

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, August 10, 2017 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

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

**Absent:** Timothy Garrison Councilman

**Others Present:** Bill Trybendis, Lohrer McKinstry, Jamie Wilson-Highway Superintendent, Rich Lapier-Building Codes, Eric Wilhelmson, Ann Tesar, Paul Reese, Cathy Sprague, Chip Perry-WWTP, Chris Maron-CATS, Margaret Parah, Diana Stevenson, Paul Tromblee and 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, Carpenter, Salerno, Anderson
	Nays	0
	Absent	Garrison

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

**Special Guest:** Calef Letourney from Paraglide New England gave a presentation on paragliding on the point at Bulwagga Bay Beach. He presented the Board with their "Resume". Supervisor Scozzafava said it was well put together. Mr. Letourney stated once the Board approves their plan, then they can go forward with getting their insurance. The Supervisor asked what the hours of operation would be and Mr. Letourney said weather permitting, it would be daylight hours. The Supervisor stated the point is perfect, less traffic and the Town does not need to cut down any trees. Mr. Letourney said they would "police" their own launch. The Supervisor stated that the beach is open 11:00am-6:00pm but that should not affect the paragliding. The Supervisor is very excited about this; he feels Bulwagga Bay Beach will become a destination. The Supervisor asked what they would be charging and how. Mr. Letourney stated they are not sure yet. They would like to go into Fall, weather permitting. The Supervisor is not sure what the fee is yet that the Town would collect, all those details will be determined at a later date, once Paraglide New England gets their insurance.

Paul Reese expressed his concern about the speed of the paraglide boat with all the other boaters, kayakers, and sail boats. Mr. Letourney said it is a valid concern. The paraglide boat does not go fast, they stay clear of all other boat traffic and they went until it is clear to go.

The Supervisor stated that the Town only has authority over the Point, farther out is federal waterways. The Supervisor stated he understands that some people don't like sailors and bass boats, but he still feels this is a good thing for this area.

Councilman Anderson asked how many people are involved in running this operation and Mr. Letourney said there are 3 (three) people. He also asked if the Town of Moriah was in competition with another area for this and Mr. Letourney said they are currently at West Rutland Mountain Site and Sugarbush Mountain Site, but they have not found a site better for doing it over the water other than Bulwagga Bay Beach.

Councilman Salerno asked if paragliding falls under FAA regulations and Mr. Letourney said yes it does, they notify the FAA every time they launch.

Eric Wilhelmson asked what they would be charging and Mr. Letourney said they were thinking \$130.00 per person. It would be for tandem and maneuver clinics. Councilman Anderson asked if Mr. Letourney thought this would really grow and he said yes. Councilman Anderson also asked if there was anybody else on the east coast that does this, and Mr. Letourney said no.

Councilman Salerno expressed his concern about parking, July 4<sup>th</sup> weekend is usually very busy, what happens if we get 50-60 people that want to do it and the Supervisor said that's not a problem, that's a good thing, he feels we have plenty of parking at the beach.

Councilman Anderson asked if there was an alternate landing site and Mr. Letourney said yes, they plan ahead.

Councilman Salerno asked if this became a hot item, would they be getting more boats and Mr. Letourney said they would be definitely getting a 2<sup>nd</sup> boat.

The Board was in agreement with going forward with the paragliding. The Supervisor stated he and Mr. Letourney will meet to finalize the lease agreement and the cost, whether it will be per ride or per season. The Supervisor asked what the other areas are charging Paraglide New England and Mr. Letourney stated its usually a \$15.00 chair lift ride or a \$5.00 car ride. They will probably end up charging per flight. He stated they will probably end up losing money in the beginning after they pay insurance and everything. The Supervisor stated they will come up with a figure for the rest of 2017 and possibly 2018. Mr. Letourney said they will continue practicing until they get their insurance after they get the Town's permission.

1. **ON MOTION** by Supervisor Scozzafava, seconded by Councilwoman Carpenter, the following resolution was

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

**RESOLVED** to accept Paraglide New England's proposal to offer paraglide rides off the Point at Bulwagga Bay Campsite, pending proof of insurance.

Discussion: Mr. Letourney asked if anybody had any ideas for a DBA name?

**Bid Opening:** Supervisor Scozzafava read the legal notice of bid for the Door Replacement at the Iron Center Museum. One bid was received from Hayes Contracting in the amount of \$12,000.00 for Bid B-installation only. No action was taken by the Board and Councilwoman Carpenter will get in contact with Architect Fred Keil regarding the bid.

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

Cathy Sprague-Moriah Chamber of Commerce reported that the Hiking Challenge was a success. They ordered 200 patches and have given out 192 so far, still getting write-ins. The Hiking Challenge was mentioned in Adirondack Explorer. She would like to thank everyone that helped to make this a success.

They are looking for volunteers for the Labor Day celebration. The Grand Marshall for the 128<sup>th</sup> Labor Day parade will be Supervisor Thomas Scozzafava.

The Supervisor was thankful, but felt there were more deserving people. He also stated that ROOST donates \$2,500 to the Chamber, but the check will not come until probably November, the Town will give the Chamber this money for the Labor Day Celebration and then the Town will just keep that money when it comes in later in the year.

2. **ON MOTION** by Supervisor Scozzafava, seconded by Councilman Salerno, the following resolution was

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

**RESOLVED** to give \$2,500 to the Moriah Chamber of Commerce for the Labor Day Celebration and then when the donation comes in from ROOST the Town will keep it.

Discussion: Councilman Salerno asked how much one of the brass bands cost and Ms. Sprague stated they cost @ \$1,100.00, however they might be able to get one out of Vermont for \$800.00. She also said that the whole celebration will cost between \$7,000.00 - \$8,000.00. Vendors will be set up on Church Street again. The Supervisor stated he feels it is good to keep it centralized in Port Henry.

Chris Maron from CATS spoke about the hiking challenge. He stated there was some confusion going up Big Hollow because there are no signs. He would like to work with the Town to get some signage for next year. He said the trail starts where the cemetery is. You can drive up to the cemetery and then parking becomes an issue. The Supervisor asked if Mr. Maron wanted to put a sign at the end of Laing Road? The Town has to be careful because we don't own the land for parking. He stated some people are not happy with all the traffic. Councilman Salerno asked where the trail starts and Mr. Maron said it starts at the cemetery. Jamie Wilson, Highway Superintendent stated that the Town plows up to the last house. Councilman Anderson asked if it was a Town Road and Mr. Wilson said they only plow it because of the cemetery. The Supervisor stated the Town has to take care of the cemetery because it is an "abandoned" cemetery. The Supervisor stated the Town will work with CATS on getting the signs. Mr. Maron has talked to a few residents and he will meet with Mr. Wilson regarding the signs. The Supervisor asked Mr. Maron if they could get some history signs for the top of Cheney Mountain so hikers would know what they are looking at. Mr. Maron said definitely, he will work on getting a grant.

Paul Reese stated that the sign for Walton Cemetery is gone. Mr. Wilson will look into this. The Supervisor said the Walton Family had agreed to take care of this cemetery and haven't. Mr. Wilson stated the Highway Crew has been in there and cleaned it out.

Margaret Parah asked what could be done about the lot behind her house that is all overgrown. She is getting animals in her yard because of it. The Supervisor stated that is a property maintenance issue. He will look into who owns the land and suggests that Ms. Parah get in contact with them. The Town cannot tell someone how to take care of their yard.

#### **Department Head Reports:**

Chip Perry-WWTP: Filtration plants are running well. They have been working on the chlorine chemical station at the Moriah Water Plant. Maintenance at Port Henry and Moriah Water Plants is ongoing. There were no complaints for the month of July.

The Wastewater Treatment Plant is running well.

Took down # 2 SBR tank for an inspection, all air grids look good, one continuous purge diffuser needs replacing.

Mr. Perry met with MJ Engineering on the asset management plan that is being developed with the grant from Lake Champlain Basin Program. The plan should be completed in 6 to 8 months. We are one of thirteen facilities that were awarded the grant.

They are still working on final work for the MH 13 project to get a boring under Rt. 9 completed. They have met with CP Rail and AES on a plan for the problems CP Rail has determined that the project caused on a portion of the tracks in the right of way. CP Rail has completed extensive work to alleviate flooding issues in the portion of track that they are saying we were causing problems.

They are continuing with the preventative maintenance and seasonal maintenance on a daily basis.

Mr. Perry encourages all Board members and the public to visit the treatment facilities.

Jamie Wilson-Highway Superintendent: They have been busy cutting road side brush. Installed bike racks at the playground in Grover Hills and at the ball court in Moriah. The following roads are on the paving schedule: Bartlett Pond Road, parts of Silver Hill Road, Maple Street, parts of Edgemont Road, Henry Street, First Street, Second Street, Third Street, and possibly Lewald Lane. The County is doing some paving on Ensign Pond Road, Windy Hill Road, and shims on Witherbee Road and Pelfishire Road. Three benches and a picnic table were installed in Port Henry between the boat launch and the pier. Mr. Wilson has met with the County regarding the sidewalk project in Port Henry. Supervisor Scozzafava stated there is money leftover in the Village Coffers and it will be used on sidewalks in Port Henry. He would like to see this project done this Fall. He also stated that street lamps will be installed like the ones in the park.

Beginning August 21, 2017, the Highway Crew will be working at the Moriah Health Center, working on the sidewalk and the parking lot. Parking will be in the back during this time.

Rich Lapier-Building Codes: Issued 7 building permits for the month of July. Issued 1 appearance ticket for rubbish & garbage for a house in Witherbee. Had 4 complaints as to rubbish & garbage and occupancy issues. Supervisor Scozzafava brought up abandoned houses and the asbestos issue again. He spoke to the Town Board regarding Condemnation proceedings. He will be in contact with the Town Attorney to get more details.

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

Councilman Salerno gave the dates for clean-up day: August 5, 2017-Mineville, Witherbee and Grover Hills, August 12, 2017 for Moriah Center and Moriah Corners, and August 19, 2017 for Port Henry. Supervisor Scozzafava said he spoke to Dave Tur and he had a good idea for free dump days; when somebody comes in to pay their taxes, give them a pass for one free dump day during the year, this way they could do it whenever they wanted.

Councilman Salerno also reported that Bulwagga Bay Campsite now has 145 Seasonals and Champ RV Park has 59 Seasonals. Supervisor Scozzafava said he toured Millbrook RV Park and it is very nice-5 Star Campground, it is an asset to the community. Councilman Salerno would like to thank Ed Roberts, John Aurilio, John Hickey and crew and all the inmates for all their hard work with the clean-up. Councilwoman Carpenter would like to thank them also for all their work at the Angel of Hope Memorial Garden, she would not be able to take care of it without their help.

Councilwoman Carpenter read the police report: Handled 141 calls for service. 2 Violations-2 disorderly conduct; 3 Misdemeanors- 1 aggravated unlicensed operation of a motor vehicle 3<sup>rd</sup> degree and 2 issuing bad checks; 0 Felonies; Issued 11 Traffic Tickets; Handled 5 Traffic Accidents; Conducted 12 pistol permit background investigations.

Cathy Sprague asked what could be done about the same person issuing bad checks. Councilwoman Carpenter said that business owner would have to file a police report and then it becomes a Court issue, that is nothing the Town Board handles.

Councilman Anderson reported that the Summer Program ended today. Had an average of 90 campers per day and 17 Counselors. Steve Pelkey and staff did a great job. They had a successful summer and he believes they are within budget.

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

Harold Bigalow stopped again to see the Supervisor regarding the truck route along Grove Street. The Supervisor is not sure what the answer is. He did find out that it is up to the Town Board to change a truck route. Mr. Wilson would like to get new signs for the top of Broad Street warning there is a steep grade. Ann Tesar feels if they go down Broad Street onto Main Street it is going to tie up traffic because there is no room to make the turn the way the parking is. The Town Board is going to wait and see what the County says after Mr. Wilson talks to them regarding signage. Mr. Wilson feels this is a very debatable topic, no right way.

Five out of the six lifeguards will be going back to college effective August 22, 2017, leaving one lifeguard on duty. The beaches were closed for a few days to blue green algae, but that has cleared up and they are back open. The Supervisor feels because of the shortage of lifeguards, we should keep Bulwagga Bay Beach open until Labor Day.

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

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

**RESOLVED** to close Port Henry Beach effective August 21, 2017 and leave Bulwagga Bay Beach open until Labor Day pending the availability of more lifeguards.

Discussion: Chip Perry stated it would be a shame to close Port Henry Beach before Labor Day. The Supervisor said we have no other choice unless we can find some lifeguards.

The Supervisor received a letter from Moore Recycling, they will no longer be accepting refrigerators, air conditioners or any materials with refrigerants. The Town currently has no place to take them. We have pallets that are full right now of electronic equipment and we have to wait another month for pickup.

The Supervisor received word from Delaware and Hudson Railway Company that they will be cutting the brush along the railway coming in to Port Henry.

The Supervisor received a letter from the NYS Department of Transportation regarding the sidewalk issue in Port Henry. The step up onto the sidewalk will not be changing. The Town can establish one (1) handicap parking area near the pharmacy. Mr. Wilson said the State will determine where it goes.

There will be a Household Hazardous Waste Day at the Highway Garage on Saturday, September 2, 2017 from 8:00am – 1:00pm.

The Town of Moriah received notice that the Eddy Foundation is taking the Board of Assessor's to Court regarding their assessment on parcel No. 96.3-1-40.000. They feel that they should have tax exempt status and the Assessor's did not grant it. They claim the property is open to the public. The Supervisor reminded everyone that tax exempt status kills the tax base.

The Supervisor reported that the final water and sewer bill for the residents in Port Henry has gone out, they have until September 3, 2017 to pay it. Effective January 1, 2017 they will be in sync with everybody else in the Town as far as the billing cycle goes.

The Supervisor received a memo from the Department of Social Services requesting that when the Town condemns or closes a house; they need to be notified so they can provide housing.

The Supervisor received a letter from Landmark Dividend, they would like to buy out the Town's lease at the Verizon site at the end of Spring Street. In the Adirondack Park you can sell cell tower space. If the Town did decide to sell, it would have to go out to bid. Councilman Salerno asked if we can break our lease and the Supervisor said no, we would be selling it. Councilwoman Carpenter asked if the Town could renegotiate the lease and the Supervisor said no.

The Supervisor received a letter from Essex County Real Property Tax Services regarding their ability to help local assessors doing a reassessment project. Eric Wilhelmson asked how much Real Property charges to do that and the Supervisor said they don't charge, it wouldn't cost the Town anything. The Supervisor mentioned again that the Assessor's will moving to the former Village Hall, Ed Roberts and the inmates will be helping them move.

The Supervisor received a letter from Cedarwood Engineering regarding the Lamos Lane Sewer Line Replacement project, they are ready to go to bid. There will be no slip lining.

The Supervisor reported that a report done in 2014 in Essex County on median incomes, Mineville was at 17% poverty level, which was the lowest in the County.

The Department of the Army, Corps of Engineers gave CP Rail permission to begin dredging bridges, they will be doing the bridge by Bezon's Bait and Tackle in Port Henry.

**Resolutions:**

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

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

**RESOLVED** A Resolution Making Certain Determinations in Relation to the Town of Moriah Sewer Main Reconstruction and Upgrade for the New York State Environmental Quality Review Act Pursuant to 6NCRR Part 617.5 c(2);

**WHEREAS**, the Town of Moriah has proposed to replace existing failing sewer infrastructure serving the neighborhoods of Lamos Lane and Witherbee Road where existing 1940's vintage sewer mains have led to infiltration and inflow into the trunk sewer main causing manhole overflow and surface water degradation, and

**WHEREAS**, the Town of Moriah has received a NYS Office of Community Renewal Community Development Block Grant to upgrade and replace 2,115 linear feet of 8" Vitrified Clay Tile pipe with 8" SDR26 PVC Pipe which will include 10 manholes, 250 linear feet of service laterals with 4" SDR PVC pipe within the Lamos Lane-Witherbee Neighborhood.

**WHEREAS**, the Town of Moriah has retained Cedarwood Engineering Services, an engineering firm duly licensed in the New York State to develop finalize design and construction documents, and

**WHEREAS**, the Town is required to comply with the New York State Environmental Quality Review (SEQR) Act – 6NYCRR Part 617, and

**WHEREAS**, the proposed project has approval from the New York State Historic Preservation Office and the Tribal Historic Preservation Office of the St. Regis Mohawk Tribe, and

**WHEREAS**, the proposed project is within the Moderate Intensity Use Area Zoned by the New York State Adirondack Park Agency and a Jurisdictional Inquiry Form is pending, and

**WHEREAS**, the proposed project also has pending approval from the New York State Department of Environmental Conservation and US. Fish and Wildlife Service, and

**WHEREAS**, the proposed project is improving existing infrastructure in the Town owned right of way where no vegetation or natural habitats exist and therefore no environmental impacts will occur, and

**THEREFORE, BE IT RESOLVED**, that the Town of Moriah has determined that the to be a TYPE II Action under SEQR pursuant to Section 617.5(c) 2, and;

**BE IT FURTHER RESOLVED**, that the Town Board of Moriah has herein determined that the proposed action incorporating the and upgrade of a water main is otherwise precluded from additional environmental review under the State Environmental Quality Review Act (SEQR) Environmental Conservation Law Article 8.

Discussion: The Supervisor stated this is something we are required to do; impact on environment.

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

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

**RESOLVED** to accept grant from D.O.S. for \$9,902.00 to be used for Water Front Development and updated building codes.

Discussion: This is for the application for the Main Street grant. We need to do the technical assistance grant first. Will use leftover Village funds in the amount of \$10,000 to do study grant, this money was ear marked for Main Street anyway. The last Main Street grant was done in 2014 and businesses on Main Street had to put up 25%.

6. **ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was
- |          |        |                                          |
|----------|--------|------------------------------------------|
| APPROVED | Ayes   | Scozzafava, Carpenter, Salerno, Anderson |
|          | Nays   | 0                                        |
|          | Absent | Garrison                                 |
- RESOLVED** to authorize payment to Luck Brothers for the Rice Street Project in the amount of \$26,585.75.

Discussion: This is end of project retainage.

7. **ON MOTION** by Councilman Salerno, seconded by Councilwoman Carpenter, the following resolution was
- |          |        |                                          |
|----------|--------|------------------------------------------|
| APPROVED | Ayes   | Scozzafava, Carpenter, Salerno, Anderson |
|          | Nays   | 0                                        |
|          | Absent | Garrison                                 |
- RESOLVED** to not do the LUCA option for the Federal Census.

Discussion: LUCA is the Local Update of Census Addresses.

8. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was
- |          |        |                                           |
|----------|--------|-------------------------------------------|
| APPROVED | Ayes   | Scozzafava, Carpenter, Garrison, Anderson |
|          | Nays   | 0                                         |
|          | Absent | Garrison                                  |
- RESOLVED** to use the 50% rule with EFC to bond for Manhole 13 Waste Water Project.

Discussion: This is a 25 year debt schedule.

9. **ON MOTION** by Councilman Anderson, seconded by Councilwoman Carpenter, the following resolution was
- |          |        |                                          |
|----------|--------|------------------------------------------|
| APPROVED | Ayes   | Scozzafava, Carpenter, Salerno, Anderson |
|          | Nays   | 0                                        |
|          | Absent | Garrison                                 |
- RESOLVED** to change back to regular hours at the Transfer Station effective September 12, 2017 (September 8, 2017 last day for evening hours).

10. **ON MOTION** by Councilman Anderson, seconded by Councilwoman Carpenter, the following resolution was
- |          |        |                                          |
|----------|--------|------------------------------------------|
| APPROVED | Ayes   | Scozzafava, Carpenter, Salerno, Anderson |
|          | Nays   | 0                                        |
|          | Absent | Garrison                                 |
- RESOLVED** to approve payment of the warrant.

**Floor open to the public:**

The meeting adjourned at 7:55pm.

**Abstract Distributions:**

**Claim Numbers:**

July 17, 2017

General	\$176.65	2017/7107
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July 21, 2017

General	\$5,247.50	2017/7108-7113
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July 26, 2017

General	\$11,126.78	2017/7115-7139
Water #1	\$48.24	

Water #2	\$33.59
Water #3	\$343.44
Water #4	\$4.88
Sewer #1	\$2,951.84
Sewer #2	\$851.74

August 10, 2017

General	\$30,236.87	2017/7144-7285
Highway	\$9,293.07	
Water #1	\$2,885.53	
Water #2	\$2,123.69	
Water #3	\$2,098.84	
Water #4	\$275.84	
Sewer #1	\$5,755.78	
Sewer #2	\$2,404.45	

**Capital Projects:**

Wetherbee Sewer Line	Cedarwood Engineering	#4	\$4,375.00
Iron Center Museum	Press Republican	#4	\$307.97
	Denton Publications	#5	\$100.32
Rice Lane Project	Laberge Group	#1	\$26,585.75

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Town Clerk