

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: SEPTEMBER 9, 2013

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees; Brassard, McDonough and Rich, Clerk; Denise Daly, Treasurer; Paula Monette, DPW Deputy Superintendent; John LaForest, Code Enforcement Officer; Bill Ball and Port Henry Fire Department Chief; Jim Hughes.

ATTENDANCE: Sandra Lovell, John Viestenz, Bernadette Trow, Tom Trow, Janelle Jurkiewicz, Pat Salerno, Jr. and Ann Tesar.

The following documents were distributed to the Board for review prior to the meeting: The September 9, 2013 Meeting Agenda, the August 12, 2013 Board Minutes, the August 2013 Treasurer's Report and 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 9, 2013 Board meeting file located in the office of the Village Clerk. The September 9, 2013 Meeting Agenda was also made available to the public in advance on the website and at the Board Meeting.

Mayor Guerin called the meeting to order at 7:01 pm, followed by the salute to the flag, and thanked everyone for attending

DEPARTMENT HEAD REPORTS

John LaForest addressed the Board verbally with the monthly DPW Report as follows:

- The 2006 red dump truck is currently out for service; this may be the last winter for this piece of equipment; future repairs and upkeep will be costly.
- Village shop is operating great; no other equipment failures to report.
- Oak, Ridge and First Lanes as well as Grove, College and Church Streets are being paved; 40 tons of asphalt and the new roller were used. Paving will be completed next week.
- Minor sidewalk repairs in front of the Lee House were completed. Additional sidewalk repairs will be completed this month as well.
- The storm drains on Main, Brook and First Street and Saint Patrick's Place have been repaired and perform great.
- Electricity will need to be run for the Information Booth under a section of the sidewalk. The DPW will cut the section out on Main and Broad Streets for this purpose and repair and replace the sidewalk the following day.
- Dig Requests were completed for Stewarts and Donnelly Construction.
- A sewer line on Spring Street that has had issues for a long time was cleared by boring roots in the sewer line using a root cutter that was purchased and attaches to the sewer jetter. The DPW worked with Chip Perry's department and used the camera to look at the problem area. Hiring a crew from Ticonderoga would have been very costly; the root cutter paid for itself on this one project and will be utilized again in the future.
- There have been four water breaks in the Village since June 19, 2013.

Mayor Guerin indicated that a jackhammer was purchased out of the funds set aside in the budget for equipment, as well as a sweeper and both attach to the Bobcat, which will save on time. Mayor Guerin thanked John LaForest and indicated that he is doing a great job.

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

- PHFD has responded to forty-nine (49) calls to date for 2013: (3) for January, (6) for February, (5) for March, (3) for April, (7) for May, (7) for June, (11) for July, (3) for August, and (4) for September.

- 2013 PESH Report to Date:

(49) Calls:	548.00	Man-hours
OSHA Training:	133.00	Man-hours
Additional Training/Participation:	990.50	Man-hours
2013 Total:	<u>1,671.50</u>	Man-hours

- OSHA Training: August (continues) – Pump Operator / Driver Training – September – Jaws of Life Training
- PHFD has three (3) Firemen enrolled in Firefighter I Course being held at Ticonderoga Fire Station from September thru mid-November.
- Chief Hughes completed OFPC Water Supply Operations Course on August 15th, 2013.
- Annual Pump Testing of Engine 291 and Engine 292 completed on Saturday, September 7th with Randy Preston of Century Fire Apparatus.
- Purchase of Milnor 45 lb. Gear Washer Extractor moving forward. Meetings with contractors to include building supply, electrical and plumbing continue.

Chief Hughes indicated that there is a pipe outside of the firehouse that needs to be addressed and put back in.

Code Enforcement Officer Bill Ball presented a verbal report to the Board as follows:

- The Mountain Lake Services Project is wrapping up and should be done by the end of the month
- The Stewarts project has been begun. Working out issues with out of code gas pumps that were originally placed too close to the road; they will be moved back five feet

Chief Hughes informed the Board that he received a call from Senator Little's office, who received a complaint from a Village resident with regard to the demolition or securing of the Spring Street and Anderson properties. Bill Ball indicated that he could not do anything with the Anderson property while it was under investigation. A letter has since been sent to the property owner however, the Board may have to force the issue with regard to the Spring Street property.

Mr. Ball informed the Board that the dangerous building on Elizabeth Street needs to be addressed. Mayor Guerin asked what the Board needs to do and Bill Ball indicated that the Board should follow the steps as outlined in Local Law No. 3 of 2012; Unsafe Structures. Mayor Guerin asked if the remaining structures could be condemned. Mr. Ball indicated that the Board will need to send a new Order to Remedy to the property owners, giving them each 15 days after receipt to take care of the issues. The Board dropped the ball after the last letters were sent, as the properties were going up for sale through the County for back taxes. The Board decided to contact the County to see if they now own the properties and if not, directed Bill Ball to send new notices to the property owners to begin the process again. The Board will also contact the Village attorney with regard to this matter. The Board discussed having the DPW knock the structure down as a cost saving measure and discussed removing the debris, burying it on site and having it hauled by County dumpsters. A brief discussion was also held with regard to the two nuisance properties on Rice Lane.

Mayor Guerin addressed the pH7 Committee with regard to the handout they presented to the Board on planting trees on Main Street in front of the Lee House. They are looking at planting Japanese lilacs; at maturity these trees do not grow higher than eight feet. The pH7 Committee would like to begin planting the trees in the spring with the Board's

approval. Mayor Guerin thanked the committee for the extensive research they presented regarding this project. Mayor Guerin indicated that Pat Salerno, Jr. has offered to volunteer his time to help in the removal of the concrete in order to plant the trees. Trustee McDonough motioned for a Resolution of Support for this project, seconded by Trustee Rich. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. All in favor, motion carried.

PUBLIC COMMENT PERIOD

Sandra Lovell informed the Board that if the unsafe building on Elizabeth is knocked down, the Village should have the debris removed from the site so it does not create a safety hazard for children who will want to play in it. Trustee Rich agreed and suggested obtaining pricing for a dumpster/container.

BOARD DISCUSSION / REPORTS

Trustee Brassard reported that the campground was full over Labor Day weekend. The transient campers really seemed to enjoy the Labor Day festivities going on in the area. The campground managers were unavailable Labor Day weekend; Trustees Brassard, McDonough and Rich manned the office.

National Grid has begun placing new outlets with covers that are up to code, on the poles along Main and Broad Streets where the Christmas lights are hung. There are four outlets currently up and the remaining four will be completed by the end of this week.

Electrician Tom Scozzafava will issue a work order for running electricity to the Information Booth and Traffic Circle. Sharon Reynolds of PRIDE indicated that the Village may be able to obtain old fashioned street lights as part of the streetscape portion of the USA Main Street Grant. The light on the mural should be hooked up by Christmas.

Trustee Brassard suggested the Board hold a Special Meeting to discuss the campground. Mayor Guerin indicated that he would also like to meet with the campers one Saturday evening before the campground closes for the season. The Board scheduled a Special Meeting on the campground for Monday September 23, 2013, at 7:00 PM, to be held at the Village Hall.

Recurring Old Business: The Zoning Commission held a Public Hearing on August 20, 2013 and a Special Meeting on August 26, 2013. The minutes from both have been filed with the Village Clerk and distributed to the Board for review.

The Zoning Commission presented the Final Report on proposed zoning regulations to the Mayor and Village Board at the August 26, 2013 Special Meeting. The Board accepted the Final Report as presented and thanked the commission for their hard work and dedication in implementing the report as well as volunteering their time to serve as members on the Zoning Commission. With the Board's acceptance of the Final Report, the Zoning Commission's work is complete therefore the Zoning Commission has been officially dissolved. Copies of the Final Report are on file in the Village Office and available on the website. The Board has forwarded the Zoning Commission Final Report to the Village attorney's for further review and conversion in to the first proposed Local Law on Zoning in the Village of Port Henry.

Proposed Local Law No.3 of 2013; Extending the Moratorium on Street Level Residential Development in a Portion of the Village of Port Henry was presented to the Board on September 9, 2013 for review. The Board scheduled a Public Hearing on Tuesday October 15, 2013 at 6:45 pm at the Village Hall. A copy of proposed Local law No. 3 of 2013 of is on file in the Office of the Village Clerk and will remain open for public inspection during regular office hours.

The Town of Moriah sent a letter in conjunction with the Village of Port Henry, to the NYS Environmental Facilities Corporation, on August 29, 2013 in support of the Manhole #13 project. Senator Little and Assemblyman Dan Stec were copied on the letter. Mayor Guerin provided the public with a brief overview on the Manhole #13 Project.

Old Business: A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the August 12, 2013 Board minutes. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. All in favor, motion carried.

A Hawkers, Peddler's and Solicitor's License was issued to Jim and Maureen Fingura on August 14, 2013, to sell "Accents on Glass" in the Boyea's Lakeside parking lot. Mr. Fingura produced a permission letter from owner John Boyea to do so, as the Board requested.

New Business: The August 2013 Accounts Receivable, Trial Balance and Unpaid Report were presented to the Board for review. There is no Monthly Water Adjustment Report for August 2013, as no adjustments were made.

The Village will be closed on Monday October 14, 2013 in observance of the Columbus Day holiday. The regularly scheduled Board meeting on this date has been re-scheduled for Tuesday October 15, 2013 at 7:00 pm at the Village Hall.

The Board was presented with the Bond Anticipation Note Resolution from the Village attorney, for review. A motion was made by Trustee Brassard, seconded by Trustee Rich to adopt the resolution; Authorizing the Issuance of up to \$25,000 in Serial Bonds for the Village of Port Henry to pay the cost of the new pickup truck and related equipment; and/or, authorized the Issuance of up to \$25,000 in Bond Anticipation Notes for the Village for the same purpose, dependent upon which offers the better interest rate. Vote:

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

Nay: None

By a vote of four to one, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on this 9th day of September 2013.

A motion was made by Trustee Rich, seconded by Trustee McDonough, to approve payment for the "Bobcat" for the angle broom sweeper out of the DPW Equipment Fund, A5110.2 in the amount of \$3544.32. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. All in favor, motion carried.

A motion is needed to adopt a resolution "Making Certain Determinations in Relation to the Village of Port Henry Sewer and Water Line Replacement with regard to the CDBG Elizabeth Street Project and the New York State Environmental Review Act Pursuant to 6NCRR Part 617. The Board was copied on the proposed resolution on September 5, 2013 for review. Motion to adopt said resolution made by Trustee Brassard, seconded by McDonough; Vote:

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

Nay: None

By a vote of four to one, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on this 9th day of September 2013.

A copy of a proposed resolution was forwarded to the Board for review on August 29, 2013 from John T. McDonald, III with regard to recognizing October 2013 as Anti-Bullying Awareness Month in schools and communities throughout the State. Motion to adopt said resolution made by Trustee Rich, seconded by Trustee Brassard; Vote:

Aye: Mayor Guerin, Trustees Brassard, McDonough and Rich

Nay: None.

By a vote of four to one, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on this 9th day of September 2013.

The Board was copied on a letter from the Adirondack Association of Towns and Village's for review, with regard to a resolution in "Support of the Towns of Indian Lake, Long Lake, Newcomb, Minerva and North Hudson Concerning Their Plan for Economic Success." By adopting said resolution the Village would be supporting the Governor's vision that the lands recently purchased by New York State, provide recreational opportunities for all recreational

users, which is also the plan the Five Towns agreed to with the State's acquisition of these lands.. Motion to pass said resolution made by Trustee Rich, seconded by Trustee McDonough; Vote:

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

Nay: None.

By a vote of four to one, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on this 9th day of September 2013.

A Property Maintenance Complaint Form was received from Leo Kudlacik on August 30, 2013.

The Board proposed the following additions to the Village of Port Henry Employee Policy:

Compensatory Time

Compensatory Time may be accumulated up to forty (40) hours (Sixty (60) hours at time and a half). If not used within thirty (30) days it will be paid at the accrued earned rate on the next pay period. Upon resignation or termination, a lump sum payment will be made with the final payroll. Any exception must be approved by the Village Board.

Smoke Free

Effective upon resolution of the Village Board, the use of tobacco products (cigarettes, cigars, pipes, smokeless tobacco) are prohibited within all Village buildings, structures, vehicles and equipment. Compliance with this policy is mandatory and violations shall be subject to standard disciplinary action.

Upon motion by Trustee McDonough and Trustee Brassard, the Board adopted a resolution to add the above Compensatory Time and Smoke Free policies to the Village of Port Henry Employee Policy, effective immediately. Vote:

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

Nay: None.

Chief Hughes indicated that he has implemented a No Smoking policy at the Port Henry Firehouse also. There is a designated smoking area at the far corner of the parking lot with a receptacle for butts.

The Village will advertise for Fuel Oil Bids for the 2013-2014 heating season. The public bid opening will be scheduled for October 15, 2013; at the Board meeting.

A motion was made by Trustee Rich, seconded by Trustee Brassard, to approve the August 27th and September 9, 2013 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. All in favor, motion carried.

Abstract Distributions:

General \$38,188.93

Water \$4,665.92

Sewer \$20,996.15

Joint Activity \$5,161.82

SECOND PUBLIC COMMENT PERIOD

Janelle Jurkiewicz indicated that she appreciates the efforts to curb smoking at the firehouse as it cuts down on the butts in her yard.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to adjourn the meeting at 8:09 PM, at which time the Board will enter in to Executive Session to discuss a personnel matter. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. All in favor, motion carried.

ADJOURNED

Denise C. Daly, Village Clerk

