

The Town of Moriah Town Board held a Special Town Board Meeting on Thursday, August 19, 2021 at 7:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, NY.

Present: Thomas Scozzafava Supervisor
Tom Anderson Councilman
Matt Brassard Councilman
Nathan Gilbo Councilman

Excused: Paul Salerno Councilman

Others Present: Bill Trybendis, Jodi Gibbs, Sharon O'Connor, Tom & Laurie Cowin, Robert Robertson (arrived late) and Rose French-Town Clerk

The Supervisor called the meeting to order at 7:00pm by saluting the flag.

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

APPROVED	Ayes	Scozzafava, Anderson, Brassard, Gilbo
	Nays	0
	Absent	Salerno

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

The Supervisor introduced Jodi Gibbs, Community Volunteer Friendship Program Coordinator from UVM Elizabethtown Community Hospital Ticonderoga Campus. They are partnering with Mercy Care to start a volunteer social support system for the elderly. The volunteer would help with groceries, rides, prescriptions etc. They are looking for volunteers and also any elderly folks who might be interested. They are hoping to go live October 1, 2021. This is a free program and mileage would be reimbursed. There will be new volunteer training on September 22-23, 2021. The Supervisor asked how they will be getting the word out to the seniors and Ms. Gibbs stated through the newspaper, news media, rack cards and by word of mouth. Councilman Brassard stated that some cards should be put at the Senior Center. Tom Cowin suggested the pharmacy also. Ms. Gibbs stated there is no clinical care involved. Councilman Brassard asked if there was an age limit and Ms. Gibbs stated it is 65 but that is nothing concrete, it would depend on the circumstances. Laurie Cowin asked if this was just for home bound people and Ms. Gibbs stated not necessarily. Councilman Gilbo asked how you sign up and Ms. Gibbs said just call Elizabethtown Hospital and they will get in touch with her or just call the number on the cards, website or newspaper. The Board thanked her for this program.

Floor Open to the Public:

N/A

Department Head/Town Board Reports:

Councilman Brassard stated there are no issues at the Transfer Station; the 2nd PT person is working out well; it is clean and organized. The Campgrounds are having a stellar year; the cabins have slowed down a little bit. The Supervisor stated that if we put in anymore cabins we really need to look at putting a bathroom in them. Councilman Brassard stated that every Friday night Bulwagga Bay has movie night. The beaches are closed; all lifeguards have gone back to school. He stated that the paddle boards and kayaks did well this year and that Champ Day was a success.

Councilman Gilbo stated the Board has gotten a little more guidance on what we can spend the stimulus money on.

Councilman Anderson stated we have not spent any money on the Youth Commission the past 2 years. He would like to start a ski club this year; 6 week program (weekends); will need transportation funds to Whiteface. The Board was in agreement with this.

Supervisor's Report:

The Supervisor reported that he and Councilman Gilbo met with our representative from Spectrum and took him to all the areas in Town that do not have internet. Would also like to get internet at both campsites. Hoping we can use the stimulus money for this. Councilman Anderson asked if this was a positive meeting and the Supervisor stated that Spectrum did not commit to anything but it was productive.

The Supervisor stated that the work has begun on the car charging stations in the public parking lot. Will be able to charge 6 vehicles; 2 at each station. Councilman Brassard stated that if anything breaks Apex Solar Power will be responsible for the repairs. Councilman Anderson asked how long it would take to charge a Tesla and the Supervisor stated it depends on the amperage. Councilman Brassard stated there is an app that shows where all charging stations are located.

The Supervisor stated that we received 13 applications for Ed Roberts position. He appointed Councilman Brassard to help with the interview process; have it narrowed down to 5 people. All applicants will receive a letter one way or another; will do interviews next week.

The Supervisor stated that we received one application for a PT Police Officer from Ticonderoga; it is critical that we know exactly what hours he can work; he is supposed to email the hours he is available and we will go from there.

The Supervisor stated he appointed Councilman Gilbo and Councilman Brassard to come up with a plan for the Stimulus money. He called Elise Stefanik's Office and was told by one of her aids that we can use it on just about anything except to reduce taxes or pension programs. The Supervisor is waiting for something in writing. He feels this money should be used for a capital project, something that will last 30 years.

The Supervisor asked the Board what their thoughts were regarding masking. Public Health is recommending that you wear one in the County Building and also in public places. Councilman Gilbo stated if you want to wear one wear it and if you don't, don't. Councilman Anderson and the Supervisor were in agreement with this.

The Supervisor stated there has been some issues regarding Facebook; comments are way out of line. He stated that if you see something suspicious call 911. The Supervisor stated he knows the horrors of addiction personally but he is not a District Attorney, Judge or a Trooper; the problem is bail reform. He said he and the Town Board have been accused of covering something up and that is the farthest from the truth, this Board is very transparent.

The Supervisor stated that Essex County Real Property will be mailing out Income and Expense Questionnaires to all commercial property owners. If you have any questions, please call the Assessor's at 518-546-3098.

The Supervisor reported that we were notified by the NYS Department of Taxation & Finance that our equalization rate is 94.4%. He stated that he did a lot of research on sales and only a couple were high. They went out of Town for comparables and that is not fair. Councilman Anderson asked where the State wants us and the Supervisor stated 100%. He stated that the tax roll reflects assessments are too low.

The Supervisor reported that we have received all our money from FEMA for the Halloween storm last year.

The Supervisor stated there is talk again about consolidating the Fire Departments. He asked Sharon O'Connor about it and she stated the Mineville/Witherbee Fire Chief mentioned it at the last commissioners meeting. The Supervisor stated it is ultimately up to the people in those districts.

The Supervisor stated that the electronic speed limit sign by the Grover Hills Deli was cleaned out. We have the estimate to replace it, waiting on the person's insurance. The Supervisor does not feel we should put it back there it is a poor location. Councilman Brassard asked if it was somebody pulling in or out of the deli and the Supervisor said no, someone was chasing a person and cleaned it out. Sharon O'Connor stated the sign does serve a purpose.

The Supervisor stated he is still in talks with the NYS Police regarding a sub-station in Moriah. They are looking at the Building & Grounds building on Bulwagga Drive by the Wastewater Treatment Plant. He feels it would be great for the Town of Moriah to be able to cement a deal with them for the next 30 years; 6 full time troopers. Councilman Anderson asked if they liked the station, the Supervisor stated they were in Crown Point; they are only looking in Moriah. He would like to use the stimulus money for a police station; maybe a double wide next to the Court House.

Resolutions:

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

APPROVED	Ayes	Scozzafava, Anderson, Brassard, Gilbo
	Nays	0
	Excused	Salerno

RESOLVED a resolution to change Policy Manual and Union Contract language regarding sick leave to the following: “The Town will participate in the NYS Retirement Plan 41J, meaning 100% (maximum 1, 320 hours) of accrued sick time may be used towards retirement service time credit, or the employee may choose to receive 25% of their accrued time as a buy-out, and 75% of time will be credited to 41J towards service credit”. When an employee uses (5) days of sick leave within a (10) day working period, the Department Head/Supervisor will require a doctor’s note explaining the need for using so many sick days.

Discussion: The Supervisor stated this has never been an issue before but now our work force is reaching retirement age; still on the books but not working; we can’t afford to pay 2 salaries.

162. **ON MOTION** by Councilman Brassard, seconded by Councilman Gilbo, the following resolution was

APPROVED	Ayes	Scozzafava, Anderson, Brassard, Gilbo
	Nays	0
	Excused	Salerno

RESOLVED authorization for Highway Superintendent to contract for a “curb machine” to install planter at intersection of Broad and 9N & 22 (to be paid for from insurance settlement).

Discussion: The Supervisor stated that he and Jamie Wilson met with the County Engineer; took all the measurements yesterday; will be 8 feet in diameter with a 6 foot center. Need curb machine so it can be designed to be driven over instead of hit and destroyed. County will send plans down; will take out one parking space by the Fashion Corner; also looking at changing the parking on Main Street in front of the Lee House to parallel parking; would lose 1 or 2 spots.

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

APPROVED	Ayes	Scozzafava, Anderson, Brassard, Gilbo
	Nays	0
	Excused	Salerno

RESOLVED consenting to a proposed pilot agreement by the Essex County Industrial Development Agency with respect to a certain project (as described below) to be undertaken by chpe, llc and authorizing the Town Supervisor to execute and deliver a certificate in furtherance of same

WHEREAS, CHPE LLC, a New York limited liability company (the “Company”), has requested the assistance of Essex County Industrial Development Agency (the “Agency”) with a certain project (the “Project”) consisting of (a)(1) the acquisition of an interest in the Company’s interim permit and easement issued or to be issued by the New York State Office of General Services (“OGS”) in relation to submerged State-owned land located in the Towns of Chesterfield, Willsboro, Essex, Westport, Moriah, Crown Point and Ticonderoga, Essex County, New York (collectively, the “Land”), (2) the acquisition of two five-inch diameter high-voltage direct current (“HVDC”) transmission cables (the

“Equipment”), and (3) the construction, installation and equipping on or under the Land of a fully-buried, up to 1,250-megawatt (“MW”) HVDC electric transmission line and related infrastructure (the “Improvements”, and together with the Land and Equipment, the “Project Facility”), all of the foregoing for use by the Company as a portion of an electric transmission line from the U.S.-Canada border to New York City, (b) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing, including exemptions from sales and use taxes, mortgage recording taxes, and real property taxes for the Project Facility (but not including special district taxes) (collectively, the “Financial Assistance”); and (c) the lease of the Project Facility by the Agency back to the Company; all as contemplated by and in furtherance of the purposes of the General Municipal Law; and

WHEREAS, pursuant to the Application for Financial Assistance (the “Application”) submitted by the Company to the Agency, the Project is expected to (i) entail a capital investment of approximately \$221 million in Essex County; (ii) create significant jobs and economic activity on a transmission system-wide basis, including more than 1,000 direct full-time jobs in New York State over the four year construction period, and over 800 long-term jobs in New York State once operational; and (iii) create substantial and sustained increase in revenue for involved tax jurisdictions with a PILOT proposal of approximately \$82 million in new revenue for involved Essex County tax jurisdictions during the first 30 years of operation; and

WHEREAS, the Agency’s Uniform Tax Exemption Policy provides that projects whose terms deviate from the standard must notify and secure the consent of local taxing jurisdictions in order to structure the terms of a payment in lieu of tax agreement (the “PILOT Agreement”); and

WHEREAS, in connection with the Application, and in furtherance of the Project’s positive financial impact within the Town and the County of Essex, the Company has requested the Town’s support and consent in establishing the terms of the PILOT Agreement as outlined below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF MORIAH AS FOLLOWS:

Section 1. The Town hereby authorizes the Agency and the Company to enter into the PILOT Agreement whereby the schedule of payments to be made under the PILOT Agreement is more particularly described in Schedule A, which is attached to the Certificate (as hereinafter defined).

Section 2. The Town Supervisor is hereby authorized to execute and deliver a consent certificate (the “Certificate”), in the form attached hereto, such Certificate to be delivered to the Agency as evidence of the Town consent to enter into the PILOT Agreement.

Section 3. This resolution shall take effect immediately.

Discussion: The Supervisor stated this is a feed line down Lake Champlain; pay pilot agreement to each Town it effects. The Town’s share would be 3.7% of the project; \$44,196 yearly. Councilman Brassard asked what would happen if we were against it and the Supervisor stated they have had many Public Hearings regarding this. They are asking all Town’s involved to pass a resolution.

164. **ON MOTION** by Councilman Anderson, seconded by Councilman Gilbo, the following resolution was

APPROVED	Ayes	Scozzafava, Anderson, Brassard, Gilbo
	Nays	0
	Excused	Salerno

RESOLVED to accept proposal from Avery Energy to replace heating oil tank at Train Station dated 7/14/2021 in the amount of \$2,661.15.

Discussion: The supervisor stated there will be some digging involved which the Town will do and Avery Energy will do the rest.

165. **ON MOTION** by Councilman Anderson, seconded by Councilman Brassard, the following resolution was
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| APPROVED | Ayes | Scozzafava, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Excused | Salerno |
- RESOLVED** authorization for Supervisor to hire a contractor to repair the roof at the Court House, Village Hall and Fire House.

Discussion: The Supervisor stated they are slate; need to get fixed; he has one other person he can contact.

166. **ON MOTION** by Councilman Anderson, seconded by Councilman Brassard, the following resolution was
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| APPROVED | Ayes | Scozzafava, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Excused | Salerno |
- RESOLVED** to set date and time for 2nd Public Hearing on CDBG Project #758PR168-19

BE IT RESOLVED, that the Town Board of the Town of Moriah will hold a Public Hearing on Thursday, September 9, 2021 at 5:45pm at the Town of Moriah Court House, 42 Park Place, Port Henry, NY.

BE IT FURTHER RESOLVED that the purpose of this hearing is to provide information and accept public comments on the Town of Moriah's current Community Development Block Grant (CDBG) project: Port Henry Sewer & Water Main Replacement Phase II, CDBG #758PR168-19.

Discussion: This is required by CDBG; project is complete; Manfred Construction did a great job.

167. **ON MOTION** by Councilman Anderson, seconded by Councilman Brassard, the following resolution was
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| APPROVED | Ayes | Scozzafava, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Excused | Salerno |
- RESOLVED** to go to bid for fuel, propane, diesel and kerosene for period 10/1/21 – 9/30/22; bid opening at September 9, 2021 board meeting at 6:00pm.

168. **ON MOTION** by Councilman Brassard, seconded by Councilman Gilbo, the following resolution was
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| APPROVED | Ayes | Scozzafava, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Excused | Salerno |
- RESOLVED** to change November 11, 2021 (Veterans Day) Board Meeting to Wednesday November 10, 2021 at 6:00pm at the Town of Moriah Court House.

169. **ON MOTION** by Councilman Anderson, seconded by Councilman Brassard, the following resolution was
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| APPROVED | Ayes | Scozzafava, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Excused | Salerno |
- RESOLVED** to do transfers in budget as needed.

170. **ON MOTION** by Councilman Anderson, seconded by Councilman Brassard, the following resolution was
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| APPROVED | Ayes | Scozzafava, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Excused | Salerno |
- RESOLVED** approval to do adjustments in water and sewer as needed.

171. **ON MOTION** by Supervisor Scozzafava, seconded by Councilman Brassard, the following resolution was
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| APPROVED | Ayes | Scozzafava, Anderson, Brassard, Gilbo |
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Nays 0
Excused Salerno

RESOLVED to approve Proposal 08172021 from AJ Catalfamo in the amount of \$23,750 for all work related to the additional ramp section on the Town Hall ADA Project (includes all labor, materials, equipment and testing).

Discussion: Per Gary Rancour, Essex County, due to passing of Architect Fred Keil. Will have credit of \$3,500 for removal of Bollard lights.

Floor open to the public:

Sharon O'Connor stated she spoke to Art Morgan about getting water in the Miners Park, he said he will get to it in October. Can she get a holding tank? The Supervisor stated if Mr. Morgan said he would do it, he will, shouldn't be an issue.

The meeting adjourned at 7:47pm.

Town Clerk