

PUBLIC HEARING OF THE VILLAGE OF PORT HENRY  
BOARD OF TRUSTEES

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

DATE: SEPTEMBER 10, 2012

TIME: 6:45 PM

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

ATTENDANCE: John Easter, Walt Mimas, Geraldine Minas, Margaret Parah, Pat Tom, Linda Smyth, Jeff Kelly, Dorothy Wilbur, John Viestenz, Jackie Viestenz and Mary Rodriguez.

Mayor Guerin called the Public Hearing to order at 6:46 pm, followed by the salute to the flag.

Mayor Guerin informed the public that the purpose of this Public Hearing was to present proposed Local Law No.3 of 2012; Unsafe Structure Law of the Village of Port Henry, to the public for review and comment.

This proposed Local Law was distributed to the Board on August 8, 2012 and a copy thereof has been on file in the Office of the Village Clerk and will remain open for public inspection during regular office hours. Copies of the proposed Local Law were also made available for the public in attendance at this hearing.

Mayor Guerin provided an overview of the Unsafe Structure Law and then opened the floor for questions and comments from the public.

Jeff Kelly asked how the law would be enforced with regard to burnt or vacant buildings. Bill Ball indicated that Section 4-D of the proposed law address the enforcement of these matters. Mr. Kelly expressed his concerns pertaining to the fire damaged house located at 13 Spring Street and again asked what the procedure is for addressing abandoned buildings. Mr. Ball informed him that according to NYS Property Maintenance law, the building should be secured; the windows should be boarded up. Laurie Carr asked how much time a property owner is typically given to secure a building. Bill Ball indicated that a reasonable amount of time would be two months, in light of the recent fire and loss; the Board could set the time limit. The public indicated that the owner has had ample time to address the matter.

Dorothy Wilbur informed the Board that she is aware of the fact that the fire was caused by rats chewing on wires and that rats could be seen running from the area during the fire. Ms. Wilbur expressed her concerns with regard to the rat issue in light of the new virus that has been in the news; the Hanta virus, which can cause death if the dust from rodent droppings are inhaled through the air. The grass on this property is also very high and harbors a place for rats to gather. Ms. Wilbur indicated that she sees three rats, that look like woodchucks, every night in that area and it poses a very dangerous situation.

Heather and Ken Robbins entered the hearing at 6:57 pm, followed by Randy Beeman at 7:00 pm and Ann Tesar at 7:05 pm.

Trustee Brassard asked Bill Ball if the homeowners had been sent a letter regarding this situation. Mr. Ball indicated that they had not, and that to date, no complaints with regard to the property have been received in writing. Property Maintenance Complaint Forms were provided to Mr. Kelly, Ms. Smyth, Ms. Wilbur and Ms. Rodriguez as requested, all of whom reside on Spring Street.

Mayor Guerin indicated that once the law is adopted and on file with the State, the Village can then proceed in getting the owner to clean up the property or tear down the structure, etc. Ms.

Parah asked the Mayor if a condemned notice has been posted on the property. Mr. Ball indicated that such could not be enforced with out the taxpayers incurring the debt for the cleanup.

A total of four Property Maintenance complaints were received, in writing with regard to the property located at 13 Spring Street.

A motion was made by Trustee Brassard, seconded by Trustee Sheldon, to adjourn the Public Hearing at 7:09 pm. 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 OF THE VILLAGE OF PORT HENRY  
BOARD OF TRUSTEES

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

DATE: SEPTEMBER 10, 2012

TIME: 7:00 PM

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

ATTENDANCE: John Easter, Walt Mimas, Geraldine Minas, Margaret Parah, Pat Tom, Linda Smyth, Jeff Kelly, Dorothy Wilbur, John Viestenz, Jackie Viestenz, Mary Rodriguez, Heather Robbins, Ken Robbins, Randy Beeman and Ann Tesar.

The following documents were distributed to the Board for review prior to the meeting: The September 10, 2012 Meeting Agenda, the August 13, 2012 Board Minutes, the August 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 September 10, 2012 Board meeting file in the Office of the Village Clerk. The September 10, 2012 Meeting Agenda was also made available to the public.

Mayor Guerin called the meeting to order at 7:10 pm.

DEPARTMENT HEAD REPORTS

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

**Water Treatment Plant**

- Filtration plant is running well
- Cleaned the raw water reservoir
  
- Have not had a complaint since the end of July
- Met with EJP salesman and received updated quote for water meter system
- Received the 3<sup>rd</sup> quarter water results concerning THM's and HAA, all are in compliance and under the action levels

**Wastewater Treatment Plant**

- Wastewater treatment plant is running well.
- Took down # 2 SBR tank for an inspection, all air grids look good no signs of any problems
- Had the gas detection system calibrated, waiting for a combined combustible gas sensor to be installed – spoke with vendor today and it is scheduled for 9/11/12.
- Ticonderoga has contacted me again about the solids mixer they are asking \$10,000.00

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

Mr. Perry informed the Board that the Village has had Ticonderoga’s solids mixer for the past fifteen years. Purchasing it from them was discussed last year. Mr. Perry offered Ticonderoga \$7000.00 for the mixer and they have come back with a price of \$10,000.00. This piece of equipment runs about \$100,000.00 new. Mr. Perry indicated that Schroom Lake is interested in the mixer and he does not anticipate that the Village will have a need for it in the foreseeable future. There are some repairs that need to be done on the mixer before it is returned to Ticonderoga; Mr. Perry estimates the repairs will cost approximately \$2500.00

Chief Hughes entered the meeting at 7:10 pm and read aloud to the Board the August 2012 written fire department report as follows:

- PHFD has responded to forty-four (44) calls to date for 2012: (4) for January, (5) for February, (4) for March, (5) for April, (9) for May, (7) for June, (6) for July, (0) for August and (4) for September.
- 2012 PESH Report to Date:

(44) Calls:	839.65 Manhours
OSHA Training:	376.50 Manhours
Additional Training/Participation:	1,080.01 Manhours
2012 Total:	<u>2,296.16 Manhours</u>

- OSHA Training for September: Jaws of Life Training
- Maintenance item: Engines 291 and 292 – Tank Fill Valve and Tank to Pump Valve replaced due to leaks
- High Pressure Line failure on Jaws of Life - Item replaced under warranty.
- Engine 291 and 292 Annual Inspection, maintenance, and service performed and completed by Essex County DPW Department.
- Port Henry Village and Bulwagga Bay Beach Emergency Plans: Met on 8/22/2012 with Dan Benoit, Battalion Coordinator, Don Jaquish & Michael Blaise of Essex County Emergency Services and Jack Waldron, PHFD Safety Officer to discuss and analyze scope of plan. Results of this meeting helped Emergency Services develop “Dispatch Instructions” for any future event. Evacuation plans / Instructions for campground in progress.
- PHFD will be hosting FASNY sponsored “Highway Traffic Safety Course” on October 10<sup>th</sup>, 2012. Will be held at Knights of Columbus Hall.
- PHFD has arranged an Emergency Vehicle Operator’s Course (EVOC) for November 16<sup>th</sup> and 17<sup>th</sup>, 2012.
- Chief Hughes and Lieutenant Mark McLaughlin have enrolled in Emergency First Responder Course.
- PHFD will be sending 5-6 Firefighters to Firefighter I Course to be held on Monday, September 17<sup>th</sup> at 7:00 PM at the Moriah Fire Station.

Bill Ball read the written Code Enforcement Officer Report for August 2012, to the Board as follows:

- Took care of a couple of complaints.
- Met with engineer at beach regarding rocks in sand; the sand does not meet the project specifications
- Discussed the size of the beach sand, which should have been between sieve size 200 (.0029”) and sieve size 20 (.0331”), which was not met. The engineer stated that a Village representative had signed off on.
- The electrical inspection should be done this week
- There is no pressure test report and the water lines should have been disinfected and a report filed, as required by the NYS Department of Health after a major break.
- Property Maintenance Complaint No. 1 – Lapier: went to site, did not see a downed tree over property line. There was a dead tree behind the house. This house is in foreclosure and banks are very hard to deal with, I left a voice message on the posted 800 number.
- Property Maintenance Complaint No. 2 – Lapier: checked the line of site from both directions and found the complaint unfounded (pictures attached).
- Property Maintenance Complaint No. 3 –Rodriguez: went to the site, building is secure on the ground floor; the roof is in need of repair. Nestor Rodriguez was sent a letter with regard to Property Maintenance, and discussed the matter with the Mayor. I feel the building is secure and the roof can be repaired without any legal action.

John Tromblee informed the Board that he contacted Kevin Scheuer of the NYS Department of Health before the campground opened with regard to the water lines. Mr. Scheurer saw no reason not to open the campground as scheduled; the water lines sat dormant all winter and after a couple of chlorine tests were done, Mr. Scheurer was satisfied with the results.

Bill Ball indicated that the Board needs to be aware of the new law on the books with regard to firework displays. Permits are required annually for both public and private displays. The operator is required to supply both a Certificate of Insurance (on file) and apply for and obtain the necessary permits. A 400 foot safety zone also has to be enforced.

John Tromblee presented the Board with a verbal DPW Report for August 2012, as follows:

- The sidewalks on Church Street are finished.
- There was a small water break on Lock Lane; it has since been repaired.
- Some asphalt and paving was done as well as tucking in the new sidewalks and some patchwork was done around the Village; there is more to do as time permits.
- The College Street project has been started. Hope to have repairs completed by mid week, than get the County here to pave it.
- The dam will be cleaned in the very near future.
- The new loader was delivered right before Labor Day and the old one is gone.

Trustee Brassard asked Mr. Tromblee if all is going as planned with regard to the College Street project. Mr. Tromblee informed the Board that they have discovered a sewer line that is hooked into a storm drain line from Third Street. Other than that, all is going as planned.

Mary Rodriguez and Dorothy Wilbur exited the meeting at 7:24 pm.

Laurie (Rodick Carr, read aloud the written August 2012 Campground Report to the Board as follows:

- The \$28.00 fee for tent sites needs to be reviewed. The fee should be \$40.00 for a lakefront site regardless of what they are camping in, pop up, tent, camper, etc.

- To date, 43 Seasonal Site Request forms have been returned. It appears as if all but one of the remaining 12 will be returning however they have not submitted their forms yet.
- With regard to Saturday's storm, there was minimal damage to the campers and campground. Mrs. Carr thanked Phyllis Rounds from Site #47 who helped roll in awnings along the lakefront while the Flewelling's and her family worked on the sites towards the rear of the campground. Canopies were disassembled and awnings rolled, in an effort to prevent damage. Once the watches and warnings were first issued, early in the day, all the campers on site were notified of the possibility for severe storms.
- To date, \$7600.00 has been collected in receipts.
- To date, 10 seasonal campers have left for the season.
- Bob and Laurie Carr plan to reapply for the manager's position again next year and look forward to hosting some activities which they did not get to do this year as it took some time to get acclimated to the job, while running the snack bar and dealing with the blue-green algae issues. A list of activities is attached and has been discussed with the campers.
- One more deck board is needed for the porch floor and the railing is rotting out.
- The golf cart and riding mower are back in service and Mrs. Carr thanked John Tromblee for his help.
- New blades are needed for the push mowers, (have been using ours).
- A gasket is needed for one of the women's toilets in bathroom # 4. It is leaking between the tank and bowl.
- The ropes in the swimming area are heavily coated with weeds and the longer they stay in the harder they will be to get out.
- All of the fire extinguishers at the campground have recently been charged.

#### PUBLIC COMMENT PERIOD

Jackie Viestenz read the written pH7 Committee Report for August 2012, aloud as follows:

- The Information Booth has been painted. Visitors were greeted throughout the season and information was distributed. The booth was unable to be manned as planned due to time conflicts with committee members. Would like to find a way for people to obtain brochures at the booth when it is not manned.
- The pH7 Committee thanked the Village Board for allowing the committee to use the booth and believes that the activity around the booth this summer was beneficial to the Village.
- The committee planted and maintained flowers on the park, the traffic oval, and the planters in the Village. The committee thanked Mountain Lake Services for watering all of the plants this summer.
- The pH7 sponsored three "Art in the Park" sessions that were sparsely attended, but were enjoyed by those who came. The hula-hoop contest was a big hit, with twelve children participating. The children wanted to continue to twirl their hoops after the contest ended.
- A directional sign was erected near the boat launch. The public is encouraged to add more signs to it.
- The Farmer's Market was a success throughout the summer with an average of eighty people buying at the market each week. The market did close a week early however, due to a lack of produce.
- Members of the committee painted a mural by the Presbyterian church
- "Home of the Arch" and "Home of Champ" t-shirts were sold to benefit the Chamber of Commerce.
- The pH7 Committee will be using the Information Booth for Halloween and will be decorating it for Christmas. The committee would also like to use it again next summer for distributing information and planned activities.

Linda Smyth asked the Board what the status is on the basket store. Mayor Guerin informed Mr. Kelly that they should be back in there by the first of the year as they are

moving forward with restoration efforts. Bill Ball has received the plans and will meet with Mike Stoddard regarding such in the near future.

Linda Smyth asked if any of the Board members have been in touch with Sharon Reynolds with regard to the Main Street USA grant. Trustees McDonough and Rich met with Ms. Reynolds back in July. The application has been submitted and we should hear something on it in the spring. There is nothing else to report on the matter at this time. Mayor Guerin indicated that Alan Hipps has also submitted applications for building repairs.

Mayor Guerin indicated that he and Supervisor Scozzafava will be looking into running electricity to the Information Booth for lights. Linda Smyth commented that the concept of two members from both the Town and Village Boards meeting regularly, is a good one.

A lengthy conversation ensued pertaining to the Elizabeth Street flooding and drainage issue. Randy Beeman expressed concern with regard to the College Street project and how it is going to effect and contribute to the Elizabeth Street flooding and drainage issue.

Heather and Ken Robbins also expressed their concerns as their house has been severely flooded in the past during heavy rain storms and it has cost them more than ten thousand dollars in repairs. They are scared that it will happen again if something is not done to fix the problem. Mrs. Robbins indicated that they have taken pictures, documented the problems, reported the matter several times to the Village and have been waiting over a year for a fix, to put end to this on going problem.

Mr. Beeman informed the Board that they get water from every direction possible, including Main Street; it runs down Main Street then turns right on to Elizabeth Street. Even though the Village installed a new drain pipe, which Mr. Beeman keeps clear during storms, the pipe is not big enough to keep up with the flow of water that comes at them from every direction, the water then pools there and floods out both properties.

Mrs. Robbins indicated that something else needs to be done to fix the problem as soon as possible before it happens again. Mr. Robbins expressed his concerns for the safety and welfare of his family when such flooding occurs as it poses serious electrical and fire hazards. Mr. Robbins also informed the Board that the sidewalk is now undermining from the flooding.

The Board sympathized with both property owners and committed to finding a solution to the problem. Trustee McDonough suggested contacting the County to have an engineer take a look at the situation. Ann Tesar suggested contacting the State regarding the water coming from Main Street. Mayor Guerin assured Mr. & Mrs. Robbins and Mr. Beeman that he will contact the County to have an engineer come and take look at the problem and offer a solution, as soon as possible. Chief Hughes informed the Robbin's that the fire department will make their property a priority in the event that another heavy rain/flooding event should occur before then

Randy Beeman and Margaret Parah exited the meeting at 8:00 pm.

#### BOARD DISCUSSIONS/REPORTS

Trustee McDonough indicated that she, Mayor Guerin, Supervisor Scozzafava and Councilman Garrison met to float ideas back and forth with regard to issues pertaining to both the Town and Village. a few of the items discussed were: having a study done on both campgrounds and increasing advertising for the Village and Town. The Town would like to know if we could take one cement bench at the beach and move it over to the pier and if the garbage and dog feces could be picked up and removed from the beach/pier area. Street lighting was also discussed as was the idea of a fundraiser for Champ signs. Mayor Guerin indicated that the meeting was very informative and that they plan on continuing to meet and will keep an open dialog between the two Boards.

Mayor Guerin indicated that he plans on being more involved in the annual Labor Day festivities next year. He noted that the Town Board participated by helping with the chicken BBQ and believes that we should all be working together during such events as we are all one community. Mayor Guerin suggested finding out what is going on in surrounding communities, Town, Villages, etc. and asking vendors at those events to participate in ours. Mayor Guerin expressed his appreciation of the pH7 Committee and thanked them for the amazing job that they do in our community.

Mr. Perry asked if Department heads will be asked to sit in on future joint Board meetings. Trustee McDonough indicated that they haven't gotten that far yet but that the meetings are open and their input will surely be sought down the road. Mr. Perry expressed his concern for department heads being kept in the loop as a result of the joint meetings. Trustee McDonough assured him that before any decisions are made the information will first be presented to the full Board and public, at a regular monthly Board meeting.

Chief Hughes suggested looking into grant funds with regard to community improvement projects for the DPW and fire department.

Jim Curran entered the meeting at 8:10 pm, at which time Mr. and Mrs. Robbins exited the meeting.

Trustee Brassard has spoken with Tony LaVigne at the Essex County DPW with regard cutting the trees at the Village campground. Mr. LaVigne informed Trustee Brassard that he will have Bob LaVigne call after Columbus Day to schedule a date for marking the trees to be cut.

Trustee Brassard informed the public that the Verizon Wireless has submitted an application to the APA for erection of a cell phone tower in the Village, next to the old water tower. August 30, 2012 was the deadline to submit comments to the APA with regard to this proposed project. Jeff Kelly asked if the Village will receive any revenue as a result. Trustee McDonough informed Mr. Kelly that there was an original lease agreement with Verizon back in 2007 when they were going to use the water tower property for the site of a cell tower and in that lease, Verizon would pay to lease the land from both the Town and Village. It was suggested that the Village look into getting Wi-Fi for the beach off of the new tower. Bill Ball indicated that he is in talks with Verizon regarding this project.

A discussion ensued with regard to Town Councilman Garrison questioning if the Town Police Department (PD) is actually needed. Trustees Brassard and Sheldon informed the Board and public, that they recently found out that the State troopers are unable to enforce any local laws the Village has on file, at the campground. Trustee Brassard suggested that the Village Board unite in supporting the Town PD as they do patrol on Friday and Saturday nights in the Village and if the Town PD is done away with, the Village would have no coverage for the enforcement of Local Laws. John Viestenz asked if any of the Village Board members have yet attended one of the police department's meetings. Trustee Brassard indicated that they are not yet aware of when their next meeting has been scheduled for. The Board unanimously agreed to support retaining the Town Police Department.

Trustees Brassard and Sheldon informed the Board that they have been meeting with the campers on the weekends with regard to complaints, discussions, etc.

Trustee Sheldon asked what the status is on the sidewalk that was damaged by Verizon. Trustee Brassard indicated that a representative from Verizon stated that if the damages have not been repaired within a certain amount of time then the Village may bill Verizon for such repair costs including materials and labor. Trustee Sheldon asked John Tromblee to work up the cost associated with this repair so that the Village may bill Verizon for such.

Trustee Sheldon informed the Board that he received a complaint in regard to the two hour parking on Broad Street being violated. Mayor Guerin indicated that the complaint should be directed to the Town police.

Trustee Sheldon asked what the consensus is of the Board with regard to erecting a sign in the Village Park stating that the park closes at 10:00 pm. It was noted that there used to be such a sign.

A discussion ensued pertaining to the meeting with Mayor Guerin, Trustee Sheldon, John Tromblee, Bill Ball and GPI with regard to the quality of the beach sand. It was determined that this matter would be held off on until next spring to see if the sand filters out and the rocks become finer. Trustee Sheldon asked John Tromblee if he may be able to locate a sifter from another municipality that we may borrow. It was noted that right now the sand on the playground is hard as a rock. Chip Perry indicated that it had a lot of clay in it and that if it is not up to the specifications than it should be removed and replaced. John Tromblee agreed and provided the Board with a quote of approximately \$5.00 per yard for replacement sand. Mayor Guerin indicated that may have to be done. Trustee Sheldon reiterated that the sand was signed off on and passed inspection.

Trustee Sheldon informed the Board that the final electrical inspection at the campground will be completed this week.

**Recurring Old Business:** The Moratorium on Street Level Residential Development is due to expire on October 15, 2012. To date, one letter of interest to serve on the Zoning Commission has been received. A commission must be in place in order to proceed with the crafting of draft zoning regulations to present to the public and Village Board before the adoption of zoning laws. To date, two letters of interest have been received with regard to serving on the Zoning Commission. Trustee Rich questioned if the lack of interest from the public coming forward to serve speaks in turn with regard to the interest in establishing zoning regulations and laws within the Village. Mayor Guerin suggested asking the public to step up and volunteer to serve as a member of the Commission. Jeff Kelly indicated that if such regulations and laws are actually enforced then people may step up and show an interest. A motion was made by Trustee Sheldon, seconded by Trustee Rich to proceed with adopting a local law to extend the moratorium for an additional six months. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Three Property Maintenance Complaints have been received and distributed to the Board and Bill Ball for review for the following properties: 4109 Main Street; owned by Nestor Rodriguez, 8 Spring Street; owned by Audra Whitcomb and a vacant parcel located on Spring Street; owned by Jack Wisell. There was no discussion regarding these complaints however Bill Ball did make notes as to his findings on copies of the complaint forms he distributed the Mayor and Board this evening along with his monthly report.

**Old Business:** A motion was made by Trustee McDonough, seconded by Trustee Brassard, to approve the August 13, 2012 Board minutes. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

A Vendor/Peddler's License was issued to Czech's Mobile Food Service on July 30, 2012.

A brief discussion was held pertaining to the Water Debt Service Charge that was also discussed last month. A decision is needed with regard to reducing the service charge by \$11.00. A Public Hearing will be required to do so. It was decided that Trustee Brassard and Mr. Perry will schedule a Water Committee meeting at which EJP will give their presentation with regard to obtaining new digital water meters.

Mayor Guerin informed the Board of the attorney's advice with regard to the Putnam water issue at 105 Switchback Road. The agreement that the Village will provide water in perpetuity to this property and all of its successors would be held up in a court of law, being that the agreement is incorporated in the property deed. The Board agreed to abide by the original agreement and will pick up the \$300 flat water fee that will be charged by



the Town, by motion from Trustee McDonough, seconded by Trustee Rich. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Chief Hughes informed Chip Perry that Willard Bakers old water supply line on his property is leaking. Mr. Perry indicated that the line has been cut and capped, is no longer fed and that it is most likely just additional drainage.

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

A Thank you letter was received on August 14, 2012 from Gasper and Dee Koczur of 14 Elk Inn Road, with regard to the implementation and completion of Water District No. 4.

The October 8, 2012 Board Meeting will need to be re-scheduled as it falls on Columbus Day, a reserved holiday for the Village. A motion was made by Trustee Brassard, seconded by Trustee McDonough, to re-schedule the meeting for Monday October 15, 2012 at 7:00 pm at the Village Hall. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

The Village will advertise for Fuel Oil Bids for the 2012-2012 heating season. The public bid opening will be scheduled for October 15, 2012.

A motion was made by Trustee Brassard, seconded by Trustee Sheldon to pass a resolution authorizing the lease of the new, 2012 Case Loader through First Niagara Leasing in the amount of \$52,488.00, for five years at 3.049%. Vote:

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

Nay: None.

By a vote of five to zero the above listed Resolution was duly adopted by the Village of Port Henry Board of Trustees on this 10<sup>th</sup> day of September, 2012.

After determining there were no changes to be made, a motion was made by Trustee Rich, seconded by Trustee McDonough, to pass a resolution to adopt Local Law No. 3 of 2012; Unsafe Structure Law of the Village of Port Henry. Vote:

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

Nay: None.

By a vote of five to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on this 10<sup>th</sup> day of September, 2012.

A letter was received from the Academy for Character Education at The Sage College and distributed to the Board for review on August 30, 2012. The letter requests schools and local communities throughout the Capital region to focus on bullying awareness by adopting a resolution or proclamation recognizing October 2012 as Bullying Awareness Month. The Academy further asks that that we share a copy of the adopted resolution with them so that they may publicize the local governments that are participating in this effort. A motion was made by Trustee McDonough, seconded by Trustee Rich to adopt said resolution. Vote:

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

Nay: None.

By a vote of five to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on this 10<sup>th</sup> day of September, 2012.

**Second Public Comment Period:** John Viestenz confirmed with the Board that the moratorium will be extended via a local law crafted by the Village attorney that the Board will need to adopt, after holding a public hearing.

Mr. Viestenz indicated that he is glad that the Town and Village Boards are meeting to discuss issues.

Mr. Viestenz indicated that the next Town Board meeting will be held on Thursday September 20, 2012.

Mr. Viestenz indicated that there is never any comment on the monthly Treasurer's Report and therefore asked how the Village is fairing financially. Is the Village better or worse as far as FEMA reimbursement?

Treasurer Jurkiewicz informed Mr. Viestenz that it is too soon to tell with regard to the budget however cash flow could become an issue for the Village due to the substantial amount of unpaid property taxes and water and sewer bills. The Treasurer recommended not spending any money unless it is absolutely necessary.

As far as FEMA goes, we are still on hold waiting for reimbursement for the Campground/Beach Restoration Project. With regard to the appeals; a new representative has been assigned to our case and contacted the office today; he will be sending an e-mail to the Mayor with a list of additional items needed to process the appeals.

Trustee Brassard informed the Board and public present that the Mill Brook will be treated for lamprey on October 9, 2012.

A motion was made by Trustee Rich, seconded by Trustee McDonough, to approve the August 27<sup>th</sup> and September 10, 2012 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Abstract Distributions:

General \$145,566.33  
Water \$4,601.25  
Sewer \$35,692.92  
Joint Activity \$13,559.11

A motion was made by Trustee Rich, seconded by Trustee Sheldon to adjourn the meeting at 9:08 pm, at which time the Board will enter into Executive Session to discuss a personnel matter, as requested by the Champ RV Park/ Campground Manager, Laurie Rodick-Carr. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

ADJOURNED

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Village Clerk

