

**Town of Chester Town Board**  
**AGENDA**  
**January 10, 2023 – 7:00 PM**  
**Meeting Room - Town of Chester Municipal Center, 6307 State Rte. 9, Chestertown**

**Zoom details:**

<https://us02web.zoom.us/j/83433395517?pwd=R1ZOWWIPTUpLWWINTXBDRWxlNk5NQOT09>

Meeting ID: 834 3339 5517

Passcode: 458784

One tap mobile +16465588656,,83433395517# US (New York)

**Call to Order Organizational Meeting**

- Pledge of Allegiance: led by Councilman Packer

**Supervisor Annual Report**

**RESOLUTIONS #1 - #13 of 2023**

1. Designate dates, time, and location for Regular Town Board Meetings  
Resolved: The Town Board will meet on the second Tuesday of each month at 7PM in the Town of Chester Municipal Center.
2. Designate Official Depositories  
Resolved: Glens Falls National Bank shall be the Official Depository
3. Designate Official Newspapers  
Resolved: The Post Star shall be the Official Newspaper
4. Set Mileage Allowance Rate  
Resolved: The mileage allowance rate shall be the rate set by the IRS set at 68.5 cents per mile when personal vehicles are used by Town Employees for official business.
5. Set Returned Check Charge  
Resolved: The Returned Check Charge shall be \$20 per returned check.
6. Set investment of surplus funds policy  
Resolved: The Supervisor is empowered to invest surplus funds to draw interest for the accounts from which the funds were drawn. Investments shall be made with federally insured banks doing business in NYS.
7. Authorize Official Bonding of Town Officials  
Resolved: Whereas, under Sec. 25 of Town Law, the Town Board is required to set the amounts of a Blanket Bond for Town Officers & Employees by Resolution, be it resolved, that the Town Board of the Town of Chester establishes the following limits of insurance: Public Employee dishonesty bond-per employee \$10,000.00 /Additional indemnity-specified positions: Town Supervisor \$ 110,000.00 / Bookkeeper \$60,000/ Court Clerk \$60,000 / Town Clerk - Tax Collector \$260,000
8. Authorize payment of claims prior to audit  
Resolved: That authorization is given for payment of utilities, postage, and other similar expenses as the bills come in and previous to audit, by the Supervisor on recommendation of the Town Board.
9. Authorize Town Clerk to issue Fireworks Permits  
Resolved: The Town Clerk is authorized to issue Firework Permits in accordance with Penal Law Section 405.05
10. Accept Town of Chester Procurement Policy  
Resolved: Whereas, the TOWN OF CHESTER PROCUREMENT POLICY is to be reviewed and adopted each year and, whereas the policy was updated and adopted on

August 9, 2016 and has been adopted by resolution each year thereafter, be it resolved, that the Town Board hereby adopts said Procurement Policy and Procedures Pursuant to S104B of the General Municipal Law for 2023.

11. Approve Schedule of Appointments and Various Rates of Pay,  
Resolved: Accept the 202 Schedule of Appointments and Various Rates of Pay as presented in the attached document titled “Schedule A: 2023 Schedule of Appointments and Various Rates of Pay”.
12. Designate Official Town Holidays  
Resolved: Official Town Holidays will be observed as presented in the attached document titled “Schedule B: 2023 Official Town Holidays”.
13. Designate Town Board Committees  
Resolved: Town Board Committees are appointed as presented in the attached document titled “Schedule C: Town Board Committee List”.

### **Close Organizational Meeting**

### **Call to Order Regular Meeting**

### **Committee Reports**

- Town Clerk, Town Board, Supervisor

### **Public Hearing**

- Septic Variance #2022-08 for Thorsen

### **Privilege of the Floor for Old & New Business Items**

#### **Old Business**

1. Acceptance of Minutes: December 13, 2022 Regular Town Board Meeting, December 21, 2022 Highway Garage Informational Meeting, and December 29, 2022 Special Town Board Meeting
2. Act on Septic Variance #2022-08 for Thorsen
3. Discuss Short-Term Rentals
4. Discuss Highway Garage
5. Discuss request for Town to obtain Carl Turner Rd from NYSDOT
6. Loonie/Wen Variance (tabled at request of applicant until further notice)

#### **New Business**

7. Authorize the Supervisor to sign the following yearly contracts, agreements, leases and professional service agreements when in form acceptable to the Attorney for the Town:
  - Cedarwood Engineering, Engineering for the Town
  - Miller, Mannix, Schachner and Hafner, Attorney for the Town
  - Loon Lake Park District Association for Management Oversight
  - Mountain Medical Services for CDL drug testing
  - Glens Falls Animal Hospital
  - Chester Horicon Health Center Operations and Maintenance Agreement
  - Renewal of Agreements with Turning Leaf Counseling
  - JGS Recycling and Hauling
  - Planit Waste, for metal recycling
  - Ace Carting Dumpster Town Hall
  - Warren County Solid Waste and Recyclable Processing IMA
  - Warren County Combating Aquatic Invasive Species IMA
  - Warren County Local Tourism Promotion and Development IMA

- Town of Hague for use of Chester Animal Shelter
  - Town of Horicon for use of Chester Animal Shelter
  - Town of Thurman for use of Chester Animal Shelter
  - Town of Chester Senior Adult Community Center
  - Williamson Law Books software license
  - Adirondack Park Local Review Board
  - Auction International, Inc
  - **Discussion** of Lease agreements for Najer, Stevenson Insurance Agency, and YMCA
8. Authorize Highway Superintendent to Post Weight Limits on Town Roads
  9. Authorize The Town of Chester Municipal Center as the official polling location.
  10. Authorize the Supervisor to apply for an extension for filing 2022 AUD
  11. Authorize the use of the Town Hall front lawn by the Chestertown Farmers Market
  12. Authorize the Supervisor to Apply for the Adirondack Foundation Generous Acts Grant.
  13. Re-Appoint Paul Little to the Planning Board
  14. Re-Appoint Barbara Kearney to the Zoning Board of Appeals
  15. Re-Appoint Bryan Bilfield to the Town Zoning Board of Appeals as alternate
  16. Appoint Derrick Helms as EMS Liaison
  17. Approve Transfer Station Price List
  18. Approve North Warren Chamber of Commerce Occ Tax Application
  19. Discussion on a tax exemption for volunteer firefighters
  20. Authorize payments of Abstracts

**Resolutions:**

1. **ACCEPT THE MINUTES FROM THE DECEMBER 13, 2022 REGULAR TOWN BOARD MEETING, DECEMBER 21, 2022 HIGHWAY GARAGE INFORMATIONAL MEETING, AND DECEMBER 29, 2022 SPECIAL TOWN BOARD MEETING**  
**RESOLVED**, to Accept the minutes from the December 13, 2022 Regular Town Board Meeting, December 21, 2022 Highway Garage Informational Meeting, and December 29, 2022 Special Town Board Meeting.
  
2. **APPROVE SEPTIC VARIANCE APPLICATION #SV2022-08 FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 133 EAST SHORE DRIVE, IDENTIFIED BY TAX MAP PARCEL #: 69.14-1-11**  
**WHEREAS**, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on October 11, 2022 regarding the Septic Variance #SV2022-08 for Tom and Linda Thorsen, 133 East Shore Drive, identified by Tax Map Parcel #: 69.14-1-11, and  
**WHEREAS**, according to Section 5.060 — Variances of the Town of Chester On-Site Wastewater Treatment Local Law the Local Board of Health may vary or adapt the strict application of any of the requirements of this Ordinance in the case whereby such strict application would result in unnecessary hardship that would deprive the owner of the reasonable use of the land involved, and  
**WHEREAS**, no variance in the strict application of any provision of the Ordinance shall be granted by the Local Board of Health unless it shall find the following criteria applicable:  
**BE IT RESOLVED**, the Local Board of Health finds that:

- a) That there are special circumstances or conditions applying to such land and that such circumstances or conditions are such that strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land;
- b) That the variance would not be materially detrimental to the purposes and objectives of this Ordinance, or to other adjoining properties, or otherwise conflict with the purpose or objectives of any plan or policy of the Town;
- c) That the granting of the variance is necessary for the reasonable use of the land and that the variance, as granted by the Local Board of Health, is the minimum variance which would alleviate the specific unnecessary hardship found by the Local Board of Health to affect the applicant;
- d) The septic wastewater system for a, identified by Tax Map #: 69.14-1-11 as designed and presented by Bret Winchip, Winchip Engineering PC (Site Plan dated 11-21-2022) to be the minimum allowable variance to the Town's On-Site Wastewater Treatment Local Law based on site conditions, lot size, and potential impact to adjacent private property and common natural resources;

**BE IT FURTHER RESOLVED**, the Local Board of Health grants the following variances listed in the table below:

<b>Thorsen SV2022-08</b>							
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%

**3. Short-Term Rentals**

**4. Highway Garage**

**5. Carl Turner Road**

**6. Loonie/Wen Septic Variance #2020-03 – Tabled at request of applicant until further notice**

**7. AUTHORIZE SUPERVISOR LEGGETT TO SIGN THE FOLLOWING YEARLY CONTRACTS, AGREEMENTS AND PROFESSIONAL SERVICE AGREEMENTS FOR 2023 WHEN IN A FORM ACCEPTABLE TO THE ATTORNEY FOR THE TOWN**

**WHEREAS**, there are contracts and agreements that need to be signed annually,

**BE IT RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the following yearly contracts, agreements, leases and professional service agreements when in form acceptable to the Attorney for the Town:

- Cedarwood Engineering, Engineering for the Town
- Miller, Mannix, Schachner and Hafner, Attorney for the Town
- Loon Lake Park District Association for Management Oversight
- Mountain Medical Services, for CDL drug testing
- Glens Falls Animal Hospital
- Chester Horicon Health Center Operations and Maintenance Agreement
- Renewal of Agreements with Turning Leaf Counseling
- JGS Recycling and Hauling
- Plan It Waste, for metal recycling
- Ace Carting, dumpster Town Hall

- Warren County Solid Waste and Recyclable Processing IMA
- Warren County Combating Aquatic Invasive Species IMA
- Warren County Local Tourism Promotion and Development IMA
- Town of Hague for use of Chester Animal Shelter
- Town of Horicon for use of Chester Animal Shelter
- Town of Chester Senior Adult Community Center
- Friends Lake Aquatic Control District Agreement
- Williamson Law, Accounting and Payroll
- Adirondack Park Local Review Board
- Auction International, Inc

8. **AUTHORIZE TOWN CLERK TO ADVERTISE FOR POSTING OF WEIGHT LIMITS ON TOWN ROADS AND AUTHORIZE HIGHWAY SUPERINTENDENT TO POST WEIGHT LIMITS ON TOWN ROADS WHEN DEEMED APPROPRIATE**

**WHEREAS**, is it necessary to limit the weight of vehicles on Town roads during periods of spring thaw to avoid damage to the roads,

**BE IT RESOLVED**, the Town Clerk is authorized to advertise for posting of weight limits on Town Roads and the Highway Superintendent is authorized to post roads for weight restrictions when deemed appropriate.

9. **AUTHORIZE THE TOWN OF CHESTER MUNICIPAL CENTER AS THE OFFICIAL POLLING PLACE IN THE TOWN OF CHESTER**

**WHEREAS**, the Town of Chester is required to designate an official polling place each year, and

**BE IT RESOLVED**, the Town authorizes the Town of Chester Municipal Center at 6307 State Route 9, Chestertown as the official polling place in the Town of Chester.

10. **AUTHORIZE THE TOWN SUPERVISOR TO APPLY FOR A 60-DAY EXTENSION FOR FILING OF AUD FOR 2022**

**WHEREAS**, the Town is required to submit an Annual Update Document to the NYS Office of the State Comptroller within 60 days of year end, and

**WHEREAS**, the Town may receive an extension of 60 days to submit the AUD, and

**WHEREAS**, historically the Town has needed the extra time to prepare and submit the AUD,

**BE IT RESOLVED**, Supervisor Leggett is authorized to request from the OSC a 60-day extension to submit the AUD for 2022.

11. **GRANT PERMISSION TO THE CHESTERTOWN FARMERS MARKET TO USE THE FRONT LAWN OF THE TOWN HALL EACH WEDNESDAY FROM JUNE THROUGH SEPTEMBER 2023**

**WHEREAS**, the Chestertown Farmers Market has used the front lawn of the Town Hall since 2012 with great success and safety, and

**WHEREAS**, the Farmers Market request permission to use the front lawn for the weekly Farmers Market in 2022 - their 11th season,

**BE IT RESOLVED**, the Town Board grants permission to the Chestertown Farmers Market to use the front lawn of the Town Hall each Wednesday from June through September 2023.

**12. AUTHORIZE SUPERVISOR TO APPLY FOR GENEROUS ACT GRANT**

**WHEREAS**, the Adirondack Foundation Generous Acts 2023 funding round is now open, and

**WHEREAS**, the Town has successfully applied for this grant in the past to fund worthy community-building projects, such as the refinishing of the gymnasium floors,

**BE IT RESOLVED**, the Town Board authorizes Supervisor Leggett to apply for a Generous Act Grant yet to be determined and at no cost to the Town, and

**BE IT FURTHER RESOLVED**, that the Supervisor will inform the Town Board of the project and project amount before submitting the application.

**13. REAPPOINT PAUL LITTLE TO THE PLANNING BOARD**

**WHEREAS**, Paul Little has served on the Planning Board since May of 1980, and

**WHEREAS**, Paul Little's term of appointment expired on December 31, 2022,

**BE IT RESOLVED**, the Town Board reappoints Paul Little to the Planning Board for a seven-year term expiring December 31, 2029, and

**BE IT FURTHER RESOLVED**, the Town Board directs Mr. Little to take the oath of office with the Town Clerk within 30 days of his appointment.

**14. REAPPOINT BARBARA KEARNEY TO THE ZONING BOARD OF APPEALS**

**WHEREAS**, Barbara Kearney has served on the Zoning Board of Appeals for the last years. And

**WHEREAS**, Barbara Kearney's term of appointment expired on December 31, 2022,

**BE IT RESOLVED**, the Town Board reappoints Barbara Kearney to the Zoning Board of Appeals for a five-year term expiring December 31, 2027, and

**BE IT FURTHER RESOLVED**, the Town Board directs Barbara Kearney to take the oath of office with the Town Clerk within 30 days of his appointment.

**15. REAPPOINT BRYAN BILFIELD TO THE ZONING BOARD OF APPEALS AS ALTERNATE**

**WHEREAS**, Bryan Bilfield has served as an alternate to the Zoning Board of Appeals for the last year,

**BE IT RESOLVED**, the Town Board reappoints Bryan Bilfield as alternate on the Zoning Board of Appeals expiring December 31, 2023, and

**BE IT FURTHER RESOLVED**, the Town Board directs Dr. Bilfield to take the oath of office with the Town Clerk within 30 days of his appointment.

**16. APPOINT DERRICK HELMS AS NORTH WARREN EMS LIAISON**

**WHEREAS**, the Town of Chester is seeking an individual to act as liaison between the North Warren EMS and the Town of Chester, and

**WHEREAS**, Derrick Helms has emailed a letter of interest,

**BE IT RESOLVED**, the Town Board appoints Derrick Helms as the North Warren EMS Liaison.

**17. APPROVE CHANGES TO THE TRANSFER STATION PRICE LIST**

**WHEREAS**, the bid for tires has increased,

**BE IT RESOLVED**, the Town Board approves changes to the Transfer Station Price List.

**18. APPROVE THE APPROPRIATION OF \$1,750 FOR THE NORTH WARREN CHAMBER OF COMMERCE 2023 KRAZY DOWNHILL DERBY**

**WHEREAS**, North Warren Chamber of Commerce has submitted a request for Occupancy Tax for the 2023 Krazy Downhill Derby, February 25, 2023,

**BE IT RESOLVED**, the Town Board approves the appropriation of \$1,750 for the North Warren Chamber of Commerce 2023 Krazy Downhill Derby.

**19. Tax Exemption for Volunteer Firefighters**

**20. ACCEPT BOTH ABSTRACTS OF AUDITED VOUCHERS AND AUTHORIZES PAYMENT**

**WHEREAS**, the Town Clerk has entered the vouchers and created Abstract No. 16 of 2022 and Abstract No. 1 of 2023 of Audited Vouchers, and

**WHEREAS**, the Town Board has reviewed the Abstracts,

**BE IT RESOLVED**, the Town Board accepts both Abstracts of Audited Vouchers and authorizes payment as presented.

***No. 16 of 2022***	
General A	\$45,684.27
Highway DA	\$30,633.19
Library L	\$1,388.33



Loon Lake SP	\$110.00
Total	\$77,815.79

***No. 1 of 2023***	
General A	\$13,354.19
Highway DA	\$3,860.20
Chestertown Water SW1	\$511.87
Pottersville Water SW2	\$170.63
Other TA	\$77.50
Total	\$17,974.39