

**Regular meeting** of the Town Board of the Town of Chester was held **December 11, 2012** at 7:00 p.m. in the Town Municipal Center, Chestertown, NY.

Roll Call: Mike Packer, Edna Wells, Karen DuRose, and Steve Durkish. Attorney for the Town, Mark Schachner. Absent was Frederick H. Monroe.

In Mr. Monroe's absence, Mr. Packer chaired the meeting.

**RESOLUTION #190: ACCEPT NOVEMBER MINUTES (5<sup>th</sup>, 8<sup>th</sup>, and 13<sup>th</sup>) AS PRESENTED.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, accept November Minutes, as presented.

AYE 4 NO 0

**RESOLUTION #191: RESCIND RESOLUTION #179 OF LOCAL LAW #3 CONCERNING THE RESTRICTED PARKING ON MAIN STREET.**

Introduced by Mrs. DuRose, seconded by Mr. Packer, rescind Resolution #179 of November 13, 2012, regarding proposed Local Law #3 pertaining to restricted parking on Main Street in the Town of Chester, until further evaluation is done and public input is considered.

AYE 4 NO 0

**Bids.**

Bids were opened for sale and delivery of #2 fuel oil, diesel fuel and kerosene.

There was a single bid from Buckman's Fuel Co. They explained that they no longer receive the Journal of Commerce (with the Albany Tank Wagon Price), as the publication has changed and no longer fits their needs. Therefore rates will be based on daily prices from their supplier, and bids were based on prices as of December 10<sup>th</sup>, 2012, as follows:

Bid #1: Fuel Oil ~ Reseller price per gallon  
+ Mark up ~ \$0.2200 per gallon.

Bid #2: Kerosene ~ Reseller price per gallon  
+ Mark up ~ \$0.2200 per gallon.

Bid #3: Diesel Fuel ~ Reseller price per gallon  
+ Mark up ~ \$0.2200 per gallon.

Bid #4: Fuel oil/Town Hall only ~ Reseller price per gallon  
+ Mark up ~ \$0.1800 per gallon.

Each delivery invoice will enclose a copy of that days daily petroleum price for backup and reference. A qualified service person will be available for emergency service upon a two hour notice.

**RESOLUTION #192: ACCEPT BID FROM BUCKMAN FUEL COMPANY, AS PRESENTED.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, accept bid from Buckman's Fuel Co., PO Box 448, Chestertown, NY for #2 Fuel Oil, Kerosene, and Diesel Fuel with a mark up of \$ .22 per gallon, and #2 Fuel Oil for the Town Hall with a mark up of \$ .18 per gallon. Deliveries will be to Ski Hut at Dynamite Hill, Health Center, Quonset Hut, Highway Garage, and the Town Hall.

AYE 4 NO 0

**Senior bus.** Single bid was received for weekly Senior Citizen transportation from Warren-Hamilton Counties Community Action Agency.

Bid proposes transportation from Town of Chester to and from Glens Falls area from Jan. 1, 2013 until Dec. 31, 2013. All vehicles are 15 passenger vans with removable rear seats to make room for purchases, allowing seating for 10-11 riders. Bus will run Tuesday's from 9:00 a.m. - 3:00 p.m., excluding holidays. Total cost to be \$10,660.00 for Calendar year 2013 with a total of 52 trips at cost per trip of \$205.00.

**RESOLUTION #193: ACCEPT BID FOR SENIOR CITIZEN TRANSPORTATION, AS PROPOSED.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, accept bid for Senior Citizen transportation as proposed, from Warren-Hamilton Counties Community Action Agency, PO Box 968, Glens Falls, NY for the year 2013 in the amount of \$10,660.00 for 52 trips, at a cost of \$205.00 per trip.

AYE 4 NO 0

**Public Hearing.** Public hearing on contracts with North Warren Chamber, North Warren Emergency Squad, North Creek Fire District, Chestertown Fire District and Riverside Volunteer Fire Co. was opened at 7:07 p.m.

The following proposed contracts for the 2013 budget year are as follows:

North Warren Chamber of Commerce, Inc. in the amount of \$14,000, to act as advertising agent for the Town of Chester.

North Warren Emergency Squad in the amount of \$60,000 to furnish emergency ambulance service in the Town of Chester.

North Creek Fire District in the amount of \$30,000 to provide fire protection.

Riverside Volunteer Fire Co. in the amount of \$7,000 to provide fire protection, and

Chestertown Fire Company to also provide protection in the Riverside Fire Protection district in the amount of \$5,000.

There being no comments or discussion from the public arena, the

public hearing was closed at 7:10 p.m.

In view of the fact that the North Warren Emergency Squad appears to have disbanded, and Empire ambulance has come in to cover the area for now while North Warren reorganizes, Mrs. DuRose questioned whether Empire Ambulance is a "for profit" or "not for profit" organization. Mrs. DuRose was concerned for uninsured citizens who might need ambulance service, historically with the cost for such being forgiven by a non-profit. To be researched.

**RESOLUTION #194: APPROVE PROPOSED CONTRACTS FOR THE 2013 BUDGET YEAR, WITHHOLDING NORTH WARREN EMERGENCY SQUAD FUNDS UNTIL THE TOWN KNOWS WHAT IS GOING TO HAPPEN.**

Introduced by Mrs. Wells, seconded by Mr. Durkish to approve the proposed contracts for the 2013 budget year, withholding funds for the North Warren Emergency Squad until we know what is going to happen with this service.

AYE 4 NO 0

**Privilege of the floor.**

**Florence Converse, ACO**, explained that dog enumeration program began in August, and so far we have 289 newly licensed dogs in the Town. 710 follow up letters were sent, and out of those, all but 316 people responded. Florence was commended by the Board for a job well done.

**Old business:**

**Restricted parking within 40 feet of an intersection.** The resolution approving this mandate for a Local Law was rescinded at the onset of the meeting.

**Bruce Robbins** spoke of the previous Local Law that has been in effect since 1999 (with a 20 foot setback), and stated that from LaFlure Lane to the Town Hall actually impacts between 37 and 40 different ingress & egress locations. That could easily impact parking on Main Street by 50%. With safety in mind, velocity is a bigger issue, for instance, Knapp Hill Road at 55 mph. Additionally, in front of Stewart's, being one of the biggest hazardous areas in the Town. Mr. Robbins also addressed DOT and their reluctance to change speed limits. Attorney Schachner stated that DOT is fiercely reluctant to change speed limits on their roads, but he never discourages any town from pursuing the effort to request it. He added that sadly, it often takes a catastrophic event in order for a change to be effected. He suggested it might be possible to meet with a Regional DOT Engineer and talk with them regarding Main Street.

Cathy Varney, who works under a NYS Department of Health Grant, stated that the Adirondack Glens Falls Traffic Council (AGFTC) had just sent out letters of solicitations for corridor studies, and it will pay for a planning study, if it is requested. These independent studies by

the AGFTC have more teeth when they give recommended actions to DOT and they are free to the Town. Cathy was going to email Supervisor Monroe, because there is a time limit on getting a request in to them.

**John West** requested Attorney Schachner write a letter to DOT regarding the crosswalk in front of the Town Hall, as it is not handicap accessible. There is curbing on both sides of the street, and to move it up to the driveway area would put pedestrians in an area where there are vehicles coming and going. NYS DOT said a letter of request would start the ball rolling. Attorney Schachner thought it made good sense and said he would be happy to do so if the Town Board agreed, which they did.

**Kit Isaacsen** asked whether speed limits through Town could be enforced by either the Sheriff or State Police, as traffic usually moves at a much faster pace than allowed. **Bruce Robbins** mentioned that the 40 mph limit had crept closer into the Hamlet with the construction of the new Health Center south of Town, and the truck's from Peckham's are just getting up to speed at that point, and then "Jake Break" through the town. He suggested that the 40 mph limit be placed a bit further south. Sharon Taylor offered accolades to the Business Alliance for being so active in the revitalization that is now taking place within the town and did not want to see parking issues defeat this movement. Chairman Packer explained that the safety issue had been the main concern of the Board at the time that all of this came about.

Members of the audience thought that meeting agenda's should be placed on the website so that people know what is going on, as well as Minutes being posted there as soon as they are completed, instead of waiting until they are approved. They thought that this would keep people better informed as to what is going on in town. At this point, the Local Law from 1999 is still in effect with regard to parking, until this issue is revisited.

**RESOLUTION #195: APPROVE REQUESTING A CORRIDOR STUDY FROM AGFTC.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, approve Supervisor Monroe request a corridor study be done by the Adirondack Glens Falls Traffic Council.

AYE 4 NO 0

**Status of removal of petroleum tanks at Highway Garage.**

Highway Superintendent Jason Monroe stated that the tanks have all been removed and cut up by an environmental company. The 20 yards of waste soil that was around them will be removed on Wednesday (the 12<sup>th</sup>) and hauled to ESMI in Fort Edward. The Board thanked Jason for a job well done.

**Pine Street building demolition status.**

The building has been totally removed, and any equipment that was not

smashed when the roof caved in was set aside and taken by Lincoln Logs. There is still a box trailer on site that John West said would make a great storage container. The plates on it were run, and go back to Lincoln Logs, but are long expired. Ownership, or lack thereof needs to be determined as to whether it is part of the property in bankruptcy. Trailer has been checked and appears to be roadworthy in order to be relocated.

**New business.**

**Beaver dams.** The County is trying to get control of the beaver dams that could cause excessive flooding, road washouts, and property devastation if they fail, as they did in the Town of Thurman a few years ago.

**RESOLUTION #196: AUTHORIZE MOU BETWEEN THE TOWN AND DEC.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize a Memorandum of Understanding between the Town of Chester and DEC with regard to beaver dams in culverts.

AYE 4 NO 0

**Appoint ZBA Member.**

**RESOLUTION #197: APPOINT KEN MARCHESELLI TO ZONING BOARD OF APPEALS.**

Introduced by Mrs. Wells, seconded by Mr. Packer, reappoint Ken Marcheselli to Zoning Board of Appeals for another 5 year term, expiring in 2017.

AYE 4 NO 0

**Appoint member to Schroon Lake Park Commission.**

Board was not clear if this was a new appointee or a reappointment. Tabled.

**Contract with Gore Mountain.**

**RESOLUTION #198: AUTHORIZE CONTRACT WITH GORE MOUNTAIN FOR YOUTH SKI PROGRAM.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize contract with Gore Mountain for the youth ski program.

AYE 4 NO 0

**APA and DEC permits for Renovate OTF Treatment in Loon Lake.**

Ed Greismer explained that the area to be treated is the south end of the lake by the outlet. There are approximately 14 acres to be treated with the herbicide "Renovate", specific to Milfoil. It will be distributed in a granular form from a hopper on the boat. Lycott has been approved as our lake manager, and they are a Certified Applicator who will be doing the job sometime in the early spring, as long as the permits are granted.

**RESOLUTION #199: AUTHORIZE APPLICATION FOR APA AND DEC PERMITS FOR**

**RENOVATE OTF TREATMENT.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize applying for APA and DEC permits for Renovate OTF treatment of milfoil in Loon Lake.

AYE 4 NO 0

**RESOLUTION #200: REAPPOINT MINDY CONWAY TO WARREN COUNTY YOUTH BOARD.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, reappoint Mindy Conway to the Warren County Youth Board.

AYE 4 NO 0

**RESOLUTION #201: APPROVE ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.**

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

General	\$166,161.52	(654-717)
Highway	\$110,173.14	(288-323)
Dist. I Water	\$ 9,628.91	( 46-55 )
Dist. II Water	\$ 1,549.41	( 53-57 )
Library	\$ 5,258.74	( 57-58 )
Loon Lk. Pk. Dist.	\$ 219.45	( 12-12 )

AYE 4 NO 0

**Audit of books.**

Review of the books for the Bookkeeper, Town Clerk and the Court Clerk has been completed. Each Department's records were found to be in order, and any questions were answered satisfactorily.

**RESOLUTION #202: ACCEPT AUDIT OF BOOKS AND RECORDS FOR BOOKKEEPER, TOWN CLERK AND COURT CLERK.**

Introduced by Mr. Durkish, seconded by Mr. Packer, accept audit of books and records for Bookkeeper, Town Clerk and Court Clerk for 2012.

AYE 4 NO 0

**Ride with the Veterans.**

Steven A. Dean, Director of Operations for the Global War on Terrorism Monument Organization has requested to hold a bicycle fundraising ride event entitled "Ride with the Veterans" on Sunday, May 19<sup>th</sup>, 2013, in order to raise money for the Global War on Terrorism monument to be built and placed in Crandall Park, Glens Falls. The ride will commence at 7:30 a.m. at the VFW here in the Town of Chester, and will conclude at the designated site in Crandall Park. He is requesting approval from the Town of Chester to assemble and traverse through our Town on that date. Police escort will be requested from the Warren County Sheriff's Dept.

**RESOLUTION #203: APPROVE BICYCLE RIDE FOR GLOBAL WAR ON TERRORISM MONUMENT ORGANIZATION, AS PROPOSED.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, approve bicycle ride scheduled for May 19<sup>th</sup>, 2013 to benefit the Global War on Terrorism Monument Organization, as proposed.

AYE 4 NO 0

**Adjournment.**

On a motion by Mr. Durkish, seconded by Mr. Packer, the meeting adjourned at 8:20 p.m.

Respectfully submitted,

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Town Clerk