

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, August 8, 2019 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

Present:	Thomas Scozzafava	Supervisor
	Paul Salerno	Councilman
	Tom Anderson	Councilman
	Luci Carpenter	Councilwoman
	Matt Brassard	Councilman

Others Present: Bill Trybendis, Sharon O'Connor, Cecelia Wojciukiewicz, Diana Stevenson, Rich Lapier, Paul Reese, Ed Roberts, Cathy Sprague, Eric Wilhelmson, Tim Rowland and Rose French-Town Clerk.

Supervisor Scozzafava called the meeting to order at 6:00pm.

ON MOTION by Councilman Anderson, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Anderson, Carpenter, Brassard
	Nays	0

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

Floor Open to the Public:

Cathy Sprague from the Chamber stated that the Labor Day Dash will be on Saturday August 31, 2019 at 9:00am. They will be closing off the road to the Town Hall. Already spoke to the Sheriff's department and Steve Stahl and they will help with traffic. They got the fireworks permit, thank you Rose, earliest they have ever gotten it. If you would like to be in the Labor Day Parade please call the Chamber. She asked Ed Roberts if he would get the stuff to her to close off Church Street. They would like to get the bike racks cemented in at each trail head. The Supervisor stated he had no problem with that. He will talk to Jamie Wilson about it. Cathy stated they had somebody from Scotland who did the hiking challenge, they stayed at a Bed & Breakfast on Spring Street. She had a Labor Day Dash t shirt, everyone who signs up will get one. Bridgepoint Communications donated the t shirts. Ms. Sprague stated that Mike McBride passed away, he was a CO at Moriah Shock and he worked with Ed Roberts a lot with the prisoners and helped them out a lot. The Supervisor stated that Mr. McBride did a great job and will be missed. Cathy asked the Supervisor about the ROOST resolution and he stated that will be taken care of at the end of the meeting.

Department Head Reports:

Rich Lapier-Building Codes: Issued 8 building permits for the Month of July. Responded to 1 complaint and did 1 fire/safety inspection.

Eric Wilhelmson asked about the Highway Department grading Breed Hill Road, he thanked them for that but said the ditches were not done and haven't been done in a long time. The Supervisor stated that the excavator has been broke down for about 2 months that is why. Mr. Wilhelmson asked if they do it once a year and the Supervisor stated he would have to ask Mr. Wilson that question. Councilman Brassard stated that he knows Mr. Wilson wanted to get it done but can't because of the excavator.

Ed Roberts-Building & Grounds: They have been weed whacking and working at Bartlett Pond. NYS DOT contacted him about garbage at Vic's Restaurant heading south out of Port Henry. There was a name found on mail left in one of the bags and the matter has been turned over to the NYS DEC. The Supervisor stated that any costs incurred with this clean up can be levied on to the tax bill now. Mr. Roberts stated the address of the person was from Vermont. He stated the garbage has been picked up and removed. Councilman Anderson asked if it was just one person and Mr. Roberts stated there is no way to be sure.

Town Board Report's:

Councilman Anderson reported that the Summer Program ended today. Clean up day tomorrow. Had 120 registered campers. Administration was happy with the Counselors this year. Kids behaved well. Very few injuries. Steve Pelkey did a great job.

Councilwoman Carpenter read the Police Reports for June and July.

June: Handled 141 calls for service. 4 Violations-1 harassment 2nd degree, 2 permitting dogs to run at large, 1 failure to license dog; 3 Misdemeanors- 1 operating without insurance, 1 aggravated unlicensed operation of a motor vehicle 3rd degree, 1 criminal mischief in the 4th degree; 0 Felonies; Issued 19 traffic tickets; handled 6 traffic accidents; conducted 13 pistol permit background investigations.

July: Handled 155 calls for service: 6 violations-2 harassment 2nd degree, 2 disorderly conduct, 1 trespass, 1 permitting a dog to run at large; 5 Misdemeanors-2 aggravated unlicensed operation of a motor vehicle 3rd degree, 1 endangering the welfare of a child, and 1 menacing in the 3rd degree.

Councilwoman Carpenter reported that the Waterfront Committee would like to meet with the Town Board and the public to go over their vision for the committee. Councilman Brassard asked if they would want to do it before a Board Meeting and the Supervisor stated he feels it should be a separate meeting. It will be Tuesday, September 10, 2019 at 6:00 at the Court House, if Court is still in session we will meet at the Town Hall.

Councilman Brassard reported that numbers are being put together now from the income surveys for the Sewer Project in District #1. These numbers are good for 2 years. Should be hearing on Phase 1 shortly; the Supervisor stated that we got the first draw down today. Councilman Brassard stated this is for Oak, Ridge and First Street. Phase 2 he believes is for 2nd and 3rd street.

Councilman Salerno would like to get one bathroom done at the campsite this year. The Supervisor stated he spoke to Art Morgan Water & Sewer Superintendent and they feel we can do the work ourselves. Councilman Brassard does not want to lose track of this project. Councilman Salerno would like to get it prepped and ready to go this year. He would like to meet with Rich Lapier and Councilman Brassard to see which one needs to be done first. Supervisor Scozzafava stated the bath house by the beach at Bulwagga Bay is probably the worst. Councilman Salerno stated that the Department of Health was at both beaches. The Supervisor stated that yes they were and we had no concerns health or safety wise, the only issue was the color of the buoys and how far apart they were.

Supervisor's Report:

The Iron Center is just about complete. There was a lot of water damage. The new door has some water damage. We have to put money in the budget for next year for more repairs at the Iron Center and also at the Town Hall.

He and Mark Maye fixed the lights in the parking lot at the Town Hall today, switched over to LED. The Supervisor donated his time.

Received FEMA transfers from Essex County. This is for the piece of property on Tunnel Avenue behind Boyea's Lakeside. This property can only be used for recreation now. The neighbor has been keeping it mowed. It would be a good spot for overflow parking from the boat launch during fishing tournaments.

We received notice from the insurance that they will not cover the damage to the excavator. It will cost roughly \$30,000 in parts and the Highway Department will fix it themselves.

The Vacuum Trailer that was ordered a while ago will be in hopefully by August 15, 2019 and this will be paid for out of leftover Manhole 13 money.

The Supervisor received an email from Nancy Bernstein from ANCA regarding street lighting; switching over to LED. The Town has 700+ street lights. The Town would have to pay up front

and then the return would show in about 10 years. The Supervisor stated that National Grid is starting to convert over to LED now. Councilwoman Carpenter asked what the overall savings would be. The Supervisor stated it would be \$232,500 after 25 years, would be more if the Town owned the street lights, but we are not a lighting company. It would be good if one hamlet a year could be done.

The Supervisor received an email from Sue Allott at Public Health regarding a raccoon that USDA shot and submitted for rabies testing, it was positive, it was on Spring Street. Ed Roberts stated that we had 2 more that tested positive as well. The Supervisor stated that if he is reading the bait drop map correctly, Essex County is not included in it, he is not sure why. Councilman Salerno stated he had a raccoon in his driveway that Mr. Roberts shot and it was tested and was positive for rabies.

The Supervisor reported that Saturday, August 10, 2019 from 8am – 1pm there will be a Household Hazardous Waste Day at the Essex County DPW if anyone is interested.

We are still in the process of trying to figure out if the Transfer Station will be able to take refrigerators and air conditioners. George Moore has agreed to pick them up but we are still waiting to hear from the company regarding the Freon. The Supervisor reminded everyone that the Transfer Station equipment is owned by Essex County. The Town only operates it. The Transfer Station had a visit by the Department of Labor. The fence at the compactor was not high enough. Residents can longer throw their own garbage in the compactor; can't go past the chain; staff has to do it. Councilwoman Carpenter asked if a Resident can walk past the chain and the Supervisor said no. Councilwoman Carpenter stated the attendants need to come out of the building then and they are not. The Supervisor asked if she said anything to the Transfer Station Committee. Councilman Brassard said he will look into it. Resident has to bring it to chain and attendant must put it in compactor. The Supervisor stated that Cheyenne and Jason know what they have to do. It is a very busy Transfer Station; we are lucky no one has gotten hurt yet. Councilwoman Carpenter asked if there is going to be signage stating you can't go past the gate and the Supervisor stated that as soon as we get the official report from the Department of Labor, yes. Councilman Salerno stated we could have Tim Rowland put it in the paper. Ed Roberts stated that all signage at all Transfer Stations should be the same. The Supervisor stated the staff has to do their job. Eric Wilhelmson asked where the County landfill was and the Supervisor said Franklin County. The Town cannot have a landfill in Essex County. Don't want it on the tax levy. It is an expensive operation. We have 1 full time and 1 part time employee and the Highway employees help out as needed also. Our Transfer Station has the 2nd highest tonnage in Essex County. Councilman Salerno stated he bets that will change once we get scales. The Supervisor stated Ticonderoga is so expensive that is why they are coming here. Crown Point closed their Transfer Station. Councilwoman Carpenter asked once the scales are put in, how are people going to pay. The Supervisor stated it will probably be by punch card; not cash. Councilman Salerno stated we will get more recycling. The Supervisor stated that the Town of Moriah and Lewis are the only ones that take C & D. Councilman Salerno asked about the "working refrigerators" from last meeting. The Supervisor stated that if you buy a new one have it delivered then they will take your old one. Paul Reese stated that he forwarded an email to the Supervisor with an 800 number for National Grid; they will take your old refrigerator and pay you \$50 as long as it is running and you are a customer.

Resolutions:

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

APPROVED	Ayes	Scozzafava, Salerno, Anderson, Carpenter, Brassard
	Nays	0

RESOLVED to purchase ½ ton 2013 Chevy Silverado from Christopher Chevrolet in the amount of \$15,096. Funds to come from General Fund, to be reimbursed by \$12,000 Department of State Dissolution and balance of \$3,093 to be paid from General.

Discussion: We received 3 quotes: Adirondack Auto-2010 Dodge Ram-112,000 miles-\$15,000, Adirondack Chevrolet-2010 GMC-41,000 miles-\$14,000 and Egglefield Ford – 2013 F150 – 48,000 miles - \$21,500. This truck will be used for Building & Grounds and their old truck will go to the campsite.

160. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was
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|----------|------|--|
| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Carpenter, Brassard |
| | Nays | 0 |

RESOLVED to Amend Policy Manual to eliminate payment of unused sick days and add section 41J of NYS Retirement System to credit upon retirement up to 165 sick days (employee standard work day-Tier 1 – Tier 5; Tier 6 can only accumulate 100 days (employee standard work day) as per NYS Retirement Law.

Discussion: Buy back sick days to be used towards retirement.

161. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was
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| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Carpenter, Brassard |
| | Nays | 0 |

RESOLVED to amend Policy Manual to pay longevity for non-union employees same as in union contract (Article 22).

Discussion: These resolutions are due to the recent audit. Audit is complete. Some changes that we needed to make.

162. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was
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| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Carpenter, Brassard |
| | Nays | 0 |

RESOLVED to contact with Town Historian for \$125.00 per month (\$1,500 per year).

Discussion: This is the current pay but we needed a contract.

163. **ON MOTION** by Councilman Brassard, seconded by Councilman Anderson, the following resolution was
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| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Carpenter, Brassard |
| | Nays | 0 |

RESOLVED authorization for Supervisor to do account transfers through end of July.

164. **ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was
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| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Carpenter, Brassard |
| | Nays | 0 |

RESOLVED to purchase stand by Generator for Highway Garage; 22 KW Generac Transfer Switch from Lowes for \$5,047 from budgeted funds.

Discussion: The Supervisor stated that during the last power outage the Highway Garage experienced several issues; one being they can't get fuel. We got 3 quotes and they were all the same price. The Supervisor will donate his time to hook the Generator up.

165. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was
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| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Carpenter, Brassard |
| | Nays | 0 |

RESOLVED to advance to Chamber \$2,500 from bed tax revenue.

Discussion: This is for Labor Day expenditures; the Chamber could use the money now.

166. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was
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| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Carpenter, Brassard |
| | Nays | 0 |

RESOLVED authorization for Supervisor to sign Emergency Medical Services Contract with Essex County; Inter-Municipal Agreement (2.6 million dollar grant to Essex County for Moriah, Crown Point and Ticonderoga for additional EMT's).

Discussion: Lou Paris, Captain Moriah Ambulance has already signed it. They are desperate for EMT's, this will be at no cost to the Town or the Squad.

167. ON MOTION by Councilman Brassard, seconded by Councilman Anderson, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Carpenter, Brassard
Nays 0

RESOLVED a Resolution authorizing flex schedule provisions for certain employees of the Town of Moriah, based upon certain conditions as identified;

WHEREAS, certain management confidential (MC) employees of the Town of Moriah who are exempt from overtime requirements based upon the Fair Labor Standards Act (FLSA), and

WHEREAS, these MC employees participate under the Town of Moriah's bonafide time and attendance leave program, and

WHEREAS, the Town's requirements under its bonafide time and attendance leave program requires such employees to work such hours as defined by the Town of Moriah, and to track and account for the same, and

WHEREAS, some of these positions may require working hours in excess of a normal 40-hour work week, and

WHEREAS, such additional hours over the normal 40-hour work week, are not subject to overtime payment due to the employees' FLSA exempt status, and

WHEREAS, the Town of Moriah wishes to provide for a flex schedule for such employees as identified above,

THEREFORE, be it resolved the Town of Moriah may allow such employees to flex their normal work week schedule, subject to prior approval and to provide for additional time off for such additional hours worked in excess of a normal 40 hour work week, provided such time off does not unduly disrupt the normal delivery of services as determined by the Town of Moriah, and that such use of additional time off must be authorized by the employees' direct supervisor, and that use of such additional time off must be within the current payroll period, or the payroll period immediately following. If such additional time off is not utilized during the current payroll period or the payroll period immediately following, then the Town of Moriah has no obligation to provide any additional time off or payment of any additional time off or payment of any kind, for such time.

Discussion: This is per the audit.

168. ON MOTION by Councilman Brassard, seconded by Councilman Anderson, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Carpenter, Brassard
Nays 0

RESOLVED to contract with Donald Hoffman for appraisal of the Pepper property tax parcel #96.16-2-43.000 14.2 acres and parcel #96.16-2-42.000 access parcel; also have APA do a wet land survey on property.

Discussion: Eric Wilhelmson asked if this is so the Town can buy Pepper Field. Councilwoman Carpenter asked how much the appraisal would cost, the Supervisor said \$500. If the Town Board decides to buy this property; we cannot pay one cent more than the appraisal is and it would be subject to permissive referendum. Sharon O'Connor asked about the APA and wet lands. The Supervisor stated this property is very wet. If there are wet lands you can't develop the land. Eric Wilhelmson asked how big the property was and the Supervisor stated it is 14.2 acres. Councilwoman Carpenter asked if the Town buys

the property will it come off the tax roll and the Supervisor said yes. She also asked if the appraisal was the first step and the Supervisor said yes. He also stated that the appraisal does not determine wet lands. Cecelia Wojciukiewicz asked if we know how much the Pepper's want for the land and the Supervisor said no. He also stated that the family has been very good to the Town letting us use the field for nothing for years. They are giving the Town the first chance at purchasing the property. The Supervisor stated that selling anything to a Government Agency is never easy, it's not like selling to an individual. Sharon O'Connor stated that the appraisal will be first and then wet lands will be determined, then what. The Supervisor said then the Board will have to make a decision to proceed. The Supervisor will speak to Mr. Hoffman regarding the wet lands issue. He asked the Board if they wanted to proceed and the Board was in agreement with this.

169. ON MOTION by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Carpenter, Brassard
Nays 0

RESOLVED to go to bid for fuel oil, propane, diesel and kerosene for period of 10/1/19-9/30/20. Bid opening at September 12, 2019 board meeting at 6:00pm.

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

APPROVED Ayes Scozzafava, Salerno, Anderson, Carpenter, Brassard
Nays 0

RESOLVED to approve payment of End of Month warrant and Monthly warrant.

171. ON MOTION by Supervisor Scozzafava, unanimous second, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Carpenter, Brassard
Nays 0

RESOLVED a Resolution of Condolences to the family of Louise Bobbie.

172. ON MOTION by Councilman Brassard, seconded by Councilman Anderson, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Carpenter, Brassard
Nays 0

RESOLVED to give the unused copy machine at the Town Hall to Port Henry Fire District #3.

Discussion: Councilman Brassard read the letter requesting the copier from Port Henry Fire District #3. This copier has been sitting at the Town Hall since the dissolution of the Village of Port Henry. The Supervisor stated that it is an old lease that the Town stopped making payments on and it was never picked up by the company.

Floor open to the public:

Sharon O'Connor asked the Supervisor if he had a chance to look into the \$500 that the Mineville/Witherbee Fire Department lost out of their budget due to the elections going to the Moriah Fire House. The Supervisor stated he spoke to Sue at Board of Elections and she said that this has to be voted on by the County Finance Committee. The Supervisor stated that he needs the amount that was budgeted from Mineville/Witherbee Fire Department.

The meeting adjourned at 7:01pm.

Abstract Distributions:

Claim Numbers:

July 26, 2019

General	\$390.76
Highway	\$1,032.76
Water #1	\$63.89
Water #2	\$44.82
Water #3	\$135.34
Water #4	\$6.38

2019/1090-1101

Sewer #1	\$72.77
Sewer #2	\$93.77
<u>August 8, 2019</u>	
General	\$66,146.03
Highway	\$13,150.33
Water #1	\$4,586.35
Water #2	\$4,225.34
Water #3	\$3,680.07
Water #4	\$1,627.24
Sewer #1	\$8,359.79
Sewer #2	\$3,101.75

2019/1105-1263

Capital Projects:

Tarbell Hill Pump Station	Environmental Design & Research	#6	\$2,600
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Town Clerk