

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: SEPTEMBER 8, 2014

TIME: 7:00 PM

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

ATTENDANCE: John Easter, Sandra Lovell, Janice Potkowski, Margaret Parah, Jim Curran, Sharon Reynolds, Phyllis Rounds, Janelle Jurkiewicz, Linda Smyth, Ann Tesar and Jeff Kelly.

The following documents were distributed to the Board for review prior to the meeting: The September 8, 2014 Meeting Agenda, the August 11, 2014 Board Minutes, the August 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 September 8, 2014 Board meeting file, located in the office of the Village Clerk. The September 8, 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.

Mayor Guerin introduced Sharon Reynolds from PRIDE who provided the Board and public with an update on the USA Main Street Grant through the New York State Division of Housing and Community Renewal as follows:

The 2013 Village of Port Henry New York Main Street award for \$131,311 is progressing on schedule with two of the six projects anticipated to be completed this year and the remaining four projects to be completed by the summer of 2015. The Streetscape component of the grant for the installation of two period lighting poles near the pocket park on Main Street we also hope will be completed by the close of 2014.

The building owners participating in the grant are:

Mountain Lake Services	4322 Main Street
Jeff Wisell	4314 Main Street
Robert Stahl	4317 Main Street
Tim Bryant	1 Star Way
Tom Trow	4327 Main Street
Thomas Williams	4342 Main Street

The two projects to be completed in 2014 will be Mountain Lake Services and Jeff Wisell's buildings. Thomas William's property will begin in 2014 and be completed in early 2015.

The Streetscape project is being developed with the help of the pH7 Committee; they have completed the research on the style of period lighting appropriate for the downtown and are currently involved in discussing with the Village, where the two poles will be installed.

The pH7 Committee is also working with PRIDE, Mountain Lake Services and Jeff Wisell on the style, vendor and color of the awnings to be installed on both buildings.

Ms. Reynolds responded when asked how soon the Village could apply for another Main Street Grant after this one has been completed with; January 2016. Mayor Guerin indicated that the Village will pay for and take care of hooking up the conduit. Trustee Brassard asked what will happen if there is left over money from this grant and Ms. Reynolds indicated that this never happens, but if someone should back out then she will line up another property owner to participate.

Mayor Guerin thanked Ms. Reynolds for attending and providing an up date.

Mayor Guerin read an e-mail received from Todd Hodgson, Principal Engineer for AES Northeast aloud as follows:

Last week Chip gave a tour of the Port Henry/Moriah wastewater treatment plant at the request of the Village of Lake George, who is considering treatment options for upgrades to their facilities. I recommended that they take a look at your facility as an example of modern treatment technology of comparable size to their needs.

Following the site visit, both the folks from Lake George and myself were impressed with the upkeep of the facility. Even though the plant is now 7-8 years old, the facilities not only look good but are maintained in good working order. Unfortunately, many treatment facilities are not maintained in this manner, cutting short the serviceable life of these costly improvements.

It was nice to see the investment of the Port Henry/Moriah wastewater treatment plant well maintained by Chip and Pete. Thank you for the opportunity to have toured the facility once again and to have been a part of its design.

Trustee McDonough indicated that there was an article in the Mountain Lake Services booklet with regard to Executive Director Nephew indicating that the building improvements on Main Street are continuing and the ground floor of the building will be dedicated for business.

DEPARTMENT HEAD REPORTS

- Marge Seguin presented the Board with the monthly Campground Profit Report.
- August was a quite month.
- Labor Day didn't prove to be as busy or full as the 4th of July.
- The Friday before Labor Day Trustee Brassard granted permission for the campers to have a band play until 11:30 pm. The campers organized a 50-50 raffle to fund the band. It went well and everyone seemed to enjoy themselves. No-one was aware that Chamber President Tim Bryant had arranged for a DJ to play on Friday night. If the Chamber plans on having a band or DJ at the beach next year on the Friday before Labor Day, the band is willing to play Saturday night if the Board will provide them with a site for the night.
- Ms. Seguin reported working from 6:00 am to 9:00 pm over the Labor Day weekend beginning Thursday and thru Sunday.
- Three campers left this weekend and a few more will be leaving next weekend.
- Ms. Seguin will remain on site through October 15th.
- Ms. Seguin requested an Executive Session with the Board at the conclusion of the regular meeting.

Phyllis Rounds informed the Board that after a small initial investment, the Bulwagga Bay Campground now has wireless internet service. Town Councilwoman Carpenter extended an invitation to the Mayor and Board to meet with the internet service provider and the Board was copied on the information. It was noted that the campers at Bulwagga Bay are billed for the wireless internet service directly by the provider and they seem happy with the service.

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

- PHFD has responded to (58) 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 and (2) for September to date.

2014 PESH Report:

(58) Calls:	486.14 Man-hours
OSHA Training:	223.00 Man-hours
Additional Training/Participation:	955.50 Man-hours
2014 Total:	<u>1,664.64 Man-hours</u>

- OSHA Training for September – Jaws of Life Training
- 2013 Assistance to Firefighter’s Grant – Awards continue to be released. Still no notification or rejection of award.
- Assistant Chief Tom Edwards prepared and submitted 2014 Volunteer Fire Assistance (VFA) Matching Grant Application on August 25th, 2014 with a request for \$2,040.60 for (4) 100 foot sections of 4 inch supply hose. (Quote: \$510.15 per 100 feet)
- Chief Hughes attended 2 Hour PESH Seminar on August 20th held at the New York State Department of Labor in Albany, NY. Topics included PESH role, duties, responsibilities and department inspections.
- Held successful PHFD Coin Drop on Saturday, August 16th from 9:00 AM to 1:00 PM.
- CP Railway has scheduled Wednesday, September 24th at 6:00 PM for Part II of the Hands-On Railway safety and live fire suppression training. Training will occur in the railroad yard off NYS Route 9N (Bay Road).
- Engine 294 – 1988 F250 removed from service for repairs. No brakes. Port Henry Service Center to perform repairs.

Janice Potkowski asked Chief Hughes if the fire siren could be put on a timer due to the lengthy amount of time that it blows when activated for fire calls. Chief Hughes explained that when it blows for an extended amount of time that is an indication that the fire department is in need of volunteers to answer a call and when the siren stops and then starts again, that means they are in trouble. Chief Hughes also indicated that five people are needed to man the fire truck before the siren is shut off. Chief Hughes further indicated that fire departments throughout the State are having a hard time recruiting and retaining volunteer firefighters due to the training requirements.

Trustee Brassard provided a verbal monthly report on the Village DPW as follows:

- Fire hydrants throughout the Village have been re-painted.
- Unhooked hydrants on old Ross water line located on Stone Street and Van Slooten’s property.
- Don DeFelice saved the Village a few hundred dollars by repairing the old weed whacker’s and chain saw.
- John W. Sheehan & Sons, Inc. donated 40 loads of sand to the Village and a donation letter for such was provided.
- The beach closed for the season on Sunday August 31, 2014.
- Equipment is being prepared for the upcoming winter months.
- Water meters will begin being read in October for the November Water & Sewer billing.

Chief Hughes asked Trustee Brassard if the two fire hydrants that were taken out of service on the old Ross water line were bagged. Trustee Brassard indicated that the hydrants have been completely removed and that he will provide Chief Hughes with a list of what has been done.

Mayor Guerin pointed out that the new windows were recently installed in the Board room after three years.

PUBLIC COMMENT PERIOD

Margaret Parah asked the Board if they have reviewed the parking issues that she brought up last month and referred to again in the letter she sent to Mayor Guerin on August 18, 2014. Trustee Rich indicated that this was the first time the Board has been together since receiving the letter to discuss the matter. Mayor Guerin informed Ms. Parah that he is aware of her concerns however addressing the parking issues in the Village requires time and money and there are other improvements that need to be made as well. Mayor Guerin is hopeful the parking issues will be addressed within the next year as he is currently working on something regarding the matter. Sandra Lovell indicated that according to State law, owners of a building are required to provide parking spaces for their tenants. Bill Ball indicated that law, applies to newly formed dwellings.

Jeff Kelly entered the meeting at 7:40 pm. The parking discussion continued briefly before Mayor Guerin acknowledged further public comment. Linda Smyth informed the Board that the public had not yet heard Bill Ball's report.

Mr. Ball indicated that there are several projects going on in the Village as well as a couple of property maintenance complaints that he is addressing. One is the old "Bullock" house on Elizabeth Street that is falling over and was recently up for taxes and is now currently owned by Essex County. Bill Ball indicated that he has condemned the property.

Mayor Guerin indicated there would be another Public Comment period towards the end of the meeting and moved on to other business.

BOARD DISCUSSION / REPORTS

Recurring Old Business: Mayor Guerin indicated that the Village is currently waiting for the State to prepare the final closeout on the Campground Restoration Project before the remaining reimbursement amount of \$188,000 will be received.

The Board held a Special Meeting on September 3, 2014 with regard to proposed zoning regulations and Trustee Rich provided an update as follows: The information from the attorneys was reviewed with regard to the Zoning Final Report. There was good discussion and feedback as a result and a few more questions arose from those discussions. The questions will be forwarded to the attorney's. Trustee Rich indicated that Trustee McDonough has found information on the Comprehensive Plan, which should include the best interests of the community and its land use. Trustee Brassard indicated that the Village can not implement zoning laws until a Planning Board and Zoning Board of Appeals is in place and that if volunteers aren't willing to come forward and serve on these boards than the Village's hands will be tied. Bill Ball indicated that a Planning Board has nothing to do with zoning laws. Trustee Rich indicated that zoning is still in the planning stages. Another meeting will be scheduled and advertised in the near future.

Proposed Local Law No.3 of 2014; Extending the Moratorium on Street Level Residential Development in a Portion of the Village of Port Henry was presented to the Board for review. Mayor Guerin provided a brief recap of how the local law came about. A Public Hearing was scheduled for Tuesday October 14, 2014 at 6:45 pm at the Village Hall. A copy of the proposed Local Law is on file in the Office of the Village Clerk and will remain open for public inspection during regular office hours.

Update on Elizabeth Street Project

- The Village was copied on a letter to AES Northeast from Lucille and John Trow of 28 Elizabeth Street, commending Sheehan and Sons Inc. on the outstanding job they are doing as contractors on the Elizabeth Street Project.
- Mayor Guerin indicated that the rough coat of blacktop will be laid down Wednesday or Thursday of this week and the final coat completed when the asphalt becomes available in the next few days.

Old Business: A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the August 11, 2014 Board minutes. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

The Bond Anticipation Note (BAN) for Manhole 13 has been renewed in the remaining amount of \$13,000 which represents the last installment on the original \$65,000 BAN that the Village borrowed in 2010 to cover the cost of the engineering plans and designs for the Manhole 13 Re-construction Project. Mayor Guerin provided a brief overview and explained that by completing the engineering plans and designs the Village is deemed "shovel ready."

A response letter was received from the New York State Environmental Facilities Corporation on August 15, 2014, with regard to the Manhole 13 reconstruction Project. The Village is moving forward in applying for an interest free loan as required in order to show intent in complying with the Order on Consent. Mayor Guerin indicated that another income survey needs to be conducted on the median household income in the Village in order to obtain updated accurate figures.

The Village was copied on a letter on August 28, 2014 that our attorney sent to Old Chimney LLC's attorney, with regard to confirmation of their agreement to adjourn the date for submission of the Village's answer to the Notice & Article 7 proceedings by two weeks. A letter was sent to the Town of Moriah Board of Assessor's in support of lowering the assessment on the property associated with this Notice.

The Board and Campground Manager have been copied on the recently revised Emergency Preparedness Plan for the Port Henry Municipal Beach and Campground.

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

A Property Maintenance Complaint Form was received and distributed to the Board and Code Enforcement Officer on September 3, 2014 with regard to the property located at 437 Edgemont Road. Jim Curran addressed the Board and indicated the following with regard to the property: It is rodent infested, there are holes in the tarp that was placed over the roof to secure the building and the front porch was torn off as ordered by Whitney Russell of the New York State Codes Office during his last visit to view the property. The porch boards are all still laying in front of the building where the porch was torn off by the owner as requested, with nails sticking out of them and there is a Ti Kwon Do studio next door that children frequent. The property is a safety hazard and should be condemned as there are several State and local violations however nothing is being done. Bill Ball agreed with Mr. Curran that the building needs to come down and explained that there is protocol that needs to be followed in order to do so. Cathi Radner, an attorney for the Village that specializes in property maintenance suggested that Mr. Ball send an order for the owner to appear at a Special meeting to address the matter. Mr. Ball further indicated that his boss from the State informed him that if no one is living there then the property maintenance laws don't apply; if the building should fall down it won't fall on a State highway. Mr. Curran indicated that the owner could be fined \$250 a day by law and asked Mr. Ball to do his job. Trustee Brassard requested that Mr. Ball to send the property owner a letter stating that if he does not comply then he will be fined accordingly. Mr. Curran suggested contacting the Village Health Officer to make him aware of the matter also and request that he tour and view the property. Trustee Brassard indicated that he would contact the Health Officer regarding such the following day. Mr. Curran thanked the Mayor and Board for their time and attention to the matter and excused himself from the meeting at 8:25 pm.

The Village will be closed on Monday October 13, 2014 in observance of the Columbus Day holiday. The regularly scheduled Board meeting on this date will be re-scheduled for Tuesday October 14, 2014 at 7:00 pm at the Village Hall.

The Village will advertise for Fuel Oil Bids for the 2014-2015 heating season. The public bid opening will be scheduled for October 14, 2014.

The Lake Champlain Fish & Game Club submitted a written request for permission to hold a Coin Drop on Saturday October 18, 2014. The Clerk confirmed that the date is currently 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.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the August 25th and September 8, 2014 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

Abstract Distributions

General \$45,990.36

Water \$6,402.65

Sewer \$23,224.04

Joint Activity \$8,945.97

Capital \$163,496.45

SECOND PUBLIC COMMENT PERIOD

John Easter requested that a log be removed in the brook at the campground so that it does not cause brush or ice to build up around it. Trustee Brassard informed Mr. Easter that the matter would be taken care of.

Janelle Jurkiewicz commented that it is nice to see the new windows installed in the Board room after three years, and that they should help in cutting down on fuel costs. Ms. Jurkiewicz also commented that the newly painted fire hydrants look great. Mayor Guerin indicated that it took two men eight hours to install the two new windows in the Board room, as they were not the correct size.

Mayor Guerin indicated that the furnace has also been over hauled and two new toilets were installed in the Village Hall restrooms.

Linda Smyth commented that there is a new business in town; Made in the Mountains Craft Gallery, located on Broad Street. The business has experienced a good first summer and has over 35 local area crafters displaying their wares. Ms. Smyth invited everyone present and in attendance to join them at the gallery on Wednesday September 17th for an end of the season gathering.

Chief Hughes asked if the Village has received any notification of a new business opening in the Old Wheelock garage on Main Street. It was noted that Rich Sleeper is looking to relocate his body repair and auto mechanic shop from Mineville, to this location. Mayor Guerin asked Ms. Smyth to contact Mr. Sleeper to see if she can hang the car mural that is currently there on the inside of the window so that it doesn't get damaged by the elements.

Janice Potskowski informed the Board that there is a "Blind Child Area" sign at the top of Broad Street and indicated that it should be removed if there is no longer a blind child living in that area. Trustee Brassard informed Ms. Potskowski that the sign will be taken down.

Ms. Potskowski also commented that the newly painted fire hydrants look nice and asked if area youth could help in the summer months with small jobs. Trustee Brassard explained that the Village has implemented such a plan in the past and unfortunately it has not worked out. Chief Hughes indicated that a local Boy Scout group may be interested in doing such work in the future.

Mayor Guerin and Chief Hughes commended John Hickey for painting the fire hydrants. Many positive comments have been received regarding such and everyone, including other fire departments have asked what color they were painted; it was noted that Mr. Hickey used a "Valspar" paint called "Safety Red".

Phyllis Rounds asked if better speed limit signs could be purchased for the campground and Trustee Brassard indicated that he would order new signs.

Janice Potskowski asked if the Moriah Shock members could be utilized earlier next year to help with clean up in the Village. Trustee Brassard indicated that it depends on their schedule.

Ann Tesar informed the Board that the Mountain Lakes Services vehicles that park on the corner of Broad and College Streets pose a safety issue for traffic attempting to pull out and make a right hand turn on to Broad Street as the line of vision is impaired. The brush to left at the corner of College and Broad Streets also poses a safety issue when pulling out as well as on Church Street when pulling out on to Main Street. Trustee Brassard indicated that the Village will send a letter to Mountain lake Services requesting that they park their vehicles further down on Broad Street and the brush will be cut back on the corner of College and Broad Streets and hauled away.

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

A motion was made by Trustee Brassard, seconded by Trustee McDonald, to adjourn the meeting at 8:40 pm at which time the Board will enter in to Executive Session as requested, to discuss personnel matters. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor; motion carried.

ADJOURNED

Denise C. Daly, Village Clerk