



Town Board Regular Meeting January 14, 2020

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, Chris Aiken, Marion Eagan, Deputy Supervisor and Attorney for the Town, Mark Schachner.

Regular Meeting:

Supervisor Leggett opened the Regular Town Board Meeting at 7:01 pm with Larry Turcotte leading the Pledge of Allegiance.

Public Hearing for Septic Variance #SV2019-06:

Supervisor Leggett opened the Public Hearing with the Town Board acting as the Local Board of Health in the matter of **Barbara Hagen and Stephen Fryer Septic System Variance #SV2019-06**, for property located at 117 Jones Road, Tax Map #: 86.10-1-14 at 7:02 pm.

Tom Hutchins from Hutchins Engineering represented Barbara Hagen and Stephen Fryer. Mr. Hutchins said that the septic variance is for a seasonal camp and due to the number of wells on the surrounding properties it is not a good area for a conventional septic system so they were asking to install a 1,500 gallon holding tank.

Mr. Aiken asked if there were any access problems getting to the tank to pump it out. Mr. Hutchins replied that there is a driveway basically right to it.

Supervisor Leggett asked the public if there were any questions or comments.

Hearing none, Supervisor Leggett closed the Public Hearing on **Septic Variance #SV2019-06** at 7:04 pm.

Senior Transportation Bid:

Supervisor Leggett asked the Town Clerk to open the bids for Senior Transportation at 7:04 pm.

The Town Clerk received and opened one bid from Warren-Hamilton Community Action Agency (ACEO Inc) for \$240.00 per trip every other Tuesday from February 1, 2020 to December 31, 2020, which equals 26 trips for \$6,240.00.

RESOLUTION NO. 16 OF 2020: ACCEPT THE SENIOR TRANSPORTATION BID FROM WARREN-HAMILTON COMMUNITY ACTION AGENCY (ACEO INC) FOR \$240.00 PER TRIP EVERY OTHER TUESDAY FROM FEBRUARY 1, 2020 TO DECEMBER 31, 2020

WHEREAS, the Town Clerk advertised for Senior Transportation Bids, and

WHEREAS, the Town Clerk received one bid from Warren-Hamilton Community Action Agency (ACEO Inc),

BE IT RESOLVED, the Town Board accepts the bid from Warren-Hamilton Community Action Agency (ACEO Inc) for \$240.00 per trip every other Tuesday from February 1, 2020 to December 31, 2020.

On a motion by Mr. Turcotte, seconded by Mr. Packer, Resolution No. 16 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 17 OF 2020: ACCEPT THE MINUTES FROM THE REGULAR TOWN BOARD MEETING ON DECEMBER 10, 2019 AND THE SPECIAL TOWN BOARD MEETINGS ON DECEMBER 30 AND 31, 2019

RESOLVED, to accept the Minutes from the Regular Town Board Meeting on December 10, 2019 and the Special Town Board Meetings on December 30 and 31, 2019 as presented.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 17 of 2020 was **ADOPTED**.

Committee Reports:

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

- Town Board Minutes for December 10, December 30 and December 31, 2019
- Zoning Administrator Activity Report for December 2019
- Zoning Office Yearly Summary and Receipts for 2019
- Planning Board Minutes for December 16, 2019
- Zoning Board Minutes for December 17, 2019
- Zoning Enforcement Officer Report for December 2019
- Assessors Report for January 2020
- Assessors Report for 2019
- Animal Control Monthly Report for December 2019
- Town Clerk Monthly Report for December 2019
- Town Clerk Annual Report for 2019
- Town Court Report dated January 2, 2020

Town Clerk reported the following correspondence:

- 30-day Advance Notice for a liquor license from Natural Stone Bridge and Caves
- Bottle Requests from North Warren Class of 2022, north Warren Class of 2021 and Boy Scouts Troop 30
- Thank you card from John Fair thanking Jeremy and the guys and girls across the hall for their assistance

Supervisor Leggett handed the Board a copy of the Helpers Fund Annual Report for 2019.

David Gross handed the Board a copy of the December 2019 NWEMS Report.

Mrs. DuRose attended a webinar on broadband, attended a Historical Society Meeting and she is working on a program for cemeteries. Mrs. DuRose said she was approached by the Hardship Fund about bottles. The Town Clerk said she spoke to them and asked for them to submit a letter.

Mr. Packer sat down with the Supervisor and the Parks and Rec. Forman, Brett Hitchcock to discuss 2020 projects. Mr. Packer also had a meeting with the Supervisor, Deputy Supervisor and Mark Carpenter about fundraising for the auditorium.

Mr. Turcotte met with the Solid Waste Department from DEC regarding any changes or modification the Town might want to make at the transfer station. The Town does not need to update them unless the Town installs a drain that goes to daylight and engineer would be needed.

Mr. Aiken met with Supervisor Leggett, John Nick and Rich McCrum about the LLPDA and the accomplishments and also met with Supervisor Leggett and the engineers about the preliminary talk of a new highway garage.

Supervisor Reported:

SUPERVISOR'S STATE OF THE TOWN 2020

2019 was a very busy year. Some highlights are:

- Establishment of a Wellness Center in partnership with the YMCA Adirondack Center with funding from an AHI Innovation Grant and opening up a Fitness Room across from the Library on the 2nd floor
- Moving the Friends of the Library book room to the old school library
- Dismantling the theater in the gymnasium and opening up the space to pickle ball and youth commission basketball practice
- Moving the town records to the Youth Commission office area and opening up the former Stratford on the Hudson practice room to become the new Community Multi-Use Space and Senior Center
- The installation of exercise stations along the Chester Creek Trail, done by Jack Jennings as an Eagle Scout Project
- The award of a Smart Growth Grant as prepared by the LA Group to develop the Cunningham Community Forest trail system to add to the Chester Challenge and Chester Creek Trail
- The award of a Climate Smart Communities grant to install air conditioning in the gymnasium
- The purchase of a new tandem plow truck
- The purchase of an used mid-sized excavator for the highway department and water districts
- Paving of 8,900 feet of roads in and around the hamlet of Chestertown
- Recovery from damages sustained by the historic Halloween Storm of 2019
- The drilling and testing of a new well to service the Loon Lake Beach bathhouse
- Continued milfoil harvesting on Loon Lake with substantial progress towards maintenance levels
- Construction and rehabilitation of the Pottersville well house
- Drilling and testing of a new primary well source for the Pottersville Water District
- Installation of a sidewalk extension in front of All Brands Redemption Center in Pottersville – making the link between Rte 9 and Valley Farm Road intersection and enabling the creation of a cross walk
- Painting of the Chestertown Water District water tank on Spring Street
- Adoption of a set of revisions to the Zoning Local Law
- Adoption of a Property Maintenance Local Law
- Finalization of the Economic Development Initiative as carried out by the Chamber of Commerce
- Ending 2018/entering 2019 with more money in the bank year over year
- Increase of total assessment of the Town by nearly \$2,000,000.00
- Youth Commission recreation had a record year

Plans for 2020

2020 is lining up to also be another busy year. Some highlights to look forward to are:

- Renovation of the gymnasium (aka gymnatorium) including addition of air conditioning, refinishing the floor and walls, upgrading the seating and theater component
- Implementation of the Smart Growth Grant for the Cunningham Community Forest
- Complete the second phase of becoming a Climate Smart Community
- New Highway Garage through the planning and financing stages – and hopefully construction
- New trash compactor and reorganization of the Transfer Station – including the addition of accepting brush and woody debris
- Finalized plans for the Loon Lake Dam Rehabilitation project and securing funding to do the work
- Hook up of the new well at Loon Lake to the bathhouse (need DOH approval)

- Hook up of the new well at Pottersville to the well house and complete the well house construction and renovation
- Installation of new playground equipment and renovation of the playground in Pottersville
- Continued work on developing a strategy for Economic Development based on the results of the EDI

Supervisor Leggett closed Committee Reports at

Privilege of the Floor:

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

David Gross commented that as of December 31, 2019 he would no longer be the representative for the Town of Chester and on the chart for 2020 he was still listed as the liaison. Dave reported that there were 49 calls for December, 30 were Chestertown, 10 were Horicon and 9 were mutual aid. Supervisor Leggett asked for a yearly total and an end of the year report. Supervisor Leggett thanked Dave for his service.

Lauren Pereau said that he thinks the front sign should be electric and there should be more effort in marketing on the internet. Dave Gross commented that an electric sign is a big chunk of money and time for zoning.

Supervisor Leggett closed Privilege of the Floor at 7:20 pm.

New Business:

Supervisor Leggett opened New Business at 7:27 pm.

RESOLUTION NO. 18 OF 2020: APPROVE SEPTIC VARIANCE #SV2019-06 BARBARA HAGEN AND STEPHEN FRYER, 117 JONES RD. TAX MAP #:86.10- 1-14 FOR THE PROPOSED 1,500 GALLON HOLDING TANK

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 #SV2019-06 Barbara Hagen and Stephen Fryer, 117 Jones Rd. Tax Map #:86.10-1-14 , 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 system for, Barbara Hagen and Stephen Fryer, 117 Jones Rd Tax Map #: 86.10-1-14 as designed and presented by Hutchins Engineering 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.

BE IT FURTHER RESOLVED, the Local Board of Health grant variance for the proposed 1,500 gallon holding tank as designed and presented by Hutchins Engineering.

On a motion by Mr. Aiken, seconded by Mr. Packer, Resolution No. 18 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 19 OF 2020: ACCEPT THE RESIGNATION OF MARY MATROSE FROM THE TOWN OF CHESTER PUBLIC LIBRARY BOARD OF TRUSTEES

WHEREAS, Mary Matrose has submitted a letter of resignation to the Library Board of Trustees

BE IT RESOLVED, the Town of Chester would like to thank Mary Matrose for serving on the Town of Chester Public Library Board of Trustees and accepts the resignation of Mary Matrose.

RESOLUTION NO. 20 OF 2020: ACCEPT THE RESIGNATION OF CHARLES LYTZ FROM THE TOWN OF CHESTER PUBLIC LIBRARY BOARD OF TRUSTEES

WHEREAS, Charlie Lytz has submitted a letter of resignation to the Library Board of Trustee

BE IT RESOLVED, the Town of Chester would like to thank Charles Lytz for serving on the Town of Chester Public Library Board of Trustees and accepts the resignation of Charles Lytz.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolutions No. 19 and No. 20 of 2020 were **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 21 OF 2020: APPROVE THE APPOINTMENT OF ROBERT WALP TO FILL CHARLES LYTZ'S TERM WHICH EXPIRES ON DECEMBER 31, 2020

WHEREAS, there is a vacancy for the Board of Trustees for the Town of Chester Public Library, left by the resignation of Charles Lytz and which expires on December 31, 2020,

BE IT RESOLVED, the Town Board appoints Robert Walp to fill the unexpired term of Charles Lytz ending December 31, 2020 and at which time he will be eligible to begin his first two (2) five year terms.

RESOLUTION NO. 22 OF 2020: APPROVE THE APPOINTMENT OF LYNN THOMAS TO FIVE YEAR TERM ON THE TOWN OF CHESTER LIBRARY BOARD OF TRUSTEES

WHEREAS, Lynn Thomas has filled Deanna Tracy's term which expired on December 31, 2019 and that seat is now open,

BE IT RESOLVED, the Town Board appoints Lynn Thomas to a five year terms ending December 31, 2024 he Town of Chester and is eligible to serve two (2) five year terms.

RESOLUTION NO. 23 OF 2020: REAPPOINT TOM LUCIANO TO ANOTHER 3 YEAR TERM AS A COMMISSIONER FOR THE TOWN OF CHESTER ON THE SCHROON LAKE PARK DISTRICT WITH A TERM ENDING DECEMBER 31, 2022

WHEREAS, Tom Luciano has served as a Commissioner for the Town of Chester on the Schroon Lake Park District and his term has expired as of December 31, 2019,

BE IT RESOLVED, the Town Board reappoints Tom Luciano to another 3 year term as a Commissioner for the Town of Chester on the Schroon Lake Park District with a term ending December 31, 2022.

RESOLUTION NO. 24 OF 2020: REAPPOINT GEORGE STANNARD TO THE PLANNING BOARD FOR A 7 YEAR TERM ENDING DECEMBER 31, 2026

WHEREAS, George Stannard term on the Planning Board has ended as of December 31, 2019,

BE IT RESOLVED, the Town Board reappoints George Stannard to the Planning Board for a 7 year term ending December 31, 2026.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolutions No. 21 to 24 of 2020 was **ADOPTED**.

AYE 5 NO 0

Supervisor Leggett commented that Kim Frasier will not be seeking reappointment for Alternate Schroon Lake Park Commissioner.

Lynn Thomas commented that she was at last year's meeting where Supervisor Leggett read 2018 list of accomplishments and was so excited and feels the same way again after hearing the list of accomplishment for 2019. Lynn would also like to invite the Board to the Library Board of Trustees meeting. Mrs. DuRose said she would be the liaison to the Board. Lynn was very excited and mention the there is one opening on the Library Board of Trustees at this time.

RESOLUTION NO. 25 OF 2020: AUTHORIZE THE SUPERVISOR TO SIGN THE 2020 CONTRACTS WITH CERTAIN ORGANIZATIONS AND AGENCIES

WHEREAS, the Town renews annual contracts with a set of organizations, agencies and others,
BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the following 2020 contracts when in a form acceptable to the Attorney for the Town.

1. Glens Falls Animal Hospital
2. Cedarwood Engineering
3. Warren County Combating Aquatic Invasive Species
4. Loon Lake Oversight
5. Warren Hamilton Office of the Aging
6. Hague for use of Animal Shelter
7. IMA with Johnsbury for Bookkeeper Services

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No.25 of 2020 was **ADOPTED**.

AYE 5 NO 0

Flood Damage Prevention:

Marion Eagan explained that the proposed local law for Flood Damage Prevention was boiler plate from NYSDEC and explained that she and Jeremy Little met with Brad from DEC. DEC would like the Town to go on site visits for compliance and they would like it done in a month. Marion said she explained to them that we do not have enough manpower to complete the list in a month.

Supervisor Leggett commented that it would be nice if someone from FEMA came up for the public hearing.

RESOLUTION NO. 26 OF 2020: SET A PUBLIC HEARING FOR TUESDAY FEBRUARY 11, 2020 AT 7 PM FOR THE PRESENTATION AND DISCUSSION OF THE LOCAL LAW FOR FLOOD DAMAGE PREVENTION

WHEREAS, the proposed Local Law for Flood Damage Prevention has been reviewed by the Town Board, and

WHEREAS, the proposed local law was forwarded by NYSDEC to the Town to update the Local Law for Flood Damage Prevention (the last update to the Law was in 1987),

BE IT RESOLVED, the Town Board sets a Public Hearing for Tuesday, February 11, 2020 at 7 pm for the presentation and discussion of the Local Law for Flood Damage Prevention.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 26 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 27 OF 2020: AUTHORIZE THE ATTENDANCE OF PAUL LITTLE AND ARNOLD JENSEN TO THE SARATOGA PLANNING AND ZONING CONFERENCE WITH REGISTRATION PAID BY THE TOWN AND REIMBURSEMENT GIVEN FOR MILEAGE EXPENSE

WHEREAS, Planning Board and Zoning Board of Appeals members are required to attain at least 4 hours of continuing training each year,

BE IT RESOLVED, the Town Board authorizes the attendance of Paul Little and Arnold Jensen to the Saratoga Planning and Zoning Conference with registration paid by the Town and reimbursement given for mileage expense.

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 27 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 28 OF 2020: AUTHORIZE THE LANDFILL TO START TAKING BRUSH AND SET APPROPRIATE FEES WHEN READY IN 2020

WHEREAS, the County put out to bid for brush chipping, and

WHEREAS, the bid was awarded to Wood Waste Reduction, glens falls, New York which the Town can piggy back on the contract,

BE IT RESOLVED, the Town authorizes the landfill to start taking brush and set appropriate fees when ready in 2020.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 28 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 29 OF 2020: SUPPORT AND ACKNOWLEDGE THE ANNUAL ADK “IDIDARIDE” TO BE HELD ON SUNDAY, JULY 26, 2020 ON TOWN, COUNTY AND STATE ROADS WITHIN THE TOWN OF CHESTER

WHEREAS, the Adirondack Mountain Club sponsors the annual “ididaride” and this year the bicycle route will pass through the Town of Chester on Sunday, July 26, 2020,

BE IT RESOLVED, the Town Board supports and acknowledges the annual ADK “ididaride” to be held on Sunday, July 26, 2020 on Town, County and State roads within the Town of Chester.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 29 of 2020 was **ADOPTED**.

AYE 5 NO 0

Short Term Rentals:

Mr. Turcotte updated the Board that there have only been a few comments from Tom Thorsen, Code Enforcement Officer. Mr. Thorsen stated that he has gotten quite a few comments from the general public and will pass them along to the Board.

Mr. Turcotte replied that Mr. Thorsen’s biggest hang up is enforcement. Mr. Thorsen said a lot of issues are already solved by the Zoning Law and he questions whether the Town wants to get into that much enforcement responsibility.

John Nick stated that most of the rentals and problems are in the summer, but people are renting twelve months a year and thinks that people should know the Town’s position and how they are going to take care of issues.

Barbara Kearney asked if Tom Thorsen had to do the training for Code Enforcement Officer. Supervisor Leggett replied that technically Tom is the Enforcement Officer under Civil Service and Warren County would be part of the inspection process. Mr. Turcotte said the County conducts a Life Safety Inspection.

John Nick asked if the requirements for inspection could be posted online so that home owners could be prepared.

Barbara asked if the Town plans to keep the renters to a higher standard, is the Town willing to enforce it and will there be enforcement twenty-four hours a day.

Mr. Aiken commented that a lot is already covered by the Town’s Zoning Law.

Winter Parking Rules:

Supervisor Leggett said that he has asked Brett Hitchcock, Parks and Rec. Foreman what hours he would like to see parking restricted and Brett recommended 12:00 am to 9:00 am. The Supervisor commented that 9:00 am would give Parks and Rec. plenty of time but 9:00 am in the morning might be a little too late, other Towns go 1 am to 6 am.

Supervisor Leggett asked the Attorney for the Town if these were just “winter parking rules”. Mr. Schachner replied that certain things can be done by resolution as opposed to local law.

Mrs. DuRose said it would be nice to have it through resolution.

Supervisor Leggett pointed out that this would only affect Town roads.

RESOLUTION NO. 30 OF 2020: AUTHORIZE PAYMENT OF ABSTRACTS

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

2019	
General A	\$28,692.92
Highway DA	\$31,130.62
Library L	\$1,021.89
Chestertown Water SW1	\$991.38
Pottersville Water SW2	\$4,684.52
Other TA	\$501.18
Total	\$67,022.51

2020	
General A	\$25,593.59
Highway DA	\$8,594.06
Library L	\$67.21
Chestertown Water SW1	\$323.84
Total	\$34,578.70

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 30 of 2020 was **ADOPTED**.

AYE 5 NO 0

David Gross reported that NWEMS had a total of 548 runs for 2019. 333 were for Chester, 120 for Horicon and 95 for mutual aid. July was the highest month and March was the lowest for Chester.

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, the Board went into Executive Session to discuss the employment history of a particular person or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person as per Open Meeting Law at 8:24 pm.

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, the Board exited Executive Session at 8:45 pm.

No action taken.

On a motion by Supervisor Leggett, seconded by Mr. Aiken, meeting adjourned at 8:46 pm.

Respectfully submitted,

Town Clerk

DRAFT