



# Town Board

## Regular Meeting

### June 14, 2022

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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 – Present  
Councilman Chris Aiken - Present  
Councilwoman Karen DuRose – Present  
Councilman Mike Packer – Absent  
Councilman Larry Turcotte – Present  
Deputy Supervisor Marion Eagan – Present  
Attorney for the Town, Mark Schachner – via Zoom  
Town Clerk, Mindy Conway - Present

#### **Regular Meeting:**

Supervisor Leggett **opened** the Regular Town Board Meeting at 7:02 pm with Councilman Aiken leading the Pledge of Allegiance.

Supervisor Leggett read the following statement:

Tonight, has a very jammed packed agenda with business items.

Some members of the public may be here in person or on Zoom to comment on or listen to discussion regarding Short-Term Rentals (STR). The Town Board does not have a finalized draft of the Short-Term Rental Local Law to discuss or comment on, at this time.

Therefore, the Town Board will take action tonight only to set a Public Information Meeting within the next 2 weeks.

This will give time to finalize a draft and make it available to the public ASAP for review. It will also give a dedicated evening to hearing from the Public and answering questions, to the best of our ability.

An ad hoc STR committee was formed in September to produce an STR Local Law for the Town Board to consider. The committee has worked diligently, has had significant discussion about the many aspects of STRs in our community and produced a draft for the Town Board to consider.

I commend them for their time and effort and best intentions to do the best for our community.

The Town Board members have reviewed and commented on the draft. I incorporated those comments and thoughts into a revised draft and sent it back to the committee for their review and comments, and that is where it is now.

Once their comments and thoughts are given back to the Town Board, a finalized draft of the STR Local Law will be cleaned up and will be ready for public comment and questions. This is a standard procedure for an effort like this.

The Town Board began developing an STR Local Law in August of 2018- nearly 4 years ago, based on concern of residents and property owners about the negative impacts that poorly managed SRTs can have on a neighborhood and community. The intent always has been and continues to be about what the Town can do to uphold the health, safety and welfare of this community.

Speaking for myself and for the Town Board, we are of a mind that, to quote: "Government's first duty is to protect the people, not run their lives." (Ronald Reagan)

This is about the protection of the people, both residents and visitors alike.

I will end by saying there seems to be much misinformation and misunderstanding of what may be proposed as a Local Law to manage Short Term Rental businesses within the Town. I am sorry that somewhere along the way that such things happened, but that is common in this business, and we will calmly and respectfully deal with it and ask our neighbors to do the same.

Nowhere at no time was it suggested by the committee or the board to ban STRs. Nor was there any attempt to make the permitting processing economically punitive.

If anyone wants to speak about the STR issue in general, there is time during Privilege of the Floor. I ask that comments be kept to under 2 minutes. And as is customary, the Board will listen but does not need to comment or answer questions. This is typical of town and county boards during privilege of the floor.

Thank you.

**RESOLUTION NO. 88 OF 2022: ACCEPT THE MINUTES FROM THE MAY 10, 2022 TOWN BOARD MEETING AND THE SPECIAL MEETING MAY 31, 2022**

**RESOLVED**, to accept the minutes from the May 10, 2022 Town Board Meeting and Special Town Board Meeting May 31, 2022 as presented.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 88 of 2022 was **ADOPTED**.

AYE 4 NO 0

**Committee Reports:**

Supervisor Leggett **opened** Committee Reports at 7:07 pm.

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

- Town Board Minutes for the Regular Meeting May 10, 2022 and Special Meeting May 31, 2022
- Abstract No. 6
- Zoning Administrator Activity Report for May 2022
- Zoning Board Minutes for April 27, 2022 and May 25, 2022
- Planning Board Minutes for May 16, 2022
- Board of Assessment and Review Minutes for May 26, 2022
- Assessors Report for June 2022
- Animal Control Report for May 2022
- Town Clerk Monthly Report for May 2022
- Town Court Report dated June 1, 2022
- Letter from NYS DOT approving the speed reduction request on Atateka Drive (CR74)
- Letter from APA concerning Septic Application #2020-03 for Thomas Loonie and Amy Wen
- Loon Lake Harvest Report for May 24-31, 2022
- Warren County Connection for June 2022
- Warren County Household Hazardous Waste Collection Flyer

#### Town Board Reports:

Mr. Aiken reported that he attended a very good Memorial Day Parade, several meeting with Supervisor Leggett, John Nick, and people around town about the short-term rental proposal, attended a webinar with the Northern Forest Alliance concerning affordable housing, spoke with Councilman Turcotte about a possible new highway garage, and had an interview with Supervisor Leggett about a possible new hire.

Mrs. DuRose said she met with Craig about various items, had many phone calls and conversations concerning the short-term rentals, spoke with Harry Brundage about this year being the 10<sup>th</sup> Anniversary of our Veteran's Memorial and there will be an event of July 9<sup>th</sup>, and spoke with John Maday, President of the North Warren School Board regarding the field out back, because in 2014 there was an agreement made about sharing the field.

Mr. Turcotte commented that he had a meeting with Councilman Aiken regarding the pros and cons of a highway garage or storage building, also discussed the same items with the Highway Superintendent as well as how pleased he was with the water meters and how quickly they could be read, heard from a lot of citizens on Town water in the Chestertown District because their bills are a lot higher, attended the Memorial Day Parade in Pottersville, looked at the condition of Pottersville playground site, and had a phone conference with the Supervisor and Deputy Supervisor about when the new playground was going in.

Mrs. DuRose commented that she has spoke to Marion about looking for grant for a playground here; thank you Marion.

Supervisor Leggett reported the following:

- Summer has come upon us. We are between Memorial Day and 4<sup>th</sup> of July. Tomorrow is the opening day for the Farmers Market. We wish the organizers and the vendors much success in their 10<sup>th</sup> season.
- May 13<sup>th</sup>: Had a conference call with **Firstlight – an internet company** that is installing fiber optic cable through Town. It is available for businesses. They do not do residential. It will be available to any commercial enterprise from Chestertown to Pottersville and beyond. This opens the doors for tech-heavy companies to expand or locate in our Town.
- May 13<sup>th</sup>: Met with the ad hoc committee stemming formed from the **Attracting New Residents Strategy** rollout, facilitated by the Northern Forest Center. They have met on several occasions to see what projects in Town could give the biggest bang for the buck. They support the implementation of the Chestertown Hamlet to Dynamite Hill multi use trail – which is a recommendation from the Chestertown to Pottersville Trail Linkage Plan that was developed several years ago. This includes upgrades to the RT 9 – Rt8 intersection so we can get better visibility to our Business District and improve our recreation assets.
- May 16<sup>th</sup>: Participated on the **Land Bank Steering Committee**. This is an effort to create Land Banks across the Park. This is tool Counties can use to divert houses from foreclosure and rehab and resell them at affordable prices. It is a way to address the housing shortage in our region.
- May 17<sup>th</sup>: Met with Cedarwood Engineering and Stephen Miller Contracting and the Water Superintendent regarding the work schedule to get the **Pottersville Wellhouse** finished up. Work will begin within several weeks.
- May 18<sup>th</sup>: Attended the **NW COC Board meeting**. The Chamber will not be putting on Summerfest this year due to a late start and difficulty in securing vendors.
- May 22<sup>nd</sup>: Al Tolomeo and his Big Band played in the auditorium to a crowd of about 100 people. The fundraiser raised \$1,600 that was distributed to the Hardship Fund and to North Country Ministry. The new seats are great. Thanks to Parks and Rec for putting them in earlier this year.
- May 25<sup>th</sup>: Attended the **AATV Monthly Board Meeting** in Tupper Lake: Discussed the Legislative Agenda, which has been distributed to the Town Board. The Agenda deals with housing, broadband, recreation, preserving forest-based jobs, and EMS services. We will shop it around to legislators in Albany and around the Park to build support for these initiatives. Also, on the way, I sat in on an Adirondack Local Government Review Board meeting in Saranac.
- May 26<sup>th</sup>: Attended the **NW COC awards dinner**. Congratulations to Jim McDermott and Cindy Mead for being named VIPS of the Year, and to Rob and Katelyn Hill and Mountain Hardware for being named Business of the Year.
- May 30<sup>th</sup>: **Memorial Day Parade in Pottersville**. Thanks to the American Legion and VFW for organizing and to Pottersville Volunteer Fire Department for hosting the ceremony and refreshments afterward. And thanks to all who had floats and marched in the Parade and to all who attended this long-standing tradition in our Town. Next year it will be hosted by Horicon.
- May 31<sup>st</sup>: **Special Town Board meeting** for expediting Liquor Licenses for 2 local establishments. Thank you to the Town Board for attending this meeting and helping local establishments be able to open in time for the summer.

- May 31<sup>st</sup>: Met with the **Parks and Recreation Department** Foreman to debrief about spring cleanup. Based on concerns by citizens about the appearance of Chestertown (aka Leggett's) cemetery we figured out a plan to avoid that in the future. We went over the **spring schedule**: Put away winter equipment; prep spring and summer equipment; clean up from the April 19<sup>th</sup> tragic snowstorm; sweep sidewalks and streets free of sand (and did extra this year for the Highway Department up on Vetter and Spring); get Dynamite Hill cleaned up from winter sports to summer ball programs: set out roadside banners in Pottersville and Chestertown; worked on getting the new dog park up and running right on schedule; spent 2 ½ weeks cleaning up and mowing Chestertown Rural Cemetery, Spent 2 weeks cleaning up and mowing Pottersville Cemetery, cleaning up and mowing the entrance areas to both Chestertown and Pottersville, including the Garden Club corner and the triangles; prepped and opened up the decontamination station and boat launch. Mobilizing and setting out decorative planters in Chestertown and Pottersville; cleaning up and mowing the Town Hall front lawn. Also, is the regular upkeep of the transfer station during the busiest season of the year for them. That was all in the two months before Memorial Day with a crew of 4. Since then, P&R have mowed Chestertown Cemetery the second time, mowed 6 other cemeteries around town, opened the bathhouse and cleaned up the beach in time for opening later this month. They will soon start the Pottersville Playground renovations. The next big project is replacement of the Pottersville Playground and upgrading the landscape of that park. All the while maintaining a regular mowing schedule and taking on incidental projects.
- June 1<sup>st</sup>: Met with several **Library Trustees** and discussed the implementation of the Storybook Trail they are securing funding for. It will wind along a trail Dynamite Hill behind the Visitors Center. They will need extra financial support from the Town in order to make it happen.
- June 4 & 5: **Woofstock** was a great success with a robust turnout from all over. 9 years!
- June 6<sup>th</sup>: **AATV Annual Members Meeting** in Lake Placid: (represents 100 towns in the ADK Park. Speakers presented about **childcare opportunities** in the Park – if anyone is interested in starting up a daycare center, there is help to do so. SLIC communications talked about **broadband buildout** and what communities need to do – map out who has and does not have cable or fiber now (which the County has already invested in). Empire State Forest Products Association gave a run down on the **Draft Scoping Plan**, which is part of the climate smart goals for the state. I asked if it is true that it includes provision to prohibit burning of wood in homes. It does not. The DEC and APA presented about **road designation** in Wild Forest and how to count the miles allowed. This includes access for disabled persons into these areas – “CP-3” miles.
- June 7<sup>th</sup>: Had a conference call with Cedarwood Engineering and DOH regarding the **Loon Lake Bathhouse water system** and what needs to be done have it approved and have it open for the season. One more water test and then we will know if we only need an infrared system or if we will also need chlorination.
- June 13<sup>th</sup>: Met with Supervisor Geraci of Horicon and Attorney Hafner from Miller Mannix who has extensive experience with creation of special tax districts. We discussed the process of forming town wide **EMS taxing districts**. This is an initiative the Town Boards of both towns supported by resolution in the beginning of the year. It is straightforward and could be completed in time for next year's budget season.

- **Miscellaneous:** Attended a variety of County Board of Supervisor committee and board meetings throughout May and June. You may have read that a Queensbury Supervisor has proposed the County **suspend tax on gasoline**. The Finance Committee, which I chair, and the County Treasurer, among others, do not support this effort, for several reasons. As we have seen with the State's 16 cent tax suspension, it has not helped at the pumps. Also by eliminating the amount of sales tax received by the County – and further distributed to the Town(s) – it puts on pressure to raise property taxes both at the County and Town level. All of these things are connected but not all supervisors see that and wish to do what is popular, even if it is not financially responsible.
- Tomorrow is the annual **Common Ground Alliance Forum** at Gore Mtn. Matt Simpson got me involved with this years ago and it is a great group that gathers voices throughout the Park and produces a Blueprint for the Blueline – a legislative agenda that is walked through the legislature in Albany regarding Adirondack-specific issues. I will be facilitating a breakout group discussing technical solutions and community-lead housing solutions to the housing crisis in our region.
- **HIGHWAY:** Town Highway has been replacing 27 culverts on North Gore Road. They will be done early next week. Milling will be done next Wednesday and Thursday. Paving will happen in several months after the road and culverts have a chance to settle. This will finish up the circuit of road reconstruction and paving throughout North Chester.
- A new tractor-mounted blower has arrived. This will help with spring and storm road clean up.
- County DPW has milled and top coated Atateka Drive from Potter Brook Rd to Stock Farm Rd. They are scheduling the reconstruction and paving of Landon Hill Road and Friends Lake Road, next.

Supervisor Leggett **closed** Committee reports at 7:25 pm.

**Privilege of the Floor:**

Supervisor Leggett **opened** Privilege of the Floor at 7:25 pm.

Supervisor Leggett asked if anyone from the public would like to address the Board. Then asked if there was anyone on Zoom.

Hearing none, Supervisor Leggett **closed** Privilege of the Floor at 7:25 pm.

**Old Business:**

Supervisor Leggett **opened** Old Business at 7:25 pm.

Supervisor Leggett stated that the Pottersville Playground should start in two (2) weeks.

Supervisor Leggett **closed** Old Business at 7:26 pm.

**New Business:**

Supervisor Leggett **opened** New Business at 7:26 pm.

**Septic Variance Application (#SV2022-03) for Sarah Parrino:**

Bret Winchip, representing the Parrinos, stated the owners are replacing their septic. There are currently two (2) cesspool systems for a two (2) bedroom residence with a one (1) bedroom over a garage. Jason Monroe located the Town water main that runs through the property.

They currently have three (3) non-conformities: the existing cesspool does not meet the required distance to the residence, the existing cesspool does not meet the required distance to the public water main, and the one (1) bedroom living space does not meet the required distance to the existing cesspool. These non-conformities will be removed. The best place to locate the new field is where the slope exceeds 15%. They are seeking a variance to put it on soil that is 17.4%, which is a proposed variance of 1.3% and is the location of the least slope on the property.

Mr. Turcotte asked the Attorney for the Town, Mark Schachner, if the Town acting as the Local Board of Health has the authority to wave a public hearing for something so minor. Mr. Schachner replied that he does not believe so for a septic variance.

**RESOLUTION NO. 89 OF 2022: DEEM SEPTIC VARIANCE APPLICATION #SV2022-03 FOR SARAH PARRINO FOR PROPERTY LOCATED AT 1037 LANDON HILL ROAD TO BE COMPLETE AND SET A PUBLIC HEARING FOR JULY 12, 2022 AT 7 P.M.**

**WHEREAS**, Winchip Engineering, PC has submitted a Septic Variance Application (#SV2022-03) for Sarah Parrino for property located at 1037 Landon Hill Road, Pottersville, New York, identified by Tax Map #: 52.12-1-12; and

**WHEREAS**, the Town Board, acting as the Local Board of Health, has reviewed the septic variance application and is satisfied with its completeness; and

**BE IT RESOLVED**, the Town Board, acting as the Local Board of Health, deems Septic Variance Application #SV2022-03 for Sarah Parrino for property located at 1037 Landon Hill Road, Pottersville, New York to be complete;

**BE IT FURTHER RESOLVED**, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2022-03 on Tuesday, July 12, 2022 at 7 p.m. at a Regular Town Board Meeting and directs the Town Clerk to notice the public hearing in the Post Star Newspaper.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 89 of 2022 was **ADOPTED**.

AYE 4 NO 0

**Septic Variance Application (#SV2020-03) for Loonie and Wen:**

Bret Winchip asked Mindy Conway, Town Clerk, if the Letter from APA concerning Septic Application #2020-03 for Thomas Loonie and Amy Wen was the same letter he received about the updated NIPA (Notice of Incomplete Permit Application). Mindy replied yes. Bret said that he is address that and will ask Jeremy Little, Zoning Administrator, if they need to reapply since so much time has passed.

**RESOLUTION NO. 90 OF 2022: SET TIME FOR A PUBLIC INFORMATION MEETING ON THE SHORT-TERM RENTAL LOCAL LAW**

**WHEREAS**, this will be an informational meeting open to the public regarding Short-Term Rentals in the Town; and

**WHEREAS**, in that meeting, there will be a presentation on Short-Term Rentals and it will be open for public discussion;

**BE IT RESOLVED**, the Town of Chester Town Board sets Wednesday, June 29, 2022 at 5:30 p.m. as the date and time for the public information meeting on the Short-Term Rental Local Law.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 90 of 2022 was **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 91 OF 2022: AUTHORIZE TOWN SUPERVISOR TO APPLY FOR A NEW YORK STATE EFC GREEN INNOVATION GRANT**

**WHEREAS**, New York State Environmental Facilities Corporation announced a green innovation grant for water efficiency; and

**WHEREAS**, this Grant will be for the balance of the water meters in Chestertown and for all new water meters in Pottersville;

**BE IT FURTHER RESOLVED**, the Town Board authorizes the Supervisor to apply for a New York State EFC Green Innovation Grant for up to \$44,000.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 91 of 2022 was **ADOPTED**.

AYE 3 NO 0

Mr. Turcotte - Recused

**RESOLUTION NO. 92 OF 2022: AUTHORIZE TOWN SUPERVISOR TO APPLY FOR A LOCAL WATERFRONT REVITALIZATION PROGRAM GRANT**

**WHEREAS**, this Grant will be for the implementation design permitting and construction of the Chestertown Hamlet to Dynamite Hill connector trail, as per previous planning document outlining the Chestertown – Pottersville connector trail; and

**WHEREAS**, Warren County Planning Department can complete and submit the grant application at no cost to the Town; and

**WHEREAS**, the grant is estimated to be about \$200,000 and the local match to be about \$50,000;

**BE IT RESOLVED**, the Town Board authorizes the Town Supervisor to apply for a Local Waterfront Revitalization Program grant for \$200,000 through Warren County Planning Department commit the necessary matching funds not to exceed \$50,000.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 92 of 2022 was **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 93 OF 2022: AUTHORIZE TOWN SUPERVISOR TO APPLY FOR A DEPARTMENT OF STATE GRANT TO UPDATE THE TOWN'S COMPREHENSIVE MASTER PLAN**

**WHEREAS**, the Town's Master Plan has not been updated since March 3, 2002; and

**WHEREAS**, it is in the best interest of the Town to update the Master Plan to the current time and should advertise for consultants to assist in preparing the 2022 Master Plan;

**BE IT RESOLVED**, the Town Board authorizes the Town Supervisor to apply for a Department of State Grant to update the Town's Comprehensive Master Plan with a match not to exceed \$15,000.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 93 of 2022 was **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 94 OF 2022: RE-APPOINTMENT OF RYAN HUTTON AS LIBRARY BOARD TRUSTEE**

**WHEREAS**, Ryan Hutton has been a Library Board Trustee since June 2020; and  
**WHEREAS**, the Town would like to re-appoint Ryan Hutton as a Library Board Trustee starting July 1, 2022 through June 31, 2027;  
**BE IT RESOLVED**, the Town Board re-appoints Ryan Hutton as Library Board Trustee for a term ending June 31, 2027.

**RESOLUTION NO. 95 OF 2022: RE-APPOINTMENT OF NOELLE MCCRUM AS LIBRARY BOARD TRUSTEE**

**WHEREAS**, Noelle McCrum has been a Library Board Trustee since August 2020; and  
**WHEREAS**, the Town would like to re-appoint Noelle McCrum as a Library Board Trustee starting August 1, 2022 and ending July 31, 2027;  
**BE IT RESOLVED**, the Town Board re-appoints Noelle McCrum as Library Board Trustee for a term ending July 31, 2027.  
On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 93 of 2022 and No. 94 of 2022 were **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 96 OF 2022: APPROVE COURT CLERK TO ATTEND THE 2022 NYSAMCC FALL CONFERENCE FOR OCTOBER 17 AND 18, 2022**

**WHEREAS**, for the 2022 calendar year the New York State Association of Magistrates Court Clerks Inc. will host an annual training conference in Albany; and  
**WHEREAS**, the Court Clerk wishes to attend the conference on October 17, 2022 and October 18, 2022;  
**BE IT RESOLVED**, the Town Board authorizes the Court Clerk to attend the conference in Albany and to pay for mileage and meals.  
On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 96 of 2022 was **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 97 OF 2022: HIRE MATT BROWN AND ZOIE BENNETT TO BE LIFEGUARDS FOR THE 2022 SEASON**

**WHEREAS**, the Town has received applications from Matt Brown and Zoie Bennett for the position of lifeguard at the Loon Lake Public Beach;  
**BE IT RESOLVED**, the Town Board hires Matt Brown at \$17 per hour and Zoie Bennett at \$15 per hour as lifeguards for the 2022 season.  
On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 97 of 2022 was **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 98 OF 2022: ESTABLISH AND FILL THE NEW POSITION OF A PART-TIME OFFICE ASSISTANT**

WHEREAS, the Town needs additional assistance in various Town departments through the rest of the year with qualifications of previous project management, reading engineering documents and designs, contracting, bidding, and excellent communications skills;

BE IT RESOLVED, the Town Board establishes the position of a part-time Office Assistant for no more than 20 hours a week at a \$20 per hour rate for no more than 24 weeks; and

BE IT FURTHER RESOLVED, the Town Board appoints Jessica Leerkes as part-time Office Assistant.

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 98 of 2022 was ADOPTED.

AYE 4 NO 0

**RESOLUTION NO. 99 OF 2022: APPROVE ADDITIONAL HOURS FOR MELVIN BISHOP AS TRANSFER STATION LABORER THROUGH COLUMBUS DAY**

WHEREAS, Melvin Bishop is currently employed by the Town of Chester at the Town Transfer Station as a laborer for 4 days per week; and

WHEREAS, the Transfer Station needs additional help during the 2022 summer season;

BE IT RESOLVED, the Town Board approves increasing Melvin Bishop’s hours from 28 hours per week to 37 hours per week until the week of October 10, 2022.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 99 of 2022 was ADOPTED.

AYE 4 NO 0

**RESOLUTION NO. 100 OF 2022: APPROVE SEASONAL FULL-TIME LABORER FOR PARKS AND RECREATION**

WHEREAS, the Town of Chester Parks and Recreation Department has requested additional help due to Jeff Schaefer’s loss of hours in Parks and Recreation to the Water Department; and

BE IT RESOLVED, the Town Board authorizes the Town Clerk to advertise for a full-time seasonal laborer for Parks and Recreation from date of hire to October 10, 2022.

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 100 of 2022 was ADOPTED.

AYE 4 NO 0

**Loon Lake Beach Recreation Area:**

John Nick, President of the Loon Lake Park District Association (LLPDA), said that the LLPDA was looking for a way to remember Fred Monroe for all the work he has done for the Lake and other parts of the community and Adirondacks. At their May Meeting the thought was for the LLPD to make a new sign for the Beach Area that would say “Frederick H. Monroe Memorial Recreational Area” and have a separate sign made for the location.

Supervisor Leggett asked when it could be ready. Mr. Nick said July 15<sup>th</sup>.

The Board Members all thought it was a great idea.

**RESOLUTION NO. 101 OF 2022: NAME LOON LAKE BEACH RECREATION AREA IN HONOR OF FREDERICK H. MONROE**

**WHEREAS**, the Loon Lake Park District Association would like to name the Loon Lake Park District Recreation Area as the Frederick H. Monroe Memorial Recreation Area and place a sign as such;

**BE IT RESOLVED**, the Town Board hereby designates the Loon Lake Beach area as the Frederick H. Monroe Memorial Recreation Area.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 101 of 2022 was **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 102 OF 2022: AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE 2022 ROADWAY MAINTENANCE AGREEMENT WITH WARREN COUNTY**

**WHEREAS**, Warren County has provided a 2022 Roadway Maintenance Agreement for the Town of Chester, and

**WHEREAS**, the Town of Chester will receive \$308,966.78 for snow and ice removal and \$22,811.78 for mowing County Roads according to the agreement,

**BE IT RESOLVED**, the Supervisor is authorized to enter the Intermunicipal Agreement with County for such work for said amount of money.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 102 of 2022 was **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 103 OF 2022: AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH CIVICPLUS FOR NEW WEBSITE**

**WHEREAS**, the Town of Chester seeks to upgrade its website to meet the demands of the times with greater ability to post information for the public, manage data, and send out public notices in times of emergency or for general knowledge, and

**WHEREAS**, discussions with 4 website design and hosting companies have been interviewed and their products looked at,

**BE IT RESOLVED**, the Town Board authorizes the Supervisor to enter into an agreement with CivicPlus to develop and host a website for the Town of Chester for a cost not to exceed \$11,550 with annual fees not to exceed \$2,400 for year 2.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 103 of 2022 was **ADOPTED**.

AYE 4 NO 0

**RESOLUTION NO. 104 OF 2022: AUTHORIZE SUPERVISOR TO SIGN TRAIL LICENSE AGREEMENT WITH BRADFORD HAYES**

**WHEREAS**, the Town desires to expand the Chester Challenge Trail system to include the Cunningham Community Forest from the Town Hall to Cunningham Loop, and

**WHEREAS**, a portion of the planned trail crosses land owned by Bradford Hayes,

**BE IT RESOLVED**, the Town Board authorizes the Supervisor to enter into a license agreement allowing a Chester Challenge trail to cross land owned by Bradford Hayes, when in a form acceptable to the attorney for the Town.

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 104 of 2022 was **ADOPTED.**

AYE 4 NO 0

**Carol Theater:**

Supervisor Leggett read the following from an email from Ryan and Vanessa Hutton:

I have SLA approval for a 90 day temporary liquor permit, pending an affidavit that I am able to open. I am unable to get submit that affidavit until I have Warren County Department of Health approval. They will not issue that approval straight away because we have private septic. We are working to get an engineer to certify everything for us but do not yet have a time frame.

NYS offers one day temporary beer/wine/cider permits and that is what we have utilized for the September shows last year and for our first show June 3. Such permits do not require us to serve food, and as such we do not need DOH approval. We can serve our alcoholic and non-alcoholic beverages and pre-packaged snacks.

The SLA is vague on how many permits an entity may receive every 1 year period, and they state online that you may have 4 every one year period, except certain non-profits may have more.

Assemblyman Simpson's Chief of Staff contacted the SLA on our behalf and the SLA stated that we may have "21 temporary permit applications per calendar year with municipal approval."

This would allow us to serve drinks and take our time with getting the septic certification. Worst case scenario, we can operate with those temporary ones every year and not worry about food.

Obviously our season has already begun and we fiscally planned around selling beer/wine/cider at shows. The income from the sale of alcohol allows us to offset costs to bring in acts and further our non-profit mission. I know you both and the board understand that we are not looking to run such events daily, this season we have about 9 more shows planned before we close up at the end of September.

Mrs. DuRose asked what we just approved with the 30-permit. Supervisor Leggett responded that they were going for the full thing only to find out that can't until they have a sign off from the Department of Health for the septic.

**RESOLUTION NO. 105 OF 2022: GRANT APPROVAL FOR THE CAROL THEATER CENTER FOR THE ARTS TO OBTAIN UP TO 21 TEMPORARY PERMITS PER YEAR 2022**

**WHEREAS**, the Carol Theater Center for the Arts, non-profit 503C type appropriation, is seeking State Liquor Authority approval for up to 21 individual one day use liquor licenses, and **WHEREAS**, the Town of Chester takes no objection to them seeking this approval, **BE IT RESOLVED**, that the Town of Chester grants approval for the Carol Theater Center for the Arts to obtain up to 21 temporary permits per year 2022. On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 105 of 2022 was **ADOPTED**.

AYE 4 NO 0

**Pottersville Water Fountain:**

Supervisor Leggett said that he called Adirondack Architectural Heritage today to see if there would be any financial assistance to do something with the fountain.

Supervisor Leggett asked Mary Miller what she would like to say about the fountain.

Mary Miller responded by first saying the park is beautiful, she loves the park and it is great for Pottersville; however, it is on property that she pays taxes on and has been paying taxes on. Mary said she is not aware of any written agreement between the Town, the Garden Club, and any of the owners, going back three owners. If there is one, she would like to see it, because the garden takes up one third of her property. They do have plans for the property and know that they have to go through site plans and there may be setbacks. If this happens, she would have to ask the Town to move it. She feels that putting money into the fountain is a waste of taxpayers' dollars. She would love to keep the park if it does not interfere with her plans. The Town does have their own water and electric to the fountain.

Supervisor Leggett said he spoke with the Garden Club about the fountain. They said the Town was asked to take over the care of the fountain when the Garden Club could no longer take care of it. Supervisor Leggett commented that he was surprised to find out that the property by the fountain was not owned by the Town. He also said that to his knowledge only the Garden Club has ever had an agreement, not the Town.

Chris Aiken asked if there was a push to get rid of the fountain. Mary Miller said that she would hate to see the Town put money in to repair the fountain when it might have to be removed anyway. Mr. Aiken said that he thinks they are all in agreement in not repairing the fountain.

Mary Miller said that she would like to be able to keep the garden and would like to ask the Town for a hold harmless agreement. If we keep the garden, she is concerned about someone being injured on the property and they don't maintain it, the Town does. Supervisor Leggett said that the Town mows in the right of way and anything else is the Garden Club. Mary said it would be an agreement like the Town has for the Chester Challenge Trails. Mr. Aiken said that it is an attractive corner.

Karen DuRose asked if we could do a hold harmless agreement even though we do not own the property. Attorney for the Town, Mark Schachner, replied that we have hold harmless agreement in our Chester Challenge Trails because we, the Town of Chester, have real property rights under license agreements with the owners of the property. So the Town of Chester is a

party to those license agreements. We have rights under those agreements to use property, in exchange for those right, for the benefit for the public, the Town, among other things holds the property owners harmless from damages, accidents, and liability when the public utilizes the property. Mr. Schachner is not hearing where the Town has legal interest in property in question and if there is not a legal interest then it is not legally appropriate to enter into a hold harmless agreement. Mr. Schachner said that further discussion could take place at a later time.

Mrs. DuRose told Mary Miller that it is her property, and she pays taxes on it, if you don't like the fountain remove it.

Mr. Schachner commented that legally we may not be able to make the repairs.

**Pickleball Court Expansion:**

Supervisor Leggett said that the pickle ballers would like to expand the pickle ball courts by reconfiguring the tennis court to be able to fit in five pickle ball courts. The fenced in area would need to be extended by six (6) feet toward the driveway.

Mr. Aiken asked if people would still be able to play tennis. Supervisor Leggett replied yes.

Larry Turcotte asked if we would have to add material and resurface. Supervisor Leggett replied yes.

Mr. Aiken asked if they had been approached about a cost or to help out.

Mr. Turcotte would like to see an estimate for the fence and court resurfacing.

**Senior Center Administrator:**

Supervisor Leggett said that the Senior Center has asked for a stipend for a new Senior Center Administrator.

Mr. Aiken said that it is a big volunteer effort and Linda Muench is winding down and is looking for help. Supervisor Leggett said that the number that he was approved with was about \$5,000.00 but the question comes, are they an employee of the Town.

Mr. Turcotte asked if we had a lease with them for the room. The Town Clerk replied that since COVID the Town Board gave them exclusive use of the room.

**Videoconferencing for Members Town, Planning, and Zoning Boards:**

Supervisor Leggett said that the executive order allowed the Town Board to hold meetings remotely by videoconferencing that expired last week and there are provisions to continue videoconferencing subject to certain requirements.

Mr. Schachner said that enough members have to be present live to constitute a quorum.

Supervisor Leggett said that they have not passed anything at the County yet.

Supervisor Leggett asked Mr. Schachner about drafting a local law. Mr. Schachner said that it is easy to draft a local law that is subject to public hearing and they have already sent a draft. The more challenging part of the draft local law is the requirement by the State legislation, that remote participation will be allowed in accordance with adopted Town policy setting forth circumstances under which remote participation will be allowed. So, the local law has to be accompanied by a Town policy. The Town policy there is not a ton of guidance in the statute in what the policy is supposed to say, other than remote participation will be allowed only under extraordinary circumstances such as personal health situation, health care situation, and unexpected unanticipated circumstance.

Supervisor Leggett asked the Board if they would like to continue with this.

Mr. Turcotte asked if we do nothing then it reverts to what it was pre-covid. The Town Clerk said that it has already reverted.

Mr. Turcotte asked if we could continue with Zoom for the public to listen in without any laws and resolutions. Mr. Schachner said that is correct.

The Town Clerk asked if there was a way for guest speakers and / or applicants to have to appear in person, because in some instances we have not been able to hear. Mrs. DuRose asked the Clerk if she meant anyone on the agenda would have to appear. The Clerk responded yes. Mr. Schachner said that Mindy's suggestion makes sense, but we cannot require an applicant to appear at all.

Supervisor Leggett asked the Board if they should move forward with a videoconferencing local law.

**Cemetery Improvement Program:**

Supervisor Leggett said it was a thought that if families could get together and adopt a section of the cemetery to do improvements. Look how good the Rotary did with the Pottersville Cemetery.

**Highway Department Storage Building:**

Mr. Turcotte said that he met with Chris Aiken about how much funding through the Town we could get for the building which would be a couple of millions of dollars.

Mr. Turcotte discussed the rates.

Mrs. DuRose asked if we could do it in sections.

Mr. Schachner said that it would be subject to permissive referendum.

Mr. Turcotte would like to keep this on the agenda for discussion next month.

**RESOLUTION NO. 106 OF 2022: APPROVE THE JUNE BUDGET AMENDMENTS AND ACCEPT ABSTRACT OF AUDITED VOUCHERS AND AUTHORIZES**

**PAYMENT**

**WHEREAS**, the Bookkeeper and the Supervisor have created a spreadsheet of budget amendments, and

**WHEREAS**, the Town Clerk has entered the vouchers and created Abstract No. 6 of 2022 of Audited Vouchers, and

**WHEREAS**, the Town Board has reviewed the budget amendments and abstract,

**BE IT RESOLVED**, the Town Board approves the June budget amendments and accepts Abstract of Audited Vouchers and authorizes payment as presented.

<b>BUDGET AMENDMENTS - JUNE 2022 TOWN BOARD MEETING</b>					
<b>Code</b>	<b>Budget Adjustment-Increase</b>	<b>Amount</b>	<b>Code</b>	<b>Budget Adjustment - Increase</b>	<b>Amount</b>
A2651	Recycle Sales	7,900.00	A8160.4	Refuse and Garbage Contractual	7,900.00
A3089	Justice Court Grant	1,596.99	A1110.43	JCAP Grant	1,596.99
A1113	Occupancy Tax	30,593.35	A6410.41	Publicity Tourism	30,593.35
<b>Code</b>	<b>Budget Adjustment-Increase</b>	<b>Amount</b>	<b>Code</b>	<b>Budget Adjustment- Decrease</b>	<b>Amount</b>
A1355.2	Assessment Equipment	1,245.70	A1990.4	Contingency	1,245.70
A1680.4	Central Data Processing	20,000.00	FB	Fund Balance	20,000.00
A1920.4	Munic Assoc. Dues	445.00	A1910.4	Unallocated Insurance	445.00
A3310.4	Traffic Control Contractual	2,500.00	A1990.4	Contingency	2,500.00
A4068.4	Insect Control Contractual	7,000.00	A1990.4	Contingency	7,000.00
A4560.2	Medic Center Equipment	6,898.00	FB	Fund Balance	6,898.00
A5132.2	Garage Equipment	725.00	A5132.4	Garage Contractual	725.00
A7310.12	Youth Programs - Director	3,750.00	A1990.4	Contingency	3,750.00
SP7110.41	Park Contractual	1,054.53	SP7110.2	Park Dam Work & Engineering	1,054.53

<b>***No. 6 of 2022***</b>	
General A	\$109,195.75
Highway DA	\$59,527.18
Library L	\$2,722.84
Loon Lake Park District SP	\$7,200.64
Chestertown Water SW1	\$14,418.5
Pottersville Water SW2	\$8,365.43
Other TA	\$1,346.24
Total	\$202,776.58

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 106 of 2022 was **ADOPTED.**

AYE 4 NO 0

On a motion by Mr. Aiken, seconded by Mrs. DuRose, meeting **adjourned** at 9:23 pm.

AYE 4 NO 0

Respectfully submitted,

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Town Clerk

DRAFT