

The Regular Meeting of the Town Board of the Town of Moriah was held at the Town Court House, 42 Park Place, Port Henry, NY on Thursday, March 13, 2014.

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

Others Present: John Easter; John & Jackie Viestenz; Richard LaPier, Code Officer; Elaine Adkins, Town Clerk

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

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

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

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

John Viestenz asked if the Board had made a decision about the marina assessment; the motion was tabled at the last meeting. Mr. Scozzafava stated that it was too late to settle; it is in the hands of the court. We tried to negotiate; we had an appraisal done as did the owners of the marina. A marina is not easy to appraise as there are many variables. The case is adjourned until April; we hope to have a decision by May.

Mr. Viestenz asked about the resolution for the internet that is on the agenda; he thought the cost was high and asked why. Mr. Scozzafava stated that it is because we are in the business class. He explained that the internet is needed at the highway because most everything is done on the internet by the State so Jamie really needs it to do his work.

### **Department Head Reports:**

The department heads have been excused; they have put a lot of hours in during the storm. The Supervisor stated that they did a good job the last two days and thanked them. With all the overtime, salt and fuel the storm probably cost about \$15,000 not to mention the wear and tear on the vehicles.

Richard LaPier, Building Codes Officer gave the following report. Building Codes issued two building reports for the month of February and did one annual fire/safety property maintenance inspection.

Mr. Scozzafava stated that while at the classes in New York, it was recommended that if we get a complaint on someone's property we should send a letter out first stating the date(s) we will be there to inspect. Mr. LaPier stated that he drives by first to check out the complaint and then sends a letter telling them of the complaint giving them until a certain date to fix the problem. The Supervisor stated that the Assessors should also be sending letters before going onto properties.

The Board discussed shared services and the governors proposed law whereby if towns stay within the two percent tax cap and participate in shared services then owners would receive a rebate. There are a lot of kinks to be worked out before it can be moved on.

Councilman Salerno reported for the Water and Sewer Department. There have been a lot of freeze ups and breaks. The Town is responsible to the curb stop; from there to the inside of the house is the owner's responsibility. Frozen sewers have also been an issue.

The Supervisor reported that there is an issue with pumps at the water filtration plant. It will cost \$7,000 to replace one (two pumps are not working) pump. IP is sending someone to look at the pumps to see if they can repair them, but we doubt it. Chip Perry is looking into a program through NYSERDA where we would get 50 percent of the cost back.

**Town Board Committee Reports:**

Councilman Anderson reported that the Youth Commission will be hiring next month for the applications that just came in. The ad for the Counselor positions will be in next week's paper and are due in by April 25<sup>th</sup>.

**ON MOTION** by Councilwoman Carpenter, with a Unanimous second, the following resolution was

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

**RESOLVED** that the Town of Moriah Town Board offer a Resolution of Congratulations to the girls Varsity Basketball Team on being the Class D Champs.

**ON MOTION** by Councilwoman Carpenter, with a Unanimous second, the following resolution was

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

**RESOLVED** that the Town of Moriah Town Board offer a Resolution of Congratulations to the boys Varsity Basketball Team on winning the Sectionals and going on to the State Finals.

**ON MOTION** by Councilwoman Carpenter, with a Unanimous second, the following resolution was

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

**RESOLVED** that the Town of Moriah Town Board offer a Resolution of Congratulations to the Cheerleaders for being in the top three in the last three competitions.

Councilwoman Carpenter reported that she has been checking into the cable TV and seeing if we are eligible for some of the money earmarked for upstate New York. We are looking into Rte. 9N & 22, Windy Hill, Cheney Rd. and Stone St. Areas that the railroad crosses are problem areas because it is hard to get permission; the cable would have to go under the railroad and would cost a fortune. If there are other areas that don't have cable and want it, call the Supervisor and he will put that road on the list.

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

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

**RESOLVED** that the Town of Moriah Town Board to request Time Warner to extend cable coverage in the Town of Moriah.

Working to get Wi-Fi at the campsite; will be contacting Verizon, AT&T and Hughes Net.

Still have to contact Ti school regarding the Public Access channel and also Time Warner regarding new equipment. Mr. Scozzafava stated that Time Warner will be contacting us with dates to negotiate our new franchise agreement with them.

Have been comparing local laws from other towns; most are laws dealing with dogs only. Will have to sit down with Ed Roberts to discuss what best fits our needs.

Councilman Salerno reported that the campsite letters along with the new rules have gone out; May 9<sup>th</sup> is opening and will close October 12<sup>th</sup>. We lost one of our seasonal campers due to death and another has decided not to come back; we will fill from our waiting list.

The Supervisor stated that we have had many rebuttals on the new rule regarding limiting the number of people to four. People that have been camping here for 35 years and their grandchildren come up and we charge \$15 for them to camp. Councilman Anderson stated that he thinks the rule is because it's more of a concern that a bunch of people come up, pitch a tent and partying. Discussion followed; some didn't think immediate family should be charged, others stated other campsites even charge for visitors that come in. The rule was changed at the last meeting leaving it at the manager's discretion; we just have to make sure the managers are consistent with everyone.

Something else that could become a problem is that people come in and out of the campsite without being stopped or having to check in; the insurance company says we should be stopping cars and have them check in. The gates are up at 9:00pm every night. Local people will be upset if we stop everyone.

**Supervisor’s Report:**

- State contract price for gas in February was \$3.07/gal.; we paid \$2.03/gal through Citgo.
- The Supervisor read Rule #8 of the Campsite Rules and stated that we need to rework this. Councilwoman Carpenter and Councilman Salerno will work on this.
- Had meeting in E-Town regarding freight trains and what would happen in the event of an accident. CP Rail made it clear that they are abiding by regulations and that they don’t own the freight cars they are the common carrier; they cannot refuse to carry them if they meet all the criteria. They have hazmat for the local fire departments; their concern is the campsites. Received a letter from Jack Waldron, Port Henry FD asking for equipment in event of a disaster they need a way to notify the campers. The Supervisor stated that they should wait until they have a safety plan in place before purchasing equipment. He agreed they do need to be able to notify campers in the event of a disaster and also another concern is where people live on the other side of a railroad crossing. The fire department asked for a list of what the railroad is hauling, but CP Rail can only give what they hauled in the last six months. Due to security issues they cannot tell you what they are hauling today or in the future.
- Essex County Public Works will hold a public meeting on March 20<sup>th</sup> at 6 PM regarding the Ensign Pond Bridge.

**Resolutions:**

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

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

**RESOLVED** that the Town of Moriah Town Board authorize the Planning Office to do RFP’s for the Campsite Study using grant funds (\$25,000) received for this purpose.

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

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

**RESOLVED** that the Town of Moriah Town Board authorize Time Warner to install high speed internet at the highway garage at a cost of \$102.99 per month for 36 months.

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

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

**NOW THEREFORE BE IT RESOLVED** that Thomas Scozzafava, Town Supervisor of the Town of Moriah is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project to and fulfill the Town of Moriah obligations under the Engineering Planning Grant Agreement.

**Authorization and appropriation of Local match (20% local match)**

**NOW THEREFORE, BE IT:**

**RESOLVED** that the Town of Moriah authorizes and appropriates a minimum of 20 percent local match as required by the Engineering Planning Grant Program, for the wastewater treatment facilities upgrades. Under the Engineering Planning Grant Program, this local match must be at least 20 percent of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Thomas Scozzafava, Town Supervisor, shall not exceed \$7,500 based upon a total estimated maximum project cost of \$37,500. Thomas Scozzafava, Town Supervisor may increase

this local match through the use of in kind services without further approval from the Town of Moriah.

4. **ON MOTION** by Supervisor Scozzafava with a Unanimous second, the following resolution was

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

**RESOLVED** that the Town of Moriah Town Board offers a resolution of congratulations to Julia Podres on her 102<sup>nd</sup> birthday.

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

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

**RESOLVED** that the Town of Moriah Town Board authorize to accept and place the Chamber of Commerce Report on file.

The Supervisor reported that the County is having an auction on delinquent properties on April 30<sup>th</sup> at the Best Western in Ti. The County is putting the Republic Steel Building up for auction; we should put the old hospital up for auction as well. Selling both the properties together will make it easier to sell them both. We have to have a separate listing agreement from the county. The cost to the Town will be \$1,000 for advertising. Mr. Salerno asked how we can sell it for less than assessed value when a few years ago when we tried to sell it we couldn't sell it for less than the assessed value. Mr. Scozzafava told him it is because we didn't get a buyer at that time. If we don't sell it we will have to demolish it which will be very costly. The Board agreed to sell the property at the auction.

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

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

**RESOLVED** that the Town of Moriah Town Board authorize using \$1,000 from contingency to advertise for the sale of the old health center (on Hospital Road in Mineville) at the County auction.

The Supervisor reported that we are having a single audit done for 2011; then we need to do the audit for 2012. Chris Ida is not well and we have a quote from Telling and Potter in the amount of \$5,800.

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

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

**RESOLVED** that the Town of Moriah Town Board authorize the Supervisor to sign the contract with Telling & Potter for the 2011 single audit in the amount of (\$5,800), the 2012 single audit and the 2013 annual report.

Discussion: Mr. Scozzafava thinks we can use the left over money from the Water District #4 grant money to pay for the audit.

The Supervisor met with our insurance agent for the health insurance. There is a problem with retirees who retire and go to work somewhere else and take the health insurance offered there, then when they retire want to come back on the Town's health insurance which now they can do if they have twenty years in. Today a retiree in order to go on our health insurance has to be on it in order to continue on it. We need to change our personnel policy to reflect this.

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

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

**RESOLVED** that the Town of Moriah Town Board amend the Personnel Policy due to the new Health Insurance Regulations to read: Any Town employee that retires from service after 20 years of service with the Town, must be **collecting** New York State Retirement Benefits and also must not have any lapse in service with the Town prior to the retirement date and also **must** be currently in the Town's Health Insurance Program at the time of retirement.

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

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

**RESOLVED** that the Town of Moriah Town Board authorize the payment of the warrant.

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

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

**RESOLVED** that the Town of Moriah Town Board authorize the purchase of paper from International Paper to be paid on the end of the month warrant.

**Floor Open to the Public:**

Mrs. Adkins reported there will be a rabies clinic at the highway garage on March 25<sup>th</sup> from 6:00-7:00 pm.

The meeting adjourned at 7:00pm.

Supervisor Scozzafava called the meeting back to order at 7:02pm; to offer a forgotten resolution.

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

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

**RESOLVED** that the Town of Moriah Town Board authorize Councilman Garrison to purchase the Little League uniforms at a cost up to \$5,000 to be paid out of the Johnny Podres account. (Mrs. Podres gave her permission as required before a purchase)

The meeting adjourned at 7:03pm.

**Abstract Distributions:**

**Claim Nos.:**

February 26, 2014

3254-3268

General	\$7,812.87
Water #1	2,222.81
Water #2	1,602.11
Water #4	206.91
Sewer	530.61

March 13, 2014

3274-3364

General	\$42,625.53
Highway	17,035.33
Water #1	5,701.13
Water #2	4,155.25
Water #3	523.07
Sewer	3,162.18