

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, September 13, 2018 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

**Present:** Thomas Scozzafava Supervisor  
Luci Carpenter Councilwoman  
Matt Brassard Councilman

**Absent:** Tom Anderson Councilman  
Paul Salerno Councilman

**Others Present:** Bill Trybendis, Rene Anderson, Paul Reese, Sharon O'Connor, Gail Pilger, Rich Lapier, Jamie Wilson and Rose French-Town Clerk.

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

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

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

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

**Bid Opening:**

Camper bids: No bids were received. Councilman Brassard asked if we could scrap it. The Supervisor stated it is junk. He asked Jamie Wilson if they could use it and Mr. Wilson said no.

**142. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

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

**RESOLVED** to declare the 35' camper as junk and scrap it and see what we can get for the metal.

Discussion: Rich Lapier asked about the 5<sup>th</sup> wheel camper and the Supervisor stated nothing has been done yet with that camper.

Fuel Oil Bids: The Supervisor read the legal notice. We received one bid from Avery Energy. They bid \$0.19 over rack daily price. The Supervisor stated that the Town has gone with Avery Energy for the past 10 years. Bid over rack price-don't get burned that way.

**143. ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** to accept Avery Energy's bid for fuel oil, diesel, kerosene and LP Gas at a cost of \$0.19 over OPIS Albany daily average.

**Floor Open to the Public:**

Gail Pilger asked if the Town was going to be paving Broad Street. The Supervisor said yes. The County took over Broad Street in 2018 but the budget was already done and there wasn't any money in the budget for Broad Street. However, Mr. Wilson stated that the Highway Department will be doing some repair work on Broad Street to Spring Street. Ms. Pilger stated the County Highway Superintendent is very difficult to deal with. He does not get back to her. Mr. Wilson asked if this was in regards to the crosswalk in Moriah Corners and Ms. Pilger said yes. Mr. Wilson stated he has spoken to the Superintendent and he or one of his men are going to come down and look at the crosswalk and see what needs to be done to fix it. Mr. Wilson

stated that it has to be handicap accessible; you just can't paint lines on the road. He wants to do more research to make sure it is done correctly. Ms. Pilger stated it looks "unfinished". She also stated it is a safety factor, she has witnessed cars blow right through the stop sign. She feels if it was painted it would bring more attention to it. The Supervisor stated it is a County Road and they have to meet the specs for a legal cross walk, then the Town would have to fix the sidewalks. The Supervisor stated that the paint has to be rough also. Ms. Pilger asked about the main sidewalk; Mr. Wilson stated that parts of it will be repaired. The Supervisor stated that the speed signs for Center Road and Plank Road should be coming. The Supervisor stated that the Town has roughly 18 miles of sidewalk in Town. He also reported that there is a petition going around to have the sidewalk extended to go from Grover Hills to Moriah Center. He does not think it will ever happen. The Supervisor stated that sidewalks are being black topped instead of concrete, they last longer.

Ms. Pilger stated she has a pony across the road from her house in Moriah Corners and she is concerned for the children that play in its pen and also for the pony because it does not have room enough to run, but her main concern is with rats. She has contacted NYS Ag & Markets and also Public Health and they told her she had to address it at the local level. What are her options? The Supervisor stated there is no local law regarding ponies. He also stated he has horses in his back yard also but there is nothing he can do because the owner has a doctor slip that says it is "therapeutic". The Supervisor also stated that this is not an issue for the Code Enforcement Officer. The Supervisor stated he will get a hold of Chris Wolfe regarding the rats. Rich Lapier will look into the rat situation and will contact Chris Wolfe. The Supervisor stated that the problem with trying to do a local law is the only ones who ever show up are the ones that are against it. Also, he stated that when somebody calls to make a complaint they don't want to give their name. Ms. Pilger asked if that was what she had to do was file a complaint and the Supervisor said no. the Town cannot legally make them remove their pony, but they can make sure that it is kept clean. Rich Lapier will look into it.

Paul Reese wanted to let the Town Board know that the last time he was at the Transfer Station it looked fantastic.

Rene Anderson from the Chamber would like to thank everybody for a wonderful Labor Day celebration. She appreciates everything the Town has done. October 20, 2018 will be the Fall Festival. There will be a duck race at Port Henry Beach. There are tickets available at the Chamber and also Glens Falls National Bank. December 9, 2018 at 4:30pm will be the tree lighting and the light parade. November 24, 2018 is small business weekend. The Supervisor stated we have not been notified yet when the Holiday Train is coming. Councilman Brassard stated that he heard they have done away with the Toys for Tots train. The Supervisor stated that Labor Day was great.

#### **Department Head Reports:**

Rich Lapier-Building Codes: Issued 8 building permits for the Month of August. Have 2 trailer permit applications. 1-HAPCO for Donald McGinness on Breed Hill Road, there is an existing trailer there it will be removed when new one is set up. 1-for Dan Drake Jr. on Stone Street and there is an existing trailer there that will be removed when the new one is set up. Both being existing trailer sites, he would recommend approval.

**144. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

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

**RESOLVED** to approve mobile home permit for Donald McGinness on 1375 Breed Hill Road.

**145. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

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

**RESOLVED** to approve mobile home permit for Dan Drake Jr. on 80 Stone Street.

Discussion: The Supervisor asked if they had existing septic systems and Mr. Lapier said yes.

Jamie Wilson-Highway Superintendent: People have been asking about paving, they will be doing Cheney Road, Edgemont Road, Prospect Street, Broad Street and possibly St. Patrick's Place and Community Place. They will begin work on the storm drain on Bridge Street. Mr. Wilson asked the Supervisor if they would need an easement and the Supervisor said yes. Mr. Wilson stated that 3 or 4 of his men have been working for the County hauling black top. They have also been helping the Town of Ticonderoga. They will call them for assistance if needed. The Supervisor stated that we have a shared services agreement. Mr. Wilson stated that they have also been road striping the Town roads. They haven't been able to do the fog line because there was a malfunction on the truck. The Supervisor stated the Town's insurance company wants them done. Mr. Wilson stated they have been cutting brush and replacing signs also and they have done 3 storm drains on Broad Street. Mr. Wilson stated that James Sprague was a new hire.

### **Town Board Report's:**

Councilwoman Carpenter reported that the work on the Iron Center is complete. Last invoice is on the warrant to be paid. There is no Police report.

**146. ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** to hold a special meeting on Monday, September 24, 2018 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, NY to meet with Michael Crane-Crane Associates to go over the progress on the Waterfront Development.

Discussion: The Supervisor stated that this meeting is open to the public.

Councilman Brassard reported that the campgrounds are winding down. Champ RV Park would like to thank the Town for allowing them to have their end of the year celebration. They loved the Labor Day Celebration. They apologize for the fireworks boxes that were left there was a miscommunication. Mr. Brassard reported that the Transfer Station is running well, they even got a compliment.

### **Supervisor's Report:**

The Supervisor reported that there has been an increase in the tipping fee at the Transfer Station. He stated there will be a rate increase in the 2019 budget for the Transfer Station. The Town is doing ok on C & D; trash is the issue. We charge by bag but pay to get rid of it by weight. The Town looked into getting platform digital scales. The issue is we do not accept cash at the Transfer Station. Cheyenne Morin takes a lot of heat from people regarding the size of a garbage bag and how much it cost. They bring a 40 gallon bag and want to pay for a 32 gallon bag. The Supervisor reported that sticker prices will be going up. Casella and Ace hurt the Town when the Village first dissolved but it is coming back up now. The Supervisor stated that the Transfer Station needs to support itself.

The Town is in a holding pattern regarding the burnt Cunningham building on Main Street in Port Henry. Still waiting on the Town Attorney to set a court date. Mr. Cunningham has not been served. So far we are at \$28,000 for expenses. Kubricky Construction's bill is on the warrant tonight. The Town has also had extended meetings with the Department of Labor and we could be dealing with some fines.

The Supervisor received a letter from the Mount Moriah Presbyterian Church regarding their water bill. They are a small group and they only meet once a week. They are asking the Board to make a classification for churches so they don't have to pay as much. The Supervisor checked with the Comptroller and that would be up to the Board. He feels if we do this we will have to do it for everybody. He asked the Board their thoughts on the matter. Councilman Brassard stated once you open that box you will have to do it for everybody. He feels water meters would

be better. The Supervisor stated if they want a meter we would have to change our policy. Councilman Brassard thought it would be better to just leave it alone. Councilwoman Carpenter thought it would be best to leave it alone as well. The Supervisor stated he will let the Church know their decision.

The Supervisor has received letters of interest from several companies regarding the cell tower lease. He has not had the time to look into this. He stated that if we do this it would have to be for a capital project, an example would be cabins at the campsite. The Town would have to get RFP's. Back in 2007 he and the Mayor of Port Henry Ruth McDonough put a 3% escalation clause in the contract which was a good thing. Unfortunately there is nothing in the lease that states we would get any money if other businesses were "hanging on".

The Supervisor met with ANCA regarding converting our Street Lighting to LED. They are energy circuit riders currently working in 7 counties in NYS. The Town of Moriah has 600 Street Lights. That is more than the City of Glens Falls. ANCA will put the numbers together for the Town. Paul Reese stated that the LED street lights are very bright, they impact the environment. The Supervisor said that ANCA talked about that. The Supervisor stated he would like to see every other light eliminated. Five or six years ago NYSERDA did upgrades in all government buildings and they are obsolete already. ANCA will do an overview of all buildings that would be eligible for the upgrade to LED. Paul Reese stated you have to look at the labor costs with LED's, they are less work because they last longer. The Supervisor addressed Sharon O'Connor from the Mineville/Witherbee Fire Department and told her they should look into this also, she stated they did about 10 years ago. The Supervisor stated that the Town does not raise your assessment for solar power. Paul Reese stated his last electric bill was \$0.16.

**147. ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** to continue with ANCA regarding switching over street lighting service to LED.

The Supervisor received a letter from Tony Fernandez (Adirondack Concrete), they received the bid for the new sidewalks in Port Henry. Due to the delay because of the fire on Main Street, they are willing to extend their bid price through the Spring of 2019.

**148. ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** to do the sidewalk project on Main Street in Port Henry in the Spring of 2019; same bid price that was awarded to Adirondack Concrete in 2018.

The Supervisor reported that the Village of Port Henry had a Local Law on the books regarding farm animals that will remain in effect until March 31, 2019. There are horses in Port Henry but the owner has a statement that says they are for medical reasons. The Supervisor contacted the Town Attorney and he said we could go to court and fight it; however, it would cost \$300.00 a day to go to court. The Supervisor suggested making it a Town Law. The Town has been in contact with the NYS Contract Reporter regarding consolidating local laws. The Town has \$21,629 leftover over in monies from the State from the dissolution of the Village. He would like to use this money to consolidate all of our local laws. Also, the Town is looking at a new water & sewer computer program. The Supervisor stated he would like to do the local laws after the first of the year.

He also mentioned that people are using the parking lot next to the Post Office.

The Supervisor reported he has not heard back from the Department of State regarding funding for the consolidation study of the 3 fire districts. It would cost @ \$20,000 to have an independent study done. Sharon O'Connor stated that the Town is asking for money for the

study not the consolidation. The Supervisor stated the Town has to find the money to do the study; it has to be a 3<sup>rd</sup> party to do it.

Councilwoman Carpenter received a thank you from the Senior Citizen's thanking the Town for the Plaque for Archie Rosenquist.

**Resolutions:**

- 149. ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** authorization for Frank Slycord to attend Code Enforcement Officer training in Albany, NY on October 15, 2018 – October 17, 2018 (overnight).

- 150. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

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

**RESOLVED** to set date for presentation of 2019 tentative budget for Thursday, October 4, 2018 at 6:00pm at the Town Hall

Discussion: At that time we will set dates for budget workshops.

- 151. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

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

**RESOLVED** to put on the floor the discussion regarding camper Roxanne Villnave and whether or not she is entitled to the 20% discount on Seasonal rates for first time campers at Bulwagga Bay Campsite or Champ RV Park through August 31, 2018.

Discussion: The Supervisor stated that Ms. Villnave put her deposit down in April 2018, the meeting was May 17, 2018 regarding the discount; he does not feel she is entitled to it. Councilman Brassard stated that she did pay the \$150.00 deposit. Jamie Wilson stated it would be opening up a can of worms if you give her the discount. Councilwoman Carpenter stated this was done to increase campers going forward. Councilman Brassard stated that because she paid the \$150.00 in April that gave the impression she was coming anyway.

- 152. ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was

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

**BE IT FURHER RESOLVED** that Ms. Villnave is not entitled to the 20% discount due to the fact she paid the \$150.00 deposit in April, 2018 and the 20% discount did not take effect until May 17, 2018.

- 153. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

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

**RESOLVED** authorization for Kim Kolodzey to attend Court Clerk training in Lake Placid, NY on September 17, 2018 and September 18, 2018 (not overnight).

Discussion: This is mandatory training.

**154. ON MOTION** by Councilman Brassard, seconded by Councilwoman Carpenter, the following resolution was

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

**RESOLVED** authorization to expend surplus funds from dissolution grant funds for a new water & sewer accounting program.

Discussion: The Town Clerk stated that we are unsure at this time which program we are going with, it might end up being upgrades to current system.

**155. ON MOTION** by Councilwoman Carpenter, seconded by Councilman Brassard, the following resolution was

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

**RESOLVED** to approve payment of the warrant.

**Floor open to the public:**

Sharon O'Connor reported that the Mineville/Witherbee Fire Department is mandated by NYS to have cancer insurance as of 1/1/19. The Supervisor stated he is aware and each district should let their taxpayers know. He also stated that the tax cap is 2%.

The meeting adjourned at 7:08pm.

**Abstract Distributions:**

**Claim Numbers:**

August 10, 2018

General	\$7,357.50	2018/6794-6798
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August 20, 2018

General	\$4,136.46	2018/6812-6824
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August 23, 2018

General	\$14,646.47	2018/6826-6827
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August 28, 2018

General	\$221.97	2018/6829-6832
Water #1	\$60.89	
Water #2	\$41.32	
Water #3	\$36.10	
Water #4	\$6.53	
Sewer #1	\$132.20	
Sewer #2	\$44.34	

August 29, 2018

General	\$6,760.00	2018/6833-6834
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August 30, 2018

General	\$2,781.25	2018/6835
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September 13, 2018

General	\$52,727.89	2018/6837-6979
Highway	\$6,247.19	

Water #1	\$6,246.73
Water #2	\$5,399.76
Water #3	\$6,766.46
Water #4	\$231.50
Sewer #1	\$5,095.85
Sewer #2	\$2,574.81

**Capital Projects:**

Manhole 13 (Trunk Sewer Pipe Lining)	AES Northeast	\$3,325.80	#6
Manhole 13 (Trunk Sewer Pipe Lining)	AES Northeast	\$2,553.41	#7
Iron Center Museum (Door Repair)	Fred Keil, Architect	\$618.00	#3
Iron Center Museum (Door Repair)	Breed Hill Wood Products	\$9,300.00	#4

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Town Clerk