

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, September 10, 2020 at 6:00pm at the Knights of Columbus 4253 Main Street, Port Henry, NY.

Present: Thomas Scozzafava Supervisor
Paul Salerno Councilman
Matt Brassard Councilman

Absent: Tom Anderson Councilman
Nate Gilbo Councilman (excused)

Others Present: Bill Trybendis, Ed Roberts, Katrinka Tromblee, Robert Stevenson, Jamie Wilson, Diana Stevenson, Tim Rowland, Bill & Carol Cogswell, Rich Lapier, Ann Tesar, Arnie McMurtry and Rose French-Town Clerk

Supervisor Scozzafava called the meeting to order at 6:00pm. The Supervisor stated this is the first public meeting since March. He is hoping we will be able to continue to have them open to the public. He thanked the K of C for letting us use the building; works out well with social distancing guidelines. He said it is good to have the public back. He stated that there is no Wi-Fi at the K of C so the meeting will not be live streamed but it will be put on Facebook right after the meeting. The Supervisor stated that Councilman Gilbo has been excused he does not know where Councilman Anderson is.

ON MOTION by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

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

Bid Opening: Fuel Oil, Diesel, Kerosene and Propane

Supervisor Scozzafava read the legal advertisement for bid. Two bids were received.

Avery Energy: \$0.195 over OPIS Albany daily average

Gordon Oil: \$0.31 over OPIS Albany daily average

158. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

RESOLVED to award the fuel oil, diesel, kerosene and propane bid to Avery Energy; \$0.195 over OPIS Albany daily average; October 1, 2020 – September 30, 2020.

Discussion: The Supervisor stated that State contract price isn't always cheaper.

Floor open to the public:

Katrinka Tromblee stated that in Witherbee there is garbage right on the sidewalks with no covers; there has been an increase in rats. She stated you can't push a carriage or ride a bike on the sidewalk because of the garbage cans, you have to walk/ride right out in the road. She stated she has been researching public health law. Homeowners need to keep sidewalks in front of their homes clear in the winter; why don't they have to in the summer time. She stated children need a place to play; at least on the sidewalk they can ride their bikes. The Supervisor stated he has addressed the issue; the garbage was removed two days later. He spoke to the homeowner again today and the garbage was moved again today. He stated part of the problem is with Casella and Ace and other garbage pickup companies and it is very hard for our Police Department to enforce, we only have two officers. They can write a violation and then Court is no answer. The Supervisor stated the Town Board does not ignore the problem it is just very hard to enforce. Ms. Tromblee stated Witherbee Road is the main fairway to Port Henry; it should look

halfway decent. The Supervisor stated he spoke to the homeowner again today. Ms. Tromblee stated under the Department of Health there are rules and regulations. The Supervisor stated that yes, there are; but all New York State does is put it back on the Town's. Ms. Trombee asked residents to please think about cleaning up your area; town wide cleanup day is coming.

Department Head/Town Board Reports:

Councilman Brassard stated that Labor Day went good at the campsites. Councilman Salerno stated we had 38 transients. Councilman Brassard stated that soon camping season will be winding down. The flooring and beds are complete in the cabins. We may be able to get a couple weekend rentals in this season. He feels they are an asset to the campground. Councilman Salerno stated at the beginning of the season we had 113 seasonals at Bulwagga Bay and to date we have 144 and 58 at Champ RV Park; transients are up. The Supervisor asked Councilman Salerno where he got his numbers from and Councilman Salerno stated they came directly from the Managers.

Jamie Wilson-Highway Superintendent stated they have been busy with the beach projects; FEMA repairs. They rebuilt $\frac{3}{4}$ of Port Henry Beach, roads and lake front sites. Dock Lane was repaired. Lang Road was repaired; not with FEMA money, they used supplies they had in stock. Military Road is complete; no paperwork. Crowfoot Road is not complete, they had to start some of their summer projects. The Highway Department helped with the pads for the cabins. Helped with docks at the pier. Mutton Hollow Road had rocks peeking through. They did a total reclamation on the Furnace Road. First course of black top is down, it is really nice. Mr. Wilson stated that Essex County Soil & Water chose the Town of Moriah for the free tire collection day and it went very well, the truck was full in two hours. The Transfer Station had free brush day for two full weeks this year. He reminded everyone that face masks are required at the Transfer Station. The Supervisor stated that if you are not wearing a face mask you will be asked to leave. Mr. Wilson stated there are plenty of signs up stating that face masks are required.

Mr. Wilson stated that other towns helped with the black top on Furnace Road and it was greatly appreciated. The Highway Department has been hauling for the County. Mr. Wilson stated it has been a long 9 months with the equipment; we will need to start rebuilding it soon.

Rich Lapier-Code Enforcement Officer stated that building codes had 4 permits for the month of August; 35 permits year to date.

Ed Roberts-Building & Grounds had nothing to report.

Supervisor's Report:

The Supervisor stated it is budget time. Tentative Budget needs to be presented to the Board by October 5th. Don't know where we stand with the State. Waiting on the Governor. We already know we will be cut by 20%. Financially we are in good shape right now. It will be a tough budget year. We will hold some budget workshops. They will be live streamed on Facebook.

The Supervisor stated that Towns have been written up by Ag & Markets because they can't hold dangerous dogs. They are being referred to the Town of Moriah because we are set up for it. The NCSPCA is currently working on an area so they will be able to house a dangerous dog. Town's want to contract with the Town of Moriah to handle dangerous dogs. There is a lot of liability. The animal could get loose and/or bite someone. The Supervisor stated we will try to help other Town's but the people of the Town of Moriah are his main concern. Ed Roberts-Animal Control has put together a list of stuff that the Town would have to get. The Supervisor stated that we would need a bigger kennel. The Supervisor asked the Board what their thoughts were on the subject. Councilman Salerno asked how many dogs we were talking about and the Supervisor stated there is no way of knowing; it has been two years since we have had a dangerous dog. Councilman Salerno asked Ed Roberts if it would be extra work for him and he said yes, but it should be the responsibility of the Town bringing the animal. The Supervisor read the rules: Town will be notified and a request made to house a dangerous dog at their facility and arrangements made with their ACO for delivery to the kennel; Once dog is delivered it will be the responsibility of the Town of ownership to maintain the cleanliness of the kennel; The cost of feeding the dog will be picked up by the Town of ownership, then a bill will be sent to the owner of the dog; Transportation to and from the kennel will be the responsibility of the DCO or ACO

of the Town that impounded him, which includes transportation to be euthanized; The insurance will be the responsibility of the Town of ownership of the animal. A rider will need to be added to their insurance to cover any incidents. Councilman Salerno asked if this was like Shared Services; the Supervisor stated that the Board needs Mr. Roberts input so they can make a decision. Mr. Roberts stated we would need two more kennels; he doesn't want to go down on the weekends to take care of another Town's dog; they would have to move the freezer; the pump would have to be moved; there would have to be access to the kennel from the outside so the animal could be fed and watered over the weekend; Councilman Brassard stated the other Town should feed and water the animal on the weekends, Mr. Roberts stated if you can get them. The Supervisor asked the Board if they were in favor of this and Councilman Salerno and Councilman Brassard both said no.

The Supervisor stated he received a letter in the mail from the United States Department of Labor; addressed to Bronx PCS III LLC, it is a joke it is a form letter and they don't even know who the Town of Moriah is.

The Sherman Free Library's historical sign is up and it looks good.

The Supervisor stated he had a copy of a letter form NYS DOT and he asked Mr. Wilson if he was all set with the Snow & Ice agreement and Mr. Wilson said yes.

The Supervisor stated that Councilman Brassard met with the Town's attorney regarding the sale of the building the Port Henry Fire Department is in. He received an email from William Tansey and he said the Town would have to do a permissive referendum to sell it. Step 1-There needs to be a resolution from the town board that the building is not of any use to the town or that it is surplus. Step 2-It needs to be sold for best value-determined by an appraiser or possibly a real estate agent and put out for bid. Step 3-We would have to publish the town resolution in the paper 10 days of being recorded. Step 4-Wait 30 days for any objections. Step 5-Sell the building. The Supervisor would like to wait until next month when all Councilman are here in order to go any further.

The Supervisor received a letter from Lumens Holdings 3, LLC regarding the Solar Farm located at 789 Tarbell Hill Road. They have entered into an agreement and made their deposit with National Grid. They are giving the Town a 60 notice which they are required to do under Real Property Tax Law. The Supervisor stated that this does not fall under APA jurisdiction. Councilman Brassard asked if they would be tax exempt and the Supervisor stated the land would be but not the improvements. Councilman Salerno asked if they would be selling the power back to National Grid and the Supervisor said yes. The Supervisor stated he wanted the Town to do the same thing on the old landfill but the issue was there were no power lines, no way of getting it back to National Grid.

Resolutions:

159. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED authorization for Supervisor to make payment to Manfred Construction: Water \$33,534.66; Sewer \$60,139.36; total \$93,674.02 (Oak/Ridge).

Discussion: Councilman Salerno asked if this was the balance and the Supervisor said no.

160. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED authorization for Supervisor to pay Manfred Construction after the engineer signs off on the payment request to close out the project.

Discussion: The Supervisor did not want Manfred Construction to have to wait until next month to get paid. Councilman Brassard stated he saw the engineer there today.

161. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED authorization for Supervisor to make payment to MCJ Construction for Tarbell Hill Pump Station in the amount of \$17,147.50 and \$191,733.75; total \$208,881.25.

Discussion: The Supervisor stated this is another project that we received a grant for that we haven't seen one penny from the State for. He hopes it is forth coming. This project had to be done.

162. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

RESOLVED authorization for Supervisor to make payment to MJ Engineering Invoice #7 \$8,705.00 and Invoice #6 \$16,145.00; total of \$24,850.00 (Oak/Ridge).

163. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

RESOLVED authorization for Supervisor to make payment to EDR Engineering, Tarbell Hill Pump Station; \$3,330.00.

164. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED to authorize Town Clerk to extend water and sewer payment until November 25, 2020.

Discussion: The Town Clerk stated this is due to the fact that the last two installments were mailed together. The Supervisor stated he spoke to Terri and Real Property and it shouldn't be a problem.

165. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED to declare surplus any scrap metal, junk vehicles that the Town has and request bids for removal.

Discussion: Mr. Wilson stated he didn't think we were going out to bid for this. The Supervisor stated it is for removal. Mr. Wilson stated that George Moore wanted to do a trial run when they pick up the refrigerators. The Supervisor stated he would like it all gone before Winter. Mr. Wilson stated Moore's wants to look at it first; we can send him the bid. Councilman Salerno stated that scrap metal is going way up in price.

166. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0

Absent Anderson, Gilbo

RESOLVED authorization for Frank Slycord to attend mandatory training for Code Enforcement; 11/17/20 – 11/20/20; Kingston, NY; \$375.00.

167. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED to rescind Resolution #105 from April 9, 2020 awarding Engineering for Sewer upgrades as Town has not received any NYS funding as of yet.

Discussion: The award was made under the assumption we would be getting grant money; EFC wants to put everything on hold; no guarantee we will get any money.

168. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

RESOLVED to renew membership with the Adirondack Park Local Government Review Board for 2021 in the amount of \$300.00.

169. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

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

RESOLVED authorization for Supervisor to sign the boundary line adjustment map for Michael & Roxann Stoddard Lot #20 and Lot #21 in the Town of Moriah.

170. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED authorization to refund Wyatt Plouffe \$72.50 for water payment made on July 8, 2020; water has been off since September 2019.

171. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED authorization to reappoint William Callahan to the Board of Assessment & Review; 10/1/2020 – 9/30/2025.

172. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED to set dates for town wide household cleanup day: September 25th and 26th Mineville/Witherbee and Grover Hills; October 2nd and 3rd Moriah Center and Moriah Corners; October 9th and 10th Port Henry.

Discussion: The Town Clerk will get a copy to Councilman Salerno of what we did last year and will put it in the paper.

173. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED Ayes Scozzafava, Salerno, Brassard

Nays 0
 Absent Anderson, Gilbo

RESOLVED approval to do transfers in budget as needed.

174. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

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

RESOLVED approval of payment of End of Month and Monthly Warrants.

Floor open to the public:

Bill Cogswell stated there is a scrap metal place in Glens Falls. He also stated that Bill Cook, Manager at Bulwagga Bay Campsite is doing a great job and Rick and Patty the Assistant Managers are awesome.

The meeting adjourned at 6:52pm.

Abstract Distributions:

Claim Numbers:

August 26, 2020

General	\$6,098.52	2020/1165-1178
Highway	\$925.70	
Water #1	\$174.32	
Water #2	\$124.54	
Water #3	\$243.79	
Water #4	\$12.57	
Sewer #1	\$274.03	
Sewer #2	\$196.64	

September 1, 2020

General	\$375.00	2020/1179
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September 10, 2020

General	\$44,940.57	2020/1181-1323
Highway	\$19,231.06	
Water #1	\$7,378.71	
Water #2	\$6,035.27	
Water #3	\$10,877.79	
Water #4	\$305.26	
Sewer #1	\$5,486.48	
Sewer #2	\$3,367.37	

Capital Projects:

CDBG Oak & Ridge Main Replacement	Press Republican	\$44.86	#8
	MJ Engineering	\$16,145.00	#9
	MJ Engineering	\$8,705.00	#10
	Manfred Const.	\$33,534.66	#11
	Manfred Const.	\$60,139.36	#12
Tarbell Hill Pump Station	EDR	\$3,330.00	#7
	MCJ Const.	\$17,147.50	#8
	MCJ Const.	\$191,733.75	#9