



Town Board

Regular Meetings

March 13, 2018

The Town Board of the Town of Chester convened at the Pottersville Volunteer Fire House, 20 Valley Farm Road, Pottersville, New York, at 7:00 pm.

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

Regular Meeting:

Supervisor Leggett opened the Regular Town Board Meeting at 7:00 pm asking Boy Scout Lucas Dunkley to lead the Pledge of Allegiance and thanking the Pottersville Fire Department for hosting the Town Board Meeting.

RESOLUTION NO. 49 OF 2018: ACCEPT THE MINUTES OF THE REGULAR MEETING FEBRUARY 13, 2018 AND THE SPECIAL MEETING MARCH 6, 2018 AS PRESENTED

RESOLVED, to accept the minutes of the Regular Meeting February 13, 2018 and the Special Meeting March 6, 2018 as presented.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 49 of 2018 was **ADOPTED**.

AYE 5 NO 0

Opening of Bids:

Town Clerk stated that no bids were received for the fence or the truck.

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:02 pm.

Karen DuRose commented that she attended the North Warren EMS Meeting where they thanked the Town for plowing and the possible payment for the repairs to the ambulance. Mrs. DuRose also attended the Loon Lake Park District Committee Meeting with Mr. Turcotte. Mrs. DuRose stated that ZORC is making good progress and should be completed soon.

Mike Packer stated that he is working on reducing the hauling expenses at the transfer station.

Supervisor Leggett stated the following:

- The Town has applied for an Arbor Day Grant
- Three informational kiosks are going up in Town, first one has been installed at the Town Hall
- Broadband will be installed in about 100 additional homes this year in the Town
- There is a link to the Financial Transparency Center on our website, www.townofchesterny.org
- Hill Electric did an onsite assessment of our lighting at the Town Hall and National Grid has a program to offset funding for upgrades
- NYS DOT is continuing to work on lining up the Pottersville sidewalks to coincide with a crosswalk

Supervisor Leggett introduced Lucas Dunkley to discuss his proposed Eagle Scout Project.

Lucas Dunkley, Life Scout at Troop 30 in the Town of Chester, proposed resurrecting the Pottersville Park and basketball courts. Lucas would like to build a pavilion, benches and bike rack between the playground and basketball court.

RESOLUTION NO. 50 OF 2018: SUPPORT LUCAS DUNKLEY IN BUILDING A PAVILION AT THE PLAYGROUND PARK IN POTTERSVILLE

RESOLVED, to support Life Scout, Lucas Dunkley in building a pavilion at the playground park in Pottersville.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 50 of 2018 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett introduced Tracy Clothier from the LA Group to discuss the Town of Chester Trail Linkage Project. The proposed trail would link Chestertown to Pottersville, going from the Town Hall to Scaroon Manor. The funding for the project is provided from Warren County through the First Wilderness Heritage Corridor initiative which received funding from a NYSDOS grant. Steve Ovitt from Wilderness Property Management Inc. gave a detailed explanation of the proposed trail. The proposed map is on the Town website and on display in the Town Clerk's office.

Supervisor Leggett introduced Doug Irving. Doug proposed having a concert series at Dynamite Hill during the summer. A few concerns were alcohol, parking and interference with other events already planned by local organizations. Supervisor Leggett asked Doug to come back with more detailed information.

David Gross reported the NWEMS went out on 63 calls last month, ambulance 745 is back in service and they are currently seeking a new medical director.

Town Clerk reported the following were enclosed in the Board packets:

- Town Board Minutes for February 13, 2018
- Town Board Minutes for March 6, 2018
- Audited Abstract for March 13, 2018
- Zoning Administrator & Sanitary Code Enforcement Officer's Activity Report for February 2018
- Planning Board Minutes for February 26, 2018
- Zoning Board of Appeals Minutes for February 27, 2018
- Assessors Report for March 2018
- Animal Control Report February 2018
- Town Clerk Monthly Report for February 2018

Town Clerk reported the office has received the following communication:

- Thank you letter from Brian Bearor and Kayla Carlozzi
- Email from Jim McCormick stating that the repairs to the Health Center foundation are scheduled to begin March 20th
- Letter from the YMCA thanking the Town for their support
- Email from the State Comptroller approving a 60 day extension for the AUD
- Letter from Tri-Lakes Business Alliance thanking the Town for their support
- Flyer from Warren County Soil & Water Conservation District for a Household Tire Recycling Day, Saturday, May 5th 8:30 am - 12:00 pm at the Warren County DPW in Warrensburg
- Letter from the Chestertown Farmers Market requesting permission to use the front lawn from Wednesday, June 13th and end Wednesday, September 19th

RESOLUTION NO. 51 OF 2018: GRANT FARMERS MARKET PERMISSION TO USE FRONT LAWN

WHEREAS, the Chestertown Farmers Market has used the front lawn of the Town Hall for 5 years, and **WHEREAS**, they request permission to use the front lawn for the weekly Farmers Market in 2018, **BE IT RESOLVED**, the Town Board grants permission to the Chestertown Farmers Market to use the front lawn of the Town Hall each Wednesday from June 13th through September 19, 2018.

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, Resolution No. 51 of 2018 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett closed Committee Reports at 8:00 pm.

New Business:

Supervisor Leggett opened New Business at 8:01 pm.

RESOLUTION NO. 52 OF 2018: AMEND 2018 BUDGET

WHEREAS, \$20,000 was appropriated in 2017 but was never transferred so it lapsed into fund balance, **BE IT RESOLVED**, to appropriate \$20,000 to A9950.94 TRF to CAP RES FD-COPMPACTOR (from fund balance, A599)

On a motion by Supervisor Leggett, seconded by Mr. Packer, Resolution No. 52 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 53 OF 2018: AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, the Town Board accepts the Abstract of Claims and accounting requirements.

2017		
General A	\$3,128.65	606-607
Highway DA	\$2,216.47	382
2018		
General A	\$103,325.64	65-105
Capital Project - Biomass HB	\$5,255.00	5-6
Highway DA	\$64,931.35	39-70
Chestertown Water CW	\$1,124.61	4-11
Pottersville Water PW	\$1,589.08	5-7
Library L	\$459.00	6

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 53 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 54 OF 2018: SET DATE FOR FIREWORKS AS JULY 7, 2018 WITH A RAIN DATE FOR SUNDAY, JULY 8, 2018 AND APPROPRIATE \$5,000 FOR FIREWORKS DISPLAY

WHEREAS, the annual Summerfest event sponsored by the NW Chamber of Commerce is set for Saturday, July 8, 2018, and

WHEREAS, the Town of Chester sponsors the fireworks display as part of the Summerfest,

BE IT RESOLVED, the Town Board sets the date for fireworks as Saturday, July 7, 2018 with a rain date for Sunday, July 8, 2018 and appropriates \$5,000 from budget code A6410.43 to be used for the fireworks display.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 54 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 55 OF 2018: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH NORTHSTAR FIREWORKS

WHEREAS, Northstar Fireworks from East Montpelier, VT has provided firework displays for the Town in the past, and

WHEREAS, the service and displays have been satisfactory each time,

BE IT RESOLVED, Supervisor Leggett is authorized to sign a contract with Northstar Fireworks to provide the Summerfest fireworks display for an amount not to exceed \$5,000.

On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 55 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 56 OF 2018: AUTHORIZE SUPERVISOR LEGGETT ATTEND THE ADIRONDACK PARK LOCAL GOVERNMENT CONFERENCE IN LAKE PLACID APRIL 18 & 19, 2018

WHEREAS, the APA's Adirondack Park Local Government Conference provides trainings for municipal officials each year,

BE IT RESOLVED, Supervisor Leggett is authorized to attend the Adirondack Park Local Government Conference in Lake Placid April 18 & 19, 2018 and funds be appropriated out of budget code A1220.4 for registration, rooms, meals, and travel.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 56 of 2018 was **ADOPTED**.
 AYE 5 NO 0

RESOLUTION NO. 57 OF 2018: AUTHORIZE THE CHESTERTOWN VOLUNTEER FIRE COMPANY FIREHOUSE AS THE OFFICIAL POLLING LOCATION

WHEREAS, the Town of Chester is required to designate an official polling place each year, and **WHEREAS**, the Town, in conjunction with the Warren County Board of Elections, has approved the Chestertown Firehouse in previous years,

BE IT RESOLVED, the Town authorizes the Chestertown Volunteer Fire Company Firehouse as the official polling place in the Town of Chester.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 57 of 2018 was **ADOPTED**.
 AYE 5 NO 0

Supervisor Leggett stated that there are about 88 water meters in the Pottersville Water District and 219 water meters in the Chestertown Water District. One new well will be drilled this spring for the Pottersville Water District.

RESOLUTION NO. 58 OF 2018: SET WATER RATES

WHEREAS, Water Rates are set annually for the Pottersville and Chestertown Water Districts reflecting the cost of operations, maintenance and capital needs, and

WHEREAS, the Water Rates were increased by 10% in 2017, and

WHEREAS, in order to properly operate and maintain the water systems in each District,

BE IT RESOLVED, the Water Rates are set as presented below.

Chestertown Water District		
Code	Description	2018 Rate
1	Base Rate: Metered Residential	\$ 160.00
2	Base Rate: Metered Business	\$ 160.00
3	Base Rate: Metered Outside of District	\$ 290.00
6	Base Rate: Unmetered Inside District	\$ 250.00
8	Base Rate: Unmetered Outside of District	\$ 380.00
20	Base Rate: NWCS for 24,000 gallons	\$ 600.00
10	Flat Rate: Unmetered Special Annual Rate	\$ 330.00
	Rate per 1,000 gallons for Over 24,000 gallons	\$ 2.00
	Swimming Pool Rate (Res #181-2002)	\$ 200.00
13	Hydrant Rental	\$ 675.00
15	Turn On / Turn Off	\$ 18.00
	Connection Charge - Standard Install	\$ 590.00
16	Replace Water Meter	\$ 165.00

Pottersville Water District		
Code	Description	2018 Rate
17	Base Rate: Metered Residential	\$ 290.00
18	Base Rate: Metered Business	\$ 290.00
4	Base Rate: Metered Outside of District	\$ 465.00
5	Base Rate: Unmetered Inside District	\$ 390.00
14	Base Rate: Unmetered Outside of District	\$ 580.00
21	Base Rate: Word of Life for 24,000 gallons	\$ 650.00
10	Flat Rate: Unmetered Special Annual Rate	\$ 330.00
	Rate per 1,000 gallons for Over 24,000 gallons	\$ 3.00
	Swimming Pool Rate (Res #181-2002)	\$ 200.00
12	Hydrant Rental (9 hydrants + 2 dry)	\$ 130.00
9	Base Rate: Glendale	\$ 4,640.00
15	Turn On / Turn Off	\$ 18.00
7	Connection Charge - Standard Install	\$ 590.00
16	Replace Water Meter	\$ 165.00

On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 58 of 2018 was **ADOPTED**.
 AYE 5 NO 0

RESOLUTION NO. 59 OF 2018: AUTHORIZE TOWN CLERK TO ADVERTISE FOR SAND BIDS

WHEREAS, the Town of Chester Highway Department desires to purchase sand for winter road maintenance,
BE IT RESOLVED, the Town Clerk is authorized to advertise for bids for an amount of sand set by the Highway Superintendent with a submission date by Wednesday, March 21, 2018 at 3pm.
 On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 59 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 60 OF 2018: JOIN QUEENSBURY IN THEIR SOLARIZE CAMPAIGN/PROGRAM

WHEREAS, the Town of Queensbury has invited other Warren County towns to participate in a solarize campaign they have organized, and
WHEREAS, the residents in the Town of Chester are eligible to participate in the solarize campaign and receive competitive pricing for rooftop solar installations,
BE IT RESOLVED, the Town Board agrees to join Queensbury in their solarize campaign/program.
 On a motion by Supervisor Leggett, seconded by Mr. Turcotte, Resolution No. 60 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 61 OF 2018: GRANT PERMISSION FOR THE ST. PATRICK'S DAY PARADE LINE-UP TO BE ON FOSTER FLATS ROAD ON SATURDAY, MARCH 17, 2018

WHEREAS, the Tri Lakes Business Alliance sponsors a St. Patrick's Day Parade each year,
BE IT RESOLVED, the Town Board grants permission for the St. Patrick's Day parade line-up to be on Foster Flats Road on Saturday, March 17, 2018.
 On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 61 of 2018 was **ADOPTED**.

AYE 5 NO 0

Jo Anne Nick stated that John Nick will be the Grand Marshall for the St. Patrick's Day Parade.

RESOLUTION NO. 62 OF 2018: APPOINT MEMBERS TO THE TREE COMMITTEE

WHEREAS, the Town Board established a Tree Committee for the purpose of an Arbor Day Grant and other issues relating to the planting and care of street trees in the Town,

BE IT RESOLVED, the Town Board appoints the following persons to be members of the Tree Committee for a term ending December 31, 2020: Mary Jane Dower, Jessica Wescott, Susan Schmidt, Lauren Perea, Larry Turcotte.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 62 of 2018 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett discussed the Zoning Office proposed new fee schedule.

Proposed Zoning Office Fee Schedule		
Fee Schedule	Current Fee:	Proposed Fee:
Zoning Ordinance Binder/Land Use Map	\$15.00	\$15.00, Change fee for Zoning Ordinance Binder to \$25.00. No change to fee for the Land Use Map
Dwellings/Additions	\$50.00	Change Description from "Dwellings" to "Principal Buildings". \$100.00 for principal buildings (i.e. dwellings, mobile homes), Remove Additions, Add as separate section (see below)
Accessory Buildings	\$30.00	\$50.00
Swimming Pool	\$30.00	\$30.00
Demolition	\$30.00	\$30.00
Renewal of Zoning Certificates	\$25.00	\$25.00
Docks/Decks/Floats	\$50.00	\$50.00, change to also include moorings
Sign Application & Inspection	\$25.00	\$25.00
Septic Wastewater Systems	\$75.00	\$75.00
Improvements to Septic Systems	\$40.00	\$40.00, change to also include repairs
Site Plan Review	\$100.00	\$100.00
Minor Subdivisions	\$100.00	\$100.00
Major Subdivisions (Up to 5 Lots)	\$150.00	\$150.00
Each Lot Over 5 (Additional Per Lot)	\$25.00	\$25.00
Variance (Area or Use)	\$100.00	\$100.00
Appeals	\$100.00	\$100.00
Proposed Additions		
Solar Photovoltaic Systems (Ground or Roof Mount)	Currently, no charge.	\$30.00
Additions	\$50.00	\$75.00
After the Fact Surcharge	Currently, no charge.	\$150.00
Interior Renovations to Existing Structure	To only require Zoning Compliance Certificate for the County, as there is no change in footprint, and require no fee.	

On a motion by Supervisor Leggett, seconded by Mrs. DuRose the proposed fee schedule was **TABLED**.

AYE 5 NO 0

Larry Turcotte discussed the charge of a \$10 registration fee per motorized vessel of 10 horsepower or more on Loon Lake was for safety, to reduce congestion, bring lake front into compliance and to reduce Loon Lake Park District tax rate. Supervisor Leggett stated that this would defray the cost of the boat wash attendants and the lake constable, which is currently paid for by the Loon Lake Park District

Association. John Nick also pointed out that the cost of removing milfoil is also a big expense. A lengthy discussion ensued.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, the proposed \$10 registration fee per motorized vessel on Loon Lake was **TABLED**.

AYE 5 NO 0

RESOLUTION NO. 63 OF 2018: AUTHORIZING USE OF OCCUPANCY TAX FUNDS TO THE ADIRONDACK MARATHON IN THE AMOUNT OF \$4,000

WHEREAS, Adirondack Marathon, Inc. has submitted a request of Occupancy Tax funds of \$4,000 to help support the promotion of the Adirondack Marathon Distance Festival, September 22-23, 2018, and **WHEREAS**, the event takes place in the Town of Chester and adjacent towns and meets the criteria for Occupancy Tax Funding,

BE IT RESOLVED, the Town of Chester awards \$4,000 to the Adirondack Marathon, Inc out of General Fund Code A6410 Publicity for promotional support of the Adirondack Marathon Distance Festival to be paid as reimbursement upon submission of final report and invoices.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 63 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 64 OF 2018: APPOINT RICK BUMP TO THE BOARD OF ASSESSMENT REVIEW TO FILL AN UNEXPIRED TERM

WHEREAS, the Board of Assessment Review has an opening due to resignation,

BE IT RESOLVED, the Town Board appoints Richard Bump to the Board of Assessment Review to fill an unexpired term ending September 30, 2019 and authorizes expenditure for appropriate training, registration, and travel expenses.

On a motion by Supervisor Leggett, seconded by Mr. Durkish, Resolution No. 64 of 2018 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett started the topic of whether or not the Town needed a Constable on Loon Lake and reminded everyone that a constable needs to have the training of a peace officer. John Nick said a safety ambassador might be as efficient. A lengthy discussion ensued. Supervisor Leggett will look into a new job title that does not include peace officer training.

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 9:00 pm.

Andy DeLivron was concerned about the proposed trail because he does not think that Pottersville is a destination.

Supervisor Leggett discussed lining up the sidewalk in Pottersville by All Brands for a crosswalk to the Post Office.

Rich Bump asked if the Town could ask the State for a new traffic study by the Black Bear to take place during the summer months.

Supervisor Leggett closed Privilege of the Floor at 9:07 pm.

On a motion by Supervisor Leggett, seconded by Mr. Turcotte, the Board went into Executive Session at 9:07 pm to discuss the performance of an employee matter of a particular individual and to discuss union collective bargaining negotiations.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Board exited Executive Session at 10:05pm.

No action taken.

RESOLUTION NO. 65 OF 2018: AUTHORIZE ENGAGEMENT OF SPECIAL COUNCIL AND ACCOUNTANT FOR THE JUSTICE COURT

RESOLVED, to authorize engagement of special council and an accountant for the Justice Court. On a motion by Supervisor Leggett, seconded by Mr. Turcotte, Resolution No. 65 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 66 OF 2018: AUTHORIZE TOWN CLERK TO ADVERTISE FOR A FULL TIME LABORER FOR PARKS AND REC

WHEREAS, the Town Board reviewed the workload and duties of the Park and Recreation Department including permanent and seasonal needs, and

WHEREAS, the Town Board recognizes the need to staff the Parks and Recreation Department in time for spring and summer workloads,

BE IT RESOLVED, the Town Board authorizes the Town Clerk to advertise for a Full Time Laborer with a closing date to receive applications by Friday March 30, 2018 at 3pm.

On a motion by Supervisor Leggett, seconded by Mr. Durkish, Resolution No. 66 of 2018 was **ADOPTED**.

AYE 5 NO 0

On a motion by Mr. Turcotte, seconded by Mr. Durkish, meeting adjourned at 10:10 pm.

Respectfully submitted,

Town Clerk