

The Town of Moriah Town Board held a Joint Public Hearing with the Village of Port Henry on November 15, 2016 at 7:00pm at the Knights of Columbus 4253 Main Street, Port Henry, New York, to discuss the formation of a joint fire district.

Present: Thomas Scozzafava Supervisor
Lucille Carpenter Councilwoman
Thomas Anderson Councilman
Timothy Garrison Councilman

Absent: Paul Salerno Councilman

Village Trustees:

Present: Matt Brassard Trustee
Linda Smyth Trustee
Mark Davenport Trustee
Jim Curran Trustee

Absent: Ernest Guerin Mayor

Others Present: Bill Trybendis, Lohrer McKinstry, Ann Tesar, Chuck Kolodzey, John Silvestri-Attorney for the Town, Robert Hafner-Attorney for the Village, Phil Smith, Sandra Lovell, Charli Lewis-Essex County Real Property, Tom Edwards, Ned Phinney, Ron Nesbitt, Jim Hughes-Chief Port Henry Fire Department, Charlie Bryant, Denise Daly-Village of Port Henry Clerk and Rose French, Town Clerk

The Supervisor opened the public hearing at 7:00pm by saluting the flag.

The Supervisor read the legal notice calling for the public hearing. The Supervisor introduced John Silvestri-Attorney for the Town and Robert Hafner-Attorney for the Village, he explained that this has been a very complicated process and both attorneys are being paid out of grant funds from the dissolution. He then turned the meeting over to Mr. Hafner.

Mr. Hafner said he would like to give a brief overview of the process and go over all the documents for tonight's meeting.

He said the first step is to approve the joint fire district, this is done by resolution. After that the public will have a chance to speak. He explained how the joint fire district will take effect one day before the dissolution so there will be time to transfer all equipment. The following day, it will be a normal fire district. He explained how a fire district is run by Fire Commissioners. At this meeting tonight the Fire Commissioners will be appointed and then normal elections will happen in November 2017. The Fire Commissioner Terms will be in five staggered years, so one Fire Commissioner will be up for election every year. The Fire District Treasurer is appointed. The Village of Port Henry had to come up with three names, they are: Tom Edwards, Carl Gifaldi and Frank Slycord. The Town of Moriah had to come up with two names, they are: Dwayne Maye and Steve Pelkey. Trustee Matt Brassard said the Village Trustee's thought Erin Gilbo might be interested in the Treasurer position, but he has not spoken to her yet. The Supervisor made a motion to put her name in and then the committee can decide at a later date.

Mr. Hafner explained the next step would be to "incorporate" the Port Henry Fire Department. This would require "consents" from the Town of Moriah Town Board and the Board of Trustees from the Village of Port Henry. This would be done at the Joint Public Hearing on December 13, 2016.

The Supervisor asked if this was petitioned and went to permissive referendum would it stop the incorporation of the fire department? Mr. Hafner said no, they could still become incorporated. The Town would still have to provide protection for the people in this area; the Town would have to contract with the department to provide protection. Mr. Hafner said the Fire Company would still exist.

The Village of Port Henry Board of Trustees and the Town of Moriah Town Board opened the floor to the public:

Sandra Lovell asked if this all goes through, will the Village Residents end up paying for a new fire house? Matt Brassard explained that if a new fire house was needed, it would go out to vote and then the Town would try to get funding to help pay for it. Ms. Lovell also asked if the Town would be moving the Fire Department? The Supervisor said they might have to find a new location for it, but it certainly wouldn't be in Mineville.

Tom Edwards asked if it went to permissive referendum and was voted down and a new district was not formed, would there still be a fire department? The Supervisor said yes, the Town still has an obligation to provide protection and the Town would contract with the fire department for that protection.

Phil Smith asked how the Village Board of Trustees came up with the three names for the Fire Commissioners. Matt Brassard stated that they communicated between the board via email. Mr. Smith felt that was not a fair way to do it. He said Chief Hughes was given three good names as well. Tom Edwards agreed with Mr. Smith. He felt something should have been put in the paper, stating they were looking for commissioners. Mr. Brassard said he was 100% correct. Mr. Hafner said these names are suggestions only. Matt Brassard said there is still time to change the three names. Supervisor Scozzafava said the Town Board is in agreement with their two choices for Fire Commissioners. The Supervisor reminded everyone that these are not permanent seats, anyone can run for office next November. Mr. Smith asked if the calendar year was April to April? The Supervisor stated it is a calendar year. Mr. Smith said then ultimately these fire commissioners would be deciding on the 2018 budget as well. The Supervisor reminded everyone that they still have to follow the same rules and regulations as the town as far as the tax cap goes. The Supervisor asked how everyone would feel if the Chief hand picked the Fire Commissioners? Nobody would be happy with that either. Chief Hughes spoke, he said he feels there is an element of distrust right now and he hopes that everyone can get past that. He has been in the Fire Department 31 years with the past eight as Chief. He stated that they have made great progress in recent years. He feels the three names provided for Fire Commissioners are all good people, just the process was wrong.

The hearing closed at 7:35pm.

Town Clerk