

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: JULY 14, 2014

TIME: 7:00 PM

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

ATTENDANCE: Hugh Phillips, Linda Corliss, Janelle Jurkiewicz, Tim Bryant, Joan Parah, Sandra Lovell and Ann Tesar.

The following documents were distributed to the Board for review prior to the meeting: The July 14, 2014 Meeting Agenda, the June 9, 2014 Board Minutes, the June 2014 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 July 14, 2014 Board meeting file located in the office of the Village Clerk. The July 14, 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 7:00 pm, followed by the salute to the flag, and thanked everyone for attending.

DEPARTMENT HEAD REPORTS

Chip Perry presented and read the monthly Water and Wastewater Report aloud as follows:

Water Treatment Plant

- No problems to report.
- No complaints from the public to report.
- Will be cleaning raw water reservoir the month of August.
- Scheduled cleaning of the 700,000 gallon storage tank for August.
- Elizabeth Street is coming along well, I have not heard of any complaints from the surrounding public.

Wastewater Treatment Plant

- Working on equipment.
- Working on SBR, tank #4 is being cleaned and should be back online end of next week.
- Overall the treatment plant is running well and staying well below permit limits.
- Working on the MH 13 issue; the mandated dates are quickly approaching.

As always, all Trustees and the public were encouraged to visit both treatment facilities.

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

- PHFD has responded to (42) calls for 2014: (10) for January, (4) for February, (8) for March, (6) for April, (4) for May, (6) for June and (4) for July to date.

2014 PESH Report:

(42) Calls:	342.12 Man-hours
OSHA Training:	150.50 Man-hours

Additional Training/Participation: 805.50 Man-hours

2014 Total: 1,298.12 Man-hours

- OSHA Training for July – Hose, Nozzles, Foam Operations.
- Annual inspection of fire hose occurred on June 16th by Adirondack Fire Services. 5,206 feet of hose tested. Need to replace (3) 100 feet sections of 4 inch supply hose and (2) 100 feet sections of 1.75 inch attack lines.
- 2013 Assistance to Firefighter’s Grant – Awards continue to be released. Still no notification or rejection of award.
- Hosted CP Railway “Railroad 101” Training on Wednesday, June 18th. Training consisted of classroom instruction, use of CP Railways training trailer, and introduction and review of railcars & locomotives. Due to maintenance conflict, hands-on training has been rescheduled for mid-September on the Bay Road.
- PHFD hosted NY/VT Water Rescue Training/BBQ on Wednesday, July 9th at Terminal Dock. Event was well attended (40+ First Responders) and included representatives from Vergennes, Charlotte, Shelburne, Ferrisburgh, Addison Fire Departments, Essex County HAZ MAT Team, Essex County Sheriff Department and Port Henry Fire Department.
- Participated in Annual Camp Dudley Parade & Breakfast and Ticonderoga “Best Fourth in the North Parade.
- Request Village Board approval for two (2) new Fire Department Applications for Membership: Mr. Richard Laing and Mr. Curtis Prevette.
- Thanks to John Hickey and Village Crew for promptly repairing windows on 4th floor.

A discussion ensued regarding the increased shipments of ethanol by CP Rail. Mayor Guerin thanked Chief Hughes for all of his work and effort in coordinating the Evacuation Plan and establishing communications with the County and State of Vermont.

Trustee Brassard reported on the DPW as follows:

- Paving was done on Spring, Meacham and Bridge Streets.
- The DPW was down to a two man crew for most of last month.
- Mowing and trimming continues, as needed.
- The beach was opened.
- The sidewalk in front of Harland’s will be replaced this week.
- A pump in the 4th bathroom at the campground burned up and has since been replaced.
- Two trucks were sent out, one for an inspection and the F550 for repairs.

Marge Seguin presented the Board with the monthly Campground Profit Report and verbally reported the following:

- Had a very good July 4th weekend.
- Obtained one more seasonal in July.
- Have a summer worker from One Work Source for 5 weeks.
- Currently taking reservations for Labor Day.
- Speeding has been an issue on occasion in the campground.
- The beach has not been very busy; most people come after the lifeguards have left for the day.
- The Department of Health performed an inspection on Friday July 11, 2014; two violations were noted.

Marge Seguin asked the Board if the Village offers military discounts. Trustee Brassard believes it does, for active duty military. The Clerk will research further and report back to the Board.

Ms. Seguin informed the Board that she was provided with the Disaster Preparedness plan and has a few suggestions, so she got together with Chief Hughes to review. A

meeting has been scheduled with the campers for July 26, 2014 to review the plan with revisions.

PUBLIC COMMENT PERIOD

Hugh Phillips addressed the Board with regard to inconsistencies in keeping up with Code Enforcement issues in the Village and Town assessments. Trustee Brassard informed Mr. Phillips that the property maintenance laws and codes are available on the Village website. Mr. Phillips was informed that the Town oversees the assessments and that the assessors fall under the State's jurisdiction. A discussion then ensued between Mr. Phillips and the Board with regard to property maintenance issues in the Village. Mayor Guerin thanked Mr. Phillips for addressing the Board with regard to these matters and Mr. Phillips offered his assistance, when in the area.

Tim Bryant addressed the Board with regard to "Champ Day". There will be a 5k road race on Saturday August 2, 2014, sponsored by the Distinguished Young Woman's Organization. No roads will be closed during this race and it will be coordinated with the Essex County Sheriff's Department. There will also be a cardboard boat race and a Town wide yard sale. Mr. Bryant has also been contacted by a gentleman who has shot a documentary on "Champ" and he has agreed to open the Chamber building on this day so that the gentleman may show his movie. The Board approved of the Chamber's Champ Day plans as proposed.

A discussion ensued between Mr. Bryant and the Board, with regard to public transportation / courtesy shuttle ideas, to and from the beach and the Velez Marina.

BOARD DISCUSSION / REPORTS

Trustee Brassard reported that Dick Malaney is currently performing electrical work/repairs at the campground as well as the lights on the terminal dock.

The two Department of Health violations on the beach (no float lines or orange buoy's, 2 feet apart) have been addressed; the float lines and buoy's are on order. The annual beach water sample will be obtained and sent out for testing this week.

Trustee Brassard indicated that he has a meeting scheduled with CP Rail on July 15, 2014 at 10:00 am.

The New York State Department of Environmental Conservation (NYS DEC) performed an inspection of the Village's DPW area/shop last week and has mandated the removal of an underground fuel tank, as soon as possible. Early cost estimates for removal are around \$2,000.

Mr. Perry informed the Board that the 3,000 gallon fuel tank at the wastewater treatment plant will be inspected on August 15, 2014.

A meeting has been scheduled for 10:00 am tomorrow in the Board room, with Mike Mascarenas, Chip Perry, Former Treasurer Janelle Jurkiewicz and Treasurer Monette, to discuss Village sewer rates.

Recurring Old Business: Mayor Guerin provided an update on FEMA reimbursement funds for the Campground Restoration Project as follows: The close out forms have been signed and sent back to FEMA. The Village should receive the remaining reimbursement funds within 6 to 8 months, after the final closeout has been completed by the State.

Update on Zoning Regulations: the attorney's are still reviewing.

The Village received a Notice of Decision from Essex County with regard to the lawsuit filed by Level 3 Communications; they can no longer be charged real property taxes effective 2014 and forward.

A Motion was made by Trustee Brassard, seconded by Trustee McDonough to pass a resolution to renew the Manhole #13 BAN for the remaining amount of \$13,000 and to contact Attorney Soloski to begin the necessary renewal paperwork. The original BAN was taken out in 2010 for \$65,000 to cover the engineering plans/designs for the Manhole 13 Re-construction Project. Vote:

Aye: Mayor Guerin, Trustees Brassard, McDonald and McDonough

Nay: 0.

Absent: Trustee Rich

By a vote of four to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on the 14th day of July, 2014.

Old Business: A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the May 28th and June 9, 2014 Board minutes. Yes; Mayor Guerin, Trustees Brassard, McDonald, and McDonough. No; none. Absent; Trustee Rich, motion carried.

In March of 2014 the Board abolished the position of Deputy Superintendent of Public Works and created a Working Foreman's position. John Hickey was appointed as the Working Foreman for the Village DPW effective March 18, 2014.

Marge Seguin was hired as the Champ RV Park and Campground Manager for the 2014 season.

New Business: The June 2014 Accounts Receivable for Water and Sewer, as well as Property Taxes, and the Monthly Water Adjustment Reports, were distributed to the Mayor and Board for review. There is no monthly Treasurer or Trial Balance Report as the year end books have not been closed to date.

As a precaution, the Village requested an extension of the filing deadline for the fiscal year ending May 31, 2014 from the Office of the State Comptroller on July 2, 2014, due to Chris Ida's unavailability to assist with the report preparation due to health issues. Telling and Associates, as recommended by Pat Ida CPA, is assisting the Village with the end of year audit / close. A letter was received from the Comptroller's office on July 10, 2014 informing the Village that an extension has been granted to the Village of Port Henry, for sixty days.

A motion was made by Trustee McDonough, seconded by Trustee McDonald, to pass a resolution to authorize the cancellation of the Time Warner Cable 2014 Property Tax Bill in the amount of \$370.56, per the franchise agreement. Vote:

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

Nay: 0

Absent: Trustee Rich

By a vote of four to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on the 14th day of July, 2014.

Two Property Maintenance Complaint forms were received in June and distributed to the Board for review, with regard to a garbage issue at 4371 Main Street. The Board indicated that the issue has been taken care of.

Pending formal Board approval, A Vendor's License was issued to Donald and Jackie Foote on June 16, 2014 for the operation of a mobile food service cart. A motion to formally approve the issuance was made by Trustee Brassard, seconded by Trustee McDonough. Yes; Mayor Guerin, Trustees Brassard, McDonald, and McDonough. No; none. Absent; Trustee Rich, motion carried.

Randall Welch was hired on June 18, 2014, as a part time, seasonal worker, to perform general maintenance at the Champ RV Park & Campground.

Donald DeFelice Jr. was hired on July 10, 2014, as an emergency temporary laborer for the Village DPW, as a result of an immediate shortage of help.

The Essex County IDA forwarded a request to the Village requesting a resolution in support of Essex County's application to the New York State Housing Trust Fund Corporation, Office of Community renewal, for the Community Development Block Grant Program 2013 REDC CFA Community Renewal Fund, Economic Development Program, for a Microenterprise Grant in the amount of \$200,000, for the Town's of Moriah, Crown Point and Ticonderoga. A motion was made by Trustee Brassard, seconded by Trustee McDonald, to pass said resolution of support. Vote:

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

Nay: 0

Absent: Trustee Rich

By a vote of four to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on the 14th day of July, 2014.

A letter was received from the pH7 Committee on June 26, 2014 requesting permission to place two Farmers Market signs in the traffic circle on the day of the market from 8:00 am to 1:15 pm. Motion to approve the request was made by Trustee Brassard, seconded by Trustee McDonald. Yes; Mayor Guerin, Trustees Brassard, McDonald, and McDonough. No; none. Absent; Trustee Rich, motion carried.

A letter was received from the Lake Champlain Fish and Game Club on July 8, 2014, requesting permission to hold another Coin drop in the Village on September 27th or October 4, 2014. Neither of the dates requested are available therefore a letter will be sent informing the Club of such, with a list of available dates that they may choose from.

A letter from Hugh Phillips, property owner of 28 & 30 Rice Lane was received on July 7, 2014 and distributed to the Mayor and Board for review and discussion. Mr. Phillips has requested to have the main sewer line relocated or replaced, due to its poor condition and to have the water and sewer laterals clearly marked before the new home construction begins. A brief discussion occurred regarding the above and Mr. Phillips informed the Board that Sam Meacham has marked the laterals and repaired the broken pipe. Mr. Phillips provided Mr. Perry with his contact number as he agreed to provide Mr. Phillips with direction as to how to go about having his water and sewer line capped at one of his properties on Rice Lane so that he is only billed for one line in the future. Trustee Brassard indicated that he will also speak with the DPW with regard to the "capping" of these lines, as discussed at last months Board meeting. Mr. Perry indicated that the Village generally takes a picture of the lines once they have been capped, to keep on file before the service and billing for a property is terminated.

A letter was received from Mary Beth Mero, on behalf of the Combat Memorial Veteran's Association on July 14, 2014 requesting permission from the Board to place a sign in the traffic circle from July 17th – 20th to advertise their annual Ghost Ride. The Board unanimously approved the request with the provision that the sign be placed in the traffic circle in the mornings and removed each evening.

Mayor Guerin provided a re-cap/update on the Manhole # 13 matter, with regard to the Order on Consent. Mayor Guerin indicated that he will not sign the loan to borrow the two million dollars required to rectify the matter, as it will increase the individual users sewer fees by approximately \$1,000 and the Village taxpayer's can not afford that increase; they can fine the Village before he will agree to have the taxpayers pay that amount. The Village will continue to cooperate with regard to the Order, within its financial means.

A motion was made by Trustee Brassard, seconded by Trustee McDonough to approve the Port Henry Fire Department Member Applications presented for Richard Laing and Curtis Prevette. Yes; Mayor Guerin, Trustees Brassard, McDonald, and McDonough. No; none. Absent; Trustee Rich, motion carried.

A motion was made by Trustee Brassard, seconded by Trustee McDonald, to approve the June 30th and July 14, 2014 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonald, and McDonough. No; none. Absent; Trustee Rich, motion carried.

Abstract Distributions:

General \$73,604.03

Water \$8,021.00

Sewer \$892.44

Joint Activity \$26,972.80

Capital \$68,444.84

SECOND PUBLIC COMMENT PERIOD

Chief Hughes informed the Board that he has looked into the building restoration grants that Trustee McDonough presented him with last month and has found out that the Village's median household income level is too high; listed at \$53,864. The information was obtained from the 2010 census and is hurting the Village's eligibility for obtaining grant funds. The Village may need to look in to declaring the fire house an "historic building".

Chief Hughes reported that he paid a visit to the residents on Greeley Lane that were burning garbage which resulted in a Property Maintenance Complaint being filed against them. He reviewed the law with them and they now understand that burning garbage in the Village is not permitted.

Trustee Brassard asked if anyone had any questions or concerns that they would like him to bring to the CP Rail representatives attention that he is meeting with tomorrow. One concern that was brought up was the new rail road crossing at the entrance to Bulwagga Bay Lane. It looks great but upon exiting the road to head back on to Main Street, the incline is too high, causing boats/trailers and campers to scrape along the asphalt. Jim Hughes suggested that the Village Board use their power to address the rate of speed that the trains are traveling through Town at.

Sandra Lovell asked who sets the criteria, or who would one write to with regard to the median household income for the Village. Ms. Lovell was informed that it is the American Community Survey that takes the national average.

Mayor Guerin called for further public comment; there was none. Mayor Guerin thanked everyone for attending.

A motion was made by Trustee McDonough, seconded by Trustee Brassard, to adjourn the meeting at 9:06 pm, at which time the Board entered into Executive Session to discuss personnel matters. Yes; Mayor Guerin, Trustees Brassard, McDonald, and McDonough. No; none. Absent; Trustee Rich, motion carried.

ADJOURNED

Denise C. Daly, Village Clerk