

SPECIAL MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: JUNE 21, 2011

TIME: 7:00PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich, Viestenz and Clerk Daly.

ATTENDANCE: Jack Sheldon

Mayor Guerin called the Special meeting to order at 7:00 pm, followed by the salute to the flag.

A motion was made by Trustee McDonough, seconded by Trustee Brassard to enter into Executive Session at 7:03 pm, at which time the Board will conduct the lifeguard interviews and then discuss potential candidates for the position. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

Mayor Guerin informed the public present that the Board will enter back into regular session after the executive session is adjourned to appoint a candidate for the lifeguard position and discuss matters pertaining to the campground.

Clerk Daly and Jack Sheldon stepped out while the Board convened in executive session. Clerk Daly re-entered after the interviews were completed.

A motion was made by Trustee McDonough, seconded by Trustee Rich, to adjourn the executive session at 7:35 pm and enter back into regular session. Yes; Trustee Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

Mayor Guerin called the regular session back in order at 7:36 pm, and Jack Sheldon re-entered the meeting.

A motion was made by Trustee McDonough, seconded by Trustee Rich, to hire Thomas Slattery as the second lifeguard for the 2011 season, with Erica Baker as an alternate. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

Before moving on to campground matters a couple of items needed to be discussed and/or addressed by the Board that had recently transpired. Clerk Daly informed the Board, upon Mayor Guerin's request, that Janet Hansen of 3245 Broad Street was in to pay her Water and Sewer bill (Account No. 430) on June 20, 2011. Clerk Daly informed Ms. Hansen at that time that an additional 10% penalty was due as the due date was June 17, 2011. Ms. Hansen indicated that she was here on June 17th a little after 4:00 pm to pay her bill as she was on her way home from a physical therapy appointment and the office was closed. Ms. Hansen was informed that the Village office closes at 4:00 pm daily, however she could have left her payment in the box on Friday and her account would have been credited without the late penalty. Ms. Hansen stated that she was paying in cash and did not wish to leave cash in the box and asked to speak with the Mayor regarding this matter as she did not feel as though the 10% penalty should apply to her situation. Clerk Daly informed Ms. Hansen that she would give Mayor Guerin the message with her phone number and ask him to please contact her regarding this matter. Clerk Daly informed the Board that there are no exceptions made for anyone regarding Water and Sewer bill payments made after the due date regardless of the circumstances, due to the fact that if the Village allows it for one resident, in all fairness they would have to allow it for all. Clerk Daly also informed the Board that the bills were mailed on May 5, 2011 and were not due until June 17, 2011, which allows an approximate six week grace period to pay Water and Sewer bills without incurring the 10% penalty. The Board

unanimously agreed that no exception will be made regarding Ms. Hansen's bill and the 10% penalty is applicable. A letter will be written to Ms. Hansen informing her that the penalty amount is due and if left unpaid will be added to the next billing cycle.

Bereavement pay was addressed; the Village Employee Policy does not allow for bereavement pay regarding the loss of a brother or sister-in-law, yet the union agreement does. A motion was made by Trustee Brassard, seconded by Trustee Rich to amend the Employee Policy to include bereavement pay for the passing of a brother or sister-in-law, effective immediately. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

The campground manager's contract was addressed by the Board. There currently is no signed agreement between the Village and the campground manager as the campground is not scheduled to open until July 1, 2011. The Board discussed paying the manager the full amount of \$13,000 for the season based on the information provided from NYCOM regarding this matter as follows:

- If the Board feels that services have been provided by the manager relating to the campground and those services are or can be documented (i.e.: log of phone calls made, reservations, e-mails, cell phone bills, etc.) then yes, the Board can pay the manager the full amount of \$13,000 for the season including the \$2600 per month for May and June, 2011 and it would be deemed ethical to do so. In theory, the manager has managed the campground during these two months, even though the campground was not open.
- At this point there is no signed agreement, so everything is negotiable however, if the agreement is changed NYCOM recommends doing so with the advisement of the Village attorney and of course, the manager would have to agree to the decrease.

After discussion, a motion was made by Trustee Viestenz, seconded by Trustee Rich to pay the manager the full \$13,000 for the 2011 season and to present the agreement to the manager in accordance with this decision. Yes: Trustees Brassard, McDonough, Rich and Viestenz. No; Mayor Guerin. By a vote of four to one the motion carried.

Mayor Guerin elaborated on his "no" vote regarding the campground manager's agreement for the 2011 season as follows: There is currently no signed agreement between the Village and the manager due to the delay of the opening of the campgrounds as a result of the spring storms. Mayor Guerin feels that the campground manager's salary should have been pro-rated to reflect actual work performed regarding the campground. Due to the fact that the Village attorney's would need to be involved in amending the agreement and legal fees would be incurred to do so, Mayor Guerin suggested the Board be more pro-active should this type of situation present itself in the future.

The following criteria was set forth regarding the campground for the 2011 season due to the extenuating circumstances surrounding the late opening as a result of the flooding.

- The Board determined that available sites will be given to those campers who have seniority and have been camping at the Champ RV Park /Campground, the longest. If campers have been there the same amount of years, then priority will be given to the campers that have paid their fees in full by the date received. Those that paid first will get the available sites.
- The Board agreed that if a camper backs out and requests a refund for this year then they will lose their site for next year and will have to start the process of requesting a seasonal site over again. No credits will be issued, only refunds.
- The Board agreed to approve seasonal refund requests received in writing, less the \$150 non-refundable deposit, at the July 11, 2011 Board Meeting. The Board

granted the Treasurer the authority to issue transient refund requests received in writing before the July Board meeting.

- The Board determined that the Campground Refund Request Form will be amended to include the refund amount, “*for the months of*” _____ . This form will be given to those seasonal campers who will receive a pro-rated seasonal refund for the months of May and June of 2011.
- The Board determined that the “lakefront” refund requests of \$275 will be issued at the end of the season due to the possibility of lakefront sites being accessible as the water recedes.

There are currently four seasonal campers that have not paid in full. Four seasonal refund requests have been received to date, two of which were previously approved. Trustee Viestenz made a motion, seconded by Trustee Rich to approve the additional seasonal refund requests that were distributed to the Board prior to the meeting from Hatch and Squires, less the \$150 deposit. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

Jack Sheldon informed the Board that he will be at the campground on July 1, 2011 to assist on opening day as he previously volunteered to do before he accepted the part time seasonal maintenance position at the campground. Mr. Sheldon informed the Board that he would not be available on Monday, Tuesday or Wednesday due to prior commitments. A motion was made by Trustee Rich, seconded by Trustee Brassard to authorize Jack Sheldon to be paid for his time on Friday July 1, 2011. Yes; Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

The agreements for services in lieu of payment pertaining to Phyllis Rounds and Arthur Dashnaw for the 2011 season will be signed by the above listed individuals, witnessed and filed in the Village office.

A discussion was held regarding the current moratorium on street level residential development in the “business district” and possible future zoning regulations and laws. It was agreed that a committee would be formed consisting of Trustees Brassard and Rich, Jack Sheldon and a business owner, to further research this issue and get the ball rolling.

A discussion was held regarding the Village Information Booth and its future. Different possible locations for the booth were discussed. Mayor Guerin indicated that he would speak with Supervisor Scozzafava and offer the Information Booth to the Town to possibly place at the turn off in front of the bay on Route 9N. A motion was made by Trustee Brassard, seconded by Trustee Viestenz to donate the Information Booth to the Town of Moriah. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

Trustee Viestenz informed the Board that there is a seat on the Water Committee left vacant by former Trustee Belden if any of the other Board members are interested.

A motion was made by Trustee Rich to adjourn the Special meeting at 8:44 pm, seconded by Trustee McDonough. Yes; Trustees Brassard, McDonough, Rich and Viestenz. No; none. All in favor, motion carried.

ADJOURNED

Village Clerk