

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: JUNE 11, 2012

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon, Clerk Daly, Treasurer Jurkiewicz, Water & Wastewater Chief Operator; Chip Perry, Deputy Superintendant of Water & Streets; John Tromblee and Code Enforcement Officer; Bill Ball.

ATTENDANCE: Pat Tom, Monique Sprouse, Louise Belden, Bernadette Trow and Sandra Lovell.

The following documents were distributed to the Board for review prior to the meeting: the June 11, 2012 Meeting Agenda, the May 14th and 29th, 2012 Board Minutes, the May 2012; Treasurer's Report, PERMA Claims Experience Member Reports and Campground Profit Report. A list of other documents distributed to the Board for review prior to the meeting are listed in the May 14, 2012 Board Meeting file in the office of the Village Clerk. Meeting Agendas were made available to the public.

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

DEPARTMENT HEAD REPORTS

Chip Perry provided the Board with a verbal report for the month of May 2012 as follows:

Water Plant

- Nothing to report on the drinking water, all is running well.

Wastewater Plant

- The plant is running well and has been on on-line for four years now.
- A tank will be taken down in the near future for inspection of the aeration system and valves. A different tank will be inspected thereafter annually.
- Flow meters were put out in the system as requested; they have been out for about a month and some good data is being received from the recent rain events.
- A sewer line on Convent Hill was video taped as requested by Trustee Sheldon due to a sink hole. It was determined that there is nothing wrong with the sewer line, it is in good shape and is not what is causing the sinkhole.

John Tromblee provided the Board with a verbal report for the month of May 2012 as follows:

- The dock was installed at the pier before Memorial Day.
- Grass cutting continues as time permits.
- Broad Street has been cleaned with the help of the prisoners, there is still a little left to do.
- Localized flooding occurred during the May 29th rain event on Elizabeth Street; one inch of rain fell in approximately 45 minutes.
- College Street remains closed at the intersection of Grove and College, due to erosion.
- Fire hydrants were flushed last week throughout the Village; while flushing hydrants some manholes were treated with root killer, as preventative maintenance.

- Mr. Tromblee is researching loaders and obtaining price quotes on three different models.

Mayor Guerin asked Mr. Tromblee to coordinate with the Board to begin conducting the Sump Pump Survey. Mr. Perry spoke with Trustee Sheldon this afternoon who informed him that he had it under control and would be heading up the project. John Tromblee indicated that he has obtained the address sheets from the office and they will begin conducting the survey this week.

Bill Ball provided the Board with a verbal report for the month of May 2012 as follows:

- The Terra Mountain project continues, an engineer is now on board and other structures may also be built.
- Mountain Lake Services (ARC) have obtained the engineer specs to begin repairs on the Main Street building.
- Presented Penal code 405, with regard to new regulations for firework displays.
- Has not received a certified electrical inspection for the beach, as required per NYS Code; municipalities are not exempt.

Mr. Ball will craft a letter to AP Reale requesting the certified electrical inspection; as the Code Enforcement Officer, he is required to sign off on such. Mayor Guerin indicated that he will contact AP Reale Tuesday morning (May 12) and advise them that they have until Wednesday (May 13) to perform the certified electrical inspection or the Village will contact an electrician to have it completed and back charge AP Reale for the cost incurred.

The pressure test is necessary to protect the Village and Mr. Ball informed the Board that he has not seen documentation of such tests being conducted.

Trustee Sheldon indicated that the light pole for the campground/beach will now be in at the end of July; the Village is holding the retainage for such from AP Reale. The Village Crew secured the cap on the pole to eliminate the exposed wires which posed a safety hazard. Trustee Brassard indicated that he would contact Kevin Cole of GPI to obtain the as-built plans.

Chief Hughes was excused from the meeting this evening. Mayor Guerin indicated that a thank you letter should be crafted to Chief Hughes, the Port Henry Fire Department and the Dive Team, for their help in pulling debris from the beach and swimming area as a result of Tropical Storm Irene. John Tromblee indicated that he will order the door and window for the firehouse this week.

Bill Ball exited the meeting at 7:15 pm.

PUBLIC COMMENT PERIOD

pH7 Committee member Louise Belden read aloud a report to the Board as follows:

1. The pH7 Committee would like to provide two orange cones labeled; "Visitor Parking", to be placed out by the first parking space next to the Information Booth. The cones would be placed out only during the hours that the booth is open. This will enable visitors a place to park so they may obtain the information they need.
2. The pH7 Committee would like to place three planters along the strip in front of Macs. The planters would be 30"x 25"x 22" (high). The committee will provide the planters and put in the plants (hopefully to be provided by the Village if there is still any money in the fund) and will maintain them. The planters are of the same design as the ones in front of the new Johnny Podres sign. They are relatively low and will not obstruct any views.
3. The Information Booth will be open on Thursdays, Fridays and Saturdays beginning June 21st through Labor Day weekend. The hours will be 10:00 am to 2:00 pm on these days. The booth will be staffed by one pH7 committee member and one RSVP volunteer.

4. Every other Saturday the pH7 Committee plans to offer “Art in the Park” where everyone will be invited to participate in a series of art activities. The first session will be held on June 23rd to “Paint a Pot” The next session will be held on July 7th; people can have their picture taken with Champ and make a Champ craft.

pH7 beautification efforts and completed activities for the spring of 2012 include:

1. The Information Booth was cleaned and a sign hung above the entry that states “Welcome to Port Henry”.
2. A sun and shade garden has been planted in the park.
3. Flowers were planted in the planter boxes and the traffic circle.
4. A “directional” sign was constructed and erected at the Port Henry boat launch.
5. Currently stabilizing and painting the historic interpretive sign at the front of Mac’s parking lot.

The Board unanimously agreed to approve all of the proposed projects presented by the pH7 Committee as listed above. Mayor Guerin indicated that the flower boxes have been hung on the south bridge and will be hung on the north bridge tomorrow evening.

The fountain will be placed in the traffic circle for the summer months. The Christmas lights will need to be unplugged in order for the fountain to run. Mayor Guerin will speak with Tom Scozzafava in regard to running electricity to the Information Booth. Trustee Sheldon suggested contacting National Grid to have a meter be placed on the side of the booth.

Trustee McDonough indicated that she and the pH7 Committee met with Sharon Reynolds from PRIDE on June 7, 2012. Ms. Reynolds has 12 Village participants interested in partaking in the 2012 New York Main Street Matching Grant Program. The deadline to apply for the grant is July 16, 2012 and notification of awards should be received in the fall of 2012. Trustee McDonough motioned for a Resolution in support of the participants applying for the matching grant funds. The motion was seconded by Trustee Brassard.

Aye: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon

Nay: 0

By a vote of five to zero the above Resolution was duly adopted on this 11th day of June 2012.

Trustee Rich indicated that this grant also includes \$15,000 in streetscape funds that may be used for trees, benches, signs, etc. It will not cover sidewalks or lighting.

A discussion ensued with regard to planting trees and it was determined that when and if the funds become available to do so, the matter will be discussed further to determine what type of trees could be planted that will not interfere with any Village infrastructure.

PUBLIC COMMENT PERIOD

Monique Sprouse shared with the Board her idea of starting up a non-profit business to support the pH7 Committee, Labor Day celebration, etc. She envisions it as a group business, made up of volunteers to man the store which could sell gently used baby clothes, crafts and various other items. The proceeds could be used to fund various community events and activities. The Board supported the idea and wished Ms. Sprouse luck in her endeavor.

BOARD DISCUSSION/REPORTS

Trustee Brassard indicated that Verizon has agreed to repair the sidewalk that they damaged on Broad Street.

Trustee Sheldon reported that the NYS Department of Health performed an inspection on the campground. The inspection went well; there were two items that were noted on the

report: a crack in the utility sink, which has since been removed and the limited use of back flow protection installed on potable water connections. Trustee Sheldon informed the Board that the campground managers will speak to the campers about putting the back flow protection devices on the water connections.

A new kitchen range/gas stove was purchased for the beach house from the capital reserve.

Eight ramps have been installed at the beach and the signed agreements with regard to such have been obtained from the campers.

Linda Smyth asked what capacity the campground is at to date and was informed there are currently 52 seasonal campers, transient usage is increasing and the campground is expected to be full for the July 4th holiday week/weekend. It was noted that the locals are using the beach more, picnics are being held by the brook, the basketball court is being utilized and the new managers are working out well.

Recurring Old Business: There is a correction to be made to the proposed May 14, 2012 Board Minutes as follows:

Original: Walt Rushby addressed the Mayor and Board with regard to a Water/Sewer Bill Request for Adjustment form that he submitted on May 7, 2012, for Account No. 308, address; 37 Lewald Lane. Copies of the adjustment request were distributed to the Board prior to the meeting for review. A discussion ensued with regard to the reasons the request was submitted, as listed on the form. A motion was made by Trustee Sheldon, seconded by Trustee McDonough, to approve the adjustment request by eliminating the \$100 "No Meter reading Available" fee and the minimum usage rate. The Board determined instead, that this account would be billed for the actual water usage of 4700 gallons. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Correction: A motion was made by Trustee Sheldon, seconded by Trustee McDonough, to approve the adjustment request by eliminating the "No Meter Reading Available Rate of \$236.00 and the \$100.00 "No Meter Reading Additional Fee". The Board determined instead, that this account would be billed the "Minimum Charge" of \$98.50 for the 4700 gallons of water used during this billing period. 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 approve the May 14th and May 29, 2012 Board minutes, including the correction above. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none, motion carried.

On May 3, 2012 the Village received a letter from the State Office of Emergency Management (SEMO) indicating that FEMA has deemed the beach portion of the Campground Restoration Project ineligible under the Public Assistance Program. The Village is currently in the process of appealing this decision.

A copy of the fully executed Modified Order on Consent was received from the NYS DEC on May 31, 2012 and is on file in the Village office.

The Sump Pump Connection Survey letter was mailed to Village property owners with the 2012 Village Property Tax Bills on May 31, 2012, to notify property owners of the required survey and to provide advanced notice that the Village will begin the process of conducting the survey in the very near future. Mayor Guerin provided a brief overview on the survey.

A discussion was held regarding College Street which is currently closed to thru traffic at the intersection of College and Grove Streets due to erosion. A proposal was received from the Essex County DPW for repairs to replace the pipes in the ground and is on file in the Village office. The proposal includes labor and materials and totals \$29,800. It was determined that the erosion of the road is due to a joint issue beginning up on Broad Street and ending with drainage problems on the old high school property, owned by Thomas Eliopoulos. It was noted that there are marshlands in the field on the Eliopoulos property which are rumored to contain drains. Trustee McDonough asked if there may be old maps, records or plans at the school. Trustee Rich indicated that she would look into the archived records in an attempt to locate such. Mayor Guerin announced that he will contact Mr. Eliopoulos to request a meeting with him and the County and ask for permission to tour his property.

The Board discussed the Water Adjustment Request for Larry LaPorte, Account No. 488. The request that was originally tabled at May 14th Board Meeting, until the May 29th Special Meeting, pending further information. Mr. LaPorte's request was tabled again at the May 29th meeting until this evening's meeting. The Board was informed that there were no leaks and a new outside meter reader was installed. The Board determined that it may be possible Mr. LaPorte read the meter wrong when he called in the reading. The last two readings obtained for this account were actual meter readings, before then, the readings had been estimated for some time. The Board unanimously decided to deny Mr. LaPorte's adjustment request; the bill stands as is.

Old Business: For clarification purposes, it was noted that the next step in the zoning process is to solicit a group of Village residents/taxpayers to serve as members of a "Zoning Commission" on a voluntary basis. Members will be appointed by the Mayor with the approval of the Board of Trustees. The purpose of the Zoning Commission is to recommend the boundaries of the original zoning districts and appropriate regulations to be enforced therein, make a preliminary report, hold public hearings and submit a final report to the Village Board before the Board may take action to pass a zoning local law. The Zoning Commission is a separate body, set apart from the responsibilities of the Village Board which allows the commission to focus solely upon its limited mandate to prepare draft zoning regulations. A member of the Village Board may not serve as a member of the Zoning Commission. A notice/advertisement will be sent to the press to advertise for members within the next week.

New Business: The May 2012 Accounts Receivable, Trial Balance and Water Adjustment Reports were presented to the Board for review.

A motion was made by Trustee Rich, seconded by Trustee McDonough to approve the new links for the website titled "Village Budget and Taxes" and "Assessed Values" as presented in an e-mail from John Viestenz on June 3, 2012. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

A letter was received on May 23, 2012 from the Lake Champlain Bible Fellowship Church notifying the Village that they will have a team here the week of July 23rd - July 27, 2012 that is willing to perform small jobs (carpentry, cleaning and painting) around the community for the elderly and people who have no means of doing the work. Materials must be supplied by the person(s) requesting the work; labor is free. Call 546-7296 or 546-4200 if interested and leave a message. The church also provided notice that it will hold a free community barbeque at the church on July 26, 2012 beginning at 6:00 pm. A praise band from Arkansas will perform that evening after the barbeque.

A Property Maintenance Complaint Form was received on June 5, 2012 for the property located at 4109 Main Street. Copies were distributed to the Mayor, Board and Bill Ball for review. Mayor Guerin indicated that he would ask Mr. Ball to speak with the property owner regarding this matter.

Monique Sprouse exited the meeting at 8:15 pm.

A letter was received on May 31, 2012 from Brian Tromblee on behalf of the Combat Veteran's Association with regard to the 4th Annual Ghost Ride scheduled for July 21, 2012. Copies were distributed to the Mayor and Board for review. Mr. Tromblee has requested that the Village place the flags out along Main Street again this year in support of this event and thanked the Village for its continued support of the veterans. The Board agreed to grant Mr. Tromblee's request.

A Resolution and Contract for shared services was received from the Town of Ticonderoga on June 5, 2012. Copies were distributed to the Mayor and Board for review/approval, as requested by the Town of Ticonderoga. The document is highlighted to adjust the language to fit the Village. Once adopted, it is requested that the Village file a copy of the resolution with the Town of Ticonderoga Town Clerk, Highway Superintendent and the Water/WWTP Supervisor. The Board directed the Clerk to adjust the language in the Resolution to fit the Village of Port Henry. A motion to adopt said Resolution was made by Trustee Brassard, seconded by Trustee McDonough.

Aye: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon.

Nay: 0

By a vote of five to zero the above Resolution was duly adopted on this 11th day of June, 2012.

An e-mail request was received from Addison Mehr, Fort Apache Director, with regard to a student film project on Fort Apache. The shooting will require a few parking spots to be blocked off in front of the Sagan's building on Main Street the morning of June 25, 2012. Mr. Mehr has spoken with Mark Kennedy and Mark Bonfey of the NYS DOT who indicated that they do not think it will be a problem. The Board authorized the parking spots to be blocked off temporarily the morning of this date to complete the filming of this project and Mr. Mehr will be notified of such.

Mayor Guerin presented a price quote from Loreman's in the amount of \$379.00, for a 9"x 12" plaque dedicating the new traffic circle to Jack Woods. Mayor Guerin suggested obtaining other quotes/prices for the plaque. Trustee Rich volunteered to search for other alternatives.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to send a letter of support as requested by Don Jaquish, Director of Essex County Emergency Services, to Senator Little and Assemblywoman Sayward with regard to two bills currently in the state legislature, S.5509A and A8489. If the bills were to become law, this would represent a significant source of funds for local agencies to begin rebuilding and upgrading communications systems. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Trustee Sheldon directed the bill from Decker's Flats in the amount of \$320.00 for the hanging flowers boxes, dirt and flowers to be paid from the Capital Reserve. Treasurer Jurkiewicz informed the Board that the Capital reserve is intended for one time expenses. The money is placed in the reserve for a specific purpose. The boxes and flowers seem to have become an on going annual expense and should therefore be built into the expenses for next year. The Board agreed at this time, to pay the bill from the Capital Reserve.

A motion was made by Trustee Brassard, seconded by Trustee Rich, to approve the May 28th and June 11, 2012 bills for payment. 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 meeting at 8:35 pm, at which time the Mayor and Board will enter into Executive Session to discuss a personnel matter. John Tromblee was asked to sit in on the Executive Session. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

ADJOURNED

Village Clerk

EXECUTIVE SESSION

Present: Mayor Guerin, Trustee Brassard, McDonough, Rich and Sheldon, Clerk Daly, Deputy Superintendant of Water and Streets; John Tromblee and Chief Water/Wastewater Operator; Chip Perry.

Mayor Guerin called the session to order at 8:43 pm.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to advertise for a temporary, full time laborer in the Press Republican and the Times of Ti, with a deadline to apply by June 29, 2012. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

A motion was made by Trustee Sheldon, seconded by Trustee McDonough, to adjourn the Executive Session at 9:06 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

ADJOURNED

Village Clerk

