

REGULAR MEETING OF THE VILLAGE OF PORT HENRY  
BOARD OF TRUSTEES

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

DATE: DECEMBER 14, 2015

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom, Clerk Daly, Deputy Superintendent of Water and Streets; Daniel (Digger) Laing, Chief Water and Wastewater Plant Operator; Carl (Chip) Perry and Port Henry Fire Department Chief; Jim Hughes.

ATTENDANCE: Sandra Lovell, Jim Wojewodzic, Tim Bryant, Janelle Jurkiewicz and Linda Smyth.

The following documents were distributed to the Board for review prior to the meeting: The December 14, 2015 Meeting Agenda, the November 9, 2015 Board Minutes, the November 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 December 14, 2015 Board Meeting file located in the office of the Village Clerk.

The Meeting Agenda was also made available to those in attendance and posted on the website at [www.porthenrymoriah.com](http://www.porthenrymoriah.com).

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

Chip Perry provided the Board with a verbal report for November 2015 as follows:

- No breakdowns or repairs to report for either department.
- Preventative maintenance continues.
- Received a visit from the Department of Health; all operations satisfactory.

Mr. Perry reported that Manfred Construction did a phenomenal job on Phase 1 of the Manhole # 13 Project. Mayor Guerin indicated that AES is currently working on the revisions with regard to CP Rail.

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

- Received 60 yards of Item #4 for the winter and Village streets have been cold patched.
- Installed lights and sono tubes in the park.
- The train station parking lot was smoothed over for the arrival of the annual Christmas Train.
- On November 20, 2015 the shut off for valve installation on Convent Hill was installed.
- The Salter on the Ford F-250 has been installed.
- The manger was installed and lit in the park and the Christmas lights were hung in the Village center with help from Essex County
- The dock at the pier has been removed for the winter.
- A solar Speed Sign has been installed at Sleeper's Repair on Main Street.
- Manhole has been flushed and weed killer applied.
- Continuous vehicle maintenance has been performed, as needed.

Chief Hughes read the November 2015 Chief's Report aloud for the Board as follows:

PHFD has responded to sixty (60) 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, (7) for August, (8) for September, (2) for October, (5) for November and (1) for December to date. Avg. Response Time: 3.18 minutes; Avg. Responders: 8.65.

**2015 PESH Report:**

(60) Calls:	472.74 Man-hours
OSHA Training:	907.00 Man-hours
Additional Training/Participation:	1,046.50 Man-hours
2015 Total:	<hr/> <b>2,426.24 Man-hours</b>

- PHFD Fire Police was provided for CP Railway Holiday Train on November 29<sup>th</sup> and USMC Toys for Tots Train on December 6<sup>th</sup>.
- Maintenance Items: Annual Ladder Testing on E291 and E292 was performed by Fire Service Safety Testing on November 16<sup>th</sup>, 2015. Each passed successfully.
- Sixteen (16) New SCOTT X3 Air Paks have been received and installed on both Engines and Rescue Van. Final Cost: \$113,808.64. (Village 5% match: \$5,690.43). Request for \$108,118 was submitted to FEMA by Chief Hughes on 11/30/2015.
- Grants: 2015 Assistance to Firefighter's Grant was released on December 7<sup>th</sup>.
- Insurance Services Office, Inc. (ISO) Inspection is scheduled for Monday, December 28<sup>th</sup> at 6:00 PM.
- Request Village Board permission to hold PHFD Holiday Parade on Sunday, December 20<sup>th</sup> from 5 to 7 PM.
- NEW Member Application received from *Benjamin J. Hanson*. Approved by PHFD membership on 11/12/2015. No record of an arson conviction or a conviction requiring registration as a sex offender. Request Village Board approval for this application.

The Board reviewed the application for membership and investigative form for Benjamin Hanson. A motion was made by Trustee Brassard, seconded by Trustee McDonough to approve the application presented for membership. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor, motion carried.

**PUBLIC COMMENT PERIOD**

Sandra Lovell commented that she thought the Manhole #13 Project would improve the appearance of the area located next to the train station. Mayor Guerin indicated that will be taken care of during Phase 2 of the project.

Linda Smyth commented that the Christmas decorations and lights look very nice in the Village. Ms. Smyth indicated that half of the banners were taken down last week while the Christmas lights were being hung and she appreciated the DPW keeping the banners flat. Ms. Smyth asked when the remaining banners will be taken down for the winter. Digger Laing indicated that he hopes to get to it this week with a ladder however that will be contingent upon the DPW completing some pertinent work before hand. Ms. Smyth commented that the DPW won't be able to remove the banners on the bridge with a ladder; Mr. Laing agreed. It was noted that it costs the Village approximately \$500 to use the County's bucket truck.

Ms. Smyth informed the Board that she touched up the Village's nativity figures a few years ago and thinks she may have used the wrong type of paint and is willing to touch them up again.

Ms. Smyth also informed the Board that the garbage can in the park is overflowing with garbage most of the time. Mayor Guerin indicated that the Board is looking into installing cameras in the park and at the beach. Ms. Smyth suggested the garbage can be relocated and Mayor Guerin indicated that it will remain near the park.

Sandra Lovell asked who donated the Christmas tree for the traffic circle. Trustee Brassard indicated that Ben and Toni Winters donated the tree again this year from their property. The DPW strung the lights and decorated the light poles. Ms. Lovell informed the Board that the pH7 Committee added the ornaments on the tree.

Jim Wojewodzic asked the Board why the gate is closed at the Village beach. Trustee Brassard indicated that it is closed due to vandalism the past couple of years. Digger Laing reported that the water spickets have been run over and the water meters have been damaged. Trustee Brassard indicated that there is plywood up on the bathrooms because they too have been vandalized in the past. Mr. Wojewodzic expressed his displeasure with the gate being closed and the beach not being accessible to the public and exited the meeting at 7:20 pm.

#### BOARD DISCUSSION/ REPORTS

Trustee Brassard indicated that a thank you letter will be sent to Ben and Toni Winters for their donation of the Christmas tree.

Trustee Brassard indicated that he, Supervisor Scozzafava and the Laberge Group met with the fire chiefs of the Port Henry, Moriah and Mineville-Witherbee Fire Departments recently to discuss a plan for the fire departments with regard to the dissolution of Village. Moriah and Mineville-Witherbee are not in favor of keeping a substation in the Village. Chief Hughes made it clear that after a poll of the Port Henry Fire Department's 54 members, they will not join Moriah. Chief Hughes indicated that the response time from the center of the Village to the Moriah firehouse is three minutes in good weather, with clear roads and that is would be longer in inclement weather conditions, thus posing more liability and safety issues for responders.

Trustee Brassard informed the Board that after further discussion the consensus is to form a third fire district in Port Henry which would include the fire protections districts located on the north and south ends of the Town. The Port Henry Fire Department would maintain its location, identity and command structure while capturing additional tax bases. A 50/3C Status will need to be filed with the IRS. Trustee Brassard indicated that the additional fire district would need to be created before the Village dissolves. The Village and Town Board's will select the first five commissioners and when the initial terms are up, they will become elected positions. Trustee Brassard reported that Supervisor Scozzafava encouraged the Moriah and Mineville-Witherbee Fire Departments to look into expanding their fire districts also. Chief Hughes suggested as an alternative to creating a third fire district, eliminating all three fire departments and starting over with regard to proving fire protection in both the Town and Village.

Trustee Brassard informed the Mayor and Board that he, Supervisor Scozzafava and the Laberge Group will be meeting on December 15<sup>th</sup> at 9:00 AM at the Town Hall with Jamie Wilson and Digger Laing to discuss and form a plan for merging the Town Highway and Village DPW departments, as a result of dissolution.

Mayor Guerin announced that notification was received today that the Village of Port Henry has been awarded a \$600,000 Community Development Block Grant through the New York Housing Trust Fund Corporation to replace water and sewer lines on Rice Street. Trustee Brassard indicated that after Phase one has been completed the Village may be able to reapply for additional funds of \$150,000 to finish up the street and sidewalks.

Trustee Brassard indicated that the Village of Port Henry Board of Trustees has secured \$2,000,000 million dollars in grant funds over the last 16 months.

Trustee McDonough asked what the status is in the Tower Point proposal. It was noted that the County attorney is involved and is currently looking to obtain a better offer.

Trustee McDonald asked what the status is of the water line that runs from the dam to the reservoir. Chip Perry indicated that one solution would be to encase the whole thing in concrete. Digger Laing explained that would run approximately \$8,000 to \$10,000 and there are currently no funds to do so. Mayor Guerin indicated that the Board will take a look at the budget in 2016 as they may be able to set aside funds to repair the line permanently. Trustee Brassard suggested using the \$6,000 in FEMA funds if they have not been sent back.

**Recurring Old Business:** The lights have been installed in the park.

The Board accepted the results of the October 27, 2015 referendum on dissolution; 190 to 171 in favor of dissolving the Village of Port Henry. Trustee Brassard previously provided an update on the status of implementing the dissolution plan to date.

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

Local Law No. 4 of 2015; Village of Port Henry Animal Control Law, was filed with the State on November 30, 2015 and is in full force and effect. A letter was sent to the Town of Moriah Animal Control Officer to advise of its adoption as well as the Town Supervisor and Board. Mayor Guerin indicated that the Village's new Animal Control Law is a mirror image of the Town's local law as requested, to help with enforcement issues that arise.

The Town of Moriah Historical Society allocated funds for the Village to have one of its Vital Statistic books rebound and preserved. The book has been returned and has been beautifully restored. A thank you letter has been sent to the Historical Society expressing the Village's appreciation for their support.

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

The Port Henry Fire Department has requested support and approval from the Board with regard to holding a 1<sup>st</sup> Annual Christmas Parade on Sunday December 20, 2015 at 5:00 pm. The parade will be contained to the main square of the Village in an attempt to promote business. Chief Hughes indicated that he would reach out to the Town Police and Essex County Sheriff with regard to traffic control during the parade. Mayor Guerin asked Chief Hughes to reach out to the State Department of Transportation to advise them as well and Chief Hughes confirmed he would do so. A motion was made by Trustee McDonough, seconded by Trustee Tom, to approve the request. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor; motion carried.

The Port Henry Fire Department submitted a written request with a list of dates that they would like to hold Coin drops on in 2016. The dates are as follows: May 28<sup>th</sup>, July 2<sup>nd</sup>, September 3<sup>rd</sup> and October 8<sup>th</sup>. These four dates have been reserved for the Port Henry Fire Department and have been added to the 2016 Coin Drop calendar.

A written request was received from the Lake Champlain Fish and Game Club requesting permission to hold Coin Drops on the following dates in 2016; June 4<sup>th</sup> and August 20<sup>th</sup>. Both dates are currently available. A motion was made by Trustee McDonald and seconded by Trustee Tom, to approve the request. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor; motion carried.

The Village of Port Henry and all associated departments will close at 12:00 PM (noon) on Christmas Eve December 24<sup>th</sup> and remain closed on Christmas Day December 25, 2015. The Village will also be closed on New Years Day; January 1, 2016.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the November 30th and December 14, 2015 bills presented for payment. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor; motion carried.

Abstract Distributions:

General \$63,191.00  
Water \$19,171.01  
Sewer \$25,111.81  
Joint Activity \$16,709.02  
Trust & Agency \$1,286.44  
Capital \$144,977.05

SECOND PUBLIC COMMENT PERIOD

Tim Bryant asked the Board who is on the Dissolution Committee that is implementing the plan. Trustee Brassard indicated the committee consists of Supervisor Scozzafava, the Laberge Group Associates and himself. Trustee Brassard informed the public that a couple of other people were contacted with regard to serving on the committee but could not guarantee a neutral approach and the Board did not want the Village to come under scrutiny for such. Due to new state laws regarding the expedited timeline of dissolution, the meetings are held during regular business hours and are not open to the public. After the dissolution plan is formed, a Public Hearing will be held and the proposed plan will be presented to the public. The public will then be provided the opportunity to ask questions and comment on the plan. After the hearing, the plan may be amended as deemed necessary.

Tim Bryant asked the Board if there are assets that can be sold to pay down Village debt prior to dissolution. Former Treasurer Janelle Jurkiewicz indicated that after assets are sold, any remaining funds could be used toward the Water and Wastewater Treatment Plant debt. Tim Bryant asked what impact dissolution will have on a proposed zoning law. The Board indicated that the zoning law will be in effect before the Village dissolves. The Town will have to abide by said law for two years after dissolution takes effect and then may do away with it if they so choose to. Trustee Brassard indicated that the Town seems to be on board with adopting any zoning laws that the Village has, upon dissolution.

Chief Hughes asked how dissolution will affect retirees of the Village; will they lose benefits? The Board determined that is a possibility if the Town does not offer the same health insurance plan; they may have to pay co-pays that they don't currently have with the Village plan.

Mayor Guerin called for further comments from the public; there was none.

The next regularly scheduled Board Meeting will be held on January 11, 2016 at 7:00 pm at the Village Hall. All Board meetings are open to the public.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to adjourn the meeting at 8:18 pm. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor; motion carried.

ADJOURNED

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Denise C. Daly, Village Clerk

