

SPECIAL MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: JULY 31, 2015

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonald and McDonough, Clerk Daly, Treasurer Monette and Port Henry Fire Department Chief; Jim Hughes.

ATTENDANCE: Robert Roeckle; NYS Department of State, Cathy St.Pierre, Bill Potkowski, Sue McHone, Linda Smyth, Hugh Phillips, Linda Corliss, Patty Urban, Janelle Jurkiewicz, Jamie Wojewodzic, Tom Finnessey, Jackie Viestenz, Kim Gilbertson, Nancy Gilbertson, Pat Tom, Margaret Parah, Rose Woods, Bill Woods, Town of Moriah Supervisor; Tom Scozzafava, Town Councilmen; Tim Garrison and Paul Salerno, Phil Smith, Jackie Baker, Jim Curran, Keith Lobdell; Times of Ti, Ann Tesar, Gary Cooke, Renee Anderson, John Anderson, Kim Dedam; Press Republican, Tim Bryant, Clem Acunda, Jim Cuggino, AnnMarie Adamowicz, Iyles Moore, Rex Baker, Harold Bigelow, Amanda Lovell, Sandra Lovell, Rob DeFelice, and George Pilger.

The following documents were distributed to the Board for review prior to the meeting and were available to the public as well: The July 31, 2015 Special Meeting Agenda, the NYS Department of State's; The Reorganization of Local Government, The New NY Government Reorganization and Citizen Empowerment Act, The Citizen's Guide to Petitioning For Local Government Consolidation or Dissolution and a copy of the request for Proposal Legal Notice issued to solicit proposals from consulting firms to update a 2010 Dissolution Study.

Mayor Guerin called the Special Meeting to order at 7:00 pm, thanked everyone for attending, and led in the salute to the flag.

A Dissolution Petition was submitted to the Village of Port Henry Clerk on June 25, 2015. The Clerk determined the petition was valid within ten days pursuant to General Municipal Law § 779, Article 17-A; Subdivision 6. The Village of Port Henry Board of Trustees is now required to enact a resolution within 30 days, in accordance with General Municipal Law § 779; Subdivision 7.

This Special Meeting was called for the purpose of enacting a resolution to set a date to hold a referendum (vote) on the proposition of dissolution, within 60-90 days from the date of said resolution.

A motion was made by Trustee Brassard, seconded by Trustee McDonald, to adopt a resolution to set forth the date of the referendum on the proposed dissolution of the Village of Port Henry via Special Election, 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, which shall read as follows:

“Shall the Village of Port Henry be dissolved? Yes _____ No _____”

Vote to adopt resolution:

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

Nay: None.

By a vote of four to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on the 31st day of July, 2015.

Mayor Guerin introduced Robert Roeckle from the NYS Department of State, who reviewed the timeline with regard to the dissolution process and answered questions from the public.

Public Comment Period: Amanda Lovell asked what percentage of votes is needed to dissolve. Mr. Roeckle indicated that 51% of the votes would be required.

Hugh Phillips asked what a permissive referendum is and Mr. Roeckle explained that a permissive referendum occurs when local residents file a valid petition to force a referendum (vote) to be held.

Mr. Roeckle indicated that the Village of Port Henry is eligible for an expedited assistance grant to fund the dissolution study and/or plan, for up to \$50,000, with a 90% reimbursement rate. The grant funding may also be requested prior to the vote.

Town of Moriah Supervisor Tom Scozzafava asked how information will be gathered prior to the vote and if the Town Board would be involved. Mr. Roeckle indicated that the prior Dissolution Study could be updated and that matters such as the continuation or elimination of certain services, water and sewer districts, or the formation of special districts, etc., will need to be discussed by both the Village and Town.

Gary Cooke asked if a new fire district would be created if the Village were to dissolve. Mr. Roeckle indicated that the Town would determine such and that fire districts are considered separate entities from the Town and do develop their own budgets. Jim Hughes indicated that there were four options presented during the last dissolution study with regard to the Village fire department.

Amanda Lovell asked; why give away Village assets to the Town, when the Village has more assets. Mayor Guerin indicated that all of the pro's and con's will all be discussed further at three informational meetings on the topic of dissolution that the Village Board plans on scheduling prior to the October vote. Mayor Guerin referred those in attendance to the handouts on dissolution that were available at the meeting and referred to the strict timeline that the Village is required to adhere to, by law.

Robert Roeckle informed the audience that the Village could not deed assets to non-profit organizations; they could only go to a municipal government or fire department.

Sue McHone asked if services will be discussed at the future informational meetings and Mayor Guerin indicated that yes, the consultants that the Village hires will perform a complete study, including services.

Rob DeFelice asked if the study will include the potential impact on the community and how the Village employees will be affected. Trustee Brassard indicated that the study will provide the information regarding these matters and more. The deadline for consulting firms to submit proposals is August 3, 2015.

Janelle Jurkiewicz asked who the public should send questions to in the event they may not be able to attend a meeting. Trustee Brassard informed the public that questions and comments may be submitted at the Village Hall or via e-mail at: villageofporthenry@nycap.rr.com. Trustee Brassard encouraged everyone to attend the upcoming informational meetings.

Supervisor Scozzafava produced a document indicating that there would be no change in land use regulations, per the Adirondack Park Agency (APA). Trustee McDonald requested a copy of the document from Supervisor Scozzafava, at his convenience.

Supervisor Scozzafava commented that it is very important to provide the public with factual information on the effects of the possible dissolution of the Village. Mayor Guerin commented; that is the purpose of the three informational meetings the Village will hold prior to the referendum. Trustee Brassard indicated that it is imperative that the Town provide input as well. Supervisor Scozzafava indicated that a fire district would

have to be formed by the Village residents therefore that information may not be available before the vote.

Linda Corliss asked where the prior dissolution study could be found and/or viewed. Trustee Brassard indicated that the prior study is available for viewing on the internet via a Google search of: "Village of Port Henry Dissolution Study".

Chief Hughes commented that he sat on the Village Board as a Trustee during the 2009-2010 dissolution study and indicated that it was a six to eight month process, while meeting three and four times a week, and that he is concerned about getting the information out there prior to the vote, in light of the new accelerated timeline.

Sandra Lovell asked who initiated this current dissolution process and was informed that a few individuals in the Village circulated the petition.

Amanda Lovell suggested that the Village Board look in to succeeding from the Town of Moriah. Robert Roeckle indicated that the Village is part of the Town. Ms. Lovell commented that if the Village dissolved it would reduce the government representation for the community; Gary Cooke indicated that Ms. Lovell was correct.

Kim Gilbertson commented that the Village and Town officials will need to get together to determine and agree on what services will still be available to the Village residents should dissolution occur.

Linda Smyth asked how the informational meetings will be run. Trustee Brassard indicated that they will be structured, with an approximate five minute time limit for speaking and/or asking a question in order to give everyone who wishes to speak, the opportunity to do so.

Councilman Paul Salerno asked if the Board has determined what dates the upcoming meetings will be held on. Mayor Guerin indicated that the tentative dates for the three Informational meetings pending availability of the Knights of Columbus Hall will be: August 19th, September 23rd and October 21, 2015 at 7:00 pm. Each will be advertised accordingly to confirm the meeting dates. Mayor Guerin encouraged the public to attend these important meetings to obtain the facts regarding the impact of the proposed dissolution, prior to the October 27, 2015 vote.

Jeff Kelly asked if an individual is sick and can not attend the meetings, could they still vote on the referendum. Mr. Kelly was informed that regardless of attendance, as long as the individual is a registered voter of Village, they will be permitted to cast their vote.

Supervisor Scozzafava asked if the future meetings will be video taped for the public to view. Trustee Brassard indicated that yes, they will be, providing that he makes the arrangements. Supervisor Scozzafava agreed to do so and indicated that the meetings will also be able to be viewed on You Tube.

Linda Smyth asked if arrangements could be made to provide transportation for the elderly who may not be able to make it to the voting booth themselves. The Board indicated that yes it would be acceptable for her to make such arrangements.

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

A motion was made by Trustee McDonough, seconded by Trustee McDonald, to adjourn the Special Meeting at 7:39 pm. Yes; Mayor Guerin, Trustees Brassard, McDonald and McDonough. No; none. All in favor, motion carried.

ADJOURNED

Denise C. Daly, Village Clerk