



Town Board Regular Meeting May 9, 2023

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

Regular Meeting:

Supervisor Leggett **opened** the Regular Town Board Meeting at 7:01 pm with the Pledge of Allegiance led by Councilperson Turcotte.

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. 5
- Town Board Minutes for the Regular Meeting April 11, 2023
- Planning Board Minutes for April 17, 2023
- Zoning Board of Appeals Minutes for April 26, 2023
- Assessors Report for May 2023
- Animal Control Report for April 2023
- Town Clerk Monthly Report for April 2023
- Town Court Report dated May 1, 2023
- North Warren EMS Report for March 2023
- Letter from the Library Board of Trustees appointing Mary Stein
- Zoning Administrator's Activity Report of April 2023
- Communications Report for May 2023
- Youth Commission Report for April 2023
- Letter from Adirondack Marathon asking for a letter of support

Town Board Reports:

Mr. Aiken said that he met with Supervisor Leggett, Highway Superintendent Monroe, and engineers at the Loon Lake Dam, attended a highway garage meeting, and attended a meeting with Hudson Headwaters and Small Tales Daycare for check presentation.

Mr. Packer reported that he didn't do too much.

Mrs. DuRose attended the Historical Society Meeting with the area Societies to discuss joint issues and upcoming programs, along with Supervisor Leggett conducted an exit interview with Jessica Leerkes, attended the Zoning Board Meeting via Zoom, had several discussions on removal of the fountain in Pottersville, and told the landowner that the Town removed the fountain as a gesture of goodwill.

Larry Turcotte did a lot of information gathering and meetings about the Loon Lake Dam and ‘Byrd’ or ‘Bird’ Pond Road.

Supervisor’s Report:

Since the April 11th Town Board meeting:

- Attended a Northern Forest Center Advisory Group meeting on the 12th
- Held a bi-weekly team meeting on Monday the 17th
- Attended the NY Planning Federation Awards Luncheon in Saratoga on Monday the 17th
- Attended the monthly Warren-Washington IDA meeting on Monday the 17th
- Met the DEC Dam Safety Team at LL Dam on Tuesday the 18th. This started an involved process with GZA Engineering, Grouttech, DEC, LLPDA, and Highway to repair seepage and has delayed the installation of the flashboards. Hope to have approval from the DEC on Wednesday, May 10th.
- Held an exit interview with Jessica Leerkes on Tuesday the 18th
- Discussed housing program and funding options with Ethan Gaddy, Warren County Planning on the 19th
- Met with Friends of the Library and staked out kiosks for the Storybook Trail at Dynamite Hill on the 21st
- Met with potential respondents to the Highway Garage RFP on Monday the 24th
- Got grout contractor set up for prep work on the LL Dam on Tuesday the 25th
- Met with Reps from HHHN to accept their \$7,500 grant funding for establishing childcare here with a grant that Marion Eagan had written
- Attended the APA Planning Forum Day in Saranac Lake with Planning Board Member John Nick on the 27th
- Met with Maxwell Appraisal, Assessor Klingler and Town Clerk regarding the reval schedule on Fri the 28th
- Held bi-weekly team meeting on Monday, May 1st
- Met with reps from Selective Insurance and showed them town facilities for their update on Tues the 2nd
- Met with the outgoing and incoming Senior Center presidents on Weds the 3rd
- Met with Pickleball contingent to discuss court expansion and their assistance on Weds the 3rd
- Attended County committee meetings on Thurs the 4th
- Attended the SUNY ADK ribbon cutting for their new sports fields on the 4th
- Attended a joint Warren-Washington County committee meeting at SUNY ADK to agree to increasing the counties’ sponsorship contribution to the college
- Attended Adirondack Park day at the State Capitol on Monday May 8th, along with the BOD of the AATV
- Occ Tax distribution was increased, we make almost as much as the City of Glens Falls in Occ Tax

Public Hearing for the proposed “Best Value” Local Law for Purchases and Procurement: Supervisor Leggett **opened** the public hearing for the proposed “Best Value” Local Law for Purchases and Procurement at 7:14 pm.

Supervisor Leggett asked if anyone from the public would like to speak.

Supervisor Leggett asked if anyone on Zoom would like to speak.

Hearing none, Supervisor Leggett **closed** the public hearing for the proposed “Best Value” Local Law for Purchases and Procurement at 7:14 pm.

Privilege of the Floor:

Supervisor Leggett **opened** Privilege of the Floor at 7:15 pm.

Supervisor Leggett asked if there was anyone who would like to speak.

Hearing none, Supervisor Leggett **closed** Privilege of the Floor at 7:15 pm.

Old Business:

Supervisor Leggett **opened** Old Business at 7:15 pm.

RESOLUTION NO. 76 OF 2023: ACCEPT THE MINUTES FROM THE APRIL 11, 2023 REGULAR TOWN BOARD MEETING

RESOLVED, to accept the minutes from the April 11, 2023 Regular Town Board Meeting as presented.

On a motion by Councilperson DuRose, seconded by Councilperson Aiken, Resolution No. 76 of 2023 was **ADOPTED**.

AYE 5 NO 0

Short-Term Rental:

Supervisor Leggett said that the proposed Short-Term Rental Local Law public hearing is set for May 30, 2023 at 7 pm.

Highway Garage:

Supervisor Leggett commented that we have engineering firms requesting the RFP.

North Creek Fire District / North Creek Fire Protection District Consolidation:

Supervisor Leggett said that there was nothing to update.

Pottersville Water District Study:

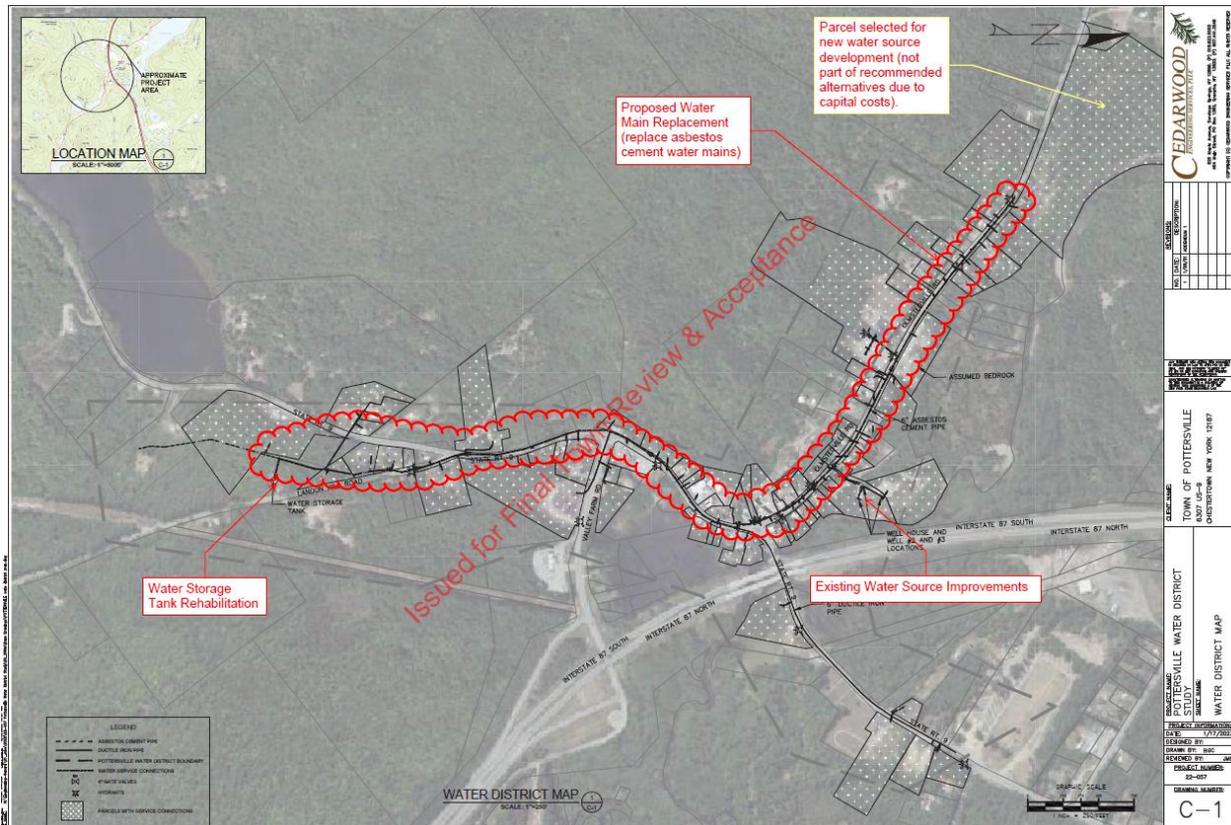
Supervisor Leggett introduced Jonathan Soukup from Cedarwood Engineering to present the Final Pottersville Water District Study Preliminary Engineering Report.

Jonathan Soukup gave an overview of the project:

Storage:

1. No action

2. Existing Tank Rehabilitation & Upgrades \$600,000
 - Rehabilitation of tank due to existing corrosion (Tnemec epoxy coating or similar on interior and exterior).
 - Would need inspection including evaluation of structural integrity to ensure the tank is a candidate for rehabilitation.
 - Level transducer upgrade.
 - Installation of cathodic protection.
3. Water Storage Tank Replacement



Source & Treatment:

1. No Action
2. Existing Source & Treatment Alternative. \$60,000
 - Autodialer installation (system alarm capabilities)
 - Chain link fencing for wellhead protection.
 - Abandonment of existing well #1.
 - Secondary containment and miscellaneous items
3. Additional Water Source & Treatment Building

Distribution:

1. No action
2. Connection to Chestertown
3. Replacement of AC Pipes: \$4,340,000

- Replacement of All AC Pipes (essentially, everything except Valley Farm and Route 9 from Olmstedville Rd intersection to Glendale Road).
 - Recommend to complete subsurface investigation as soon as you can to determine actual quantities of rock removal needed.
 - Based upon results from hydrant testing/hydraulic analysis, minimum fire flows recommended per ISO are not able to be met by system (500gpm).

Supervisor Leggett asked when a geological study would come into play, during a design build. Jonathan Soukup said typically yes. If you were to move forward with engineering, it would happen during the design stage. This is the planning report stage where they are doing the preliminary engineering report. With this you can submit for funding. Once you secure funding you would progress with the engineering to the design stage and update the estimates.

Councilperson Packer asked how much the water tank was. Jonathan Soukup replied that they estimated \$600,000 for tank rehabilitation. The tank would need to be taken offline. If the rehabilitation is done correctly, it should extend the life of the tank 20 years. Councilperson Packer asked when the tank was installed. Jonathan Soukup replied 1992 and commented that during the last visual inspection when a diver entered the tank in 2011 there was moderate corrosion visible of the tank interior.

Jonathan Soukup said that an inspection is recommended every five (5) years and you really won't know what you are dealing with until an inspection is done to determine the structural integrity of the tank with a qualified diver.

Councilperson Packer asked if they abandoned the Pottersville Water District and drilled everyone a well if it would be cheaper. Jonathan Soukup said he could not speak to that; it would have to go through the Department of Health because it is an established water district and doing something like that may be easier said than done.

Jonathan Soukup commented that a phased implementation financially may be more reasonable with the small user base. They plan for worst case scenario so the estimate might seem high.

Supervisor Leggett asked about the intended use plan, where do they go from here. Jonathan Soukup said that they should take the report and start submitting grant applications and recommends notifying the local Board of Health to get on board and support the project.

Councilperson Aiken asked whose responsibility it was from the main to the house. Jonathan Soukup said they typically do not work outside of the right-of-way which ideally would be the curb stop at the edge of the property.

Councilperson Turcotte asked who the Board gets the rest of the things to move forward with the grant applications. Jonathan Soukup commented that they are happy to help, but he recommends using the County Services as much as you can with grant applications to save on costs.

Supervisor Leggett thanked Jonathan Soukup.

RESOLUTION NO. 77 OF 2023: ACCEPT THE FINAL POTTERSVILLE WATER DISTRICT STUDY PRELIMINARY ENGINEERING REPORT

WHEREAS, Cedarwood Engineering presented the Pottersville Water District Engineering Evaluation Study in a public hearing on April 11, 2023; and

WHEREAS, Cedarwood engineering has presented the Town Board with the Final Pottersville Water District Study Preliminary Engineering Report;

BE IT RESOLVED, the Town Board accepts the Final Report with the addition of the hydrant report from Cedarwood Engineering concerning Pottersville Engineering Study.

On a motion by Councilperson Turcotte, seconded by Councilperson Packer, Resolution No. 77 of 2023 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 78 OF 2023: HIRE RICH KONIG AS LAKE SAFETY OFFICER AND LIFEGUARDS FOR THE 2023 SEASON

WHEREAS, Rich Konig has agreed to come back, and

WHEREAS, the Town is currently reviewing lifeguard applications for the positions at the Loon Lake Public Beach;

BE IT RESOLVED, the Town Board hires Rich Konig as Lake Safety Officer at \$17.68; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Parks and Rec Forman to hire lifeguards at his discretion with approval from the Supervisor for the 2023 season.

On a motion by Councilperson DuRose, seconded by Councilperson Packer, Resolution No. 78 of 2023 was **ADOPTED**.

AYE 5 NO 0

Proposed Local Law Authorizing the Award of Contracts on the Basis of Best Value:

Attorney for the Town, Mark Schachner, wanted to make sure the Board understood the concept. Best value is defined in the State Law as a basis of awarding a contract for services to offerers optimizing quality, cost, and efficiency among responsible offerers. This gives the Board a lot more flexibility in awarding contracts after issuing requests for proposals or bids because you can look past only the cost factor. Some towns develop protocols.

RESOLUTION NO. 79 OF 2023: ADOPT LOCAL LAW NO. 3 OF 2023 A LOCAL LAW AUTHORIZING THE AWARD OF CONTRACTS ON THE BASIS OF BEST VALUE

WHEREAS, a public hearing has been held on May 9, 2023 for a Local Law Authorizing the Award of Contracts on the Basis of Best Value;

BE IT RESOLVED, the Town Board hereby adopts Local Law No. 3 of 2023 Authorizing the Award of Contracts on the Basis of Best Value.

A LOCAL LAW AUTHORIZING THE AWARD OF CONTRACTS ON THE BASIS OF BEST VALUE

BE IT ENACTED by the Chester Town Board as follows:

SECTION 1.

A. Section 103 of New York General Municipal Law (GML 103) requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project.

B. GML 103 has been amended to provide that a Town may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of "best value", as defined in Section 163 of the New York State Finance Law, to a responsive and responsible bidder or offeror, if authorized by Local Law.

C. The Town Board hereby determines that it is in the best interest of the Town and its residents for the Town to have the authority to award contracts on the basis of best value.

SECTION 2.

A. On and after the effective date of this Local Law, the Town may award purchase contracts, including contracts for service work but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the New York Labor Law, on the basis of best value, as defined in Section 163 of the New York State Finance Law, to a responsive and responsible bidder or offeror.

B. The determination to award any such contract on the basis of best value shall be made by the Town Board upon the recommendation of the appropriately involved Town personnel. Such recommendation shall include the specific factors to be applied in determining best value which shall reflect, wherever possible, objective and quantifiable analysis.

C. In the event that no such determination is made, contracts will continue to be awarded to the lowest responsible bidder furnishing the required security as required by GML 103.

SECTION 3. The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

SECTION 4. All Local Laws or ordinances or parts of Local Laws or ordinances in conflict with any part of this Local Law are hereby repealed.

SECTION 5. This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State as provided in New York Municipal Home Rule Law §27.

On a motion by Councilperson Aiken, seconded by Councilperson Turcotte, Resolution No. 79 of 2023 was **ADOPTED**.

Loon Lake Dam:

Supervisor Leggett thanked Patrick Reed from the Loon Lake Park District Association for attending.

Supervisor Leggett commented that with consultation with DEC Dam Safety and GZA Environmental they removed the flash boards to reduce the level of Loon Lake to determine where the water was going and they got approved plans for repair work. The last repair was done in June of 2011. Supervisor Leggett thanked Councilperson Aiken and John Nick for all the assistance. The Dam is fixed as well as it can be.

Supervisor Leggett said that there needs to be about 18 inches of board so that most boats can make it through the coffer dam from the boat launch. So the opening of the boat launch will be delayed until at least May 24th.

RESOLUTION NO. 80 OF 2023: AUTHORIZE SUBMISSION OF LOCAL WATERFRONT REVITALIZATION PROGRAM GRANT BY WARREN COUNTY PLANNING

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 Councilperson Aiken, seconded by Councilperson DuRose, Resolution No. 80 of 2023 was **ADOPTED**.

AYE 5 NO 0

Loon Lake Dam:

Councilperson Turcotte asked about the plan going forward to get the Dam rehabbed. There has been talk with bond council but not sure if that was for what we just did or if that is for full reconstruction.

Supervisor Leggett commented that the Town has had the design and permits for two (2) years and permitting at DEC is asking when the Town is going to do this. He has asked for an update from GZA on their estimate cost, which was \$480,000 when the design was done in 2020. Even with grant money we will have to lay out all the money first and then get reimbursed to pay back on the loan or bond. DEC is concerned about a catastrophic event.

Councilperson DuRose asked when the Town could start and if there was any money available now. Supervisor Leggett said that the Loon Lake Park District Fund had some money in it which would cover some of the upfront engineering costs.

Councilperson DuRose commented that they have talked about the whole Town covering the cost. Supervisor Leggett said that Bond Council has to get back to us on that because it is a Park District and it all depends on the wording in how the District was formed. There are ways that the General Fund can help with the cost, but the General Fund cannot incur debt for the District Fund.

Councilperson DuRose commented that she has heard from fisherman who are concerned about losing the fish in the Lake.

Councilperson Aiken asked Supervisor Leggett at what point does the Town borrow the money to get this done. Supervisor Leggett asked if we spend our money now to fix this, can we go back and get a grant to help pay for the work we have done. It will depend on how grants are written.

Deputy Supervisor Eagan commented that we are in a good spot for grant funding. She has been in contact with them monthly for the last few years.

Town of Chester Logos:

Supervisor Leggett commented that the logo in the Board Room was created for the Bicentennial and our old seal is on all of the highway trucks. The new logo is a simplified version of the Bicentennial logo.

Councilperson DuRose asked if there should be flags on it and if the Board thought it was boring.

Councilperson Turcotte commented that it looks like a stamp that would be used in the Zoning Office.

Deputy Supervisor Eagan does not think it is boring and showed the Board a mockup of the new homepage.

Councilperson Packer commented that it looks good to him.

RESOLUTION NO. 81 OF 2023: APPROVE THE NEW TOWN OF CHESTER LOGO

WHEREAS, there was a need to update the logo for the new website;
BE IT RESOLVED, the Town Board approves the new logo.



On a motion by Councilperson Aiken, seconded by Councilperson DuRose, Resolution No. 81 of 2023 was **ADOPTED**.

AYE 5 NO 0

“Bird” Pond Road vs “Byrd” Pond Road:

Councilperson Turcotte gave a brief history of the property. Commenting that a landowner with the last name Bird owned the property. There is one (1) deed in Warren County because it was after 1813, prior to that will be in the Clerk’s Office in Washington County.

Supervisor Leggett said that he would ask the Town Historian to research the spelling.

Councilperson DuRose said that she is not a fan of changing the name to “Byrd” Pond Road.

The Board agreed to table the discussion.

RESOLUTION NO. 82 OF 2023: SECTION 284 HIGHWAY PROJECT APPROVAL

WHEREAS, each year the Town Board and the Town Highway Superintendent sign an agreement pursuant to the provision of Section 284 of the Highway Law that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended for specified General Repair and Permanent Improvement projects, and

WHEREAS, the Highway Superintendent has completed the Section 284 Agreement form,
BE IT RESOLVED, the Town Board agrees to sign the Agreement for the Expenditure of Highway Moneys pursuant to Section 284 of Highway Law and directs the Town Clerk to send 2 copies of the signed Section 284 agreement to the Warren County DPW Superintendent for their approval.

2023 Agreement for the Expenditure of Highway Moneys

AGREEMENT between the Town Superintendent of the Town of Chester, Warren, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS.** The sum of **\$65,000** shall be set aside to be expended for primary work and general repairs upon **92.3 miles** of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.
2. **PERMANENT IMPROVEMENTS.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:
 - a) On the road commencing at **Atateka Road** and leading to **Stockfarm Road** a distance of 6,900 feet, there shall be expended not over the sum of \$73,829.00. **Type:** Chip Seal. **Width of traveled surface:** 23'. **Thickness:** 1.0". **Subbase:** Shall consist of 6" to 8" Item #4, Topcoat of subbase shall consist of 2" to 4" of Chestertown shoulder stone.
 - b) On the road commencing at **State Route 9** and leading to **Old Schroon Road** a distance of 3,200 feet, there shall be expended not over the sum of \$29,709.02. **Type:** Chip Seal. **Width of traveled surface:** 21 feet. **Thickness:** 1.0 inches. **Subbase:** Shall consist of 6" to 8" Item #4, Topcoat of subbase shall consist of 2" to 4" of Chestertown shoulder stone.

On a motion by Councilperson DuRose, seconded by Councilperson Aiken, Resolution No. 82 of 2023 was **ADOPTED**.

AYE 5 NO 0

Septic Variance SV2023-01 for Britton:

Supervisor Leggett introduced Bret Winchip, Winchip Engineering.

Bret Winchip said that they started out having the APA flag the wetland. The APA responded that the wetlands had no effect on the wetlands. The current septic has failed.

Bret read the following variance schedule:

Variance Schedule Britton SV2023-01							
Setback	Required Distance	Existing Distance	Existing Non-Conformity		Proposed Distance	Proposed Variance	
			Distance	Percent		Distance	Percent

Existing Shallow Well to Existing Cesspool	225'	40.6'±	184.4'±	82.0%±	-	-	-
Existing Building to Existing Cesspool	20'	7.0' ±	13.3'±	65.0%±	-	-	-
Existing Cesspool to Stream	100'	47.2' ±	52.8' ±	52.8%±	-	-	-
Existing Cesspool to Wetlands	100'	0.7' ±	99.3' ±	99.3%±	-	-	-
Existing Pit Privy to Wetlands	50'	10.4'±	39.6'±	79.2%±	-	-	--
Existing Pit Privy to Drainage Way	20'	17.1'±	2.9'±	14.5%±	-	-	-
Existing House to Front Yard Setback	100'	15.4'±	84.6'±	84.6%±	-	-	-
Existing Shed Front Yard Setback	100'	20.1'±	79.9'±	79.9%±	-	-	-
Proposed Wastewater Bed to Stream	100'	-	-	-	91.3'	8.7'	8.7%
Proposed Wastewater Bed to Wetlands	100'	-	-	-	11.8'	88.2'	88.2%
Proposed Wastewater Bed to Drainage Way	20'	-	-	-	18.2'	1.8'	9.0%
Proposed D-Box to Wetlands	50'	-	-	-	39.1'	10.9'	21.8%
Proposed Force Main to Wetlands	50'	-	-	-	30.8'	19.2'	38.4%
Proposed Pump Station to Wetlands	50'	-	-	-	29.6'	20.4'	40.8%
Proposed Septic Tank to Wetlands	50'	-	-	-	39.4'	10.6'	21.2%
Proposed Effluent Sewer to Wetlands	50'	-	-	-	35.6'	14.4'	28.8%
Proposed House Front Yard Setback	100'	-	-	-	15.4'	84.6'	84.6%
Relocated Shed Front Yard Setback	100'	-	-	-	20.5'	79.5'	79.5%

Supervisor Leggett asked about answering yes to question #17 on the application; “will the proposed action create storm water discharge, either from point or non-point sources?” Bret Winchip commented that the answer should be no.

Supervisor Leggett asked Bret Winchip to explain the difference between an absorption bed and trenches. Bret Winchip said that an absorption field is trenches that are six (6) ft. on center, two (2) sq. ft. per lineal trench and you have application rates that are per the perc tests. An

absorption trench allows more infiltration per sq. ft. than a bed through the same percolation rate, however it takes more room. So an absorption bed reduce the amount of absorption area with the same perc rate. A bed system has the smallest area.

RESOLUTION NO. 83 OF 2023: DEEM SEPTIC VARIANCE APPLICATION #SV2023-01 FOR LEWIS BRITTON AND RUSSELL E. SHEER, JR FOR PROPERTY LOCATED AT 835 STATE ROUTE 28N, NORTH CREEK TO BE COMPLETE AND SET A PUBLIC HEARING FOR JUNE 13, 2023 AT 7 PM

WHEREAS, Bret Winchip, Winchip Engineering has submitted a Septic Variance Application #SV2023-01 for Lewis Britton and Russell E. Sheer, Jr for property located at 835 State Route 28N, North Creek, New York, identified by Tax Map #: 32.-1-16; 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 #SV2023-01 for Lewis Britton and Russell E. Sheer, Jr for property located at 835 State Route 28N, North Creek, New York to be complete;

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2023-01 on Tuesday, June 13, 2023 at 7 p.m. at a Regular Town Board Meeting and directs the Town Clerk to publish the notice the public hearing in the Post Star newspaper.

On a motion by Councilperson Aiken, seconded by Councilperson Packer, Resolution No. 83 of 2023 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 84 OF 2023: APPROVE SUPERVISOR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF CHESTER AND SMALL TALES DAY CARE

WHEREAS, Small Tales Day Care would like to use the “old mealsite” and “old Sheriff’s Department” rooms in the Town Municipal Center for a day care and Dynamite Hill for a summer camp and before school and after school programs;

BE IT RESOLVED, the Town Board approves the Supervisor to sign a Memorandum of Understanding between Town of Chester and Small Tales Day Care when in a form acceptable to the Attorney for the Town.

On a motion by Councilperson DuRose, seconded by Councilperson Packer, Resolution No. 84 of 2023 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 85 OF 2023: AUTHORIZE HIRING A TEMPORARY ZONING ASSISTANT

WHEREAS, Jessica Leerkes has resigned from the Town of Chester; and

WHEREAS, the Zoning Office is in need of assistance;

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to hire a temporary, up to 20 hours per week, Zoning Assistant at his discretion for 90 days beginning on the date of hire.

On a motion by Councilperson DuRose, seconded by Councilperson Aiken, Resolution No. 85 of 2023 was **ADOPTED**.

AYE 5 NO 0

Radio Telecommunications Tower:

Supervisor Leggett asked if the Board had any issues with waiving the application fee for the Sheriff’s Office to install a radio communications tower on the property currently owned by the Chestertown Fire District.

Mark Schachner commented that the Warren County Attorney had sent him a note asking if the Town would consider granting governmental immunity to this County Project so that it would not be required to comply with our Zoning Local Law and he thinks that Supervisor Leggett responded that the APA would require that the County go through our Zoning process. Supervisor Leggett said correct, we want them to go through the Zoning.

Councilperson DuRose asked what the Town was going to gain by putting them through the application process. Supervisor Leggett said they would go through the process that everyone goes through and then there would be a record.

RESOLUTION NO. 86 OF 2023: APPROVE TO WAIVE THE \$100.00 APPLICATION FEE FOR A USE VARIANCE APPLICATION FOR CONSTRUCTION OF A RADIO TOWER AND EQUIPMENT BUILDING TO BE LOCATED ON THE CHESTERTOWN FIRE DISTRICT PROPERTY

WHEREAS, the Town of Chester will be receiving an Application for a Use Variance for the construction of a radio telecommunications tower with an equipment building on the property currently owned by the Chestertown Fire District,

WHEREAS, the Use Variance Application will be submitted to the Town by the Warren County Sheriff’s Office as the authorized Agent,

BE IT RESOLVED, the Town Board approves to waive the \$100.00 Application Fee for a Use Variance Application for the construction of a radio tower and equipment building on the Chestertown Fire District property.

On a motion by Councilperson Aiken, seconded by Councilperson Packer, Resolution No. 86 of 2023 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 87 OF 2023: APPROVE THE 2023 WATER WARRANT

WHEREAS, the Town Clerk has prepared the 2023 Water Warrant for the Chestertown and Pottersville Water Districts, and

WHEREAS, the Chestertown Water District total warrant is \$ 77,779.12 and the Pottersville Water District total warrant is \$27,889.25,

BE IT RESOLVED, the Town Board approves the 2023 Water Warrant as presented by the Town Clerk so that the water bills may be sent out and revenues collected and set collection date from May 15, 2023 to June 30, 2023 with no penalty and a 5% penalty added for payments received from July 1, 2023 to October 16, 2023.

On a motion by Councilperson Packer, seconded by Councilperson DuRose, Resolution No. 87 of 2023 was **ADOPTED**.

AYE 5 NO 0

Set Water rates for May 1, 2023-April 30, 2024:

Supervisor Leggett will have the rates at the June 13th Meeting.

RESOLUTION NO. 88 OF 2023: APPROVE THE APPOINTMENT OF MARY STEIN TO THE LIBRARY BOARD OF TRUSTEES

WHEREAS, the Town of Chester Library Board of Trustees has recommended Mary Stein, BE IT RESOLVED, the Town Board approves the appointment of Mary Stein to a five (5) year term starting May 1, 2023 through December 31, 2027.

On a motion by Councilperson DuRose, seconded by Councilperson Turcotte, Resolution No. 88 of 2023 was ADOPTED.

AYE 5 NO 0

RESOLUTION NO. 89 OF 2023: APPROVE NEW WATER TAP INSTALLATION FOR TIMOTHY FISH IN THE POTTERSVILLE WATER DISTRICT

WHEREAS, Timothy Fish requested water hook-up and service at TM#: 53.-2-1.2 on Valley Farm Road in the Pottersville Water District at a cost of \$1,200.00,

BE IT RESOLVED, the Town Board approves the new water tap installation on Landon Hill Road at the discretion of the Water Superintendent.

On a motion by Councilperson Aiken, seconded by Councilperson Turcotte, Resolution No. 89 of 2023 was ADOPTED.

AYE 5 NO 0

RESOLUTION NO. 90 OF 2023: AUTHORIZE COURT CLERK TO ATTEND THE 2023 NYSAMCC ANNUAL FALL CONFERENCE FROM SEPTEMBER 17 – 20, 2023

WHEREAS, for the 2023 calendar year the New York State Association of Magistrates Court Clerks Inc. will host an annual training conference in Verona, NY; and

WHEREAS, the Court Clerk wishes to attend the conference on September 17 – 20, 2023;

BE IT RESOLVED, the Town Board authorizes the Court Clerk to attend the conference in Verona, NY and to pay for mileage and meals.

On a motion by Councilperson DuRose, seconded by Councilperson Aiken, Resolution No. 90 of 2023 was ADOPTED.

AYE 5 NO 0

RESOLUTION NO. 91 OF 2023: APPROVE THE OCCUPANCY TAX FUND REQUEST IN THE AMOUNT OF \$7,000 FOR THE SUMMER FEST 2023 AND AUTHORIZE THE SUPERVISOR TO SIGN THE CONTRACT WITH NORTHSTAR FIREWORKS

WHEREAS, the Town supplies the fireworks for the Summer Fest celebration each year,

BE IT RESOLVED, the Town Board approves the Occupancy Tax Fund request in the amount of \$7,000.00 for the Summer Fest 2023, and

BE IT FURTHER RESOLVED, to authorize the Supervisor to sign the contract with Northstar Fireworks for July 8th, with a rain date of July 9th.

On a motion by Councilperson Packer, seconded by Councilperson DuRose, Resolution No. 91 of 2023 was ADOPTED.

AYE 5 NO 0

RESOLUTION NO. 92 OF 2023: AUTHORIZE SUPERVISOR TO SEND A LETTER OF SUPPORT TO DOT REGARDING ADK DISTANCE FESTIVAL

WHEREAS, the Adirondack Distance Festival plans to hold the 27th annual Adirondack Marathon on Saturday, September 30th and Sunday, October 1st of 2023, and

WHEREAS, the NYS DOT requires a letter of support and approval from each municipality and county for the event being held within their jurisdictions,

BE IT RESOLVED, the Town Board authorizes the Supervisor to send a letter to NYS DOT in support of and approval for the Adirondack Distance Festival to use roads within the Town of Chester on Saturday, September 30th and Sunday, October 1st of 2023.

On a motion by Councilperson Turcotte, seconded by Councilperson DuRose, Resolution No. 92 of 2023 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett said they are cutting the trees next to the school field out back to make room for pickleball courts.

Supervisor Leggett discussed increasing the water rates in the Chestertown Water District by 1.5%. Councilperson Aiken asked if that was standard with other towns. Supervisor Leggett said that it varies. The water rates should cover the operations and the property taxes for the District they pay should cover the capital expenses. Pottersville Water District is tougher because of the smaller number of users.

Councilperson DuRose asked if the Town turned off National Grid at the fountain. Supervisor Leggett commented that it was run off the streetlights. John Maday commented that the streetlights are fed off of the panel. Supervisor Leggett said that he would look into it.

RESOLUTION NO. 93 OF 2023: ACCEPT THE ABSTRACT OF AUDITED VOUCHERS AND AUTHORIZE PAYMENT

WHEREAS, the Town Clerk has entered the vouchers for Abstract No. 5 of 2023 of Audited Vouchers; and

WHEREAS, the Town Board has reviewed the Abstracts; and

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

No. 5 of 2023	
General A	\$119,551.85
Highway DA	\$90,954.59
Library L	\$594.82
Loon Lake Park District SP	\$5,775.24
Chestertown Water SW1	\$1,389.59
Pottersville Water SW2	\$23,962.98
Other TA	\$828.12
Total	\$243,057.19

On a motion by Councilperson Turcotte, seconded by Councilperson Packer, Resolution No. 93 of 2023 was **ADOPTED**.

AYE 5 NO 0

Councilperson DuRose asked about having a tennis net at the Pottersville basketball court.

On a motion by Councilperson Aiken, seconded by Councilperson Packer, meeting adjourned at 9:23 pm.

AYE 5 NO 0

Respectfully submitted,

Town Clerk

DRAFT