

PUBLIC HEARING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: APRIL 9, 2012

TIME: 6:30 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon, Clerk Daly, Treasurer Jurkiewicz, Chief Water and Waste Water Plant Operator; Chip Perry

ATTENDANCE: Walt Mimas, Geraldine Mimas, John Viestenz, Jackie Viestenz, John Easter and Sandra Lovell.

Mayor Guerin called the Public Hearing to order at 6:33 pm, followed by the salute to the flag.

Mayor Guerin indicated that the purpose of the Public Hearing is to provide information to the public regarding the 2012 Community Development Block Grant (CDBG) that the Village is re-applying for to replace water lines on Elizabeth Street, the southern end of College Street, First, Second, Third, Oak and Ridge Lanes, as well as provide the public with the opportunity to ask questions and comment on the matter.

Mayor Guerin introduced Michael Mascarenas from the Essex County Community Development & Planning Office, whom will assist the Village in re-applying for the grant. Mr. Mascarenas addressed the public by providing an overview of the grant process as follows:

The CDBG is offered through the NYS Division of Housing and Community Renewal; 70% of the funds must be spent in low to moderate income areas. The Village applied for the grant last year, however it was not funded. The Village received a high score of 258 points and had the funding not been cut, the village would have been a strong contender for the grant. The Income Survey is valid for two years therefore it can be utilized again this year. The project cost is just over \$600,000, with no local match and “in-kind” services may be utilized. The grant for Water District No. 4 in the Town was funded through this grant process. Mr. Mascarenas strongly suggested that the Village re-apply for the grant again this year and informed the Board that the Essex County Community Development and Planning Office is willing to assist the Village in applying for other grants as well.

PUBLIC COMMENT PERIOD

John Viestenz asked when the Village would be notified if awarded the funds. Mr. Mascarenas indicated that the application process has changed and the first round will likely be due by May 1, 2012; the Village should know the outcome by November. The Village will be required to hold a second Public Hearing if awarded the grant.

Mayor Guerin called for further comments or questions from the public; there were none.

A motion was made by Trustee Brassard, seconded by Trustee McDonough to adjourn the Public hearing at 6:42 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

ADJOURNED

Village Clerk

PUBLIC HEARING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: APRIL 9, 2012

TIME: 6:45PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon, Clerk Daly, Treasurer Jurkiewicz, Chief Water and Waste Water Plant Operator; Chip Perry and Deputy Superintendent of Water and Streets; John Tromblee.

ATTENDANCE: Walt Mimas, Geraldine Mimas, John Viestenz, Jackie Viestenz, John Easter, Sandra Lovell and Harold Simmons.

Mayor Guerin called the second Public Hearing to order at 6:45 pm.

The purpose of this Public Hearing is to present proposed Local Law No.2 of 2012; Extending the Moratorium on Street Level Residential Development in a Portion of the Village of Port Henry, to the public for review and comment.

The proposed local law was distributed to the Board on March 5, 2012 and a copy thereof has been on file in the Office of the Village Clerk and remains open for public inspection during regular office hours. Copies of the proposed local law were also made available to those in attendance at this hearing.

Mayor Guerin provided an overview of the proposed Moratorium Extension to the public. The language is similar to the last extension; the new expiration date will be October 15, 2012.

PUBLIC COMMENT PERIOD

John Viestenz asked what the next steps will be. Trustee Rich indicated that a Zoning Board will need to be established. The Board agreed to advertise for volunteers to serve on the Zoning Board, which must consist of; a Village Board member and four Village residents; a Town resident that owns a business in the Village may also serve on the Zoning Board.

Sandra Lovell asked if the entire Village will be zoned. The Board indicated that the Village would be categorized in to sections; commercial, residential, etc. A discussion ensued regarding businesses located in private homes. Mayor Guerin indicated that nothing will change with existing businesses; they will be “grandfathered” in.

Mayor Guerin called for further comments or questions from the public, there were none.

A motion was made by Trustee Rich, seconded by Trustee McDonough to adjourn the Public Hearing at 6:52 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

ADJOURNED

Village Clerk

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: APRIL 9, 2012

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon, Clerk Daly, Treasurer Jurkiewicz, Chief Water and Waste Water Plant Operator; Chip Perry, Deputy Superintendent of Water and Streets; John Tromblee and Port Henry Fire Department Chief; Jim Hughes.

ATTENDANCE: Walt Mimas, Geraldine Mimas, John Viestenz, Jackie Viestenz, John Easter, Sandra Lovell, Harold Simmons, Loyl Burl, Ann Burl, Ann Tesar and Linda Smyth.

The following documents were distributed to the Board for review prior to the meeting: the April 9, 2012 Meeting Agenda, the March 12th, 19th, and 26th, 2012 Board Minutes, the March 2012 Treasurer's Report, PERMA Claims Experience Member Reports, Campground Profit Report and the Fire Chief's Report. A list of other documents distributed to the Board prior to the meeting are listed in the March 12, 2012 Board Meeting file in the office of the Village Clerk. Meeting Agendas were made available to the public.

Mayor Guerin called the regular meeting to order at 7:00 pm.

DEPARTMENT HEAD REPORTS

Chip Perry read the March 2012 Water and Wastewater Report aloud to the Board as follows:

Water Treatment Plant

- Filtration plant is running well
- Nothing to report as far as equipment failures/breakdowns
- DOH did the annual inspection on 3/29, all went well, see letter from DOH dated 4/2.

Wastewater Treatment Plant

- Received O&M manual from AES
- No equipment breakdowns or problems to report
- Received a phone call from DEC regarding the updated schedule, why did the Village miss the deadline on the replacement of the trunk sewer?
- Starting the 2011 Annual Progress Report for Manhole 13 that is due by May 31, 2012.

As always, Mr. Perry encouraged all Trustees and the public to visit both of the treatment facilities.

Mr. Perry informed Mayor Guerin and the Board that the Village may be receiving a letter pertaining to the updated schedule that was submitted to the Region 5 attorney for approval, with regard to the trunk sewer replacement for Manhole 13. Mr. Perry has been working with Todd Hodgson from AES on a timeline pertaining to the 2005 Order on

Consent; the department estimated in 2005 that the Village would have the trunk sewer replacement completed by 2010; the Village is now two years past the estimated deadline. The timeline will include the date the Village signed the contract with AES, how many grants the Village has applied for in an attempt to obtain funding for this project, a list of meetings attended and the D&H permits that were applied for. Mr. Perry indicated that the 2011 storms also had a significant impact on the timeline of this project.

John Tromblee presented the DPW Report for March 2012 to the Board verbally, as follows:

- Street sweeping continues, as weather permits
- Spring maintenance and clean up has been completed
- Equipment has been serviced for spring
- Water meters will be read by April 30, 2012
- The breakwater signs are in and will be put up

Mr. Tromblee reported that Joe King from FEMA called with regard to the Cheney Dam (the Village's water source). FEMA has misplaced the paperwork and pictures of the dam that they were given after the storms. Representatives from both FEMA and SEMO will be here on April 10, 2012 to view the dam again and will determine if it meets their requirements for repair. Mr. Tromblee advised Mayor Guerin and the Board that they will need to make a decision with regard to repairs to the dam and suggested that they all examine the dam closely, as a group.

Mr. Tromblee informed the Board that the sand for the final grade at the Village beach was stony and contained more sediment than expected; it is not clear at this time if it will be sufficient for the beach area. GPI is having a sample of the sand checked to determine if it can be used. There is the possibility it may need to be removed and a better quality of sand brought in. The Treasurer indicated that the bill for AP Reale & Son's, Inc. was reduced based on a recommendation from GPI, due to the sand issue.

Mr. Tromblee informed the Board that the water and electric will be tested at the campground on Thursday April 12, 2012.

Trustee Sheldon read the March 2012 Code Enforcement Officer Report aloud to the Board as follows:

- Working with Bill Sayres and Joe Drake on Aubuchon building upgrades
- Work on the property on North Main Street should start soon
- Have one building started without a permit, working with owner to resolve without legal action.
- Inspected the beach job several times. Have concerns about the quality of the fill and sand, does it meet the specs?
- Electricity at the campground needs to be inspected by a qualified inspector and the plumbing requires a witnessed pressure test
- Worked on two garbage complaints and one junk complaint
- Issued one permit, two more in works

John Tromblee asked if Mr. Ball has been to the old Anderson house on the corner of Main and Stone Streets as there is a lot of work being done there. Trustee Sheldon indicated that yes he has and Mr. Ball is scheduled to get in touch with the new property owner again, in the very near future.

Chief Hughes read the March 2012 Fire Chief's report aloud to the Board as follows:

- PHFD has responded to fourteen (14) calls to date for 2012: (4) for January, (5) for February, (4) for March, (1) for April.
- PHFD received 2012 International Paper Company \$1000 Grant towards Emergency Escape System.

- Chief Hughes attended Essex County Board of Supervisor's Meeting on 4/2/2012 to receive department commendation for 1/2/2012 Mountain Lake Services Fire.
 - Firefighter William Blood completed Firefighter II (27 Hours) and Firefighter Survival (9) Hours on 3/31/2012.
 - OSHA Training (March 20th) - Rescue Tool / Power Tools / Scene Safety; April 3rd & 17th SCBA Recertification.
 - Maintenance item: South Siren on Town Hall temporarily out of service.
 - 2012 PESH Report to Date:
- | | | |
|---|------------------------------------|-------------------------------|
| • | (14) Calls: | 372.58 Man hours |
| | OSHA Training: | 204.00 Man hours |
| | Additional Training/Participation: | 372.01 Man hours |
| | 2012 Total: | <hr/> 948.59 Man hours |

Additionally; Adirondack Hose Services has tested 1,950 feet of attack lines that were damaged as a result of the January 1, 2012 fire. It was determined that two 50 foot sections of inch and three quarter lines were bad. To date, a 16 foot ladder and 100 foot section of hose have been replaced. Chief Hughes is waiting for a green light from the insurance company before placing an order to replace the above mentioned damaged hose and line.

PUBLIC COMMENT PERIOD

Harold Simmons addressed the Board and relayed concern regarding access to the lake this season at the campground with the new breakwater in place. How are the campers going to get over the large rocks to access boats, jet ski's or to swim and fish? Mayor Guerin indicated that the Village's insurance company was contacted regarding this matter and has suggested that campers be permitted to build staircases that are anchored into place to get up and over the breakwater. Mayor Guerin informed Mr. Simmons and the rest of the campers present at the meeting that the Village appreciates their returning to camp here and that the Board will work with them regarding plans to insure a safe means of accessing the water over the rocks. Mr. Simmons volunteered to draw up the plans for such with the Board's approval. Trustee Sheldon indicated that per the insurance company, the stairs will need to comply with State codes and have handrails. Mr. Simmons acknowledged such and suggested that the Village require campers to sign a waiver with regard to any liability issues that may result from the use of the stairs. It was agreed that the stairs will all be uniform and the campers will pay for the materials to construct them. The Mayor and Board agreed to view the plans when the campers arrive and if approved, move forward from there.

Trustee Rich announced that there are vacant seasonal sites still available for this season.

Trustee Sheldon asked for everyone to be respectful of and patient with the new managers with regard to the placement of campers this year. The campground is scheduled to open on May 11, 2012.

Sandra Lovell informed the Board that the brochure will be ready for GPI, who has agreed to make 300 color copies for the Village.

Linda Smyth informed the Mayor and Board that she stopped at Mountain Lake Services to ask if the pH7 Committee would be permitted to paint the wood on the basket storefront green, with a sign that reads "coming soon". Trustee Brassard indicated that it may be close to a year before it re-opens.

Ms. Smyth also informed the Mayor and Board that she signed off on the banners that the children helped design, at Loreman's and now needs to obtain permission to hang the banners on poles.

BOARD DISCUSSION/REPORTS

Recurring Old Business: A motion was made by Trustee Rich, seconded by Trustee McDonough, to approve the March 12th, 19th and 26th, 2012 Board Minutes. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Trustee McDonough indicated that on March 30, 2012 she and Treasurer Jurkiewicz met with Dick Ray of PERMA for review of the Village's Annual Report. Mr. Ray provided a catalog of films with regard to safety training.

Trustees McDonough and Sheldon have completed the Campground Manager interviews and will provide their recommendations to Board in Executive Session at the conclusion of this meeting.

Trustee Sheldon indicated that Matt Doheney has hooked up electricity to the new campsite; 6A. Mr. Doheney has fulfilled his responsibilities and completed all necessary work at the campground.

The Board discussed the issue of dead trees along the brook in the campground. It was decided that mayor Guerin will call Essex County schedule removal.

Old Business: The Village received \$5,061.88 from FEMA/SEMO on March 15, 2012, which represents payment for repairs to the North End Pump Station for damages incurred during the spring 2011 storms. Actual damages to the North End Pump Station totaled \$20,000. FEMA indicated that the reimbursement amount was decreased because the pump station was not located in the flood plain therefore the Village should have been able to obtain flood insurance on the structure. The Village is currently in the process of appealing this matter.

New Business: The March 2012 Accounts Receivable and Trial Balance Reports were presented to the Board for review. There is no monthly Water Adjustment Report for March of 2012, as no adjustments were made.

The Board at this time, passed a Resolution to adopt Local Law No. 2 of 2012; Extending the Moratorium on Street Level Residential Development in a Portion of the Village of Port Henry by motion from Trustee Brassard, seconded by Trustee Rich.

Aye: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon
Nay: None

By a vote of five to zero, the above Resolution was duly adopted on this 9th day of April, 2012.

A motion was made by Trustee Rich, seconded by Trustee McDonough, to approve the re-levy of the unpaid Water and Sewer Billings for 2011, on to the 2012 Village Property Taxes as follows; Water; \$61,511.50, Sewer; \$52,762.10, for a total of \$114,273.60. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

A motion was made by Trustee Brassard, seconded by Trustee Sheldon, to approve the March 26th and April 9, 2012 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Abstract Distributions:

General \$32,170.05
Water \$5,979.23
Sewer \$765.99
Joint Activity \$13,788.40
Capital \$365,791.22

Mayor Guerin announced that the Board of Trustees will hold a Public Hearing to consider the tentative budget for the fiscal year June 1, 2012 to May 31, 2013 on Monday, April 16, 2012 at 7:00 pm at the Village Hall. A copy of the proposed budget is

on file in the Office of the Village Clerk and will remain open for public inspection during regular office hours.

A motion was made by Trustee McDonough, seconded by Trustee Rich to adjourn the regular meeting at 8:00 pm, at which time the Board will enter into Executive Session to discuss personnel matters. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried. Trustee Sheldon indicated that the Board may enter back in to the regular meeting at the conclusion of the Executive Session.

ADJOURNED

Village Clerk

EXECUTIVE SESSION

Mayor Guerin called the Executive Session to order at 8:05 pm.

A motion was made by Trustee Sheldon, seconded by Trustee McDonough to adjourn the Executive Session at 8:36 pm, at which time the Board entered back into regular session. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none, all in favor, motion carried.

REGULAR MEETING

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the hiring of Robert Carr and Laurie Rodick as “Campground Manager” for the 2012 season with assistance from Amanda King. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to adjourn the regular meeting at 8:42 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none, motion carried.

ADJOURNED

Village Clerk