**Minutes of the Public Hearing held by the Town of Chesterfield Town Board on Tuesday, September 1, 2015 at the Town Office, on the Corner of Clinton and Vine Streets, in Keeseville, County of Essex and State of New York.**

Supervisor Gerald H. Morrow opened the Public Hearing at 6:30 p.m.

Town Clerk Lynn Jarvis read the legal for the Public Hearing to obtain views of the citizens of the Town on the effectiveness of the administration of the program for the $400,000 Community Block Grant awarded to the Town of Chesterfield.

Guests present were: Bruce Misarski; Administrator from HAPECO, David Gload and Shelley Davis; Clerk to Supervisor.

Supervisor Morrow thanked Bruce for attending the Public Hearing and offered him the courtesy of the floor.

Bruce went through the progress that HAPECO has made so far with the $400,000 grant funding to rehab houses for the Town.

He stated that the rehab regulations have changed, there has to be two public hearings – one in the middle of the project to discuss options with the Town Board, this is done during the half way point – this project should be wrapped up next spring (April/May), it is a two year contract.

At this time they are working on the waiting list, which is based on the application date, everyone has been contacted that applied for assistance, there were 38 applicants of that 17 have responded to the request for more information to prove they are eligible, after that they do the work scope, so far two have been completed, three are under contract and one is ready to go out to bid, so that is six properties in the state of process – we will be visiting more in the next few months, hopefully have them all visited by the end of fall – all will be identified and completed by spring.

Bruce explained that recently a memo was received from NYS Housing, stating that the program had changed concerning mobile homes – they use to get away with correcting code requirements for mobile homes, just to help the owners stay in their homes. Sometimes the homes aren’t even worth $10,000 and we would put $20,000 worth of work into the mobile home – the State has been struggling with this because the mobile home is not worth what has been put into it – so on July 9th a letter was received from the Vice-President of Community Housing on new policies for mobile homes – life expectancy must be five years for the mobile home – if not then it must be replaced with a new mobile home less than five years or newer, could cost $60,000 then you have to put a pad in because you can’t place them on blocks anymore. There has already been a case in Chesterfield like this – after Bruce talked with Jerry about it, they decided they had to walk away – do you help one person in the amount of $70,000, when you could have helped three families with that same amount.

Bruce said there are more such circumstances down the list, some are in decent shape and some aren’t worth it – HUS may approve some, we will go case by case, the landowner may have to help.

Supervisor Morrow stated he is all for self-help – not for helping one at $70,000 then three families don’t get any help at all.

Bruce agrees with that. For now they will work on rehabbing stick built houses, then if there is monies left see what they can do for the mobile homes.

Supervisor Morrow offered the courtesy of the floor to David Gload from the Highlands Road. David stated to Bruce that he is just curious, so 17 applicants responded from a list of 38.

Bruce stated yes, 17 responded.

David said he has never priced mobile homes, but thought you could get second mobiles homes for less than $70,000.

Bruce said that NYS Community Housing wanted new or less than five years old, they can check for second hand mobile homes, but they would have to be less than five years old.

David said then 17 could grow into more if applicants respond – doing the math in his head – it is about $25,000 for each.

Bruce said the application for grant funding was set-up to assist 13 to 14 families at $20,000 to $25,000 each.

Bruce said the State seems to be okay with helping one at $70,000 and three others getting the short end.

Supervisor Morrow stated the federal and state governments don’t see the local families, we see the local families.

Lynn Jarvis asked if there were 38 applicants, only 17 got back to you, is there a cut-off date.

Bruce stated October is the cut-off date, people that respond will be prioritized by the date.

Councilman Klages stated people don’t understand that this is not just for seniors – anybody is eligible to apply – what is the income eligibility?

Bruce stated it is 80% of the average median income – he is not sure of the exact amount may be around $28,000 for two in the household.

Supervisor thanked Bruce for attending and closed the Public Hearing at 6:50 p.m.

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Lynn A. Jarvis, Town Clerk

**Minutes of the Town of Chesterfield Town Board Meeting held on Tuesday,**

**September 1, 2015, 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: Richard J. Klages

Councilman: Joseph W. Kusalonis

Town Attorney: Michael D. McCormick

Supt. of Highways: Philip W. Pray

Guests present were: David Gload, Penelope Clute, Gordon Howard and Shelley Davis; Clerk to Supervisor

Upon a motion made by Councilman Richard Klages, seconded by Councilman Joseph Kusalonis and unanimously carried it was

**107. RESOLVED** that the reading of the minutes of the Meeting held on August 4, 2015 and the minutes of the Special Meeting held on August 18, 2015 be dispensed with.

Supervisor Morrow offered the courtesy of the floor to the guests, but no one had anything to bring before the Board.

Supervisor Morrow congratulated the Keeseville Business Association for the giant success they had for the 1st Annual Old Time Field and Parade – he was hoping it was going to be successful and it was a huge success.

While on the subject of businesses – he has been asked by a business owner on Front Street to consider crosswalk markers for the middle of the crosswalks – you see them in some municipalities, he explained that even if he sees someone waiting to cross the street and they aren’t in a crosswalk he waits for them to cross. At the crosswalk in the middle of Front Street – if people are standing on the sidewalk not in the crosswalk then you can’t see then because of the cars parked there.

He has investigated this and talked to NYS DOT (Department of Transportation) – you must get a five year permit from DOT for crosswalk markers – the markers must be purchased by the municipality, he checked with other towns that have them and they cost approximately $320.00 each – this is something we can think about for the spring – it is too late in the year to put them up now – there is a pedestrian crossing sign heading north that when you press the button it flashed to make drivers aware that someone is crossing, the one on the other side is missing, but Phil did put up a regular sign.

Councilman Klages stated that the Village had one or two of the markers.

Phil Pray stated that they must be somewhere –

Councilman Blaise asked about the space in between by the sidewalks.

Councilman Barber stated that the space goes all the way to the sidewalk.

Supervisor stated still doesn’t mean people are going to stop, he will check with Dave Winter to see if he may know where the markers are that the Village had.

Councilman Barber thinks that unfortunately if the Town were to purchase markers they would disappear –

Michael McCormick asked if it would make sense to have a no parking car width on both sides of the crosswalks.

Councilman Blaise suggested a buffer on both sides.

Supervisor Morrow stated that after himself and Phil meet with NYS DOT, he will bring the findings back before the Board.

Supervisor Morrow informed the Board that the radar sign has been installed in Port Kent by the Essex County DPW – it does work – he went through at 30 mph – he does obey the speed limit, he would be a hypocrite if he didn’t after everything he went through to get the sign.

The DPW crew said it is the biggest sign they have ever seen – it took four batteries and three metal posts, hopefully they hold it up.

Supervisor Morrow stated that we received the sign through Meg Parker from Essex County Public Health it was a grant through healthy living.

Supervisor Morrow informed the Board that about three weeks ago the guys loaded 24 tv’s from the compaction station to take to Total Computers to find out they can’t take them at this time they have 60,000 tons of tv’s they can’t get rid of either.

He realizes that a few months ago we discussed this same subject and the Board would rather not have to charge people tried to do it as a service for the people, but if the Town is going to have to pay to get rid of them – at the cost of either $15 for under 19” - $20 for under

19” or $27 for over 19” or $40 for over 19” the Town is going to have to get something to at least cover the guys time and fuel.

Total Computers is hoping that the federal government signs the contract so they can get rid of what they have.

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

**108. RESOLVED** that there be a fee of $20 for tv’s under 19” and a fee of $40 for tv’s over 20” charged at the Compaction Station to help offset the cost of getting rid of the tv’s.

Supervisor Morrow discussed with the Board the letter received from Richard Jervis requesting that the late fees for his water bills be waived because he stated he never received them until he received the reminder notice – the late fees together equal $32.41 for both bills.

Councilman Klages asked if the water bills went out on time?

Supervisor Morrow replied yes, he had asked Shelley and the bills went out on time.

Councilman Klages said he was sure they did.

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

**109. RESOLVED** that the Board feels since the bills were sent out on time that the fees for Mr. Jervis’s water bills not be waived.

Supervisor Morrow informed the Board that Fred Colegrove, Jr. will start work at the Compaction Station on Sept. 11th, as a part-time laborer – it is not a new position he is replacing Dan Costin who took over when Danny Pray passed away.

Supervisor Morrow stated that Danny sure will be happy, he has had enough of you two Board Members – now seriously thank you Joe and Rick for filling in on Fridays and Saturdays.

Supervisor Morrow informed that Board that we have been requested by NYS Retirement to include the Court Clerk on the resolution establishing the work days for employees.

Upon a motion made by Councilman Russell Blaise, seconded by Councilman Joseph Kusalonis and unanimously carried it was

**110. RESOLVED** that Resolution No. 154 dated November 6, 2014 be amended to include the Court Clerk at an 8 hour standard work day.

Supervisor Morrow explained to the Board that Essex County Board of Supervisors adopted a resolution seeking State assistance with the NYS Tax Cap – it went from 2% tax cap to a .73% tax cap – we are not against the tax cap, just asking the State Government to stop sending unfunded mandates – like capital projects, they put budgets over the tax cap – the 1.2 million water project that we will be looking at in the future isn’t an issue, because we are looking for grant funding and any payments come from the users. Bridge and road projects would affect budgets.

Town Clerk Lynn Jarvis read the following to sum up the resolution: that the Town Board of the Town of Chesterfield asks Governor Andrew Cuomo and the members of the New York State Legislature to provide funding assistance for the communities within the Blue Line of the Adirondack Park for water, sewer and road infrastructure to help offset the loss of revenues imposed by the New York’s Tax Cap, which loss is grossly exceeding the costs of supplying such services, particularly within the Blue Line of the Adirondack Park.

Upon a motion made by Supervisor Gerald H. Morrow and unanimously seconded by Councilman Clayton J. Barber, Councilman Russell L. Blaise, Councilman Richard J. Klages and Councilman Joseph W. Kusalonis and carried it was

**111. RESOLVED** that the Town of Chesterfield Supervisor and Town Board are seeking State assistance with the New York Tax Cap; and

**WHEREAS,** in 2011, New York Governor Andrew Cuomo and the New York State Legislature adopted what is commonly referred to and known as New York State’s Property Tax Cap to address New York’s ever increasing property taxes; and

**WHEREAS,** the Property Tax Cap set in place a cap on the growth of property taxes in New York whereby real property taxes are capped at two percent per year of the rate of inflation, whichever is less; and

**WHEREAS,** the focus of the tax cap has been on the laudable goal of driving down costs of government services through cuts and consolidation in services and heightened economic development aimed at alleviating the pressure of the tax cap; and

**WHEREAS,** while increasing economic development everywhere in New York State is an important and laudable goal, New York’s towns and counties within the Blue Line of the Adirondack Park face particular hardships when seeking development projects due to additional government regulation and hurdles; and

**WHEREAS,** such government regulation significantly curtails the amount of available acreage within the Blue Line for economic development and imposes additional regulatory hurdles for beneficial development within the Adirondack Park; and

**WHEREAS,** recent studies, including the 2009 Adirondack Park Regional Assessment Project sponsored by the Adirondack Association of Town and Villages and the Adirondack North Country Association notes the aging population of the Adirondack Park and the significant decrease in viable economic opportunities for residents within the Adirondack Park; and

**WHEREAS,** in addition, the 2009 Adirondack Park Regional Assessment Project also noted that from 1980 to 2006, real property tax as a portion of total revenue within the Park actually decreased to the average Adirondack community; and

**WHEREAS,** many communities in the Adirondack Park also have aging water and/or sewer systems which combined with ever increasing regulatory controls from the New York State Department of Environmental Conservation, New York State Department of Health, and United State Environmental Protection Agency, have actually resulted in increased employee hours and financial obligations simply to keep those systems within permit guidelines and limits; and

**WHEREAS,** communities within the Adirondack Park find themselves at a significant crossroads: higher regulatory and financial obligations for aging infrastructure versus compliance with the tax cap; and

**WHEREAS,** most communities within the Adirondack Park have already taken significant steps aimed at cost savings within their communities including significant reductions in highway and DPW staff and other staffing cuts; and

**WHEREAS,** most communities within the Adirondack Park now find themselves understaffed to the point where essential public services including road maintenance and the ability to monitor and maintain their water and/or sewer systems simply cannot be performed within the available employee hours given such reductions; and

**WHEREAS,** much of the land in the Adirondack Park, with more being purchased every year, is owned by the State of New York and non-profits aimed at curtailing development with the Adirondack Park which only increases the burden imposed on local taxpayers; and

**WHEREAS,** the year round residents and taxpayers of the Adirondack Park are at a breaking point with the need for meaningful services and roads and the ever decreasing revenue with which to supply such services and roads; and

**WHEREAS,** the communities within the Adirondack Park hereby ask Governor Andrew Cuomo and members of the New York State Legislature to help the residents and taxpayers of the Adirondack Park with regulatory relief and financial assistance to help our communities comply with the Tax Cap; and

**WHEREAS,** the Supervisor and Town Board of the Town of Chesterfield asks Governor Andrew Cuomo and members of the New York State Legislature to provide funding assistance for the communities within the Blue Line of the Adirondack Park for water, sewer and road infrastructure to help offset the loss of the revenues imposed by New York’s Tax Cap, which loss is grossly exceeding the costs of supplying such services, particularly within the Blue Line of the Adirondack Park; and

**NOW, BE IT FURTHER RESOLVED,** that the Supervisor and Town Board of the Town of Chesterfield asks Governor Andrew Cuomo and the members of the New York State Legislature to provide meaningful regulatory relief to communities within the Blue Line of the Adirondack Park so that actual economic development can take place and this resolution to take effect immediately.

Supervisor Morrow informed the Board that $35,250 was paid to USDA – Rural Development our 1st payment on the water plant since the Village dissolved - he talked to the representative from USDA about only paying the principal and not the interest, since the Town didn’t incur this debt we inherited the debt, but as you can see we still had to pay it.

He is more concerned about keeping water flowing to the people – we are fortunate we had the $35,250 to make the payment. At this time there is $68,000 left in the water district hopefully everyone pays there next water bill we have $152,000 due to EFC in November – it is unbelievable that people pay more for their sewer than for their water.

Supervisor Morrow stated that he had gotten authorization at the last meeting to apply for grant funds from Lake Champlain Basin Program for Butternut Pond for milfoil and vegetation – Steve LaMere and Dave Rechkan from Soil & Water will work on the grant application together, we will have to pay Steve, but Soil & Water are a contract agency with the County so we won’t have to pay them.

The Supervisor was unsure if the Town would qualify, so he contact Eric at Lake Champlain Basin Program, yes we do qualify to apply, no guarantee we will be awarded grant funds – he knows Steve and Dave will do an excellent job on the application – didn’t want to get knocked out because we didn’t qualify.

While discussing Butternut Pond – we had a scuba diver from Willsboro pull all the weeds around the intake and lines, he worked with Dave and his men for a very reasonable cost.

Supervisor Morrow stated that at the County meeting there were local farmers displaying their goods – vendors from all over Essex County were there – two or three just from the Town of Chesterfield – Mace Chasm Farms, Fledging Crow and Clover Meade. Then today he received a call from ANCA asking for a letter of support to help in getting assistance for the local farmers.

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

**112. RESOLVED** that the Supervisor’s Financial Report for the month of August 2015 be accepted. The Financial Report may be found on file the Town Clerk’s Office.

Upon a motion made by Councilman Joseph Kusalonis, seconded by Councilman Richard Klages and unanimously carried it was

**113. RESOLVED** that all bills be paid. Bills in the amount of $84,643.46 were audited and paid from Highway Acct., Claims 127 to 140. Bills in the amount of $22,296.81 were audited and paid from General Acct., Claims 279 to 304. Bills in the amount of $13,128.34 were audited and paid from TCWD Acct., Claims 305 to 326. Bills in the amount of $460.02 were audited and paid from PKWD Acct., Claims 327 to 330. The following bills were paid: NYSEG in the amount of $6,642.45, NYS EFC in the amount of $2,296.00, Endyne, Inc. in the amount of $395.00, Total Security Solutions in the amount of $1,271.12, Verizon in the amount of $84.64, USDA in the amount of $35,250.00 and Ally in the amount of $43,349.00. Warrants may be found in the Office of the Town Clerk.

Upon a motion made by Councilman Joseph Kusalonis, seconded by Councilman Russell Blaise and unanimously carried it was

**114. RESOLVED** that all letters brought before the Board be filed.

Councilman Klages asked about the land behind the buildings on Front Street.

Supervisor Morrow doesn’t have any better facts – he suggested quit claim deeds to all landowners, because the way it is right now we own right up to their buildings, they can’t really even build a porch or deck – we don’t need that property except for where Mill Street is located – he had talked to one of the owners and they were all for it.

Supervisor will have Kevin Hall check into this and Michael McCormick will review up to Mill Street. This would certainly help the landowners.

Upon a motion made by Councilman Richard Klages, seconded by Councilman Joseph Kusalonis and unanimously carried it was

**115. RESOLVED** that the Supervisor be authorized to look into quit claim deeds to business owners on the West Side of Front Street for land belonging to the Town to be given to the business owners.

Supervisor Morrow informed the Board that he talked with Meg Parker about the swings at the beach, they have been ordered – she then asked if we wanted any spring animals for the park – she forwarded to him what they look like we can pick out four, 2 for Port Kent and 2 for JayCee Park.

Councilman Clayton Barber stated that he spoke with Bill Jones – who informed him that the property on Clinton Street that burnt is in his daughters name – he explained to him that the insurance may not cover the loss because they found asbestos in the structure.

Supervisor Morrow explained as he did to Bobby Enfinger who said Bill Jones told him it would cost $60,000 for them to tear it down.

Councilman Barber stated $50,000 is what he heard.

Supervisor said okay let’s say $50,000, it is going to cost the taxpayers $120,000 to tear it down – Bobby Enfinger said put a lien on it, okay but who is going to bid on a $120,000 piece of vacant property – he had no complaints from any neighbors until the presentation at the Evergreen Cemetery, when a husband and wife talked to him about the smell coming from the burnt house – until that time it was believed that is was of no threat to public safety – especially if the asbestos was not disturbed – now that information takes on a whole different side – a letter has been sent informing the owner that since they already have a permit they have until Oct. 3, 2015 to at least get started with the demolition – if it is not demolished then

an appearance ticket will be issued to go to court – if the court orders the Town to tear it down we have to pay prevailing wages and municipalities follow different rules for asbestos abatement and extraction.

Councilman Barber stated that Mr. Jones is checking into another contractor to demolish the building.

Supervisor Morrow mentioned that the owners of the house on the other side of Clinton Street haven’t applied for a demolition permit yet – so they will be given thirty days to do so and 90 days to demolish the building.

Councilman Barber said he was asked by boaters about the dock being over filled with cars and it is hard for boaters to launch their boats.

Supervisor Morrow asked him to give the office number to the people so they can call here when it happens not a month later. There are signs at the launch site about parking, but the Supervisor doesn’t mind placing flyers on the cars about parking.

Councilman Klages stated that the Port Kent Cemetery Association is very happy with the extra land for the cemetery.

Supervisor Morrow agreed, Ron Wilson was in today and thanked us again for everything.

Supervisor Morrow stated that he had the safe in the vault drilled and opened, so the Port Kent Cemetery Association can store items in it.

Supt. of Highways, Phil Pray stated that they 99% complete with paving Chesterfield Street and up in Clintonville.

Councilman Kusalonis asked if he paved Mill Hill?

Phil state no not now Dave Winter didn’t want to because of a water line that has to be done for Frontier.

Phil stated that a container had been delivered to the Compaction Station, there is another one for there, one for JayCee Park and one for the water department.

Upon a motion made by Councilman Joseph Kusalonis, seconded by Councilman Richard Klages and unanimously carried it was

**116. RESOLVED** that since there was no further business to come before the Board this meeting be adjourned at 7:43 p.m.

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Lynn A. Jarvis, Town Clerk