Minutes of the Town of Chesterfield Town Board Meeting held on June 7, 2016 at the Town Office on the Corner of Clinton and Vine Streets, in Keeseville, County of Essex and State of New York, pursuant to due notice.

Supervisor Gerald H. Morrow called the meeting to order at 7:00 p.m.

Everyone stood for the Pledge of Allegiance.

Those present were:

Supervisor: Gerald H. Morrow

Town Clerk: Lynn A. Jarvis

Councilman: Clayton J. Barber

Councilman: Russell L. Blaise

Councilman: David P. Gload

Councilman: Richard J. Klages

Town Attorney Michael D. McCormick and Supt. of Highways Philip W. Pray were excused.

Guests present were: Joseph Kusalonis, Jeff King, Nancy DelZio, Ryan Burns, Gordon Howard and Barbara Davidson.

Upon a motion made by Councilman Richard Klages, seconded by Councilman Clayton Barber and unanimously carried it was

73. RESOLVED that the reading of the minutes from the meeting held on May 3, 2016 be dispensed with.

Supervisor Morrow asked the audience if anyone wished to address the Board. No one expressed interest.

Supervisor Morrow spoke regarding the sale of property in the Commerce Park to Roger Long and Jeff King. He informed the Board that it was published in the paper on May 6, 2016 and the 30 day permissive referendum is up.

Supervisor Morrow met with the Adirondack Park Agency regarding Mr. Roger Long’s Lot#4. The current lot is permitted for a 40,000 square foot building and he would like to build a 50,000 square foot building. A permit will be needed to amend this property and the Town may need to give up rights to a building lot in the back.

Supervisor Morrow stated that regarding Lots #1 and #3 that Mr. Jeff King is interested in Lot # 1 and Lot # 3, instead of 3.6 acres it will be 2.1 acres with the retaining basin to be excluded. This will also require an amendment. Supervisor Morrow stated that the APA was pleased with the Towns approach to the sale of these properties.

Upon a motion made by Councilman Barber and unanimously seconded it was

74. RESOLVED that Lot # 4 of 4.86 acres be sold to Mr. Long for $25,000, abuilding right may be given up by the Town so square footage may be increased from 40,000 to 50,000 square feet. Lot # 1 and Lot # 3 with retaining basin being excluded and acreage totaling 5.3 acres be sold to Jeff King for $25,000.

Supervisor Morrow stated that once the sale is ratified the closing will occur and deeds signed over.

Supervisor Morrow offered courtesy of the floor to Mr. Jeff King and he declined to speak.

Supervisor Morrow stated that the sale of property in Commerce Park was great for the Town.

Supervisor Morrow informed the Board that he had received a telephone call from Carol Stone representing the Elks Club. They will be holding their Flag Day ceremony on 6-12-2016 and were requesting permission to use the Veteran’s Park for event. He granted permission and stated that it is a good ceremony.

Supervisor Morrow informed the Board that the CHiPS Budget was increased from $134,769.49 to $165,531.97, a difference of $30,762.48 and a budget amendment was needed.

Upon a motion made by Councilman Blaise, seconded by Councilman Klages it was

75. RESOLVED that revenue and appropriation funds each be increased by $30,762.48.

Supervisor Morrow spoke on Augur Lake Dam Project. He stated that the original cost for the project was $750,000. Supervisor Morrow returned to the engineers and came back with a quote of $600,000 which he felt was still quite high. Supervisor Morrow was approached by Mr. Ryan Burns who is a resident of the Town of Chesterfield and he asked to review the dam project. Mr. Burns and Supervisor Morrow had a discussion regarding new dam construction versus old dam repair. Mr. Burns was asked to address the Board.

Mr. Burns is a consulting engineer and has an office in Port Kent, NY. He has been in business for 10 years. Mr. Burns stated this type of project is his specialty and that with innovative ideas and using our own forces the cost of this project could be accomplished within a good budget.

Supervisor Morrow stated that the topo maps from Kevin Hall were given to Mr. Burns for review.

Supervisor Morrow stated that we are currently contracted with AES and that he spoke with Wayne Ryan from AES who is also a resident of the Town of Chesterfield. Mr. Ryan IS 100% behind trying to reduce the cost of the project. Supervisor Morrow suggested a letter be written to AES to discontinue our current contract.

Councilman Klages asked what the bottom price would be? Mr. Burns thought could be ½ of the $600,000. Concept design using 15-20% of what is all ready there and what we can do ourselves. He spoke on different methods and techniques that could be sued including creating a new dam using the old dam as a coffer dam. He stated “every problem has different solutions”. He will meet with Supt. of Highways and the Supervisor to show ideas, make budget recommendations, discuss what will need to go out to bid and then will have a better idea on the final budget.

Supervisor Morrow suggested to contract with Mr. Burns to get started. Mr. Burns stated he would not go past conceptual design until reviewed. Stated he has had success with other similar projects.

Councilman Gload asked what would be length of the project? Mr. Burns stated 3 months to design, 2 months for bids and construction phase 2-3 months.

Supervisor Morrow stated doubtful would finish this year. Need right time of the year to do project.

Mr. Burns stated that the end of July and into August is best possible time secondary to weather.

Supervisor Morrow stated that the preliminary work has to be done first.

Upon a motion made by Councilman Klages and seconded by Councilman Barber and Councilman Gload it was

76. RESOLVED that the Town of Chesterfield enter into contract with Mr. Ryan Burns,

Upstate Design and Associates, LLC for professional engineering services on Augur Lake Dam. A copy of the contract is on file in the Town Clerk’s Office.

Supervisor Morrow informed the Board that he had received the survey information and invoice from Kevin Hall regarding the property on Front Street behind the businesses to Mill Street would be retained by the Town. There was a prior resolution for Kevin Hall to do this surveying.

Barbara David son asked permission to address the Board, she voiced concern that the building owners will be impacted by this and she doesn’t want taxes to increase.

Supervisor Morrow stated that the property owners initially asked for this and that the Board can not guarantee anything regarding taxes, he also stated that the property amounts were small.

Barbara Davidson stated that without discussion the Town can not just deed the property

to me, I have to accept. I can represent my son, also, unless no guaranteed taxes we will not accept.

Barbara Davidson stated that she felt the Town was not keeping up maintenance on the property, she hired contractors to clean it up and nothing has been done since.

Supervisor Morrow state that there may be help out there for businesses and he will look into the PILOT Program.

Barbara Davidson stated I am acceptable to the PILOT Program but don’t want both increased taxes and cost of maintenance.

Supervisor Morrow stated that Mrs. Davidson had asked good questions and that he would speak with the Assessor and the Town Board would take information and review.

Supervisor Morrow informed the Town Board that a representative from Colonial Insurance would be at the Town Office on 6/21 and 6/22 after 10am please notify the Supervisor if anyone interested in meeting with them.

Supervisor Morrow informed the Town Board that Shelley Davis would like authorization to attend an Assessor’s Seminar on Appraising. It is to be held in Ithaca, NY July 11 to July 15, 2016. This will go toward her continuing education credits. The registration Fee is $400.00 plus room, travel and meals. The State does reimburse for some of the expenses.

Upon motion made by Councilman Barber and seconded by Councilman Gload it was

77. RESOLVED that Shelley Davis be authorized to attend Assessor Seminar in Ithaca, NY July 11 to July 15 2016 with all necessary expenses to be paid.

Supervisor Morrow informed the Town Board that the 2016 Planning and Zoning Summer School registration was received. Bill Mitchell as ZBA Chairman would like to attend the school in Latham, NY on August 3, 2016.

Upon a motion by Councilman Blaise and seconded by Councilman Gload it was

78. RESOLVED that ZBA Chairman Mitchell be authorized to attend the Planning and Zoning Schooling with necessary expenses to be paid by the Town.

Supervisor Morrow informed the Town Board that there was money in the Town of Chesterfield District Water Account but bills were continuing to come in. The people that will be repairing the tanks are coming next week. A $150,000 still needs to be returned to the General Fund and these are reasons why the water bills went up to $400 per user. Supervisor Morrow also stated that there has been only a few complaints, overall people are understanding.

Supervisor Morrow informed the Town Board that Port Douglas Beach and Picnic are open. The restroom floors were painted. The restroom roof will need to be replaced soon. Dan Costin is doing excellent job; good choice.

Upon a motion by Councilman Barber, seconded by Councilman Gload and unanimously carried it was

79. RESOLVED that the Supervisor’s Report for May 2016 be accepted. The Financial Report can be found in the Town Clerk’s Office.

Upon a motion made by Councilman Blaise, seconded by Councilman Gload and unanimously carried it was

80. RESOLVED that all bills be paid. Bills in the amount of $119,369.92 were audited and paid from the Highway Acct., Claims 77 to 98. Bills in the amount of $5,646.76 were audited and paid from General Acct., Claims 81 to 101. Bills in the amount of $3,437.79 were audited and paid from PKWD Acct., Claims 97 to 103. Bills in the amount of $5,693.32 were audited and paid from TCWD Acct., Claims 104 to 118.

Upon a motion by Councilman Blaise, seconded by Councilman Barber and unanimously carried it was

81. RESOLVED that all letters brought before the Board be filed.

Lynn Jarvis- Town Clerk had nothing to bring before the Town Board.

Councilman Klages stated it was approved for the trash cans to be put out on Front Street but they were not out. Supervisor Morrow stated they were not able to find cans and questioned purchasing new ones.

Barbara Davidson stated that she and Dale Holderman were thinking of purchasing nicer trash cans and asked if the Town would still be willing to pick up trash. She stated they could place trash in her dumpster. Supervisor and Board were concerned that people may randomly use the cans for personal trash. Barbara did not feel that would be a problem. Supervisor Morrow stated that it was an issue prior and that this had been confirmed with the Sheriff’s Department.

Supervisor Morrow and Town Board were all in agreement that the Town will pick up trash from cans on Front Street and place in dumpster provided by Barbara Davidson.

Barbara Davidson stated that she also would be purchasing butt receptacles for Front Street and asked that the Town please keep the streets cleaned.

Supervisor Morrow stated that Town Highway Supt. Phil Pray was away at Highway School and asked that the following items be brought before the Town Board.

1. The dump boxes need to be replaced on CH1 (2002) AND ch-12 (1995), both are rusted. Close estimated cost $25,000 - $28,000 installed. Thinks he can find on State contract. Supervisor asked if 1995 worth replacing box and Supt. of Highways had informed that it was. Councilman Blaise asked if they would be ready by fall. Supervisor Morrow stated yes.
2. Supt. of Highways would like to purchase a gradall from the Town of Peru. It is in very good condition. The asking price is $25,000. Supt. Pray found another machine that was cheaper ($19,500) but it had less accessories and more hours. He did not recommend purchasing this machine. Supervisor Morrow spoke with Mike from Town of Peru. The gradall is in like new condition and has a new motor job. Supervisor Morrow stated that a new one would cost greater than $100,000. Also stated that we do have the money to purchase gradall from Town of Peru.

Councilman Blaise asked if Town would sell or part out old one. Supervisor Morrow stated yes.

Upon a motion by Councilman Klages and seconded by Councilman Barber it was

83. RESOLVED that the Highway Supt. be authorized to purchase the gradall from the Town of Peru in the amount of UP TO $25,000.

1. Supt. of Highways would like to have permission to trade 2011 Truck CH5 before all

warranties expire. This truck has had multiple problems and the Supervisor has maintenance record.

Councilman Blaise stated that it would be approximately a $200,000 purchase. Supervisor Morrow stated that we would have to bond, the last vehicle was thru dealer purchase.

Upon a motion by Councilman Klages and seconded by Councilman Barber and Gload it was

84. RESOLVED Supt. of Highways investigate further and bring information back to the Town Board.

Supervisor Morrow stated that he received a fax from CP Rail requesting resolution in support of Federal Railroad Administration crew size rule and ordinance requiring two person train crews while operating in Town of Chesterfield.

WHEREAS, the safe operation of freight and passenger trains are vital to commerce and the Town of Chesterfield supports efforts to keep train operation safe in our State.

WHEREAS, the Federal Railroad Administration (FRA) has published a Notice of Proposed Rulemaking (NPRM) regarding adequate staffing on trains, a factor we believe is vital to ensuring safe train operation and;

WHEREAS, national studies show that a minimum of two on-board crew members are vital to operate a train safely and minimize the likelihood of train related accidents and;

WHEREAS, virtually all trains in North America are already operated by at least two individuals making the economic impact of this proposed rule minimal; and

WHEREAS, the FRA agrees that, while advancements in automated train technology such as positive train control (ptc) systems improve rail safety, they are not a substitute for train’s on-board crew members.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Chesterfield, N.Y. hereby supports the FRA (nprm) requiring trains operating in America be operated by no less than a two person crew.

BE, IT FURTHER RESOLVED that all trains operating within the jurisdiction of the Town of Chesterfield, N.Y. shall be operated with a minimum of two on-board crew members.

This resolution shall be in full force and effect upon its passage and approval as provided by law.

Upon a motion by Councilman Klages, seconded by Councilman Blaise it was

85. RESOLVED to adopt the resolution supporting Federal Administration Crew Size Rule.

Vote to adopt this resolution was 5 aye 0 nay.

Upon a motion by Councilman Klages, seconded by Councilman Gload and unanimously carried it was

86. RESOLVED that with no further business to come before the Board this meeting would be adjourned at 7:42 p.m.

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Town Clerk