

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, September 14, 2017 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

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

Absent: Timothy Garrison Councilman

Others Present: Bill Trybendis, Lohrer McKinstry, Jamie Wilson-Highway Superintendent (arrived late), Rich Lapier-Building Codes, Ann Tesar, Diana Stevenson, Robert Stevenson, Kevin Brace, George Daly, Mark Davenport, Muriel Currier & Daughter and Rose French-Town Clerk

Supervisor Scozzafava opened the meeting at 6:00pm.

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

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

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

Special Guest: Danielle O'Mara-Tobacco Free-Clinton/Franklin & Essex Counties

N/A Not here yet.

Floor open to the public:

Kevin Brace asked what could be done about a culvert dumping water onto a piece of his property on Fisk Road. He has spoken to Jamie Wilson and seems to have had no success. He would like to build on this property and he can't get on it, even though he pays taxes on it. He said as far as he knows the Town has no easement on that piece of property and there are no wet lands. The Supervisor is aware of the situation, he stated the APA has the wet land maps, he does not feel the culvert is the problem. The Supervisor asked Mr. Brace if he wants the Highway Department to ditch it. The Supervisor stated it is the Highway Superintendents call. The Supervisor stated he is sure the Town does not have an easement. Mr. Brace stated according to Essex County Real Property, the Town does have an easement. Mr. Brace stated he bought the property in the winter and didn't realize how bad the water situation was. The Supervisor stated that area has always been wet. The Supervisor stated that the Fisk Road has been there forever, he is not sure what the answer is to correct it. Mr. Brace would just like somebody to go and look at it. The Supervisor would like to wait until Mr. Wilson arrives to continue discussing the matter. Councilman Salerno asked if this falls under the Highway Superintendents call and the Supervisor said yes.

Department Head Reports:

Councilwoman Carpenter read the Police Report: 9 Violations: 1) open container, 1) Trespass, 2) permitting dogs to run at large, 5) harassment 2nd degree. 7 Misdemeanors: 1) aggravated unlicensed operation of a motor vehicle 3rd degree, 1) issuing bad checks, 1) criminal contempt in the 2nd degree, 2) endangering the welfare of a child, 2) criminal mischief in the 2nd degree. 0 Felonies: Issued 14 traffic tickets. Handled 8 traffic accidents. Conducted 11 pistol permit background investigations.

Richard Lapier-Building Codes: Issued 7 building permits for the month of August. Inspected 2 units for certificates of occupancy. Both Whistlepig and Dollar General have started their new buildings.

The Supervisor reported that he met with John Silvestri, the Town's Attorney regarding property maintenance issues. The Town needs a court order to bulldoze a burnt out or delapidated house. Mr. Silvestri is researching this. The Supervisor reported again that Mr. Lapier does building construction and Frank Slycord does property maintenance issues. He stated that everyone wants properties cleaned up but we have to do it legally. Once it goes to the court level it is out of the Town Boards hands. Councilman Anderson asked Mr. Lapier when the Dollar General would be opening and he said the contractors will turn it over to Dollar General on November 14, 2017.

Town Board Report's:

Councilman Anderson had nothing to report.

Councilwoman Carpenter reported that the Waterfront Development Committee met to discuss the \$75,000 grant. They accepted their mission statement. They are working with Anna Reynolds from Essex County Planning on the process of the grant. Councilwoman Carpenter would like to remind everyone that the campsites are not closing tomorrow. The Supervisor also reminded everyone that if the Town Board ever chose to lease or sell the campground properties it would have to go to mandatory referendum. Councilwoman Carpenter stated she is going to need a resolution to enter into and amend contract for services with Crane Associates. They are moving forward and there is a lot of paperwork involved. They worked on a task list and a budget outline.

Councilwoman Carpenter also stated that she met with Fred Keil, Architect for the Iron Center. We will be going out to bid again on the Iron Center Doors and installation. She will also need a resolution to amend his contract also. The Town will still need approval from SHPO. Councilman Anderson asked if the last bid was rejected and Councilwoman Carpenter stated yes due to the fact that it was for installation only. Mr. Keil has suggested a temporary protection for the doors.

Councilman Salerno had nothing to report.

Supervisor's Report:

The Supervisor received an email from Jim Besha regarding the hydro project. They are in the final stages of regulatory approval.

The Supervisor received an email from Martin Nephew, Director of Mountain Lake Services. They would like to enter into a Shared Services Agreement with the Town of Moriah for the piece of property by the Port Henry Post Office for parking. They would buy the property if the Town would make a parking lot out of it to be used by the public and Mountain Lake Services employees. The Supervisor thinks this is a great idea and the Board was in agreement.

The Supervisor received a letter from Evelyn Celotti, owner of Celotti Wine & Spirits on Main Street in Port Henry. She is concerned about the parking in front of her business. There is a one hour parking sign there currently and she would like it changed to two (2) fifteen (15) minute signs. Some people park there all day and she has no parking for her customers.

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

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

RESOLVED to replace the one (1) hour parking sign in front of Celotti Wine & Spirits, 4326 Main Street, Port Henry, with two (2) fifteen (15) minute parking signs.

Discussion: The Supervisor will have Jamie Wilson Highway Superintendent change the signs.

The Supervisor had a preconstruction meeting for Manhole 13 and we do not need to do the boring, which is good news. This will save the Town approximately \$19,000.00. The Town will do the connection at Leduc's.

The Supervisor and Senior Account Clerk, Becky Gilbo met with the NYS Comptroller regarding the Village of Port Henry accounts and the money that is left in them. They wanted to make sure that these funds were being deposited into the right Town accounts. Also, they are unsure of the tax cap at this point due to the dissolution of the Village. During resolutions the Supervisor would like to set a date for a public hearing to override the tax cap just in case we need to. He and Becky need to get the tentative budget together. Councilman Anderson asked the Supervisor if the Comptroller was helpful and the Supervisor said yes, the Village only had three (3) accounts and the town has several, we need to figure out where to deposit the money. The Supervisor reported that there has been a lot of work done in Port Henry, paving and new fire hydrants.

Ed Roberts and crew received a thank you card from Janice Potskowski for all their efforts in Port Henry.

The Supervisor reported that the Assessors will moving up to the old Village Hall. Frank Slycord is already there. The Assessors are just waiting for the phone to be installed. Ann Tesar asked if there is a ramp and the Supervisor said no, not right now, but the Town will look into one.

The Supervisor reported that there is a problem with the sprinkler system at the old Port Henry Fire Department. They have not had a contract with Firetech since 2007. According to the Town's insurance, we do not have to have a sprinkler system. Jim Brooks is going to look at it.

The Supervisor stated that the Town is going to have to seriously consider charging for the Summer Program next year. The Supervisor referred to the Daycamp Camper Fee Comparison Chart. Councilman Anderson said it is 50/50 who charges for summer programs and who doesn't in Essex County. He also stated that he is sure the Community knows this is coming in the near future. He stated that when the busing was first cut it was an issue, but people got used to it. Councilman Salerno asked how many campers they had on an average day and Councilman Anderson 110. The Supervisor stated that the Summer Program is a lot of work behind the scenes. Councilman Anderson stated that it is a useful resource for the community. The Supervisor stated it is not unreasonable to charge.

The Supervisor received the Municipal Shelter Inspection Report that was completed on 8/18/2017 and we were rated as "satisfactory".

The Supervisor and Becky Gilbo met with PERMA regarding public employee safety, they made a lot of recommendations to the Town. Councilman Anderson asked if these recommendations would be expensive and the Supervisor said no, just hours of safety training.

The Supervisor received a letter from NYS DOT regarding the bike trail through Port Henry. Additional information about the trail can be found at <http://www.hudsongreeway.ny.gov/Trailsandscenicbyways/EST.aspx>.

The Supervisor reported that we are waiting for the survey to start the sidewalk project in Port Henry then it can go out to bid.

The Supervisor received a letter form Moore Recycling, they are still not accepting anything with refrigerant in it.

Special Guest: Danielle O'Mara-Tobacco Free-Clinton/Franklin/Essex County arrived:

She discussed two (2) topics:

1) The Point of Sale for tobacco products: It is eye level for young people when they enter a store.

2) Tobacco Free Outdoors: She would like to see all e-cigarettes and vapor cigarettes banned from outdoor public places also.

The Supervisor reported that the Town has already banned smoking in outdoor public places and Ms. O'Mara asked if we had done e-cigarettes and vapor cigarettes also and the Supervisor said no. She said she could help with the wording of the resolution and also provide free signs if the Town chose to do it. She also mentioned bill T21 which would raise the age to buy cigarettes to 21. She encouraged everyone to get on the website in support of this law. The Supervisor stated that this legislation should be coming from Albany.

Mr. Wilson, Highway Superintendent arrived. The Supervisor asked Mr. Brace if he would like to address him at this time. Mr. Brace asked Mr. Wilson if they would be ditching by his property on Fisk Road and Mr. Wilson asked Mr. Brace if he wanted the Town to remove the Culvert. Mr. Wilson stated he had NYS Soil & Water come and look at the area in question and they reported there is a natural water shed right there. They feel realigning the ditching would be a bad idea. It would solve his problem and create more problems elsewhere. The Supervisor asked Mr. Wilson if he could get Soil & Water back there, with Mr. Brace and Mr. Wilson and see if they can come up with a solution. Mr. Wilson will arrange this. Mr. Brace stated again that he pays taxes on a piece of property that he can't use and the Supervisor stated he would have to talk to the Assessors regarding that.

Mr. Wilson stated the Highway Department has been very busy paving, that is why he was late getting to the meeting because they are still working and he needs to leave now to go back to work.

Resolutions:

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

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

1. **RESOLVED** To increase charge for electronic equipment at the Transfer Station: CRT TV's-27" or below-\$20.00 a piece; CRT TV's-32" or above-\$45.00 a piece; Wood Console TV-\$55.00 a piece; Rear Projection/DLP TV's-\$55.00 a piece; CRT Monitor's-\$15.00 a piece.

Discussion: The Supervisor stated the Town is losing money on recycling TV's and Monitor's. He also wanted to remind everyone that the Town does not have to take this equipment at all.

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

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

RESOLVED establish one free "Dump Day" per year for Town of Moriah Residents. Permit issued upon payment of Land Taxes by the Town Clerk.

Discussion: The Supervisor stated this makes sense. The Town Clerk did a lot of research on this. Councilman Salerno asked if the specifics would be on the tag and the Supervisor said yes.

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

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

RESOLVED to authorize payment to Luck Brothers for the Rice Street Project in the amount of \$27,337.61.

Discussion: This is will be paid out of fund balance left over from the Village of Port Henry.

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

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

RESOLVED to charge Banks, Realtors, and Mortgage Companies \$50.00/\$100.00 for Code Compliance/Permit Requests.

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

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|----------|--------|---|
| APPROVED | Ayes | Scozzafava, Carpenter, Garrison, Anderson |
| | Nays | 0 |
| | Absent | Garrison |

RESOLVED to set date for Public Hearing for Tax Cap Override for Thursday, October 12, 2017 at 5:45pm.

Discussion: This is the date of the Town of Moriah Regular Town Board Meeting.

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

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

RESOLVED to set date for the Town Clerk to present the Tentative Budget to the Town Board for Tuesday, October 3, 2017 at 6:00pm at the Town Hall.

Discussion: The Supervisor reiterated, this is for the tentative budget.

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

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

RESOLVED to advertise for Board of Assessment & Review member.

Discussion: This is for Barb Brassards position, she is retiring. The Supervisor stated we will run the ad for a couple of weeks. It is very hard to get people.

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

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

RESOLVED to authorize the Highway Superintendent to remove truck route signage on Broad Street and Grove Street.

Discussion: This will leave the decision up to the trucker which way he wants to go.

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

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

RESOLVED to go to bid for fuel oil, kerosene, diesel, and propane. Bids to be opened at October 12, 2017 Board Meeting.

11. **No action taken on this resolution at this time, more information is needed.**

12. **ON MOTION** by Councilwoman Carpenter, seconded by Councilman Salerno, the following resolution was
APPROVED Ayes Scozzafava, Carpenter, Salerno, Anderson
Nays 0
Absent Garrison
RESOLVED to authorize Frank Slycord to attend Code Compliance & Open/Expired Permit Request training in Albany on October 16, 2017-October 18, 2017.

13. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was
APPROVED Ayes Scozzafava, Carpenter, Salerno, Anderson
Nays 0
Absent Garrison
RESOLVED to amend Fred Keil's contract to reflect his requested change order for continuance of services on the Iron Center Grant in the amount of \$4,000.00.

14. **ON MOTION** by Councilman Anderson, seconded by Councilman Salerno, the following resolution was
APPROVED Ayes Scozzafava, Carpenter, Salerno, Anderson
Nays 0
Absent Garrison
RESOLVED to rebid doors and installation for Iron Center. Bid to be same as the previous one.

Discussion: Fred Keil sent letter to SHPO to get approval. Councilwoman Carpenter will look into this.

15. **ON MOTION** by Councilman Salerno, seconded by Councilman Anderson, the following resolution was
APPROVED Ayes Scozzafava, Carpenter, Salerno, Anderson
Nays 0
Absent Garrison
RESOLVED to initiate contract negotiations with Crane Associates to amend current contract/scope of services for continuance as consultant through Phase 2 (\$75,000) of Waterfront Development Project.

Discussion: Councilman Salerno asked if Anna Reynolds knew the specifics that we expected of Mr. Crane and Councilwoman Carpenter said yes she does.

16. **ON MOTION** by Councilman Anderson, seconded by Councilwoman Carpenter, the following resolution was
APPROVED Ayes Scozzafava, Carpenter, Salerno, Anderson
Nays 0
Absent Garrison
RESOLVED to approve payment of the warrant.

Floor open to the public:

Muriel Currier asked when the new prices for the TV's and Monitor's would take effect at the Transfer Station and the Supervisor said immediately.

There was a ten (10) minute recess.

The meeting went into Executive Session at 7:20pm.

The Meeting came out of Executive Session at 8:03pm.

There was a two (2) minute recess.

The meeting resumed at 8:05pm.

17. **ON MOTION** by Supervisor Scozzafava, seconded by Councilman Salerno, the following resolution was

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

RESOLVED to set pay for Water/Wastewater Treatment Plant Operator at \$18.00/hr and 40 hrs/week.

The meeting adjourned at 8:07pm.

Abstract Distributions:

Claim Numbers:

August 11, 2017

| | | |
|---------|------------|----------------|
| General | \$8,002.50 | 2017/7286-7291 |
|---------|------------|----------------|

August 15, 2017

| | | |
|---------|------------|-----------|
| General | \$2,500.00 | 2017/7292 |
|---------|------------|-----------|

August 24, 2017

| | | |
|----------|-------------|----------------|
| General | \$11,880.02 | 2017/7294-7316 |
| Highway | \$2,266.82 | |
| Water #1 | \$35.14 | |
| Water #2 | \$24.70 | |
| Water #3 | \$411.84 | |
| Water #4 | \$3.49 | |
| Sewer #1 | \$1,968.71 | |
| Sewer #2 | \$1,747.72 | |

September 14, 2017

| | | |
|----------|-------------|----------------|
| General | \$34,892.33 | 2017/7320-7438 |
| Highway | \$3,531.23 | |
| Water #1 | \$4,011.67 | |
| Water #2 | \$2,962.63 | |
| Water #3 | \$2,538.40 | |
| Water #4 | \$355.57 | |
| Sewer #1 | \$6,166.44 | |
| Sewer #2 | \$3,543.80 | |

Capital Projects:

| | | | |
|---------------------|---------------------------|----|------------|
| Village Dissolution | Laberge Group | #1 | \$1,247.85 |
| | Laberge Group | #2 | \$3,160.47 |
| Manhole 13 | Town of Moriah Petty Cash | #1 | \$28.85 |

Town Clerk