

REGULAR MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: AUGUST 10, 2015

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom, Clerk Daly, Treasurer Monette, Chief Water and Wastewater Operator; Carl (Chip) Perry, Deputy Superintendent of Water and Streets; Daniel (Digger) Laing, Port Henry Fire Department Chief; Jim Hughes and Champ RV Park & Campground Manager; Norm Wright and Tammy McCarthy.

ATTENDANCE: John Easter, Harold Bigelow, Ann Tesar, John Ritrovato, Janelle Jurkiewicz, Sandra Lovell, Amanda Lovell and Phil Smith.

The following documents were distributed to the Board for review prior to the meeting: The August 10, 2015 Meeting Agenda, the July 13, 2015 Board Minutes, the July 2015 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 August 10, 2015 Board Meeting file located in the office of the Village Clerk. The 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 indicated that the first order of business was to appoint Pasquel (Pat) Tom as a Village Trustee through April 4, 2016, as a result of a vacancy on the Board. Mayor Guerin administered the required Oath of Office to Mr. Tom, who was officially sworn in on the 10th day of August, 2015.

DEPARTMENT HEAD REPORTS

Tammy McCarthy presented the Board with a verbal report on the Campground for the month of July 2015 as follows:

- The campground has been busy and there are many reservations already booked for August.
- There are only five sites left for Labor Day; four camper sites and one tent site.

Digger Laing presented the Board with a verbal report on the DPW for the month of July 2015 as follows:

- Garbage and recyclables were picked up as scheduled.
- DPW hauled 170 yards of material.
- Roadside cutting and trimming was completed, as needed.
- The Pier was cleaned with assistance from Moriah Shock.
- Jimmy Baker obtained his CDL and will be promoted to HEO (Heavy Equipment Operator).
- DPW laid 40 tons of asphalt.
- Painted parking lines and crosswalks.
- DPW volunteer worked 40.5 hours this month.
- The Dam is scheduled to be cleaned next week.

Chief Hughes read the June 2015 Chief's Report aloud as follows:

- PHFD has responded to thirty-nine (39) calls for 2015: (4) for January, (6) for February, (3) for March, (5) for April, (6) for May, (6) for June and (7) for July and (2) for August to date.

2015 PESH Report:

(39) Calls:	300.89 Man-hours
OSHA Training:	511.00 Man-hours
Additional Training/Participation:	642.00 Man-hours
2015 Total:	<hr/> 1,453.89 Man-hours

- OSHA Training for August: – Driver / Pump Operator Training.
- GRANTS: Awarded 2014 Assistance to Firefighter’s Grant on 7/24/2015 in the amount of \$108,420 for the purchase of sixteen (16) Scott X3 Self Contained Breathing Apparatuses.
- MAINTENANCE ITEMS: 1) Boat 29 - lost prop and hub assembly during weekly inspection. Parts on order. BOAT 29 remains out of service.
- Chief Hughes, Captain Phil Smith and Daniel Olszanski from Adirondack Emergency Vehicles, LLC traveled to Brindlee Fire Apparatus in Huntsville, Alabama on Monday August 3rd to inspect the 1999 Pierce 100 foot Platform Aerial Truck. Upon close inspection, the consensus was to decline this purchase due to multiple maintenance items with this particular truck. After further evaluation, the fire department respectfully requests we restart the bid process soliciting bids for a USED 1998 or later build 75 foot Quint aluminum aerial ladder not to exceed \$199,999.00.

Mayor Guerin and the Board congratulated Chief Hughes and the Port Henry Fire Department for securing \$108,420 in grants funds for the purchase of 16 Scott Air Packs.

A motion was made by Trustee McDonough, seconded by Trustee McDonald, to solicit bids on a used 1998 or later built 75 foot Quint aluminum aerial ladder truck, not to exceed \$199,000. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor, motion carried. Bids will be accepted until 4:00 pm on Monday August 31, 2015.

The Board scheduled a Special Meeting on this date to publicly open the bids. The meeting will be held at 7:00 pm at the Village Hall. Clerk Daly informed the Mayor and Board of her unavailability to attend the Special Meeting on August 31, 2015.

Chip Perry provided a verbal report for the month of May 2015 as follows:

Wastewater Treatment Plant

- No breakdowns or equipment failures to report.
- Their volunteer has been a huge help; the building has been power washed and painted.
- All testing is under permit levels.

Water Treatment Plant

- No breakdowns or equipment failures to report.
- Received a complaint that water was red colored and two complaints today that the water has a dirty taste and odor. The water was tested and is fine to drink. The smell sometimes happens in late summer. Mr. Perry asked residents to please contact the water department with any concerns or complaints with regard to the drinking water.
- The Elizabeth Street Phase 2 Project is complete. There were some reports of a reduction in water pressure with the installation of the new water meters. These issues have all been taken care of and all users are now 100% satisfied.

Mr. Perry informed the Mayor and Board that that the Elizabeth Street project is quite impressive and that they should be very proud of it. Mayor Guerin indicated that the Village has submitted an additional application for grant funds to replace the antiquated water and sewer lines on Rice Street also.

PUBLIC COMMENT PERIOD

Harold Bigelow addressed the Board with regard to the status of the Truck Route. Mayor Guerin indicated that the Village is waiting to hear back from the NYS DOT with regard to parallel parking on Main Street. Further discussion ensued with regard to re-routing the Truck Route down Broad Street. Mayor Guerin indicated that before that is or can be done, the main priority is safety therefore he is working on getting the speed limit on Main Street reduced to 20 MPH; Mr. Bigelow agreed, however reiterated his safety concerns with regard to the Truck Route remaining on Grove Street.

John Ritrovato addressed the Board with regard to one family at the campground that has four sites with 150 foot of lakefront that they have blocked off with fencing. Trustee Brassard indicated that he is aware of the matter and that it is actually two families that occupy the sites; they have put up ropes which act as a type of fencing. Trustee Brassard indicated that the Board will revise the rules over the winter to reflect that there will be no type of fencing at the campground and will ensure that all campers are placed 10 feet apart next season. More trees are expected to be removed next year. Trustee Brassard assured Mr. Ritrovato that these matters will be taken care of. Mr. Ritrovato thanked Trustee Brassard and the Board for their time.

BOARD DISCUSSION / REPORTS

Trustee Brassard informed the Board that it has come to his attention that there are no disciplinary guidelines in the Village of Port Henry Employee Policy and suggested inserting the wording from the Teamster's Agreement in to that policy, while making the language stronger and specifying what measures will be taken after each offense. The Board agreed to further review this matter at the August 31, 2015 Special Meeting.

Trustee Brassard informed the Board that the individual hired for the part time maintenance position at the campground didn't work out; the individual stopped showing up to work the 10-15 hours per week. The campground manager has been paying another individual out of his pocket to do the required work. Trustee Brassard requested an Executive Session to discuss hiring this individual for this job.

Recurring Old Business: Update on Zoning: The Village has been awarded a \$25,000 Smart Growth Grant to cover the costs associated with implementing a zoning law. The Board was copied on the contract received from Nan Stolzenburg of Community Planning & Environmental Associates, for the implementation of a zoning law and to update the Comprehensive Plan. After review and discussion the Board approved of Mayor Guerin signing the contract.

Update: the Phase 2 Elizabeth Street Storm Water and Sidewalk Construction Project is complete. Mayor Guerin indicated that John W. Sheehan & Son's will provide the as-built plans as requested.

The Board was copied on a letter and modified Order on Consent from the New York State Department of Environmental Conservation (NYS DEC) on July 24, 2015 informing the Village that the department has agreed to extend the construction deadline for the Manhole 13 Sanitary Sewer Reconstruction Project as requested. The new deadline to complete construction is on or before September 30, 2016. The modified Order was signed by both Mayor Guerin and Supervisor Scozzafava and was mailed back to the NYS DEC on July 31, 2015. The department will sign off on the Order once received and forward fully executed copies to both the Village and Town.

Bids were opened for the Manhole 13 Sanitary Sewer Reconstruction Project on July 22, 2015. The results are as follows:

Branon Construction Company	\$347,920	Alternate Bid	\$1,526,840
Reale Construction, Inc.	\$364,800	Alternate Bid	\$1,357,000
Luck Brothers, Inc.	\$405,100	Alternate Bid	\$1,875,120
Manfred Construction	\$266,415	Alternate Bid	\$1,279,648

After review of the bids, AES Northeast has recommended that Manfred Construction be awarded the bid. A motion was made by Trustee Brassard, seconded by Trustee McDonough, to award the bid to Manfred Construction who is deemed the lowest responsible bidder, in the amount of \$266,415 with an alternate Bid Item No. 1 of \$1,279,648. Vote:

Aye: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom.
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 the 10th day of August, 2015.

Two letters of interest to serve on the Planning Board have been received to date from Ann Marie Adamowicz and Sandra Lovell. There are three more seats to be filled. If interested, please submit a letter of interest to the Village of Port Henry Mayor and Board of Trustees.

Old Business: A motion was made by Trustee McDonald, seconded by Trustee Brassard, to approve the July 13, 2015 Board minutes. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor, motion carried.

The Board tabled a decision at the July 13, 2015 Board Meeting with regard to the Water Adjustment Request received from Ronald Van Slooten, Sr. on the water and sewer billing structure for the Van Slooten Marina property. After further discussion and review of the account history, the Board determined that this account does have a water meter and will therefore be billed for metered water usage beginning with the November 2015 Water and Sewer Billing. The Board further determined that this account will be billed for only one Water Debt Fee in the future.

Harold Bigelow exited the meeting at 7:55 pm.

New Business: The July 2015 Water and Sewer and Property Tax Account Receivable Reports were distributed to the Mayor and Board for review. There is no monthly Water Adjustment Report, as no adjustments were made.

The Board was copied on a proposal received from Telling & Associates in the amount of \$6,500 to perform a required single audit with regard to FEMA reimbursement funds. A motion was made by Trustee McDonough, seconded by Trustee McDonald, to pass a resolution approving the proposal from Telling & Associates and to proceed with the audit. Vote:

Aye: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom
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 the 10th day of August, 2015.

A letter was received from Sue McHone of 37 Lewald Street requesting that a larger sign be erected on Main Street to alert visitors and residents that there is a “public beach” near the campground. Ms. McHone also suggested that the Village consider renting out kayaks, canoes and paddleboards at the beach which would provide local residents as well as visitor’s an option for recreational use of the lake, for those that do not own their own personal watercraft. The Board agreed that Ms. McHone’s suggestions are appreciated and will be looked in to. Mayor Guerin would like to see if the Town makes a profit from renting the kayaks, paddleboards and canoe’s before proceeding further.

Mayor Guerin has been asked; “how soon after you register to vote can you actually vote?” Clerk Daly informed Mayor Guerin that she would call the County Board of Elections to inquire.

A Special Meeting was held on July 31, 2015 to enact a resolution to set a date to hold a referendum (vote) on the proposition of dissolution, pursuant to General Municipal Law § 779; Subdivision 7. The Special Election will be held on Tuesday October 27, 2015; voting will be held at the Port Henry Firehouse with the polls open from 12:00 pm to

9:00 pm. Only registered voters of the Village of Port Henry are permitted to vote on the proposition. Voter registration forms are available at the Village Office and the Sherman Free Library.

The proposition will read as follows: “Shall the Village of Port Henry be dissolved?
Yes _____ No _____”

At the July 31st meeting the Board also set dates to hold Special Informational Meetings on the subject of dissolution on the following dates: ***August 18th**, September 23rd and October 21st, 2015. These meetings will be held at the Knights of Columbus, located at 4253 Main Street at 7:00 pm. The public is encouraged to attend these meetings to get the facts regarding dissolution. The public will be given the opportunity to make comments and ask questions at these informational meetings. ***Please note; there was a conflict with the availability of the KOC on August 19th therefore this Special Meeting date has been changed to Tuesday August 18, 2015** and will be advertised accordingly.

Requests for Proposals to update the Village of Port Henry Dissolution Study were publicly opened by Trustee Brassard and read aloud as follows:

CGR \$39,500
Laberge Group \$40,000

Trustee Brassard indicated that he and Trustee McDonough met with three representatives from the Laberge Group on August 6, 2015. All three representatives were very knowledgeable with regard to the process of dissolution and were able to answer all of the questions they were presented with. The Laberge Group is currently in the process of finishing up the Village of Salem’s dissolution and has secured \$175 million dollars in funds for dissolution plans/studies. The Laberge Group also indicated that they plan on mailing a brochure to all Village constituents prior to the October 27th vote with pertinent information obtained regarding the effects of dissolution.

Trustee Brassard and Mayor Guerin met with one representative from CGR on August 7, 2015. Trustee Brassard indicated that this representative appeared to be less energetic, not as well prepared; and was very vague with answers to questions.

Though CGR came in with the lowest cost on their proposal by \$500, the Board determined that the Laberge Group appeared to be better qualified and informative therefore a motion was made by Trustee McDonough, seconded by Trustee Brassard, to pass a resolution awarding the dissolution proposal to the Laberge Group in the amount of \$40,000 with the Village’s 10% share totaling \$4,000. Vote:

Aye: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom
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 the 10th day of August, 2015.

A written request was received from the Town of Moriah Senior Citizens on August 10, 2015 to hold a Coin Drop in the Village on the next available date. The Board approved the request. Clerk Daly indicated that she would send a letter to the representative who wrote the request informing them of the available dates left to choose from in 2015.

The Board reviewed a State Contract quote on a 2016 Chevrolet 2500 pickup truck with a Salter and plow in the amount of \$58,500 and a stainless steel Salter in the of \$5,000; both of which were budgeted for. Mayor Guerin asked Deputy Superintendent Digger Laing to check to see if they have a one ton single instead.

The 126th Annual Port Henry Labor Day Celebration will kick off on Saturday September 5, 2015 with the Port Henry Regatta at 1:00 pm, a DJ at the beach at 6:30 pm and fireworks at the pier, at dusk. The celebration continues on Sunday September 6, 2015 on Church Street with kid’s games, activities, craft vendors, food, a dunking booth and

Penelope the Clown! The parade will begin at 1:00 pm and proceed down Broad and Main Streets.

A motion was made by Trustee Brassard, seconded by Trustee McDonough to approve the July 28th and August 10, 2015 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor; motion carried.

Abstract Distributions:

General \$56,509.53

Water \$14,308.57

Sewer \$13,566.98

Joint Activity \$11,905.41

Trust & Agency \$1,833.05

Capital \$30,150.96

SECOND PUBLIC COMMENT PERIOD

Amanda Lovell informed the Board that she reviewed the 2010 Dissolution Report and found it to be biased towards dissolution. Ms. Lovell indicated that the State wants Village's to dissolve. Ms. Lovell presented the Board with a one page sheet of numbers pertaining to Town and Village services. Mayor Guerin encouraged Ms. Lovell to attend the upcoming dissolution meetings and to ask the questions she seeks answers to.

Ann Tesar exited the meeting at 8:35 pm.

Amanda Lovell indicated that she has 25 plus years of accounting experience and is concerned as to why the Village has to spend money to hire someone to implement a plan and compile numbers when she is willing to do so for the Village at no cost. The Board informed Ms. Lovell that there are laws the Village needs to abide by with regard to the process of dissolution and that a consulting firm will be hired to assist with implementing a plan and/or study, with 90% of the cost paid for through grant funding. Ms. Lovell informed the Board that laws can be changed by Village residents. Clerk Daly informed Ms. Lovell that while her offer is appreciated, the Village has a very tight timeline to adhere to by law, once the dissolution process is initiated and does not have time to entertain changing laws. Ms. Lovell indicated that she understood.

Chief Hughes spoke briefly on the subject of dissolution and his past involvement with the prior study and indicated he can't help considering the fact that in 1869 a group of likeminded people go together and incorporated the Village of Port Henry for a reason!

Janelle Jurkiewicz asked if the Village still plans on moving forward with obtaining new water meters in the future. The Board agreed to look at the finances with regard to the debt fee's being collected for this purpose and indicated that the matter will need to be put back out to bid.

Chief Hughes asked Chip Perry if there is any update on a new water line for the Bay Road. Mr. Perry indicated there was not.

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

The next regularly scheduled meeting of the Village of Port Henry Board of Trustees will be held on Monday September 14, 2015 at the Village Hall at 7:00 pm. All meetings are open and the public is invited to attend.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to adjourn the meeting at 8:48 PM, at which time the Board will enter into Executive Session to discuss a personnel matter pertaining to the campground. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor; motion carried.

ADJOURNED

Denise C. Daly, Village Clerk

