

**Regular meeting** of the Town Board of the Town of Chester was held **May 14, 2013** at 7:00 pm in the Town Municipal Center, Chestertown, NY.

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

**RESOLUTION #72: ACCEPT APRIL MINUTES AS PRESENTED.**

Introduced by Mrs. Wells, seconded by Mr. Packer, accept April Minutes from the 9<sup>th</sup>, the 15<sup>th</sup>, the 23<sup>rd</sup> and the 30<sup>th</sup>, as presented.

AYE 5 NO 0

**Home Depot Foundation.** Allison Hubbard and Steve Walters were in attendance from the Home Depot Foundation which has generously donated materials and labor for the Veterans Memorial site at the Town Hall. Allison is a sales manager, and Steve works in the garden department at the Queensbury Home Depot store. Team Depot, as a project, was organized in 1992 and they work around the country doing projects. In 2002, the Home Depot Foundation was created from the money that comes from Home Depot, the organization. They in turn apply for grants to have money for projects, and since 2002 have given \$340,000,000 back into communities. In 2012 there were 1200 projects throughout the country and 550 of them were focused on veterans. This coming Thursday, Team Depot, along with about 40 Home Depot volunteers, will be laying stone brick pavers on the walkways, and will be putting some plantings around the outside of the veteran's memorial site. They are hoping to have it finished by the end of the day. TV and news media will be here to record the event. Harry Bollback and Harry Brundage were also in attendance and spoke briefly of the project, thanking Home Depot.

Harry Bollback mentioned that they will be having another ceremony here on July 6<sup>th</sup> (Summerfest), when the Veteran's will be adding another 145 names to the monuments. They will also be having special speakers, special music, and a dedication of the new items donated by the Home Depot. Supervisor Monroe also thanked Home Depot for their time and donations, followed by applause.

**Privilege of the floor.** Linda Muench mentioned the signs located at entrance to the Town that the Business Alliance had proposed to replace. They presented a prototype that had been designed by Clark Dunham, which says "Welcome to..." and the reverse side will say "Thank you...come again", or something similar. Signs will be placed where existing signs are. Estimated costs between \$1500 to \$2000. Our purchasing policy enables us to get at least 2 or 3 quotes, without having to bid them out, and Dunham Studios will volunteer some of their equipment for construction of them. The former Forrest Jones sign will be put on display by the Historical Society.

**RESOLUTION #73: APPROVE DESIGN OF WELCOME SIGNS, AND AUTHORIZE SUPERVISOR WORK WITH DUNHAM STUDIOS ON SPECIFICATIONS AND TO REQUEST QUOTES.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, approve design of proposed "Welcome to.." signs, and authorize Supervisor Monroe work with Dunham Studios obtaining the specifications, and to request quotes for construction of same.

AYE 5 NO 0

Board clerk read a letter from Christine Hayes thanking the Board for the opportunity to demonstrate her qualifications for the office of the Assessor, and stressed that as Assessor for the Town of Horicon, she will strive for continuation of cooperation between the two towns for equity and fairness in assessments as it is beneficial to all taxpayers in the North Warren Central School system.

**Old Business:**

**Renovate.** The containment curtain has been installed on Loon Lake, and this morning they began treatment of the Milfoil with the Renovate, OTF, using a float boat with a spreader. DEC and APA were there, and they were satisfied with the process. The lake has been left low to maximize the treatment time, the boards will be raised gradually, and monitoring will be done. A total of 850 signs were posted regarding the process. Renovate is much more selective, harming no animal life, unlike the Benthic mats which smother everything under it.

Post treatment survey needs to be done by next September to show the results of the Renovate application, per APA and DEC.

**New Business:**

**Warren County Bicentennial.** There will be a program on Monday at the old Court House in Lake George, and they have asked for support from each town for the celebration.

**RESOLUTION #74: AUTHORIZE CONTRIBUTION FOR WARREN COUNTY BICENTENNIAL CELEBRATION.**

Introduced by Mrs. DuRose, seconded by Mr. Packer, authorize contribution of \$1000 from Occupancy Tax money toward Warren County Bicentennial celebration at the Lake George Courthouse.

AYE 5 NO 0

**Sidewalk repair priorities.** Highway Superintendent Jason Monroe stated that sidewalks needing repair this year would be the north end of the P & O Road in Pottersville, and a short section of Riverside Drive where he will be digging up a water line. Additionally, John West stated that the Health Center had some frost heaves which have

caused sidewalk damage. Jason will look at those with John and determine what needs to be done there.

**Request for Water Main.** The committee for the bicentennial would like to have water on site for the Chester-Horicon celebration at the former Glendale property on August 24<sup>th</sup>. Andy Beadnell, owner of the property, is planning to install 10 new homes on the site, and therefore will be needing water on the site, anyway. When he purchased the property, there was a 6" galvanized line supplying water to the site, and Jason stated that they discontinued it when they installed the main about 10 years ago, as Mr. Beadnell did not need water at the time. Jason continued that it would take a run of about 140 ft. to the site, where Jason would then install a hydrant. Mr. Beadnell would be constructing a circular road, and would loop back to our line, where he would install a main. Jason has already applied to the State, as we would have to cut a small portion of Route 9 to run the line. We would have temporary water on site for the 24<sup>th</sup> celebration. Jason is checking for cost involvement, and Supervisor Monroe stated that we had not budgeted for this expense, but we do have some money left in the Pottersville Capital Project fund that could be used.

**Business Alliance concert request.** Keith from Tri-Lakes Business Alliance was in attendance to explain that they are looking to hold a concert this summer, and have requested use of the pad in front of the Veteran's Memorial on the front lawn of the Town Hall, having two groups perform, one at 4:00 pm and another at 6:00 pm. They are also requesting \$1000 from bed tax money to help cover the cost of advertising and payment for the music. They should be finished by 8:30 pm, and community is invited. There will not be sunset concerts held this summer at Dynamite due to the County Bicentennial celebrations and events.

Keith is concerned over people coming with coolers and bringing beer and wine, and they don't want to have to police the event. Discussion ensued, and they thought they could notify the Sheriff's Dept. to have a presence here, but they won't be advertising or promoting the fact that people could bring it for their own use, and it will not be sold on premises. Hopefully, the event will bring more people into our town to see what we are all about and what we have to offer.

**RESOLUTION #75: AUTHORIZE CONCERTS, MONEY TOWARD ADVERTISING AND COST OF MUSIC AND MODIFY USE OF ALCOHOL ON TOWN PROPERTY FOR THIS EVENT.**

Introduced by Mrs. DuRose, seconded by Mr. Durkish, authorize the proposed concerts, authorize \$1000 from bed tax money to help pay for advertising and the cost of the music, and modify policy for use of alcohol on town property for this event only if people bring their own, with no sales of alcohol taking place.

AYE 5 NO 0

**Sand bids.** One of the bidders questioned the award of the sand bid. We had put the bids out twice. The first time there was an issue raised about mining permits, Mine Safety Certification of the operator; we even had an offer of donated sand, but that sand was marginal. We also had an issue about whether our highway crew needed to be certified, so we re-bid it, requesting that bidders supply their mine safety certifications, non-collusive bidding certificate and bids to be submitted in cubic yards, which is basically what was in the bid request the first time, but we extended the coverage up to 15 miles away. The first time we had bids, some of the bids were bid by tons. The apparent low bidder had bid in tons, contrary to what the bid request had asked for. He did the same the second time, as did Peckham Materials, and both of them had different conversions into cubic yards. The complainant also did not submit their mining permit, or their certification, for the second time, nor did they submit a non-collusive bidding certificate. Board and Jason were all upset by that, because the bid was substantially lower than the next higher bid. Attorney for the Town Mark Schachner stated that we have done the process properly, the bid document is fairly specific, and the bid submitted by this particular individual does not meet in at least four ways, and he feels that in NY State there are certain formalities that, if there are bid specifications, those specifications must be in the bid documents. Even with a lower cost to the town, we cannot legally bypass those who have crossed "t's" and dotted "i's" in favor of an entity that did none of those things. If challenged, we would likely not prevail on the basis if we had used this bid, because it would not be deemed to have been a valid or conforming bid.

**Invasive species.** Supervisor Monroe expounded on the invasive species that are attacking our lakes, and what it has cost us in prevention, starting at \$5,000, \$50,000 last year, \$85,000 being budgeted this year, and we are already approaching \$100,000, doing the testing and sampling of the Renovate, and Fed-exing it to North Carolina and paying a lab down there to test 8 samples, multiple times. Mr. Monroe has been working with the Lake George Park commission, the Fund for Lake George, the Lake George Land Conservancy, and a number of the towns around Lake George working on a plan for the lake, as he is also Chairman of the Warren County Legislative committee. They passed an invasive transport law last year, making it illegal to bring invasive species into waters in Warren County. However, Mr. Monroe said the biggest problem is there has not been enough enforcement of this, although we do have boat wash stewards at the boat launches. They are worried about these invasive species coming in on trailered boats in microscopic form, which is the major way they feel they are getting around. The transport law now says that you can't transport anything that's visible. There are some worse things that we don't have now, but which are all around us in places like the St. Lawrence River, Lake Champlain, and Lake George, such as the Spiny Water Flea, the Asian Clam the Zebra Mussels, and also in the Erie Canal, where they just discovered Hydrilla, which is much, much worse than milfoil.

Lake George has spent over \$7 million on their invasive's so far, and with moving more and more toward the tourism economy in the Adirondacks, we need to keep our lakes an attractive place to be or we can lose our tax base, tax revenues, etc. It will be a losing battle unless we do something for prevention. The one thing that can be done, is to confine boats to a single water body, which a lot of the water bodies do. The transient boats, which can jump from water body to water body, could make it an inevitable factor in giving us these other invasive species. A special meeting had been held in the Town of Horicon with Town of Chester in attendance, regarding a boat wash station. Dave Wick, the executive director of the Lake George Park Commission came to that meeting, and he feels that the most effective way to do it is to put the boat wash stations right at the launch site. If it is out of sight, or in a remote location, it will not be utilized effectively.

Discussion over increasing the hours and use of the lake stewards from 6:00 am to 6:00 pm Friday through Sunday, and to hire an additional part time steward to fill in and be on duty Monday through Thursday from 6:00 am until 2:00 pm. Town officials also want to work with consultants regarding a boat certification system that would have inspectors affixing colored seals on the cables that go from the bow ring to the trailer, which pronounces them environmentally safe to launch in other waterways. The color coding would indicate which water body they were pulled from, and reintroducing them to that same water body would not require recertification.

Boat washing would be entirely voluntary, but the Board is hoping that all boaters will comply. Mandatory washing may be coming by next year. Jane Smith questioned the possibility of a grant through Warren County Soil and Water to buy another boat wash station for Schroon Lake, as we have Chester property on the south shore of the Lake, and we would contribute our share of manning it.

Discussion also about standardizing the boat wash units with Lake George. The Lake George Park Commission will do the training for manpower of these units.

Landa and Hydro Tek are the only two manufacturers that meet the specifications for trailer mounted high pressure hot water units with recovery and filter system, such specifications being outlined by Warren County Soil and Water. Roger Smith, buyer for the Lake George Park Commission recommended the Landa, based on price reasonableness, cost justification, eagerness to please, and a Landa dealer being located 45 minutes away for parts and service.

We do have enough money in our Occupancy tax to purchase a unit. We have two applicants for the job of Lake Steward, Joe Strauss, and Justice Parker. Dave Wicks will train them both, and Ed Griesmer recommends we hire these two.

**RESOLUTION #76: SEND OUT RFP'S FOR BOAT WASH STATIONS TO INCLUDE HOW THEY PROPOSE TO SERVICE THE UNIT, PER SPECIFICATIONS OUTLINED BY WARREN COUNTY SOIL AND WATER, AND STANDARDIZE ON THE UNIT.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, send out RFP's for a boat wash station to include how they propose to service the unit, per specifications outlined by Warren County Soil and Water, and to standardize the unit.

AYE 5 NO 0

**RESOLUTION #77: APPROVE HIRING OF 2 LAKE STEWARDS, SET SCHEDULE AND PAY FOR TRAINING AT PAUL SMITH'S.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, approve hiring of Justice Parker and Joe Strauss for Lake Steward's, pay for training at Paul Smith's on the 21<sup>st</sup> and the 22<sup>nd</sup> of May, and set work schedule to cover Friday through Sunday from 6:00 am to 6:00 pm.

AYE 5 NO 0

**RESOLUTION #78: AUTHORIZE SUPERVISOR TO HIRE ONE ADDITIONAL PERSON FOR LAKE STEWARD FOR MONDAY THROUGH THURSDAY, AND SET PAY RATE FOR ALL.**

Introduced by Mr. Monroe, seconded by Mrs. Wells, authorize hiring of one extra person as Lake Steward to cover Monday through Thursday from 6:00 am until 2:00 pm and to use as backup, try to get into training at Paul Smith's and pay all Steward's at \$9.00 per hour.

AYE 5 NO 0

**Trailer at Thermohome.** No one claims ownership of the trailer on the former Thermohome location on Pine Street, and John West would like to use it for storage. Discussion about what the contents of the trailer were, and what is in the drums that are stored outside the structure. John believes he can move the trailer out without touching the drums, and says that no hazardous materials exist on the interior of the trailer. He has permission to remove it from the property as long as no hazardous materials are present.

Supervisor Monroe stated that Warren County just received a grant from the Adirondack Gateway Council to do environmental inspections of contaminated properties that are off the tax rolls. The grant amounts to about \$200,000 and it includes our property for which the County has temporary incidence of ownership to avoid liability for the cleanup, and will do an environmental inspection. We have been reimbursed by the County for the Asbestos cleanup.

**Acting Assessor.** We had voted to hire the Warrensburg Assessor at the last meeting, but he has already advertised for grievance day in Warrensburg which falls on the same day as ours, so he cannot be here. Supervisor Monroe had spoken with Warrensburg Supervisor, Kevin Geraghty, and their Board is not in favor of a coordinated assessment agreement, so we are back to square one with regard to an Assessor. We still need someone to defend the assessments on grievance day. Mr.

Monroe said he had spoken with retired Assessor, Paul Maniacek, and he stated that he could be lured back if all other possibilities were exhausted.

**RESOLUTION #79: APPOINT PAUL MANIACEK AS ACTING ASSESSOR.**

Introduced by Mrs. Wells, seconded by Mr. Packer, appoint Paul Maniacek as acting Assessor, if he agrees.

AYE 5 NO 0

**Letter from taxpayer.** June Maxam had emailed a letter to the Board to address a couple of matters.

1. A blue spruce located in the Chester Rural Cemetery with dead branches is creating a lot of debris on the graves of her parents. Could the dead branches be trimmed? Board will have John West look at it and take care of the matter.

2. A ridge of dirt and debris left by the plow on Foster Flats Road. Mr. Monroe will talk with Jason about cleanup of this.

3. Crumbling blacktop on the edges of Foster Flats Road, and request of a culvert to prevent runoff from the Redmond property which causes erosion to her driveway and property. Mr. Monroe stated that he had asked Gary Clark in the past to dig a ditch on the opposite side of the road which would empty into a culvert, and he is not sure if there even is a culvert there. He will discuss this with Jason for a resolution to this ongoing problem, which he feels is a valid complaint.

**RESOLUTION #80: APPROVE ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.**

Introduced by Mrs. DuRose, seconded by Mr. Monroe, approve abstracts and claims paid prior to audit.

General	\$ 83,681.97	(159-215)
Highway	\$132,559.06	( 91-126)
C'Town Water	\$ 2,419.93	( 12-18 )
P'Ville Water	\$ 1,218.35	( 11-14 )
Library	\$ 2,034.94	( 12-18 )
Loon Lk. Park District	\$ 6,593.10	( 3-5 )

AYE 5 NO 0

**RESOLUTION #81: AUGUST 24<sup>TH</sup> CELEBRATION FOR THE WARREN COUNTY BICENTENNIAL IS A TOWN SPONSORED EVENT IN COOPERATIVE AGREEMENT WITH THE TOWN OF HORICON.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, the August 24<sup>th</sup> celebration for the Warren County Bicentennial is a Town sponsored event in cooperative agreement with the Town of Horicon.

AYE 5 NO 0

**RESOLUTION #82: CHANGE PRICE OF CEMETERY CORNERS TO \$150.**

Introduced by Mr. Monroe, seconded by Mr. Durkish, change price on Cemetery corners from \$145 to \$150.

AYE 5 NO 0

**RESOLUTION #83: AUTHORIZE ATTENDANCE AT SCHOOL FOR COURT CLERKS IN JULY.**

Introduced by Mr. Monroe, seconded by Mrs. DuRose, authorize attendance at school in July for Court Clerks Karen Griffen and Jeremy Little. All necessary expenses for same to be a lawful claim against the Town of Chester.

AYE 5 NO 0

**Pellet boiler.** Some members of the Board had gone with Rick Handley to tour the Wild Center and North County School to see the pellet boilers in action. Discussion on application for a grant for the purchase of a Biomass boiler, and further discussion ensued.

**RESOLUTION # 84: AUTHORIZE SUPERVISOR MONROE TO APPLY FOR USDA COMMUNITY FACILITIES GRANT FOR THE PURCHASE OF A BIOMASS BOILER.**

Introduced by Mrs. Wells, seconded by Mr. Packer, authorize Supervisor Monroe to apply for a USDA Community Facilities Grant for the purchase of a Biomass boiler.

AYE 5 NO 0

**RESOLUTION #85: AMEND ABSTRACTS TO INCLUDE TWO INVOICES SUBMITTED TO MR. PACKER FOR FISHING DERBY.**

Introduced by Mrs. Wells, seconded by Mr. Monroe, amend abstracts to include two additional invoices for the Fishing Derby which had been submitted to Mr. Packer. Increases General Fund from \$83,681.97 to \$84,031.97, and added voucher numbers 216 and 217.

AYE 5 NO 0

On a motion by Mrs. Wells, seconded by Mr. Packer, Board went into Executive Session at 9:25 pm for the purpose of discussing the position of Assessor.

On a motion by Mr. Monroe, seconded by Mr. Packer, Board out of Executive Session at 9:50 pm. No action taken.

On a motion by Mr. Monroe, seconded by Mr. Durkish, Board adjourned at 9:51 pm.

Respectfully submitted,

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Town Clerk