

**Regular meeting** of the Town of Chester Town Board was held on **July 8, 2014** at 7:00 p.m. at the Town Hall, 6307 State Route 9.

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

**RESOLUTION #88: ACCEPT MINUTES OF THE JUNE 10<sup>TH</sup>, 2014 MEETING.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, accept Minutes of the June 10<sup>th</sup>, 2014 meeting, as presented.

AYE 5 NO 0

**Open truck bids.**

No bids have been received.

**Public hearing.**

Public hearing opened at 7:01 p.m. with the Clerk reading the published notice. The Town Board acting as the local Board of Health in the matter of a septic system variance for Jay W. Becker, 650 Atateka Drive, Chestertown, NY.

Winchip Engineering was in attendance to represent the applicant, with Zach Monroe as spokesperson.

Applicant has a failed septic system on his property, and proposes replacement of same. Septic is currently non-compliant in relation to setback from the neighboring well, and the owner's well. Current separation from the neighboring well is 82 +/- feet, whereas 100 feet is required. The proposed separation would be 86 +/- feet, requiring a 14 +/- variance, an increase of 4 feet in the setback.

Current separation from owner's well is 69 +/- feet. Proposed change would be 70 +/- feet, an increase of 1 foot, which would require a 30 +/- foot variance.

Following brief discussion, Board finds as follows:

A. That there are special circumstances or conditions, fully described in the findings of the Local Board of Health, applying to such land and that such circumstances or conditions are such that strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land.

1. In order to enjoy a reasonable use of the land, applicant cannot meet the required separation distances to neighboring or owner's wells.

B. That the variance would not be materially detrimental to the purposes and objectives of this Ordinance, or to other adjoining properties, or otherwise conflict with the purpose or objectives of any plan or Policy of the Town.

1. The granting of the variance will make the existing non-compliance slightly better.

C. That., for reasons fully set forth in the findings of the Local Board of Health, the granting of the variance is necessary for the reasonable use of the land that the variance, as granted by the Local Board of Health, is the minimum variance which would alleviate the specific unnecessary hardship found by the Local Board of Health to the applicant.

1. This is the only location upon which it can be built, for gravity purposes, as moving it further north on the property would put it in shallow bedrock.

D. In granting any variance, the Local Board of Health shall prescribe and attach any reasonable conditions that it deems to be necessary or desirable.

1. Conditional on proposed septic system being built according to specs and plans submitted. Any change in plans, applicant must return to Board for approval.

**RESOLUTION #89: ACTING AS LOCAL BOARD OF HEALTH, APPROVE SEPTIC VARIANCE FOR JAY W. BECKER, AS OUTLINED.**

Introduced by Mr. Monroe, seconded by Mr. Packer, approve septic variance for Jay W. Becker as outlined in findings of the Town Board, acting as the Local Board of Health, and compliance with imposed conditions.

AYE 5 NO 0

**Privilege of the floor.**

Linda Muench, JoAnn Nick, and Penny Cargioli were present, representing the Tri-Lakes Business Alliance, and requesting funds from Occupancy tax in the amount of \$1,000 for Rum Runners weekend. There are a lot of events planned, and they are expecting support from other Towns that will also be participating. Mrs. Muench also mentioned that the Crandall Library has donated a baby grand piano to the Carol Theater. Mr. Packer mentioned that it would be good to have the TLBA budget before our fiscal year begins so that we can plan for their projects, and Mr. Monroe stated that some of that money can be used by the Town for capital projects, not just tourist promotions. Without places to go, there is no point in promoting tourism.

**RESOLUTION #90: APPROVE SUPPORT OF \$1,000 TO TLBA FOR RUM RUNNERS WEEKEND.**

Introduced by Mr. Monroe, seconded by Mrs. Wells, approve support of \$1,000 from Occupancy tax monies to TLBA for Rum Runners weekend.

**Nancy Brooks** thanked the town for the beautiful fireworks that were displayed during Summerfest on July 5<sup>th</sup>.

**Barbara Thomas** in attendance with Lisa Agresta from Play World, and were proposing a plan for a playground and equipment to be located next to the Chamber building on Dynamite Hill.

Plans and information were shared by Ms. Agresta, owner of the company proposing the project, and they were reviewed by the Board. For a guided installation, it would cost \$66,115. For partial installation, (by the company), it would cost \$77,915. For complete installation, it would cost \$87,015. Ms. Agresta stressed that the equipment was based on National and NY State standards. The playground proposed would accommodate about 60 children at a time, being 47' x 51' in area. This size could be reduced, and equipment could be minimized also. Surface would be wood carpet, which decomposes, but is of a quality that a wheelchair can run through it. Maintenance would consist of tightening the bolts every 3 months, and resurfacing the wood carpet once every 3 to 4 years, at a cost of about \$1,500. Divets under some of the equipment can be alleviated by purchase of special mats which will be placed under the equipment, at a cost of \$100 per mat.

Mr. Monroe stated that we have two things to consider, the first being our budget, and the second, our procurement policy. Ms. Agresta stated that she could draw up the specs and do bid paperwork for us. Mrs. Thomas explained that Wayne LaMothe has a matching grant available, but it is due by Dec. 31<sup>st</sup>. We have not budgeted for this project, so we would have to know what it would cost us, figuring in volunteer hours, etc.

**RESOLUTION #91: APPROVE SPECS BE DRAWN UP FOR PROPOSED PLAYGROUND, HAVE WAYNE LAMOTHE HELP DRAW UP BUDGET AND SPECS, AND ADVERTISE FOR BIDS TO BE OPENED AUGUST MEETING.**

Introduced by Mr. Monroe, seconded by Mr. Packer, have specs drawn up for proposed playground, have Wayne LaMothe, Warren County Planning help to draw up budget and work with Lisa on specs, have Mark Schachner look over and approve, then advertise for bids to be opened August 12<sup>th</sup> meeting at 7:00 pm.

AYE 5 NO 0

Linda Saunders, Loon Lake, proud of our recycling center, but thinks we need single stream recycling. Mr. Monroe stated that the County tries to find markets for recycled materials, and it might be something that we could explore with her help. County bids out Solid Waste and Recyclables every year. County Purchasing Department Julie Pacyna would be a good resource for contact.

Tornado warning sounded at this time. Meeting abbreviated hereafter.

**Old Business:**

**Loon Lake Dam Engineer. Authorize Contract.**

We have a proposal from Rick Woidt Engineering to perform a dam safety assessment of the Loon Lake Dam. Up until 2011, our dam met DEC standards. They have since changed the standards, so we no longer meet them. We may have to build a new

spillway, yet Governor Cuomo wants us to trim our budgets by 1%. We have to have an engineering assessment done, and if the engineer has to do 2 dimensional modeling, it will cost us \$37,000, if it is 3 dimensional, it will be double that. Woidt Engineering specializes in dams, and is cheaper than CT Male. We have a copy of his contract, and there is a clause of liability that we would like removed. We will pay him half of his fees this year, and half next year, which he agreed to. We need to have something to DEC by August 19<sup>th</sup>.

**RESOLUTION #92: AUTHORIZE SUPERVISOR SIGN CONTRACT WITH WOIDT ENGINEERING.**

Introduced by Mr. Monroe, seconded by Mr. Packer, authorize Supervisor sign contract with Woidt Engineering with clause of liability removed.

AYE 5 NO 0

**Pellet boiler.**

Specs were forwarded to Mr. Monroe from Rick Handley. Richard Jones had a copy of the asbestos report, and there was no asbestos found. Rick Handley thinks it will take a couple of months to build the boiler, so he thinks we should go ahead and bid it. The gentleman from the Green Bank seems to think it will be okay under the renewable heat program, as long as we haven't actually built the boiler, and by that time we should have heard what the requirements are from NYSERDA.

**RESOLUTION #93: RESCIND RESOLUTION FROM JULY 10<sup>TH</sup> MEETING FOR BID FOR THE BOILER ONLY, AND REBID USING THE NEW SPECS.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, rescind resolution from July 10<sup>th</sup> meeting to bid for the boiler only, and rebid, using the new specs. Bids to be opened at 7:00 pm at the August 12<sup>th</sup> meeting.

AYE 5 NO 0

**Trench box** has been purchased by Jason Monroe, for \$1,500.

**Defibrillators** have been purchased, the Rescue Squad will come over and briefly train us on it.

**The sand pit purchase** is under way. The title report has just come in.

**New business:**

**Committee reports.**

Mr. Packer said that Lenny Cronin would be sending Mr. Monroe some information. Mrs. Wells reported on enrollments in the youth commission summer programs.

**Dynamite Hill Sign.**

Mr. Monroe has contacted Rotary and told them to work with Garnet Signs on having their logo and credit added to the sign.

**RESOLUTION #94: AUTHORIZE COURT CLERK ATTEND COURT CLERK SCHOOL.**

Introduced by Mr. Monroe, seconded by Mr. Packer, authorize Court Clerk to attend Court Clerk School. All necessary expenses for same to be a lawful claim against the Town of Chester.

AYE 5 NO 0

**RESOLUTION #95: AUTHORIZE SUPERVISOR SIGN CONTRACT WITH CEDARWOOD ENGINEERING, SUBJECT TO ANY FINAL REVISIONS.**

Introduced by Mr. Packer, seconded by Mrs. Wells, authorize Supervisor sign contract with Cedarwood Engineering, subject to any final revisions by Attorney for the Town.

AYE 5 NO 0

**Abstracts and Claims paid prior to audit.**

**RESOLUTION #96: APPROVE ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT, EXCEPTING #277 TO BE REDUCED TO \$800.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, approve payment of abstracts and claims paid prior to audit, excepting #277, which is to be reduced from \$3,200 to \$800 for Tri-Lakes Business Alliance, paying only the current charge, and requesting invoices for same. Future charges to be paid after event.

General	\$ 51,668.72	(263-330)
Highway	\$126,370.05	(163-191)
C'Town Water	\$ 260.49	( 24-27 )
P'Ville Water	\$ 512.51	( 28-32 )
Library	\$ 888.24	( 25-28 )
Loon Lake Park District	\$ 445.68	( 13-15 )

AYE 5 NO 0

On a motion by Mr. Monroe, seconded by Mr. Packer, meeting adjourned at 8:15 pm.

Respectfully submitted,

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Town Clerk