

ANNUAL ORGANIZATIONAL MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: APRIL 13, 2015

TIME: 7:00 PM

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

ABSENT: Trustee McDonald.

ATTENDANCE: John Viestenz, Janelle Jurkiewicz and Ann Tesar.

Mayor Guerin called the Annual Organizational Meeting to order at 6:32 pm, followed by the salute to the flag and thanked everyone for attending.

Oaths of Office were filed on April 6, 2015 as a result of the March 18, 2015 Village Elections as follows:

Ernest Guerin as Village Mayor for a fourth consecutive two year term, to expire on April 3, 2017.

Matthew Brassard as Village Trustee for a third consecutive two year term, to expire on April 3, 2017.

Staley Rich as Village Trustee for a third consecutive two year term, to expire on April 3, 2017.

Mayor Guerin made the following appointments:

Denise Daly as the Village Clerk and Registrar of Vital Statistics for a two year term to expire on April 3, 2017.

Paula Monette as the Village Treasurer and Deputy Registrar of Vital Statistics for a two year term, to expire on April 3, 2017.

Trustee Matthew Brassard as Deputy Mayor for one year, through April 4, 2016.

Bill Ball, as the temporary Code Enforcement Officer at a rate of \$15.00 per hour until the position is filled by a permanent appointment.

Miller, Mannix, Schachner and Hafner Law Firm as the Village Attorney's as needed and on a per diem basis.

Christopher Wolfe, as the Health Officer for the Village of Port Henry; with Dr. Richard McKeever as a back up.

Trustee Ruth McDonough as the Safety Officer, for one year.

Betty LaMoria, as the Village Historian.

Art Brassard, as the Bingo Inspector at a rate of \$3.00 per game.

Mayor Guerin appointed the following Board members as liaisons to the committee's listed below for one year:

Trustee Brassard – Campground and DPW
Trustee McDonald – Fire Department and Water

Trustee McDonough – Administration and Finance
Trustee Rich – Zoning and Campground

Other Annual Business: Board meetings will be held the second Monday of each month at the Village Hall at 7:00 PM, unless otherwise scheduled and advertised.

The Press Republican and Times of Ti were designated as the official newspapers of the Village of Port Henry.

The Mayor will countersign checks along with the Treasurer; and be it resolved by the Board, that the Deputy Mayor is hereby authorized to sign checks in the absence of either the Mayor or the Treasurer.

The Office of Mayor and Superintendent of Public Works was combined by a Board Resolution dated February 22, 1966.

Village employees hired before July of 1976 are covered by a non- contributory plan with the NYS Employee Retirement System. Personnel hired after July of 1976 are required to contribute 3% of their gross earnings, under the plan.

The salary of the Mayor is \$8,000 per fiscal year, payable in four quarterly installments from the General Fund.

The Deputy Mayor will receive \$4,000 per fiscal year and the three additional Trustees will receive \$3,000 per fiscal year, payable in four quarterly installments from the General Fund.

Returning Lifeguards will be paid at a rate of \$12.00 an hour for the 2015 season and a third lifeguard will be paid at a rate of \$10.00 per hour.

The following annual resolutions were adopted by the Board:

The Board reviewed the Procurement Policy and a motion was made by Trustee Brassard, seconded by Trustee McDonough, to continue to abide by the current policy. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

The Board reviewed the Internal Control Policy and a motion was made by Trustee Brassard, seconded by Trustee Rich, to continue to abide by the current policy. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

The Board reviewed the Employee/Personnel Policy and a motion was made by Trustee Brassard, seconded by Trustee McDonough, to continue to abide by the current policy. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

The Board reviewed the Workplace Violence Prevention Policy and a motion was made by Trustee Rich, seconded by Trustee McDonough to continue to abide by the current policy. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

The Board of Trustees authorized claims for public utility services, health insurance, postage and freight (including express charges), to be paid in advance of the regular monthly audit, on the last Monday of each month by a motion from Trustee Brassard, seconded by Trustee McDonough. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

The mileage reimbursement rate for the Village was \$0.56 per mile. Beginning January 1, 2015 the IRS standard reimbursement rate per mile is \$0.57.5. A motion was made by Trustee Rich, seconded by Trustee McDonough, to adopt the new IRS reimbursement

rate of \$0.57.5 per mile. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

The Board of Trustees authorized officers and employees to attend training schools as needed and budgeted for, by motion from Trustee Brassard, seconded by Trustee Rich. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

The Board of Trustees designates Glens Falls National Bank as the official financial institution for the Village by motion from Trustee Brassard, seconded by Trustee McDonough. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

A motion was made by Trustee Brassard, seconded by Trustee Rich, to adjourn the Annual Organizational Meeting at 6:39 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

ADJOURNED

Denise C. Daly, Village Clerk

PUBLIC HEARING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: APRIL 13, 2015

TIME: 6:45 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough and Rich, Clerk Daly, Chief Water and Wastewater Operator; Carl (Chip) Perry, Code Enforcement Officer; Bill Ball and Port Henry Fire Department Chief; Jim Hughes.

ABSENT: Trustee McDonald.

ATTENDANCE: John Viestenz, Janelle Jurkiewicz, Ann Tesar and Jackie Viestenz.

Mayor Guerin called the Public Hearing to order at 6:45 pm.

Mayor Guerin again thanked everyone for attending and indicated that the purpose of the Public Hearing was to present proposed Local Law No. 1 of 2015; A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C, to the public for review and comment.

The proposed local law was distributed to the Board on February 23, 2015 and a copy thereof has been and will remain on file in the Village office for public inspection during regular office hours. Copies of the proposed Local Law were also made available to the public in attendance.

Mayor Guerin provided an overview of the proposed Tax Cap Law.

PUBLIC COMMENT PERIOD

There were no comments from the public.

A motion was made by Trustee Brassard, seconded by Trustee Rich, to adjourn the Public Hearing at 6:36 pm. Yes; Mayor Guerin, Trustees Brassard,

McDonough and Rich. No; none. Absent; Trustee McDonald, the motion carried.

ADJOURNED

Denise C. Daly, Village Clerk

PUBLIC HEARING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: APRIL 13, 2015

TIME: 6:45 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonough and Rich, Clerk Daly, Chief Water and Wastewater Operator; Carl (Chip) Perry, Code Enforcement Officer; Bill Ball and Port Henry Fire Department Chief; Jim Hughes.

ATTENDANCE: John Viestenz, Janelle Jurkiewicz, Ann Tesar and Jackie Viestenz.

Mayor Guerin called the second Public Hearing to order at 6:48 pm.

Mayor Guerin indicated that the purpose of the Public Hearing was to present proposed Local Law No.2 of 2015; Extending the Moratorium on Street Level Residential Development in a Portion of the Village of Port Henry, to the public for review and comment.

The proposed Local Law was distributed to the Board on February 23, 2015 and a copy thereof has been and will remain on file in the Village office for public inspection during regular office hours. Copies of the proposed Local Law were also made available to the public in attendance.

A brief overview of the proposed Moratorium Extension was provided. The Village will extend the Moratorium until the Zoning Law is in effect.

Mayor Guerin announced that the Village has received notification that grant funding has been awarded to the Village that will cover the costs associated with the implementation of Zoning.

PUBLIC COMMENT PERIOD

There were no comments from the public.

A motion was made by Trustee Brassard, seconded by Trustee Rich, to adjourn the Public Hearing at 6:49 pm. Yes; Mayor Guerin, Trustees Brassard, McDonough and Rich. No; none. Absent: Trustee McDonald, the motion carried.

ADJOURNED

Denise C. Daly, Village Clerk

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: APRIL 13, 2015

TIME: 7:00PM

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

ATTENDANCE: John Viestenz, Janelle Jurkiewicz, Ann Tesar, Jackie Viestenz, Sandra Lovell, Debbie Henry and Linda Smyth.

Mayor Guerin called the meeting to order at 7:00 pm.

DEPARTMENT HEAD REPORTS

- PHFD has responded to sixteen (16) calls for 2015: (4) for January, (6) for February, (3) for March and (3) for April to date.

2015 PESH Report:

(16) Calls:	114.74 Man-hours
OSHA Training:	296.50 Man-hours
Additional Training/Participation	102.00 Manhours
2015 Total:	<hr/> 513.24 Man-hours

- OSHA Training for April – SCBA Re-certification.
- Three Port Henry Firefighters, Captain Robert DeFelice, Lieutenant Phillip Smith, and Firefighter Frank Gilbo completed CP Railway’s “Crude by Rail Training” on March 16th – 18th in Pueblo, Colorado.
- Firefighter Ricky Laing completed (21) Hour OFPC Fire Police Training Course in Ticonderoga, NY on March 28th.
- Eleven (11) members of the Port Henry Fire Department attended (2) Hour presentation on Compressed Natural Gas on April 1st at Moriah Fire Station.
- South siren remains out of service until further notice. Motor unit was removed and transported to International Paper Company and inspected by Maintenance Crew. Motor passed bench test. Tom Scozzafava is in the process of rewiring panel, installing breakers, and re-wiring siren to be on isolated circuit.
- PHFD Annual Election of Department Officers occurred on Thursday, April 9th. Request Village Board approve the list of Officers for 2015/2016.

Chief Hughes informed the Board that International Paper (IP) will be trucking in natural gas from Milton Vermont to the IP Mill in Ticonderoga. There will be approximately 20 truck loads a day.

Mayor Guerin asked Chief Hughes if one of the firefighters that attended the recent Crude by Rail training in Colorado could come to the next Board meeting to give a presentation and share with the public what they learned from the training.

A motion was made by Trustee Brassard, seconded by Trustee McDonough to approve the 2015-2016 Port Henry Fire Departments List of Elected and Appointed Officers. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

Chip Perry informed the Board that he had nothing new to report this month.

Trustee Brassard presented the Board with a verbal monthly report on the DPW as follows:

- New tarps have been installed on the dump trucks.
- The Manhole and sewer line project on College Street has been completed.
- A water break on Spring Street has been repaired.
- Collection of water meter readings will begin this week.
- The DPW will begin sweeping streets soon.
- Preparations will begin for the seasonal opening of the Campground.

PUBLIC COMMENT PERIOD

Trustee McDonald reported that a concerned citizen approached him to ask why the gate to the campground is locked all winter long and if it would be possible to unlock it during the day and then lock it each evening. Trustee Brassard indicated that may be a possibility in the future.

Mayor Guerin indicated that he and Trustee Brassard went down to the campground on Easter Sunday to discover that the bath house at the far end of the campground had been vandalized and the doors busted in. A discussion ensued with regard to installing surveillance cameras at the campground for security purposes.

John Viestenz commented that the Board passed a number of resolutions to approve policies during the Annual Organizational Meeting and he wanted to remind all Board members to review all of the policies. The Board acknowledged the request and informed Mr. Viestenz that they have currently reviewed the policies and have made some pending changes to the Employee Policy. Trustee Rich indicated that she and Trustee Brassard will be reviewing the others additionally.

Mayor Guerin indicated that the Board works on various items throughout each month, including researching available grant funds with assistance from Michael Mascarenas and Anna Reynolds of the Department of Essex County Community Development & Planning. Ms. Reynolds just informed Mayor Guerin that the Board can cut \$4,000 from the 2015-2016 budget for the Village's portion towards the zoning consultant, as it will be covered through the awarded grant funds.

Linda Smyth asked the Board why the mess on the property down by the train station keeps getting worse while the Village is trying to promote economic development. Trustee Rich indicated that without a zoning law in place, the Village has little leverage when it comes to owners utilizing their properties as junk/scrap yards, etc. Trustee Rich asked Bill Ball if the Village has ever received a formal complaint with regard to this property and Mr. Ball indicated that it has not. Ms. Smyth informed the Board that she would then submit a formal complaint and Mr. Viestenz indicated that the Board would then need to issue a formal response to such. Bill Ball indicated that he has no authority without the Board's backing however a zoning law could define what a junk or scrap yard is, or possibly ban them all together. Sandra Lovell indicated that she was under the impression that everything that exists at the time zoning regulations are implemented, will be grandfathered in. Trustee Rich indicated that could be changed or amended if need be.

A discussion ensued with regard to Manhole #13 and the association with the property above. Mr. Perry indicated that the Village is covered and has been moving forward with the State mandated Order since 2006 and that is continues to be a work in progress. Mr. Perry indicated that an ideal situation would allow the Village ownership to said property. Mr. Perry informed the Board that the Village will not see any economic growth until the Manhole #13 matter is resolved, due to the Village sewer system not having the capability of sustaining a motel/hotel, etc. The State is well aware of the Village's situation and the Village has been obtaining funding slowly. Mayor Guerin indicated that the State has just allocated approximately two million dollars in regional grants for infrastructure improvements.

John Viestenz asked what the status is on the house on Elizabeth Street; is it still standing? Bill Ball indicated that it is however there is an asbestos issue that prevents the Village from taking further action. The Village could be fined \$50,000 or receive eight (8) years in prison for removing the building without an asbestos abatement. Bill Ball was asked if the Village could make the owner take care of the issue and Mr. Ball indicated the abatement procedure would cost approximately \$50,000 to \$60,000. If the building should fall on its own in to the street, the Village would have to wet it down and not touch anything until it is checked. Mr. Ball does not think the Village would be able to recoup the costs for abatement and would like to see at least some snow fencing placed around this structure in an effort to keep children away from it.

Recurring Old Business: The Village received the final reimbursement payment from FEMA in the amount of \$188,285.13 on March 16, 2015 for the Campground Restoration Project.

Trustee Rich provided an update on zoning as follows: The Village has been awarded a \$24,000 Adirondack Smart Growth Grant to cover the costs of implementing a zoning law and completing the Comprehensive Plan. Trustee Rich indicated that the two consultants that submitted RFQ's were met with and it has been determined that Community Planning & Environmental Associates is the better fit and has been deemed the lowest responsible bidder for this project, coming in at \$13,000 to \$15,000 depending upon the scope of the SEQR. Nan Stolzenburg; Principal Planner and Owner, is currently working with Elizabethtown and has been highly recommended by their Planning Board. Mayor Guerin informed the public that the original plan called for the Village to pay \$4,000 towards the cost of implementing zoning however Anna Reynolds of the Essex County Department of Community Development and Planning has written it up so that the Village does not incur any costs and allows for the Comprehensive Plan to be professionally developed. Trustee Rich indicated that first time zoning could take approximately 9 months to complete. A motion was made by Trustee Rich, seconded by Trustee McDonough, to award the implementation of the Zoning Law and development of the Comprehensive Plan to Community Planning & Environmental Associates. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

Old Business: A motion was made by Trustee Brassard, seconded by Trustee McDonald, to approve the March 9, 2015 Board Meeting minutes. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

New Business: The March 2015 Accounts Receivable and Trial Balance Reports were presented to the Board for review. There is no monthly Water Adjustment Report, as no adjustments were made.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to pass a Resolution to adopt Local Law No. 1 of 2015; to Override the Tax Levy Limit Established in General Municipal Law § 3-C. Vote:

Aye: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich.
Nay: None.

By a vote of five to zero, the above listed Resolution was duly adopted by the Village of Port Henry Board of Trustees on this 13th day of April, 2015.

A motion was made by Trustee McDonald, seconded by Trustee Rich, to pass a Resolution to adopt Local Law No. 2 of 2015; Extending the Moratorium on Street Level Residential Development in a Portion of the Village of Port Henry. Vote:

Aye: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich.
Nay: None.

By a vote of five to zero, the above listed Resolution was duly adopted by the Village of Port Henry Board of Trustees on this 13th day of April, 2015.

A Property Maintenance Complaint Form was received on March 10, 2015 with regard to the property located at 11 Henry Street. After a brief discussion Bill Ball indicated that he would issue an Order on this property by the end of the week

The Board discussed scheduling a Spring Cleanup Day. Trustee Brassard indicated that he would speak with the DPW with regard to the specifics and a date for such

The Board discussed the issue of individuals placing their household garbage in the trash container located in the park and therefore this container always being full. Trustee Brassard agreed to discuss the matter with Town of Moriah Police Officer in Charge; Steve Stahl.

A letter was received from the Lake Champlain Fish & Game Club on March 12, 2015, requesting permission to hold Coin Drops on Saturday, June 6th and October 3, 2015. After review of the current Coin Drop schedule, it was determined that June 6th is available, however October 3rd is not an available date. A motion was made by Trustee Rich, seconded by Trustee Brassard, to approve the Club holding a Coin Drop on Saturday June 6, 2015. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

A letter was received from the Moriah central School's Foreign Culture Club on April 13, 2015 requesting permission to hold a Coin Drop on Saturday April 25, 2015 from 9:00 am to 1:00 pm. A motion was made by Trustee Brassard, seconded by Trustee Rich, to approve the request. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

Brian Collins submitted a completed vendor application along with the required surety bond certificate and payment, on behalf of Mr. Ding-A-Ling Ice Cream. Board approval is required to approve the issuance of a Vendor's License for Mr. Ding-A-Ling Ice Cream, Inc. for the 2015 season. After discussion the Board agreed to approve the license however requested a letter be included with such requesting that the Mr. Ding-A-Ling Ice Cream truck please stop on side streets in the Village and wait a minute or two, in order to give children the opportunity to get out to it before it drives away. A motion to approve issuing said Vendor License was made by Trustee Rich, seconded by Trustee Brassard. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

Trustee Brassard requested that a letter be sent to the Town as a reminder that vendors at the Town campground must also obtain a Vendor license from the Village in order to sell goods at the Bulwagga Bay Campground as it is located within the Village limits.

Trustee Brassard led a discussion with regard to replacing 1,000 feet of water line on Spring Street. The materials will cost approximately \$8,000 per a quote from Vellano Brothers. A quote has also been received from Sam Meacham for digging at \$4.00 per foot. The Village will provide in kind services associated with the project including the hauling of Item Four and the asphalt needed to repave the road which will cost approximately \$20,000 however Chip's money will be utilized for such. The Board confirmed that this project and estimates are within the confines of the Village Procurement Policy. Trustee Brassard indicated that there have been numerous water breaks on Spring Street and there may be another soon, therefore it is more cost effective for the Village to replace the water lines now, before the street is blacktopped this summer, so it doesn't have to be dug up again afterwards. To hire a private company for this project would cost the taxpayers approximately \$150,000 or more. The Board agreed to wait until after June 1st to look in to a five to seven year bond to cover the costs of this project.

Treasurer Monette asked for the Board's approval to split a bill from Bryant's Lumber, with the Town of Moriah for repairs to the train station. The Village share of the bill is \$246.54. A motion was made by Trustee McDonough, seconded by Trustee Rich, to approve the payment. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

The Board was copied on the "Good Samaritan" legislation received from PERMA on March 30, 2015. Governor Cuomo has signed into law amendments to the General Municipal Law and the Volunteer Ambulance Worker's Benefits Law, to provide

coverage for volunteer firefighters and ambulance workers when they volunteer at an out-of-district accident scene before an officer in charge accepts their services. The law will go into effect on June 15, 2015. A motion was made by Trustee Brassard, seconded by Trustee Rich, to adopt a resolution to make the coverage provided by General Municipal Law, available. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

After reviewing the monthly bills presented for payment, a motion was made by Trustee Rich, seconded by Trustee McDonough, to approve payment of the March 30th and April 13, 2015 bills. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

Abstract Distributions:

General \$30, 817.45
Water \$12,339.05
Sewer \$7,508.86
Joint Activity \$14,271.19

SECOND PUBLIC COMMENT PERIOD

Linda Smyth asked if any of the Board members attended the “Hydro” meeting held at the school on Wednesday April 8, 2015. Chief Hughes indicated that he had attended the meeting and proceeded to provide a brief recap. A discussion ensued with regard to the positive impact this project will have on the community. It was noted that there is a You Tube video of the meeting available on the internet for those that could not attend the meeting and wish to view it. Debbie Henry commented on her approval of the project and feels it is very good news for our community.

Sandra Lovell asked if the Board has heard anything further from the gentleman who was interested in starting a Youth Center in the Village. Mayor Guerin indicated that they were going to meet with Pete Gilbo and then be in contact however he has not heard anything further on the matter to date.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to adjourn the meeting at 8:32 pm, at which time the Board entered in to Executive Session to discuss matters pertaining to hiring personnel. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Rich. No; none. All in favor, motion carried.

ADJOURNED

Denise C. Daly, Village Clerk

