

REGULAR MEETING OF THE VILLAGE OF PORT HENRY  
BOARD OF TRUSTEES

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

DATE: NOVEMBER 10, 2014

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough and Rich, Clerk Daly, Treasurer Monette, Port Henry Fire Chief; Jim Hughes and Code Enforcement Officer; Bill Ball.

ABSENT: Trustee McDonald

ATTENDANCE: Sandra Lovell, Ann Tesar, Janelle Jurkiewicz and Tim Bryant.

The following documents were distributed to the Board for review prior to the meeting: The November 10, 2014 Meeting Agenda, the September 22nd and October 14, 2014 Board Minutes, the October 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 November 10, 2014 Board Meeting file located in the office of the Village Clerk. The November 10, 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

Bill Ball presented the Board with some pictures of the following properties: 9, 10 & 11 Spring Street, 7 Pine Lane, 39 Elizabeth Street, 71 Bridge Street and 4109 Main Street and reported the following verbally to the Board:

Bill Ball has been working on getting the above listed properties cleaned up however there may be some litigation as a result of enforcement. The Board assured Mr. Ball that they are willing to pursue these matters and are ready to incur any necessary costs with regard to litigation to enforce such, if need be. Mr. Ball indicated that the Village will be required to put the money up front and that it may be years before the Village is reimbursed for the costs, which is why he has been treading lightly with regard to such. Mr. Ball also informed the Board that any structure built before 1974 must have an asbestos survey performed on the whole building before it can be condemned or demolished, which can become very costly.

Mayor Guerin asked if the buyers of the old Bullock house located at 39 Elizabeth Street are trying to back out of the deal and Mr. Ball indicated that he believes they are attempting to back out after purchasing the property at auction, however something needs to be done with the structure before it collapses. Once the owner's name is determined the Village can proceed with filing the paperwork and then issue an Order to Remedy. The Village will then notify the attorney that legal proceedings have begun and schedule a Public Hearing. Mr. Ball indicated that this property was originally condemned back in 2000. Mayor Guerin provided a recap on the issue of knocking over the Bullock house during the Elizabeth Street project; the Village was advised by the Essex County attorney not to touch the building; if it should fall down or is knocked down in a fire the area will need to be secured and no-one may touch anything until asbestos testing has been completed.

The Board directed Mr. Ball to send these property owners letters with regard to the violations. Mr. Ball indicated on another note, that he has informed the property owner

of 4267 Main Street of the setbacks with regard to fire pits. Mayor Guerin thanked Mr. Ball for his report.

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

- PHFD has responded to (76) calls for 2014: (10) for January, (4) for February, (8) for March, (6) for April, (4) for May, (6) for June, (11) for July, (7) for August, (10) for September, (8) for October and (2) for November to date.

2014 PESH Report:

|                                    |                           |
|------------------------------------|---------------------------|
| (76) Calls:                        | 580.89 Man-hours          |
| OSHA Training:                     | 287.00 Man-hours          |
| Additional Training/Participation: | 1,077.00 Man-hours        |
| 2014 Total:                        | <u>1,944.89 Man-hours</u> |

- Additional OSHA training acquired on 10/14/2014 – SCOTT X3 SCBA Introduction.
- Annual Pump Test performed by Randy Preston of Century Fire Apparatus on Engine 291 on 10/24/2014. Each engine passed successfully.
- Annual Ladder Inspection performed today 11/10/2014 by Fire Service Safety Testing.
- Maintenance Item: Engine 294 (1988 Ford F250) – suspect universal joint needs replacing – to be scheduled with Port Henry Service Center.
- PHFD received invitation and four (4) PHFD Members attended Honor Flight at Plattsburgh Municipal Airport on 10/25/2014.
- PHFD attended Moriah Fire Department “Meet & Greet” on 10/28/2014.
- 2014 Assistance to Firefighters Grant Program opened 11/3/2014. PHFD to pursue new SCBAs.
- PHFD Coin Drop scheduled for Saturday, November 22<sup>nd</sup>, from 9:00 AM to 1:00 PM.
- Announcement: CP Railway Holiday Train is scheduled for Saturday, November 29<sup>th</sup> at 4:45 PM.

Trustee Brassard asked if the 1988 Ford F250 is something that our DPW employee/mechanic may be able to fix. Chief Hughes indicated that he very well may, however there is no available lift to utilize to do so. The Board thanked Chief Hughes for his report.

Trustee Brassard gave the following verbal report on the DPW:

- The beach is closed up for the season.
- Water meters at the beach were bagged on site to prevent the elements from harming them per our electrician's advice, instead of disconnecting all of them and storing them for the winter.
- The snow plows have all been serviced for winter and are ready to go.
- Parts were purchased for the plow and F550.
- Mr. DeFelice' repaired the chain on the salter.
- DPW has been busy with seasonal water shut off requests.
- A new curb stop was installed at the old NuWay Laundry site.
- 130 feet of sidewalk was replaced on College Street.
- Approximately six to seven trees were recently removed for the campground.
- The DPW finished reading water meters for the November 2014 billing.

## BOARD DISCUSSION / REPORTS

Trustee McDonough reported that she and Trustee Brassard met with Ian Coryea from Burnham Financial Services on October 31, 2014 to review the 2015 health insurance options. The recommendation is to keep the current health insurance plan for 2015. Trustee Brassard indicated that he has spoke with the employees of the bargaining unit

and they are in agreement. The employee's weekly premium will increase a few dollars but the plan and coverage will remain the same. The Board agreed with the recommendation to keep the current health insurance plan for 2015.

Trustee McDonough reported that the Board received a memo from John Viestenz indicating the Town is contemplating converting the dump to a weigh station. Therefore Trustee McDonough recommends that the Village put garbage pick up out to bid. Trustee McDonough estimated the cost for such at \$35,000 a year just in manpower. The actual budget reflects a cost of \$23,000 annually for labor associated with garbage and recyclable pick up. Trustee Brassard indicated that the Town is considering a drive on scale and Ms. Lovell, who attended the latest Town meeting, informed the Board that the Town will rent the scale and all associated equipment from the county.

Janelle Jurkiewicz informed the Board that if the Village does utilize an outside company for garbage pick up, the village would have to consider eliminating a labor related position, as the Village would be paying out the same amount of money in labor plus paying a private company for garbage removal. Chief Hughes informed the Board that this was researched years ago; the Village appealed to Casella and they would not pursue or entertain the idea at that time. Chief Hughes suggested utilizing the Village's long trailer by adding sides to it to aid in the efficiency of garbage pick up by reducing the amount of trips made up and down the hill to dispose of garbage at the Town transfer station.

Trustee Rich suggested that the Village look into handling it the same way it was done when Walt Rushby was the Mayor; the Village would sell its own transfer station tickets, then bring the garbage to the dump and pay by weight to dispose of it.

Mayor Guerin indicated that regardless of what the Town does or does not do, we need to look into money saving options for the Village. A motion was made by Trustee Rich, seconded by Trustee Brassard, to send letters to the two waste removal companies that service our area; Casella and Ace, to request information and obtain an approximate cost associated with garbage and recyclable pick up in the Village. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent; Trustee McDonald, motion carried.

#### PUBLIC COMMENT PERIOD

Tim Bryant indicated that garbage containers from a private waste removal company may provide the Village with the opportunity to save money. The Town transfer station charges \$30.00 per cubic yard of waste and a container load through ACE runs approximately \$15.00 to \$20.00. Ann Tesar also indicated that they take everything in one dumpster and they sort it.

Tim Bryant asked the Board what the current status is with regard to zoning. Trustee Rich indicated that a Special meeting was held on October 24, 2014 to review zoning. The Village has since heard back from the attorney's with regard to their review of the additional questions and issues that were sent to them. Our attorney's have requested a meeting to discuss certain matters in person as doing so via e-mail or other wise can prove to be a lengthy and time consuming process. Our attorneys feel that advertising for Zoning Board of Appeal or Planning Board members at this time may be pre mature as the Village is not yet ready to proceed with those steps. Crafting loose zoning is much different than hard line zoning and we have to therefore be careful when also crafting the Comprehensive Plan which is required before we can begin crafting a legal plan with regard to zoning regulations. Our attorney's have indicated they are very impressed with the draft of the proposed Comprehensive Plan that we provided them with for review.

Our attorney has also given us the contact information for a consultant who specializes in and can help us to develop a zoning plan and law. The consultant is from the Chazen Company; whom are municipal, financial, planners and engineers. Our attorney advised that it may cost the Village approximately \$10,000 to \$20,000 to formulate a plan however our attorney does not feel that they could do so in a timely or cost effective

manner. Our attorney did advise us to inform the consultant that we are in need of the “General Motors Plan” versus the “Cadillac Plan”.

Trustee Rich further indicated that once everything is in place and the plans have been crafted they will be presented to the public. The approximate time frame for completion is 2015. The funds for the consultant are not included in this year’s budget. Mayor Guerin suggested checking to see if there may be any grant funds available for the consultant. Trustee Brassard indicated that he will also reach out to LaBarge Company to ask them to meet with the Village as well. Trustee Rich reiterated that Chazen Company was recommended by our attorney with regard to this matter. The Board determined that it will meet with both and when ready, will put the matter out to bid. Janelle Jurkiewicz recommended consulting with NYCOM as well. Mr. Bryant asked if there is a written time line or checklist with regard to implementing zoning laws and was informed that the Village intends to follow the attorney’s recommended plan and time line.

Trustee Brassard attended Attorney Julie Garcia’s ribbon cutting ceremony on November 6, 2014 in front of her law office on Main Street to celebrate her merger with Stanclift, Ludemann, Silvestri and McMorris, PC from Glens Falls. Trustee Brassard presented Attorney Garcia with a Resolution of Celebration at the ribbon cutting ceremony. Trustee Brassard was advised by one of the attorneys included in the merger that they do practice municipal law and if the Village is ever interested in a quote for legal services they would be happy to provide us with one.

**Recurring Old Business:** Mayor Guerin provided an update/status on FEMA reimbursement as follows: the Village is currently waiting on the State to prepare the final closeout on the Campground Restoration Project before the remaining reimbursement amount of \$188,000 will be received. The Village recently received \$167,009 in FEMA reimbursement funds which represent the remaining amount for the Beach Restoration Project.

Trustee Rich provided an update on Zoning as discussed above.

**Old Business:** A motion was made by Trustee Rich, seconded by Trustee McDonough, to approve the September 22<sup>nd</sup> and October 14<sup>th</sup>, 2014 Board Meeting minutes. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent; Trustee McDonald, motion carried.

Notice was received from the New York State Department of State, informing the Village that Local Law No. 3 of 2014: Extending the Moratorium on Street Level Residential Development in a Portion of the Village of Port Henry, was filed on October 22, 2014 and is in full force and effect.

As a reminder, the Village will be closed on Tuesday November 11, 2014 in observance of Veteran’s Day.

The Port Henry Fire Department has re-scheduled the Coin Drop that was cancelled on October 4<sup>th</sup> due to inclement weather, for Saturday November 22, 2014.

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

A Property Maintenance Complaint Form was received on October 15, 2014 with regard to the sidewalk located at 3259 Broad Street. Trustee Brassard indicated that the matter has been taken care of.

The CP Rail “Christmas Train” will be making its annual stop at the train station in Port Henry on Saturday November 29, 2014 at 4:45 pm. Non- perishable food donations will be accepted by the Town of Moriah Food Pantry. Mayor Guerin informed the public that the Dollar General store currently has a sale on canned goods; 3 cans for \$1.00.

A resolution is needed to approve and authorize the Village of Port Henry teaming up with the Essex County Public Health Department in order to deem the Village a safe streets community which will enable the Village to apply for grant funding for crosswalk signs, etc. Motion made by Trustee Brassard, seconded by Rich, to pass said resolution.

Vote:

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

Nay: Zero

Absent: Trustee McDonald.

By a vote of four to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on this 10<sup>th</sup> day of November, 2014.

Mayor Guerin informed the public that the Village was recently awarded a grant via the New York State Department of Environmental Conservation (DEC) Water Quality Improvement Project (WQIP) funding in the amount of \$500,000. While discussing matters with Anna Reynolds of Essex County, Mayor Guerin asked if there is a formula available for conducting an income survey in order to determine the accurate Median Household Income for the Village of Port Henry, which would be of help when the Village applies for future grant funding. Mayor Guerin asked if the Village could conduct the confidential survey internally. Ms. Reynolds confirmed that this could be done. Mayor Guerin feels it is important to do and if the public educated as to why it is necessary, then he feels they will be willing to cooperate.

The Board discussed advertising the position of Code Enforcement Officer (CEO). Trustee Brassard indicated that the public has asked for more availability and for the CEO to hold office hours. A discussion ensued and it was noted that Mr. Ball also works full time as the CEO for the Town of Ticonderoga however he does intend on putting in more hours here in the Village in the very near future. After further discussion, it was decided that the position would not be advertised at this time.

A written request was received from Debbie Henry on behalf of the Friends of the Sherman Free Library, for permission to place a sign in the traffic circle again this year to advertise for the Holiday Bazaar on December 6, 2014. They are also requesting permission to place a sign on the corner of Church and Main Streets on the day of the bazaar. The Board unanimously approved both of these written requests.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the November 2014 Water and Sewer billing in the amount of: \$241,534.86 (\$124,889.86 for Water and \$116,645.00 for Sewer) which reflects the billing period of May 1, 2014 to October 31, 2014. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent; Trustee McDonald, motion carried.

Mayor Guerin indicated that Wally Ross has verbally requested reimbursement in the amount of \$300 for the "no meter reading additional fee of \$100 for his November 2012, May 2013 and November 2013 water bills due to the water meter not being hooked up correctly by the Village in order to obtain a reading. The Board approved the request and will issue reimbursement once the request is received in writing from Mr. Ross.

A letter was received from Tom Scozzafava on November 10, 2014 informing the Village that his property located at 4261 Main Street is now classified as a single family residence and that the change has been made through the Town Assessors office. Mr. Scozzafava requests that his November 2014 water and sewer bill be adjusted to reflect a single family residence. A majority vote by the Board approved Mr. Scozzafava's request and his current water and sewer bill will be adjusted accordingly.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the 2014 Property Tax Re-levy in the amount of \$135,195.53. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent; Trustee McDonald, motion carried.

Trustee Brassard confirmed that the Village has not received any letters of interest for the campground manager's position for the 2015 season, after advertising. The classified ad

will be forwarded to Trustee Rich who will publish such on Craigslist in various locations. Trustee Brassard will also look into advertising the position in Camper world magazine.

Trustee Brassard suggested scheduling a date in the near future for a Water Committee meeting. The Board determined that the committee members are as follows: Trustees Brassard and McDonald, Water and Waste water Chief Operator; Chip Perry, DPW Working Foreman; John Hickey and Treasurer Paula Monette.

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

**Abstract Distributions:**

General \$53, 544.44

Water \$14,917.66

Sewer \$5,502.95

Joint Activity \$14,820.71

Capital \$691.60

**SECOND PUBLIC COMMENT PERIOD**

Sandra Lovell asked the Board if they are planning on remodeling and upgrading the bathrooms at the campground. Mayor Guerin indicated that yes, it is in the plans. Ms. Lovell commented that such could be good advertisement for the campground. Trustee Brassard indicated that the job/project will be put out to bid this winter. Trustee Rich suggested scheduling a Special Meeting on the Campground after the first of the year.

Tim Bryant asked how the campground is advertised annually. Mayor Guerin indicated that it is advertised in the newspaper, on Craigslist and in camping magazines throughout New York and Vermont as well as electronically. Trustee Rich suggested setting up an electronic account with Reserve America with regard to web based reservations. Tim Bryant suggested revamping and updating the campground pages on the Town & Village website as a way to enhance advertisement. A discussion ensued with regard to web site maintenance and administration. Trustee Brassard agreed to send the Chamber of Commerce information pertaining to up dating the village's campground page and Mr. Bryant agreed that the Chamber would administer the updates on the webpage. Mr. Bryant's also suggested that the Village send any weekly advertisements, specials or sales with regard to the campground to Suzanne Maye who administers the Lake Champlain regional website which could also be utilized as another venue for advertising the campground.

Trustee McDonough asked Mr. Bryant how many members the Chamber of Commerce currently has. Mr. Bryant indicated that there are approximately fifty members throughout the Town. A discussion ensued with regard to participation of Chamber members.

A brief discussion ensued as Janelle Jurkiewicz confirmed that the Village received a \$500,000 grant for the Manhole #13 Project. Mayor Guerin indicated that the funds will be used to combine two trunk sewer mains from Manhole 8 to the wastewater treatment plant, eliminating the Manhole 8 sewer main from blocking the flow at Manhole 13. This should help to reduce the sanitary sewer overflow issue with Manhole 13 therefore the Village may not need to use any of the \$2.6 million dollar interest free funds, while still complying with the Order on Consent.

Mayor Guerin called for further public comment and there was none. The next regularly scheduled meeting of the Village of Port Henry Board of Trustees will be held on Monday December 8, 2014 at 7:00 pm at the Village Hall.

A motion was made by Trustee Rich, seconded by Trustee McDonough to adjourn the meeting at 8:58 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent; Trustee McDonald, motion carried.

**ADJOURNED**

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Denise C. Daly, Village Clerk

