



**Town Board
Regular Meetings
April 9, 2019**

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

Supervisor Leggett opened the Regular Town Board Meeting at 7:03 pm with the Mike Packer leading the Pledge of Allegiance.

Sand Bids:

The Town Clerk opened one bid at 7:04 pm from Berness Bolton Exc. Co. Inc., Brant Lake, New York for screened road sand at \$4.50 per yard.

Supervisor Leggett asked Jason Monroe, Highway Superintendent how many yards of sand would he need this year? Mr. Monroe replied 4,000 yards and recommends taking 4,000 yards again this year at \$4.50 per yard.

RESOLUTION NO. 73 OF 2019: ACCEPT SAND BID FROM BERNESS BOLTON EXC. CO. INC. FOR \$4.50 PER YARD

RESOLVED, to accept the sand bid from Berness Bolton Exc. Co. Inc. for screened road sand at \$4.50 per yard.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 73 of 2019 was **ADOPTED**.
AYE 5 NO 0

Regular Meeting:

Supervisor Leggett opened the Regular Meeting at 7:05 pm.

RESOLUTION NO. 74 OF 2019: ACCEPT MINUTES OF THE REGULAR MEETING MARCH 12, 2019

RESOLVED, to accept the minutes of the Regular Meeting March 12, 2019 as presented.

On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 74 of 2019 was **ADOPTED**.
AYE 5 NO 0

Bradley Septic Variance #SV2019-01 Public Hearing:

Supervisor Leggett opened the Bradley Septic Variance #SV2019-01 Public Hearing at 7:06 pm.

Supervisor Leggett spoke on the phone with the engineer representing Bradley who was unable to make the meeting due to a scheduling conflict. Supervisor Leggett read a portion of a letter from Cedarwood Engineering, Cedarwood finds the revised plans to be satisfactory. Two items from the original review are still applicable and are listed below:

- For the leakage test, a 1-hour test is acceptable if it is completed prior to backfilling but should be conducted during dry conditions and the tank should be filled with water above the highest penetration.
- Cedarwood is requesting the opportunity to observe the leakage test. Please provide 24-hours advance notice prior to conducting the leakage test.

Supervisor Leggett reminded everyone that this was just an adjustment in the size of the 2 holding tanks from 2,000 gallons down to 1,500 gallons.

Supervisor Leggett asked if there were any comments.

Hearing none, Supervisor Leggett closed the Bradley Septic Variance #SV2019-01 Public Hearing at 7:07 pm.

Proposed Property Maintenance Local Law Public Hearing:

Supervisor Leggett reconvened the Public Hearing on the Proposed Property Maintenance Local Law at 7:07 pm.

Supervisor Leggett asked Tom Thorsen, Zoning Enforcement Officer, if he had any comments. Mr. Thorsen replied that he was waiting for the Attorney for the Town's comments on the enforcement section. Mark Schachner, Attorney for the Town, stated he will probably be recommending substantial revisions to the enforcement portion.

David Gross asked that "Emergency" be defined, not just safety, health and welfare, what would constitute an emergency.

Supervisor Leggett stated at 7:09 pm that the Board will continue the Public Hearing on the Proposed Property Maintenance Local Law at the May 14th Meeting.

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:09 pm.

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

- Town Board Minutes for March 12, 2019
- Zoning Administrator Activity Report for March 2019
- Zoning Board Minutes for March 26, 2019
- Zoning Enforcement Officer Report for March 2019
- Assessor's Report for April 2019
- Animal Control Monthly Report March 2019
- Town Clerk Monthly Report for March 2019
- North Warren EMS Monthly Report for March 2019
- 2018-2019 Dynamite Hill Expense Report
- Summary of 2018 Marriages from Susan Andonucci
- Audited Abstract for April 2019

Town Clerk reported the following communication:

- Letter from Cedarwood Engineering referring to the Bradley Property
- Referral Response from the Warren County Planning Department concerning the proposed Zoning Amendments (in packet)
- Comments from Robyn Burgess (APA) regarding the proposed Zoning Amendments (on tablet)
- Letter from the Library Board of Trustees recommending the appointment of Sandra Deak to fill the vacancy left by Jane O'Connell
- Beach Permit effective June 29, 2019
- Town Court Report dated April 9, 2019
- Thank you pictures from Miss Joann's Class

Larry Turcotte gave an update on the Tree Committee, stating that the Arbor Day Event will take place in May and not on Arbor Day, April 26th.

Mike Packer said that the gymnasium has been gutted with the removal of the stage and lights and thanked everyone for their help. Now it just needs to be cleaned up.

Karen DuRose attended the Broadband Meeting in Johnsbury and has spent time in the north end of Chester talking with people and emailed the board members a list of questions. Karen said she had been asked to have contact information for the board members posted online.

Supervisor Leggett reported the following:

- Attended the Adirondack Park Local Government Day Conference.
- Wellness Center is looking to have a grand opening in the beginning of May. John Nick and Mike Packer are installing the air conditioner.
- Warren County Capital Projects will all be listed on a central data base managed through Warren County Planning.
- Attended the National Crime Victims Week Awards Ceremony.
- Attended the Broadband Symposium with Karen DuRose.
- Bruce Nolin has retired and Maja is working hard as the new bookkeeper.
- The floors in the Town Hall have been stripped and waxed.
- Sat in on an Adirondack Futures Webinar
- Meet with the DOH and Tom Suozzo about the Loon Lake Beach well and the Pottersville Water District well.
- Dynamite Hill ran until March 24th this year
- The North Warren Chamber of Commerce in conjunction with the YMCA held a job fair at North Warren Central School which was a product of our Economic Development Work Groups. Jack Bartlett said there were about 200 people attended.
- Stated that there was no supporting legislation for charging boat fees on Loon Lake.

Supervisor Leggett closed Committee Reports at 7:20 pm.

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 7:20 pm by introducing Ben Driscoll from Catholic Charities.

Mr. Driscoll spoke about Supplemental Nutrition Assistance Program (SNAP) which assists individuals that fall below a threshold of income each month. In Warren County approximately 4,000 households participate in the program, which represents about 7,000 people. Of the 7,000 people approximately 40% are individuals 16 years of age and younger, 25- 30% are ages 60 and above, of the remaining 30% many of the individuals are employed but are not earning enough to sustain a household, and only 4.3% of the 7,000 individuals are Able Body Adults Without Dependents (ABAWD). Ben asked the Town Board and the employees to share information about SNAP and encourage individuals to get more information. Information will be available in the Food Pantry located in the Town Hall.

The Board thanked Ben for the great information.

Supervisor Leggett closed Privilege of the Floor at 7:33 pm.

New Business:

Supervisor Leggett opened New Business at 7:34 pm.

RESOLUTION NO. 75 OF 2019: APPROVE BRADLEY SEPTIC VARIANCE APPLICATION #SV2019-01

WHEREAS, the Town Board, acting as the Local Board of Health, approved Septic Variance #SV2018-01 on June 12, 2018 for Eric Bradley at 4700 State Route 8, Riparius, NY, and

WHEREAS, Mr. Bradley has submitted Septic Variance Application #SV2019-01 requesting to change the size of the holding tanks from 2,000 gallons to 1,500 gallons each, and

WHEREAS, the Local Board of Health has referred #SV2019-01 to Cedarwood Engineering for review, and has held a public hearing on the matter,

BE IT RESOLVED, the Town Board acting as the Local Board of Health finds the modified Bradley septic variance application meets the following criteria:

- a) That there are special circumstances or conditions, fully described in the findings of the Local Board of Health, applying to such land and that such circumstances or conditions are such that strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land.
- b) That the variance would not be materially detrimental to the purposes and objectives of this Ordinance, or to other adjoining properties, or otherwise conflict with the purpose or objectives of any plan or policy of the Town.
- c) That, for reasons fully set forth in the findings of the Local Board of Health, the granting of the variance is necessary for the reasonable use of the land and that the variance, as granted by the Local Board of Health, is the minimum variance which would alleviate the specific unnecessary hardship found by the Local Board of Health to affect the applicant.
- d) And, the Local Board of Health does not prescribe any additional and reasonable conditions that it deems to be necessary or desirable,

BE IT FURTHER RESOLVED, the Local Board of Health finds the septic system for 4700 State Route 8, Riparius, NY as designed and presented by Environmental Design Partnership and reviewed by Cedarwood Engineering on behalf of the Town to be the minimum allowable variance to the Town's On Site Wastewater Treatment Local Law based on site conditions, lot size, and potential impact to adjacent private property and common natural resource (Hudson River).

On a motion by Supervisor Leggett, seconded by Mr. Turcotte, Resolution No. 75 of 2019 was **ADOPTED**.

AYE 5 NO 0

Expenditure of Highway Moneys:

Supervisor Leggett asked Jason Monroe to talk about the upcoming Highway projects. Mr. Monroe would like to work on Riverside Drive, Mill Street, Maple Lane, Ferris Road, LaFlure Lane, Panther Mtn. Drive, and Vetter Ave. Jason reminded everyone that Church Street is a County Road and he has contacted the County to work on Church Street this summer.

Mrs. DuRose asked if the end of Bird Pond Road at 28N would be this year or next year. Jason replied next year. Jason said chip seal is easier but it is not the answer to everything. Jason said that he wanted to concentrate on the village before we lose any of the roads and have to do complete reconstruction.

Mr. Packer asked if there could be a culvert placed at the end of Ferris Road. Jason is going to meet with Kevin Hajos, Superintendent of Public Works, to discuss culverts at the end of Maple Lane and Ferris Road.

RESOLUTION NO. 76 OF 2019: TOWN BOARD AGREES TO SIGN THE AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS PURSUANT TO SECTION 284 OF HIGHWAY LAW

WHEREAS, each year the Town Board and the Town Highway Superintendent sign an agreement pursuant to the provision of Section 284 of the Highway Law that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended for specified General Repair and Permanent Improvement projects, and

WHEREAS, the Highway Superintendent has completed the Section 284 Agreement form,

BE IT RESOLVED, the Town Board agrees to sign the Agreement for the Expenditure of Highway Moneys pursuant to Section 284 of Highway Law and directs the Town Clerk to send 2 copies of the signed Section 284 agreement to the Warren County DPW Superintendent for his approval.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 76 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 77 OF 2019: AUTHORIZE THE SUPERVISOR TO SIGN A REVISED AGREEMENT FOR SENIOR TRANSPORTATION UNDER THE COMMUNITY SERVICES FOR THE ELDERLY PROGRAM WITH WARREN COUNTY REFLECTING AN INCREASE OF FUNDING TO THE TOWN OF \$943 FOR A TOTAL OF \$4,714 FOR 2019

WHEREAS, Warren County contracts with the Town of Chester to provide senior transportation each year, and

WHEREAS, the County is amending the contract to reflect a onetime increase of \$943 more than the original amount of \$3,771 to bring the total for 2019 to \$4,714,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign a revised agreement for senior transportation under the Community Services for the Elderly program with Warren County reflecting an increase of funding to the Town of \$943 for a total of \$4,714 for 2019.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 77 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 78 OF 2019: APPROVE THE HIRING OF ETHAN FRAISER AS SEASONAL FULL TIME LABORER AND CAROL CONFER AS PART TIME DETAIL GARDENER / COORDINATOR AT THE RATE OF \$14.26 PER HOUR

WHEREAS, the Parks and Recreation department hires personnel for the summer season,

BE IT RESOLVED, the Town Board approves the hiring of Ethan Fraiser as seasonal full time laborer and Carol Confer as part time detail gardener / coordinator at the rate of \$14.26 per hour.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 78 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 79 OF 2019: APPOINT SANDRA DEAK TO THE CHESTER LIBRARY BOARD OF TRUSTEES FOR A TERM BEGINNING ON MAY 1, 2019 AND ENDING JULY 31, 2022

WHEREAS, the Chester Library Board of Trustees has approved Sandra Deak to fill the seat vacated by Jane O'Connell,

BE IT RESOLVED, the Town Board appoints Sandra Deak to the Chester Library Board of Trustees for a term beginning on May 1, 2019 and ending July 31, 2022, at which time she will be eligible to serve her own 5 year term, and also advise her to take an oath of office with the Town Clerk within 30 days of appointment.

On a motion by Mr. Durkish, seconded by Mr. Packer, Resolution No. 79 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 80 OF 2019: APPROVE THE USE OF STREETS AND ROADS IN CHESTER FOR THE 5K RUNNING RACE AS ORGANIZED BY THE NORTH WARREN PTO ON SUNDAY JUNE 2, 2019

WHEREAS, the North Warren PTO plans to host a 5k running race on Sunday June 2, 2019 beginning and ending at North Warren Central School and including streets in Chestertown,

BE IT RESOLVED, the Town Board approves the use of streets and roads in Chester for the 5k running race as organized by the North Warren PTO on Sunday June 2, 2019 and authorizes the Supervisor to write a letter of support.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 80 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 81 OF 2019: AUTHORIZED SUPERVISOR TO SEND A LETTER OF SUPPORT FOR THE ADIRONDACK DISTANCE FESTIVAL RACES TO BE HELD ON SEPTEMBER 21 AND 22, 2019 AND APPROVES THE USE OF STREETS AND ROADS IN THE TOWN OF CHESTER

WHEREAS, the Adirondack Distance Festival hosts a 10k/5k race on Saturday, September 21, 2019 in Chestertown beginning and ending at the Town Municipal Center and marathon/half marathon on Sunday, September 22, 2019 beginning and ending in Schroon Lake and using roads in the Town of Chester,

BE IT RESOLVED, the Supervisor is authorized to send a letter of support for the Adirondack Distance Festival races to be held on September 21 and 22, 2019 and approves the use of streets and roads in the Town of Chester.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 81 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 82 OF 2019: AUTHORIZE THE APPROPRIATION OF \$6,000 OF OCCUPANCY TAX FUNDS FOR AN ADIRONDACK WOOF STOCK EVENT TO BE PAID TO TRI LAKES BUSINESS ALLIANCE UPON RECEIPT OF PROPER DOCUMENTATION

WHEREAS, the Tri Lakes Business Alliance has filled out a request for funding for An Adirondack Woofstock event to be held June 8 and 9, 2019, and

WHEREAS, the Town of Chester has funded this event in previous years and the event organizers have submitted activity reports from those years,

BE IT RESOLVED, the Town Board authorizes the appropriation of \$6,000 of Occupancy Tax Funds for An Adirondack Woof Stock event to be paid to Tri Lakes Business alliance upon receipt of proper documentation.

On a motion by Mr. Packer, seconded by Mr. Durkish, Resolution No. 82 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 83 OF 2019: AUTHORIZE THE APPROPRIATION OF \$1,200 OCCUPANCY TAX FUNDS FOR THE MUSIC NIGHT AT THE CROSSROADS SERIES TO BE HELD FROM JULY 11 TO AUGUST 29, 2019

WHEREAS, The Crossroads has submitted a first-time Occupancy Tax request for support of an 8 week music program to be held on their premises each Thursday in July and August for the amount of \$1,200,

BE IT RESOLVED, the Town Board authorizes the appropriation of \$1,200 Occupancy Tax Funds for the Music Night at the Crossroads series to be held from July 11 to August 29, 2019.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 83 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 84 OF 2019: AUTHORIZE THE CHESTERTOWN ROTARY CLUB TO USE THE FRONT LAWN OF THE TOWN HALL FOR THEIR ANNUAL GARAGE SALE THE WEEKEND OF JULY 13-15, 2019

WHEREAS, the Chestertown Rotary Club desires to use the front lawn of the Town Hall for their annual Garage Sale,

BE IT RESOLVED, the Town Board authorizes the Chestertown Rotary Club to use the front lawn of the Town Hall for their annual Garage Sale the weekend of July 13-15, 2019.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 84 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 85 OF 2019: ACCEPT THE AMENDMENTS OF SCHEDULE A: 2019 SCHEDULE OF APPOINTMENTS AND VARIOUS RATES OF PAY TO REFLECT PARK AND RECREATION SEASONAL HIRING OF ETHAN FRASIER AND CAROL CONFER AT THE RATE OF \$14.26 PER HOUR

WHEREAS, the Town Board adopted Schedule A: 2019 Schedule of Appointments and Various Rates of Pay at the January 8, 2019 Organizational Meeting, and

WHEREAS, Schedule A did not include the positions and pay rate for Parks & Recreation Seasonal employees, and

BE IT RESOLVED, the Town Board accepts the amendments of Schedule A: 2019 Schedule of Appointments and Various Rates of Pay to reflect Park and Recreation seasonal hiring of Ethan Frasier and Carol Confer at the rate of \$14.26 per hour.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 85 of 2019 was **ADOPTED**.

AYE 5 NO 0

Deputy Supervisor:

Supervisor Leggett thanked Karen DuRose for her service and stated that he has appointed Marion Eagan as Deputy Supervisor effective April 9, 2019. The Attorney for the Town reminded everyone that that is not a Town Board decision and does not require a resolution. Supervisor Leggett said it was just to update Schedule A: 2019 Schedule of Appointments and Various Rates of Pay.

Karen DuRose said as Deputy Supervisor, she most certainly did everything in the very best interest of the Town, so there is no question in her eyes. Mr. Packer thought Karen did an excellent job. Craig Leggett agreed.

RESOLUTION NO. 86 OF 2019: APPROVE THE REVISED TOWN OF CHESTER PLANNING & ZONING OFFICE FEE SCHEDULE

WHEREAS, the Zoning Administrator has submitted a revised Town of Chester Planning & Zoning Office Fee Schedule for approval,

BE IT RESOLVED, the Town Board approves the revised Town of Chester Planning & Zoning Office Fee Schedule that eliminates a charge for zoning certificate renewals, establishes a \$30 fee for interior alterations that require a Warren County building permit, and establishes a \$30 fee for Other Uses/Structures Not Listed Above Requiring Zoning Certificate (i.e. Home Occupation, Agricultural Use, Forestry Use, Wayside Stand, etc.) effective May 1, 2019.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 86 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 87 OF 2019: APPROVE THE APPROPRIATION OF \$1,327 FOR THE NORTH WARREN CHAMBER OF COMMERCE 2019 KRAZY DOWNHILL DERBY

WHEREAS, North Warren Chamber of Commerce has submitted a request for Occupancy Tax for the 2019 Krazy Downhill Derby,

BE IT RESOLVED, the Town Board approves the appropriation of \$1,327 for the North Warren Chamber of Commerce 2019 Krazy Downhill Derby.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 87 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 88 OF 2019: DEEM THE COMPONENTS AND PARTS OF THE THEATER LIGHTING SYSTEM THAT WAS INSTALLED IN THE TOWN MUNICIPAL CENTER AS SURPLUS

WHEREAS, the Town of Chester no longer has need for the theater lighting system that was installed in the Town Municipal Center auditorium/gymnasium,

BE IT RESOLVED, the Town Board deems the components and parts of the theater lighting system that was installed in the Town Municipal Center as surplus and be made available for sale according to Town policy and practice.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 88 of 2019 was **ADOPTED**.

AYE 5 NO 0

Line valve insertion in Chestertown Water District:

Jason Monroe, Water Superintendent spoke about the need to replace valves in the water main by the bank and not wanting to turn off the water to other parts of the district. There is a 3 valve system in the bank parking lot and would require approximately 2 day to fix with prep time. Jason would like to see the

3 valves replaced by an outside company to prevent the water being shut off. Jason stated that he has received 1 verbal quote for \$9,000 and will get one more quote.

RESOLUTION NO. 89 OF 2019: AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, the Town Board accepts the Abstract of Claims with the follow changes listed below and accounting requirements:

- #295 - Reduce SW1-8320.2 by \$1,290.00
- Increase SW2-8320.2 by \$1,290.00
- #298 - Reduce A1220.4 by \$111.94 (duplicate)
- #345 - Increase A1670.4 by \$473.79 (left off)

2019	
General A	\$95,998.38
Highway DA	\$59,999.50
Library L	\$141.674
Chestertown Water SW1	\$2,270.21
Pottersville Water SW2	\$3,194.81
Other TA	\$2,033.26
Total	\$162,472.19

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 89 of 2019 was **ADOPTED**.
AYE 5 NO 0

Town Hall Cleaner:

Supervisor Leggett stated that the current cleaner is going to be leaving and we need to fill the position. Marion Eagan has been getting quotes to have an outside company come in to clean and so far it seems cost effective. However there needs to be discussion on keeping the building open.

RESOLUTION NO. 90 OF 2019: AUTHORIZE TOWN CLERK ADVERTISE FOR A PART TIME CLEANER

WHEREAS, the position of part time cleaner for the Town Municipal Center will be opening in May, **BE IT RESOLVED**, the Town Clerk is authorized to advertise for applications in order to fill the vacant position.

On a motion by Supervisor Leggett, seconded by Mr. Durkish, Resolution No. 90 of 2019 was **ADOPTED**.

AYE 5 NO 0

Karen DuRose asked for an update on the CSEA Contract. Supervisor Leggett said they came back with the way the Town originally approved it.

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 8:20 pm.

Pat Powers asked if the lights at the Pottersville basketball courts were on. Supervisor Leggett said they adjust the timers for 9 pm.

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

On a motion by Supervisor Leggett, seconded by Mr. Packer, meeting adjourned at 8:22 pm.

Respectfully submitted,

Town Clerk

DRAFT