

**Regular meeting** of the Town of Chester Town Board was held on **May 10, 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, Steve Durkish, Karen DuRose, Craig Leggett and Attorney for the Town, Mark Schachner.

**RESOLUTION #89: ACCEPT MINUTES OF THE April 12, 2016 MEETING.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, accept minutes the April 10, 2016 meeting, as presented.

Karen DuRose abstained. AYE 4 NO 0

**Biomass Boiler Installation Bids:**

Bid #1: R F Gordon Mechanical, LLC, Wilton, New York \$154,790.00.

Bid #2: TFR Industries, Inc, Schenectady, New York \$106,500.00.

**RESOLUTION #90: ACCEPT LOW BID FOR THE BIOMASS BOILER INSTALLATION ON CONDITION OF APPROVALS FROM ENGINEERS AND ATTORNEY FOR THE TOWN.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, accept low bid for the Biomass Boiler Installation on condition of approvals from Engineers and Attorney for the Town.

AYE 5 NO 0

**Sand Bid:**

Bid: Berness Bolton Exc. Co. Inc, Brant Lake, New York \$4 per yard.

Jason Monroe explained the history of the pit.

**RESOLUTION #91: ACCEPT SAND BID FROM BERNESS BOLTON EXC. CO. INC. FOR \$4.00 PER YARD.**

Introduced by Mr. Packer, seconded by Mrs. Wells, Accept Sand Bid from Berness Bolton Exc. Co. Inc. for \$4.00 per yard.

AYE 5 NO 0

**Privilege of the Floor:**

Ed Griesmer stated the Loon Lake Boat Wash will be open May 15th - October 10th, 7 am to 7pm, seven days a week. Ed thanked Mr. Monroe for the new shed.

Toni Taverni is working with the Friends Lake Property Owners Association to determine the thresholds required by the Board for the possible formation of a Lake Management District in Friends Lake. Mr. Leggett read from the June 9, 2015 and the October 13, 2015 minutes pertaining to subject in question. A long discussion ensued.

**RESOLUTION #92: MOTION TO RECOGNIZE THE PROPOSAL FOR THE FORMATION OF AN AQUATIC PLANT CONTROLLED DISTRICT WHEN THE PROPOSING GROUP PRESENTS MORE THAN 50% OF THE PROPERTY OWNERS AFFECTED BY THE PROPOSED DISTRICT.**

Introduced by Mr. Leggett, seconded by Mr. Packer, motion to recognize the proposal for the formation of an aquatic plant controlled district when the proposing group presents more than 50% of the property owners affected by the proposed district.

AYE 5            NO    0

Al Muench, president of the Town of Chester Library Board of Trustees spoke about giving back to the community. They will be hosting a ice cream social July 6<sup>th</sup>, 10 am to 2 pm behind the Town of Chester Municipal Center.

Jim McDermott asked about how the Time Warner Cable Franchise money was being used. Jim asked if rebates were an option. Mr. Leggett specified that a 5% surcharge is added to every bill from Time Warner Cable.

**Old Business:**

**Time Warner Cable Franchise Agreement:** Supervisor Leggett discussed the contract.

Motion was made by Mr. Packer, seconded by Mrs. DuRose to renew the Time Warner Cable Franchise Agreement. Discussion continued over the contract. Motion removed.

**RESOLUTION #93: TABLE THE RENEWAL OF THE TIME WARNER CABLE FRANCHISE AGREEMENT.**

Introduced by Mr. Leggett, seconded by Mrs. Wells, table the renewal of the Time Warner Cable Franchise Agreement.

AYE 5            NO    0

**Loon Lake Constable:** Mr. Leggett presented a letter from the Warren County Civil Service Administration stating the part-time position remain classified as exempt. A job description and qualification for constable were given. Mr. Leggett will register the constable as a Peace Officer. Peace Officer training is required for the position of constable. The Peace Officer will be in uniform while on duty. Mr. Packer asked about jet skis on Loon Lake.

**RESOLUTION #94: TO FULFILL THE DUTIES OF LAKE CONSTABLE**

**WHEREAS, THE POSITION OF THE LAKE CONSTABLE IS VACANT DUE TO RETIREMENT; AND**

**WHEREAS, THAT POSITION REQUIRES THE TOWN OF CHESTER EMPLOYEES A QUALIFIED PEACE OFFICER WHOSE DUTIES INCLUDE TOWN CONSTABLE AND COURT OFFICER; AND**

**WHEREAS, THAT EMPLOYEE IS WILLING AND ABLE TO ACCEPT AND FULFILL THE EXTENSION OF DUTIES TO INCLUDE THOSE OF 'LAKE CONSTABLE; AND**

**WHEREAS, THE COMBINED DUTIES WILL REMAIN LESS THAN 20 HOURS PER WEEK AND THE POSITION IS AN EXEMPT CLASS AS DETERMINED BY THE WARREN COUNTY CIVIL SERVICE ADMINISTRATION;**

**BE IT RESOLVED TO APPOINT DAVID CAVANAUGH TO FULFILL THE DUTIES OF LAKE CONSTABLE FOR THE FISCAL YEAR 2016.**

Introduced by Mr. Leggett, seconded by Mrs. Wells, to fulfill the duties of Lake Constable

**WHEREAS,** the position of the Lake Constable is vacant due to retirement; and

**WHEREAS,** that position requires the Town of Chester employees a qualified Peace Officer whose duties include Town Constable and Court Officer; and

**WHEREAS,** that employee is willing and able to accept and fulfill the extension of duties to include those of 'Lake Constable; and

**WHEREAS,** the combined duties will remain less than 20 hours per week and the position is an exempt class as determined by the Warren County Civil Service Administration;

**BE IT RESOLVED** to appoint David Cavanaugh to fulfill the duties of Lake Constable for the Fiscal Year 2016.

The boat is paid for and will be docked at Loon Lake Marina.

AYE 5 NO 0

**New Business:**

**Committee Reports:**

**Town Clerk:** Letter of resignation from Kristena Sevie.

**RESOLUTION #95: ACCEPT KRISTENA SEVRIE'S LETTER OF RESIGNATION FROM THE BOARD OF ASSESSMENT REVIEW.**

Introduced by Mrs. Wells, seconded by Mr. Leggett, Accept Kristena Sevie's letter of resignation from the Board of Assessment Review.

AYE 5 NO 0

Supervisor Leggett will investigate if the Town could use the reverse 9-1-1 for boil water notices.

**Youth Commission:** Horicon has offered to have the swimming lessons at the Brant Lake Beach this year.

**Parks and Recreation:** Mr. Packer stated the need to keep track of budget.

**Timber Sale:** Revisions are done.

**Supervisor:** Mr. Leggett went to the Adirondack Park Local Government Day Conference in Lake Placid. Mr. Leggett and Mrs. DuRose met with two representatives from Frontier Communications. Mrs. DuRose discussed ways to improve internet speed.

**RESOLUTION #96: AMEND RATE OF PAY FOR LAKE CONSTABLE**

**WHEREAS, THE POSITION OF LAKE CONSTABLE IS VACANT DUE TO RETIREMENT; AND**

**WHEREAS, THE TOWN OF CHESTER EMPLOYS A QUALIFIED PERSON TO FILL THAT POSITION; AND**

**WHEREAS, THAT PERSON IS WILLING AND ABLE TO ADD THE DUTY OF LAKE CONSTABLE TO HIS DUTIES OF THE COURT OFFICER AND TOWN CONSTABLE AND IS PAID \$16.23 PER HOUR FOR THOSE DUTIES;**

**BE IT RESOLVED TO AMEND THE RATE OF PAY FOR LAKE CONSTABLE AS ADOPTED AT THE JANUARY 4, 2016 ORGANIZATIONAL MEETING OF THE TOWN BOARD TO BE \$16.23 PER HOUR.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, amend rate of pay for Lake Constable

**WHEREAS,** the position of Lake Constable is vacant due to retirement; and

**WHEREAS,** the Town of Chester employs a qualified person to fill that position; and

**WHEREAS,** that person is willing and able to add the duty of Lake Constable to his duties of the Court Officer and Town Constable and is paid \$16.23 per hour for those duties;

**BE IT RESOLVED** to amend the rate of pay for Lake Constable as adopted at the January 4, 2016 Organizational Meeting of the Town Board to be \$16.23 per hour.

AYE 5      NO    0

**RESOLUTION # 97: SET FEE FOR BOUNDARY LINE ADJUSTMENT**

**WHEREAS, FEES ARE SET FOR PARTICULAR PERMITS AND APPLICATIONS PROCESSED BY THE ZONING OFFICE; AND**

**WHEREAS, BOUNDARY LINE ADJUSTMENT REVIEW INCURS ADVERTISING COST AND STAFF TIME AND NO FEES HAVE BEEN SET AS OF THIS TIME**

**BE IT RESOLVED THAT THE APPLICATION FEE FOR BOUNDARY LINE ADJUSTMENT BE SET AT \$50.00.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, set fee for Boundary Line Adjustment

**WHEREAS**, fees are set for particular permits and applications processed by the Zoning Office; and

**WHEREAS**, Boundary Line Adjustment review incurs advertising cost and staff time and no fees have been set as of this time

**BE IT RESOLVED** that the application fee for Boundary Line Adjustment be set at \$50.00.

Al Muench is working with Jeremy Little for a new application for Boundary Line Adjustments.

AYE 5 NO 0

**RESOLUTION #98: AUTHORIZE KAREN GRIFFEN TO ATTEND THE NYS ASSOCIATION OF MAGISTRATE COURT CLERKS TRAINING IN POTSDAM, NEW YORK JULY 19TH AND 20TH AND COST FOR MEALS, ROOM AND MILEAGE WILL BE UNDER BUDGET CODE A1110.4.**

Introduced by Mr. Packer, seconded by Mrs. Wells, authorize Karen Griffen to attend the NYS Association of Magistrate Court Clerks training in Potsdam, New York July 19<sup>th</sup> and 20<sup>th</sup> and cost for meals, room and mileage will be under budget code A1110.4..

AYE 5 NO 0

Mr. Leggett received an e-mail from Jean Kubaryk asking for bottles from the transfer station for the month of May to benefit their trip to SUNY Plattsburgh.

**RESOLUTION #99: AUTHORIZE NORTH WARREN CENTRAL SCHOOL MAOS TO COLLECT BOTTLES FROM THE TRANSFER STATION FOR MAY 2016.**

Introduced by Mr. Packer, seconded by Mrs. DuRose, authorize North Warren Central School MAOS to collect bottles from the transfer Station for May 2016.

AYE 5 NO 0

**RESOLUTION # 100: AUTHORIZE SIGNING OF SECTION 984 / AGREEMENT TO SPEND HIGHWAY FUNDS**

**WHEREAS, SECTION 284 OF THE HIGHWAY LAW REQUIRES AN AGREEMENT BETWEEN THE TOWN BOARD AND HIGHWAY SUPERINTENDENT STATING THAT THE MONEY LEVIED AND COLLECTED FOR THE REPAIR AND IMPROVEMENT OF HIGHWAYS SHALL BE EXPENDED IN A DESIGNATED WAY; AND**

**WHEREAS, THE TOWN HIGHWAY SUPERINTENDENT HAS COMPLETED THE APPROPRIATE FORM THAT INCLUDES THE AMOUNTS APPROPRIATED FOR GENERAL REPAIRS (\$372,000 / BUDGET CODE DA 5112.2) AND SUFFICIENT**

**FOR CAPITAL IMPROVEMENTS (PROJECT A @ \$118,879.57 AND PROJECT B \$94,727.19 / BUDGET CODE DA 5112.2);**

**BE IT RESOLVE THAT THE TOWN BOARD AND SUPERVISOR AGREE AND SIGN THE FORM AND SEND A SIGNED COPY TO THE WARREN COUNTY DPW SUPERINTENDENT FOR APPROVAL.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize signing of Section 984 / Agreement to Spend Highway Funds

**WHEREAS**, Section 284 of the Highway Law requires an agreement between the Town Board and Highway Superintendent stating that the money levied and collected for the repair and improvement of highways shall be expended in a designated way; and

**WHEREAS**, the Town Highway Superintendent has completed the appropriate form that includes the amounts appropriated for General Repairs (\$372,000 / Budget Code DA 5112.2) and sufficient for Capital Improvements (Project A @ \$118,879.57 and Project B \$94,727.19 / Budget Code DA 5112.2);

**BE IT RESOLVE** that the Town Board and Supervisor agree and sign the form and send a signed copy to the Warren County DPW Superintendent for approval.

AYE 5 NO 0

**RESOLUTION #101: AUTHORIZE SIGNING OF RENEWAL OF LICENSE AGREEMENT WITH FRANCIS BECKMAN FOR USE OF CHESTER CHALLENGE TRAILS**

**WHEREAS, THE TOWN OF CHESTER ENTERED INTO AN ANNUAL LICENSE AGREEMENT WITH FRANCIS BECKMAN IN 2015 FOR USE OF LAND AS PART OF THE CHESTER CHALLENGE TRAIL SYSTEM; AND**

**WHEREAS, BOTH PARTIES AGREE TO CONTINUE THE LICENSE AGREEMENT;**

**BE IT RESOLVED THAT SUPERVISOR LEGGETT SIGN THE LICENSE AGREEMENT RENEWAL, SUBJECT TO REVIEW AND ADVICE OF THE ATTORNEY FOR THE TOWN.**

Introduced by Mrs. DuRose, seconded by Mr. Packer, authorize signing of renewal of license agreement with Francis Beckman for use of Chester Challenge trails

**WHEREAS**, the Town of Chester entered into an annual license agreement with Francis Beckman in 2015 for use of land as part of the Chester Challenge trail system; and

**WHEREAS**, both parties agree to continue the license agreement;

**BE IT RESOLVED** that Supervisor Leggett sign the License Agreement renewal, subject to review and advice of the Attorney for the Town.

AYE 5 NO 0

**RESOLUTION #102: AUTHORIZE SENDING TWO LIFEGUARDS TO WATER SAFETY INSTRUCTION COURSES, BUDGET CODE A7140.41.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, authorize sending two lifeguards to Water Safety Instruction Courses, budget code A7140.41.

AYE 5 NO 0

**RESOLUTION #103: AMEND 2016 BUDGET, INCREASE ESTIMATED REVENUES A2001 YOUTH FEES \$5,179.00 AND A2705.91 YOUTH DONATIONS \$305.00 TOTALING \$5,484.00 AND INCREASE APPROPRIATIONS A7310.4 YOUTH-CONTRACTUAL EXPENSES TOTALING \$5484.00.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, amend 2016 Budget, increase estimated revenues A2001 youth fees \$5,179.00 and A2705.91 youth donations \$305.00 totaling \$5,484.00 and increase appropriations A7310.4 youth-contractual expenses totaling \$5484.00.

AYE 5 NO 0

Mrs. Wells stated that Florence Converse was notified that her Animal Control is #1 in the State and has been invited to give a presentation on town shelters and adoptions at the NYS Ags & Markets yearly conference.

Mrs. DuRose asked if the Town would consider moving the portable speed limit sign at the bottom of Landon Hill in Pottersville.

**RESOLUTION #104: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.**

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

AYE 5 NO 0

General	\$ 40,241.23	165 - 223
Biomass	\$ 4,324.16	14 - 17
Highway	\$ 40,740.01	99 - 128
Chestertown Water	\$ 564.46	17 - 20
Pottersville Water	\$ 383.84	18 - 20
Library	\$ 1,137.27	9 - 13
Loon Lake Park District	\$ 22,440.00	4 - 4

On a motion by Mr. Leggett, seconded by Mrs. Wells, meeting adjourned at 9:32 pm.

Respectfully submitted,

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Town Clerk