

Meeting of the Town of Chester Town Board was held on **April 14, 2015** at 7:00 pm at the Town Municipal Center, 6307 State Route 9, Chestertown, NY, 12817.

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

Minutes:

RESOLUTION #42: ACCEPT MINUTES OF THE MARCH 10TH MEETING.

Introduced by Mrs. Wells, seconded by Mr. Durkish, accept Minutes of the March 10th meeting, as presented.

AYE 5 NO 0

Open bids for Biomass Boiler.

One bid was received from Biomass Commodities Corporation, located at 753 Oblong Road, Williamstown, MA, 01267. For the basic boiler, not including shipping, installation, startup or any additional services, the bid is for \$137,732. There are a couple of options available for an upgrade boiler temperature control to full modulation when on pellet fuel in the amount of \$2,907, and an O2 Trim combustion air control for \$2,441. Our consultant Rick Handley will review this paperwork. (Continued later in the meeting).

Privilege of the floor.

Linda Muench inquired as to whether all of the Planning Board members had received their 4 hours of required training in order to remain on the Board. She stated that her husband, since he has been a member of the Board, is trying to make sure that everybody follows all the rules.

Old Business:

Trail maps - Chester Challenge - Landowner agreements.

We now have the trail maps for the Chester Challenge. Attorney Schachner has drafted the landowner agreements, with the only change being that we do not have the consent from the landowner located at the top of Kipp Mountain. The trail will end before that property. We have insurance in the amount of one million dollars for liability, and a four million dollar umbrella. We will be getting the landowner agreements signed within the next week or so. Board wishes to have a trail coordinator, and Dan

Smith has volunteered to do that work. There is a lot involved, including marking trails, putting up trailhead signs, signs for the tops of the mountains, etc. Mr. Monroe suggests we hire Dan Smith for the trail coordinator and pay him from Occupancy Tax, at least for as long as the work is being done. Some clearing also needs to be done, and there is a crew from the County who will help. Mrs. DuRose stated that she would prefer someone local for hiring within the Town, but realizes Dan has invested some volunteer hours in it already, so she will go along with hiring him for now.

RESOLUTION #43: APPOINT DAN SMITH AS TRAIL COORDINATOR FOR THE CHESTER CHALLENGE TRAILS.

Introduced by Mr. Durkish, seconded by Mr. Packer, appoint Dan Smith as trail coordinator, to be paid from Occupancy Tax, for work to be completed on the Chester Challenge Trails.

AYE 5 NO 0

Lifeguards for Loon Lake Beach.

Mr. Monroe stated that he has spoken with Mindy, and she has everything all in order with regard to the lifeguards for 2015.

Contract with LLPDA Association for lake management.

The Park District Association has a proposed contract with AIM, (Aquatic Invasive's Management). Their contract requires an advance payment of \$8,976. We have a contract that the Attorney for the Town has drafted with the Park District Association, which basically would allow the LLPDA to perform water quality testing, oversee the boat inspection/decontaminating program, assuming responsibility for hiring, training and supervision of boat attendants and Lake stewards, and also develop a lake management program. They will continue to maintain/control the lake water level, and generally work with the town to maintain the number of other things on the lake, including the buoys.

There is currently no schedule of payment in place, and Mr. Monroe discussed this with LLPDA President Ed Griesmer. Mr. Griesmer stated that they have contracted with AIM for 6 weeks, but the work may be completed in 4 weeks. After the initial payment of 20% of the contract, or \$8,976, AIM would submit an invoice at the end of each week in the amount of \$7,409. Numbers were discussed, and it was decided to pay \$33,000 initially, and any additional payments weekly up to \$48,000.

RESOLUTION #44: APPROVE UP FRONT PAYMENT TO LOON LAKE PARK DISTRICT ASSOCIATION IN THE AMOUNT OF \$33,000, AND ANY ADDITIONAL PAYMENTS UP TO \$48,000.

Introduced by Mr. Monroe, seconded by Mrs. Wells, authorize up front payment to Loon Lake Park District Association in the amount of \$33,000, and any additional required payments, up to \$48,000.

AYE 5 NO 0

Authorize AIM to moor their boat.

AIM has a 25' hollow hulled skiff, and they have requested permission to moor it in the small bay at the boat launch, during their stay on the lake.

RESOLUTION #45: AUTHORIZE MOORING OF AIM BOAT IN SMALL BAY AT BOAT LAUNCH.

Introduced by Mrs. DuRose, seconded by Mrs. Wells, authorize mooring of AIM Boat in the small bay at the boat launch while they are working on the lake.

AYE 5 NO 0

Boat wash hours of operation.

Mr. Griesmer stated that last year the hours of boat wash operation were from 6:00 am until 6:00 pm. He reported that the number of boats launching at 6:00 am were very minimal. This year they have decided to change the hours from 7:00 am until 7:00 pm which will give people some extra time on the lake in the evenings.

RESOLUTION #46: AMEND BOAT WASH STATION HOURS OF OPERATION.

Introduced by Mr. Packer, seconded by Mr. Durkish, amend boat wash station hours of operation to run from 7:00 am until 7:00 pm.

AYE 5 NO 0

Appoint member to Board of Assessment Review.

There was one applicant for the position of Board of Assessment Review member.

RESOLUTION #47: APPOINT PATRICIA SEITZ McALONEN TO BOARD OF ASSESSMENT REVIEW TO FILL UNEXPIRED TERM.

Introduced by Mr. Monroe, seconded by Mrs. DuRose, appoint Patricia Seitz-McAlonen to the Board of Assessment Review, to fill the unexpired term vacated by Carol Rapp. Term will expire in 2017.

AYE 5 NO 0

New Business:

Committee reports: None.

Septic Variance applications.

Bret Winchip of Winchip Engineering was representing three residents living within the Epworth League in Riparius. The structures are all located on Epworth property, and the owners all have 99 year leases. Mr. Winchip believes that tax map parcels were established for County and Town tax assessments, and each camp is given a surrounding setback of about 10 feet per parcel. All three residents in question are experiencing septic failures, and need replacement systems. However, due to constricted areas of ground and setback issues for installation of conventional leaching systems, Mr. Winchip is proposing all three having 2-1000 gallon holding tanks, which would need to be pumped periodically. Basically these are summer residents, and none have laundry facilities in their camps. There are shallow wells located all up and down the property. The residents filing septic applications are Robert Foote, Elsie Jean Rew, and Frances Brzozowski. Each tank would be equipped with a 60% alarm, and have a 100% shutoff, which, if no one was home to hear the alarm, say, in the event of a running toilet, it would trigger a solenoid to shut off the water. They will be leak tested once they are installed, filled with water, and allowed to sit to make sure they don't leak, causing leaching into nearby wells.

Mr. David DeLorme, President of the Riverside Epworth League Institute, had written a letter, basically stating that he had spoken with the members of the Executive Committee of the R.E.L.I. Board of Directors, and none had opposition to the project. However, at this time, the Board would like Tom Suozzo, Engineer for the Town, to look over the plans and decide that there is no reasonable alternative, and they would also like to have a more confirmed, formal consent of the actual property owner, which appears to be the Epworth League

Institute, before they continue. The ideal situation would be to have a community septic system that each resident can hook up to.

RESOLUTION #48: AUTHORIZE REFERRAL OF THREE SEPTIC APPLICATIONS TO TOWN ENGINEER TOM SUOZZO, REQUIRE A FORMAL RECORDABLE CONSENT FROM OWNERS OF THE PROPERTY TO PLACE THE FACILITIES THEREON, AND ADVERTISE PUBLIC HEARING FOR MAY 12TH MEETING.

Introduced by Mr. Monroe, seconded by Mr. Packer, authorize the referral of the three septic applications to Town Engineer Tom Suozzo; require a formal, recordable consent from owners of the property to place the facilities thereon, and advertise public hearing for May 12th meeting. If all requirements are not met by that time, hearing will be tabled.

AYE 5 NO 0

Biomass boiler Bid (continued):

Mr. Handley had a chance to review the bid documents received from Biomass Commodities, and stated that the equipment meets all of the specifications. Mr. Handley believes the aforementioned "options" should be included, which would cost an additional \$5,348.

Discussion continued that we have an application pending at NYSERDA for a demonstration project, and if it is approved, they will pay 75% of the cost, but we have not heard from them yet. Mr. Monroe's concern is that if we accept the bid and award the grant, and then the following week we get the grant, will they not pay. Mr. Handley stated that he had spoken with NYSERDA and they had told him that it would be okay to proceed, as the application had been submitted to them prior to the time that we asked for the bid. If NYSERDA does not pay, then we still get the \$20,000 from USDA. Mr. Monroe continued that he had been working with Senator Little's Office, asking her to propose a bill to amend the Local Finance Law to allow for heating project's to be financed for 15 years instead of 10. The Governor's office supported it, and it passed last year in the Senate, but not in the Assembly. This year it has passed in the Assembly Local Government Committee, has been referred to Ways and Means and is pending in the Senate Local Government Committee. We should hear something by the end of June. There is a 20 week delivery time, so that is why Mr. Handley recommended we go ahead and bid the job now.

RESOLUTION #49: ACCEPT BID FROM BIOMASS COMMODITIES IN THE AMOUNT OF \$137,732 PLUS OPTIONS IN THE AMOUNT OF \$5,348,

CONTINGENT UPON REVIEW AND APPROVAL OF THE SPECIFICATIONS BY THE ENGINEER.

Introduced by Mr. Monroe, seconded by Mr. Packer, accept the bid from Biomass Commodities for the pellet boiler in the amount of \$137,732, plus options in the amount of \$5,348, contingent upon review and approval of the specifications by the Engineer.

AYE 5 NO 0

Schroon Lake Watershed Grant.

Mr. Monroe stated that we were successful in requesting the Department of State to amend our Schroon Lake Watershed Grant to include purchasing a boat wash station for Schroon Lake. Jane Smith from the E. Schroon Lake Association has proposed that it be located at the boat launch. DEC is apparently ambivalent about the boat wash stations. In general they would prefer to see them located near but not at the actual boat launch. Fortunately there is a site at the intersection of Glendale Road and East Shore Drive that is still on the boat launch property, but is not right at the boat launch. DEC said they would approve that site. At the Schroon Lake meeting, the Schroon Supervisor was asked to contribute toward the operation, which was estimated to be about \$30,000, and he said that monies had been collected in the past for emergencies for the purpose of dealing with new infestations by milfoil which could be used for operations. It was accumulated in the same percentages that we pay for expenses on Schroon Lake. Mr. Monroe would like to use the money to purchase the boat wash station, but does not want to purchase it unless there is a plan to operate it. It will have to be put out for bid. Mr. Monroe recommends we stay with the Landa ECOS 7000 unit, which is what we have, and what Lake George has as well. We have people trained on this unit, and we also have extra parts for it, Lake George could assist us if necessary, so they would like to standardize the model that we use.

RESOLUTION #50: STANDARDIZE ON THE LANDA ECOS 7000 MOBILE BOAT WASH AND RECLAIM STATION AND THE ASSOCIATED PAD WITH A BERM FOR THE RECLAIM WATER.

Introduced by Mr. Monroe, seconded by Mr. Packer, standardize on the Landa ECOS 7000 mobile boat wash and reclaim station and the associated pad with a berm for the reclaim water. The reason is because all of our people have been trained on this unit, we have spare parts for this unit, and we have the ability to get

assistance from the Lake George Park Commission that also uses this unit.

AYE 5 NO 0

RESOLUTION #51: AUTHORIZE THE BID FOR GRANT FUNDED LANDA ECOS MOBILE 7000 BOAT WASH AND RECLAIM STATION AND PAD WITH BERM.

Introduced by Mrs. Wells, seconded by Mrs. DuRose, authorize to bid for grant funded Landa ECOS Mobile 7000 boat wash and reclaim station and pad with berm. Attorney Schachner and Supervisor Monroe will draw up the draft for the bid notice.

AYE 5 NO 0

Discussion: Supervisor Monroe stated that at the Schroon Lake meeting, the Schroon Supervisor suggested that since there are three towns to operate it, (Schroon, Horicon and Chester), that they work through a personnel service. This would add substantially to the cost. Mr. Monroe suggested that one town hire and arrange for the training, then have an agreement with all three towns that we each share in the costs. It should be a three part agreement: 1. That we all agree to purchase this equipment; 2. That we share in cost of the operation of it in accordance with the percentages that we have established for the Schroon Lake Park District; and 3. Matt Simpson, Supervisor of Town of Horicon would take care of the hiring of personnel.

RESOLUTION #52: AUTHORIZE ATTORNEY FOR THE TOWN DRAFT AGREEMENT BETWEEN THE THREE TOWNS IN THE SCHROON LAKE WATERSHED.

Introduced by Mr. Monroe, seconded by Mrs. DuRose, authorize Attorney for the Town, Mark Schachner, draft agreement between Towns of Chester, Horicon and Schroon Lake, that we all agree to purchase a Landa ECOS 7000 Mobile Boat Wash and Reclaim station with berm; that we share in the cost of the operation of it in accordance with the percentages that we have established for the Schroon Lake Park District; and that Horicon Supervisor Matt Simpson will take care of the hiring of the personnel.

AYE 5 NO 0

RESOLUTION #53: AUTHORIZE SUPERVISOR SIGN CONTRACT WITH OFFICE FOR THE AGING.

Introduced by Mr. Packer, seconded by Mrs. Wells, authorize Supervisor sign contract with Office for the Aging.

AYE 5 NO 0

RESOLUTION #54: APPOINT PAUL LITTLE AS MEMBER OF PLANNING BOARD.

Introduced by Mrs. Wells, seconded by Mrs. DuRose, reappoint Paul Little to the Planning Board, contingent on him receiving his annual 4 hours of training. Term to expire in 2022.

AYE 5 NO 0

RESOLUTION #55: ACCEPT LETTER OF RESIGNATION FROM KEN MARCHESELLI AND THANK HIM FOR HIS YEARS OF SERVICE.

Introduced by Mrs. Wells, seconded by Mr. Durkish, accept letter of resignation from Ken Marcheselli who has served as Chairman of the Zoning Board of Appeals, and Supervisor will send a letter to thank him for his many years of service to the Town of Chester.

AYE 5 NO 0

RESOLUTION #56: AUTHORIZE CLERK ADVERTISE FOR MEMBER OF ZONING BOARD OF APPEALS.

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize Town Clerk advertise for member of Zoning Board of Appeals.

AYE 5 NO 0

CSEA Bargaining Unit requesting a change in their schedule.

Highway Department is ready to return to a four 10 hour day work week. Instead of the previous dates of April 15th to October 15th, they wish to change it to May 1st until September 30th.

RESOLUTION #57: APPROVE CSEA BARGAINING UNIT CHANGE TO START AND END DATES OF FOUR 10 HOUR DAYS FROM 5/1 TO 9/30.

Introduced by Mrs. Wells, seconded by Mr. Durkish, approve CSEA Bargaining Unit change to start and end dates of four 10 hour days beginning on May 1st and ending on September 30th.

AYE 5 NO 0

Carl Barlow ~ Request for support of Little League.

Little League currently has fields in Adirondack, Brant Lake, Chestertown and Bolton. Excluding Bolton, there are about 140 kids. With Bolton, there are about 180. They would like to expand to include Schroon Lake, Minerva and Newcomb, which would

raise the total to about 220 participants. A lot of the challenges that they face are that some of the parents don't want to transport their children to Adirondack for practices. They have concession stands at every game so the parents can get a bite to eat, and because they are non-profit, they keep it pretty cheap. The helpers in all of this are all volunteers. Right now they have 4 concession stands and 8 bags of money that they are trying to keep track of. They would like to develop a central location for the games, and thus they are looking for an area in Chestertown, approximately 6 to 8 acres of land. If this were to come to fruition, all the games could be hosted here, they could hold District tournaments, etc. Mr. Barlow stated that he would be able to go after Grants for the lighting that would be required on the field, and wondered whether the Town could help financially in obtaining land. The Board was glad for the information, but would like to see a more complete plan for this venture. Mr. Barlow stated that they can only hold one fund raiser per year and that leaves them pretty limited financially. It was suggested that they contact the Rotary, as they are usually looking for a project to become involved with. Al Muench was in the audience, and he stated that he was on the Board of Directors of Rotary, and they would be very amenable to work with the project.

Larry Estill claim for damage to electric service entrance.

Highway Superintendent Jason Monroe stated that on Feb. 6th, one of the driver's was clearing snow away from the guardrails at the school bus turnaround on Hill Park Road. While removing the snow, and paying attention to the bucket on the ground, the roof of the loader hit the low lying power line and pulled the electrical service from Mr. Estill's home, causing some damage to his house. Mr. Monroe immediately notified the Warren County Sheriff's Office, as well as National Grid, and Mr. Estill, as the temperature was -20 degrees. Mr. Estill claims that damage was caused to some of the appliances in the home. Selective Insurance has denied the claim. Attorney Schachner stated that if an action is not negligent or reckless disregard of highway equipment, payment of such a claim could be considered misuse of taxpayers' funds. The Board agreed to let Mr. Schachner look it over to see if there is any legal theory for liability to the Town, as we do not want to cause damage to someone's property and not be able to help them.

Approve Highway paving agreement.

Highway Superintendent Jason Monroe presented the Board with his proposed paving budget for 2015. He plans on doing Butternut

Flats for 1,120 feet, it will be shimmed up and top dressed. (Top coat pavement). Estimated cost of \$14,575.10

Pine Street will be top coated for 4,150 feet from Route 9 to Starbuck Hill. 850 feet East from Route 9 will need to be milled 2" and top coated. Estimated cost for Pine Street of \$53,864.50, with cost of milling at \$3,800.

Rock Avenue is the most extensive area, with Reclamation and T-3 binder for 8,550 feet from Route 9 to the top of the hill. T-3 will cost \$58,324.50, T-6 \$121,987.25 and reclamation at \$5,046 for a total of \$185,357.75.

For paving of all the above, includes paver, roller, screedman, skidsteer and mobilization for 4-10 hour days, costing \$20,337.

Road stabilizing fabric for Rock Avenue will cost \$6,486. Grand total for paving, excluding culvert pipe, #2 stone and Item #4 stone is \$284,420.35. We budgeted \$366,000 for this year, and to include the culvert and aggregate, Jason believes we will come within \$40,000 of the budgeted amount. An agreement between the Highway Superintendent and the Town Board will be signed when all of the pricing is completed.

Jason stated that if he has \$30,000 leftover, he will do fog sealing over the roads that were chip-sealed last year, and it will look, again, like black top.

Louis Smith Complaint.

Louis Smith was not present, but had submitted some pictures of an installation of a basketball backboard on a post located on the shoulder of Gamble's Beach Road on a blind corner. Mr. Smith's concerns were the kids playing in the road, and he indicated that there was a playground 500 feet up the road with a basketball court. The backboard located on Gambles' Beach Road is in the Town ROW. Jason Monroe will look over the situation, and Supervisor Monroe will write a letter to the neighbor, Dan Wallace.

Maxam Culvert.

Discussion over request for culvert on Foster Flats Road. Mike Packer had talked with Ms. Maxam about a year ago, and thought that installing a culvert in Ms. Maxam's driveway would divert water flowing over the road to the south of her property. Supervisor Monroe explained that our practice has been that if the property owner buys the culvert, the town will install it. Mr. Monroe will write a letter to Ms. Maxam.

AED Classes.

Dave LaVergne, who is the Operations Manager at the North Warren Emergency Squad offered to come in and give a 4 hour course to the Highway and Town Hall employees on the AED units so that all employees are versed in its' use.

Al Muench.

Mr. Muench asked if he could address the Board, as he had not been present during Privilege of the Floor. He mentioned a particular lawsuit and requested whether he could see it or not. Mr. Monroe explained that information regarding any lawsuit is discussed during executive session, and that a copy of it was filed at the County. Mr. Muench then mentioned that Jeremy was unable to sign any paperwork in Walt's absence, and Mr. Monroe told him that he and Jeremy had already discussed this, and he had been told what to do, so Mr. Muench wasn't telling him anything new. He then wanted to know that there was no issue with the Planning Board holding a special meeting to hear the plan on the Medical Marijuana application. Mr. Monroe stated that that would be appropriate.

Mary Jane Dower mentioned that the Highway crew had done a fantastic job taking care of the roads this past winter, especially in view of a storm that had lasted for several days. The Board concurred.

Warren County Contract.

Mr. Monroe has a contract with Warren County in the amount of \$41,600 for Aquatic Invasive Species, and he requested authority to sign it.

RESOLUTION #58: AUTHORIZE SUPERVISOR MONROE SIGN CONTRACT WITH WARREN COUNTY FOR AQUATIC INVASIVE SPECIES.

Introduced by Mr. Packer, seconded by Mrs. DuRose, authorize Supervisor sign the Aquatic Invasive Species contract with Warren County so that we receive \$41,600.

AYE 5 NO 0

RESOLUTION #59: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.

Introduced by Mrs. DuRose, seconded by Mr. Packer, authorize payment of abstracts and claims paid prior to audit:

General Fund 2014	\$ 6,231.29	(417-418)
General Fund 2015	\$ 42,454.35	(112-163)

Highway Fund	\$ 63,172.31	(63-101)
C'town Water	\$ 4,003.14	(10-19)
P'Ville Water	\$ 2,668.58	(13-21)
Loon Lk.Pk.Dist.	\$ 2,283.81	(2-2)

AYE 5 NO 0

On a motion by Mr. Monroe, seconded by Mrs. Wells, Board went into Executive Session to discuss NWES Contract, pay rate for backup payroll clerk, CSEA contract negotiations, and Maxam numerous complaints and lawsuit.

On a motion by Mrs. Wells, seconded by Mr. Packer, Board out of Executive Session at 9:43 pm. No action taken.

Mr. Monroe will contact DOT regarding installation of distance signs being erected on Pine Street, where people park too close to Route 9. There is concern over an accident happening there.

RESOLUTION #60: ESTABLISH PAY RATE FOR BACKUP PAYROLL CLERK.

On a motion by Mr. Monroe, seconded by Mrs. Wells, pay rate for backup payroll clerk to be \$12.00 per hour.

On a motion by Mr. Monroe, seconded by Mr. Packer, meeting adjourned at 10:50 pm.

Respectfully submitted,

Town Clerk