

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

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

DATE: APRIL 11, 2016

TIME: 7:00 PM

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

ATTENDANCE: John Easter, Mike O'Donnell, Janelle Jurkiewicz, Carol Genier, Cathy St.Pierre, John Viestenz, Jackie Viestenz, Gary Cooke, Dori Michener, Sandra Lovell, Keith Lobdell of the Times of Ti Sun, Jackie Baker, Ann Tesar, Amanda Lovell and Iyles Moore.

Mayor Guerin called the Annual Organizational Meeting to order at 7:01 PM, followed by the salute to the flag and thanked everyone for attending.

Oaths of Office were filed as a result of the March 15, 2016 Village Elections as follows:

James Curran: Village Trustee for a two year term; April 4, 2016 through April 2, 2018.

Linda Smyth: Village Trustee for a two year term; April 4, 2016 through April 2, 2018.

Mark Davenport: Trustee for a one year term; April 4, 2016 through April 3, 2017.

Mayor Guerin made the following appointments:

Trustee Matthew Brassard as Deputy Mayor for one year, through April 3, 2017.

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's legal counsel; 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 Mark Davenport 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 appoints the following Board members as liaisons, to the committee's listed below for one year:

Trustee Brassard – Campground and DPW
Trustee Curran – Sewer and Fire Department
Trustee Davenport – Water and Safety
Trustee Smyth – Zoning

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 Times of Ti Sun; is designated as the official newspaper 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's 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 \$4,500 per fiscal year and the three additional Trustees will receive \$3,500 per fiscal year, all payable in four quarterly installments from the General fund.

Returning Lifeguards will be paid at a rate of \$12.00 an hour for the 2016 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 current Procurement Policy and a motion was made by Trustee Brassard, seconded by Trustee Curran, to continue to abide by the current policy. Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, motion carried.

The Board reviewed the current Internal Control Policy and a motion was made by Trustee Smyth, seconded by Trustee Davenport, to continue to abide by the current policy. Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, motion carried.

The Board reviewed the current Employee/Personnel Policy and a motion was made by Trustee Brassard, seconded by Trustee Curran to continue to abide by the current policy. Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, motion carried.

The Board reviewed the current Workplace Violence Prevention Policy and a motion was made by Trustee Brassard, seconded by Trustee Smyth, to continue to abide by the current policy. Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, motion carried.

The Board of Trustees will authorize 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 motion from Trustee Curran, seconded by Trustee Davenport. Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, motion carried.

The mileage reimbursement rate for the Village was \$0.57.5 per mile. Beginning January 1, 2016 the IRS standard reimbursement rate decreased per mile and is \$0.54. A motion was made by Trustee Brassard, seconded by Trustee Davenport, to adopt the new IRS reimbursement rate of \$0.54 per mile, all in favor? Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, motion carried.

The Board of Trustees authorized officers and employees to attend training schools as needed and budgeted for by a motion from Trustee Brassard, seconded by Trustee Curran. Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, motion carried.

The Board of Trustees designated Glens Falls National Bank as the official financial institution for the Village by motion from Trustee Brassard, seconded by Trustee Smyth. Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, motion carried.

A motion was made by Trustee Brassard, seconded by Trustee Davenport, to adjourn the Annual Organizational Meeting at 7:08 PM. Yes; Mayor Guerin, Trustees Curran, Brassard, Davenport and Smyth. No; none. All in favor, 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 11, 2016

TIME: 7:08 PM

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

ATTENDANCE: : John Easter, Mike O'Donnell, Janelle Jurkiewicz, Carol Genier, Cathy St.Pierre, John Viestenz, Jackie Viestenz, Gary Cooke, Dori Michener, Sandra Lovell, Keith Lobdell; Times of Ti Sun, Jackie Baker, Ann Tesar, Amanda Lovell and Iyles Moore.

Mayor Guerin called the meeting to order at 7:08 PM.

Department Head Reports:

Chief Hughes read the March 2016 Chief's Report aloud for the Board as follows:

- PHFD responded to fourteen (14) calls for 2016: (2) for January, (6) for February, (5) for March and (1) for April to date. Avg. Response Time: 2.88 minutes; Avg. Responders: 12.14.

2016 PESH Report:

Calls:	150.29 Man-hours
OSHA Training:	124.00 Man-hours
Additional Training/Participation:	309.00 Man-hours
2016 Total:	<hr/> 583.29 Man-hours

- *Training:* April OSHA Training – SCBA Recertification
- Rick Hazen from Municipal Emergency Services provided SCBA Introduction and Training on our new SCOTT X3 self-contained breathing apparatus on March 29th, 2016.
- Chief Hughes, Lieutenant Gary Badore, Firefighters Chris Lee and Ron Nesbitt, Jr. completed (3) hour “Terrorism Indicators and Suspicious Activity Reporting (SAR) for Fire/EMS sponsored by Department of Homeland Security and hosted by Ticonderoga Fire Department on March 21st, 2016.
- Chief Hughes attended and completed (16) hour Federal Emergency Management Agency sponsored “Leadership and Influence” training course in Queensbury, NY on April 7th and 8th.

- Chief Hughes attended (4) hour OFPC/Essex County HAZ MAT Team sponsored “Decontamination Training” course at International Paper Company on April 7th, 2016.
- *Grants:* Chief Hughes provided a tour of the fire station for Thomas Henry and Steven Engelhart of Adirondack Architectural Heritage on Friday, April 1, 2016. Purpose of (4) hour meeting was to discuss and determine alternative funding opportunities for the 14 Church Street building to include restoration, preservation, and request to be added to National Registry of Historic Places.

The Board agreed to meet with Steven Engelhart of Adirondack Architectural Heritage at the May 9th Board Meeting.

Chip Perry presented the Board with a verbal report on the water and wastewater treatment plants for the month of March 2016 as follows:

Water Treatment Plant:

- Received first quarter samples, all under limits
- No complaints received
- No breakdowns to report

Wastewater Treatment Plant:

- Plant running well
- No complaints received
- No breakdowns to report

Mr. Perry encouraged the new Board members to visit and tour both the drinking water and wastewater treatment plant facilities.

Trustee Curran asked Mr. Perry if water samples are still being collected for testing purposes and indicated that his water may be used for testing anytime and as needed.

Mr. Perry asked Trustee Smyth if the sewer line has been capped at the house on Spring Street that they are overseeing for the owner and that was recently torn down. Trustee Smyth indicated that the sewer has been capped and sealed by a contractor from Elizabethtown and that she can meet Mr. Perry there to take pictures to confirm such.

Iyles Moore asked Mr. Perry if any PFOA tests or analysis have been done in the Village. Mr. Perry indicated there has not been any PFOA testing done in the Village as there are no industries in our area that would affect the water supply.

Trustee Brassard read aloud the verbal report on the DPW for the month of March 2016 as follows:

- The DPW has swept William, Prospect, Stone and Brook Streets to date.
- The Salters have been prepped for summer storage.
- 5&1/2 yards of concrete was used on College Street to repair the water leak near the old high school property.
- Water meters are currently being read for the May water and sewer billing.
- The DPW has begun preparations for the seasonal opening of the campground and beach.

Trustee Smyth indicated that there are several dead trees at the campground. Mayor Guerin confirmed that they will be removed.

PUBLIC COMMENT PERIOD

The Board answered some questions submitted by John Viestenz via e-mail as follows:

Is there anything that can be done regarding the old Nu-Way Laundry building, and its wide-open windows and doors? Mayor Guerin confirmed that the Nu-way Laundry building has been buttoned up.

The roof has further deteriorated on the old jail house on Elizabeth Street. Can anything be done before the building actually falls down? Mayor Guerin indicated that the new owner was going to donate the property to the Village for parking however it proved too costly to have the structure removed. The Village is currently working with the State to have the building torn down. Trustee Curran indicated that it's in bad shape and asked if the Village could have the structure taken down and then levy the cost onto the owner's property tax bill. Trustee Brassard indicated that Sam Meacham gave the Village a verbal quote of \$1500 to tear down the building. The Board decided to revisit the issue by having the Code Enforcement Officer issue a violation and in the meantime get the structure boarded up.

How is the work progressing on zoning? Trustee Brassard indicated that the zoning law is almost complete and that the Town does plan on adopting the Village's zoning law upon dissolution.

What is the current status of the project to install water meters, Village-wide? This project has not been initiated due to the pending dissolution. If the Town takes over the Village they will bill all Village residents a flat and water meters will not be used or needed.

How much has been collected to date for this project, as part of the increase in Water Debt billings that was instituted a few years ago, and how close are we to having fully paid for the meters and their installation? Former Treasurer Janelle Jurkiewicz indicated that there was \$50,000 in the capital reserve fund; \$8,000 was used for the Elizabeth Street project, approximately \$12,000 will be used for the Rice Lane Project and \$30,000 will go back into the unexpended fund balance. No water debt will be collected for the November 2016 billing.

John Viestenz asked if the grant fell through for the Village parking lot on Broad Street or is this still an open item. Mayor Guerin confirmed the grant funding for the parking lot did fall through, however he is currently working on another angle for parking in the Village. Mayor Guerin also indicated that he is working towards securing a grant to replace the sidewalks from Celotti's Wine and Liquor Store to Stewarts.

John Viestenz asked the Board if the 1968 parking law will become part of the Town's laws upon dissolution. Trustee Brassard indicated that he believes the Town may enforce the parking law in the Village.

Iyles Moore asked if something will be done with the house on Broad Street that caught fire. Trustee Brassard indicated that the structure is in the works to be taken down.

A discussion ensued with regard to water and sewer billings if the Town takes over due to dissolution. Dori Michener asked if all Village residents will be billed a flat rate. Trustee Brassard confirmed that upon dissolution the Town will bill all Village residents a flat rate including debt fees. There will be no water meters and no meter readings.

Jim Hughes indicated that the current billing system for the Bay Road residents in Water District No. 3 is not fair. There is currently one meter near Edgemont Road for this district that has a known leak; it is read once a year and then divided equally between the thirteen residents in the district. Ms. Jurkiewicz indicated that the Village actually reads this meter twice a year and then bills the Town accordingly; the Town then bills the thirteen residents on the Bay Road for water. Ms. Jurkiewicz also indicated that upon dissolution, all Village residents will be rolled into Water District No. 3 with the current thirteen Bay Road residents. Chip Perry indicated that the Bay Road water line is scheduled to be replaced this summer with the help of the Moriah Shock inmates. Mr. Hughes commented that he will believe that when he sees it.

Mayor Guerin indicated that he is under the assumption that the State wants everyone to have water meters. Mr. Perry confirmed that the State does not want to step back into the dark ages. Iyles Moore indicated that she is billed a minimum rate for water for zero to 18,000 gallons of water, regardless of what her actual usage is. Mr. Perry indicated that

the Village was on board to replace all water meters in the Village until hurricane Irene hit the beach and campground and demolished it, costing approximately one million dollars to repair, for which it took the State four years to reimburse the Village through FEMA. This also hampered the Village's borrowing power during that time frame.

Dori Michener commented that the Village is metered now and if they roll us in with the Bay Road residents then we will essentially be paying for the leak as well. Jim Hughes indicated that he currently pays \$600 to \$700 a year just for water and the average Village resident pays approximately \$400 annually.

Jackie Viestenz asked where the Village of Port Henry sign is that used to be by the McKenzie Brook. Trustee Brassard indicated that it is currently in storage until the Village can find a new location for it that the State approves of.

Ms. Viestenz asked the Board if they plan to apply for any grants this year for flowers for the bridges. Mayor Guerin indicated that the Village received approximately \$600 last year. Trustee Brassard indicated that he will contact Anna Reynolds at Essex County to see if there are any available grants for such this year. Ms. Viestenz commented that she will contact Jim Cunningham who has indicated that he wants to put up bigger boxes this year for the flowers.

Jackie Viestenz informed the Board that she likes the lights in the park and alerted the Board to the Japanese maple tree in the park that has been broken off. Mayor Guerin and Trustee Brassard indicated that it may have been hit by accident while installing the conduit for the lights. Ms. Viestenz informed the Board the cost of the tree was approximately \$100. Trustee Brassard indicated that he will look into getting it replaced.

Sandra Lovell directed her comments to Trustee Curran; stating that she was concerned about his recent quotes in the Press Republican with regard to his being in office to make sure that dissolution happens. Ms. Lovell indicated that he took an oath to serve as a Trustee of the Village of Port Henry and she does not see how he can serve her wants. Trustee Curran informed Ms. Lovell that the Village residents voted to dissolve by a vote of 190 to 171. Ms. Lovell indicated that four years ago the residents voted to save their Village from dissolving. Trustee Curran indicated that was a different vote. Ms. Lovell informed Trustee Curran that the majority of Village residents and taxpayers now want to save the Village from dissolving again and that he should keep in mind that there are people who do want the Village to remain. Trustee Curran indicated that he would do so. Trustee Curran also commented that the State would like to see the elimination of all Villages within two years and that it is not up to us. Ms. Lovell indicated that it is up to the public. Mayor Guerin added that due process will be held.

John O'Donnell indicated that the Lee House had an electrical issue last year and notified Bill Ball who to his knowledge still has not completed the inspection over a year later, as well as the other necessary inspections on the building. Mayor Guerin asked Mr. O'Donnell if he has asked the Lee House manager if the inspections have been completed. Trustee Brassard informed Mr. O'Donnell that the Code Enforcement Officer performs an annual inspection that is filed with Essex County, therefore he should check on such through APEX.

Amanda Lovell commented that the Village has assets and Trustees are elected to make sure that those assets stay intact; however there are currently three Trustees serving who have made it know that they wish the Village to dissolve, which is a conflict of interest and that she is more than happy to bring charges of breach of trust and conflict of interest, against them. Ms. Lovell then informed them that she would be serving each of them in the next few days as individuals. Trustee Curran indicated that she'd be suing the Village; Ms. Lovell informed Trustee Curran that she would be suing him as a person, not the Village.

Iyles Moore and Amanda Lovell exited the meeting at 8:00 pm. Mayor Guerin called for further public comment; there was none.

BOARD DISCUSSION/REPORTS

Trustee Brassard indicated that the Village would need to advertise for a third lifeguard for the season.

Recurring Old Business: Mayor Guerin provided an update on the Manhole 13 Project as follows: the Village needs to secure three easements for the project. The location of the pump station was relocated two and a half years ago therefore securing an easement from Mr. Burlingame is no longer an issue. Chip Perry indicated that the Village Board has dropped the ball on this project numerous times over the past ten years and that important milestone dates have been missed in the last six months. Mayor Guerin indicated that AES Northeast and the attorneys have actually dropped the ball on a couple of issues and have been informed that they need to step it up. Trustee Brassard indicated that the manhole overflows every time it rains heavily and that the Village is under an Order on Consent to rectify the matter.

Trustee Brassard indicated that the Rice Lane Water and Sewer line replacement project will begin in July or August of this year. Approximately 250 to 300 foot of new sewer lines, 900 foot of water lines and new laterals will be installed. The project will be put out to bid by mid May, 2016. Cathy St. Pierre asked if grants will be applied for to replace line on other streets in the Village. Mayor Guerin indicated that when the Rice Lane project has been completed then the Village will apply for a new grant, as was done upon the completion of the Elizabeth Street project, for Rice Lane. Trustee Brassard indicated that the next targeted area would be First, Second, Third, Oak and Ridge Lanes in the Village. Ms. St. Pierre commented that if the Village dissolves, then only one grant may be applied for Town wide. Trustee Brassard indicated that the Village has secured \$2.9 million dollars in grant funding over the past two years.

Old Business: A motion was made by Trustee Brassard, seconded by Trustee Curran, to approve the March 14, 2016 Board Meeting minutes. Yes; Mayor Guerin, Trustees Brassard, Curran, Davenport and Smyth. No; none. All in favor, motion carried.

Mayor Guerin offered Resolutions of Appreciation for former Village Trustees; Thomas McDonald, Ruth McDonough and Pat Tom for their dedicated service to the Village of Port Henry and its constituents, during their tenures. A motion to pass said Resolutions of Appreciation was made by Trustee Brassard and seconded by Trustee Smyth. Yes; Mayor Guerin, Trustees Brassard, Curran, Davenport and Smyth. No; none. All in favor, motion carried.

The Public Hearing on the Dissolution Plan was held on April 5, 2016 at the Knights of Columbus in Port Henry. After the hearing was adjourned, the Village Board voted to adopt the Dissolution plan as presented with no changes, by a vote of four to one.

New Business: The March 2016 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.

The Board was copied on a letter from Lynne Purificato with regard to requesting a \$150 refund for the reservation deposit paid for a lakefront campsite for the 2016 season. Due to unforeseen circumstances the Purificato's will be relocating out of state and will not be able to return this season. Trustee Davenport asked if there was a set precedence with regard to this matter. Trustee Brassard indicated that as long as the request was made before opening day of the campground, the Board usually approved such requests and in this case, the campsite can be rented to another camper immediately. A motion was made by Trustee Davenport, seconded by Trustee Curran, to approve the refund request. Yes; Mayor Guerin, Trustees Brassard, Curran, Davenport and Smyth. No; none. All in favor, motion carried.

The Chamber of Commerce submitted a written request to use the beach house and beach for Champ Day activities on Sunday July 17, 2016. Janelle Jurkiewicz informed the Board that she has already spoken with the campground manager and she has given her

consent. Ms. Jurkiewicz further indicated that the Chamber is planning an egg hunt, a free throw competition, sand castle contest, and possibly a cardboard boat race. A motion was made by Trustee Brassard, seconded by Trustee Davenport to approve the request. Yes; Mayor Guerin, Trustees Brassard, Curran, Davenport and Smyth. No; none. All in favor, motion carried.

A Public Hearing has been scheduled for Monday April 18, 2016 at the Village Hall at 7:00 PM, on the tentative budget for fiscal year June 1, 2016 through May 31, 2017.

The next regularly scheduled meeting of the Village of Port Henry Board of Trustees will be held on Monday May 9, 2016 at 7:00 pm at the Village Hall.

A motion was made by Trustee Brassard, seconded by Trustee Curran, to approve the March 28th and April 11, 2016 bills presented for payment. Yes; Mayor Guerin, Trustees Brassard, Curran, Davenport and Smyth. No; none. All in favor, motion carried.

Abstract Distributions

General \$44,283.91

Water \$74,557.00

Sewer \$496.56

Joint Activity \$10,896.34

Second Public Comment Period: Mike O'Donnell asked the Board if the Village DPW members transferred to the Town upon dissolution would still be covered under workers compensation insurance if injured and would they also have access to health insurance. Mayor Guerin indicated that both would be available. Mr. O'Donnell asked if there may be a change in health insurance premium rates. Trustee Brassard indicated that there may be, however the Town offers its employees a flex plan to cover deductibles, co-pays, etc. Mr. O'Donnell asked if the insurance liability rates or the Village's legal team will change. Trustee Brassard indicated that the liability insurance may change and confirmed that the legal team will change.

Chief Hughes asked the Board if the fire department parking lot will be repaired with any remaining CHIPS funds. Mayor Guerin and Trustee Brassard confirmed that the retaining wall will be repaired however they are uncertain yet if there will be any remaining CHIPS funds after the Rice Lane project has been completed.

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

A motion was made by Trustee Smyth, seconded by Trustee Curran, to adjourn the meeting at 8:20 PM. Yes; Mayor Guerin, Trustees Brassard, Curran, Davenport and Smyth. No; none. All in favor, motion carried.

ADJOURNED

Denise C. Daly, Village Clerk