

Regular meeting of the Town of Chester Town Board was held on **July 14, 2015** at 7:00 PM at the Municipal Center, 6307 State Route 9, Chestertown, NY, 12817.

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

Minutes:

RESOLUTION #91: ACCEPT MINUTES OF THE JUNE 9, 2015 MEETING.

Introduced by Mrs. Wells, seconded by Mr. Durkish, accept Minutes of the June 9, 2015 meeting, as presented.

AYE 5 NO 0

Privilege of the floor.

Mary Jane Dower reported on behalf of the Farmer's Market that there were 1105 people in attendance at last week's market! She also stated that they would pay for the window that was accidentally broken in the front door. Mr. Monroe thanked Mrs. Dower for all her work on the Farmer's Market.

Linda Muench reported that they had 22 children in the "17 Candles" program served through the food pantry. She stated that there were two Organizations that contributed, with the Rotary being the main supporter, and this year they received \$200 from the Loon Lake Golf Tournament Memorial. Without this support, they would have to hold fundraisers to keep the program going. She also mentioned that there was a need for life jackets, since one of the Mom's couldn't afford them. Mrs. Muench and some of her friends purchased them for her. She wondered if the Town would be able to purchase some to keep locked up at the beach for those who needed one. Mr. Monroe thought it was a good idea, and thanked Mrs. Muench for her work on these projects.

Mrs. Muench asked Mr. Monroe how much money would need to be invested the first year if the Friends Lake HOA's were to create a district and start a fund for preservation of the lake. Mr. Monroe felt that if he were in charge, he would want to see a survey done for invasive's, by putting divers in the lake and having them swim the length of it. He thought that would cost between \$2000-\$5000. Maybe some additional monies should be set aside in a war chest, in case there were invasive species to be combatted. Easier to nip it in the bud at the onset and spend a little, than to let it take control and become overwhelmed trying to get rid of it. Mr. Monroe also stated that he wanted to quell the rumor that a proposed takeover by the town was in

the works with regard to Friends Lake. A poll of the Board showed no such interest at all.

Mr. Muench asked whether it would be possible to gather the Planning Board, the Zoning Board and the Town Board to discuss and propose any changes that might be needed in the Zoning Local Law. **Mr. Monroe** thinks this would be a great idea, and will speak with the Chairs of both boards to pick a date for it to take place. **Mr. Monroe** stated that he would also invite Wayne LaMothe from Warren County Planning.

Ed Greismer, President of the Loon Lake Park District Association, stated that we have a new lake management company this year, AIM, and this is their third week in the lake. They spend between 8-9 hours a day in the water, working 4 ten hour days, Monday through Thursday. They identified 3 major areas on the lake that needed to be hand harvested. **Mr. Greismer** requested that the monies be released for the next three weeks work. (In past years, the Town just paid for the expenses, but this year the Town contracted with the Association, and the Association contracted with AIM to do the work).

RESOLUTION #92: AUTHORIZE TRANSFER OF MONEY ALREADY BUDGETED OF \$11,800 FOR AIM.

Introduced by Mr. Packer, seconded by Mrs. Wells, authorize transfer of the balance of monies from the \$44,800 budgeted, (after having paid \$33,000 up front), of \$11,800 payment for AIM.

AYE 5 NO 0

Mr. Monroe stated that they are working very efficiently, the diver's not using individual scuba tanks, but have a compressor on a float, with individual tubing for their masks, giving them extended time in the water. **Mr. Greismer** stated that just today, they pulled 44 bags of milfoil out of the lake, and that is significant. **Mr. Greismer** continued that when Saranac Lake began a cleanup program on their lake, they identified 18 tons of milfoil in 2004, and in 2014 they were down to 400 pounds! That is our goal.

Mr. Greismer stated that the boat wash program is supported, and people are very cooperative with having their boats inspected and washed. The numbers of boats being handled has gone up, which is a good sign. A lot of the boats had already been tagged, and having wintered, did not need re-washing. **Mr. Monroe** stated that the program is also open to Friends Lake boaters if they wish to take advantage of it.

Mr. Monroe also explained that we had formed an agreement between the Towns of Chester, Horicon and Schroon Lake, and our Highway crew performed most of the work setting up the sites for the boat wash station on Schroon Lake. We had ordered a pod for storage of the wash station, but they didn't have any. Therefore we were able to obtain a portable garage with a steel frame, and a canvas cover that the station can be left in. The ends can be opened for operation, and then it can be closed up and locked at the end of the day. About 3,000 boats are launched up there in the summer, but participation in the program is not good, recording only about 2 per day, due to the site chosen by DEC on the corner of Glendale Road and East Shore Drive. It is not visible from the launch, and would be better located at the actual boat launch, and would encourage easier participation. We received a very nice letter from **Jane Smith**, who is the Associate Director of the Adirondack Lakes Alliance, touting their high regard for **Jason Monroe** and his crew on the site preparation and initialization of the boat wash station. She stated that Jason's competent leadership is reflected in his crew, and their positive, courteous, and professional attitude was refreshing, helping to make a daunting task doable. She extended a sincere thank you to Jason, the highway crew, and the Town of Chester.

Mr. Monroe stated that the fund for Lake George donated \$12,000 to buy tags such as we use on Loon Lake, to be used all over the Adirondacks, 20,000 of the green, and 12,000 of the orange tags. They were delivered to DEC yesterday, and will be recognized all over the area. The Governor put out a press release today regarding it.

Al Muench mentioned that Pickle ball was having some great participation, making good use of the tennis courts. He added that in the Rotary, when students are interviewed for the scholarship program, one of the questions asked them is what kind of things they might see a need for in Chestertown for young people their age. He asked the town to consider a building or location for teens, where they could maybe play pool, ping pong, etc, and suggested a senior center would also be a good idea. **Mrs. Muench** suggested a summer camp for kids, with the teens acting as counselors.

Mrs. Wells stated that there is a summer camp held every year at the Tin Tepee, and Mindy has some teens assisting her with these programs. There is also baseball, basketball, tennis, and swim lessons, which are run twice a day. The beach is closed during swim lessons, and Mindy has been receiving flak because of that. Word of Life family night was being held tonight, and Seagle

Music Colony is presenting a Children's Opera on the 25th. The entire programs run the length of the summer. Notices of upcoming events are given out at the school. Mindy finds out how many students are in each class, and she leaves that number of fliers in each teacher's mailbox. Grades K through 6 have fliers put in their backpacks. The high school students are handed theirs, and **Mrs. Wells** has witnessed them throwing them in the trash on their way out of the building. **Mrs. Wells** explained that when they first began the program, they used to bus students, and would send the busses out on the routes, and only pick up one or two students. **Mr. Monroe** stated that we also have a very active ski program, but bussing was discontinued for that, because parents also want to ski, and therefore drove their children to the slopes, leaving the busses empty. Movie nights are yet another activity that is offered through the school year. All it takes to provide more, is money!

Variances.

1. **Zach Monroe**, from Bret Winchip Engineering was in attendance representing Roger Bolles, 33 East Hudson River Road, identified by tax parcel #102.6-1-13, proposing a shallow absorption bed septic system with a 250 sf tile field. Proposed system cannot meet the 100' separation from the well, and applicant is seeking relief for a 25.7' variance, leaving a 74.3' separation. The system will meet the 100' setback from any neighboring wells. Additionally, the system cannot meet the 100 separation from the mean high water mark of the Hudson River, and are proposing the location at 94.3' for a requested variance of 5.7'. Any alternative location is either closer to the river, closer to the well, or on steep slope. The existing system has failed, and a new tank and pump chamber will be used to pump effluence up the hill to the raised field.

RESOLUTION #93: SCHEDULE PUBLIC HEARING FOR BOLLES SEPTIC VARIANCE AT AUGUST 11TH MEETING.

Introduced by Mr. Packer, seconded by Mrs. DuRose, schedule a public hearing for the Roger Bolles Septic Variance on August 11, 2015, at 6:30 pm.

AYE 5 NO 0

The next project was for a Septic Variance for Fred and Carol Monroe. **Supervisor Monroe** recused himself, and left the room, requesting Deputy Supervisor **Mike Packer** take the chair for this project.

2. **Mark Suozzo**, Cedarwood Engineering, representing Fred and Carol Monroe, 117 Blythwood Island Road, identified by tax parcel #86.5-1-20. There is an existing septic tank with seepage pit that is proposed to be replaced. The new seepage pit is proposed for approximately the same location as the existing pit, but will be upsized according to new treatment standards. By increasing the size of the pit, the system will be a little bit closer to the property well and the neighbors well by about 2'. The requested variance is from the seepage pit to the well, where there is a requirement of 150'. The existing system is located at 77', and the proposed system will be at 75'. The second variance is from the seepage pit to the lake, where 100' is required. The current system is located at 89', and the proposed system will be at 87'. Due to the small size of the site, and shallow depth to bedrock, a typical trench absorption system is not feasible. Therefore, the waivers requested are for the use of a seepage pit, and being located within 150' of the well. Other steps being taken to improve the system are to install an effluent filter on the septic tank so that less material is being carried over to the seepage pit. That should help to reduce the amount of biological material that the seepage pit has to handle. Access risers will be installed so that it will be easier to clean, and then an alarm will be installed on the septic tank itself for long term maintenance.

RESOLUTION #94: SCHEDULE PUBLIC HEARING FOR MONROE SEPTIC VARIANCE FOR AUGUST 11TH.

Introduced by Mrs. Wells, seconded by Mr. Durkish, schedule a public hearing for the Monroe Septic Variance for August 11th at 6:45 pm.

AYE 4 NO 0

Mr. Monroe returned to the meeting and resumed the Chair.

Mealsite.

Supervisor Monroe had requested Cedarwood Engineering to take a look at the toilet in the Mealsite, as it appears that when the County did the work in setting it up, they hooked the septic line to the roof drain. During heavy rains, there is a tendency for the toilet to overflow into the room. **Mr. Suozzo** mentioned that they are looking to get a new pump, and then bringing it out to the existing septic system. **Tom Suozzo** had met with Jason, and they had also gotten approval from the State Agency. **Mr. Suozzo** contacted his associate, and they estimate to make the repair could cost up to \$3,500.

RESOLUTION #95: AUTHORIZE PROJECT PROCEED FOR REPAIR TO MEALSITE DRAIN PROBLEM.

Introduced by Mrs. Wells, seconded by Mr. Packer, authorize project proceed for repair to the Mealsite drain issue, not to exceed \$3,500.

AYE 5 NO 0

Chester Challenge Landowner agreement status.

Cathy Varney from Glens Falls Hospital Healthy Community was in attendance. A kiosk is supposed to be installed by the County, but has not arrived yet. The kiosk will have a map of all the trails, but the brochures have not yet been printed because we are still waiting for some of the landowner agreements. All the trail marker signs are here, and Jason has installed a parking lot at Stewart Mountain, and proposes to put one in at Kipp Mountain on Wednesday. The agreements for Meade and Beckman Mountains are still pending. We should still have Green and Catamount over at Stonebridge and Caves, and we control Chester Creek and the Cougar trails at the school, with Palmer Pond trails being open to the public anyway. The only issue is with the Panther Mountain trail, as **Lauren Pereau** is linking his issue with the barricade on Theriot Avenue to granting access to the trail. He presented his position on the Theriot Avenue issue to the board. Discussion ensued.

RESOLUTION #96: REOPEN HEARINGS ON THERIOT ACCESS.

Introduced by Mr. Monroe, seconded by Mrs. DuRose, reopen hearings on Theriot Avenue access, to be heard August 11th at 7:00 pm.

Roll Call Vote:

Mr. Durkish	NO
Mrs. Wells	AYE
Mr. Packer	AYE
Mr. Monroe	AYE
Mrs. DuRose	AYE

Biomass project.

Mr. Monroe stated that the Assembly has passed our bill to extend the financing for a biomass project from 10 years to 15 years. The Senate has also passed it, and it will become Law if

the Governor signs it. That will help us in the financing of this project. The project has been bid, we have issued a notice of award to the sole bidder, and our consultant has recommended some contract terms which **Mr. Monroe** has forwarded to **Mr. Schachner**. **Mr. Monroe** has asked for authorization to sign this contract with Biomass Commodities Corporation for the construction of a wood pellet boiler, with the terms and the amounts we would pay, and they would provide training and an operators and service manual, because this is to be a custom made steam boiler.

RESOLUTION #97: AUTHORIZE SIGNING OF THE CONTRACT WITH BIOMASS COMMODITIES CORPORATION IN A FORM ACCEPTABLE TO TOWN COUNSEL.

Introduced by Mr. Packer, seconded by Mrs. DuRose, authorize Supervisor sign contract with Biomass Commodities Corporation in a form acceptable to Town Counsel.

AYE 5 NO 0

Mr. Monroe explained that with the Grant money we would be receiving, our expense for this project should come in under \$100,000, and we should have up to 15 years to repay it. NYSERDA will be giving us a grant for \$20,000, but they have certain requirements to be met. They want us to have a "not to exceed" contract with Rick Handley, and another with M/E Engineering. The project has changed somewhat from the original design, because the NYSERDA grant is based on it being a demonstration project using a steam accumulator with a wood pellet boiler, which, in their nearest determination, has never been done in New York. NYSERDA has additional requirements that USDA does not, due to it being a demonstration project. Draft copies have been provided to NYSERDA. **Attorney Schachner** had reviewed the letters, and only found one item in the M/E Engineering papers which contained an "Ownership of Documents" provision which does not apply to us as a public entity subject to Freedom of Information.

RESOLUTION #98: AUTHORIZE SUPERVISOR SIGN LETTERS OF AGREEMENT SUBJECT TO ATTORNEY APPROVAL.

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize Supervisor sign letters of agreement with Rick Handley and Associates, and M/E engineering, subject to Attorney approval.

AYE 5 NO 0

Friends Lake - Possible district formation.

The Friends Lake Property Owners board will continue the investigative process with regard to a district formation.

Erin Hayes - Rental.

The former Sheriff's department space in this building has been modified with a dividing wall for office space for Attorney Erin Hayes, and she is all moved in.

New Business.

Hill Park Power Line Damage.

Mr. Monroe explained that we are prohibited from settling with the individual who sustained damage to the power line connected to his home on Hill Park Road by one of the Town vehicles. The lines were low hanging and got caught on the vehicle, subsequently tearing the service away from the house. The Insurance claim was rejected due to the fact that the Town is not guilty of negligence or willful conduct, under Highway Law.

Committee reports.

Mrs. Wells had received complaints from **Patrick Powers** regarding the Pottersville playground, and also sent emails regarding the intersection between Valley Farm and Route 9, and Olmstedville Road and Route 9. She explained to him that we had sent a letter to the State DPW regarding this issue, and they responded that they had to wait for better weather in order to do their monitoring. We have not yet heard back from them. With respect to the playground, the mowing had not been done due to all the rain and Parks and Rec were behind on all of the mowing. **Mr. Monroe** will go take a look at the playground.

Mrs. Wells continued that the children's Opera was to be held on July 25th. On the beach, we need signs for no smoking, no tobacco, no drinking and no dogs.

There was also mention of a sign prohibiting dogs in the cemeteries.

RESOLUTION #99: ERECT A SIGN "NO DOGS ALLOWED IN CEMETERY."

Introduced by Mr. Durkish, seconded by Mr. Packer, erect a sign to read "No Dogs Allowed in Cemetery."

AYE 5 NO 0

Waste Stations for dogs need to be removed from the Cemetery.

RESOLUTION #100: SIGNS TO BE ORDERED AND ERECTED AT THE BEACH PROHIBITING TOBACCO PRODUCTS, ALCOHOLIC BEVERAGES AND DOGS AT THE LOON LAKE BEACH.

Introduced by Mrs. Wells, seconded by Mrs. DuRose, erect signs prohibiting tobacco products, alcoholic beverages and dogs at the Loon Lake Beach.

AYE 5 NO 0

RESOLUTION #101: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.

General Fund	\$ 53,986.40	(259-315)
Highway Fund	\$314,094.75	(159-182)
C'Town Water	\$ 3,075.64	(33-41)
P'Ville Water	\$ 1,567.59	(37-43)
Library	\$ 2,945.35	(55-57)
Loon Lk.Park Dist.	\$ 2,377.26	(9-12)
Schroon Lk.Pk.Dist.	\$ 6,037.14	(7-13)

AYE 5 NO 0

On a motion by Mr. Monroe, seconded by Mr. Packer, Board went into Executive Session at 8:48 PM to discuss several matters regarding personnel with 3 different employees.

On a motion by Mrs. DuRose, seconded by Mr. Monroe, Board came out of Executive Session at 9:22 PM.

RESOLUTION #102: REPEAL LOCAL LAW #2 OF 2014 FOR OVERRIDE OF TAX LIMIT.

Introduced by Mr. Monroe, seconded by Mr. Packer, repeal Local Law #2 of 2014 overriding the tax limit.

AYE 5 NO 0

On a motion by Mr. Durkish, seconded by Mrs. Wells, meeting adjourned at 9:23 PM.

Respectfully submitted,

Town Clerk