

Regular Meeting of the Town of Chester Town Board was held on **October 11, 2016** at 7:00 pm at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, New York.

Roll Call: Supervisor Craig Leggett, Edna Wells, Mike Packer, Karen DuRose, Steve Durkish and Attorney for the Town, Mark Schachner.

Wood Pellets Bid:

Bid: Vincent's Heating & Fuel Service, LLC Poland, New York for \$219.00 per ton.

Mr. Packer asked if there was a minimum order. No minimum was stated. Bid was for up to 100 tons.

Public Hearing:

Supervisor Leggett opened the Public Hearing to establish a Local Law To Override Tax Levy Limit Established in General Municipal Law Section 3-C For Fiscal Year 2017 at 7:02 pm. Al Muench asked what the ramifications were of adopting a Local Law. Supervisor Leggett stated the NYS tax cap is set at 0.68%, the Town cannot increase the tax levy more than 0.68% without passing a Local Law. Town residents would not receive a rebate check if Town goes over the tax cap.

Introduced by Mrs. DuRose, seconded by Mrs. Wells, the Public Hearing closed at 7:07 pm.

AYE 5 NO 0

RESOLUTION #173: ACCEPT MINUTES OF THE REGULAR MEETING SEPTEMBER 13, 2016 AND THE TENTATIVE BUDGET MEETING OCTOBER 3, 2016.

Introduced by Mrs. Wells, seconded by Mr. Packer, accept minutes of the Regular Meeting September 13, 2016 and the Tentative Budget Meeting October 3, 2016.

AYE 5 NO 0

Privilege of the Floor:

John Nick stated the forms should be poured for Dynamite Hill October 12th. The building has been ordered and should be delivered from Lincoln Logs this month. The Highway Department will assemble the building and lift.

John Nick along with Supervisor Leggett, Leigh Walrath from the APA and two representatives from AIM toured Loon Lake. Milfoil has been very problematic this year. Mr. Packer asked if there were different processes for extracting the milfoil. Mr. Nick said Minerva is using suction harvesting.

Jason Monroe thanked John Nick and Mike Packer for their help with the Dynamite Hill Project. Supervisor Leggett thanked Bernie Bolton for donating an operator and equipment to grade the hill properly. Mr. Packer and Mr. Nick said the Town employees are doing a great job and their quality of workmanship is very good.

Pat Power is still having issues with the neighbor's property and has emailed the Zoning Administrator's Office multiple times. Pat would like to know when the property is going to be cleaned up. Al Muench said other Municipalities are revising their zoning law to limit the number and duration of garage sales that any one individual may have.

Committee Reports:

Mrs. DuRose met with an engineer about a pedestrian walkway on the new Trout Brook Bridge. The engineer said that no changes could be made at this time.

The following reports were given to the Board: Town Clerk, Assessor, Zoning Administrator, Parks and Recreation and Loon Lake Park District Association Vessel Summary.

Mr. and Mrs. Nick did a boat count for Loon Lake. On August 23, 2016 there was 354 boats, 46 jet skis and 18 sailboats.

A thank you letter was received from Boy Scout Troop 30 for the donation of deposit bottles and cans along with a request letter for another donation.

RESOLUTION #174: AUTHORIZE BOY SCOUT TROOP 30 TO COLLECT BOTTLES FROM THE TRANSFER STATION FOR JUNE, JULY AND AUGUST 2017.

Introduced by Mrs. DuRose, seconded by Mrs. Wells, authorize Boy Scout Troop 30 to collect bottles from the Transfer Station for June, July and August 2017.

AYE 5 NO 0

Supervisor Leggett announced Jacob Ferguson from Boy Scout Troop 30 will be having his Eagle Scout Ceremony October 16, 2016. Congratulations Jacob!

Supervisor Leggett received his Emergency Planning Training Certificate (train the trainer).

Old Business:

Mr. Leggett scheduled a planning and zoning class for required training credits for Wednesday, November 30, 2016, 7 pm - 9 pm. The topics will be determined at a later date. Mr. Leggett sent out an email to the Supervisors of Bolton, Horicon, Johnsburg and Warrensburg inviting them to the class.

New Business:

RESOLUTION #175: AWARD WOOD PELLETT BID TO VINCENT'S HEATING & FUEL SERVICE, LLC POLAND, NEW YORK FOR \$219.00 PER TON.

Introduced by Mr. Packer, seconded by Mrs. Wells, award Wood Pellet Bid to Vincent's Heating & Fuel Service, LLC Poland, New York for \$219.00 per ton.

AYE 5 NO 0

RESOLUTION #176: CREATE LOCAL LAW NO. 2 OF 2016 TO OVERRIDE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C FOR FISCAL YEAR 2017.

Introduced by Mrs. DuRose, seconded by Mr. Durkish, create Local Law No. 2 of 2016 to Override Tax Levy Limit established in General Municipal Law §3-C for fiscal year 2017.

TOWN OF CHESTER

LOCAL LAW NO. 2 OF 2016

**A LOCAL LAW TO OVERRIDE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW §3-C FOR FISCAL YEAR 2017**

- 1. Legislative Intent and Need** - It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Chester pursuant to New York General Municipal Law Section 3-c, and to allow the Chester Town Board to adopt a budget for fiscal year 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.
- 2. Authority** - This Local Law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a Local Law approved by a vote of sixty percent (60%) of the total voting power of the Town Board.
- 3. Tax Levy Limit Override and Budget Authorization** - The Town Board hereby overrides the tax levy limit under New York General Municipal Law Section 3-c for the Town of Chester for fiscal year 2017 and authorizes the Chester Town Board, after completing all required

procedures for the adoption of a budget, to adopt a budget for fiscal year 2017 that requires a tax levy that is greater than the tax levy limit calculated for 2017 pursuant to General Municipal Law Section 3-c.

4. Severability - The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

5. Effective Date - This Local Law shall take effect immediately upon filing in the Office of the Secretary of State and shall apply only to the Town's budget for fiscal year 2017.

AYE 5 NO 0

RESOLUTION #177: APPOINT PAUL LITTLE TO THE PLANNING BOARD TO FILL A VACANCY FOR A TERM EXPIRING DECEMBER 31, 2022.

Introduced by Mrs. Wells, seconded by Mrs. DuRose, appoint Paul Little to the Planning Board to fill a vacancy for a term expiring December 31, 2022.

AYE 5 NO 0

Paul Little took the oath of office with the Town Clerk.

RESOLUTION #178: APPOINT PAUL LITTLE AS CHAIRMAN OF THE PLANNING BOARD.

Introduced by Mrs. DuRose, seconded by Mrs. Wells, appoint Paul Little as Chairman of the Planning Board.

AYE 5 NO 0

RESOLUTION #179: APPOINT KIM FRAZIER TO THE SCHROON LAKE PARK COMMISSION AS ALTERNATE CHESTER COMMISSIONER FOR A TERM ENDING DECEMBER 31, 2019.

Introduced by Mr. Packer, seconded by Mr. Durkish, appoint Kim Frazier to the Schroon Lake Park Commission as Alternate Chester Commissioner for a term ending December 31, 2019.

AYE 5 NO 0

RESOLUTION #180: APPOINT ARNOLD JENSON TO THE ZONING BOARD OF APPEALS FOR A TERM ENDING DECEMBER 31, 2020.

Introduced by Mrs. DuRose, seconded by Mrs. Wells, appoint Arnold Jenson to the Zoning Board of Appeals for a term ending December 31, 2020.

AYE 5 NO 0

Arnold Jenson took the oath of office with the Town Clerk.

RESOLUTION # 181: AUTHORIZE SUPERVISOR LEGGETT TO SIGN ORDA CREDIT APPLICATION FOR THE YOUTH SKI PROGRAM.

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize Supervisor Leggett to sign ORDA credit application for the youth ski program.

AYE 5 NO 0

RESOLUTION #182: RENEW LICENSE AGREEMENT WITH NORTH WARREN CENTRAL SCHOOL FOR THE WALKING PROGRAM FOR 2017.

Introduced by Mrs. Wells, seconded by Mr. Packer, renew License Agreement with North Warren Central School for the Walking Program for 2017.

AYE 5 NO 0

RESOLUTION #183: AUTHORIZE SUPERVISOR LEGGETT TO SIGN APPLICATIONS FOR LARAC GRANTS.

Introduced by Mr. Durkish, seconded by Mrs. Wells, authorize Supervisor Leggett to sign applications for LARAC grants.

AYE 5 NO 0

RESOLUTION #184: AUTHORIZE SUPERVISOR LEGGETT TO SIGN PURCHASE ORDER FOR JOHN DEERE CONSTRUCTION AND FORESTRY PRODUCTS - USA / NORTRAX, INC. FOR THE PURCHASE OF 2017 JOHN DEERE 444K WHEEL LOADER WITH ATTACHMENTS (LISTED SEPARATELY) ON NYS OGS CONTRACT GROUP #40625, AWARD #PGB22792 FOR A TOTAL CASH PRICE OF \$128,970.00 AND A TRADE IN ALLOWANCE OF \$19,000.00 FOR A 1993 CATERPILLAR 928F WHEEL LOADER IN WORKING CONDITION. TERMS OF PURCHASE WILL BE DETERMINED AFTER APPROVAL OF 2017 TOWN BUDGET. ALSO, AUTHORIZATION IS GIVEN TO PURCHASE FORKS AND MAN BASKET TO FIT ONTO THE JOHN DEERE LOADER FOR AN AMOUNT NOT TO EXCEED \$3,000 (WHICH WAS NOT INCLUDED IN ORIGINAL ATTACHMENT LIST).

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize Supervisor Leggett to sign purchase order for John Deere Construction and Forestry Products - USA / Nortrax, Inc. for the purchase of 2017 John Deere 444K Wheel Loader with attachments (listed separately) on NYS OGS Contract Group #40625, Award #PGB22792 for a total cash price of \$128,970.00 and a trade in allowance of \$19,000.00 for a 1993 Caterpillar 928F wheel loader in working condition. Terms of purchase will be determined after approval of 2017 town budget. Also, authorization is given to purchase forks and man basket to fit onto the John Deere loader for an amount not to exceed \$3,000 (which was not included in original attachment list).

AYE 5 NO 0

RESOLUTION #185: AUTHORIZE SUPERVISOR LEGGETT TO SIGN 2017 ROADWAY MAINTENANCE AGREEMENT AND 2017 SOLID WASTE AND RECYCLABLE DISPOSAL AND TRANSPORTATION SERVICES AGREEMENT WITH WARREN COUNTY WHEN RECEIVED AND IN A FORM ACCEPTABLE TO THE ATTORNEY FOR THE TOWN.

Introduced by Mrs. DuRose, seconded by Mr. Packer, authorize Supervisor Leggett to sign 2017 Roadway Maintenance Agreement and 2017 Solid Waste and Recyclable Disposal and Transportation Services Agreement with Warren County when received and in a form acceptable to the Attorney for the Town.

Pat Powers asked about Olmstedville Road. Mr. Leggett replied the Town Highway Department plows the road but does not maintain it. Mr. Powers stated the road has not been sealed. Mr. Leggett stated the Town of Chester has the second most county roads in Warren County.

AYE 5 NO 0

CSEA Employee Benefit Fund:

Mr. Leggett stated the Gold 12 Vision Plan needed to be renewed to stay in compliance with the contract. Jason Monroe asked as a tax payer why the Town does not receive quotes for insurance from three different brokers.

RESOLUTION #186: AUTHORIZE SUPERVISOR TO SIGN CSEA EMPLOYEE BENEFIT FUND RENEWAL OF GOLD 12 VISION PLAN.

Introduced by Mr. Leggett, seconded by Mr. Durkish, authorize Supervisor to sign CSEA Employee Benefit Fund renewal of Gold 12 Vision Plan.

Supervisor Leggett stated there is one correction in the agreement. Town of Chester (Highway Department) needs to be changed to Town of Chester, because the contract includes all union employees not just highway.

Mrs. DuRose abstained.

AYE 4 NO 0

DEC Grant:

The Department of Environmental Conservation is offering an Electronic Waste Assistance Grant. Applications are being accepted through October 31, 2016.

RESOLUTION #187: AUTHORIZE SUPERVISOR LEGGETT TO APPLY FOR THE ELECTRONIC WASTE ASSISTANCE GRANT.

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize Supervisor Leggett to apply for the Electronic Waste Assistance Grant.

AYE 5 NO 0

RESOLUTION #188: AMEND 2016 BUDGET, INCREASE ESTIMATED REVENUES A2001 - YOUTH FEES \$195.00, A2705.91 - YOUTH DONATIONS \$1,043.00 AND A2012 - YOUTH CONCESSION TOTALING \$85.50 AND INCREASE APPROPRIATIONS A7310.4 - YOUTH - CONTRACTUAL EXPENSES TOTALING \$1,323.50.

Introduced by Mrs. DuRose, seconded by Mr. Packer, amend 2016 Budget, increase estimated revenues A2001 - youth fees \$195.00, A2705.91 - youth donations \$1,043.00 and A2012 - youth concession totaling \$85.50 and increase appropriations A7310.4 - youth - contractual expenses totaling \$1,323.50.

AYE 5 NO 0

RESOLUTION #189: AMEND 2016 BUDGET, INCREASE ESTIMATED REVENUES: A2705.98 FROM MINIMART (FIREWORKS) +\$5,000.00 AND AMEND APPROPRIATIONS: A1220.2 SUPERVISOR-EQUIP +\$160.00 , A1220.4 SUPERVISOR-CONTR +\$400.00, A1420.4 ATTORNEY-CONTR EXP +\$3,100.00, A1910.4 UNALLOC INSURANCE +\$1,000.00, A3310.4 TRAFFIC SIGNS +\$800.00, A4020.1 VITAL STATISTICS +\$200.00, A4068.4 INSECT CONTROL -\$1,000.00, A5410.2 SIDEWALKS-CAP OUTL -\$10,000.00, A7110.13 HEALTH CHAL GRANT +\$210.00, A71110.41 MAIN ST BEAUTIF +\$100.00, A7110.43 FIREWORKS +\$5,000.00, A7510.2 HISTORIAN-EQUIP +\$30.00, A8020.41 PLANNING-LEGAL +5,000.00. HIGHWAY: DA5680.4 REMOVAL OF BEAVERS +\$1,000.00, DA9030.8 SOC SEC & MEDICARE -\$1,000.00. POTTERSVILLE WATER DISTRICT: PW8320.2 PUMPHOUSE-EQUIP +\$1,000.00, PW8320.42 TANK INSPECTION +\$1,600.00, PW8320.4 PUMPHOUSE-CONTR -\$2,600.00.

Introduced by Mr. Packer, seconded by Mrs. Wells, amend 2016 Budget, increase estimated revenues: A2705.98 from minimart (fireworks) +\$5,000.00 and amend appropriations: A1220.2 supervisor-equip +\$160.00 , A1220.4 supervisor-contr +\$400.00, A1420.4 attorney-contr exp +\$3,100.00, A1910.4 unalloc insurance +\$1,000.00, A3310.4 traffic signs +\$800.00, A4020.1 vital statistics +\$200.00, A4068.4 insect control -\$1,000.00, A5410.2 sidewalks-cap

outl -\$10,000.00, A7110.13 health chal grant +\$210.00, A71110.41 main st beautif +\$100.00, A7110.43 fireworks +\$5,000.00, A7510.2 historian-equip +\$30.00, A8020.41 planning-legal +5,000.00. Highway: DA5680.4 removal of beavers +\$1,000.00, DA9030.8 soc sec & medicare -\$1,000.00. Pottersville Water District: PW8320.2 pumphouse-equip +\$1,000.00, PW8320.42 tank inspection +\$1,600.00, PW8320.4 pumphouse-contr -\$2,600.00.

AYE 5 NO 0

Two grant applications were received for Occupancy Tax.

RESOLUTION #190: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.

Introduced by Mrs. Wells, seconded by Mr. Packer, authorize payment of abstracts and claims paid prior to audit. Mr. Packer asked for a monthly record of claims.

	2016	
General A	\$ 41,562.77	451 - 503
General HB	\$ 8,753.93	26 - 32
Highway	\$ 15,046.16	252 - 279
Chestertown Water	\$ 135.35	47 - 49
Pottersville Water	\$ 1,406.88	42 - 47
Library	\$ 711.72	31 - 34
Loon Lake Park District	\$ 4,322.3	14 - 15
Schroon Lake Park District	\$ 3,558.57	16 - 17

AYE 5 NO 0

On a motion by Mrs. DuRose, seconded by Mrs. Wells, Board went into Executive Session at 8:25 pm to discuss matters pertaining to collective negotiations pursuant to Article Fourteen of the Civil Service Law, employment history of a particular person, and the proposed acquisition, sale or lease of real property.

On a motion by Mr. Wells, seconded by Mr. Durkish, Board came out of Executive Session at 9:00 pm. No action taken.

On a motion by Mr. Leggett, seconded by Mr. Packer, meeting adjourned at 9:17 pm.

Respectfully submitted,

Town Clerk

DRAFT