

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, Deputy Supervisor Marion Eagan, and Attorney for the Town, Mark Schachner (via Zoom).

Regular Meeting:

Supervisor Leggett opened the Regular Town Board Meeting at 7:00 pm with Larry Turcotte leading the Pledge of Allegiance.

RESOLUTION NO. 144 OF 2020: ACCEPT THE MINUTES FROM THE REGULAR TOWN BOARD MEETING OCTOBER 13, 2020, BUDGET WORKSHOP MEETING OCTOBER 20, 2020, AND SPECIAL PRELIMINARY BUDGET MEETING NOVEMBER 5, 2020

RESOLVED, to accept the minutes from the Regular Town Board Meeting October 13, 2020, Budget Workshop Meeting October 20, 2020, and Special Preliminary Budget Meeting November 5, 2020 as presented.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 144 of 2020 was **ADOPTED**.

AYE 5 NO 0

Public Hearing for the Preliminary Budget (Continued):

Supervisor Leggett **Re-Opened** the Public Hearing for the Preliminary Budget at 7:01 pm.

Supervisor Leggett asked if there was any public comment.

Hearing none, Supervisor Leggett **Closed** the Public Hearing for the Preliminary Budget at 7:02 pm.

Committee Reports:

Supervisor Leggett opened Committee Reports at 7:02 pm.

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

- Town Board Minutes for the Regular Meeting October 13, 2020, the Budget Workshop October 20, 2020, and the Preliminary Budget Meeting November 5, 2020
- Abstract #11 by department
- Zoning Administrator Activity Report for October 2020
- Planning Board Minutes for September 21, 2020
- Zoning Board of Appeals Minutes for October 19, 2020
- Assessors Report for November 2020
- Animal Control Monthly Report for October 2020
- Town Clerk Monthly Report for October 2020
- 2020 Water Summary
- Town Court Report dated November 10, 2020
- Communications Report for November 2020
- Transfer Station Vehicle Report for October 12 November 8, 2020
- Cemetery Maintenance Report for September 14 October 21, 2020

- Library Friends Fall 2020 Newsletter
- Letter from the Library Board of Trustees accepting the resignations from Sandra Deak and Tom Sliva and appointing Ryan Hutton
- Copy of Warren County Connection for November 2020
- Aqualogic Loon Lake Harvest Report for October 21 23, 2020

Town Board Reports:

Mr. Aiken said he attended the Loon Lake Park District Association Meeting and the Senior Center Meeting.

Mr. Packer reported that he has been working on the audit with Karen and that there is a lot of street lights out and asked if you notice one out please write down the pole number and report it to Craig or go online.

Mrs. DuRose reported that she attended the Planning Board and Library Meetings and has been working with Mike to finish the audit.

Mr. Turcotte reported that he has downloaded a point of sale system for the Transfer Station to try in order to track the amount of garbage and construction materials coming in and explain that a hotspot or internet would be great to have.

Supervisor Leggett reported the following:

- Submitted grant for waste reduction
- Attended Planning Board Meeting
- Went Loon Lake Park District Association Meeting
- The gymnasium floor is all done and the basketball brackets are ready
- Parks and Rec. repaired roof on the Caroline Fish Trail Lean Too and the Dynamite Hill Pavilion
- The Highway received a new 5 ton International Truck
- All paving is done
- Marion and Jason met with FEMA
- CHIPS application for reimbursement will be sent in Thursday
- Landfill is rearranged and operational
- Still working to get more public input for the sidewalks from the Town Hall to the Health Center, please see link on "Public Notice" page on town's Website

Supervisor Leggett closed Committee Reports at 7:13 pm.

Privilege of the Floor:

Supervisor Leggett opened Privilege of the Floor at 7:13 pm.

John Nick from the Loon Lake Park District Association (LLPDA) along with Rich McCrum spoke about the recommendations to the Town for changes to Town Boating Regulations on Loon Lake.

John said there is an increasing number of vessels that anchor, moor on our lake. So they suggested that the following be added:

No motorized vessel shall, anchor, moor, or recreate on the waters of Loon Lake within 100 feet of a dock or swim platform. This paragraph shall not apply:

- 1) To persons fishing from vessels, provided such fishing does not create a hazard to near-shore recreational activities such as swimming; or
- 2) The emergency use of such waters

Presently the Town of Chester Law Number 1 of 1996 does not allow PWC's to operate within 200 feet of shore, a float, vessel or anything or person being towed by another vessel unless they are leaving or arriving at a launching or docking area. They recommend that 1996 Town Law Section G to be deleted:

G. Except when leaving or arriving at a launching or docking area, no personal watercraft may be operated within 200 feet from any raft, float or vessel or anything or person being towed by another vessel.

They recommend that 1996 Town Law to be changed to fix G Amends Paragraph E:

The speed limit on Loon Lake is 45 MPH. The speed limit is 5 MPH when operating within 100 feet (200 Feet for PWCs) from a shoreline, dock, pier, float, or an anchored vessel.

They recommend that the following be added:

Any motorized vessel towing an item or person must stay a minimum of 200 feet from any shoreline, dock, float, or an anchored vessel unless leaving or returning to a launching or docking area.

Rich McCrum commented that if you are pulling someone then it keeps everyone from the 100 ft from shore. The 1996 Law means that no one can be within the 200 ft of shore.

John Nick said that they have a few lake safety recommendations:

1. Allow the Lake Safety Officer (LSO) to give written warnings. After 2 written warnings a vessel would lose its right to launch at the Town Launch for twelve months from the date of the 2nd warning.

John commented that presently the Lake Safety Officer can only give verbal warnings, which is well known on the Lake. Safety on the Lake and quality of life would be improved by this change.

Mrs. DuRose asked if it would include the vessels already on the Lake or only those going through the launch. John said it would be anyone on the Lake. Karen asked all of the people on

the lake go through the marina or the Town Launch. John replied no, but he would say that the vast majority does. There are some people who launch off their own property. Rich commented that our Lake Safety Officer cannot write tickets so the only thing that they could come up with is that the Town own the Town Launch and you provide that as a privilege and that is the only thing that you can take away.

John said the committee met five (5) weeks. Rich said this is only a recommendation. John said that Rich Konig, Lake Safety Officer, has said that usually after he stops someone they usually abide by the rules afterwards.

Mr. Packer asked if these rules would be posted at the Boat Launch. Rich replied that they would be posted at the Boat Launch, published on the website, published in the Loon Lake Newsletter, published at the marina so if you are renting a boat they will hand you s sheet of paper.

2. Institute a \$20.00 single launch fee for motorized vessels at the Town launch and a \$100.00 season Launch fee.

John projects this would result in about \$8,000 in revenue. Mr. Turcotte asked the percentage of motorized vessels. John replied about 75%.

- 3. Close the Town Launch gate once 15 motorized vessels are launched per day. Once a motorized vessel is retrieved at the Town Launch another motorized vessel can be launched that same day. (LLPD owners would be exempt).
- 4. The Town Supervisor would require the Town Zoning Enforcement Officer to inspect the Lake for Zoning Law conformance a minimum of two times between May and September each year with the Town Lake Safety Officer.

John commented that this would give the Enforcement Officer a chance to look at the docks.

John asked if there were any questions, thought or concerns. They are looking forward to being able to enact the recommendation. Rich said that is their response to the concerns that have come to the LLPDA and now they are coming to the Town with the recommendation from the committee.

John said that during his boat count jet skis went up by 75%.

Supervisor Leggett said that by having a committee then it is not just coming from one individual and there was a lot involved and now the Town Board can discuss them and act on them as they see fit and will give the Board time to act on them before the 2021 season starts. Now the LLPDA is looking for feedback. Supervisor Leggett commented that the Town Board has been discussing a launch fee for about four (4) years now so it maybe time. Also, the Town spends

about \$14,000 per year manning the Boat Wash so this could be a way of taking the burden off the tax payers and putting onto the users.

John Nick referred to the LLPDA Mission Statement:

The purpose of the Loon Lake Park District Association (LLPDA) is to represent and protect the interests of the residents and property owners within the district. To this end, the LLPDA seeks to protect the ecology of the lake and the surrounding area, the preservation of the natural beauty of the lake and surrounding area, and the promotion of safe boating, swimming, and recreational opportunities and activities for all residents.

Supervisor Leggett said he would look at the legalities and continue the discussion at the next meeting.

Discussion continued about whether or not the changed would cause people to go to other area lakes.

Supervisor Leggett closed Privilege of the Floor at 7:51 pm.

New Business:

Supervisor Leggett opened New Business at 7:51 pm.

2021 Preliminary Budget:

Supervisor Leggett gave the Board Members the Fund Summary and explained that there was a clerical error in the Water Superintendent's Salary in Chestertown and Pottersville Water and stated that for all of our funds we were down 3.71% or \$174,344 over last year proves that this is a very tight budget.

Preliminary Town Budget 2021							
All Funds		Actual	Actual	Budget	Budget	Difference	
ITEM	CODE #	FY 2018	FY 2019	FY 2020	FY 2021	2021 - 2020	%
TOTAL:PERSONAL SERVICE EXP	0.1	\$1,476,929	\$1,530,226	\$1,578,597	\$1,572,994		-0.35%
TOTAL:EQUIP/CAPITAL EXP	0.2	\$552,071	\$782,051	\$530,542	\$570,622	\$40,080	7.55%
TOTAL:CONTRACTUAL EXP.	0.4	\$1,550,976	\$1,611,028	\$1,517,575	\$1,320,368	(\$197,207)	-12.99%
TOTAL:BENEFITS EXP	0.8	\$795,132	\$835,966	\$899,443	\$918,994	\$19,551	2.17%
TOTAL:DEBT SERVICE	9700	\$54,423	\$54,209	\$54,209	\$37,693	(\$16,516)	-30.47%
TOTAL:INTERFUND TRANSFERS	9900	\$35,848	\$35,850	\$76,760	\$66,757	(\$10,003)	-13.03%
TOTAL SF Districts	SF	\$42,000	\$42,000	\$42,000	\$40,000	(\$2,000)	-4.76%
TOTAL FUND EXPENSES		\$4,507,379	\$4,891,330	\$4,699,126	\$4,527,427	(\$171,699)	-3.65%
Difference 2021-2019 Actual			\$4,891,330		\$4,527,427	(\$363,903)	-7.44%
Difference 2021-2018 Actual		\$4,507,379			\$4,527,427	\$20,048	0.44%

Supervisor Leggett asked the Board to accept the Preliminary Budget tonight with the modifications as the Final 2021 Budget.

Mr. Packer asked A1355.11 was up by 4.2% and he feels everyone should be at 2.75%. Supervisor Leggett said that was due to the year before there was a clerical error and there is overtime in there as well.

Mr. Packer said the Town Clerk was at 3.15% and asked if that came from record management. Supervisor Leggett replied that he took last year's salary increased it by 2.75% then added records management. Mike said he would be more comfortable putting the money back into records management and only giving the clerk 2.75%. Supervisor Leggett said he basically did not give a raise to records management this year. The Town Clerk asked if they were going to separate it if they were going to then give a 2.75% raise for records management, because there was not raise included for records management or for the youth director, which was a decrease from last years. The Town Clerk commented that money was taken away during the Austerity Budget. Mrs. DuRose asked if we had given any money back that was taken in the Austerity Budget. Supervisor Leggett said that the Town can, depending on how well we do. Mr. Turcotte said that the money save from the Austerity Budget would just go into the Fund Balance. Mr. Turcotte asked if Craig if it was just his intention to consolidate line items. Craig replied yes and said we have \$175,500 encumbered from the Austerity Budget. Mrs. DuRose asked about A1220.14 there was only 1.49% raise. Craig commented that that was from the tentative budget that only had a 1.5% raise for all non-union employees.

More discussion ensued about the Town Clerk and records management.

Preliminary Town Budget 2021							
GENERAL FUND: CLASS SUMMARY		Actual	Actual	Budget	Budget	Differ	ence
						2021 -	
ITEM	CODE #	FY 2018	FY 2019	FY 2020	FY 2021	2020	%
TOTAL: GENERAL PERSONAL SERVICE EXP	0.1	\$766,847	\$795,079	\$811,273	\$787,091	-\$26,651	-3.29%
TOTAL: GENERAL EQUIP/CAPITAL EXP	0.2	\$127,101	\$89,879	\$73,800	\$75,000	\$1,200	1.63%
TOTAL: GENERAL CONTRACTUAL EXP.	0.4	\$898,146	\$898,146	\$846,810	\$721,800	-\$118,960	-14.05%
TOTAL: GENERAL BENEFITS EXP	0.8	\$356,601	\$401,055	\$415,241	\$436,483	\$21,529	5.18%
TOTAL: GENERAL DEBT SERVICE	A9700	\$18,575	\$18,359	\$18,359	\$18,359	\$0	0.00%
TOTAL: GEN INTERFUND TRANSFERS	A9900	\$85,448	\$66,757	\$76,760	\$66,757	-\$10,003	-13.03%
TOTAL: GENERAL FUND EXPENSES		\$2,252,718	\$2,269,275	\$2,242,243	\$2,105,490	-\$132,885	-5.93%

Supervisor Leggett said that under the general fund he has reduced personal services by more than \$26,000 with still giving the 2.75% raise.

More discussion ensued about the Town Clerk salary.

Supervisor Leggett asked for the Board support in accepting the Preliminary Budget as a Final.

RESOLUTION NO. 145 OF 2020: ACCEPT PRELIMINARY BUDGET AS FINAL 2021 BUDGET AND ADOPT THE 2021 FINAL BUDGET

WHEREAS, the Town Clerk presented the 2021 Tentative budget to the Town Board on October 5, 2020 and recommendations for changes were given to the Budget Officer, and

WHEREAS, the Town Board held a budget workshop on October 20, 2020 and agreed to give a 2.75% increase to all staff positions and to go over the tax cap by not using fund balance, and set a public hearing for the Preliminary Budget

WHEREAS, the Town Board held a duly advertised public hearing for the 2021 Preliminary Budget on November 5th and continued on November 10th, and

WHEREAS, the Town Board considers the 2021 Preliminary Budget to be in the best interest of the taxpayers, given the current economic circumstances, and

WHEREAS, the Town Board adopted Local Law No. 2 of 2020 by Resolution No. 136 of 2020 on October 13, 2020 authorizing the override of the Tax Cap,

BE IT RESOLVED, the Town Board accepts the Preliminary Budget, as presented, as the 2021 Final Budget and adopts the 2021 Final Budget as presented.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 145 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 146 OF 2020: AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD

WHEREAS, the Adirondack Park Local Government Review Board (APLGRB) is an effective advocate for municipalities within the Blue Line, and

WHEREAS, the APLGRB has requested funding for their activities for FY 2021 and the Town of Chester has supported the APLGRB in previous years,

BE IT RESOLVED, the Town Board authorizes the Supervisor to enter into an agreement with APLGRB and appropriate \$300 in the Town's FY 2021 Budget.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 146 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 147 OF 2020: ACCEPT BID FOR FUEL OIL, KEROSENE AND DIESEL FOR THE 2020-2021 HEATING SEASON

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 above wagon 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 2020-2021 heating season.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 147 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 148 OF 2020: ACCEPT THE RESIGNATION OF SANDRA DEAK AND TOM SLIVA FROM THE LIBRARY BOARD OF TRUSTEES

WHEREAS, Sandra Deak and Tom Sliva have submitted a letter of resignation to the Library Board of Trustees,

BE IT RESOLVED, the Town of Chester would like to thank Sandra Deak and Tom Sliva for serving on the Town of Chester Public Library Board of Trustees and accepts the resignation of Sandra Deak and Tom Sliva.

On a motion by Mr. Aiken, seconded by Mrs. DuRose, Resolution No. 148 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 149 OF 2020: APPROVE THE APPOINTMENT OF RYAN HUTTON TO THE LIBRARY BOARD OF TRUSTEES

WHEREAS, the Library Board of Trustees has interviewed and approved one well qualified individual.

BE IT RESOLVED, the Town Board approves the appointment of Ryan Hutton to fill the unexpired term of Sandra Deak, set to expire July 31, 2022.

On a motion by Mr. Turcotte, seconded by Mr. Aiken, Resolution No. 149 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 150 OF 2020: REAPPOINT WEDDING OFFICIANT

WHEREAS, as provided by NYS Domestic Relations Section 11-C – Marriage Officers, a Town Board may appoint one or more marriage officers to solemnize a marriage, and Section 11-C also provides certain limitations and requirements of a marriage officer, and

WHEREAS, the Town Board has had a request to make such an appointment because of the occasional difficulty of persons not being able to arrange for the services of a marriage officiant at certain times and places,

BE IT RESOLVED, the Town Board appoints Susan Andonucci as Marriage Officer for a term ending December 31, 2023 who will serve at the pleasure of the Town Board and in accordance with NYS Law.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, Resolution No. 150 of 2020 was **ADOPTED**.

AYE 5 NO 0

Transfer Station:

Mr. Packer commented that he would like to see only one attended at the Transfer Station now that all the bins are fixed.

Supervisor Leggett replied that there is still more work to be done and hopefully that can be done this month.

Mr. Aiken asked if having Lynn Douglas at the Transfer Station would leave a hole somewhere else. Supervisor Leggett commented that the boat wash and Dynamite will need to be filled.

RESOLUTION NO. 151 OF 2020: APPROVE THE HIRE OF LYNNE DOUGLAS AS PERMANENT PART TIME RECYCLING ATTENDANT

WHEREAS, there is a vacancy for a part time attendant at the Transfer Station due to resignation,

BE IT RESOLVED, the Town Board approves the hire of Lynne Douglas as permanent part time Recycling Attendant at the rate of \$14.65 per hour.

On a motion by Mr. Packer, seconded by Mr. Aiken, Resolution No. 151 of 2020 was **ADOPTED**.

AYE 5 NO 0

RESOLUTION NO. 152 OF 2020: SET A PUBLIC HEARING DATE OF DECEMBER 8, 2020 AT 7 PM REGARDING CONTRACTS

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

BE IT RESOLVED, the Town Board sets a public hearing date of December 8, 2020 at 7 pm regarding contracts with the above listed contractors.

On a motion by Mr. Packer, seconded by Mr. Turcotte, Resolution No. 152 of 2020 was **ADOPTED**.

AYE 5 NO 0

Budget Adjustments:

Supervisor Leggett said that they changed the motor for the compactor which will decrease the cost by \$10,000.

Mr. Turcotte asked the Attorney for the Town if the Town should buy Title Insurance for the property on Pine Street. Mr. Schachner replied that they always recommend it, it is a onetime premium and it's not expensive and we always recommend it. Larry would like to have the Town purchase Title Insurance for the Pine Street property. Craig will see about getting Title Insurance.

Supervisor Leggett welcomed High Peaks Bakery to Town and Courtney Greco upstairs.

RESOLUTION NO. 153 OF 2020: APPROVE THE FOLLOWING 2020 BUDGET AMENDMENTS, ADJUSTMENTS AND AUTHORIZE PAYMENT OF ABSTRACTS

WHEREAS, the Supervisor has gone over the numbers with the Bookkeeper, and

WHEREAS, the Town Clerk has entered the vouchers and created an Abstract of Audited Vouchers, and

WHEREAS, the Town Board has reviewed the Abstract,

BE IT RESOLVED, the Town Board approves the following 2020 Budget amendments and adjustments as present and accepts the Abstract of Audited Vouchers and authorizes payment as presented.

BUDGET ADJUSTMENTS - NOVEMBER TOWN BOARD MEETING

Acct Code	Increase	Decrease
A1670.4	1,100.00	
A1620.4		1,100.00
A3510.4	1,350.00	
A1420.4		1,350.00
A6989.4	500.00	
A1620.4		500.00
A8160.4	10,000.00	
A9950.93		10,000.00

A1940.4	8,500.00	
A1990.4		8,500.00

BUDGET AMENDMENTS - NOVEMBER TOWN BOARD MEETING

Acct Code	Increase
L2705	526.00
L7410.2	526.00
A2115	1,900.00
A8010.41	1,800.00
A8020.43	100.00
A2130	5,990.00
A8160.4	5,990.00

Abstract Number 11 of 2020					
General A	\$106,422.88				
Highway DA	\$153,593.58				
Library L	\$2,152.63				
Loon Lake SP	\$2,820.90				
Chestertown Water SW1	\$671.94				
Pottersville Water SW2	\$6,275.95				
Other TA	\$2,957.60				
Total	\$274,895.48				

On a motion by Mr. Turcotte, seconded by Mrs. DuRose, Resolution No. 153 of 2020 was **ADOPTED**.

AYE 5 NO 0

Truck Bids:

Supervisor Leggett commented that the Highway Superintendent was looking to get \$20,000 for both trucks.

Mr. Packer asked if we pay a fee to the auction site. Mrs. Eagan retrieved a copy of the contract that states that the Town does not pay a commission charge.

Supervisor Leggett asked the Clerk to call the Highway Superintendent to make sure he approves both bids. After speaking with the Highway Superintendent the Clerk said that he recommends accepting the bids.

RESOLUTION NO. 154 OF 2020: ACCEPT THE FOLLOWING BIDS: \$13,700 FOR THE 2008 F350 1-TON DUMP TRUCK; \$8,100 FOR THE 2001 STERLING LT9500 TANDEM DUMP TRUCK

WHEREAS, the Town Board authorizing the sale of surplus Highway Department equipment through the use of an online auction, Auction International, and

WHEREAS, two trucks were advertised for sale on the online auction website for a set period of time, and

WHEREAS, the Town has received bids,

BE IT RESOLVED, the Town Board accepted the following bids: \$13,700 for the 2008 F350 1-ton Dump truck from Denali Excelsior LLC; \$8,100 for the 2001 Sterling LT9500 Tandem Dump truck from Anderson's Construction.

On a motion by Mrs. DuRose, seconded by Mr. Turcotte, Resolution No. 154 of 2020 was **ADOPTED**.

AYE 5 NO 0

Dynamite Hill Hours:

Supervisor Leggett said that the hours for Dynamite Hill this year will be Fridays 3 pm to 8 pm and Saturdays and Sundays 10 am to 4 pm. Holiday week will 10 am to 4 pm with no night hours and we will open the day after Christmas, December 26th. February break hours will be decided at a later date.

Supervisor Leggett thanked the volunteer trail crew, who went out and cleaned up some of the trails for cross country skiing, Drew Cappabianca, Elli Underwood and Zack Smith.

On a motion by Mrs. DuRose, seconded by Mr. Aiken, meeting ac	djourned	l at 8:56	5 pm.	
	AYE	5	NO	0
Respectfully submitted,				
Town Clerk				