

**Regular meeting** of the Town of Chester Town Board was held on **February 9, 2016** at 7:03 pm at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, New York.

**Roll Call:** Edna Wells, Mike Packer, Karen DuRose, Craig Leggett and the Attorney for the Town, Mark Schachner. Steve Durkish, absent.

**Minutes:**

**RESOLUTION #30: ACCEPT MINUTES OF THE JANUARY 12, 2016 MEETING AND THE JANUARY 27, 2016 MEETING.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, accept minutes of the January 12, 2016 meeting and the January 27, 2016 meeting, as presented.

AYE 4 NO 0

**Privilege of the Floor:**

**Special District Update, Friends Lake Property Owners Association:** Frank Cappabianca, president gave an overview of how they assigned a task force to research invasive species in Friends Lake. Property owners wanted to start an assessment district so there would be funds readily available if invasive species were found. Friends Lake Assessment District would include lake residence and lake rights. FLPOA sent out an initial survey in late November. 350 went out and 168 have been received in favor of the district. Moving forward the association will work on a map, plan and report. Bernice McPhillips stated they currently have 55% of the assessed value of the proposed district in favor.

**Old Business:**

**Timber Contract:** Supervisor Leggett spoke to Len Cronin from Finch who called on behalf of Prentiss & Carlisle, contractor about extending the contract which stated "two winters". Money for the timber would still be paid up front.

**RESOLUTION #31: AUTHORIZE TO EXTEND TIMBER CONTRACT COMPLETION DATE TO MARCH 31, 2018.**

Introduced by Mr. Packer, seconded by Mrs. Wells, authorize to extend Timber Contract completion date to March 31, 2018.

AYE 4 NO 0

**RESOLUTION #32: AWARD THE BIOMASS PELLET SILO BID TO VMJR COMPANIES, LLC OF GLENS FALLS, NEW YORK, THE LOWEST BIDDER FOR THE CONTRACT PRICE OF \$20,000.00, AND**

**AUTHORIZE SUPERVISOR LEGGETT TO EXECUTE THE NECESSARY PAPERWORK FOR THE CONTRACT INITIATION AND COMPLETION OF THE WORK (NOTICE OF AWARD, NOTICE TO PROCEED, CHANGE ORDERS, AGREEMENT CERTIFICATION OF SUBSTANTIAL COMPLETION, CHECKS FOR CONTRACTOR PAYMENTS, AND**

**AUTHORIZE RICK HANDLEY & ASSOCIATES TO PROCEED WITH PREPARATION OF THE EXECUTED COPIES OF THE CONTRACT DOCUMENTS AND FORWARD SAID CONTRACTS TO THE CONTRACTOR AND TOWN FOR SUBSEQUENT EXECUTION.**

Introduced by Mr. Packer, seconded by Mrs. DuRose, award the Biomass Pellet Silo bid to VMJR Companies, LLC of Glens Falls, New York, the lowest bidder for the contract price of \$20,000.00, and

Authorize Supervisor Leggett to execute the necessary paperwork for the contract initiation and completion of the work (Notice of Award, Notice to Proceed, Change Orders, Agreement Certification of Substantial Completion, checks for contractor payments, and

Authorize Rick Handley & Associates to proceed with preparation of the executed copies of the contract documents and forward said contracts to the contractor and Town for subsequent execution.

AYE 4 NO 0

**RESOLUTION #33: NON BINDING COMMITMENT IN SUPPORT OF THE FRIENDS LAKE PROPERTY OWNERS ASSOCIATION TO PROCEED WITH THE SPECIAL ASSESSMENT DISTRICT FORMATION.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, non binding commitment in support of the Friends Lake Property Owners Association to proceed with the special assessment district formation.

AYE 4 NO 0

**New Business:**

Brett Winchip spoke on behalf of Edward Ablele describing the request for several variances which includes a septic wastewater treatment variance.

**RESOLUTION #34: SET DATE FOR PUBLIC HEARING MARCH 8, 2016 AT 7:00 PM REGARDING A SEPTIC WASTEWATER TREATMENT VARIANCE FOR EDWARD ABLELE, 181 CHESTER SHORES DRIVE.**

Introduced by Mr. Packer, seconded by Mrs. DuRose, set date for public hearing March 8, 2016 at 7:00 pm regarding a septic wastewater treatment variance for Edward Ablele, 181 Chester Shores Drive.

AYE 4 NO 0

**RESOLUTION #35: SET DATE FOR PUBLIC HEARING MARCH 8, 2016 AT 7:10 PM REGARDING RENEWAL OF FRANCHISE WITH TIME WARNER CABLE FOR 15 YEARS.**

Introduced by Mrs. DuRose, seconded by Mr. Packer, set date for public hearing March 8, 2016 at 7:10 pm regarding renewal of franchise with Time Warner Cable for 15 years.

AYE 4      NO 0

Mark Swozzo from Cedarwood Engineering Services spoke about the benefits of applying for the New York State Water Infrastructure Improvement Act Grant. Mr. Swozzo described quite a few projects: well house rehabilitation in Pottersville, replacement of asbestos water mains in Pottersville, Glendale road extension in Pottersville, water main on Route 9 between Panther Mtn. Drive and Little Tannery Road, Dynamite Hill well house rehabilitation, new well on Little Tannery Road, booster station upgrade in Chestertown, water tank replacement in Chestertown, water main between Route 8 and Theriot Avenue and water main on Woodridge Drive. Cedarwood would meet with representatives from DOH and EFC to determine the funding viability of the selected projects.

**RESOLUTION #36: AUTHORIZE CEDARWOOD ENGINEERING SERVICES TO PREPARE AN ENGINEERING REPORT FOR NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT FOR WATER SYSTEM IMPROVEMENTS.**

Introduced by Mrs. Wells, seconded by Mr. Packer, authorize Cedarwood Engineering Services to prepare an engineering report for New York State Water Infrastructure Improvement Act Grant for Water System Improvements.

AYE 4      NO 0

Pam Morin spoke the benefits of advertising in the Southern Adirondacks: Guide to the First Wilderness heritage Corridor. With the cost of a full page of advertising and the publisher gives a full page of editorial. After receipt of payment 50% reimbursement is given.

**RESOLUTION #37: AUTHORIZE TOWN TO ADVERTISE IN “SOUTHERN ADIRONDACKS: GUIDE TO THE FIRST WILDERNESS HERITAGE CORRIDOR” FOR SUMMER-WINTER 2016-2017.**

Introduced by Mr. Packer, seconded by Mrs. DuRose, authorize town to advertise in “Southern Adirondacks: Guide to the First Wilderness Heritage Corridor” for summer-winter 2016-2017.

AYE 4      NO 0

**RESOLUTION #38: AUTHORIZE SUPERVISOR LEGGETT TO SIGN AGREEMENT WITH GLENS FALLS ANIMAL HOSPITAL TO PROVIDE SERVICES IN CONNECTION THE ANIMAL CONTROL OFFICER’S DUTIES.**

Introduced by Mrs. Wells, seconded by Mr. Packer, authorize Supervisor Leggett to sign agreement with Glens Falls Animal Hospital to provide services in connection the animal control officer’s duties.

AYE 4      NO 0

**RESOLUTION #39: ADOPT ELECTRONIC RECYCLING AGREEMENT WITH WARREN COUNTY.**

**RESOLVE THAT THE TOWN BOARD OF THE TOWN OF CHESTER AUTHORIZE SUPERVISOR LEGGETT TO ENTER INTO CONTRACT WITH WARREN COUNTY AS PART OF THE INTERMUNICIPAL AGREEMENT REGARDING THE DISPOSAL OF ELECTRONICS WITH THE SERVICE PROVIDER EVOLUTION RECYCLING, INC. FOR SERVICES IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF SUCH AGREEMENTS.**

**PRICE PER POUND REVENUE TO THE MUNICIPALITY \$0.055/LB REBATE FOR ALL NON-CRT ELECTRONICS. PRICE PER POUND EXPENSE TO THE MUNICIPALITY \$0.15/LB FOR CRTS, MONITORS AND TVS (FUNNEL GLASS UNITS).**

Introduced by Mrs. Wells, seconded by Mr. Packer, adopt electronic recycling agreement with Warren County.

Resolve that the Town Board of the Town of Chester authorize Supervisor Leggett to enter into contract with Warren County as part of the Intermunicipal Agreement regarding the disposal of electronics with the service provider Evolution Recycling, Inc. for services in accordance with the terms and conditions of such agreements.

Price per pound revenue to the municipality \$0.055/lb rebate for all non-CRT electronics. Price per pound expense to the municipality \$0.15/lb for CRTs, monitors and TVs (funnel glass units).

AYE 4 NO 0

**RESOLUTION #40: AUTHORIZE SUPERVISOR TO SIGN 2016 CONTRACT FOR ENGINEERING SERVICES BETWEEN TOWN OF CHESTER AND CEDARWOOD ENGINEERING SERVICES, PLLC WITH THE ADDITION "IF REQUESTED" TO #2.**

Introduced by Mrs. DuRose, seconded by Mr. Packer, authorize supervisor to sign 2016 contract for engineering services between Town of Chester and Cedarwood Engineering services, PLLC with the addition "if requested" to #2.

AYE 4 NO 0

**RESOLUTION #41: AUTHORIZE ATTENDANCE OF EDNA WELLS, KAREN DUROSE, MINDY CONWAY AND FLORENCE CONVERSE TO INTRODUCTION TO GOVERNMENTAL ACCOUNTING WORKSHOP PUT ON BY THE NEW YORK STATE OFFICE OF THE COMPTROLLER AND PAY FOR ASSOCIATED COSTS FOR REGISTRATION, ROOMS, MEALS AND MILEAGE.**

Introduced by Mr. Packer, seconded by Mr. Leggett, authorize attendance of Edna Wells, Karen DuRose, Mindy Conway and Florence Converse to Introduction to Governmental Accounting Workshop put on by the New York State Office of the Comptroller and pay for associated costs for registration, rooms, meals and mileage.

AYE 2 NO 0 Mrs. Wells and Mrs. DuRose abstained.

**RESOLUTION #42: ESTABLISH A TEMPORARY ZONING ORDINANCE REVIEW COMMITTEE FOR THE PURPOSE OF REVIEWING THE EXISTING ORDINANCE AND PROPOSING CORRECTIONS FOR INCONSISTENCIES AND OMISSIONS. THE COMMITTEE SHALL BE FORMED BY TWO MEMBERS FROM EACH OF THE FOLLOWING: ZONING BOARD OF APPEALS, PLANNING BOARD, TOWN BOARD AND COMMUNITY AT LARGE.**

Introduced by Mrs. DuRose, seconded by Mr. Packer, establish a temporary Zoning Ordinance Review Committee for the purpose of reviewing the existing ordinance and proposing corrections for inconsistencies and omissions. The committee shall be formed by two members from each of the following: Zoning Board of Appeals, Planning Board, Town Board and Community at Large.

AYE 4 NO 0

Al Muench spoke about the benefits of attending the Saratoga County Planning and Zoning Conference at the Saratoga City Center and the yearly requirement of 4 hours for zoning and planning board members. Mr. Leggett stressed the importance of prior Town Board approval before attending conferences.

**RESOLUTION #43: REIMBURSE ALBERT MUENCH \$117.52 FOR THE REGISTRATION AND MILEAGE FOR THE 2016 SARATOGA COUNTY PLANNING AND ZONING CONFERENCE AT THE SARATOGA CITY CENTER WHICH HE ATTENDED JANUARY 27, 2016.**

Introduced by Mrs. Wells, seconded by Mr. Packer, reimburse Albert Muench \$117.52 for the registration and mileage for the 2016 Saratoga County Planning and Zoning Conference at the Saratoga City Center which he attended January 27, 2016.

AYE 4 NO 0

**Zoning Board of Appeals:** Jeremy Little has shown interest in returning as secretary of the ZBA. No action taken.

**Committee Reports:**

**Economic Development:** First meeting was spent giving an over view of what the town is about, looking over buildings that may need assistance, flowers and shrubbery. Looking for more participants.

**Youth Commission:** Mindy is working with Mr. McCann and the school to finalize the Adult Walking Club, which would include two paths. Ski program is going well.

**Animal Control:** Edna commented, Florence is very busy with calls.

**Parks and Rec:** Making snow at Dynamite Hill. Down Hill Derby is Saturday, February 13<sup>th</sup>. Thank you to Mike Packer and the highway guys for installation of lights at Dynamite.

**RESOLUTION #44: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT WITH THE ADDITION MADE IN RESOLUTION #43 FOR \$117.52.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, authorize payment of abstracts and claims paid prior to audit with the addition made in Resolution #43 for \$117.52:

**2015**

General A	\$	5,904.40	623 - 631
General HB	\$	4,339.14	1 - 2
Highway	\$	1,056.63	368 - 369
Chestertown Water	\$	64.38	74 - 74
Pottersville Water	\$	64.38	7 - 7

**2016**

General A	\$	182,921.45	19 - 66
General HB	\$	7,041.60	1 - 4
Highway	\$	54,539.07	5 - 35
Chestertown Water	\$	160.21	1 - 7
Pottersville Water	\$	7,631.61	2 - 8
Library	\$	367.95	1 - 1
Loon Lake Park District	\$	1,894.50	1 - 1
Schroon Lake Park District	\$	2,200.00	1 - 1
Riverside Fire Protection District	\$	12,000.00	1 - 2
North Creek Fire Protection District	\$	30,000.00	1 - 1

AYE 4      NO 0

**Pottersville Garage:** Andrew deLivron read a prepared statement concerning Pottersville Garage and Roger Peet being allowed to operate as a junk yard without regard to local and state laws. Mr. deLivron noted that Mr. Peet has a NYS permit for a Casual Vehicle Collector's License. Mr. Leggett will check with NYS on the permits currently held. Mr. Packer will ask Walter Tennyson, Zoning Administrator to compile a list of actions he office has taken concerning this matter.

On a motion by Mr. Packer, seconded by Mrs. DuRose, meeting adjourned at 9:04 pm.

Respectfully submitted,

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Town Clerk