



**Town Board
Regular Meeting
November 9, 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, Chris Aiken, Larry Turcotte, Deputy Supervisor Marion Eagan, Attorney for the Town, Mark Schachner and the Town Clerk (via Zoom).

Regular Meeting:

Supervisor Leggett **opened** the Regular Town Board Meeting at 7:18 pm by Councilman Aiken leading the Pledge of Allegiance.

RESOLUTION NO. 161 OF 2021: ACCEPT THE MINUTES FROM THE REGULAR MEETING OCTOBER 12, 2021 AND THE PRELIMINARY BUDGET MEETING OCTOBER 19, 2021

RESOLVED, to accept the minutes from the Regular Meeting October 12, 2021, and the Preliminary Budget Meeting October 19, 2021 as presented.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 161 of 2021 was **ADOPTED**.

AYE 5 NO 0

Committee Reports:

Supervisor Leggett **opened** Committee Reports at 7:20 pm.

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

- Town Board Minutes for the Regular Meeting October 12, 2021 and Preliminary Budget Meeting October 19, 2021
- Abstract No. 11
- Zoning Administrator Activity Report for October 2021
- Planning Board Minutes for October 18, 2021
- Town Clerk Monthly Report for October 2021
- Communications Report for October 2021
- Chester Town Court Report dated November 4, 2021
- Aqualogic Loon Lake/ Harvest Report for October 4-22, 2021
- Friends of the Town of Chester Library Fall 2021 Newsletter
- Copy of Warren County Connection for November 2021

Town Board Reports:

Mr. Turcotte reported that he only had a few meetings during the month. Supervisor Leggett asked about the Landfill tracking reports. Larry said that he needed to update his spreadsheets.

Mrs. DuRose commented that she has been working on the audits and has two of the three done, attended the EMS Meeting with everyone else at the Town of Horicon, she spoke with a few residents in her area about the 45mph speed limit and she referred it to Craig.

Mr. Packer said he is still has had no reply from NIMO about the street lights.

Mr. Aiken reported that the EMS Meeting was well attended and informative.

Supervisor Leggett reported the following:

- Warren County Board of Supervisors has adopted a Tentative Budget;
- Attended various Warren County Board of Supervisors Committee Meetings;
- Progress is being made on the establishment of the Dog Park;
- Highway Superintendent attended a Salt Summit in Lake George, highway will try using type 2 salt this year;
- Election Day took place in the gymnasium;
- Met with grant manager from Glens Falls Hospital, Glens Falls Hospital Creating Healthy Schools and Communities Grant (CHSC) about upgrading sidewalks and signage, which provides up to \$7,000 per year;
- Attended the Special Joint Town of Chester and Town of Horicon Workshop to hear about the finances and operations of the EMS;
- Met with the Chester-Horicon Youth Commission Advisory Committee to review draft of structure and function of the Youth Commission;
- Received notice from GECA that grant are now available for rehabilitation of Loon Lake Dam;
- We need to progress on the formation of the Friends Lake Aquatic Plant Control District by holding a public hearing when the map, plan and report are ready;
- The Water Superintendent is having valves replaced on Church Street and by the Mini Mart and will continue to replace valves in the district;
- Contacted Warren County DPW about Landon Hill clean up, they will provide bags from the Adopt a Highway Program and we will need to organize volunteers;
- We are all invited to attend Veteran's Day out front of the Town Hall at 11 am, we have installed green lights out front for the Veterans.

Mr. Aiken said the Dog Park is great and asked if there were any provisions for getting water there for the dogs and shade or shelters. Supervisor Leggett commented that there is talk about that as well as play things with in the dog park itself, but we have broken it down into four phases: 1. Access; 2. Fencing; 3. Benches and signage; 4. Shade and water line from Cemetery.

Supervisor Leggett **closed** Committee Reports at 7:35 pm.

Privilege of the Floor:

Supervisor Leggett **opened** Privilege of the Floor at 7:36 pm by introducing Diane Smith, Chairwoman from the North Warren EMS.

Diane Smith thanked the Town of Chester Board for attending the Joint Meeting last Thursday night and commented that she has received nothing but positive feedback from members of the community and people wanting to help. After Thursday's meeting we are going to vote on three new board members who have time, passion, willingness, and the experience to work towards our future. October had 47 calls: 21 in Chester, 14 in Horicon, and 13 mutual aid calls. Diane

said that Cash Jones did an excellent job Thursday night by letting the Towns know as well as their first responders know how they stand financially. They are really appreciative about the donations coming in. They have a very health bank balance of \$402,887.74, which most of that is from the payroll protection loans. They received two payroll protection loans and one federal stimulus loan. One of the payroll protection loans has been turned into a grant and she expects that the other one will be turned into a grant as well.

Mr. Turcotte asked if they could keep the Town Board apprised of the EMS 2022 Budget.

Supervisor Leggett asked if there was any more Privilege of the Board.

Izzy Modert, NWEMS Operations Manager, commented that as it was last year, we do not know if we have to pay that grant back until this year. So the other grant we received we won't find out until next year. So the bank balance is there until we find out whether or not we have to pay it back. We can't spend that money until we find out if we have to pay it back.

Supervisor Leggett thank Diane for coming and **closed** Privilege of the Floor at 7:49 pm.

Old Business:

Supervisor Leggett **opened** Old Business at 7:47 pm.

Supervisor Leggett asked the Town Clerk about the bid opening for Pellets and Fuel.

The Town Clerk replied that the Town did not receive any Pellet Bids and she received one Fuel Bid from Buckman's Family Fuel.

The markup for Buckman's is 22¢ per gallon for fuel oil, kerosene and diesel, and a markup of 18¢ per gallon for fuel oil for the Town Hall only.

Supervisor Leggett ask that there was only one response to the Fuel Bid. Town Clerk replied correct.

RESOLUTION NO. 162 OF 2021: ACCEPT BID FOR FUEL OIL, KEROSENE AND DIESEL FOR THE 2020-2021 HEATING SEASON

WHEREAS, the Town Board has received one bid for fuel from Buckman's Family Fuel for a markup of 22¢ per gallon for fuel oil, kerosene and diesel, markup of 18¢ per gallon for fuel oil for the Town Hall only above wagon and agree to have a qualified service person available for emergency service upon a two hour notice,

BE IT RESOLVED, the Town Board accepts the Fuel Bid from Buckman's Family Fuel for the 2022 heating season.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 1162 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 163 OF 2021: AUTHORIZE THE TOWN CLERK TO ADVERTISE AGAIN FOR WOOD PELLETS FOR 2022

WHEREAS, each year the Town Clerk advertises for bulk wood pellets, and
WHEREAS, the Town received no bids,
BE IT RESOLVED, the Town Board authorizes the Town Clerk to advertise again in the Post Star Newspaper and directly to dealers for wood pellets bids for 2022 to open the bids on Tuesday, December 14, 2021 at 12 pm.
On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 163 of 2021 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett **closed** Old Business at 8:06 pm.

New Business:

Supervisor Leggett **opened** New Business at 8:06 pm.

Noelle McCrum, Trustee for the Library Board, said that there is a difference between Friend and Trustee. Trustees are mandated by law and Friends is a volunteer organization. The sign that is hanging now is deteriorating. The Trustees are trying to increase foot traffic so they would like to have a bigger sign hanging above the “Y” sign. One of their jobs as Trustee is to find outside funding, so she went to the Friends of the Library and requested money for the sign and to put it up. So they are not asking for money, she just needs the Board’s permission to install the sign.

Supervisor Leggett asked for a picture. Noelle provided one. Supervisor Leggett asked if it fit the sign regulation and they just needed permission to put it on the building. Noel replied correct. Paul at Garnet signs will hang it.

Supervisor Leggett told Noelle thank you.

RESOLUTION NO. 164 OF 2021: AUTHORIZE INSTALLATION OF “TOWN OF CHESTER LIBRARY” WALL SIGN ON THE TOWN MUNICIPAL CENTER

WHEREAS, the Chester Library Board of Trustees desires to replace the sign on the side of the Municipal Center near the Library entrance with a new sign, and

WHEREAS, according to the Zoning Local Law, an applicant needs the permission of the property owner in order to do obtain a sign permit,

BE IT RESOLVED, the Chester Library Board of Trustees is authorized to apply for a sign permit for the replacement of the Library sign on the wall outside of the entrance for the Library.
On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 164 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 165 OF 2021: AUTHORIZE VICTOR GRECO AND JIM BATSFORD TO ATTEND THE 2021 PLANNING AND ZONING SCHOOL WEBINAR ON SATURDAY, NOVEMBER 13, 2021

WHEREAS, all Planning and Zoning Board members are required to attain at least 4 continuing education credits each year, and

WHEREAS, appropriations are made in the annual budget to cover the cost of such training,

BE IT RESOLVED, the Town Board authorizes the registration and attendance of Victor Greco and Jim Batsford and one other Planning or Zoning Board member to the Planning and Zoning School Webinar on Saturday, November 13, 2021 at a cost of \$35 per attendee and directs the Zoning Administrator to make all necessary arrangements.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 165 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 166 OF 2021: AUTHORIZE TOWN CLERK TO RE-ADVERTISE FOR THE FOLLOWING OPENINGS: BOARD OF ASSESSMENT REVIEW, PLANNING BOARD ALTERNATES, ZONING BOARD ALTERNATES, CHESTER-HORICON YOUTH COMMISSION ADVISORY BOARD, HEALTH CENTER ADVISORY BOARD, TREE COMMITTEE, NORTH WARREN EMS LIAISON

WHEREAS, there are openings on various boards and committees of the Town,

BE IT RESOLVED, the Town Clerk is authorized to advertise for the following openings: Board of Assessment Review, Planning Board Alternates, Zoning Board Alternates, Chester-Horicon Youth Commission Advisory Board, Health Center Advisory Board, Tree Committee, EMS Liaison.

On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 166 of 2021 was **ADOPTED**.

AYE 5 NO 0

Establishes the Position of Zoning Assistant:

Mr. Aiken spoke with Jeremy Little, Zoning Administrator, in reading over the job description, the word enforcement only shows up one time and it looks like we are looking more for a clerk/helper than enforcing person. They are two totally different personality types; one is a clerk doing paperwork and the other is out there potentially in the trenches enforcing Zoning Law, which could be a tough spot.

Mark Schachner, Attorney for the Town, asked if the job description from the County was for Zoning Clerk, but we are possibly talking about establishing the possible position of Zoning Assistant and is this an intentional discrepancy. Supervisor Leggett said that it is an intentional discrepancy; we are looking at both Zoning Clerk and Assistant. Supervisor Leggett asked Larry if he had comments. Mr. Turcotte said that the job description will be a mish mash of what the County sent for Zoning Clerk and Zoning Assistant. Mr. Schachner said that the Zoning Clerk would clearly not be an enforcement position. Larry said that they sat down with Jeremy and picked out what they need from the Civil Service positions Zoning Clerk, Zoning Assistant, and Enforcement Officer. Mr. Aiken asked if it was clear Jeremy was the boss. Larry replied yes, the wording will reference "may not be limited to and may include the following." Chris said that it is not a standalone position. Larry said they would report to the Zoning Administrator.

Mrs. DuRose asked why we are not advertising for a Zoning Enforcement Officer. Larry said that the Zoning Administrator will be able to delegate what the Zoning Assistant does and they will not be limited to enforcement.

Mr. Aiken asked if the Town eliminated the Zoning Officer position. Supervisor Leggett said that they defunded the position but have not eliminated it. Mr. Schachner commented that you do not have to fill the position of Enforcement Officer.

Mrs. DuRose asked if the Zoning Law needed to be rewritten if we don't have an Enforcement Officer. Mr. Schachner replied if the Zoning Law does specifically say Enforcement Officer it may be a problem and it would probably be appropriate to make that amendment. Mrs. DuRose also brought up the Property Maintenance Law containing Enforcement Officer. Supervisor Leggett said that Enforcement Officer is also in the job description of the Zoning Administrator. Mr. Schachner commented that the Code should then be changed to Enforcement Officer or Zoning Administrator or Mr. Little's title needs to be changed to Zoning Administrator and Enforcement Officer.

Lengthy discussion ensued.

RESOLUTION NO. 167 OF 2021: ESTABLISH AND ADVERTISE TO FILL THE NEW POSITION OF ZONING ASSISTANT

WHEREAS, the Zoning Office has is busy enough to warrant additional help for carrying out general operational and enforcement duties, and

WHEREAS, appropriations for such assistance are made in the FY 2022 Budget under code A8010.111 for up to \$17,680,

BE IT RESOLVED, the Town Board establishes the position of Zoning Assistant to serve under the direction of the Zoning Administrator beginning January 1, 2022, and

BE IT FURTHER RESOLVED, the Town Clerk is authorized to advertise for the position until it is filled.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 167 of 2021 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 168 OF 2021: SET A PUBLIC HEARING DATE OF DECEMBER 14, 2021 AT 7 PM REGARDING CONTRACTS

WHEREAS, the Town Board is required to hold a public hearing regarding contracts with North Warren Chamber of Commerce, North Warren Emergency Squad, North Creek Fire District, and Riverside Volunteer Fire Company,

BE IT RESOLVED, the Town Board sets a public hearing date of December 14, 2021 at 7 pm regarding contracts with the above listed contractors.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 168 of 2021 was **ADOPTED**.

AYE 5 NO 0

Black Fly Control:

Supervisor Leggett said that the contract given to him from Bioconservation Inc was for \$17,900 to treat the Town as permitted by DEC.

The Attorney for the Town made a few suggestions about the contract: in paragraph 3, section d add "in accordance to the attached maps"; amend paragraph 4; and remove paragraph 7.

RESOLUTION NO. 169 OF 2021: ACCEPT THE AMOUNT OF THE CONTRACT FROM BICONSERVATION, INC. FOR A SUM OF \$17,900.00

WHEREAS, the contract for black fly control is expired, and
WHEREAS, the Town of Chester desires to continue black fly control in certain areas of the Town for the benefit of residents and visitors, and
WHEREAS, the Town of Chester has advertised for bids of black fly control,
BE IT RESOLVED, the Town Board accepts the amount of the contract from Bioconservation, Inc. to provide black fly control services from December 31, 2021 to December 31, 2022 in the amount of \$17,900.00 and authorizes the Town Supervisor to sign a contract when in a form acceptable to the Attorney for the Town.
 On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 169 of 2021 was **ADOPTED**.

AYE 5 NO 0

The Town Clerk asked if the remaining ten vouchers that were not added due to computer issues were able to be added tomorrow.

RESOLUTION NO. 170 OF 2021: APPROVE BUDGET ADJUSTMENTS AND AUTHORIZE PAYMENT OF ABSTRACT OF CLAIMS

WHEREAS, the bookkeeper and the Supervisor have prepared a chart of adjustments, and
WHEREAS, the Town Clerk has entered the vouchers and created an Abstract of Audited Vouchers No. 11 of 2021, and
WHEREAS, the Town Board has reviewed the adjustments and Abstract No. 11 of 2021,
BE IT RESOLVED, the Board accepts the following budget adjustments, and
BE IT FURTHER RESOLVED, the Board accepts the Abstract of Claims and will allow the request of the Town Clerk that the vouchers that were not added due to a computer issue be added and authorizes payment.

BUDGET AMENDMENTS - NOV TOWN BOARD MEETING						
Code	Budget Adjustment-Increase	Amount		Code	Budget Adjustment - Increase	Amount
A1550	Animal Control Fees	560.00		A3510.4	Dog Control Contractual	560.00
A1113	Occupancy Tax	3,800.00		A6410.44	Loon Lake Beach	3,800.00
A1113	Occupancy Tax	828.33		A6410.494	Summerfest	828.33
A7310.4	Recreation Contractual	1,323.17		A2001	Park & Rec Youth Fees	1,323.17
A7310.4	Recreation Contractual	220.00		A2001	Park & Rec Youth Fees	220.00
A7310.4	Recreation Contractual	2,290.94		A1120	Sales Tax	2,290.94
A8730.4	Forestry Contractual	4,000.00		A1081	PILOT	4,000.00
A8160.4	Refuse & Garbage Contract	23,890.00		A2130	Landfill Fees	23,890.00
A7110.2	Parks Equipment	11,000.00		A2651	Recycles Sales	11,000.00
DA3960	Storm Aid	103,467.49		DA5110.4	General Repairs Contractual	103,467.49
DA3960	Storm Aid	5,947.17		DA8760.4	Storm Damage Contractual	5,947.17

SP2025	Special Recreational Facility	5,615.00		SP7110.4	Milfoil Abatement	5,615.00
Code	Budget Adjustment-Increase	Amount		Code	Budget Adjustment-Decrease	Amount
A3120.4	Foot Constable Contractual	1,139.54		3120.41	Lake Constable Contractual	1,139.54
A3120.41	Lake Constable Contractual	439.58		A3120.11	Lake Constable	439.58
A7140.41	Dynamite Hill Contractual	104.85		A7140.1	Dynamite Hill PS	104.85
A7510.4	Historian Contractual	202.40		A7510.2	Historian Equipment	202.40
A7140.21	Beach Equipment	377.15		A7140.1	Dynamite Hill PS	377.15
A7140.25	Equipment Dog Park	6,000.00		A1120	Sales Tax	6,000.00
SP7110.1	Boat Wash Attendants	288.21		SP7110.2	Dam Work & Engineering	288.21
SP7110.4	Milfoil Abatement	10,885.00		SP7110.2	Dam Work & Engineering	10,885.00
SW1-8340.2	Equipment Distribution	15,048.63		SW1-915	Fund Balance	15,048.63

Number 11 of 2021	
General A	\$199,549.28
Highway DA	\$266,816.22
Library L	\$6,475.02
Riverside Fire Protection SF1	-\$6.87
North Creek Fire Protection SF2	-\$40.80
Chestertown Fire District SF3	-\$125.03
Pottersville Fire District SF4	\$2,346.09
Loon Lake Park District SP	\$8,140.64
Chestertown Water SW1	\$4,539.39
Pottersville Water SW2	\$10,263.91
Schroon Lake Park District	-\$19.57
Other TA	\$2,120.12
Total	\$500,058.40

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 170 of 2021 was **ADOPTED.**

AYE 5 NO 0

Mrs. DuRose asked about the beaver issue behind the Town Hall. Supervisor Leggett said that Comstock Custom Cage, LLC came and removed the beavers and the Town received a permit to remove the beaver dam.

Mrs. DuRose said condolences to Johnny Hart's family. Supervisor Leggett said very sad news.

Supervisor Leggett said there has been quite an increase in COVID cases in the Town and asked the Board if there was any policy they should implement in the Town Hall. Mr. Aiken asked if

there was any direction coming from the County. Supervisor Leggett said no but people are pretty used to masking up when they come in. Mrs. DuRose thinks masks are a good idea. Mr. Packer said if they want to wear a mask they can.

Supervisor Leggett asked if employees should be required to wear masks. Mrs. DuRose said not if they are in their office and they are 6 ft away from whomever.

Supervisor Leggett asked about the public wearing masks. Mrs. DuRose said they should wear them.

Supervisor Leggett asked Marion Eagan. Marion replied that there is no way to tell if they are vaccinated or not and she thinks people should have to wear a mask when they come in. The Town Clerk commented that yoga and pickle ball participants will be affected.

Supervisor Leggett said he would come up with mask suggestions to run by the Board for their input.

On a motion by Mr. Aiken, seconded by Mr. Turcotte, meeting adjourned at 9:15 pm.

AYE 5 NO 0

Respectfully submitted,

Town Clerk