

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, February 14, 2019 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

<b>Present:</b>	Thomas Scozzafava	Supervisor
	Paul Salerno	Councilman
	Tom Anderson	Councilman
	Luci Carpenter	Councilwoman
	Matt Brassard	Councilman

**Others Present:** Bill Trybendis, Sharon O'Connor, Eric Wilhelmson, Chip Perry and Rose French-Town Clerk.

Supervisor Scozzafava opened the meeting at 6:00pm by saluting the flag.

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

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

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

**Floor Open to the Public:**

N/A

**Department Head Reports:**

Art Morgan, Jamie Wilson, Ed Roberts and Rich Lapier have all been excused.

Chip Perry-WWTP: They have been doing maintenance.

Councilman Salerno read Jamie Wilson Highway Superintendent's report: They have been busy with ice and snow storms. Sand and Salt are low; they are trying to conserve. They have had 1100 hours in overtime. Mr. Wilson would like to thank the public for their patience during all these storms. He also thanked Will Deyo for letting the Highway Department pile snow on is property in Port Henry. Mr. Wilson would like to remind everyone of the parking ban, the police have been issuing warning tickets, but your vehicle will be towed if necessary. Mr. Wilson said thank you and drive safe.

The Supervisor stated this has been a tough winter. He said it is the worst one he has seen since he has been in office. It has been very costly in overtime. The last three weeks have been very difficult. Everyone has been chipping in.

Councilman Salerno stated he spoke to someone from Lamos Lane and he thanked the Highway Department for all their hard work; they have done a great job, however, residents are pushing their snow on top of the existing banks and it is making it hard to see when you are pulling out. The Supervisor stated that they are putting it where they can, they are running out of room also. The Supervisor will have Mr. Wilson look into it.

Councilwoman Carpenter read the Police Report: Handled 166 calls for service. 3 Violations: 2-harassment 2<sup>nd</sup> degree and 1-dog running at large. 8 Misdemeanors: 2-criminal trespass 2<sup>nd</sup> degree, 1-criminal mischief in the 4<sup>th</sup> degree, 1-assault in the 3<sup>rd</sup> degree, 4-issuing bad checks. 0-Felonies. Issued 17 traffic tickets. Handled 9 traffic accidents. Conducted 12 pistol permit background investigations. Conducted 2 background checks for FBI.

Councilman Salerno would also like to mention that Art Morgan and the Water & Sewer Department have been busy with water breaks.

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

He also reported that the campsite letters will be going out tomorrow. Opening/Closing Dates: May 1, 2019 – October 6, 2019. Wayne & Ruth Plunkett will be returning as Bulwagga Bay Campsite Managers. Rates will remain the same as 2018. Garbage stickers will go up to \$3.00 per 32-gallon bag which is town wide. He is hoping by June or July we will have somebody who can start working with Wayne and Ruth to take over as Managers for the 2020 season. The Supervisor stated that years ago the Campsite Manager used to be on the Town Payroll, we might want to explore this option, he feels they are held more accountable. Councilman Anderson asked if it would be someone local and the Supervisor said yes, and they would run both beaches. He feels this is something the town should explore. Councilman Salerno would like the Supervisor and the Board's support in putting a cabin at each beach. The Supervisor stated that BOCES could probably do the construction, we need to price it out. The Supervisor stated that there are other cabin owners in the Town that he has already heard from, they are afraid that if the Town gets into the cabin business, it will take away from their business. Councilman Salerno and Eric Wilhelmson feel this will not be the case. The Supervisor stated that if we put cabins at the beaches it opens up a lot of other issues; department of health wise. Councilman Brassard has spoken to other campers and they are all for it. Eric Wilhelmson asked Mr. Salerno where he priced these cabins and Councilman Salerno stated at the place in Ticonderoga across the road from Tony's, he couldn't remember the name. The Supervisor stated there are also a lot of code issues with cabins that the town would have to comply with.

Councilman Brassard reported that we have gotten back only about 30% of the sewer income surveys. These are critical for the funding. He knows that some people have concerns regarding some of the questions on the survey, but they are optional, you don't have to answer them. The Supervisor has had calls from people who have not received one and the only ones who will get the survey are the ones in the affected areas. Chip Perry stated you have to be in the project area to get an income survey. Councilman Brassard stated that he and the Supervisor will go door to door if they have to.

Councilwoman Carpenter reported there was a Waterfront Committee Meeting on February 5, 2019. They are in need of 1 – 2 members. As far as negotiations with the Investor, he said he will be in touch the end of February. They are looking at funding options. Anna from planning is working on it. The Supervisor stated that when he saw the return the town was getting on the campgrounds, he was very impressed, said it was excellent. Councilman Anderson asked if the investor was not interested now and the Supervisor said he is more interested now. Councilwoman Carpenter stated the Committee would like to move forward with Plan B: 1- review current brochures/marketing and make changes/improvements where necessary. Make sure they are up to date. The Supervisor and Councilman Brassard stated this is a great idea. 2- They would like to tour the campgrounds and other campsites to get ideas. 3-Work with the Town Board to develop a plan for the campsite including manager responsibilities and qualifications. Their next meeting is March 5, 2019 at 11:00am at the Town Hall. Councilwoman Carpenter stated again that they need members.

Councilman Anderson reported that the youth commission will meet next month. They will stay with the same administration. Councilman Brassard asked if they will charge this year. Councilman Anderson stated that the committee is against charging, they feel it will affect too many families. He stated their budget has stayed the same for years. Councilman Salerno asked how many children attend and Councilman Anderson stated between 110-120. He also stated that they employ 13-15 counselors and 4 adult employees. He feels it is a good service. The Supervisor stated that this year, employees will need to go through sexual harassment training. Councilman Salerno asked if minimum wage affected the program and Councilman Anderson said yes.

Eric Wilhelmson asked Councilwoman Carpenter what would happen if the Waterfront Committee did not get anymore members and she said there would still be a committee but they would not be able to tackle their goals.

## **Supervisor's Report:**

The Supervisor received a letter from the Essex County Board of Elections; there will be one polling place this year and it will be at the Moriah Fire Department. The Town has no control

over this decision. Councilman Salerno asked if there will be more booths and the Supervisor stated that all the districts will still be set up. Councilman Brassard stated that the Fire Department elections will remain at the fire departments. Sharon O'Connor-Minville/Witherbee Fire Department stated that they will lose the income and they have already budgeted for it.

The Supervisor received a letter from the NYS Department of Health. They did their annual inspection of the Moriah water plant; it was an excellent report.

New York State Ag & Markets inspected the shelter at the Building & Grounds office and also the dog control officer inspections report and all was good.

International Paper is hiring. Posters are up throughout town. Eric Wilhelmson asked if they were expanding and the Supervisor said no, just can't keep people.

The Supervisor has been in contact with CP Rail and Amtrak regarding repairs that are needed at the Train Station. The Town does not own this building; we cannot keep putting money into it. CP Rail leases it to the Seniors. The Supervisor has spoken to Kirt Tavis regarding repairing the slate roof.

There will be a rabies clinic at the Moriah Fire Department on Monday, March 25, 2019 from 6:00pm – 7:00pm.

The Supervisor received the monthly EMS Response report. This report breaks down the calls to 911 from the Fire Departments, Ambulance Squad and Police. For January the Ambulance squad had 47 calls, Moriah Fire Department had 8 calls, Mineville/Witherbee Fire Department had 9 calls, the Port Henry Fire Department had 7 calls and the Police Department had 35 calls. The Supervisor stated that the Ambulance Squad is hurting. Councilman Brassard asked when it would go County wide and the Supervisor stated they are waiting to see how much funding is available.

**Resolutions:**

**48. ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** a resolution in opposition to the removal of AIM funding in Governor Cuomo's proposed 2019-2020 budget.

Discussion: The Town receives \$74,271; this would amount to an increase of \$34.00 per \$100,000 home. Councilman Brassard asked if the Essex County Board of Supervisors opposed this as well and the Supervisor said yes. He also stated that this was a bargaining chip by the Governor, it has already been put back in the budget.

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

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

**RESOLVED** a resolution adopting the State of New York Deferred Compensation Plan

WHEREAS, the Town of Moriah wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for voluntary participation of all eligible employees; and

WHEREAS, the Town of Moriah is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law\* and

WHEREAS, the Town of Moriah has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Moriah providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

The Town of Moriah, a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

NOW, THEREFORE, it is hereby:

RESOLVED, that the Town of Moriah hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Town of Moriah are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

I hereby certify that the Town of Moriah is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

Witnesseth by: \_\_\_\_\_ Town of Moriah: \_\_\_\_\_

Consent of The Deferred  
Compensation Board of the  
State of New York to  
Local Public Employer's  
Participation

By: \_\_\_\_\_

Discussion: The Supervisor stated the Town was with Hartford, now we are going with NYS Deferred Comp. It is the County plan; we will be on with them. Councilman Anderson asked if this was better for the employees and the Supervisor stated we didn't have a choice, we had to switch.

**50. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

**RESOLVED** to draft a lease with Paraglide New England for use of Bulwagga Bay Campsite for 2019 for 2 weekends for \$1,000.00.

Discussion: This will be for courses only, not the public. Councilman Anderson asked if they were scaling back. Councilman Brassard said yes. Councilman Salerno asked what weekends they were. The Supervisor stated it would be July 12-14 (rain date 7/15 or July 19-22) and July 26-28 (rain dates 7/29 and/or August 3-5).

51. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** a resolution to go to bid for a new or used vac truck and a new or used trailer mount for the Water & Sewer Department.

Discussion: The Supervisor stated that Art Morgan-Water & Sewer Superintendent did a lot of research. There is a vendor that has state contract price. Art Morgan and Jamie Wilson would like to go to bid for both and Chip Perry said definitely. We will be using \$88,000 leftover money from EFC Manhole 13 project to put towards this new equipment. Eric Wilhelmson asked we really needed one, couldn't we just borrow one. The Supervisor stated that we absolutely need one, it's very hard to borrow one in the middle of the night; having one reduces the time it takes to fix a break by half.

52. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

**RESOLVED** a resolution to adopt rates for Bulwagga Bay and Champ RV Campsites for 2019 Season; rates same as 2018; \$285.00 seasonal pump out.

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

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

**RESOLVED** authorization to adjust water and sewer bill for property at 51B Bridge Street; owner Jessica Bosarge for O & M charges for trailer unit not being occupied. Adjust off Water charge of \$290.00 and Sewer charge of \$236.00.

Discussion: She plans to take the trailer out of there.

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

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

**RESOLVED** authorization for Supervisor to renew contract with John Silvestri as Attorney for the Town of Moriah for 2019 at the rate of \$125.00 per hour and \$200.00 per hour for court.

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

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

**RESOLVED** to appoint Sharon O'Connor to the Board of Assessment and Review to fill vacancy-term expires on 9/30/19.

Discussion: The Supervisor thanked Sharon.

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

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

**RESOLVED** to appoint Bernard Beebe to the Board of Assessment and Review to fill vacancy-term expires on 9/30/22.

Discussion: Councilman Brassard thanked Sharon and Bernard. The Supervisor stated that the Town needs a reevaluation. Equalization is below 100. The County has people that do it. Councilwoman Carpenter asked if the Assessors will be moving to the old Village Hall. The Supervisor said yes. The Town Hall may have to move up there. We have mushrooms growing out of the wall in the office to do a radiator leak.

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

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

**RESOLVED** to authorize the Supervisor to reimburse Town officials attending the NYS Association of Towns meeting for allowable expenses for the per diem rates set by IRS after receipts are presented.

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

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

**RESOLVED** a **RESOLUTION**

**Town Board of the Town of Moriah  
Introduction of Local Laws**

**Whereas**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah reviewed and evaluated existing Port Henry Village laws, ordinances, rules and regulations and determined whether such laws, ordinances, rules or regulations should be adopted, amended, repealed or incorporated into existing Town Law by the Town of Moriah; and

**Whereas**, such review process resulted in the identification of seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into Town Law; and

**Whereas**, the Dissolution Plan requires that after a two-year period starting from April 2016, Village of Port Henry laws, ordinances and regulations will be automatically repealed; and

**Whereas**, the Town Board has been working with its consultants to prepare new laws or amended laws that will provide the same or similar regulatory controls that the Village of Port Henry had maintained prior to its dissolution; and

**Whereas**, the proposed local laws have been prepared and reviewed by the Town Board together with an Environmental Assessment Form, with Part 1 completed relating to certain laws subject to SEQRA, and the Town Board is ready to commence the local law adoption process; and

**Whereas**, the proposed laws Nos. 1, 2 and 3 have been determined to be subject to SEQRA and that adoption of these laws will not require permits and approvals from any other local, regional and State agencies prior to adoption of the plan and the SEQR process will not require a coordinated review.

**Now, Therefore, be it Resolved** by the Town Board of the Town of Moriah that

The Town Board hereby introduces and proposes for adoption the following local laws:  
Local Law No. 1 of 2019, entitled “Development Review Law”, which establishes a site plan review process for certain types of development in the hamlet of Port Henry;

Local Law No. 2 of 2019, entitled “Commercial Building Law”, which prohibits conversion of street level/first floor commercial space to residential use in the hamlet of Port Henry in order to promote commercial development and encourage the use of existing commercial buildings to revitalize the Moriah community, increase foot-traffic commerce in the hamlet, and increase opportunities for retail and other commercial uses. This local law will apply to all existing

commercial buildings located along Port Henry downtown streets of Main Street (Route 22) and that portion of Broad Street between Main Street and College Street;

Local Law No. 3 of 2019, entitled “A Local Law Regulating Accumulation of Rubbish, Refuse, Litter, Junk Yards and Other Debris in Town of Moriah”, which establishes regulations and restrictions regarding the accumulation or storage of rubbish, refuse, litter, inoperable or abandoned vehicles, automobiles, trailers, boats, machinery and equipment, or other debris on lands in the Town of Moriah, Essex County where they are found outside of duly licensed establishments or stored on private property;

Local Law No. 4 of 2019, entitled “Animal Control Law”, which is designed to protect the health, safety and well-being of persons and property from animal attack and damage by imposing restrictions in the keeping and running at large of animals, the provisions of licensing and identifying of dogs and other animals, and the seizure thereof within the Town;

Local Law No. 5 of 2019, entitled “Hawking, Peddling and Soliciting”, which updates an existing local law formerly applied in the Village of Port Henry, and establishes a license and registration requirement for peddlers, hawkers, solicitors, and food trucks in the Town of Moriah along with establishing fees, general operation standards and enforcement procedures;

Local Law No. 6 of 2019, entitled “Vehicle Parking Law”, which regulates the parking of vehicles on certain public highways, sidewalks, and certain public areas within the Town of Moriah to prevent interference with or obstruction of road construction and repairs or creates a hazard for passing motorists and interferes with snow removal.

Local Law No. 7 of 2019, entitled “Unsafe Structure Law of the Town of Moriah”, which provides for the safety, health, protection and general welfare of persons and property in the Town of Moriah by requiring such unsafe buildings be repaired or demolished and removed.

The Town Board determines that the adoption of the proposed local laws, Local Law No.s 1, 2, and 3, are actions that are identified as an Unlisted action under the State Environmental Quality Review Act (SEQRA), that the Town Board is the only governmental body or agency that has approval jurisdiction over the adoption of the proposed Local Laws and accordingly is the appropriate agency to serve as, and declares itself lead agency for the environmental review of the proposed Unlisted Actions pursuant to the applicable standards of SEQRA 6 NYCRR Part 617, and the Town Board has reviewed and hereby accepts Part 1 of a Short Environmental Assessment Form that sufficiently describes the proposed action, potential impacts, and measures in the proposed Laws that are designed to avoid or mitigate them, and the Supervisor is authorized to sign Part 1 of the EAF as completed.

The Board shall hold public hearings on March 21, 2019, in the Court House of the Town of Moriah located at 42 Park Place, Port Henry, New York, on each of the proposed Local Laws set forth below, starting at 5:30 p.m. as follows:

A public hearing on Local Law No. 1 of 2019 adopting a development review law: at 5:30 p.m., followed by;

A public hearing on Local Law No. 2 of 2019 adopting a commercial building law followed by;

A public hearing on Local Law No.3 of 2019 adopting a junk/junk car and rubbish control law followed by;

A public hearing on Local Law No.4 of 2019 adopting an animal control law followed by;

A public hearing on Local Law No. 5 of 2019 adopting a peddlers/hawkers/solicitor law followed by;

A public hearing on Local Law No. 6 of 2019 adopting vehicle 5parking requirements on public streets followed by;

A public hearing on Local Law No. 7 adopting an unsafe structures law.

The Town Board further resolves to accept written comments on the proposed local laws until the aforesaid hearing date and times.

**The Town Board further resolves that:**

The Town Clerk is directed to publish and post notices of these meetings in the Town’s official newspaper at least 10 days prior to hearing.

The Town Clerk shall post all proposed local laws and public hearing notices on the Town's website and shall keep a copy of the laws and notices in the Town Clerk's office for public inspection.

The Town Clerk shall notice all adjacent municipalities of the public hearings.

The Town Board directs the Town Clerk to refer all above proposed local laws, along with appropriate referral form and SEQR Part I, as may be required by law to the Essex County Planning Board pursuant to New York General Municipal Law 239-1 and m.

Discussion: The Supervisor stated there are 7 laws that need to be adopted. They are good laws that the Village of Port Henry had. He stated Nan Stolzenberg did a great job. Councilman Brassard asked if they were available for the public to review and the Supervisor said yes.

**59. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

**RESOLVED a Resolution of the Town Board of the Town of Moriah, New York Authorizing the issuance of a Request for Proposal (RFP) for Professional Design and Engineering Services:**

**Community Development Block Grant (CDBG) Project Number 758PW143-18 for the replacement of the sewer & water mains located on 1<sup>st</sup> St, Oak Ln., & Ridge Ln.**

WHEREAS, the Town of Moriah has received \$750,000 in CDBG funding from the New York State Office of Community Renewal (OCR) for the purpose of a water & sewer main replacement project on 1<sup>st</sup> St., Oak Ln., & Ridge Ln. and

WHEREAS, a Request for Proposal has been prepared to identify the best available consultant to provide professional design, engineering services and construction management, and

THEREFORE, be it resolved by the Town Supervisor and Town Board of the Town of Moriah, Approves the public Request for Proposal and its advertisement for solicitation of proposals.

Discussion: The Supervisor stated that the Planning Board will review and then present their findings. Councilman Brassard asked if 2<sup>nd</sup> and 3<sup>rd</sup> Lane would be done and Chip Perry stated it depends on what the proposals come in at.

**60. ON MOTION** by Supervisor Scozzafava, seconded by Councilman Anderson, the following resolution was

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

**RESOLVED** to move boat rental from Bulwagga Bay Campsite to Champ RV Park Beach.

Discussion: Wayne Plunkett, Bulwagga Bay Manager feels they would be better used at Champ RV Park. Councilman Brassard and Councilman Salerno agree.

**61. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

**RESOLVED** to declare lead agency

WHEREAS, The Town of Moriah proposes to construct the Tarbell Hill Pump Station Improvements Project (hereafter referred to as, "proposed action") including:



- Rehabilitation of the existing pump station in-kind including replacement of pump, controls, electrical, HVAC equipment. Installation of a new backup power generator on-site.

(hereinafter referred to as “said Actions”), and;

**WHEREAS** said Actions require review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and;

**WHEREAS** said Actions are defined as a Type II Action under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5.

**WHEREAS** multiple agencies have approval or funding authority over said Actions, and;

**WHEREAS** 6NYCRR Part 617.6(b)(2)(i) requires that a Lead Agency for a coordinated review of a Type II Action be established prior to a determination of significance, and;

**WHEREAS** 6NYCRR Part 617.2(u) defines “Lead Agency” as, “an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required”, and;

**WHEREAS** the Town of Moriah intends to act as Lead Agency in the coordinated review of said Actions as a Type II Action under SEQRA and further intends to implement and complete all responsibilities of that office,

Therefore, be it

**RESOLVED** that the Tow of Moriah Town Board declares itself Lead Agency, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions as a Type II Action under SEQRA.

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

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

**RESOLVED** to adopt a negative declaration under State Environmental Quality Review Act (SEQRA) for proposed Tarbell Hill Pump Station Improvements, Town of Moriah, NY

**WHEREAS**, The Town of Moriah proposes to construct the Tarbell Hill Pump Station Improvements Project (hereafter referred to as, “proposed action”) including:

- Rehabilitation of the existing pump station in-kind including replacement of pump, controls, electrical, HVAC equipment. Installation of a new backup power generator on-site.

**WHEREAS** said proposed action is a Type II Action under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5.

**WHEREAS**, the Town of Moriah Board (hereafter, “the Board”), having approval authority over the proposed action, duly declared itself lead agency on February 14, 2019 for a coordinated review among multiple authorizing agencies per 6NYCRR Part 617.6(b)(2)(i), and has received no objection to this declaration from other agencies within 30 days, and

**WHEREAS**, the Board, as lead agency, must make a determination of significance of the proposed action per 6NYCRR Part 617.7, and

**WHEREAS**, the Board has considered the proposed action as defined in 6NYCRR Part 617.2(b) and 617.3(g), and

**WHEREAS**, the Board has reviewed Parts 1, 2, and 3 of a Short Environmental Assessment Form prepared for the proposed action under criteria outlined in 6NYCRR Part 617.7(c), and

**WHEREAS**, the Board finds that the proposed work will not result in significant adverse environmental impacts to:

- Land
- Water
- Air
- Plants and Animals
- Agricultural Resources
- Aesthetic Resource
- Cultural or Archeological Resources
- Open Space
- Critical Environmental Areas
- Transportation
- Energy
- Noise or Odor
- Public Health
- Community Character

And

**WHEREAS**, the Board finds, based on the criteria outlined in 6NYCRR Part 617.7(c), that the proposed action will not have a significant adverse impact on the environment for the following reasons:

- The proposed action is not located within regulated resources (i.e. state or federally-regulated wetlands).
- The proposed action is not located within a state-regulated viewshed.
- The proposed action will not impact local traffic or adversely affect public health or community character.

Therefore, be it

**RESOLVED** that the Board shall adopt in its determination of significance under 6NYCRR Part 617.7, this *NEGATIVE DECLARATION*, indicating that information provided in the Short Environmental Assessment Form attached hereto has sufficiently demonstrated that the proposed action will not result in significant adverse environmental impacts, and that an Environmental Impact Statement need not be prepared.

Discussion: The Supervisor and Chip Perry have met with EDR regarding the Tarbell Hill Project. Construction should start this summer.

The Supervisor received an email from Ruth Smith from ADKaction regarding support of the reduction of the use of salt. He copied the board with it. Councilman Salerno asked if the budget ran until December 31<sup>st</sup> and the Supervisor said yes. The Supervisor would like to read this first before we pass a resolution in support of it. Chip Perry was in agreement with reading it first. Councilman Salerno asked what would happen if we ran out of salt and the Supervisor stated we would buy more.

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

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

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

**Floor open to the public:**

Sharon O'Connor asked where she could get the brochures for the campsites so the Waterfront Committee could start working on them. The Supervisor told her to check with Cathy Sprague at the Chamber. Councilman Brassard will also check the beach house. Ms. O'Connor also asked what the guidelines would be for the Managers if they were on the Town payroll. The Supervisor stated this option will have to be looked into further. Councilman Brassard stated when we have a campsite meeting, the managers should be there.

The meeting adjourned at 6:58pm.

**Abstract Distributions:**

**Claim Numbers:**

January 28, 2019

General	\$14,828.55	2019/63-101
Highway	\$3,015.09	
Water #1	\$1,145.22	
Water #2	\$777.92	
Water #3	\$150.74	
Water #4	\$122.55	
Sewer #1	\$2,126.69	
Sewer #2	\$120.22	

February 1, 2019

General	\$330.00	2019/104-105
Water #3	\$80.00	
Sewer #1	\$52.00	
Sewer #2	\$28.00	

February 14, 2019

General	\$52,270.07	2019/108-269
Highway	\$56,718.90	
Water #1	\$116,070.82	
Water #2	\$52,463.22	
Water #3	\$51,064.36	
Water #4	\$3,460.11	
Sewer #1	\$7,410.37	
Sewer #2	\$4,234.88	

**Capital Projects:**

Sewer CDBG 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> Lane Port Henry	Press Republican	\$79.58	#2
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Town Clerk