

Minutes of the Town of Chesterfield Public Hearing and Regular Town Board Meeting Held on Tuesday, February 13th, 2024 at the Town of Chesterfield Offices ,1 Vine Street, in Keeseville, County of Essex, State of New York, Pursuant to Due Notice.

Supervisor Barber called the Public Hearing to order at 5:45 PM

Everyone stood for the Pledge of Allegiance

Those Present:

Supervisor Clayton Barber

Town Clerk Bruce Bourgeois

Councilman David Gload

Councilman Richard Klages (Excused)

Councilman Patrick “Bill” Mitchell

Councilman John Casey

Town Attorney Michael McCormick (Entered Meeting at 6:00 PM)

Supt. Of Highways John “Jay” Champine

Guests Present:

Greg Hall Matthew Hall

David Call Jr. Walter Chmura

Supervisor Barber opened the Public Hearing by asking Town Clerk Bourgeois to read the public notice for Local Law #1 of 2024 titled “Unsafe Structure Law of the Town of Chesterfield”.

The Town of Ausable holds the mortgage on 1707 Front Street. There is only 4 or 5 more payments on the property. This law would also apply to Buildings in Port Kent and on Augur Lake.

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

#36 Resolved: To close the Public Hearing on the Unsafe Building Law and enter into Regular Board Meeting of the Town of Chesterfield at 5:59.

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

#37 Resolved: That the reading of the minutes of the Organizational and Regular Town Board Meeting of January 9th, 2024 be dispensed with.

Upon a motion by Councilman Casey and seconded by Councilman Mitchell and carried by roll call vote

Supervisor Barber	AYE	
Councilman Gload	AYE	
Councilman Mitchell	AYE	
Councilman Casey	AYE	it was

#38 Resolved: To adopt Local Law #1 of 2024 entitled Unsafe Structure Law of the Town of Chesterfield.

Supervisor Barber recognized James Pasho for 21 years of service to the Town of Chesterfield.

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

#39 Resolved: to recognize and thank James Pasho for 21 dedicated years of service to the Town of Chesterfield in the Town’s Highway Department.

Supervisor Barber also recognized Town Attorney Michael McCormick for 28 years of service to the Town of Chesterfield.

Upon a motion by Supervisor Barber and seconded by Councilman Casey and unanimously carried it was

#40 Resolved: To recognize and thank Town Attorney McCormick for his 28 years of service to the Town of Chesterfield.

Supervisor Barber opened the discussion on the need to hire another attorney to attend Town Board Meetings. After much discussion on the pros and cons the issue was tabled until the March Meeting.

Supervisor Barber reminded the Board of the topic of reinstating Laura Ocasio to a different hire date that was decided last year but never put in a resolution.

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

#41 Resolved: To reinstate Clerk to the Supervisor Laura Ocasio's hire date to February 3rd, 2020.

Supervisor Barber informed the Board there were 3 applications for the part-time office person and one for Motor Equipment Operator. Interviews will be done shortly.

Supervisor Barber welcomed everyone in attendance and opened the floor for public comment.

Walter Chmura asked about the tax rebate for firemen. They are true local heroes and deserve anything the Town can provide. The Board was in agreement but Councilman Gload added the firemen received \$200 which, in most cases, were more than the 10% rebate of their land taxes.

Supervisor Barber announced the Town received 7 bids for the 1999 Ford F350 surplus truck at the Highway Department.

Town Clerk Bourgeois opened and read aloud 7 bids.

Upon a motion by Supervisor Barber and seconded by Councilman Casey and unanimously carried it was

#42 Resolved: To accept the high bid of \$4002, submitted by Christian Brothers Farm, for the 1999 Ford F350 Dump Truck with funds for purchase due by Tuesday, February 20th.

Supervisor Barber asked Clerk Bourgeois to read the bid notice for window replacement.

There were no bids and Supervisor Baber asked Clerk Bourgeois to put in The Sun requesting bids again.

Supervisor Barber informed the Board the Town is well on its way to receive a \$10,000 grant for energy improvements to increase energy efficiency and to purchase battery operated equipment.

Supervisor Barber informed the Board even though the Town requested bids last year for work on doors at the Town Office, without a scope of work, the bids were not comparable. There are grants available from the court system. There are also grants to make the Town Americans with Disabilities Act compliant. The Town will be actively pursuing these.

Supervisor Barber presented the Board with a couple items that should have been approved at the Town of Chesterfield Organizational Meeting.

Upon a motion by Councilman Mitchell and seconded by Councilman Casey and unanimously carried it was

#43 Resolved: To accept payments through the drop box at the Town of Chesterfield Office on the Clinton Street entrance.

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

#44 Resolved: To accept on-line payments for any Town of Chesterfield bills or accounts through GovPay.

Supervisor Barber reminded the Board of the need to readdress the Town of Chesterfield Procurement Policy limits as suggested by state agencies. The expendable thresholds are outdated. The Board scheduled a workshop for Tuesday, February 27th at 3:00 PM.

Supervisor Barber informed the Board the Town needed to approve a resolution for fair housing.

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

#45 WHEREAS, the Town of Chesterfield believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being; and

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe every community must do their part to contribute to housing growth and

benefit from the positive impacts a healthy housing market brings to communities;
and

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their economic opportunities; and

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Chesterfield, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing pledge, which will have us endeavor to take the following important steps:

- 1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.**
- 2. Adopting policies that affirmatively further fair housing.**
- 3. Incorporating regional housing needs into planning decisions.**
- 4. Increasing development capacity for residential uses.**
- 5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units and supportive housing.**

Supervisor Barber requested the Board pass a resolution urging congress to continue to fund fiber optic connectivity past April, 2024.

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

#46 WHEREAS on December27,2020 the Consolidated Appropriations Act,2021 became law and established an emergency Broadband Connectivity fund

of \$3.2 billion in the United States Treasury to help Americans afford internet service during the pandemic; and

WHEREAS the Emergency Broadband Benefit Program (EBB Program) afforded eligible low-income households to receive a discount off the cost of broadband service and certain connected devices with participating providers being able to receive reimbursement for such discounts; and

WHEREAS on May 12, 2021, the EBB Program launched and consumers could apply for the program through the National Verifier and service providers began enrolling customers; and

WHEREAS on November 21, 2021 Congress created the Affordable Connectivity Program (ACP) in the bipartisan Infrastructure Law, a new long-term, \$14 billion program, to replace the Emergency Broadband Benefit Program which helped to ensure eligible households could afford the connections needed for work, school, health care and more for a long time; and

WHEREAS as of January 2024, over 22 million households nationwide are enrolled and receiving the ACP monthly benefit; and

WHEREAS as of November 2023, 58,982 residents spanning 11 North Country counties of New York State are receiving a monthly benefit at a total amount of \$1,871,697 with total subsidies to households of \$31,041,738 (January 2022-November 2023); and

WHEREAS February 7, 2024 was the last day the ACP could accept new applications and enrollments into the ACP beginning February 8, 2024; and

WHEREAS without additional funding from Congress, the allotted \$14.2 billion to fund ACP is projected to run out in April 2024; and

WHEREAS with ACP monthly benefit concluding in April 2024, the 22 million households nationwide (of which 58,982 are located in the North Country) currently enrolled in this subsidy shall be forced to make unnecessarily difficult decisions on how to cover the additional fees of essential internet service previously covered by ACP.

NOW THEREFORE BE IT RESOLVED the North Country Broadband Alliance, a grassroots organization comprised of local and State elected officials, national and regional broadband providers, Congressional representation, non-profit organizations and concerned citizens living in the North Country of New York state urges Congress to continue funding the ACP so the tens of thousands of

North Country residents can continue to enjoy affordable broadband services for their personal, professional, educational and health care needs.

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

#47 Resolved: To accept the completed Supervisor's Financial Report for January ,2024, copies of which can be found in the Town Clerk's Office.

Supervisor Barber informed the Board Clerk to the Supervisor Ocasio has completed the AFR (formally the AUD) and the report has been submitted to the NYS Comptroller for review. Once the report has been submitted, the Fund Balances will up to date as of December,2023. He submitted a list of current Fund Balances.

General- \$1,639,057.37

Highway- \$730,995.38

Water Districts- \$1,396,984.93

Lighting Districts- \$27,366.12

Misc. Districts- \$18,507.10

Compaction- (\$5,934.39)

ROOST- \$61,843.78

TCWD Project- (\$6,515,909.02)

CDBG- \$6,131.52

HRA- \$22,811.80

Bond Repayment- \$696,780.00 (PKWD)

BANS-\$6,522,047.76 (TCWD)

Vehicles financed for Highway- \$355,685.18

Supervisor Barber explained to the Board the need to establish a legal reserve fund for the TCWD maybe through a permissive referendum or Public Hearing. He tasked the Board and Town Clerk Bourgeois to do research on the subject.

Supervisor Barber announced the NYS Comptroller's Office will be doing a regular audit of operations at the Town of Chesterfield.

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

#48 Resolved: That all audited bills presented to the Town Board since the last Board Meeting on January 10th,2024 be paid. Bills in the amount of \$695,910.78 were audited and paid from the General Fund. Bills in the amount of \$70,943.31 were audited and paid from the Highway Fund. Bills in the amount of \$23,459.78 were audited and paid from the Town of Chesterfield Water Department. Bills in the amount of \$3,503.83 were audited and paid from the Port Kent Water Departments. Bills in the amount of \$114.39 were audited and paid from the Port Kent Light District. Bills in the amount of \$2,471.35 were audited and paid from the Village Debt. Bills in the amount of 52.18 were audited and paid from the Christmas Donation Fund. Bills in the amount of \$797.18 were audited and paid from the Town of Chesterfield Compact Station. Bills in the amount of \$3,422.50 were audited and paid from the TCWD Project. The total of all bills since last meeting was \$800,675.30.

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

#49 Resolved: That all letters brought before the Town be filed.

Supervisor Barber requested input with a motion to move funds from Multifund to NYClass from General, Highway and TCWD.

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

#50 Resolved: To move funds in the amount of \$500,00.00 from the General Fund, \$400,00.00 from the Highway Fund and \$275,000.00 from the TCWD Fund to NYClass effective as soon as possible.

Supervisor Barber offered the courtesy of the floor to Town Clerk Bourgeois.

Town Clerk Bourgeois informed the Board the Town Tax Levy was satisfied as of January 31st,2024. There will be a rabies clinic at the Knights of Columbus on June 26th this year. He presented the Board with a cost free plan for planters at Veteran's Park from concerned citizens that will meet the requirements of the Board.

Supervisor Barber offered the courtesy of the floor to Town Attorney McCormick.

Town Attorney McCormick presented the Board with a letter dated February 13th, 2024 announcing his resignation as Town of Chesterfield Attorney effective February 28th, 2024.

Town Attorney McCormick informed the Board during the easement process concerning the Town of Chesterfield Water District the topic was brought up does NY State own the bottom of Butternut Pond? The deeds of the landowners only go to the shoreline and NY State has control of navigable waters.

Supervisor Barber offered the courtesy of the floor to the Board Members.

Councilman Mitchell asked about the Jake Brake Law. Highway Superintendent Champine replied the Town of Chesterfield equipment is compliant but the big Adirondack Farm trucks are working all the time going to the manure pit on Soper Road. There was also conversation on the manure pit and smell but because of agricultural freedom not much can be done.

Supervisor Barber offered the courtesy of the floor to Highway Superintendent Champine.

Highway Superintendent Champine informed there are still issues with Beech Street vehicles parked in the roadway. The signs saying “No Parking” are up. Will the Town be enforcing this? He gave an update on the storm water study. To get grant money the Town needs to do an income survey. Advocacy Day will be especially important this year as Governor Hochul is trying to take funds from CHIPS.

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

#51 Resolved: To enter into Executive Session to discuss personnel issues at 7:55 PM.

The Board returned to Regular Session at 8:30 PM with no decisions made.

All topics were tabled pending further review.

Supervisor Barber presented the Board with a letter from Patrick and Kimberly O’Brien requesting a line adjustment on their 2 adjoining properties on Margaret Street.

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

#52 Resolved: to move .18 acres from 27 Margaret Street, 4.45-5-1.100 to 17 Margaret Street 4.45-5-1.200, both owned by Patrick and Kimberly O’Brien as approved by the Town of Chesterfield Planning Board in January, 2022.

Supervisor Barber presented the Board with a bid that needs to be approved for a project in the Town of Chesterfield Housing Rehabilitation Program. The proposed project will be for a septic system covered by CDBG grants from Friends of the North Country.

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

#53 Resolved: To authorize the capital expenditure of \$6250 plus administrative, project delivery, and other soft costs, in accordance with the Town of Chesterfield Housing Rehabilitation Program, for project CHES-22-02.

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

#54 Resolved: That with no further business to come before this Town Board Meeting, this meeting could be adjourned at 8:45 P.M.

Bruce Bourgeois

Town Clerk

