

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: MAY 14, 2012

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon, Clerk Daly, Treasurer Jurkiewicz, Chief Water and Wastewater Operator; Chip Perry, Port Henry Fire Department Chief; Jim Hughes, Code Enforcement Officer; Bill Ball, Champ RV Park Campground Manager's; Laurie Rodick and Amanda King.

ATTENDANCE: Phyllis Rounds, Chuck McCaughin, Pat Tom, John Easter, John Viestenz, Jackie Viestenz, Walt Rushby and Sandra Lovell.

The following documents were distributed to the Board for review prior to the meeting: the May 14, 2012 Meeting Agenda, the April 2nd, 9th and 16th, 2012 Board Minutes, the April 2012; Treasurer's Report, PERMA Claims Experience Member Reports, Campground Profit Report, DPW Report, Water and Wastewater Report and the Fire Chief's 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, followed by the salute to the flag.

DEPARTMENT HEAD REPORTS

Chip Perry provided the Board with the monthly Water/Wastewater Report and read it aloud as follows:

Water Treatment Plant

- Filtration plant is running well
- Nothing to report as far as equipment failures/breakdowns
- 2nd round of quarterly samples were taken
- No public complaints
- Read water meters for the Month of April

Wastewater Treatment Plant

- Received the revised O&M manual from AES
- No equipment breakdowns or problems to report

Manhole 13 Issues

- Received two letters from DEC on consent order. First letter dated 4/11 with a modified order and a fine of \$2000.00. I read the order made comments and Mayor Guerin (via phone), Supervisor Scozzafava and I, met with Michelle Crew, Regional Attorney; Dominic Fontana, Regional Engineer and Jason Deno, a representative from the EFC. The revised schedule was approved with a change in the sump pump survey deadline date. The fine was reduced to \$1000.00 and the final design plans were being reviewed for approval.

- Second letter has the modified Order on Consent to be signed by the Mayor and Supervisor with the corrected dates and language in the schedule.
- Received letter on 4/26 on the approval of the final design for the project.

As always, I encourage all Trustees and the public to visit both of the treatment facilities.

Mr. Perry encouraged each and every Board member to read the modified Order on Consent issued by the NYS DEC, as there are very important milestone dates to be met. One is in regard to the Sump Pump Connection Survey. The survey needs to be completed by July 31, 2012 and a letter and/or press release should be issued to inform property owners of such and to ask for their cooperation. Mr. Perry also indicated that there is a local law on file that references the Village's right to gain access to inspect sewers. All sump pumps should be daylighted outside and not connected to sewers. The results of the Sump Pump Survey will be included with the Annual Report in May of 2013. Mayor Guerin reiterated that this survey has to be completed as it is State mandated and that the public's cooperation is imperative and would be appreciated. Mayor Guerin indicated that a letter to home owners will be sent out as soon as possible and that help from Board members may be needed on weekends to complete the survey.

Trustee Sheldon read the monthly DPW Report provided by John Tromblee (who was absent from the meeting due to scheduled vacation time off) aloud as follows:

- Water meter readings were obtained during the month of April for the May 2012 billing
- The DPW received 2 calls with regard to plugged sewer's for the month of April
- A new water service was installed for Ray Burlingame at 5 Park Place, Port Henry
- The pier was cleaned with the help of Ed Roberts and inmates from Moriah Shock
- The crew continued working on the campground in preparation of the May 11th opening
- A vacant house at 11 Waldo Street was recently boarded up

Issue – the light fixtures in the bathrooms at the campground are rusty and old and some covers are kept on with wire. The cost for new ballasts, are \$35 each and two or three are changed out per season. New fixtures were priced out at Warren electric for \$65.25 each.

- Chief Hughes provided the Board with the monthly Fire Chief's Report and read it aloud as follows: PHFD has responded to twenty-two (22) calls to date

for 2012: (4) for January, (5) for February, (4) for March, (5) for April, (4) for May.

- 2012 PESH Report to Date:

(22) Calls:	544.55 Manhours
OSHA Training:	311.00 Manhours
Additional Training /Participation:	503.01 Manhours

2012 Total:	1,358.56 Manhours
-------------	--------------------------

- Responded to two structure fires: 4/28 in Moriah Center and 5/8 at 13 Spring Street, Village of Port Henry.
- Chief Hughes attended Vermont/NY Water Rescue Meeting on April 10th held at Vergennes Fire Department in Vergennes, Vt.
- PHFD in conjunction with the Firemen's Association of New York State (FASNY) held Open House in support of Recruit NY 2012 initiative.
- Firefighter Gary Badore currently enrolled in Firefighter I (87 hours) held at Crown Point Fire Department
- Hosted OFPC *Firefighter Survival Course* on 5/3 & 5/5 with 15 participants; 11 from PHFD.
- PHFD held 13th Annual Cold Water Rescue Benefit Dinner on 5/7 at King's Inn.
- Port Henry Fire Department held their 138th Annual Firemen's Banquet on 5/12 at the King's Inn.
- OSHA Training May: CPR /First Aid Refresher Training
- Maintenance item: South Siren on Town Hall remains temporarily out of service; parts being located.
- Request Village Board approval for 2012/2013 Roster of Officers.
- Request Village Board approval of three new fire department member applications: Richard Stockwell Jr., Ricky Laing and Marc Caputo.
- PHFD requested by Lake Champlain Bridge Committee to provide Color Guard for 5/19 parade.
- PHFD Auxiliary requests approval for 2nd Annual Community Day/Christmas in July activity to be held at Village Municipal Beach & Campground on July 8th, 2012.

Chief Hughes also reported that the Port Henry Fire Department participated in a Mock Accident at Moriah central School on May 10, 2012, in conjunction with Moriah Fire Department, the New York State Police and the Essex County Sheriff's Office in anticipation of the Junior Prom on May 12, 2012. The event was well attended.

A discussion ensued regarding insurance requirements with regard to a "Bouncy House" the Auxiliary would like to include in the planned activities for the Second Annual Community Day/Christmas in July event. The Board determined that the bouncy house will be covered under the auxiliary which is insured through the Village, under the fire department. A motion was made by Trustee Brassard, seconded by Trustee McDonough granting approval for the Port Henry Fire Department Auxiliary to hold the 2nd Annual Community Day/Christmas in July on Sunday July 8, 2012, including the bouncy house. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Bill Ball provided the Board with a verbal monthly report for April 2012 as follows:

- Continued work with regard to the Campground/Beach
- There are issues with an illegal building on a property identified as Tax Map ID No. 97.56-1-1.210, under the name of Terra Mountain, LLC

Laurie Rodick provided the Board with a verbal report on the Champ RV Park/Campground as follows:

- Had a good opening weekend, brought in \$4,081
- Everything went well, pressure issues were worked through
- There are currently 91 registered campers at the campground
- Requested a golf and/or mower cart for the campground

Amanda King addressed the Board regarding a blog she would like to start pertaining to the campground. The blog would be hosted by Word Press and would contain dedicated pages to advertise the rates, snack bar menu and pricing, etc. Ms. King also expressed interest in starting a Facebook page that she would manage at no charge. Mayor Guerin informed Ms. King that the Village has an official website already established and that any and all information with regard to the Village including the campground, should go through the website, after the content is approved by the Board. Mayor Guerin suggested she speak with John Viestenz regarding her ideas, as he administers the website on behalf of the Village, through the Chamber of Commerce.

PUBLIC COMMENT PERIOD

Jackie Viestenz, of the pH7 Committee informed the Board that she has picked out the flowers/plants for this year and requested that the planters/pots be placed out, as planting will most likely begin Memorial Day weekend.

The pH7 Committee informed the Board that they plan to hold an “Art in the Park” event, every other Saturday in the Village Park.

Linda Smyth has re-done the sign that hangs over the Information Booth; it now reads “Welcome to Port Henry”. Trustee Rich asked if the Board would be provided with a sign prototype from Ms. Smyth. Jackie Viestenz will check with Linda Smyth regarding such. The Information Booth will be open Thursdays, Fridays and Saturdays from 10:00 am to 2:00 pm from June 21st through September 1, 2012 and RSVP will help with setting up a schedule to man the booth.

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.

John and Jackie Viestenz exited the meeting at 6:45 pm.

BOARD DISCUSSION / REPORTS

The drawing was conducted for the free weekend of camping as a result of the May 6, 2012 Open House that was held with regard to the completed Campground Restoration Project. The winner was Mr. Jerry Panner. Trustee Sheldon indicated that he would contact Mr. Panner to inform him of such.

Trustee Sheldon addressed the following with regard to the campground:

He began by asking what the balance is in the Capitol Fund for the campground. Treasurer Jurkiewicz indicated that there is \$8,500 remaining however, pads for the basketball poles have been ordered as requested and the cost of such is not reflected in this total.

Trustee Sheldon indicated that an extra basketball hoop has been erected for smaller children.

The lights for the bathrooms need to be ordered and Trustee Sheldon indicated that John Tromblee will check out all of the outside lights on the bathrooms at the campground in an effort to eliminate hiring an electrician.

The Board unanimously approved the installation of horseshoe pits at the campground.

Linda Smyth has painted 5 mph Champ signs for the campground and the Board made note to send her a thank you letter for doing so.

William Bryant has donated the wooden sign from his storage units to the Village.

Trustee Sheldon spoke with Supervisor Scozzafava and has requested two youth commission workers to help out at the beach / campground this season.

A discussion ensued regarding the ramps that will go over the rip rap at the campground in order for campers to gain access to the water. A permit will need to be obtained from the NYS DEC. Bill Ball assisted with the APA Inquiry. Trustee Sheldon indicated that 10 ramps would be installed for 20 campers; the campers will need to share the allotted ramps. Trustee McDonough suggested that a common ramp should also be placed over the rip rap for campers that wish to access the water that do not have lakefront campsites, Trustee Rich agreed. It was also suggested that such a ramp be placed in a lakefront transient site if available. The Board ultimately decided to entertain this issue later in the season or next year. Bill Ball informed the Mayor and Board that the Village should maintain ownership and control of the ramps, as the Village is liable regardless.

Laurie Rodick and Amanda King exited the meeting at 8:05 pm.

Trustee Sheldon informed Chief Hughes that Supervisor Scozzafava would like to address the issue of open burning with him at the south end of town. Chief Hughes indicated that the State burning ban that is due to expire on May 15, 2012 may be extended. Chief Hughes has discussed this matter with Supervisor Scozzafava and has informed him that a DEC permit would need to be obtained. This issue has been addressed in years past and there were potential hazards discovered then that still exist. The burning of too many piles at once may cause a smoke hazard for traffic along Route 9N. The brush is also heavily loaded with poison sumac which poses another hazardous threat. Chief Hughes indicated that volunteers are scarce and currently stretched to their limits and suggested we wait and see what the NYS DEC has to say regarding the matter. If a permit is issued, the Town can touch the piles off one at a time and supervise them and if not, as a safer alternative, the brush could be removed via a chipper.

Trustee Sheldon informed the Board that Saranac Lake has just received a \$195,000 bond to replace their sidewalks and suggested that the Village do the same, as the funds budgeted for sidewalk repairs annually could be used to pay down the bond.

Trustee Sheldon addressed the drainage issue on College Street. Repairs for such are not included in the Community Development Block Grant. Mayor Guerin indicated the problem starts at the old high school, the pipes are approximately 25 to 30 feet down in the ground and are most likely plugged, which is causing the erosion and eventual undermining of this street. The cost to repair this issue is estimated at \$100,000 as a whole new line and drain is necessary. The Board recognized the fact that this has been an issue for the past 36 months and that something needs to be done as it poses a serious safety hazard.

On May 2, 2012 Trustee McDonough delivered the Order on Consent from the NYS DEC to the Essex County Community Development Office as well as the Village's operating budget and the debt service, in order to proceed with resubmitting the application for funding for Manhole 13 for 2012. According to the estimate received from AES Northeast, the project cost totals \$2.6 million dollars. As of May 8, 2012 the NYS EFC has made the funds available and the maximum amount that may be obtained through the grant is \$2 million dollars. Trustee McDonough indicated that the additional

\$600,000 not covered by grant funds could be borrowed through a 30 year loan at a zero percent interest rate. This will result in an annual payment of \$20,000 which would amount to a \$26 increase in the Village sewer rate every six months. Chip Perry indicated that the \$2.6 million in estimated costs for this project could possibly be reduced. . The Office of Community Resource has finalized the grant application on the Village's behalf; the application was faxed to the NYS EFC and was followed up by a hard copy with Mayor Guerin's signature, on May 9, 2012. The Village will receive a copy of the completed and fully executed grant application.

Trustee McDonough informed the Board that during a conversation with Fred Buck recently, he indicated that the Village could contact the NYS DEC to have the shallow dam removed. Mr. Perry informed the Board that Mr. Buck most likely does not realize that this is the Village's water supply; if the shallow dam is removed it would need to be replaced it with some type of modification or structure in order for the water to build up.

Recurring Old Business: A motion was made by Trustee Rich, seconded by Trustee McDonough to approve the Board minutes for April 2, 9, and 16, 2012. Yes: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Campground Restoration Project Update: AP Reale has asked if the Village would pay the majority of the retainage with the exception of \$5,000 for replacement of the light pole. The estimated delivery date of the pole is 6-8 weeks. The request was unanimously declined by the Board.

Old Business: A motion was made by Trustee Brassard, seconded by Trustee Rich to pass a Board Resolution authorizing Mayor Guerin to sign the agreement with National Grid with regard to hanging banners on poles in the Village. The agreement was distributed to the Mayor and Board on April 20, 2012 for review.

Aye: Trustee Brassard, McDonough, Rich and Sheldon.
Nay: none

By a vote of four to zero the Resolution above was duly adopted on this 14th day Of May, 2012.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to pass a Board Resolution authorizing Mayor Guerin to sign the Modified Order on Consent from the NYSDEC with regard to the revised Schedule of Compliance that reflects the intention of the Village and the Town to undertake a complete replacement of the trunk sewer from Manhole 15 to the wastewater plant, rather than the replacement of only certain manholes as identified in the original Order on Consent and the engineering plans submitted pursuant to that Order. The final Order also contains the agreed-upon payable penalty.

Aye: Trustee Brassard, McDonough, Rich and Sheldon.
Nay: none.

By a vote of four to zero, the Resolution listed above was duly adopted on this 14th day of May, 2012.

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

A 30 Day Advance Notice to a Local Municipality form was received from Charles McCaughin, on behalf of the Port Henry Fire Department on April 9, 2012, indicating that the fire department is applying for a "Beer Only License" through the New York State Liquor Authority. Chuck McCaughin was in attendance and requested written authorization from the Mayor and Board with regard to the fire department obtaining a "Beer Only" license. Mr. McCaughin indicated that the proceeds help defray costs for the annual banquet and sick firemen. A motion was made by Trustee Brassard, seconded by Trustee Sheldon to approve this request. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

On May 4, 2012 Chief Hughes provided the Mayor and Board of Trustees the 2012 list of elected officers for the Port Henry Fire Department for approval. A motion was made by Trustee Brassard, seconded by Trustee McDonough to approve the 2012 officers as elected by the membership of the Port Henry Fire Department. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Chief Hughes provided the Board with three applications for membership for: Richard W. Stockwell Jr., of 13 Spring Street; Richard C. Laing, of 14 Meacham Street and Marc A. Caputo, of 4645 Route 9N, Port Henry, NY. An Arson Conviction Background Check was conducted on each applicant by the Essex County Sheriff's Department and it has been determined that no criminal record exists in New York State for any of the three applicants. All three applicants have been endorsed by the Fire Board and accepted by the Port Henry Fire Department membership. A motion was made by Trustee McDonough, seconded by Trustee Sheldon to approve Richard W. Stockwell, Jr., Richard C. Laing and Marc A. Caputo's applications for membership to the Port Henry Fire Department. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

It was noted that the Port Henry Fire Department does have a Junior Firefighter Program that permits applicants that are 17 years of age to join, with restrictions. Once the junior firefighter turns 18 and has obtained and completed the required training, then he/she is enlisted as a full fledged volunteer fire fighter.

The Moriah Ambulance Squad submitted a written request on April 20, 2012, to hold a Coin Drop on Saturday, September 22, 2012. It has been confirmed that this date is currently still available. A motion was made by Trustee Rich, seconded by Trustee Brassard to approve this request. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Catherine Maye submitted a written request on May 9, 2012, to hold a Coin Drop on Memorial Day or July 4th weekend in an effort to raise money for the NCSPCA Shelter in Westport, NY. It was been confirmed that the dates requested are not available. There are Coin Drops that have been previously scheduled and approved from May through the end of October in 2012 and each one is scheduled 2-3 weeks apart, as required by a Board Resolution dated May 11, 2009. The Board therefore denied the request, due to the unavailability of dates and will notify Ms. Maye of such in writing.

A Vendor License was issued by the Village Clerk to Mr. Ding-a-Ling Ice Cream, Inc. on April 25, 2012, for a six month period to sell ice cream from a Mr. Ding-a-Ling ice cream truck within Village limits, including the campground. The required documentation has been submitted and is on file in order to obtain a license for the 2012 season.

A Vendor License was issued by the Village Clerk to the Adirondack Farmer's Market Cooperative, Inc. on May 7, 2012, for a six month period to hold a weekly Famer's Market within the Village limits. The required documentation has been submitted and is on file in order to obtain a license for the 2012 season.

The Board addressed the two remaining "Water/Sewer Bill Request for Adjustments" that were previously distributed for review. The request submitted for Account No. 315 was denied by motion from Trustees McDonough, seconded by Trustee Brassard. Yes;

Mayor Guerin, Trustees Brassard McDonough, Rich and Sheldon. No; none. All in favor, motion carried. The request submitted for Account No. 488 will be reviewed further; a decision was tabled until the Special Meeting for the fiscal year end, to be scheduled for the end of May.

The Village liability insurance renewal proposals were received from the TD Insurance Company and distributed to the Board for review prior to the meeting. It was noted that the proposals presented do contain flood insurance for the Village. A motion was made by Trustee McDonough, seconded by Trustee Sheldon, authorizing Mayor Guerin to sign the insurance renewals. Yes; Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

A motion was made by Trustee Brassard, seconded by Trustee Rich, to pass a Resolution to approve the May 2012 Water and Sewer billing in the amount of \$240,676.19, for the period of November 1, 2011 through April 30, 2012. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

A motion was made by Trustee McDonough, seconded by Trustee Brassard, to pass a Resolution to approve the May 14, 2012 budget transfers that were distributed to the Board for review prior to the meeting. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

The Board scheduled a Special Meeting to approve payment of the current fiscal year end bills as well as any final budget transfers, for May 29, 2012 at 7:00 pm.

A motion was made by Trustee Rich, seconded by Trustee McDonough, to approve payment of the April 29th and May 14, 2012 bills. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Abstract Distributions:

General \$51,270.61
Water \$5,442.63
Sewer \$1,666.08
Joint Activity \$17,022.22
Capital \$245,163.32

A motion was made by Trustee Brassard, seconded by Trustee Sheldon, to adjourn the regular meeting at 9:13 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.

ADJOURNED

Village Clerk

