

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

LOCATION: MUNICIPAL BUILDING, 4303 MAIN STREET
PORT HENRY, NY 12974

DATE: JUNE 13, 2011

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Viestenz, Clerk Daly, Treasurer Jurkiewicz, Deputy Superintendent of Water and Streets; John Tromblee, Chief Water and Wastewater Plant Operator; Chip Perry, Port Henry Fire Department Chief; Jim Hughes, Code Enforcement Officer; Bill Ball and Champ RV Park/Campground Manager; Marge Seguin.

ATTENDANCE: John Easter, Walt and Geraldine Mimas, Jackie Viestenz, Louise Belden, Jack Sheldon, Linda Smyth, Kelly King, Sandra Lovell, Ann Tesar and eight individuals that camp at the Champ RV Park as seasonal campers

The following reports/documents were distributed to the Board for review prior to the meeting: the June 13, 2011 Meeting Agenda, the April 18th, 27th, May 9th, and 31st, 2011 Board Minutes, the May 2011 Treasurer's Report, Campground Profit Report, Perma Claims Experience Member Reports, Water and Wastewater Plant Report and the Fire Chief's Report.

Mayor Guerin called the meeting to order at 7:01 pm, thanked everyone for attending and proceeded to lead in the salute to the flag.

The following changes were noted and made to the May 9, 2011 Board minutes:

- On page 2, under the regular meeting: "Mayor Guerin (not Mayor Cooke) called the regular meeting to order at 7:01 pm."
- On page 6: Carl Perry is the Head Wastewater Treatment Plant Operator part-time and Head Water Treatment Plant Operator part-time. He is a full-time employee. Mr. Perry is paid \$17.22 per hour from the joint activity fund and \$23.13 from the water fund. As of June 1, 2011 these rates will increase to \$17.69 (JA) (not \$18.19) and \$23.60 (water) per hour, per the Teamsters contract.
- On page 6: Peter Towns is a Wastewater Treatment Plant Operator part-time and Water Treatment Plant Operator part-time. He is a full-time employee. He is paid \$15.96 per hour from the joint activity fund and \$15.96 per hour from the water fund. As of June 1, 2011 his rates increase to \$16.43 (JA) (not \$16.93) and \$16.43 (water) per hour, per the Teamsters contract.

(The .50 cent increases originally included were built into the 2011-2012 budget and will be made in the future upon notification that Chip Perry and Pete Towns have received the Grade 3A and Grade 2A WWTP Operator's certificates.)

- On page 8, the Trident Insurance proposal accepted by the Board does not include additional terrorism coverage.

A motion was made by Trustee Brassard, seconded by Trustee Viestenz to approve and accept the Board minutes for April 18th and 27th, May 9th (with above listed changes) and May 31, 2011. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

DEPARTMENT HEAD REPORTS

Chip Perry read his monthly report for May 2011 to the Board as follows:

Water Treatment Plant

- Second quarter trihalomethane and haloacetic acid samples were taken.
- The generators on Broad Street, the North End Pump Station and Water Filtration Plants have received their annual service per the level one contract.
- The annual cleaning of sand in filters has been completed.
- Fielded one complaint from the Senior Center regarding dirty tasting water; went to check out, no problems were found, the cl2 and turbidity was good.
- The Elk Inn Road / Forge Hollow Road water problem was resolved and most had water by evening however, there were some customers that were without water for over a week.

Storm Related Problems

- A lightening strike at the water plant on May 26, 2011 damaged a computer board that controls some instruments, for example; tank level, chlorine residual, turbidity, etc., all was rectified and working well the next day.

Wastewater Treatment Plant

- The DEC performed a site visit on May 2, 2011.
- The annual servicing of the generator has been completed.
- The Annual Progress Report for Manhole #13 has been completed and filed with the State.
- The NYS DEC has brought two blue 22,000 gallon portable tanks for water oil separation for pump outs along the shore. They are currently located near the WWTP plant.
- The gas detection system has been serviced.

North End Pump Station

- The water level has dropped to the point where only one pump is running on/off on a float mode. Two pumps have been running as a result of the storm since April causing a substantial amount of electricity to be used at this facility.
- Electrical work on lighting and outlets needs to be done in the basement.
- No repair work took place in May, 2011.

Update to Repairs

- Aqualogics arrived on June 2, 2011 and got the SCADA system back on line. The components in the main control panel were replaced and the entire system was checked for troubles. All transmitters are on order.

Mr. Perry asked the Board if there were any questions pertaining to his monthly report. There were none.

Chief Hughes read aloud his monthly report for May of 2011 to the Board as follows:

- The Port Henry Fire Department has responded to 42 calls to date in 2011; 4 in January, 5 in February, 6 in March, 15 in April, 10 in May and 2 in June.
- The fire department participated in the Crown Point Memorial Day Parade and won for the oldest motorized apparatus for the 1946 LaFrance. Members also attended the Ticonderoga Fire Museum's Grand Opening.
- The 137th Annual Firemen's Banquet was held on June 11, 2011 at the King's Inn.
- OSHA training scheduled for June – Boat Safety/Water Rescues
- Six members participated in Water Rescue Training with the US Coastguard and State of Vermont on June 9, 2011 at the Basin Harbor Club.
- The heater cores in the 1994 E-One, Engine 291, are leaking; new ones will be installed.
- Rescue 298 will be sent to the Port Henry Service Center for annual servicing.

- Adirondack Fire Services will be performing our annual hose testing and inspection on engines 291 and 292 on June 15, 2011 beginning at 8:00 am.
- The 2011 Assistance to Firefighter's Grant has been announced. \$370 million dollars will be allocated nationwide.
- The fire department has a coin drop scheduled for Saturday July 2, 2011 from 9:00 am to 1:00 pm.
- Approval is requested for a new applicant, William R. Blood of 14 Prospect Street Port Henry, NY.

John Tromblee presented his verbal report for May 2011 to the Board as follows:

- Storm drain repairs have been completed.
- The crew will be attending Health and Safety training in Ticonderoga for two days.
- The ongoing flooding issue on Elizabeth Street will be tackled.
- The washouts that resulted from the spring storms have been patched.
- The Village crew will be flushing hydrants this week. If residents call complaining of brown or dirty water advise them to run their outside garden hose or spickets for an hour or two, to flush the line.
- The road to the campground is now open and clear of water. Clean up of the campground will begin later this week and repairs will begin next week.

Linda Smyth asked if the fire hydrant on Spring Street has been repaired. Mr. Tromblee informed her that it is on the list.

Bill Ball proceeded to give the Board a verbal report for May 2011 as follows:

- Three permits were issued in May, it was a slow month.
- Working on garbage issues.
- Fire inspections will be performed beginning with multi family dwellings.

PUBLIC COMMENT PERIOD

John Easter extended a thank you to Chief Hughes and the Port Henry Fire Department for rescuing his wife at their residence, due to flooding as a result of the April 27, 2011 storms. Mr. Easter also extended a thank you to the Village crew for the sandbags and all of their help in regard to the flooding issues.

BOARD DISCUSSION/REPORTS

Mayor Guerin asked the Board if they had any questions or matters they wished to discuss at this time. Trustee Viestenz asked Treasurer Jurkiewicz if there were any financial concerns the Board should be aware of. The Treasurer informed the Board that in light of President Obama declaring Essex County an official disaster area and the anticipation that FEMA funds will be available in the near future, there are repairs that need to be made at the campground now that can not be put off until federal funding is made available, in order to open the campground and generate revenue. The campground is one of the major sources of revenue for the Village after property taxes and water and sewer billings and there are many large bills that are paid in June, which marks the beginning of the fiscal year. The Treasurer advised the Board that until we know what the costs will be regarding the extent of the repairs and clean up at the campground, all discretionary items/projects need to be put on hold and the Village should operate on a strict austerity budget until further notice.

Recurring Old Business: Official notification from New York State was received on May 9, 2011; Local Law No. 2 of 2011 - The Village of Port Henry Water Law, has been filed with the State as of May 4, 2011 and is in full force and effect as of this date.

A discussion was held regarding future water billings with regard to the new rates, notifying the public of such and the installation of water meters. The Board agreed to send letters to the large water users in the Village advising them of the increase in the

cost of water as well as the discontinuance of discounts for large water users as a result of the newly adopted Water Law. The Board also agreed to send letters to over 90 users who continually have estimated readings, advising them that as a result of the newly revised adopted Water Law, there will be an additional \$100 charge on their billings in November of 2011 if the meter is not read or a reading is not provided. The letter will explain the several ways that a meter reading may be provided by the property owner in order to avoid this additional charge.

Trustee Viestenz indicated that after the letters are mailed, the next step would be purchasing new water meters as previously planned in order to have every user on a meter and billed for actual usage. Treasurer Jurkiewicz commented that this will need to be put on hold due to the current financial situation as well as the need to review the matter further and suggested the Water Committee schedule a date to meet regarding such. The Water Committee members agreed to meet on Tuesday June 21, 2011 at 9am at the Village Hall.

The 2011 Community Development Block Grant Application was submitted to the New York State Office of Community Renewal. The application as well as the information pertaining to it, was delivered to the Village office by Michael Mascarenas, on June 1, 2011. The application will remain on file in the Village office and is open for public viewing during regular office hours. The grant awards should be announced close to Labor Day.

Old Business: To date, the Local State of Emergency was extended through June 6, 2011, due to flooding issues as a result of the April 27, 2011 storm.

Mayor Guerin informed the Board that the issue regarding the pile of debris at Frank Horton's property at 4338 Main Street that was generated as a result of the April 27th, 2011 storm and flooding has been taken care of. Mayor Guerin informed the Board that Mr. Horton could have taken the debris to the Town landfill before the notice came out regarding the select landfills that would accept flooding debris; Sam Meacham was willing to haul it there for him. Mayor Guerin explained to Mr. Horton that he could not authorize the use of taxpayer's money to help him with the debris removal. Catholic Charities provided a dumpster and the debris has since been removed.

Campground and Beach - The campground opening date was postponed from May 6, 2011 to May 20, 2011 and then again until June 17, 2011 due to flooding as a result of the April 27, 2011 storm. After discussion, including an overview of the clean up and repairs that are needed at the campground before opening, John Tromblee informed the Board he believes that it will be ready to open by the July 4th holiday, as he plans on the Village crew working on nothing else for the next few weeks, but the campground. Mr. Tromblee further indicated that work regarding the campground will most likely be an on going process throughout the summer and there may still be issues after it opens. The Board agreed to postpone the campground and beach opening date to Friday July 1, 2011 in an effort to make the necessary repairs as the water continues to recede.

It was agreed that the Board would have Marge Seguin, the campground manager cancel all transient reservations for the July 4th weekend in order to first accommodate the seasonal campers with available, usable sites.

A few of the campers that were present expressed concerns regarding site availability and refund requests therefore a discussion ensued. The Board agreed to allow those seasonal campers that have paid their site fees and deposits in first. The Board agreed to extend the deadline for campers to pay their fees in full to June 17, 2011 and if not paid by this date, the site becomes open. It was agreed that lakefront campers that can not get on their sites when the campground opens, will be placed elsewhere until their site becomes available. All campers present including some lakefront seasonal campers agreed to accept a site anywhere in the campground until their site is available or to accept a refund or credit for next year. The Treasurer informed the Board that the Village first needs to determine if legally, credits can be issued for next year before agreeing to and doing so.

The issue of refunds to lake front seasonal campers who may not be able to access their lake front sites for the season was discussed. The Board agreed that if this scenario should present itself, then the lakefront campers will be issued a credit for the season for the difference of the cost between a lake front site and a non-lake front site.

The Board determined that if campers do not wish to return this season, they will be issued a refund for the amount paid for their seasonal site fee, less the \$150 deposit. Campers that are issued a refund and choose not to return this season will also lose their sites for next year and will have to start the process of requesting a seasonal site, lakefront or non-lakefront, over again.

The Board determined that all seasonal campers will receive a refund for May and June of 2011 as follows:

Lakefront - \$505

Non- lakefront - \$435

ALL refund requests must be submitted in writing with no exceptions. At 8:24 pm the eight campers that attended the meeting exited as well as Linda Smyth and Jim Hughes.

Three written refund requests have been received to date for the campground. The Board approved the refunds less the \$150 deposit for Gary Tucker, Greg Lehoisky as well as the \$40 transient deposit for Russell Camadine.

The Board granted the Treasurer permission to issue transient refunds as requested, provided the refund requests are in writing, without obtaining Board approval first.

On June 9, 2011 Wally Edwards stopped in the office to inform us that he could not lifeguard for the Village this summer. The Board agreed to review the applications that were received for the lifeguard position again, for possible candidates to interview based on current availability. Clerk Daly advised the Board that a letter should be sent to Amanda French who was hired as a lifeguard for the 2011 season, to advise her that the beach opening was postponed to July 1, 2011.

The matter of leasing out the beach house was tabled by the Board in May for further discussion at the June meeting. The Board agreed it is a mute point to discuss this matter further for this year.

Kelly King, manager of the Port Henry Farmer's Market, presented the completed permit application as well as the Surety Bond required in the amount of \$1,000 to the Village Clerk on June 3, 2011. All paperwork appears to be in order in accordance with Local Law No. 1 of 1976. A permit was issued to Ms. King on behalf of the Adirondack Farmer's Market, on June 3, 2011. The Farmer's Market will be located behind Boni's Bistro & Pub on Main Street every Wednesday from 10:00 am to 2:00 pm. A motion was made by Trustee McDonough, seconded by Trustee Viestenz to officially approve this event for the 2011 season. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried. Ms. King extended a thank you to all for the help and support regarding the Farmer's Market.

Mayor Guerin thanked Louise Belden, Jackie Viestenz and his wife Debbie for their help with the flowers on the bridges.

Louise Belden indicated that the pH7 Committee would like to add plantings in the island between Mac's Market and Main Street. The Board decided to hold off on this for the time being.

New Business: The Accounts Receivable Report, Trial Balance Report and the Monthly Water Adjustment Report for May 2011, have been presented to the Board for review.

A motion was made by Trustee Viestenz, seconded by Trustee Brassard to approve the Budget Transfer effective May 31, 2011, for the General Fund as follows:
From- Hospital & Medical Insurance-9060.8, To- Unemployment Insurance-9050.8,

in the amount of \$792.44. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

The Board discussed amending or combining the local laws pertaining to property maintenance to include support for the Village to add incurred property maintenance clean up fees/charges to a property owner's Village Property Tax Bill. Trustees Viestenz and Rich decided to meet at 1:00 pm on June 27, 2011 to further review and discuss this matter.

The list of 2011 elected officers for the Port Henry Fire Department was presented to the Village Board on May 13, 2011. A motion was made by Trustee McDonough, seconded by Trustee Brassard, to pass a resolution approving the 2011 officers, as elected by the Port Henry Fire Department membership. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

Chief Hughes provided the Board with an application for membership for William R. Blood of 14 Prospect Avenue. The candidate was accepted by the Port Henry Fire Department membership and endorsed by the Fire Board at their May 12th, 2011 monthly meeting. A Board resolution is requested to approve William R. Blood's application for membership to the Port Henry Fire Department. A motion was made by Trustee Viestenz, seconded by Trustee McDonough to pass a resolution approving this membership. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

A Water Adjustment Request Form was received on May 16, 2011 from Stewart Jerdo regarding his Water and Sewer Bill (Account No.192) for 22 Elizabeth Street; and distributed to the Board on May 16, 2011. A memo was also distributed to the Board on May 31, 2011 regarding this matter. A motion was made by Trustee Brassard, seconded by Trustee Rich to deny the adjustment request. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried. The Board decided that a letter would be sent to Mr. Jerdo advising him that the request was denied and informing him that he has until July 1, 2011 to have the water turned off permanently at this location by completing the Water Turn Off Request Form and paying the \$30 fee, otherwise he will continue to be billed for both water and sewer.

A letter was received and distributed to the Board on June 6, 2011 from Tina Martin of the Salvation Army, requesting to place a "box for toys" at the Village beach. The Board Tabled this matter for further discussion at the July 11, 2011 Board meeting.

A Certificate of Appreciation was received for the Visitor's Booth from RSVP and will be framed and hung in the booth in the near future if the Board agrees. After placing a call to RSVP at the Mayor's request, inquiring as to if there would be volunteers available to man the booth this year, the Village was informed that RSVP will no longer provide volunteers for this purpose as they feel the booth is in a poor location and does not receive enough visitors to warrant the use of volunteers to man it. (It was reported that there were six visitors to the booth last year). The Board discussed ideas as to a better location to place the Visitor's Booth such as, the park on Mac's Market property (with permission), the boat launch, the Champ sign at the entrance to Bulwagga Bay Drive, etc. No specific plans were made for relocation at this time.

The Town of Moriah Ambulance Squad has sent a written request to hold a Coin Drop on Saturday July 30, 2011. A motion was made by Trustee Brassard, seconded by Trustee Rich to approve the Coin Drop date for the ambulance squad.

The following Coin Drops have been scheduled to date for the remainder of 2011:

May 28th – PHFD
June 11th – Chamber of Commerce
July 2nd – PHFD
July 16th – Chamber of Commerce
July 30, 2011- Town of Moriah Ambulance Squad
August 13th- Salvation Army

September 3rd- Chamber of Commerce
October 8, 2010 PHFD

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve payment of the bills for June 13, 2011. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

Abstract Distributions:

General \$40,924.86
Water \$23,282.49
Sewer \$22,017.32
Joint Activity \$15,244.27

A motion was made by Trustee Rich, seconded by Trustee McDonough, to adjourn the regular Board meeting at which time the Board will enter into Executive Session to review applications for the Laborer's position and discuss personnel matters. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

ADJOURNED

Village Clerk