

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, June 8, 2023 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

Absent: Nathan Gilbo Councilman

Others Present: Bill Trybendis, Robert Stevenson, Sharon O’Connor, Diana Stevenson, James Brooks and Jonathan, Rick Lewis, Brian Venne, Rich Lapier, and Rose French-Town Clerk

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

The Supervisor read a statement regarding Moriah Shock, Dollar General and a Grocery Store. (Please see attachment).

Councilman Anderson asked how big the new Dollar General store would be and Rich Lapier thought it was bigger than the one in Port Henry.

Councilman Anderson stated a new grocery store will be hard to compete with Dollar General.

Councilman Salerno thought there was talk of a Price Right grocery store; 3,000 square feet; meat and produce; with our population size, the Supervisor stated he heard the same thing.

Sharon O’Connor thanked the Town Board for all they do for the community; see a lot of good; the Board knocks themselves out for the community.

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

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

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

Floor Open to the Public:

N/A

Department Head/Town Board Reports:

Rich Lapier-Code Enforcement Officer stated he did 5 building permits and 4 garbage violations in the month of May, 2023. The Supervisor stated he and Rich Lapier spend 2-4 hours per week dealing with garbage issues. Landlords need to provide a dumpster; garbage issues always fall back on the property owner.

Councilman Anderson stated the Youth Commission counselors are ready to go; they have training on the 17th. T shirts have been ordered; school is ready to go; program starts July 10th. The big gym will not be ready but we can use the small gym. The Supervisor asked if the food program was all set and Councilman Anderson said yes. YCC applications are available at the school.

Councilman Brassard would like approval for the campsite to get a backpack leaf blower and a push mower. The Supervisor asked Mr. Lapier to check with Building & Grounds to see if they can use their leaf blower when they aren’t using it; the Supervisor was in agreement with getting a push lawn mower. Councilman Brassard will follow up with Building & Grounds.

Councilman Brassard stated he was contacted by “Grim Reaper Paranormal” they would like to tour the Town Hall to investigate. The Supervisor thinks it is a great idea, bring interest to the

Town. Councilman Brassard asked if the Board was good with it; the Board was in agreement with this. The Supervisor stated there has always been rumors the Town Hall is haunted.

Councilman Brassard received a quote from Dalbec Audio Lab in the amount of \$14,466.00 for a sound system for the Court House. The Justices received a grant for \$6,000 that can be put towards this. Councilman Salerno asked if Wells Communications or any other bidder was interested and Councilman Brassard stated he made calls and a lot of them don't service that type of equipment. Dalbec did the County Board of Supervisors as well. For it to be live streamed on Facebook it was an additional \$2,000. The Supervisor feels it is a good investment; he would like to see the meetings back on YouTube as well.

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

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

RESOLVED to purchase from Dalbec Audio Lab one public address system in the amount of \$14,466 (using \$6,000 from Justice Court Grant towards the balance).

112. ON MOTION by Councilman Brassard, unanimous second, the following resolution was

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

RESOLVED a resolution of condolence to the family of Mark Davenport.

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

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

RESOLVED to spend money out of the Johnny Podres fund for Moriah Youth Baseball equipment.

Discussion: Councilman Salerno stated there is more teams than ever this year. The Supervisor stated that is what the money is for.

Councilman Brassard wanted to thank the Highway Garage and Rich Lapier for helping out with the new playground at Bulwagga Bay Campsite and also Rich Lapier and Billy Allen for the Lifeguard chair.

Councilman Salerno reported that most if not all the paving has been completed by the Water & Sewer Department where there were any breaks this year.

Supervisor's Report:

The Supervisor met with 3 DOT officials last week; they plan to work on NYS Route 9N this year, do some paving along Main Street and put a cross walk in by the K of C.

The Supervisor is waiting for an answer back from CP Rail on cutting the brush on the south side of Town as you enter. We no longer have the inmates to use and it is overgrown. Richard Finnessey has expressed interest in doing it; it will be a contract job with CP Rail. The Supervisor asked if the Board was in agreement with pursuing this and the Board said yes.

The Supervisor received a complaint regarding the dirt bikes and 4 wheelers that are riding on the sidewalk on Center Road. The Supervisor spoke to the State Police and DEC; they are impossible to catch. The Supervisor would like to ask the community-please don't ride on the sidewalks. Councilman Brassard stated Officer Brassard is out looking for them, he did catch one last week. Councilman Anderson stated we are getting cameras right, put them in these areas and the Supervisor stated it is very hard to tell who they are from a picture when they wear helmets.

The Supervisor stated the Board needs to start thinking about projects to use the ARPA money on; we have to have a plan in place by the end of the year.

The Supervisor stated Gary Cutting approached him about putting veteran's flags at Buzzy Wright Park. He can get some guys together to drill the holes if the Town would pay for the flags, there are 6 flags, the Board was in agreement with this.

The Supervisor stated he received a certificate of the final state equalization rate for 2023 from the NYS Department of Taxation & Finance and we are at 75%. This impacts the STAR exemption. Keene is also at 75%. If you drop below 94% there is an impact. They look at sales in the area and come up with a full market value. Councilman Salerno asked if it would be simpler for the tax payer if the just raised everybody the same and the Supervisor stated that is not fair. The Supervisor stated it is the responsibility of the Assessor's to keep the tax roll current. Councilman Salerno asked to get back the 25% is it certain homes or everyone and the Supervisor stated everyone. 1/3 go up, 1/3 goes down and 1/3 will remain the same. The Supervisor stated if your assessment changes you will be notified by letter and you will have a chance to question it.

The Supervisor stated that he spoke to Betty Lamoria and Jim Davis regarding opening the Iron Center this summer. Jim Davis will be in charge of getting the volunteers; Betty will remain Historian. The Supervisor thanked the 6 people that have already offered to volunteer; John Harrington, Neil Larkin, Lou Paris, Ann Tesar, Tom Wood and Crystal Prew. The Supervisor stated we will open with posted hours; he thanked Jim Davis for volunteering to take care of this. The Supervisor asked Brian Venne if we could get the train going this year and Brian said he would work on it.

The Supervisor stated he had a 1 ½ hour meeting with Rural Development; went through all the paperwork; compliance review; CDBG is last on list; there are other offers from rural development; planning grants available.

Resolutions:

- 114. ON MOTION** by Councilman Anderson, seconded by Councilman Brassard, the following resolution was
- | | | |
|----------|--------|---|
| Approved | Ayes | Scozzafava, Salerno, Anderson, Brassard |
| | Nays | 0 |
| | Absent | Gilbo |

RESOLVED adjustment in C & D rates at the Transfer Station; 6' pickup box-\$89.00; 8' pickup box-\$119.00.

Discussion: The Supervisor stated the last time these were adjusted smaller pickups were not taken in to consideration; surprised by the dollar amount.

- 115. ON MOTION** by Councilman Anderson, seconded by Councilman Brassard, the following resolution was
- | | | |
|----------|--------|---|
| Approved | Ayes | Scozzafava, Salerno, Anderson, Brassard |
| | Nays | 0 |
| | Absent | Gilbo |

RESOLVED to renew lease with Pepper family for use of Pepper field "John Pepper Memorial Field" for a 5-year period.

Discussion: The Supervisor would like to send a thank you letter to the Pepper family.

- 116. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was
- | | | |
|----------|--------|---|
| Approved | Ayes | Scozzafava, Salerno, Anderson, Brassard |
| | Nays | 0 |
| | Absent | Gilbo |

RESOLVED a resolution authorizing the Supervisor to sign an easement granted by Primax Properties LLC to Town of Moriah for 3192 Plan Road for a "proposed Dollar General".

Discussion: The Supervisor stated the reason for this easement is the Town has a water line that runs right through the property.

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

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

RESOLVED to rebuild water pump at Water Filtration Plant at a cost of \$29,000 from SHRIER-MARTIN (cost of new pump-\$80,500) to be paid from Water Districts 1, 2, and 4.

Discussion: The Supervisor stated Chip Perry said we are getting a lot of ground water; possibly plug it.

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

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

RESOLVED approval of Local Law #1 of 2023;

**TOWN OF MORIAH LOCAL LAW NO. 1 OF 2023
LOCAL LAW TO PROVIDE A PROPERTY TAX EXEMPTION TO
VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE
WORKERS**

Section 1 - PURPOSE

The purpose of this Local law is to implement the authority granted to local taxing jurisdictions by Real Property Tax Law Section 466-a – Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers. The Town Board of the Town of Moriah finds and hereby determines that New York Real Property Tax Law Section 466-a makes available a tax exemption for volunteer firefighters at the option of the local municipality. The Town Board further finds and determines that the Town of Moriah should exercise said option and implement said tax exemption because it would enhance the ability to recruit and retain the volunteers that are the lifeblood of the volunteer fire organization currently serving the residents of Moriah.

Section 2 - AUTHORITY

This local law is pursuant to NY RPTL §466-a and NY Municipal Home Rule Law §10, all as the same may be amended from time to time.

Section 3 – BODY OF THE LOCAL LAW

The Town Board of the Town of Moriah hereby approves Town of Moriah Local Law No. 1 of 2023 entitled “Local Law to Provide a Property Tax Exemption to Volunteer Firefighters and Volunteer Ambulance Workers” as follows:

Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, or such enrolled member and spouse residing in the Town of Moriah shall be exempt from taxation to the extent of ten percent of the assessed value of such property for Town purposes, Town special district purposes, and exclusive of special assessments.

1. The exemption authorized by paragraph 1 shall be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in the Town of Moriah only if:
 - a. The applicant resides in the town or village which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
 - b. The property is the primary residence of the applicant;

- c. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by paragraph 1;
 - d. The applicant has been certified by the authority having jurisdiction for the incorporate volunteer fire company, fire department, or voluntary ambulance service as an enrolled member of such incorporated volunteer fire company, fire department, or voluntary ambulance service for at least two years or the applicant has been certified by the authority having jurisdiction of the incorporated voluntary ambulance service as an enrolled member of such incorporated voluntary ambulance service for at least two years. It shall be the duty and responsibility of the each incorporated volunteer fire company, each incorporated volunteer fire department and each incorporated voluntary ambulance service to file an affidavit signed by a responsible officer annually, prior to the applicable taxable status date, with the assessor or other appropriate agency, department or office of each assessing unit served by such incorporated volunteer fire company, incorporated volunteer fire department or incorporated voluntary ambulance service listing its enrolled members with two or more years of service.
2. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service located in Essex County, New York who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this local law for the remainder of his or her life as long as his or her primary residence is located within Moriah, New York.
3. The exemption authorized by this local law shall be continued for the un-remarried spouse of a deceased firefighter or volunteer ambulance worker killed in the line of duty provided that:
 - a. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated volunteer ambulance service as an un-remarried spouse of an enrolled member of such incorporated fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty;
 - b. Such deceased volunteer had been an enrolled member for at least two years; and
 - c. Such deceased volunteer had been receiving the exemption prior to his or her death.
4. The exemption authorized by this local law shall be continued for the un-remarried spouse of a deceased volunteer firefighter or volunteer ambulance worker provided that:
 - a. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and

- b. such deceased volunteer had been an enrolled member for at least twenty years; and
 - c. such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.
5. Application for the exemption described in this local law shall be filed on a form prescribed by the New York State Board of Real Property Services with the assessor or other appropriate agency, department, or office of the assessing unit in which the real property is located on or before the taxable status date.

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

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

RESOLVED to request RFP's for an economic development planning grant consultant in the amount of \$50,000.

Discussion: The Supervisor stated this could be used to get a grocery store.

The Supervisor welcomed James Brooks and asked him if he wanted to speak. Mr. Brooks said yes, he has a grievance with a Board member. Mr. Brooks stated Matt Brassard took funds that were allocated for the Town away from the Town. Mr. Brooks stated he paid \$3,800 to extend the parade route. Councilman Brassard stated he has nothing to do with the parade route; that is the Chamber. Mr. Brooks told Councilman Brassard that he told him the contracts were already out; Mr. Brassard stated he had no idea what Mr. Brooks was talking about; he would never misappropriate Town funds; he is one member of a 5-member Board. The Supervisor asked Mr. Brooks if he was talking about the contract with the Chamber and Mr. Brooks said no. Councilman Brassard stated he had no idea what Mr. Brooks was talking about. Mr. Brooks stated he is suing the Town and Councilman Brassard will be named in the lawsuit. Mr. Brooks stated Councilman Brassard gets involved in things he has no business in. The Supervisor stated this conversation should be between Mr. Brooks and Councilman Brassard and Mr. Brooks stated he is suing the Town and the Supervisor stated this conversation is over.

Robert Stevenson asked the Supervisor if North Pond Dam reservoir will be repaired again and the Supervisor stated no; the first time was under DEC consent order. Mr. Stevenson asked if the water line where the new Dollar General will be if it will be unearthed and the Supervisor no; 10 feet right of way. Mr. Stevenson stated if he had more of an education he could help Officer Brassard catch the dirt bikes and 4 wheelers. The Supervisor stated the Town Police, State Police and DEC are on it.

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

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

RESOLVED approval to do transfers in budget as needed.

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

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

RESOLVED approval to do adjustments in water and sewer as needed.

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

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

RESOLVED approval of payment of end of month and monthly warrants.

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

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

RESOLVED to go in to Executive Session at 7:02pm to discuss a personnel related matter requested by Justice Carpenter and Justice Venne.

Justice Venne stated they just had a security audit and the podium should be removed. He then stated that at the November Board meeting the Justices asked for a raise for Court Clerk Brianna Sargent, the board asked her to take the Account Clerk exam which she did and passed. Essex County Personnel came down and did a desk audit; Justice Venne stated Ms. Sargent needs to be making \$18.48 now, which is the account clerk salary. He stated Ms. Sargent takes 12 credit hours and has to pass a test to be a Court Clerk. He then asked the Town Clerk if she has to take 12 credit hours to be Town Clerk and she said no, he then asked if the Clerk in her office has to take 12 credit hours and she said no, The Town Clerk stated that just because she nor her Clerk don't take 12 credit hours, that does not mean that they don't do a good job and work hard and are there early every day. The Supervisor stated right now she is a Clerk; the Essex County Board of Supervisors just passed a resolution to make "Court Clerk" a title. Justice Venne stated the rolls of a Court Clerk are extensive; she deals with 2 Justices, types decisions, etc. He then stated that her duties far exceed what an Account Clerk does. The Supervisor stated that was a matter of opinion; you should be at the Town Hall when bills are being paid or payroll is getting done. Justice Venne stated the County is paying Account Clerk's \$18.48; Ms. Sargent is currently making \$15.07. He stated the Court will lose her to the private sector or to the County; he stated the Treasurer's Office is looking for an employee and are paying \$20.00/hr. The Supervisor asked the Board their opinion. Councilman Anderson stated we asked her to take the Account Clerk exam, she took it and passed, pay her that. The Supervisor asked right in the middle of a budget year, he stated once you open that door you will never close it, every employee will want a raise, the Supervisor stated that both Clerk's deserve more money; however, the Board made LeeAnn Sprague Senior Account Clerk wait until January before she got more money. The Supervisor asked Justice Venne if absenteeism was still an issue with Ms. Sargent; Justice Venne stated she has had numerous doctors' appointments. Justice Venne stated that the Board allowed Ms. Sargent to flex her time to make up for them and the Supervisor said yes, with a schedule, which was provided. Councilman Salerno stated he supports the \$18.48/hr; he asked if she took it in January and passed she would have to wait a whole year before she got more money. The Supervisor stated put her raise in the budget and vote on the budget. Councilman Anderson asked what took so long and Justice Venne stated Ms. Sargent had to wait for the desk audit. Councilman Anderson stated it is a matter of timing. The Supervisor reiterated Ms. Sargent is a Clerk not an Account Clerk. Councilman Anderson stated this should be done at budget time. The Supervisor stated we need to find some middle ground. Councilman Brassard asked what the Supervisor meant by opening the door, the Supervisor stated raises would take effect 1/1/24. Councilman Anderson asked how long it would take to get the title of Court Clerk passed in Albany. The Supervisor asked the Board what they wanted to do. Justice Venne was excused so the Board could discuss it. Councilman Salerno stated he felt threatened by Supervisor Scozzafava when he told the Supervisor he supported the raise for Ms. Sargent; he said he felt if he did not vote the Supervisor's way he would be done as Deputy Supervisor. Councilman Salerno stated we asked her to take the test, she passed, give her the \$18.48/hr, he supports it.

The Board came out of Executive Session at 7:31pm.

The Supervisor opened it up to the Board.

Councilman Salerno moved a motion and Councilman Anderson seconded it to give Brianna Sargent \$18.48/hr beginning first payroll in July 2023. There was a brief discussion that this motion should include Julie Ida.

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

Approved	Ayes	Salerno, Brassard
	Nays	Scozzafava, Anderson

Absent Gilbo
FAILED to raise both Clerk's to \$18.48/hr effective 1st payroll in July, 2023.

The Board went back in to Executive Session at 7:35pm.

Justice Venne stated Brianna Sargent took the Account Clerk exam and passed and she had the desk audit. Councilman Anderson stated raises are given in January.

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

Approved	Ayes	Salerno, Anderson, Brassard
	Nays	Scozzafava
	Absent	Gilbo

RESOLVED to raise both Clerk salaries to \$18.48/hr effective July 1, 2023.

Discussion: Councilman Anderson asked if there would be retro-active pay and the Supervisor said no.

The meeting adjourned at 7:40pm.

Abstract Distributions:

Claim Numbers:

May 26, 2023

General	\$7,418.56
Highway	\$1,052.66
Water #1	\$205.67
Water #2	\$146.72
Water #3	\$687.39
Water #4	\$19.63
Sewer #1	\$140.97
Sewer #2	\$87.57

2023/749-765

June 8, 2023

General	\$44,274.01
Highway	\$22,129.29
Water District #1	\$3,178.35
Water District #2	\$2,251.28
Water District #3	\$1,810.77
Water District #4	\$165.02
Sewer District #1	\$3,307.00
Sewer District #2	\$1,126.75

2023/785-913

Town Clerk