

REGULAR MEETING OF THE VILLAGE OF PORT HENRY  
BOARD OF TRUSTEES

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

DATE: FEBRUARY 10, 2014

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard and McDonough, Clerk Daly, Treasurer Monette and Chief Water and Wastewater Plant Operator; Carl (Chip) Perry.

ABSENT: Trustee Rich, Deputy Superintendent of Water and Streets; John LaForest and Port Henry Fire Department Chief; Jim Hughes.

ATTENDANCE: John Easter, John Viestenz, Jackie Viestenz, Janelle Jurkiewicz, Joan Parah and Sandra Lovell.

The following documents were distributed to the Board for review prior to the meeting: The February 10, 2014 Meeting Agenda, the January 13, 2014 Board Minutes, the January 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 February 10, 2014 Board meeting file located in the office of the Village Clerk. The February 10, 2014 Meeting Agenda was also made available to the public in advance both on the website and at the Board Meeting.

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

DEPARTMENT HEAD REPORTS

Chip Perry provided the Board with a verbal monthly report on the Water and Wastewater Plants as follows:

Water Plant

- Annual inspection went well. All State mandates and tests were met for 2013.
- No equipment failures to report
- No public complaints

Wastewater Plant

- December and January were expensive months due to freeze ups of equipment
- Plant is running well and under permit limits

As always, Mr. Perry encouraged all to tour both the Water and wastewater facilities.

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

- PHFD has responded to thirteen (13) calls for 2014: (10) for January and (3) for February to date.
- 2014 PESH Report:

(13) Calls:	180.85 Man-hours
OSHA Training:	9.00 Man-hours
Additional Training/Participation:	33.50 Man-hours
2014 Total:	<u>223.35 Man-hours</u>

- OSHA Training for February – Surface Ice Rescue Training

- Chief Hughes and Safety Officer Jack Waldron attended joint Water Rescue Meeting between New York and Vermont on Tuesday, January 14<sup>th</sup> at 7:00 pm at the Vergennes, VT Fire Department.
- Chief Hughes attended Fire Advisory Board Meeting in Lewis, NY on Thursday, January 16<sup>th</sup> at 7:00 pm.
- Construction of new Dive/Rescue Storage Room near completion.
- There will be a Canadian Pacific Railroad Emergency Management Presentation in The Essex County Board of Supervisors Chambers on Tuesday, March 11<sup>th</sup> at 1:00 pm. Chief Hughes and Assistant Chief Tom Edwards will be attending this very important meeting.
- Repairs have been made to the boiler at the Fire Department by James Brooks. Total Cost: \$722.24.

Treasurer Monette read a letter received from the Essex County Housing Assistance Program who has requested a letter from the Village stating that a site plan review is not required for an improvement project scheduled for the property located at 4316 Main Street. Mayor Guerin indicated that he would touch base with the Village Code Enforcement Officer Bill Ball as soon as possible with regard to this time sensitive matter.

A letter was received from the Lee House Limited Partnership, requesting that the penalty amount of \$827.70 be waived for Water and Sewer Account #163 for the June 2013 bill. The bill including penalty was paid in full in October of 2013. The Board reviewed and discussed the matter and unanimously decided to decline the request.

#### PUBLIC COMMENT PERIOD

Mayor Guerin apologized and took for responsibility for the delay and/or lack of garbage pick up in the Village today and explained that three out of a five member DPW crew were out inadvertently, on authorized days off and a fourth went home early for the day. Mayor Guerin indicated that any garbage not picked up today will be picked up tomorrow in the Village, on Tuesday February 11, 2014.

#### BOARD DISCUSSION / REPORTS

Trustee Brassard reported that there is now electricity at the Information Booth and this spring it will be run to the traffic circle so the Village will have lights next year.

Water breaks have seemed to slow down. A couple of major leaks were discovered at houses on Bridge Street and the top of Third Lane. Chip Perry indicated that the Village is still losing a significant amount of water.

Trustee Brassard and Mayor Guerin commended the DPW on the clean up and snow removal after the last storm. The DPW was down one person and worked eighteen hours straight to get the job done.

**Recurring Old Business:** The Village received a letter from FEMA on January 14, 2014. The letter is dated for December 18, 2013 and informs the Village that FEMA is granting additional funds for the construction of the Rip Rap in the amount of \$365,863.52. An amendment to Project Worksheet 3221 will be prepared to include engineering and inspection fees as well. Mayor Guerin indicated that FEMA still owes the Village \$137,277 that was previously approved but has not been received to date. Chance, from Congressman Owens's office located the paperwork and indicated that Congressman Owens will advise the Village when the funds will be issued. Mayor Guerin indicated that he has advised Congressman Owens of the Bond Anticipation Note that is due on March 5, 2014.

The Village received a letter from the NYS Department of Environmental Conservation on January 17, 2014 informing the Village that they have reviewed and approved the engineering plans and specifications for the Village of Port Henry trunk sewer reconstruction from Manhole #13 to the wastewater treatment plant.

Proposed Local Law No. 1 of 2014; A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C, has been presented to the Board for review.

The proposed law has been reviewed and approved by Village counsel. A motion was made by Trustee Brassard, seconded by Trustee McDonough to schedule a Public Hearing on Monday March 10, 2014 at 6:30 pm, prior to the regularly scheduled Board Meeting. Yes; Mayor Guerin, Trustees Brassard and McDonough. No; none. Absent; Trustee Rich, motion carried.

Local Law No. 3 of 2013; Extending the Moratorium on Street Level Residential Development in a Portion of the Village of Port Henry is due to expire on April 15, 2014. Due to the fact that the Village does not have any current zoning laws on file, proposed Local Law No. 2 of 2014 has been presented to the Board for review. The proposed local law has been reviewed and approved by Village counsel. A motion was made by Trustee Brassard, seconded by Trustee McDonough to schedule a Public Hearing on Monday March 10, 2014 at 6:45 pm, prior to the regularly scheduled Board Meeting. Yes; Mayor Guerin, Trustees Brassard and McDonough. No; none. Absent; Trustee Rich, motion carried.

Due to the absence of Trustee Rich, the Board tabled discussion pertaining to the questions/matters to clarify, from the Village attorney on the Zoning Final Report.

**Old Business:** A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the January 13, 2014 Board Minutes. Yes; Mayor Guerin, Trustees Brassard and McDonough. No; none. Absent; Trustee Rich, motion carried.

Village Elections will be held on Tuesday March 18, 2014 at the Port Henry Firehouse, located at 14 Church Street. Polls will be open from 12:00 PM (noon) to 9:00 PM. There are two Village Trustee positions up for election, each for a two year term. You must be a registered voter of the Village of Port Henry to cast your vote in the Village Elections. Please contact the Essex County Board of Elections at 873-3474 to register to vote or to confirm registration. The dead line to register is March 7, 2014.

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

The Board scheduled the first Budget Workshop/Special Meeting for fiscal year; June 1, 2014 to May 31, 2015, for Monday March 24, 2014 at 7:00 pm at the Village Hall.

**CAMPGROUND:** The Board determined that the Village will advertise for two certified lifeguards for the 2014 season as soon as possible. The rate of pay will be \$10.00 per hour.

A motion was made by Trustee McDonough, seconded by Trustee Brassard, to approve the opening and closing dates for the campground and beach for the 2014 season as follows:

Campground - Open: Friday May 9th  
Close: Sunday October 5<sup>th</sup>

Beach – Open: Saturday June 21<sup>st</sup>  
Close: Sunday August 31<sup>st</sup>

Yes; Mayor Guerin, Trustees Brassard and McDonough. No; none. Absent; Trustee Rich, motion carried.

The Board unanimously decided that the campground rates/fees for the 2014 season will remain the same as they were last season.

## SECOND PUBLIC COMMENT PERIOD

Chip Perry suggested that the Board review and consider an increase in the life guard's hourly rate of \$10.00 per hour in the future. An individual invests a lot of time and

money in obtaining the required certifications and the hourly rate has not been raised in over ten years.

John Viestenz asked Treasurer Monette, in addition to the Bond Anticipation Note (BAN) for the Campground Restoration project, what else the Village has coming due. Mr. Viestenz requested a list next month of all Village debt and any loans that are due and what the components of the debt consists of, both currently and long term.

Mr. Viestenz also asked if the Village will be financially secure should the FEMA funds not arrive before the BAN is due. Treasurer Monette indicated that the Village is currently working with the attorneys with regard to this matter.

Mr. Perry reminded the Board that a resolution was needed to set aside the funds that have been collected for the water meters. A motion was made by Trustee Ruth, seconded by Trustee Brassard, to transfer \$28,800 that was previously collected for debt service from November 2011 through May 2013, from the unreserved fund balance to a capital reserve, for the purchase of water meters. Yes; Mayor Guerin, Trustee Brassard, and McDonough. No; none. Absent; Trustee Rich, motion carried.

A motion was made by Trustee McDonough, seconded by Trustee Brassard, to approve the January 27<sup>th</sup> and February 10<sup>th</sup>, 2014 bills for payment. Yes; Mayor Guerin, Trustee Brassard, and McDonough. No; none. Absent; Trustee Rich, motion carried.

**Abstract Distributions:**

General \$42,154.51  
Water \$8,815.42  
Sewer \$619.41  
Joint Activity \$9,611.87  
Trust & Agency \$1,598.72  
Capital \$1,671.40

The next regularly scheduled meeting of the Village of Port Henry Board of Trustees will be held on Monday March 10, 2014 at 7:00 pm at the Village Hall.

A motion was made by Trustee McDonough, seconded by Trustee Brassard, to adjourn the meeting at 7:50pm. Yes; Mayor Guerin, Trustee Brassard, and McDonough. No; none. Absent; Trustee Rich, motion carried.

ADJOURNED

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Denise C. Daly, Village Clerk