



**Town Board
Regular Meeting
September 14, 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 (via Zoom), Karen DuRose, Mike Packer, Chris Aiken, Larry Turcotte, Deputy Supervisor Marion Eagan and Attorney for the Town, Mark Schachner (via Zoom).

Regular Meeting:

Deputy Supervisor Eagan opened the Regular Town Board Meeting at 7:00 pm by Councilman Packer leading the Pledge of Allegiance.

Public Hearing for the Proposed Amendments to the Use Chart of the Town of Chester Zoning Law:

Deputy Supervisor Eagan **opened** the Public Hearing for the Amendments to the Use Chart of the Town of Chester Zoning Law at 7:00 pm by asking if anyone from the public had any questions.

Hearing none, Deputy Supervisor Eagan **closed** the Public Hearing for the Proposed Amendments to the Use Chart of the Town of Chester Zoning Law at 7:01 pm.

Public Hearing for Septic Variance Application (#SV2021-04) for Campbell:

Deputy Supervisor Eagan **opened** the Public Hearing for Septic Variance Application (#SV2021-04) for Campbell at 7:01 pm.

Hearing none, Deputy Supervisor Eagan **closed** the Public Hearing for Septic Variance Application (#SV2021-04) for Campbell at 7:01 pm.

Public Hearing for Septic Variance Application (#SV2021-05) for Grimaldi and Stefanucci:

Deputy Supervisor Eagan **opened** the Public Hearing for Septic Variance Application (#SV2021-05) for Grimaldi and Stefanucci at 7:01 pm.

Bret Winchip stated that they received a letter from Cedarwood Engineering regarding the project with a couple of recommendations. The first recommendation was to install an impervious membrane around the slope, which is a good idea to bring around the septic tanks and back up to the house so that it extends at least 25 feet from the top edge of the embankment. The second item was witnessing percolation tests. This is really no different than the shallow absorption trench systems and percolation tests are required for that. We had percolation rates over 4 minutes, it needs to be slower than 3 minutes because of the setback to the lake, so we will make sure that that is true. The third one was to provide as-built drawings and that is required by the application.

Deputy Supervisor Eagan **closed** the Public Hearing for Septic Variance Application (#SV2021-05) for Grimaldi and Stefanucci at 7:03 pm.

RESOLUTION NO. 122 OF 2021: ACCEPT THE MINUTES FROM THE REGULAR MEETING AUGUST 10, 2021

RESOLVED, to accept the minutes from the Regular Meeting August 10, 2021, as presented. On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 122 of 2021 was **ADOPTED**.

AYE 5 NO 0

Committee Reports:

Deputy Supervisor Eagan **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 August 10, 2021
- Abstract No. 9 by department
- Zoning Administrator Activity Report for August 2021
- Planning Board Minutes for August 16, 2021
- Zoning Board of Appeals Minutes for July 27 and August 24, 2021
- Assessor's Report for September 2021
- ACO Report for August 2021
- Town Clerk Monthly Report for August 2021
- Communications Report for September 2021
- Chester Town Court Report dated September 3, 2021
- Letter from Cedarwood pertaining to the Stefanucci Septic
- Municipal Shelter Inspection Report completed on 08/05/2021
- Dog Control Officer Inspection Report completed on 08/05/2021
- Letter of resignation from Arnold Jensen from the Zoning Board of Appeals effective October 1, 2021
- Letter of resignation from Lynn Douglas from the Transfer Station effective August 27, 2021
- Aqualogic Loon Lake/ Harvest Report for August 2 - 20, 2021
- Copy of Warren County Connection for September 2021

Town Board Reports:

Mr. Turcotte had nothing to report this month.

Mrs. DuRose responded to the Warren County Survey concerning the recovery fund, met with the Town of Chester Dog Park Committee at the site, had conversations with Supervisor Leggett concerning the 2022 Budget, and she will be starting the Town Audit soon with Councilman Packer.

Mr. Packer had nothing to report.

Mr. Aiken met with the Youth Commission and had several talks after that and met with the Senior Center President to go over the cabinets and electrical details.

Supervisor Leggett reported the following:

- Thanked the Deputy Supervisor for running the meeting to avoid technical difficulties.
- NTIA Funding application to build out broadband has been submitted
- Received the Loon Lake Dam Grant award of \$87,000 for engineering and permitting
- We have a beaver dam behind the Town Hall that has flooded the causeway and is causing problems with neighboring properties, met with Jim Lieberum and Maren Alexander from Warren County Soil and Water Conservation District; they are coordinating with the DEC and APA for permitting and technical assistance. Comstock Cage has been called in to remove the beavers and we will begin to reduce water level once the beavers are removed.
- A new bank account has been opened for the American Recovery Plan Act Funding that we have received, \$166,000 right now and we will get the same amount again next year
- Attended a workshop at the NYSAC Conference on how to use the funding and will be meeting with Councilman Aiken to put together recommendation to put before the full Board to consider
- Co-hosted a virtual Common Ground Alliance Forum, two hot topics were housing and workforce
- Lined up a contract to help jack up the sinking floor of the Health Center, the Parks and Rec. Department will be fixing the multiple roof leaks
- Moxam Mt. trail is open from the Chester side
- North Gore Road from Byrd Pond to the intersection with Hard Scrabble Road has been chip sealed
- Attended the Community Foundation of the Gore Mt. Region reception for grant recipients held the Dynamite Hill Warming Hut and are thankful to receive a \$1,000 grant award dedicated to the Pottersville Playground, thank you Marion for submitting that grant
- Met with the Director and Deputy Director of the Adirondack Watershed Institute, Kurt Lane and Zoe Smith regarding creating a more cost effective and efficient system for boat inspections and wash stations
- Met with Friends Lake Property Owners Association representatives and their attorney along with our attorney Bob Hafner and Deputy Supervisor Eagan regarding updating and finalization of Friends Lake Aquatic Plant Control District map, plan and report with the goal of having the District established by the end of the year
- At the NYSAC Conference attended sessions on maximizing ARPA Funding, transforming NY recycling system with produce stewardship, safeguarding county information systems, and also EMS in crisis (challenges for rural ambulance services)
- Met with many providers for cyber security and IT work on our computers, we have to live up to a certain standard set by the State for having policies and back up on our computers.

Deputy Supervisor Eagan **closed** Committee Reports at 7:14 pm.

Privilege of the Floor:

Deputy Supervisor Eagan **opened** Privilege of the Floor at 7:14 pm by introducing Linda Muench, representing the Senior Center.

Mrs. Muench gave an update and asked for the Town's continued support in 2022. Linda said the Center is open, they ask that people social distance and wear a mask if you are unvaccinated. They added some new programming this year: book club, Tuesday morning walking group, and chair yoga on Mondays (not in session right now due to Covid numbers). More than 250 people have visited the Senior Center in the past five months to participate in activities. Linda read an email in favor of having all the activities in the Senior Center which means no more trips to Glens Falls. There has been a change in the Board; Bob McDermott resigned and Kathi Davis became treasurer and they have a new member Linda Sheoz. They are very excited the Board approve the purchase of the cabinets and wanted the Board to know that they are going to purchase a sink and faucet to go with the cabinet project.

Cindy Mead thanked the Board for the great year of the Farmers Market and she will be putting in an application for Woof Stock for 2022.

Deputy Supervisor Eagan **closed** Privilege of the Floor at 7:21 pm

Old Business:

Deputy Supervisor Eagan **opened** Old Business at 7:21 pm.

RESOLUTION NO. 123 OF 2021: APPROVE THE AMENDMENTS TO THE USE CHART OF THE TOWN OF CHESTER ZONING LOCAL LAW

WHEREAS, the Town Board held a Public Hearing on September 14 2021, and

WHEREAS, The Town of Chester administers an Adirondack Park Agency approved Local Land Use Program, and

WHEREAS, the Town Board of the Town of Chester is desirous of revising the current Town of Chester Use Chart due to discrepancies and inconsistencies; and

WHEREAS, the Zoning Administrator has prepared amendments to the Town of Chester Use Chart to eliminate such discrepancies; and

WHEREAS, Town Board recognizes the need to revise the Town of Chester Use Chart of the Zoning Local Law to better promote the health, safety, and general welfare of the residences and property owners of the Town and to protect the property values and aesthetics of the Town; and

WHEREAS, The Town Board of the Town of Chester performing the duties of Lead Agency has prepared and reviewed the records of the State Environmental Quality Review, Full Environmental Assessment for the proposed Town of Chester Use Chart amendments and additions and have determined no significant impact to the environment would result, and therefore declared a Negative Declaration for the action;

NOW, THEREFORE,

BE IT RESOLVED, that the Zoning Local Law of the Town of Chester be, and the same hereby is, amended and approved, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Chester directs the Town Clerk to file the approved amendments to the Use Chart of the Town of Chester Zoning Local Law with the NYS Department of State (NYSDOS) and submit a certified copy to the Adirondack Park Agency, effective upon filing with the NYSDOS.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 123 of 2021 was **ADOPTED.**

AYE 5 NO 0

Septic Variance Application (#SV2021-04) for Campbell:

Deputy Supervisor mentioned that the Zoning Administrator wanted to state that the property itself does not have the permits for a residence so they will need to come in and see Jeremy Little, Zoning Administrator, to get permitting before they put living quarters in there. Bret Winchip asked for the proposal to be read for the record. Marion said the proposal is for a one bedroom, one bath, and kitchen. Mr. Winchip stated for one bedroom efficiency without laundry facilities.

RESOLUTION NO. 124 OF 2021: APPROVE SEPTIC VARIANCE #SV2021-04 AND GRANT FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 54 RIVERSIDE DRIVE, CHESTERTOWN IDENTIFIED BY TAX MAP PARCEL #: 104.10-6-8

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on September 14, 2021 regarding the Septic Variance #SV2021-04 for Chris Campbell, 54 Riverside Drive, identified by Tax Map #: 104.10-6-8, and

WHEREAS, according to Section 5.060 — Variances of the Town of Chester On-Site Wastewater Treatment Local Law the Local Board of Health may vary or adapt the strict application of any of the requirements of this Ordinance in the case whereby such strict application would result in unnecessary hardship that would deprive the owner of the reasonable use of the land involved, and

WHEREAS, no variance in the strict application of any provision of the Ordinance shall be granted by the Local Board of Health unless it shall find the following criteria applicable:

BE IT RESOLVED, the Local Board of Health finds that:

- a) That there are special circumstances or conditions 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, specifically, the size and location of the pre-existing lot and building;
- 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, specifically, the proposed system is a substantial improvement over the existing system;
- c) That 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) The replacement septic wastewater system for Chris Campbell, 54 Riverside Drive, identified by Tax Map #: 104.10-6-8 as designed and presented by Bret Winchip, Winchip Engineering (Site Plan prepared for: Riverside Drive Properties, dated 06/23/2021) 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 resources;

BE IT FURTHER RESOLVED, the Local Board of Health grants the following variances listed in the table below:

SETBACK SCHEDULE

SETBACK	REQUIRED DISTANCE	EXISTING DISTANCE	EXISTING NON-CONFORMITY		PROPOSED DISTANCE	PROPOSED VARIANCE	
			DISTANCE	PERCENT		DISTANCE	PERCENT
EXISTING SEEPAGE PIT TO EXISTING BUILDING	20'	8.4'±	11.6'±	58.0%±	-	-	-
EXISTING SEEPAGE PIT TO WETLANDS	100'	0.2' ±	99.8'±	99.8%±	-	-	-
EXISTING SEPTIC TANK TO EXISTING BUILDING	10'	0.6' ±	9.6' ±	96.0%±	-	-	-
EXISTING SEPTIC TANK TO WETLANDS	50'	5.5' ±	44.5' ±	89.0% ±	-	-	-
PROPOSED ABSORPTION BED TO EXISTING BUILDING	20'	-	-	-	7.3'	12.7'	63.5%
PROPOSED ABSORPTION BED TO EXISTING BARN	20'	-	-	-	17.9'	2.1'	10.5%
PROPOSED ABSORPTION BED TO WETLANDS	100'	-	-	-	58.0'	42.0'	42.0%
PROPOSED BUILDING SEWER TO WETLANDS	50'	-	-	-	8.3'	41.7'	83.4%
PROPOSED PRECAST CONCRETE SEPTIC TANK TO WETLANDS	50'	-	-	-	8.9'	41.1'	82.2%
PROPOSED EFFLUENT LINE TO WETLANDS	50'	-	-	-	15.6'	34.4'	68.8%
PROPOSED PRECAST CONCRETE PUMP CHAMBER TO WETLANDS	50'	-	-	-	16.8'	33.2'	66.4%
PROPOSED 2" FORCE MAIN TO WETLANDS	50'	-	-	-	23.5'	26.5'	53.0%

PROPOSED 2" FORCE MAIN TO EXISTING BUILDING	20'	-	-	-	7.2'	12.8'	64.0%
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On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 124 of 2021 was **ADOPTED.**

AYE 5 NO 0

Septic Variance Application (#SV2021-05) for Grimaldi and Stefanucci:

Mr. Turcotte asked if Bret was going to put in the fabric that was suggested by Cedarwood. Bret said yes, the fabric was a good idea and he appreciated that comment.

Mr. Turcotte asked about the other recommendations. Bret replied that the third one is on the application for the Town and has to submit as-built plans and does not even need to be said.

Bret said that the other comment DOH told them they do not require a percolation test on a shallow system. DOH says that the material put down should be the same or slower percolation rate and the 1 – 5 inch recommendation is not really true it has to be slower than 3 inch because it is within 200 feet of the Lake and really the base of the system is at actual grade, so the purpose of the fill is to not let the water short circuit the system.

Mr. Turcotte wanted to make sure that the three (3) recommendations from Cedarwood that were in the resolution were going to be followed. Bret said that witnessing percolation tests he does not want to bill his client to do a percolation test and then bill his client to have another engineer watch, they are more than welcome to go do the percolation test, he doesn't like double billing his clients.

Mr. Schachner asked if one of the recommendations was for additional perc tests. Bret replied yes Mark, on fill material. Mark asked if the variance condition was on certain appropriate results of the perc test. Larry replied that it is condition on all three (3) recommendations by Cedarwood Engineering are to be followed and a representative from Cedarwood Engineering is to be contacted when the percolation tests are done and he wants to make sure that the intent of the design engineer is to follow the three (3) recommendations so that we are not forcing him into something that he does not intend on meeting. Mark said that if the variance is that the Town Engineer be present when the perc tests are done then the proposed resolution is granting the variance and he is not hearing that it is granting the resolution subject to certain results from the perc tests, it is granting the variance with the condition that Cedarwood is present when the perc tests are done and what if the perc test results are not acceptable.

The Town Clerk read the following from the recommendations:

“Cedarwood will provide a representative to observe the perc tests and ensure that they meet the required rate of 1 – 5 minutes per inch”

Mark said great. Bret said that should not happen, 1 – 3 is not legal if you are within 200 feet of the lake, so it is wrong, by code it has to be 5 minutes per inch and anything below 3 minutes per inch within 200 feet of the lake violate the Town's own local law and the APA. Mark said that

we need to solve that discrepancy somehow. Bret commented that he offered to have material for 5 minutes an inch and his attitude is that if they want to observe the perc tests they should run the perc tests themselves, why does he need to double bill his client.

Deputy Supervisor asked if there was a reason why Cedarwood could not do the perc tests. Larry replied no, not that he knows of, he just wants to make sure that if we say he has to do all three (3), that that is actually what is going to happen out in the field.

RESOLUTION NO. 125 OF 2021: APPROVE SEPTIC VARIANCE #SV2021-05 FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 97 EAST SHORE DRIVE, IDENTIFIED BY TAX MAP PARCEL #:

69.18-1-3

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on September 14, 2021 regarding the Septic Variance #SV2021-05 for Christopher Grimaldi and Michele Stefanucci, 97 East Shore Drive, identified by Tax Map #: 69.18-1-3, and

WHEREAS, according to Section 5.060 — Variances of the Town of Chester On-Site Wastewater Treatment Local Law the Local Board of Health may vary or adapt the strict application of any of the requirements of this Ordinance in the case whereby such strict application would result in unnecessary hardship that would deprive the owner of the reasonable use of the land involved, and

WHEREAS, no variance in the strict application of any provision of the Ordinance shall be granted by the Local Board of Health unless it shall find the following criteria applicable:

BE IT RESOLVED, the Local Board of Health finds that:

- a) That there are special circumstances or conditions 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 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) The septic wastewater system for Christopher Grimaldi and Michele Stefanuci, 97 East Shore Drive, identified by Tax Map #: 69.18-1-3 as designed and presented by Bret Winchip, Winchip Engineering (Site Plan prepared for: Stefanucci Property, dated 07/27/2021 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 resources;

BE IT FURTHER RESOLVED, the Local Board of Health grants the following variances listed in the table below:

SETBACK SCHEDULE

SETBACK	REQUIRED DISTANCE	EXISTING DISTANCE	EXISTING NON-CONFORMITY		PROPOSED DISTANCE	PROPOSED VARIANCE	
			DISTANCE	PERCENT		DISTANCE	PERCENT
EXISTING SEEPAGE PIT TO EXISTING BUILDING	20'	2.1'±	17.9'±	89.5%±	-	-	-
EXISTING SEEPAGE PIT TO EXISTING DRILLED WELL	150'	86.4' ±	63.6'±	42.4%±	-	-	-
EXISTING SEEPAGE PIT TO EXISTING NEIGHBORING SHALLOW WELL	225'	164.8' ±	60.2' ±	26.8%±	-	-	-
PROPOSED ABSORPTION BED TOE OF FILL SLOPE TO EXISTING BUILDING	20'	-	-	-	0.0'	20'	100%
PROPOSED ABSORPTION BED TOE OF FILL SLOPE TO PROPERTY LINE	10'	-	-	-	2.2'	7.8'	78.0%
PROPOSED ABSORPTION BED TOE OF FILL SLOPE TO EXISTING DRILLED WELL	100'	-	-	-	83.4'	16.6'	16.6%
PROPOSED ABSORPTION BED TOE OF FILL SLOPE TO MEAN HIGH WATER OF LAKE	100'	-	-	-	80.0'	20.0'	20.0%
PROPOSED SEPTIC TANK TO EXISTING BUILDING	10'	-	-	-	3.3'	6.7'	67.0%

BE IT FURTHER RESOLVED, all three (3) recommendations by Cedarwood Engineering are to be followed and a representative from Cedarwood Engineering is to be contacted to schedule a site visit when the percolation tests are conducted.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 125 of 2021 was **ADOPTED**.

AYE 5 NO 0

Deputy Supervisor Eagan **closed** Old Business at 7:40 pm.

New Business:

Deputy Supervisor Eagan **opened** New Business at 7:41 pm.

Septic Variance Application #SV2021-06 for Cerrina:

Eric Sandblom from SRA Engineering was present to answer any questions.

Mr. Turcotte asked how far down is the boundary layer in the test pit as far as the water table meeting the high water. Mr. Sandblom said they had evidence of ground water at 36 inches; there is a failed system there now so the entire area was saturated as a result at the time of the test pits, so it is his opinion that it is influenced by the old septic system, but they based the design on 36 inches.

RESOLUTION NO. 126 OF 2021: DEEM SEPTIC VARIANCE APPLICATION #SV2021-06 FOR KAY CERRINA FOR PROPERTY LOCATED AT 114 JONES ROAD TO BE COMPLETE AND SET A PUBLIC HEARING FOR OCTOBER 12, 2021 AT 7 P.M.

WHEREAS, SRA Engineers have submitted a Septic Variance Application (#SV2021-06) for Kay Cerrina for property located at 114 Jones Road, Chestertown, New York Tax Map #: 86.10-1-55, and

WHEREAS, the Town Board, acting as the Local Board of Health, has reviewed the septic variance application and is satisfied with its completeness,

BE IT RESOLVED, the Town Board, acting as the Local Board of Health, deems Septic Variance Application #SV2021-06 for Kay Cerrina for property located at 114 Jones Road, Chestertown, New York to be complete, and

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2021-06 on Tuesday, October 12, 2021 at 7 pm at a Regular Town Board Meeting and directs the Town Clerk to notice the public hearing in the Post Star newspaper, and

BE IT FURTHER RESOLVED, to refer Septic Variance Application #SV2021-06 to Cedarwood Engineering as Town Engineer for its evaluation and opinion at the expense of the applicant.

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 126 of 2021 was **ADOPTED**.

AYE 5 NO 0

Septic Variance Application #SV2021-07 for Linton:

Deputy Supervisor Eagan said there was a suggestion to table this application because they are waiting for report for an APA determination for the project.

Tom Hutchins from Hutchins Engineering commented that there is an enormous amount of wetlands on the map and the Jurisdictional Inquiry Form has been sent to the APA. He spoke with the APA today and it has not been decided at this point and there should be an answer next week and they would like to proceed with the application as presented. If they need an APA permit then they will have to get an APA permit. This is very much a holding tank site, it's a 0.16 acre lot, it has a well and it has 100 feet of stream frontage.

RESOLUTION NO. 127 OF 2021: DEEM SEPTIC VARIANCE APPLICATION #SV2021-07 FOR CHARLES AND JOAN LINTON FOR PROPERTY LOCATED AT 3182 SCHROON RIVER ROAD TO BE COMPLETE AND SET A PUBLIC HEARING FOR OCTOBER 12, 2021 AT 7 P.M.

WHEREAS, Hutchins Engineering has submitted a Septic Variance Application (#SV2021-07) for Charles and Joan Linton for property located at 3182 Schroon River Road, Chestertown, New York Tax Map #: 87.12-1-23, and

WHEREAS, the Town Board, acting as the Local Board of Health, has reviewed the septic variance application and is satisfied with its completeness, with the exception that is not a letter of jurisdiction from the APA,

BE IT RESOLVED, the Town Board, acting as the Local Board of Health, deems Septic Variance Application #SV2021-07 for Charles and Joan Linton for property located at 3182 Schroon River Road, Chestertown, New York to be complete conditioned on the applicant's receipt of a determination of non-jurisdiction from the APA on or before September 28, 2021, and

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2021-07 on Tuesday, October 12, 2021 at 7 pm at a Regular Town Board Meeting, and

BE IT FURTHER RESOLVED, when a response of non-jurisdiction from the APA is received by the Zoning Administrator, and there is time to notice a Public Hearing for the date set above, the Town Board directs the Town Clerk to notice the public hearing in the Post Star newspaper, and

BE IT FURTHER RESOLVED, to refer Septic Variance Application #SV2021-07 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. Packer, Resolution No. 127 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 128 OF 2021: AUTHORIZE CLERK TO ADVERTISE FOR BIDS FOR BTI PROGRAM

WHEREAS, the Town of Chester awards a 3-year contract for control of black flies in certain areas of the Town, and

WHEREAS, the current contract for black fly control ended in 2020 and was extended at reduced capacity and for a one year term because of uncertain economic times due to the pandemic, and

WHEREAS, a new contract should have a term of 1 year,

BE IT RESOLVED, the Town Clerk is authorized to advertise for quotes for a 1 year contract for black fly control in all areas identified with the previous contract, and for bids to be opened at the October 12, 2021 Town Board meeting.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 128 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 129 OF 2021: AUTHORIZE THE TOWN JUDGE TO APPLY FOR A JCAP GRANT TO HELP ENHANCES THE COURT'S ABILITY TO PROVIDE SUITABLE AND SUFFICIENT SERVICES TO OUR COMMUNITY

WHEREAS, the Town Justice Court is requesting authorization from the Town Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle for two (2) chairs, Court Clerk's desk, and calculator, and

WHEREAS, the State of New York Unified Court System is soliciting applications from local governments under the Justice Court Assistance Program to assist local Justice Departments with needed equipment, automation, furniture, supplies and training,

BE IT RESOLVED, the Board of the Town of Chester authorizes the Town of Chester Town Court to apply for a JCAP grant in the 2021-22 grant cycle up to \$30,000.00 with no expense to the Town.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 129 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 130 OF 2021: ACCEPT THE RESIGNATION OF ARNOLD JENSEN FROM THE ZONING BOARD OF APPEALS

WHEREAS, Arnold Jensen has resigned from his position as Board member on the Town of Chester Zoning Board of Appeals effective October 1, 2021,

BE IT RESOLVED, the Town Board accepts the resignation of Arnold Jensen and thanks him for his service to the Town.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 130 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 131 OF 2021: APPOINT JIM BATSFORD TO THE ZONING BOARD OF APPEALS

WHEREAS, Jim Batsford currently is an Alternate on the Town Zoning Board of Appeals,

BE IT RESOLVED, the Town Board appoints Jim Batsford to fill Arnold Jensen's unexpired term on the Zoning Board of Appeals starting on October 1, 2021 and expiring December 31, 2025, and

BE IT FURTHER RESOLVED, the Town Board directs Mr. Batsford to take the oath of office with the Town Clerk within 30 days.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 131 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 132 OF 2021: APPROVE APPOINTMENT OF VICTOR GRECO AS ZBA ALTERNATE

WHEREAS, the Town has advertised for Zoning Board of Appeals (ZBA) Alternate Members, and

WHEREAS, the Town has received a letter of interest from a resident of the Town to sit on the ZBA,

BE IT RESOLVED, the Town Board appoints Victor Greco as ZBA Alternate for a period beginning September 15, 2021 and ending December 31, 2021, and

BE IT RESOLVED, the Town Board may reappoint Mr. Greco for following years as needed, and

BE IT FURTHER RESOLVED, the Town Board directs Mr. Greco to take the oath of office with the Town Clerk within 30 days.

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 132 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 133 OF 2021: AMENDING RESOLUTION NO. 104 OF 2021: ACCEPTING EASEMENT FROM ASSUNTA LOUIS PROPERTIES, LLC; AUTHORIZING THE APPLICATION FOR ANY VARIANCES NEEDED AND ADIRONDACK PARK AGENCY REVIEW; AND AUTHORIZING PAYMENT OF LEGAL FEES TO INCLUDE COMPENSATION FOR THE EASEMENT

WHEREAS, Assunta Louis Properties, LLC (hereinafter “Assunta”) is sole owner in fee simple of an approximately 12-foot by 136-foot parcel of land located on the shore of Friends Lake, commonly known as Sunset View Road, and more particularly described on the Warren County tax map as Tax Parcel 120.7-1-7 (hereinafter “The Property”); and

WHEREAS, Assunta has agreed to allow such access over the Property for the purpose of access to Friends Lake for implementation of the Friends Lake Invasives Control Program, and, **WHEREAS**, the Town accepted the Limited Access Easement offered by Assunta together with all rights and subject to all terms and conditions contained therein and approved payment of fees associated with preparing the Limited Access Easement as provided for in Resolution 104 of 2021 and,

WHEREAS, the Town also agrees to compensate Assunta for the Limited Access Easement an amount of \$5,000,

BE IT RESOLVED, the Town Board amends resolution no. 104 of 2021: “accepting easement from Assunta Louis Properties, LLC; authorizing the application for any variances needed and Adirondack Park Agency review; and authorizing payment of legal fees” to include compensation for the easement, and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs payment to Assunta Louis Properties, LLC for the amount of \$5,000 for the Limited Access Easement, to be reimbursed by the Friends Lake Aquatic Plant Control District to the Town of Chester General Fund upon formation of the Friends Lake Aquatic Plant Control District.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 133 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 134 OF 2021: RESCIND RESOLUTION #40 OF 2011

WHEREAS, by advice of Town Counsel, the Town Board rescinds Resolution #40 of 2011 naming the playing field on Little Tannery Road in memory of Douglas VanWeelden, and

WHEREAS, the Town of Chester would like to establish a Dog Park on the property on Little Tannery Road,

BE IT RESOLVED, the Town Board rescinds Resolution #40 of 2011.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 134 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 135 OF 2021: AUTHORIZE ESTABLISHMENT OF A DOG PARK ON TOWN PROPERTY ON LITTLE TANNERY ROAD

WHEREAS, a group of dedicated citizens have approached the Town Board with the request to establish a dog park in or near the hamlet of Chestertown, and

WHEREAS, a committee was set up to organize the effort and raise the funds to build fencing and amenities for a dog park, and

WHEREAS, after discussion and review of options for placement of a dog park, the location on Little Tannery Road was deemed to be the best choice at this time,

BE IT RESOLVED, the Town Board authorizes the placement and development of a dog park in the field owned by the Town on Little Tannery Road, and

BE IT FURTHER RESOLVED, the Supervisor is authorized to establish appropriation codes A7140.15, A7140.25, and A7140.45 for Community Recreation - Dog Park, and

BE IT FURTHER RESOLVED, the Town Board approves a Budget Amendment moving \$3,000 from A1990.4 Contingent Account to A7140.45 Community Recreation - Dog Park Contractual to help with cost of materials and supplies directly associated with the creation of the Dog Park.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 135 of 2021 was **ADOPTED**.

AYE 5 NO 0

Youth Director:

Mr. Aiken said that there has been talk about a larger Parks and Rec. umbrella in the Town and maybe this is the time to think about more ideas how that might work.

Mr. Turcotte asked who would be conducting the interviews. Deputy Supervisor replied that it will probably be Craig and Chris, but her question is what if no one applies. Mr. Aiken said he spoke to Mindy about staying on until they resolve a few things; find a director, there is also talk of a director and a registrar, there is also talk whether it would be a Chester Youth Commission under the umbrella of Parks and Rec. Department.

RESOLUTION NO. 136 OF 2021: AUTHORIZE CLERK TO ADVERTISE FOR YOUTH COMMISSION DIRECTOR

WHEREAS, due to a resignation, the position of Youth Commission Director is vacant as of October 22, 2021, and

WHEREAS, an Ad Hoc committee made up of members from Chester and Horicon have met and discussed the needs of the Chester-Horicon Youth Commission and have developed a job description,

BE IT RESOLVED, the Town Clerk is authorized to advertise for the Youth Commission Director position with interviews to be held before the next Town Board meeting.

On a motion by Mr. Aiken, seconded by Mr. Packer, Resolution No. 136 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 137 OF 2021: ACCEPT THE RESIGNATION OF LYNN DOUGLAS FROM PERMANENT PART-TIME TRANSFER STATION LABORER

WHEREAS, Lynn Douglas submitted a letter of resignation dated August 10, 2021 to the Town effective August 27, 2021, and

WHEREAS, the Town wishes to thank Lynn Douglas for her service to the Town and will be greatly missed,

BE IT RESOLVED, the Town of Chester Town Board accepts the resignation of Lynn Douglas from permanent part-time Transfer Station Laborer and thanks her for her years of dedicated service.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 137 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 138 OF 2021: APPOINT JAMIE SWAN AS A PERMANENT PART-TIME LABORER POSITION FOR THE TRANSFER STATION DUE TO VACANCY

WHEREAS, the resignation of Lynn Douglas left a permanent part-time position available at the Transfer Station, and

WHEREAS, the Town Board wishes to fill that part-time position,

BE IT RESOLVED, the Town of Chester Town Board appoints Jaime Swan as a permanent part-time Transfer Station laborer for 28 hours per week at the rate set at the 2021 Organizational Meeting.

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 138 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 139 OF 2021: POST AND ADVERTISE FOR FILLING A LABORER POSITION FOR PARKS AND RECREATION DEPARTMENT EFFECTIVE NOVEMBER 1, 2021

WHEREAS, due to a promotion there is a vacancy for a laborer in the Parks and Recreation Department effective November 1, 2021,

BE IT RESOLVED, the Town Boards authorizes the filling of the vacant laborer position in Parks and Recreation Department and authorizes the Town Clerk to post the job opening as per CSEA Contract for 10 days and then advertise the position opening, if needed.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 139 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 140 OF 2021: SCHEDULE A SPECIAL TOWN BOARD MEETING FOR TUESDAY, OCTOBER 5, 2021 AT 4:30 PM AT THE TOWN HALL IN CHESTERTOWN FOR PRESENTATION OF THE TENTATIVE BUDGET

WHEREAS, the Budget Officer is to file a tentative Budget with the Town Clerk no later than September 30th and the Town Clerk is to present the Tentative Budget to the Town Board on or before October 5th,

BE IT RESOLVED, the Town Board schedules a Special Town Board Meeting for Tuesday, October 5th at 4:30 pm at the Town Hall in Chestertown for presentation of the Tentative Budget to Town Board.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 140 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 141 OF 2021: APPROVE BUDGET ADJUSTMENTS

WHEREAS, the bookkeeper and the Supervisor have prepared a chart of adjustments, and **WHEREAS**, the Town Board has reviewed the adjustments, **BE IT RESOLVED**, the Board accepts the following adjustments and as presented.

BUDGET ADJUSTMENTS - SEPT TOWN BOARD MEETING

Code	Budget Adjustment- Increase	Amount	Code	Budget Adjustment - Decrease	Amount
A7140.4	Community Rec – Dynamite Hill	16,910.17	A	Fund Balance	16,910.17
A8010.41	Zoning – Legal Fees	3,185.00	A1420.4	General Fund Attorney Fees	3,185.00

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 141 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 142 OF 2021: AUTHORIZE PAYMENT OF ABSTRACT OF CLAIMS

WHEREAS, the Town Clerk has entered the vouchers and created an Abstract of Audited Vouchers No. 9 of 2021, and **WHEREAS**, the Town Board has reviewed Abstract No. 9 of 2021, **BE IT RESOLVED**, the Board accepts the Abstract of Claims and authorizes payment as presented.

Number 9 of 2021	
General A	\$80,383.78
Highway DA	\$155,660.28
Library L	\$735.08
Loon Lake Park District SP	\$13,859.94
Chestertown Water SW1	\$3,994.58
Pottersville Water SW2	\$2,875.66
Other TA	\$2,901.86
Total	\$260,411.18

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 142 of 2021 was **ADOPTED**.

AYE 5 NO 0

Mrs. DuRose thanked Jeremy Little, Zoning Administrator, for all the work he did putting the amended use chart together.

On a motion by Mr. Packer, seconded by Mrs. DuRose, meeting adjourned at 8:18 pm.

AYE 5 NO 0

Respectfully submitted,

Town Clerk

DRAFT