

PUBLIC HEARING OF THE VILLAGE OF PORT HENRY  
BOARD OF TRUSTEES

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

DATE: JUNE 8, 2015

TIME: 6:45 PM

PRESENT: Mayor Guerin, Deputy Mayor and Trustee Brassard, Trustees McDonald and McDonough, 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.

ABSENT: Trustee Rich

ATTENDANCE: John Viestenz, Jackie Viestenz, Margaret Parah, Gary Cooke and Larry & Mrs. Jaques.

Deputy Mayor Brassard called the Public Hearing to order at 6:45 pm, followed by the salute to the flag and thanked everyone for attending. The purpose of this Public Hearing is to provide an overview of the Community Development Block Grant (CDBG) and give the public the opportunity to ask questions and comment on the matter.

Deputy Mayor Brassard indicated that the Village intends to submit an application for the 2015 NYS CDBG offered by the NYS Office of Community Renewal (OCR) for a maximum award of \$600,000 to replace antiquated water and sewer lines on Rice Street due to the numerous problems with water breaks on this street in the past few years. At this time the water lines are piece mailed together. AES has developed the Rice Street project cost of \$696,362; for sewer & water lines, laterals for both, sidewalk replacement, hydrants and pavement, etc. The maximum grant award is \$600,000. As a requirement for the grant the Village will need to state how the unfunded portion will be paid for; \$96,362.00.

Mr. Perry indicated that the Village may be able to decrease the unfunded portion by a few thousand dollars. Trustee McDonald asked if this project includes new water meters for this street and Mr. Perry indicated that it does. Deputy Mayor Brassard indicated that the Elizabeth Street Project came in under bid and it is possible that this project may as well therefore it may not cost the Village any money.

PUBLIC COMMENT PERIOD: No public comments were made, no questions were asked.

A motion was made by Trustee McDonough, seconded by Trustee McDonald, to adjourn the Public Hearing at 6:49 pm. Yes; Mayor Guerin, Trustees Brassard, McDonald and McDonough. No; none. Absent; Trustee Rich, 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: JUNE 8, 2015

TIME: 7:00 PM

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

ABSENT: Trustee Rich

ATTENDANCE: John Viestenz, Jackie Viestenz, Margaret Parah, Gary Cooke and Larry & Mrs. Jaques, Ann Marie Adamowicz, Pete Belzer, Terry Woods and companion, Harold Bigelow, Sandra Lovell, Tim Bryant, Ray Bryant, Suzanne Baker, Jim Curran and Heather Curran.

The following documents were distributed to the Board for review prior to the meeting: The June 8, 2015 Meeting Agenda, the February 20<sup>th</sup> and May 11, 2015 Board Minutes, the May 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 June 8, 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.

DEPARTMENT HEAD REPORTS

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

Water Treatment Plant

- Plant running well with no equipment failures to report.
- Quarterly samples collected were below the required limit.
- The raw water reservoir will be emptied and cleaned this month with the help of the DPW if needed; should take approximately a day and a half to complete.

Mr. Perry also reported that he sent pictures of the deteriorating Cheney Dam to the Board this afternoon. There is a line that has a split joint and a cost effective way to correct the issue needs to be determined as soon as possible. That one line supplies the Village with drinking water and water for fire protection.

Wastewater Treatment Plant

- Plant is running well with no breakdowns or equipment failures to report.

Mr. Perry asked if the Board had any questions; there were none.

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

PHFD has responded to twenty-seven (27) calls for 2015: (4) for January, (6) for February, (3) for March, (5) for April, (6) for May and (3) for June to date.

**2015 PESH Report:**

(27) Calls:	188.32 Man-hours
OSHA Training:	327.00 Man-hours
Additional Training/Participation:	342.00 Man-hours
2015 Total:	<b>857.32 Man-hours</b>

- OSHA Training for June: – Boater Safety / Water Rescue
- Four (4) Port Henry Firefighters (Jeffrey Maness, Curtis Prevet, Mikayla Pooler and Dan Williams) are now enrolled in OFPC 104 hour Firefighter I course starting on May 11<sup>th</sup>, 2015.
- Five (5) Port Henry Firefighters (Gary Badore, Bill Blood, George Edwards, Christopher Lee and Michael Hughes, Jr.) are enrolled in OFPC 24 hour Pump Operator Training beginning 5/28/2015 at our station.
- Max Thwait, DFC and County Dispatcher made presentation and provided instruction on Essex County's New High Band Radio System on 5/27.
- CP Railway – Railroad 101 Refresher Training scheduled for Wednesday, 6/24 at 6:30 PM at Port Henry Fire Station.
- PHFD participated in Crown Point Annual Memorial Day Parade on 5/25/2015. – Engine 291 Received Award for “Best Appearing Fire Apparatus”.
- 2014 Assistance to Firefighter's Grant – Awards are in process – still no news on department award.
- Application grants have been prepared and submitted to: Stewart's Shop Foundation, Georgia Pacific Foundation and DEC Volunteer Fire Assistance Grant for new Task Force Tip (TFT) nozzles and spare 45 minute air bottles.
- South siren has been repaired and is back in service.
- Maintenance Items: 1) Engine 294 1988 Ford F250 Brush Truck is out of service. Suspect transmission/rear end problems. Unit will be trailered to C & J Automotive in Queensbury, NY for repairs week of 6/8. 2) Engine 291 1994 E-One Pumper – Pump packing leaking - Garth Brooks, Representative from Desourcie Emergency Products, inspected unit on 6/4. Technician to be assigned and will return to correct problem. Unit remains in service. 3) Rescue 298 1993 Ford Rescue Van – Exhaust System to be replaced. Unit remains in service. 4) Boat 29 – In Service for season – New High Band County Radio installed in unit on 6/3 by Wells Communication. PHFD responsible for installation cost.
- Russ Craven, Field Representative from Insurance Service Office, Inc. (ISO) has requested an inspection of the Fire Department on Monday, July 27<sup>th</sup>, at 6:00 PM Chief Hughes requests Special Meeting of Village Board to review past report, discuss significance and impact of inspection, and proposed solutions prior to this meeting.

Chief Hughes thanked Tom Scozzafava and Ron Van Slooten for their help in getting the south siren back in service.

Chief Hughes informed the Board that a \$400 radio was installed in the rescue boat and paid for from of the fire department budget.

Chief Hughes indicated that an ISO inspection has been scheduled for July and the fire department would like to look into trade in options on the 1994 fire truck for a fairly new aerial ladder truck, as having one could have an impact on the ISO rating. Chief Hughes requested a Special Meeting to view a power point presentation and discuss the matter further. The Board scheduled a Special Meeting for Monday June 15, 2015 at 7:00 pm at the Village Hall.

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

- Village streets have been swept.
- Two storm drains were repaired; one on Rice Street and one in front of the Moriah Pharmacy.
- The water service for the park has been installed.

- A storm drain was installed on Meacham Street between the Brassard and Boucher properties.
- The sewer line on Main Street from Jim Brook's to Gene's Hot Dog Stand was jettied and the problem was found. The process took about 15 hours; Tobey Street is now back on line.
- The DPW has been pricing and ordering parts for the 1,000 feet of water line to be replaced on Spring Street.
- Seasonal mowing continues throughout the Village.

Suzanne Baker asked when Spring Street will be paved. Trustee Brassard indicated that it will be paved after the water line is installed.

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

- The campground now has 48 seasonal campers to date with 11 non seasonal for May.
- A horseshoe tournament, 50/50 raffle and a 247 cupcake flag were all part of the Memorial Day festivities at the campground and all went well.
- The snack bar will open on June 19<sup>th</sup> and to begin the days and hours will be: Friday 5pm -7pm, Saturday 11am to 1pm & 5pm to 7pm, Sunday 11am to 1pm.
- On June 20<sup>th</sup> the campground will have kid activities, a horseshoe tournament and a 50/50 raffle.

Ms. McCarthy asked the Board if the docks on the porch of the beach house could be removed and if a volley ball net could be ordered. New updated signs for the beach and playground were also requested. Norm Wright and Tammy McCarthy exited the meeting at 7:20 pm.

#### PUBLIC COMMENT PERIOD

Former Mayor Gary Cooke provided a verbal presentation on the documents he created on Legality: the Moriah Town Tax on Port Henry and the Synopsis, which were distributed by Mr. Cooke to those in attendance. Mr. Cooke indicated that the Village residents are being taxed \$350,000 a year by the Town and it needs to end. The documents are available at the Village Hall for anyone interested in obtaining a copy.

Suzanne Baker exited the meeting at 7:25 pm.

Ann Marie Adamowicz indicated that she has read the documents and suggested that a one page document be crafted showing the impact on Village taxpayers from a dollars and cents perspective. Mr. Cooke indicated that he will develop a "facts" based webpage on the matter. The Board agreed to schedule a Special Meeting on Monday June 22, 2015 at 7:00 pm at the Village Hall to further review and discuss Mr. Cooke's proposal.

Jim Curran informed the Board that he is working on behalf of his daughter Heather Curran, with the New York State Department of Health with regard to her opening a bakery in the basement of their residence located at 435 Edgemont Road. Mr. Curran indicated that he was hoping to speak with Code Enforcement Officer Bill Ball at the meeting this evening with regard to regulations and codes pertaining to this matter as well as the property maintenance issue at the 4109 Main Street property. Mr. Curran informed the Board that he will get in touch with Mr. Ball with regard to these matters.

Larry Jaques informed the Board that he would like to re-open the log yard located near the Van Slooten Marina and has obtained Mr. Van Slooten's permission to do so. Mr. Jaques is currently working with the Adirondack Park Association on the matter and has also confirmed with the Canadian Pacific Railway that there are no issues or weight restrictions and indicated that the Village did not require any special permits before or during its previous operation. Mayor Guerin asked why it closed in the first place and was informed that it closed due to bankruptcy. Mr. Jaques indicated that the hours of operation will be Monday-Friday from 6:30 am to 4:00 pm, and some Saturdays.

Chief Hughes indicated that he also had a question for Bill Ball; he had asked on record previously for the power to be cut at the vacant NuWay Laundry site and for the building to be buttoned up and secured and has received no feedback on the matter to date. Chief Hughes informed the Board that the Fire Chief and the Code Enforcement Officer have the power to shut it down.

Heather Curran exited the meeting at 7:50 pm.

The residents that live on Grove Street were in attendance and asked for an update on the Truck Route issue. Mayor Guerin indicated that he has talked with the Town and County regarding changing parking on Main Street to parallel parking only, as well as reducing the speed limit on Main Street. The sidewalks are also being evaluated as some of the step ups/curbs are too high. Mayor Guerin indicated that the Village can not afford to keep spending money to repair Grove Street and continuing to permit diagonal parking on Main Street if the truck route is re-routed down Broad Street would pose a significant safety hazard.

Ray Bryant exited the meeting at 7:55 pm

Mayor Guerin also indicated that the Village is working on obtaining a grant to make a parking lot on the property adjacent to the Post Office in order to help alleviate the parking problem in the Village. Harold Bigelow reiterated the safety concerns the residents on Grove Street have shared and further discussion ensued.

Linda Smyth entered the meeting at 8:00 pm.

#### BOARD DISCUSSION/REPORTS

**Recurring Old Business:** Update on Zoning Regulations: Advertisement for Planning Board members and the duties/responsibilities were sent to the Times of Ti for publication and were posted on the website as requested.

**Old Business:** A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve the February 20<sup>th</sup> and May 11, 2015 Board minutes. Yes; Mayor Guerin, Trustees Brassard, McDonough and McDonald. No; none. Absent; Trustee Rich, motion carried.

The Grove Street residents exited the meeting at 8:00 pm.

A discussion was held with regard to the Bullock house on Elizabeth Street. Mayor Guerin would like to send a letter to Essex County indicating that they will be held responsible and liable should anyone get hurt or should the building fall while the Phase II Elizabeth Street Project is under way, due to the County not permitting the to Village to knock the unsafe structure down last year.

**New Business:** The May 2015 Accounts Receivable, Trial Balance and Water Adjustment Reports were distributed to the Mayor and Board for review.

The Board approved a 2.5% increase of \$0.30 cents per hour for Tom Slattery, effective June 1, 2015 by motion from Trustee McDonald, seconded by Trustee Brassard. Yes; Mayor Guerin, Trustees Brassard, McDonough and McDonald. No; none. Absent; Trustee Rich, motion carried.

Hannah Smith has been hired for part time maintenance at the campground at \$10.00 an hour as budgeted for.

Chloe Mitchell has been hired as a third lifeguard for the Village beach at \$10.00 an hour, as budgeted for.

A motion was made by Trustee Brassard, seconded by Trustee McDonough, to authorize the transfer of \$500 from the unexpended fund balance to this year's expenditures for the water fund. Yes; Mayor Guerin, Trustees Brassard, McDonough and McDonald. No; none. Absent; Trustee Rich, motion carried.

The Village intends on applying for a grant through the NYS Office of Parks and Recreation and Historic Preservation, in the amount of \$30,000 for a public parking lot. A motion was made by Trustee McDonough, seconded by Trustee Brassard, to adopt a resolution authorizing the submission of the application for said grant. Vote:

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

Nay: None.

Absent: Trustee Rich.

By a vote of four to zero, the above listed Resolution was duly adopted by the Village of Port Henry Board of Trustees on this 8<sup>th</sup> day of June, 2015.

A motion was made by Trustee McDonough, seconded by Trustee Brassard, to approve the Sewer Trunk Re-Construction Invitation to Bid, as presented by the project engineer; AES Northeast as well as the dates and times scheduled for the pre bid meeting and bid opening. Yes; Mayor Guerin, Trustees Brassard, McDonough and McDonald. No; none. Absent; Trustee Rich, motion carried.

The Village liability insurance proposal from TD Insurance Company was presented to the Board for review. A motion was made by Trustee Brassard, seconded by Trustee McDonough, to approve and accept the proposal as presented. Yes; Mayor Guerin, Trustees Brassard, McDonough and McDonald. No; none. Absent; Trustee Rich, motion carried.

The Moriah Robotics Club submitted a written request to hold a Coin Drop on an available date determined by the Village in late July or early August. The Board reviewed the 2015 Coin Drop Schedule and granted permission for the Moriah Robotics Club to hold a Coin Drop on Saturday August 1, 2015.

A letter was received from Supervisor Scozzafava; dated May 6, 2015, with regard to the increase in the Village water rate. The Town purchases water from the Village for the residents located in the Town Water District No. 3. The Town operates on a calendar year (Jan-Dec) and Supervisor Scozzafava reaches out to the Village annually during their budget process to ask if the Village for see's any water rate increase for the year ahead. The Town budget was adopted before the Village's budget process began and after it was determined that based on the figures present during the Village budget process, the water rate would in fact need to be increased as part of the Village's fiscal year (May-June) budget. This will pose a problem for the November 2015 billing for Water District No. 3 in the Town as the Village will bill at the new rate of \$6.39 per thousand gallons however the Town can only bill these residents for the budgeted rate of \$5.89 per thousand gallons of water. The Town can not increase the water rates without first holding a public hearing prior to the adoption of the proposed budget. Supervisor Scozzafava indicated in his letter that he will budget for the water rate increase as part of the Town's 2016 budget, after holding the required public hearing. The Board discussed the matter and decided that a response letter will be sent to the Town explaining that they will have to come up with the difference. The Village budget was completed after the Town's however again, the Village did not for see an increase in the water rate and did not realize that the rate would need to be increased, until after the budget process began.

The Board reviewed the Requests for Water Bill Adjustments received as a result of users trickling their water during the winter months to prevent water lines from freezing. Each request received was distributed to the Board with a copy of the current bill and account history attached. The Board decisions for each account are listed as follows:

<u>Account Number</u>	<u>Board Decision</u>
No. 64	No adjustment; usage within normal average/limits
No. 79	Adjusted; to 25,000 gallons
No. 117	No adjustment; billed minimum
No. 118	No adjustment; billed flat rate
No. 134	Adjusted; to 19,000 gallons
No. 137	Adjusted; to 70,000 gallons

No. 138	Adjusted; to 25,000 gallons
No. 209	Adjusted; to 29,000 gallons
No. 212	No adjustment; average usage 20,000 gallons
No. 242	Adjusted; to 47,000 gallons
No. 248	No adjustment; billed minimum
No. 265	Adjusted; to minimum billing
No. 313	Adjusted; to 35,000 gallons
No. 314	Adjusted; to 35,000 gallons
No. 334	Adjusted; to minimum billing
No. 342	No adjustment; average usage higher than what billed for
No. 462	Adjusted to 22,000 gallons
No. 491	No adjustment; billed minimum

A separate request for a Water/Sewer Bill Adjustment was received for Account No. 491; disputing the bill from the previous billing period of 05/01/14 to 10/31/14, in the amount of \$732.80. A new meter was installed and the account was billed for usage of 81,800 gallons, based on the meter reading obtained. The previous billing cycles reflect usage of under 18,000 gallons. After review the Board decided the user should have been billed for the minimum and therefore authorized a refund for the difference.

A motion was made by Trustee Brassard, seconded by Trustee McDonough to approve all of the adjustments/ decisions the Board made with regard to the above listed Requests for Water/Sewer Bill Adjustments. Yes; Mayor Guerin, Trustees Brassard, McDonough and McDonald. No; none. Absent; Trustee Rich, motion carried.

Information and documents with regard to the 2015 Ragnar Relay Event was distributed to the Board for review on June 3, 2015. Ragnar Events is requesting permission to hold a relay run again this year through Port Henry on the weekend of September 25-26, 2015 from 10:00 pm on Friday – 7:00 am on Saturday. A signed permission letter included in the information packet is requested. A motion was made by Trustee Brassard, seconded by Trustee McDonough to approve the above listed event however the Board will include with the correspondence a request that the participants please keep all voices, music, noises, etc. to a minimum while traveling through the community during the early morning hours while residents are sleeping. Yes; Mayor Guerin, Trustees Brassard, McDonough and McDonald. No; none. Absent; Trustee Rich, motion carried.

After review, a motion was made by Trustee McDonough, seconded by Trustee McDonald, to approve the June 8, 2015 bills for payment. Yes; Mayor Guerin, Trustees Brassard, McDonough and McDonald. No; none. Absent; Trustee Rich, motion carried.

#### Abstract Distributions:

General \$41,779.63  
Water \$1,682.11  
Sewer \$28,867.07  
Joint Activity \$19,583.69

#### SECOND PUBLIC COMMENT PERIOD

Chip Perry addressed the Board with regard to his e-mail indicating that a letter should be crafted and sent to the New York State Department of Environmental Conservation to request an amended date beyond the current deadline of September 30, 2015, per the Modified Order on Consent. Mayor Guerin indicated that he would get together with Mr. Perry on Friday June 12, to discuss an amended date and crafting a letter.

John Viestenz commented that the current water contract with the Town is in the fourth year and expires in October of 2016. This is not the first time there has been an issue with the water rate increasing and the Town operating on a calendar year, while the Village operates on a fiscal year. Mr. Viestenz suggested that the matter be addressed when the new contract is up for renewal in order to eliminate the issue.

John Viestenz asked where the Village intends to build the new parking lot and asked if it was the same parcel that the Village wanted to purchase for \$20,000 that the public was against? Mayor Guerin indicated that it is the same parcel of land, above the post office however the Village is applying for a \$30,000 grant to fund the project. Linda Smyth asked when this will happen and Mayor Guerin indicated that it will happen when and if the Village is awarded the grant funding.

Margaret Parah addressed the Board with regard to the parking issue on Church Street, especially during a fire call. A lengthy discussion ensued. Again, parking meters, a kiosk and annual parking permits were suggested. Trustee Brassard suggested designating three or four parking spots across from the firehouse on Church Street for fire department personnel only.

John Viestenz indicated that he is aware that the Village is currently advertising for Planning Board members and commented that the NYS Department of State publication that is posted on the website is terrible, it does not point out what the member's responsibilities would be. Trustee Brassard indicated that the Village will find an alternative document.

Ann Marie Adamowicz informed the Board that she served as a member of the original Planning Board from 1990 through 2007 and she would be willing to consider serving again however she suggested a plan or agreement between the Village Board and Planning Board, clearly defining the ground rules and guidelines. Ms. Adamowicz also stressed the importance of planning board members receiving the proper required training.

Margaret Parah exited the meeting at 8:55 pm.

Tim Bryant indicated that the Chamber of Commerce is seeking a part time office administrator for approximately 20 hours a week during the summer and five to 10 hours a week during the winter. The pay is \$9.00 an hour. Interested persons may submit a cover letter and resume to the Moriah Chamber of Commerce, PO Box 34, Port Henry NY 12974 or send via e-mail at [moriahchamber@gmail.com](mailto:moriahchamber@gmail.com)

Mr. Bryant informed the Board and public, that Champ Day will be held on Sunday July 19, 2015. The Antique Wooden Boat Association will hold a rendezvous with refreshments at the Port Henry Marina. Cardboard boat races will be held and Moriah Stock (local bands/music) will be held on the Pier. The Chamber may ask the campground managers if they'd be interested in holding a horse shoe tournament also. The Board agreed to waive vendor licenses for this event.

Chief Hughes commented on how nice the banners in Crown Point looked for their Memorial Day celebration, they provided a nice ambiance with American flags on every pole; it was well planned out. Ann Marie Adamowicz suggested that the Village put up uniformed banners the same size, with the business's names on the bottom.

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

A motion was made to adjourn the meeting at 9:01 pm by Trustee Brassard, seconded by Trustee McDonough. Yes; Mayor Guerin, Trustees Brassard, McDonald and McDonough. No; none. Absent; Trustee Rich, motion carried.

ADJOURNED

---

Denise C. Daly, Village Clerk



