

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, June 11, 2020 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, NY.

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

Others Present: Lohrer McKinstry and Rose French-Town Clerk

Supervisor Scozzafava called the meeting to order at 6:00pm. The Supervisor stated he is hoping this is the last meeting the Public will not be allowed to attend due to COVID 19. We may have to utilize the band stand for meetings.

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

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

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

Department Head/Town Board Reports:

All Department Heads excused.

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

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

RESOLVED authorization for Supervisor to sign lease agreement with Paraglide New England for 2020 Season at Bulwagga Bay Campsite; starting June 26, 2020; \$1,000; includes one tent site and access to the point.

Discussion: Councilman Brassard stated they do have liability insurance. He also stated that Paraglide is a training program; not for the public. They are hoping to give tandem flights to the public in the future. Councilman Gilbo asked if the Town has checked with our insurance to make sure we are covered over 1,000,000 just in case. The Supervisor stated that is a good point; even though they are insured he feels the Town would get sued also if something happened. He will look in to it.

Councilman Brassard stated there are 51 seasonal sites at Champ RV Park this year. Had a water issue opening weekend but it has been resolved. Zak is doing outstanding. Councilman Brassard stated that Bill Cook-Bulwagga Bay-stated that 95% of people who come in to the office have a mask on. The sanitizing equipment is working well on the bathrooms. Zak has been very helpful; he is there on the weekends. There are 121 seasonals at Bulwagga Bay Campsite. There has been a lot of interest in the cabins. Tents will be allowed June 22, 2020. The Supervisor stated that the campgrounds are doing well, but we still lost one month of revenue. The Supervisor also stated that the cabins are all wired now. Councilman Brassard will do the interior work. Windows will be done in house. Still trying to figure out how much to charge. Councilman Anderson asked if there will be a deposit and Councilman Brassard said yes. The Supervisor stated there has been interest from local people also, which is good. Councilman Salerno stated we need to get the amenities and the Supervisor stated they are already in. He also stated that there is still work to do.

Councilman Salerno read the water report: Oak and Ridge lane project is underway. The Water Department has been working with them to find the laterals. Working with campsites turning on water. Helped put siding on bathroom at Bulwagga Bay. Will be putting in 300 feet of water line for a new home on Cheney Road.

Councilman Salerno stated that Building & Grounds have been busy. They are unable to get the inmates at this time. Mowed cemeteries, cleaned boat launch, etc. Animal control has been busy as well.

The Supervisor stated that instead of purchasing a new tractor for the campsites we will repair the one we have.

Councilman Salerno stated that James Cirrincione and Joe Drake have been doing a remarkable job at the Transfer Station. Councilman Anderson asked if we are accepting recyclables again and the Supervisor said yes.

Supervisor's Report:

The Supervisor reported that the work on Ridge and Oak Street in Port Henry has begun. It is a very tight area; the residents have been patient so far. Hoping to be completed by July. Next year we will do the other side of the road. This was a \$750,000 CDBG grant. He stated that RFP's went out for the Town Hall project; project cost \$300,000; this is for access for persons with disabilities. Councilman Anderson asked if the \$300,000 was just for the Architect and the Supervisor said no, that is for the whole project. The Supervisor stated that handicap accessibility is a priority.

The Supervisor has been working with Bill Larrow and the Youth Bureau regarding the food program at MCS. We will partner with the school and use the \$10,000 federal dollars to keep the food program going through the summer. They will need 5 employees (YCC employees) to help with delivery and cleaning the kitchen.

The Supervisor received a letter from NYS DOT; they will not be lowering the speed limit in Witherbee near Silver Hill North and Silver Hill South; they feel it is not warranted. The Supervisor explained to Councilman Gilbo that the Town does not have the authority to lower any speed limits.

The Supervisor stated he spoke to an engineering firm regarding the truck route down Broad Street; they will begin looking in to this next week, he should have more information at the next Board Meeting. The Supervisor wanted a third party to conduct the research so it was not tainted in anyway.

The Supervisor commented on how clean the Transfer Station is. He stated that our rates have not changed; but revenues have gone up. The Town Clerk stated that refrigerators with Freon cost \$21.00 and if the Freon has been removed they are \$6.00. The Supervisor read the fees for TV's. He asked the Town Clerk to put the fee list on the website and Facebook page.

The Supervisor said he gave all Board members the campground regulations during COVID 19. He stated it is not easy to follow all of the Governor's orders. Social distancing is not an issue. Can have 150 people for graduations. He stated it is up to the school not the Town Board. He stated the Town will help the school in any way they can to make graduation happen. Councilman Anderson stated they are working on a plan for graduation.

The Supervisor said he got some clarification on garage/yard sales; they are permitted but town wide ones are not. The Supervisor stated that the Governor's rules change by the hour; for example: 9:00am playgrounds are closed and at 3:00pm they are open.

The Supervisor stated the Board needed to discuss opening the beaches this year. Last year they were closed a total of 10 days due to blue/green algae. He stated the mandatory regulations during COVID 19 are going to be very difficult for lifeguards to enforce. The bathroom at Bulwagga Bay will not be ready until the July 4th weekend. The bathroom has to be so many feet away from the beach so that isn't going to work for Bulwagga Bay Beach. There is a savings of about \$14,000 if we don't open them. Councilman Salerno stated it is a tough call. Councilman Anderson would like to see at least one of them open. If they want to swim at the point or the pier, then let them. Councilman Brassard stated that Port Henry Beach gets more swimmers than Bulwagga Bay Beach. Councilman Salerno asked if we could put up signs if there are no lifeguards. The Supervisor said yes, it would be impossible to stop anyone. He stated the beaches close around 5:00pm everyday anyway. If they open it will be June 27th and closed

Labor Day weekend. The Supervisor stated that if we don't open the beaches he would like to offer the food program positions to the lifeguards first.

The Supervisor stated Rich Lapier received an email from NYS APA regarding a campsite at 103 Mullen Bay Road. They do have a permit and Mr. Lapier will look into the septic system issue.

Resolutions:

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

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

RESOLVED A RESOLUTION AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE TOWN OF MORIAH, ESSEX COUNTY, NEW YORK, TO PAY THE COST OF the reconstruction of the Tarbell hill pump station and PLANNING FOR SEWER DISTRICT NO.1, IN THE TOWN OF MORIAH, ESSEX COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Sewer District No. 1 No. 1, in the Town of Moriah, Essex County, New York, at a maximum estimated cost of \$300,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to 6NYCRR 617.5(c)(2), the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which as such will not have any significant adverse effects on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Moriah, Essex County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the increase and improvement of the facilities of Sewer District No. 1 in the Town of Moriah, Essex County, New York (the "Sewer District"), being the reconstruction of the Tarbell Hill Pump Station, and master sewer district preliminary planning for other projects in and for Sewer District No. 1, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$300,000, bonds of said Town pursuant to the provisions of the Local Finance Law, there are hereby authorized to issue \$300,000 bonds of said Town.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$300,000, which class of objects or purposes is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$300,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Moriah, Essex County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due

and payable in such year. To the extent not paid from monies raised from said Sewer District No. 1 in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Supervisor applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or

otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

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

RESOLVED to adopt a public interest order in the matter of the increase and improvement of facilities of Sewer District No. 1 in the Town of Moriah.

WHEREAS, the Town Board of the Town of Moriah, Essex County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Sewer District No. 1 in the Town of Moriah, Essex County, New York (the "Sewer District"), being the reconstruction of the Tarbell Hill Pump Station, and master sewer district preliminary planning for other projects in and for Sewer District No. 1, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$300,000; and

WHEREAS, at a meeting of said Town Board duly called and held on June 11, 2020, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Sewer District No. 1 in said Town at a maximum estimated cost of \$300,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Port Henry, New York, in said Town, on June 11, 2020, at 5:30 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Moriah, Essex County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Sewer District No. 1 in the Town of Moriah, Essex County, New York (the "Sewer District"), being the reconstruction of the Tarbell Hill Pump Station, and master sewer district preliminary planning for other projects in and for Sewer District No. 1, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$300,000.

Section 2. This Order shall take effect immediately.

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

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

RESOLVED authorization for the Supervisor to hire 5 employees for Moriah Central School Summer Food Program at \$11.80 per hour; 20 hours per week; June 29, 2020 – August 21, 2020; 8 weeks; minimum age is 16.

Discussion: Councilman Salerno stated that the lifeguards would get first choice if the beaches don't open.

128. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was
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|----------|--------|--|
| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Absent | 0 |
- RESOLVED** to open Port Henry Beach only; June 27, 2020; Wednesday – Sunday; 8 hours a day.

Discussion: Supervisor Scozzafava stated Bulwagga Bay Beach is not ready to open. Councilman Anderson asked if Port Henry was and the Supervisor said yes. Councilman Gilbo stated that we need signage so people are responsible to follow the rules; have some accountability. Councilman Salerno stated that 121 seasonals at Bulwagga Bay are going to be mad. The Supervisor stated they can go to Port Henry Beach. We can't please everybody during this COVID 19 pandemic. Councilman Anderson stated that they swim at the point anyway. Councilman Salerno stated local people swim at the point, not the campers.

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

130. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was
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|----------|--------|--|
| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Absent | 0 |
- RESOLVED** approval of payment of End of Month and Monthly warrants.

131. **ON MOTION** by Councilman Brassard, unanimous second, the following resolution was
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|----------|--------|--|
| APPROVED | Ayes | Scozzafava, Salerno, Anderson, Brassard, Gilbo |
| | Nays | 0 |
| | Absent | 0 |
- RESOLVED** a resolution of condolence to the family of Brandy Patnode-Michener.

The meeting adjourned at 6:49pm.

Abstract Distributions:

Claim Numbers:

May 20, 2020

General \$2,760.37

2020/700

May 29, 2020

General \$408.48

2020/703-710

Highway \$337.18

Water #1 \$49.86

Water #2 \$33.83

Water #3 \$283.78

Water #4 \$5.33

Sewer #1 \$101.62

Sewer #2 \$36.23

June 2, 2020

General \$1,891.68

2020/711-730

Highway \$3,600.00

Water #1	\$336.00
Water #2	\$228.00
Water #3	\$600.00
Water #4	\$36.00
Sewer #1	\$990.00
Sewer #2	\$210.00

June 11, 2020

General	\$37,615.41	2020/732-851
Highway	\$3,142.07	
Water #1	\$4,282.36	
Water #2	\$3,910.28	
Water #3	\$2,051.96	
Water #4	\$117.92	
Sewer #1	\$4,686.19	
Sewer #2	\$3,099.72	

Capital Projects:

CDBG Oak & Ridge Main Replacement	Press Republican	\$70.85	#3
Tarbell Hill Pump Station	Denton Publications	\$39.57	#4
CDBG Town Hall Project	Press Republican	\$70.43	#1

Town Clerk