

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: JUNE 10, 2013

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees McDonough, Rich, Sheldon, Clerk Daly, Code Enforcement Officer; Bill Ball and Champ RV Park Manager; Bill Baldwin.

ABSENT: Trustee Brassard.

ATTENDANCE: John Viestenz, Jackie Viestenz, Sandra Lovell, Linda Smyth, Andrea Anesi, Patricia Boutilier and Janelle Jurkiewicz.

The following documents were distributed to the Board for review prior to the meeting: The June 10, 2013 meeting agenda, the May 13, 2013 Board Minutes, the May 2013 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 June 10, 2013 Board meeting file in the office of the Village Clerk. The June 10, 2013 meeting agenda was also made available to the public in attendance.

Mayor Guerin called the meeting to order at 7:00 pm, flowed by the salute to the flag.

DEPARTMENT HEAD REPORTS

Port Henry Fire Department Chief; Jim Hughes was operating command at the structure fire located on the corner of Broad and Stone Streets at the time of the meeting and Chip Perry was called to monitor water levels, therefore both were excused from the meeting..

Bill Ball addressed the Board with regard to the sandwich board signs that businesses are using to advertise with in the Village. Mr. Ball pointed out to the Board that the Development Review Law is on file and in effect and addresses this issue. Pursuant to this Local Law, No. 2 of 2007, such signs are permitted within 200 feet of the business and must be removed from sidewalks at the close of the business day. No signs of any type may be placed in a public way such as; the Village park. Mayor Guerin indicated that other businesses or fundraising organizations should notify the Board before placing any signs in the traffic circle. A motion was made by Trustee McDonough, seconded by Trustee Sheldon to abide by and enforce the 2007 Development Review Law with regard to sandwich board style signs. Yes; Mayor Guerin, Trustees McDonough, Rich and Sheldon. No; none. Absent; Trustee Brassard; motion carried. Bill Ball agreed to notify those in violation.

Bill Ball presented the Board with pictures of campers at the campground that were found to be in violation with regard to holding tank (otherwise known as "blue boys") guidelines, laws and rules. Mr. Ball informed the Board that the Department of Health, EPA or Army Corp. of Engineers could impose serious, substantial fines on the Village with regard to this issue. Upon inspection Mr. Ball found five campers in violation; two have been corrected. The campground managers have handed out letters to all campers reiterating the "blue boy" policies, rules and laws pertaining to such. Trustee McDonough asked what time frame the campers were given to rectify the violations; Mr. Ball indicated that the violations should be corrected immediately.

Bill Baldwin, Camp RV Park Campground Manager, addressed the Board with regard to the above issue. Last month a camper requested a refund and the Board denied the

request due to the fact that the rules state no refunds will be issued. Mr. Baldwin pointed out that rule #27 reads as follows:

“Dumping of holding tanks and grey water is permitted only at the dump station. No camper shall dump grey water without a proper discharge hose. A minimum fine of \$50 will be imposed by the Village of Port Henry for each occurrence of improper dumping.”

And rule #47 addresses the consequences of not complying to the rules as follows:

“Both parties hereby recognize that it is a privilege, not a right to camp at the Champ Beach RV Park. Both parties hereby agree to waive any and all lawful process otherwise required by law to remove a camper in violation or perceived violation of this agreement or of any camp or beach rules otherwise posted or of which camper is otherwise aware.”

After further discussion the Board decided that any campers found in violation of the holding tank (blue boy) rules will be given a warning; if not taken care of within one week the Code Enforcement Officer will issue a fine for the violation and notify the campground manager of such. Mayor Guerin indicated that once the fine has been imposed, the campground manager has the authority to evict the camper(s) from the campground. Mr. Baldwin informed the Board that letters regarding the holding tank laws, rules and regulations were distributed to all campers on June 1, 2013.

Mayor Guerin indicated that enforcing the rules at the campground is an ongoing process and enforcement has been lax in the past. Campers need to be informed that the rules are going to be enforced in order to ensure a safe and healthy environment for everyone.

Bill Baldwin informed the Board that there was a break in of one of the campers and that some people are not happy with him due to this. The past month has been slow, as a result of the weather. Most activities have been cancelled due to rain, or lack of participation, as well as seasonal campers.

Mr. Baldwin presented the Board with written/drawn plans to rectify the non unisex issue of the washer and dryer being located in the women’s bathroom; and suggested an all enclosed horse shoe pit be installed on the west end, on the last part of the basketball court. No parking signs are needed in front of the shower rooms; two per side. Trustee Sheldon indicated that he would take care of the sign request. Mr. Baldwin commented that there is no internet access at the campground and Trustee Rich indicated that the price is too prohibitive at this time.

Mayor Guerin read the monthly Fire Chief’s report aloud as follows:

- PHFD has responded to twenty (25) calls to date for 2013: (3) for January, (6) for February, (5) for March, (3) for April, (7) for May and (1) for June.

- 2013 PESH Report to Date:

(25) Calls:	242.28	Man-hours
OSHA Training:	97.00	Man-hours
Additional Training/Participation:	628.50	Man-hours

2013 Total:	<u>967.78</u>	Man-hours
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- OSHA Training – June – Water Rescue Training
- Chief Hughes, Assistant Chief Tom Edwards, Firefighters Charles and Tim McCaughin completed “Live” OFPC sponsored Ethanol Training on 5/7, 5/15, 5/16.
- Port Henry Fire Department participated in Crown Point Memorial Day Parade on 5/27 and received trophy for “Oldest Motorized Apparatus”.
- Port Henry Fire Department held 139th Annual Firemen’s Banquet on 6/1 at King’s Inn. (92) members and invited guests were in attendance.
- Annual Fire Extinguisher Inspections performed on 6/10.

Jackie Viestenz introduced the Mayor and Board to the new Sherman Free Librarian; Andrea Anesi and indicated that Gail Baker is the new librarian assistant.

On behalf of the pH7 Committee, Jackie Viestenz informed the Board that the information Booth will be open every other Saturday beginning June 22, 2013. The pH7 Committee will sponsor a hula hoop contest on July 6th and a toy hunt on August 3, 2013.

PUBLIC COMMENT PERIOD

Linda Smyth asked when the electricity will be hooked up for the fountain in the traffic circle. Mayor Guerin informed her that it is in the works and that he is hoping to have power run to the Information Booth as well. Ms. Smyth commented that the flowers look nice.

Trustee McDonough indicated that an anonymous donation was received to be used towards two Champ signs. Mayor Guerin indicated that he has given Willy Grant a price.

BOARD DISCUSSION/REPORTS

Trustee McDonough indicated that the Resolution protecting the lake creature known as Champ and dated October 6, 1980, was located. Star Trek is currently filming again and the crew consists of all volunteers.

Trustee Rich provided the Board with an overview of the May 29, 2013 Zoning Commission minutes. The commission is working on boundaries, noise, traffic and additional restrictions pertaining to the Zoning Commission's proposed regulations, as more definition is required in order to pass any type of zoning regulations. The Zoning Commission is still obtaining feedback from the public. Most people are in favor of light zoning regulations in the Village.

Trustee Sheldon indicated that he spoke to the owner of the Mr. Ding-A-Ling ice cream company and that he was not available to meet with the Board this month; however he is willing to schedule another meeting with the Board upon contact.

Trustee Sheldon has granted the campground managers permission to re-fill the first aid kit as necessary.

Trustee Sheldon indicated that we are currently waiting on the Emergency Evacuation Plan for the Champ RV Park/Campground as well as the beach permit.

Michael Mascarenas has asked what project the Village is interested in with regard to applying for the water and sewer grant announced recently through the Northern Border Regional Commission. The Board agreed to focus on the Rice and Greeley Lane water lines.

The Village crew would like to purchase a tow behind trailer to transport lawn mowers and misc. equipment with for the water and wastewater plants. The Board agreed that prices/quotes should be obtained.

Trustee Sheldon reported that there were four or five break-ins of campers at the campground and one at Craig Harbor as well. Clerk Daly asked Trustee Sheldon for copies of any and all police reports filed with regard to these incidents. Trustee Sheldon indicated that the Moriah Police Department has stepped up its patrols in lights of the situation and the State Police have also been notified. A discussion ensued with regard to placing cameras at all entrances and exits at the campground.

Recurring Old Business: Mayor Guerin provided an update on FEMA reimbursement funds for the Campground Restoration Project; The Village should know by the next Board meeting where it stands with this matter.

The Zoning Commission held meetings on May 22nd and May 29, 2013. The minutes from said meetings have been filed with the Village Clerk and distributed to the Board for review.

Old Business: A motion was made by Trustee McDonough, seconded by Trustee Rich to approve the May 13, 2013 Board minutes. Yes; Mayor Guerin, Trustees McDonough, Rich and Sheldon. No; none. Absent; Trustee Brassard, motion carried.

The Collective Bargaining Agreement between the Village of Port Henry and the Teamsters Local 294 has been approved, fully executed by both parties and copies have been distributed the Mayor, Board of Trustees and Village employees. A copy will remain on file in the Village office and is also available on the porthenrymoriah.com website.

New Business: The May 2013 Accounts Receivable, Trial Balance and monthly Water Adjustment Reports were presented to the Board for review.

“Water/Sewer Bill Request for Adjustments” were distributed to the Board and reviewed, with determinations made as follows:

- 1.) James Fowlkes, 17 Lewald Street - Denied
- 2.) Walter Wojewodzic, 77 Bridge Street – Denied
- 3.) Patricia Boutilier – 232 Whitney Street – Approved

Linda Smyth exited the meeting at 8:15 pm. Jackie Viestenz, Andrea Anesi and Janelle Jurkiewicz exited the meeting at 8:20 pm.

Two Property Maintenance Complaints were received and distributed to the Mayor and Board with regard to the properties located at 5 Secluded Way and 38 Rice Lane.

Mayor Guerin determined that he will ask the DPW to open and close the line with regard to the water pressure issue.

The Board determined that a response letter will be sent to Cheryl Wyant with regard to the Property Maintenance Complaint she filed, pertaining to the noise coming from the campground.

The Mayor and Board were copied on and reviewed the following compliant letters received and made determinations on each as follows:

A campground complaint/request was received from Wendy & Skip Simmons. The Board denied the request of 10% off of their electric bill due to the recent break-in of their camper.

There was no action taken on the campground complaint received from “anonymous”.

The Board reviewed a letter received from Timmy Woods; requesting a speed zone sign on Cedar Street. Mayor Guerin indicated that two speed zone signs will be erected, one on each end of the street.

The Board reviewed the Port Henry Fire Department Auxiliary’s request for permission to hold the annual “Christmas in July” at the Village beach on Saturday July 13, 2013. Trustee McDonough motioned to approve the request, seconded by Trustee Sheldon, with the stipulation that the auxiliary coordinate with the campground managers with regard to this event. Yes; Mayor Guerin, Trustees McDonough, Rich and Sheldon. No; none. Absent; Trustee Brassard, motion carried.

The Board reviewed information from the Village attorney with regard to Changes to Notice of Claim Requirements. A motion was made by Trustee McDonough, seconded by Trustee Rich to pass a Resolution designating the Mayor to receive notices of claims

served upon the Secretary of State. Yes; Mayor Guerin, Trustees McDonough, Rich and Sheldon. No; none. Absent; Trustee Brassard, motion carried.

SECOND PUBLIC COMMENT PERIOD

John Viestenz requested a short summary statement from the Mayor, Board or Treasurer at the next Board meeting with regard to the drop in revenue at the campground.

Mr. Viestenz also asked where the Village currently stands financially upon entering the new fiscal year; is the Village ahead or behind, etc. Mayor Guerin indicated that the Village is ahead at this time.

Mr. Viestenz commented that the Zoning Commission was delighted with the attendance at the recent public meeting. There were a lot of good comments made and no negative comments, with regard to zoning. Sandra Lovell indicated that she handed out eighteen flyers before the public meeting in order to encourage attendance.

Trustee Rich hopes the public takes the time to educate themselves with regard to the proposed zoning regulations which will be light and allow for variances and appeals to be filed.

Mayor Guerin thanked John Viestenz for his help and expertise with regard to the Zoning Commission; and stated that it is heading in the right direction.

The Shared Services Resolution received from the Town of Westport was discussed with regard to looking into a possible grant application with the Town of Moriah, Village of Port Henry, Town of Westport and the Town of Moriah Sewer District No. 1 to install slip lines in the old sewer mains. It was noted to be a cost effective measure as discussed by the Town Board at their last meeting. Trustee McDonough will reach out to her contacts to obtain more information with regard to this matter.

Bill Ball informed the Board that he has requested a lockable, four drawer file cabinet for code enforcement documents.

A motion was made by Trustee Rich, seconded by Trustee Sheldon, to approve the May 30th and June 10, 2013 bills for payment. Yes; Mayor Guerin, Trustees McDonough, Rich and Sheldon. No; none. Absent; Trustee Brassard, motion carried.

Abstract Distributions:

General \$100,112.53
Water \$27,016.16
Sewer \$21,691.54
Joint Activity \$26,626.27
Capital Reserve \$900.00
Trust & Agency \$1213.27

A motion was made by Trustee Rich, seconded by Trustee McDonough, to adjourn the meeting at 9:12 pm, at which time the Board will enter into Executive Session to discuss personnel matters. Yes; Mayor Guerin, Trustees McDonough, Rich and Sheldon. No; none. Absent; Trustee Brassard, motion carried.

ADJOURNED

Village Clerk

