

**Regular meeting** of the Town of Chester Town Board was held on **July 12, 2016** at 7:00 pm at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, New York.

**Roll Call:** Supervisor Craig Leggett, Edna Wells, Mike Packer, Steve Durkish, Karen DuRose and Attorney for the Town, Mark Schachner.

**RESOLUTION #120: ACCEPT MINUTES OF THE JUNE 14, 2016 MEETING AND THE JUNE 28, 2016 MEETING.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, accept minutes of the June 14, 2016 meeting and the June 28, 2016 meeting.

AYE 5 NO 0

**Privilege of the Floor:**

Ed Griesmer, out going Loon Lake Park District President, thanked the Town Board for their support and partnership with the LLPD. Ed introduced John Nick, the new president. Mr. Leggett thanked Mr. Griesmer for his years of service. Mr. Nick has been working with Craig and Mindy to arrange a YMCA distance swim meet August 6, 2016 at Loon Lake.

JoAnne Nick asked how the formation of a new district would impact on LLPD with the tax cap. Jo Anne does not want to see money taken away from Loon Lake that is needed for milfoil. Bob Flynn asked if districts could create a Capital Project Fund.

Mindy Conway would like to thank Brett Hitchcock and Ed Wallace for preparing the youth ball field for the All Star Game, Supervisor Leggett and Supervisor Simpson for cooking hotdogs and Morgan Yarosh for singing Star Spangle Banner.

Al Muench said the Library Trustee Family Fun Day was very successful with the help of the youth commission and town.

Mr. Griesmer thanked the highway department and Jason Monroe for going above and beyond concerning Loon Lake. Craig thanked Winchip Engineering for the design engineering of the new boat wash.

Pat Powers would like to see a stop line at the end of Valley Farm Road and one at the end Olmstedville Road onto Route 9. Pat asked if the new bridge in Pottersville would have a sidewalk. Pat stated his concern about his right of way in Pottersville. Supervisor Leggett said the town is still working in the issue. Mary Clark asked how long the zoning administrator's term was.

June Maxam asked what action has been taken on the notice of violation served on the lazer tag operation. She would also like to know the answer to her question to the board last month concerning section 13.04 of the Town Zoning Board voiding the permit for the lazer tag operation and the pending question about the employment of the zoning administrator.

Linda Muench asked when the occupancy tax was allocated. Mrs. Wells replied that occupancy tax requests should be received before they start work on the 2017 budget. Linda asked about pickle ball.

**Committee Reports:**

Mrs. DuRose attended a meeting June 17<sup>th</sup> along with Johnsbury Supervisor, Mr. Vanslow. They met with representatives from Hamilton County Cable Company and Slic Network Solutions to discuss the Connect New York Grant opportunities. Karen stated how professional the All Star Game was with Mr. Conway introducing the players and providing music between innings. Craig thanked the umpire.

Supervisor Leggett reported the 2015 books are closed. Spending was down for the year. Craig asked Mike Packer to price seal coating for the north parking lot.

**Old Business:**

**RESOLUTION #121: AWARD BID TO TECH PLUS FOR WET STEAM ACCUMULATOR AND WATER FEED PUMP FOR BIOMASS BOILER PROJECT BASED UPON RECOMMENDATION BY ENGINEERS AND ATTORNEY AND TO AMEND RESOLUTION #119,**

**WHEREAS, THE TOWN BOARD DETERMINED TO AWARD THE STEAM SPECIALTY EQUIPMENT CONTRACT, AS MODIFIED BY ELIMINATION OF SHANNON REMOVABLE INSULATION COVER, ACCEPTED THE AWARD FOR THE BASE BID WORK WITH \$10,864.57 DEDUCTED FROM ITS TOTAL BID (\$97,569.87) TO REFLECT ELIMINATION OF INSULATION COVER;**

**EQUIPMENT DESCRIPTION: TECH PLUS AGREES TO SELL AND THE TOWN AGREES TO PURCHASE THE STEAM SPECIALTY EQUIPMENT, MATERIALS AND LABOR DESCRIBED IN EXHIBIT A HERETO, WHICH INCLUDES DELIVERY, AND RELATED EQUIPMENT (TOGETHER, THE "EQUIPMENT"). ALL WORK ASSOCIATED WITH CONSTRUCTION OF THE CONCRETE PAD (STONE BASE, GEOTEXTILE, EXCAVATION, ETC.) FOR THE EQUIPMENT SHALL BE PROVIDED BY THE TOWN.**

**PURCHASE PRICE: THE TOTAL AMOUNT TO BE PAID BY TOWN TO TECH PLUS FOR THE EQUIPMENT, MATERIALS AND LABOR INCLUDED IN THE APPROVED BID SHALL BE EIGHTY-SIX THOUSAND SEVEN HUNDRED FIVE DOLLARS AND THIRTY CENTS (\$86,705.30).**

Introduced by Mr. Durkish, seconded by Mrs. DuRose, award bid to Tech Plus for Wet Steam Accumulator and Water Feed Pump for Biomass Boiler project based upon recommendation by engineers and attorney and to amend Resolution #119,

**WHEREAS,** the Town Board determined to award the steam specialty equipment contract, as modified by elimination of Shannon removable insulation cover, accepted the award for the base bid work with \$10,864.57 deducted from its total bid (\$97,569.87) to reflect elimination of insulation cover;

**EQUIPMENT DESCRIPTION:** Tech Plus agrees to sell and the Town agrees to purchase the steam specialty equipment, materials and labor described in Exhibit A hereto, which includes

delivery, and related equipment (together, the "Equipment"). All work associated with construction of the concrete pad (stone base, geotextile, excavation, etc.) for the equipment shall be provided by the Town.

**PURCHASE PRICE:** The total amount to be paid by Town to Tech Plus for the equipment, materials and labor included in the approved bid shall be Eighty-Six Thousand Seven Hundred Five Dollars and Thirty Cents (\$86,705.30).

AYE 5 NO 0

**Friends Lake Aquatic Plant Growth:** The Attorney for the Town, Mark Schachner stated that special district formation is a very complicated and very specific statute driven process and there are very specific requirements by law. The map, plan and report on file now has a few deficiencies. Mr. Schachner recommends dotting I's and crossing T's. Mr. Leggett stated the board needs to decide how it is going to proceed. The silver lining to this is the clerk has sent out post cards so we will be able to hear from the people.

**RESOLUTION #122: FORMALLY CHANGE THE PUBLIC HEARING SCHEDULED FOR JULY 13, 2016 TO PUBLIC INFORMATION MEETING.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, formally change the Public Hearing scheduled for July 13, 2016 to Public Information Meeting.

AYE 5 NO 0

**New Business:**

Al Muench recommended appointing Judith Patterson to the Library Board of Trustees.

**RESOLUTION #123: APPOINT JUDITH PATTERSON TO THE LIBRARY BOARD OF TRUSTEES FOR A TERM ENDING DECEMBER 31, 2021.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, Appoint Judith Patterson to the Library Board of Trustees for a term ending December 31, 2021.

AYE 5 NO 0

Zach Monroe, Winchip Engineering, spoke on behalf of Karen Dixon describing the request for several variances for a septic wastewater treatment system.

**RESOLUTION #124: SET DATE FOR PUBLIC HEARING AUGUST 9, 2016 AT 7:00 PM REGARDING A SEPTIC WASTEWATER TREATMENT VARIANCE FOR KAREN DIXON, 94-96 DIXON ROAD.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, Set date for Public Hearing August 9, 2016 at 7:00 pm regarding a septic wastewater treatment variance for Karen Dixon, 94-96 Dixon Road.

AYE 5 NO 0

Michele French, Superintendent of North Warren Central School spoke with Craig Leggett about the traffic on NYS Route 8 in front of the school.

**RESOLUTION #125: WHEREAS, THE TOWN OF CHESTER NAMED BELOW REQUESTS FROM THE NYS DEPARTMENT OF TRANSPORTATION,**

**BE IT RESOLVED, THAT THE TOWN BOARD OF TOWN OF CHESTER MAKES A REQUEST FROM THE NYS DEPARTMENT OF TRANSPORTATION THAT THE SPEED LIMIT BE LOWERED ON NYS ROUTE 8, IN THE SCHOOL ZONE, THE ELONGATION OF THE SCHOOL SPEED ZONE HEADING EAST TO WEST AND THAT THE CROSSWALK HAS AN INDICATION FOR PEDESTRIAN CROSSING.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, **WHEREAS**, the Town of Chester named below requests from the NYS Department of Transportation,

**BE IT RESOLVED**, That the Town Board of Town of Chester makes a request from the NYS Department of Transportation that the speed limit be lowered on NYS Route 8, in the school zone, the elongation of the School Speed Zone heading east to west and that the crosswalk has an indication for pedestrian crossing.

AYE 5 NO 0

**RESOLUTION #126: WHEREAS, THE TOWN OF CHESTER JUSTICE COURT IS ELIGIBLE TO APPLY FOR FUNDS FOR SPECIFIC PURPOSES THROUGH THE NYS JUSTICE COURT ASSISTANCE PROGRAM AND**

**WHEREAS, THE JUSTICE COURT HAS APPLIED FOR AND RECEIVED GRANTS IN THE PAST FOR PURCHASE OF EQUIPMENT AND SUPPLIES AND DESIRES TO DO SO AGAIN**

**BE IT RESOLVED, THAT THE TOWN BOARD OF CHESTER AUTHORIZES THE JUSTICE COURT TO APPLY FOR GRANT FUNDING FROM THE JUSTICE COURT ASSISTANCE PROGRAM IN 2016 FOR EQUIPMENT AND/OR SUPPLIES IT DEEMS NECESSARY OR BENEFICIAL TO HAVE FOR MORE EFFICIENT, SAFE, AND EFFECTIVE OPERATIONS.**

Introduced by Mr. Packer, seconded by Mr. Durkish, **WHEREAS**, the Town of Chester Justice Court is eligible to apply for funds for specific purposes through the NYS Justice Court Assistance Program and

**WHEREAS**, the Justice Court has applied for and received grants in the past for purchase of equipment and supplies and desires to do so again

**BE IT RESOLVED**, that the Town Board of Chester authorizes the Justice Court to apply for grant funding from the Justice Court Assistance Program in 2016 for equipment and/or supplies it deems necessary or beneficial to have for more efficient, safe, and effective operations.

AYE 5 NO 0

**RESOLUTION #127: WHEREAS, THE LIFEGUARD TOWER AT LOON LAKE BEACH HAS DEFICIENCIES AND DIMINISHES THE ABILITY OF LIFEGUARDS TO RESPOND QUICKLY AND SAFELY TO AN EMERGENCY AND**

**WHEREAS, A STANDARD-STYLE LIFEGUARD IS SUFFICIENT TO DO THE JOB**

**BE IT RESOLVED, THAT THE YOUTH COMMISSION DIRECTOR IS DIRECTED TO OBTAIN ALL NECESSARY PERMITS AND AUTHORIZATIONS AND LABOR REQUIRED TO INSTALL A NEW LIFEGUARD CHAIR AND**

**BE IT FURTHER RESOLVED, THAT THE FUNDING FOR A NEW LIFEGUARD WILL COME FROM TRANSFER OF SURPLUS, IF ANY, IN BUDGET CODE A7140.11 BEACH: PERSONAL SERVICES INTO BUDGET CODE A7140.21 BEACH: EQUIPMENT AT THE END OF THE 2016 SWIM SEASON.**

Introduced by Mr. Packer, seconded by Mr. Durkish, **WHEREAS**, the lifeguard tower at Loon Lake Beach has deficiencies and diminishes the ability of lifeguards to respond quickly and safely to an emergency and

**WHEREAS**, a standard-style lifeguard is sufficient to do the job

**BE IT RESOLVED**, that the Youth Commission Director is directed to obtain all necessary permits and authorizations and labor required to install a new lifeguard chair and

**BE IT FURTHER RESOLVED**, that the funding for a new lifeguard will come from transfer of surplus, if any, in Budget Code A7140.11 Beach: Personal Services into Budget Code A7140.21 Beach: Equipment at the end of the 2016 swim season.

AYE 5 NO 0

**RESOLUTION #128: WHEREAS, THE ADIRONDACK NORTH COUNTRY ASSOCIATION SPONSORS THE COMMON GROUND ALLIANCE EACH YEAR FOR THE PAST 10 YEARS AND THIS YEAR IT WILL BE IN OLD FORGE ON JULY 19<sup>TH</sup> AND**

**WHEREAS, THE CGA FACILITATES WORKSHOPS PERTINENT TO THE SUCCESS AND SUSTAINABILITY OF ADIRONDACK COMMUNITIES, INCLUDING ONE CALLED "CAPITALIZING ON THE PARK'S RESOURCES TO LEVERAGE ECONOMIC INVESTMENT TO HELP MAINTAIN OR CREATE VIBRANT COMMUNITIES" AND**

**WHEREAS, PARTICIPATION IN SUCH A WORKSHOP WOULD BE BENEFICIAL TO THE TOWN;**

**BE IT RESOLVED, THAT SUPERVISOR LEGGETT IS AUTHORIZED TO ATTEND THE CGA AND REGISTRATION AND MILEAGE (\$35 AND \$84) FOR THE EVENT TO PAID OUT OF BUDGET CODE AL220.4 SUPERVISOR: CONTRACTUAL EXPENSE.**

Introduced by Mrs. DuRose, seconded by Mr. Durkish, **WHEREAS**, the Adirondack North Country Association sponsors the Common Ground Alliance each year for the past 10 years and this year it will be in Old Forge on July 19<sup>th</sup> and

**WHEREAS**, the CGA facilitates workshops pertinent to the success and sustainability of Adirondack Communities, including one called "Capitalizing on the Park's Resources to Leverage Economic Investment to Help Maintain or Create Vibrant Communities" and

**WHEREAS**, participation in such a workshop would be beneficial to the Town;

**BE IT RESOLVED**, that Supervisor Leggett is authorized to attend the CGA and registration and mileage (\$35 and \$84) for the event to be paid out of Budget Code A1220.4 Supervisor: Contractual Expense. All necessary expenses for same to be a lawful claim against the Town of Chester.

Mr. Leggett abstained.

AYE 4 NO 0

**Ferris Road:** Homeowner at the end of Ferris Road would like to name a private road/driveway to obtain a 9-1-1 address. Glenn Redmon spoke against naming the right of way through his property. Supervisor Leggett will contact property owners involved.

**Building Maintenance Position:** Mr. Leggett presented the board with a job description for a building maintenance mechanic and a building maintenance worker. The job would be a part time position and report to Supervisor Leggett. Mr. Durkish recommended with the new boiler a mechanic may be more practical. Mr. Packer and Mrs. DuRose will work on pay rate and hours. Jason Monroe recommended the position not overlap the building custodian position.

**Seal Coating Municipal Center Parking North Parking Lot:** Mr. Packer will get quotes.

The Business Alliance has shown interest in the theater stage lights in the auditorium. The value of the lights would need to be determined if the Town was interested in selling them.

Mr. Leggett would like to recognize Nancie Welch, Museum Director on her induction last month.

**RESOLUTION #129: AMEND 2016 BUDGET, INCREASE ESTIMATED REVENUES A2001 YOUTH FEES \$2,130.00, A2705.91 YOUTH DONATIONS \$600.00 AND A2012 YOUTH CONCESSION TOTALING \$2,061.12 AND INCREASE APPROPRIATIONS A7310.4 YOUTH - CONTRACTUAL EXPENSES TOTALING \$4,791.12.**

Introduced by Mr. Leggett, seconded by Mrs. Wells, amend 2016 budget, increase estimated revenues A2001 youth fees \$2,130.00, A2705.91 youth donations \$600.00 and A2012 youth concession totaling \$2,061.12 and increase appropriations A7310.4 youth - contractual expenses totaling \$4,791.12.

AYE 5 NO 0

**RESOLUTION #130: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize payment of abstracts and claims paid prior to audit.

AYE 5 NO 0

	<b>2015</b>	
General A	\$ 8,180.00	633 - 633
	<b>2016</b>	
General A	\$ 41,872.11	290 - 352
General HB	\$ 6,650.00	19 - 20
Highway	\$ 71,625.43	158 - 193
Chestertown Water	\$ 341.39	26 - 31
Pottersville Water	\$ 712.69	25 - 28
Library	\$ 2,099.15	17 - 21

On a motion by Mr. Leggett, seconded by Mrs. DuRose, Board went into Executive Session at 8:57 pm to discuss proposed litigation and possible employment of a particular person. Supervisor Leggett requested the Highway Superintendent stay.

On a motion by Mrs. Durkish, seconded by Mrs. Packer, Board out of Executive Session at 9:32 pm. No action taken.

On a motion by Mrs. Wells, seconded by Mrs. DuRose, meeting adjourned at 9:33 pm.

Respectfully submitted,

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Town Clerk