

The Town of Moriah Town Board held an Informational Meeting on the proposed sale of Tub Mill Pond parcels to New York State on Thursday, February 16, 2017 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

Present:	Thomas Scozzafava	Supervisor
	Paul Salerno	Councilman
	Timothy Garrison	Councilman
	Thomas Anderson	Councilman (arrived at 6:07pm)
	Lucille Carpenter	Councilwoman

Others Present: William Trybendis, Charli Lewis-Essex County Real Property, Lohrer McKinstry, Tom Martin-NYS DEC, Rich Redman, Ned Phinney, Norm Fields, Tom Rodriguez and Rose French-Town Clerk.

Supervisor Scozzafava opened the meeting at 6:00pm.

The Supervisor reported that he received a letter from the New York State Department of Environmental Conservation regarding their purchase of several parcels owned by Tub Mill Pond LLC.

He then introduced Tom Martin from the New York State Department of Environmental Conservation.

He stated that because New York State may be purchasing the land through Environmental Protection funds, the Town of Moriah Town Board has to “ok” the acquisition. If the Town Board votes it down, it will be done, New York State will not continue to try and buy the property. In order for the Town Board to make the best decision they decided to hold an informational meeting and get input from the public.

The Supervisor then read the notice calling for the informational meeting.

He asked Tom Martin to be here to answer any questions the Board or the Public may have and to hear what the impact on the community may be.

The Supervisor then introduced Charli Lewis, Director, Essex County Real Property. She is here to answer any questions regarding taxes, assessments, etc.

The Supervisor stated Tom Martin will field any questions during the brief power point presentation. He would like to remind the audience that Mr. Martin is our guest.

Mr. Martin stated even if the land was a gift to the State, they would still reach out to the Town for approval. He then gave a brief slide show presentation. He stated that once the State takes ownership of the property, they will be paying full taxes.

Charli Lewis asked Mr. Martin if they would be requesting to get out of the 480A exemption early and Mr. Martin said no.

Tom Rodriguez asked what the State’s management plan was for this land. Mr. Martin said first it has to go through a classification process. He is hoping the APA will classify it as Wild Forest. They would be able to offer more recreation opportunities that way for the community.

Then it would have to go through a reclassify process in order to make it accessible with motorized vehicles.

Councilman Salerno stated that we won’t know if it gets reclassified before the Town Board votes and makes their decision and Mr. Martin said no.

Rich Redman asked if they were going to make it a primitive camping area and Mr. Martin said if it is classified as wild forest, yes. They will provide basic camping essentials, like fire rings, etc. Sites would be spaced apart. Mr. Redman asked if RV’s would be allowed up there, Mr. Martin stated that would require intensive classification, the State does not want to build new campsites.

Charli Lewis asked if the State would still purchase regardless of the classification and Mr. Martin said yes, they would.

Councilman Garrison asked if the State purchases the land, when would the public be able to use it, and Mr. Martin said the day the State owns it, the public is welcome. Mr. Martin stated the whole management plan could take 3-4 years.

Councilman Garrison asked if canoeing would be allowed, Mr. Martin said yes, it would be a possibility to keep the road open.

Councilman Anderson asked what the current assessment was on the property and Charli Lewis reported it is \$1,520,245.00. The Supervisor stated Tub Mill Pond LLC currently pays \$24,000 in taxes, that is School and Town & County combined.

Councilman Garrison asked how much land New York State owns in Essex County. Ms. Lewis stated they own 50%.

Rich Redman asked if there would be any type of wildlife management plan. Mr. Martin said no, not on the forest preserve, but yes on the adjacent easement lands. Mr. Redman asked how many easements there were and Mr. Martin was not sure.

The Supervisor asked how the State was going to pay for the land and Mr. Martin said it would have to be appraised first. The State can only pay fair market value. The Supervisor asked what the State would use in comparison, previous land purchased by the State, and Mr. Martin said yes, they sometimes do this. Councilman Salerno stated it is assessed for \$1,520,245.00 currently, if the State only pays \$900,000.00, what will they pay in taxes, and Mr. Martin said that would be up to the Assessors, it is usually based on purchase price. Councilman Salerno asked how often the State has purchased land for under the assessed value and Mr. Martin stated they usually pay more. Mr. Martin stated they currently own \$2,000,000.00 worth.

Rich Redman asked if the damn was cold water fed from the bottom and Mr. Martin said he was not sure.

Councilman Garrison asked what the State's goal was, how much land they wanted to purchase, and Mr. Martin said there is no goal. They have a committee that deals with this; they will determine when enough is enough. Mr. Garrison stated at some point it is going to come to the point when they are doing more harm than good, there will be irreversible damage to the community, Mr. Martin agreed.

Mr. Martin reminded everyone that the forest preserve does not ask for anything and they pay taxes.

The Supervisor asked Ms. Lewis if the current owner ever asked for permits to build on the property and she said no. The building rights are on the Essex County Website. Mr. Martin stated the land has never been subdivided. The Supervisor stated he thinks the current owner realized how hard it would be to do anything up there as far as building a world class resort there.

Councilman Salerno asked if Lyme Adirondack Timberlands was exempt and the Supervisor said yes, they were. Mr. Salerno found it interesting that Lyme Adirondack Timberlands purchases the property, gets the exemptions and then leases the properties to hunters; they are making money on the land and getting the exemption.

Councilman Salerno asked if Lyme Adirondack Timberlands works with Champlain Area Trails. Mr. Martin said Lyme Adirondack Timberlands has the right to say yes or no. He also stated that Lyme Adirondack Timberlands is currently working with New York State on a trail system.

The Supervisor asked what would happen if the Board votes no on this acquisition, would the State come back to the Board and Mr. Martin said no, State would not purchase the land.

The Supervisor asked Charli Lewis if there was a formula used for State land and Ms. Lewis said yes there was. It is up to the Assessor's to set the rate. The State can challenge the assessment. Charli Lewis and Tom Martin discussed the 480B exemption.

The Board took their seats at 6:35pm.

Floor open to the public:

Rich Redman stated he is not opposed to the sale to the State, but he would prefer that it remained private property. If the State does purchase the land he hopes that it is classified so people can get up in there and use it.

Councilman Salerno stated there are pros and cons to both.

The Supervisor asked Mr. Martin if he assumed that the State would keep the road open for access, and Mr. Martin said yes.

Councilman Anderson stated it will be open to the public, whether it will be for motorized vehicles or not is the question.

Mr. Martin said it could take a year or two for the final purchase plans. Councilman Anderson asked if the State usually listens to the public. Mr. Martin said he would like to say yes. He gave an example of one community, when after the state wrote their plan for a piece of land, the community was not happy with it and the State rewrote it.

Tom Rodriguez feels the land is a natural resource he would like to see the State purchase it.

The Supervisor brought the resolution before the Board for NYS to purchase the parcels on Tub Mill Pond.

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

APPROVED	Aye	Anderson
	Aye	Carpenter
	Aye	Salerno
	Aye	Scozzafava
	Nay	Garrison

RESOLVED to endorse the sale of Tub Mill Parcel's #106.1-1.100, #106.1-22.000, #106.1-4.000, #106.1-3.000, #106.1-2.000 and #96.3-1-21.001 to New York State.

Discussion: Tim Garrison stated he doesn't think it is a good idea, he feels we are at the tipping point. He doesn't feel we should keep letting the state buy up all the land. Councilwoman Carpenter stated it has been for sale for a while now, and the way it is nobody can use it. The Supervisor reported that the property has changed hands a few times in the last 15 years. The Supervisor said he has had numerous discussions with the people in the community regarding this. He said it is a beautiful area. We need someone to own the property that is going to be able to keep the damn up and running. He doubts that we will ever see infrastructure up there due to the location of the property and also the expense. He would love to see it open and used for hunting, fishing, kayaking, etc. The Supervisor stated he will vote yes for this sale. Councilman Anderson asked how long the 480A exemption was good for. Charli Lewis said they can keep resubmitting for it. Councilman Salerno asked Mr. Martin if he was confident they would make it so motorized vehicles could use it and Mr. Martin said as long as it is classified wild forest, he was pretty sure they would. He is confident that NYS will try to do what the Town wants. Councilman Salerno asked if the boundaries will be well marked and Mr. Martin said yes, if the State buys it, they will do the perimeter with yellow paint. The Supervisor asked Mr. Martin how many Towns have rejected this type of proposal and Mr. Martin said there has been a handful. Councilman Salerno asked why the State even bothers asking the Town Board their permission and Mr. Martin stated it is in the statute.

The meeting adjourned at 6:50pm.

Town Clerk