



Town Board Regular Meeting July 12, 2022

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 – Present
Councilman Chris Aiken - Present
Councilwoman Karen DuRose – Present
Councilman Mike Packer – Absent
Councilman Larry Turcotte – Present
Deputy Supervisor Marion Eagan – Present
Attorney for the Town, Mark Schachner – via Zoom
Town Clerk, Mindy Conway - Present

Regular Meeting:

Supervisor Leggett **opened** the Regular Town Board Meeting at 7:00 pm with Councilman Aiken leading the Pledge of Allegiance.

RESOLUTION NO. 107 OF 2022: ACCEPT THE MINUTES FROM THE JUNE 14, 2022 TOWN BOARD MEETING AND THE INFORMATIONAL MEETING JUNE 29, 2022

RESOLVED, to accept the minutes from the June 14, 2022 Town Board Meeting and Informational – Short-Term Rental Town Board Meeting June 29, 2022 as presented. On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 107 of 2022 was **ADOPTED**.

AYE 5 NO 0

Committee Reports:

Supervisor Leggett **opened** Committee Reports at 7:01 pm.

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

- Town Board Minutes for the Regular Meeting June 14, 2022 and June 29, 2022 Informational Meeting – Short-Term Rentals
- Abstract No. 7
- Zoning Administrator Activity Report for June 2022
- Zoning Board Minutes for June 22, 2022
- Assessors Report for July 2022
- Animal Control Report for June 2022
- Town Clerk Monthly Report for June 2022
- Town Court Report dated July 5, 2022
- Communications Report for June 2022 and July 2022
- Warren County Youth Bureau Minutes for May 16, 2022
- Letter from APA concerning Septic Application #2020-03 for Thomas Loonie and Amy Wen – Dated June 28, 2022
- Loon Lake Harvest Report for June 1-30, 2022
- Warren County Connection for July 2022

Town Board Reports:

Mr. Aiken reported he had meetings and communication concerning Short-Term Rentals (STRs), attended the Special STR Meeting, attended the Special EMS Meeting in Horicon, attended the Common Grounds Annual Meeting, attended the Friends Lake Property Owners Association (FLPOA) Annual Meeting, attended the Loon Lake Park District Association (LLPDA) Annual Meeting, and the 10 year Memorial Ceremony for the Veteran's Memorial.

Mr. Packer stated that he went to the STR Meeting one week and EMS another week.

Mrs. DuRose said she attended the Informational Meeting on the STRs and had phone calls and conversations since then, went to the dedication of the Veteran's Memorial, which was the highlight of her whole month, went to the fireworks, went to the LLPDA Meeting and the EMS Meeting with Horicon.

Mr. Turcotte commented that he attended many of the previously stated meetings, also attended the fireworks, and had a conversation today with the Parks and Rec Foreman about the Pottersville playground.

Supervisor Leggett reported the following:

- The old Pottersville playground has been removed.
- Parks and Rec has a new mower, the old one is still in use with a bagger.
- Fourth of July was busy at the Boat Launch.
- Jessica Leerkes started working and is currently assisting the highway department with a few annual compliance items.
- Attended the Common Ground Alliance Summer Forum at Gore and was involved in the housing breakout session.
- Attended the FLPOA and LLPDA Meetings.
- The Pottersville wellhouse and well are progressing. Sterling Well Drilling can drop the pump so Gore Electric can do the wiring.
- North Gore Road is all set. All 27 culverts have been replaced. Everything will settle and then the paving can take place in several months.
- Friends Lake Road, from Route 8 to Knapp Hill Road has been ground up.
- Landon Hill Road is still on the list to be done.
- Olmstedville Road was supposed to be patched Monday where it was blown out from the flooding.
- Attended the STR Informational Meeting.
- Attended the EMS Informational Meeting with Horicon.
- Attended the Veteran's Memorial.
- Fireworks were great.

Supervisor Leggett **closed** Committee reports at 7:10 pm.

Public Hearing:

Septic Variance Application (#SV2022-03) for Sarah Parrino:

Supervisor Leggett **opened** the Public Hearing for Septic Variance Application (#SV2022-03) for Sarah Parrino at 7:11 pm.

Bret Winchip, representing the Parrinos, stated the owners are replacing their septic. There are currently two (2) cesspool systems for a two (2) bedroom residence with a one (1) bedroom over a garage. They currently have three (3) non-conformities: the existing cesspool does not meet the required distance to the residence, the existing cesspool does not meet the required distance to the public water main, and the one (1) bedroom living space does not meet the required distance to the existing cesspool. These non-conformities will be eliminated. The best place to locate the new field is where the slope exceeds 15%. They are seeking a variance to put it on soil that is 17.4%, which is a proposed variance of 1.3% and is the location of the least slope on the property.

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

Hearing none, Supervisor Leggett **closed** the Public Hearing at 7:13 pm.

Privilege of the Floor:

Supervisor Leggett **opened** Privilege of the Floor at 7:13 pm.

Mountain Bike Trails at Dynamite Hill:

Drew Cappabianca via Zoom, from the North Warren Chamber of Commerce discussed how he did a mountain biking assessment for mountain bike trails at Dynamite Hill. Following that he has applied for some grant money and got it this year for further assessment and design and layout. He just wanted to make sure everyone is on board. The design and flagging has already been done and calls for improving the existing trails to more sustainable standards and gotten further funding from another organization to continue this. Drew would like to go ahead to continue to complete the trails.

Supervisor Leggett asked Drew to describe the extent of the work. Drew shared a copy via Zoom of the Dynamite Hill 2022 MTB Trail Design & Layout. This will improve the existing trails with a high trail standard which will help with erosion and the long-term longevity of the trail and eventually turn them into a multiuse trail system, which is separate from the ski trails that are already there. Volunteer labor will be used with professional help. Drew has lined up \$8,500 from a funding source and does not require anything from Chester at this time.

Supervisor Leggett asked Mark Schachner, Attorney for the Town, if there needed to be a special agreement between parties. Mr. Schachner said that Drew is just making the Town aware of the plan and that the grant funding does not require municipal approval, so this is more for our information.

Supervisor Leggett asked the Board if they were all for this and said that the consensus of the Board was good. Supervisor Leggett asked Drew to keep Dan Smith in the loop.

Drew said thank you and that he will keep the Board in the loop as things progress.

Schroon Lake Park District (SLPD):

Adam Horowitz representing the SLPD said that every year they like to get out to the Town Boards. Adam commented that he represents Chester, and introduced Neil Chippendale as the new Schroon representative, and mentioned that Tom Luciano who represents Horicon could not be there.

Adam commented that the Schroon Lake level has been low and calm this year. He wanted to stress that the dam is there to keep the Lake level up during the summer as weather permits. They have four (4) river gauges, two (2) are installed.

Adam reported that there is new signage at the dam and they have the State mandated 10 year assessment, a draft of which has been submitted to DEC, and they have not received a response yet.

Adam said that they will meet in August about the 2023 Budget and there will probably be an increase over 2%.

Supervisor Leggett asked if there were any questions for Adam or Neil?

Supervisor Leggett said a question had come up about insurance coverage. Adam replied that they had met with their insurance representative to make sure they had sufficient insurance coverage and they were told the coverage is sufficient.

Loon Lake Recreation Area:

John Nick reported that the Loon Lake Recreation Area Dedication to Frederick H. Monroe will be August 3rd at 3 pm.

Senior Center:

Linda Muench thanked the Board for supporting the Seniors over the last three (3) years and for the annual money they receive. They have two (2) hundred people who receive their emails and calendars.

Linda handed the Board a copy of the July 2022 calendar to show the current events and to show how busy they are. They hope to add a caregiver’s support group, Zumba, and music lessons in the fall.

They are asking for an additional \$1,700 a year for a total of \$2,900.

Sylvia Hausvik is new to the area and asked Linda Muench if they had a book club. Linda asked here if she wanted to start one. They now have a book club

July 2022

Monday	Tuesday	Wednesday	Thursday	Friday
				July 1 Knitting Group 11:00 a.m.
July 4 <i>Independence Day</i>	July 5 Walking Group 10:30am Hand & Foot 1:00 p.m.	July 6 MahJongg Beginners 10:00-12:30 Advanced 1-3:30 p.m.	July 7 Yoga 10:30 a.m. "Happy Bookers" book club 10:30 a.m.	July 8 Knitting Group 11:00 a.m. Widow/widower Coffee Hour 3:00 p.m.
July 11 Painters Group 9:00a.m.-noon	July 12 Walking Group 10:30 a.m. Hand & Foot 1:00 p.m.	July 13 MahJongg Beginners 10:00-12:30 Advanced 1-3:30 p.m.	July 14 Yoga 10:30 a.m. "Avid Readers" book club 3:00 p.m.	July 15 Knitting Group 11:00 a.m.
July 18 Chair Yoga 10:30 a.m. Painters Group 9:00a.m.-noon	July 19 Walking Group 10:30 a.m. Story Hour Live 10:30 a.m. Library Hand & Foot 1:00 p.m.	July 20 MahJongg Beginners 10:00-12:30 Advanced 1-3:30 p.m.	July 21 Yoga 10:30 a.m.	July 22 Knitting Group 11:00 a.m.
July 25 Chair Yoga 10:30 a.m. Painters Group 9:00a.m.-noon	July 26 Walking Group 10:30 a.m. Poetry&Harp 1:30 p.m. Hand & Foot 1:00 p.m.	July 27 MahJongg Beginners 10:00-12:30 Advanced 1-3:30 p.m.	July 28 Yoga 10:30 a.m.	July 29 Knitting Group 11:00a.m.

called the Happy Bookers. There is something for everyone and is very happy to have her own friends.

Randal Ellis is in favor of more funds for the Seniors and believes that that small investment pays a lot back to this community and the Town of Chester.

Linda Muench asked if there were any questions. Mr. Turcotte asked if the additional funds were for this year or for budget planning for 2023. Linda replied it was for next year. Mrs. DuRose asked if the additional \$1,700 was for someone to help put together the calendar and activities. Linda said out of the \$1,700 they hope to give a stipend to do a lot of the administrative work.

Mr. Aiken asked if it was a Senior that they would be hiring. Linda said that she is not a senior, but has more computer knowledge.

Supervisor Leggett asked if anyone would like to address the Board.

Hearing none, Supervisor Leggett **closed** Privilege of the Floor at 7:44 pm.

Old Business:

Supervisor Leggett **opened** Old Business at 7:44 pm.

Septic Variance Application (#SV2022-03) for Sarah Parrino:

RESOLUTION NO. 108 OF 2022: APPROVE SEPTIC VARIANCE APPLICATION #SV2022-03 FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 1037 LANDON HILL ROAD, IDENTIFIED BY TAX MAP PARCEL # 52.12-1-12

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on July 12, 2022 regarding the Septic Variance #SV2022-03 for 1037 Landon Hill Road, Pottersville identified by Tax Map #: 52.12-1-12, 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 Sarah Parrino, 1037 Landon Hill Road, identified by Tax Map #: 52.12-1-12 as designed and presented by Bret Winchip, Winchip Engineering PC (Site Plan dated 04-07-2022 and last revised 05-24-2022) 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 a variance for 17.4% slope where the code requires 15%.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 108 of 2022 was **ADOPTED**.

AYE 5 NO 0

Highway Department:

Mr. Turcotte said he would really like to nail down a budget for highway department storage and was looking for input from the Board.

Mr. Aiken said that there is a real need for this. The current garage was built in 1980. It was built for tandems and now we have tri-axels that can't even get the trucks inside with the plows on. So, the men are up there putting the plows on and taking them off every single time they go out. This costs a lot of money in extra time. So, the building is pretty much substandard at this point so there is a real need.

Mr. Turcotte said there will be a cost savings.

Mrs. DuRose said that there is a safety issue.

Mr. Turcotte also said that there is a million dollars' worth of equipment that is outside that we have to start up every morning, covered in snow when we need it.

The Board will work to setup a workshop meeting to discuss further.

Short-Term Rental (STR):

Supervisor Leggett asked the Board if they wanted to continue with the STR. The Board agreed they should continue. Supervisor Leggett said he would go through all the comments and present recommendations.

John Nick asked if there was a way for the Board to let the public know that the committee was setup to make recommendations to the Board and the Board would review it and make their discussions and present their draft to the community. John does not think that was understood by the comments he heard during the informational meeting.

Supervisor Leggett **closed** Old Business at 7:57 pm.

New Business:

Supervisor Leggett **opened** New Business at 7:58 pm.

Septic Variance Application (#SV2022-04) for Uerz Irrevocable Trust:

Bret Winchip, representing the Uerz Family, stated the owners are hoping to replace a failed cesspool. Mr. Winchip read the following variance schedule:

Uerz SV2022-04							
Setback	Required Distance	Existing Distance	Existing Non-Conformity		Proposed Distance	Proposed Variance	
			Distance	Percent		Distance	Percent
Existing Drilled Well to Seepage Pit	150'	116.0'±	34.0'±	22.7%±	-	-	-
Existing Neighboring Drilled Well to Seepage Pit	150'	102.3'±	47.7'±	31.8%±	-	-	-
Existing Seepage Pit to Property Line	10'	4.2'±	5.8'±	58.0%±	-	-	-
Existing Septic Tank to Building	10'	6.3'±	3.7'±	37.0%±	-	-	-
Proposed Wastewater Field to Building	20'	-	-	-	3.8'	16.2'	81.0%
Proposed Wastewater Field to Drilled Well	100'	-	-	-	80.3'	19.7'	19.7%
Proposed Septic Tank to Deck	10'	-	-	-	5.0'	5.0'	50.0%

Bret commented that the Town Board has already approved the septic for the lot next door. This is a big improvement to the existing system.

Mrs. DuRose said that we do not need Cedarwood to review. Supervisor Leggett commented that it was not near water's edge or a neighbor's well. Mr. Schachner comment that that has been the past practice of the Board, which is why he did not ask.

RESOLUTION NO. 109 OF 2022: DEEM SEPTIC VARIANCE APPLICATION #SV2022-04 FOR UERZ IRREVOCABLE TRUST (DAVID UERZ, TRUSTEE) FOR PROPERTY LOCATED AT 18 GROVE STREET, CHESTERTOWN, NEW YORK TO BE COMPLETE AND SET A PUBLIC HEARING FOR TUESDAY, AUGUST 09, 2022 AT 7 P.M.

WHEREAS, Bret Winchip, Winchip Engineering PC has submitted a Septic Variance Application #SV2022-04 for Uerz Irrevocable Trust (David Uerz, Trustee) for property located at 18 Grove Street, Chestertown, New York, identified by Tax Map #: 137.14-11; 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 #SV2022-04 for Uerz Irrevocable Trust (David Uerz, Trustee) for property located at 18 Grove Street, 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 #SV2022-04 on Tuesday, August 09, 2022 at 7 p.m. at a Regular Town Board Meeting and directs the Town Clerk to notice the public hearing in the Post Star newspaper. On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 109 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 110 OF 2022: INCREASE MILEAGE RATE FOR THE FINAL 6 MONTHS OF 2022

WHEREAS, as of July 1, 2022 the new rate for mileage went from \$0.585 to \$0.625 per mile of travel;

BE IT RESOLVED, the Town Board accepts the new mileage rate of \$0.625 and will adjust the 2022 budget to reflect the increase.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 110 of 2022 was **ADOPTED**.

AYE 5 NO 0

Proposed Chester Ambulance District:

Supervisor Leggett said that this is the follow up to the meeting we had with the Town of Horicon.

The Town Clerk stated that the Map, Plan, and Report were filed in the Town Clerk's Office today at 5 pm.

Supervisor Leggett said that if the Town of Chester and the Town of Horicon continue with the 60/40 split, we would raise \$300,000 and Horicon would raise \$200,000. Please remember the cost right now of \$186,500 is already embedded in our general fund, which is about \$0.25 per \$1,000, so there would be an increase of only \$0.14 per \$1,000. Supervisor Leggett asked Mr. Schachner if they set the amount at \$300,000 now that when it comes to budget time, they cannot exceed that amount and also, they do not need to raise that whole amount. Mr. Schachner said you can use a lower amount not a larger amount.

Mr. Aiken asked Supervisor Leggett to explain the need to create a District. Supervisor Leggett said that by creating a District it will put it on its own separate line on your tax bill which will bring more transparency. A lot of this comes down to retention of qualified individuals who will be able to staff the EMS 24/7, 365 days a year. There is a lack of providers and there is a competition among various squads in the area and throughout the State. The EMS Board has offered health insurance to try to keep qualified providers, which is an increase on \$110,000.

Mr. Aiken said we need to keep the EMS here.

Linda Muench asked how many vehicles they have. Supervisor Leggett responded two (2) and they staff five (5) EMTs and five (5) paramedics and also one (1) director who also rides as well, but also carries on administrative duties. Linda asked if these were all full-time positions. Supervisor Leggett said yes, 36 hours a week, 3 – 12 hour shifts.

Supervisor Leggett said we would be having the same discussion in September about how to fund the ambulance contract, but the cost increase comes along with the creation of the District in the Map, Plan, and Report which is why it is highlighted at this time. The wages we pay for EMS are about the same as we pay for highway.

The Clerk asked if the Map, Plan, and Report where it says: for the typical one or two family residential property, the cost for the first year of operation will be \$124.50, as it relates to seven (7) parcels of land throughout the Town. This estimated cost is based on a total cost for the first year of \$300,000 divided by a total taxable assessed value of property in the Town of \$759,049,090, resulting in a tax rate of \$0.395 per \$1,000 of taxable assessed value, could be changed to \$124.52 with a tax rate of \$0.3953. The Board agreed with the change to paragraph 5 in the Plan.

Mr. Schachner said that the only action that can be taken tonight is to adopt the order setting the public hearing.

RESOLUTION NO. 111 OF 2022: AUTHORIZE AND DIRECTS THE TOWN CLERK TO DULY PUBLISH AND POST THIS ORDER

**ORDER SETTING PUBLIC HEARING CONCERNING
PROPOSED CHESTER AMBULANCE DISTRICT**

WHEREAS, the Chester Town Board (the "Board") is considering forming the Chester Ambulance District (the "District") covering the entire area of the Town in accordance with Article 12-a of New York Town Law for the purpose of providing emergency medical and ambulance services within the Town; and

WHEREAS, the purpose of establishing the District is to ensure the health and safety of those in Chester who may find themselves in need of emergency medical care. This is not only a crucial but potentially lifesaving endeavor which will benefit the people of the Town in any event that emergency medical services are required; and

WHEREAS, upon formation of the District, tax dollars acquired through the Chester Ambulance District shall only be used by that District going forward.

WHEREAS, the Town feels that having a specific budget item to designate funds toward the newly established Ambulance District is paramount in terms of transparency and accessibility of such information to the people of the Town of Chester; and to provide the funds necessary for such services; and

WHEREAS, a Map, Plan and Report (the "Map, Plan and Report") has been prepared concerning the proposed District; and

WHEREAS, the Map, Plan and Report has been filed in the Town Clerk's Office and is available for public inspection; and

WHEREAS, the Map, Plan and Report is relevant to the entire area of the Ambulance District which will encompass the Town of Chester in its entirety; and

WHEREAS, establishment of the proposed District has been determined to be an Unlisted Action under the State Environmental Quality Review Act (SEQRA) and a SEQRA Short Environmental Assessment Form (EAF) has been prepared for the proposed District;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The boundaries of the proposed District will encompass the Town of Chester in its entirety. The map is attached to the Map, Plan and Report filed in the Town Clerk's Office.

2. Services to be provided include Basic Life Support transport and treatment and arranging for or providing Advanced Life Support Treatment in compliance with the Regulations of the New York State Department of Health, Bureau of Emergency Medical Services. These services will be provided by contract for the Chester Ambulance District with the North Warren EMS Services, Inc.

3. For the first year of operation of the Chester Ambulance District, the maximum cost to be expended is estimated to be \$300,00 for the contract for services and other District costs.

4. No capital improvement costs are anticipated for the proposed District, so there will be no debt service costs related to the proposed District.

5. The estimated cost to the typical property in the District, which typical property is a vacant lot having an assessed value of \$18,800, for the first year of operation of the District is \$7.43, as it relates to nine (9) parcels of land throughout the Town. As for the typical one or two family residential property, the cost for the first year of operation will be \$124.52, as it relates to seven (7) parcels of land throughout the Town. This estimated cost is based on a total cost for the first year of \$300,000 divided by a total taxable assessed value of property in the Town of \$759,049,090, resulting in a tax rate of \$0.3953 per \$1,000 of taxable assessed value. Therefore, the estimated annual cost to the typical property is \$7.43 and \$124.52 for the typical one or two family residence.

6. A detailed explanation of how the estimated cost of the District was computed is included in the Map, Plan and Report which has been filed with the Town Clerk and is available for public inspection.

7. The Town Board hereby determines to conduct uncoordinated SEQRA review of the proposed District establishment.

8. The Town Board shall meet and hold a public hearing at the Town Hall, 6307 US-9, Chestertown, NY 12817 at 7:00 p.m., on Tuesday, August 9, 2022 to consider the Map, Plan and Report and to hear all persons interested in the proposed District and to take such other and further action as may be required or authorized by law.

9. The Town Board hereby authorizes and directs the Town Clerk to duly publish and post this Order not less than ten (10) days nor more than twenty (20) days before the Public Hearing date as required by Town Law §209-d, and to complete or arrange for the securing of two (2) Affidavits of Publication and two (2) Affidavits of Posting required hereby and to file a certified copy of this Order with the State Comptroller on or about the date of publication. Posting shall include placing on the Town's website.

On a motion by Mr. Aiken, seconded by Mr. Packer, Resolution No. 111 of 2022 was

ADOPTED.

Pottersville Water Fountain:

Mr. Packer said to remove the fountain, it is not on our land anyway.

Mrs. DuRose said to get a hold of Mary and Randy Miller and say that the Town with their permission will remove the fountain.

Hill Park Beach:

Supervisor Leggett asked Larry Estill how many lots were involved with the Hill Park Beach Property. Larry replied 16 lots. Supervisor Leggett commented that it has been quite a process to get it into a common name. Larry said that the property known as Hill Park Beach is now incorporated and owns the docks.

Supervisor Leggett said that the issue before us right now is that there were four (4) docks that were permitted through all the process, the Planning Board and the APA and they were put in before a permit application went in and the Town has the “after the fact” fee, which would be four (4) docks at \$100 for each dock after the fact. It has been one project.

Larry said that they received approval from the APA along with engineered drawing of where the docks should be installed. So, they had them installed, because they thought they had been approved.

Supervisor Leggett said that one (1) dock is one (1) structure. The four (4) docks were installed before the permits were submitted to the Zoning Office, so now the Hill Park Inc is before the Zoning Officer with applications. Carol Monaco commented that once the association found out that there was an additional \$100 fine in addition to each \$50 dock permit, they asked her to stop. Carol said that they are asking for some relief from this \$100 fine for each dock. The Zoning Administrator has asked the Board to decide.

Supervisor Leggett asked Mr. Schachner if the Town Board has the authority to waive a fee in an example like this situation. Supervisor Leggett said that in this one instance is it four (4) after the facts or is it one (1). Mr. Schachner asked if the association is arguing that it is essentially one action and if it was a currently pending enforcement matter in our Zoning Office. Marion Eagan replied that it is not an enforcement issue right now it is just at a standstill. Mr. Schachner asked if Jeremy Little, Zoning Administrator, had issued a determination about this. Ms. Eagan said Jeremy was going over the permits with Carol Monaco and was told by Jeremy that they needed to pay a \$400 after the fact fee and are now asking if the Town can waive partial or some of that fee or all of it. Mr. Schachner said that the Board can deem it as one action instead of four separate actions, you do have the discretion if you wish to do so.

Mr. Turcotte said that this is one action this time and one fine fee.

Supervisor Leggett asked if the Town Board takes action, does it need to be by resolution here. Mr. Schachner said that the Board could do a motion directing the Zoning Officer to waive the

after the fact fee, because in your discretion you determined that essentially it is not deserving in this situation.

Supervisor Leggett asked what the Boards pleasure was.

Mr. Aiken said he would waive the whole fee.

Mrs. DuRose said if you want to treat it as one issue, she is fine with it.

Mr. Turcotte said they should pay the \$50 per dock and one after the fact fee. Four seems excessive if it is one action.

Mr. Packer said they should pay for the permits, which included the four docks and then be done with it.

Carol Monaco commented that she has gotten an incredible amount of support from Craig's staff in guiding she in what was needed.

Supervisor Leggett said that we are fortunate to have a Zoning Officer who provides great support and admires Jeremy for following the policy.

RESOLUTION NO. 112 OF 2022: DIRECT THE ZONING ADMINISTRATOR TO TREAT THE HILL PARK BEACH DOCK PERMITS AS ONE ACTION FOR THE "AFTER THE FACT" FEE

RESOLVED, to direct the Zoning Administrator to treat the Hill Park Beach dock permits as one action for the "after the fact" fee.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 112 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 113 OF 2022: APPROVE THE JULY BUDGET AMENDMENTS AND ACCEPT ABSTRACT OF AUDITED VOUCHERS AND AUTHORIZES PAYMENT

WHEREAS, the Bookkeeper and the Supervisor have created a spreadsheet of budget amendments, and

WHEREAS, the Town Clerk has entered the vouchers and created Abstract No. 7 of 2022 of Audited Vouchers, and

WHEREAS, the Town Board has reviewed the budget amendments and abstract,

BE IT RESOLVED, the Town Board approves the July budget amendments and accepts Abstract of Audited Vouchers and authorizes payment as presented.

BUDGET AMENDMENTS - JULY 2022 TOWN BOARD MEETING					
Code	Budget Adjustment-Increase	Amount	Code	Budget Adjustment- Decrease	Amount
A1110.4	Court State Grant	275.04	A1110.43	Court JCAP Grant Expend	275.04
A1220.4	Supervisor Contractual	5,000.00	A1220.11	Supervisor Bookkeeper	5,000.00

A7140.21	Comm Rec Beach Equip	2,772.50	A7140.4	Comm Rec Dynamite Hill Cont	2,772.50
SW1-8320.2	Source and Supply	7,000.00	FB	Fund Balance	7,000.00

No. 7 of 2022	
General A	\$192,361.93
Highway DA	\$135,674.40
Library L	\$3,010.75
Loon Lake Park District SP	\$22,550.00
Chestertown Water SW1	\$3,839.72
Pottersville Water SW2	\$4,014.75
Other TA	\$2,987.13
Total	\$364,438.68

On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 113 of 2022 was **ADOPTED**.

AYE 5 NO 0

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Board entered **Executive Session** at 9:03 pm to discuss the possible acquisition of real property.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Board exited **Executive Session** at 9:22 pm.

No Action taken.

Mr. Turcotte commented on what a great job our Animal Control Officer, Florence Converse, does.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, meeting **adjourned** at 9:23 pm.

AYE 4 NO 0

Respectfully submitted,

Town Clerk