

General \$125.00 2016/6151

January 20, 2017

General \$5,196.00 2016/6152-6158
Water #1 \$245.28
Water #2 \$166.44
Water #4 \$26.28
Sewer \$438.00

January 25, 2017

General \$4,201.69 2016/6162-6189
Highway \$2,271.45
Water #1 \$2,051.58
Water #2 \$1,485.38
Water #4 \$188.74
Sewer \$244.72

February 9, 2017

General \$38,694.61 2016/6194-6282
Highway \$8,592.20
Water #1 \$114,625.62
Water #2 \$51,948.16
Water #4 \$3,664.56
Sewer \$513.01

Capital Projects:

Iron Center \$3,559.00 Fred Keil, Architect #2
Moriah Waterfront \$9,434.00 Crane Associates #2
& Economic Strategic Plan

Town Clerk