

**Regular meeting** of the Town Board of the Town of Chester was held **April 12, 2011** at 7:30 pm in the Town of Chester Municipal Center Chestertown, NY.

Roll Call: Fred Monroe, Mike Packer, Edna Wells, Karen DuRose and Steve Durkish. Mark Schachner - Attorney for Town.

**Bid opening for bank run sand:** One bid received - Gilma Enterprises Inc., Box 363, Chestertown, NY. Bid price \$2.00 per cubic yard for bank run sand, screened at the Gilma Pit by the Town of Chester with Town's equipment.

**RESOLUTION #37: ACCEPT BID FROM GILMA ENTERPRISES FOR BANK RUN SAND.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mr.Durkish to accept the bid for bank-run sand from Gilma Enterprises, Inc. Box 363, Chestertown, NY. Bid price of \$2.00 per cubic yard for bank run sand, screened at the Gilma Pit on Route 8, Chestertown, by the Town of Chester highway department with Town equipment. AYE 5 NO 0

**RESOLUTION #38: ACCEPT MINUTES OF THE MARCH MEETING.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mr.Durkish to accept minutes of the March 8<sup>th</sup> meeting. AYE 5 NO 0

**Privilege of the floor:**

Mr.Dingman, representing the Community Fund for the Gore Mtn Region, which is a local organization that serves the towns of Chester, Horicon, Johnsbury and Schroon. He informed the Board that grants are provided through this fund. Grant application deadline is June 15. Free grant writing workshops are being offered at the Copperfield in North Creek on May 4 and at the town hall in Schroon on May 10. Workshops are open to all.

Lou Wentworth representing VFW - V.F.W. Post 5513 is requesting that the Veteran's Memorial located in the "triangle" in Pottersville be moved to the Pottersville Fire house grounds. Reason for request is that there are many signs in the present area and they feel it is inappropriate for a memorial. Board suggest that Mr.Wentworth return to the Board with the information for moving the monument and what help would be needed from the town.

**RESOLUTION #39: APPROVE CONCEPT OF MOVING VETERAN MEMORIAL IN POTTERSVILLE.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose to approve the concept of moving the Veteran Memorial in Pottersville, from the present location to the Pottersville Fire house and review a proposal from the V.F.W. as to what help they will need for the relocation.

AYE 5 NO 0

Mindy Conway - youth director - in the process of recreating the ball field on Little Tannery, so that it can be used for softball and little league. Town owns this property and was used for ball field in

the past. Mrs. Conway has been asking for donations, to help reduce the cost to the town. She will be receiving a substantial donation from Mrs. VanWeelden and request that the field be dedicated and named after her late husband "Douglas VanWeelden". Mrs. VanWeelden will also help in obtaining other donations from family and organizations. Supervisor Monroe turned meeting over to Deputy Supervisor Packer. Mrs. Conway stated that there isn't any backstops and not sure what other work will be needed. John West, Parks and Recs, will also help. She has contacted Lincoln Logs for the price of dug-outs and approximate price for back stops is \$4,000. Mrs. Conway will be asking for donations and will work with the bookkeeper as to how the donations will be deposited with the appropriate code.

**RESOLUTION #40: APPROVE REQUEST TO NAME THE PLAYING FIELD ON LITTLE TANNERY ROAD IN MEMORY OF DOUGLAS VANWEELDEN.**

Introduced by Mrs. Wells, 2<sup>nd</sup> by Mr. Packer approve request from Mindy Conway, youth director for Chester-Horicon youth commission, upon obtaining donations to name the playing field on Little Tannery Road in memory of Douglas VanWeelden.

Fred Monroe - abstain     Mike Packer - AYE     Edna Wells - AYE  
Steve Durkish - AYE     Karen DuRose - AYE

Linda Muench - Chestertown Enhancement Committee - presented to the board a picture and an estimate on new planters (size 20x20 color white) for the hamlet of Chestertown. Approximate cost for planters is \$120 each, planters have a 15 year warranty, constructed of heavier "vinyl" and has a water trough. Discussion on splitting cost over 2 year period and sharing cost with Pottersville Enhancement. Grant will not cover any moveable items.

Linda Muench - to start "food co-op" and request space for distribution and perhaps use of a refrigerator sometimes. Board felt that this could be arranged and suggest that Linda check with Marge Souran.

Mary Jane Dower - request joint meeting with Pottersville Enhancement Committee. Supervisor Monroe will check on dates.

Councilperson DuRose - request town board to consider having bathrooms built at the bottom of Dynamite Hill. These would be seasonal and not used in the winter time. Was determined that a separate septic system would not be required because the system at the chamber building could be used. Discussion on cost, where money would come from for construction. Jason Monroe has specs and did obtain a quote. Supervisor Monroe stated no money was appropriated in the 2011 budget. It was suggested that perhaps occupancy tax money could be used and Mrs. DuRose has contacted Shep Peck (Rotary?) who may also be able to help with cost. Request to have Town of Horicon contribute as they are included with

North Warren Chamber, Chester - Horicon Youth, and little league.

**RESOLUTION #41: ADVERTISE FOR MATERIAL BID FOR CONSTRUCTION OF BATHROOMS AT DYNAMITE HILL.**

Introduced by Mrs. DuRose, 2<sup>nd</sup> by Mr. Packer to advertise for bids, for materials, for the construction of bathrooms at Dynamite Hill, in the lower area by the little league field. Bid specs to be prepared by Jason Monroe. Opening bid date May 10 at 7:30 pm.

Fred Monroe - AYE Mike Packer - AYE Edna Wells - AYE  
Karen DuRose - AYE Steve Durkish - abstain.

**Old business:**

**Joe Koch - request for Board to consider noise ordinance for Schroon Lake or entire town** - Councilperson Durkish request that this be removed from the agenda. The Board has reviewed Mr. Koch's request for the past 2 months and does not want to entertain it. Board all agreed.

**Contract for new boiler for municipal center** - Supervisor Monroe reported that the contract has been modified, to September 1, 2011.

**Water main extension** - Mr. Ross submitted a letter to the town last fall, stating that as of 7-31-2011 he would be discontinuing the use of the water line on his property and no longer be supplying water to the businesses on the south end of Chestertown.

Supervisor Monroe stated that an extension may be able to be tied in with a housing project, being done by the L A Group under the Smart Growth housing study. He also reminded everyone that for years the town has tried to get grants to extend the water line down Route 9 without success.

Supervisor Monroe reported that they (water superintendent, Jason Monroe) have been involved in meetings to try and do an extension in an affordable way. They have met with some of the business owners and explained that the town will continue to work on trying to get grants. The town has an out of district water rate and is supplying water to the system. The only thing the town is not doing is maintaining the distribution system. It was suggested to the business owners, if they cooperate with the town to try to work in obtaining grants for a water main extension project and expanding the district (that area is out of the water district) they would be charged the out of district rate and usage. The town would need to have a contract drafted for the maintenance of the distribution system and an agreement/easement with Mr. Ross.

At this time there is a master meter and also a meter for Deer Crossing. Discussion on how billing would be done and when it would go in to effect.

**RESOLUTION #42: AUTHORIZE ATTORNEY TO DRAFT CONTRACT FOR MAINTENANCE OF THE DISTRIBUTION SYSTEM THAT PROVIDES WATER SERVICE TO THE BUSINESSES THAT WERE FORMALLY RECEIVING WATER FROM MR. ROSS AND THEY WILL BE BILLED OUT OF DISTRICT RATE PLUS USEAGE, STARTING JULY 1, 2011**

**AND DRAFT A "LICENSE" WITH MR.ROSS FOR A TWO YEAR PERIOD.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mrs.Wells authorizing Mr.Schachner to draft a contract between the Town of Chester and the businesses that had been being supplied with water from Mr.Ross' line for maintenance of the distribution system and draft a "license" with Mr.Ross for a two year period. The businesses will be billed at the out-of-district rate and usage, starting in 2011.

AYE 5 NO 0

**Zoning amendments - resolution requested by APA to place on APA agenda on April 14.**

Town Board answered and did the SEQRA for zoning amendments. Copy of SEQRA Part 1 and 2 are on file in the Town Clerk's office. Supervisor Monroe will deliver the completed forms and resolution to APA tomorrow.

**RESOLUTION #43: RESOLUTION ADOPTING SEQRA NEGATIVE DECLARATION AND REFERRING ZONING AND SUBDIVISION AMENDMENTS TO APA.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mrs.Wells:

WHEREAS, the Town of Chester has previously adopted the Town Zoning Law and Subdivision Regulations, both of which are part of the Town's Local Land Use Program which has been accepted and approved by the Adirondack Park Agency (APA); and

WHEREAS, the Town Board wishes to make certain amendments to the Town's Zoning Law and Subdivision Regulations which are subject to APA approval; and

WHEREAS, the APA has concurred with the Town's determination to be Lead Agency under the State Environmental Quality Review Act (SEQRA) for review of the proposed amendments; and

WHEREAS, the APA has conducted an informal review of the proposed amendments and the Town Board has revised the proposed amendments accordingly; and

WHEREAS, the Town Board, as Lead Agency, has reviewed and fully considered the proposed amendments and prepared Parts 1 and 2 of a SEQRA Full Environmental Assessment Form (EAF) for the proposed amendments; and

WHEREAS, the Town Board has determined that adoption of the proposed amendments will not result in any large or important impacts and, therefore will not have a significant impact on the environment; and

WHEREAS, the Town Board wishes to formally refer the proposed amendments to APA for its review and approval;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby finds that adoption of the proposed amendments will not have a significant impact on the environment and authorizes the filing of a SEQRA Negative Declaration - Notice of Determination of Non-Significance for the action; and be it;

FURTHER RESOLVED, that the Town Board hereby refers the proposed amendments to APA and formally requests APA review and approval of the



Cynthia will be offering ideas at their next meeting. This sign would probably be covered under the grant, because it "can't be moved". Discussion on consolidating signs that are already on the front lawn of the town hall and also consider that the town board had approved concept of the Veteran's memorial on the front lawn also.

**Building partial collapse** - Discussion of building at 10 Pine Street (104.10-4-5). A dangerous building inspection was done on March 22, 2011 and was determined that the building is not safe (collapsed roof, walls appear to be pushed out and chimney leaning away from building). Supervisor Monroe has talked with a bank trustee of the property and informed them of the condition and was told that there is "no money " for demolition. Concerns over going under un-safe building ordinance, town can direct the owner to take action, but they have no money, so then the town can demolish the building and assess against tax bill (which aren't being paid because "they don't have any money"). Other concerns if there is still buried gasoline storage tanks on the property. Supervisor Monroe stated that people were interested in buying property, but only if it was cleaned up. There is a Brown Fields (?) grant program which involves the town taking title, temporarily, and paying 10% of cost of clean up. Grant would cover 90%, but a cash flow problem could result. After clean up of property is done, Mr.Schachner said the property is certified as clean and is eligible for redevelopment. Supervisor Monroe will contact engineer from C T Male and report back to the Town Board.

**L A Group Contract** - Review of LA Group proposed contract. Contract would be for professional services.

**RESOLUTION #46: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH LA GROUP FOR PROFESSIONAL SERVICES ON A AS NEED BASE.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mrs.Wells authorize supervisor to sign contract with LA Group for professional services on a as need base.

AYE 5 NO 0

**RESOLUTION #47: AUTHORIZING ASSESSOR TO OBTAIN TRAINING.**

Introduced by Mrs.Wells 2<sup>nd</sup> by Mr.Durkish:

WHEREAS, the New York State Assessor Association offers courses during the week of July 17<sup>th</sup> at their Annual Seminar at Cornell University, and the week of September 11<sup>th</sup> at their Annual Conference on Assessment Administration in Buffalo which support the Assessor in training imperative to fulfilling the responsibilities of office and to remain abreast of legislative changes pertinent to assessment administration; and

NOW THEREFORE BE IT RESOLVED, that the Assessor is hereby authorized to travel and attend these training seminars.

AYE 5 NO 0

**RESOLUTION #48: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH GLENS FALLS ANIMAL HOSPITAL FOR 2011.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing Supervisor Monroe to sign contract with Glens Falls Animal Hospital for 2011. Contract is on file. AYE 5 NO 0

**RESOLUTION #49: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH SEAGLE MUSIC COLONY FOR SUMMER PERFORMANCE.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing Supervisor Monroe to sign contract with Seagle Music Colony, Inc., P.O.Box 366, Schroon Lake, NY 12870 for the performance of "Billy Goats Gruff" on Saturday, July 23, 2011 at 10:30 am. Cost \$550. For the Town of Chester/Horicon youth Commission. AYE 5 NO 0

**RESOLUTION #50: AUTHORIZE WATER SUPERINTENDENT AND DEPUTY TO ATTEND NYRWA ANNUAL TECHNICAL CONFERENCE.**

Introduced by Mrs.Wells 2<sup>nd</sup> by Mr.Durkish authorizing Jason Monroe, water superintendent and Kim Frazier, deputy water superintendent, to attend the NYRWA annual technical conference in Saratoga, NY, on May 9<sup>th</sup> - 12<sup>th</sup>. All necessary expenses for same to be a lawful claim against the Town of Chester. AYE 5 NO 0

**Discussion on:**

**dangerous building inspections** - Councilperson DuRose inquired as to the next steps involved on the 3 dangerous building inspections that were done on March 22, 2011 (one of which was the building on Pine Street). Supervisor Monroe stated that the town can give notice to property owner for "corrective action". In respect to the other two properties - no decision was made.

**Highway Superintendent Clark** inquired as to the boat on Valley Farm Rd - once the owner is notified what is considered a reasonable length of time for the owner to move the boat (20 to 30 days) and if owner doesn't remove it and the town does, what happens if damage is done? Notice has not been given yet. Mr.Schachner suggest that in the notice it should be stated that damage will probably occur, because of condition of boat. Pictures should be taken prior to town moving it. Notice to be sent to owner by certified mail.

**Valley Farm Rd signage** - Councilperson Wells had a request from a resident on Valley Farm Rd in regards to replacing the yield sign, at the end of I-87 exit 26, with a stop sign and also something to let people (trucks, especially) know that a right turn off from the exit is dead-end and difficult for tractor trailer trucks to try and turn around. Highway Superintendent Clark has put signs up. Supervisor Monroe will contact state.

**Foster Flats road** - still checking on right of way. Gary has an old 1938 map, from NYS DOT. Further research will be done. Other surveys may have been done by local surveyors (Jim Nestor and Jim Hughes) in respect to building lots.

**RESOLUTION #51: APPROVE FUNDS FOR THE YEARLY FISHING DERBY.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose to approve \$1,000 for the yearly fishing derby.

Fred Monroe - AYE Edna Wells - AYE Steve Durkish - AYE  
Karen DuRose - AYE Mike Packer - abstain

**RESOLUTION #52: AUTHORIZE PAYMENT OF ABSTRACT AND APPROVE CLAIMS PAID PRIOR TO AUDIT.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mr.Packer authorizing payment of abstract:

General Fund	\$43,727.28	( 100-146)
Highway Fund	\$59,599.19	( 40- 76)
Chestertown water	\$ 804.25	( 12- 16)
Pottersville Water	\$ 728.10	( 11- 15)
Library	\$ 1,899.29	( 9- 12)
	AYE 5	NO 0

Motion by Mr.Monroe meeting adjourned at 9:45 pm.

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Town Clerk