

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, April 13, 2017 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

**Present:** Thomas Scozzafava Supervisor  
Paul Salerno Councilman  
Thomas Anderson Councilman  
Lucille Carpenter Councilwoman

**Absent:** Timothy Garrison

**Others Present:** Ed Roberts-Building & Grounds Superintendent, Chip Perry-WWTP, Chuck Roberts, Ryan Davies-AES, Paul Tromblee, Sandra Lovell, Lohrer McKinstry, Sharon O'Connor, Rich Lapier-Building Codes, Jackie Viestenz, Linda Smyth, Jeff Kelly, Kim & Tim Kolodzey, Rose French-Town Clerk.

Supervisor Scozzafava opened the meeting at 6:00pm.

**ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Anderson, Carpenter
	Nays	0
	Absent	Garrison

**RESOLVED** that the Town of Moriah Town Board approve the minutes from the previous meeting.

#### **Bid Opening:**

Supervisor Scozzafava read the legal notice for the Individual Camper Waste Tank Pump-Out Services.

No bids were received.

The Supervisor did receive one call from a vendor. They said it was more involved than just “pumping out”. They would need a SPDES permit and it is very time consuming.

**Special Guest:** The Supervisor introduced Ryan Davies from AES. Mr. Davies reported there are still two (2) issues with the Manhole 13 project which was completed last December.

1) The Laduc residence still needs to be connected. AES is searching for a Contractor that will do it because they need to be bonded with DOT because they have to go under NYS Route 9N.

This will be paid for out of the new Port Henry Sewer District #2. Councilman Salerno asked if Sam Meachem would do it, and Chip Perry said he wasn't sure if Sam was bonded, that is the issue. Mr. Davies stated that Manfred Construction does not want to do it. The boring under the road will cost between \$20,000-\$30,000, 78 feet total.

2) The new sewer line was done with steel pipe. However, Mr. Davies stated that steel is very corrosive, not meant for raw sewage. The “slip line” over the steel pipe will cost around \$150,000.00. The permits are currently in place from the Manhole 13 project and the Town is at 0% interest loan right now for 30 years, now would be the time to do the project.

The whole project including the boring would be around 1.6 million dollars. The Supervisor reminded everyone this is not a town wide cost, it would be the residents in Port Henry who would be repaying this. The Supervisor is talking to EFC regarding the Town's options for this project. The Supervisor stated he believes that even after this project, the residents in Port Henry will still be paying less for their sewer. This project would have to go out to bid. The slip line would be under the contingency budget. Mr. Davies was not definite on a time frame. Chip Perry stated that the original permits were very expensive; he thought they were around \$10,000.00. Mr. Davies suggested contacting CP Rail; he doesn't feel they will have an issue. Councilman Salerno asked how long the project would take and Mr. Davies thought it could be done by the end of the summer. The Supervisor reported that originally CP Rail was concerned

about the flooding and thankfully at the beginning of the project, photos were taken and proved that the “flooding” was an issue before the project.

1. **ON MOTION** by Councilman Anderson, seconded by Councilwoman Carpenter, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson
	Nays	0
	Absent	Garrison

**RESOLVED** to request proposals for boring across NYS Route 9N to connect the Laduc property.

Discussion: The Supervisor will meet with AES to get proposals.

2. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Anderson, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson
	Nays	0
	Absent	Garrison

**RESOLVED** to go to bid for the Slip Line on the Manhole 13 project.

Discussion: The Slip Line bid opening date will be at the June 8, 2017 Town Board Meeting.

### **Floor open to the public:**

Richard Tromblee caretaker for Solvay who owns the Number 7 Mill on Switchback Road, reported he has had several calls from Residents complaining about several videos on YouTube of the Number 7 Mill which show their property. The videos were taken by Drones. Mr. Tromblee wanted to let everyone know that Solvay did not take these videos. He also stated he has had calls from people wanting to come visit the area and that is not allowed. It is too dangerous for the public to be in there. He said Solvay was not aware of the videos and is seeking legal action; the issue is who owns the “space” where the Drones were flying.

Supervisor Scozzafava said he spoke to Fred Ellerbusch from Solvay. He is gathering information from different Town’s on Local Law’s regarding Drones. It is going to be very hard to enforce. Mr. Tromblee said when you are flying a Drone you cannot let it out of your sight. Richard Lapier-Code Enforcement Officer stated that if a Drone leaves your property you have to have permission from other homeowners to fly over their land. Councilman Salerno stated that Drones are becoming very popular. Sandra Lovell asked what the people who took the videos were interested in. The Supervisor said he didn’t think they were interested in anything particular, just shooting some video. The Supervisor saw the videos and thought they were very good and shared them on Social Media. Councilwoman Carpenter stated she didn’t think they meant any harm. The Supervisor stated that Paul Tromblee wanted to be here to explain that it wasn’t Solvay who took they video and they are getting blamed for it. The Supervisor reported that Solvay is working closely with the Hydro Project which is good.

### **Department Head Reports:**

Art Morgan-Water & Sewer Superintendent: Excused.

Jamie Wilson-Highway Superintendent: Excused. Councilman Salerno read the Highway Superintendents report: See attached.

Steve Stahl-Officer in Charge: Absent. No Police Report.

Ed Roberts, Building & Grounds Superintendent: Reported they have been busy with the inmates working at both beaches cutting trees and getting ready for the camping season.

Richard Lapier, Code Enforcement Officer: Issued 2 building permits for the month of March. Inspected 1 for Certificate of Occupancy. Reviewed plans for Dollar General, hoping to hear from them soon. Whistle Pig is moving along, steel is set on one building, working on siding, pouring concrete floor on the second building.

Also, would like approval for a 2 lot subdivision for Bruce & Grace Lamb on the corner of Foote and Joyce Road.

Councilman Anderson asked Mr. Lapier what the plans are for the Dollar General. Mr. Lapier said he has reviewed the plans but no permit has been issued yet. Councilman Salerno asked Mr. Lapier if they had an opening date yet and he said no.

Supervisor Scozzafava wanted to mention that he has gotten several complaints on run down/burnt down buildings in the Town. He has met with Rich Lapier and Bill Ball regarding this matter. The issue is the asbestos. You would have to hire a contractor to do an asbestos abatement and it is very costly. That is why many owners just walk away and the banks don't want to deal with it either, that's why they end up just sitting there. Residents have asked if the cost could be added to the property owner's taxes, but the County does not relevy those costs. The Town would have to take the homeowner to court and those fees would be high also. The Town Attorney gets \$275.00 per hour for Court Appearances. Councilman Salerno reported that he heard in Peru the Fire Department did a "controlled burn" and burned down a house, how do they get away with it? The Supervisor said they should not have, and they will probably get in trouble for it. The Supervisor stated that the Fire Department can let a building that is on fire burn all the way and then topple it over but you would still have to go through the whole asbestos abatement process and then it would be twice as hard. The Supervisor reported that the new owner of Nu-Way Laundry is going through this issue right now and it is going to cost them between \$5,000-\$10,000 to remove the asbestos.

Mr. Roberts wanted to remind everyone that there is no burning brush right now. Not until May 15, 2017.

Supervisor Scozzafava reiterated again that Richard Lapier will do new building construction and Bill Ball will be doing property maintenance.

Linda Smyth asked if Bill Ball will be attending meetings and the Supervisor said he will try and get him to be here next time.

Chip Perry-WWTP: The transition has gone very well so far. The guys are doing a great job. Nothing else to report. He did want to mention that he has an open door policy. The Supervisor stated that if anyone gets a chance to take Chip up on it and stop and visit the WWTP, it is hospital like it is so clean.

The Supervisor also stated that the transition is going very well. Denise Daly has been a huge help. First day on payroll we had a snow storm, so there was some OT involved.

### **Town Board Report's:**

Councilman Anderson reported that the Youth Commission would like to hire Deb Brace as Assistant Director and Celia Briggs as the Activities Coordinator, same pay as last year. The help wanted ad is out and applications are out for counselors. The application for the County has to be in place 60 days prior to opening. The pay will stay the same for the counselors as well this year, we do not need to pay them minimum wage.

Councilwoman Carpenter: Nothing to report.

Councilman Salerno: Have had several campsite meetings. Getting the campsites ready with Ed Roberts and the inmates. Water has been turned on. The Supervisor asked Chip if he was going to take care of the water samples and he said yes. Superior Plus takes care of the gas at the Port Henry Campsite. The picnic tables look ok. John Hickey and Ed Roberts will be helping out at both campsites. There will be no more laundry at the Port Henry Beach. The honey wagon should be fixed in the next couple of days. Norm and Tammy Wright, Port Henry Beach Managers will meet with Wayne and Ruth Plunkett, Bulwagga Bay Campsite Managers to do some training with them. The Campsite workers will start on Monday, April 17, 2017. The inmates have been raking.

Councilman Salerno would like to acknowledge Mark Scozzafava for his 37 ½ years of service

at Bulwagga Bay Campsite. This position will not be filled; will use Building and Grounds to cover. The Supervisor stated we will not be filling this position because we just took on 5 new employees. This is an opportunity for the Town to save some money.

### **Supervisor's Report:**

Supervisor Scozzafava will meet with Kevin Eagen from Spectrum on Wednesday, April 19, 2017 regarding our franchise agreement regarding cable in those areas that do not have it now which was part of the Town's agreement with Time Warner Cable. Councilwoman Carpenter asked if we had a new contract with them yet and the Supervisor said no. Councilman Salerno asked where the money was that Assemblyman Dan Stec said we were supposed to be getting. The Supervisor reported that the communities did not have to apply for this funding; it was up to the cable company to do it.

The Supervisor has the USDA Rural Development's Section 504 Home Repair Loan & Grant Program applications if anyone is interested. You have to be 62 years old or older to apply.

The Supervisor is going to check with Healthy Places funding to see if we can sell the canoes at Bulwagga Bay Campsite to purchase 2 people kayaks and paddle boards, they are more in demand and maybe purchase some for Champ Beach also.

With the dissolution of the Village, the question regarding plowing private roads has come into question. Under Highway Law the Town does not. If the Town Board decides to treat the roads in question in Port Henry as "highway by use", the legal issues are extensive.

The Town will be flushing hydrants the week of April 24, 2017 in Mineville, Witherbee and Moriah and May 1, 2017 and May 2, 2017 in Port Henry.

The Supervisor shared a letter that former Mayor Ernie Guerin received from the NYS Parks, Recreation and Historic Preservation Department recommending that the old Port Henry Fire House (Henry's Garage) be added to the Historic Register. This building is now owned by the Town of Moriah and the Town is leasing it to Fire District #3 for their equipment. The Supervisor stated that Sharon O'Connor has been a huge help with the formation of this new district. The Supervisor stated that the Town has had two (2) serious offers to purchase the building. If the Town decides to sell it, it would have to be appraised and put out to bid. The highest bidder would get the property.

The Supervisor stated that because we received no bids for pump outs, and the Town only owning one honey wagon, he would like to suggest that the Town only do pump outs 2 times per week, once at Bulwagga Bay and once at Champ Beach. It ties up too many workers and takes too long otherwise. He feels the campers should be doing it themselves anyway. Councilwoman Carpenter asked if every camper has a blue tank for sewage. Richard Lapier said no, not everyone does. She suggested we do 2 times per week this year and let everyone know that next year it will be their responsibility to get a blue tank and pump out their own. Councilman Salerno asked Rich Lapier if he thought 2 guys and 2 days a week would be enough, they do about 40-50 pump outs a day, would they be able to do it and Rich thought with some training and a set way to do it, it could be done.

The Supervisor met with Jamie Wilson regarding the work to be done at the Health Center. There was some money left over in the old health center checking account, around \$7,000 and they are going to repair the sidewalks and parking lot with it. Hudson Headwaters will also put money towards this project. The Town owns this property and the health center leases it from the Town.

Fred Keil, Architect, will hold a presentation on the Iron Center Building Report. The Supervisor asked Rich Lapier if the doors could be fixed this year.

The County will begin work on the Transfer Station, repairing walls, making room for 2 compactors and they will be putting scales in. Not sure how residents will pay yet, probably with a debit/credit card.

### **Resolutions:**

3. **ON MOTION** by Councilman Anderson, seconded by Councilman Salerno, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to schedule a Public Hearing to extend Local Law #3 of the former Village of Port Henry to extend Moratorium on Street Level Residential Development for a one year period. Hearing Date: May 11, 2017 at 5:45pm-Court House-prior to Board Meeting.

4. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Anderson, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to authorize Keystone Fireworks to sell fireworks at 4242 South Main Street from 6/28/17-7/5/17.

5. **ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to authorize Essex County to have a household waste amnesty day for hazardous waste disposal at the Town Highway Garage September 2, 2017 from 8:30am-4:30pm.

Discussion: The Supervisor stated that this is a very successful program and we have never had it here, this is a good thing. We have the bulk of the population in the County, we need it here. It will be posted in the paper.

6. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Anderson, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to change days of operation at Transfer Station Tuesday-Saturday, closed Sunday and Monday.

Discussion: Now that the Village is dissolved, there is no need for anybody to be at the Transfer Station on Mondays and it gives the employees 2 days off in a row. Councilman Salerno reported that the Transfer Station will begin their summer hours on May 5, 2017.

7. **ON MOTION** by Councilman Anderson, seconded by Councilwoman Carpenter, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to renew maintenance agreement with Twinstare for telephone system 6/1/17-5/31/18 for \$702.09.

8. **ON MOTION** by Councilman Anderson, unanimous second, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to approve resolution of appreciation to Mark Scozzafava for 38 years of service at Bulwagga Bay Campsite.

9. **ON MOTION** by Councilman Anderson, seconded by Councilman Salerno, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to abolish one 40 hour seasonal position at Bulwagga Bay Campsite.

10. **ON MOTION** by Councilman Anderson, seconded by Councilman Salerno, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to appoint Rich Lapier as foreman at both Campsites, 20 hours per week at \$16.70 per hour-seasonal position.

Discussion: Councilman Salerno stated Mr. Lapier has been currently working 20 hours per week.

11. **ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to set date for Special Meetings: Waterfront Study for Thursday, April 20, 2017 at 6:00pm at the Court House; Iron Center Building Report for Thursday, May 18, 2017 at 6:00pm at the Court House.

Discussion: The Supervisor stated these are “big ticket” items, that’s why we are having separate meetings.

12. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to change Civil Service Classification for Building & Grounds Superintendent to Management Confidential due to additional subordinate employees in this department.

Discussion: The Supervisor wanted to let everyone know that he did not kick Ed out of the Union, Ed approached him about this.

13. **ON MOTION** by Councilman Anderson, seconded by Councilman Salerno, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to appoint Bill Ball as Code Enforcement Officer for enforcement of the New York State Property Maintenance Codes and any Local Laws pertaining to property issues. Effective date 4/1/17.

Discussion: This appointment was missed when the Transfer of Employees from the Village was done. Pay is \$5,000.00 per year. The Supervisor will speak to him about coming to the monthly board meetings.

14. **ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Carpenter, Anderson  
Nays 0  
Absent Garrison

**RESOLVED** to remove tax parcel # 86.4-2-16.000 from Water District #2.

Discussion: Mark Savage came in to see the Supervisor questioning why he was paying a water tax and that is when it was discovered that he should not be. Mr. Savage is not requesting any type of refund.

15. **ON MOTION** by Councilman Anderson, seconded by Councilwoman Carpenter, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson
	Nays	0
	Absent	Garrison

**RESOLVED** to approve 2 lot subdivisions for Bruce and Grace Lamb.

Discussion: This is a simple 2 lot subdivision, no involvement by the APA, they want to sell one structure.

16. **ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson
	Nays	0
	Absent	Garrison

**RESOLVED** to hire Deb Brace as the Assistant Director of the 2017 Summer Program and Celia Briggs as the Activities Coordinator for the 2017 Summer Program.

17. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson
	Nays	0
	Absent	Garrison

**RESOLVED** to maintain the pay rate for all Summer Program Employees (3 adults and all counselors) same as 2016 season.

18. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson
	Nays	0
	Absent	Garrison

**RESOLVED** to go to bid for one tandem axle dump truck with a Detroit engine and all plow equipment that is needed. Bid opening at May 11, 2017 Town Board Meeting.

19. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Carpenter, Anderson
	Nays	0
	Absent	Garrison

**RESOLVED** to approve payment of the warrant.

#### **Floor open to the public:**

The Supervisor wanted to encourage everyone to visit the WWTP, the Water Plant and Highway Garage.

Linda Smyth asked if the meeting on April 20, 2017 for the Waterfront Study was an open meeting and the Supervisor said yes. She would also like to see the Town clean up one house a year. The Supervisor stated "you can't get blood from a stone". A 4 family house just burnt in Witherbee and that is being dealt with.

Sandra Lovell asked about Manhole 13 and the slip line. Chip Perry replied that at the time we had 3 choices for pipe; culvert, steel or concrete and steel was the only choice that Canadian Pacific would agree to. Ms. Lovell also mentioned that when she enters Bulwagga Bay Campsite it feels very cluttered and it is not like that at Champ RV Park. The Supervisor encouraged her to attend the Waterfront Development meeting on April 20, 2017.

The meeting adjourned at 7:30pm.

**Abstract Distributions:**

**Claim Numbers:**

March 23, 2017

General	\$2,403.40	2017/6400-6417
Highway	\$251.58	
Water #1	\$105.77	
Water #2	\$72.61	
Water #4	\$11.05	
Sewer	\$265.08	

April 13, 2017

General	\$72,281.05	2017/6423-6553
Highway	\$50,530.24	
Water #1	\$4,707.13	
Water #2	\$3,254.19	
Water #4	\$412.02	
Sewer	\$3,347.08	

**Capital Projects:**

CDBG/Sewer/Lamos Lane & Witherbee Road	Press Republican	#1	\$27.69
Waterfront Economic Strategic Plan	Crane Associates	#3	\$11,320.83
Smart Growth Grant-DEC	Town of Willsboro	#1	\$10,000.00

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Town Clerk