

JOINT PUBLIC HEARING OF THE VILLAGE OF PORT HENRY BOARD OF TRUSTEES AND TOWN OF MORIAH TOWN BOARD

LOCATION: KNIGHTS OF COLUMBUS  
4253 MAIN STREET PORT HENRY, NY 12974

DATE: DECEMBER 13, 2016

TIME: 7:00 PM

PRESENT: Mayor Ernest Guerin, Village Trustees; Matt Brassard, Jim Curran and Mark Davenport, Village Clerk; Denise Daly, Port Henry Fire Department Chief; Jim Hughes, Town of Moriah Supervisor; Tom Scozzafava, Town Council Members; Luci Carpenter and Tim Garrison.

ABSENT: Village Trustee; Linda Smyth, Town Council Members; Tom Anderson and Paul Salerno.

ATTENDANCE: Town Attorney; John Silvestri, Village Attorney; Bob Hafner, Bill Trybendis, Frank Slycord, Lohr McKinstry, Essex County Real Property Director; Charli Lewis, Sharon O'Connor, John Santos, Phil Smith, Ron Van Slooten, Jr., Tori Boisvert, Ben Hanson, Chris Lee and Carl Gifaldi.

Supervisor Scozzafava called the Public Hearing to order at 7:04 pm followed by the salute to the flag and read the legal notice aloud. The Joint Public Hearing was scheduled to consider the public's comments on the incorporation of the Port Henry Volunteer Fire Department.

Supervisor Scozzafava opened the floor for public comment; there was none.

Mayor Guerin opened the Public Hearing on behalf of the Village of Port Henry at 7:15 pm and read aloud the legal notice for the hearing.

Mayor Guerin opened the floor for public comment; there was none.

The Public Hearing was adjourned at 7:18 pm.

---

Denise C. Daly, Village Clerk

JOINT MEETING OF THE VILLAGE OF PORT HENRY BOARD OF TRUSTEES AND TOWN OF MORIAH TOWN BOARD

LOCATION: KNIGHTS OF COLUMBUS  
4253 MAIN STREET PORT HENRY, NY 12974

DATE: DECEMBER 13, 2016

TIME: 7:18 PM

PRESENT: Mayor Ernest Guerin, Village Trustees; Matt Brassard, Jim Curran and Mark Davenport, Village Clerk; Denise Daly, Port Henry Fire Department Chief; Jim Hughes, Town of Moriah Supervisor; Tom Scozzafava, Town Council Members; Luci Carpenter and Tim Garrison.

ABSENT: Village Trustee; Linda Smyth, Town Council Members; Tom Anderson and Paul Salerno.

ATTENDANCE: Town Attorney; John Silvestri, Village Attorney; Bob Hafner, Bill Trybendis, Frank Slycord, Lohr McKinstry, Essex County Real Property Director; Charli

Lewis, Sharon O'Connor, John Santos, Phil Smith, Ron Van Slooten, Jr., Tori Boisvert, Ben Hanson, Chris Lee and Carl Gifaldi.

Supervisor Scozzafava called the Joint Meeting to order at 7:18 pm and the following resolution was considered by both Boards:

**RESOLUTION CONSENTING TO INCORPORATION OF  
PORT HENRY VOLUNTEER FIRE DEPARTMENT, INC.**

**WHEREAS**, the Village of Port Henry Volunteer Fire Department wishes to form a fire corporation under the New York Not-for-Profit Corporation Law; and

**WHEREAS**, the Certificate of Incorporation of a fire corporation must have the consent of the municipalities to be served by the fire corporation; and

**WHEREAS**, the proposed Port Henry Volunteer Fire Department, Inc. will serve the Village of Port Henry and a portion of the Town of Moriah; and

**WHEREAS**, a duly noticed Joint Public Hearing on the question of whether the Fire Department should be incorporated was conducted on December 13, 2016;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Board of Trustees of the Village of Port Henry hereby approves the proposed incorporation of Port Henry Volunteer Fire Department, Inc. and authorizes execution and delivery of a "Consent of Village of Port Henry Board of Trustees to Incorporation of Port Henry Volunteer Fire Department, Inc." in substantially the form presented and such other and further action on the part of said Board with relation to the proposed incorporation as may be authorized and prescribed by law.

2. The Moriah Town Board hereby approves the proposed incorporation of Port Henry Volunteer Fire Department, Inc. and authorizes execution and delivery of a "Consent of Moriah Town Board to Incorporation of Port Henry Volunteer Fire Department, Inc." in substantially the form presented and such other and further action on the part of said Board with relation to the proposed incorporation as may be authorized and prescribed by law.

The resolution was duly adopted by the Village of Port Henry Board of Trustees on the 13th day of December, 2016 by motion from Trustee Matthew Brassard, seconded by Trustee James Curran. Vote:

AYE: Village Mayor Ernest Guerin, Trustees; Matthew Brassard, James Curran and Mark Davenport

NAY: None

ABSENT: Trustee Linda Smyth

The resolution was duly adopted by the Moriah Town Board on the 13<sup>th</sup> day of December, 2016 by motion from Council member Lucille Carpenter, seconded by Council member Timothy Garrison. Vote:

AYE: Supervisor Thomas Scozzafava, Council members; Lucille Carpenter and Timothy Garrison.

NAY: None.

ABSENT: Council members; Tom Anderson and Paul Salerno.

Attorney Hafner noted that both Boards have authorized by resolution the Consent of Incorporation and asked that the fully executed and notarized documents be returned to him as well as the fully executed and notarized Affidavit of Subscribers.

Supervisor Scozzafava asked what date the incorporation takes effect and Mr. Hafner indicated that the Port Henry Volunteer Fire Department will officially become a corporation on March 31, 2017. The Port Henry Fire District No. 3 will take effect on April 1, 2017 and all equipment will be transferred then. The Fire Commissioners will file their Oath's of Office on April 1, 2017 as well.

Supervisor Scozzafava indicated that the Town of Moriah will need to advertise for a Fire Commissioner from the "Cheever" area located on the north end of the fire protection district due to Dwayne Maye not accepting the appointment.

#### PUBLIC COMMENT PERIOD

Port Henry Fire Chief Jim Hughes expressed his appreciation to all involved in this process and thanked everyone for their continued support.

Supervisor Scozzafava thanked both the Village and Town attorney's for all of their hard work.

Supervisor Scozzafava indicated that this was not an easy process and that he plans on discussing these matters with the State in order to assist in making the whole process much easier.

The Joint Meeting was adjourned at 7:25 pm.

---

Denise C. Daly, Village Clerk