

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: MAY 12, 2014

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich, Clerk Daly, Treasurer Monette, Chief Water and Wastewater Plant Operator; Chip Perry and Port Henry Fire Department Chief; Jim Hughes.

ATTENDANCE: John Easter, Jackie Viestenz, Sandra Lovell, Margaret Parah and Holland McMurtry.

The following documents were distributed to the Board for review prior to the meeting: The May 12, 2014 Meeting Agenda, the April 7th, 10th and 14th, 2014 Board Minutes, the April 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 May 12, 2014 Board meeting file located in the office of the Village Clerk. The May 12, 2014 Meeting Agenda was also made available to the public on the website and at the Board Meeting.

Deputy Mayor/Trustee Brassard 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 read the monthly Water and Wastewater Report aloud as follows:

Water Treatment Plant

- No problems to report.
- Read water meters throughout the month of April.
- While reading water meters, residents asked when the Village will be getting the new water meters.
- DPW repaired a couple of water breaks in March, thus reducing the daily water usage.
- Completed the annual water withdraw report and the annual SPDES report for NYSDEC.

Wastewater Treatment Plant

- Experiencing pumping problems with the solids pumps, not delivering as many gallons of solids as expected. A representative from Koester performed an evaluation and suggested that the pumps were undersized from the start and have worn over time. He suggested changing a single pump to correct the pump size and re-building a single worn pump. Mr. Perry will be re-building both pumps. The Village does not have the money for a new pump, which costs approximately \$26,000. A re-build should roughly cost \$2500.
- Work on the electrical monitoring system continues.
- Would like to set up a capital reserve fund for wastewater, like we have for the water filtration plant.
- Update on the Manhole #13 Project; there are several milestone dates over the next few months that are fast approaching.

As always, Mr. Perry encouraged all Trustees and the public to visit both of the Village's treatment facilities.

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

- PHFD has responded to twenty-eight (28) calls for 2014: (10) for January and (4) for February, (8) for March and (6) for April to date.
- 2014 PESH Report:

(28) Calls:	279.61 Man-hours
OSHA Training:	117.50 Man-hours
Additional Training/Participation:	547.50 Man-hours
2014 Total:	<hr/> 944.61 Man-hours

- OSHA Training for May – Hydrants, Ladders, & Operations Training.
- Annual Firefighter Physicals in process.
- 2013 Assistance to Firefighter's Grant – Awards being released. No news yet.
- PHFD, in conjunction with and in support of the Firemen's Association of New York State (FASNY) 2014 Recruit NY Program, held an open house on Saturday, April 26th from 9:00 AM to 3:00 PM.
- Chief Hughes has requested and confirmed a training event with CP Railway on Wednesday, June 18th and Thursday, June 19th. Training will consist of Railroad 101 which includes classroom instruction, use of CP Railways training trailer, railcars & locomotives. Additional training to occur in September.
- Canadian Pacific Railway has extended an invitation to Essex County HAZ MAT Team for five (5) Firefighters to attend the Crude by Rail Emergency Response Course at the Security, and Emergency Response Training Center (SERTC) in Pueblo, Colorado. Dates and time to be determined.
- Chief Hughes and Firefighter Christopher Lee attended 3-hour New York State Police Crime Reconstruction Unit Seminar in Lewis, NY on Tuesday, May 6th.
- Chief Hughes participated in Mock Accident Scene / MADD Presentation at Moriah Central School for Junior Class on Wednesday, May 7th.
- Request approval from Mayor and Village Board for new member application from Collin Cutting and Frank Gilbo. PHFD Membership and Fire Board approved these applications on May 8th, 2014.
- PHFD has received an additional four (4) membership applications. Interviews to be arranged.
- Maintenance Items: 1) President Chuck McCaughin removed and installed new door for Ladies Bathroom in Fire Station at a cost of \$84.59; 2) Fourier drop ceiling collapsed during private function – no injuries. Need to install and secure new drop ceiling, 3) Need new flood light for front of building.
- Boat 29 is in service for the season.

PUBLIC COMMENT PERIOD

Jackie Viestenz informed the Board that the pH7 Committee has six trees, three of which have been planted on Main Street. Tom Trow will coordinate with the DPW with regard to placement of the other three trees. The committee has received donations from families towards the trees and will recognize these families by mounting a plaque on the metal gates that will be placed around each tree.

The pH7 Committee will hold a Village wide planting on Wednesday May 21, 2014 beginning at 10:00 am to plant flowers in the boxes, traffic circle and pots. The committee will host a luncheon afterwards at the Chamber of Commerce building. Trustee Brassard thanked the pH7 Committee for their service.

Mayor Guerin entered the meeting at 7:10 pm, followed by Holland McMurtry at 7:15 pm.

Trustee Rich asked Mayor Guerin if he's had a chance to take a look at the drainage issue at the Sherman Free Library. Mayor Guerin indicated that he has not had the chance to look at the matter yet.

Jackie Viestenz distributed a letter to the Mayor and Board from Jeff Kelly who asked for an approximate date as to when the pot holes on Spring Street will be repaired. Mayor Guerin indicated that they will be taken care of at the same time that all of the other pot holes in the Village are repaired.

Ms. Viestenz requested permission from the Board to put a non illuminated sign up at 3259 Broad Street, the site of a craft gallery that she, Linda Smyth and Susan McHone will open and operate. Trustee McDonough motioned to approve the request, seconded by Trustee Brassard. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

Holland McMurtry expressed his concerns to the Board regarding the parking ban/law that is in effect each year from November through April that bans vehicles from parking on any Village streets or roads between the hours of 12am and 6:00 am. Mr. McMurtry owns several rental units in the Village, one located on Elizabeth Street that offers no parking area for his tenants other than the road. The parking ban causes a serious hardship for his tenants during the winter months when it is in effect. The Board recognized Mr. McMurtry's concerns and agreed to review and revise the law before November. Mr. McMurtry thanked the Board for their consideration and time and exited the meeting at 7:30 pm.

Chief Hughes asked why assigned community service is always served at the Town Transfer Station and asked if the Village could request that some community service be served here in the Village such as sweeping, raking or painting fire hydrants. Mr. Perry indicated that he has been assigned community service members in the past and finds it hard to plan a schedule when they don't show up. They have in the past, proven to be unreliable and are therefore are no longer utilized.

There was a sinkhole and flooding issues on Anne Marie Adamowicz's property a few years ago that was repaired and corrected by the Village DPW using USDA funds. There is currently a neighbor that is using the ravine to dispose of brush and other rubbish and it has now become a "catch all" that will eventually cause this area to flood again. There was a tile with a grate on it that was installed during those repairs and the Village used to clean it periodically, however with the recent change over in DPW Superintendents, the direction to clean and maintain the tile may not have been passed on. Mayor Guerin indicated that he would take a look at it the situation on Friday.

BOARD DISCUSSION / REPORTS

Trustee Brassard motioned to offer a Resolution of Appreciation to Margaret Parah for her help in working with CP Railway, in getting a new fence erected east of the railroad tracks and along the border of the Champ RV Park and Campground. Trustee Rich seconded the motion. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none, motion carried.

Trustee Brassard indicated that the Champ RV Park and Campground opening was postponed a week from May 9th to May 16, 2014 due to flooding. The campground manager has been made aware that there is a reunion/memorial that will be held at the beach house on Saturday May 17, 2014.

Mayor Guerin commended Trustee Rich for the great deal she found on the chairs for the Board room. The Village purchased 21 used padded chairs with arm rests for \$75.00. They are all in good condition and were much needed.

The Mayor and Board received an E-mailed request from Hugh Phillips today who purchased the 28 and 30 Rice Lane properties at the Essex County auction on April 30, 2014. Mr. Phillips plans on demolishing both dwellings and building one house on the properties. His contractor uncovered the fact that there is only one water and sewer lateral that is split, to provide service for both of the properties. Currently, both properties are being billed for water and sewer. Mr. Phillips is requesting to be billed for only one lateral in November 2014, instead of two. The Board unanimously agreed that Mr. Phillips will be billed for only one lateral in November, as he's requested.

Trustee McDonough attended the pre-construction meeting on behalf of the Board of Trustees that was held on April 30, 2014 at the Village Hall with regard to the Elizabeth Street Water and Sewer Reconstruction Project. Also in attendance were engineers from AES, Chip Perry and John W Sheenan & Son's, Contractor's. Trustee McDonough indicated that AES will provide the Village with a schedule of project start dates. The Village will craft a letter to the residents that will be affected during the project and Trustee McDonough volunteered to hand deliver the letters to the residents and answer any questions they may have with regard to the project. Trustee McDonough informed the mayor and Board that AES has requested a representative of the Village to sit in on the bi-weekly meetings that will be held throughout the duration of the project.

Trustee McDonald indicated that he read the pre-construction meeting minutes and asked what the cost savings would be to replace the pipe work with plastic piping. Chip Perry indicated that he inspected a sample of the plastic piping and that the Village will save approximately \$30,000 to \$35,000 by making the change to plastic piping. This savings along with the \$50,000 in contingency, will allow the Village to asphalt the road(s) upon completion of the project.

The Board discussed issuing the RFP's for the new water meters and the installation of such. The Board determined that while the new meters are much needed, it is in the best fiscal interest of the Village to put the matter on hold at this time, until full reimbursement has been received from FEMA for the Campground and Beach Restoration Project.

The Board also discussed the Order on Consent the Village is under with regard to Manhole #13 and further determined that this is another reason to hold off on purchasing and installing new water meters. The Village will wait until both the FEMA reimbursement and Manhole #13 issues have been resolved before moving forward on the water meter project.

Jim Hughes asked if all forty two properties are now in compliance with regard to the sump pump survey connections. Mayor Guerin indicated that a letter was sent to Jim Dougan of AES Northeast with regard to this matter.

Mayor Guerin informed the Board and public that there was an issue discovered with a pipe in the drinking water dam; it was damaged by ice this past winter. Mayor Guerin indicated that DPW Foreman John Hickey may have found a solution to the problem. Mayor Guerin will speak with former Treasurer Jurkiewicz with regard to repair funds for the dam.

Recurring Old Business: Mayor Guerin indicated that he received an E-mail update this week on the status of FEMA reimbursement for the Campground Restoration Project. The final review of the project was passed on March 30, 2014. The Village is currently waiting for FEMA to obligate the money to the State. Harry Gough informed the Mayor today that as soon as the Village receives the blue book and signs and returns it, then FEMA can approve the final closeout, which must be done before the State can send the Village the final payment.

Trustee Rich reported that the attorneys are still reviewing the questions the Board has on wording matters with regard to the proposed zoning regulations.

Old Business: A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the April 7th, 10th and 14th, 2014 Board minutes. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

The 2013 Annual Water Quality Report for the Village of Port Henry was published in The Times of Ti on April 5, 2015. A copy thereof will remain on file in the Village office for public inspection during normal business hours. A link to the Report is also posted on the Village's website.

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

The Board reviewed the May 2014 Water and Sewer billing in the amount of \$246,741.76, for the period of November 1, 2013 through April 30, 2014. A motion was made by Trustee Rich, seconded by Brassard, to approve the billing as presented. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

As previously approved by the Board, a Vendor's License was issued by the Village Clerk to the Adirondack Farmer's Market Cooperative, Inc. on April 23, 2014 for a six month period, to hold a weekly Famer's Market within the Village limits. The required documentation to obtain the license was received and will remain on file in the Village office.

An application to obtain a Vendor's License for the 2014 season was received from Brian Collis, on behalf of Mr. Ding-A-Ling Ice Cream. The required documents have been submitted and a license may be issued pending the Board's approval. The Board discussed the matter and approved issuing the a license to Mr. Ding-A-Ling pending a meeting with one of the owners and a Board member, to discuss a few concerns that have been brought to the Board's attention by Village constituents.

A written request to hold a Coin Drop on May 10th or 17th was received on April 15, 2014 from Walt Wojewodzic; President of the Lake Champlain Fish and Game Club. The Clerk has advised Mr. Wojewodzic in writing that those two dates are not available and has provided a list of alternate available dates for the club to choose from, as requested. A second written request was received today to request Saturday June 7, 2014, which is available. A motion was made by Trustee McDonough, seconded by Trustee Rich, to approve the request. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

The Board received a request from Ragnar Relay Events for review. Ragnar Relay will be holding their third annual relay race in our area and have requested permission to run through the Village on these dates between the hours of 10:00 pm and 7:00 am. per the proposal. The required Certificate of Insurance has been received and is on file. A motion was made by Trustee Rich, seconded by Trustee Brassard, to approve the Ragnar Relay Race through the Village and to authorize Mayor Guerin to sign the permission letter. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

The Board reviewed a written refund request received from Jan Morin of 29 College Street on April 28, 2014 in the amount of \$39.00, for a pressure treated post and the labor to repair the broken post that was holding a wagon wheel, as it was accidentally hit by a Village snowplow this past winter. A motion was made by Trustee McDonald, seconded by Trustee Brassard, to approve the refund request in the amount of \$39.00. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

Mr. Paul Reed has verbally requested a refund of \$150.00 for the campground reservation fee he paid before a recent health issue developed, that will now prevent he and his wife from camping this year. A motion to approve the refund of \$150.00 was made by Trustee McDonough, and seconded by Trustee Rich. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

The Board scheduled a Special Meeting on May 28, 2014 at 7:00 pm at the Village Hall, to approve payment of the current fiscal year end bills as well as any final budget transfers, by motion from Trustee Rich, seconded by Trustee McDonald. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

A motion was made by Trustee Rich, seconded by Trustee McDonough, to approve the April 28th and May 12, 2014 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

Abstract Distributions:

General \$24,668.53
Water \$7,776.23
Sewer \$1,076.55
Joint Activity \$24,428.33
Capital \$5,559.15

SECOND PUBLIC COMMENT PERIOD

Chief Hughes informed the Board that a tow bill in the amount of \$935.00 from R& B Motors, for a March 11, 2014 fire was received and presented to the Chief of the Moriah Fire District with the understanding that it will be paid under the Mutual Aid Agreement.

Trustee Brassard indicated that he received an e-mail today from Kris Jarret of the Lake Champlain Maritime Museum, requesting permission to dock an 18th century vessel at the pier during its final fitting out and wood swelling time. “The Heron” is a 55 foot brig that was constructed in Montgomery VT over the past few years and they are looking to launch her for the first times in Port Henry on June 9th or 10th and then sail her to the Lake Champlain Maritime Museum later in the week. Trustee Brassard informed Mr. Jarret that he will need to contact the New York State Canal Corporation, as they own the pier.

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

A motion was made by Trustee Brassard, seconded by Trustee Rich, to adjourn the Board meeting at 8:31 pm. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

ADJOURNED

Denise C. Daly, Village Clerk