



## **Town Board Regular Meeting January 12, 2021**

---

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, Chris Aiken, Deputy Supervisor Marion Eagan and Attorney for the Town, Mark Schachner (via Zoom).

### **Regular Meeting:**

Supervisor Leggett opened the Regular Town Board Meeting at 7:02 pm with Councilman Packer leading the Pledge of Allegiance.

### **RESOLUTION NO. 14 OF 2021: ACCEPT THE MINUTES FROM THE REGULAR MEETING DECEMBER 8, 2020, SPECIAL MEETING DECEMBER 30, 2020, AND ORGANIZATIONAL MEETING JANUARY 5, 2021**

**RESOLVED**, to accept the minutes from the Regular Meeting December 8, 2020, Special Meeting December 30, 2020, and Organizational Meeting January 5, 2021 as presented.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 14 of 2021 was **ADOPTED**.

AYE 5 NO 0

### **Committee Reports:**

Supervisor Leggett opened Committee Reports at 7:04 pm.

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

- Town Board Minutes for the Regular Meeting December 8, 2020, Special Meeting December 30, 2020, and Organizational Meeting January 5, 2021
- Abstract #14 and Abstract #1 by department
- Zoning Administrator Activity Report for December 2020
- Zoning Administrator Activity Report for Year of 2020
- Zoning Board of Appeals Minutes for November 24, 2020 and December 22, 2020
- Planning Board Minutes for December 21, 2020
- Zoning Enforcement Officer Report for December 2020
- Assessors Report for January 2021
- Town Assessor Report – 2020 Year in Review
- Town Clerk Monthly Report for December 2020
- Town Clerk Annual Report for 2020
- Town Court Report dated January 4, 2021
- Transfer Station Vehicle Report for December 7, 2020 – January 10, 2021
- Communications Report for January 2021
- Communications Annual Report for 2020
- Food Pantry 2020 Year End Report
- Copy of Warren County Connection for January 2021
- Letter from Sharon Berg resigning as Library Clerk effective December 31, 2020
- Letter from Randy Duell on behalf of the North Country Hardship Fund requesting bottles

Town Board Reports:

Mr. Aiken said he didn't have much to report this month.

Mr. Packer reported that he has been working on the boiler with Bill Rowell and at the Landfill with the compactor.

Mrs. DuRose stated that she had several phone calls and attended a couple of Zoom meetings.

Mr. Turcotte reported that he has been working on the financial end of the Transfer Station.

Supervisor Leggett presented a 74 page slideshow highlighting the Town, Town Employees and tourism.

Supervisor Leggett closed Committee Reports at 7:45 pm.

**Privilege of the Floor:**

Supervisor Leggett opened Privilege of the Floor at 7:45 pm.

Supervisor Leggett introduced Tracey Clothier from the LA Group to present the Cunningham Community Forest Master Plan.

Tracey Clothier attended via Zoom and thanked Paul Smiths for their upfront work and concepts for sustainable forest management, which the LA Group integrated. Tracey also wanted to thank Steve Ovitt for the trail design and conservation and Mary Jean Packer for signage which will give an interesting history of the forest. Tracey introduced Mike Panich, the overall designer of the report and a Landscape Engineer for the LA Group, who will take you through the report.

Tracey commented that she will keep looking for grants to help fund the project.

Mr. Panich asked if there were any questions.

Supervisor Leggett commented that the signage budget was really a big one. Mr. Panich replied that that also covers development of the signs, like panel content. Tracey said you could use the Boy Scouts and start building directional signs and tree identifying signs.

Craig asked if Steve Ovitt had recommendations or things we should be looking at. Mr. Panich said that keeping the idea of a single track nature trail which goes into the woodland to preserve the woodland which is different than developing something like the Empire State Trail.

Mr. Aiken asked if we had the money how long would this project take to complete all three phases. Mike Panich commented that it is something that you would likely open in phases as you go, so more than likely a season per loop would be reasonable.

Supervisor Leggett asked if there were any questions from the public.

Hearing none, Supervisor Leggett thanked Tracey and Mike.

Mike Panich thanked everyone for their time.

Supervisor Leggett closed Privilege of the Floor at 8:13 pm.

**New Business:**

Supervisor Leggett opened New Business at 7:29 pm.

**Annual Contracts:**

Supervisor Leggett presented a list of contracts that he would like approval to sign for 2021:

- Bioconservation, Inc, for black fly control
- Mountain Medical Services, for CDL drug testing
- Renewal of agreements with Turning Leaf Counseling
- All Brands Redemption Center, LLC for redeemable container service
- JGS Recycling and Hauling, for recycling freon based appliances
- Town of Hague for use of Chester's Animal Shelter
- Town of Horicon for use of Chester's Animal Shelter
- Town of Chester Senior Adult Community Center
- Williamson Law Software Accounting, Payroll and Budget

Mrs. DuRose said she had received phone calls concerning All Brands Redemption Center, LLC contract.

Supervisor Leggett explained that the revenue from the bottles will go to help keep our Reuse Center open and the Town spends about \$32,000 a year to keep the free store open.

Mr. Aiken asked how much the estimated revenue was. Supervisor Leggett commented that it should be between \$6,000 and \$8,000.

Mrs. DuRose said that Joe would pay us \$0.05 per can. Supervisor Leggett replied that we would be making the same amount as we would if we were taking it to a redemption center.

Mrs. DuRose said so we would do nothing at the Landfill and the employees will not have to sort the returnable bottles and cans like they do now. Brett Hitchcock said that in the past the employees would separate bottles, cans and glass, but now it is set up so that glass goes in a tote and plastic bottles and cans go into a 55 gallon drum.

Mrs. DuRose asked if the All Brands Redemption Center, LLC contract could be done in a separate resolution.

**RESOLUTION NO. 15 OF 2021: AUTHORIZE SUPERVISOR LEGGETT TO SIGN THE FOLLOWING YEARLY CONTRACTS, AGREEMENTS AND PROFESSIONAL SERVICE AGREEMENTS FOR 2021 WHEN IN A FORM ACCEPTABLE TO THE ATTORNEY FOR THE TOWN**

**WHEREAS**, there are contracts that need to be signed annually,

**BE IT RESOLVED**, that the Town Board authorizes Supervisor Leggett to sign the following yearly contracts, agreements and professional service agreements for 2021 when in a form acceptable to the Attorney for the Town:

- Bioconservation, Inc, for black fly control
- Mountain Medical Services, for CDL drug testing
- Renewal of agreements with Turning Leaf Counseling
- JGS Recycling and Hauling, for recycling freon based appliances
- Town of Hague for use of Chester's Animal Shelter
- Town of Horicon for use of Chester's Animal Shelter
- Town of Chester Senior Adult Community Center
- Williamson Law Software Accounting, Payroll and Budget

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 15 of 2021 was **ADOPTED.**

AYE 5 NO 0

**RESOLUTION NO. 16 OF 2021: AUTHORIZE SUPERVISOR LEGGETT TO SIGN THE ALL BRANDS REDEMPTION CENTER, LLC FOR REDEEMABLE CONTAINER SERVICE CONTRACT**

**RESOLVED**, to authorize Supervisor Leggett to sign the All Brands Redemption Center, LLC contract for redeemable container service.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 16 of 2021 was **ADOPTED.**

AYE 4 NO 0  
Mrs. DuRose – Abstained

**RESOLUTION NO. 17 OF 2021: SET FEBRUARY 9, 2021 AT 7 PM TO HOLD A PUBLIC HEARING TO AMEND LOCAL LAW #3 OF 2005**

**WHEREAS**, Local Law #3 of 2005, article #2 states it shall be unlawful to park any vehicle on the north side of Theriot Avenue in the Town of Chester.

**WHEREAS**, it is in the best interest and safety that Local Law #3 of 2005, article #2 be amended to include that is in unlawful to park any vehicle on the north side and or on the south side of Theriot Avenue,

**BE IT RESOLVED**, the Board sets February 9, 2021 at 7 pm to hold a public hearing to amend Local Law#3 of 2005, Article #2 to read, it shall be unlawful to park any vehicle on the north side and or the south side of Theriot Avenue in the Town of Chester.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 17 of 2021 was **ADOPTED.**

AYE 5 NO 0

**RESOLUTION NO. 18 OF 2021: AUTHORIZE TOWN CLERK TO ADVERTISE FOR POSTING OF WEIGHT LIMITS ON TOWN ROADS AND AUTHORIZE HIGHWAY SUPERINTENDENT TO POST WEIGHT LIMITS ON TOWN ROADS WHEN DEEMED APPROPRIATE**

**WHEREAS**, is it necessary to limit the weight of vehicles on Town roads during periods of spring thaw to avoid damage to the roads,

**BE IT RESOLVED**, the Town Clerk is authorized to advertise for posting of weight limits on Town Roads and the Highway Superintendent is authorized to post roads for weight restrictions when deemed appropriate.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 18 of 2021 was **ADOPTED.**

AYE 5 NO 0

**RESOLUTION NO. 19 OF 2021: 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 Mr. Packer, seconded by Mr. Aiken, Resolution No. 19 of 2021 was **ADOPTED.**

AYE 5 NO 0

**RESOLUTION NO. 20 OF 2021: AUTHORIZE THE TOWN SUPERVISOR TO APPLY FOR A 60 DAY EXTENSION FOR FILING OF AUD**

**WHEREAS**, the Town is required to submit an Annual Update Document to the NYS Office of the State Comptroller within 60 days of year end, and

**WHEREAS**, the Town may receive an extension of 60 days to submit the AUD, and

**WHEREAS**, historically the Town has needed the extra time to prepare and submit the AUD,

**BE IT RESOLVED**, Supervisor Leggett is authorized to request from the OSC a 60 day extension to submit the AUD for 2020.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 20 of 2021 was **ADOPTED.**

AYE 5 NO 0

**RESOLUTION NO. 21 OF 2021: AUTHORIZE SUPERVISOR TO APPLY FOR GENEROUS ACT GRANT**

**WHEREAS**, the Generous Act Grant deadline is February 1, 2021,

**BE IT RESOLVED**, the Town Board authorizes Supervisor Leggett to apply for the Generous Act Grant for a sum up to \$6,000 to be applied toward the rehabilitation of the gymnasium.

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 21 of 2021 was **ADOPTED.**

AYE 5 NO 0

**Contractors:**

Supervisor Leggett said he would like the Town to advertise for contractors so we know who to call if something comes up, if it is for project then it will go out to bid as normal.

Mrs. DuRose said it would be good for Town contractors. The Clerk asked if they were restricting it to contractors in the Town. Mr. Schachner said that you are not supposed to give local preference or geographical preference. The Clerk asked if there could be a response time limitation. Mr. Schachner replied that we could because it would be part of the value of the service.

**RESOLUTION NO. 22 OF 2021: AUTHORIZE THE TOWN CLERK TO ADVERTISE FOR VARIOUS CONTRACTORS TO BE ABLE TO PERFORM WORK IF THE OPPORTUNITY ARISES.**

**WHEREAS**, from time to time the Town requires the services of various contractors, ie: electrician, carpenters, plumbers when our employees are not able to or are certified to perform such work, and

**WHEREAS**, the Town Board believes it is the best interest of our community to hire contractors who are able to perform the job,

**BE IT RESOLVED**, the Town Clerk will advertise for such contractors in order to compile a list of contractors and their hourly cost along with a copy of workers comp and liability.

On a motion by Mrs. DuRose, seconded Mr. Aiken, Resolution No. 22 of 2021 was **ADOPTED.**

AYE 5 NO 0

**Transfer Station Work Week:**

Supervisor Leggett said that the economic reason for requesting that the Transfer Station work week be reduced to four (4) days was that the hauling and tipping fees were increased after the

2021 Budget was approved and presented a few spreadsheet showing the increases in hauling and tipping fees for 2021 as compared to the last two years.

Mr. Turcotte said the Town would have the money from the returnable bottles and cans.

Mr. Packer commented that we need to increase the amount for a bag.

Marion Eagan has submitted a grant for a small scale and recycling education material.

Mr. Packer recommended setting up portable scales to try it out and said that the Town is losing money on the cleanup cards.

Mrs. DuRose asked how the change was going to be saved in labor going to four days instead of five and are we still paying Tom because he is Union. Brett said we are saving ten (10) hours a week in labor for fifty-two (52) weeks, which equals 520 hour times \$30 (cost savings per hour) would give you a cost savings of around \$16,000. Brett said that he would use Tom Parks and Rec. when there was not cleanup at the Transfer Station.

Mr. Aiken said that we are not going to save anything on hauling because we are going to have the same amount of garbage. He does not like making the savings through cutting wages.

Mrs. DuRose agrees with Mr. Aiken.

Mr. Aiken recommended raising the fees on the items that go into the compactor.

Mr. Packer wants to price out digital scales.

Mr. Turcotte would like to see something done now because we are already in a hole and said we can't try to fix it, we have to fix it. Larry said we need to make enough to cover the cost of hauling the recycling.

Karen asked if we have to make money, can we just put an extra \$50,000 in the budget next year for the Transfer Station. Supervisor Leggett said we just raised taxes 10.8%.

Mr. Turcotte commented that he doesn't think that taxpayer dollars should be subsidizing the cost of the trash leaving the Transfer Station.

Craig said that the Town is paying \$154,000 for people to throw away their trash. Under the General Fund the amount this year to be raised by taxes is \$327,000, half of the Town property taxes are going to the Landfill for people to throw away their trash.

Mr. Packer said we have to charge more.

Mr. Turcotte commented that we need to do a combination of both, save in wages and increase prices.

Marion Eagan commented that we need to teach everyone to recycle.

Discussion ensued about having two or three employees at the Transfer Station.

Tabled, no action taken.

**RESOLUTION NO. 23 OF 2021: REJECT ALL BIDS FOR THE POTTERSVILLE WELL # 2 IMPROVEMENTS PROJECT**

**WHEREAS**, the Town Clerk advertised for bids on October 23, 2020, and **WHEREAS**, the Town Clerk opened the bids on November 20, 2020, and **BE IT RESOLVED**, the Town Board rejects all bids received regarding the Pottersville Well #2 Improvements Project.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 23 of 2021 was **ADOPTED**.

AYE 5 NO 0

**Transfer Station Work Week Continued:**

Supervisor Leggett said that one of the ways of making up the money is by cutting wages and he hates to do it, but what are our other choices. We talked about increasing prices and that will also be needed. Larry has been working on tracking prices.

Mr. Aiken asked if defunding the ZEO was legal. Mr. Schachner said that would only be a problem if the employee was Civil Service, subject to our collective bargaining agreement or has a contract. Supervisor Leggett said that that employee does not meet all three. Mr. Schachner said the only other circumstance that we could be exposed to is a potential liability situation is for some sort of discriminatory or retaliatory termination, none of which he sees as a factor.

Mrs. DuRose asked if Jeremy was ok with picking up the slack. Supervisor Leggett replied that we back off on some enforcement.

**RESOLUTION NO. 24 OF 2021: AUTHORIZE THE SCHEDULE OF THE TRANSFER STATION TO REFLECT A 4 DAY WORK WEEK**

**WHEREAS**, the hauling fees have been increased after the 2021 budget was approved, **BE IT RESOLVED**, the Town board of Town of Chester approves reducing the days the transfer station is open to four days per week, **BE IT FURTHER RESOLVED**, starting February 1, 2021 the transfer station will be closed Tuesday, Wednesday and Thursday.

On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 24 of 2021 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 25 OF 2021: AUTHORIZE 2021 BUDGET ADJUSTMENT**

**RESOLVED**, to adjust the 2021 Budget as follows: Decrease A8010.111 by \$12,000, Decrease A8160.1 by \$12,000, and Increase A8160.4 by \$24,000.

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 25 of 2021 was **ADOPTED**.

AYE 5 NO 0

**RESOLUTION NO. 26 OF 2021: AUTHORIZE PAYMENT OF ABSTRACTS**

**WHEREAS**, the Town Clerk has entered the vouchers and created an Abstract of Audited Vouchers #14 of 2020 and #1 of 2021, and

**WHEREAS**, the Town Board has reviewed Abstract #14 and #1,

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

| ***Number 14 of 2020*** |             |
|-------------------------|-------------|
| General A               | \$22,288.86 |
| Highway DA              | \$14,811.37 |
| Chestertown Water SW1   | \$163.11    |
| Pottersville Water SW2  | \$1,686.15  |
| Total                   | \$38,949.49 |

| ***Number 1 of 2021*** |             |
|------------------------|-------------|
| General A              | \$10,796.58 |
| Highway DA             | \$7,118.23  |
| Schroon Lake SX        | \$2,065.00  |
| Other TA               | \$1,462.30  |
| Total                  | \$21,442.11 |

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 26 of 2021 was **ADOPTED.**

AYE 5 NO 0

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, meeting adjourned at 10:16 pm.

AYE 5 NO 0

Respectfully submitted,

---

Town Clerk