

Minutes of the Town of Chesterfield Regular Town Board Meeting Held on Tuesday September 10th,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 Board Meeting to order at 6:00 PM

Everyone stood for the Pledge of Allegiance

Those Present:

Supervisor	Clayton Barber
Town Clerk	Bruce Bourgeois
Councilman	David Gload
Councilman	Richard Klages
Councilman	Patrick “Bill” Mitchell (Excused)
Councilman	John Casey
Town Attorney	Mark Cowen
Supt. Of Highways	John “Jay” Champine
Code Officer	Michael Boynton

Guests Present:

Walter Chmura	Gordon Howard
Joshua Schneider	Romeyn Prescott
Tamera Mrose	Kevin Burrell
Diana Zais	Greg Zais

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

#139 Resolved: That the reading of the minutes of the Regular Town Board Meeting of August 13th, 2024 be dispensed with.

Supervisor Barber welcomed everyone in attendance.

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

Town Clerk Bourgeois informed the Board the renewed BAS System past due bill will be paid in this month's abstract and hopefully the Town Clerk System will be in use in October. He gave a presentation of the Town Clerk Report for August along with supporting documentation for the Board to review. Town Clerk Bourgeois met with residents of Port Kent on the possibility of forming a neighborhood watch on September 9th and will meet with the Holiday Committee on September 12th.

Supervisor Barber offered the courtesy of the floor to the Councilmen.

The Councilmen did not have any input.

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

Highway Superintendent Champine informed the Board paving will be next month if contractors can be found.

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

Town Attorney Cowen informed the Board the owner of the Front Street dangerous building should be coming out of bankruptcy as soon as certain checks clear. This is why the County has not done anything with back taxes.

Supervisor Barber opened the floor to public comment.

Kevin Burrell and Joshua Schneider introduced themselves to the Board and expressed their interest in opening a motorcycle repair shop on Clinton Street. Their "sell" is quality service at a great price. The building is already zoned commercial. They will also do small engine repair.

Walter Chmura asked, seeing the difficulty in placing a stray dog, if any refund from Town contracts if space is not available. Supervisor Barber responded there was not and Essex County is actively trying to resolve the issue with new facilities. He also said there is a person in Champlain is looking to open a new facility but distance will be an issue. Mr. Chmura also questioned the viability of using Town employees to maintain Watson Park instead of the current vendor. Supervisor Barber explained, with the new schedule

for the compaction station, Dan Costin will have the time to be able to complete the tasks and we are paying him anyway.

Supervisor Barber informed the Board a composting program has started at the compaction station and has been positively received. The compaction station is still in the deep red. This opened a conversation on raising ticket prices but no decision was made.

Supervisor Barber informed the Board, now that questions on reserve funds have been answered, the Board now needs to establish capital reserve funds for General, TWCD and Highway departments.

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

#140 Resolved: That, pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “General Reserve Fund. The purpose of this Reserve Fund is to accumulate moneys to finance the cost for buildings.

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

#141 Resolved: That, pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “TCWD Reserve Fund”. The purpose of this Reserve Fund is to accumulate moneys to finance capital improvements.

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

#142 Resolved: That, pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Highway Reserve Fund”. The purpose of this Reserve Fund is to accumulate moneys to finance equipment.

Supervisor Barber informed the Board he presented resolutions of condolences for James Spear, Robert DeGroat and Grace Good to the Board of Supervisors and would like to present them here as well.

Upon a motion by Supervisor Barber and unanimously seconded it was

#143 WHEREAS, James David Spear, a resident of Clinton Street in the Town of Chesterfield, passed away on August 13th, 2024; and

WHEREAS, Jim was a beloved husband, father, grandfather, brother, uncle and friend to many; and

WHEREAS, Jim proudly served his country as a paratrooper in the United States Army; and

WHEREAS, Jim served the State of New York in the Department of Transportation; and

WHEREAS, Jim was a valuable member of the Keeseville Volunteer Fire Department and served on the Board of Fire Commissioners from 2009 to 2016; and

WHEREAS, after retiring from New York State, Jim took such great care of the sports fields and venues at JC Park for almost a decade as if they were his own; and

WHEREAS, the residents of the Town of Chesterfield has lost a true hero and friend who will be greatly missed; and

NOW THEREFORE BE IT RESOLVED, that the Town board of the Town of Chesterfield offers their heartfelt condolences to the family of James David Spear and this resolution be spread among its minutes.

Upon a motion by Supervisor Barber and unanimously seconded it was

#144 WHEREAS, Robert E. DeGroat, a resident of Clinton Street in the Town of Chesterfield, passed away on June 27th, 2024; and

WHEREAS, Bob was a beloved husband, father, grandfather and friend to all; and

WHEREAS, Bob proudly served his country in the United States Army during the Korean Conflict; and

WHEREAS, Bob was editor and photographer of the Essex County Republican newspaper; and

WHEREAS, Bob drove school bus for many years for Ausable Valley Central School, notably bus numbers 54 and 98; and

WHEREAS, Bob served the residents of the Town of Chesterfield as Assessor, Dog Control Officer and Housing Coordinator of HAPECO; and

WHEREAS, Bob most recently served efficiently as Deputy Town Clerk for the Town of Chesterfield; and

WHEREAS, the residents of the Town of Chesterfield and especially all the students who rode his bus have lost a great friend and neighbor; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Chesterfield offers their heartfelt condolences to the family of Robert E. “Bob” DeGroat and this resolution be spread among its minutes.

Upon a motion by Supervisor Barber and unanimously seconded it was

#145 WHEREAS, Grace Ann Good, a resident of the Highlands Road in the Town of Chesterfield, passed away on August 17th, 2024; and

WHEREAS, Grace was a wonderful daughter, wife, mother, grandmother and great-grandmother; and

WHEREAS, Grace was known for over 40 years as the “Cake Lady” making beautiful wedding cakes and other specialty cakes for many people; and

WHEREAS, Grace was Town Historian for the Town of Chesterfield for several decades helping many people with family ancestry and other historical projects; and

WHEREAS, the residents of the Town of Chesterfield have lost a wonderful resource of local lore who will be greatly missed; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Chesterfield offers their heartfelt condolences to the family of Grace Ann Good and this resolution be spread among its minutes.

Supervisor Barber gave an update on the Corlear Bay FEMA project. After looking at all 3 proposed sites, FEMA determined one site did not qualify for funds and the Town will use CHIPS funds for the non-qualifying site. With that, he asked Town Clerk Bourgeois to open any sealed bids for all 3 Corlear Bay sites.

Town Clerk Bourgeois opened the only sealed bid from Fuller’s Excavating.

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

#146 Resolved: To award Fuller Excavating winning bid on 3 proposed sites on Corlear Bay Road, Keeseville, NY; Project #1, \$86,634.00; Project #2, \$108,876.00; and Project #3, \$115,350.00.

Supervisor Barber presented the Board with a request from Marion English to combine 2 properties on Clinton Street.

Code Office Boynton gave a brief description of the properties and the proposed goals of Ms. English.

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

#147 Resolved: To combine two adjacent properties on Clinton Street (4.37-4-4.000 and 4.37-4-3.200) both owned by Marion English into a single property.

Supervisor Barber informed the Board he has received requests from Port Douglas Cemetery, Port Kent Cemetery, Evergreen Cemetery and Ausable Chasm Cemetery for funding. Supervisor Barber reminded the Board they budgeted \$1000 for cemeteries.

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

#148 Resolved: To award \$250.00 each to Port Douglas, Port Kent, Evergreen and Ausable Chasm Cemeteries.

Supervisor Barber informed the Board he received a request to again sponsor Bikes to Barns which brings attention to the local farming community.

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

#148 Resolved: to sponsor ANCA's Bike to Barns in the amount of \$250.00 to be held on September 21st, 2024.

Supervisor Barber informed the Board the Town of Chesterfield needs to adopt a local law for battery storage for solar panels.

Code Officer Boynton gave a brief presentation on the need and implementation of the local law. The Town of Ausable has already adopted one and he would like the Town of Chesterfield to mirror that one.

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

#150 Resolved: To hold a public hearing Tuesday, October 8th at 5:45 on Local Law 2 of 2024, Regulating Battery energy Storage Systems.

Supervisor Barber informed the Board he is meeting with Northern Insurance to discuss prices of the Town of Chesterfield's commercial insurance.

Supervisor Barber asked Town Clerk Bourgeois to open any bids on the surplus 2022 International truck.

Town Clerk Bourgeois opened 3 sealed bids; \$3500.00, \$3890.00 and \$5250.00.

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

#151 Resolved: To award highest bid of \$5250.00 for a surplus 2002 International Dump to Perkins Trucking and Excavating to be paid no later than Monday, September 16th at 9 AM.

Supervisor Barber presented the Board with a request from Anderson Falls Heritage Society to increase the 2025 budget for Heritage House from \$6000.00 to \$6600.00 due to rising costs and the acquisition of the ownership of the Society's building.

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

#152 Resolved: To increase the 2025 budget of Anderson Falls Heritage Society to \$6,600.00.

Supervisor Barber informed the Board the Town of Chesterfield needs a resolution to submit a NY Forward Grant application and recognized Diana Zais to give a brief explanation of NY Forward.

Diana Zais explained NY Forward is a grant for both the Towns of Ausable and Chesterfield for a certain distance around Front Street that can easily be walked by residents and visitors. It can include streetscapes and both residential and commercial projects qualify.

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

#153 WHEREAS, the State of New York has made grant funds available in 2024 for Round 3 of the NY Forward program, which provides awards on a competitive basis to eligible municipalities for the purpose of revitalizing downtowns and reinvigorating local and regional economies; and

WHEREAS, the Towns of Chesterfield and Ausable support the goals of the NY Forward program, which focuses on the revitalization of hamlets, villages and neighborhood-scale municipal centers; and

WHEREAS, the Towns of Chesterfield and Ausable have participated in a collaborative effort to develop a NY Forward proposal for the hamlet of Keeseville and intend to submit a joint request for NY Forward Round 3 grant funding to support revitalization of the hamlet area that is the municipal center for both communities; and

THEREFORE, BE IT RESOLVED, the Chesterfield Town Board hereby authorizes the submission of an application on behalf of the Town of Chesterfield in partnership with the Town of Ausable to request state funding for the purpose of implementing the NY Forward program in the hamlet of Keeseville; and

BE IT FURTHER RESOLVED that, if awarded, the Town Supervisor of the Town of Chesterfield is hereby authorized to execute all necessary documents relating to the NY Forward program.

Supervisor Barber informed the Board the Town of Chesterfield needs to pass a resolution for the construction of the new salt shed State Environmental Quality Review and enter into agreement with Hybrid Building Solutions to build the shed. The Town is responsible for 25% of the cost but site preparation can be used valued as part of the Town's portion.

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

#154 WHEREAS, the Town of Chesterfield previously reviewed and classified as a Type II Action pursuant to SEQRA, a project consisting of the construction of a new salt storage facility (hereinafter, the "Project"); and

WHEREAS, it has since been determined that, pursuant to the rules and regulation of SEQRA, a storage shed of the proposed size does not abide by the prior classification and has been deemed to be an Unlisted Action requiring coordinated review under SEQRA; and

WHEREAS, the Town of Chesterfield has prepared an Environmental Assessment Form (hereinafter the "EAF") for the Project, which describes the Project in considerable detail; and

WHEREAS, the EAF, having reviewed by the Chesterfield Town board, was deemed complete and accurate relative to the Project; and

WHEREAS, the Town of Chesterfield now desires to confirm its classification of the Project as an Unlisted Action; express intent to establish itself as a Lead Agency with respect to the Project; and to coordinate environmental review thereon; all in accordance with SEQRA.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CHESTERFIELD THAT, the Chesterfield Town Board hereby confirms the classification of the Project as an unlisted Action under SEQRA, and its intent to act as Lead Agency for the purpose of conducting a coordinated review of said Action in accordance with SEQRA, and

BE IT FURTHER REOLVED, the Town of Chesterfield Town board approves the contract with Hybrid Building Solutions for construction of a new salt shed at the Town of Chesterfield Highway Garage.

Supervisor Barber presented the Board with an agreement from Greenman- Pederson, Inc. to contract engineering work for the storm water project. The Board was hesitant to use the engineers until the Town actually has an approved project. The Board decided to further review the agreement.

Supervisor Barber then informed the Board of the need to establish new water ordinances for both water districts modeled after the Town of Essex. Discussion was tabled pending further review.

Supervisor Barber informed the Board AES needs a resolution to go out to bid for the TCWD water intake in Butternut Pond.

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

#155 Resolved: In accordance with the request therefore the Town Council approves AES Northeast to solicit bids for the “Town of Chesterfield Raw Water Intake Replacement” Funding is provided, in part, through NYS EFC WIIA grant and NYS EFC loan program, the project to be advertised in the Press Republican and on AES Northeast’s website.

Supervisor Barber informed the Board the 3rd quarter billing for the TCWD and Port Kent Districts has been posted and he requested the Board to review and accept them.

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

#156 Resolved: To accept the 3rd quarter water receivables with adjustments and penalties from the Town of Chesterfield and the Port Kent Water Districts.

Supervisor Barber informed the Board there is a request for a disbursement from the CDBG Program.

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

#157 Resolved: To allow the payment of \$6449.86 (CHES-22-02), \$2493.98 (233HR304-22), and \$41,050.00 (CHES-22-02) for a total of \$49,993.84 to be disbursed from Town of Chesterfield CDBG Grant.

Supervisor Barber informed the Board the Town Court is attempting to find funding to repair or replace doors going into the court offices.

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

#158 Resolved: The Town Board of the Town of Chesterfield authorizes the Chesterfield Town Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$30,000.00.

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

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

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

#160 Resolved: To approve all Budget Amendments.

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

#161 Resolved: That all audited bills presented to the Town Board since the last Board Meeting on August 13th, 2024 be paid. Bills in the amount of \$61,845.68 were audited and paid from the General Fund. Bills in the amount of \$44,848.69 were audited and paid from the Highway Fund. Bills in the amount of \$20,691.84 were audited and paid from the Town of Chesterfield Water Department. Bills in the amount of \$920.05 were audited and paid from the Port Kent Water Departments. Bills in the amount of \$2,471.35 were audited and paid from the Village Debt. Bills in the amount of \$2,742.70 were audited and paid from the Town of Chesterfield Compact Station. Bills in the amount of \$9.95 were audited and paid from the Port Kent Light District. The total of all bills since last meeting was \$133,530.26.

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

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

Town Clerk Bourgeois brought up a request from Clerk to the Supervisor Ocasio to not put pricing on Compaction Station Tickets but model it on the "Forever" stamp to give more flexibility on printing. This opened up a brief discussion on future costs increases to be further discussed at the Budget Workshop.

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

#163 Resolved: That with no further business to come before this Town Board Meeting, this meeting could be adjourned at 7:32 P.M.

Bruce Bourgeois

Town Clerk