

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, September 21, 2023 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, NY.

Present: Thomas Scozzafava Supervisor  
Paul Salerno Councilman  
Tom Anderson Councilman  
Matt Brassard Councilman  
Nathan Gilbo Councilman

Others Present: Bill Trybendis, Sharon O'Connor, Jamie Wilson, Diana Stevenson, Katrinka Tromblee, Tom Cowin and Rose French-Town Clerk

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

The Supervisor stated we have a new sound system so people watching at home should be able to hear better.

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

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

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

**Bid Opening: Fuel Oil, Kerosene, Propane and Diesel; October 1, 2023-September 30, 2024**

The Supervisor read the legal notice of bid. One bid was received from Avery Energy; \$0.195 over OPIS daily average.

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

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

**RESOLVED** to accept fuel oil, propane, diesel and kerosene bid from Avery Energy in the amount of \$0.195 over OPIS daily average for October 1, 2023 – September 30, 2024.

The Supervisor reported on the culvert entering Moriah Central School. It was plugged during the flood on August 16, 2023. It is a huge problem; the Supervisor is looking for FEMA money. Essex County Soil & Water looked at it a year ago and it was ok; it is plugged with silt and a beaver dam. The Supervisor spoke to Bill Larrow, Superintendent Moriah Central School, he feels they should share in the cost of the repair. The Town invited 4 different contractors to look at it; Reale and Hutchins were the only 2 to submit bids. The Town had to get bids for the repairs and we didn't have to advertise because it was during a State of Emergency. The Highway Department pumped the culvert down as best they could and it helped a little bit.

Bid #1 Reale Construction: Labor-\$6,286.06 + Equipment-\$7,650.08 = \$13,936.14

Bid #2 J. Hutchins: Labor-\$7,721.50 + Equipment-\$3,735.76 = \$11,457.26

Councilman Gilbo asked if the Town had an engineer look at the culvert and Jamie Wilson, Highway Superintendent said yes, one from the state. The Supervisor stated we need to get it cleaned up first and then maybe slip line it. Councilman Gilbo asked if the quotes were per day, the Supervisor was not sure and passed the quotes around so the Board could look at them. It was determined that the price was per day. Councilman Gilbo asked Mr. Wilson if there was a lump sum bid and Mr. Wilson said no. The Supervisor stated he was not sure how they could bid that way. Councilman Salerno asked Mr. Wilson if he thought it would be 30 days or 90 days and Mr. Wilson thought it would be around 2 weeks. The Supervisor stated he thought a lump sum would be hard to give Mr. Wilson. Mr. Wilson stated they bid the way the County wanted. Councilman Salerno asked if the Town of Moriah was the only Town to declare a State of Emergency and the Supervisor said no, it was state wide. Councilman Gilbo asked if there was a report. Mr. Wilson

stated we need to get it cleaned out; we can't keep putting it off. Councilman Salerno asked if tax payer dollars would be used to pay for it and the Supervisor stated the Town should bond for it; it will probably be around \$250,000 after it is all said and done. Mr. Wilson asked the board if the pipe is no good what do they want to do; slip line or put a new road in and would that go to the original contractor. The Supervisor stated this could be catastrophic; we have to stay on top of the school; it's on their property. Councilman Brassard stated let Jamie Wilson and Jim Dugan and the Engineer look at the bids. The Supervisor stated we can ask for a lump sum amount. Mr. Wilson stated we can't keep putting it off. Councilman Gilbo asked the state of the culvert now and the Supervisor stated the inlet is totally under water. He stated let Jamie Wilson, Jim Dugan and the Engineer look at the bids and make a decision. Councilman Anderson asked if this needed to be done before winter. Councilman Salerno stated do a resolution upon agreement between Jamie Wilson, Jim Dugan and the Engineer. Councilman Anderson asked if we would get FEMA money and the Supervisor stated who knows.

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

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

**RESOLVED** upon recommendation by Jamie Wilson; authorize the Supervisor to accept the bid for debris removal of a culvert located on Viking Lane (Moriah Central School entrance road) in the Town of Moriah.

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

Sharon O'Connor asked about the cameras, are there 4 in one area? Councilman Gilbo stated no, there is one and it has 4 angles; Ms. O'Connor stated so there is only one camera and Councilman Gilbo said yes. The Supervisor stated we had to do an add on so a certain date and time could be searched. Councilman Gilbo stated the integration went well. He is hoping that Winter/early Spring we will put up more. The Supervisor stated we have to have somebody willing to share the space to hang a camera, he invited Ms. O'Connor to stop down to the Town Hall to see how they were work.

Katrinka Tromblee has some concerns over people shooting in the middle of the night near Lamos Lane in Witherbee. She heard 15 rifle shots coming from the mine yard and the VFW parking lot was all tore up; will need to be graded. Ms. Tromblee is concerned that bullets could penetrate homes. Three weeks prior the same thing happened. She is very concerned for life and safety; she has called the State Police. There are dirt bikes and 4 wheelers all hours of the night going through the mine yard. She sated the DEC came the first time. She knows people are partying in the mine yard; there is a huge burn pit down there. Councilman Anderson asked if it was kids or adults or who and Ms. Tromblee stated during the day she feels it is young people and late at night she thinks it is adults. They are riding on the tailings piles. She stated we need a larger police force and with the NYS Police moving out of Lewis she is afraid response time will be longer. The Supervisor stated 1<sup>st</sup>-we can't find a police officer, that is not the Town's fault, we have tried, 2<sup>nd</sup> the State Police, DEC, and Sheriff's Department are all aware of the problem, 3<sup>rd</sup> he tried to get a police sub-station here and residents were opposed to it and 4<sup>th</sup> yes, response times will be longer with the NYS Police leaving Lewis. The Supervisor stated this is the crazy world we live in now. He stated the Police make arrests and it goes no where; he does not have an answer to the problem. The Supervisor stated the Police can't chase 4 wheelers. Ms. Tromblee stated give us a camera. She said the VFW has installed more lighting in their parking lot and have put up cameras. She stated the gunfire is bad. The Supervisor asked her how we fix it and Ms. Tromblee stated how would you feel if it was happening in the middle of Port Henry. The Supervisor stated a camera at the transfer station would show that whole area. He stated he is open to suggestions.

Ms. Tromblee also stated there is a rabid fox in Witherbee; chased 2 boys on dirt bikes and it has been chasing cats; please be aware. She stated there are 11 rabies cases in Essex County. The Supervisor stated that Ed Roberts did look for the fox but could not find it. Councilman Brassard stated USDA will hopefully do bait drops soon.

Councilman Salerno stated with all due respect he does not feel it is a good idea for Ms. O'Connor to come and see how the cameras work, he feels it would be defeating the purpose of

the cameras, you will have a line out the door of people wanting to see them. The Supervisor stated when you install a camera you have to tell people; he stated Councilman Salerno had a good point though.

### **Department Head/Town Board Reports:**

Jamie Wilson-Highway Superintendent stated they are way behind on projects due to the flooding. The Supervisor stated he has been getting a lot of complaints on the roads; he stated we have CHIPS money are we going to use that on the roads and Mr. Wilson said yes, that is the goal. The Supervisor stated the County does not have the employees to do Town paving; an example is Reale working on Broad Street. Councilman Salerno asked if CHIPS money does not get used does it carry over to the next year and Mr. Wilson said yes. Mr. Wilson stated they spent 3 weeks on Stone Street. Sharon O'Connor thanked Mr. Wilson.

Mr. Wilson stated the State, County and Towns are hiring employees with permits and then helping them financially with the rest of the classes to get their CDL, he would like the Town to do this also. Mr. Wilson stated the Teamsters are getting involved also. If the Town sends the employee to school; have an agreement that they stay 3 years. He stated the Highway Department is down 2 employees right now. The Supervisor stated he would like to see something in writing. Councilman Brassard and Mr. Wilson will get together and write something up. Tom Cowin asked if they had to do the class, was that something new and Mr. Wilson said yes. Councilman Gilbo asked if the positions were posted anywhere and Mr. Wilson said no. The Supervisor stated the Highway Superintendent has sole authority over hiring.

Tom Cowin-Building & Grounds reported they are taking the banners down; going well; should finish up tomorrow.

Councilman Gilbo reported he is looking in to getting a free electric super charger. He is all set up for a reminder in January regarding grants/funding. Councilman Gilbo reported we got back 1 RFP for an Economic Development Plan, he gave to the Board, will give them time to review, he is in favor. Councilman Gilbo spoke to Jody Olcott at the IDA, Ticonderoga does mini grants for new businesses and existing businesses, he would like to find appropriations for this. The Supervisor stated Ticonderoga uses their occupancy tax money. Councilman Gilbo stated he will get with the Town Clerk and start working on the RFP's for the beach house at Port Henry Beach. Councilman Gilbo asked the Supervisor if the Town has infrastructure insurance and The Supervisor and Jamie Wilson both stated they have never heard of it.

Councilman Anderson had nothing to report.

Councilman Brassard reported that Monday the fence company will start installing the fence at the new ball field on College Street.

Councilman Salerno reported Bulwagga Bay Campsite has 166 seasonals. The campsite was 90% full over the Labor Day weekend. Rental of the cabins has increased substantially this year. We have 35 people on the waiting list. He would like to change some transient sites to seasonal sites; he feels it will be a good idea financially. The Supervisor stated seasonals are guaranteed money but he is afraid if we do away with transient sites if a resident wants to camp for a weekend or a few weeks and we don't have anything available it could be political suicide. Councilman Salerno is in favor of doing away with a couple transient sites; the Supervisor stated we already have done away with a few. He stated it is a good point though; he only cautions the Board, it is a publicly owned Campground and we have had more local people buying seasonals.

Councilman Salerno stated the Water Department has had some water breaks; asked for some clarification on what is the owners responsibility and what is the Town's. The Supervisor stated house to main is the homeowner.

Councilman Salerno stated the M3 Music Fest was a success.

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

Housing Visions is interested in the old republic steel building; want to make 10-12 housing units. The Supervisor needs more info. Councilman Brassard if we would need to get an appraisal and

the Supervisor said yes and it could also be subject to permissive referendum if the Board is petitioned.

The Supervisor reported on the Senior Citizen Tax Exemption; you need to be 65 years or older. Mailings have gone out; due March 1<sup>st</sup>.

The community solar credit program has saved the Town \$1,859.61 so far.

We received a Notice of Violation from the NYS DEC due to the flood which caused a sewage spill on Tarbell Hill; we were minutes late reporting it because the Town was out working on it; there were no fines.

The Supervisor stated he works on rubbish/garbage issues daily; he spends 5-6 hours per week on the issue. Frank Slycord-Property Maintenance stated there is a rubbish/garbage state law. The Supervisor encourages the Board to adopt a local law for Landlords, making them responsible to supply a trash receptacle to tenants. Councilman Salerno stated the Code Officer has already talked to some landlords and they have already contracted with JP Waste.

The Essex County Fair is asking for \$1,000 from the Town; they would give 100 free tickets to the Town. The Supervisor does not support this; the Board of Supervisor's already supports the fair; them asking again is double dipping and it's not fair. The Board was in agreement; they don't support giving the fair \$1,000.

The Supervisor received an email from a Town resident in regards to the whiskey fungus; it is not harmful; it creates stuff that sticks to homes; it is a civil matter and residents need to contact Whistlepig.

The Town has sent out Request for Proposals on the Lead Service Line Inventory & Report Project. The Supervisor is familiar with the lines in Town but not the former Village of Port Henry.

The Supervisor is still trying to get Canadian Pacific to clean up the brush on the south side of Town as you enter Port Henry. It is private property, can't ask the taxpayers to pay for it.

Councilman Salerno asked if there was an update on Rice Lane. The Supervisor stated he will get in to it during Resolutions.

**Resolutions:**

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

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

**RESOLVED** to use ARPA (Covid relief funds) to pay for the roof replacement at the Court House in the amount of \$60,900.

Discussion: The Supervisor stated we went out to bid twice, this was the lowest bid the 2<sup>nd</sup> time. Good to use ARPA funds; this is a capital improvement project.

**165. ON MOTION** by Councilman Brassard, unanimous second, the following resolution was

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

**RESOLVED** a resolution of congratulations to Elsie Sprague on her 100<sup>th</sup> Birthday; October 12, 2023.

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

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

**RESOLVED** to change parking on St. Patrick's Place to north side of street only.

Discussion: The Supervisor stated this would be on the diner side of the road. He stated the Port Henry Fire Department is concerned; very congested area.

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

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

**RESOLVED** to adopt the Abuse Prevention Policy for Town of Moriah employees and new applicants.

Discussion: The Supervisor stated this is an insurance mandate.

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

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

**RESOLVED** authorization for Supervisor to approve Memorandum of Understanding with Teamsters Local 294 for a \$2.00 per hour raise effective January 1, 2024.

Discussion: Current 3% raise expires in 2024. The Supervisor stated he supports it.

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

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

**RESOLVED** to install street light at Pole #2, Mineville Road, Grover Hills.

Discussion: Councilman Brassard looked at the area; Federal Street to Harmony Road; no light; homeowner asked; wise thing to do; very dark in Grover Hills.

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

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

**RESOLVED** to set date for Tentative Budget meeting for Thursday, October 5, 2023 at 6:00pm at the Town Hall.

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

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

**RESOLVED** approval to do transfers in budget as needed.

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

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

**RESOLVED** approval to do adjustments in water & sewer as needed.

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

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

**RESOLVED** approval of payment of end of month and monthly warrants.

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

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

**RESOLVED** a resolution to reopen the June 8, 2023 Public Hearing on Thursday, October 19, 2023 at 5:30pm at the Town of Moriah Court House, 42 Park Place, Port Henry, NY prior to the regular board meeting because the contemplated sale of 19 Rice Lane in Port Henry did not occur,

**WHEREAS** The Board agreed that at the June 8, 2023 public hearing the board was led to believe, and therefore agreed, that the property would be sold, the new owner would clean up the property, and build a seasonal camp. This did not happen, therefore the board needs to take the necessary steps as outlined in the May 11, 2023 Notice to the owners,

**WHEREAS** the Board determined that it appears that the owners have still not abided by the terms of the May 11, 2023 Notice.

Discussion: The Supervisor stated the sale of 19 Rice Lane in Port Henry fell through. He contacted the County Attorney. Will cost the Town @\$20,000; County will pay Town back; will go warrant.

**175. ON MOTION** by Councilman Brassard, seconded by Councilman Anderson, the following resolution was

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

**RESOLVED** to have RSW Construction remove rusted siding and sheathing on the back side of the Court House (Police Station) and install new sheathing and siding in the amount of \$4,500.

The Supervisor stated he, Matt Brassard and Becky Gilbo are working on the budget; stay within the 2% tax cap.

**Floor Open to the Public:**

The meeting adjourned at 7:28pm.

**Abstract Distributions:**

August 29, 2023

General	\$12,322.00
Highway	\$1,137.87
Water District #1	\$150.89
Water District #2	\$113.00
Water District #3	\$106.92
Water District #4	\$4.70
Sewer District #1	\$310.23
Sewer District #2	\$120.19

**Claim Numbers:**

2023/1295-1305

August 31, 2023

General	\$1,745.00
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2023/1306

September 21, 2023

General	\$61,200.37
Highway	\$14,584.89
Water District #1	\$5,100.85
Water District #2	\$2,117.89
Water District #3	\$2,149.82
Water District #4	\$159.04
Sewer District #1	\$4,975.75

2023/1307-1475

Sewer District #2                      \$3,248.85

**Stimulus:**

College St. Field	Green Mtn. Electric Supply	\$925.50	#7
	Bryant's Lumber	\$94.64	#8

**Capital Project:**

Sewer #1 Improvements	MJ Engineering	\$11,640.00	#13
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Town Clerk