



Town Board Regular Meeting November 8, 2022

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

Regular Meeting:

Supervisor Leggett **opened** the Regular Town Board Meeting at 7:02 pm with Councilman Aiken leading the Pledge of Allegiance.

RESOLUTION NO. 162 OF 2022: ACCEPT THE MINUTES FROM THE OCTOBER 11, 2022 REGULAR TOWN BOARD MEETING

BE IT RESOLVED, to accept the minutes from the October 11, 2022 Regular Town Board Meeting as presented.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 162 of 2022 was **ADOPTED**.

AYE 5 NO 0

Committee Reports:

Supervisor Leggett **opened** Committee Reports at 7:03 pm.

The Town Clerk reported the following documents were shared with all Board Members:

- Town Board Minutes for the Regular Meeting October 11, 2022
- Abstract #11
- Zoning Administrator Activity Report for October 2022
- Planning Board Minutes for October 17, 2022
- Assessors Report for November 2022
- Town Clerk Monthly Report for October 2022
- Town Court Report dated November 1, 2022
- Youth Commission Report for October 2022
- Letter from Morewoods, LLC opposing Septic Variance 2020-03 Loonie/Wen dated November 3, 2022
- Letter from Bartlett, Pontiff, Stewart, & Rhodes, P.C. waiving the 30-day Advance Notice for an On-Premises Alcoholic Beverage License for Cooper's Roost, LLC
- Historical Society Fall 2022 Newsletter
- Letter from the Library Board of Trustees accepting Bob Walp's resignation
- Letter from the Library Board of Trustees appointing Vanessa Hutton to a new term
- Tri-Lakes Community Alliance Minutes for October 4, 2022

- Warren County Connection for November 2022

Town Board Reports:

Mr. Aiken reported that he had lots of conversations about the budget and short-term rentals.

Mr. Packer commented that he is waiting for a breaker for the snow gun at Dynamite so he can get it back together.

Mrs. DuRose said that she had a meeting with Mr. McCann and the Historical Society about upcoming events for next year, met with Donna Lagoy, the Town Historian, about different inquiries she has had, and answered phone calls from the public concerning their retiree's insurance, the budget, and the highway garage.

Mr. Turcotte said that he has had many conversations with the Board Members and the public about the budget and went over budget items with the Highway Superintendent.

Supervisor Leggett reported the following:

	
<p>Fall colors were outstanding this year. Businesses were busy. Sales tax revenues were above last year.</p>	<p>Water levels in Schroon Lake were very low. The Commissioners are to open the gates all the way by October 15th. Had to modify in order to keep lake level up and water going over fish ladder.</p>
	
<p>Picture of the new Courthouse at the County Center. Just to show they have the same problem we have at the Town Muni Center.</p>	<p>We are working on 88 Riverside Drive to get it cleaned up with a clean bill of health and repurposed for better use.</p>



Highway trenched and connected the decorative streetlights. We had been waiting for the time and weather to do the job.



The lights look great and tie in South Main with the rest of the street. Worth the wait.



P&R had Sears Tree Service grind down the brush and log pile that has accumulated for 3 years. We now have a big pile of mulch



The Town does not charge for people to dump lawn debris and we have a huge pile turning into compost. Mulch and compost could become saleable product.



The Lake Patrol boat needs to be replaced. The motor is good but the boat has suffered damage and we are advised it is not worth fixing



The Town Garage. We continue to focus on providing a good, safe, appropriately sized Highway Garage. Several possibilities are explored



Highway rectified the slope under the ski tow at Dynamite. This eliminates the need to produce and push a lot of snow to make the lift line work.



P&R built a replacement sign board for Dynamite for posting of maps and information.



Nicole Howe organized another great Trunk or Treat in Pottersville on Halloween. Well attended and well decked out crowd with great weather!



Board of Supervisors meeting last Friday with the presentation of the Tentative Budget. Expect to see Chester's County Tax rate decline by \$0.21 to \$3.666. Budget Officer Thomas with the County Administrator's Office worked hard to make the numbers work for another year.

Supervisor Leggett **closed** Committee Reports at 7:13 pm.

Preliminary Budget Public Hearing:

Supervisor Leggett **opened** the Public Hearing for the Preliminary Budget at 7:13 pm.

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

Charlie Redmond said he had a question on the amount in the Preliminary Budget regarding EMS. Mr. Redmond said he understands that the Town of Chester and the Town of Horicon pay for the EMS and asked what the Town of Chester's obligation was. Supervisor Leggett replied that our obligation is \$300,000 and Horicon is \$200,000. Mr. Redmond said that he understands that it has changed to its own line item and asked if there is money in the budget that we have presently raised. Supervisor Leggett said that we are only raising money in the EMS Fund for that, so that it is not paid out of the General Fund at all. Mr. Redmond asked if it was anticipated in the General Fund so that there is extra money in the General Fund. Supervisor Leggett

commented that it was never included in the General Fund this year, because we got the EMS District done in time. Mr. Redmond commented that he is under the misconception that there was money in the General Fund and through the line item and asked if that is a misconception. Supervisor Leggett said that it is. Mr. Redmond said so there is no unanticipated money. Supervisor Leggett said that is correct.

Mr. Redmond said that his second concern is the old water district that Wendel Ross had. Mr. Redmond commented that this is his last go around in the last 40 years and said that in the late 1980s, from the cemetery up to Route 8, the whole road was redone and dug down four feet and at that time he leased part of his property to the company who was doing the work. At that time, he asked the Superintendent of the job to give an estimate to run a water line and a sewer line. The Superintendent said he would do that without charging the Town anything other than the cost for the material, it was \$33,000 to run from Cunningham Loop up to Route 8. The Town Board at the time didn't want to spend the \$33,000 and it would probably cost us well over a million dollars to do it today. Mr. Redmond said that he asked the current Water Superintendent when he started how much it would cost if we used Town employees, Town equipment, and used trench shaves that the County has, to run water from Panther Mountain Drive to Woodridge. The cost was \$18,500 and under the prior Supervisor the Town didn't do that. Mr. Redmond is proposing that the Town run a waterline from Panther Mountain down to Woodridge, run taps out and we already have a survey from the proposed sidewalk down through there. There are existing maps from 1948 for the highway through there that lay out the boundaries and the first thing for improvement along the road is going to be the walking line. Sidewalks are going to be taring up the ground again and he is hoping that the Town will find it in the budget to replace the existing system that was installed in 1955, consists of 1 1/2 inch main and 1 inch taps off of it. There is no water pressure. There are two wells, one on Wendell's front lawn and the other on the old barracks property, it was fed from both ends and made out of plastic. Mr. Redmond commented that he would hate to see that fail in the middle of winter where it would cost an awful lot of money to deal with it. The Town has a Water Superintendent that has the expertise to run the waterline, it has already been mapped so you know where you can put it, you have a local surveyor who can really plot a line and identify where the feeds to each building would go. It is not a major thing, and we would be looking at less than a thousand feet. He doesn't think that it has to go out to public bid if the Town does it in house, just extending the watermain and you would really prevent a crisis down the road. The system is antiquated and is going to break. Mr. Redmond asked the Board to give it some consideration and do it in the near future. This winter the preliminary planning could take place. Mr. Redmond feels that this is a health and safety issue. Thirty years ago, there was a fire at the laundry mat, and they had to have a portable pond because they didn't have a hydrant that had any pressure.

Supervisor Leggett said that they took \$36,000 this year to have a pre-engineering study done with the main purpose of getting everything lined up so they can go from Panther Mountain Drive to at least the barracks which sets up the Town for the next round of funding that would come though to help put the line through there. Supervisor Leggett said we are hopeful that funding will come through. Mr. Redmond asked if there was funding available. Supervisor Leggett said that he would have to pull out the report to find the estimate for the extension. The health and safety are one of the main parts. Mr. Redmond said that the west side is run off Foster Flats Road. Mr. Redmond was hoping that it could be done through the Town and their equipment, nothing that goes out to bid is cheap.

Mr. Redmond commented that it is his understanding that there is some consideration of raising wages for various employees in the Town. Supervisor Leggett said that is true. Mr. Redmond said that he has nothing against Mindy, every time he has been in the office, she has been very accommodating, but his concern is setting a precedent, if you give someone a raise in office during the term, you ran you the term at the redescribed salary and for that period. He would recommend if warranted, which it probably is, that the Board consider giving a bonus until such time that the office comes up for renewal so that the public can be the ones to vote on hours of the office, which is currently 30 hours. Supervisor Leggett replied that under the retirement system it is set at 30 hours, but practically speaking is it more. Mr. Redmond said that the citizens should be allowed to make that determination of hours along with a suggested salary, and if it warrants addressing a monetarily now, give a bonus. The amount right now being considered is \$10,000. Mr. Redmond said that it would be a 25% raise and the people in the union would be getting a 2.5% raise. Supervisor Leggett said that is correct under the contract. Mr. Redmond said that it won't set well with the other employees, even if it may well be warranted, and he doesn't contest that, that is why he suggests giving a bonus because once you set a salary increase that comes yearly and the voters don't have a say so. Mr. Redmond commented that probably 50% of people in the Town of Chester are on a limited budget, and a lot of people with 401Ks have dopped about 32%, he thinks it is a fairness issue for the other employees in the Town of Chester, and he certainly has no animosity towards Mindy, she may deserve more than that, that is for the Board to decide. He thinks that a bonus is probably the best way to do it and let the voters decide. Supervisor Leggett commented that he does not think a bonus is allowed for an elected official, but wages are one of the hardest issues. Down at the County, CSEA came in and said we needed to raise the rates and then we had to get six (6) unions up to par and then all the out of units. It was very tough. Mindy would be about \$25 per hour or \$52,000 per year, a laborer is \$23.85 per hour, a driver is \$25.08 per hour, an operator is \$25.32 per hour and on top of that you get \$10,000 to \$15,000 in overtime, and she does not get anything on top, just straight salary. Supervisor Leggett commented that his attempt was to bring what is a person worth and what value do they bring. Mr. Redmond said that he has no argument with that and has no argument with that if a person does the work they certainly should be compensated, it is just the perception. Supervisor Leggett said thank you. Mr. Redmond commented if you don't speak up then you don't have any reason to argue.

Supervisor Leggett presented the following:

All Funds		Actual	Actual	Actual	Actual	Actual	Actual
ITEM	CODE #	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
TOTAL:PERSONAL SERVICE EXP	0.1	\$1,456,339	\$1,490,765	\$1,476,929	\$1,530,226	\$1,488,487	\$1,492,427
TOTAL:EQUIP/CAPITAL EXP	0.2	\$721,553	\$481,614	\$552,071	\$791,050	\$576,650	\$623,182
TOTAL:CONTRACTUAL EXP.	0.4	\$1,118,860	\$1,324,781	\$1,466,249	\$1,615,691	\$1,397,529	\$1,460,252
TOTAL:BENEFITS EXP	0.8	\$820,612	\$795,702	\$795,132	\$835,966	\$782,455	\$791,576
TOTAL:DEBT SERVICE	9700	\$35,849	\$35,848	\$54,423	\$54,209	\$54,188	\$37,693
TOTAL:INTERFUND TRANSFERS	9900	\$105,448	\$65,448	\$85,448	\$66,757	\$80,838	\$66,757
TOTAL SF Districts	SF	\$42,000	\$42,000	\$42,000	\$42,000	\$40,000	\$38,000
TOTAL FUND EXPENSES		\$4,300,661	\$4,236,158	\$4,472,252	\$4,935,899	\$4,420,147	\$4,509,888

All Funds		Budget	Budget	Difference		Difference	
ITEM	CODE #	FY 2022	FY 2023	2023-2016	%	6 yr Ave.	%
TOTAL:PERSONAL SERVICE EXP	0.1	\$1,642,656	\$1,709,385	\$253,046	17.4%	\$36,149	2.5%
TOTAL:EQUIP/CAPITAL EXP	0.2	\$636,300	\$796,150	\$74,597	10.3%	\$10,657	1.5%
TOTAL:CONTRACTUAL EXP.	0.4	\$1,364,110	\$1,283,388	\$164,528	14.7%	\$23,504	2.1%
TOTAL:BENEFITS EXP	0.8	\$979,499	\$945,176	\$124,564	15.2%	\$17,795	2.2%
TOTAL:DEBT SERVICE	9700	\$37,700	\$37,700	\$1,851	5.2%	\$264	0.7%
TOTAL:INTERFUND TRANSFERS	9900	\$69,757	\$71,152	-\$34,296	-32.5%	-\$4,899	-4.6%
TOTAL SF Districts	SF	\$40,000	\$389,600	\$347,600	827.6%	\$49,657	118.2%
TOTAL FUND EXPENSES		\$4,770,022	\$5,232,551	\$931,890	21.7%	\$133,127	3.1%

Supervisor Leggett commented that on the General Fund personal services over the last six (6) years including what is in tonight's budget has increased on average 2.5%.

John Nick asked about the invasive species and the need for a new Lake Safety boat. Supervisor Leggett said that it was proposed to raise the milfoil abatement to \$79,000 and he only raised the amount to \$73,200.

Town Budget 2023									
LOON LAKE PARK DISTRICT FUND EXPENSE - SP		Actual	Actual	Actual	Actual	Budget	Budget	Difference	
ITEM	CODE #	FY 2018	2019	FY 2020	FY 2021	FY 2022	FY 2023	2023-2022	%
PARK DISTRICT									
Personal Services: Boat Washers	SP7110.1	\$17,440	\$13,302	\$11,471	\$11,886	\$13,050	\$15,500	\$2,450	18.77%
Personal Services: Lake Constable	SP7110.11		\$2,053	\$1,076	\$2,448	\$3,850	\$3,500	-\$350	-9.09%
Equipment: Dam Work & Eng.	SP7110.2	\$4,592	\$11,050	\$86,748	\$15,304	\$50,000	\$50,000	\$0	0.00%
Contractual: Milfoil Abatement	SP7110.4	\$84,392	\$79,130	\$60,820	\$63,572	\$46,800	\$73,200	\$26,400	56.41%
Contractual: Loon Lake Mgt	SP7110.41	\$0	\$0	\$0	\$359	\$500	\$800	\$300	60.00%
TOTAL PARK DISTRICT		\$106,424	\$105,535	\$160,115	\$93,568	\$114,200	\$143,000	\$28,800	25.22%

John Nick said there is a cost to do things right and his concern is that they maintain all of the improvements that have been made over the last seven (7) or eight (8) years on reducing the milfoil.

Supervisor Leggett read the following:

Priority Focus Areas:

- 1) Economic Maintain & improve municipal infrastructure
- 2) Social Provide support for youth development programs and senior services
- 3) Environmental Respect and protect our natural resources

Budget Assumptions

- 1) We are in an uncertain economic climate with inflation as a concern
- 2) We could expect to meet sales tax, mortgage tax, and court revenues at 2022 levels
- 3) We can expect economic repercussions from the inflation

Budget Strategy

- 1) Preserve fund balance if low, use moderate amount of fund balance if high
- 2) Do not budget for equipment or capital expense outlay except on prioritized items
- 3) Continue to create efficiencies with human resources -utilize existing employees to fill need

- 4) Provide wage increases for non-union employees to the best of our ability - recognizing inflation, COLA (8.7%)
- 5) Adjust the 2023 budget as the year goes by and base on actual revenues

Code	Fund	Appropriations	Less Estimated Revenues	Less Unexpended Balance	Amount to be Raised by Taxes 2023	Assessed Value 2023	Estimated Tax Rate 2023	Tax Rate 2022	Difference 2023-2022
A	General	\$2,128,340	\$1,989,840	\$75,000	\$ 63,500	\$759,046,190	\$0.084	\$0.447	-\$0.364
DA	Highway	\$2,344,150	\$1,213,150	\$135,000	\$996,000	\$759,046,190	\$1.312	\$1.326	-\$0.014
CD	Cmmty Dev	\$0	\$0	\$0	\$0	\$759,046,190	\$0.000	\$0.000	\$0.000
L	Library	\$92,491	\$84,691	\$7,800	\$0	\$759,046,190	\$0.000	\$0.000	\$0.000
V	Debt Service	\$0	\$0	\$0	\$0	\$759,046,190	\$0.000	\$0.000	\$0.000
	Subtotal	\$4,564,981	\$3,287,681	\$142,800	\$1,059,500	\$759,046,190	\$1.396	\$1.774	-\$0.378
SPECIAL TOWN DISTRICTS									
SP	Loon Lake Park	\$144,700	\$45,700	\$0	\$99,000	\$245,976,784	\$0.402	\$0.292	\$0.110
CW	Chester Water	\$94,500	\$74,500	\$0	\$20,000	\$37,612,964	\$0.532	\$0.534	-\$0.002
PW	Pottersville Water	\$58,770	\$30,170	\$8,600	\$20,000	\$10,337,587	\$1.935	\$2.957	-\$1.023
SF	Riverside Fire	\$10,000	\$0	\$0	\$10,000	\$22,937,026	\$0.436	\$0.437	-\$0.001
SF	North Creek Fire	\$30,000	\$0	\$0	\$30,000	\$45,915,184	\$0.653	\$0.658	-\$0.004
FLAPCD	Friends Lake	\$34,000	\$0	\$0	\$34,000	\$145,598,300	\$0.234	\$0.000	\$0.234
EMS	EMS	\$316,500	\$0	\$0	\$316,500	\$815,567,039	\$0.388	\$0.000	\$0.388
	Subtotal	\$688,470	\$150,370	\$8,600	\$529,500	\$1,323,944,884	\$4.580	\$4.878	-\$0.298
	TOTALS	\$5,253,451	\$3,438,051	\$151,400	\$1,589,000		\$6	\$7	-\$0.676

Supervisor Leggett said that the biggest decrease was Pottersville Water District, and we were fortunate to have ARPA funds and we helped out Pottersville because they have infrastructure needs.

John Nick said he has no problem with raising the Loon Lake Park District taxes and taking care of the asset.

\$1,525,092	Tax Cap 2023			
\$1,477,000	Tax levy 2022			
\$112,000	Difference 2023-2022 of tax levy			
\$48,092	Allowed increase of tax levy			
\$63,908	Net Difference over / (under) tax cap			

Supervisor Leggett said that there was an increase of \$130,000 just for the EMS District alone. We are breaking the tax cap by \$63,908 and there is no penalty for that but with only a 1% increase townwide he thinks we are doing pretty good.

Supervisor Leggett asked if there were any more questions.

Mr. Redmond asked what the balance was in the Chestertown Water District. Supervisor Leggett said that the projected fund balance at the end of 2022 was \$423,737. Mr. Redmond comment that we have the funds to do the project. Supervisor Leggett replied yes because the idea is to get a grant with a match.

Mr. Redmond thanked the Board for their time.

Supervisor Leggett **closed** the Public Hearing for the Preliminary Budget at 7:53 pm.

Old Business:

Supervisor Leggett **opened** Old Business at 7:53 pm.

RESOLUTION NO. 163 OF 2022: ACCEPT BID FOR FUEL OIL, KEROSENE AND DIESEL FOR 2023

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 for the 2023 heating season.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 163 of 2022 was **ADOPTED**.

AYE 5 NO 0

No Pellet bids received.

Discussion ensued over cost of btu for propane, oil, and pellets.

RESOLUTION NO. 164 OF 2022: ACCEPT BID FOR BLACK FLY CONTROL FOR 2023

WHEREAS, the Town Board has received one bid for Black Fly Control from Bioconservation, Inc. for an amount of \$18,400,

BE IT RESOLVED, the Town Board accepts the bid from Bioconservation, Inc. to provide black fly control services for 2023 for the amount of \$18,400 and hereby authorizes the Supervisor to sign the contract when in a form acceptable to the Attorney for the Town.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 164 of 2022 was **ADOPTED**.

AYE 5 NO 0

Carl Turner Road – Tabled until further notice.

Septic Variance #SV2020-03 – Tabled at request of applicant until further notice.

RESOLUTION NO. 165 OF 2022: AUTHORIZE TOWN SUPERVISOR TO SIGN LETTER OF INTENT FOR THE RESTORE NY GRANT

WHEREAS, the Town wishes to apply for the Restore NY Grant for 2023

BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign Letter of Intent for the Restore NY Grant Letter of Intent, which is due before November 30, 2022.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution NO. 165 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 166 OF 2022: ACCEPT THE RESIGNATION OF BOB WALP FROM THE LIBRARY BOARD OF TRUSTEES

WHEREAS, Bob Walp has submitted a letter of resignation from the Library Board of Trustees effective August 5, 2022,

BE IT RESOLVED, the Town Board accepts the resignation of Bob Walp from the Library Board of Trustees and would like to thank him for his time on the Library Board.
On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 166 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 167 OF 2022: APPROVE RE-APPOINTMENT OF VANESSA HUTTON TO THE LIBRARY BOARD OF TRUSTEES

WHEREAS, Vanessa Hutton's Library Board Trustee term will expire December 31, 2022; and **WHEREAS**, the Town would like to re-appoint Vanessa Hutton as a Library Board Trustee starting January 1, 2023 through December 31, 2027;

BE IT RESOLVED, the Town Board re-appoints Vanessa Hutton as Library Board Trustee for a term ending December 31, 2027.

On a motion by Mr. Aiken, seconded by Mr. Packer, Resolution No. 167 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 168 OF 2022: AUTHORIZE THE SUPERVISOR TO SIGN AN INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE TOWN OF CHESTER RELATING TO SOLID WASTE AND RECYCLING DISPOSAL AND HAULING SERVICES

WHEREAS, the County of Warren solicits and awards bids on behalf of the towns for certain goods and services in order to obtain the best pricing,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an Intermunicipal Agreement between the County of Warren and The Town of Chester Relating to Solid Waste and Recycling Disposal and Hauling Services.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 168 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 169 OF 2022: AUTHORIZE THE TOWN CLERK TO POST FOR THE POSITION OF CUSTODIAN IN THE TOWN MUNICIPAL CENTER EFFECTIVE DECEMBER 1, 2022

WHEREAS, there is a vacancy for a Custodian in the Town Municipal Center effective December 1, 2022,

BE IT RESOLVED, the Town Boards authorizes the filling of the vacant Custodian position in the Town Municipal Center and authorizes the Town Clerk to post the job opening as per CSEA Contract for 10 days and then advertise the position opening, if needed.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 169 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 170 OF 2022: AUTHORIZE SUPERVISOR TO SIGN AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF THURMAN FOR USE OF CHESTER'S ANIMAL CONTROL SHELTER FOR A FEE

WHEREAS, the Town of Thurman has occasional need of a facility to hold dogs in the course of their animal control activity, and

WHEREAS, the Town of Chester has an approved facility for such purpose, and the Town's Animal Control Officer has discussed the arrangement with Thurman's representative and approves such occasional use,

BE IT RESOLVED, the Supervisor is authorized to sign an Intermunicipal Agreement with the Town of Thurman, in a form acceptable to the Attorney for the Town, allowing the Town of Thurman to use Chester's Animal Control facility for an annual fee.

On a motion by Mr. Packer, seconded by Mrs. DuRose, Resolution No. 170 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 171 OF 2022: ACCEPT THE RFP FOR THE PRE-ENGINEERING REPORT FOR THE POTTERSVILLE WATER DISTRICT AS FUNDED BY THE CDBG GRANT

WHEREAS, Warren County Planning Department applied for an Engineering Grant funded by Community Development Block Grant (CDBG) for \$36,100.00, and

WHEREAS, Cedarwood Engineering was the lowest bidder,

BE IT RESOLVED, the Town Board accepts the proposal from Cedarwood Engineering to complete the engineering study for the Pottersville Water District.

On a motion by Mrs. DuRose, seconded by Mr. Packer, Resolution No. 171 of 2022 was **ADOPTED**.

AYE 4 NO 0
Recused – Mr. Turcotte

RESOLUTION NO. 172 OF 2022: TOWN BOARD HAS NO OBJECTION TO THE APPLICATION OF AN ON-PREMISE ALCOHOLIC BEVERAGE LICENSE FOR COOPER'S ROOST, LLC AND WAIVES THE 30-DAY ADVANCED NOTICE

WHEREAS, the Town Clerk for the Town of Chester has received the Standard Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board from Bruce Lipinski for Cooper's Roost, LLC located at 5810 State Route 8, Chestertown, NY on November 7, 2022, and

WHEREAS, Cooper's Roost, LLC is requesting that the Town Board waive the 30-day advanced notice,

BE IT RESOLVED, the Town Board has no objection to the application of an on-premises alcoholic beverage license for Cooper's Roost, LLC, and waives the 30-day advanced notice.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 172 of 2022 was **ADOPTED**.

AYE 5 NO 0

Short-term Rentals:

Supervisor Leggett commented that he has met with Chris Aiken and John Nick over time to pull together information.

John Nick said that he had attended a video conference that was presented by NYS Association of Towns. Mr. Nick said that in the last ten (10) years the volume has built up from \$10,000,000 across the United States to \$130,000,000.

Supervisor Leggett commented that he took three (3) phone calls this week from realtors asking about short-term rental regulations in Chester, two were on Friends Lake and one on Loon Lake.

Mr. Aiken said that there was a lot of information on the recording and hopefully they can all listen to it and dig in before we finally settle this soon than later.

Supervisor Leggett said that he is signed up for a webinar with the NYS Planning Federation.

Marion Eagan commented that her and Jeremy Little, Zoning Administrator, are signed up as well.

Mr. Schachner, Attorney for the Town, commented that the troublesome point from legal vulnerability that has been in many short-term rental local laws, is that if the owners are on premises the short-term renters will behave better so they have made distinctions between what they call owner-occupied short-term rentals and non-owner-occupied short-term rentals. In court not in New York this has been determined to be unconstitutional distinction because you are not regulating the use, you are regulating the people. That is why he will continue to say that this entire area is fraught with legal peril in his opinion.

John Nick said that in the conference call that he attended they noted half a dozen requirements that are needed to survive any court concerns and we had all of them cover in the document they presented as a committee to the Board. Mr. Nick said the committee at no time suggested getting rid of short-term rentals, they are just asking that the owners be responsible.

Supervisor Leggett said that there are three points that are outstanding, and they need guidance on: 1. Septic inspections, 2. Building code inspections, and 3. Neighbor notification.

John Nick commented that in the public informational meeting that was held the septic inspection was a major concern and he came with a new septic inspection that would only be required if it was within a certain distance from a lake, stream or water body and he thinks that would better appease the people who were concerned about the inspection. Notification is very important.

Supervisor Leggett asked the Board if they would like the three items left in.

Mr. Turcotte thinks that septic inspection can be left out. He feels that the water going into the septic tank has no idea if someone lives there full time, if someone is paying to stay there for a week or paid to stay there a month, the septic knows no difference. He feels that we would be discriminating between people who have a system that is working but not up to code that is currently in use and the person who is renting that has a system that is working but not up to code, they would be forced change the septic. He feels that when a septic fails, they are forced naturally to do that on their own. If we want to regulate our septic systems then we should do it in our wastewater code because that is what our wastewater code is for. We should not try to regular the same thing in different codes. It is still based on the number of bedrooms whether it is a rental or full-time.

Mr. Schachner commented that if five (5) guest/friends staying with you raise havoc they would not have the same regulations as a short-term rental.

John Nick said that when you rent a property you go in with certain expectations and would rather call the owners than the police.

Supervisor Leggett asked if there was any other guidance and thanked John Nick.

Softball field and playground on school field behind Town Municipal Center:

Supervisor Leggett said that he has been in contact with Michele French at North Warren Central School and now that varsity baseball plays on the field behind the School and the girls varsity soccer team plays on the softball field, they need a softball field and would like to change the baseball field behind the Town Hall to a softball field. Supervisor Leggett has spoken to the School about room for a playground. The School was asking for assistance in converting the baseball field to a softball field.

Mrs. DuRose asked what the School was looking for. Supervisor Leggett replied that the School is looking for the Town to bring in clay and topsoil to spread out.

Discussion ensued about where a playground could go at the Town Hall and more pickleball courts.

RESOLUTION NO. 173 OF 2022: RATIFY HIRING MICHAEL RINALDI AS A PERMANENT PART-TIME ATTENDANT FOR THE TRANSFER STATION DUE TO VACANCY

WHEREAS, the resignation of Melvin Bishop left a permanent part-time position available at the Transfer Station, and

WHEREAS, the Town Board wishes to fill that part-time position,

BE IT RESOLVED, the Town of Chester Town Board ratifies hiring Michael Rinaldi as a permanent Part-Time Transfer Station Attendant for 28 hours per week at the rate of \$16.50 per hour.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 173 of 2022 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 174 OF 2022: APPROVE THE NOVEMBER BUDGET AMENDMENTS AND ACCEPT ABSTRACT OF AUDITED VOUCHERS AND AUTHORIZES PAYMENT

WHEREAS, the Bookkeeper and the Supervisor have created a spreadsheet of budget amendments, and

WHEREAS, the Town Clerk has entered the vouchers and created Abstract No. 11 of 2022 of Audited Vouchers, and

WHEREAS, the Town Board has reviewed the budget amendments and abstract,

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

BUDGET AMENDMENTS - NOV 2022 TOWN BOARD MEETING						
Code	Budget Adjustment-Increase	Amount		Code	Budget Adjustment - Increase	Amount
A3089	Justice Court Grant	1,596.99		A1110.41	Court State Grant	1,596.99
A1170	Franchise Fees	900.00		A4068.4	Insect Control	900.00
A1170	Franchise Fees	3,000.00		A4560.4	Medical Center Contractual	3,000.00
A1170	Franchise Fees	4,800.00		A5182.4	Street Lighting Contractual	4,800.00
A1170	Franchise Fees	5,000.00		A7140.4	Dynamite Hill Contractual	5,000.00
A1170	Franchise Fees	1,200.00		A7140.41	Beach Contractual	1,200.00
A2350	Youth Srvs Other Gov't	4,375.00		A7310.4	Recreational Contractual	4,375.00
A2001	Park Rec Youth Fees	4,673.78		A7310.4	Recreational Contractual	4,673.78
A1081	PILOT Fees	3,000.00		A8810.1	Cemeteries PS	3,000.00
A2190	Sale Cemetery Lots	2,000.00		A8810.4	Cemeteries Contractual	2,000.00
DA1120	Sales Tax	2,500.00		DA5010.4	CDL Drug Testing	2,500.00
DA3960	Storm Aid	41,320.41		DA5110.4	General Repairs Contractual	41,320.41
DA1120	Sales Tax	20,000.00		DA5112.2	CHIPS	20,000.00
Code	Budget Adjustment-Increase	Amount		Code	Budget Adjustment- Decrease	Amount
A1420.4	Attorney Contractual	9,504.30		A1990.4	Contingency	9,504.30
A1620.4	Town Center Contractual	30,000.00		FB	Fund Balance	30,000.00
A7110.4	Parks Contractual	7,000.00		A7110.2	Parks Equipment	7,000.00
A7140.21	Beach Equipment	1,622.00		A6410.41	Publicity Tourism Promotion	1,622.00

No. 11 of 2022	
General A	\$79,136.68
Highway DA	\$182,339.85
Library L	\$1,505.46
Loon Lake Park District SP	\$700.00

Chestertown Water SW1	\$1,660.51
Pottersville Water SW2	\$1,097.11
Other TA	\$2,181.93
Total	\$268,621.54

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 174 of 2022 was **ADOPTED**.

AYE 5 NO 0

On a motion by Mrs. DuRose, seconded by Mr. Turcotte the Board **entered** executive session to discuss the possible acquisition of real property at 8:59 pm.

AYE 5 NO 0

On a motion by Mrs. DuRose, seconded by Mr. Turcotte the Board **exited** executive session at 9:25 pm.

AYE 5 NO 0

No action taken.

Preliminary Budget:

Supervisor Leggett went through the proposed Preliminary Budget in detail.

Supervisor Leggett asked the Board what they thought and commented that he brought the Bookkeeper up to \$25 per hour, she is worth every penny. He also brought his Confidential Secretary to \$25 per hour, she does an incredible amount of work, she makes the Town a lot of money and she saves the Town a lot of money.

Supervisor Leggett said that the Judge put a 10% raise for himself and his clerk.

Supervisor Leggett said taking into consideration the comment from the public today, the Town Clerk does a lot of work for the Water Districts, and all the work done for the Water Districts could be charged to the Water Districts by reducing the Town Clerk salary of \$52,000 by about \$6,000 and move that over to the Water Districts.

Mrs. DuRose asked if they would then hire someone to be secretary for the Water Districts. Supervisor Leggett said that right now the most efficient way to get it done is to have the Town Clerk do it, all of the software is on her machine, and we pay per license fee. Right now, we paid the Highway Superintendent to be Water Superintendent, if a watermain breaks at 7 am on a Monday morning he is on Water Superintendent time, but it is also highway time. We also pay the Assistant to the Superintendent to assist him, but he is also getting paid by Parks and Recreation and nights and weekends are picked up by the Water District. This would go along the same lines.

Mr. Aiken would like a job description for the Clerk. If the Clerk is not doing the work, then we have to pay someone to do it. If the Clerk had this many duties and is now doing this many duties, then who would have a problem with \$52,000, \$25 per hour, 40 hours per week, and he is

sure that Mindy who is only supposed to work 30 hours per week is putting way more than 30 hours with all these duties. Mrs. DuRose commented that it gets complicated when you are salary, salary exempt or salary non-exempt. Mrs. DuRose said she can hear Charlie Redmond and she has had the same conversation through different phone calls. Mrs. Eagan commented that Charlie also said she was worth it and how to figure out how to do it and get it for her. Supervisor Leggett said that if it is a matter of optics we can move it, he just put it all under Town Clerk to make it easier. The audited claims for example, technically the Town Clerk audits the claims. She is supposed to receive a packet and go through it to make sure all of the numbers match and the codes are correct, now all of the claims are inputted by the Clerk into the bookkeeping software, so it is something that bookkeeping would put in and we would be paying someone out of the Supervisor's Office. Mrs. DuRose commented that Bruce used to do that. Supervisor Leggett said yes, after the fact he did, Bruce entered them in after the meeting, Mindy made sure we were not missing payments. Mr. Turcotte would like to know what the Town Clerk's job is and what is not the Town Clerk's job and for whoever may run in the future, this is what we expect out of the Clerk. Mrs. DuRose commented that when you run for office you have some idea of what you are doing, if at some point that duty becomes more, we don't know what the other Town Clerks were doing. Supervisor Leggett commented that we have really brought the administration of the Town with the staff we have right now up and down these halls, we have really increased the professionalism of the Town, we are very well run, people take the job seriously and want to do their best, are very customer oriented as well, because we are here to serve the public and they are our customers. Just the quality here is great, so with that everyone has a bit of the can-do attitude, not my job attitude. Mr. Aiken commented that if Mindy is working 40 hours at \$25 per hour, not that it is hourly, the \$52,000 is justified and explain to people that she is salary and probably works more than 50 hours a week. Mr. Packer asked if any other line items are assigned to Mindy. Supervisor Leggett said the only other one is vital statistics which is assigned at the organizational meeting, she also does Notary Public at no cost, and we currently have Carrie Remington apply for hers. Mr. Packer commented that the office will be open 8 hours a day then. Supervisor Leggett replied that the discussion takes place at the County as well about the hours and why they are not open to the public for the whole time they are working, and they have stuff to do and get stuff done. Supervisor Leggett said that the most productive time in this building is after 3 pm. Mrs. DuRose said that when Pat Smith was Clerk, she would come in at 7 am to get ready for the day. Supervisor Leggett said that the office should be open 9 am – 3 pm and then the extra effort to get things done. Marion Eagan said that the Assessor's Office went to full time because she is in there and when Carol was here it was until 1 pm four days a week. Mrs. DuRose would like to think about it some more, because of the salaries.

Mr. Packer asked when we needed to have the Budget finalized. Supervisor Leggett said November 20th.

Mr. Turcotte would like to see the Supervisor at 5% and besides the Clerk, 2.5% on all other personnel. Marion commented that you need to pay people what they are worth and you would not like it if someone told you, you were not worth it. Marion said to not tell Jeremy or not tell Mindy or not tell her that we are less valuable than a 19-year-old hired here. Mrs. DuRose said that she has seen kids come out of high school and make \$70,000. Marion said, then we are under paid and if we do not move with the times and she has made more and saved more for this Town than anyone in the past has done. Marion asked if \$25 an hour was a lot of money and if

you don't think that her, Jeremy, and Mindy are worth \$25 an hour plenty of places will and the Supervisor deserves at least 10%, this is 24 hours a day, seven days a week.

Supervisor Leggett said that in unit gets a step.

Discussion ensued.

RESOLUTION NO. 175 OF 2022: SCHEDULE A SPECIAL TOWN BOARD MEETING FOR THURSDAY, NOVEMBER 17, 2022 AT 4:30 PM AT THE TOWN OF CHESTER MUNICIPAL CENTER TO DISCUSS THE BUDGET

WHEREAS, the Town Board held a Public Hearing for the Preliminary Budget on November 8, 2022, and

WHEREAS, the Final Budget needs to be accepted by November 20, 2022,

BE IT RESOLVED, the Town Board schedules a Special Town Board Meeting for Thursday, November 17, 2022 at 4:30 pm at the Town of Chester Municipal Center to discuss the Budget. On a motion by Supervisor Leggett, seconded by Mr. Turcotte, Resolution No. 175 of 2022 was **ADOPTED**.

AYE 5 NO 0

On a motion by Supervisor Leggett, seconded by Mr. Aiken, meeting **adjourned** at 10:41 pm.

AYE 5 NO 0

Respectfully submitted,

Mindy Conway, Town Clerk