



**Town Board  
Regular Meetings  
March 12, 2019**

---

The Town Board of the Town of Chester convened at the Pottersville Fire House, 20 Valley Farm Road, Pottersville, New York, at 7:00 pm.

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

Supervisor Leggett opened the Regular Town Board Meeting at 7:04 pm with the Pledge of Allegiance.

**Chestertown Water District Tank Painting Bids:**

The Town Clerk received one bid from Norman Guidie Painting, Schroon Lake, New York for \$62,500 for Painting the Chestertown Water Tank.

**RESOLUTION NO. 57 OF 2019: REFER THE BID FROM NORMAN GUIDIE PAINTING, SCHROON LAKE, NEW YORK FOR \$62,500 FOR PAINTING THE CHESTERTOWN WATER TANK TO CEDARWOOD ENGINEERING FOR THEIR REVIEW**

**RESOLVED**, to refer the bid from Norman Guidie Painting, Schroon Lake, New York for \$62,500 for Painting the Chestertown Water Tank to Cedarwood Engineering for their review and recommendation. On a motion by Supervisor Leggett, seconded by Mr. Packer, Resolution No. 57 of 2019 was **ADOPTED**.

**Regular Meeting:**

Supervisor Leggett opened the Regular Meeting at 7:07 pm.

**RESOLUTION NO. 58 OF 2019: ACCEPT MINUTES OF THE REGULAR MEETING FEBRUARY 12, 2019 AND THE SPECIAL WORKSHOP MEETING MARCH 6, 2019**

**RESOLVED**, to accept the minutes of the Regular Meeting February 12, 2019 and the Special Workshop Meeting March 6, 2019 as presented.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 58 of 2019 was **ADOPTED**.

AYE 5 NO 0

**Proposed Property Maintenance Local Law Public Hearing:**

Supervisor Leggett opened the Public Hearing on the Proposed Property Maintenance Local Law at 7:08 pm.

Supervisor Leggett had the Attorney for the Town look over the proposed Property Maintenance Local Law for review, from which a few comments were given. Supervisor Leggett ask Tom Thorsen, Zoning Enforcement Officer, if he had received any comments. Tom replied that Rand Fosdick had submitted comments which he then emailed to the Board and asked the Town Clerk to include a hard copy in the packets tonight.

Mrs. DuRose asked about Section 7. Garage Sales, Yard Sales or Similar Sales Activities and if the Town was excluding the weekdays because only weekends and holiday weekends were listed. Tom replied that yes it would limit sales to weekends. Mrs. DuRose would like to see that there is a limit of three weekends and not every weekend.

Mr. Packer stated that he did not like it and would not vote for it.

Supervisor Leggett asked the Attorney for the Town, Mark Schachner, about the process of the adoption of a Town Law and if the Town needs to hold another public hearing. Mr. Schachner replied that there does not need to be another public hearing if the changes are not substantial. Supervisor Leggett would like to incorporate some of the changes and come back at the next meeting.

Mr. Turcotte asked to keep the Public Hearing open until next month.

Supervisor Leggett stated at 7:18 pm that the Board will continue the Public Hearing on the Proposed Property Maintenance Local Law at the April 9<sup>th</sup> Meeting.

**Committee Reports:**

Supervisor Leggett opened Committee Reports at 7:18 pm.

Karen DuRose reported on trip to NYC for the 2019 Association of Towns Annual Meeting, a meeting she attended at Warren County about the Sales Tax Distribution, and a breakfast at the YMCA Adirondack Center where they gave thanks to the first responders.

Steve Durkish mentioned that he road with the highway department and was impressed on the winter operation.

Supervisor Leggett reported that the AUD (Annual Financial Report Update Document) was filed; met with Fred Engelmann and Ava Ashendorff concerning whitespace; received plans from Cedarwood Engineering for the changes to the Pottersville Well House; great turn out at both the Downhill Derby and the Winter Carnival, which both use occupancy tax monies; the bookroom has been move to the new bookroom; a tree fell on the fence and soccer field so we need to assess the trees; and the transfer station accepts recyclables #1-#7.

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

- Town Board Minutes for February 12 and March 6, 2019
- Zoning Administrator Activity Report for February 2019
- Planning Board Minutes for February 25, 2019
- Zoning Board Minutes for February 26, 2019
- Zoning Enforcement Officer Report for February 2019
- Assessor's Report for March 2019
- Animal Control Monthly Report February 2019
- Town Clerk Monthly Report for February 2019
- North Warren EMS Monthly Report for February 2019
- Town Court Report dated March 12, 2019
- Audited Abstract for March 2019

Town Clerk reported the following communication:

- Letter of Resignation from the Library Board of Trustees from Jane O'Connell effective February 14, 2019
- Letter from the Tri-Lakes Business Alliance thanking the Board for their continued support

Mike Packer asked if there was ever a test well drilled by the Pottersville Water District Tank. Supervisor Leggett replied that they ran out of time and will hopefully this year.

Supervisor Leggett closed Committee Reports at 7:28 pm.

**Privilege of the Floor:**

Supervisor Leggett opened Privilege of the Floor at 7:29 pm.

Al Tolomeo thanked everyone who helped with the Carol Theater and handed out a schedule of upcoming events.

**Porsche 926 Event:**

Curt Austin explain how the Porsche 926 event brings in people from all over and asked if he could use the front lawn of the Town Hall again this year.

**RESOLUTION NO. 59 OF 2019: AUTHORIZE CURTISS AUSTIN ORGANIZER OF THE PORSCHE 926 EVENT TO USE THE FRONT LAWN JUNE 15, 2019**

**WHEREAS**, Curtiss Austin, organizer of an event for Porsche 928 owners to be held the weekend of June 15, 2019, wishes to hold an informal car show on Main Street Chestertown on the lawn in front of the Municipal Center beginning on or about 3:00 pm of Saturday, June 15<sup>th</sup> and ending no later than dusk, involving the additional participation of the Hudson-Champlain Chapter of the Porsche Club of America, and with the intention that participants will avail themselves to the hospitality services along Main Street,

**BE IT RESOLVED**, that permission is hereby granted for such use subject to the following conditions:

1. A certificate of insurance shall be provided in advance naming the Town of Chester as beneficiary.
2. Damage to grass shall be avoided; any such damage shall be repaired by the organizer or, should he fail to perform such repairs, he shall reimburse the town for its expenses.
3. Should the lawn be soft due to extended rainfall, the organizer shall restrict the event to the paved areas north and/or south of the Municipal Center.
4. The organizer shall pick up all litter.
5. Organizer shall advise participants that no alcoholic beverages are to be consumed on town property.
6. The Town may revoke this permission other than for cause.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 59 of 2019 was **ADOPTED**.

AYE 5 NO 0

Mary Clark asked about the sidewalks in Pottersville. Supervisor Leggett replied that weather permitting should be the beginning of the season. Pat Powers asked about weed control for Pottersville. Supervisor Leggett said that they will continue again this year on the property owned by the Town.

Mark Williams asked about adding dock fees if they are still discussing boat fees. Supervisor Leggett asked Mr. Williams what suggestion he had on a dock fee. Mark replied that the current fee for Lake George residential dock is \$40 per year and they allow a 700 ft<sup>2</sup> dock and commercial docks are charged per foot. Tom Thorsen commented that the max dock size in the Town of Chester was 240 ft<sup>2</sup>.

Supervisor Leggett closed Privilege of the Floor at 7:41 pm.

**New Business:**

Supervisor Leggett opened New Business at 7:42 pm.

**Septic Variance Application: Bradley #SV2019-01:**

Supervisor Leggett explained that the owner was reapplying due to cost. The applicant is requesting the reduction of the holding tanks to 1,500 gallons from the 2,000 gallons previously approved and the owner has also decreased the number of bedrooms.

**RESOLUTION NO. 60 OF 2019: DEEM THE SEPTIC VARIANCE APPLICATION: BRADLEY #SV2019-01 COMPLETE AND SETS PUBLIC HEARING FOR THE APPLICATION ON TUESDAY, APRIL 9, 2019 AT 7 PM**

**WHEREAS**, an application for septic wastewater treatment system variance was received from Eric Jackson Bradley for a property at 4700 State Route 9, Riparius, NY, and

**WHEREAS**, the application was submitted by Dennis MacElroy of Environmental Design Partnership, LLP denoting changes to a previously approved septic variance of June 12, 2018,

**BE IT RESOLVED**, the Town Board deems the application complete and sets public hearing for the application on Tuesday, April 9, 2019 at 7 pm and authorizes the Town Clerk to advertise the public hearing accordingly,

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

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 60 of 2019 was **ADOPTED**.

AYE 5 NO 0

**SEQRA Review:**

The Attorney for the Town commented that we do not need to adopt another resolution declaring the Town of Chester as Lead Agency unless the APA requests such action when the Town already passed a resolution declaring the intent to be Lead Agency.

**St. Patrick's Day Parade:**

Supervisor Leggett stated that the Town received correspondence from a resident on Foster Flats Road who is opposed to the lineup on the road.

**RESOLUTION NO. 61 OF 2019: GRANT PERMISSION FOR THE ST. PATRICK'S DAY PARADE LINE-UP TO BE ON FOSTER FLATS ROAD ON SATURDAY, MARCH 16, 2019**

**WHEREAS**, the Tri Lakes Business Alliance sponsors a St. Patrick's Day Parade each year,

**BE IT RESOLVED**, the Town Board grants permission for the St. Patrick's Day Parade line-up to be on Foster Flats Road on Saturday, March 16, 2019.

On a motion by Mr. Packer, seconded by Mr. Durkish, Resolution No. 61 of 2019 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 62 OF 2019: ACCEPT THE RESIGNATION OF JANE O'CONNELL FROM THE LIBRARY BOARD OF TRUSTEES**

**WHEREAS**, the Town Board and Library Board of Trustees have received a letter of resignation from Jane O'Connell from the Library Board of Trustees,

**BE IT RESOLVED**, the Town Board accepts the resignation of Jane O'Connell from the Library Board of Trustees and thanks her for her service to the Town of Chester.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 62 of 2019 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 63 OF 2019: AUTHORIZE THE WATER SUPERINTENDENT AND DEPUTY WATER SUPERINTENDENT TO ATTEND THE NEW YORK RURAL WATER ASSOCIATION 39TH ANNUAL TECHNICAL TRAINING WORKSHOP & EXHIBITION AND FOR THE EXPENSES FOR REGISTRATION, TRAVEL, HOTEL, AND MEALS**

**WHEREAS**, the New York Rural Water Association 39th Annual Technical Training Workshop & Exhibition is from Monday, May 20, 2019 - Wednesday, May 22, 2019, and

**WHEREAS**, Town Water Superintendents and Deputy Water Superintendents are able to attain certification credits at the training workshop,

**BE IT RESOLVED**, the Town Board authorizes the Water Superintendent and Deputy Water Superintendent to attend the New York Rural Water Association 39th Annual Technical Training Workshop & Exhibition and for the expenses for registration, travel, hotel, and meals to be paid out of CW & PW budget codes.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 63 of 2019 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 64 OF 2019: AUTHORIZE SUPERVISOR LEGGETT, JOHN NICK, JOHN MACMILLEN, ARNOLD JENSEN, MARY CLARK, AND JEREMY LITTLE ATTEND THE ADIRONDACK PARK LOCAL GOVERNMENT CONFERENCE IN LAKE PLACID APRIL 3 & 4, 2019 AND FUNDS BE APPROPRIATED FOR REGISTRATION, ROOMS, MEALS, AND TRAVEL**

**WHEREAS**, the APA's Adirondack Park Local Government Conference provides trainings for municipal officials each year,

**BE IT RESOLVED**, Supervisor Leggett is authorized to attend the Adirondack Park Local Government Conference in Lake Placid April 3 & 4, 2019 and funds be appropriated out of budget code A1220.4 for registration, rooms, meals, and travel, and

**BE IT FURTHER RESOLVED**, that Planning & Zoning Board members John Nick, John MacMillen, Arnold Jensen, Mary Clark, and Jeremy Little are also authorized to attend and funds be appropriated out of budget code A8010.4 and A8020.4.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 64 of 2019 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 65 OF 2019: AUTHORIZE THE CHESTERTOWN VOLUNTEER FIRE COMPANY FIREHOUSE AS THE OFFICIAL POLLING PLACE IN THE TOWN OF CHESTER**

**WHEREAS**, the Town of Chester is required to designate an official polling place each year, and **WHEREAS**, the Town, in conjunction with the Warren County Board of Elections, has approved the Chestertown Firehouse in previous years,

**BE IT RESOLVED**, the Town authorizes the Chestertown Volunteer Fire Company Firehouse as the official polling place in the Town of Chester.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 65 of 2019 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 66 OF 2019: AUTHORIZE THE SUPERVISOR TO APPLY FOR GRANTS TO AID IN THE RENOVATION OF THE GYM AND AUDITORIUM OF THE TOWN MUNICIPAL CENTER**

**WHEREAS**, the Town of Chester desires to renovate the gym and auditorium in the Town Municipal Center,

**BE IT RESOLVED**, the Town Board authorizes the Supervisor to apply for grants to aid in the renovation of the gym and auditorium of the Town Municipal Center.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 66 of 2019 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 67 OF 2019: AUTHORIZE TOWN CLERK TO ADVERTISE FOR SAND BIDS**

**WHEREAS**, the Town of Chester Highway Department desires to purchase sand for winter road maintenance,

**BE IT RESOLVED**, the Town Clerk is authorized to advertise for bids for an amount of sand set by the Highway Superintendent with a submission date by Wednesday, April 9, 2019 at 3pm and the bids will be opened at the Town Board meeting on the same day at 7PM.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 67 of 2019 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 68 OF 2019: AUTHORIZE THE YOUTH DIRECTOR TO APPLY FOR A USTA GRANT FOR TENNIS EQUIPMENT FOR THE SUMMER YOUTH PROGRAM**

**WHEREAS**, the Youth Commission seeks to obtain more equipment for the Summer Youth Program,

**BE IT RESOLVED**, the Town Board authorizes the Youth Director to apply for a USTA grant for tennis equipment for the Summer Youth Program.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 68 of 2019 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 69 OF 2019: AUTHORIZE SUPERVISOR LEGGETT TO SIGN A CONTRACT WITH NORTHSTAR FIREWORKS TO PROVIDE THE SUMMERFEST FIREWORKS DISPLAY FOR AN AMOUNT NOT TO EXCEED \$6,000 AND THE TOWN BOARD SETS SATURDAY, JULY 6, 2019 AS THE DATE OF FIREWORKS IN CONJUNCTION WITH THE NORTH WARREN CHAMBER OF COMMERCE SUMMERFEST**

**WHEREAS**, Northstar Fireworks from East Montpelier, VT has provided firework displays for the Town in the past, and

**WHEREAS**, the service and displays have been satisfactory each time,

**BE IT RESOLVED**, Supervisor Leggett is authorized to sign a contract with Northstar Fireworks to provide the Summerfest fireworks display for an amount not to exceed \$6,000 and appropriated from budget code A6410.43, and

**BE IT FURTHER RESOLVED**, the Town Board sets Saturday, July 6, 2019 as the date of fireworks in conjunction with the North Warren Chamber of Commerce Summerfest, and with a rain date of Sunday, July 7, 2019.

On a motion by Mr. Packer, seconded by Mr. Durkish, Resolution No. 69 of 2019 was **ADOPTED**.

AYE 5 NO 0

**Chester Challenge Pins and Patches:**

Supervisor Leggett asked the Boards if they would like to continue handing out pins and patches for the Chester Challenge. Mr. Turcotte commented that the pins are conversation points and good advertising. Mr. Durkish asked if the pins were purchased with occupancy tax money. Supervisor Leggett said no.

**RESOLUTION NO. 70 OF 2019: APPLY FOR GRANTS FOR REPLACING PLAYGROUND EQUIPMENT AT THE POTTERSVILLE PLAYGROUND**

**RESOLVED**, to apply for grants for replacing playground equipment at the Pottersville Playground.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 70 of 2019 was **ADOPTED**.

AYE 5 NO 0

**Loon Lake Beach Well:**

Frank Allard asked who was going to pay for the well at the Loon Lake Beach. Frank would like to see the cost distributed throughout the Town not just the Loon Lake Park District. Mr. Packer asked if occupancy tax could be used to pay for the well. Supervisor Leggett said he would look into it. Supervisor Leggett commented that there will be a meeting with Cedarwood Engineering and the Department of Health on March 21<sup>st</sup> to discuss the well.

**RESOLUTION NO. 71 OF 2019: GRANT PERMISSION TO THE CHESTERTOWN FARMERS MARKET TO USE THE FRONT LAWN OF THE TOWN HALL EACH WEDNESDAY FROM JUNE 12 THROUGH SEPTEMBER 18, 2019**

**WHEREAS**, the Chestertown Farmers Market has used the front lawn of the Town Hall for 6 years with great success, and

**WHEREAS**, the Farmer Market request permission to use the front lawn for the weekly Farmers Market in 2019,

**BE IT RESOLVED**, the Town Board grants permission to the Chestertown Farmers Market to use the front lawn of the Town Hall each Wednesday from June 12 through September 18, 2019 (15 weeks).

On a motion Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 71 of 2019 was **ADOPTED**.

AYE 5 NO 0

**Privilege of the Floor:**

Supervisor Leggett opened Privilege of the Floor at 8:07 pm.

Mark Williams asked about the progress with the Loon Lake Dam and who is covering the cost. Supervisor Leggett replied that the engineers are working towards the repairs and that the dam is part of the Loon Lake Park District and that hopefully there will be monies to offset the cost from the district.

Chris Aiken, a resident of Pottersville for 14 years, asked about the water in Pottersville and not being able to drink the water. Supervisor Leggett explained how the wells located at Gamble's Beach and the water travels up to the tank on Landon Hill Road and then comes back down. Edna Wells commented that the letter she received in the past from the Town stated that if you have not used your water for

several hours you should let it run for a few minutes before you drink it. Edna said the church lets the water run a long time because they only use it once a week. David Gross replied that their ice from their ice machine is blue and their tub is also stained blue.

**RESOLUTION NO. 72 OF 2019: AUTHORIZE PAYMENT OF ABSTRACTS**

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

***2019***	
General A	\$171,127.52
Highway DA	\$88,446.26
Library L	\$1371.49
Loon Lake Park District SP	\$3,677.50
Chestertown Water SW1	\$1,066.32
Pottersville Water SW2	\$4,975.73
Schroon Lake Park District SX	\$4,243.67
Other TA	\$2,042.72
Total	\$276,951.21

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 72 of 2019 was **ADOPTED**.  
 AYE 5 NO 0

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, the Board went into Executive Session at 8:30 pm to discuss the employment history of a particular person and proposed, pending or current litigation.

AYE 5 NO 0

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Board exited Executive Session at 9:02 pm.

AYE 5 NO 0

No action taken.

On a motion by Supervisor Leggett, seconded by Mr. Packer, meeting adjourned at 9:03 pm.

Respectfully submitted,

\_\_\_\_\_  
 Town Clerk