



Town Board

Organizational and Regular Meetings

January 10, 2017

The Town Board of the Town of Chester convened at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, New York, at 7:00 pm.

Roll Call: Supervisor Craig Leggett, Edna Wells, Mike Packer, Karen DuRose, Steve Durkish and Attorney for the Town, Mark Schachner.

Organizational Meeting:

Supervisor Leggett opened the Organizational Meeting at 7:04 pm and presented the following Resolutions to organize the Town:

RESOLUTION NO. 1 OF 2017: DESIGNATE DATES, TIME AND LOCATION FOR REGULAR TOWN BOARD MEETINGS.

RESOLVED, that the Town Board will meet on the second Tuesday of each month at 7 pm in the Town of Chester Municipal Center.

RESOLUTION NO. 2 OF 2017: DESIGNATE OFFICIAL DEPOSITORIES.

RESOLVED, that Glens Falls National Bank shall be the Official Depository.

RESOLUTION NO. 3 OF 2017: DESIGNATE OFFICIAL NEWSPAPERS.

RESOLVED, that The Post Star shall be the Official Newspaper.

RESOLUTION NO. 4 OF 2017: SET MILEAGE ALLOWANCE RATE.

RESOLVED, that the mileage allowance rate shall be set at \$.535 per mile when personal vehicles are used by Town Employees for official business.

RESOLUTION NO. 5 OF 2017: SET RETURNED CHECK CHARGE.

RESOLVED, that the Returned Check Charge shall be \$20 per returned check.

RESOLUTION NO. 6 OF 2017: SET INVESTMENT OF SURPLUS FUNDS POLICY.

RESOLVED, that the Supervisor be empowered to invest surplus funds to draw interest for the accounts from which the funds were drawn. Investments shall be made with federally insured banks doing business in NYS.

RESOLUTION NO. 7 OF 2017: AUTHORIZE OFFICIAL BONDING OF TOWN OFFICIALS.

RESOLVED WHEREAS, under Sec. 25 of Town Law, the Town Board is required to set the amounts of a Blanket Bond for Town Officers & Employees by Resolution,

BE IT RESOLVED, that the Town Board of the Town of Chester establishes the following limits of insurance: Public Employee dishonesty bond-per employee \$10,000.00, Additional indemnity-specified positions: Town Supervisor \$ 110,000.00, Bookkeeper \$60,000, Court Clerk \$60,000 and Town Clerk - Tax Collector \$260,000.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Chester is hereby instructed to file a copy of this Resolution with the Warren County Clerk.

RESOLUTION NO. 8 OF 2017: AUTHORIZE PAYMENT OF CLAIMS PRIOR TO AUDIT.

RESOLVED, that authorization is given for payment of utilities, postage, and, other similar expenses as the bills come in and previous to audit, by the Supervisor on recommendation of the Town Board.

RESOLUTION NO. 9 OF 2017: AUTHORIZE TOWN CLERK TO ISSUE FIREWORKS PERMITS.

RESOLVED, that the Town Clerk is authorized to issue Firework Permits in accordance with Penal Law Section 405.05.

RESOLUTION NO. 10 OF 2017: ACCEPT TOWN OF CHESTER PROCUREMENT POLICY FOR 2017.

RESOLVED WHEREAS, the TOWN OF CHESTER PROCUREMENT POLICY is to be reviewed and adopted each year and,

WHEREAS, the policy was updated and adopted on August 9, 2016,

BE IT RESOLVED, that the Town Board hereby adopts said Procurement Policy and Procedures Pursuant to S104B of the General Municipal Law for 2017.

RESOLUTION NO. 11 OF 2017: APPROVE SCHEDULE OF APPOINTMENTS AND VARIOUS RATES OF PAY.

RESOLVED, to accept the 2017 Schedule of Appointments and Various Rates of Pay as presented in attached document titled "Schedule A: 2017 Schedule of Appointments and Various Rates of Pay".

SCHEDULE A: 2017 SCHEDULE OF APPOINTMENTS AND VARIOUS RATES OF PAY

SCHEDULE OF APPOINTMENTS AND RATE OF PAY		
TITLE	NAME	2017
Animal Control Officer	Florence Converse	\$7,570 /year
Assessor	Greg Klingler	32,941 /year
Audit Committee	Edna Wells & Karen DuRose	\$308 /year
Budget Officer	Craig Leggett	\$1,635 /yr
Deputy Supervisor	Karen DuRose	\$165 /year
Director of Youth	Mindy Conway	\$5,740 /year
Health Officer	Dr Rugge	\$950 /year
Historian	Donna LaGoy	\$3,936 /year
Legal Counsel	Miller, Mannix & Schachner	Rates by position
North Warren EMS Liason	Amy Culver	None
Planning Board Chair & Members	Paul Little, Chairman	\$29 ea /meeting
Sexton	Greg Bolton	\$814 /yr
Water Superintendent	Jason Monroe	\$16,325 /year
Water Superintendent, Ass't	Kim Frazier	17.44 /hour
ZBA Chair & Members	Mary Jane Dower, Chairman	\$29 ea /meeting
Zoning Admin & Sanitary Code Enf.	Walter Tennyson	\$23,781 /year
AOT NYS & AATV Alternate Delegate	Edna Wells, Alt. Delegate	None
AOT NYS & AATV Delegate	Craig Leggett, Delegate	None
Registrar Vital Statistics	Mindy Conway	None
Registrar Vital Statistics, Deputy	Jessica Phillips	None

Service Officer	Craig Leggett	None
SCHEDULE OF ANNUAL SALARIES - ELECTED OFFICIALS		
TITLE	NAME	2017
Town Supervisor	Craig Leggett	\$34,862
Town Clerk	Mindy Conway	\$34,291
Town Councilwoman	Edna Wells	\$6,589
Town Councilman	Michael Packer	\$6,589
Town Councilman	Steve Durkish	\$6,589
Town Councilwoman	Karen DuRose	\$6,589
Town Highway Superintendent	Jason Monroe	\$57,365
Town Justice	James McDermott	\$27,127

SCHEDULE OF HOURLY RATES - EMPLOYEES		
TITLE	NAME	2017
Assessors Clerk	Marion Eagan	\$15.00
Boat Wash Attendants	N/A	\$12.48
Bookkeeper	Bruce Nolin	\$21.11
Building Maintenance Mechanic	William Rowell	\$15.30
Constable	David Cavanaugh	\$16.32
Court Clerk, Temporary Part Time	N/A	\$11.40
Court Officer	David Cavanaugh	\$16.55
Custodian	Paul Parks	Set by CSEA contract
Data Collector	Dan Smith	\$15.73
Deputy Town Clerk	Jessica Phillips	\$12.75
Election Inspectors	N/A	Paid by Warren County
Food Pantry Worker	Amy Culver	\$11.85
Justice Clerk	Karen Griffen	Set by CSEA contract
Laborer, Part Time	William Rowell	\$11.59
Library Aide	Sharon Berg	\$11.59
Library Technician	Alma Alvarez	\$17.39
Library Technician, Ass't	Wendy Joy-Hayes	\$13.41
Lifeguards	N/A	\$10.25 - 1st yr (\$10.75 for lessons) plus \$.25 second yr and later.
Museum	Nancie Welch	Set by Historical Soc.
Planning Board Secretary	Jeremy Little	\$15.00
Records Management Officer	Mindy Conway	\$15.91
Recreation Assistants	N/A	Min Wage - 1 st yr, Min wage plus \$.50 - 2 nd yr and later years.
Recycling Attendant, Part time	Lowell Laschomb, Deborah Burch	\$13.64

School Bus Drivers	N/A	Based on School wage
Substitute Cleaner	William Rowell	\$11.59
Unsafe Building Inspector	N/A	\$77/inspection
ZBA Secretary	Brandi Bessette	\$13.26
Zoning Clerk	Jeremy Little	\$15.00

RESOLUTION NO. 12 OF 2017: DESIGNATE OFFICIAL TOWN HOLIDAYS.

RESOLVED, that Official Town Holidays will be observed as presented in attached document titled “Schedule B: 2017 Official Town Holidays”.

SCHEDULE B: 2017 OFFICIAL TOWN HOLIDAYS	
Martin Luther King Day	Election Day
Friday before Memorial Day	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Day After Thanksgiving
Labor Day	Christmas Day
	New Year's Day
If a holiday falls on a Saturday, the day of observance shall be the preceding Friday. If a holiday falls on a Sunday, the day of observance shall be the following Monday.	

RESOLUTION NO. 13 OF 2017: DESIGNATE TOWN BOARD COMMITTEES.

RESOLVED, that the Town Board Committees are appointed as presented in attached document titled “Schedule C: Town Board Committee List”.

SCHEDULE C: 2017 TOWN BOARD COMMITTEE LIST		
Committees	Member 1	Member 2
Highway, Transfer Station, Water Facilities	Mike Packer	Karen DuRose
Parks & Rec, Cemetery, Municipal Center, Health Center	Steve Durkish	Edna Wells
Assessor, Judge, Town Clerk, Planning & Zoning, Youth	Edna Wells	Mike Packer
Economic Development, Tourism, Library, Fire Protection	Karen DuRose	Steve Durkish

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, Resolutions No. 1 - 13 of 2017 were **ADOPTED**.

AYE 5 NYE 0

Supervisor Leggett closed the Organizational Meeting 7:08 pm.

Regular Meeting:

Supervisor Leggett opened the Regular Town Board Meeting at 7:08 pm.

**RESOLUTION NO. 14 OF 2017: ACCEPT MINUTES OF THE REGULAR MEETING
DECEMBER 13, 2016 AND THE SPECIAL MEETING DECEMBER 30, 2016 AS PRESENTED.**

RESOLVED, to accept the minutes of the Regular Meeting December 13, 2016 and the Special Meeting December 30, 2016 as presented.

On a motion by Mrs. Wells, seconded by Mr. Durkish, Resolution No. 14 of 2017 was **ADOPTED**.

AYE 5 NYE 0

Privilege of the Floor:

Supervisor Leggett opened the privilege of the floor at 7:10 pm.

Rand Fosdick read a prepared statement about the master plan, inclusiveness and sidewalks. Rand recommended term limits and no automatic reappointments for the Zoning Board of Appeals and stated that the Town of Chester is one of the few Towns where you can walk on the sidewalks safely in the winter.

Al Muench asked when the skating rink would be open at Dynamite Hill. Supervisor Leggett replied that the skating rink is now open due to the cold weather..

Supervisor Leggett closed Privilege of the Floor at 7:14 pm.

Committee Reports:

Supervisor Leggett reported the Town should be receiving sales tax payment in the middle of January. Highway has been doing well maintaining the roads as well as parks and recreation has also done well maintaining the sidewalks. The North Warren Emergency Squad submitted their end of year financial report for 2016.

Old Business:

Supervisor Leggett asked the Board to review the Employee Handbook and have a workshop to discuss changes.

RESOLUTION NO. 15 of 2017: SPECIAL WORKSHOP MEETING.

RESOLVED, that the Town Board schedule a Special Workshop Meeting, January 25th at 4:30 pm.

On a motion by Mr. Leggett, seconded by Mrs. Wells, Resolution No. 15 of 2017 was **ADOPTED**.

AYE 5 NYE 0

RESOLUTION NO. 16 OF 2017: UNSAFE BUILDING INSPECTION.

RESOLVED, that the Town Board has authorization to conduct an unsafe building inspection on the property located at Tax map # 104.10-6-18.

On a motion by Mrs. DuRose, seconded by Mrs. Wells, Resolution No 16 of 2017 was **ADOPTED**.

AYE 5 NYE 0

Supervisor Leggett recommended that \$700.00 be earmarked for training. This amount does not enable all members to go to training, however there is online training.

RESOLUTION NO. 17 OF 2017: PLANNING AND ZONING BOARD TRAINING POLICY

WHEREAS, Zoning Board of Appeals (ZBA) and Planning Board members are required to gain a minimum of 4 hours of related instruction annually, and

WHEREAS, the Town Board supports the continuing education of ZBA and Planning Board members by appropriating funds for workshops and other means of instruction, and

WHEREAS, to allocate the funds fairly across the membership of the two boards fairly and equitably,

BE IT RESOLVED, that the Town Board adopts the following policy and procedure:
WORKSHOP ATTENDANCE POLICY AND PROCEDURE FOR ZONING AND PLANNING BOARD MEMBERS

- The Zoning Administrator will notify all Zoning and Planning board members of upcoming workshops;
- Board members respond back to the Zoning Administrator with their interest of attending;
- The 1st level of preference to attend workshops will be given to the chairman/chairwoman of each board;
- The 2nd level of preference will be given to the newest members on either board who need the credits and who have not attended a workshop before;
- The 3rd level of preference will be open to all members who require credits to stay current;
- The 4th level of preference will be open to all members who have satisfied current requirements;
- The Zoning Administrator will keep track of all instructional credits accrued by board members;
- The Town Board will be kept up to date on member's accrued credits and budget balance for instructional costs.
- The Town Board will authorize attendance for out-of-town workshops based upon preference, need, budget and interest.
- The Town Board will sponsor local training and instruction to the best of their ability.

On a motion by Mrs. Wells, seconded by Mr. Packer, Resolution No. 17 of 2017 was **ADOPTED**.

AYE 5 NYE 0

Pat Powers presented the Board with pictures of property adjacent to his property and other properties in the Pottersville area that appear to be out of compliance with the Zoning Ordinance.

Andy Deliveron has been talking to the Board about a business in Pottersville since 2010. Mr. Deliveron gave the Board members a copy of the updated NYS controlling junk guidelines and asked if the guidelines from NYS could be checked against our Town's zoning ordinances.

Supervisor Leggett stated that people need to come together as a community to assist some of these properties with junk and other violations and the Town is limited in what help it can offer to property owners for cleanup. Mr. Deliveron offered to compile a list of civic organizations that could offer assistance.

The Town Board oversees the Zoning Code Enforcement Officer.

New Business:

RESOLUTION NO. 18 OF 2017: SIGN LARAC GRANT.

RESOLVED, that Supervisor Leggett has authorization to sign the LARAC Grant.

On a motion by Mrs. Wells, seconded by Mr. Packer, Resolution No. 18 of 2017 was **ADOPTED**.

AYE 5 NYE 0

Mrs. Wells thanked Barbara Repp for preparing the grant.

Supervisor Leggett read a letter from Betty Little on affordable house.

RESOLUTION NO. 19 OF 2017: NYS MOBILE AND MANUFACTURED HOME REPLACEMENT PROGRAM.

RESOLVED, that the Supervisor has authorization to apply for the NYS Mobile and Manufactured Home Replacement Program online by Tuesday, January 17th.

On a motion by Mrs. DuRose, seconded by Mrs. Wells, Resolution No. 19 of 2017 was **ADOPTED**.

AYE 5 NYE 0

RESOLUTION NO. 20 OF 2017: TLBA REQUEST FOR WINTER CARNIVAL.

RESOLVED, that the Board approve the TLBA Occupancy Tax request of \$1,000.00 for the Winter Carnival.

On a motion by Mr. Packer, seconded Mr. Durkish, Resolution No. 20 of 2017 was **ADOPTED**.

AYE 5 NYE 0

RESOLUTION NO. 21 OF 2017: NORTH WARREN CHAMBER OF COMMERCE REQUEST FOR WEBSITE DESIGN.

RESOLVED, that the Board approved the North Warren chamber of Commerce request of \$6,000.00 for website design.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 21 of 2017 was **ADOPTED**.

AYE 5 NYE 0

RESOLUTION NO. 22 OF 2017: ZONING AND PLANNING CONFERENCE.

RESOLVED, that five planning and zoning board members attend the Saratoga County Planning and Zoning Conference January 25th, approved registration fees and reimbursement of travel expenses.

On a motion by Mr. Leggett, seconded by Mrs. Wells, Resolution No. 22 of 2017 was **ADOPTED**.

AYE 5 NYE 0

RESOLUTION NO. 23 OF 2017: ASSOCIATION OF TOWNS ANNUAL CONFERENCE.

RESOLVED, that Edna Wells attend the Association of Towns Annual Conference February 19th – 22nd and reimbursement of travel, room and meal expenses.

On a motion by Mr. Durkish, seconded by Mr. Packer, Resolution No. 23 of 2017 was **ADOPTED** (Mrs. Wells abstained).

AYE 4 NYE 0

RESOLUTION NO. 24 OF 2017: OSC GOVERNMENTAL ACCOUNTING CLASS.

RESOLVED, that Supervisor Leggett attend the OSC Governmental Accounting Classes, Introduction to Governmental Accounting and Accounting Principles and Procedures in 2017, approved registration fees and reimbursement of travel expenses.

On a motion by Mrs. Wells, seconded Mrs. DuRose, Resolution No. 24 of 2017 was **ADOPTED** (Supervisor Leggett abstained).

AYE 4 NYE 0

RESOLUTION NO. 25 OF 2017: TRANSFER STATION PROPANE.

RESOLVED, that the Town accept the proposal from GA Bove & Sons for propane under State Contract.

On a motion by Mr. Leggett, seconded by Mrs. Wells, Resolution No. 25 of 2017 was **ADOPTED**.

AYE 5 NYE 0

Supervisor Leggett read a letter from Andrew R. Campanella, President of National School Choice Week. No action taken.

Supervisor Leggett presented the Board with the Mountain View Memorials Contract and stated to abide by our Procurement Policy there needs to be more that one quote and a detailed breakdown of the scope of work to be performed. No action taken.

Mr. Deliveron asked Supervisor Leggett about the snow train. Supervisor Leggett state it was cancelled due to lack of reservations.

Al Muench stated the Town has done a great job on Dynamite Hill. Supervisor Leggett presented Mike Packer with a certificate of appreciation for his work at Dynamite Hill.

RESOLUTION NO. 26 of 2017: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.

RESOLVED, to authorize payment of abstracts and claims paid prior to audit with voucher No. 9 of 2017 from Mountain View Memorials voided.

2016		
General A	\$ 163,238.33	613-658
Capital Project - Biomass HB	\$ 21,517.46	44-47
Highway DA	\$ 121,064.09	353-381
Chestertown Water CW	\$ 1,785.25	56-61
Pottersville Water PW	\$ 617.74	57-61
Library L	\$ 981.79	42-45
Loon Lake Park District SP	\$ 138.50	18-18
Schroon Lake Park District SX	\$ 11,463.00	22-23

2017		
General A	\$ 81,876.19	1-21
Highway DA	\$ 11,427.26	1-4
Chestertown Water CW	\$ 26.78	1-1
Pottersville Water PW	\$ 26.78	1-1
Library L	\$ 383.99	1-1

On a motion by Mrs. DuRose, seconded by Mrs. Wells, Resolution No. 26 of 2017 was **ADOPTED**.
 AYE 5 NYE 0

Tom Luciano, Schroon Lake Park Commissioner spoke about controlling the water levels in Schroon Lake. A monitoring station has been recommended. Mr. Luciano said a yearly tax budget needs to be filed with the Comptroller before the Town Budget is done.

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, the Board entered into Executive Session to discuss collective negotiations pursuant to Article 14 of the Civil Service Law at 8: 43 pm.

On a motion by Mrs. Wells, seconded by Mrs. DuRose, the Board exited Executive Session at 9:25 pm.

RESOLUTION NO. 27 OF 2017: MEMORANDUM OF AGREEMENT - BY AND BETWEEN THE TOWN OF CHESTER (THE TOWN) AND THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000, AFSCME, AFL-CIO, WARREN COUNTY LOCAL #857, TOWN OF CHESTER UNIT.

By and between the Town of Chester (The Town) and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Warren County Local #857, Town of Chester Unit.

Any Articles, Sections, Sub-Sections or portions of the January 1, 2016 through December 31, 2018 Collective Bargaining Agreement not discussed herein shall continue without change.

It is understood and agreed by and between the parties that the Collective Bargaining Agreement, dated January 1, 2016 through December 31, 2018, shall remain in full force and effect except for the following amendments:

ARTICLE X / PENSION AND INSURANCE, Section 4. Retiree Health Insurance Benefits:

Amend existing language in 1st Paragraph to read as follows:

Employees hired on or after January 1, 2016 shall be entitled to receive retiree health insurance benefits upon completion of 20 years of active service (10 years if hired prior to January 1, 2016) and retiring directly from the Town with the New York State Employees Retirement System including disability retirement. Employer-sponsored health insurance benefits need not be in effect at the time of retirement and the retiree may enroll in the employer-sponsored health insurance plans during open enrollment periods or due to a qualifying event until such time they become Medicare eligible and are subject to the terms and conditions of the health insurance plan in effect at that time.. Once they are Medicare eligible they may enroll in the employers Medicare Health Plan that is in effect at time of enrollment.

On a motion by Supervisor Leggett, seconded by Mrs. Wells, Resolution No. 27 of 2017 was **ADOPTED**.

AYE 5 NYE 0

Supervisor Leggett stated that Resolution No. 27 of 2017 was adopted to clarify the availability of health insurance who opt out of Town coverage and retire.

RESOLUTION NO. 28 OF 2017: CSEA GOLD 12 VISION PLAN

WHEREAS, the Town of Chester (Town) entered into an agreement with the CSEA Employee Benefit Fund (Fund) on December 1, 2009 to provide CSEA Gold 12 Vision Plan (Vision Plan) on behalf of the Town of Chester CSEA Bargaining Unit (Unit) in order to supplement the new health insurance plan, which did not provide vision coverage equal to the old health insurance plan, and

WHEREAS, the Town intended the Vision Plan to be a part of the health insurance package provided by the Town for its employees and not a separate employee benefit, and

WHEREAS, the Town has not, as a practice, provided the Vision Plan to Unit employees who opt-out from enrolling in the Town provided health insurance package, and

WHEREAS, the Town has considered the sum paid to Unit employees who do opt-out from the Town provided health insurance package sufficient for the Unit Employees to obtain supplemental insurance on their own if it was desired, and

WHEREAS, no mention of Vision Plan was included into any previous “Agreement by and between the Town of Chester and CSEA Local 1000 AFSCME, AFL-CIO” (Agreement) until the latest Agreement was signed in 2016, and

WHEREAS, in the 2016 Agreement the Vision Plan was included in Article X / Pension and Insurance, Section 2: Health Insurance Plan because it was considered to be part of the health insurance package and not a separate employee benefit, and

WHEREAS, the language in the Agreement of 2016 is subject to interpretation whether the Vision Plan is part of the health insurance package provided by the Town or that it is a standalone benefit available to eligible Unit employees including Unit employees who opt-out from the health insurance package, and

WHEREAS, the Agreement provides for Unit employees to contribute to the cost of the Town-provided health insurance package (Article X, Section 6: Health Insurance Contributions) but it does not provide for employee contribution for the Vision Plan if it is to be obtained separately, therefore be it

RESOLVED, that the Town Board agrees to provide the Vision Plan to all eligible Unit employees who are covered by the Town-sponsored health insurance package and consider such cost to be included in the terms of Article X, Section 6: Health Insurance Contributions as has been the practice; and the Town will provide the Vision Plan to Unit employees who opt-out from the health insurance package but choose to enroll in the Vision Plan whereby the eligible Unit employees who opt-out of the Town-sponsored health insurance package will pay 100% of the annual cost of the Vision Plan.

On a motion by Supervisor Leggett, seconded by Mr. Packer, Resolution No.28 of 2017 was **ADOPTED** (Mrs. DuRose abstained).

AYE 4 NYE 0

Supervisor Leggett stated Resolution No. 28 of 2017 was adopted to make available vision insurance to CSEA employees who opt out of Town health insurance coverage.

On a motion by Mrs. DuRose, seconded by Mrs. Wells, meeting adjourned at 9:31 pm.

Respectfully submitted,

Town Clerk