

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, March 9, 2023 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, NY.

Present: Thomas Scozzafava Supervisor  
Tom Anderson Councilman  
Matt Brassard Councilman

Absent: Paul Salerno Councilman  
Nathan Gilbo Councilman

Others Present: Bill Trybendis, Robert Stevenson, Sharon O'Connor, Kevin Darcy, Jamie Wilson, Eric & Fran Wilhelmson, Ronnie Cunningham, Ric Lewis and Rose French-Town Clerk

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

The Supervisor stated Councilman Salerno and Councilman Gilbo are both excused, they are sick.

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

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

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

#### **Floor Open to the Public:**

Kevin Darcy asked if there was a property maintenance law on the books. He stated there are cars, campers, etc. all over Town, they should be cleaned up, the Town would be more presentable. The Supervisor stated the Town of Moriah follows the NYS property maintenance code. He said he will take the blame, he and the Town Board have been lax on it; it is very expensive to enforce. He stated the Town has gone to court in the past; very difficult to enforce. The Supervisor stated there are areas that are out of control. The Supervisor stated he is dealing with 2 burnt out houses right now. The Supervisor stated we have no zoning and no planning board. Mr. Darcy stated even by the train tracks on the south end of town looks terrible. The Supervisor stated Canadian Pacific owns that land, it is private property, Town can't go on private property. Councilman Brassard stated the inmates had gotten permission to clean it out a couple of times. Mr. Darcy stated he cleans out Lookout Lane. The Supervisor said thank you, that is Town property, should sell it, would make good building lots. The Supervisor told Mr. Darcy that he understands where he is coming from; hard to do selective enforcement.

Fran Wilhelmson asked how hard it would be to have zoning. The Supervisor stated we would have to start with a map, plan and report, would have to designate certain areas, commercial zones, what the Town is going to allow, etc. The Supervisor stated that zoning is an option. We already have some zoning through the APA. The Supervisor stated this is a problem in all communities. The Supervisor stated people do not want to be told what to do with their own property. Mr. Darcy asked if the Town was going to plan to start zoning different areas. Councilman Brassard stated the Village could zone different areas. The Supervisor stated his days are numbered; if the Board wants to have zoning it is up to them. He also stated some people move to Moriah because there is no zoning.

Ronnie Cunningham asked if the Summer Program counselors could get a raise this year. The Supervisor said no, the budget is already done for this year. Councilman Anderson stated it is a 4-week program; they are making minimum wage; the Town did bring the pay up.

#### **Department Head/Town Board Reports:**

Jamie Wilson-Highway Superintendent reported they have been battling the snow storms. They have been opening up roads, sidewalks and intersections and fixing equipment. The Supervisor stated they did a great job during the last storm. The Supervisor suggested getting a new sidewalk

machine if we are going to take care of sidewalks properly. Mr. Wilson will get some pricing. Mr. Wilson stated the highway department has been helping the Town of North Hudson. The Supervisor stated there is a intermunicipal agreement with the surrounding towns, which is a good thing.

Councilman Anderson reported on the Youth Commission: He stated at the last meeting Erica Slattery and Jimmy Langey were appointed, Krissy Allen and Jessica Bosarge are still on but want to get off; will stay on through the Spring, then Tanner Whalen and Megan Smith will be appointed.

The School will be available for the summer program this year.

Councilman Anderson stated that in October during budget season the counselors were brought up to minimum wage; it is only a 4-week program.

Councilman Anderson said he asked Steve Pelkey if he was going to return as the Director of the summer program this and he is 99.99% sure he will.

Ronnie Cunningham will return and Councilman Anderson stated he has a letter of interest from Cecelia Briggs.

Councilman Anderson stated he has been in contact with Dee Olcott regarding youth employment meetings, Jimmy Langey will be going and he will go also if he can.

The Supervisor stated that the Summer Program permit process needs to be started ASAP.

Ronnie Cunningham asked if we will have lifeguards this year and the Supervisor stated we have had a difficult time recruiting. Ms. Cunningham asked if the program can use the Town Beach and the Supervisor said yes. Councilman Anderson stated that hasn't changed; he also stated that we have to compete with Camp Dudley also for employees.

**64. ON MOTION** by Councilman Anderson, unanimous second, the following resolution was

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

**RESOLVED** a resolution of appreciation to Jack Armstrong for his many years on the Youth Commission.

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

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

**RESOLVED** to increase all campsite laborer's salary to \$17.49 per hour.

Councilman Brassard stated that he and Councilman Gilbo will be interviewing for campsite laborers on Sunday.

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

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

**RESOLVED** authorization for the Supervisor to offer campsite laborer position on recommendation by Councilman Brassard and Councilman Gilbo after interviews.

Councilman Brassard reported that he and the Supervisor met with all 3 fire departments and the ambulance squad regarding the 10% reduction in taxes for volunteers; need more information from each department. The Supervisor stated he received a letter from the Port Henry Fire Department supporting this tax break. If the Town grants an exemption for certain people, other people will have to pick it up the slack. There is no way of knowing the impact until we see who

is eligible, for “active” volunteers only. The Supervisor stated the State passes the bill and then the Towns end up having to pay for it.

Sharon O’Connor stated the Mineville/Witherbee Fire Department fully supports it and she asked the Supervisor if he wanted a letter stating that and the Supervisor said yes, if it passes it won’t take effect until next year, the deadline was March 1<sup>st</sup>. The Supervisor stated it would be nice knowing the impact. The Supervisor stated back in 2017 there was talk of a Cold War Exemption, the Board took no action, were unsure of the impact; may end up looking in to it again.

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

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

**RESOLVED** to appropriate \$5,000 to M3 Music Festival; paid for out of bed tax money.

### Supervisor’s Report:

The Supervisor reported that Dan Stec and Matt Simpson have introduced a bill that would require NYS to pay taxes when a correctional facility closes. Moriah Shock is assessed at \$18 million and they have paid no tax. The Supervisor stated that tax payers would see a reduction in their taxes, he also stated that there is zero chance this bill will pass, but at least it brings attention to the problem. Eric Wilhelmson asked what the status of Moriah Shock was and the Supervisor stated the building is empty; secure; still operating with one individual there. The State Police are looking at it for a 2<sup>nd</sup> academy but they are looking at Cazenovia also, it has dorms, Moriah Shock does not. The Supervisor stated that DEC looked at it also. The State can’t sell it; in APA; would need constitutional amendment. The Supervisor stated he thinks a State agency will go in there. Eric Wilhelmson asked if the State could give it away and the Supervisor said only to another Municipality; Mr. Wilhelmson asked if the Town wants it and the Supervisor stated the Town can’t afford it.

The Supervisor stated that COVID regulations have changed again; he will have more information at next month’s meeting; have to have a PCR test now, not a home test.

The Supervisor received a letter in support of the Real Property Tax Exemption from the Port Henry Fire District #3. He stated the first thing to happen would be a Public Hearing.

The Supervisor stated he has been dealing with 2 burnt out structures; hopefully they will get taken down; if not the homeowner will just stop paying the taxes and the County will end up with them. If the Town did condemnation proceedings the County would end up eating the costs of those. A certified letter was sent to the owners of the house on Rice Street; will end up in Court.

The Supervisor had a zoom meeting with Elise Stefaniks office regarding water & sewer infrastructure money.

The Supervisor stated we received \$122,500 for the new Police Station; that fell apart, he is hoping to use that money to renovate the back room on the Town police station for the NYS Police and the Sheriff’s Department to use as a “Office of Convenience”.

Lifeguard training will be March 17<sup>th</sup>, 18<sup>th</sup>, and 19<sup>th</sup> at Moriah Central School. For more information, please contact the Town offices.

The demolition of the #7 site has begun. The Supervisor did a walk through with the contactor and engineer; retrieved a few items for the Iron Center or Witherbee Park. Their main route will be Switchback Road to Pilfishire Road to Route 9N; the issue is the weight on the road. Jamie Wilson-Highway Superintendent stated this is a bad time of year for the extra weight on the roads. The Supervisor stated the Town will document the condition of the road prior to and if there is any damage the company will pay for it. The Supervisor stated he understands people are concerned about historic preservation, everything will be videotaped. The company has given a donation to the Sherman Free Library and also the Iron Center. The Supervisor stated there is huge interest in the tailings pile right now for rare earths. Councilman Brassard if they were

going to sell the property next to the pile or all of it and the Supervisor said all of it; there has been some interest. The Supervisor stated the mining has come full circle. Sharon O'Connor asked if the sale of the land would hurt the Hydro Project and the Supervisor said no, it would help.

The Supervisor reported that building codes issued 65 permits in 2022; 4 were new homes.

The Transfer Station had a deficit of \$36,012.52 in 2022. Councilman Brassard asked if we knew where the short comings were and the Supervisor stated it is the salaries; can't have one person working; can't be there alone. The supervisor stated we have the 2<sup>nd</sup> largest tonnage in Essex County, North Elba is #1. He said C & D had a revenue of \$18,094 and expenditures were \$12,275.10. He reminded everyone that the Transfer Station is County wide. Eric Wilhelmson asked if the recycling was worth it and the Supervisor said if we do away with it then you have to pay for it in your regular garbage. Jamie Wilson stated we have to pay for electronics now also.

The Supervisor reported that we had our annual inspections at the Port Henry Water Plant and also the Moriah Water Plant; everything was good; some infrastructure issues. Councilman Anderson asked how old the Sewer plant was and the Supervisor thought it was constructed around 2005.

The Supervisor stated there is a resolution later on regarding the occupancy tax. The Town's share will be around \$80,000; has to be used for tourism.

The Supervisor stated we may have to look at the Cold War Real Property Tax Exemption again; time period 1945-1991.

**Resolutions:**

**68. ON MOTION** by Supervisor Scozzafava, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** to award bid to RWS Construction to replace the roof on the Court House in the amount up to \$60,900.00.

Discussion: The Supervisor stated we received 3 different proposals; 1 was \$110,000 and the other was \$80,000; the roof needs to be fixed.

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

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

**RESOLVED** authorization for Supervisor to sign agreement with Essex County for Municipal Expenditure of Essex County Occupancy Tax Revenues in the amount of @ \$80,000.00.

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

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

**RESOLVED** a resolution authorizing the issuance of an Amendment to the Engineering contract with MJ Engineering & Land Survey, P.C. for inclusion of Final Design Phase Services in the amount of \$318,400.00.

Discussion: The Supervisor stated this is for Sewer District #1; preliminary work already completed, construction will start in the Spring.

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

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

**RESOLVED** a resolution to accept proposal from willie Grant for Assessor/Code sign for old Village Hall in the amount of \$1,500.00.

Discussion: The Supervisor stated this sign is needed, people still call and come to the Town Hall.

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

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

**RESOLVED** approval to transfers in budget as needed.

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

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

**RESOLVED** approval to do transfers in water and sewer as needed.

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

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

**RESOLVED** approval to pay end of month and monthly warrants.

The Supervisor asked the Town Clerk when the water & sewer bills will go out next and she said April 1<sup>st</sup>, due May 3<sup>rd</sup>. The Supervisor stated there will be an insert regarding a lead survey in them.

**Floor open to the public:**

Sharon O'Connor asked if there was an update on the cameras and the Supervisor stated he spoke to Councilman Gilbo; he will let him update at next month's meeting.

There was some conversation about moving the Champ sign.

Eric Wilhelmson asked what cameras and the Supervisor stated they are for security; they will be at different spots around town; not on private property. Mr. Wilhelmson also asked about the "magic" hydro project and the Supervisor stated they are still working on the permitting process with NYS DEC.

The meeting adjourned at 7:04pm.

**Abstract Distributions:**

**Claim Numbers:**

February 27, 2023

General \$7,069.58  
 Highway \$2,258.76  
 Water #1 \$1,362.70  
 Water #2 \$988.20  
 Water #3 \$848.51  
 Water #4 \$124.81  
 Sewer #1 \$2,315.40  
 Sewer #2 \$1,209.59

2023/231-265

March 9, 2023

General \$30,800.92

2023/267-384

Highway	\$23,349.73
Water #1	\$3,768.97
Water #2	\$2,670.74
Water #3	\$9,738.02
Water #4	\$190.78
Sewer #1	\$5,159.12
Sewer #2	\$2,729.09

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Town Clerk