

**Regular meeting** of the Town Board of the Town of Chester was held April 14, 2009 at 7:30 pm in the Town of Chester Municipal Center, Chestertown, NY.

Roll Call: Frederick Monroe, Stephen Durkish, Edna Wells and Karen DuRose. Mark Schachner - attorney for the Town. Mike Packer - absent.

**Sand bid:**

One bid was received. Gilma Enterprises, Box 363, Chestertown, NY. Bid was for \$1.50 per yard for bank run sand and to be screened at the Gilma Pit, Rt.8, Chestertown by the Town of Chester with the town's own equipment.

**RESOLUTION #52: 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 \$1.50 per cubic yard for bank run sand, screened at the Gilma Pit on Route 8, Chestertown, by the Town of Chester with the Town's equipment.

AYE 4 NO 0

**Public hearing on Balsam House - Restore New York application.**

Supervisor Monroe opened public hearing at 7:35 pm.

Town of Chester is the lead agency for the application submission in an effort to secure grant funds not to exceed \$1,000,000 for the rehabilitation of the Balsam House, 477 Atateka Drive, Chestertown NY, SBL# 136.2-1-8.

Wayne LaMothe, Warren County planning, explained that the Restore New York program is funded through the 2006 and 2007 state budget - three funding rounds. This is the third year of the funding and 159 million dollars is available for Economic Development projects. Emphasize is on projects that are "shovel ready" (high degree of feasibility for completion). Application deadline is May 4, 2009. County Planning department is assisting the Town of Chester in preparing an application for the Balsam House project. The required public hearing, advertised for tonight's meeting, is being held for input and comments on the project.

Joe Brand, partner of Balsam House, described what has been done and what still needs to be restored. He stated that economically it is felt that the restoring of the Balsam House "could be a boom to the community". He went on to say that "he felt strongly that up to 35 jobs could be created and perhaps more, in the summer or busy parts of the season." Also in attendance with Mr.Brand, was Bert Winchip - architect/engineer, their insurance representative, and their attorney.

Comments were received in favor of the project.

Supervisor Monroe stated that there was confusion in the fact that the Balsam House project has also been "put on the list for funding from the Stimulus Bill".

Intent to apply for funding is described as the rehabilitation and restoration of a year round destination resort/conference facility with 58,000 square feet of commercial floor space, 38 rooms for

lodging, banquet meeting space for 173, expected employment 35. Mr.Brand stated that hopefully in the summer employment would be more. Mr.Brand stated that investment to date in repairs/restoration to Balsam House are basically debt free with the exception of a couple of engineers. He did say that about 2½ million dollars have been invested in the project. He felt that they could make a strong commitment to the community in regards to a good tax base. At this time there is a permit application with APA.

Mr.LaMothe presented some cost estimates/economic benefit analysis figures:

1. Worth about 9 million dollars - one time bases for construction, supporting local businesses, buying materials, and the multiplier effect.
2. Employment side - potential economic benefit - payroll and money being reinvested in the community about 1.9 million annually
3. The business itself in buying goods and materials to maintain the operation of the facility (utilities, taxes etc.) economic impact estimated at 3.2 million.
4. Visitors that would come to Balsam House and stay and make expenditures in the community - annually estimated at 2.4 million.

Mr.LaMothe stated that it was felt that this project is a good economic impact for the north country.

Questions asked:

1. Would employment be at minimum wage?  
Mr.Brand said "no", would be at a standard of living that was comfortable with the Town of Chester.
2. Would local people be hired? Mr.Brand said that to date any work done has been local.
3. Are supplies bought locally? Yes, Curtis Lumber, Stephenson, Murphy Lumber, Mountain Petroleum (Essex County) but have changed to another company, and have had all local people on the project.
4. This is a partnership? Yes, Frank Ellis - original owner and Mr.Brand are 50/50 partners in the project. Mr.Brand stated that he will be on site.
5. Estimate (cost) for total to finish the project? Mr.Winchip commented that everything possible was incorporated into a final cost (some things don't have to be done - example: heated towel bars) of 7 million dollars, which includes unionized labor, but after taking off some "wish list items" cost reduced to 6 million. These figures do not include what has already been done on the buildings/grounds.
6. Any thought to borrow remaining money? Yes, have been working on building for 5 years (2 years for clean up). Radiant heat is throughout the building, and approximately 70% insulated and will be ready soon to "start hanging some rock".

Building was built on a grade and never had a complete foundation under it, just a small section of stone foundation, this since has been done with a complete foundation.

They have tried to keep the integrity of the architectural design. Mr.Brand stated that this would be a family run business and opened 365 days a year.

Mr.LaMothe stated that a representative from Empire State Development Corporation has also looked the project/building over and site was eligible under the program guide lines. There is a clause that states that if a grant is awarded and the property is sold within a ten year period, the state will "re-coop" their money.

Question was asked if this will cost the taxpayers any money and will it effect anyone else applying for a similar grant? Supervisor Monroe stated that there is an application fee of \$250 which the town will pay. Mr.LaMothe also said there is a 10% matching requirement, but that will be provided by the property owner, an affidavit attached stating as such.

At this time no other applications have been mentioned.

Supervisor Monroe closed the Public hearing at 8:05 pm. A certified copy of public hearing is to be sent to Mr.LaMothe.

**RESOLUTION #53: ACCEPT MINUTES OF TOWN BOARD MEETING.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mr.Durkish to accept the minutes of the March 10<sup>th</sup> Town Board meeting. AYE 4 NO 0

**Privilege of the floor:**

Greg Beckler and Edna Trumble - North Warren Chamber - information was given as to what the Chamber has planned for the "summer fest" that will be held July 11, prior to the annual fireworks display. A request of \$3500 from Occupancy Tax fund to help with the expenses.

**RESOLUTION #54: APPROVE REQUEST OF \$3500 FOR SUMMER FEST ACTIVITIES.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mrs.Wells approving request of North Warren Chamber for additional funds, in the amount of \$3500 for the July 11 "Summer Fest" program. AYE 4 NO 0

John Panos - Junk law #3 of 2006 and the Zoning Law section 7.05 - He asked if the board had reviewed these yet and felt that the penalties for a junk yard should not be the same as for a resident and that complaints be in writing. Mr.Panos also asked who was authorized to enforces local ordinances and was informed that Walt Tennyson, Zoning Officer and that technically the police officers can, but usually they don't.

**Old Business:**

**Lifeguards** - application received from Emily Shaw and a letter of interest has been received from Gregory Dower. Some interest has been shown in part time and Councilperson Well is still trying to contact some students. Certification to teach is requested.

**RESOLUTION #55: AUTHORIZE THE HIRING OF GREGORY DOWER AND EMILY SHAW**

**FOR LIFEGUARDS.**

Introduced by Mr. Monroe, 2<sup>nd</sup> by Mrs. Wells authorize the hiring of Gregory Dower and Emily Shaw for the lifeguards at Loon Lake beach for the 2009 summer season. AYE 4 NO 0

**Mannuci - Town of Chester deed exchange** - Mr. Schachner stated that this has been mailed and Supervisor Monroe should be receiving it.

**Revision of timber cutting regulation in Zoning Ordinance - TABLED**  
Councilperson Durkish would like more clarification. Councilperson Packer asked that this be tabled, until he can attend meeting.

**New Business:**

**Septic variance applications. Hales and Piatt.**

Jim Hutchins engineer for the Hales presented the variances:

1. John & Linda Hales, (under Joyce B. Trust & Linda Hales), Tax map #86.1-1-57 (west of Jones Road), and Tax map # 86.1-1-11 (east of Jones Road), Moderate Intensity Land Use, proposing the reconstruction of a dwelling on parcel #86.1-1-57 for which the proposed wastewater system cannot meet the required design standards with regard to:

separation from wastewater to basement 20' required 12' provided  
wastewater to property line 10' required 3' provided  
wastewater to applicants' well 100' required 80' provided

2. James Hales, (under Linda Hales), tax map #86.1-1-10 and #86.1-1-58, also situated in Moderate Intensity Land Use, (both parcels in the process of being conveyed to James), proposing the reconstruction of an existing dwelling to year round residence for which the wastewater system cannot meet the required design standards with regard to:

separation from wastewater to basement 20' required 10' provided  
wastewater to property line 10' required 1' provided  
wastewater to John Hales well 100' required 80' provided  
wastewater to applicants' well 100' required 95' provided

Request that Jim double check on a well that is shown on the map.

E. Eric Cordis, engineer for Michael Piatt presented the variance:

3. Michael & Ruth Piatt, 20 Olmstedville Road, tax map parcel #35.4-2-24, located in the Hamlet, proposing replacement of an existing wastewater system with an alternative treatment system requiring variances for: (Eljen system and maintenance will be done)

separation from property line setbacks 10' required 3' north side  
10'+ south side  
distance to surface water 100' required 58'+ provided  
distance to drain pipe 10' required 9'+ provided

**RESOLUTION #56: SET DATE FOR PUBLIC HEARING ON SEPTIC VARIANCES FOR JOHN AND LINDA HALES AND JAMES HALES.**

Introduced by Mrs. Wells, 2<sup>nd</sup> by Mrs. DuRose to set date of May 12,

2009 at 7:00pm for public hearing on two septic variances: John and Linda Hale, tax map #86.1-1-11 and James Hales, tax map #86.1-1-10 and 86.1-1-58. AYE 4 NO 0

**RESOLUTION #57: SET DATE FOR PUBLIC HEARING ON SEPTIC VARIANCE FOR MICHAEL PIATT.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mrs.Wells to set date of May 12, 2009 at 7:15 pm for public hearing on septic variance for Michael Piatt, tax map #35.4-2-24. AYE 4 NO 0

**RESOLUTION #58: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH OFFICE FOR THE AGING.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mr.Durkish authorize Supervisor to sign contract with Office For the Aging. AYE 4 NO 0

**Pam Morin's email - map participation and funding** - Greg Beckler and Pam Morin presented the proposal for developing of a "sister map" - Upper Hudson River Waterfront Community Map. At this time there is map put out by the Hudson Valley Tourism to promote tourism in the 10 counties along the Hudson River (Albany, Columbia, Dutchess, Greene, Orange, Putnam, Rensselaer, Ulster and Westchester). Funding is being requested to have a similar map which will extend from Albany area north to Lake Tear in the Cloud. Mrs.Morin explained the various stages of the creation of a "sister map", contacts (partners) to create and fund map, and distribution of map (ex. Explore NY 400 Souvenir Packet for all NYS 7<sup>th</sup> graders). Goal is to have 38 partners with each contributing \$3,000. 400<sup>TH</sup> anniversary of Hudson River.

**RESOLUTION #59: APPROVE REQUEST FOR MAP PARTICIPATION AND FUNDING FOR UPPER HUDSON RIVER WATERFRONT COMMUNITY MAP.**

Introduced by Mrs.DuRose 2<sup>nd</sup> by Mr.Durkish approving the request for map participation and funding for Upper Hudson River Waterfront Community Map. Funding of \$3,000 from Occupancy tax. AYE 4 NO 0

**RESOLUTION #60: AUTHORIZING THE ASSESSOR TO OBTAIN REQUIRED TRAINING.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose:  
Whereas the Assessor, Paul Maniacek, is required to annually fulfill his continuing education training requirements, and  
Whereas, the New York State Assessor Association offers courses during the week of July 13<sup>th</sup> at their Annual Seminar at Cornell University, and the week of September 28<sup>th</sup> at their Annual Conference on Assessment Administration in Saratoga Springs which assist the Assessor in fulfilling these requirements, now therefore be it  
Resolved, that the Assessor is hereby authorized to travel and attend these training seminars. AYE 4 NO 0

**RESOLUTION #61: APPROVE WATER HOOK-UP FOR NORTHWOODS HOLDINGS.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mrs.DuRose approving water service and hookup at 104.14-1-11, in water District 1, location on

Panther Mtn Drive. Check received in the amount of \$500.

AYE 4 NO 0

**RESOLUTION #62: APPROVE REQUEST OF COURT TO ATTEND CLASSES.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mrs.Wells approving request of the Town of Chester court attend a class on Wednesday, April 22, in the Warren County Municipal Center and to approve judge to attend class on April 18 at ACC.

AYE 4 NO 0

**RESOLUTION #63: ACCEPT QUOTE FROM MAGIC CARPET STEAM CLEANING.**

Introduced by Mr.Durkish, 2<sup>nd</sup> by Mrs.Wells to accept quote from Magic Carpet Steam Cleaning, 50 Holland R, Wevertown, NY 12886 to clean carpets in Town of Chester municipal building. Cost would be 12 cents a square foot.

AYE 4 NO 0

**Logging Town property - Mark from Cerosimo advises that they are interested in logging.** - Discussion on having a timber cruise done on both Dynamite Hill property (approximately 120 acres) and behind the town municipal center (approximately 40 acres). Supervisor Monroe will contact people for quotes (cutting and value).

**Paving list** - Roads to be considered for paving: Vanderwarker Road and Lane Rd. Approximately one mile each.

Discussion on town workers sweeping Route 9. Felt it was done so that sand etc would not run down into the catch basin/drain.

**Margaret Andrews employment** - Supervisor Monroe stated that Mrs.Andrews hours have been reduced to 12 hours per week at the meal site and the town board was asked if there was work for her at the town for the 8 hours (per week) that she no longer receives. Board felt that perhaps Mrs.Andrews could help out in the food pantry, transfer station, light cleaning in the town hall, and maybe in the library. Supervisor Monroe has talked with Marge Souran about having help in the food pantry.

**RESOLUTION #64: AUTHORIZE 20 HOURS PER WEEK FOR MARGARET ANDREWS.**

Introduced by Mr.Durkish, 2<sup>nd</sup> by Mrs.Wells authorizing a 20 hour work week for Margaret Andrews, with time being split between meal site, food pantry, and town hall or transfer station.

AYE 4 NO 0

Councilperson Wells request that a more through cleaning be done in the town hall (bath rooms and offices etc.). Commented on the halls being done well. Supervisor Monroe will speak with custodian.

**Retirement form #2415** - Supervisor Monroe received a letter from retirement system. Form to be completed by town board.

**RESOLUTION #65: AUTHORIZE TOWN BOARD TO COMPLETE NEW YORK STATE**

**RETIREMENT FORM #2415 FOR FREDERICK MONROE.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing town board to complete New York State Retirement form #2415 and authorize Councilperson Edna Wells to sign, as Supervisor Monroe can not sign and Deputy Supervisor Packer was not at the meeting.

Roll Call: Frederick Monroe - abstain Edna Wells - AYE  
 Stephen Durkish - AYE Karen DuRose - AYE

**RESOLUTION #66: ESTABLISH WORK WEEK FOR TOWN SUPERVISOR.**

Introduced by Mr.Durkish, 2<sup>nd</sup> by Mrs.DuRose: Starting with January 1, 2008 until the present and for the foreseeable future three days should be reported for a work week for Town Supervisor.

AYE 4 NO 0

**RESOLUTION #67: AUTHORIZE PAYMENT OF ABSTRACT AND ACCEPT BUDGET AMENDMENTS.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing payment of abstract, approve claims paid prior to audit, and accept budget amendments to the 2009 budget:

General fund	\$40,733.40	(101-158)
Highway fund	\$ 9,111.22	( 51- 71)
Chtwn water	\$ 3,134.12	( 18- 30)
P'ville water	\$ 919.94	( 15- 21)
Library	\$ 893.39	( 13- 16)

Amendments to 2009 Budget

Amend appropriations:

A6410.21	Decorative streetlights from OCC Tax	+32,000
A6410.41	Tourism promotion	<-9,000>
A8020.4	planning - contr expend (LA Group)	+ 2,000
A1110.12	court - file clerk	+ 1,000
A1990.4	Contingent account	<-3,000>
		23,000

A511 Appropriate \$23,000 from misc reserve (Occupancy Tax). The reserve is in A 889, and the appropriation from it will be A511.

DA9040.8	HWY - workers comp	+1900
DA9060.8	HWY - health ins	<-1900>

CW8340.2	Chtn water - trans/distrib - equip	<-1000>
CW8340.4	Chtn water - trans/distrib - contr expend	+1000

AYE 4 NO 0

Motion by Mr.Monroe meeting was adjourned at 10:10 pm.

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 Town Clerk