

**Regular meeting** of the Town of Chester Town Board was held on **May 12, 2015** at 7:00 pm at the Town Hall, 6307 State Route 9, Chestertown, NY.

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

**Bid opening.**

One bid was received for the Landa ECOS 7000 Boat Wash Station from Industrial Pressure Washers, LLC out of Green Island, NY. The boat wash station is intended for the south end of Schroon Lake, paid for by the Department of State Watershed Grant.

The amount of the bid was \$22,729.

**RESOLUTION #61: ACCEPT BID FROM INDUSTRIAL PRESSURE WASHERS, LLC OUT OF GREEN ISLAND, NY IN THE AMOUNT OF \$22,729.**

Introduced by Mr. Packer, seconded by Mrs. Wells, accept bid from Industrial Pressure Washers, LLC of Green Island, NY, in the amount of \$22,729.

AYE 5 NO 0

Discussion: Mr. Monroe stated that there had been a meeting of representatives of Paul Smith's, Lake George Park Commission, Schroon Lake Association, East Shore Schroon Lake Association, Town of Horicon, representative of the Town of Schroon, Chester and everyone except DEC agreed that the ideal location for the boat wash station was at the boat launch itself. The other option is at the intersection of Glendale Road and East Shore Drive, which involves crossing 2 lanes of oncoming traffic to reach it, and that seems to be the preferred location of the DEC. The towns will be preparing all of the site work for both locations, and will determine which site is the most suitable.

**Public Hearings.**

Public hearings were opened at 7:05 pm for Elsie Jean Rew, Robert Foote, and Frances Brzozowski Septic Variance applications. Bret Winchip of Winchip Engineering was in attendance to present the projects. Project site is East Hudson River Drive in Riparius at the Riverside Epworth League Institute in Riparius. Each of the residents have a 99 year lease on the Epworth property, and due to constricted areas of ground and setback issues for installation of conventional leaching systems, Mr. Winchip is proposing 2-1000 gallon holding tanks for each party, as the existing septic systems have

failed. Each tank will be equipped with a 60% alarm, and have a 100% shutoff. Issues addressed by Town Engineers' were answered, and a formal letter of consent from the Riverside Epworth League, owners of the property, had been received to the Board's satisfaction. Annual inspections will not be required, as only enhanced treatment systems are subject to that requirement. These tanks will be water tested prior to their use, and will need to be pumped periodically. Separations to the wells vary, but the water is not used for drinking, which water is obtained from a different source. Brzozowski's proposed setback to their well is 32', instead of the required 75', with the building setback at 8' instead of required 10'. Rew's setback from the well would be 70', and from the building, 2'. (There are no basements under these camps). Foote's separations from shallow well #1 is 60', and shallow well #2 at 72', with separation from the building at 2'. There were no comments from the public arena, and Mr. Monroe closed the public hearing at 7:18 pm.

The Board reviewed the criteria as follows:

- A. With regard to special circumstances or conditions, the circumstances at these locations are unique, in that they are all on leased land, they are all very close to one another, and existing septic systems are actually unknown, as to what is in the ground, all too close to existing wells.
- B. The proposed solution for holding tanks is the best alternative, other than a community septic system for the entire Epworth League property. This is the safest sanitary system for this area.
- C. There is nothing less than this solution to allow them reasonable use of their property.
- D. The condition that we have permission from the Epworth League Institute has been given in the form of a letter, and signed by the President.

**RESOLUTION #62: APPROVE VARIANCES AS EXPLAINED TO BRZOZOWSKI, REW AND FOOTE.**

Introduced by Mr. Packer, seconded by Mrs. Wells, approve the variances, as presented, to the camps of Brzozowski, Rew, and Foote, located on the Riverside Epworth League property on East Hudson River Drive.

AYE 5 NO 0

**Privilege of the floor.**

**Fred Holman**, on behalf of the Chamber of Commerce, presented the replacement events being proposed in place of the pug parade. The first will be a 2-event sportsman's weekend occurring in the Fall, and a bicycle festival in the spring, probably in May, with bike rides, and bicycle safety presentations for the kids.

**Kathy Vanselow** inquired of the Board whether they would like her to treat for Black flies on the Hudson River. She would only have to notify residents within 100' of the treatment area, and it would cost about \$1,200 per year. Town of Johnsbury has no interest in joining the program. No motion was made to go forward at this time.

**Lauren Stafford** offered a presentation of Warren county WIC, the special supplemental nutrition program for women, infants and children up to 5 years old. She explained the income levels for eligibility, where it is available, who is eligible, etc., and stated that many individuals' who are eligible, are not taking advantage of it. There are clinics held in local areas, such as Horicon or North Creek. There are a couple of locations in Glens Falls that are open until 6:00 pm, but nothing locally yet. Information for WIC is available in the Food Pantry and up by the Library.

**Linda Muench** stated that her husband had asked her to thank the Board for sending him to the Local Government Day seminar in Lake Placid. She asked whether it was okay to go ahead with purchasing the flowers for the flower boxes, and wondered why the nets were not up yet in the tennis courts. John West had been on vacation, but he will get the nets up, along with the practice wall.

**RESOLUTION #63: ACCEPT MINUTES OF APRIL 14, 2015, AS PRESENTED.**

Introduced by Mrs. DuRose, seconded by Mr. Durkish, accept Minutes of April 14<sup>th</sup>, as presented.

AYE 5 NO 0

**Old business:**

**Trail maps - "Chester Challenge" Landowner agreements.**

Letters have been sent out to the landowners, and some have requested some changes to their agreements, so none have yet been signed and returned. Greg Beckler has some problems with the proposal, because Stonebridge charges for use of the trails (14 miles worth), and they have to stay until everyone is off

the trails. He is obviously concerned over having to stay past the time that they are closed. He is also concerned over people going off the designated trails. They do patrol the trails, and Mr. Monroe thought that we could include the trail in our brochure, but would label it a paid trail. Discussion will continue.

**Biomass boiler bonding, contracting for boiler, and authorizing Rick Handley to negotiate contract.**

Rick Handley has been meeting with Biomass Commodities and NYSERDA, and knows all of the technical issues involved.

**RESOLUTION #64: AUTHORIZE RICK HANDLEY NEGOTIATE TERMS OF CONTRACT WITH NYSERDA SUBJECT TO BOARD APPROVAL.**

Introduced by Mr. Monroe, seconded by Mr. Packer, authorize Rick Handley to negotiate terms of the Contract with NYSERDA, subject to approval of the Board.

AYE 5 NO 0

Biomass Commodities will be building the boiler, using a Burnham boiler, and a pellet burner, putting the two together to make the pellet boiler for us. They will need a down payment, because they have to do a substantial amount of work, and it takes between 16-20 weeks to complete. They are asking for half of the bond amount, which is \$71,540. We will have other obligations, also, in connection with bidding out the installation. When discussion with Rick Handley, Mr. Monroe, and Bond Counsel, Bob Hafner took place, a conclusion was reached to recommend that we issue a Bond anticipation note for the full amount that we authorized in the Serial bond resolution, which was \$207,000.

That would allow us to make the down payment, pay the balance when we receive the boiler, pay for the installation, build the silo, do the engineering work to fill in the old coal bin where the silo will be, create a room for the thermal storage steam accumulator, and we will be reimbursed up to \$20,000 from the US Department of Agriculture, and then up to \$300,000 from NYSERDA. All of that will be slow in coming, however. When the dust settles, we should have money left over, and we can issue Serial Bonds or an Installment Bond and pay off anything due on the Bond Anticipation Note.

**RESOLUTION #65: AUTHORIZE SUPERVISOR ISSUE BOND ANTICIPATION NOTE IN THE AMOUNT OF \$207,000 TO BE USED FOR PELLETT BOILER PROJECT.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize Supervisor issue Bond Anticipation Note in the amount of \$207,000 to be used for the Pellet Boiler project.

AYE 5 NO 0

**ZBA.**

Due to the resignation of Ken Marcheselli, a vacancy was created on the Zoning Board of Appeals, and a Chairperson needs to be appointed. The ZBA opted for John Grady to chair the meetings.

**RESOLUTION #66: APPOINT JOHN GRADY AS CHAIRMAN TO ZBA, AND APPOINT WILLARD OLIVER FROM ALTERNATE TO BOARD MEMBER.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, appoint John Grady as Chairman of the Zoning Board of Appeals, and appoint Alternate Willard (Bill) Oliver as a member of the Board of Appeals.

AYE 5 NO 0

**Copy of Statutes forming Loon Lake and Schroon Lake Park Districts.**

Mr. Monroe stated that a representative of the Friends Lake Property Owners Association approached him, indicating that they were considering doing a petition to form a Park District on Friends Lake. If the District is created, then the Town Board would be the governing body of that District, and could create a budget, like we do with the Loon Lake Park District Association, with the recommendation of the Friends Lake Property owners, as to what they would like to see done on the lake. The primary issue they are talking about is invasive species. The Town Board then creates a budget, and levies the taxes on those properties in the District to do whatever it is that needs to be done. Any taxes raised by the District need to be used in the District. There is currently no town owned property on Friends Lake to facilitate having a public beach area. The Town Board could do this on their own motion, or by petition, which does not obligate the Town to create a District, but is just another way to start the formation process. Two questions were asked by the representative: 1) Do they need more than 50% of the owners/assessed value to sign the petition, and more than 50% of the residents? What constitutes a resident, as a lot of the owners are seasonal? 2) The description for Loon Lake is based on the State's great lot lines, can they use the tax maps instead for Friends Lake? These questions will have to be answered, and Attorney for the Town will research.

**Loon Lake Boat Wash Station operation status.**

The pod from Mobile Mini was delivered on this date, and the boat wash unit was serviced this past Friday. Ed Griesmer and Supervisor Monroe met with the boat wash staff, (same people as last year), and went over their duties with them.

An Inter-municipal agreement between the Towns of Chester, Horicon and Schroon Lake for aquatic invasive species control has been drawn up. Basically, the three Towns have created, established and contributed to a Schroon Lake Milfoil Fund to which each of the Towns has contributed in accordance with the proportional assessments for the Schroon Lake Park District within each of the Towns: that is 11.078% for Town of Chester, 29.719% for Town of Horicon, and 59.203% for Town of Schroon. It is anticipated that the Town of Chester will purchase the boat wash station for Schroon Lake utilizing funds from the Dept. of State Schroon Lake Watershed Grant and the Town of Horicon will hire the boat wash station attendees. Both the purchase amounts and all attendant employment expenses to be reimbursed proportionately to Chester, (to the extent not covered by the Grant), and Horicon by the other Towns. The Town Boards of each of the Towns have authorized the Town Supervisors to execute this Agreement.

**Larry Estill claim for damage to electric service entrance.**

To be discussed under Attorney/Client privilege during executive session.

**New Business.**

**Committee reports.**

Mrs. Wells stated that she had spoken with Mindy, Youth Director, and they are all set with lifeguards for this year for the summer, with swim lessons being scheduled. She has 26 kids signed up for summer softball, and the fliers for the summer youth programs are available for distribution at the school. Discussion on Planning Board and Zoning Board members' still needing certification, and the best way to accomplish their training.

Mrs. DuRose, with regard to getting the Lilly pads taken care of in Faxon's Pond, had spoken with Leigh Walrath at the APA. He stated that if the APA would allow them to treat, it would cost hundreds of thousands of dollars. He added that, if anything, they may prevent worse things coming in, as the lakes empty into the Pond.

**Chamber Sign at Dynamite Hill.**

Fred Holman was in attendance representing the Chamber, and their request for a separate sign that refers to current and upcoming events and information. He stated that the bottom of the sign would need to be on a pole 12' high in order to be seen, and 2 Variances would be needed. One would be for the LED lighting, and the second because the sign will exceed the allowable square footage. He added that they have been holding fundraisers, and no requests will be made for Town funds.

**RESOLUTION #67: AUTHORIZE CHAMBER OF COMMERCE APPLY FOR VARIANCES FOR THE NEW SIGN, ACTING AS AN AGENT FOR THE TOWN.**

Introduced by Mr. Durkish, seconded by Mrs. DuRose, authorize the Chamber of Commerce apply for variances for the new sign, acting as an agent for the Town.

AYE 5 NO 0

**RESOLUTION #68: APPROVE ATTENDANCE AT WATER WORKS CONFERENCE.**

Introduced by Mr. Packer, seconded by Mrs. Wells, approve attendance at Water Works Conference for Jason Monroe and Kim Frasier from May 18<sup>th</sup> to May 21<sup>st</sup>. All necessary expenses for same to be a lawful claim against the Town of Chester.

AYE 5 NO 0

**RESOLUTION #69: APPROVE ATTENDANCE AT HIGHWAY SUPERINTENDENTS CONFERENCE.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, approve attendance for Jason Monroe at Highway Superintendents meeting in Cortland from June 1<sup>st</sup> to June 3<sup>rd</sup>. All necessary expenses for same to be a lawful claim against the Town of Chester.

AYE 5 NO 0

**RESOLUTION #70: AUTHORIZE SUPERVISOR SIGN THREE TOWN AGREEMENT REGARDING SCHROON LAKE INVASIVE PREVENTION PROGRAM.**

Introduced by Mr. Packer, seconded by Mr. Durkish, authorize Supervisor sign three town agreement regarding the Schroon Lake Invasive Prevention Program.

AYE 5 NO 0

**Authorize Cedarwood Engineering to do work necessary to include projects on DEC Intended Use Plan.**

Mr. Monroe had met with Cedarwood Engineering earlier this morning on a number of issues and proposals. He stated that there is a substantial amount of money available at the State level that can be used for infrastructure. In order to access and get Grant money from the Environmental Facilities Corporation, you have to get on the "Intended Use Program." That is for a low interest loan. One of the things that we would like to do is extend our water line from the end of Panther Mtn. Drive down to the Peckham property. There's another Statewide plan for 2 ½ million dollars, also for infrastructure, which will be funded at 50 million the first year, and 75 million for the next two years. The governor has created a program called "Upstate Revitalization", where there is 1 ½ billion dollars available for infrastructure from lawsuits the State has brought, from a fund they created, of five billion dollars. They will have competition with 10 regions of the State and 3 odd regions will share 1 ½ billion dollars, which means 5 ½ million each. The Regional Economic Development Council's consolidated funding applications, which for the past 3 years, have only been for planning, are now going to be for implementation. USDA also has money for communities under 10,000. Cedarwood will help us get on this Intended Use Plan, and they have some additional work to do, which plans they are supposed to supply the Supervisor with. In addition to extending the water line south, they also propose drilling another well south of town, replacing water mains in Pottersville, and making our well houses safer. Right now they have confined space in the well houses, and this is not a safe situation when dealing with chemicals. Detailed information will be forthcoming.

**Adopt Warren County Government Efficiency Plan.**

The Governor's program wants local governments to work together to create programs to save money and reduce the tax levy by 1%. Warren County is suggesting that all towns work together with the County, and the County will help draft the cooperative plan. They also asked that, in addition to efficiency projects and shared services, we participate in their cooperative purchasing plan. If we do all of this, then the State will send tiny checks out to all property owners. We still want to reserve the ability to seek and procure goods or services at lower prices, should we wish to do so, rather than purchasing through the County at a higher price.

**RESOLUTION #71:AUTHORIZING TOWN OF CHESTER TO PARTICIPATE IN THE WARREN COUNTY GOVERNMENT EFFICIENCY PLAN AND SPECIFICALLY IN THE COOPERATIVE PURCHASING PLAN AND ADDING THERETO ANY EFFICIENCY PROJECT(S) , SHARED SERVICE(S) OR COOPERATION AGREEMENT(S) SET FORTH IN THIS RESOLUTION AND AUTHORIZING TOWN OF CHESTER OFFICIALS TO TAKE CERTAIN ACTIONS AND MAKE CERTAIN REPRESENTATIONS AND CERTIFICATIONS:**

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

**WHEREAS**, local governments in New York State and specifically in Warren County, either singularly, jointly, or as part of a County initiative must submit and use best efforts to fully implement a Government Efficiency Plan to be submitted by June 1, 2015 as required by the State Property Tax Freeze Credit to qualify homeowners to receive a property tax credit and

**WHEREAS**, Warren County has proposed to submit a Government Efficiency Plan on its own behalf as well as on behalf of interested local governments in Warren County and demonstrate required savings on a plan wide basis for all participating local governments beginning in 2017, 2018 and 2019 when fully implemented as allowed under the State Property Tax Freeze Plan and

**WHEREAS**, Warren County's Government Efficiency Plan would include 1) a cooperative purchasing plan as part of a Warren County countywide Government Efficiency Plan which would bid certain commodities on behalf of all participating Warren County local governments with the objective of achieving better pricing and administrative efficiencies; 2) an efficiency initiative by Warren County and 3)efficiency initiatives, shared services and/or cooperation agreements of other local governments participating in the County plan and

**WHEREAS**, Town of Chester desires to participate in the Warren County Government Efficiency Plan and specifically in the cooperative purchasing plan in lieu of submitting its own efficiency plan as allowed under the State Tax Freeze Credit,

**NOW THEREFORE BE IT**

**RESOLVED**, that Town of Chester shall participate in the Warren County Government Efficiency Plan and specifically in the cooperative plan, and that such participation shall not limit the Town's ability to seek to procure goods or services at lower

cost, should it wish to do so, and be it further

**RESOLVED**, that Town of Chester shall also request that Warren County include in its Government Efficiency Plan the following efficiency project(s), shared service(s) or cooperation agreement(s) in addition to the cooperative purchasing plan:

1. Shared Assessor with the Town of Warrensburg, 1/14/2014 - Ongoing.
2. Solar power at the Municipal Center, Transfer Station, Highway Garage, Health Center, and Dynamite Hill Ski Center, 1/1/2012 - Ongoing.
3. Biomass Heating system for Municipal Center. Boiler bid opening was 4/14/15. Installation will be in October 2015 - Ongoing.
4. Purchased sand pit, rather than purchasing sand, Sept. 2014 - Ongoing.

**RESOLVED** that the Chief Executive Office and/or Budget Officer and/or Chief Financial Officer is authorized to 1) analyze and report savings from any efficiency initiatives, shared services and/or cooperation agreements that Town of Chester is undertaking or participating in; 2) represent and/or certify that Town of Chester agrees to undertake its best efforts to fully implement the said efficiency initiatives, shared services and/or cooperation agreements as required under the Property Tax Freeze Credit; 3) provide such documentation and other information that may be required by the County for submission of the County Government Efficiency Plan; 4) make all such certifications as may be required by New York State and 5) take any and all such other and further action and execute such documents and certifications that may be necessary or advisable to cause Town of Chester to be an eligible and qualified party to the Warren County Government Efficiency Plan and secure the tax credit for residents.

AYE 5 NO 0

**Authorize payment for 8 foot squash culvert.**

Highway Superintendent needed an 8 foot squash culvert which retails for \$8,200. Town of Bolton Supervisor said they had bought one for \$8000+, then decided not to use it. They will sell it to us for \$4000. It is already on the abstract, and payment will be approved with the abstracts.

**Zoning Renewal Certificates.**

Board agreed that the Zoning Office needs to resume sending notices of renewal for Zoning Certificates. They do not need to go back and recoup the older ones, just go forward with the current ones.

**Sarlow mower for Parks Department.**

A replacement mower is needed for the Parks Department. They have two old mowers that have seen better days. They have found a Sarlow mower for \$972. It will be shipped free from Florida, and Falls Farm & Garden can service it.

**RESOLUTION #72: APPROVE PURCHASE OF SARLOW MOWER FOR PARKS DEPARTMENT.**

Introduced by Mrs. DuRose, seconded by Mr. Durkish, approve purchase of Sarlow Mower for Parks Department, in the amount of \$972.00, shipped from Florida for free.

AYE 5 NO 0

**Backup payroll clerk.**

To be discussed in Executive session.

**CSEA contract negotiation.**

To be discussed in Executive session.

**Site work for Schroon Lake Boat Wash.**

Supervisor Monroe had talked with Matt Simpson about setting up the sites for the Schroon Lake Boat wash at both the boat launch, and the other on the Glendale Road. That way if one location does not work out, we will use the other.

**RESOLUTION #73: AUTHORIZE HIGHWAY DEPARTMENT DO THE SITE WORK FOR SCHROON LAKE BOAT WASH STATION.**

Introduced by Mr. Packer, seconded by Mrs. Wells, authorize Highway Department do the site work for the Schroon Lake Boat Wash Station. (All 3 towns will contribute to this project).

AYE 5 NO 0

**RESOLUTION #74: 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:

General Fund	\$39,496.89	(164-209)
Highway Fund	\$28,771.21	(102-132)
Library Fund	\$ 1,667.49	( 46-50 )
C'Town Water	\$ 934.00	( 20-25 )
P'Ville Water	\$ 1,152.50	( 22-29 )
Loon Lake Park Dist.	\$ 15.00	( 3-3 )
Schroon Lake Park Dist.	\$ 3,000.00	( 3-3 )

AYE 5 NO 0

On a motion by Mr. Durkish, seconded by Mrs. DuRose, Board went into Executive Session at 9:15 pm to discuss Estill matter under Attorney/Client privilege, back up payroll clerk, CSEA contract negotiations, Maxam issue, and a personnel matter of a particular employee.

On a motion by Mr. Monroe, seconded by Mr. Packer, Board out of Executive Session at 10:00 pm. No action taken.

On a motion by Mrs. Packer, seconded by Mr. Durkish, meeting adjourned at 10:02 pm.

Respectfully submitted,

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**Town Clerk**