

The Town of Moriah Town Board held their Regular Board Meeting on Thursday, October 13, 2016 at 6:00PM at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

Present:	Thomas Scozzafava	Supervisor
	Paul Salerno	Councilman
	Thomas Anderson	Councilman
	Lucille Carpenter	Councilwoman
	Timothy Garrison	Councilman

Others Present: William Trybendis, Charli Lewis-Essex County Real Property, Sharon O'Connor, Diane Stevenson, Art Morgan-Water & Sewer Superintendent, Jamie Wilson-Highway Superintendent, Rich Lapier-Building Codes, Lohrer McKinstry, Anne Tesar, Sandra Lovell, Jackie & John Viestenz, Linda Smyth and Rose French-Town Clerk.

Supervisor Scozzafava opened the meeting at 6:07pm.

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

APPROVED	Ayes	Scozzafava, Salerno, Anderson, Carpenter, Garrison
	Nays	0

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

Bid Opening's:

Supervisor Scozzafava read the legal notice of bid for Fuel Oil, Kerosene & Diesel.

Avery Energy bid \$0.119 over rack price for fuel oil, diesel and kerosene.

Superior Plus Energy Services bid \$.0975 over rack price for fuel oil, diesel and kerosene.

The Supervisor explained the way the Town bids. It is rack price over what the price is at port.

Floor Open to the Public:

N/A

Department Head Reports:

Art Morgan-Water & Sewer Superintendent reported that they flushed hydrants last week. Had a call from a resident concerned that they didn't flush the hydrant in front of her house and he explained that they didn't do them all because of how low the water is right now. He would like to request that people conserve water, no need for a ban right now. They are getting geared up for winter. Champlain Drive has been paved and the sidewalk is done. He and the Supervisor will meet with the DEC on October 27, 2016.

Jamie Wilson-Highway Superintendent reported their summer projects are all done. Grover Hills is complete-5,000 feet total reconstruction. Most of the concrete is out of Grover Hills now, only a small section left. They met their budget but have depleted everything they had in stock. The Supervisor wanted to mention that by the Highway doing the paving in Grover Hills themselves; it saved the town a lot of money. Mr. Wilson reported that the County is done paving on Windy Hill and Tarbell Hill. They will be hauling sand for winter shortly and getting the equipment ready for winter.

Rich Lapier-Building Codes reported he issued 4 building permits for the month of September. He issued 2 Not to be Occupied; 1 for abandoned building and 1 for building in non-compliance.

Steve Stahl-Officer in Charge: Absent, report read by Councilwoman Carpenter. Handled 143 calls for service. 6 Violations-2 permitting dog to run at large, 2 harassment in the 2nd degree and 2 disorderly conduct. 3 Misdemeanors: 3 issuing bad checks. 0 Felonies. Issued 13 traffic tickets. Handled 6 traffic accidents. Conducted 7 background investigations for pistol permits.

Councilwoman Carpenter reported that she is registering for the “Cops Hiring Grant” for 2017. The Supervisor also mentioned that at the Budget Workshop they will be discussing the Police Department.

Ed Roberts-Building & Grounds Superintendent: excused.

Town Board Reports:

Councilman Garrison had nothing to report.

Councilman Salerno had nothing to report.

Councilwoman Carpenter reported on the Wi-Fi at the Campsite. Pleased with account-had 29 users signed up-May was the busiest month. Will be looking at Wi-Fi for the Village Campsite, working with Bridge Point Communications. The Supervisor reported that we will have some dollar figures for the 2016 Season at Bulwagga Bay Campsite at the next meeting. This has probably been the best season to date. Linda Smyth asked if there would be any improvements on the Village Campsite in 2017. The Supervisor said for the first year probably not, everything will stay the same except for the accounting end of it. Maybe in the future some improvements will be necessary. Again, the Town will not be selling the Port Henry Campground.

Councilman Anderson had nothing to report. The Supervisor reported that there had to be some adjusting done to the Youth Commission Budget for 2017 due to the minimum wage increase.

The Supervisor thanked Councilman Salerno for running the last meeting. There is a resolution on the agenda to override the tax cap. New York State has no clue what the tax cap will be due to the dissolution, they will probably give the Town a waiver. The Supervisor said “tentatively” he believes that taxes will be going down.

Resolutions:

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

WITHDRAWN Ayes 0
 Nays 0

to award the fuel oil, diesel, and kerosene bid to the lowest bidder, Superior Plus Energy Services for .0975 over rack price.

Discussion: Supervisor Scozzafava reported that in the past Avery Energy has provided the Town with excellent service, we never ran out of fuel oil, diesel, or kerosene, anywhere. However, with Griffith Energy (Superior Plus Energy Services) we were constantly running out and when you call to have them deliver, you have to call the main branch out in Rochester, this is something the board needs to think about. Sharon O’Connor also mentioned that she has had trouble with them in the past as well.

Councilman Anderson withdrew his motion and Councilwoman Carpenter withdrew her second motion as well. **THIS MOTION WAS NEVER VOTED ON.**

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

APPROVED Ayes Scozzafava, Salerno, Anderson, Carpenter
 Nays 0
 Abstain Garrison

RESOLVED to award the fuel oil, diesel, and kerosene bid to the highest bidder, Avery Energy for 0.119 over rack price.

Discussion: Jackie Viestenz asked what the bids were. She also asked if the Library would be able to be under the Town for their fuel oil like they were with the Village and the Supervisor said yes, they could.

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

APPROVED Ayes Scozzafava, Salerno, Anderson, Garrison, Carpenter
Nays 0

RESOLVED to authorize the Supervisor to sign agreement for professional services with Laberge Group in relation to the dissolution of the Village of Port Henry, paid out of NYS grant funds.

Discussion: Consultants on fiscal matters, map and plan reports for water and sewer and with the new Fire District.

4. **ON MOTION** by Councilman Garrison, seconded by Councilman Salerno, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Garrison, Carpenter
Nays 0

RESOLVED to authorize to settle Ticonderoga Federal Credit Union vs Town of Moriah Assessment as agreed to by Assessors and Credit Union.

Discussion: Reduction in assessment of \$175,000. \$825,000 to \$650,000.

5. **ON MOTION** by Councilman Garrison, seconded by Councilwoman Carpenter, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Garrison, Carpenter
Nays 0

RESOLVED that the Town of Moriah Town Board hereby introduces proposed Local Law No. 1 of 2016 entitled "A Local To Override the Tax Levy Limit Established in General Municipal Law §3-c," reading and provided as follows:

"TOWN OF MORIAH LOCAL LAW No. 1 OF 2016"

A Local Law To Override the Tax Levy Limit Established in General Municipal Law §3-c.

BE IT ENACTED, by the Town of Moriah Town Board as follows:

Section 1. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Moriah pursuant to General Municipal Law §3-c, and to allow the Town of Moriah to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override - Budget Authorization.

The Town Board of the Town of Moriah hereby overrides the tax levy limit for the Town of Moriah for 2017 and authorizes the Town of Moriah, after completing all required procedures for the adoption of a budget, to adopt a budget for 2017 that requires a tax levy that is greater than the tax levy limit calculated for 2017 pursuant to §3-c of the General Municipal Law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional,

such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, form or corporation, or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately.

BE IT FURTHER RESOLVED that the Town Board of the Town of Moriah held a public hearing on the foregoing proposed local law on the 3rd day of October, 2016, at 6:00 p.m. in the forenoon of that day, to hear any and all persons concerning the same.

Discussion: This is a precaution, Comptroller still working on cap %.

6. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Garrison, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Garrison, Carpenter
Nays 0

RESOLVED to set date of Tuesday, October 25, 2016 at 7:00pm at the Town Hall for a budget workshop for Town Board.

Discussion: The public is welcome to attend.

7. **ON MOTION** by Councilman Anderson, seconded by Councilman Garrison, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Anderson, Garrison, Carpenter
Nays 0

RESOLVED to set date for Thursday, November 10, 2016 at 6:00pm at the Court House for a Public Hearing on the 2017 preliminary budget.

Discussion: The Supervisor wanted to thank Becky Gilbo, Janel Jurkiewicz, Matt Brassard and Charli Lewis for all their help on the budget. It has not been an easy process, but it will get done and it will get done right.

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

APPROVED Ayes Scozzafava, Salerno, Anderson, Garrison, Carpenter
Nays 0

RESOLVED to approve payment of the warrant.

Floor open to the public:

Sharon O'Connor would like to thank the Highway Crew for the great job they did paving in Grover Hills.

The Supervisor thanked Charli Lewis-Essex County Real Property for coming to tonight's meeting.

The meeting adjourned at 6:45pm.

Abstract Distributions:

Claim Numbers:

September 26, 2016

General	\$9,874.88
Highway	\$1,055.77
Water #1	\$148.57
Water #2	\$101.64
Water #4	\$15.65

2016/5588-5612

Sewer \$292.41

September 26, 2016

General \$1,200.00

2016/5613

October 13, 2016

General \$29,829.87
Highway \$125,480.73
Water #1 \$3,210.03
Water #2 \$2,291.86
Water #4 \$342.91
Sewer \$903.76

2016/5619-5716

Capital Projects:

Fred Keil, Architect Iron Center \$2,177.00 #1

Town Clerk