

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, October 12, 2017 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

Present: Thomas Scozzafava Supervisor
Paul Salerno Councilman
Thomas Anderson Councilman
Timothy Garrison Councilman

Absent: Lucille Carpenter Councilwoman

Others Present: Bill Trybendis, Lohrer McKinstry, Jamie Wilson-Highway Superintendent, Ann Tesar, Diana Stevenson, Robert Stevenson, Linda Smyth, Paul Reese, Erik Wilhelmson, Sharon O'Connor, Joe & Kelly White (arrived late), Rose French-Town Clerk

Supervisor Scozzafava opened the meeting at 6:00pm.

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

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

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

Bid Opening: Fuel Oil, Kerosene, Diesel and Propane

The Supervisor read the legal notice of bid.

Avery Energy:	Fuel Oil	\$2.0159
	Diesel	\$2.0159
	Kerosene	\$2.3137
Gordon Oil:	Fuel Oil	\$2.0507
	Diesel	\$2.1005
	Kerosene	\$2.3625
	Propane	\$1.4763

Avery Energy is the lowest bidder. The Supervisor will check on the state contract price for propane through Griffith Energy.

Floor open to the public:

N/A

Department Head Reports:

Jamie Wilson-Highway Superintendent: Summer projects are just about complete. He should have the dollar amount for the next board meeting. They are working on Cheney Road right now. The docks are out of the water at Bulwagga Bay Campsite. They will take the ones out at the pier tomorrow.

The Town of Moriah transfer station will be accepting brush, **three (3) inches in diameter and under ONLY**, on Friday, October 20, 2017 from 8:30am – Noon and 1:00pm -4:30pm, Saturday, October 21, 2017 from 8:30am-Noon and 1:00pm-4:30pm, Friday, October 27, 2017 from 8:30am – Noon and 1:00pm – 4:30pm and Saturday, October 28, 2017 from 8:30am – Noon and 1:00pm – 4:30pm. **RESIDENTS ONLY**. All Residents **MUST** check in with Transfer Station Attendant before unloading any brush.

The Transfer Station was closed for one day for maintenance-switched out the compactors. The Supervisor reported that our Transfer Station is the 2nd busiest Transfer Station in Essex County. The Supervisor is working on the budget right now and the Transfer Station is running in the

black, other than the electronics. The Supervisor reported that you can now burn in Port Henry, now that it is no longer a “Village”. The Supervisor also reported that the design on the sidewalks in Port Henry has been approved. They are hoping to get them in this year, if not, in the spring. The Supervisor also reported that there is a lot of broken and heaved sidewalk in Port Henry. The Highway Department will work on that next year, maybe fix them with blacktop. Councilman Garrison feels blacktop is fine in front of a business, but not a residence. Councilman Anderson asked if there would be money left over from this sidewalk project to do the repairs; the Supervisor said he is not sure.

Chip Perry-WWTP: Mr. Perry reported that all 3 plants are running well. They are working on fall maintenance. He has had no complaints from the community. The Supervisor is waiting to hear from the Comptroller, he is hoping there is enough fund balance to replace a pump at the WWTP.

The Supervisor asked if anybody from the Public would like to speak, he saw that a few people arrived late.

Kelly White stated there should be a Local Law regarding fences and driveways in the Town of Moriah. The Supervisor stated that Local Laws are very hard to enforce. He knows that there are shared easements, especially in Witherbee. He also stated that this is a civil matter. The White’s should take this to Court. Ms. White said it is not stated in the deed how much you are allowed for a driveway. The Supervisor stated that the Town Board has no power regarding a fence. The Supervisor asked Ms. White if she has spoken to her neighbor and she said yes and it has done not done any good. Ms. White stated the Town should have a local law regarding this matter. The Police won’t help. Mr. White stated that the neighbor has been in their back yard moving stuff around, what if they get hurt back there, and who is responsible for that. The Supervisor stated they should get the property surveyed and also go to legal aid in Plattsburgh to see if they can get some help with legal fees if it goes to court. Mr. White stated that the neighbor’s fence pole is right in the middle of their driveway. The Supervisor stated again that he and the board have no control over this. Ms. White stated when she called Betty Little’s Office, she was told it was a “local matter”. The Supervisor stated he will get a copy of Crown Point and Ticonderoga’s local laws regarding fences.

Town Board Report’s:

Councilman Salerno reported that the campsites are now closed, they had a good year. He would like to get the letters out to the campers in January, just in case we have a lot of people who are not coming back. Moriah Shock and the Building & Grounds crew will be at both campsites next week. The Supervisor asked if the beach house at Port Henry Beach could be painted. Councilman Salerno stated that the workers are only there for one more week; they can do it in the spring. The Supervisor reported that he would like to lease the beach house, he has had people express interest in it.

Councilman Garrison: Had nothing to report.

Councilman Anderson: Read the Police Report: Handled 152 calls for service:

Violations: 3

1-harassment 2nd degree, 1-open container, 1-trespass

Misdemeanors: 5

3-Issuing bad checks, 1-criminal contempt in the 2nd degree, 1-bail jumping 2nd degree

Felonies: 0

Issued 16 traffic tickets.

Handled 5 traffic accidents.

Conducted 9 pistol permit background investigations.

The Supervisor asked if the Youth Commission has met yet and Councilman Anderson said no.

The Supervisor stated he is putting in the budget for tuition for the Youth Commission next year.

Supervisor's Report:

Paraglide New England has submitted a proposed lease agreement. The Supervisor would like to have the Town Attorney look at it. They have their certificate of insurance. The lease would be effective in the year 2018 once the Town Board approves it. They would like to use the Point at Bulwagga Bay Beach now and the Board was in agreement with this. The Supervisor said they are still "trying" it out.

1. **ON MOTION** by Supervisor Scozzafava, seconded by Councilman Salerno, the following resolution was

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

RESOLVED to allow Paraglide New England to use the point at Bulwagga Bay Campsite for the remainder of 2017.

The Supervisor reported that he has two parties that are interested in buying out the cell tower lease on Spring Street. The Town would have to get RFP's if the Board decided to sell. There would be a Public Hearing. The Town would have to use the money for a long term investment. The Supervisor is waiting for John Silvestri, Town Attorney to get back to him regarding this. On the current lease agreement there is a 3% escalation clause. Paul Reese stated that we need service in the Cheever area. Councilman Anderson asked if there is anything new on getting cable on Mullen Bay Lane and the Supervisor stated Spectrum is doing their own thing, getting fined and paying them because it is cheaper to pay the fines then put cable where Time Warner Cable agreed to put it. The Supervisor stated he will pursue it.

The Supervisor received a thank you note from Danielle O'Mara from Tobacco Free Clinton/Franklin/Essex Counties.

The Supervisor reported that vacant and abandoned buildings continues to be a problem. He gave an example of a mortgage company "sealing" the wrong house last year. The Town has to put pressure on mortgage companies to clean up abandoned properties that they own. Legislation was passed last year that holds banks and mortgage services accountable for these properties.

The Supervisor received a letter from Martin Nephew, Mountain Lake Services regarding the shared service agreement regarding the parking lot on Broad Street. Parking on Main Street is a huge problem. The Town Board cannot change the parking; it is up to NYS DOT. If it was changed to parallel parking, we would lose a couple of spots. The Town needs more parking areas. There is no handicap parking either. Ann Tesar asked if Mountain Lake Services was still using the parking lot on Rice Street and the Supervisor said yes, it is always full. She also mentioned that the Glens Falls National Bank also has trouble with parking spots.

The Supervisor stated he found an article on property tax. The Town of Nantucket has a program for seniors who cannot afford to pay their taxes; the Town has a "property tax work off program" for eligible seniors.

The Supervisor reported that there is a lot of work to be done in Sewer District #1; Mineville, Witherbee and Plank Road. It is going to cost approximately \$8,000,000.00 to fix all the problems. The Town can apply for a \$750,000.00 grant through NYS EFC. The problem is the inflow; we are treating storm water that is getting in the system.

The Supervisor reported that the Mineville VFW received a \$100,000.00 restoration grant. They will be replacing windows, working on the roof and possibly getting a generator.

Chris Garrow, Essex County DPW shared a letter with the Supervisor that he received from Rich Redman; Ensign Pond Road, thanking them for all their hard work on the drainage on the Ensign Pond Road.

The Supervisor reported that he and the Supervisor from Crown Point and Ticonderoga met regarding the ambulance service in all three Towns. NYS is making it impossible for people to

volunteer because of the qualifications and the Fire Department cannot run an ambulance squad. A paid ambulance service is going to happen in the near future if something is not done. If all three Towns were combined it wouldn't be too costly for ambulance service. We might have to look at a County wide one also. In August 2017 the ambulance had 43 calls and there were only 20 calls for all three fire departments combined.

The Town is still looking for a Board of Assessment & Review member. We advertised but had no interest. This is a paid position, it is \$300.00 for a couple of meetings and you have to get certified. The Board of Assessment & Review can override the Assessors.

The Supervisor received an email from Fred Keil, Architect regarding the Port Henry Fire House. The fire house is on the historic register. It is structurally sound. Mr. Keil will help the Town apply for a \$1,000,000.00 restore NY grant. The Supervisor reported that he has several people who are interested in buying it. He stated the Fire Commissioners should start looking for a new fire station. Councilman Salerno asked how much of the building they were heating and the Supervisor said just where the trucks are. Jamie Wilson, Highway Superintendent stated the basement is available for storage. The Supervisor reported that he has someone who is interested in the old Village Hall as well. He will give more information when he knows the interest is for real. If the Town Board decides to sell, it would be subject to permissive referendum. The Assessors do not want to move up there, there are looking at a chair lift for the town hall.

Resolutions:

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

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

1. **RESOLVED** to contract with Fred Keil to do application for the old Henry Garage for a restore New York funding for grant of one million.

Discussion: No charge to do the initial application, and if funded, cost would be \$3,000.00 for a total of \$6,000.00 to project funded. Money left over from Iron Center Project.

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

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

RESOLVED to authorize Office of Community Resources to do a Request for Qualifications for the Moriah Water Front and Economic Strategic Plan, Phase 2.

Discussion: Grant from DEC for \$75,000.00. We cannot amend Michael Crane's Phase 1 contract, the Town has to go out for RFP's. RFP's are due October 27, 2017.

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

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

RESOLVED authorization to discontinue the plowing and snow removal of the following private roads located in the former Village of Port Henry; Shea Lane, Star Way, Secluded way, Wine Cliff Way, Beaver Street, and Thompson Way (also known as Parsonage Way).

Discussion: Under Highway Law, the Town cannot plow private drives with a common easement.

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

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

RESOLVED authorization for Town Highway to continue to maintain and do snow removal on Sherman Park and Hummingbird Way, partial, as per NYS Highway by use Law section 189.

Discussion: Under Highway Law section 189, if a road has been maintained for at least 10 years, the Town has to continue to do so.

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

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

RESOLVED to adopt Local Law #4 of 2017, tax cap override.

7. **ON MOTION** by Councilman Anderson, unanimous second, the following resolution was

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

RESOLVED a resolution of appreciation to Karen Lake Paris for 30 years of service to the Ambulance Squad.

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

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

RESOLVED to authorize Pride of Ticonderoga to apply for funding for NYS Main Street Technical Assistance Program (\$20,000.00).

Discussion: This is the first step we have to take to receive the 75/25% grant.

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

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

RESOLVED authorization to renew contract with SPCA for sum of \$6,500.00 for 2018.

Discussion: This is the same price as 2017. Ann Tesar asked what they do and the Supervisor said they take care of all the stray dogs we take there.

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

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

RESOLVED to authorize Frank Slycord Codes Officer to attend informational session regarding vacant abandoned properties, sponsored by NYS on 10/19/17 in Queensbury, NY.

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

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

RESOLVED to renew contract with Life Flight for 2018 for \$200.00.

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

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

RESOLVED to award bid to Avery Energy for fuel oil, kerosene, and diesel.

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

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

RESOLVED to eliminate one HEO position in the Highway Department due to vacancy.

Discussion: Councilman Garrison asked Jamie Wilson Highway Superintendent if he was ok with this and Mr. Wilson said we will have to wait and see how it goes this winter. The Supervisor stated we do have people with CDL's that we can pull from other departments to help out.

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

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

RESOLVED to remove from table Resolution #10 of September 14, 2017 meeting regarding Bridge Point proposal.

Discussion: Bridge Point's proposal was a couple dollars lower than our current carrier. The Supervisor has spoken to current Bridge Point customers and they are very satisfied and the Supervisor would like to give someone local the business.

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

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

RESOLVED to approve payment of the warrant.

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

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

RESOLVED to get a BAN in the amount of \$225,000.00 for a new tandem truck for the Highway Garage.

Floor open to the public:

N/A

The meeting adjourned at 7:15pm.

Abstract Distributions:

Claim Numbers:

September 25, 2017

General	\$8,251.15
Water District #1	\$35.01
Water District #2	\$24.61
Water District #3	\$73.12
Water District #4	\$3.46

2017/7440-7458

Sewer District #1	\$267.22
Sewer District #2	\$98.76

September 27, 2017

General	\$6,281.87	2017/7459
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October 2, 2017

General	\$1,200.00	2017/7462
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October 12, 2017

General	\$40,556.23	2017/7464-7597
Highway	\$188,379.39	
Water #1	\$5,787.19	
Water #2	\$4,420.04	
Water #3	\$1,939.76	
Water #4	\$458.88	
Sewer #1	\$14,677.68	
Sewer #2	\$7,979.63	

Capital Projects:

Lamos Lane Sewer	Essex County Treasurer	#5	\$85.89
Manhole 13	Canadian Pacific Railway	#1	\$43,600.96
	Ed Garrow	#2	\$950.00
	Orrick	#3	\$10,750.00
Rice Lane Project	Laberge Group	#3	\$3,740.35
Sewer Study	AES Northeast	#1	\$3,661.05
	AES Northeast	#2	\$16,694.50
	AES Northeast	#3	\$3,643.75

Town Clerk