

Regular meeting of the Town of Chester Town Board was held on **August 9, 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 #131: ACCEPT MINUTES OF THE JULY 12, 2016 MEETING AND THE JULY 13, 2016 PUBLIC INFORMATION MEETING.

Introduced by Mrs. Wells, seconded by Mrs. DuRose, accept minutes of the July 12, 2016 meeting and the July 13, 2016 public information meeting.

AYE 5 NO 0

Public Hearing:

The purpose of the Public Hearing is to approve the application for the Dixon Septic Waste Water Treatment Variance. Zach Monroe from Winchip Engineering spoke on behalf of the property owner, Karen Dixon. Mr. Monroe listed the 5 variances requested. Mr. Leggett questioned if the septic was for a 3 bedroom house or 2 bedroom house and what changes would need to be made. Mr. Monroe stated the plans were for a 2 bedroom system and for a 3 bedroom house the absorption bed would need to be increased. Mr. Leggett stated the homeowner is advertising the house as a 3 bedroom. Mr. Monroe requested for the application to be tabled.

On a motion by Mrs. DuRose, seconded by Mrs. Wells the Public Hearing was tabled at 7:07 pm.

AYE 5 NO 0

Privilege of the Floor:

June Maxam asked about the structures at Lazer Tag HQ and stated Mr. Tirone was running Main Street Airsoft on the same property. Ms. Maxam believes there is fraud and asked the town take action under section 13.04 of the Town Zoning Law to void the original permit. Supervisor Leggett replied that Mr. Tennyson has been working with the proprietor to remedy the conditions. June asked that all communication be in writing between the town and Mr. Tirone.

Pat Powers revisited the questions asked at last month's meeting. Supervisor Leggett said there was no information on the new bridge in Pottersville having a sidewalk, weeds by the Black Bear or a stop line at the end of Valley Farm Road and one at the end Olmstedville Road onto Route 9. Mr. Leggett spoke to Mark Kennedy from the DOT about a crosswalk by All Brands in Pottersville. Currently the sidewalks do not line up. Pat presented pictures of neighbor's property and read the definition of junk and junk yard under section 2.03 of the Town Zoning Law. Pat asked if there was follow up to items brought up at meeting and recommended the zoning officer take a tour.

Al Muench is still working on pickle ball estimates and stated they play pickle ball 3-4 times a week with 18-25 people. Most people are from out of town.

John Nick, Loon Lake Park District Association President asked if the AIM bill was on the abstract.

Mary Clark would like to see the tennis courts used in Pottersville. Mary asked where the letters and fines are from the zoning administrator.

Chris Walsh, Lizzo Realty stated there is now a junk yard behind the Deer Crossing. The 8 ft high buildings can be seen over the 6ft high fence. The fence has not been completed to date. Someone drove over his property (gas, water and septic). Elizabeth Walsh stated there were bbs on their property. Mrs. Walsh stated that he does not have a license to run an entertainment business. A video was played from Lazer Tag HQ facebook page to make an audio record of the sound effects of the guns advertised. Liz stated the diagram presented in January is nowhere near what is there now. Supervisor Leggett asked the Attorney for the Town, Mark Schachner, if the Town Board could take action. Mr. Schachner stated the Town Board has the ultimate authority to enforce violations and can take independent action.

Committee Reports:

Monthly Reports in board packets: Assessors, Town Clerk, Planning and Zoning and Animal Control..

Mrs. DuRose attended the ZORC (Zoning Ordinance Review Committee) meeting. They are currently covering signs and docks. The next meeting is August 18th.

Supervisor Leggett reported attending the Common Ground Alliance in Old Forge, submitted request for speed limit on Palmer Pond Road and received a report from Schroon Lake Super Scouts.

Old Business:

Building Maintenance Mechanic: Position would be part-time, flexible and report to Supervisor Leggett. Position can be posted on site. Rachael DuRose asked if there could be a residency requirement for this position.

RESOLUTION #132: POST BUILDING MAINTENANCE MECHANIC POSITION FOR 2 WEEKS. IF WE DO NOT RECEIVE ANY SATISFACTORY APPLICATIONS ADVERTIZE IN PAPER. SET RATE OF PAY AT \$15.00 PER HOUR.

Introduced by Mrs. Wells, seconded Mr. Packer, post Building Maintenance Mechanic Position for 2 weeks. If we do not receive any satisfactory applications advertise in paper. Set rate of pay at \$15.00 per hour. Mr. Durkish asked that Jason Monroe be involved in the interview process.

AYE 5 NO 0

New Business:

Water Rents: Rate sheet was presented to the Board with the recommended 2% increase and service fee increase.

Chestertown Water District				
	Description	2015	2% Water Usage Increase	Rate
1	Base Rate: Metered Residential	\$ 138.60	2.77	\$ 141.37
	Base Rate: Metered Business	\$ 138.60	2.77	\$ 141.37
3	Base Rate: Metered Outside of District	\$ 248.85	4.98	\$ 253.83
6	Base Rate: Unmetered Inside District	\$ 218.40	4.37	\$ 222.77
8	Base Rate: Unmetered Outside of District	\$ 328.65	6.57	\$ 335.22
20	Base Rate: NWCS for 24,000 gallons	\$ 509.25	10.19	\$ 519.44
10	Flat Unmetered Special Annual Rate	\$ 291.90	5.84	\$ 297.74
	Rate per 1,000 gallons for Over 24,000 gallons	\$ 1.74	0.03	\$ 1.77
	Swimming Pool Rate (Res #181-2002)	\$ 157.50	3.15	\$ 160.65
13	Hydrant Rental	\$ 598.50	11.97	\$ 610.47
			Service Fee Increase	
15	Turn On / Turn Off	\$ 12.60	\$ 3.40	\$ 16.00
	Connection Charge - Standard Install	\$ 525.00	\$ 10.00	\$ 535.00
16	Replace Water Meter	\$ 110.25	\$ 39.75	\$ 150.00

Pottersville Water District				
	Description	2015	2% Water Usage Increase	Rate
17	Base Rate: Metered Residential	\$ 255.15	5.10	\$ 260.25
18	Base Rate: Metered Business	\$ 255.15	5.10	\$ 260.25
4	Base Rate: Metered Outside of District	\$ 412.65	8.25	\$ 420.90
5	Base Rate: Unmetered Inside District	\$ 346.50	6.93	\$ 353.43
14	Base Rate: Unmetered Outside of District	\$ 511.35	10.23	\$ 521.58
21	Base Rate: Word of Life for 24,000 gallons	\$ 578.55	11.57	\$ 590.12
10	Flat Unmetered Special Annual Rate	\$ 291.90	5.84	\$ 297.74
	Rate per 1,000 gallons for Over 24,000 gallons	\$ 2.63	0.05	\$ 2.68
	Swimming Pool Rate (Res #181-2002)	\$ 157.50	3.15	\$ 160.65
12	Hydrant Rental (9 hydrants + 2 dry)	\$ 115.50	2.31	\$ 117.81
9	Base Rate: Glendale	\$ 4,128.60	82.57	\$ 4,211.17
			Service Fee Increase	
15	Turn On / Turn Off	\$ 15.75	\$ 0.25	\$ 16.00
7	Connection Charge - Standard Install	\$ 525.00	\$ 10.00	\$ 535.00
16	Replace Water Meter	\$ 110.25	\$ 39.75	\$ 150.00

RESOLUTION #133: AUTHORIZE INCREASE OF ALL WATER RENTS BY 2% AND INCREASE SERVICE FEES.

Introduced by Mr. Leggett, seconded by Mrs. DuRose, authorize increase of all water rents by 2% and increase service fees.

AYE 5 NO 0

RESOLUTION #134: APPROVE 2016 WATER WARRANT FOR \$79,408.27 (CHESTERTOWN \$53,237.31 AND POTTERSVILLE \$26,170.96).

Introduced by Mrs. Wells, seconded by Mr. Durkish, approve 2016 Water Warrant for \$79,408.27 (Chestertown \$53,237.31 and Pottersville \$26,170.96).

AYE 5 NO 0

RESOLUTION #135: ACCEPT RESIGNATION OF LIBRARY BOARD OF TRUSTEE, ROB SIMON.

Introduced by Mr. Packer, seconded by Mrs. Wells, accept resignation of Library Board of Trustee, Rob Simon.

AYE 5 NO 0

RESOLUTION #136: APPOINT REGINA CHABAREK TO THE LIBRARY BOARD OF TRUSTEES FOR A TERM ENDING DECEMBER 31, 2021.

Introduced by Mrs. Wells, seconded by Mr. Durkish, appoint Regina Chabarek to the Library Board of Trustees for a term ending December 31, 2021.

AYE 5 NO 0

RESOLUTION #137: APPOINT CHRISTINE HAYES TO THE PLANNING BOARD FOR A 7 YEAR TERM EXPIRING DECEMBER 31, 2023.

Introduced by Mrs. Wells, seconded by Mrs. DuRose,

WHEREAS, Planning Board Member Eugene Dutcher has resigned from the Town of Chester Planning Board and does not wish to be reappointed and,

WHEREAS, Christine Hayes has been serving as an alternate Planning Board Member and is willing to accept the appoint to serve on the Planning Board

BE IT RESOLVED, that Christine Hayes is hereby appointed to serve a 7 year term expiring 12-31-2023.

AYE 5 NO 0

RESOLUTION # 138: ADOPT PROCUREMENT POLICY.

Introduced by Mrs. DuRose, seconded by Mrs. Wells,

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, section 103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town who are involved with procurement;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Chester (Warren County) does hereby adopt the following procurement policies and procedures:

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML section 103. Every Town Officer, Board, Department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.
2. All purchases of a) supplies or equipment which will exceed \$20,000 in the fiscal year, or b) public works contracts over \$35,000 shall be formally bid pursuant to GML, section 103.
3. All estimated purchases of:
 - a. Less than \$20,000 but greater than \$10,000 require a written request for a proposal (RFP) and written/fax quotes from two (2) vendors.
 - b. Less than \$10,000 but greater than \$1,500 require an oral request for the goods and/or fax quotes from two (2) vendors.
 - c. Less than \$1,500 are left to discretion of the Town Supervisor or Highway Superintendent.
4. All estimated public works contracts of:
 - a. Less than \$35,000 but greater than \$20,000 require a written RFP and written/fax proposals from two (2) contractors.
 - b. Less than \$20,000 but greater than \$5,000 requires a written REP and oral/fax proposals from two (2) contractors.
 - c. Less than \$5,000 are left to the discretion of the Town Supervisor or Highway Superintendent
5. Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.
6. All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

7. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.
8. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document *the* attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.
9. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:
 - a. Acquisition of professional services;
 - b. Emergencies;
 - c. Sole source situations;
 - d. Goods purchased from agencies for the blind or severely handicapped if total order is within 15% of lowest quote;
 - e. Goods purchased from correctional facilities;
 - f. Goods purchased from another governmental agency;
 - g. Goods purchased at auction;
 - h. Goods purchased for less than \$1,500;
 - i. Public works contracts for less than \$5,000;
 - j. County and State Contract purchases.
10. Upon execution of Inter-municipal Agreement, the Town will procure commodities through Warren County.
11. Contractors and the applicable County Department must check prevailing wage schedules for each project on the 1st of each month. The Department of Labor posts corrections to each schedule (when applicable), and both parties must be informed of all updates to ensure proper payment to Contractor's employees, and for the purpose of checking certified payrolls.
12. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practical.

AYE 5 NO 0

RESOLUTION #139: RESCIND RESOLUTION #131 ADOPTED APRIL 10, 2001.

Introduced by Mr. Leggett, seconded by Mrs. DuRose, rescinding Resolution #131 adopted April 10, 2001 establishing a policy for purchasing computers and repairs to computers.

AYE 5 NO 0

Seal Coating Municipal Center Parking North Parking Lot: Mr. Packer received two quotes, D & S Adirondack Sealcoating for \$6,013.25 and Crane Sealcoating for \$6,100.00. Both quotes include seal coating and hot filling the cracks.

RESOLUTION #140: APPROVE D & S ADIRONDACK SEALCOATING TO SEAL COAT AND HOT FILL CRACKS IN THE TOWN OF CHESTER MUNICIPAL CENTER NORTH PARKING LOT FOR \$6,013.25 (A1620.4).

Introduced by Mrs. Wells, seconded by Mr. Packer, approve D & S Adirondack Sealcoating to Seal coat and hot fill cracks in the Town of Chester Municipal Center north parking lot for \$6,013.25 (A1620.4).

AYE 5 NO 0

RESOLUTION #141: AUTHORIZE SUPERVISOR LEGGETT SIGN INTER-MUNICIPAL AGREEMENT BY AND AMONG THE COUNTY OF WARREN AND THE TOWN OF CHESTER FOR VACUUM EXCAVATOR USE.

Introduced by Mr. Packer, seconded by Mrs. Wells, authorize Supervisor Leggett sign Inter-municipal Agreement by and among the County of Warren and the Town of Chester for vacuum excavator use.

AYE 5 NO 0

RESOLUTION #142: APPROVE GRANT REQUEST THROUGH THE CFA AS SUBMITTED BY THE WARREN COUNTY DEPARTMENT OF PLANNING OF UP TO \$60,000 WITH AN EQUAL MATCH PROVIDED BY THE TOWN OF CHESTER IN LABOR AND MATERIALS OR OTHER IN-KIND ITEMS.

Introduced by Mr. Leggett, seconded Mrs. Wells,

WHEREAS, the Warren County Department of Planning submitted a Consolidated Funding Application to NYS Department of State for various projects and,

WHEREAS, the Town of Chester was eligible to apply for water system improvements because of a previous water district assessment done with NYS DOS funding and,

WHEREAS, the Town of Chester had previously identified upgrades to the Pottersville well house for safety of workers and system performance as per studies by Cedarwood Engineering;

BE IT RESOLVED THAT, the Town Board approves a grant request through the CFA as submitted by the Warren County Department of Planning of up to \$60,000 with an equal match provided by the Town of Chester in labor and materials or other in-kind items.

AYE 5 NO 0

Resolution #143: Set September 13, 2016 at 7 pm as Date of Public Hearing on proposed Local Law No. 1 of 2016 Relating to Loon Lake Constable Residency Requirement.

Introduced by Mrs. DuRose, seconded by Mr. Durkish,

WHEREAS, the Town Board previously adopted Local Law No. 1 of 2002 which authorized appointment of a Loon Lake Constable; and

WHEREAS, the Town Board now wishes to exempt the Constable from the residency requirements of New York Town Law Section 23 and Public Officers Law Section 3; and

WHEREAS, the Town Board has prepared a Local Law which amends Local Law No. 1 of 2002 to provide this exemption; and

WHEREAS, New York Municipal Home Rule Law requires a Public Hearing to be held prior to adoption of a Local Law,

NOW, THEREFORE, BE IT

RESOLVED, that the Chester Town Board shall hold a Public Hearing on Tuesday, September 13, 2016, beginning at 7:00 p.m. at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, New York, concerning proposed Local Law No. 1 of 2016 to hear all interested persons, and at that time may take any other actions authorized by law concerning proposed Local Law No. 1 of 2016; and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish and post legal notice of the Public Hearing on proposed Local Law No. 1 of 2016 in the manner provided by law, and shall make a copy of the proposed Local Law available for public inspection in the Town Clerk's office following the adoption of this Resolution and until the Public Hearing is closed.

AYE 5 NO 0

RESOLUTION #144: ADOPT TOWN OF CHESTER MUNICIPAL CENTER SECURITY CAMERA POLICY.

Introduced by Mrs. Wells, seconded by Mr. Durkish adopt Town of Chester Municipal Center Security Camera Policy.

1. Purpose:

The Town of Chester has installed a security camera system monitoring the interior and exterior of the Town of Chester Municipal Center for the safety and protection of the building and the persons who use it. The primary use of the security cameras is to record images for future identification, investigation, and possible prosecution related to illegal and/or criminal activity and actions. The security system use will be consistent with State and Federal laws and with this policy.

The purpose of the Security Camera Policy is to protect the legal and privacy interests of the Town of Chester, its employees and the community at large and to define how the security camera system is to be used and maintained.

2. Policy Guidelines/Procedures

A. Security Camera System Placement:

Security cameras will be located outside of the building to monitor doorways and parking areas. Security cameras will be located inside of the building to monitor activity in the central hallways. No cameras will be installed in areas where privacy

is normally expected or for the purpose of monitoring normal employee activity. No cameras shall record voice or audio.

Notice shall be appropriately placed stating “This property is protected by video security cameras”.

B. Monitoring of the Security Camera System

The security camera monitoring equipment shall be located in the office of the Town Clerk. The video monitor shall be placed away from public view.

The security camera system including recording equipment shall run uninterrupted night and day. The video monitor is not required to be on all the time.

C. Access to video recordings and for what purpose

The access to video recording is left to the discretion of the Town Clerk or to the discretion of the Town Board. The purpose of accessing video recording is for review of suspicious activity, to check the proper operation of the cameras, or for monitoring the general use patterns of the building and parking areas.

D. Requests to view video recordings

All requests to view video recordings shall be in writing and presented to the Town Clerk. The Clerk will allow viewing after receiving authorization from the Town Supervisor who shall determine if the access is reasonable and appropriate after consultation with the Town Attorney.

E. Archival storage of video recording

All recording from the security camera system shall be held for 30 days in a locked, secure place in the Town Clerk’s office.

In the event of a possible security incident, the recordings will be kept until all complaints or cases are satisfied.

AYE 5 NO 0

RESOLUTION #145: AUTHORIZE SUPERVISOR LEGGETT SIGN STEAM SPECIALTY EQUIPMENT PURCHASE AGREEMENT BETWEEN THE TOWN OF CHESTER AND TECHNOLOGY PLUS, LLC.

Introduced by Mr. Leggett, seconded by Mrs. DuRose, authorize Supervisor Leggett sign Steam Specialty Equipment Purchase Agreement between the Town of Chester and Technology Plus, LLC.

AYE 5 NO 0

RESOLUTION #146: SET THURSDAY, AUGUST 24, 2016 AS DATE FOR TOWN OF CHESTER FIREWORKS.

Introduced by Mr. Leggett, seconded by Mrs. Wells, set Thursday, August 24, 2016 as date for Town of Chester Fireworks.

AYE 5 NO 0

RESOLUTION #147: AMEND 2016 BUDGET.

Introduced by Mr. Leggett, seconded by Mrs. Wells, amend 2016 Budget: Increase Estimated Revenues A2001 -Youth Fees \$315.00, A2705.91 -Youth Donations \$183.00 and A2012 -Youth Concession Totaling \$340.30 and Increase Appropriations A7310.4 -Youth - Contractual Expenses Totaling \$838.30 and Amend 2016 Budget, Increase Estimated Revenues: A1120 -Sales Tax \$7,900 and Increase Appropriations: A1420.4 -Attorney For The Town \$10,000, A1660.4 -Central Supplies \$500, A4020.1 -Vital Statistics Officer \$300, A7140.12 - Chester Challenge - Wages \$5,000, A7140.41 -Beach - Contr Expend \$2,000, A7140.44 - Chester Challenge - Contr Expend \$3,000 (Brochures, Pins, Badges), A8010.41 -Zoning - Legal Counsel \$1,000, A8010.43 -Zoning - Legal Ads \$200, A8010.44 -Town Board As Local Board Of Health (Yates) \$4,200, A8020.41 -Planning - Legal Counsel \$200, A8020.46 -Smart Growth Grant Expenditures \$1,500 And A1990.4 -Contingent Account (-\$20,000) For A Total Of \$7,900.

AYE 5 NO 0

RESOLUTION #148: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.

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

	2015	
General	\$ 4,105.00	634 -634
	2016	
General A	\$ 36,689.33	353 - 399
General HB	\$ 280.00	21 - 21
Highway	\$ 115,535.62	194 - 222
Chestertown Water	\$ 2,306.43	32 - 38
Pottersville Water	\$ 2,631.66	29 - 34
Library	\$ 3,149.60	22 - 25
Loon Lake Park District	\$ 18,158.11	10 - 12
Schroon Lake Park District	\$ 1,530.00	10 - 10

AYE 5 NO 0

John Nick asked if the voucher from the Loon Lake Park District Association was on the abstract.

Supervisor Leggett commented the State Auditors have begun and plan to be here a few months.

RESOLUTION #149: AUTHORIZE ONE TIME SALE OF WATER TO AN OUT OF DISTRICT USER PRORATED AT SWIMMING POOL RATE.

Introduced by Mr. Leggett, seconded by Mr. Packer, authorize one time sale of water to an out of district user prorated at swimming pool rate.

AYE 5 NO 0

RESOLUTION #150: AUTHORIZE TOWN CLERK TO BILL TRI-LAKES BUSINESS ALLIANCE 2016 SWIMMING POOL RATE FOR THE WATER USED DURING WOOF STOCK.

Introduced by Mr. Leggett, seconded by Mrs. Wells, authorize Town Clerk to bill Tri-Lakes Business Alliance 2016 swimming pool rate for the water used during Woof Stock.

AYE 5 NO 0

On a motion by Mr. Leggett, seconded by Mrs. Wells, meeting adjourned at 9:21 pm.

Respectfully submitted,

Town Clerk