



Town Board Regular Meeting April 14, 2020

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.

Regular Meeting:

Supervisor Leggett opened the Regular Town Board Meeting at 7:24 pm with Mike Packer leading the Pledge of Allegiance.

Roll Call: Supervisor Craig Leggett, Karen DuRose, Mike Packer, Larry Turcotte (by Zoom), Chris Aiken, Marion Eagan, Deputy Supervisor and Attorney for the Town, Mark Schachner (by Zoom).

RESOLUTION NO. 68 OF 2020: ACCEPT THE MINUTES FROM THE REGULAR TOWN BOARD MEETING ON MARCH 10, 2020 AND THE SPECIAL TOWN BOARD MEETING ON MARCH 15, 2020

RESOLVED, to accept the minutes from the Regular Town Board Meeting on March 10, 2020 and the Special Town Board Meeting on March 15, 2020 as presented.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 68 of 2020 was **ADOPTED**.

AYE 5 NO 0

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:26 pm.

Town Clerk reported the following documents were emailed to all Board Members:

- Town Board Minutes for the Regular Meeting March 10 and Special Meeting March 15, 2020
- Audited Abstract for April 14, 2020 by Voucher number and by department
- Zoning Administrator Activity Report for March 2020
- Planning Board Minutes for March 16, 2020
- Assessors Report for April 2020
- Animal Control Monthly Report for March 2020
- Town Clerk Monthly Report for March 2020
- Town Court Report dated April 1, 2020
- Communications report for April 2020
- Spring 2020 Library Friends Newsletter
- Public Notification for Copper Action Level Exceedance in the Pottersville Water District for July – December, 2019

Town Board Reports:

Mrs. DuRose commented that she was quarantining herself and only had a few emails.

Mr. Aiken reported that he met with the Highway Department, Parks and Rec. and Supervisor Leggett to get feedback from the crew about coming back to work and it was determined to hold off until April 15th and then they would reassess the situation.

Supervisor Leggett reported that the Town received a grant check from Adirondack Foundation for over \$7,000 toward renovating the gymnasium floor (something that Marion applied for), he has been working on Covid-19 response, thanked Tom and Deb at the transfer station who are essential employees and are

working full time and he thanked Bill and Lynn who are also essential employees cleaning this building and Dynamite Hill.

Mr. Turcotte met with Tom Thorsen about office procedures and spoke with Zoning Administrator Jeremy Little about Zoning Board of Appeals and Planning Board meetings.

Supervisor Leggett closed Committee Reports at 7:30 pm.

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 7:30 pm.

Jack Bartlett read a question from Facebook Live, “Will all future meetings be on Zoom or Facebook?” Supervisor Leggett replied that we will have them by Zoom because it works and to have them live streamed we will continue with Facebook Live until there is a better solution.

Supervisor Leggett commented that Privilege of the Floor will continue at the end of the meeting.

New Business:

Supervisor Leggett opened New Business at 7:34 pm.

Supervisor Leggett commented that the Town received a disbursement check for sales tax which was 6.3% (\$23,000) more than last year at this time. Mr. Packer asked how much sales tax money the Town received in 2019. Supervisor Leggett replied \$1,911,000 in 2019 and \$1,917,000 in 2018. Chester had the one of the lowest increases in the County. The highway fund relies on \$500,000 and the general fund \$1,355,000 of sales tax. If we reduce the sales tax by 20% the highway would need to reduce by \$100,000 on expenses and Mr. Aiken and Supervisor Leggett met with the Highway Superintendent, Jason Monroe, to defer about \$150,000 worth of expenses. On the Town budget, we need to come up with at least \$200,000 in savings across the board. In payroll, we have spent \$42,000 less this year to date than last year at this time. We started out ok, we need to persist and be very conservative on what we do. Mr. Packer said we need to start cutting things now and asked if the Town could take the occupancy tax and put it into the budget. Supervisor Leggett responded that occupancy tax is specific. We budgeted \$46,000 for occupancy tax based on past history, but we are guaranteed \$30,000, there is a supplemental \$15,000 that comes along if the County does well, then there is a supplemental distribution on top of that that maybe another \$5,000 to \$7,000 if the occupancy tax is very good. Mr. Packer said it will be hard to spend \$5,000 for fireworks and then tell everyone we have to raise your taxes. Supervisor Leggett said we have budgeted \$6,000 for fireworks, but we have not signed that contract yet and if anyone out there would like to donate to the fireworks fund we are taking donations.

RESOLUTION NO. 69 OF 2020: AUTHORIZE PAYMENT OF ABSTRACTS

WHEREAS, the Town Clerk has entered the vouchers and created an Abstract of Audited Vouchers, and **WHEREAS**, the Town Board has reviewed the Abstract,

BE IT RESOLVED, the Board accepts the Abstract of Audited Vouchers and authorizes payment as presented.

| ***Number 4 of 2020*** | |
|------------------------|-------------|
| General A | \$58,136.73 |
| Highway DA | \$58,173.44 |
| Library L | \$549.04 |
| Loon Lake SP | \$10,590.00 |

| | |
|------------------------|--------------|
| Chestertown Water SW1 | \$4,390.85 |
| Pottersville Water SW2 | \$6,828.98 |
| Other TA | \$2,075.50 |
| Total | \$140,744.54 |

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 69 of 2020 was **ADOPTED**.
 AYE 5 NO 0

Sand Bid:

The Town Clerk stated that she opened the bid for sand on Friday, April 10th. The Town received one bid from Berness Bolton for \$4.50 per yard. The Town Clerk spoke with Jason Monroe and thinks this is a good bid and recommends we approve. Mr. Packer asked what we paid last year. Supervisor Leggett replied \$4.50. Mrs. DuRose asked how many tons we need. Supervisor Leggett said we try to have a stock pile of 16,000 yards, so we maybe need 10,000 yards.

RESOLUTION NO. 70 OF 2020: AWARD BID FOR SAND TO BERNESS BOLTON EXC

WHEREAS, the Town Clerk advertised for bids for supplying sand to the Highway Department, and **WHEREAS**, the Town Clerk opened the sole bid received at 2:05 pm on Friday, April 10, 2020 in the Office of the Town Clerk and the action was recorded electronically,

BE IT RESOLVED, the Town Board awards the bid for sand to Berness Bolton Exc. Co. Inc. at the price of \$4.50 per yard at the pit.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 70 of 2020 was **ADOPTED**.
 AYE 5 NO 0

Brush and Woody Debris:

Supervisor Leggett thanked Mr. Turcotte for his help in clarifying the yardage in the resolution. Supervisor Leggett went on to explain that taking woody debris came about from when Councilman Packer, Foreman Hitchcock and himself went around and visited five different landfills in neighboring towns to see what they did with brush.

Mrs. DuRose asked if we need to go out to bid. Supervisor Leggett replied that we do not need to because the County went out to bid and we piggyback on that as per the shared services agreement we have with the County, so we can use their contract with Rick Sears for grinding. It is \$1,000 to set up and \$3,000 for the day. Mr. Turcotte asked that the Transfer Station have a clip board to keep track of all the brush and debris that comes in. Mr. Aiken asked if it would be a wash for what we charge to take in would be the same as we spend. Supervisor Leggett commented that it should be a wash based on the space we have for the pile.

RESOLUTION NO. 71 OF 2020: SET RATE FOR WOODY DEBRIS BROUGHT TO THE TRANSFER STATION

WHEREAS, the Town suspended taking brush and woody debris when open burning at the Transfer Station was prohibited by NYS DEC, and

WHEREAS, there has been a need for residents to dispose of brush and woody debris but no public area to do so, and

WHEREAS, Warren County has awarded a contract for processing brush and woody debris and, as part of Shared Services, the Town may hire the contractor to process brush and woody debris in chips, and

WHEREAS, the cost of processing can be offset by charging a fee to dump brush and woody debris,

BE IT RESOLVED, the Town Board amends the chart of fees for the Transfer Station to include Brush and Woody Debris at \$15/ 2 Cubic Yard Pickup Truck Load; \$25/ 4 Cubic Yard 1 Ton Truck; \$40 / 7

Cubic Yard Single Axle Dump Truck / \$60 / 18 Cubic Yard Tandem Axle Dump Truck and the same for trailers of equivalent size.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 71 of 2020 was **ADOPTED**.
AYE 5 NO 0

Cemetery Lots:

Supervisor Leggett said that the current rate is \$150.00 per lot. Mr. Packer asked if a lot was for one person or two. Supervisor Leggett said a lot is a single grave.

RESOLUTION NO. 72 OF 2020: AMEND RATES FOR CEMETERY LOTS FOR NON-PROPERTY OWNER AND NON-RESIDENT TO BE \$750.00 PER GRAVE

WHEREAS, the care and upkeep of cemeteries in the Town is funded through the General Fund budget each year, and

WHEREAS, the care of cemetery lots continues for perpetuity and the cost is borne by property owners in the Town,

BE IT RESOLVED, the Town Board amends the fee schedule for the purchase of cemetery lots to add: Non-property owner and Non-resident to be \$750.00 per lot (a single grave).

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 72 of 2020 was **ADOPTED**.
AYE 5 NO 0

Boat Launch and Decontamination Station:

Mr. Aiken is concerned that there may be invasive species on a boat with no one there to monitor and the efforts from the Town over the last years could be compromised. Mr. Turcotte said that a lot of your boats this time of year have been out of the water all winter, so they are virtually decontaminated by not being in the water. Mr. Packer commented that a lot of the boats are in marinas and they are all closed. Supervisor Leggett said that based on the data from last year there were only three instances of interception of species, so the probability is that we are fairly safe in doing this.

RESOLUTION NO. 73 OF 2020: SET BOAT LAUNCH AND DECONTAMINATION STATION HOURS

WHEREAS, the Covid-19 pandemic response requires limiting personal contact, and

WHEREAS, Lake George Park Commission has suspended the opening of boat decontamination stations on Lake George until June 1st in order to limit personal contact of boatwash stewards to a transient public, and

WHEREAS, the spread of Aquatic Invasive Species is low until that time each year,

BE IT RESOLVED, the Town Board amends the hours the opening date of the Boat Decontamination station until June 1, 2020, and

BE IT FURTHER RESOLVED, the Town Board authorizes the opening of the Boat Launch on Friday May 8th at 10 am and to leave it open to public access until June 1st at which time the Boat Launch and Decontamination Station will be open from 7 am to 6 pm, 7 days a week. All hours and days are subject to change.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 73 of 2020 was **ADOPTED**.
AYE 5 NO 0

Response to COVID-19:

Supervisor Leggett said the original date was April 15th however we could change it to April 29th as per our stay at home orders. Mr. Packer said that there has to be something for the Highway to do. Supervisor Leggett replied that they can with limiting contact and eliminating equipment to personal use there are ways to accommodate. Councilman Aiken and Supervisor Leggett had a meeting with the highway crew and parks and rec. crew on Friday about being able to bring people back on the 20th. Supervisor Leggett has also talked with Kevin Hajos from Warren County DPW and the County is

looking to ease back in on the 20th as well so that we do not get too far behind on items. Now that we have approved a bid for hauling sand and we have pulled all the trucks out of the garage so the crew doesn't need to enter the garage to get into their truck, we would provide PPE to operate safely and they would be hauling sand for a pit to the highway garage pile. Mrs. DuRose asked how many vehicles? Supervisor Leggett said we have six trucks plus a loader. Mr. Packer said someone could be racking the roads. Craig said they talked about having two guys do that, one with the tractor and one with the tow behind broom. Mr. Aiken said the brushes last about five days and it takes three guys to change them. The Attorney for the Town, Mark Schachner, suggested that if you want the highway to do what was described then deem them as essential services. Mr. Aiken said that if we are not doing roadwork during the summer then we could be hauling sand then and what if a truck needs to be fixed. Mrs. DuRose asked how many days it would take to haul the sand. Mr. Aiken asked if everyone is there working and one person came down with the symptoms or the virus would it quarantine the whole crew, if we had a water main break and no one could fix it. Mr. Packer said that some towns are splitting their crews. Mrs. DuRose asked Craig if the County was still doing twenty-five percent. Craig commented that they are doing less than that. Mr. Aiken asked what they were deeming essential. Craig asked the Attorney for the Town to answer. Mr. Schachner said that the Town Board has the discretion to label them as essential services and there are towns that have done that, the suggestion was to make sure that if you are looking for the highway department crew to do those sorts of things that nobody can suggest that the Town Board has not essentially signed off on them by deeming them essential. Craig asked Mark if there were specific action those towns had described. Mark replied that some are not so specific and are leaving discretion to the highway superintendent, but some towns are not having highway workers do anything but those that are, are suggesting that road maintenance, cleaning the debris up and the stuff that they normally do really is important to public safety for access purposes and therefore is considered essential service and label what was discussed generically as essential services. Mr. Turcotte agrees with Mr. Schachner and we should label highway services essential. Mrs. DuRose said only one person to a truck and if it breaks down then that individual will go home and asked if they were going to all gather in the morning and all start at 6 am. Craig replied that they will start at 7 am and go right to their work truck and eat lunch separately and follow all the precautions. Karen said that after they are doing moving sand then Jason will decide what to do with twelve guys. Craig replied yup. Mr. Aiken said the garage is locked and if they have to use the restroom they have to go home.

RESOLUTION NO. 74 OF 2020: RATIFY ACTIONS TAKEN IN RESPONSE TO COVID-19

WHEREAS, the COVID-19 pandemic has caused the need for the Town to respond in accordance with a series of Executive Orders from the Governor and to accommodate Town residents and employees, and **WHEREAS**, the Supervisor has kept the Town Board apprised of the evolving response efforts and has sought support from the Board for taking various actions with the anticipation that those actions will be ratified at the next regular Town Board meeting,

BE IT RESOLVED, the Town Board ratifies the following actions:

1. Waiving fees for dumping household trash at the Transfer Station through April 29, 2020.
2. Directing Highway Department and Parks & Recreation employees to stay home and not come to work through April 29, 2020, except for those deemed essential services.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 74 of 2020 was **ADOPTED**.

AYE 5 NO 0

Planning and Zoning Board of Appeals Meetings:

Mr. Turcotte spoke with Jeremy Little, Zoning Administrator, about canceling the meetings now because of having to send everything out ahead of time and people need to know if they should be dropping off applications. It is tough to have public hearings for the members because a lot of them don't have tables or electronics needed to broadcast the meetings like we are now. Mr. Aiken would like to keep a close

eye on this because they may be essential moving forward with short building season and dock season. Supervisor Leggett asked Jeremy if he was taking applications now. Jeremy replied through chat that he has no applications submitted at this time.

RESOLUTION NO. 75 OF 2020: AUTHORIZE CANCELING THE PLANNING BOARD AND ZONING BOARD OF APPEALS MEETINGS UNTIL FURTHER NOTICE

WHEREAS, the Town of Chester Municipal Center is closed due to the COVID-19 pandemic and social distancing is a priority, and

WHEREAS, many Planning Board and Zoning Board of Appeals Meetings are required to have a public hearing,

BE IT RESOLVED, the Town Board authorizes canceling the Planning Board and Zoning Board of Appeals Meetings until further notice.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 75 of 2020 was **ADOPTED**.

AYE 5 NO 0

Bookkeeper:

Supervisor Leggett said that he has discussed with the Town of Johnsburg that we need a little more than twenty hours a week.

RESOLUTION NO. 76 OF 2020: AUTHORIZE THE TOWN CLERK TO ADVERTISE FOR THE POSITION OF A PART-TIME BOOKKEEPER

WHEREAS, Maja Scroggins has resigned effective May 1, 2020, and

BE IT RESOLVED, the Town Board authorizes the Town Clerk to advertise for the position of a part-time Bookkeeper in the Sun Community News.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 76 of 2020 was **ADOPTED**.

AYE 5 NO 0

Privilege of the Floor Resumed:

Supervisor Leggett resumed Privilege of the Floor at 8:20 pm by thanking the public for their patience.

Jack Bartlett read the following comments and questions from Facebook Live: Karin Peet said thanks to the Board, Judy Harris said she would donate \$50.00 towards fireworks, Ken Wade asked why open boat launches and risk invasive species, Debbie Rogers agrees with Mr. Wade, why risk any invasive species, Karin Peet asked what PPE they will be equipped with specifically, and Nicole Howe many things these guys do require two guys. Supervisor Leggett thanked Jack and thanked everyone for chiming in, this is good.

Supervisor Leggett said that we will ensure that our highway crews are always following the social distancing and hygiene rules and the PPE will be facemasks, hand sanitizers, wipes, gloves and we have ordered a thermometer to check people's temperature as they come in.

Supervisor Leggett commented that Lake George has always been the pioneer in invasive aquatic species control and they have been battling this for a generation now and they have the most number of invasives in that lake and they have the highest volume of transient boats and they have considered this very seriously and have come to the conclusion that it is worth the risk of postponing until June 1st. Our own data shows that our risk is low especially at that time of year. These are mostly boats that are just being put in for the season, which is one of the criteria for being decontaminated. We are weighing things out and this is one way residents on the lake can get their boats on the lake.

Linda Muench said the price for a non-resident cemetery lot was raise and asked what the price was for a resident. Supervisor Leggett replied that the current price was \$150.00 for a resident. Linda said in the

beginning of April she sent out an email to about hundred people to try to stay in touch with them and asked Craig if he knew what the County was planning by May 1st. Craig commented that he would not count on everything opening up by May 1st. Craig said when we know something we will share it.

Mr. DuRose said that she hopes that the Town is not making a mistake bringing the highway and parks back to work before April 29th and she would feel very guilty if something were to happen. Mr. Aiken said that there was a lot of discretion of what Jason thought was essential and at the meeting Jason was very concerned and would not want to put his crew in any danger. Chris asked if an employee could opt out of working. Karen said what an employee thought they were at risk or might put others at risk because someone he has been in contact with the virus. Craig commented that standing the big circle when they had their meeting in the highway yard and it was the agreement of everyone there not to put anyone at risk and that is essential to what we do and Jason wants the Town Board's support.

On a motion by Supervisor Leggett, meeting adjourned at 8:29 pm.

AYE 5 NO 0

Respectfully submitted,

Town Clerk