

**Regular meeting** of the Town Board of the Town of Chester was held **June 12, 2012** at 7:30 pm in the Town Municipal Center, Chestertown, NY.

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

A moment of silence was observed in memory of Julie Packer.

**Bids.** The bids for the Municipal Center Sign were opened at 7:02 pm.

1. Garnet Signs bid \$10,295.00.
2. BLI (Bader-Lueki Industries) bid \$14,966.00.

These plans will be evaluated before a choice is made.

The bids for the 2000 Sterling truck with Sander and plow were opened:

1. Ernest Clark bid \$7,200.00.
2. Village Truck Sales bid \$7,490.00.

**RESOLUTION #98: ACCEPT BID FROM VILLAGE TRUCK SALES FOR 2000 STERLING TRUCK.**

Introduced by Mr. Monroe, seconded by Mr. Durkish, accept the bid for the 2000 Sterling Truck from Village Truck Sales, Lanesboro, Massachusetts, in the amount of \$7,490.00.

AYE 4 NO 0

One bid was received for the Thermo-Home demolition:

The bid was for \$32,000.00.

Mike Sawyer from CT Male Engineers was in attendance, and he agreed to look the proposal over to see if it was acceptable. Mr. Monroe stated that the money to accomplish this demolition had not been budgeted, and the money would need to be borrowed to get the project done. He stated that due to the possibility of tanks being in the ground, town did not want to get into an incidence of ownership in order to avoid being in the chain of liability. He added that they would try to get a grant to have the tanks removed, and then go ahead and try to sell the property to recoup what it has cost the town.

Mr. Sawyer interjected that the proposal appeared to be in order, and the amount quoted was certainly reasonable.

**RESOLUTION #99: ACCEPT BID FROM JUPITER ENVIRONMENTAL FOR DEMOLITION OF PINE STREET BUILDING.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, accept bid from Jupiter Environmental for \$32,000.00 for demolition of the former Lincoln Log building located at 6 Pine Street.

AYE 4 NO 0

Discussion ensued regarding just taking the building down and not doing anything about the tanks. Mr. Schachner stated that there would need to be a Bond resolution for the loan, which would be subject to permissive referendum. It will probably be a two month process.

There will be additional engineering work to be done, so a bit more money than the amount of the bid will need to be borrowed.

**RESOLUTION #100: AUTHORIZE ATTORNEY FOR THE TOWN DRAFT A BOND RESOLUTION IN THE AMOUNT OF \$45,000.00**

Introduced by Mr. Monroe, seconded by Mrs. Wells, authorize Attorney Schachner draft a Bond Resolution in the amount of \$45,000.00 for the July 10<sup>th</sup> meeting.

AYE 4 NO 0

**RESOLUTION #101: ACCEPT MINUTES OF THE MAY 15, 2012 MEETING.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, Minutes of the May 15<sup>th</sup>, 2012 meeting were accepted, as presented.

AYE 4 NO 0

**Taylor Wastewater Variance hearing continuation.** Zachary Monroe from Cedarwood Engineering was in attendance to represent Mr. Taylor. He stated that he has been working with the Department of Health for this project, and the size of the tank and location of the wastewater field have been locked in. Easements have been obtained from the neighbors both from the south and the west, allowing them to put wastewater system and components closer to the property lines without needing a variance. They still need a variance from the building to the wastewater field, and from the building to the tanks. They have a 10 foot easement on the south side, and on the west side tanks are 2 feet from the property line, so they have an 8 foot easement there to give them the required 10 feet that they need. The closest the tank will be is 1 foot from the building, and the field will be 2'8" from the building, and at the request of the Health Department, they will be wrapping those two sides of the building with a 20 mil. thick HDP liner to prevent any seepage into the building. The Restaurant will have 80 seats, and the bedroom upstairs will have 2 bedrooms.

The variances therefore, are for 2'8" from the building at the closest distance to the wastewater field, instead of the required 20', and the second variance is from the required 10' from the building to the tank, down to 1' at the closest. The building was built in 1893.

No comments received from the public, public hearing was closed at 7:55 pm.

**RESOLUTION #102: APPROVE TAYLOR WASTEWATER VARIANCE CONTINGENT ON APPROVAL FROM DEPARTMENT OF HEALTH.**

Introduced by Mr. Monroe, seconded by Mr. Durkish, approval was given for the Taylor wastewater variance, as presented, contingent on

final approval from the Department of Health, based on the plans that have been submitted.

AYE 4 NO 0

**Privilege of the Floor:**

**Lake Stewards.** Ed Greismer, Loon Lake Park District, informed the board that one of the boys recommended for the position of Lake Steward for Loon Lake had to decline the position.

**RESOLUTION #103: ACCEPT RECOMMENDATION FOR HIRING OF LAKE STEWARDS FOR LOON LAKE.**

Introduced by Mr. Durkish, seconded by Mrs. DuRose, accept recommendation for hiring of Dalton Wilson and Dennis Kruithof for Lake Stewards for Loon Lake for the summer.

AYE 4 NO 0

**Arnold Jensen,** Lake Constable, informed the board that he had been able to purchase a boat for \$9,500.00. He stated that it runs very well. There was a rip in one of the seats that is being repaired right now.

**Linda Muench,** representing the Business Alliance, with regard to Business District signs at the corner of Rte.8 & 9, would like to add the words "Gas - Food - Lodging" underneath. Discussion over using the words or the universal symbols. Alliance prefers the words. Cost for the wording from Garnet signs is \$155.00, and for the international symbols \$140.

Mr. Monroe brought up the fact that he had contacted DOT with regard to additional signage requested by the Business Alliance, in particular using Exit 25 for Gore Mt., and had received a letter back, explaining that the destination signs for Gore Mt. were to use Exit 23 if Northbound, and Exit 26 if Southbound. These exits provide motorists with the shortest route in distance and travel time, as they are not in the habit of providing alternate routes. Additionally, the letter explained that there are gas, food, lodging and camping service signs on the mainline and ramps of I-87 at Exit 25, and green and white directional signs guiding motorists to the hamlet of Chestertown. There are also tourist oriented destination signs on Rt. 8 & 9, and a decorative sign identifying the Chestertown Business District. The NYS Scenic Byway program does not include Rte. 8 or Rte. 9 in the immediate vicinity of the hamlet as part of a scenic byway. However, this may change as part of the First Wilderness Corridor experience emerges.

Mr. Monroe feels that the International symbols would be a better choice as the dollar value declines, with more international visitors coming to the Adirondacks, making us a better choice for the money.

**RESOLUTION #104: APPROVE ADDITION TO SIGNS CONDITIONAL ON DOT**

**APPROVAL.**

Introduced by Mr. Monroe, seconded by Mrs. Wells, approve addition of "Gas - Food - Lodging" to Business District Signs at corner of Rte. 8 & 9, conditional on approval from DOT.

AYE 4 NO 0

**RESOLUTION #105: APPROVE TOWN BOARD MEETING START TIME AT 7:00 PM, AND LIMITATION OF 5 MINUTES PER PERSON DURING PRIVILEGE OF THE FLOOR.**

Introduced by Mr. Durkish, seconded by Mrs. DuRose, the time for the Town Board meetings to be changed to 7:00 pm from 7:30 pm, and limiting each speaker to five minutes per issue during privilege of the floor.

AYE 4 NO 0

Discussion over getting the Agenda for the meeting on the website earlier. Mr. Monroe explained that it is difficult when last minute issues are brought to his attention just before each meeting.

**Revisions to Animal Control Law.** Changes to Local Law #1 of 2010 with regard to the Animal Control and Dog Licensing Law were discussed.

Conditions and qualifications for employment for an Animal Control Officer requirements were listed from Sect. 5, with the following being *eliminated*:

- 5-b-3: NYS Trapping license;
- 5-b-4: Maintaining and wearing of such uniforms as designated by the Town of Chester by resolution;
- 5-b-5: Maintain and utilize paging or communication devices as provided or required by Town Board resolution;
- 5-b-6: ACO using a firearm in an emergency situation; and
- 5-b-7: Securing a license issued by DEC as a nuisance wildlife control officer.

To be *retained*:

- 5-a-1: Valid NYS Driver's License;
- 5-a-2: Be over 18 years of age;
- 5-b-1: Rabies pre-exposure vaccination; and
- 5-b-2: Satisfactory completion of courses held in connection with NYS Ags. & Markets. (note: Animal Control Academy was too expensive, and being held in California this year).

Discussion: Rabies shots given in a series of 3 at \$211.00 per shot.

**RESOLUTION 106: APPROVE RABIES PRE-EXPOSURE VACCINE FOR ANIMAL CONTROL OFFICER.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize ACO receive rabies pre-exposure vaccination.

AYE 4 NO 0

Further changes to Animal Control Local Law include changes to Section

11-2:

a. Fee for first seizure and impoundment to be assessed at \$20.00.

B. Second and further offenses to be assessed at \$50.00.  
If an appearance ticket is issued, the Judge may impose another fine on top of the impoundment fee.

**RESOLUTION #107: ACCEPT CHANGES TO ANIMAL CONTROL LOCAL LAW, AND SCHEDULE PUBLIC HEARING FOR JULY 10<sup>TH</sup> MEETING.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, accept changes to Animal Control Local Law 1 of 2010, and schedule public hearing for July 10<sup>th</sup> meeting.

AYE 4 NO 0

**Old business:**

**Senior exemption.** Discussion to hold a public hearing for the July 10<sup>th</sup> meeting at 7:15 pm to amend current Senior exemption FROM \$18,000 to \$24,000 to match Warren County's newly revised exemption.

**RESOLUTION #108: AUTHORIZE CLERK ADVERTISE FOR AMENDMENT TO SENIOR EXEMPTION.**

Introduced by Mr. Monroe, seconded by Mr. Durkish, advertise public hearing for July 10<sup>th</sup> at 7:15 pm to amend senior exemption to be identical to Warren County's newly revised Real Property Tax Senior exemption.

AYE 4 NO 0

**RESOLUTION #109: ADOPT WORKPLACE VIOLENCE POLICY.**

Introduced by Mr. Durkish, seconded by Mr. Monroe, adopt policy on violence in the workplace.

AYE 4 NO 0

**Award Streetlight contract.** Mr. Monroe has confirmed the Grant amount available is \$24,800 for materials, and \$12,000 for installation. Need to make decision on using LED's for new and existing lights. They will use 1/3 the wattage. High pressure sodium lights would require 150 Watts, whereas LED's would require 50 Watts, for a savings of 100 Watts per light.

The bid for 6 streetlights to go between Post Office and the Bank, at \$1,591 apiece would equal \$9,546.

For 6 LED lights, \$4,302.

For 10 replacement lamp heads (LED), \$8,200.

For 6 Banner arms for the new lights \$1,764.

Total for materials equals \$23,812. Additional wire and conduit would need to be purchased.

Discussion on banner arms for 9 of the existing utility poles, and 6 more for the existing lights in order to accommodate the banners proposed by the Tri-Lakes Business Alliance. John West stated that cost per each would be about \$85.00.

**RESOLUTION #110: AUTHORIZE PURCHASE OF 15 BANNER ARMS.**

Introduced by Mr. Monroe, seconded by Mrs. Wells, authorize purchase of 9 banner arms for existing Utility Poles, and 6 for the existing light poles.

AYE 4 NO 0

**RESOLUTION #111: AWARD BID TO WARREN ELECTRIC FOR STREETLIGHTS.**

Introduced by Mr. Monroe, seconded by Mr. Durkish, award bid to Warren Electric for 6 new street lights, 6 LED lamps for new lights, 10 LED lights to replace existing lamp heads, and 6 banner arms for a total of \$23,812.00. Choice of LED lamps to be contingent on seeing some already in place and in use.

AYE 4 NO 0

**Mealsite floor.** Mr. Monroe will check with Dept. of Health.

**Status of Veteran's Memorial project.** Making good progress between Jason & John's crews. Accolades also to Harry Balz who has coordinated the effort for this project. He has acted in the past as Clerk of the works for the new School, and also for the new Firehouse, and he is doing a terrific job here, along with all of our town work crew. Mr. Monroe mentioned that the volunteers on this project will act as match for the grant for the street light project which will save the town a lot of money.

**Solar project.** Mr. Monroe stated that we have approval from NY State Energy Research Development Authority (NYSERDA) for the solar project for each of our buildings to go to 50 KW, from 25 KW, which will save us more money. This will apply to the town hall, HHHN, and also Dynamite Hill with the Highway Garage going up to 29,130 watts, as they will not use 50 KW. (50 KW is actually 51,840 watts). Paperwork needs to be signed. The more we can get replaced by Solar, the more money we will save.

**RESOLUTION #112: APPROVE INCREASE ON SOLAR PROJECT FROM 25 KW TO 50 KW PER LOCATION.**

Introduced by Mrs. Wells, seconded by Mr. Monroe, approve the increase on the solar project from 25 KW to 50 KW for the Town Hall, HHHN, and Dynamite Hill, with the Highway Garage increasing to 29,130 watts.

AYE 4 NO 0

Mr. Monroe stated that some vandals had smashed two of our solar panels located at the cemetery. Some of the conduit has to be dug up as well, since stone had been stuffed into it. An investigation is in progress.

**Lifeguards.** Four more applications have been received. Two of the

applicants have not yet received Certification, and two may be just 16 years old. Mrs. Wells announced that there will be no swim lessons given this year, and they would like the beach to be closed at 5:00 pm.

**RESOLUTION #113: APPROVE HIRING OF APPLICANTS FOR LIFEGUARD CONTINGENT ON CERTIFICATION, AND CHANGE BEACH HOURS.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose, approve hiring of 4 new lifeguards, contingent on Certification, and change hours that the beach will be open, from 10:00 am to 5:00 pm.

AYE 4 NO 0

**New Business:**

**Barbara Thomas & Steve Ovitt re: Plan for Nature Trail.** Mrs. Thomas and Mr. Ovitt were in attendance to explain the proposed plans to begin work on the Caroline Fish Nature Trail to connect it to the Dynamite Hill Recreation area. The plans include: completion of a multi-use trail from the Landon Hill access to the top of the Ski slope; construct a single track trail to create a loop in the trail system; construct two trailheads - one at the Chamber office on Dynamite Hill, and a second at the Landon Hill Road trail access; install a Kiosk at each trailhead; develop signage for the recreation area and trails; construct a lean-to on the summit of Dynamite to create a trail destination; create a site plan for and develop a picnic area at the Landon Hill Road trail access. Long term goals are to create a hardened multi-use trail connection in park lands in the area of the existing snowmobile trail to the street light on Route 8; create a hardened multi-use trail connection with the School via a hardened trail on State DOT lands that bridge the brook behind the Little League field and crosses St. Rte. 8 west of the school bus garage, then continues east to the school on the south side of Rte. 8; then create multiple single track mountain biking, skiing and hiking trails that loop off of the Caroline Fish Trail.

They will first brush the trails, then walk them, with the trees being cut before excavation being done last. Monies from the grant cannot be spent until January 1<sup>st</sup> of 2013. Barbara, Steve and the other volunteers will meet and plan with Wayne LaMothe. Board wants to keep communications open with Mr. Ovitt, as they value his expertise on this project.

**RESOLUTION #114: AUTHORIZE CHANGE IN FOOD PANTRY HOURS.**

Introduced by Mr. Monroe, seconded by Mrs. Wells, on a request from Amy Culver, approve change of hours for the Food Pantry to 10:00 am until 2:00 pm, instead of from 11:00 am to 3:00pm.

AYE 4 NO 0

**Color concrete.** The Veteran's do not want color on their part of the concrete. The town has also decided not to use color. Issues at hand are color variation between loads during the pour; impact of salt on the color, and possible problems matching color in the future if

patching is necessary.

**Cemetery markers.** Mountain View Memorials has notified the town that the cost of the corner posts will be increased considerably due to production costs.

**RESOLUTION 115: APPROVE INCREASE OF PRICE OF CEMETERY CORNER POSTS TO \$145.00.**

Introduced by Mrs. DuRose, seconded by Mrs. Wells, approve increase in price of Corner Markers for the Cemetery to \$145.00.

AYE 4 NO 0

**RESOLUTION #116: AUTHORIZE COURT CLERK TO ATTEND CLASSES IN POTSDAM.**

Introduced by Mrs. DuRose, seconded by Mr. Monroe, authorize Court Clerk Karen Griffen to attend Court Clerk classes in Potsdam from July 23<sup>rd</sup> to July 25<sup>th</sup>. All necessary expenses for same to be a lawful claim against the Town of Chester.

AYE 4 NO 0

**RESOLUTION #117: AUTHORIZE IN-HOUSE TRAINING FOR TOWN CLERK FOR WATER PROGRAM.**

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize Town Clerk to have BAS come for on-site training on the water program. The cost will be \$880.00 plus travel expenses for one day.

AYE 4 NO 0

**Veteran's request for concrete walkway.** The Veteran's have requested a 6 foot concrete walkway from the Veteran's monument to the north driveway to accommodate anyone handicapped or in a wheelchair. The board feels that this is a good idea.

**Request for house color regulation.** Mrs. Mary Jane Dower brought up the issue of the "stripe painted" house in the Town of Horicon. There is no provision in our Zoning Local Law for house color, and she thought perhaps something could be added to require that a house color "conform to the neighborhood." In order to do that, Mr. Schachner explained that the town would have to create an architectural review board which would have discretion over what is or is not compatible to the neighborhood. He also feels that the issue could be fraught with peril, and he gave some practical examples. The board agreed to think about it, as it is not a black and white issue.

**Connection to Solar.** The Municipal Center will be shut down on Saturday, June 23<sup>rd</sup>, after the Library is closed, in order to convert the building from electricity to solar.

**League of Blue Line Voters.** The League of Blue Line Voters have asked for permission to use the auditorium for the Matt Doheney meeting to be held on June 18<sup>th</sup>.

**RESOLUTION #118: APPROVE USE OF AUDITORIUM FOR DOHENEY MEETING, AND ESTABLISH EQUAL OPPORTUNITY POLICY.**

Introduced by Mr. Monroe, seconded by Mrs. DuRose, approve use of auditorium for the Matt Dohene meeting and establish a policy of equal opportunity for other candidates to use it for separate meetings.

AYE 4 NO 0

**Grant application for storm water, erosion control and economic development for Schroon Lake.** We had applied for a grant for the Schroon Lake water quality improvement program, which was very successful. They have now asked us to apply for another grant for which they will supply the match, in the amount of \$324,000 for storm water, erosion control and economic development for the Schroon Lake region. Warren County Soil & Water would administer it. Grant application deadline is July 16<sup>th</sup>.

**RESOLUTION #119: AUTHORIZE \$324,000.00 GRANT APPLICATION FOR STORM WATER, EROSION CONTROL AND ECONOMIC DEVELOPMENT FOR SCHROON LAKE.**

Introduced by Mr. Monroe, seconded by Mrs. Wells, authorize \$324,000 grant application for storm water, erosion control and economic development for Schroon Lake region. Warren County Soil & Water to do the grant application.

AYE 4 NO 0

**Automatic door opener.** Tabled.

**Replace Simplicity Mower.** The Simplicity mower for Parks & Rec. had caught on fire when the bearing shaft had seized up, overheated, and ignited the deck. John West reported that the estimated cost for repairs to it would be about \$800.00. He also expounded on the various other repairs that have been done to it and added that it is not a commercial mower, and could not withstand the demands made of it. They mow 18 cemeteries, the Town Hall, Dynamite Hill, around the Business signs, the Health Center, and the park and the playground in Pottersville.

Discussion on 2 proposals for the same mower under State Contract. The difference between them was that one had an 8 bushel bagger, and the other had a 14 bushel bagger. John stated that the 14 bushel bagger would allow for fewer dumps, having extra capacity. We have received two different quotes from two different dealers, and both were State Contract.

**RESOLUTION #120: AUTHORIZE PURCHASE OF MOWER WITH 14 BUSHEL BAGGER UNDER STATE CONTRACT.**

Introduced by Mr. Monroe, seconded by Mr. Durkish, authorize John to purchase a new mower with a 14 bushel bagger under correct State Contract price.

ROLL CALL VOTE:

Mr. Monroe - YES  
Mrs. DuRose - YES  
Mr. Durkish - YES  
Mrs. Wells - ABSTAIN

**Bill Orluk** has been a mainstay in the Town of Chester, and lately he has been sent to other facilities outside of town. The town has never interfered with the operation of Hudson Headwaters Health Network before, but the town appreciates Bill's care and concern for the people of the town, and would like him to remain here. Mr. Monroe would like to draft a "feel good" letter of resolution to keep Bill here, having no authority to insist in the matter.

**RESOLUTION #121: AUTHORIZE SUPERVISOR DRAFT RESOLUTION IN SUPPORT OF KEEPING BILL ORLUK LOCAL.**

Introduced by Mrs. Wells, seconded by Mrs. DuRose authorize Supervisor to draft a resolution in appreciation of the care that Bill Orluk provides to the community through HHHN.

AYE 4 NO 0

**RESOLUTION #122: AUTHORIZE PAYMENT OF ABSTRACT AND CLAIMS PAID PRIOR TO AUDIT.**

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

General Fund	\$35,991.18	(232-292)
Highway Fund	\$29,794.82	(123-143)
C'Town Water	\$ 4,765.02	( 21-26 )
P'Ville Water	\$ 2,774.97	( 28-33 )
Library	\$ 942.89	( 20-24 )
Loon Lk.Pk.Dist.	\$ 3,500.00	( 2 )

AYE 4 NO 0

On a motion by Mr. Monroe, board adjourned at 10:00 pm.

Respectfully submitted,

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Town Clerk