

The Town of Moriah Town Board a Public Hearing on the proposed Local Law No. 1 of 2015, "Animal Control Law of the Town of Moriah" on Thursday, July 9, 2015 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York with the Regular Board Meeting to follow at 6:00pm.

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

Others Present: William Trybendis; Mary Striebl; Diana Stevenson; Jackie and John Viestenz; Ed Roberts, Animal Control Officer; Suzanne and Charles Bradford; Robert Blaise; Rose French; Richard LaPier, Building Codes; Cecelia Wojciukiewicz; Elaine Adkins Town Clerk; Amanda Endres and Gary Cutting (arrived at 6:44)

The Supervisor opened the hearing at 5:45pm by saluting the flag and reading the Legal Notice calling for the public hearing

The Supervisor reported that this law has been in the works for some time and that we've held informational meetings; the only thing that was changed after the meetings is the wording and some of the language that our lawyer. He then read the letter from Linda Horizny expressing her positive support for this local law. (*See attached)

2090 Ensign Pond Road
Moriah Center, NY 12961
July 9, 2015

Town of Moriah
Tom Scozzafava, supervisor
Paul Salerno, board member
Tom Anderson, board member
Luci Carpenter, board member
Tim Garrison, board member
38 Park Place
Port Henry, NY

I am unable to attend the public hearing regarding new legislation that will control unwanted animal behaviors. I would like to express my positive support for this legislation. I have been frequently disturbed by my neighbors dogs barking uncontrollably. I would like to see legislation that facilitates the enforcement to control this problem and stiffer fines to ensure compliance by dog owners. Doing so will improve the quality of life in Moriah and increase our property values.

Sincerely
Linda Horizny

Floor Open to the Public:

Mrs. Bradford understands this law is proposing to put a collection bag on a trail horse, but there is no place to put one on a trail horse. If the horse isn't trained from the beginning the horse will buck; she could understand if there were a lot of horses ridden on the roads every day, but there isn't. There's no trail in Town either. She just thinks there are bigger issues to deal with such as the junk yards around town. The Supervisor directed the hearing back to the Animal Control Law.

Mrs. Carpenter stated that in Section 6 –A) states that the Animal Control Officer must personally witness/hear the violation or B) a valid complaint is made by an individual who has witnessed or heard the act alleged to have violated this local law.

Ms. Striebl suggested that if the horse does anything, then go back and pick it up; Mr. Scozzafava stated that as long as they didn't stop with horse and get off, maybe go back later in the car or walking otherwise it becomes a liability issue.

Mr. Blaise asked how they dealt with it in White Hall. Councilwoman Carpenter stated that there is a law on the books. Mr. Blaise then said he wanted the town to do something about a neighbor shooting at his property; he thought there was a law that you couldn't shoot within 500 feet of a residence. Mr. Scozzafava suggested he call the police; there is nothing the Board can do.

Ms. Wojciukiewicz stated she doesn't own a horse, but she agrees with Suzanne and Mary; she is astonished that we are addressing horse collection bags in a local law, there are more important issues. She did have an issue with the six foot leash law in that the flexi leashes will go a lot longer and if someone doesn't know how to properly use them it can become an issue. She suggested that we put into the lot that people cannot use them. Mrs. Carpenter stated that in the law it states that owners must control their dogs at all times; we cannot tell them what leash they cannot use.

Mrs. Bradford asked if the horse does go on the road and the Animal Control Officer witnesses this will he write a ticket? She was told that it is up to him or if he will just give a warning. Mrs. Carpenter stated that the law is on the books and it is your individual choice to follow it or not.

The Supervisor stated that it is a liability issue for the Towns; we have the hearing to hear from both sides of the spectrum. If no one sees you and it's a busy area you can go back and scoop it up; it would become a liability if you stopped the horse and cleaned up after it while you and the horse are in the road.

The Supervisor talked of animal abuse and barking dogs. Most issues in the law we've been dealing with for years; we can't afford to deal with cats or it would bankrupt us. Mr. Anderson agrees with the issue of frustration with the cats, but there's not much we can do about it.

The meeting adjourned at 5:49pm.

Town Clerk

The Town of Moriah Town Board held their Regular Board Meeting on Thursday, July 9, 2015 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

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

Others Present: William Trybendis; Mary Striebl; Diana Stevenson; Jackie and John Viestenz; Ed Roberts, Animal Control Officer; Rose French; Richard LaPier, Building Codes; Cecelia Wojciukiewicz; Lou Paris, Captain, Moriah Ambulance Squad; Sue McHone; Bill Boyle; Elaine Adkins Town Clerk

The Supervisor called the meeting to order at 6:00pm.

ON MOTION by Councilwoman Carpenter, seconded by Councilman Garrison, all in favor, carried, **RESOLVED** that the Town of Moriah Town Board approve the minutes from the previous meeting.

Special Guest:

Supervisor Scozzafava introduced Lou Paris, Captain of the Moriah Ambulance Squad. Mr. Paris talked about the house numbering that E911 did a number of years ago. Everyone is supposed to have house numbers either on their houses or the ends of their driveways if there house is not visible from the road especially at night. There are still houses or properties with no numbers.

Mr. Paris stated that that the yearly fund drive is on and mailers went out yesterday. If anyone doesn't get a mailer and wants to donate, get hold of them; every penny counts. The squad is talking with Moriah Fire Department about moving into the building that used to house the ladder truck; there garage isn't high enough for the newer ambulances. Mr. Scozzafava

thinks this is a great idea; we need to share more services. The Squad is trying to get grants for newer ambulances; their equipment is old and has a lot of miles on them. The cost to replace one ambulance is 145-160,000 dollars. They are looking into billing companies to charge insurances for ambulances call; hope to start billing by the end of the year. We have lost two EMTs due to the amount of hours required now for training. Most of the volunteers hold full-time jobs and can't put all the hours in required. Also even though there are 17-18 members, not all of them are able to give the hours needed each week as a volunteer. The Supervisor said this is an issue state wide. The facility they are in now is owned by the Squad; we will work with them as to the best decide what to do with the property if they become part of the Fire Department or just use the building.

Mr. Scozzafava said we all appreciate all that Mr. Paris does and the hours he puts in. The Board thanked him for coming.

Floor Open to the Public: No one spoke

Department Head Reports:

Richard LaPier, Code Enforcement Officer gave the following report. Building Codes issued five building permits for the month of June and did six fire/safety inspections. Mr. LaPier recommended approval on a two lot sub-division for Gilbert Trudeau/Danny Dufour at 5130 NYS Rte. 9N.

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

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

RESOLVED that the Town of Moriah Town Board approve the two lot subdivision for Gilbert Trudeau and Danny Dufour for the property at 5130 NYS Rte. 9N on recommendation of Code Officer, Richard LaPier.

The Supervisor said that earlier the subject of junk yards came up; we are starting to crack down. This is what the people want, but it will cost as we have to have an attorney represent us in court for those that don't comply. Codes has sent out three notices to clean up; some of them were notified earlier and now DEC is involved.

Ed Roberts, Building & Grounds, reported that they have been busy mowing and cleaning up the boat launch. Mr. Scozzafava asked that everything be cleaned up and ready for Sunday, July 19th; Moriah Stock and Champ Day. Ed will coordinate with the Village workers.

Mr. Scozzafava said that Jamie Wilson, Highway Supt. and Art Morgan, Water & Sewer Supt. have been excused. He reported that the sidewalks are being replaced in certain areas and the County is doing a lot of paving in the Mineville area.

The Supervisor reported that he, Art, and Mark met with the DEC regarding the Titus Road Pump Station. The pumps have to be replaced and we are going to do emergency borrowing; we do anticipate getting some money from New York State. There's also an inflow problem coming down from Mineville and old clay pipes that are breaking apart and causing back-ups. It will cost 6-7 million to replace all the pipe needing replacement so we will do this in phases. The Village went to the board on similar problems with infrastructure issues. There are more and more breaks in the water lines and we need to find money to do replacements

Town Board Reports:

Councilman Salerno reported that there are 154 seasonals at the campsite and July 4th there were 30 transients; 12 are booked through the end of August. We are renting our kayaks, paddle boards and canoes at the campsite; paddle boards are a hot item. Mr. Salerno asked about the availability of the boards, kayaks and canoes after the lifeguards leave. The Supervisor said that the managers will rent them out after the lifeguards leave. The rentals are going very well.

Mr. Salerno said they are looking at the last two weekends of August for the free clean up; he will have more information at the August meeting.

Councilman Garrison reported that July 19th is Champ Day and Moriah Stock at the pier. There will be the old boats and many vendors; bands will start at 11:00am.

Councilwoman Carpenter reported that the Town now has a Face Book page (no comments allowed) and You Tube video of the Board Meetings.

Mrs. Carpenter apologized for missing the meeting at the Iron Center; she had the time wrong. She asked about the grant for the building and the Supervisor said we received \$20,000 to repair the doors and the soffit. Other parts of the building need repairs as well.

Councilman Garrison asked that the Iron Center be open on July 19th as we will have a bus from the County to transport people up street and to the Iron Center. Mrs. Carpenter suggested that in the flyers they also list the Angel of Hope.

Supervisor's Report:

- Received a letter from the Mineville/Witherbee Fire Department – they had an issue during one of their drill flushing a hydrant; they ended up with rocks in their equipment which received damage. A lot of rock got in the pipes when construction was done in the past. They are supposed to have someone from the Water Dept. there when they are flushing hydrants. *See letter attached.
- Sent letter to DEC to notify them of the problem with the pump station in Moriah and that we will be going to bid on the Titus Rd. pump station.
- Went over the electronic waste with Cheyenne; the recycling company charges us to get rid of the old TVs and monitors and we are losing money. Had scales brought up to start weighing what comes in and then weigh what goes out to make sure we are being charged only for what we should be charged for. We have also been weighing trash bags that come in and the average is about 30 pounds.
- Received a letter from Sherman Free Library thanking us for our support. The librarian is leaving the end of the month.
- Received an inspection report from Ag & Markets; we are in compliance for our shelter. Instead of taking a dog directly to the pound we can keep it for two days to try to find the owner.
- Cable TV is currently going through a merger with Charter; our franchise is up this year. We've been told areas we want services expanded will get service.

Resolutions:

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

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

RESOLVED that the Town of Moriah Town Board gives authorization for the Supervisor to make payment for the tax refunds as per the Court Order, in the assessment case for Old Chimney, LLC for the tax years 2012, 2013, and 2014 in the amount of \$11,987.84.

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

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

RESOLVED that the Town of Moriah Town Board adopt Local Law No. 1 of 2015 "Animal Control Law of the Town of Moriah".

Discussion: Councilman Anderson read a letter from Jennifer O'Banion and Bryan Popp regarding a dog that is loose and in their yard all the time and cats in their neighborhood that is destroying some of their property and others property also. Mr. Roberts stated that he has nothing to do with cats and that he has written the owner of the dog up before. The Board said this is in the Village so it is up to the Village Board not the Town Board.

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

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

RESOLVED that the Town of Moriah Town Board gives authorization to pay Kubricky Construction, for Change Order No. GC-CO.02, for the Campsite Erosion Project in the amount of \$28,879.13.

Discussion: We found more erosion happening in different areas and we had to bring in more stone. We have the reclamation permit which allows us to do this.

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

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

RESOLVED that the Town of Moriah Town Board authorize going to bid for the fuel, which includes diesel and kerosene, for the period of 9/1/15 through 8/31/16. The bid opening will be at the next board meeting on August 13, 2015.

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

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

RESOLVED that the Town of Moriah Town Board approve the payment of the warrants.

6. **ON MOTION** by Councilman Anderson, seconded by Councilman Garrison, the following resolution was approved and adopted.

WHEREAS, the Town of Moriah has received a NYS Office of Community Renewal Community Development Block Grant to upgrade and replace existing two inch plastic water main and existing laterals with new six inch and eight inch DI water main and new house laterals on Mountain Spring Road serving 22 residents, a low-moderate income neighborhood, and

WHEREAS, the Town of Moriah has retained AES Northeast, PLLC, an engineering firm duly licensed in New York State to review alternatives, develop finalize design and construction documents, and

WHEREAS, the proposed project consists of approximately 2,000 linear feet of water main with fire hydrants, gate valves, curb stops, house laterals, to comply with the New York State Department of Health 10 State Standards, and

WHEREAS, the Town is required to comply with the New York State Quality Review Act (SEQR) – 6NYCRR Part 617, and

WHEREAS, the proposed project has approval from the New York State Historic Preservation Office, and

WHEREAS, the proposed project is within the Moderate Intensity Use Area zoned by the New York State Adirondack Park Agency in which their jurisdiction is pending, and

WHEREAS, the proposed project also has pending approval from the New York State Department of Environmental Conservation and US Fish and Wildlife Service, and

WHEREAS, the proposed project is improving existing infrastructure in the Town owned right of way where no vegetation or natural habitats exist, and

THEREFORE, BE IT RESOLVED, that the Town of Moriah has determined that to be a Type II Action under SEQR pursuant to Section 617.5 (c) 1 and (c) 2, and

BE IT FRUTHER RESOLVED, that the Town Board of Moriah has herein determined that the proposed action incorporating the and upgrade of a water main is otherwise precluded from additional environmental review under the State Environmental Quality Review Act (SEQR) Environmental Conservation Law Article 8.

Councilman Anderson	VOTING	Aye
Councilman Garrison	VOTING	Aye
Supervisor Scozzafava	VOTING	Aye
Councilwoman Carpenter	VOTING	Aye
Councilman Salerno	VOTING	Aye

* Attachment

Mineville-Witherbee Fire District #2
Board of Fire Commissioners
PO Box 399
112 Raymond Wright Avenue
Mineville, New York 12956

PC: DD
10
RF: 2

Chairperson - Sharon O'Connor
Vice Chairperson - Ron Haseltine
Commissioner - Pearl Mendis
Commissioner - Cheyenne Marin
Commissioner - John Santase
Secretary - Sarina Pattison
Treasurer - Firm of Patrick R. Edo

Fire Chief - Adam Wright
1st Assist Chief - Ray Bragge
2nd Assist Chief - Henry Trombley Jr.
Captain - Derrick McGay
Safety Officer - Jeff Farnsworth

Mr. Thomas Scozzafava, Supervisor
Town of Moriah
38 Park Place
Port Henry, NY 12974

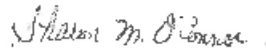
July 6, 2015

Dear Tom and Members of the Board,

I am writing to inform you of an incident that took place when our Fire Department was in the process of flushing hydrants on May 19, 2015. During their routine hydrant flushing a number of rocks were flushed through our equipment, some the size of golf balls. Our Board of Commissioners also felt it necessary to notify the Town of Moriah Board of this rock flushing in the event our equipment might have received some unforeseen damaged during the process.

Thank you for your time in this matter.

Sincerely,



Sharon M. O'Connor
Chairperson

Floor Open to the Public:

Mrs. Adkins reported that there will be a rabies clinic at the Town Hall on Tuesday, the 14th from 6:00pm-7:00pm. You can re-register with Public Health in E-Town.

Mr. Boyle stated that he and others have an issue with animals on Spring Street; cats and dogs. The cats are ruining his property; they've ruined carpet on his porch and destroyed other property. The Supervisor asked if he knows who owns the dog and if so he should talk to the owner or file a written complaint then Mr. Roberts can do something. As far as the cats are concerned there is nothing the Town can do as we don't take care of cats. The Supervisor stated that if anyone feeds stray cats then they are considered their owners.

Ms. Streibl stated that there are grants available to fix stray cats; someone has to get them and transport them to the Vet and the grant pays the Vet fee. Mr. Scozzafava stated that we don't have anyone to trap the cats or any way to transport them. The Town doesn't take care of cats because we couldn't afford it; it would cost a fortune. He suggested talking to the owners and if that doesn't work he can fill out a complaint and take them to court for the property that was destroyed; we can handle the dog complaint only.

Ms. Wojciukiewicz asked if the DEC takes care of cats and was told that they call Mr. Roberts most of the time to take care of wild animals never mind cats. He also noted that Mr. Roberts doesn't deal with wild animals; he has helped people deal with raccoons and skunks, but he doesn't do wild animals unless DEC calls and asks him. The government can't take care of everything.

Councilman Carpenter asked if someone lives in the Village where they would file an animal complaint. She was told that Mr. Roberts has permission to write on the Village

ordinances. The Animal Control Officer is a Town-Wide charge on the taxes. Mr. Roberts is a part-time officer so he is limited to what he can do.

Mr. Viestenz reminded everyone that Saturday is hazardous waste day in North Hudson from 8-12. More information is on the web.

The meeting adjourned at 7:00pm.

Abstract Distributions:

Claim Nos.:

6/12/15

2015-659

Sewer	\$1,175.00
Water #1	658.00
Water #2	446.50
Water #4	70.50

6/23/15

2015-661 – 2015-677

General Fund A	\$6,519.71
General Fund B	30.99
Highway	815.99
Water #1	45.03
Water #2	31.38
Water #4	4.55
Sewer	139.96

7/9/15

2015-683 – 2015-766

General Fund A	\$39,786.72
General Fund B	66.13
Highway DA	4,192.41
Highway DB	1,839.40
Water #1	3,967.30
Water #2	2,898.53
Water #4	363.61
Sewer	45,360.17

Capital Projects:

Claim Nos.:

Shoreline Erosion	\$28,751.35
Mt. Spring Rd.	2,626.97

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2

Town Clerk