



Town Board Regular Meetings May 8, 2018

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, Mike Packer, Larry Turcotte, Steve Durkish and Attorney for the Town, Mark Schachner. Karen DuRose absent.

Regular Meeting:

Supervisor Leggett opened the Regular Town Board Meeting at 7:00 pm with the Pledge of Allegiance. Supervisor Leggett asked for a moment of silence for Karen DuRose's Mother, Edna Ellsworth Belmore.

RESOLUTION NO. 91 OF 2018: ACCEPT THE MINUTES OF THE REGULAR MEETING APRIL 10, 2018

RESOLVED, to accept the minutes of the Regular Meeting April 10, 2018 as presented.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 91 of 2018 was **ADOPTED**.

AYE 4 NO 0

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:03 pm.

Mr. Durkish stated that the community is happy to see the Town being cleaned up from the storm.

Mr. Turcotte attended the Economic Development Initiative Meeting, which was very productive.

Town Clerk reported the following were enclosed in the Board packets:

- Town Board Minutes for April 10, 2018
- Supervisor's Monthly Cash Report as of April 30, 2018
- Audited Abstract for May 8, 2018
- Zoning Administrator & Sanitary Code Enforcement Officer's Activity Report for April 2018
- Planning Board Minutes for April 16, 2018
- Zoning Board of Appeals Minutes for April 24, 2018
- Assessors Report for May 2018
- Animal Control Report April 2018
- Town Clerk Monthly Report for April 2018

Town Clerk reported the office has received the following communication:

- Email from Kathy Bozony stating that the Solarize Campaign has been approved by NYSERDA
- Flyer for Race the Cougar 5K on June 3, 2018 hosted by the North Warren PTO
- We have received over 500 data questionnaires back of the 1,100 that were sent out

Supervisor Leggett reported the following:

- Attended the Economic Development Initiative Meeting facilitated by the Chamber of Commerce where they presented their results from the focus groups from the winter
- Spoke to Charter about Phase 3 of Broadband and to SLIC about a fiber optic line
- There has been a 2.9% funding increase in CHIPS
- The Old Chester Garage is in the process of being tested
- \$35,000 is estimated to fix the Health Center

Adam Riley spoke about the Northern Warren Trailblazers request for \$10,000 from Occupancy Tax towards the purchase for a 8 ft x 6 ft drag, Polaris side by side and a trailer. The smaller drag would help connect Schroon Lake to Chester.

RESOLUTION NO. 92 OF 2018: APPROPRIATE \$10,000 FROM OCCUPANCY TAX TO THE NORTHERN WARREN TRAILBLAZERS

WHEREAS, the Northern Warren Trailblazers, Inc maintains snowmobile trails in the Town of Chester that are free to use, and

WHEREAS, snowmobiling is an activity that brings in visitors to the area and supports the tourist business environment, and

WHEREAS, the Northern Warren Trailblazers desires to purchase trail grooming equipment with a useful life 10 years or more that will enhance connections with regional trails and the ability to maintain good trail conditions during periods of little snow, and

WHEREAS, the new grooming equipment can be used at the Dynamite Hill Recreational Area to maintain cross country ski trails,

BE IT RESOLVED, the Town Board awards \$10,000 of Occupancy Tax funds to the North Warren Trailblazers for the purchase of specific trail grooming equipment.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 92 of 2018 was **ADOPTED**.

AYE 4 NO 0

Supervisor Leggett closed Committee Reports at 7:20 pm.

New Business:

Supervisor Leggett opened New Business at 7:20 pm.

Dennis MacElroy from Environmental Design Partnership representing Mr. Bradley explained the proposed holding tank system and the variances requested for Septic Variance SV2018-01.

Supervisor Leggett asked for a more detailed explanation of the intended use of the converted church and to mark the site plan map with a radius of 50 ft to show there are no wells within the radius. Mr. Turcotte asked if there was going to be an alarm system. Mr. MacElroy stated there would be a two float alarm system on the second tank.

RESOLUTION NO. 93 OF 2018: SET PUBLIC HEARING FOR BRADLEY SEPTIC VARIANCE APPLICATION

WHEREAS, Environmental Design Partnership, LLP has submitted a Septic Variance Application for Eric Jackson Bradley at 4700 NYS Rout 8, Riparius, NY 12862, Tax Map #102.6-1-5 and

WHEREAS, the Town Board has reviewed the application for its completeness,

BE IT RESOLVED, the Town Board deems the Bradley Septic Variance Application complete and sets a public hearing for 7 pm, Tuesday, June 12, 2018, and

BE IT FURTHER RESOLVED, to refer the Bradley Septic Variance Application to Cedarwood Engineering as Town Engineer for its evaluation and opinion at the expense of the applicant.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 93 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 94 OF 2018: SET PUBLIC MEETING FOR POTTERSVILLE WATER DISTRICT WELL AND WELL HOUSE UPGRADE

WHEREAS, the Town of Chester has obtained grant funding from NYS for the Pottersville Water District through the NYS Department of State and the Environmental Protection Fund, and

WHEREAS, requirements of the grant include holding a public meeting for the proposed plans,

BE IT RESOLVED, the Town Board will hold a public meeting at the regular Town Board Meeting on Tuesday, June 12, 2018 to review and hear comment from the public about the proposed Pottersville Water District well and well house renovation project.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 94 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 95 OF 2018: AUTHORIZE SUPERVISOR TO REQUEST QUOTES ON

TEST BORE AND SUPPLY WELL

WHEREAS, the Pottersville Water District requires new wells to be drilled and installed in order to provide adequate water supply, and

WHEREAS, Cedarwood Engineering has developed plans for new wells and the renovation of the water supply treatment building, and

WHEREAS, the Pottersville Water District has raised funds for the water supply improvements,

BE IT RESOLVED, the Supervisor is authorized to request quotes for test boring and supply well drilling for the Pottersville Water District.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 95 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 96 OF 2018: FILL POSITION OF LAKE SAFETY OFFICER

WHEREAS, the Town Board established the position of Lake Safety Officer and advertised to fill the position, and

WHEREAS, the Town received one application from a qualified individual, who has been a seasonal employee of the Town,

BE IT RESOLVED, the Town Board authorizes the Supervisor to offer the job of Lake Safety Officer to Richard Konig for a term beginning May 20 and ending October 20, 2018 at a rate of \$16.00 per hour for no more than 300 hours for the season to be paid out of Budget Codes A3120.11 and SP7110.11 with a probationary period of 30 days.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 96 of 2018 was **ADOPTED**.

AYE 4 NO 0

Supervisor Leggett introduced Rich Konig as our new Lake Safety Officer. Rich gave a brief life history.

RESOLUTION NO. 97 OF 2018: FILL POSITION OF DETAIL GARDENER/COORDINATOR

WHEREAS, the Town Board established the position of Detail Gardener/Coordinator and advertised to fill the position, and

WHEREAS, a qualified applicant was interviewed by the Supervisor and a Town Board member,

BE IT RESOLVED, the Town Board authorizes the Supervisor to offer the job of Detail Gardener/Coordinator to Carol Confer for a term beginning May 14 and ending October 21, 2018 at a rate of \$13.91 per hour for an average of 20 hours per week to be paid out of Budget Codes A7110.1 and A8510.1 with a probationary period of 30 days.

On a motion by Mr. Durkish, seconded by Mr. Packer, Resolution No. 97 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 98 OF 2018: FILL POSITION OF SENIOR BUILDING MAINTENANCE MECHANIC

WHEREAS, the Town Board has established the position of Senior Building Maintenance Mechanic, and

WHEREAS, the existing Building Maintenance Mechanic is qualified for the position,

BE IT RESOLVED, the Town Board authorizes the Supervisor to offer the job of Senior Maintenance Mechanic to William Rowell to be paid out of Budget Codes A1620.1 and appropriate Parks & Recreation codes as need be, and

BE IT FURTHER RESOLVED, Senior Building Maintenance Mechanic is a full time CSEA-eligible position at the rate of \$20.98 per hour with a probationary period of 90 days starting May 14, 2018.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 98 of 2018 was **ADOPTED**.

AYE 4 NO 0

Brett Hitchcock stated that Parks and Rec. have finished with street sweeping and are currently working in the cemeteries.

RESOLUTION NO. 99 OF 2018: TOWN OF CHESTER TO DECLARE INTENT TO BE LEAD

AGENCY FOR SEQRA REVIEW FOR THE PROPOSED ADOPTION OF THE REVISED TOWN OF CHESTER ZONING LAW

WHEREAS, the Town Board recognized the need to update and revise the Town of Chester Zoning Law and Subdivisions Regulations, to better promote the health, safety and general welfare of the residents and property owners of the Town and to protect the property values and aesthetics of the Town; and

WHEREAS, the Town designated a Zoning Ordinance Review Committee in April 2016 to update certain Sections, and has undertaken a multi-year effort to revise and update the zoning law and address the needs of the Town and the community; and

WHEREAS, the proposed action amend Sections of the existing Town of Chester Zoning Law; and

WHEREAS, the proposed revised Town of Chester Zoning Law improves the structure and integrity of the original law and regulations without significantly altering the intent and provisions of the existing documents;

BE IT RESOLVED, that the Town of Chester Town Board hereby declares its intent to be Lead Agency for SEQRA review of the proposed Zoning Law and directs the Town Clerk to send copies of the proposed local law and regulations, SEQRA Part 1, copy of this Resolution stating the Town Board's intention to be Lead Agency for SEQRA review, to the Adirondack Park Agency, as required by law. On a motion by Supervisor Leggett, seconded by Mr. Durkish, Resolution No. 99 of 2018 was duly **ADOPTED** this 8th day of May, 2018 by the following vote:

AYE 4 NO 0 Absent: Karen DuRose

RESOLUTION NO. 100 OF 2018: AUTHORIZE LETTER OF SUPPORT FOR HUDSON HEADWATERS HEALTH FOUNDATION CARE FOR KIDS 5K RACE

WHEREAS, Hudson Headwaters Health Foundation organizes a Care For Kids 5K race for the past 14 years, and

WHEREAS, the Care For Kids race is scheduled for Sunday, July 29, 2018 beginning on Schroon River Road in the Town of Chester and ending at the YMCA Outreach Center in the Town of Horicon,

BE IT RESOLVED, the Town Board authorizes the Supervisor to send a letter of support for the Care For Kids 5K race because it involves use of public roads in the Town of Chester.

On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 100 of 2018 was **ADOPTED**.

AYE 4 NO 0

Intermunicipal Agreement with Warren County for Solid Waste and Recycling Services:

Mr. Packer asked if the Town signs the Intermunicipal Agreement with Warren County for Solid Waste and Recycling Services will the Town be able to change vendors if the Town finds a lower rate on their own? The Attorney for the Town said that the Town would be locked into use who the County agreed upon if they sign the contract.

On a motion by Mr. Packer, seconded by Mr. Turcotte, the approval to sign the Intermunicipal Agreement with Warren County for Solid Waste and Recycling Services was **TABLED**.

AYE 4 NO 0

RESOLUTION NO 101 OF 2018: AUTHORIZE YOUTH COMMISSION DIRECTOR TO APPLY FOR AN ADIRONDACK FOUNDATION GRANT

WHEREAS, the Adirondack Foundation Gore Mountain Community Grant program is accepting applications,

BE IT RESOLVED, the Youth Commission Director is authorized to submit an application for Youth Commission related activities and programs.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No 101 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 102 OF 2018: ACCEPT UNSAFE BUILDING INSPECTION REPORT FOR 88 RIVERSIDE DRIVE

WHEREAS, according to the procedures listed in Ordinance #2 of 1982 titled "Providing for the Removal or Repair of Unsafe Buildings in the Town of Chester" the Unsafe Building Inspector has

submitted a report to the Town Board regarding the condition of a commercial building at 88 Riverside Drive, and

WHEREAS, the report determines a certain portions of the building to be unsafe and needs to be removed or repaired,

BE IT RESOLVED, as per Ordinance #2 of 1982 the Town Board shall cause notice to be served on the owner requiring the building to be made safe and secure or removed.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 102 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 103 OF 2018: ACCEPT LIST OF BUILDINGS TO BE INSPECTED BY THE UNSAFE BUILDING INSPECTOR

WHEREAS, the Zoning Administrator has identified 6 properties that may be unsafe,

BE IT RESOLVED, the Town Board authorizes the Unsafe Building Inspector to contact the owners of the properties and conduct a site inspection and report back to the Town Board with his findings.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 103 of 2018 was **ADOPTED**.

AYE 4 NO 0

Supervisor Leggett stated that from the Economic Development Initiative (EDI) Meeting one of the four main categories of the Town is aesthetics wanting to see the community prosper and thrive. The Town is working on beautification on Town property where they can and would like the Town to support the Town Zoning Officer to be more aggressive.

RESOLUTION NO. 104 OF 2018: DIRECT THE ZONING ADMINISTRATOR'S OFFICE TO MORE STRICTLY ENFORCE THE TOWN OF CHESTER ZONING LOCAL LAW

WHEREAS, the Town of Chester has a Comprehensive Master Plan that reflects the vision and the standards of the community, and

WHEREAS, the Town of Chester has adopted and has in effect a Zoning Local Law designed to protect the health, safety, and welfare of the community and to direct development and land use in accordance with the Comprehensive Master Plan, and

WHEREAS, most private property owners, businesses, community organizations, and others abide by the Zoning Local Law and benefit from its application and enforcement, and

WHEREAS, there are and will be instances when the Zoning Local Law is not followed and the community is adversely affected because of it,

BE IT RESOLVED, the Town Board directs the Zoning Office to ensure compliance of the Zoning Local Law so that its intent, as based upon the Comprehensive Master Plan and its updates, is carried out for the benefit of the community in its social, economic, and environmental aspects.

On a motion by Supervisor Leggett, seconded by Mr. Durkish, Resolution No. 104 of 2018 was **ADOPTED**.

AYE 4 NO 0

Supervisor Leggett received a letter requesting the placement of "5 mph, No Wake" buoys in the Schroon River between Schroon Lake and Starbuckville Dam.

Supervisor Leggett discussed the Local Waterfront Revitalization Program (CFA) matching grant application and DEC Community Forest Grants.

The Town Clerk asked for a Special meeting to review and accept Audit of Claims for July and October of 2018 to adjust to the new accounting software.

RESOLUTION NO. 105 OF 2018: APPOINT BARBARA KEARNEY AS AN ALTERNATE TO THE PLANNING BOARD

WHEREAS, two Alternate Planning Board Member seats are open and the Town has advertised to fill them, and

WHEREAS, the Town Clerk has received one qualified applicant,
BE IT RESOLVED, the Town Board appoints Barbara Kearney as an Alternate Planning Board Member with a term to begin immediately and end on December 31, 2020.
 On a motion Supervisor Leggett, seconded by Mr. Durkish, Resolution No. 105 of 2018 was **ADOPTED**.
 AYE 4 NO 0

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 8:22 pm.

Mary Clark asked about the Pottersville sidewalks. Supervisor Leggett stated that the plans will be revised and resubmitted to DOT. Mary asked about the basketball court lights. Supervisor Leggett stated that solar power lights were estimated at about \$22,000 and hard wired lights were estimated at about \$2,500. Mary asked about the Zoning Officer's appointment. Supervisor Leggett stated that the Zoning Officer serves at the pleasure of the Board.

Bill Rowell stated that the recommendation for the boiler was for a water conditioner and the Town has not yet received an estimate. Bill Rowell and Mike Packer recommended using an external flow switch.

RESOLUTION NO. 106 OF 2018: AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, the Town Board accepts the Abstract of Claims and accounting requirements.

General A	\$62,160.86	152-205
BioMass HB	\$11,823.68	7-9
Highway DA	\$90,858.49	105-128
Chestertown Water CW	\$1,835.68	18-23
Pottersville Water PW	\$1,181.81	12-17
Loon Lake Park District SP	\$135.00	1-1
Library L	\$1,182.15	12-13
Schroon Lake Park District SX	\$2,177.50	4-4

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 106 of 2018 was **ADOPTED**.
 AYE 4 NO 0

Supervisor Leggett received a request from the VFW for the Town to waive C&D tipping fees for the American Legion and VFW while they renovate their building. Mr. Durkish asked if a limit could be set and Mr. Packer agreed. Mr. Turcotte recommended 5yds. Mr. Packer said we already give them money. Supervisor Leggett replied the Town does give them money for the cemeteries. Chris South commented that the project is estimated to cost \$150,000 and they are trying to keep their cost under \$50,000.

RESOLUTION NO. 107 OF 2018: APPROVE THE VFW TO DISPOSE OF 5 CUBIC YARDS OF RENOVATION DEBRIS

WHEREAS, the American Legion and VFW is renovating their building, and
WHEREAS, they have requested the waiving of tipping fees for C&D waste,
BE IT RESOLVED, the Town Board waives the fees for 5 CY of C&D waste at the Transfer Station.
 On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 107 of 2018 was **ADOPTED**.
 AYE 4 NO 0

On a motion by Supervisor Leggett, seconded by Mr. Packer, the Board went into Executive Session at 8:43 pm to discuss the employment history of a particular person.

On a motion by Mr. Supervisor Leggett, seconded by Mr. Packer, Board exited Executive Session at

8:50 pm. No action taken.

On a motion by Supervisor Leggett, seconded by Mr. Durkish, meeting adjourned at 8:50 pm.

Respectfully submitted,

Town Clerk

DRAFT