

***Minutes of the Town of Chesterfield Regular Town Board Meeting Held on Tuesday, September 12th, 2023 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 Town Board Meeting to order at 6:00 PM

Everyone stood for the Pledge of Allegiance

**Those Present:**

<b>Supervisor</b>	<b>Clayton Barber</b>
<b>Town Clerk</b>	<b>Bruce Bourgeois</b>
<b>Councilman</b>	<b>David Gload</b>
<b>Councilman</b>	<b>Richard Klages</b>
<b>Councilman</b>	<b>Patrick “Bill” Mitchell</b>
<b>Councilman</b>	<b>John Casey</b>
<b>Town Attorney</b>	<b>Michael McCormick</b>
<b>Supt. Of Highways</b>	<b>John “Jay” Champine</b>

**Guests Present:**

<b>Daniel Costin</b>	<b>Walter Chmura</b>	<b>Carol Millea</b>
<b>Thomas Millea</b>	<b>Wendell Bezio</b>	<b>Gordon Howard</b>
<b>Noel Cacchio</b>	<b>Barbara Cox</b>	<b>Alan Greene</b>
<b>Walter Morse</b>	<b>Jennifer Perry</b>	<b>Peggy McCallister</b>
<b>Kevin McCallister</b>	<b>Bruce Frechette</b>	<b>Judy Frechette</b>
<b>Lisa Wells</b>	<b>Wendy Murnane</b>	<b>Gary Rockhill</b>

**Patrick Keleher    Kerrie Keleher    David Winter**

**Several illegible sign ins**

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

**#116 Resolved: That the reading of the minutes of the Regular Town Board Meeting of August 8th, 2023 be dispensed with.**

**Supervisor Barber welcomed everyone in attendance and gave the courtesy of the floor to Jennifer Perry representing Compost for Good.**

**Ms. Perry presented the Board with ideas for composting at the Transfer Station or private residences. There are grants available. A town resident has volunteered to subsidize the cost of the program for several months so the program would not cost the Town initially. Several towns already use the service. There shouldn't be a vermin problem. Compost for Good could provide buckets for a fee.**

**Supervisor Barber opened up the floor to the many Port Kent residents of Fairway Drive to voice concerns on water pressure.**

**Many residents voiced their concerns and gave testimony on the low pressure being 32-34 psi where the State minimum should be 35 psi. County engineers have met with Water Superintendent Winter to help address these concerns. Several solutions would be a pump house to be paid for by Fairway Drive residents, raise the level of the water reservoir tank or to try new software. The best solution seemed to be to continue the line to Sable Street through the woods to make a loop.**

**Supervisor Barber informed the Board the paperwork for the merger of the Port Kent Water Districts have been filed. County Attorney Manning suggested filing with Essex County as well. The 2024 Budget will be for the one consolidated budget.**

**Supervisor Barber informed the Board County Attorney Manning was working on a draft Town Law for Unsafe Buildings originally to address 1707 Front Street.**

**Supervisor Barber informed the Board lighting at Watson Park has been updated by Casey Electrical for \$841.00 with payment drawn from ROOST Funds. Clerk Bourgeois will be receiving a new bid for landscaping from J&J Landscaping. Clerk Bourgeois added there will be a concert at Watson Park October 1st from 1-5.**

**Supervisor Barber informed the Board Donald Ford had approached Dave Winter and himself regarding the private extended water line on Prospect Road. Mr. Ford requested the Town take over the line. If approved, the current infrastructure would be extended at Town cost to include 2 more lots which would add a total of 4 debt service to the TCWD at \$70 per quarter per lot. Town Attorney McCormick suggested it needs to go to a Public Hearing.**

**There was no update on the EV charging stations.**

**Supervisor Barber gave the Board an update on the Personnel Handbook. Burnham Benefits strongly advises the Town seek professional guidance for the many changes needed on the Handbook that are subject to interpretation. Some changes to insurance coverage are needed going forward. This year alone, the premiums will increase 14.2%. Supervisor Barber requested a resolution to meet with the Public Sector HR agent.**

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

**#117 Resolved: To allow Supervisor Barber to meet with the Public Sector HR agent of Burnham Benefits to discuss improvements, costs and turnaround times to the Town of Chesterfield Employee Handbook.**

**Supervisor Barber informed the Board the paperwork is in for the Highway Salt Shed Grant but the Town is still waiting on a decision.**

**Supervisor Barber gave the Board an update on the TiSales/ Neptune handheld upgrade. September billing is complete and Clerk to the Supervisor Ocasio is waiting for TiSales training and the necessary data change to the Williamson Law Book prior to information migration to Neptune 360. Receivables for TCWD was \$211,286.60, PKWD 1 was \$26,635.69 and PKWD 2 was \$4,357.15. Unpaid balanced will be levied unto land taxes on November1,2023.**

**Supervisor Barber gave an update on the \$5000 grant for energy improvements. Town Clerk Bourgeois will send the approved resolutions from August and energy usage to ANCA the Town will receive the grant.**

**Supervisor Barber gave an update on the Compaction Station Fund. The Amish building for the scale is on site and power being installed, the punch tickets and**

punches are set and the scale is being calibrated at the dealer and should be delivered soon. The new system should be up and running by the end of September. Dan Costin mentioned the need for barriers to protect the new building from vehicle damage.

Supervisor Barber informed the Board Gordon Howard is requesting a property line adjustment for property on Whip Linc Lane. Mr. Howard has already contacted the Assessor. After discussion with Town Attorney McCormick, Mr. Howard was referred to the Planning Board.

Supervisor Barber informed the Board he had received a letter from church of the Nazarene on hill Street informing him of their New Hope Kitchen supporting Keeseville and North Country residents. The kitchen would provide free meals, cooking classes and kitchen rental opportunities. The Church hopes to open the kitchen by November 17<sup>th</sup>. Pastor Noel Eichenberger can be reached for questions at 518-593-4000 or pastor@keesevillechurch.org.

Supervisor Barber presented the Board with a letter from Amy Brelia and Marion English requesting \$500 for plants and refreshments for volunteers at the Veteran's Park for a work bee on October 7<sup>th</sup>. After much discussion the request was tabled.

Supervisor Barber presented the Board with a letter from Caitlin Bottcher, event coordinator at ANCA, requesting sponsorship for Bikes to Barns. This event visits area farms and is a fundraiser for area agricultural programs.

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

**#118 Resolved:** To purchase a Garden Level sponsorship for Bikes to Barns in the amount of \$250 for their event to be held October 7<sup>th</sup>, 2023.

Supervisor Barber informed the Board that the TCWD and PKWDs are part of a class action law suit regarding aqueous film-forming foam products against Dupont Chemical's parent company Chemours. The Town does not have to do anything unless the Town wants to be removed from the settlement.

Supervisor Barber informed the Board the Town has officially canceled the 2021 EFC Water Note and have extended the deadline as the TCWD Project is not yet completed. The original date was 10/04/2023 but now extended to 2025.

Supervisor Barber presented the Board with Budget amendments for August, 2023. There was no comment from the Councilmen.

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

**#119 Resolved: To accept proposed Budget amendments for the month of August ,2023.**

Supervisor Barber gave a presentation on the budget workshops to date. The Board has reviewed General, Highway, Village Debt Service, and lighting districts. The Augur Lake Association requested no taxes be levied as their fund balance is sufficient. The ROOST Fund has not been reviewed due to lack of receipts but since that particular workshop the Town received a check for \$29,809.39 from ROOST.

Supervisor Barber informed the audience that the tax cap for 2024 budget only allows for an increase of \$43,855. Last year, the Board allocated a significant sum from the Fund Balance to stay under the 2% cap. The Town can no longer appropriate funds to keep the tax increase at 2%. For this reason, the Town needs to pass a Local Law to exceed the tax cap.

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

**#120 BE IT RESOLVED: that the Town of Chesterfield Town Board hereby introduces proposed Local Law No. 1 of 2023 entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c” reading and provided as follows:**

**“TOWN OF CHESTERFIELD LOCAL LAW No.1 OF 2023”**

**A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c:**

**Section 1. Legislative Intent.**

**It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Chesterfield pursuant to General Municipal Law 3-c and to allow the Town of Chesterfield to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of ‘tax levy limit’ as defined by General Municipal Law §3-c.**

**BE IT ENACTED, by the Town of Chesterfield Town Board as follows:**

**Section 1. Legislative Intent.**

**It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Chesterfield pursuant to General Municipal Law 3-c and to allow the Town of Chesterfield to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of ‘tax levy limit’ as defined by General Municipal Law §3-c.**

**Section 2. Authority.**

**This local law is adopted pursuant to subdivision 5 of the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.**

**Section 3. Tax Levy Limit Override-Budget Authorization.**

**The Town Board of the Town of Chesterfield hereby overrides the tax levy limit for the Town of Chesterfield for 2024 and authorizes the Town of Chesterfield, after completing all required procedures for the adoption of a budget, to adopt a budget for 2024 that requires a tax levy that is greater than the tax levy limit calculated for 2024 pursuant to §3-c of the General Municipal Law.**

**Section 4. Severability.**

**If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.**

**Section 5. Effective Date.**

**This Local Law shall take effect immediately upon filing with the Secretary of State.**

**BE IT FURTHER RESOLVED that the Town Board of the Town of Chesterfield shall hold and conduct a Public Hearing on the foregoing Local Law on the 10<sup>th</sup> day of October, 2023 at 5:45 PM. Of that day to hear any and all persons concerning the same: and**

**BE IT FURTHER RESOLVED** that the Clerk of the Town of Chesterfield will publish a notice of such hearing in the designated Town Newspaper at least 5 days prior to said hearing.

**Supervisor Barber      AYE**

**Councilman Gload      AYE**

**Councilman Klages      AYE**

**Councilman Mitchell      AYE**

**Councilman Casey      AYE**

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

**#121 Resolved: To accept the completed Supervisor's Financial Report for August ,2023, copies of which can be found in the Town Clerk's Office.**

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

**#122 Resolved: That all audited bills presented to the Town Board since the last Board Meeting on August 8th,2023 be paid. Bills in the amount of \$49,511.30 were audited and paid from the General Fund. Bills in the amount of \$32,669.88 were audited and paid from the Highway Fund. Bills in the amount of \$27,558.03 were audited and paid from the Town of Chesterfield Water Department. Bills in the amount of \$3,263.56 were audited and paid from the Port Kent Water Departments. Bills in the amount of \$22.49 were audited and paid from the Port Kent Light District. Bills in the amount of \$2,338.90 were audited and paid from the Village Debt. Bills in the amount of 60.00 were audited and paid from the Trust & Agency. Bills in the amount of \$7,867.27 were audited and paid from the Town of Chesterfield Compact Station. Bills in the amount of \$860.98 were audited and paid from the ROOST Fund. The total of all bills since last meeting was \$124,152.41.**

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

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

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

**Town Attorney McCormick presented the Board with a map of necessary easements to the water inlet for the Town of Chesterfield Water Department. He is waiting for guidance from Scott Allen.**

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

**Highway Superintendent Champine informed the Board of the anticipated loss of one Highway crew but two new members have been hired and the one who has already started seems to be working out fine. James Pasho will be putting in his retirement papers. There are washout issues for the sidewalk on Irish Church Hill that may need to be addressed in the future.**

**Highway Superintendent Champine asked Town Attorney McCormick on guidance for turn-arounds on dead end streets for plowing if not in right of way. There is a concern for safety of the drivers. Town Attorney McCormick mentioned maybe guidance from NY State or the Town's insurance company.**

**Supervisor Barber asked for anything else to come before the Board.**

**Walter Chmura asked if the 2% tax cap will not be followed if there is anything else to be cut with costs of everything rising.**

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

**#124 Resolved: To enter into Executive Session to discuss personnel issues at 8:37 PM.**

**The Board returned to Regular Session at 9:22 PM with no decisions made.**

**All topics were tabled pending further review.**

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

**#125 Resolved: That with no further business to come before this Town Board Meeting, this meeting could be adjourned at 9:31 P.M.**

**Bruce Bourgeois**

**Town Clerk**



