

PUBLIC HEARING OF THE VILLAGE OF PORT HENRY
BOARD OF TRUSTEES

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

DATE: JULY 11, 2016

TIME: 6:45 PM

PRESENT: Mayor Guerin, Trustees Brassard, Curran and Smyth, Village Clerk; Denise Daly, Acting Treasurer; Janelle Jurkiewicz, Deputy Superintendent of Water and Streets; Digger Laing, and Code Enforcement Officer; Bill Ball.

ABSENT: Trustee Davenport.

ATTENDANCE: John Viestenz, Sandra Lovell and two unidentified individuals.

Mayor Guerin called the Public Hearing to order at 6:46 pm, followed by the salute to the flag.

Mayor Guerin indicated that the purpose of the Public Hearing was to discuss the Rice Lane Water and Sewer Line Replacement Project and provide an overview of the project details as follows: The proposed project incorporates upgrading water and sewer infrastructure to improve public health and inadequate supply concerns.

The existing sewer collection system consists of vitrified clay tile (VCT) pipe, with no manholes presumed to be 6" diameter pipe. VCT piping has joints evenly spaced (e.g. 2 ft.). As a result, the pipe has potential for the intrusion of roots.

The water facilities on Rice Lane are not equipped with an adequate number of fire hydrants. Water pressure is unpredictably high and low due to the inadequate main capacity, changing from 4" to 3/4" serving the residents. Rebuilding the system will also improve fire protection capabilities that will improve safety for area residents.

The reconstruction of the water and sewer facilities will protect area residents, provide safety and access for the water and sewer operators, fire protection and reduce inflow and infiltration from entering the collection and distribution systems.

The Laberge Group was hired to design and remedy the health crisis and improve the sewer and water system for the households within the Rice Lane neighborhood. The project is funded by a Community Development Block Grant (CDBG) program in the amount of \$600,000. CDBG has reviewed and have approved the plans and specifications. The Invitation to bid is planned to be published July 15th 2016. Construction is planned to be completed by December 2016.

Mayor Guerin called for Public Comment on the proposed project. It was noted that the Elizabeth Street Water and Sewer line Replacement Project turned out great and is a major improvement.

John Viestenz asked what troublesome area will be focused on next. Mayor Guerin and Trustee Brassard indicated that either Greeley Lane will be focused on next or First, Second, Third, Oak and Ridge Lanes.

With no further comments from the public, a motion was made by Trustee Brassard, seconded by Trustee Curran, to adjourn the Public Hearing at 6:54 pm. Yes; Mayor Guerin, Trustees Brassard, Curran and Smyth. No; None. Absent; Trustee Davenport; 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: JULY 11, 2016

TIME: 7:00 PM

PRESENT: Mayor Guerin, Trustees Brassard, Curran and Smyth, Village Clerk Denise Daly, Acting Treasurer; Janelle Jurkiewicz, Deputy Superintendent of Water and Streets; Daniel (Digger Laing), Chief Water and Wastewater Operator; Carl (Chip) Perry, Port Henry Fire Department Chief; Jim Hughes, Code Enforcement Officer; Bill Ball and Champ RV Park Campground Managers; Norm Wright & Tammy McCarthy.

ABSENT: Trustee Davenport.

ATTENDANCE: John Viestenz, Sandra Lovell, two unidentified individuals, Louise Belden, Margaret Parah and Chuck Reeder.

The following documents were distributed to the Board for review prior to the meeting: The July 11, 2016 Meeting Agenda, the June 13, 2016 Board Minutes, the June 2016 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 July 11, 2016 Board Meeting file located in the office of the Village Clerk. The Meeting Agenda was also made available to those in attendance and posted on the website at www.porthenrymoriah.com.

DEPARTMENT HEAD REPORTS

Chip Perry informed the Board that yearly maintenance and ground work was performed at both the Water and Wastewater Treatment Plants for the month of June 2016.

Digger Laing provided the Board with the June 2016 report on the DPW as follows:

- Garbage and recyclables were picked up as scheduled.
- New ropes were installed at the beach in the swim area.
- Water samples were taken from the beach as required.
- New posts and anchors were installed for the volleyball net at the beach.
- The Oak tree remnants were cleaned up in the cemetery on Whitney Street.
- A portion of sidewalk was replaced on Oak Lane and College Street and a drain was installed underneath; total of 8 yards of concrete used.
- Moriah Shock inmates were utilized to help clear brush on a sewer line from Rice Lane to Cedar Street.
- 25 Ton of black top spread on Oak Lane, Elizabeth Street and Meacham Street.
- Broad Street and State Road were swept, washed and new lines painted.
- Repaired one water break at the campground.
- Pier and beach entrance were cleaned.
- Mowing continues; as needed for the season.

Mr. Laing addressed the Board with regard to placing the 1987 John Deere out for bid as surplus to help offset the cost of a new sickle for the skid steer. After discussion the

Board agreed to surplus the John Deere by motion from Trustee Brassard, seconded by Trustee Curran as follows: 950, 2WD, 1,402 working hours; includes broom attachment; with a \$4,000 reserve. Bids will be received up to 3:00 pm on August 8, 2016. Yes; Mayor Guerin, Trustees Brassard, Curran and Smyth. No; None. Absent; Trustee Davenport; motion carried.

Chief Hughes read aloud the Fire Chief's Report for the month of June 2016 as follows: PHFD has responded to thirty-four (34) calls for 2016: (2) for January, (6) for February, (5) for March, (4) for April, (9) for May, (7) for June and (1) for July to date. Avg. Response Time: 2.45 minutes; Avg. Responders: 10.5.

2016 PESH Report:

(34) Calls:	373.99 Man-hours
OSHA Training:	185.50 Man-hours
Additional Training/Participation:	817.50 Man-hours

Total:	<hr/> 1,376.99 Man-hours
--------	---------------------------------

Training:

- July OSHA Training – *Hose, Nozzle, Foam Operations*

- Participation:

- PHFD Participated in Annual Camp Dudley Parade and Ticonderoga's Best Fourth in the North Parade on July 4th, 2016.
- At the request of Stewart's Foundation, PHFD participated in the 40th Anniversary Port Henry Store Celebration on July 6th, 2016.

- Maintenance:

- Engine 294 (Brush Truck) – after closer inspection, no leak in tank as previously reported. However, experiencing intermittent issues with engine starts. Troubleshooting continues. Truck remains in service.
- Annual Hose Inspections were performed by Adirondack Fire Service on June 22nd, 2016. Inspected and pressure tested 6,125 feet of hose at a cost of \$1,408.75.
- At the request of New York State DEC, compiled and submitted Class B Fire Suppression Foam Usage Survey to the agency.

Grants:

- 2016 Volunteer Fire Assistance (VFA) Grant Application (\$2,400) - *Declined*.
- NY/Vermont Port Authority Grant Application (\$5000) - *Pending*.
- 2015 Assistance to Firefighter's Grant (\$215,000) Decision/Award - *Pending*.

Chief Hughes informed the Mayor and Board that they may send the 1946 LaFrance to the Essex County DPW also to have a new clutch and pressure plate installed; the County does an excellent job servicing the fire equipment and the repairs are cost effective.

Norman Wright and Tammy McCarthy provided the Board with a report on the Champ RV Park and Campground for the month of June 2016 that was read aloud by Trustee Brassard as follows:

- The campground was completely full for the July 4th weekend.
- There are just a few sites left for Labor Day weekend.
- Three new seasonal campers arrived last month.
- The lifeguards are back for the season and doing a great job.

The manager's thanked Digger Laing and the Village DPW crew for all of their help and provided a special thank you to Mike Dever whom they indicated was a big help to them during the July 4th holiday.

PUBLIC COMMENT PERIOD: There were no comments from the public at this time.

BOARD DISCUSSION/REPORTS: A letter of resignation was received from Paula Monette as Village Treasurer, effective July 5, 2016. Former Treasurer Janelle Jurkiewicz has agreed to provide her assistance in helping with the book keeping and accounting as needed. The Board unanimously agreed to add Ms. Jurkiewicz to the bank signature cards for all Village accounts effective immediately, thereby replacing and removing Ms. Monette.

Mayor Guerin announced that the Board will enter into Executive session at the adjournment of this meeting to discuss a pending litigation matter.

Trustee Brassard asked Mr. Laing if there is any update on the removal of the two old, weathered Heritage Trail signs. Mr. Laing reported that we are waiting on the NYS DOT permit that is required before removing, as they are located on a State road. A letter was received from Anna Reynolds on behalf of the Champlain Valley Heritage Network granting approval of removing the Heritage Trail signs in the Village.

Trustee Brassard announced that the lifeguards spotted a blue green algae bloom on July 4th. Susan Kenney of the NYS Department of Health was notified. The beach was closed for the day and signs were posted. The beach has since opened back up after the water tested negative. Aluminum signs have been ordered for future use regarding this matter.

Recurring Old Business: Mayor Guerin provided an update on the Manhole 13 Project as follows: there is currently a hold up with CP Rail; when the steel pipe arrives that is needed, the project will resume and will be completed by the end of August, early September.

Trustee Brassard provided an update on the Rice Lane Project as follows: the project is going out for bid within the next week or two in the anticipation of breaking ground by the middle or late August. The project should take less than thirty days to complete. The Village hopes to receive competitive bids.

The Board was presented with a draft zoning law for review on June 13, 2016. Trustee Smyth will contact consultant Nan Stolzenburg with recommended changes from the Board; such as, the Village Board of Trustees also serving as the Planning Board, and will have such incorporated in to the law. Once the changes have been made a public hearing on the proposed zoning law will be scheduled.

The Referendum (Vote) on the Dissolution Plan will be held on Tuesday August 16, 2016 at the Port Henry Firehouse, via a Special Election. Polls will be open from 12:00 pm (noon) to 9:00 pm. Registered voters of the Village may cast a vote on the Referendum. Absentee ballots are available for those that qualify in the office of the Village Clerk.

In accordance with State Law the Referendum shall read as follows on the official voting ballot: **“The voters of the Village of Port Henry having previously voted to dissolve, shall the elector initiated dissolution plan take effect? YES _____ NO _____.”**

For clarification purposes on the above Referendum:

Voting **“YES”** means that you accept the Dissolution Plan. (The referendum passes and dissolution proceeds according to the plan)

Voting **“NO”** means that you do not accept the plan. (The referendum fails and dissolution shall not take effect.)

* The elector initiated dissolution plan shall not take effect unless a majority of the electors voting in the local government entity to which the petition applies votes in favor of dissolution. If such a majority vote does not result, the referendum shall fail and dissolution shall not take effect.

* *New York State Department of State – The New NY Government Reorganization and Citizen Empowerment Act (Effective March 21, 2010), General Municipal Law, Article 17-A; Section § 785.*

Old Business: A motion was made by Trustee Brassard, seconded by Trustee Curran, to approve the June 13, 2016 Board Minutes. Yes; Mayor Guerin, Trustees Brassard, Curran and Smyth. No; None. Absent; Trustee Davenport; motion carried.

Information and documentation with regard to the September 2016 Ragnar Relay Event was distributed to the Board for review on June 8, 2016. Ragnar Events is requesting permission to hold a relay run again this year through the Village of Port Henry on the weekend of September 23-24, 2016 during the hours of 10:00 pm on Friday, through 7:00 am on Saturday. A signed permission letter included in the information packet is requested. Discussion was held last month with regard to last year's event and the noise disturbances that occurred in the early morning hours. The Board determined that Ragnar Relay will be contacted regarding this issue before approval is granted, as this is not the first year that noise complaints have been received. The matter was tabled to be discussed further at the July Board Meeting. Trustee Brassard informed the Board that he reached out to the event coordinator who apologized for the noise complaints and assured Trustee Brassard that there will be no such issues during this year's relay event. Trustee Brassard indicated that if there are, the Village may not grant approval/permission with regard to any future Ragnar Relay events in the Village. A motion was made by Trustee Brassard, seconded by Trustee Curran, to grant permission for this year's event. Yes; Mayor Guerin, Trustees Brassard, Curran and Smyth. No; None. Absent; Trustee Davenport; motion carried.

New Business: The June 2016 Accounts Receivable, Trial Balance and Water Adjustment Reports were presented to the Board for review.

Treasurer Jurkiewicz presented the Board with the following Water & Sewer bill adjustment requests: Account No. 146; Van Slooten Harbor Marina, the bill was paid after the due date of June 10, 2016 and did not include the penalty amount due as the account was pending Board review and it was thought that the outcome may affect the bill. A motion was made by Trustee Brassard, seconded by Trustee Curran to forgive the penalty in the amount of \$96.39 for this account. Yes; Mayor Guerin, Trustees Brassard, Curran and Smyth. No; None. Absent; Trustee Davenport; motion carried.

Payment was received and postmarked on June 20, 2016 for Account No. 185; Dan Brown. The check presented for payment was dated for June 10, 2016. The Board determined that the payment was postmarked for June 20, 2016 and that the mail/drop box is checked daily, therefore the penalty amount of \$43.39 on this account is due and payable and the request to forgive the penalty amount was denied.

The Board discussed and agreed to designate the beach and playground areas at the Village of Port Henry Champ RV Park and Campground as "Non- Smoking" areas. Trustee Brassard will order signs to be posted in the areas.

Mayor Guerin indicated that the 5 hour mooring sign will also be put back up near the pier/dock and that he has spoke with Ed Roberts regarding the dog feces issue at the beach and pier.

A motion was made by Trustee Brassard, seconded by Trustee Smyth, to pass a resolution to authorize the cancellation of the Time Warner Cable 2016 Property Tax Bill No. 587, in the amount of \$620.85, per the franchise agreement. Vote:

Aye: Mayor Guerin, Trustee Brassard, Curran and Smyth.

Nay: None.

Absent: Trustee Davenport

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 11th day of July, 2016.

A letter was received from the Essex County Office of Real Property Tax Services with regard to an application for the correction of the 2016 Village of Port Henry Tax Roll. Exemption Code 25230 should have been applied to Account No. 651A103207; assessed to Essex County Facilities, Inc. and was erroneously omitted on the Tax Roll. The Office

of Real Property recommends that the exemption code be applied and the amount of taxes due adjusted accordingly to reflect a zero balance. A motion to pass a resolution to adjust the above listed tax bill was made by Trustee Brassard, seconded by Trustee Curran
Vote:

Aye: Mayor Guerin, Trustees Brassard, Curran and Smyth.

Nay: None.

Absent: Trustee Davenport.

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 11th day of July, 2016.

A Property Maintenance Complaint Form was received on June 15, 2016 with regard to the property located at 3196 Broad Street and a copy was distributed to the Mayor, Board and Code Enforcement Officer for review. The Board determined that the complaint was a civil matter/dispute that the Village has no control over.

A letter was received from Kellie Valentine with regard to negotiating her hourly wage of \$10.00 an hour for cleaning the Village Hall and Office. Ms. Valentine indicated that after taxes she actually clears \$6.20 per hour. It was noted that Ms. Valentine does a fantastic job and a decision was tabled until the August 8, 2016 meeting during which time the Board will attempt to determine exactly how much Ms. Valentine is requesting per hour.

The next regularly scheduled meeting of the Village of Port Henry Board of Trustees will be held on Monday August 8, 2016, at 7:00 pm.

A motion was made by Trustee Brassard, seconded by Trustee Curran, to approve the June 27th and July 11, 2016 bills for payment. Yes; Mayor Guerin, Trustees Brassard, Curran and Smyth. No; None. Absent; Trustee Davenport; motion carried.

Abstract Distributions

General \$43,231.27

Water \$6,792.14

Sewer \$2,322.36

Joint Activity \$8,732.36

Capital \$35,592.57

SECOND PUBLIC COMMENT PERIOD

Acting Treasurer Jurkiewicz informed the Board that former Treasurer Monette requested an extension again this year with regard to filing the year end financial report with the New York State Comptrollers Office as a result of a required FEMA funds audit performed by Telling & associates. Board reports will continue to reflect May of 2016 until the books are closed.

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

A motion was made by Trustee Curran, seconded by Trustee Smyth, to adjourn the meeting at 7:50 pm, at which time the Board will enter in to Executive Session to discuss a pending litigation matter. Yes; Mayor Guerin, Trustees Brassard, Curran and Smyth. No; None. Absent; Trustee Davenport; motion carried.

ADJOURNED

Denise C. Daly, Village Clerk

