



Town Board

Regular Meetings

September 11, 2018

The Town Board of the Town of Chester convened at the Pottersville 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 7:02 pm with the Pledge of Allegiance and a moment of silence for the tragic events of 911.

RESOLUTION NO. 154 OF 2018: ACCEPT THE MINUTES OF THE REGULAR MEETING AUGUST 14, 2018

RESOLVED, to accept the minutes of the Regular Meeting August 14, 2018 as presented.

On a motion by Mr. Durkish, seconded by Mrs. DuRose, Resolution No. 154 of 2018 was **ADOPTED**.

AYE 5 NO 0

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:05 pm.

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

- Town Board Minutes for August 14, 2018
- Supervisor's Monthly Cash Report as of August 31, 2018
- Audited Abstract for September 11, 2018
- Zoning Administrator Activity Report for July 2018
- Planning Board Minutes for August 20, 2018
- Zoning Board of Appeals Minutes for August 28, 2018
- Assessors Report for September 2018
- Animal Control Report August 2018
- Town Clerk Monthly Report for August 2018
- Unsafe Building Inspection Report for 155-163 White Schoolhouse Road
- Unsafe Building Inspection Report for 364 Olmstedville Road

Town Clerk reported the office has received the following communication:

- Letter of Resignation from Mary Jane Dower from the Zoning Board of Appeals
- Letter of Resignation from Bill Oliver from the Zoning Board of Appeals
- Loon Lake milfoil harvest daily reports from July 5th to August 16th from Aqualogic
- Thank you letter from Pidy Carboy for allowing the seniors to use the auditorium for a walking program
- Bottle request letters from: Boy Scouts, North Warren Class of 2019, Class of 2020 and Class of 2021

Brett Hitchcock, Working Foreman for Parks and Rec., reported that they planted a Colorado Spruce in the triangle in Pottersville and they will be starting to install the lights for the Pottersville basketball court this week.

David Gross, NWEMS Representative, reported that donation letters were done locally and have been sent out, the furnace and air conditioner need to be looked at, the Chairman resigned so David is the

Acting Chairman until January when yearly elections are done, and David met with the Town of Chester and the Town of Horicon Supervisors.

Supervisor Leggett reported:

- 100 Riverside Drive is in foreclosure and has been cleaned up
- Chester Garage and the old Martin Garage are both getting their phase II environmental assessments scheduled
- Ordered new flooring for the elevator and the library bathroom
- Looking to have the town hall septic pumped which has not been pumped since 1995
- Tom Thorsen is busy as the new Code Enforcement Officer
- Jeremy Little is doing a great job as Zoning Administrator
- New law for all businesses for sexual harassment which the Town will need to adopt a new policy next month
- Met with the Union along with Mrs. DuRose
- Health Center foundation has sunk about 6" and work will begin next week and should take about a week
- YMCA is using the youth center and auditorium until their facility is repaired after the fire
- Bird Pond Road is finished
- Loon Lake Dam survey will start tomorrow
- The Town will stay with the current health insurance after decision with the Union and there will increase by about \$40,000 for next year

Supervisor Leggett closed Committee Reports at 7:22 pm.

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 7:22 pm.

Barbara Repp asked about the "road work" and "rough road" signs that Warren County placed on Olmstedville Road, but there has not been any work done. Supervisor Leggett stated that he will follow up with Warren County DPW.

Supervisor Leggett closed Privilege of the Floor at 7:26 pm.

New Business:

Supervisor Leggett opened New Business at 7:26 pm.

RESOLUTION NO. 155 OF 2018: ACCEPT THE RESIGNATION OF BILL OLIVER FROM THE ZONING BOARD OF APPEALS

WHEREAS, Bill Oliver has submitted a letter of resignation from the ZBA,

BE IT RESOLVED, the Town Board accepts the resignation of Bill Oliver from the ZBA and thanks him for his service to the Town.

RESOLUTION NO. 156 OF 2018: ACCEPT THE RESIGNATION OF MARY JANE DOWER FROM THE ZONING BOARD OF APPEALS

WHEREAS, Mary Jane Dower has submitted a letter of resignation from the ZBA, where she has dutifully served as a member and Chairman,

BE IT RESOLVED, the Town Board accepts the resignation of Mary Jane Dower from the ZBA and extends their deep gratitude for all she has given to the Town over the last 55 years.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 155 and No. 156 of 2018 were **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 157 OF 2018: APPOINT BARBARA KEARNEY TO THE ZONING BOARD OF APPEALS

WHEREAS, Barbara Kearney is an alternate member on the ZBA,
BE IT RESOLVED, the Town Board appoints Barbara Kearney as a full member of the ZBA to fill the unexpired term of Bill Oliver ending on December 31, 2022.

RESOLUTION NO. 158 OF 2018: APPOINT MICHAEL HOUGH TO THE ZONING BOARD OF APPEALS

WHEREAS, Michael Hough has submitted an application to serve on the ZBA,
BE IT RESOLVED, the Town Board appoints Michael Hough as a full member of the ZBA to fill the unexpired term of Mary Jane Dower ending on December 31, 2019.

RESOLUTION NO. 159 OF 2018: APPOINT MARY CLARK TO THE ZONING BOARD OF APPEALS AS AN ALTERNATE

WHEREAS, there are 2 openings for ZBA alternate and Mary Clark has expressed interest in serving as a ZBA Alternate,
BE IT RESOLVED, the Town Board appoints Mary Clark as a Zoning Board Alternate to fill the unexpired term of Barbara Kearney to expire December 31, 2021.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 157, No. 158, and No. 159 of 2018 were **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 160 OF 2018: AUTHORIZE THE WC SWCD, ON BEHALF OF THE TOWN OF CHESTER, TO APPLY FOR A ONE YEAR EXTENSION FOR THE JOINTLY HELD (CHESTER, HORICON, SCHROON) DEPARTMENT OF STATE STORMWATER GRANT

WHEREAS, the Town of Chester is the custodian of a multiple-municipality Department Of State Grant which is administered by the Warren County Soil & Water Conservation District, and
WHEREAS, the Town of Schroon has requested the Town of Chester to ask the DOS for a one year additional extension to complete a project in the area west of the Dock Street Beach parking area for the purpose of storm water treatment,
BE IT RESOLVED, the Town Board authorizes the WC SWCD, on behalf of the Town of Chester, to apply for a one year extension for the jointly held (Chester, Horicon, Schroon) Department of State Stormwater Grant.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 160 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION 161 OF 2018: AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD AND APPROPRIATE \$300 IN THE TOWN'S FY 2019 BUDGET

WHEREAS, the Adirondack Park Local Government Review Board is an effective advocate for municipalities within the Blue Line, and
WHEREAS, the APLGRB has requested funding for their activities for FY 2019 and the Town of Chester has supported the APLGRB in previous years,
BE IT RESOLVED, the Town Board authorizes the Supervisor to enter into an agreement with APLGRB and appropriate \$300 in the Town's FY 2019 budget.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 161 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 162 OF 2018: AUTHORIZE THE SUPERVISOR TO ENTER INTO A CONTRACT WITH HILL ELECTRIC AS A SOLE SOURCE TO CONVERT ALL OR PART OF THE TOWN HALL TO LED LIGHTING

WHEREAS, National Grid has increased financial support for the Town to convert Town Hall lights to LED, and

WHEREAS, Hill Electric has submitted a quote for \$9,505.02 for full conversion of the Town Hall from fluorescent lights to LED lights (labor and materials) that would generate an estimated annual electrical savings of \$5,813 – or a payback time of 20 months and will take care of all of the paperwork involved with the National Grid Incentive Program,

BE IT RESOLVED, the Town Board authorizes the Supervisor to enter into a contract with Hill Electric as a sole source to convert all or part of the Town Hall to LED lighting.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 162 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 163 OF 2018: AUTHORIZE BARBARA KEARNEY, AL MATROSE, MICHAEL HOUGH AND JOHN MACMILLEN TO ATTEND THE SOUTHERN ADIRONDACK PLANNING & ZONING FORUM IN LAKE GEORGE ON OCTOBER 4TH AND FOR THE TOWN TO PAY FOR REGISTRATION AND REIMBURSE FOR MILEAGE

WHEREAS, Planning and Zoning Board members are required to attain at least 4 educational credits per year and appropriations are included in the budget for such purpose,

BE IT RESOLVED, the Town Board authorizes Barbara Kearney, Al Matrose, Michael Hough and John MacMillen to attend the Southern Adirondack Planning & Zoning Forum in Lake George on October 4th and for the Town to pay for registration and reimburse for mileage.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 163 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 164 OF 2018: AUTHORIZE THE UNSAFE BUILDING INSPECTOR TO INSPECT A RESIDENCE AT 29 AGARD ROAD, POTTERSVILLE AND 74 RIVERSIDE DRIVE, CHESTERTOWN

WHEREAS, the Zoning Administrator has requested that 2 residences be inspected for their safeness,

BE IT RESOLVED, the Town Board authorizes the Unsafe Building Inspector to inspect a residence at 29 Agard Road, Pottersville and 74 Riverside Drive, Chestertown.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 164 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 165 OF 2018: APPROVE THE REQUEST FROM THE CLASS OF 2019 TO COLLECT RETURNABLE BOTTLES AND CAN FOR THE MONTHS OF DECEMBER 2018, JANUARY, AND FEBRUARY 2019, THE REQUEST FROM THE CLASS OF 2020 FOR THE MONTHS OF MARCH, APRIL, AND MAY 2019, THE MONTHS OF JUNE, JULY AND AUGUST 2019 FOR COLLECTIONS TO BE DONE BY BOY SCOUT TROOP 30 AND THE MONTHS OF SEPTEMBER, OCTOBER, AND NOVEMBER 2019 FOR THE CLASS OF 2021

WHEREAS, requests have been submitted to collect returnable containers from the Town of Chester Transfer Station,

BE IT RESOLVED, the Town Board approves the request from the Class of 2019 to collect returnable bottles and can for the months of December 2018, January, and February 2019 and the request from the Class of 2020 for the months of March, April, and May 2019,

BE IT FURTHER RESOLVED, the Town Board reserves the months of June, July and August 2019 for collections to be done by Boy Scout Troop 30 and the months of September, October, and November 2019 for the Class of 2021.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 165 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 166 OF 2018: AUTHORIZE THE SUPERVISOR TO SIGN AN EASEMENT AGREEMENT WITH NATIONAL GRID ALLOWING THE PLACEMENT OF A UTILITY POLE AND GUY LINES ON TOWN PROPERTY LOCATED AT 72 OLMSTEDVILLE ROAD

WHEREAS, the Town of Chester desires to install electric service to the basketball court and playground on Olmstedville Rd, and

WHEREAS, National Grid needs an easement agreement to install an electric service pole on Town property,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an easement agreement with National Grid allowing the placement of a utility pole and guy lines on Town property located at 72 Olmstedville Road,

BE IT FURTHER RESOLVED, that such authorization is subject to Permissive Referendum.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 166 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 167 OF 2018: AUTHORIZE SUPERVISOR TO SIGN AGREEMENT EXTENSION WITH ATTORNEY AND ACCOUNTANT FOR JUSTICE COURT AND AMEND 2018 BUDGET

WHEREAS, the Town Board approved Resolution No. 65 of 2018 authorizing the engagement of special counsel and an accountant for Justice Court purposes, and

WHEREAS, the need for legal and accounting services continues and will exceed the original agreement amounts,

BE IT RESOLVED, the Supervisor is authorized to sign extension agreements in a form acceptable to legal counsel for legal and accounting services with John Silvestri, Esq. and Ferraro, Amodio & Zerecki , CPAs with up to \$7,000 additional funds from budget code A1110.4.

On a motion by Mr. Durkish, seconded by Mrs. DuRose, Resolution NO. 167 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 168 OF 2018: AUTHORIZE SUPERVISOR LEGGETT TO SIGN THE ORDA BUSINESS CREDIT APPLICATION TO BE FILLED OUT FOR THE 2018-19 GORE REGIONAL SCHOOL PROGRAM

WHEREAS, the Town of Chester Youth Commission participates each year in the Gore Regional School Program, and

WHEREAS, the Olympic Regional Development Authority (ORDA) requires a credit application to filed each year in order to allow the Town to pay program fees after the registration period,

BE IT RESOLVED, Supervisor Leggett is authorized to sign the ORDA Business Credit Application to be filled out for the 2018-19 Gore Regional School Program.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 168 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 169 OF 2018: SCHEDULE A SPECIAL TOWN BOARD MEETING FOR WEDNESDAY, OCTOBER 3, 2018 AT 7 PM AT THE TOWN HALL IN CHESTERTOWN FOR PRESENTATION OF THE TENTATIVE BUDGET

WHEREAS, the Budget Officer is to file a tentative Budget with the Town Clerk no later than September 30th and the Town Clerk is to present the Tentative Budget to the Town Board on or before October 5th,

BE IT RESOLVED, the Town Board schedules a Special Town Board Meeting for Wednesday, October 3, 2018 at 7 pm at the Town Hall in Chestertown for presentation of the Tentative Budget to Town Board.

On a motion by Supervisor Leggett, seconded by Mr. Packer, Resolution No. 169 of 2018 was **ADOPTED**.

AYE 5 NO 0

Property Maintenance/Blight Code:

Supervisor Leggett handed out a proposed copy of a Property Maintenance/Blight Code for adoption as Town Ordinance for Board Members to review for the next meeting.

RESOLUTION NO. 170 OF 2018: AUTHORIZE PAYMENT OF ABSTRACTS

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

General A	\$38,246.98	384-422
Highway DA	\$137,053.14	214-242
Chestertown Water CW	\$1,338.47	47-51
Pottersville Water PW	\$7,842.09	36-41
Loon Lake Park District SP	\$21,130.7	18-21
Library L	\$1,406.85	30-34

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 170 of 2018 was **ADOPTED**.

AYE 5 NO 0

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 7:55 pm.

Mary Clark asked about the status of the Eagle Scout Project at the Pottersville Playground. Mrs. DuRose replied that they were currently working on finishing a Eagle Scout Project at the Priory. Mary asked who would follow up if there was a new code. Supervisor Leggett stated that the Code Enforcement Officer would be responsible for enforcement. Pat Powers asked about the status of the sidewalk at the end of Valley Farm Road and asked for landscaping under the "Welcome to Pottersville" sign and maybe install a new sign on Route 9. Pat also asked for an update on Pottersville Garage. Supervisor Leggett stated that the Pottersville Garage should be on the Planning Board docket for October. Pat stated that the piles of tires are getting worse. Supervisor Leggett stated that the Town is actively working on the situation. Pat said he thinks the Town just needs to be cleaned up.

RESOLUTION NO. 171 OF 2018: AUTHORIZE SUPERVISOR TO APPLY TO WARREN COUNTY AND NYS DOT FOR A SPEED REDUCTION ON IGERNA ROAD AND BIRD POND ROAD

WHEREAS, the speed limit is 55 mph on Igerna Road and Bird Pond Road,

BE IT RESOLVED, the Town Board authorizes Supervisor Leggett to apply to Warren County and NYS DOT for a speed reduction to 45 mph on Igerna Road and Bird Pond Road from Route 9 to Route 28N.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 171 of 2018 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett closed Privilege of the Floor at 8:09

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, the Board went into Executive Session at 8:10 pm to discuss collective bargaining negotiations pursuant to Article 14 of Civil Service Law, the employment history of particular persons, and the performance of a particular insurance firm.

AYE 5 NO 0

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Board exited Executive Session at 9:19 pm.

AYE 5 NO 0

No action taken.

RESOLUTION NO. 172 OF 2018: APPOINT JOHN MACMILLEN AS CHAIRMAN OF THE ZONING BOARD OF APPEALS

WHEREAS, Mary Jane Dower was Acting Chairwoman has resigned from the Zoning Board of Appeals,

BE IT RESOLVED, that the Town appoints John MacMillen as Chairman of the Zoning Board with a term expiring December 31, 2018.

On a motion by Supervisor Leggett, seconded by Mrs. DuRose, Resolution No. 172 of 2018 was **ADOPTED**.

AYE 5 NO 0

On a motion by Mr. Packer, seconded by Mr. Durkish, meeting adjourned at 9:20 pm.

Respectfully submitted,

Town Clerk