

AGENDA / May 14, 2019 / TOWN BOARD MEETING
Town of Chester Municipal Center @ 7PM

Call to Order

- Pledge of Allegiance

Regular Meeting

- Open Regular Town Board Meeting

Acceptance of Minutes

- Regular Town Board meeting April 9, 2019

Public Hearing

- Proposed Property Maintenance Local Law

Committee Reports

- Town Clerk // Town Board // Supervisor

PRIVILEGE OF THE FLOOR FOR OLD & NEW BUSINESS ITEMS

-

NEW BUSINESS

1. Resolve to adopt Property Maintenance Local Law
2. Authorize Blessing Box placement in Municipal Center by YMC Adirondack Leaders Club
3. Accept Septic Variance application #SV2019-02 and set Public Hearing
4. Climate Smart Communities resolution
5. Authorize Zoning Administrator to incorporate APA recommendations into Zoning Local Law proposed revisions
6. Authorize Supervisor to sign collective bargaining MOA
7. Appoint alternate to Planning Board
8. ~~Authorize Supervisor to sign general service agreement with LA Group~~ (tabled – no info)
9. Authorize Supervisor to sign Streetlight Audit agreement with National Grid
10. Approve Settlement Resolution for The Point at Friends Lake LLC
11. Resolution establish certain limitations on role of deputy supervisor
12. Authorize Supervisor to sign MOA with YMCA
13. Executive Session if needed

RESOLUTIONS

1. (to be provided by the Attorney for the Town)
2. WHEREAS, the YMCA Adirondack Leaders Club has requested permission to place a Blessing Box in the Town Municipal Center, and
WHEREAS, the Blessing Box will contain general items for people who may not otherwise have ready access to such items,
BE IT RESOLVED, the Town Board grants permission to the YMCA Adirondack Leaders Club to place and maintain a Blessing Box at an appropriate location within the Town Municipal Center.
- 3) WHEREAS, the Town Board, acting as the Local Board of Health, has reviewed the Septic Variance Application SV2019-2 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 put out 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.

4) 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.

5) WHEREAS, the Town of Chester has held a public hearing on the proposed revisions to the Zoning Code 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 Code Local Law,

BE IT RESOLVED, the Town Board directs the Zoning Administrator to incorporate changes to the proposed Zoning Code 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.

6) 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.

7) 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, 2020, 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.

8) Tabled

9) WHEREAS, National Grid conducted an audit of streetlights within the Town of Chester, and WHEREAS the 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 National Grid requires the Town to sign an agreement and general release before refunding the overcharged amount, 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 for overcharges relating to streetlights in the Town of Chester.

10) 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.

11) Resolution to be provided by the Attorney for the Town

12) WHEREAS, the Town of Chester and the YMCA Adirondack Center have partnered to establish a Wellness Center in the Town Municipal Center for the benefit of Town and area residents, and

WHEREAS, the Town and the YMCA have certain roles and responsibilities regarding the Wellness Center and an MOA has been reviewed by the Town Board and the Attorney for Town, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an MOA between the Town of Chester and the YMCA Adirondack Center denoting roles and responsibilities regarding the Wellness Center in the Town Municipal Center.

DRAFT