



Town Board

Regular Meetings

May 14, 2019

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, Mike Packer, Larry Turcotte, Steve Durkish, Deputy Supervisor Marion Eagan and Attorney for the Town, Mark Schachner.

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

Proposed Property Maintenance Local Law Public Hearing:

Supervisor Leggett reconvened the Public Hearing on the Proposed Property Maintenance Local Law at 7:07 pm.

Supervisor Leggett asked if there were any comments. Hearing none, he continued with the regular meeting at 7:07.

Regular Meeting:

Supervisor Leggett opened the Regular Meeting at 7:05 pm.

RESOLUTION NO. 91 OF 2019: ACCEPT MINUTES OF THE REGULAR MEETING APRIL 9, 2019

RESOLVED, to accept the minutes of the Regular Meeting April 9, 2019 as presented.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 91 of 2019 was **ADOPTED**.

AYE 5 NO 0

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:09 pm.

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

- Town Board Minutes for April 9, 2019
- Zoning Administrator Activity Report for April 2019
- Planning Board Minutes for April 15th and for Special Meeting May 2, 2019
- Zoning Board Minutes for April 23, 2019
- Zoning Enforcement Officer Report for April 2019
- Assessor's Report for May 2019
- Animal Control Monthly Report April 2019
- Town Clerk Monthly Report for April 2019
- Town Court Report dated May 13, 2019
- Cedarwood Engineering's recommendation awarding the Chestertown Water District Tank Painting Bid to Norman Guidie Painting, Schroon Lake, NY with a copy of the Painting and Interior Cleaning Protocol
- Public Notification for Copper Action Level Exceedance for the Pottersville Water District – NY5600110 (July 1 – December 31, 2018)
- Municipal Shelter Inspection Report completed on May 2, 2019 from the NYS Agriculture and Markets
- Letter from Hudson Headwaters Health Foundation notifying the Town of the Hudson Headwaters 5K Race & Walk (Formerly Care for Kids 5K) taking place Sunday, July 28, 2019
- North Warren EMS Monthly Report Dated May 13, 2019

Mr. Turcotte reported that the Town of Chester Tree Committee had their Arbor Day Event, May 13th at

3 pm with committee members, YMCA Y-Achievers' kids, and Warren County Soil and Water Conservation. They planted an 8' sugar maple along the driveway of the Town Hall and about 30 seedlings along the backside of the soccer fence.

Mr. Packer asked if there was any progress on selling the lights from the auditorium.

Mrs. DuRose stated that she has been working with Adirondack Mobile Shredding to secure a date of Saturday, July 13th, the same day as the Rotary Garage Sale and the Library Book Sale. The cost is \$300 for two hours in which time they can fill their truck if we have a good turnout. After speaking with the Warrensburg Town Supervisor, the Town of Warrensburg charges \$2.00 per carton. Mrs. DuRose asked the Town Board for recommendations for the amount to charge. Mr. Packer replied that we should at least get our money back. The Board decided on \$2.00 per carton and Mrs. DuRose will make posters.

Septic Variance Application #SV2019-02 Strutton:

Tom Hutchins from Hutchins Engineering in Queensbury representing Mr. Strutton, explained placing a holding tank for the accessory structure. Mr. Turcotte asked if there were any bedrooms in the structure. Mr. Hutchins replied that the last time he was in there it was a wide open recreation area, but it could hold a bedroom. Mr. Hutchins said he would not want to see any additional load going on the current system. Supervisor Leggett asked if there were kitchen facilities. Mr. Hutchins replied no. Mr. Packer asked if the garage was going to be heated. Tom replied yes.

RESOLUTION NO. 92 OF 2019: SET PUBLIC HEARING FOR SEPTIC VARIANCE APPLICATION #SV2019-2 FOR DAVID STRUTTON FOR JUNE 11, 2019 AT 7 PM AND REFER APPLICATION TO CEDARWOOD ENGINEERING FOR REVIEW ON BEHALF OF THE LOCAL BOARD OF HEALTH WITH THE COST OF REVIEW TO BE BORNE BY THE APPLICANT

WHEREAS, the Town Board, acting as the Local Board of Health, has reviewed the Septic Variance Application SV2019-02 for David Strutton as prepared by Thomas Hutchins, PE for 745 Atateka Drive, Tax Map #120.15-1-30, and finds it complete,

BE IT RESOLVED, the Town Board, acting as the Local Board of Health, shall hold a Public Hearing on the Strutton Septic Variance Application at its next regular Town Board Meeting on Tuesday, June 11, 2019 at 7PM and directs the Town Clerk to publish notice of the Public Hearing,

BE IT FURTHER RESOLVED, the Strutton Septic Variance Application is referred to Cedarwood Engineering for review on behalf of the Local Board of Health with the cost of review to be borne by the applicant.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 92 of 2019 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett reported the following:

- New Cash Report, Abstract, and Expenditure Report
- Met with Whitney Burger and Christine Caunter from Glens Falls Nation Bank about investing some of the Town Funds in CDs for up to 90 days
- Attended a grant workshop sponsored by the Community Fund for the Gore Mountain Region

Proposed Property Maintenance Local Law Public Hearing:

Supervisor Leggett closed the Public Hearing on the Proposed Property Maintenance Local Law at 7:31 pm.

Supervisor Leggett asked Tom Thorsen to comment on the changes. Tom stated that the main changes were to the enforcement section.

David Gross asked if the public knows the changes and the recommendations. The Attorney for the Town stated that if there were substantial changes there would need to be another public hearing and stated that

all of the material has been available in the Town Hall. The Town Clerk commented that all recommendations and comments have been in the minutes since the Public Hearing was opened March 12, 2019.

RESOLUTION NO. 93 OF 2019: ADOPT THE PROPERTY MAINTENANCE LOCAL LAW AS LOCAL LAW 1 OF 2019

WHEREAS, the Town Board has considered the adoption of a Property Maintenance Local Law and has held a public hearing on the proposed Local Law, and

WHEREAS, comments and recommendations have been incorporated and has been reviewed by the Attorney for the Town the proposed Property Maintenance Local Law,

BE IT RESOLVED, the Town Board adopted the Property Maintenance Local Law as Local Law 1 of 2019.

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 93 of 2019 was **ADOPTED**.

AYE 5 NO 0

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 7:41 pm by introducing Greg Beckler, President of the North Warren Chamber of Commerce, to present their Economic Development Report.

Mr. Beckler highlighted the 37 page Town of Chester Economic Development Initiative which was broken down into 6 categories: Executive Summary, Year in Review (2018), What We Learned in Focus Groups, Action Committee Projects, Online Survey Results and Moving Forward. The Chamber is going to work on communicating what has been done, what the actual results are, and what the next steps are. Supervisor Leggett thanked Greg.

Brett Hitchcock reported the Parks and Rec. Dept. is currently doing its spring cleanup at Leggett's Cemetery, the boat wash station is open for the season, business banners are up, the flowers are on schedule to be picked up May 20th to be out by Memorial Day, and a dozen new wine barrels are ordered for Pottersville. Brett also said he spoke with Planet, our contract for metal, to ask them if they could drop an extra bin to switch out when necessary.

Mary Clark thanked Brett for the work in Pottersville. Mary asked if the YMCA could have applications in Marion's and/or Mindy's Office and about the sidewalks in Pottersville. Supervisor Leggett replied possibly June 1st for the sidewalks. Mary said the pavement was breaking up at the bottom of Landon Hill Road at Route 9 in Pottersville.

David Gross asked what color the wine barrels were so that his were different. Brett replied neutral. David asked about the water in front of his house. Supervisor Leggett will follow up with Jason Monroe.

Supervisor Leggett closed Privilege of the Floor at 8:15 pm.

Climate Smart Communities:

Supervisor Leggett commented that the Town has a pretty good start on taking the necessary steps to be certified under the Climate Smart Communities Program with our solar collectors, our biomass boiler and our switch to LEDs. There is no cost, just the time it takes.

Marion Eagan, Deputy Supervisor, commented that this is a process that will benefit the Town because grant applications are now asking if you are a Climate Smart Community.

RESOLUTION NO. 94 OF 2019: ADOPT THE NEW YORK STATE CLIMATE SMART COMMUNITIES PLEDGE AND AUTHORIZE THE SUPERVISOR TO TAKE THE NECESSARY STEPS FOR THE TOWN OF CHESTER TO BE CERTIFIED UNDER THE CLIMATE SMART COMMUNITIES PROGRAM

WHEREAS, The Climate Smart Communities (CSC) Certification program provides local governments with a framework to guide climate action and enables high-performing communities to achieve recognition for their leadership, and

WHEREAS, a certified Climate Smart Community is eligible for certain grants and funding for reducing energy demand, and

WHEREAS, our response to climate change provides us with an opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures,

BE IT RESOLVED, that the Town Board, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action.

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to take the necessary steps for the Town of Chester to be certified under the Climate Smart Communities Program.

On a motion by Supervisor Leggett, seconded by Mr. Durkish, Resolution No. 94 of 2019 was **ADOPTED**.

AYE 5 NO 0

Proposed Zoning Local Law:

Supervisor Leggett asked the Attorney for the Town where the Town stands in the process. Mark Schachner, Attorney for the Town, replied that the proposed resolution was to direct Tom Thorsen and/or Jeremy Little to update the proposed Zoning Local Law with the APA's comments. Once that is done the Town can send to the APA for a formal review.

RESOLUTION NO. 95 OF 2019: DIRECT THE ZONING ADMINISTRATOR TO INCORPORATE CHANGES TO THE PROPOSED ZONING LOCAL LAW REVISIONS BASED ON COMMENT AND RECOMMENDATION AND UPDATED DOCUMENT BE MOVED TO THE NEXT STEP FOR THE ADOPTION OF AN AMENDED APPROVED LOCAL LAND USE PLAN

WHEREAS, the Town of Chester has held a public hearing on the proposed revisions to the Zoning Local Law and has set the proposed revisions to the APA for informal review, and

WHEREAS, comment has been received from the public and the APA on the proposed Zoning Local Law,

BE IT RESOLVED, the Town Board directs the Zoning Administrator to incorporate changes to the proposed Zoning Local Law revisions based on comment and recommendation, and

BE IT FURTHER RESOLVED, that the updated document be moved to the next step for the adoption of an amended Approved Local Land Use Plan.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 95 of 2019 was **ADOPTED**.

AYE 5 NO 0

Planning Board Alternate:

Supervisor Leggett introduced Vanessa Hutton who submitted an application to become a Planning Board Alternate.

Vanessa Hutton stated that her husband grew up in the area and they moved back to Chestertown in October and she was looking to be more involved in the community and meet people.

RESOLUTION NO. 96 OF 2019: APPOINT VANESSA HUTTON AS AN ALTERNATE MEMBER TO THE PLANNING BOARD FOR A TERM TO BEGIN MAY 15, 2019 AND ENDING DECEMBER 31, 2025

WHEREAS, the Town Clerk has advertised and posted on the Town's website the vacancy of Planning Board alternate, and

WHEREAS, the Town has received one eligible application,

BE IT RESOLVED, the Town Board appoints Vanessa Hutton as an alternate member to the Planning Board for a term to begin May 15, 2019 and ending December 31, 2025, and

BE IT FURTHER RESOLVED, Ms. Hutton is instructed to take an oath of office at the Town Clerk's office within 30 days of appointment.

On a motion by Supervisor Leggett, seconded by Mr. Packer, Resolution No. 96 of 2019 was **ADOPTED.**

AYE 5 NO 0

RESOLUTION NO. 97 OF 2019: AUTHORIZES THE SUPERVISOR TO SIGN AN UPDATED GENERAL SERVICES AGREEMENT WITH THE LA GROUP WHEN IN A FORM ACCEPTABLE TO THE ATTORNEY FOR THE TOWN

WHEREAS, the Town has a General Services Agreement with The LA Group and its terms need to be updated,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an updated General Services Agreement with The LA Group when in a form acceptable to the attorney for the Town.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 97 of 2019 was **ADOPTED.**

AYE 5 NO 0

RESOLUTION NO. 98 OF 2019: AUTHORIZE THE SUPERVISOR TO SIGN THE SETTLEMENT AGREEMENT AND GENERAL RELEASE WITH NATIONAL GRID IN ORDER TO RECEIVE A REFUND OF \$1,307.98 AND REDUCE MONTHLY RATE FOR OVERCHARGES RELATING TO STREETLIGHTS IN THE TOWN OF CHESTER

WHEREAS, National Grid conducted an audit of streetlights within the Town of Chester, and

WHEREAS, they have found they have overcharged the Town over the course of years and wish to refund the Town and amount equal to the overcharges (\$1,307.98), and

WHEREAS, it has also been determined that the Town can be charged a lower monthly rate, and

WHEREAS, National Grid requires the Town to sign an agreement and general release before refunding the overcharged amount and reducing the monthly charge, and

WHEREAS, the agreement has been reviewed by the Town Board and the Attorney for the Town,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the Settlement Agreement and General Release with National Grid in order to receive a refund of \$1,307.98 and reduced monthly rate for overcharges relating to streetlights in the Town of Chester.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 98 of 2019 was **ADOPTED.**

AYE 5 NO 0

RESOLUTION NO. 99 OF 2019: APPROVE THE PROPOSED SETTLEMENT OF THE TAX ASSESSMENT CASE FILED BY THE POINT AT FRIENDS LAKE LLC WITH APPROVAL OF THIS SETTLEMENT RESOLUTION IS CONTINGENT UPON TOWN COUNSEL'S REVIEW AND APPROVAL OF THE CONSENT ORDER AND JUDGMENT AND THE TOWN BOARD FURTHER AUTHORIZES AND DIRECTS THE TOWN SUPERVISOR, TOWN ASSESSOR, TOWN CLERK AND/OR TOWN COUNSEL TO EXECUTE SETTLEMENT DOCUMENTS AND TAKE ANY ADDITIONAL STEPS NECESSARY TO EFFECTUATE THE PROPOSED SETTLEMENT IN ACCORDANCE WITH THE TERMS OF THIS RESOLUTION

WHEREAS, The Point at Friends Lake LLC (“Petitioner”), filed an Article 7 Real Property Assessment Review case against the Town challenging the 2018 assessment on real property located at 1037 Friends Lake Road, Town of Chester, New York (Tax Map Parcel #103.18-1-28.2); and

WHEREAS, it appears to be in the best interests of the Town to avoid the significant costs that would result if the litigation continues and goes to trial; and

WHEREAS, the Town Assessor now recommends proposed settlement terms which have been negotiated with Petitioner; and

WHEREAS, it is anticipated that the North Warren Central School District will approve the proposed settlement terms; and

BE IT RESOLVED, that the Town Board hereby approves the proposed settlement of the tax assessment case filed by The Point at Friends Lake LLC as follows:

- 1) The 2018 Proceeding shall be discontinued without reduction of the 2018 assessment or refunds.
- 2) The assessed value for Tax Map Parcel #103.18-1-28.2 shall be fixed at \$1,950,000 for the 2019, 2020 and 2021 assessment rolls and will remain fixed in the event of a Town-wide revaluation in 2019, 2020 and 2021; however all other exceptions under Real Property Tax Law Section 727 shall apply.

BE IT FURTHER RESOLVED, that approval of this Settlement Resolution is contingent upon Town Counsel’s review and approval of the Consent Order and Judgment; and

BE IT FURTHER RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Assessor, Town Clerk and/or Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of this Resolution.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 99 of 2019 was **ADOPTED**.

AYE 5 NO 0

Deputy Supervisor:

Supervisor Leggett asked the Attorney for the Town to speak about the following resolution. Mr. Schachner explained that the Deputy Supervisor that is appointed by the Town Supervisor, and the Confidential Secretary to the Supervisor which is also appointed and supervised by the Town Supervisor, and has appointed his Confidential Secretary to the position of Deputy Supervisor, and the Deputy Supervisor acts in place of the Town Supervisor when the Town Supervisor is unavailable, it would obviously be inappropriate for the Deputy Supervisor, when acting in place of the Town Supervisor, to change the duties, hours or pay of the Confidential Secretary or in any other manner seek to modify the responsibilities or any other aspect of the Confidential Secretary position while holding that position and acting as Town Supervisor; he or she shall neither have nor attempt to exercise any authority to influence or modify in any manner whatsoever the duties, responsibilities, hours, pay or any other aspect of the position of Confidential Secretary to the Supervisor.

Mrs. DuRose asked The Supervisor if his Confidential Secretary was the same as his Assistant to the Supervisor. Supervisor Leggett replied “one in the same”.

RESOLUTION NO. 100 OF 2019: DEPUTY SUPERVISOR IS ACTING IN PLACE OF THE TOWN SUPERVISOR, HE OR SHE SHALL NEITHER HAVE NOR ATTEMPT TO EXERCISE ANY AUTHORITY TO INFLUENCE OR MODIFY IN ANY MANNER WHATSOEVER THE DUTIES, RESPONSIBILITIES, HOURS, PAY OR ANY OTHER ASPECT OF THE POSITION OF CONFIDENTIAL SECRETARY TO THE SUPERVISOR

WHEREAS, the Town Board has authorized the position of Deputy Supervisor to be appointed by the Town Supervisor, and

WHEREAS, there also exists the position of Confidential Secretary to the Supervisor which is appointed and supervised by the Town Supervisor, and

WHEREAS, the Town Supervisor has appointed his Confidential Secretary to the position of Deputy Supervisor, and

WHEREAS, it is entirely possible that a similar appointment could be made again in the future, and

WHEREAS, the Deputy Supervisor acts in place of the Town Supervisor when the Town Supervisor is unavailable, and

WHEREAS, it would obviously be inappropriate for the Deputy Supervisor, when acting in place of the Town Supervisor, to change the duties, hours or pay of the Confidential Secretary or in any other manner seek to modify the responsibilities or any other aspect of the Confidential Secretary position while holding that position and acting as Town Supervisor;

BE IT RESOLVED, that, [If the Deputy Supervisor is also the Confidential Secretary to the Supervisor], whenever the Deputy Supervisor is acting in place of the Town Supervisor, he or she shall neither have nor attempt to exercise any authority to influence or modify in any manner whatsoever the duties, responsibilities, hours, pay or any other aspect of the position of Confidential Secretary to the Supervisor. On a motion by Mr. Packer, seconded by Mr. Durkish, Resolution No. 100 of 2019 was **ADOPTED**.

AYE 5 NO 0

YMCA Agreement:

Mr. Packer and Supervisor Leggett discussed the length of the agreement. Mr. Packer asked for the agreement to end December 31, 2019 and have it renewed annually. Mrs. DuRose disclosed she is on the YMCA Advisory Board.

RESOLUTION NO. 101 OF 2019: AUTHORIZE THE SUPERVISOR TO SIGN THE AGREEMENT WITH THE YMCA ADIRONDACK CENTER

WHEREAS, the Town of Chester and YMCA Adirondack Center are partners in a grant to establish and develop a Wellness Center based at the Town Municipal Center; and

WHEREAS, the benefits of the partnership to the Town of Chester include: accessibility by residents to fitness and wellness programs at a reasonable cost; greater utilization of Municipal Center facilities; greater utilization of existing Town programs and resources (Meal Site, Food Pantry, Library, Museum, etc); and increased attraction of residents and visitors to the Chestertown Commercial District; and

WHEREAS, the benefits of the partnership to YMCA Adirondack Center include: low cost space for programmatic activities to aid in sustainability; centralized access to supporting services; use of Municipal Center grounds and parking; and space to expand programs and activities;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

The Town shall provide the following:

- Space for a Wellness Center;
- Utilities for heating, air conditioning, and lighting;
- Building access to the YMCA;
- Restroom access;
- Access of and use of the Gymnasium;
- Maintenance of building common areas and accesses; and
- Improvements/repairs to building-related facility equipment excluding AC and ceiling heat exchanger.

YMCA Adirondack Center shall provide the following:

- Staffing for Wellness Center programs;
- Cleaning of Wellness Center;
- Interior maintenance of the Fitness Room;
- Equipment purchase and maintenance for YMCA programs;
- Security cameras for the Wellness Room;
- Access to programs, and services with financial assistance available for those of need;
- Space for current, ongoing programs; and
- Preventative maintenance to heating and air conditioning systems – AC units and ceiling heat exchanger.

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the Agreement with the YMCA Adirondack Center.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 101 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 102 OF 2019: AWARD THE BID FOR EXTERIOR PAINTING OF CHESTERTOWN WATER DISTRICT 250,000 GALLON WATER TANK TO NORMAN GUIDIE PAINTING, SCHROON LAKE, NY FOR \$62,500 AND AUTHORIZE THE SUPERVISOR TO EXECUTE AGREEMENTS WITH NORMAN GUIDIE PAINTING WHEN IN A FORM ACCEPTABLE TO THE ATTORNEY FOR THE TOWN

WHEREAS, the Town of Chester opened bids for the Chestertown Water Tank Painting at the March 12, 2019 Town Board meeting at which time the Board referred bid response to Cedarwood Engineering for review, and

WHEREAS, Cedarwood Engineering has reviewed the bid response and recommends awarding the bid to Norman Guidie Painting,

BE IT RESOLVED, the Town Board awards the bid for exterior painting of Chestertown Water District 250,000 gallon water tank to Norman Guidie Painting, Schroon Lake, NY for \$62,500, and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to execute agreements with Norman Guidie Painting when in a form acceptable to the attorney for the Town.

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 102 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 103 OF 2019: AUTHORIZE THE SUPERVISOR AND BOOKKEEPER TO DISCONTINUE PRODUCING SEMI-MONTHLY PAYROLL AND BEGIN PRODUCING BI-MONTHLY PAYROLL FOR SALARIED EMPLOYEES BEGINNING JUNE 1, 2019

WHEREAS, the Town of Chester produces a weekly payroll for hourly employees and a semi-monthly payroll for salaried employees, and

WHEREAS, it is possible to, and more efficient to, produce a weekly payroll and a bi-weekly payroll,

BE IT RESOLVED, the Town Board authorizes the Supervisor and Bookkeeper to discontinue producing semi-monthly payroll and begin producing bi-monthly payroll for salaried employees beginning June 1, 2019.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 103 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 104 OF 2019: AUTHORIZE THE SUPERVISOR TO ENTER INTO A CONTRACT WITH ABF CLEANING SPECIALIST TO CLEAN THE TOWN MUNICIPAL CENTER 3 NIGHTS A WEEK FOR A 3 MONTH TERM STARTING MAY 17, 2019

WHEREAS, the Town Municipal Center is expanding its usage with the addition of the YMCA Wellness Center and the renovation of the gymnasium that will be open to events and recreation, and

WHEREAS, the demands for and scheduling for a cleaner are changing at this time and the part time cleaner for the Municipal Center has resigned, and

WHEREAS, the Town has solicited quotes for contracted cleaning services for the Town Municipal Center on a part time basis,

BE IT RESOLVED, the Town Board authorizes the Supervisor to enter into a contract with ABF Cleaning Specialist to clean the Town Municipal Center 3 nights a week for a 3 month term starting May 17, 2019.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 104 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 105 OF 2019: TOWN BOARD GIVES THE SEXTON THE ADDITIONAL DUTY OF MONUMENT REPAIR FOR 2019 AT FOR AN AMOUNT NOT TO EXCEED \$3,000 INCLUDING MATERIALS

WHEREAS, the Town has contracted monument repair for its cemeteries in the past, and

WHEREAS, the Town has budgeted \$3,000 for monument repair for 2019 (A8810.4), and **WHEREAS**, the Town employees a Sexton that is experienced at and able to do monument repair under his own direction,

BE IT RESOLVED, the Town Board gives the Sexton the additional duty of monument repair for 2019 at for an amount not to exceed \$3,000 including materials.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 105 of 2019 was **ADOPTED**.

Mrs. DuRose commented that she would like Greg to start with the Pottersville Cemetery.

AYE 5 NO 0

RESOLUTION NO. 106 OF 2019: AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE LA GROUP TO APPLY FOR A DEC SMART GROWTH GRANT ON BEHALF OF THE TOWN FOR A SUM NOT TO EXCEED \$3,500 FROM CODE A8510.42

WHEREAS, the DEC has announced Smart Growth Grants for Adirondack and Catskill Park Communities with a focus on supporting age-friendly economic development, tourism, infrastructure enhancements, and community revitalization projects with a submission date of June 7, 2019, and

WHEREAS, the Town has a General Services Agreement with LA Group,

BE IT RESOLVED, the Town Board authorizes the Supervisor to enter into an agreement with The LA Group to apply for a DEC Smart Growth Grant on behalf of the Town for a sum not to exceed \$3,500 from code A8510.42.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 106 of 2019 was **ADOPTED**.

AYE 5 NO 0

Chester Challenge Trail System License Agreement:

Supervisor Leggett recused himself, turning the meeting over to the Deputy Supervisor, Marion Eagan before leaving the room at 8:51 pm.

Mrs. Eagan stated that the Town has just received a signed license agreement made by and between the Leggett Family, LLC and the Town of Chester. The license agreement is to provide access to the Cunningham Community Forest for the purpose of constructing a trail for the use by the general public for recreational purposes. The Attorney for the Town, Mark Schachner, commented that the terms of the agreement are essentially the same terms as all the agreement, with landowners for the Chester Challenge.

Mrs. DuRose asked if there was a term limit. Mr. Schachner stated there was a five (5) year term included with a renewal of five (5) years upon written notice within thirty (30) days prior to the expiration of the current term.

Mr. Packer asked about Hayes property and not using Leggett property. A lengthy discussion ensued over placement of the trail and parking.

RESOLUTION NO. 107 OF 2019: AUTHORIZE DEPUTY SUPERVISOR TO SIGN THE LICENSE AGREEMENT BETWEEN THE LEGGETT FAMILY, LLC AND THE TOWN OF CHESTER

WHEREAS, the Town of Chester needs access to the Cunningham Community Forest,

BE IT RESOLVED, the Town Board authorized Deputy Supervisor to sign the License Agreement between the Leggett Family, LLC and the Town of Chester.

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 107 of 2019 was **ADOPTED**.

AYE 5 NO 0

Deputy Supervisor Eagan turned the meeting back over to Supervisor Leggett at 9:04 pm.

Brett Hitchcock stated that Ethan Frasier gave his two week notice. Brett asked the Board to consider making the job full time. The Board replied that it was not in the 2019 Budget. Brett said he did not want to lose Ethan.

RESOLUTION NO. 108 OF 2019: AUTHORIZE TOWN CLERK TO ADVERTISE FOR LIFEGUARDS FOR THE 2019 SEASON

RESOLVED, to authorize the Town Clerk to advertise for Lifeguards for the 2019 Season. On a motion by Supervisor Leggett, seconded by Mr. Turcotte, Resolution No. 108 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 109 OF 2019: AUTHORIZE THE FOLLOWING BUDGET AMENDMENTS TO THE 2019 BUDGET

Resolved, to authorize the following budget amendments to the 2019 Budget.

| TOWN OF CHESTER BUDGET 2019 - REVENUE | | Budget | Revenue Amendments: | |
|--|----------|------------|---------------------|-----------|
| ITEM | CODE # | FY 2019 | Increase | Decrease |
| PILOT | A1081 | \$ 16,000 | \$ 4,000 | |
| Refund Prior Year Expenditures | A2680 | \$ - | \$ 1,909 | |
| Justice Court Assistance Grant | A3089 | \$ - | \$ 3,313 | |
| Fines & Forfeitures | A2610 | \$ 160,000 | \$ 5,000 | |
| TOTAL | | | \$ 14,222 | \$ - |
| TOWN OF CHESTER BUDGET 2019 - Appropriations | | Budget | Appropriations | |
| ITEM | CODE # | FY 2019 | Decrease | Increase |
| Justice Court Assistance Grant | A1110.43 | | | \$ 3,313 |
| Town Municipal Center | A1620.2 | \$ 15,000 | | \$ 10,000 |
| Records Management | A1460.2 | \$ 400 | | \$ 909 |
| | | | | \$ 14,222 |

On a motion by Supervisor Leggett, seconded by Mr. Packer, Resolution No. 109 of 2019 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 110 OF 2019: AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, the Town Board accepts the Abstract of Claims accounting requirements:

| ***2019*** | |
|----------------------------|--------------|
| General A | \$114,450.66 |
| Highway DA | \$65,428.21 |
| Library L | \$3,018.29 |
| Loon Lake Park District SP | \$860.00 |
| Chestertown Water SW1 | \$1,818.31 |
| Pottersville Water SW2 | \$1,488.94 |
| Other TA | \$3,386.24 |
| Total | \$190,450.65 |

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 110 of 2019 was **ADOPTED**.

AYE 5 NO 0

On a motion by Mrs. DuRose, seconded by Mr. Durkish, the Board went into Executive Session at 9:24 pm to discuss collective bargaining negotiations pursuant to Article 14 of Civil Service Law.

AYE 5 NO 0

On a motion by Mr. Durkish, seconded by Mr. Turcotte, the Board exited Executive Session at 9:43 pm.

AYE 5 NO 0

No action taken.

RESOLUTION NO. 111 OF 2019: AUTHORIZE THE SUPERVISOR TO SIGN THE MOA WITH THE TERMS AND REVISIONS OF THE MOA TO BE INCORPORATED INTO A SUCCESSOR AGREEMENT BETWEEN THE TOWN AND CSEA LOCAL UNIT #900300 FOR A TERM BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2023

WHEREAS, the Town of Chester and the CSEA Local Unit #900300 have discussed and agreed to terms and revisions for a successor agreement to the agreement ending December 31, 2018, and

WHEREAS, the terms and revisions are acceptable to the Town Board and the Local Unit,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the MOA with the terms and revisions of the MOA to be incorporated into a successor agreement between the Town and CSEA Local Unit #900300 for a term beginning January 1, 2019 and ending December 31, 2023.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 111 of 2019 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett reminded everyone that the next Town Board Meeting would be at the Pottersville Fire Department on June 11th at 7 pm.

Mr. Turcotte brought up that the Zoning Local Law for docks was not updated. Larry recommends removing the following sentence from proposed Section 7.03(A)(1):

“The New York Codes, Rules and Regulations contained in Title 9 Executive Department Chapter II Division of Land Utilization Part 274, Interference with Riparian Rights will dictate the property line extension into the water.”

RESOLUTION NO. 112 OF 2019: AMEND RESOLUTION NO. 95 OF 2019 TO REMOVE THE FOLLOWING SENTENCE FROM PROPOSED SECTION 7.03(A)(1): “THE NEW YORK CODES, RULES AND REGULATIONS CONTAINED IN TITLE 9 EXECUTIVE DEPARTMENT CHAPTER II DIVISION OF LAND UTILIZATION PART 274, INTERFERENCE WITH RIPARIAN RIGHTS WILL DICTATE THE PROPERTY LINE EXTENSION INTO THE WATER.”

RESOLVED, to amend Resolution No. 95 of 2019 to remove the following sentence from proposed Section 7.03(A)(1): “The New York Codes, Rules and Regulations contained in Title 9 Executive Department Chapter II Division of Land Utilization Part 274, Interference with Riparian Rights will dictate the property line extension into the water.”

On a motion by Mr. Turcotte, seconded by Mr. Durkish, Resolution No. 112 of 2019 was **ADOPTED**.

AYE 5 NO 0

Mr. Turcotte asked if moorings on lakes have to be deeded. Attorney for the Town stated that it varies with the lake. Mr. Schachner said he believes that Schroon Lake and Loon Lake bodies of water are owned by the people of the State of New York. Generally, moorings in Schroon and Loon Lakes will typically require a permit from NYSDEC. Mr. Schachner said that Friends Lake is privately owned and no public ownership so therefore it does not require a permit from NYSDEC.

On a motion by Mr. Turcotte, seconded by Mr. Packer, meeting adjourned at 9.51 pm.

Respectfully submitted,

Town Clerk

DRAFT