



Town Board

Regular Meetings

June 12, 2018

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, Larry Turcotte, Steve Durkish and Attorney for the Town, Mark Schachner. Mike Packer absent.

Regular Meeting:

Supervisor Leggett opened the Regular Town Board Meeting at 7:05 pm with the Pledge of Allegiance.

RESOLUTION NO. 108 OF 2018: ACCEPT THE MINUTES OF THE REGULAR MEETING MAY 8, 2018

RESOLVED, to accept the minutes of the Regular Meeting May 8, 2018 as presented.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 108 of 2018 was **ADOPTED**.

Mrs. DuRose Abstained

AYE 3 NO 0

Public Hearing:

Supervisor Leggett opened the Public Hearing with the Town Board acting as the Local Board of Health in the matter of **Eric Jackson Bradley Septic System Variance SV2018-01**, for property located at 4700 State Route 8, Tax Map #: 102.6-1-5 at 7:06 pm.

Dennis MacElroy from Environmental Design Partnership, represented Mr. Bradley. Supervisor Leggett asked the audience if there were any questions. Mary Clark asked how far the holding tanks were from the neighbors. Supervisor Leggett responded more than 120 feet.

Supervisor Leggett read two letters of support, one from Paul Little and one from William L. Sherman.

Supervisor Leggett closed the Public Hearing at 7:11 pm.

Public Meeting:

Supervisor Leggett opened the Public Meeting for the **Pottersville Well and Well House Upgrades** at 7:11 pm.

Supervisor Leggett introduced Wayne LaMothe from the Warren County Planning Department. Mr. LaMothe stated that the public meeting is a requirement of the grant award, plans have been drawn up and all of the board member should have one. The Department of State is funding the application and there is an allocation of \$120,000 to the Pottersville Water District for this type of work of which there is a 50/50 matching grant. Mr. LaMothe did not see the SEQR compliance in the report which is necessary and encouraged with part of the engineering cost that are identified in the report and the permitting that the engineer provide a draft of the EAF.

Supervisor Leggett asked Mr. LaMothe what the next step would be for the Town. Mr. LaMothe said that the Town needs to address how they are going to comply with SEQR and from there get the test wells done.

Supervisor Leggett asked if there were any questions. Mrs. DuRose asked if they were going to drill on Landon Hill. Mr. Leggett stated not at this time.

Supervisor Leggett closed the public meeting at 7:17 pm.

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:17 pm.

Mr. Turcotte stated that the first Tree Committee Meeting was June 11th and will meet again in two weeks.

Mrs. DuRose reported that she met with Judge McDermott and reported that the Court revenue has increased from last year. She attended a meeting with Nancy Tennyson from the Historical Society on a preservation mission for the Sumi photos and she also spoke with Jason Monroe about the reclamation of the pavement on Bird Pond Road.

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

- Town Board Minutes for May 8, 2018
- Supervisor's Monthly Cash Report as of May 31, 2018
- Audited Abstract for June 12, 2018
- Zoning Administrator & Sanitary Code Enforcement Officer's Activity Report for May 2018
- Zoning Board of Appeals Minutes for May 22, 2018
- Assessors Report for June 2018
- Animal Control Report May 2018
- Town Clerk Monthly Report for May 2018
- Chestertown Water District Annual Drinking Water Quality Report for 2017
- Pottersville Water District Annual Drinking Water Quality Report for 2017
- Youth Commission Flyer for Summer 2018

Town Clerk reported the office has received the following communication:

- Email from Kathy Bozony that on July 12th there will be an event at the HUB in Brant Lake from 5 pm - 7 pm to meet with Solar Vendors
- Flyer for SummerFest July 7th with fireworks at Dusk, sponsored by Town of Chester and North Warren Chamber
- Loon Lake milfoil harvest daily reports from May 7th - June 8th from Aqualogic
- Thank you card from the Family of Edna Ellsworth Belmore
- We have received over 650 completed data questionnaires and are still entering the results

Supervisor Leggett reported the following:

- YMCA Summer Camp was canceled
- Attended a Schroon Lake Army Corp of Engineer Meeting in North Hudson to discuss the erosion problems coming into Schroon Lake
- Met with Friends Lake Property Owners Association and the Town still needs a permanent easement for the District to move forward
- Attended a NW Chamber of Commerce VIP Dinner where the Business of the Year was awarded to Rustic Charm Pottery
- Met DEC, Cedarwood and the Highway Superintendent to go over waste water treatment for the Town garage
- The State equalization rate is 100% for this year
- Thank you to Don and Ellie Lambert for replacing the Chester Rural Cemetery flag pole after the wind storm
- Thank you to Colin and Kim Glascock for donating a refrigerator for the concession stand at the Dynamite Hill Ball Field
- Thank you to the Parks and Rec. Department for working hard to make the Town look good

David Gross from the NWEMS reported the following:

- Meetings are now the 2nd Thursday of the Month
- Still working on new By-Laws
- Diane Smith is the new Secretary
- There were 47 calls for the month of May
- They attended Life Net

Supervisor Leggett closed Committee Reports at 7:33 pm.

Privilege of the Floor for old and New Items:

Supervisor Leggett opened Privilege of the Floor for Old and New Items at 7:33 pm.

Supervisor Leggett introduced Harry Brundage, Commander of VFW 5513 and a member of the American Legion. Mr. Brundage stated that the VFW does not receive money from the Town and listed the following that the VFW does for the Town:

- Replace flags at the cemeteries (the Town reimburses for the cost of the flags)
- Organize the ceremonies, parades and flyovers
- Act as a liaison between the County and the Town
- Place the brass markers at the cemeteries given to them by the County
- Provide a ceremony at the request of the family for any veteran
- Welcome the new veterans to Town
- Two of our members are certified to council veterans
- Have built handicap ramps for their veterans when needed
- Legion Riders are out trying to raise money
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Mr. Brundage stated that some of the older veterans are upset with the Town and the Town of Horicon has stated that they will accept all of their debris for free. Supervisor Leggett wanted to remind all the veterans they are entitled to a veteran's exemption on their taxes and are sorry if they offended anyone that was not the intent. Mrs. DuRose thanked Mr. Brundage for his service.

Mary Clark asked about the Japanese Knot Weed. Supervisor Leggett has talked to the assistant resident engineer and emailed them reminding them about the Japanese Knot Weed and the stop bar at the end of Valley Farm Road. Mary asked about the sidewalks in Pottersville. Supervisor Leggett responded that they need to find the survey maps for the old Travelers Restaurant to see exactly where the DOT right of way ends and the private property begins. The approved plans are in the hands of NYS DOT waiting to see if any of it is on private property.

Linda Muench asked about the YMCA summer camp being canceled. Supervisor Leggett asked Mrs. Conway to reply as the Youth Director. Mrs. Conway stated that the YMCA was not able to acquire the necessary permits for summer camp in time, but will be ready for next summer.

Eric Jackson Bradley asked why the watering tub was shut down and if there was anything being done to reopen the water system. Supervisor Leggett stated there was a group putting together a proposal to reopen it.

David Gross encouraged the Town Board to stop by the Pottersville Fire Department to see the new sign.

Supervisor Leggett closed Privilege of the Floor at 7:45 pm.

Old Business:

Supervisor Leggett opened Old Business at 7:45 pm.

RESOLUTION NO. 109 OF 2018: APPROVE BRADLEY SEPTIC VARIANCE APPLICATION SV2018-01

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing regarding the Septic Variance Application SV2018-01 for property located at 4700 State Route 8, Riparius, NY, Tax Map # 102.6-1-5, 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 all 4 listed criteria applicable,

BE IT RESOLVED, the Town Board acting as the Local Board of Health finds the Bradley septic variance application meets the following criteria:

- a) That there are special circumstances or conditions, fully described in the findings of the Local Board of Health, 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, for reasons fully set forth in the findings of the Local Board of Health, 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) And, the Local Board of Health does not prescribe any additional and reasonable conditions that it deems to be necessary or desirable.

Setback Schedule Bradley		
Setback	Proposed Distance (ft)	Required Distance (ft)
Use of Holding Tanks		
Set Back to Property Line	3	10
Set Back to Watercourse	21	50

BE IT FURTHER RESOLVED, the Local Board of Health finds the septic system for 4700 State Route 8, Riparius, NY as designed and presented by Environmental Design Partnership 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 resource (Hudson River).

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, Resolution No. 109 of 2018 was **ADOPTED**.

AYE 4 NO 0

The Intermunicipal agreement was tabled last month. Supervisor Leggett stated that by the Town being in this agreement the vendors cannot increase their rates during the contract.

RESOLUTION NO. 110 OF 2018: AUTHORIZE SUPERVISOR LEGGETT TO SIGN INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE TOWN OF CHESTER RELATING TO SOLID WASTE AND RECYCLABLE DISPOSAL SERVICES (WC 76-17), SOLID WASTE AND RECYCLING TRANSPORTATION SERVICES (WC77-17) AND ELECTRONICS RECYCLING (WC 14-18)

WHEREAS, Warren County has put out for bid and accepted for solid waste and recycling services that includes services that the Town of Chester can participate in,

BE IT RESOLVED, the Supervisor is authorized to sign the Intermunicipal Agreement Between The County Of Warren and the Town Of Chester Relating To Solid Waste And Recyclable Disposal Services (WC 76-17), Solid Waste and Recycling Transportation Services (WC77-17) And Electronics Recycling (WC 14-18).

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 110 of 2018 was **ADOPTED**.

AYE 4 NO 0

New Business:

Mr. Durkish asked if the Town of Horicon was helping with the repairs to the Chester-Horicon Health Center. Supervisor Leggett stated that the Town of Chester owns the building.

RESOLUTION NO. 111 OF 2018: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH ADIRONDACK BASEMENT SYSTEMS AND ASSOCIATED CONTRACTORS TO LEVEL THE FOUNDATION OF THE CHESTER-HORICON HEALTH CENTER

WHEREAS, the Chester-Horicon Health Center foundation requires more extensive repair work than originally planned (Resolution No's. 207 & 208 of 2017) and such work is specialized,

BE IT RESOLVED, to wave the Town Purchasing Policy for the repair of the Chester-Horicon Health Center foundation due to the special nature of the work to be done and the expert opinion received by the Town, and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign contract with Adirondack Basement Systems and associated contractors to level the foundation of the Chester-Horicon Health Center, in coordination with HHHN facilities department, for an amount not to exceed \$45,000, and

BE IT FURTHER RESOLVED, the funds for the contracted work shall come from the General Fund Unappropriated Fund Balance and be paid from budget code A4560.4.

On a motion by Mr. Durkish, seconded by Mrs. DuRose, Resolution No. 111 of 2018 was **ADOPTED**.

AYE 4 NO 0

Mrs. DuRose asked if the cost of drilling a new well in Pottersville will come from the Pottersville Water District Fund. Supervisor Leggett said yes.

RESOLUTION NO. 112 OF 2018: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH SJB EMPIRE FOR POTTERSVILLE WATER TEST BORE WELL AND SUPPLY

WHEREAS, Cedarwood Engineering has requested quotes from two vendors for a test well at the Pottersville Water District Gamble Beach facility and recommends the Town to accept the bid from SJB Empire, and

WHEREAS, this is part of a planned upgrade to the Pottersville Water District supply system and budgeted for 2018,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign contract with SJB Empire for test well boring for the Pottersville Water District.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 112 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 113 OF 2018: AUTHORIZE COURT CLERK TO ATTEND TRAINING

WHEREAS, Training is now required of Court Clerks.

WHEREAS, the Town of Chester has supported the annual Training of the Court Clerk each year, and

WHEREAS, the cost of the Court Clerk training is budgeted in 2018 in budget code A110.4,

BE IT RESOLVED, the Town Board authorizes Karen Griffen to attend the Court Clerk Training in Potsdam, NY, July 16-19, 2018 and reimburse her for meals, room and travel expenses.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 113 of 2018 was **ADOPTED**.

AYE 4 NO 0

Mrs. DuRose asked if there was a conflict of interest having the current Town Clerk as a Board of Assessment Review Alternate . Marion Eagan stated that Pat Smith, the former Town Clerk was a member of the Board of Assessment Review.

RESOLUTION NO. 114 OF 2018: APPOINT MINDY CONWAY AS AN ALTERNATE ON THE BOARD OF ASSESSMENT REVIEW.

WHEREAS, an alternate member of the Board Of Assessment Review is needed,

BE IT RESOLVED, the Town Board appoints Mindy Conway as an alternate on the Board of Assessment Review for a three year term ending September 30, 2021,

BE IT FURTHER RESOLVED, the Town Board authorizes Mindy Conway to attend the training and reimburse her for travel expenses.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 114 of 2018 was **ADOPTED**.

AYE 4 NO 0

Supervisor Leggett introduced Al Matrose, who sent a letter of interest to be an alternate on the Planning Board. Mr. Matrose worked for DEC in Warrensburg as an Environmental Engineer.

RESOLUTION NO. 115 OF 2018: APPOINT AL MATROSE AS AN ALTERNATE ON THE PLANNING BOARD

WHEREAS, the Town of Chester, Planning Board has an alternate board member position to fill, and

WHEREAS, Al Matrose has submitted a letter of interest in filling position,

BE IT RESOLVED, the Town Board appoints Al Matrose as an Alternate Member on the Planning Board for a seven year term ending December 31, 2024.

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, Resolution No. 115 of 2018 was **ADOPTED**.

AYE 4 NO 0

Supervisor Leggett introduced Wayne LaMothe to talk about Consolidated Funding Application (CFA). Mr. LaMothe stated that the State needs to be convinced that there is an extreme benefit to the community if the project is not directly waterfront related. Mr. LaMothe recommended the replacement of pipe in the Pottersville Water District. The Town would have to conduct a survey to be eligible for the grant. The Town would have to hold a Public Hearing 2 weeks before the submission date of the grant. Mr. LaMothe will provide the Town with a copy of the survey. Mr. LaMothe recommends sending out a Town Employee to conduct the survey.

RESOLUTION NO. 116 OF 2018: SET PUBLIC HEARING FOR CONSOLIDATED FUNDING APPLICATION (CFA)

RESOLVED, to hold any required public hearing for the submission of a Consolidated Funding Application (CFA) for improvements to the Pottersville Water District and authorize the Town to apply for the grant, and

BE IT RESOLVED, to set the Public Hearing for July 10, 2018 at 7 pm.

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 116 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 117 OF 2018: HIRE LIFEGUARDS FOR THE 2018 SEASON

WHEREAS, the Town of Chester is required to hire in order to operate the beach there need to be two lifeguards on duty during open hours,

BE IT RESOLVED, the Town Board hires Julina Walker, Avery Murphy, Garek Carter, Joe Phelps, Jenna Whelan , Nora Molino, Rebekah Cohen, Claudia Librett for as Lifeguards for the 2018 season.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 117 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 118 OF 2018: AUTHORIZE SUPERVISOR SIGN ORDER OF CONSENT WITH DEC

WHEREAS, the Town of Chester has received an Order of Consent from the NYS DEC and the Attorney for the Town has reviewed the Order and the Engineer for the Town has provided a work plan for remedy of listed issues,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the Order of Consent with the DEC when in a form acceptable to the Attorney for the Town.

On a motion by Mr. Durkish, seconded by Mrs. DuRose, Resolution No. 118 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 119 OF 2018: APPROVE AMENDMENTS TO THE 2018 BUDGET

Budget Amendments	June 12, 2018		
	Appropriate Fund Balance		
Chester Health Center Repair	A599	\$ 45,000.00	
	Amend Appropriations		
Medical Center Capital Outlay	A4560.2		\$ 45,000.00
		\$ 45,000.00	\$ 45,000.00

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, Resolution No. 119 of 2018 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 120 OF 2018: AUTHORIZE PAYMENT OF ABSTRACTS

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

General A	\$69,176.20	206-258
BioMass HB	\$9,485.4	10-10
Highway DA	\$39,280.58	129-156
Chestertown Water CW	\$987.27	24-31
Pottersville Water PW	\$753.75	18-22
Loon Lake Park District SP	\$21,956.33	2-9
Library L	\$2,417.28	14-18
Schroon Lake Park District SX	\$700.00	5-5

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 120 of 2018 was **ADOPTED**.

AYE 4 NO 0

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 8:42 pm.

Mary Clark asked about the lights at the basketball courts in Pottersville. Supervisor Leggett said that he has filled out an application to National Grid about having a planner come to the site. Mary asked about the dead tree in the triangle in Pottersville. Brett Hitchcock stated that it was on the list for the Parks Department to remove the tree because it is dead on the top.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, meeting adjourned at 8:45 pm.

Respectfully submitted,

Town Clerk

DRAFT