

The Town of Moriah Town Board held a Special Meeting on Local Law #1 of 2019 – Local Law #7 2019 on Tuesday, March 26, 2019 at 10:00am at the Town of Moriah Town Hall, 38 Park Place, Port Henry, New York.

**Present:** Paul Salerno Councilman  
Tom Anderson Councilman  
Lucille Carpenter Councilwoman  
Matt Brassard Councilman

**Absent:** Thomas Scozzafava Supervisor

**Others Present:** Bill Trybendis and Rose French-Town Clerk.

Councilman Salerno opened the meeting at 10:00am by saluting the flag.

Councilman Salerno the read the legal notice calling for Special Meeting.

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

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

RESOLVED a Resolution of the Town Board of the Town of Moriah  
SEQRA Determination - Introductory Local Law No.s 1, 2 & 3 of 2019

At the regular monthly meeting of the Town of Moriah Town Board, duly held on the 21st day of March, 2019, the following Resolution was presented:

**WHEREAS**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah has identified seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into the Town’s Local Laws; and

**WHEREAS**, at its regular meeting held on February 14, 2019, the Town Board formerly introduced seven proposed local laws including proposed Local Law No. 1 of 2019 - Development Review Law; Local Law No. 2 of 2019 - Commercial Building Law; and Local Law No. 3 of 2019 - Junk Rubbish and Dumping Law and was determined that these three Laws were subject to review under the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, together with the introduction of Local Law No.s 1, 2, and 3 of 2019 the Town Board reviewed and accepted an Environmental Assessment Form (EAF) with Part 1 completed that sufficiently describes the proposed action, potential impacts and measures in the proposed Law that are designed to avoid or mitigate them; and

**WHEREAS**, the Town Board also determined that the adoption of the three proposed Local Laws is an action that is identified as an Unlisted action under the SEQRA regulations; and

**WHEREAS**, the Town Board declared its intent to be lead agency and since the Town Board is the only governmental body or agency that has approval jurisdiction over the adoption of the proposed Local Law, the Town Board is designated as lead agency over the SEQRA review relating to the proposed adoption of this Law; and

**WHEREAS**, the Town Board has held a hearing on each of the proposed Local Laws; and

**WHEREAS**, prior to the adoption of this Resolution, the Town Board reviewed Part 1 of the EAF, completed Part 2 of the EAF and reviewed and discussed the proposed Part 3 statement prepared for the Town Board by the Town's planning consultant; and

**WHEREAS**, the Town Board recognizes that the Town's present and future economic vitality depends in large part on the protection of its community character and natural resources; and

**WHEREAS**, all procedural requirements of SEQRA and the legal procedures for the change of the Town Zoning Law having been completed to date; the Board has reviewed and completed Parts 2 and 3 of the EAF; and this meeting having been duly noticed, the Town Board is prepared and able to make a SEQRA determination;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board accepts the Full EAF as complete and confirms that the proposed action is an Unlisted action under SEQRA and that as lead agency it has conducted the environmental review as required with respect to the proposed adoption of Local Laws No.s 1, 2, and 3 of 2019 of the Town of Moriah which would establish a site plan review process for commercial development in the hamlet of Port Henry (LL#1); prevent conversion of downtown first floor commercial space to residential use (LL#2); and regulate junk yards, junk cars, littering and dumping in the Town of Moriah (LL#3).
2. The Town Board, with the assistance of its planning consultant, has completed Part 2 of the EAF and, in doing so, did not identify any potential moderate to large impacts occurring as a result of the adoption of proposed Local Laws identified above.
3. The Town Board has reviewed Part 3 of the EAF which provides the reasons in support of the Town Board's SEQRA determination of significance and, hereby accepts and adopted said Part 3 as sufficient in describing the potential impacts of the action which is the adoption of Local Law No.s 1, 2 and 3 of 2019.
4. The Town Board has considered all aspects of the proposed project and in conjunction with its review of the EAF has considered the criteria for determining significance as set forth in section 617.7(c) of the SEQRA regulations and has thoroughly identified the relevant areas of environmental concern to determine if the action or project may have a significant adverse environmental impact.
5. Based upon all of the foregoing together with consideration of the content and implications of the proposed Local Laws, the Town Board hereby determines that the proposed action and project will not have a significant adverse impact on the environment for the reasons set forth in Part 3 of the EAF.
6. That this Resolution, including the completed Parts 1, 2 and 3 of the EAF, constitutes the Town Board's lead agency SEQRA determination.
7. The Town Board hereby directs that notice of this determination be filed in the Town Clerk's office.

8. This Resolution shall take effect immediately.

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

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

RESOLVED a Resolution of the Town Board of the Town of Moriah  
Adoption of Local Law No. 1 of 2019

At a meeting of the Town of Moriah Town Board, duly noticed and held on the 26th day of March, 2019, the following Resolution was presented:

**WHEREAS**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah has identified seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into the Town's Local Laws; and

**WHEREAS**, at its regular meeting held on February 14, 2019, the Town Board formerly introduced seven proposed local laws including proposed Local Law No. 1 of 2019 - Development Review Law which establishes a site plan review process for commercial development in the hamlet of Port Henry; and

**WHEREAS**, the proposed Local Law has been referred to the Essex County Planning Department for its recommendation. pursuant to the General Municipal Law and that Department issued a notice that local consideration shall prevail: and

**WHEREAS**, a public hearing on proposed Local Law No. 1 of 2019 was duly noticed and held on March 21, 2019, and the hearing was closed prior to the introduction of this Resolution; and

**WHEREAS**, the Town Board, prior to the introduction of this Resolution, has completed the SEQRA review relative to the proposed Local Law and determined that the adoption of Local Law No. 1 of 2019 will not have a significant adverse impact on the environment; and

**WHEREAS**, all procedural requirements of SEQRA and the legal procedures for the adoption of the proposed Local Law having been completed to date; the Board has reviewed Part 1 of the EAF prepared by its planning consultant and has reviewed completed Parts 2 and 3 of the EAF; and this meeting having been duly noticed, the Town Board is prepared and able to vote on the adoption of proposed Local law No. 1 of 2019; and

**WHEREAS**, the proposed Local Law has not been changed subsequent to the public hearing and has been in final form and provided to each Town Board member in its final form since its introduction on February 14, 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public hearing on proposed Local Law No. 1 of 2019 has been duly noticed, held and closed and those who wished to be heard regarding said proposed law have had a full and fair opportunity to be heard.
2. The Town Board has completed the environmental review process pursuant to the State Environmental Quality Review Act (SEQRA).

3. The Town Board hereby adopts Local Law No. 1 of 2019 of the Town of Moriah, entitled, “Hamlet of Port Henry Development Review Law” which establishes a site plan review process for commercial development in the hamlet of Port Henry.
4. The Town Board hereby directs that the Village Clerk to prepare said Law for filing and that it be filed with the Office of the Secretary of State within five (5) business days of the effective date of this Resolution.
5. This Resolution shall take effect immediately.

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

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

**RESOLVED** a Resolution of the Town Board of the Town of Moriah  
Adoption of Local Law No. 2 of 2019

At a meeting of the Town of Moriah Town Board, duly noticed and held on the 26th day of March, 2019, the following Resolution was presented:

**WHEREAS**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah has identified seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into the Town’s Local Laws; and

**WHEREAS**, at its regular meeting held on February 14, 2019, the Town Board formerly introduced seven proposed local laws including proposed Local Law No. 2 of 2019 - Town of Moriah Commercial Building Law which prevents the conversion of street level or first floor commercial space to residential dwelling units in the hamlet of Port Henry; and

**WHEREAS**, the proposed Local Law has been referred to the Essex County Planning Department for its recommendation. pursuant to the General Municipal Law and that Department issued a notice that local consideration shall prevail: and

**WHEREAS**, a public hearing on proposed Local Law No. 2 of 2019 was duly noticed and held on March 21, 2019, and the hearing was closed prior to the introduction of this Resolution; and

**WHEREAS**, the Town Board, prior to the introduction of this Resolution, has completed the SEQRA review relative to the proposed Local Law and determined that the adoption of Local Law No. 2 of 2019 will not have a significant adverse impact on the environment; and

**WHEREAS**, all procedural requirements of SEQRA and the legal procedures for the adoption of the proposed Local Law having been completed to date; the Board has reviewed Part 1 of the EAF prepared by its planning consultant and has reviewed completed Parts 2 and 3 of the EAF; and this meeting having been duly noticed, the Town Board is prepared and able to vote on the adoption of proposed Local Law No. 2 of 2019; and

**WHEREAS**, the proposed Local Law has not been changed subsequent to the public hearing and has been in final form and provided to each Town Board member in its final form since its introduction on February 14, 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public hearing on proposed Local Law No. 2 of 2019 has been duly noticed, held and closed and those who wished to be heard regarding said proposed law have had a full and fair opportunity to be heard.
2. The Town Board has completed the environmental review process pursuant to the State Environmental Quality Review Act (SEQRA).
3. The Town Board hereby adopts Local Law No. 2 of 2019 of the Town of Moriah, entitled, "Town of Moriah Commercial Building Law" which prevents the conversion of street level or first floor commercial space to residential dwelling units in the hamlet of Port Henry.
4. The Town Board hereby directs that the Village Clerk to prepare said Law for filing and that it be filed with the Office of the Secretary of State within five (5) business days of the effective date of this Resolution.
5. This Resolution shall take effect immediately.

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

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

RESOLVED a Resolution of the Town Board of the Town of Moriah  
Adoption of Local Law No. 3 of 2019

At a meeting of the Town of Moriah Town Board, duly noticed and held on the 26th day of March, 2019, the following Resolution was presented:

**WHEREAS**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah has identified seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into the Town's Local Laws; and

**WHEREAS**, at its regular meeting held on February 14, 2019, the Town Board formerly introduced seven proposed local laws including proposed Local Law No. 3 of 2019 - A Local Law Regulating Accumulation of Rubbish, Refuse, Litter, Junk Yards and Other Debris in Town of Moriah; and

**WHEREAS**, the proposed Local Law has been referred to the Essex County Planning Department for its recommendation. pursuant to the General Municipal Law and that Department issued a notice that local consideration shall prevail: and

**WHEREAS**, a public hearing on proposed Local Law No. 3 of 2019 was duly noticed and held on March 21, 2019, and the hearing was closed prior to the introduction of this Resolution; and

**WHEREAS**, the Town Board, prior to the introduction of this Resolution, has completed the SEQRA review relative to the proposed Local Law and determined that the adoption of Local Law No. 3 of 2019 will not have a significant adverse impact on the environment; and

**WHEREAS**, all procedural requirements of SEQRA and the legal procedures for the adoption of the proposed Local Law having been completed to date; the Board has reviewed Part 1 of the EAF prepared by its planning consultant and has reviewed completed Parts 2 and 3 of the EAF; and this

meeting having been duly noticed, the Town Board is prepared and able to vote on the adoption of proposed Local Law No. 3 of 2019; and

**WHEREAS**, the proposed Local Law has not been changed subsequent to the public hearing and has been in final form and provided to each Town Board member in its final form since its introduction on February 14, 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public hearing on proposed Local Law No. 3 of 2019 has been duly noticed, held and closed and those who wished to be heard regarding said proposed law have had a full and fair opportunity to be heard.
2. The Town Board has completed the environmental review process pursuant to the State Environmental Quality Review Act (SEQRA).
3. The Town Board hereby adopts Local Law No. 3 of 2019 of the Town of Moriah, entitled, "A Local Law Regulating Accumulation of Rubbish, Refuse, Litter, Junk Yards and Other Debris in Town of Moriah".
4. The Town Board hereby directs that the Village Clerk to prepare said Law for filing and that it be filed with the Office of the Secretary of State within five (5) business days of the effective date of this Resolution.
5. This Resolution shall take effect immediately.

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

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

RESOLVED a Resolution of the Town Board of the Town of Moriah  
Adoption of Local Law No. 4 of 2019

At a meeting of the Town of Moriah Town Board, duly noticed and held on the 26th day of March, 2019, the following Resolution was presented:

**WHEREAS**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah has identified seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into the Town's Local Laws; and

**WHEREAS**, at its regular meeting held on February 14, 2019, the Town Board formerly introduced seven proposed local laws including proposed Local Law No. 4 of 2019 - Animal Control Law of the Town of Moriah; and

**WHEREAS**, the Town Board has determined that the proposed Local Law is not subject to the State Environmental Quality Review Act (SEQRA) and no referral to the Essex County Planning Department is required under the General Municipal Law; and

**WHEREAS**, a public hearing on proposed Local Law No. 4 of 2019 was duly noticed and held on March 21, 2019, and the hearing was closed prior to the introduction of this Resolution; and

**WHEREAS**, the legal procedures for the adoption of the proposed Local Law having been completed to date, the Town Board is prepared and able to vote on the adoption of proposed Local Law No. 4 of 2019; and

**WHEREAS**, the proposed Local Law has not been changed subsequent to the public hearing and has been in final form and provided to each Town Board member in its final form since its introduction on February 14, 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public hearing on proposed Local Law No. 4 of 2019 has been duly noticed, held and closed and those who wished to be heard regarding said proposed law have had a full and fair opportunity to be heard.
2. The Town Board hereby adopts Local Law No. 4 of 2019 of the Town of Moriah, entitled, “Animal Control Law of the Town of Moriah”.
3. The Town Board hereby directs that the Village Clerk to prepare said Law for filing and that it be filed with the Office of the Secretary of State within five (5) business days of the effective date of this Resolution.
4. This Resolution shall take effect immediately.

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

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

RESOLVED a Resolution of the Town Board of the Town of Moriah  
Adoption of Local Law No. 5 of 2019

At a meeting of the Town of Moriah Town Board, duly noticed and held on the 26th day of March, 2019, the following Resolution was presented:

**WHEREAS**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah has identified seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into the Town’s Local Laws; and

**WHEREAS**, at its regular meeting held on February 14, 2019, the Town Board formerly introduced seven proposed local laws including proposed Local Law No. 5 of 2019 - Vehicle Parking Law; and

**WHEREAS**, the Town Board has determined that the proposed Local Law is not subject to the State Environmental Quality Review Act (SEQRA) and no referral to the Essex County Planning Department is required under the General Municipal Law; and

**WHEREAS**, a public hearing on proposed Local Law No. 5 of 2019 was duly noticed and held on March 21, 2019, and the hearing was closed prior to the introduction of this Resolution; and

**WHEREAS**, the legal procedures for the adoption of the proposed Local Law having been completed to date, the Town Board is prepared and able to vote on the adoption of proposed Local Law No. 5 of 2019; and

**WHEREAS**, the proposed Local Law has not been changed subsequent to the public hearing and has been in final form and provided to each Town Board member in its final form since its introduction on February 14, 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public hearing on proposed Local Law No. 5 of 2019 has been duly noticed, held and closed and those who wished to be heard regarding said proposed law have had a full and fair opportunity to be heard.
2. The Town Board hereby adopts Local Law No. 5 of 2019 of the Town of Moriah, entitled, "Vehicle Parking Law".
3. The Town Board hereby directs that the Village Clerk to prepare said Law for filing and that it be filed with the Office of the Secretary of State within five (5) business days of the effective date of this Resolution.
4. This Resolution shall take effect immediately.

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

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

RESOLVED a Resolution of the Town Board of the Town of Moriah  
Adoption of Local Law No. 6 of 2019

At a meeting of the Town of Moriah Town Board, duly noticed and held on the 26th day of March, 2019, the following Resolution was presented:

**WHEREAS**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah has identified seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into the Town's Local Laws; and

**WHEREAS**, at its regular meeting held on February 14, 2019, the Town Board formerly introduced seven proposed local laws including proposed Local Law No. 6 of 2019 - Hawking, Peddling and Soliciting Law; and

**WHEREAS**, the Town Board has determined that the proposed Local Law is not subject to the State Environmental Quality Review Act (SEQRA) and no referral to the Essex County Planning Department is required under the General Municipal Law; and

**WHEREAS**, a public hearing on proposed Local Law No. 6 of 2019 was duly noticed and held on March 21, 2019, and the hearing was closed prior to the introduction of this Resolution; and

**WHEREAS**, the legal procedures for the adoption of the proposed Local Law having been completed to date, the Town Board is prepared and able to vote on the adoption of proposed Local Law No. 6 of 2019; and



**WHEREAS**, the proposed Local Law has not been changed subsequent to the public hearing and has been in final form and provided to each Town Board member in its final form since its introduction on February 14, 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public hearing on proposed Local Law No. 6 of 2019 has been duly noticed, held and closed and those who wished to be heard regarding said proposed law have had a full and fair opportunity to be heard.
2. The Town Board hereby adopts Local Law No. 6 of 2019 of the Town of Moriah, entitled, "Hawking, Peddling and Soliciting Law".
3. The Town Board hereby directs that the Village Clerk to prepare said Law for filing and that it be filed with the Office of the Secretary of State within five (5) business days of the effective date of this Resolution.
4. This Resolution shall take effect immediately.

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

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

RESOLVED a Resolution of the Town Board of the Town of Moriah  
Adoption of Local Law No. 7 of 2019

At a meeting of the Town of Moriah Town Board, duly noticed and held on the 26th day of March, 2019, the following Resolution was presented:

**WHEREAS**, in accordance with the recommendations contained in the Village of Port Henry Dissolution Plan dated February 2016, the Town of Moriah has identified seven laws needing to be adopted by the Town of Moriah to incorporate former village regulations into the Town's Local Laws; and

**WHEREAS**, at its regular meeting held on February 14, 2019, the Town Board formerly introduced seven proposed local laws including proposed Local Law No. 7 of 2019 - Unsafe Structure Law of the Town of Moriah; and

**WHEREAS**, the Town Board has determined that the proposed Local Law is not subject to the State Environmental Quality Review Act (SEQRA) and no referral to the Essex County Planning Department is required under the General Municipal Law; and

**WHEREAS**, a public hearing on proposed Local Law No. 7 of 2019 was duly noticed and held on March 21, 2019, and the hearing was closed prior to the introduction of this Resolution; and

**WHEREAS**, the legal procedures for the adoption of the proposed Local Law having been completed to date, the Town Board is prepared and able to vote on the adoption of proposed Local Law No. 7 of 2019; and

**WHEREAS**, the proposed Local Law has not been changed subsequent to the public hearing and has been in final form and provided to each Town Board member in its final form since its introduction on February 14, 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public hearing on proposed Local Law No. 7 of 2019 has been duly noticed, held and closed and those who wished to be heard regarding said proposed law have had a full and fair opportunity to be heard.
2. The Town Board hereby adopts Local Law No. 7 of 2019 of the Town of Moriah, entitled, "Unsafe Structure Law of the Town of Moriah".
3. The Town Board hereby directs that the Village Clerk to prepare said Law for filing and that it be filed with the Office of the Secretary of State within five (5) business days of the effective date of this Resolution.
4. This Resolution shall take effect immediately.

Councilman Brassard asked the Town Clerk if she would now forward these Local Laws to the State and she said yes.

The meeting closed at 10:02am.

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Town Clerk