

Regular meeting of the Town Board of the Town of Chester was held **August 14, 2012** at 7:00 p.m. in the Town Municipal Center, Chestertown, NY.

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

A moment of silence was observed in honor of the memory of Mr. Durkish's brother, Michael.

RESOLUTION #136: ACCEPT MINUTES OF THE JULY 10TH MEETING.

Introduced by Mrs. DuRose, seconded by Mrs. Wells, the Minutes of the July 10th meeting were accepted with corrections to Resolution #133 being made prior to the meeting.

AYE 4 NO 0

Privilege of the floor.

Mary Jane Dower, Don Butler, Linda Muench and Barbara Thomas all spoke regarding complaints that had been lodged as a result of the Chestertown Farmer's Market. Some of the issues addressed were parking on the grass, traffic flow on Route 9, blocking of the driveways, climbing on the Veteran's Monuments and Statue, picking of the flowers, and visibility of the Market, itself. Increased traffic into Chestertown has been accomplished, along with a boost to local businesses such as the Grand Union, and the local restaurants. Mrs. Dower stated that, to date, they have served 3,467 people. The Town Board feels that the Farmer's Market is a success, and it is good for the Town. Cones will be put out front to avoid any parking on Route 9.

Arnold Jensen mentioned that Loon Lake Golf Tournament had taken place featuring 144 golfers and raised more than \$3,500 for local charities.

He also mentioned that John Wolfe had contacted him with regard to buoys on the point in Loon Lake, and that there appeared to be a question as to who had authority to enforce location of floating objects. Mr. Monroe and legal counsel will check on how it is worded in the Zoning Local Law.

Bruce Robbins was questioning whether storm drain covers in the road would be raised up. The State is currently milling the road for repaving and have milled off about an inch and ½ of blacktop. He also inquired about curb painting at the end of his driveway for the Chester Inn. Mr. Monroe will speak with Jason about it.

Linda Muench asked about the one hour parking signs at the old Chester-Horicon Health Center location. Mr. Monroe believes that they

had erected the signs at the request of the Health Center when they were located there, and stated that the town should repeal it as the need for them has gone away. Signs will be removed.

Jim McDermott thanked Jason for installation of the new guard rails on Pine Street. He also asked about taking care of some of the drainage problems on Pine Street, possibly next year.

Ann Murphy questioning status of the Carboy house which is currently vacant. Mr. Monroe has had several conversations with the closest relative, encouraging him to administer the estate for reimbursement of the funeral expenses, to no avail. Then he went to the County Treasurer, who has authority to administer the estate, and to the County Attorney, who was working on the case, but then retired. We now have a new County Attorney who states that the relative is now working to administer the estate, and the intent is to clean it up and then try to sell it. It appears that the relative also has a substantial interest in the property, as he is also part owner.

Florence Converse, ACO, distributed copies of the postcards that will be sent out for the upcoming dog enumeration for the town. Florence also provided a form for adoption release, and inquired as to whether the form would cover the town as far as any liability is concerned. Legal counsel reviewed it, and thought that it was appropriate, just omitting the phrase (the municipality) in the Adoption Release, waiver and disclosure. Discussion on the fees, and it was recommended that it remain low, so that dogs could actually be placed, rather than euthanized, between \$25.00 and \$50.00. There are expenses involved with having a dog in the shelter, such as food, and trips 3 times a day to walk the animal. She added that we are required by law to keep a dog for 5 days, but the State would prefer we keep them for 7, the length of an average vacation. If a dog were to get loose while an owner was on vacation, it would be difficult to come home and find out that your pet had already been placed in another home.

RESOLUTION #137: APPROVE POSTCARDS FOR DOG ENUMERATION, THE DOG SEIZURE AND ADOPTION REPORT, AND SET THE ADOPTION FEE AT \$25.00.

Introduced by Mr. Monroe, seconded by Mrs. DuRose, approve the postcards for dog enumeration, and approve the dog seizure and adoption report, setting the adoption fee at \$25.00.

AYE 4 NO 0

Old business.

Dynamite Hill plan. We had received an updated report from Steve Ovitt regarding the upgrading of Dynamite, including a list of equipment that would be needed for the trail excavation. Barbara Thomas from the Chamber had talked with John West, and John was relatively sure that he might be able to borrow equipment from another town. Mr. Monroe had spoken with Wayne LaMothe, to be sure that we were okay as far as the grant was concerned. Mr. LaMothe stated that

there were a couple of things that Mr. Ovitt still needed to do. There needs to be a dollar amount stipulated, and to be sure that we are not over the competitive bid limit, we need to get approval from the Dept. of State. Therefore, we need a specified dollar amount, and a "not to exceed" amount. Once we get an okay from the Dept. of State, Jason thought we would be able to rent some of the equipment that will be needed. Mr. Ovitt had verbally quoted a time of about 10 days and a price of about \$4,500 which did not include the equipment cost. Mr. Monroe stated that we had a purchasing policy which did not require us to get multiple quotes for professional services, which this project falls under as professional trail development.

RESOLUTION #138: APPROVE TRAIL DEVELOPMENT BY STEVE OVITT, NOT TO EXCEED \$10,000, CONTINGENT ON DEPT. OF STATE APPROVAL UNDER THE GRANT.

Introduced by Mrs. Wells, seconded by Mrs. DuRose, approve the updated Park plan offered by Steve Ovitt, not to exceed \$10,000 for combined services, and the rental of equipment, as long as it is approved by Dept. of State under the grant.

AYE 4 NO 0

Further discussion, Mrs. Thomas stated that Kathy Varney was in the audience, representing the Healthy Heart program, and she thought that they could help with signage, trail markers and the kiosks.

Senior exemption Local Law. Attorney Schachner had provided the board with a draft copy of the proposal which basically applies to seniors over 65 years old, whose income does not exceed \$32,400 (the maximum) per year.

Mr. Monroe wanted to be consistent with the County, which has set the exemption for less than the maximum. The reason for this is to see how it would be affecting the tax revenues. If it is not a big impact, the limit can always be raised again.

RESOLUTION #139: AUTHORIZE CLERK ADVERTISE FOR PUBLIC HEARING ON THE SENIOR EXEMPTION PROPOSED LOCAL LAW.

Introduced by Mr. Monroe, seconded by Mr. Packer, authorize Clerk to advertise for public hearing on the Senior exemption proposed Local Law to be consistent with the County, such hearing to be held at the September 11th meeting at 7:00 pm.

AYE 4 NO 0

Street lights.

Still trying to set up a display to view the LED lights before awarding the bid for the streetlights. Behan Planning has talked with the bidder, and they are setting up a demonstration for the Board to view so that they will know if they want the LED lights or the High Pressure Sodium.

Mealsite floor.

Jason stated that the floor in the Mealsite has been completed.

Solar project.

We had gotten approval from NYS Energy Research Development Authority (NYSERDA) to expand the solar panels here at the town hall, at dynamite hill, and at the health center. Work has been done by Jason's crew digging the ditch for another 25KW's worth of panels for the town hall, and at the health center. Some of the panels have already arrived, so they will be working on increasing the capacity. Mr. Monroe has received a revised plan for dynamite hill, to be 3 sections of panels at ground level, instead of being located on poles, and to be situated at a 45 degree angle to Route 8. They would like the project completed before winter.

DOT response to signs.

Request for signs for gas, food and lodging has evoked no response, as yet from DOT.

Pine Street building demolition.

The bond resolution for demolition of the Pine Street building, which was subject to permissive referendum, was published 30 days ago, with the estoppel notice being published today, no petitions having been filed. Before proceeding, Mr. Monroe has been asked by the Board to pursue with the Department of Corrections, the possibility of having certified inmates remove the asbestos before demolition begins, which would further reduce the cost to the town and the taxpayers.

Mr. McDermott asked whether the property could be retained by the town and converted into a public parking area. At this point, this is a suggestion for the future, as there are many steps to take first.

House color regulation.

No discussion, no action taken.

Library doors.

The project for handicapped accessible doors for the library was bid out last year, and with the 2% tax cap for the budget, no action was taken. However, Jason has checked with the low bidder, Jim's Glass, and they are willing to hold their price. They will do both handicap accessible doors, the button, plus the Fire Escape door for \$7,600.

RESOLUTION #140: AUTHORIZE JIMS' GLASS TO INSTALL LIBRARY DOORS.

Introduced by Mr. Monroe, seconded by Mr. Packer, authorize Jims' Glass to install both handicap accessible Library doors, with button door opener, and Fire Escape door for \$7,600.

AYE 4 NO 0

Jason will contact Jim's glass to go ahead with the work.

Behan Planning:

We had had two bids for the new sign for the Town Hall, and one of the bidders had made some revisions for the sign. Mr. Monroe had forwarded his suggestions to Behan Planning for review on the specs, to see if there was anything we should do before taking the low bid. In the interim, the low bidder has made an appointment to discuss some suggestions for making the sign more maintenance free. Mr. Monroe and Jason will meet with him.

New Business:

RESOLUTION #141: APPROVE WARRANT FOR WATER DISTRICTS.

Introduced by Mrs. Wells, seconded by Mrs. DuRose, Warrant for Water Districts were approved. \$50,992 for Chestertown Water District, and \$26,544 for Pottersville Water District, for a total warrant in the amount of \$77,466.

AYE 4 NO 0

Workplace Violence Policy.

At the July meeting, the CSEA representative, Jamie Dunkley was appointed to be the employee representative for workplace violence. Needham Risk Management had signed a contract with the County, and part of their contract consists of helping towns with the policy. Initially they sent a questionnaire, and Mr. Monroe toured each town building with Mr. Dunkley and answered all questions on the survey, returning same to Needham Risk Management. All the recommendations and the policy they expect to have here by tomorrow, and a response will be sent to the Public Employee Safety and Health Administration by Monday.

Ratify agreement with C. T. Male for engineering services.

A proposal has been made by C.T. Male for removal of 2 waste oil tanks located at the Highway garage, (which have been there since 1984 without a problem), in the amount of \$9,642. Failure to comply in the tank removal could result in a **daily** fine from DEC in the amount of \$37,500. Mr. Monroe therefore signed an agreement with C.T. Male, because they are asking for immediate action, and he is asking the board to ratify that agreement.

RESOLUTION #142: RATIFY AGREEMENT WITH C.T. MALE FOR ENVIRONMENTAL ENGINEERS TO OVERSEE CLOSING OF THE TANKS.

Introduced by Mrs. Wells, seconded by Mr. Packer, ratify agreement with C.T. Male to have their Environmental Engineers oversee the closing of the tanks at the Highway garage.

AYE 4 NO 0

Cable TV Franchise.

Discussion on requesting use of cable TV franchise revenues for line

extensions. Town Counsel and Mr. Monroe had done some inquiring, and the Attorney General said yes, revenues could be used for line extensions, but the Comptroller said no they could not. Our existing franchise agreement says no. The money that we realize from the franchise agreement amounts to about \$40,000 per year, which is used to reduce taxes. Our town bookkeeper is adamantly opposed to redirecting the funds. In order to use the money for line extensions, we would have to have a new franchise agreement. In order to have a new franchise agreement, they require 35 houses per mile to extend a line.

Court Grant.

The Court has requested a resolution in order to apply for a grant through the State Justice Court Assistance Program (JCAP). Equipment and security items can be gotten, as well as some furniture for the office.

RESOLUTION #143: AUTHORIZE TOWN OF CHESTER JUSTICE COURT TO APPLY TO THE CHIEF ADMINISTRATIVE JUDGE FOR A GRANT OF STATE FUNDS.

Introduced by Mr. Packer, seconded by Mrs. Wells, authorizing the Town of Chester Justice Court to apply to the Chief Administrative Judge for a grant to assist in the operation of the Chester Justice Court.

AYE 4 NO 0

Ava Ashendorf.

Mrs. Ashendorf stated that she was working on the "white space" project for bringing Internet to unserved areas in the Adirondacks. Fred Engleman is the principal and brains behind the project. This is Mrs. Ashendorf's contribution to economic development in the Adirondacks.

She also stated that she is our appointed committeewoman to the GOP, trying to assist the constituents in getting to know the candidate Matt Doheney, and what he is all about. For the past couple of months he has been traveling the Adirondacks talking to businesses and wanting to know what can be done for the problems that they have. She thought that perhaps the town, the Chamber and she could have a conversation about this, but has learned that the Chamber does not get involved with anything political. Town counsel feels that the Town Board can not assist in this cause, as this is not a town issue, and Barbara Thomas, President of the North Warren Chamber suggested a newspaper article to get the information out.

Lifeguard

Mrs. Wells mentioned that Justine Monthony, one of this summer's Lifeguards, wanted reimbursement for her Certification for Life Guard Training. In return she will do WSI certification for next year, and be able to instruct in Water Safety.

RESOLUTION #144: AUTHORIZE REIMBURSEMENT OF LIFE GUARD CERTIFICATION FOR JUSTINE MONTHONY.

Introduced by Mrs. Wells, seconded by Mr. Monroe, authorize reimbursement to Justine Monthony in the amount of \$120 for her Certification for her life guard requirements for this year, and have her sign a contract that she will do Water Safety Instruction certification next year and work as a water safety instructor for summer of 2013.

AYE 4 NO 0

Karen DuRose

2013 Warren County Bicentennial committee asking for \$15,000 from bed tax money from the 2013 budget.

The Historical Society has timbers from the Darrowsville Church, and they need a place to store them. Asking if there was room in the building to store them. There is space in the former Sheriff's Office space, and Mr. Monroe mentioned that the re-use center is also looking to store their overflow somewhere, so the same space could probably be used. However, in the event that it is rented, the items will need to be moved. He will talk with Historical Society President Nancy Tennyson about the timbers.

RESOLUTION #145: AUTHORIZE PAYMENT OF ABSTRACTS AND CLAIMS PAID PRIOR TO AUDIT.

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

General Fund	\$ 62,335.55	(351-415)
Highway Fund	\$396,006.47	(175-199)
C'Town Water	\$ 608.84	(30-34)
P'Ville Water	\$ 522.10	(37-41)
Library	\$ 4,810.96	(30-43)
Loon Lk. Park Dist.	\$ 1,652.41	(4-7)
Schroon Lk. Park Dist.	\$ 318.56	(3-3)

AYE 4 NO 0

Pam Morin

Town of Lake George had fronted a grant to make possible a pamphlet entitled "Warren County, NY, The Hudson River Runs Through It." It is a teaching tool for area schools, and each township and the city of Glens Falls has a page. Every town is represented in the Lake George visitor's center Kiosk. A digital version will be provided to the town so that it may be added to our website. The funding was provided through DEC to the Town of Lake George in the amount of \$22,500.

Ms. Morin also mentioned that in December, the Warren County bicentennial souvenir booklet is being sponsored by the Post Star, and

would like a quote from each town as to many copies they would like to have.

On March 12th , each town within the County is asked to ring their bells at 2:00 p.m. That is the day that Warren County was incorporated.

On June 12th, there will be an official Warren County special meeting and reception at the Court House in Lake George, at about 2:50 pm outside on the lawn. Each town is asked whether they have a "character" (historical), that they would like to send for that day.

Also, any event in any town during 2013 having a theme for the bicentennial is asked to contact Ellen in tourism, so that it can be posted to the County website, which is then transferred to the I Love NY website.

Mrs. Morin would also like to come back next month seeking a resolution that the 2013 Summerfest be designated as a Chestertown History day. They will work with the Historian on this. They would also like their own souvenir such as a Post card done by Cate Mandigo which will have its own cancellation date at the Post Office.

On a motion by Mr. Packer, seconded by Mrs. DuRose, meeting adjourned at 8:50 p.m.

Respectfully submitted

Town Clerk