

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: MAY 13, 2013

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon, Clerk Daly, Treasurer Law-Davenport, Port Henry Fire Department Chief; Jim Hughes and the Champ RV Park Campground Managers; Joanna and William Baldwin.

ATTENDANCE: Janelle Jurkiewicz, John Viestenz, Jackie Viestenz, Sandra Lovell, Ann Tesar and Cheyenne Baldwin.

The following documents were distributed to the Board for review prior to the meeting: The May 13, 2013 meeting agenda, the March 25, 28, April 3, 8, 10, 15 and 26, 2013 Board Minutes, the April 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 May 13, 2013 Board meeting file in the office of the Village Clerk. The May 13, 2013 meeting agenda was also made available to the public in attendance.

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

DEPARTMENT HEAD REPORTS

Chief Hughes read the monthly Chief's Report aloud as follows:

- ⌚ PHFD has responded to twenty (20) calls to date for 2013: (3) for January, (6) for February, (5) for March, (3) for April and (3) for May.

- ⌚ 2013 PESH Report to Date:

(20) Calls:	225.91	Man-hours
OSHA Training:	97.00	Man-hours
Additional Training/Participation:	454.00	Man-hours
2013 Total:	776.91	Man-hours

- ⌚ OSHA Training – April – SCBA Recertification for all Officers / Interior Firefighters – Continues
- ⌚ OSHA Training – May – Nozzle, Hose & Hydrant Operations
- ⌚ Chief Hughes completed OFPC “Recognizing Clandestine Drug Lab Operations” Training on 4/9/2013 in Lewis, NY.
- ⌚ Chief Hughes crafted and submitted to Mayor and Village Board “Draft” of Emergency Evacuation Plan for Port Henry Municipal Beach & Campground on 4/19.
- ⌚ PHFD participated in 2013 FASNY Recruit NY Program – held Open House on Saturday, April 27th. Results: (3) new Firefighter applications received.
- ⌚ Chief Hughes, Assistant Chief Tom Edwards, Firefighters Charles and Tim McCaughin are currently attending OFPC sponsored Ethanol Training on 5/7, 5/15, 5/16.
- ⌚ Port Henry Fire Department – No smoking policy will be enforced.
- ⌚ Saturday, June 8th – spring cleaning of fire station – request the use of Village dump truck.

Chief Hughes informed the Board that he will try to finalize the Emergency Evacuation Plan for the Port Henry Municipal Beach and Campground by the end of the month and

will consult with past Chief Jack Waldron with regard to possible additional input. Chief Hughes will offer the plan to the Town for use as a template.

A discussion ensued with regard to the increase in ethanol shipments through the community via the railway system.

Chief Hughes requested that the Village Crew please respect the No smoking policy implemented at the firehouse also.

Ann Tesar entered the meeting at 7:10 pm.

Trustee Sheldon read the monthly Water and Wastewater Plant Report aloud as follows:

Water Treatment Plant

- ⌚ Filtration plant is running well
- ⌚ Nothing to report as far as equipment failures/breakdowns
- ⌚ No public complaints

Wastewater Treatment Plant

- ⌚ Wastewater plant is running well
- ⌚ No equipment failures to report
- ⌚ Had an inspection from PESH with one violation classified as serious

Please refer to the report summary prepared for Jack Sheldon.

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

Trustee Sheldon indicated that he will sign off on the Report received from the NYS Department of Labor with regard to the April 2, 2013 visit to the wastewater treatment plant, once he confirms that the issues have been addressed and the Village is in compliance.

Jackie Viestenz provided a verbal report to the Board on behalf of the pH7 Committee. The committee is getting ready to do plantings in the Village. Mayor Guerin indicated that he will take care of the flower boxes on the bridges. Mt. Lake Services has agreed to help the pH7 Committee with the plantings and watering this season. Ms. Viestenz reported that the committee is not sure what they will be doing with regard to the Information Booth this season and extended a thank you to the Village Crew for putting the planters out so quickly.

PUBLIC COMMENT PERIOD

Mayor Guerin asked the public to please keep comments to five minutes or less; no public comment was made.

BOARD DISCUSSION/REPORTS

Before referring to the prepared agenda the following was additionally reported by the Board:

Trustee Rich provided the Board with a copy of the engineers report as requested, with regard to the drainage issue around the Sherman Free Library. It was noted that Deputy Superintendent of Water and Streets John Tromblee, would also be provided with a copy.

The Board agreed to post the Collective Bargaining Agreement between the Village of Port Henry and the Teamsters Local 294 on the Village website.

Trustee Brassard addressed Terry Manley's issue with regard to her Water/Sewer bill. Ms. Manley is and has been billed the family flat rate while her neighbors on Oak Lane are billed the single flat rate. The Board determined that there are a total of seven Water/Sewer billings on Oak Lane and three are billed incorrectly. Mayor Guerin suggested going door to door on Oak Lane to determine resident occupancy per dwelling to determine billing flat rates. Janelle Jurkiewicz indicated that Oak Lane is not the only area in the Village with this issue. Treasurer Law-Davenport suggested checking the rest of the flat rate billings before the next billing in November. Trustee Sheldon suggested calling a Water Committee meeting to discuss and review the matter further. The Board determined that Oak Lane would be addressed at this time and tabled the matter until the door to door census has been completed.

Bill, Joanna and Cheyenne Baldwin entered the meeting at 7:20 pm.

Trustee Brassard informed the Board that he contacted the City of Plattsburgh Parks & Recreation Department to inquire about borrowing a sifter for the Village beach. Plattsburgh was not able to oblige as this is their busy season and suggested the Village contact them next year after the snow melts. A discussion ensued with regard to the sand at the beach and it was determined that the beach sand is finer this year as the large pieces have settled in over the winter.

Trustee Brassard informed the Board that one of his neighbors on Second Lane has requested a "Child at Play" sign. The Board requested that this person put the request in writing.

Trustee Sheldon reported the following with regard to the campground:

- ⌚ He will complete the paperwork received from One Work Source in order to obtain some seasonal help at the campground and wastewater treatment plant.
- ⌚ New signs are necessary to post the Beach hours and days of operation.
- ⌚ A removable "Lifeguard on Duty" sign is also a necessity.
- ⌚ One campsite has been lost due to trees overtaking the site.

After discussion, a motion was made by Trustee McDonough, seconded by Trustee Rich to have the campground manager do the following at the campground: paint a yellow strip on the front of the concrete step ups to the bathrooms, as a safety precaution and paint the kitchen and two bathrooms in the beach house at a cost not to exceed \$900, from the campground reserve fund. It was determined that if there was enough money left in the expense budget it could be paid from there. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Trustee Sheldon also indicated that an electrician would be hired to replace all the fixtures and lights in the campground bathrooms. The bill will be paid from the campground reserve.

Joanna Baldwin, Champ RV Park /Campground Manager, addressed the Board with regard to the following: Ms. Baldwin suggested printing up flyers to advertise the campground and distribute them via mass/bulk mailing; offer a 10% discount to police and firefighters and requested funds to purchase flowers for the campground. The Board decided that flyers could be made and distributed by hand, or left in high traffic public areas. Trustee Brassard indicated that she would re-advertise the campground on Craigslist. No mass/bulk mailing was authorized due to the expense; only free advertising means will be utilized for now. The Board tabled the matter of offering a 10% discount to firefighters and police at this time. The Board granted the campground managers permission to charge no more than \$200 worth of flowers for the campground at Decker's Flats & Greenhouse, to be paid out of the campground expense fund.

Trustee Sheldon explained to the campground managers that they should provide the Board with a monthly report on the campground with the following information: how many sites are full, how many available, the monthly income, expenses, net profit and any other matter with regard to the operations of the campground.

Recurring Old Business: Mayor Guerin provided an update on the FEMA reimbursement funds for the Campground Restoration Project as follows: he has reached out to Senators Schumer and Gillibrand as well as Congressman Owens and indicated that they are aware of the matter and on top of it and that the Village should receive reimbursement funds very soon.

A response letter was received from the New York State Environmental Facilities Corporation pertaining to the hardship application submitted by the Village in May of 2012, with regard to the Manhole 13 Order on Consent. The NYSEFC indicated that the information received last May was used to assess the Village's eligibility for CWSRF grant funds; it was not used to re-evaluate eligibility for hardship financing. The Village was not deemed eligible for CWSRF grant funds because the annual user cost (\$777) was higher than the projected service charge (\$548), based on the Village's 2009 MHI of \$53,864. Mayor Guerin indicated that Michael Mascarenas of Essex County Planning & Development has indicated that the EFC used fictitious numbers the letter. Mr. Mascarenas will be attending a meeting this week at which he will address this issue and request more accurate figures. The Village should see an accomplishment in receiving the funds.

The Zoning Commission held meetings on April 17th and May 1, 2013. The minutes from said meetings have been filed with the Village Clerk and distributed to the Board for review. Trustee Rich provided the Board with a summarization of the Zoning Commission's progress to date as follows: The Zoning Commission will hold a Public Informational Meeting on Wednesday May 22, 2013 at 7:00 pm at the Village Hall in order to obtain the public's comments and opinions with regard to possible zoning regulations.

John Viestinz, Zoning Commission Chairman, indicated that if there is a large crowd, the commission will hold a second or third public meeting at the Town Courthouse of KOC. The commission will point out both the pros and con's of possible zoning regulations in the Village at this meeting.

Janelle Jurkiewicz exited the meeting at 8:00 pm.

Old Business: A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the March 25, 28 and April 3, 8, 10, 15 & 26, 2013 Board Minutes. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none, motion carried.

A motion was made by Trustee McDonough, seconded by Trustee Rich to pass a Resolution approving the Collective Bargaining Agreement between the Village of Port Henry and the Teamster's Local 294 for the period of June 1, 2013 through May 31, 2018.

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 13^h day of May, 2013.

At the April 8, 2013 Board Meeting the Water Meter Bid/Proposal was publicly opened and read aloud as follows:

1.) Everett J. Prescott, Inc. – base cost of \$95,000 with optional upgrades, totaling \$176,370.64.

Mike Metcalf of E.J. Prescott was in attendance and addressed the Board with regard to the bid/proposal submitted. The Board tabled the matter until the bid/proposal could be reviewed further. Copies of the bid proposal were distributed to the Mayor and Board on April 12, 2013 as requested for further review.

Trustee Sheldon indicated that the Village has since been contacted by Vince Barauskas of Merrimac Capital Services, who was referred by EJ Prescott, to present the Village with financing options for the purchase of the new water meters. Chief Hughes cautioned the Board with regard to any type of 60/40 financing or Wick's Law. Trustee McDonough suggested contacting the Village attorney. Treasurer Law-Davenport suggested scheduling a meeting with EJ Prescott and Mr. Barauskas to discuss and review the options further. Trustee Rich indicated that the Board should issue a Request for Proposal's (RFP) with regard to the installation of the water meters in order to determine what the installation cost will be. Trustee Brassard indicated that he would contact EJ Prescott to ask them for a draft RFP for this purpose.

New Business: The April 2013 Accounts Receivable, Trial Balance and monthly Water Adjustment Reports were presented to the Board for review. The Water Adjustment Report reflects a payment that was inadvertently entered twice; the account has been adjusted accordingly.

A Vendor License was issued by the Village Clerk to the Adirondack Farmer's Market Cooperative, Inc. on April 19, 2013, 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 2013 season. The Farmer's Market will be held on Wednesdays from 9:00am to 1:00 pm in the former Boni's Bistro parking lot, beginning June 26, 2013.

A motion was made by Trustee Rich, seconded by Trustee to approve the May 2013 Water and Sewer billing in the amount of \$241,705.15 for the period of November 1, 2012 through April 30, 2013. 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 Sheldon, to approve the May 2013 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 on Thursday May 30, 2013, to approve payment of the current fiscal year end bills as well as any final budget transfers. The meeting will be held at 7:00 pm at the Village Hall.

Two Property Maintenance Complaints were received with regard to the properties located at 4468 Main Street and 3226 Broad Street. Copies have been distributed to the Mayor, Board and Code Enforcement Officer, for review. Trustee Sheldon indicated that the issue at 4468 Main Street has been taken care of and John Tromblee is reviewing the 3226 Broad Street matter.

A motion was made by Trustee Rich, seconded by Trustee McDonough to approve the April 29th and May 13, 2013 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

Abstract Distributions:

General \$25,240.08
Water \$6,574.26
Sewer \$855.85
Joint Activity \$17,638.40

SECOND PUBLIC COMMENT PERIOD

Chief Hughes indicated that there was a grant recently advertised in the Press Republican that the Village may be able to take advantage of. Mayor Guerin thanked John Viestenz for the Verizon update received via e-mail. Sandra Lovell indicated that the Velez Marina will open next year.

Trustee Rich asked if the Village has received a response to the letter that was sent to Mr. Ding-a-Ling requesting that he meet with the Board prior to May or June's Board

Meeting. Trustee Sheldon indicated that he has spoken with Mr. Ding-a-Ling, who was unable to make it in May and relayed the Village's concerns to him. Mr. Ding-a Ling will try to meet with the Board before the June meeting.

The Board reviewed a letter from a camper who has paid the \$150 deposit for a seasonal site and has now indicated that they will not be able to camp for the whole season. The camper is requesting permission to re-direct the \$150 deposit towards a month of camping in August/September. The Board reviewed and discussed the matter and voted on it as follows: Yes: Trustee Brassard; No: Mayor Guerin, Trustees McDonough, Rich and Sheldon. By a vote of four to one, the request was denied.

A motion was made by Trustee Rich, seconded by Trustee Sheldon, to adjourn the meeting at 8:38 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

EXECUTIVE SESSION OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: MAY 13, 2013

TIME: 8:45 PM

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

ATTENDANCE: None.

Mayor Guerin called the Executive Session to order at 8:45 pm

A motion was made by Trustee McDonough, seconded by Trustee Sheldon to hire Amanda French and Sydney Mitchell as lifeguards for the 2013 season. 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 adjourn the Executive Session at 9:39 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough, Rich and Sheldon. No; none. All in favor, motion carried.

ADJOURNED

Village Clerk