



Town Board

Regular Meeting

April 9, 2024

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 John Maday – Present
Deputy Supervisor Karen DuRose – Present
Councilman Chris Aiken – Present
Councilperson Jenna Cooper – Present
Councilman Larry Turcotte – Absent
Attorney for the Town, Brian Reichenbach – Present
Town Clerk, Mindy Conway – Present

Regular Meeting:

Supervisor Maday **opened** the Regular Meeting at 7:00 pm with the Pledge of Allegiance.

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

- Abstract No. 4
- Town Board Minutes for the Regular Meeting March 12, 2024 and Special Meeting March 22, 2024
- Zoning Administrator's Activity Report for March 2024
- Planning Board Minutes for March 18, 2024
- Zoning Board Minutes for March 26, 2024
- Assessors Report for April 2024
- Town Clerk Monthly Report for March 2024
- Town Court Report dated April 3, 2024
- Communications Report for April 2024
- North Warren EMS Reports for February and March 2024
- Occupancy Tax Application from the Adirondack Sports Council
- Proposed Dyszel Subdivision

Privilege of the Floor:

Supervisor Maday **opened** Privilege of the Floor at 7:02 pm by introducing Adam Bailey, Adirondack Program Manager for Northern Forest Center.

Adam Bailey gave the Board a copy of the annual report for the Northern Forest Center. They are a regional nonprofit that works in the Adirondacks and northern New England. They foster social and economic vitality in rural communities throughout that whole region. He specializes in the New York side along with his colleague Leslie, who is up in Saranac Lake. They really work to help communities stay vibrant, especially here in the Adirondacks to be attractive to new and returning residents, especially those that are young to fill the role that communities go on. In Chester since 2021 we've been doing a variety of projects with a group of local advisors. We've been partnering with Angie Mead, Ryan Hutton, Craig Leggett, and Drew Capablanca. One thing that they have really been doing across the region is housing. Obviously, you would like to have young people, young families move into the community and there is a severe lack of

housing. They don't want something crazy expensive but middle market workforce housing. That's really that missing piece in a lot of communities and Chester is no exception to that.

Adam Bailey said he was here specifically to talk about a state program that came into effect last year, the pro housing community designation. This is a program out of homes and community renewal. The state is trying to get communities across New York State to look at housing in their communities from a land use standpoint and what is actually being built. They are hoping towns can dig up to five years of data on how many homes have been built. Have they been apartments, have they been single family, have they been lakeside homes, what percentage increase. Also look at what you can build in moderate intensity as opposed to hamlet. The Town would get preferential scoring if awarded the status for grants downtown revitalization. Their focus is making sure towns in the North Country do not get left behind and are able to get these grants in order to get larger projects done.

Adam Bailey said if it's something the Town is interested in they would be happy to help out to get Chester designated and if they have any questions he is happy to answer them the best that he can.

Supervisor Maday asked why you would have to have a resolution. Adam Bailey said you either have to show you have had over 1% housing growth over the last three years or you would have to pass the resolution. There is no commitment to having to build housing, the only commitment right now is to update the housing numbers.

Councilman Aiken commented that him and Supervisor Maday were at a builder's breakfast over in Horicon. Some of the problems are no housing for workers which leads to labor shortages which leads to lower numbers in school. Young families move out because they don't have a place to stay. It's a real problem as you have pointed out. Housing regulations came up at the breakfast. He is not sure whether those regulations are from the State, County or Town and he was going to ask about looking at our zoning and seeing what we can do to make building easier for the builder. The other problems were material costs leading to labor costs which is a drag on our whole community. We should all try as a community to get behind this so we can move forward, it's going to take time, to get ahead of this so that we are not a ghost town in the next 10 to 15 years. Which demographically is happening when you look at the numbers.

Councilperson Cooper said that she really appreciates all of the efforts because it's a multifaceted approach from many angles including the economic sustainability. If we are going to have people who work here we need to have people who pay well and infrastructure so we can continue to grow. She looks forward to at some point sitting down with Adam Bailey and asking more in depth questions.

Councilman Aiken said one of the things they talked about at the meeting was affordable housing which is really workforce housing. Chris asked Adam Bailey how many strings are attached to this money from the state. Adam Bailey said that it varies agency to agency and grant program to grant program which can be difficult to track. Chris asked if the Town wanted to take on the role to spearhead this effort would the Town be looking to do and how do we get some momentum from the Town to get this to work, workforce housing. Adam Bailey said a lot of towns are trying to figure out where to start because it's more than anyone municipality can

do. You need landowners, you need developers, you need people who are going to live there eventually, and community buy in. Everything can look good on paper but if the community doesn't want it, they can kill it pretty quickly. Pro housing can start that conversation.

John Nick said the dam looks good as far as all of the inspections that he has been doing. Jason has put in the fourth and last board today. The water is a little over 26 inches above the spillway, which is a little bit higher than the height of the 4th board. Regarding the leakage there is a bit of leakage right about the same spot as last year which is where they grounded last year. There is some leakage in the earth in the area near the bottom of the north side of the dam. This is pretty much the same as last year. They took videos of it last year and sent it to the engineer and he was OK with it. He is making good progress, and he is giving the town clerk copies of the inspection forms.

John Nick said the other thing he wanted to bring up was that he was having a hard time understanding the attorney for the town, Mary Kissane's position on private roads and spoke to the Comptroller's Office. John handed out contact information for the Comptroller's Office.

A lengthy discussion ensued about private road credits and deadlines.

Jonathan Martel said that along with his father they operate two of the mobile home parks in the town. They purchased the one here in Chestertown in 2017 and the one in North Creek in 2018. Their intention for the communities when they purchased them was to revitalize the communities to try to bring them back. When they acquired the one here in Chestertown it was in extremely poor condition. In the first 2 1/2 years they removed approximately half of the homes and replaced them with new or like new manufactured homes. They have also removed five or six distressed homes from the North Creek community. Since COVID, manufactured home prices have gone up and the available inventory has gone down. There is still very little inventory of truly affordable manufactured homes. Interest rates on manufactured homes are between 10 and 15%.

Jonathan Martel is asking the Board if the Board could amend the zoning law to expand manufactured homes to more than 20 years. Chester is the only town that he is aware of that has an age restriction. His request is that the Town amend the age restriction to manufactured homes in 1996. He is asking if he can present a site plan review and get a variance. John Nick said they spent 2 1/2 years last time revising about seven (7) sections of the zoning law. Councilman Aiken said that if the age restriction was changed to 1996 then it would be easier to have workforce housing. Jonathan Martel said between the two communities they have six or seven vacant lots that they are unable to source truly affordable quality manufactured homes for those that are less than 20 years old. Councilperson Cooper asked the Attorney for the Town what the process would be to amend the wording. The Attorney for the Town Brian Reichenbach said that the language would need to be decided for the change, then it would be introduced at one board meeting make a resolution that night scheduling a public hearing. A minimum of two meetings or could be more. John Nick asked if they meet the New York State energy code. Jonathan Martel said they come Energy Star rated but he would have to check the New York State energy code.

Supervisor Maday asked if there was anybody else that would like to speak during the privilege of the floor.

Supervisor Maday **closed** Privilege of the Floor at 8:04 pm.

Old Business:

Supervisor Maday **opened** Old Business at 8:04 pm.

Highway Garage:

Supervisor Maday commented that the engineer is looking to see if the APA has jurisdiction over the project. The engineer is also working on updating the plans.

Councilman Aiken said that in his mind the sprinkler system was never resolved. So, the sprinkler system to him was not even an estimate of \$650,000. So that amount spread out over a 30- or 40-year bond would probably be minuscule compared to what we would be buying. We would be buying possibly less insurance costs for the building for 30 or 40 years, protection for those trucks because if those trucks went up in smoke we couldn't plow the roads, we couldn't pave the roads, we couldn't do culverts, we couldn't do the work for 2 or 3 years trying to find replacement trucks. That alone would make the little increase in taxes worth it. So, he is all for a sprinkler system.

John Nick said that he doesn't think there is a way to put a value on it, but with all the fuel and oils that are stored in there and the gasoline, to him a sprinkler system is a life safety issue.

Councilperson Cooper said that they are redesigning and the changes to the roof saved quite a bit of money, however the change in insulation type cost a lot of money. So, she thinks they need to reevaluate once the drawing process is complete. Then we could budget it in to make it palatable to taxpayers. If we can afford it, we should 100% do it. But it needs to make sense so that we are not fighting the taxpayer.

Councilman Aiken said that in his mind doing it right means a sprinkler system.

Discussion ensued about costs and ways to save money.

Loon Lake Dam Grant and Rehabilitation Project:

Supervisor Maday said we are still waiting for a proposal from GZA and we are still waiting for word about the grant. John Nick has been doing inspections on the dam.

John Nick asked who was going to project manage this. Supervisor Maday said that GZA is potentially going to be that person, but we do not know yet.

Evening Cleaner:

Supervisor Maday said that we have hired a new evening cleaner, the last one did not like the hours.

225th Anniversary of the Town:

Councilperson Cooper reported that she has met with Carl Barlow and Rob Hill from the American Legion, as it is their 100th Anniversary. She has met with Deb Eves. They are going to assemble a small committee to plan the entire thing. So far she has received yeses for food trucks and bands. The American Legion would like to do a dedication at 3 pm for all the names added to the wall and then transition from that into maybe a classic car show, food trucks vendors, games for kids, bounce houses, and face painting. She will be putting together an occupancy tax application. It is also Rotary's 75th Anniversary.

Boatwash Attendant:

Supervisor Maday said he hired someone today. John Nick said that that person will need full training and he would like to get the existing two (2) some additional training.

Sand Bids:

RESOLUTION NO. 70 OF 2024: ACCEPT SAND BID FROM BERNESSE BOLTON EXC. CO. INC. FOR \$5.50 PER CUBIC YARD

WHEREAS, the Town Clerk advertised for sand bids, and

WHEREAS, the Town Clerk received one (1) bid and publicly opened and read aloud April 8, 2024, at 2 pm in the Town Clerk's office;

BE IT RESOLVED, to accept the sand bid from Bernesse Bolton Exc. Co. Inc. for screened road sand at \$5.50 per cubic yard.

On a motion by Councilwoman DuRose, seconded by Councilperson Cooper, Resolution No. 70 of 2024 was **ADOPTED**.

AYE 4 NO 0

New Business:

Supervisor Maday opened New Business at 8:12 pm.

Proposed Dyszel Subdivision in Pottersville:

The Town Clerk said that she emailed the Board members the site plan and Supervisor Maday and Highway Superintendent Monroe are going to meet with the engineers on the 18th of April because they would like town water and they would also like the town to take the road. If the Board has any questions, please let the Clerk know.

John Nick asked if a performance bond would be needed.

Short-Term Rental Local Law:

Supervisor Maday said that the Zoning Administrator and the Code Enforcement Officer spoke to him about adding more teeth to the law. Brian Reichenbach asked if the Town meant more punitive when someone has violated, and they have a permit or do you some provision for when someone does not have a permit. The Town can amend the local law and add a provision in there to impose civil penalties and fines. Their advice is to not make the possibility of imprisonment because none of them help enforcement. One gives them the right to a jury trial and second no judge is going to put them in jail for violating a short-term rental law.

Councilperson Cooper said that Warren County is hiring a company to find short-term rental owners for unregistered occupancy tax money.

John Nick said that in his opinion the Town has the least restrictive short-term rental law in the Adirondacks.

Brian Reichenbach said that he looked at the Law and in Article 3 it does give the Town sufficient authority for the Zoning Administrator to write violations. The Zoning Enforcement Officer could send out letters.

Lifeguards:

RESOLUTION NO. 71 OF 2024: AUTHORIZE TOWN CLERK TO ADVERTISE FOR LIFEGUARDS FOR THE 2024 SEASON

WHEREAS, the Town advertises every year for lifeguards;

BE IT RESOLVED, the Town Board authorizes the Town Clerk to advertise for lifeguards, and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to hire lifeguards at his discretion.

On a motion by Councilperson Cooper, seconded by Councilman Aiken, Resolution No. 71 of 2024 was **ADOPTED**.

AYE 4 NO 0

Occupancy Tax:

RESOLUTION NO.72 OF 2024: APPROVE OCCUPANCY TAX FUNDS FOR \$3,500 FOR THE ADIRONDACK MARATHON DISTANCE FESTIVAL FOR SUPPORT OF THE MARATHON AND HALF-MARATHON TO BE HELD SEPTEMBER 21-22, 2024

WHEREAS, the Town of Chester has received an Occupancy Tax Request from the Adirondack Sports Council for the Marathon and half marathon in the amount of \$3,500, and

WHEREAS, in the past the Town of Chester has authorized Occupancy Tax funds for the Adirondack Marathon Inc.,

BE IT RESOLVED, the Town Board authorizes \$3,500 of Occupancy tax funds to the Adirondack Sports Council for the marathon to be held September 21-22, 2024.

On a motion by Councilwoman DuRose, seconded by Councilperson Cooper, Resolution No. 72 of 2024 was **ADOPTED**.

AYE 4 NO 0

Planning Forum:

RESOLUTION NO. 73 OF 2024: AUTHORIZE JOHN MADAY TO ATTEND THE ADIRONDACK PLANNING FORUM IN SARANAC LAKE APRIL 24 AND 25, 2024

WHEREAS, the Adirondack Planning Forum is for local government officials to discuss and learn about current Adirondack issues and funding potentials,

BE IT RESOLVED, the Town Board authorizes John Maday to attend the Adirondack Planning Forum in Saranac Lake April 24 and 25, 2024, and

BE IT FURTHER RESOLVED, the Town will pay for registration, lodging, and reimburse for mileage.

On a motion by Councilman Aiken, seconded by Councilwoman DuRose, Resolution No. 73 of 2024 was **ADOPTED**.

AYE 4 NO 0

Water Department:

RESOLUTION NO. 74 OF 2024: AUTHORIZE JEFF SCHAEFER TO TAKE GRADE B, WATER DISTRIBUTION OPERATOR CERTIFICATION COURSE

WHEREAS, Jeff Schaefer needs to take Grade B, Water Distribution Operator Certification, and

WHEREAS, the course is offered in Cortland, New York September 9-13, 2024,

BE IT RESOLVED, the Town Board authorizes Jeff Schaefer to attend Grade B Water Distribution Operator Certification Course, and

BE IT FURTHER RESOLVED, the Town will pay for registration and lodging and will reimburse meals and mileage.

On a motion by Councilperson Cooper, seconded by Councilman Aiken, Resolution No. 74 of 2024 was **ADOPTED**.

AYE 4 NO 0

Councilman Aiken asked if 88 Riverside Drive went for eviction notice. Brian Reichenbach said that the 30-day notice was served on March 27th so they can commence their summary proceeding on the 27th of April. Supervisor Maday said that we are not going to rip down the building right away.

RESOLUTION NO. 75 OF 2024: APPROVE THE ABSTRACT OF AUDITED VOUCHERS AND AUTHORIZES PAYMENT

WHEREAS, the Town Clerk has entered the vouchers and created Abstract No. 4 of 2024 of Audited Vouchers, and

WHEREAS, the Town Board has reviewed the abstract,

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

No. 4 of 2024	
General A	94,503.10
Highway DA	92,738.12
Library L	1,347.68
Loon Lake Park District SP	163.75
Chestertown Water SW1	2,731.73
Pottersville Water SW2	3,817.64
Other TA	2,981.45
Total	\$198,283.47

On a motion by Councilperson Cooper, seconded by Councilman Aiken, Resolution No. 75 of 2024 was **ADOPTED**.

AYE 4 NO 0

On a motion by Councilwoman DuRose, seconded by Councilperson Cooper, the meeting adjourned at 8:42 pm.

AYE 4 NO 0

Respectfully submitted,

Mindy Conway, Town Clerk

DRAFT