

REGULAR MEETING OF THE VILLAGE OF PORT HENRY  
BOARD OF TRUSTEES

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

DATE: JULY 9, 2012

TIME: 7:00 PM

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

ATTENDANCE: Walt Mimas, Geraldine Mimas, Margaret Parah, Pat Tom, Jackie Viestenz, Sandra Lovell and John Viestenz.

The following documents were distributed to the Board for review prior to the meeting: The July 9, 2012 Meeting Agenda, the June 11, 2012 Board Minutes, the June 2012 Treasurer's Report, PERMA Claims Experience Member Reports and the Campground Profit report. A list of other documents distributed to the Board for review prior to the meeting are listed in the July 9, 2012 Board meeting file in the office of the Village Clerk. The July 9, 2012 Meeting Agenda was made available to the public.

Deputy Mayor and Trustee Sheldon, called the meeting to order at 7:00 pm, thanked everyone for attending and led the salute to the flag.

Trustee Sheldon announced that Treasurer Jurkiewicz has submitted her resignation as the Village Treasurer. Treasurer Jurkiewicz was thanked for her service, on behalf of the Mayor and Board of Trustees.

#### DEPARTMENT HEAD REPORTS

Laurie Rodick provided the Board with a verbal report on the campground for the month of June 2012 as follows:

- New basketball hoops and tubes for the lawnmower cart and wheelbarrow are needed at the campground.
- The garden is almost finished however a bulk mulch source is needed.
- The Port Henry Fire Department Auxiliary hosted a "Christmas in July" event at the campground on Sunday July 8, 2012.
- The second electrical billing for the campground has been calculated and will be collected.
- Two individuals with the Summer Youth Program began working at the campground today, July 9, 2012.
- There are currently five persons on the Lakefront Waiting List for next season.
- Blue green algae has caused the beach to close twice, temporarily. Alerting campers and beach goers went smoothly. The situation continues to be monitored regularly and permanent signs are ready to be put out in case the algae returns.

Chip Perry read the Water & Wastewater Report for the month of June 2012 as follows:

#### Water Treatment Plant

- Filtration plant is running well.
- Three water complaints were received with regard to taste and odor from Hummingbird Way, Tunnel Avenue and Brook Street. The complaints were followed up with and all is well.

Water Treatment Plant

- One pump is down and will be fixed this week.
- Annual preventative maintenance is being performed on equipment.

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

John Tromblee presented the Board with a verbal report for the month of June 2012 as follows:

- Prospect Street was torn up due to a large washout in the vicinity of a 10 inch water main. The washout has been repaired, backfilled, graded, seeded and hayed.
- The window and door for the fire house were ordered from Bryant’s Lumber.
- Mr. Tromblee tried out a Case, Hyundai and John Deere Loader. A Case loader will be purchased via State contract.
- The ropes were placed in the swimming area and the beach prepped for the season.
- 190 feet of sidewalk was replaced during the past week. Mr. Tromblee thanked Chip Perry for permitting Pete Towns to help Village DPW with the sidewalks, as the crew is short-handed.
- A sewer line was plugged from the main near the Van Slooten Marina to the wastewater treatment plant. The sewer jetter was used to clean out the line. A couple of large grease balls were found in the line as well as three to four linen napkins.
- The Sump Pump Survey is approximately 50% complete.
- Mr. Tromblee will meet with Gary Rancour, an engineer from Essex County, to review the plans and pricing on materials to repair the large under-drain on College Street in order to open the road back up. The project is expected to begin the first week in August.

Trustee Sheldon asked if Mr. Tromblee still plans on meeting with Mr. Eliopoulos in the future. Mr. Tromblee indicated that yes, the Village should still meet with him, however that may be done at a later date as repairing the drain and opening the road back up is a separate issue.

Chief Hughes read the June 2012 Chief’s Report aloud to the Board as follows:

- PHFD has responded to thirty-four (34) calls to date for 2012: (4) for January, (5) for February, (4) for March, (5) for April, (9) for May, (7) for June
- 2012 PESH Report to Date:

(34) Calls:	626.94 Manhours
OSHA Training:	363.00 Manhours
Additional Training/Participation:	814.51 Manhours

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2012 Total: 1804.45 **Manhours**

- Conducted OSHA Training June 19<sup>th</sup> & 26<sup>th</sup> - CPR /First Aid Refresher Training with Instructor Patty Bashaw.
- OSHA Training for July: Boater Safety / Water Rescue
- Maintenance item: South Siren has been repaired and is back in service.
- Received equipment recall on 2009 E-One Pumper – recalibration of engine control module required – Green Mountain Kenworth of Shelburne, Vt. Authorized repair shop. Truck scheduled for repairs on Thursday, July 12<sup>th</sup> and will be out of service for approximately 2-3 hours.
- PHFD participated in Camp Dudley and Ticonderoga 4<sup>th</sup> of July parades.
- PHFD Dive Team provided and will continue to provide underwater cleanup of Village beach.

- Performed Annual Fire Inspections for Mountain Lake Services facilities to include 5 Hummingbird Way, 3248 Broad Street, 14 Meachem Street, and 4654 Route 9N Champlain House. Scheduled for this week; 74 Spring Street, 4452 Route 9N Maple Knoll and Carriage House facilities. Yet to be inspected: 8 St. Patrick's Place, 10 St. Patrick's Place, 4325 Main Street Apartment.
- Port Henry Village Beach Emergency Plan: Don Jaquish, Essex County Director of Emergency Services, is out on medical leave. Chief Hughes is making arrangements with Deputy Director Michael Blaise, to assist Village in creation of plan. Joint meeting of Emergency Services, Village/Town Officials, and Fire Department to be announced.
- Chief Hughes completed and submitted the 2012 Assistance to Firefighter's Grant on June 30<sup>th</sup>, 2012 requesting seven (7) new air-paks in the amount of \$43,778.
- Request Village Board Resolution for required 5% match or \$2189 for 2012 AFG award.

## PUBLIC COMMENT PERIOD

Jackie Viestenz spoke on behalf of the pH7 Committee and informed the Board that the Information Booth is currently being manned and utilized. The first "Art in the Park" was attended by three or four people, however no one showed up for last Saturday's session. The next "Art in the Park" day is scheduled for July 21, 2012.

The Farmer's Market is now open on Wednesday's from 9:00 am to 1:00 pm in the parking lot at Boni's Bistro.

Sandra Lovell indicated that the information panel is currently being worked on and will be sure to enhance the Village Park.

John Viestenz suggested that the Board consider holding a second Public Comment Period at the end of each months Board meeting in order to give the public the opportunity to ask questions and comment on the information shared and discussed by the Board during the meeting.

Laurie Rodick exited the meeting at 7:13 pm. Bill Ball entered the meeting at 7:14 pm.

Trustee Sheldon called on Bill Ball to share his monthly report. Bill Ball indicated that he did not have much to report and that Trustee Sheldon was aware if what he has been up to.

Mr. Ball did want to point out to the Board that he was at the Village beach last night with his grandson and is extremely disappointed with the way the beach restoration project turned out, that it is in fact terrible and a disgrace, as there are too many stones and large rocks on the beach that could cause injuries. Mr. Ball indicated that the Village hired a "Clerk of the Works" through GPI, to oversee the beach project and he was paid very well to do so, yet the end result is unsatisfactory. Mr. Ball informed the Board that people are blaming AP Reale as the contractors, when it is not their fault and that the actual blame lies with the Clerk of the Work's, and the Village Board, whom he feels dropped the ball on the project and did not provide the proper oversight that was required. Bill Ball also informed the Board that he is being blamed for AP Reale not being paid in full for the project, which is simply not true.

Dori Michener entered the meeting at 7:15 pm.

Chief Hughes asked if it was too late to issue a change order and perhaps rent a sifter, as he agrees that the sand is rough and not what it once was. Trustee Sheldon indicated that AP Reale had already removed a six inch layer of the sand that they had originally placed on the beach after complaints were received that the sand was too rough and not comparable to what was there before the storm. The replacement sand was tested and found to be sufficient for the beach project.

Bill Ball also indicated that the Board and the Clerk of the Works were both informed by him, at the same time in a meeting, that a qualified, certified, electrician was needed to perform the electrical inspection at the beach and that to date, this has not been done. Mr. Ball provided the Clerk of the Works with two names of certified electricians that he recommended and the certified inspection was still not completed. Trustee Sheldon indicated that the As-Built plans have been received and Mr. Ball indicated that he has received copies and has since then has spoken with the electrical inspector who is working with the Village to complete the certified electrical inspection. Trustee Sheldon suggested scheduling a meeting with Mr. Ball, GPI, the Clerk of the Works and the Village Board, in an attempt to iron out any unresolved issues pertaining to this project.

#### BOARD DISCUSSION/REPORTS

A discussion was held with regard to the basketball hoops at the campground/beach. Trustee Sheldon informed the Board that they have been welded back together twice and that the Village will have to look in to replacing them as the contractor installed junk. John Tromblee suggested that the Board hold the contractor accountable by having them uphold the warranty on the damaged hoops.

Trustee Rich informed the Board that a search in the vault through archived records at Moriah Central School for records pertaining to the old high school property provided no results. Erin Gilbo, Business Manager at the school, indicated that the Village was welcome to view the Board minutes, but that she did not believe any information would be found there either.

Trustee McDonough motioned to pass a Resolution authorizing Mayor Guerin to sign the SEQRA Certification Form as a Type II Action, for the 2012 NYS CDBG Project, in regard to the Elizabeth Street Water and Sewer System Improvements. The motion was seconded by Trustee Rich. Vote:

Aye: Trustees Brassard, McDonough, Rich and Sheldon.

Nay: None.

Absent: Mayor Guerin.

By a vote of four to zero, the Resolution listed above was duly adopted by the Village of Port Henry Board of Trustees on this 9<sup>th</sup> day of July, 2012.

Trustee McDonough motioned to extend a Resolution of Appreciation to Mayor Guerin and his wife Debbie, for the fountain and flowers they provided for the Village traffic circle. The motion was seconded by Trustee Brassard. Yes; Trustees Brassard, McDonough, Rich and Sheldon. No; none. Absent: Mayor Guerin. Motion carried.

The Board discussed the beach project and decided that nothing further would be signed off on until the Village is made aware of where it stands with regard to the appeal process with FEMA.

Trustee McDonough informed the Board that the deadline to submit the application for the Parks and Recreation Grant is Monday however, there will be another round. At this time an appraisal of the old high school property is required to submit with the application. Confirmation would also be required from the owner stating that they are willing to sell the property to the Village for the assessed value of the property. Trustee Sheldon indicated that the Board would hold off on this until after they have met with Mr. Eliopoulos. The grant pays 75% and the Village share would be 25%.

Trustee McDonough offered a Resolution in support of Alan Hipps applying for a grant through the Rural Area Revitalization Program, to renovate 4316 Main Street, by converting the 2<sup>nd</sup> floor into two apartments. The Resolution was seconded by Trustee Rich. Vote:

Aye: Trustees Brassard, McDonough, Rich and Sheldon.

Nay: None.

Absent: Mayor Guerin.

By a vote of four to zero, the Resolution listed above was duly adopted by the Village of Port Henry Board of Trustees on this 9<sup>th</sup> day of July, 2012.

Trustee Brassard indicated that he has obtained the As-Builts from GPI and has spent a lot of time at the campground the past month with the NYS Department of Health in regard to the blue green algae issues. Trustee Sheldon informed the public present that the algae is and can be toxic to both people and animals. It resembles “pea soup” and if anyone believes they have come in contact with it, they should rinse themselves and pets off immediately. Dori Michener indicated that dogs tend to lick themselves after being in the water and have died 12-24 hours after coming in contact with the blue green algae. The algae moves and thrives in shallow waters when the weather is very hot and humid. The beach will continue to be monitored closely for any re-occurring sign of the algae.

Trustee Sheldon indicated that Tyrone Phillpott was hired to remove some dead branches at the campground that were posing a safety hazard.

A brief discussion was held with regard to the ramps and landings placed over the rip rap at the beach. Trustee Sheldon confirmed that the landings attached to the ramps are not being used as docks.

Chief Hughes asked if the area surrounding the dry hydrant at the campground could be weed whacked and cleared.

**Recurring Old Business:** One Letter of Interest has been received to date with regard to serving on the Zoning Commission. Trustee Rich suggested advertising for commission members through September and then issuing a Press Release to inform the public of where the Village is with establishing the Zoning Commission and what may still be needed. Clerk Daly indicated the advertisement will remain on the Village website until further notice and was aired on Channel 17 for two consecutive weeks. The Clerk will look into re-advertising in the Times of Ti periodically through September.

Upon Trustee Sheldon’s suggestion, Mr. Ball provided a recap of the purpose of the Zoning Commission. It was noted that persons interested in serving on the commission may obtain a Zoning Commission Guide in the Village Office.

College Street remains closed at the intersection of Grove and College Streets. Plans are currently underway to begin repairs to re-open the road.

Trustee Sheldon presented the Board with pricing from Finney Sports on a plaque to dedicate the traffic circle to Jack Woods. The plaque is made of steel, is black and will be engraved; the cost is \$76.96. Trustee McDonough motioned to purchase the plaque, seconded by Trustee Rich. Yes; Trustees Brassard, McDonough, Rich and Sheldon. No; none. Absent: Mayor Guerin. Motion carried.

**Old Business:** A motion was made by Trustee Rich, seconded by Trustee Brassard, to approve the June 11, 2012 Board Minutes. Yes: Trustees Brassard, McDonough, Rich and Sheldon. No; none. Absent: Mayor Guerin. Motion carried.

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

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to pass a Resolution to authorize the cancellation of the Time Warner Cable 2012 Village Property Tax Bill in the amount of \$443.12, per the franchise agreement. Vote:

Aye: Trustees Brassard, McDonough, Rich and Sheldon.

Nay: None.

Absent: Mayor Guerin

By a vote of four to zero, the Resolution listed above was duly adopted by the Village of Port Henry Board of Trustees on this 9<sup>th</sup> day of July, 2012.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to pass a Resolution authorizing the renewal of the Manhole #13 BAN in the amount of \$39,000., as well as granting authorization for the Treasurer to contact Attorney Soloski to begin the necessary renewal paperwork. Vote:

Aye: Trustees Brassard, McDonough, Rich and Sheldon.

Nay: None.

Absent: Mayor Guerin

Two Property Maintenance Complaints were received from Janet Denney on June 19, 2012 with regard to sign issues. Copies were distributed to the Mayor and Board for review. The Board determined that the issues have since been resolved.

A Water/Sewer Bill Request for Adjustment was received on June 12, 2012 from Robert Stahl for Account No.109. Copies were distributed to the Mayor and Board for review. It was noted that Mr. Stahl has paid the bill in full that he has requested an adjustment for. After further review and discussion, the Board unanimously decided to decline the request for adjustment upon motion by Trustee McDonough, seconded by Trustee Brassard. Yes; Trustees Brassard, McDonough, Rich and Sheldon. No; none. Absent: Mayor Guerin. Motion carried.

Trustee Sheldon asked Mr. Perry if he and Pete Towns would help in conducting the Sump Pump Connection Survey. Trustee Sheldon indicated that it may be necessary for the Village DPW to incur overtime in conducting the survey during evening hours, as there are constituents that are not home during the day. Mr. Perry suggested that the Village ask for an extension as soon as possible from the NYS DEC with regard to the July 31, 2012 deadline to complete the survey. Mr. Perry indicated that he would contact the DEC tomorrow to ask what the procedure is in requesting an extension. Mr. Ball asked why the Village would have to pay overtime; couldn't the DPW hours be adjusted to accommodate completion of the survey? Trustee Sheldon indicated that the union agreement sets the DPW hours and they can not be changed. Mr. Perry disagreed with paying overtime and suggested that the Mayor stagger the DPW work shifts in order to conduct the survey during evening hours, as the Mayor has the authority to do, per the union agreement.

A letter was received from Charles & Margaret Parah along with a picture, of the deteriorating sidewalk in front of their house on 11 Church Street. A second letter was received from Bill Hoyenski of 51 Bridge Street with regard to the sidewalk in front of his residence that has been damaged by road equipment. Copies of both were distributed to the Mayor and Board for review. A discussion ensued in regard to sidewalk repairs in the Village. Trustee Sheldon indicated that he and Mr. Tromblee would take a look at both sidewalks. Chief Hughes asked if there was a sidewalk repair schedule that the DPW follows. John Tromblee suggested that the Village take out a \$125,000 bond to repair all of the sidewalks and pay it down each year with the funds that appropriated for annually in the budget for sidewalk repairs.

Mayor Guerin entered the meeting at 8:10 pm.

A motion was made by Trustee McDonough, seconded by Trustee Brassard, to approve the June 25<sup>th</sup> and July 9, 2012 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Trustee Sheldon asked if anyone had any questions or wished to make further comment before adjourning the meeting.

John Viestenz asked for clarification as to the reason the Board denied Bob Stahl's adjustment request, was it due to the fact that he has already paid the bill? Trustees McDonough and Sheldon both indicated that the request for adjustment was denied due

to the local law on file in regard to water and sewer billing rates, requirements for providing readings and applicable fines.

A motion was made by Trustee McDonough, seconded by Trustee Rich, to adjourn the meeting at 8:15 pm, at which time the Board will enter into Executive Session to discuss personnel matters. It was noted that the Board may enter back into a regular meeting at the conclusion of the Executive Session. Trustee Sheldon asked Mr. Tromblee to attend the Executive Session. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

MEETING ADJOURNED

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Village Clerk

EXECUTIVE SESSION

DATE: July 9, 2012

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon, Clerk Daly and John Tromblee.

Mayor Guerin called the Executive Session to order at 8:20 pm.

The Board discussed personnel matters.

Trustee Brassard motioned to adjourn the Executive Session at 9:00 pm and to enter back into a regular meeting. The motion was seconded by Trustee McDonough. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

ADJOURNED

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Village Clerk

REGULAR MEETING

DATE: July 9, 2012

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon, Clerk Daly and John Tromblee.

ATTENDANCE: None.

Mayor Guerin called the regular meeting back to order at 9:00 pm.

The Board unanimously decided to advertise the Treasurer's position as soon as possible.

The Board unanimously decided to hire Kevin LaHendro as a temporary laborer with a start date of July 16, 2012.

Trustee Sheldon asked for the Board's permission to contact the Village attorney with regard to the water issue concerning Bo Putnam's property and what the Village's legal responsibility is in providing water to this property in perpetuity per the deed, now that the new filtered Town water line is accessible. The Board unanimously granted approval for Trustee Sheldon to contact the attorney regarding this matter.

A motion was made by Trustee McDonough, seconded by Trustee Rich, to adjourn the meeting at 9:02 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

ADJOURNED

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Village Clerk