

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 and Attorney for the Town, Mark Schachner.

Supervisor Leggett opened the Town Board Meeting at 7:03 pm with the Pledge of Allegiance.

Whitman Septic Public Hearing:

Supervisor Leggett opened the Public Hearing with the Town Board acting as the Local Board of Health in the matter of **Paul and Eileen Whitman Septic System Variance** #**SV2018-02**, for property located at 625 Atateka Drive, Tax Map #: 102.19-1-15 at 7:04 pm.

Tom Hutchins from Hutchins Engineering represented Mr. and Mrs. Whitman. Mr. Hutchins explained that the current septic system is no longer functional and they are looking to install a new system. The only well affected is the owner's well which has more than 80' of casing and is grouted into bedrock and then is over 500' into the rock. Mr. Hutchins stated that Cedarwood Engineering, Engineer for the Town recommended adding an ultraviolet disinfection unit on the water supply to the house as an extra measure of protection and his client has no issues with doing that. Supervisor Leggett asked the audience if there were any questions. There were no questions. Mr. Turcotte asked if the basement was finished and if there would be a geo-liner. Mr. Hutchins replied that he was not sure if the basement was going to be living space however there would be a new foundation. Jill Broderick asked if this was going to be a convention septic system. Mr. Hutchins stated that it was going to be a 1,000 gallon tank with an absorption bed.

Supervisor Leggett **closed** the Public Hearing in the matter of Paul and Eileen Whitman Septic System Variance #SV2018-02 at 7:12 pm.

Tax Levy Limit Override Public Hearing:

Supervisor Leggett stated that it was not needed at this time because the Town will be under the tax cap.

Property Maintenance/Blight Local Law Public Hearing:

Supervisor Leggett opened the Public Hearing on the proposed **Property Maintenance/Blight Local Law** at 7:13 pm and asked the audience if there were any questions or comments.

Rand Fosdick started out with grammatical suggestions and said that the definition of the word "blight" should be included, asked for the Town to be more specific and then he asked the Board if the Town really needs this Law. Pat Powers asked how this would affect the Town property issues. Tom Thorsen stated that the Law will help the Town with the ability to follow up. Pat asked if this was going to change the existing Zoning Laws. The Attorney for the Town stated that if the Law was adopted it would be a standalone local law that could carry fines and be held up in Town Court or even the Warren County Supreme Court if necessary. Jill Broderick feels that a lot of the proposed local law is taken care of by the Board of Health and asked why this was not under the Zoning Laws. Supervisor Leggett replied that it is less cumbersome to pass a local law. Kathy Bilfield stated concerns about developers ripping apart property and leaving it for long periods of time. Mr. Turcotte would like to see an order for a potential emergency.

Supervisor Leggett **closed** the Public Hearing in the matter of the proposed Property Maintenance/Blight Local Law at 7:13 pm.

Regular Meeting:

Supervisor Leggett opened the Regular Town Board Meeting at 7:33 pm.

RESOLUTION NO. 193 OF 2018: ACCEPT THE MINUTES OF THE REGULAR MEETING OCTOBER 9, 2018, PRELIMINARY BUDGET HEARING OCTOBER 30, 2018 AND BUDGET WORKSHOP NOVEMBER 6, 2018

RESOLVED, to accept the minutes of the Regular Meeting October 9, 2018, Preliminary Budget Hearing October 30, 2018 and Budget Workshop November 6, 2018 as presented.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 193 of 2018 was **ADOPTED**.

AYE 5 NO 0

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:33 pm.

Mr. Durkish reported that the Library Summer Program was very successful and they are looking into a grant to fix the air conditioning in the library.

Town Clerk reported the following were enclosed in the Board packets:

- Town Board Minutes for October 9, October 30, 2018 and November 6, 2018
- Supervisor's Monthly Cash Report as of October 31, 2018
- Audited Abstract for November 13, 2018
- Zoning Administrator Activity Report for October 2018
- Zoning Enforcement Report for October 2018
- Planning Board Minutes for October 15, 2018
- Zoning Board of Appeals Minutes for October 23, 2018
- Youth Commission Minutes for November 6, 2018
- Assessor's Report for November 2018
- Animal Control Report October 2018
- Corrected 2018 Water Warrant
- Town Clerk Monthly Report for October 2018

Town Clerk reported the office has received the following communication:

- Thank you letter to the Chester Town Court from Menachem Igel for returning his prayer book
- Thank you letter from Hudson Headwater Health Network for the exterior renovation work
- Aqualogic harvest reports from August 20th to October 15th

Supervisor Leggett reported the following:

- Aaron Frankenfeld from AGFTC (Adirondack Glens Falls Transportation Council) looked at Loon Lake Beach and stated that they were unable to identify a pattern to suggest a safety issue and did not pursue any further analysis
- Loon Lake milfoil is down from last year
- Loon Lake boat counts are available
- Health Center is back in operation
- Gambles Beach well has been installed and they will be testing water quality soon

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Supervisor Leggett closed Committee Reports at 7:39 pm.

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 7:39 pm.

Mary Clark asked if there were going to be more meetings scheduled in Pottersville. Supervisor Leggett replied that would be taken care of at the Organizational Meeting in January. Mary asked about the Pottersville basketball court lights. Brett Hitchcock replied that they are wired and waiting for inspection so then the meter can be installed.

Kathy Bilfield stated that the noise on Schroon Lake from Word of Life (WOL) is too loud and the sound carries on the Lake. The rodeo, jubilee and soccer are way too loud and they are intending to expand. Elinor Muller lives across from WOL and has no problem with the noise. Ross Schoembs stated that for every person who does not have a problem with the noise he could bring you ten neighbors that do. Ross said that WOL is in violation for the Town Noise Ordinance and the Board should address this. Roger Peace, President of the WOL Bible Institute, spoke about the prior comments: WOL tries their hardest to be good community members; the Rodeo is free to the community and was moved from the afternoon to the evening at the request of the public and WOL has purchased new speakers to direct the sound to a specific space; the jubilee sold 2,800 tickets last year and ran 2 days from 11 am to 10 pm. Mr. Peace said that the College has been there since 1971. At the Town's request they installed a walkway for the students and the concert has no reflection on the building that WOL is looking to build. Ross Schoembs stated that the concert should not be held, that it is not a venue for a Christian rock concert and asked if the Town could survey people who are directly impacted by the concert event. Supervisor Leggett reminded the audience that the Board is there to listen during Privilege of the Floor and usually do not take action. Elinor Mueller stated that they have built a new cafeteria and they have not heard any new noise and that the noise from day to day life has not changed. Kathy Bilfield said they are good neighbors; however, people should not have to lose a whole weekend for a jubilee. Supervisor Leggett thanked everyone for their input.

David Gross, NWEMS Representative and Acting Chairman, reported in the operations report for Warren County, that there were 44 calls. Of those calls 29 were Chester, 9 were Horizon and 6 were mutual aid. EMS now has an ALS Intercept Agreement with Schroon Lake to recoup some the funds and are working on how to bill. EMS needs a board member; please send a letter of intent and resume. David spoke about removing an ambulance, the "Blue Bird", from the fleet.

Supervisor Leggett closed Privilege of the Floor at 8:10 pm.

Opening Bids:

Supervisor Leggett authorized the Town Clerk to open the bids at 8:10 pm.

Fuel Bid:

Town Clerk received one **Fuel Bid** from Buckman's Family Fuel for a markup of 22¢ per gallon for fuel oil, kerosene and diesel, and a markup of 18¢ per gallon for fuel oil for the Town Hall only and agrees to have a qualified service person available for emergency service upon a two hour notice.

RESOLUTION NO. 194 OF 2018: ACCEPT FUEL BID FROM BUCKMAN'S FAMILY FUEL

WHEREAS, the Town Board has received one bid for fuel from Buckman's Family Fuel for a markup of 22¢ per gallon for fuel oil, kerosene and diesel, markup of 18¢ per gallon for fuel oil for the Town Hall only and agree to have a qualified service person available for emergency service upon a two hour notice, **BE IT RESOLVED**, the Town Board accepts the Fuel Bid from Buckman's Family Fuel.

On a motion by Mr. Packer, seconded by Mr. Durkish, Resolution No. 194 of 2018 was ADOPTED.

AYE 5 NO 0

Hardwood Pellet Bid:

Town Clerk received one **Hardwood Pellet Bid** from Vincent's Heating & Fuel Service LLC for \$245 per ton, delivered to the silo on site in the amount of 9 ton one delivery.

RESOLUTION NO. 195 OF 2018: ACCEPT HARDWOOD PELLET BID FROM VINCENT'S HEATING & FUEL SERVICE LLC

WHEREAS, the Town Board Received one bid for hardwood pellets, and

WHEREAS, Vincent's Heating & Fuel Service LLC submitted the lowest bid for \$245 per ton for a max delivery load of 9 ton,

BE IT RESOLVED, the Town Board accepts the bid from Vincent's Heating & Fuel Service LLC. On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 195 of 2018 was **ADOPTED**.

AYE 5 NO

Town Clerk stated that she received a sealed bid for the 2003 Ford F250 that was put out to bid in September of 2017 and the highest bidder never came though and the other bidder was notified and was not interest.

RESOLUTION NO. 196 OF 2018: AUTHORIZE CLERK ADVERTISE FOR BIDS FOR 2003 F250 PICKUP TRUCK

RESOLVED, the Town Board authorizes the Town Clerk to advertise for bids for the sale of 2003 Ford F250 pickup and all sealed bids to be opened at the December 11, 2018 regular Town Board meeting. On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 196 of 2018 was **ADOPTED**.

AYE 5 NO 0

New Business:

Supervisor Leggett opened New Business at 8:16 pm.

RESOLUTION NO. 197 OF 2018: APPROVE WHITMAN SEPTIC VARIANCE #SV2018-02

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing regarding the Septic Variance Application #SV2018-02 for property located at 625 Atateka Drive, NY, Tax Map #120.19-1-15, 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 all 3 listed criteria applicable,

BE IT RESOLVED, the Town Board acting as the Local Board of Health finds the septic variance application meets the following criteria:

- a) That there are special circumstances or conditions, fully described in the findings of the Local Board of Health, 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, for reasons fully set forth in the findings of the Local Board of Health, 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.

Setback Schedule Whitman					
Setback	Proposed Distance (ft)	Required Distance (ft)	Relief Requested (ft)		
Absorption Field to Well	80	100	20		
Absorption Field to Building	13.6	20	6.4		
Septic Tank to Building	4.8	10	5.2		

BE IT FURTHER RESOLVED, the Local Board of Health finds the septic system located at 625 Atateka Drive, Chestertown, NY as designed and presented by Hutchins Engineering, and reviewed by Cedarwood Engineering on behalf of the Town, 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 resource (Friends Lake).

On a motion by Supervisor Leggett, seconded by Mr. Packer, Resolution No. 197 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 198 OF 2018: ADOPT 2019 BUDGET AS AMENDED

WHEREAS, the Town Board has received, considered in public hearings, and has made changes to the Preliminary 2019 Town Budget, and

WHEREAS, the Budget Officer has incorporated those changes and has provided the Town Board with a Final 2019 Town Budget, and

WHEREAS, the Final 2019 Town Budget will not exceed the Tax Cap as set by NYS,

BE IT RESOLVED, the Town Board does hereby accept the Final 2019 Town Budget as presented. On a motion by Mr. Durkish, seconded by Mrs. DuRose, Resolution No. 198 of 2018 was **ADOPTED**.

Councilman Durkish AYE
Councilman Turcotte AYE
Councilman Packer AYE
Councilwoman DuRose AYE
Supervisor Leggett AYE

RESOLUTION NO. 199 OF 2018: SET A PUBLIC HEARING DATE OF DECEMBER 11, 2018 AT 7 P.M. REGARDING CONTRACTS WITH THE LISTED CONTRACTORS.

WHEREAS, the Town Board is required to hold a public hearing regarding contracts with North Warren Chamber of Commerce, North Warren Emergency Squad, Chestertown Fire District, North Creek Fire District, and Riverside Volunteer Fire Company,

BE IT RESOLVED, the Town Board sets a public hearing date of December 11, 2018 at 7 p.m. regarding contracts with the above listed contractors.

On a motion by Mr. Durkish, seconded by Mr. Turcotte, Resolution No. 199 of 2018 was **ADOPTED**.

AYE 5 NO 0

<u>RESOLUTION NO. 200 OF 2018: AUTHORIZE TO ADVERTISE FOR THE ZONING BOARD SECRETARY POSITION</u>

WHEREAS, the Town Board has accepted the resignation of the Zoning Board Secretary at the October 9, 2018 Town Board Meeting leaving a vacancy, and

WHEREAS, the Town Board needs to fill the vacancy,

BE IT RESOLVED, the Town Board authorizes to advertise for the Zoning Board Secretary position. On a motion by Mr. Packer, seconded by Mr. Durkish, Resolution No. 200 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 201 OF 2018: AUTHORIZE THE SUPERVISOR TO SIGN THE LEASE AGREEMENT WITH NORTH WARREN CENTRAL SCHOOL FOR THE WINTER WALKING PROGRAM

WHEREAS, the North Warren Central School has offered to the public use of the NWCS building at designated times for a Winter Walking Program,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the Lease Agreement with North Warren Central School for the Winter Walking Program.

On a motion by Mrs. DuRose, seconded by Mr. Durkish, Resolution No. 201 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 202 OF 2018: AUTHORIZE THE ADVERTISING FOR THE POSITION OF A FULL TIME BOOKKEEPER

WHEREAS, there will be a need to fill a full and/or part time position as Bookkeeper for the Town of Chester in 2019.

BE IT RESOLVED, the Town Board authorizes the advertising for the position of full time Bookkeeper. On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 202 of 2018 was **ADOPTED**.

AYE 5 NO

RESOLUTION NO. 203 OF 2018: SET A PUBLIC MEETING FOR THE TRAIL LINKAGE PLAN

WHEREAS, the Chestertown-Pottersville Trail Linkage Plan, as prepared by The LA Group, requires a public hearing,

BE IT RESOLVED, the Town Board sets a public meeting for December 11, 2018 at 7 p.m. for the Trail Linkage Plan.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 203 of 2018 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 204 OF 2018: AUTHORIZE TO ADVERTISE FOR SENIOR TRANSPORTATION

WHEREAS, there is a need for Senior Transportation within the Town of Chester,

BE IT RESOLVED, the Town Board authorizes to advertise for Senior Transportation.

On a motion by Mr. Packer, seconded Mrs. DuRose, Resolution No. 204 of 2018 was ADOPTED.

AYE 5 NO 0

RESOLUTION NO. 205 OF 2018: AUTHORIZE SUPERVISOR TO SEND LETTERS OF INTENT TO NORTRAX FOR THE SKID-STEER AND TRACEY RD. EQUIPMENT FOR THE TANDEM DUMP TRUCK

WHEREAS, the Final 2019 Budget has appropriations for the purchase of a tandem dump truck for the Highway Department and a Skid-steer loader for Parks & Recreation, and

WHEREAS, in order to ensure timeliness of purchase and receipt of said equipment,

BE IT RESOLVED, the Supervisor is authorized to send Letters of Intent to Nortrax for the Skid-steer and Tracey Rd. Equipment for the tandem dump truck.

On a motion by Mr. Turcotte, seconded Mr. Durkish, Resolution No. 204 of 2018 was **ADOPTED**. AYE 5 NO 0

RESOLUTION NO. 206 OF 2018: APPROVE THE 2018 BUDGET AMENDMENTS

RESOLVED, the Town Board approved the following 2018 Budget amendments:

Amending '	2018 Budget: (General Fun	d 11-13-18	
Amending	LOIO Dauget.	Budget		mendments
ITEM	CODE#	FY 2018		
	A1113			Decrease
Hotel Occupancy Tax TOTAL REVENUE	A1113	\$46,000	\$6,000	0
TOTAL REVENUE		Dudget	\$6,000	0
17514	60DF #	Budget		n Amendments
ITEM	CODE #	FY 2018	Decrease	Increase
PubTourism Promotion	A6410.41	\$21,050		\$6,000
TOTAL APPROPRIATIONS				\$6,000
SUPPLEMENTAL A	PPROPRIATIO		AL FUND 11-13-	·18
GENERAL FUND - "A"		Budget		
ITEM	CODE #	FY 2018	Increase	Decrease
Personal Services:	A1220.11	\$22,000	\$3,000	
Bookkeeper	A1220.11	\$22,900	\$5,000	¢700
Personel: Safety Trainer		\$700		\$700
Med Center: Maintenance	A4560.1	\$8,500	¢000	\$1,000
Mealsite Worker	A46772.1	\$5,610	\$900	
Parks: Pers Service	A7110.1	4	\$13,000	4
Parks: Boat Wash Pers Srv	A7110.12	\$13,464		\$2,060
Dyn Hill: Personal Services	A7140.11	\$32,000		\$6,000
Beach: Personal Services	A7140.11			\$3,800
Srve/Enrichment: Wages	A7310.11	\$0	\$650	
Recreation: Personal Services	A7310.1	\$2,500		\$650
Personal Services: Administrator	A8010.1	\$17,836	\$9,500	
Personal Services: Clerk	A8010.11	\$23,868		\$9,500
Planning: Sec/Clerk	A8020.11	\$1,500		\$500
Sanitation: Pers Services	A8160.1	\$114,000		\$840
Cmmnty Beaut: Pers Services	A8510.1	\$2,000		\$2,000
SUBTOTAL			\$27,050	\$27,050
Supervisor: Contractual	A1220.4	\$9,000	\$900	-
Contingent Account	A1990.4	\$20,000		\$20,000
Safety Inspect: Contractual	A3620.4	\$150		\$150

Med Center: Maintenance	A4560.4	\$14,000		\$7,000
Publicity: Tourism Promotion	A6410.41	\$21,050		\$10,000
Publicity: Snowmobile Club	A6410.499Z	\$0	\$10,000	
Mealsite: Propane	A6772.42	\$1,000	\$300	
50+ Club: Recreation	A6772.41	\$1,200		\$850
Food Pantry	A6989.41	\$800	\$450	
Parks: Contractual	A7110.4	\$46,000		\$1,000
Historian: Contractual	A7510.4	\$800	\$320	
Zoning Legal	A8010.41	\$2,000		\$1,700
Planning Legal	A8020.41	\$2,000		\$2,000
Cmnty Beaut: Contractual	A8510.4	\$5,000		\$5,000
SUBTOTAL			\$11,970	\$47,700
Med Center: Capital Outlay	A4560.2	\$1,000	\$38,000	
Highway Garage	A5132.2	\$1,000	\$16,930	
Highway Garage	A5132.21			\$16,500
Dyn Hill Equipment	A7140.2	\$1,000		
Beach: Equipments	A7140.21	\$500		\$500
Pvl B'ball Court	A7140.23	\$2,000		\$2,000
Historian	A7510.4	\$300		\$200
SUBTOTAL			\$54,930	\$19,200
GRAND TOTAL			\$93,950	\$93,950

SUPPLEMENTAL APPRPOPRIATIONS: HIGHWAY FUND 11-13-18						
HHIGHWAY FUND - "DA" Budget						
ITEM	CODE #	FY 2018	Increase	Decrease		
General Repairs: Pers Service	DA5110.1	\$290,000	\$6,120			
Machinery: Pers Service	DA5130.1	\$48,379	\$2,000			
Snow Removal: Pers Service	DA5142.1	\$191,400		\$5,360		
Serv to Other Gv't: Pers Serv	DA548.1	\$98,600		\$2,760		
GRAND TOTAL			\$8,120	\$8,120		

SUPPLEMENTAL APPRPOPRIATIONS: POTTERVILLE WATER 11-13-18					
POTTERSVILLE WATER - "PW"		Budget			
ITEM	CODE#	FY 2018	Increase	Decrease	
Pers Service: Ass't Water					
Super	PW8310.11	\$600	\$400		
Pumphouse: Equipment	PW8320.2	\$30,000		\$20,550	
Pumphouse: Contractual	PW8320.4	\$10,000	\$20,000		
Water Treatment Equip	PW8320.22	\$10,000		\$5,000	
Purification: Contractual	PW833.4	\$4,000	\$1,200		

Distribution: Pers Service	PW8340.1	\$300	\$1,450	
Distribution: Contractual	PW8340.4	\$1,000	\$2,500	
GRAND TOTAL			\$25,550	\$25,550

SUPPLEMENTAL APPRPOPRIATIONS: CHESTER WATER 11-13-18						
CHESTER WATER "CW" Budget						
CODE #	FY 2018	Increase	Decrease			
CW8340.2	\$13,990		\$2,500			
CW8340.4	\$700	\$2,500				
		\$2,500	\$2,500			
	CODE # CW8340.2	Budget CODE # FY 2018 CW8340.2 \$13,990	Budget CODE # FY 2018 Increase CW8340.2 \$13,990 CW8340.4 \$700 \$2,500			

SUPPLEMENTAL APPRPOPRIATIONS: LOON LAKE PARK DIST 11-13-18						
LOON LAKE PARK DIST "SP" Budget						
ITEM	CODE #	FY 2018	Increase	Decrease		
Boat Wash: Pers Serv	SP7110.1	\$14,000	\$2,305			
Lake Const: Pers Serv	SP7110.11	\$3,000		\$2,430		
Soc Sec & Medi	SP9030.8	\$1,090	\$125			
GRAND TOTAL			\$2,430	\$2,430		

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 206 of 2018 was **ADOPTED**. AYE 5 NO 0

RESOLUTION NO. 207 OF 2018: AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, the Town Board accepts the Abstract of Claims and accounting requirements.

General A	\$64,017.45	473-538
Highway DA	\$25,017.86	268-305
Chestertown Water CW	\$273.19	55-59
Pottersville Water PW	\$1,810.48	48-51
Loon Lake Park District SP	\$135.00	23-26
Library L	\$693.25	39-40
Schroon Lake Park District SX	\$350.00	8-8

On a motion by	Mrs. DuRose,	seconded b	y Mr.	Durkish,	Resolution	No. 207	of 201	18 was <i>A</i>	MOD	TED.
						AY	E 5	N	O	0

On a motion by Supervisor Leggett, seconded by Mr. Packer, meeting ac	ljourned	l at 8:4	45 pm.	
	AYE	5	NO	0

Respectfully submitted,		
Town Clerk	_	