

REGULAR MEETING OF THE VILLAGE OF PORT HENRY  
BOARD OF TRUSTEES

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

DATE: AUGUST 11, 2014

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich, Clerk Daly, Treasurer Monette, Port Henry Fire Chief; Jim Hughes and Champ RV Park and Campground Manager; Marge Seguin.

ATTENDANCE: John Easter, Jackie Viestenz, John Viestenz, Janelle Jurkiewicz, Sue McHone and Margaret Parah.

The following documents were distributed to the Board for review prior to the meeting: The August 11, 2014 Meeting Agenda, the June 26<sup>th</sup> and July 14, 2014 Board Minutes, the July 2014 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 August 11, 2014 Board meeting file, located in the office of the Village Clerk. The August 11, 2014 Meeting Agenda was also made available to the public 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

Trustee Brassard reported on the DPW as follows:

- A 2,000 gallon gas tank was removed from the ground near the DPW shop; as ordered by the NYS DEC.
- Searched and located a sewer line on Elizabeth Street as requested by Sheehan & Son's Inc.
- Researched sewer line issue at 28 & 30 Rice Lane properties. Mayor Guerin indicated that he will take a look at the matter as it is on private property and there may be lateral's that the Village is not responsible for; however the Mayor would like to confirm such before contacting the property owner.
- There were four holes repaired in a water line on Spring Street.
- There was a major sewer break on Broad Street about a week ago; the lines were unhooked; it has been repaired.
- Broad Street has been swept.
- White lines were re-painted on Village parking spots.
- Mowing and trimming continues throughout the season as preparations for Labor Day begin.
- The Village will be flushing hydrants the week of August 19<sup>th</sup> – 22<sup>nd</sup>.

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

- PHFD has responded to (53) calls for 2014: (10) for January, (4) for February, (8) for March, (6) for April, (4) for May, (6) for June, (11) for July, and (4) for August to date.

2014 PESH Report:

(53) Calls:	377.81 Man-hours
OSHA Training:	161.50 Man-hours
Additional Training/Participation:	817.00 Man-hours

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2014 Total:

1,356.31 **Man-hours**

- OSHA Training for August – Pump Operator / Driver Training
- 2013 Assistance to Firefighter's Grant – Awards continue to be released. Still no notification or rejection of award.
- Participated in Port Henry Municipal Beach and Campground Meeting on July 26<sup>th</sup> with Campground Manager Marge Sequin. Presented, reviewed, and discussed Campground Evacuation Plan with campers.
- PHFD participated in Champ Day and provided Fire Police for 5K Run on Saturday, August 2<sup>nd</sup>.
- PHFD Coin Drop scheduled for Saturday, August 16<sup>th</sup> from 9:00 AM to 5:00 PM.

A discussion ensued with regard to the Campground Evacuation Plan and Mayor Guerin thanked Chief Hughes again on behalf of the Board for his time and assistance.

Chief Hughes suggested the Village purchase an AED machine for the campground; they run approximately \$1,600. Mayor Guerin indicated that we will have one for next season.

Campground Manager Marge Sequin presented the Board with the monthly Campground Profit Report and a verbal report as follows:

- Approximately 13 people attended the meeting to discuss and review the Campground Evacuation Plan. Suggestions included in the event of an emergency: an intercom system or the Fire Department blowing horn on pier three times, etc.
- On July 29, 2015 (next season) Marie Meyers will turn 90 years old and will have camped at the Port Henry Beach for 70 years. She and her husband spent their honeymoon camping here and they've been back every year since.
- Blue-green algae was discovered in the water at the campground on August 8, 2014 and the beach was immediately closed. Signs were hung up to inform people. The NYS Department of Health obtained a water sample and sent it out for testing; we should know very soon the status of re-opening the beach.
- Currently taking reservations for Labor Day weekend.

Trustee McDonough motioned to offer a Resolution of Appreciation to Marge's friend Warren Barker, for purchasing, planting and maintaining the flowers in the bed at the campground this season. The motion was seconded by Trustee Rich. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none, motion carried.

Mayor Guerin asked the pH7 Committee if they had anything they wished to report; Jackie Viestenz indicated that they did not.

#### PUBLIC COMMENT PERIOD

Margaret Parah informed the Board that there are approximately 20-25 more cars than usual that are parked on Church Street daily between the hours of 8:00 am and 4:00 pm. Mrs. Parah asked if this will be a common occurrence and if so, what will the Village do about it; will parking meters be installed or a parking fee charged? A discussion ensued with regard to parking issues in the Village and the fact that there were once parking meters and they were done away with. Trustee Brassard indicated that he will obtain a couple of 30 minute parking signs to place on Church Street.

Jim Curran entered the meeting at 7:30 pm and addressed the Board with regard to the condition of the building and property located at 437 Edgemont Road. Mr. Curran informed the Board that he recently spoke with the Village Code Enforcement Officer who indicated that he was going to condemn the building and write a letter to the property owner. Mr. Curran asked if the Board had seen anything pertaining to this matter and the Board indicated they had not. Mr. Curran asked the Board to please take care of the matter. Mayor Guerin informed Mr. Curran that he would take a look at the property and get back to him by Thursday or Friday.

## BOARD DISCUSSION/REPORTS

Trustee Brassard briefed the Board on the meeting he had with a representative from CP Rail regarding the increase in ethanol shipments through the Village. CP Rail will not provide the Village with their list of Vendor's and informed Mr. Brassard that they are not obligated to disclose this information to the public. Further discussion ensued. Chief Hughes informed the Board that the Village has the ability to regulate the speed of which these trains/shipments travel through the Village at, and that Plattsburgh is currently in the process of implementing ordinances with regard to such.

Trustee Brassard informed the Board that there was a camper who expressed disapproval regarding not being notified of the blue-green algae and beach closure before his arrival at the campground. Trustee Brassard indicated that in an effort to inform the public, both News Channel 3 and 5 were notified of the beach closure due to the algae and signs were posted at the campground and beach.

**Recurring Old Business:** Update on FEMA reimbursement funds for Campground Restoration Project: a check was received from the State of New York on July 25, 2014 in the amount of \$177,578.39, which represents a portion of reimbursement for the Campground Restoration Project. The remaining amount of reimbursement still due the Village is \$188,000; Mayor Guerin indicated it could be another six to eight months before the funds are received.

Trustee Rich provided an update on Zoning Regulations as follows: The attorney's have reviewed the Final Report and proposed zoning regulations. Trustee Rich suggested scheduling a meeting to discuss the matter further. The Board scheduled a Special Meeting on Wednesday September 3, 2014 at 7:00 pm at the Village Hall.

A letter from the Village of Port Henry Mayor was mailed on July 22, 2014 to Senator Little, Assemblyman Stec, the New York State Department of Environmental Conservation Commissioner Joe Martens, Regional Water Engineer Bill Lupe and Environmental Program specialist Tamara Venne, the New York State Environmental Facilities Corporation Environmental Project Manager Jason Denno, MYSELF president Matt Driscoll, Town of Moriah Supervisor Tom Scozzafava, Jim Dougan of AES and Michael Mascarenas of Essex County, with regard to the Village of Port Henry Sanitary Overflow Abatement Program pertaining to the Order on Consent on Manhole 13. Mayor Guerin provided a brief recap on the matter.

**Old Business:** A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the June 26<sup>th</sup> and July 14, 2014 Board minutes. Yes; Mayor Guerin, Trustees; Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

At the July 14<sup>th</sup> Board meeting the issue of military discounts for camping at the Champ RV Park and Campground was addressed. Upon research it was found that the Board discussed the matter of offering a 10% discount to all fire/police personnel at the May 13, 2013 Board Meeting, however the matter was tabled and had not been discussed further as of that date. After a brief discussion, a motion was made by Trustee McDonough, seconded by Trustee Rich to offer a 10% discount to all police, firefighters (volunteer and paid), EMS, veterans and active military personnel, effective immediately. Yes; Mayor Guerin, Trustees; Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried. The Board authorized giving the fire department member that camped there recently, the 10% discount.

**New Business:** The July 2014 Accounts Receivable and Trial Balance Reports were distributed to the Mayor and Board for review. There is no Monthly Water Adjustment Report for July 2014, as no adjustments were made.

A newly revised copy of the Emergency Preparedness Plan for the Port Henry Municipal Beach and Campground was received from Chief Hughes on July 21, 2014 and distributed to the Board for review. There were no further recommendations or revisions to be made at this time however, it was noted that the plan may be amended periodically, as needed. A motion to

approve the revised plan was made by Trustee Brassard, seconded by Trustee Rich. Yes; Mayor Guerin, Trustees; Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

A Property Maintenance Complaint Form was received on July 23, 2014 with regard to the property located at 7 Oak Lane. The complainant informed the office on July 24<sup>th</sup> that the owner is in the process of cleaning up the property and therefore withdrew the complaint.

A letter from the NYS Department of Transportation was distributed to the Board for review on July 28, 2014 with regard to the Village's Highway Work Permit. The State no longer uses the PERM 17 "Certificate of Insurance" and therefore now requires the Village to pass a resolution agreeing to the terms of the "Undertaking" (attached to the letter) and approving its execution by Mayor Guerin in order to obtain the permit. Motion to adopt said Resolution was made by Trustee Brassard, seconded by Trustee McDonald.

Aye: Mayor Guerin, Trustees; Brassard, McDonald, McDonough and Rich  
Nay: 0

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 11<sup>th</sup> day of August, 2014.

The Chamber of Commerce will once again sponsor the annual Labor Day festivities. The firework display will take place on Saturday August 30<sup>th</sup> and the parade and festivities will be held on Sunday August 31<sup>st</sup>. The festivities will be held on Church Street this year.

A Resolution in support of the 2014 annual Labor Day Festival, sponsored by the Town of Moriah Chamber of Commerce was approved, by motion from Trustee McDonough, and seconded by Trustee Rich. Vote:

Aye: Mayor Guerin, Trustees; Brassard, McDonald, McDonough and Rich.  
Nay: 0

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 11<sup>th</sup> day of August 2014.

A letter was received from Frank Flores on July 31, 2014. Due to health/medical reasons, he and his wife will not be able to camp this year and have paid \$600 to the Village for a site rental. Mr. Flores is requesting a refund of this amount. After a brief discussion the Board unanimously approved the full refund request in the amount of \$600.

A "Notice of Commencement of Action" was served upon the Village on July 31, 2014 on behalf of Old Chimney, LLC. Copies were distributed to the Mayor and Board for review. The Village, as named in the Notice is required to "serve upon the plaintiff's attorneys an answer to the complaint in the action within twenty days after service of the summons." The Board directed the Notice to be forwarded to the Village attorney's for review and legal advice how the Village should proceed.

The Inspection Report on the campground was received from the NYS Department of Health on July 31, 2014 and distributed to the Board for review. There were five violations noted on the report. An e-mail was received from the inspector on August 4, 2014 requesting a response with regard to the compliance status of the violations. Trustee Brassard will issue a reply e-mail.

A motion was made by Trustee Brassard, seconded by McDonough, to approve the July 28<sup>th</sup> and August 11, 2014 bills for payment. Yes; Mayor Guerin, Trustees; Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

**Abstract Distributions:**

General \$40,410.17  
Water \$6,005.31  
Sewer \$857.48  
Joint Activity \$ 9,221.81  
Capital \$132,103.70

**SECOND PUBLIC COMMENT PERIOD**

John Viestenz addressed the Board with regard to the extension of the filing deadline for the fiscal year ending May 31, 2014 from the Office of the State Comptroller and was informed that the matter has been taken care of and is complete.

Mr. Viestenz asked what the recent sewer meeting was held for, and was informed that it was necessary to meet with Michael Mascarenas from Essex County to explain to him how the sewer rates came about and to craft a letter to the NYS DEC with regard to the Manhole #13 Project.

Trustee Brassard addressed Mr. Viestenz's question sent via e-mail, with regard to the recent closure of Nu Way Laundry and what effect this may have on future Village water rates. It was determined that the fixed costs associated with producing clean drinking water will not change however, there may possibly be some reduction of rates in the future but it is too soon to tell and the Village won't be able to determine such until a few billing cycles have been completed.

Chief Hughes confirmed with the Board that Brendan Smith's application for membership to the Port Henry Fire department was approved.

Chief Hughes suggested that the Village Board send a message to the Town of Moriah Board of Assessor's with regard to the high assessment of the Van Slooten Marina (Old Chimney, LLC), indicating that every year it costs the Village and Town money to respond and address the issue legally. The Board agreed to craft a letter in support of lowering the annual assessment of said property.

A motion was made by Trustee Rich, seconded by Trustee Brassard, to adjourn the meeting at 8:50 pm, at which time the Board entered into Executive Session to discuss a personnel matter. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

ADJOURNED

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Denise C. Daly, Village Clerk