



Town Board Regular Meeting December 13, 2022

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 – Present
Councilman Larry Turcotte – Absent (via Zoom)
Deputy Supervisor Marion Eagan – Present
Attorney for the Town, Mark Schachner – Present (via Zoom)
Town Clerk, Mindy Conway – Present

Regular Meeting:

Supervisor Leggett **opened** the Regular Town Board Meeting at 7:00 pm with Councilwoman DuRose leading the Pledge of Allegiance.

Supervisor Leggett explained that Councilman Turcotte is attending via Zoom, because of open meetings laws he will not be included as part of the quorum and be able to vote, however he will call on him during privilege of the floor.

Committee Reports:

Supervisor Leggett **opened** Committee Reports at 7:02 pm.

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

- Abstract No.12
- Town Board Minutes for the Regular Meeting November 8, 2022 and Special Meeting November 17, 2022
- Zoning Administrator Activity Report for November 2022
- Planning Board Minutes for November 21, 2022
- Zoning Board of Appeals Minutes for November 23, 2022
- Assessors Report for December 2022
- Town Clerk Monthly Report for November 2022
- Town Court Report dated December 1, 2022
- Communications Report for November 2022
- Youth Commission Report for November 2022
- North Warren EMS Activity Reports for September 2022, October 2022, and November 2022
- Letter from the Library Board of Trustees appointing Hali Goodman-Holmes to fill Bob Walp's term
- Dynamite Hill Winter Schedule
- Annual Report of Town of Chester Senior Adult Community Center
- Warren County Connection for December 2022

Town Board Reports:

Mr. Aiken reported that he attended a senior center board meeting, several visits to the truss plant (proposed highway garage), and conversations about short-term rentals.

Mr. Packer commented that he has gone around Town to check out all the decorations that people have put up and thinks the Town looks good, and he has repaired the snow gun at Dynamite.

Mrs. DuRose said that she went with Chris Aiken and Marion Eagan to the truss plant, had phone calls and conversations concerning the highway garage, had great compliments on our decorations, and thinks the decorations in Pottersville are coming along and the decorations look great.

Supervisor Leggett reported the following:

- Stopped in at an Adirondack Regional Chamber of Commerce Economic Review Presentation
- Went to the Adirondack Association of Towns and Villages Meeting in Lake George
- Sat in on a Chester Advisory Group Meeting, Northern Forest Center is working with local citizens about revitalization
- Sat in on a Restore NY Grant Meeting about applying
- Met with CSEA President and Vice President about health insurance
- Went to a Tri-Lakes Community Alliance Meeting, they will be doing a Winter Carnival and a St. Patrick's Day Parade
- Went to Christmas with Santa, incredible turnout, Library gave away books,
- Tree lights, thank you to Mike Temps, Karen DuRose and Marion Eagan
- Today was his last day as Acting County Administrator

Supervisor Leggett **closed** Committee Reports at 7:12 pm.

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 7:12 pm by introducing Greg Gross from the Senior Center.

Greg Gross commented that Linda Muench was unable to attend and tonight representing the members of the Senior Citizen Board are Linda Chiras, Kathryn Davis, and Randall Ellis. Greg Gross said that this year they have over 260 seniors on their email list and they have welcomed over 1,100 visits to the Senior Center for a variety of programming. One of their goals was to reach out more to homebound seniors and provide transportation to the Center at least once a month for an activity. They were not able to overcome the lack of transportation available to seniors; however, they have been able to reach many homebound seniors with holiday cards and birthday cards. This month they have added a new Board Member, JoAnn Flammer. The six (6) Board Members volunteer over 50 hours a month and Linda Muench spends over 30 hours a month. Susannah Stiehm has been helping with some of the computer work since August. Their goal for the new year is to continue improving their programming and to discontinue programming that has lost participation. Greg Gross said that the Senior Center Board is thankful to the Town of Chester Board Members, especially Chris Aiken and Supervisor Leggett.

Senior Center Board Member, Randall Ellis, spoke about funding. He thanked the Town for \$1,200 which allowed them to stock the Senior Center with office supplies, waters, arts and crafts, and supplies for programming. They raise approximately \$800 with their raffle, and they received two grants. One through the Adirondack Community Fund, the Gore Region Fund which was a \$1,000 that was used to purchase a television and one through the Pearsall Foundation of \$2,500 that they will use to buy furniture.

Kathryn Davis commented that they have also made over \$500 with donations at the door.

Supervisor Leggett closed Privilege of the Floor at 7:19 pm.

Old Business:

Supervisor Leggett **opened** Old Business at 7:20 pm.

RESOLUTION NO. 177 OF 2022: ACCEPT THE MINUTES FROM THE NOVEMBER 8, 2022 REGULAR TOWN BOARD MEETING AND NOVEMBER 17, 2022 SPECIAL MEETING

BE IT RESOLVED, to accept the minutes from the November 8, 2022 Regular Town Board Meeting and November 17, 2022 Special Meeting as presented.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 177 of 2022 was **ADOPTED**.

AYE 4 NO 0

Mr. Packer asked what some of Jewell's job duties were. Supervisor Leggett said mostly custodian, taking care of all the common spaces, cleaning, waxing, vacuuming throughout the whole building, keeping the outside steps clean, and also checking the boilers.

RESOLUTION NO. 178 OF 2022: RATIFY HIRING OF JEWELL LEONBRUNO FOR THE FULL-TIME POSITION OF CUSTODIAN

WHEREAS, the Town Board wishes to fill that full-time custodian position, and

WHEREAS, the job was posted for 10 days,

BE IT RESOLVED, the Town of Chester Town Board ratifies hiring Jewell Leonbruno for the full-time position of custodian at the rate and conditions as per CSEA contract effective December 1, 2022.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 178 of 2022 was **ADOPTED**.

AYE 4 NO 0

Carl Turner Road – Tabled until further notice.

Septic Variance #SV2020-03 – Tabled at request of applicant until further notice.

New Business:

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

RESOLUTION NO. 179 OF 2022: APPROVE THE APPOINTMENT OF HALI GOODMAN-HOLMES TO THE LIBRARY BOARD OF TRUSTEES

WHEREAS, Bob Walp resigned from the Library Board of Trustees leaving a vacancy,
WHEREAS, the Town of Chester Library Board of Trustees has recommended Hali Goodman-Holmes,

BE IT RESOLVED, the Town Board approves the appointment of Hali Goodman-Holmes to fill the vacancy of Bob Walp starting January 1, 2023 through December 31, 2024.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 179 of 2022 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 180 OF 2022: SET THURSDAY, DECEMBER 29, 2022 AT 4:30 PM FOR A SPECIAL MEETING AND ALSO A PUBLIC HEARING FOR ANNUAL CONTRACTS

WHEREAS, the Town Board requires time to make budget adjustments before the end of the year, and

WHEREAS, the Town Board is required to hold a public hearing regarding annual contracts with North Warren EMS, North Creek Fire District, and Riverside Volunteer Fire Company,

BE IT RESOLVED, the Town Board sets Thursday, December 29, 2022 at 4:30 pm for a Special Meeting for the purpose of making budget adjustments and anything else that may come before the Board, and

BE IT FURTHER RESOLVED, the Town Board sets a public hearing date of December 29, 2022 at 4:30 pm regarding contracts with the above-listed contractors.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 180 of 2022 was **ADOPTED**.

AYE 4 NO 0

Highway Garage:

Mrs. Durose asked where the Town was going to post the notification of the meeting. Supervisor Leggett replied that it will be posted on the website, Facebook, and posted outside the Clerk's door. Mrs. DuRose asked if they were going to post it in the Sun Community News. The Clerk commented the deadline has passed. Mrs. DuRose commented that the meeting would be a week from tomorrow and asked if maybe they contacted Thom Randall it could be online. Ms. Eagan commented that Jewell could change the sign out front. Mr. Packer commented that most people already know.

RESOLUTION NO. 181 OF 2022: SET DATE FOR THE INFORMATIONAL MEETING TO DISCUSS HIGHWAY GARAGE POSSIBILITIES ON DECEMBER 21, 2022 AT 6:00 P.M. AT THE TOWN MUNICIPAL CENTER

WHEREAS, the Town Board of the Town of Chester would like to consider public opinion on a new highway garage,

BE IT RESOLVED, the Town Board sets the date for the informational meeting to discuss highway garage possibilities on December 21, 2022 at 6:00 p.m. at the Town Municipal Center.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 181 of 2022 was **ADOPTED**.

AYE 4 NO 0

Septic Variance #SV2022-08 for Thomas and Linda Thorsen:

Bret Winchip, Winchip Engineering, represented the Applicant and read the following existing non-conformities and proposed variances:

Thorsen SV2022-08							
Setback	Required Distance	Existing Distance	Existing Non-Conformity		Proposed Distance	Proposed Variance	
			Distance	Percent		Distance	Percent
Existing Drilled Well to Seepage Pit	150'	85.2'±	64.8'±	43.2%±	-	-	-
Existing Septic Tank to Building	10'	3.9'±	6.1'±	61.0%±	-	-	-
Existing Seepage Pit to Mean High Water	100'	65.8'±	34.2'±	34.2%±	-	-	-
Existing Seepage Pit to Neighboring Drilled Well	150'	130.4'±	19.6'±	13.1%±	-	-	-
Existing Seepage Pit to Building	20'	18.9'±	1.1'±	5.5%±	-	-	-
Proposed Wastewater Field to Building	20'	-	-	-	7.7'	12.3'	61.5%
Proposed Wastewater Field to Drilled Well	100'	-	-	-	73.5'	26.5'	26.5%
Proposed Wastewater Field to Mean High Water	100'	-	-	-	53.4'	46.6'	46.6%
Proposed Septic Tank to Building	10'	-	-	-	5.6'	4.4'	44.0%
Proposed Wastewater Field to Property Line	10'	-	-	-	7.4'	2.6'	26.0%
Proposed Distribution Box to Property Line	10'	-	-	-	6.0'	4.0'	40.0%
Proposed Distribution Box to Drilled Well	100'	-	-	-	99.7'	0.3'	0.3%
Proposed Distribution Box to Mean High Water	100'	-	-	-	77.9'	22.1'	22.1%
Proposed Effluent Sewer to Property Line	10'	-	-	-	4.7'	5.3'	53.0%

Mr. Winchip commented that the neighbor to the Southwest has a shallow well and that Mr. Thorsen contacted them, and they said they have not used that well since 1996, it is decommissioned and there should be a letter in their packet from the neighbor.

RESOLUTION NO. 182 OF 2022: DEEM SEPTIC VARIANCE APPLICATION #SV2022-08 FOR THOMAS AND LINDA THORSEN FOR PROPERTY LOCATED AT 133 EAST SHORE DRIVE TO BE COMPLETE AND SET A PUBLIC HEARING FOR JANUARY 10, 2023 AT 7 P.M.

WHEREAS, Bret Winchip, Winchip Engineering has submitted a Septic Variance Application #SV2022-08 for Thomas and Linda Thorsen for property located at 133 East Shore Drive, Chestertown, New York, identified by Tax Map #: 69.14-1-11; 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 #SV2022-08 for Thomas and Linda Thorsen for property located at 133 East Shore Drive, Chestertown, New York to be complete;

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2022-08 on Tuesday, January 10, 2023 at 7 p.m. at a Regular Town Board Meeting and directs the Town Clerk to forward the Application to Cedarwood Engineering for review at the expense of the applicant and publish the notice the public hearing in the Post Star newspaper.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 182 of 2022 was **ADOPTED**.

AYE 4 NO 0

Organizational Meeting:

Supervisor Leggett commented that we could have the Organizational Meeting on December 29th and ratify the resolutions at the first meeting in January. Supervisor Leggett asked the Attorney for the Town if we had to have the Organizational Meeting by the 8th of January. Mr. Schachner replied no, we do not have to in a year that we do not have newly elected officials. Supervisor Leggett then said we could either have it on the 29th of December or the 10th of January regular Town Board Meeting. The Town Clerk commented that she would prefer January 10th.

RESOLUTION NO. 183 OF 2022: SET DATE FOR THE 2023 ORGANIZATIONAL MEETING ON JANUARY 10, 2023 AT 7:00 P.M.

WHEREAS, the Town is required to have an annual Organizational Meeting,

BE IT RESOLVED, the Town Board sets Tuesday, January 10, 2023 at 7:00 pm for the 2023 Organizational Meeting.

On a motion by Mr. Aiken, seconded by Mr. Packer, Resolution No. 183 of 2022 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 184 OF 2022: CHANGE ZONING BOARD OF APPEALS MEETING DATES TO THE 4TH TUESDAY OF EVERY MONTH

WHEREAS, the Town Board adopted Resolution No. 52 of 2022 to change the ZBA Meeting Schedule for ZBA meetings to be held on the 4th Wednesday of every month, and

WHEREAS, the Zoning Board of Appeals and Planning and Zoning Office have requested that future ZBA meetings be held on the fourth Tuesday of every month,

BE IT RESOLVED, the Town Board approves changing the Zoning Board of Appeals meeting dates to the 4th Tuesday of every month.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 184 of 2022 was **ADOPTED.**

AYE 4 NO 0

RESOLUTION NO. 185 OF 2022: APPROVE REVISIONS TO THE TOWN OF CHESTER WORKPLACE VIOLENCE PREVENTION PLAN AND PROGRAM

WHEREAS, New York State Labor Law Section 27(b), as amended by the 2006 New York State Legislature, requires that public employers are to evaluate the safety of their workplace and implement workplace safety training for all employees, and

WHEREAS, pursuant to Resolution No. 109 of 2012, the Town of Chester Town Board authorized the adoption of a program on workplace violence,

BE IT RESOLVED, that the Town of Chester Town Board hereby approves and authorizes the implementation of the revised Workplace Violence Prevention Plan and Program for the Town of Chester, annexed to this resolution and presented at this meeting, with a review of said program to be made on an annual basis, and

BE IT FURTHER RESOLVED, that said Program shall take effect immediately and will be available for review in accordance with the provisions of the Workplace Violence Prevention Plan and Program.

On a motion by Mr. Aiken, seconded by Mr. Packer, Resolution no. 185 of 2022 was **ADOPTED.**

AYE 4 NO 0

Internal Audit:

Supervisor Leggett asked for a summary of the report.

Mrs. DuRose said that she worked with Mike Packer to conduct the audit. They met five (5) different times in the last month and during the year they also met to look at timecard and spoke with Jim McDermott to see how things were going. For her the most difficult is the Court Clerk, because there is a checklist that needs to be filled out and sent to the Office of the State Comptroller and Carrie Remington did an awesome job helping us to prepare the form. They did ask the Town Clerk for extra items, last year they asked for the tax settlement sheet and this year they asked for a list of FOIL requests. Every department they looked at bank statements and cash books. Timecard and time sheets were better this year. She said she was not aware that Parks and Rec. were working 6 am to 2:30 pm. Mr. Packer commented that they all did a good job.

RESOLUTION NO. 186 OF 2022: ACCEPT THE INTERNAL AUDIT REPORT FOR THE COURT CLERK, TOWN CLERK AND BOOKKEEPER FOR 2022

WHEREAS, Karen DuRose and Mike Packer have completed an internal audit of the Court Clerk, Town Clerk, and Bookkeeper for 2022 and submitted a report,

BE IT RESOLVED, the Town Board accepts the Internal Audit Report of the Court Clerk, Town Clerk, and Bookkeeper for 2022 submitted by Karen DuRose and Mike Packer.

On a motion by Mr. Aiken, seconded by Supervisor Leggett, Resolution No. 186 of 2022 was **ADOPTED.**

AYE 4 NO 0

RESOLUTION NO. 187 OF 2022: APPROVE AMENDING THE TRANSFER STATION FEE SCHEDULE TO ELIMINATE CHARGES FOR ELECTRONIC RECYCLING

WHEREAS, the Town will no longer charge an electronic recycling fee,
BE IT RESOLVED, the Town Board approves amending the Transfer Station Fee Schedule to eliminate charges for electronic recycling starting January 1, 2023.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 187 of 2022 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 188 OF 2022: SETS A PUBLIC HEARING FOR THE RESTORE NY GRANT APPLICATION AND THE PROPERTY ASSESSMENT LIST, ON THURSDAY, DECEMBER 29, 2022, AT 4:30 PM, AND DIRECTS THE TOWN CLERK TO NOTICE THE PUBLIC HEARING AND THE PROPERTY ASSESSMENT LIST IN THE POST STAR NEWSPAPER

WHEREAS, the Chester Town Board (the "Board") is eligible for grant funding under Round #7 of the Restore NY Communities Initiative Municipal Grant Program ("Restore NY Grant Program"), and

WHEREAS, the Restore NY Grant application requires the publication of a Property Assessment List, a description of the location, size, and nature of each property, whether the property is proposed to be demolished, deconstructed, rehabilitated, or reconstructed, and the status of the property, and

WHEREAS, the Restore NY Grant application requires a public hearing to be held to discuss the Restore NY application and the Property Assessment List.

WHEREAS, the Restore NY Grant application requires the publication of a Notice of Public Hearing to discuss the Restore NY application and the Property Assessment List.

NOW THEREFORE

BE IT RESOLVED, that the Town Board sets a Public Hearing for the Restore NY Grant application and the Property Assessment List, on Thursday, December 29, 2022, at 4:30 pm, and directs the Town Clerk to notice the public hearing and the Property Assessment List in the Post Star Newspaper.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 188 of 2022 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 189 OF 2022: AUTHORIZE THE TOWN OF CHESTER TO ADOPT THE WARREN COUNTY FAIR HOUSING POLICY AND PLAN AND TO AUTHORE THE DIRECTOR OF THE WARREN COUNTY PLANNING DEPARTMENT TO BE THE FAIR HOUSING OFFICER FOR THE TOWN

WHEREAS, the Town of Chester applied for and received Community Development Block Grant funding from the NYS Housing Trust Fund Corporation for an Engineering Evaluation Study for the Pottersville Water District, and

WHEREAS, the Town was awarded \$36,100 for a Planning Assistance Project as identified in an agreement, dated May 13, 2021, from the NYS Housing Trust Fund Corporation, and

WHEREAS, the Town, as identified in the application for funding, will work with Warren County Planning Department and the Warren County Purchasing Department to complete the grant administrative requirements as identified in the NYS Office of Community Renewal

Administrative Manual for grantees receiving Community Development Block Grant funding, and

WHEREAS, The Town of Chester will adopt the Warren County Fair Housing Policy and Plan and will authorize the Director of the Warren County Planning Department to be the Fair Housing Officer for the Town of Chester in compliance with the federal Fair Housing Act, as amended, and

WHEREAS, the Town of Chester will make available information requests as to the Fair Housing Policy and Plan adopted by the Town and direct inquiries concerning applicable federal and state laws concerning anti-discrimination in the provision of housing as well as the availability of state and federal housing resources to the Warren County Planning Department, and

WHEREAS, the Town of Chester Town Board, will request an annual report on Fair Housing activity concerning the Town of Chester from the Warren County Planning Department as part of local grant administration documentation and provide information as may be requested from the federal Department of Housing and Urban Development and the NYS Division of Human Rights, and

NOW THEREFORE

BE IT RESOLVED, that the Town of Chester Town Board adopt the Warren County Fair Housing Policy and Plan and the Warren County Planning Director as the Town of Chester Fair Housing Officer.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 189 of 2022 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 190 OF 2022: APPROVE THE OCCUPANCY TAX FUND REQUEST IN THE AMOUNT OF \$1,500 FOR THE 2023 BRANT LAKE WINTER CARNIVAL

WHEREAS, Tri-Lakes Community Alliance has submitted a requested \$1,500 in Occupancy Tax Funds for the 2023 Winter Carnival on February 18, 2023,

BE IT RESOLVED, the Town Board approves the Occupancy Tax Fund request in the amount of \$1,500 for the 2023 Brant Lake Winter Carnival.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 190 of 2022 was **ADOPTED**.

AYE 4 NO 0

RESOLUTION NO. 191 OF 2022: APPROVE THE DECEMBER 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. 12 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 December budget amendments and accepts Abstract of Audited Vouchers and authorizes payment as presented.

No. 12 of 2022

General A	\$145,902.01
Highway DA	\$239,880.50
Library L	\$1,899.79
Chestertown Water SW1	\$3,190.55
Pottersville Water SW2	\$5,149.06
Other TA	\$2,129.90
Total	\$398,151.81

BUDGET AMENDMENTS - DEC 2022 TOWN BOARD MEETING					
Code	Budget Adjustment-Increase	Amount	Code	Budget Adjustment - Increase	Amount
A1120	SALES TAX	44,477.75	A1355.4	ASSESSMENT CONTRACTUAL	2,297.09
			A1680.4	CENTRAL DATA PROCESSING	2,652.13
			A3510.4	DOG CONTROL CONTRACTUAL	1,039.33
			A4560.2	MEDIC CTR EQUIPMENT	7,250.00
			A5182.4	STREET LIGHTING CONTRACTUAL	6,076.08
			A7110.2	PARKS EQUIPMENT	3,235.43
			A7110.4	PARKS CONTRACTUAL	6,291.28
			A7140.2	DYNAMITE HILL EQUIPMENT	5,539.66
			A8010.41	ZONING LEGAL	6,581.05
			A8160.4	REFUSE/GARBAGE CONTRACTUAL	3,515.70
DA1120	SALES TAX	6,739.40	DA5130.4	MACHINERY CONTRACTUAL	4,635.92
			DA5110.4	GENERAL REPAIRS CONTRACTUAL	949.24
			DA5148.4	SERVICES TO OTHER GOV'T CONT.	1,154.24

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 191 of 2022 was **ADOPTED.**

AYE 4 NO 0

On a motion by Mr. Packer, seconded by Mr. Aiken the Board **entered** Executive Session to discuss the possible acquisition of real property at 8:26 pm.

AYE 4 NO 0

On a motion by Mrs. DuRose, seconded by Mr. Packer the Board **exited** Executive Session at 8:59 pm.

AYE 4 NO 0

No action taken.

On a motion by Mrs. DuRose, seconded by Mr. Packer, meeting **adjourned** at 8:59 pm.

AYE 4 NO 0

Respectfully submitted,

Mindy Conway, Town Clerk

DRAFT