

Regular meeting of the Town of Chester Town Board was held on **March 11, 2014** at the Town Municipal Center, 6307 State Route 9, Chestertown, NY.

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

RESOLUTION #33: ACCEPT MINUTES OF FEBRUARY 11TH MEETING.

Introduced by Mrs. DuRose, seconded by Mrs. Wells, accept Minutes of the February 11th meeting, as presented.

AYE 5 NO 0

Privilege of the floor. No one spoke.

Old Business.

Pellet boiler. Rick Handley, of Rick Handley & Associates was on hand to discuss a comparison of finance options with the Board.

Each payment option would be for a period of 10 years, except for the last one, which would run a period of 12.5 years.

USDA community Facilities Program (with USDA grant, Northern Forest Center {NFC} Grant, and capital contribution): \$219,804.

NY Power Authority (NYPA) Energy Services Agreement (No grant, no capital contribution): \$259,790.

NYPA Energy Services Agreement (With NFC Grant and Capital budget contribution): \$226,900.

NYPA Energy Services Agreement (With NFC Grant and Capital budget contribution): \$229,325.

Estimated total project costs projected as: \$216,000-\$245,000.
Consisting of:

Engineering & Design	\$40,000-\$47,000.
Equipment	\$120,000-\$130,000.
Labor	\$50,000-\$60,000.
Administration	\$6,000-\$8,000.

Additional notes:

Engineering tasks would include other building improvements including design proper abandonment of underground coal storage bin.

Budget estimates include other building improvements & options, such as:

- Replace condensate pump & tank
- New sump and emergency backup

Basement dehumidification
New boiler room lighting
Code upgrades.

The USDA application process has already been completed, and the Engineers have already begun their work. Discussion ensued over the best possibilities. Mr. Monroe stated that a bill for legislation to amend the finance laws to increase the length of repayment of a loan was in the offing.

RESOLUTION #34: MOVE FORWARD WITH USDA FINANCING.

Introduced by Mr. Monroe, seconded by Mr. Packer, move forward with the USDA financing for the pellet boiler project.

AYE 5 NO 0

Further discussion ensued over resolutions requesting legislative bills for amendment of Local Finance Law regarding biomass boilers. Will need some further study and discussion.

Loon Lake Dam Engineer.

Supervisor Monroe stated that the engineer for the Loon Lake Dam wanted to wait until better weather to come up and assess the dam.

Sand Pit.

Engineers have done test borings at the sand pit on Route 9, opposite the Golf Course. The analysis shows an estimated 190,000 yards of material there, with only about 10% non-usable for road sand, being topsoil. Jason Monroe, Highway Superintendent stated that we have used about 16,000 yards of material this year, and based on last years price of \$6.00 a yard, would cost us \$96,000 to replace it. During a normal winter season, we use about 10,000 yards. Over a 19 year life expectancy of the pit, the town would realize a savings of approximately \$1,139,725 at the going price. Site distance for ingress and egress, both north and south are good, so that trucks can come and go with no problem, and the material is good coarse product.

RESOLUTION #35: PROCEED WITH PURCHASE OF SAND PIT.

Introduced by Mrs. Wells, seconded by Mr. Durkish, based on Engineer's report, proceed with purchase of sand pit.

Polling Place.

Board of Elections has changed our polling place from the Town Hall (due to lack of space), to the Chestertown Fire House for all Districts.

Town Website.

Jeremy Little has completed work on the new Website for the Town of Chester. The Board was very pleased with the result.

New Business:

Cathy Varney for Healthy Heart.

Creating Healthy Places to Live, Work and Play is a NY State Department of Health grant which has been awarded to Glens Falls Hospital. The goal of the program is to increase opportunities for physical activity and healthy eating in our local communities.

Cathy Varney in attendance to explain to the Board that select communities and schools have an opportunity to participate in a Healthy Community Mapping Project. The goal of the project is to identify where healthy community assets already exist and to create a plan to strategically expand this network of assets in order to build a community that supports healthy behaviors.

Participating municipalities and schools will receive technical assistance and up to \$25,000 (\$10,000 school & \$15,000 town) of funding to help build upon existing healthy assets to create a model healthy community. Copies of sample mapping of the Town of Warrensburg were provided to the Board. Mr. Monroe stated that it ties in with a Grant that we have from the Dept. of State to do a recreation plan, which we have already started on, with a committee in place that are identifying all the recreational areas within the town.

RESOLUTION #36: APPROVE PARTICIPATION IN THE WARREN COUNTY HEALTHY COMMUNITY MAPPING PROJECT.

Introduced by Mrs. Wells, seconded by Mr. Packer, approve participation in the Warren County Healthy Community Mapping Project.

AYE 5 NO 0

Ben Thomas, DEC regarding Hudson River Forest Preserve access.

Mr. Thomas from DEC Warrensburg was in attendance to speak with the Board regarding the Hudson River Forest Preserve access. Mr. Monroe reminded the Board of the State's intention a few years ago to buy Finch property from the Nature Conservancy, and we, as a Town, had held several hearings on it, and originally, had vetoed it. The only objections heard were from residents on the Campground road in Riparius. This involves the area along the Hudson River, and access to it. We had withdrawn the veto, agreeing that public parking access to the Hudson River tract would not be via the East Hudson River Campground Road. DEC would be working with designated Town Officials to identify an appropriate access point to allow the public to recreate on the Hudson River tract, while minimizing impact on nearby neighbors.

Mr. Thomas explained that the State owns about 800 acres that adjoins the Palmer Pond State land parcel. They have two ROW's to the parcel, one being north of Campground Road. The Town has property that ends about 1500 north of the State owned parcel, and the State ROW goes from the end of that Town owned road to the property. Off Friends Lake Road, there is a shared ROW. The State has a ROW to get to that

parcel, and the other ROW extends to a private property owner, who also has a right to use it to access their parcel. The State is trying to locate an area suitable for parking for public access. The parcel is not classified yet, until it goes through the APA process. It may be part of the Lake George Forest parcel.

They would like to provide public access somewhere along the periphery of the unit. There are a couple of private easement camps (from former Finch Pruyn property leases), which have a 1 acre envelope around them until 2018. They would like to develop a parking area that would not block the road, and are hoping that the Town might possibly plow it, which would allow the Town a greater area to turn the trucks around than currently exists. Access easement for the Town may be in the deed, in which case there could be an agreement between DEC and the Town to maintain it. DEC is just trying to work with the Town and develop something workable for all. With no opposition, it would make sense to use the area north of the Campground Road. Possibly a trial basis could be instituted to determine what kind of use it might receive. They look forward to developing a network of trails, using some of the former logging roads, etc., that already exist. Discussion also about having access close to the Riparius Train Station which could draw hikers to the area, as well.

RESOLUTION #37: AUTHORIZE HEARING BE HELD FOR APRIL MEETING FOR PUBLIC INPUT REGARDING ACCESS TO STATE OWNED LAND.

Introduced by Mr. Monroe, seconded by Mrs. Wells, authorize a public hearing to be held regarding this land now owned by the State of New York to determine location of public access area, formerly approved in 2008 not to be located on Campground Road.

AYE 5 NO 0

Craig Leggett regarding Sullivan Pond property.

Mr. Leggett in attendance to discuss the Sullivan Pond property, currently listed for sale, as a potential community Forest and Recreational Area. He explained the physical features, the recreational features, the economic features, and the value as a community forest/recreational land. The different options for acquiring the land would be to receive it as a gift, public/private partnership created to purchase/maintain the land, or Conservation easements granted to local entity, (such as Town, Conservation Club, etc.). Fountain Lands actually has it for sale.

Mr. Leggett explained that it is 341+ acres of forest land, and should be of interest to the Town, as they are interested in logging some of their property, and also instituting the use of a Biomass heating system in the Town Hall. Mr. Leggett believes it has the potential to make Chestertown a recreational destination. It is an ecologically sensitive area to Friends Lake, securing the important watershed source. It might also be beneficial for an Industrial use to Peckham's. The Town will contact Mrs. Garatziotis in the event she

may consider gifting it to the Town.

Barbara Boggia.

Mrs. Boggia stated that her property on the Stock Farm Road is still farmed, that hay is cut there, and her ex-husband grazes his cows and horses there. She added that an area had been cleared and worked by Jack Leggett, to produce an organic market garden. Mrs. Boggia went ahead and put in for a greenhouse through USDA. She has the building in her barn, but the project for the market garden never came to fruition. She has asked the Board for ideas as what to do with it, as the greenhouse must remain on her property for four years, after which someone could take it away. No ideas were forthcoming, but the Board would think about it. She does not want any liability, but would gift the use of the land, if someone was interested, otherwise she might have to return the greenhouse.

Committee Reports:

Youth report by Mrs. Wells. She stated that a meeting was held a week ago, and year end report was submitted, showing 684 kids taking part. Mindy Conway, Youth Director, will be sponsoring the prom dress give-away again this year in April. Bill McGhie told Mrs. Wells that AIM was going to be on Schroon Lake on 6/18, 7/16, 7/30 and 8/13. Mrs. Wells added that she stopped in the Assessor's Office and Marion told her that everything was going well there, and she also got a report from Zoning Administrator Walt Tennyson that everything was also well with the Zoning office. She hasn't had time to review with the Health Center yet, but they had received some bad information that we were not taking care of things there. Mrs. Wells told them that everything was still being taken care of, just that different people were doing different things.

Mr. Monroe stated that we had received a plan from the architect regarding repair or replacement of the sidewalks at the health center. To be discussed by the Board.

Further discussion involved our employees moving cars for the Health Center employees when they plowed, and for the moving the County cars in our parking lot when they plowed. Suggested to have HHHN employees park on the north side in the a.m., and move to the south side in the p.m. so both sides of the lot can be fully cleared during a storm. Additionally, employees should not be allowed to move the County cars.

Mr. Packer stated that 2 of the loggers were supposed to get in touch with him by this date, but had failed to do so. He had received a proposal by Benchmark Forest and Land Management.

Mrs. DuRose had checked with both the landfill and highway departments, both were quiet.

North Country Arts Center.

Fred Holman, President of the North Country Arts Center, has added a juried student program: "Youth Visions" exhibit for area high school students in the North Country. He has requested a \$250 donation from the town toward sponsoring the publicity. It was suggested he also contact the Town of Horicon for a donation.

RESOLUTION #38: AUTHORIZE \$250 DONATION TO JURIED ARTS PROGRAM.

Introduced by Mrs. Wells, seconded by Mr. Durkish, approve \$250 donation toward publicity for the Youth visions juried arts program exhibition.

AYE 5 NO 0

Composting.

Ruth Lamb is sponsoring a seminar on composting at DEC in Warrensburg on April 4th, and has requested \$100 from the town. Mr. Monroe would like John West to attend.

RESOLUTION #39: AUTHORIZE \$100 DONATION FOR COMPOSTING SEMINAR.

Introduced by Mrs. Wells, seconded by Mr. Durkish, authorize \$100 to help sponsor composting program at DEC.

AYE 5 NO 0

Dynamite Hill.

During the 52 year celebration of Dynamite Hill, Senator Little informed George Stannard that there is a source for a grant for cushioning on the rope tow poles. Mr. Hilton will pursue this on behalf of the town, through the Rotary.

Scuba Divers.

The only prevailing wage rate that we can find for our diver's (for the milfoil), is over \$55 per hour. The companies paying the diver's who hand pick the milfoil are paying about \$15 per hour. It is suspected that they do not have a category for diver's who only go down about 10 feet, and the prevailing wage rate is probably for industrial divers who go into 3 foot drain pipes, or for bridge footings, etc. which is a lot more hazardous than diving for milfoil.

Attorney for the Town, Mark Schachner, will look into means of having NYS Dept. of Labor review the prevailing wage rate for divers.

Invasives funding from Warren County.

Ed Griesmer, President of Loon Lake Park District Association, was at the meeting where funding for invasive species was discussed. In last years budget, \$300,000 was earmarked, with \$150,000 designated for Lake George, and \$150,000 for other bodies of water in Warren County. It will be dispensed as \$41,666 for Town of Chester, Loon Lake, \$41,666 for Town of Horicon, Brant Lake, \$41,666 for Lake Luzerne, and \$25,000 for Town of Queensbury for Glen Lake.

Mr. Monroe feels that the monies for our Town could best be utilized by expanding the hand harvesting of the milfoil program, so that we can really get it knocked back, thus lowering the cost for future years. Ed Griesmer agrees.

Loon Lake Boat Inspection Program.

Ed Griesmer explained that he had had the opportunity to work closely with both boat wash attendants last year as the inspection program was developed and implemented. Looking to refine the program this year, the boat attendants suggested that they could assume the responsibility that was given to the Lake Stewards last year, and the Lake Steward positions would be eliminated, saving the Town about \$9000. The response from the boating community was very positive and cooperative with the inspection program, due to the manner in which it was presented by the boat wash attendants.

A tagging system will be implemented this year with the support of the local Marinas. Boats that have been stored outside through the winter would be invasive free, and volunteers would like to tag those boats with a green seal that goes from the bow ring to the trailer, and any boats with that seal will be recognized as invasive free, as long as they are not put into another body of water. Boats coming out of the lake will be inspected again, to be sure they are drained and dry, and will be sealed again. If it comes back from another location with a broken seal, it will be washed again. Attendants will be serving as initial greeters, performing boat inspections, and providing aquatic invasive species (AIS) information. The attendants will be receiving additional training regarding the inspector process prior to May 15th.

The launch area is a key point to control invasives in the lakes. The Lake George Park Commission would recognize our stickers, as long as they know that our attendants have been trained correctly, and that we have followed procedures to protect the waters. Green tags (saying "Loon Lake") will be put on frozen boats, and red tags would be on boats that have come out of Loon Lake, and are going back in Loon Lake. Lake George will not recognize the red tags but would require those boats be inspected before going in their lake. The LG Park Commission will put this inspection/tagging process information on their website, and also on the Town's.

We had advertised for boat wash attendants, and we received 22 applications. Discussion to take place in executive session regarding hiring.

Lifeguards.

Youth Director said she had enough Life Guards, but we need someone who is certified to give swim lessons. The Town will pay for someone to become certified.

RESOLUTION #40: AUTHORIZE CLERK ADVERTISE FOR CERTIFIED SWIM INSTRUCTOR.

Introduced by Mrs. Wells, seconded by Mr. Monroe, authorize Clerk advertise for certified swim instructor or pay for someone to become certified.

AYE 5 NO 0

RESOLUTION #41: 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.

General Fund ~	\$110,845.33	(058-109)
Highway Fund ~	\$219,139.01	(036-068)
C'Town Water ~	\$ 1,045.67	(7-9)
P'Ville Water ~	\$ 274.01	(6-9)
Library ~	\$ 2,574.36	(2-6)

<u>2013</u>		
General Fund ~	\$ 7,261.96	(641-643)
	AYE 5 NO 0	

RESOLUTION #42: AUTHORIZE CLERK ADVERTISE FOR BOAR POSITION AND PUT ON WEBSITE.

Introduced by Mr. Monroe, seconded by Mrs. Wells, advertise for Board of Assessment Review member to fill vacant position. Advertise in Adirondack Journal, and put notice of vacancy and available position on website.

AYE 5 NO 0

RESOLUTION #43: AUTHORIZE ZONING CLERK ATTEND NY PLANNING FEDERATION CONFERENCE.

Introduced by Mrs. Wells, seconded by Mr. Packer, authorize Zoning Clerk Jeremy Little attend the NY Planning Federation Conference in Saratoga on March 31st and April 1st. All necessary expenses for same to be a lawful claim against the Town of Chester.

AYE 5 NO 0

Town Equipment.

In July of 2013, town had requested bids on some equipment that was no longer of use to the town. Some items were sold, some remained. Second bid requested on October 8th of 2013 for an 8' Snow Way plow, a Wonder Wheel blower, and a Stihl backpack. The bid was awarded in October for all three items, but the successful bidder never came forward to pay for and claim the items. Clerk had been in phone contact with said person, but received no clear response of his intentions. In the interim, a local resident had inquired whether he could pay the price that was awarded for both the blower and the backpack as he noticed they had remained unclaimed. The board decided

to allow the original bidder an extension to claim the items, or we would sell them to this interested party.

RESOLUTION #44: ALLOW AWARDED BIDDER OF TOWN EQUIPMENT EXTENSION TO APRIL 1ST TO CLAIM ITEMS OR THEY WILL BE SOLD.

Introduced by Mr. Monroe, seconded by Mrs. Wells, contact awarded bidder, giving him until April 1st to purchase town equipment, or items will be sold to interested party at the price that had been bid.

AYE 5 NO 0

MOAS.

Mrs. Wells stated that MOAS had requested bottles and cans from the landfill for March, April and May.

RESOLUTION #45: APPROVE MOAS TAKE BOTTLES AND CANS MARCH, APRIL AND MAY.

Introduced by Mrs. Wells, seconded by Mr. Monroe, approve MOAS take bottles and cans from landfill for March, April and May if no one else is scheduled for them.

AYE 5 NO 0

RESOLUTION # 46: AUTHORIZE ANY BOARD MEMBER TO ATTEND LOCAL GOVERNMENT DAY IN APRIL.

Introduced by Mr. Monroe, seconded by Mr. Packer, authorize any Board member who wants to, or Zoning Office employee, to attend Local Government Day in Lake Placid in April. All necessary expenses for same to be a lawful claim against the Town of Chester.

AYE 5 NO 0

Barbara Boggia.

Ms. Boggia explained that the ditches along her property edge were filled with burdock and thistle. She has requested the town mow the ditch, as had been done for several years in the past. Between the Town Roads and the County roads where we have contracts, we have 120 miles, or, mowing both sides of the roads, 240 miles. We cannot mow everyone's ditches every year. County Highway Superintendent Jeff Tennyson had said that we could mow up to six feet off the road, but we were not required to. Mr. Monroe will check on the legalities of doing such a thing. Lengthy discussion ensued. Attorney for the Town Mark Schachner explained that "regardless of what prior Town Highway Superintendents did or did not do, we, by law, have certain limitations as to what we should be doing with Town equipment and with Town personnel. I think the limitations are exactly as the Highway Superintendent has discussed. You haven't heard him say that you can't do this yourself if you want to on your property, but I think you heard him say if you wish to do this yourself on your own property, help yourself. But what I think you heard him say, and appropriately so, and as the Town's legal counsel, I'm going to back him to the hilt on this, is that it's not appropriate for him to expend Town resources, Town personnel, Town equipment and the like on

this exercise..." Mr. Monroe will look into the legal aspects of this.

Executive session.

On a motion by Mrs. DuRose, seconded by Mr. Monroe, Board went into Executive session at 9:40 pm to discuss hiring of boat wash attendants, and work history of an employee.

On a motion by Mr. Monroe, seconded by Mr. Packer, Board out of Executive Session at 10:12 pm.

RESOLUTION #47: HIRE STEVE SMITH AND NICK BONAVIDA AS BOAT WASH ATTENDANTS.

Introduced by Mrs. Wells, seconded by Mr. Durkish, motion to hire Steve Smith and Nick Bonavita as boat wash attendants for 2014 season.

ROLL CALL VOTE:

Mrs. Wells	YES
Mr. Durkish	YES
Mr. Monroe	YES
Mr. Packer	OPPOSED
Mrs. DuRose	ABSTAIN

On a motion by Mr. Monroe, seconded by Mr. Durkish, meeting adjourned at 10:15 pm.

Respectfully submitted,

Town Clerk