

SPECIAL MEETING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: FEBRUARY 22, 2016

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom; Clerk Daly, Deputy Superintendent of Water and Streets; Digger Laing and Port Henry Fire Department Chief; Jim Hughes.

ATTENDANCE: Gary Cooke, Tom Finnessey, Cathy St. Pierre, Mark Davenport, Sandra Lovell, Lohr McKinstry; Press Republican, Town of Moriah Supervisor; Tom Scozzafava, Carol Genier, John Easter, Ron Nesbitt, Jr., Janelle Jurkiewicz, Barbara Bezon, Frank Bezon, Linda Smyth, Paul Salerno, Jackie Carpenter, Bill Trybendis, Rebecca Yanus and Nicole Allen; Laberge Group, Jamie Wilson, Rob Roeckle; NYS Dept. of State, Edwin Prouty, Jim Curran, Keith Lobdell; The Sun, Jackie Baker, Phil Smith, Cathy Levielle, Walt Jurkiewicz, Tim Bryant and two gentlemen from Schroon Lake.

The proposed Dissolution Plan was received from the Laberge Group on February 22, 2016 and submitted to the Board for review prior to the meeting. The February 22, 2016 Special Meeting Agenda was distributed to the Board prior to the meeting and posted on the website. Copies of the meeting agenda and proposed plan were also made available to the public at the meeting.

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

Mayor Guerin indicated that the purpose of the Special Meeting was to present the proposed Dissolution Plan to the Village Board for review and discussion and that the Board will also award the proposal for Engineering of the Reconstruction of Sewer and Water lines on Rice Lane.

Mayor Guerin explained that there would be no public comment/question period permitted on the presentation of the proposed plan to the Board at this meeting and that a Public Hearing would be scheduled in the near future to present the proposed Dissolution Plan to the public at which time, the public will be provided the opportunity to comment on the proposed plan and ask questions.

Proposal evaluations pursuant to the point system as out lined in the Request for Quotes for the Engineering of the Reconstruction of Sewer and Water lines on Rice Lane were completed on February 17, 2016 and a resolution is required to award the proposal. Based on the point system evaluation and meeting all of the required criteria, the evaluation team recommends the proposal be awarded to the Laberge Group in the total amount of \$50,277.00, by motion from Trustee Brassard, seconded by Trustee Tom.
Vote:

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

Nay: None.

By a vote of five to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on the 22nd day of February, 2016.

Nicole Allen, consultant for the Laberge Group presented the proposed Dissolution Plan to the Village Board and provided an over view as follows; the Dissolution Plan is available on the website at www.labergegroup.cpm/porthenry.

- All Village DPW, Water and Wastewater employees will transfer to the Town; (CDL's must be obtained).
- The Village Clerk will transfer to the Town.
- The Village Treasurer will not transfer due to a civil service requirement; must be a resident of the Town of Moriah.
- Lighting will be covered as a town wide cost.
- Garbage pick up in the Village will cease.
- Only sidewalks on Broad and Main Streets will be plowed.
- Water costs will remain the same and be billed by the Town as part of Water District No. 3.
- A joint Port Henry Fire District will be formed; protection areas north and south of the Village will be included in this district.
- Page 43 of the proposed plan shows an approximate savings of 33.9% or \$262 post dissolution for Village residents, without any new districts or the Citizen Empowerment Tax Credit (CETC).

Discussion, Comments and Questions from the Mayor and Board of Trustees:

A discussion ensued with regard to forming the new joint Port Henry Fire District. The fire department is currently working on pursuing their 501 3C status as a non-profit organization and it was confirmed that this may be done before forming the joint fire district. Nicole Allen produced a large map showing the fire district boundaries, current location, equipment, etc. Rob Roeckle from the NYS Department of State confirmed that Town law authorizes a joint district formation prior to dissolution. The Town and Village Boards would initially appoint a Board of Fire Commissioners for the first term and after that term expires the positions would become elected ones. Should dissolution occur now or in the future, the fire department would become a fire district. If the dissolution plan should be voted down, the Village would remain, as well as the joint fire district.

Mayor Guerin asked if the Village Board would retain control over the fire department if a joint district is formed and the plan is voted down. The answer is no; however the fire protection rate would decrease from \$1.71 to \$1.57 per \$1,000 with the formation of a joint district. Mayor Guerin indicated that in forming a joint or future fire district we would be in essence, creating another government entity. Mayor Guerin indicated that a joint district could be formed after dissolution has been confirmed.

Trustee McDonough asked if the formation of a fire district is reversible. Mr. Roeckle indicated that it is not, unless petitioned. Trustee Brassard indicated that the joint fire district could be formed now and implemented at a later date. Ms. Allen stated that it is the Village and Town Board's choice to work collaboratively, as there is a savings to be had in creating a joint fire district.

Ms. Allen informed the Board that there would be no other special districts formed other than the debt district, which would capture any remaining debt or liabilities.

Trustee Tom indicated that he thought there would be more discussion with regard to garbage removal and sidewalk clearing in the Village. Ms. Allen informed the Board that the Town's position is clear, the only sidewalks that will be cleaned are Main and Broad Streets and garbage pick up will be discontinued.

Mayor Guerin indicated that the Town does not have to abide by the proposed plan should dissolution occur. Ms. Allen confirmed that the plan is not binding it is however a good faith effort and the Town has been cooperative with regard to recommendations from the Village. Trustee Tom indicated that being so, the Town can still reject certain terms of the agreement anytime after dissolution occurs.

Ms. Allen indicated that the projected date of dissolution while adhering to the timeline is March 31, 2017 as stated in the proposed plan. This will allow for the CETC funding in September 2017, as part of the Town's 2017 calendar year budget.

Ms. Allen indicated that page 7 of the proposed dissolution plan outlines the required plan elements; what needs to be done. The Town will have 2 years to implement the Village laws that they plan to keep.

Ms. Allen indicated that the Board has the option of accepting the plan this evening and setting a date for the Public Hearing. Trustee Tom indicated that he didn't see how the Board could accept the plan this evening when they just received it this afternoon and have not had ample time to review the plan in its entirety.

Trustee Tom referred to page 25 of the plan with regard to sidewalks not being cleared; what will the Town be responsible for with regard to the sidewalks? Ms. Allen informed the Board that \$7500 has been allocated toward repair and/or replacement of sidewalks in the Village.

Trustee Tom indicated that he has spoken with a lot of seniors in the Village who are very concerned about losing the services they have come to depend on under the Village such as sidewalk snow removal and garbage pick up. It will cost the seniors more to pay a private organization/company to remove their garbage for them. Ms. Allen reiterated that the Town is not interested in sanitation removal. Supervisor Scozzafava indicated that there are five hamlets located within the Town of Moriah; if a special district is formed in Port Henry, the other hamlets will want the same and it is not cost effective to the overall taxpayers. Trustee Tom indicated that as a Village Trustee and advocate for the Village's senior citizens, he feels sanitation should be included in the plan. It is not cost effective for the senior citizens, not to include garbage pick up. Ms. Allen informed the Board that they can insist that it be included in the plan. Mayor Guerin indicated that he understands both sides of the issue, but once the Village dissolves, the Town can do away with it, regardless.

Nicole Allen indicated that revisions could be made to the plan before it is presented at the Public Hearing. The costs for a sanitation district can be included if the Village Board chooses. Trustee Tom suggested getting prices from Ace and Casella Sanitation to present at the hearing as well.

Mayor Guerin suggested scheduling the Public Hearing for Tuesday April 5, 2016 at 7:00 pm, that way everyone will have time to review the plan.

A motion was made by Trustee McDonough, seconded by Trustee Brassard, to pass a resolution to accept the proposed Dissolution Plan with the exception of a couple of changes, and to schedule a Public Hearing for Tuesday April 5, 2016 at 7:00 pm at the Knights of Columbus in Port Henry. Vote:

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

Nay: None.

By a vote of five to zero, the above listed resolution was duly adopted by the Village of Port Henry Board of Trustees on the 22nd day of February, 2016.

A motion was made Trustee Brassard, seconded by Trustee Tom, to adjourn the Special meeting at 7:54 pm, at which time the Board indicated they would enter into Executive Session to review and discuss a personnel matter. Yes; Mayor Guerin, Trustees Brassard, McDonald, McDonough and Tom. No; none. All in favor, motion carried.

ADJOURNED

Denise C. Daly, Village Clerk

