CALL TO ORDER
The meeting was called to order by First Selectwoman Gister at 7:02 PM. In attendance included: First Selectwoman Gister, Selectwoman Janecek, Selectwoman Linn, and an audience of approximately 15 citizens.

APPROVAL OF DECEMBER 14, 2016 MEETING MINUTES
Charlene Janecek made a motion to approve the minutes of the 12/14/16 BOS meeting as amended. Carolyn Linn seconded the motion. The motion passed unanimously.

Amendments:

Page 1:
In the bulky waste section, the second line of the second paragraph should read “Chester may be paying for services they do not use.”

In the section of the minutes discussing the noise ordinance, it should be noted that Chester DOES NOT currently have an ordinance, so the entire section should be revised as follows: “There is not currently a noise ordinance in place and there have been concerns about difficulty of enforcement.

The phrase “there is no way...” should be removed and replaced with “The P&Z is not willing to come up with solutions by permitting.”

In the next paragraph, add: “The board agrees a noise ordinance should be considered and will discuss at a later date.”

Last Page:
The name “Tracey” is spelled incorrectly.

AUDIENCE OF CITIZENS
Andrew Landsman expressed an interest in being appointed to the Cedar Lake Advisory Committee. Lauren Gister reported that appointments will be made at the next meeting and that he will be considered for a position.
NEW BUSINESS
Lauren Gister makes a motion to change the order of the agenda, to discuss Rotary Lobster Fest at this time. Charlene Janecek seconded the motion. The motion passed unanimously.

CHESTER ROTARY LOBSTER FEST
The Rotary Club can no longer afford to use the Chester Fairgrounds for their annual Lobster Fest, and are considering other options. Gary Torello, Chester Rotary Club, explains that they would like to change the event by making tickets more expensive and limiting the number of guests. He also states that they would like to move the event to the Chester Meeting House, as the Rotary Club would like to donate to renovation efforts at the Meeting House.

The BOS expressed concerns, including the limited parking at the Meeting House. Gary Torello states that the number of guests will be much smaller than past numbers, which have been as high as 300, and that the Rotary Club will encourage carpooling to the event. He also reported that Rotary is looking into parking alternatives, including a shuttle bus service and parking at the nearby theater.

Lauren Gister suggested the Rotary Club discuss their plans with the State Trooper and Fire Marshal prior to any further thought on this plan and submitting a formal request.

The BOS discussed lighting and potential noise complaints with regard to the event. Gary Torello assures the Board that the event, including music, will be over by 10:00PM and that they do plan on additional lighting. He will make an appointment to speak with the Fire Marshal about the event.

NOISE ORDINANCE

Many of the audience members are present due to a comment posted by the Pattaconk Bar and Restaurant on social media concerning a potential Noise Ordinance. Lauren Gister clarified the posting stating that this is a topic that is being discussed after many complaints about noise, and that any potential ordinance would be concerned with volume levels and time of day, not with personal preference or style of music.

She added that the issue is not new, and that there have been noise complaints from various places for the past 20 years, most of them stemming from the business district. She also mentions that a regulation of this type would be general in nature, and not about this individual restaurant, and that the town is not attempting to hinder the Pattaconk’s business or income. Any ordinance would encompass the entire town, and would not be zonal.
Lauren Gister discusses how an ordinance could work, and how it could be worded for an effective compromise, including exceptions for festivals and other town events.

Kim Nowak asks how different noise complaints will be dealt with if the ordinance is not zonal, and whether power and farm equipment would be subject to regulation. Lauren Gister states that, though everything would be categorized under a generic noise ordinance, each type of noise could be treated specifically under the regulation. Jan Taigen states that she worries some complaints could potentially be from oversensitive individuals who did not take their proximity to a bar into account when choosing a residence. Lauren states that a common unit of measurement would be used, in accordance with the DEEP and state standards, and that some of the complaints are from residents who live quite a distance away. Carolyn Linn asks how different cases are treated if there are no zones, and how exceptions will be made.

Lauren Gister states that she has read examples of ordinances, and that they are worded to account for exceptions with passages explaining that any town function lasting less than 24 hours, such as a parade or festival, are exempt automatically. She also mentions that, though not based on zones, the locations of complaints would be taken into consideration and that it could all be laid out in the ordinance.

Further discussion of an ordinance follows, with questions from residents concerning cost, and a potential schedule differentiating weekends from weekdays. Carolyn Linn asks the audience of citizens how many of them would be if they are interested in pursuing a noise ordinance. Only 4 of approximately 15 audience members raise their hands, and the board agrees that they will continue discussions on how to proceed, and ask the general public, not just those present in the audience. First Selectwoman Gister explains that, even if a noise ordinance is proposed, the process to enact such an ordinance would include a high level of resident involvement and that, ultimately, whether or not an ordinance is adopted would be voted on at Town Meeting by the voters at large.

PATTACONK SPECIAL EVENTS PERMIT
The Pattaconk has requested a permit to allow alcohol to be consumed on the sidewalk during the Duck Race. The request was denied due to lack of detail. The drawing submitted with the request appeared to show the entire sidewalk area as an ‘extension’ of the bar, leaving no room for pedestrians and overstepping the five-foot guideline.

The request was approved with conditions, which included staying within five feet of the building and allowing space for pedestrians to pass, essentially using the drawing provided the previous year for the same event.

APPOINTMENTS TO BOARDS AND COMMISSIONS
Prior to making appointments to the Cedar Lake Advisory Committee, the BOS is waiting to hear back from individuals regarding their interest in serving on the Committee.

After discussion the BOS considered the request by a married couple to both be appointed to serve on the Park and Recreation Commission, and determined that there is no reason to deny the request.

Carolyn Linn made a motion to appoint John Saunders to the Parks and Recreation Commission with a term ending on December 31, 2019 and to appoint Dawn Saunders to the Park and Rec Board with a term to expire December 31, 2017. Charlene Janecek seconded the motion. The motion passed unanimously.

The board has a brief discussion on whether the BOS is allowed to change appointment and term end dates due to elections, potentially to March or another later month so that newly appointed members of the BOS can have time to look everything over prior to having a slew of appointments to make at the first Selectmen’s meeting after the election.

GWENDOLYN ORTON-JONES TRUST FOLLOW UP
First Selectwoman Lauren Gister reported that she has received the legal memorandum from Murtha Cullina addressing the legal, ethical and financial aspects of the trust. It clearly states that the distribution of income from the trust must pass through the town accounts and be properly accounted for financially and through the budget. One good solution may be to set up a restricted fund that may only be used as stated in the Trust.

The memorandum on legal advice says in paragraph C (see attached) top of page 4: the provisions of the trust require that the income be paid to or for the benefit of the library. In paying the librarians additional monies, it benefits them individually, not the library as a whole, as the trust stated. The town may divide the money up on different projects concerning the library, to ensure the library has everything it needs.

Charlene Janecek expressed concern that the BOF could potentially withhold the monies from the library for extended periods or not release the monies at all. Carolyn Linn explains that the money is not from taxpayers, and that it states in the trust that the money must be paid out annually, however all of the money does not have to be spent annually, and can accumulate in the account.

Discussion on how the money should ultimately reach its destination follows, including BOF involvement and whether or not the money can be used for any salary at all. The BOS agrees that a discussion between the BOS, BOF, and Library Board of Trustees is appropriate.

SELECTWOMAN’S REPORT
Lauren Gister states that she is working on a Chester ‘guide to the budget’ flier to go out to the town with information on budget drivers, percentages, demographics, and definitions of terms. A calendar of meetings will also be included in the flier.

Denny Tovey, Library Building Project Committee, will attend the next BOS meeting to discuss the status of the library project and what comes next. The E Team will also come to discuss street light recommendations.

The BOS also briefly discusses the street light located near the Lori Warner Gallery (the light is not turned on) and the potential of powering existing lights with solar energy until they can be wired properly after the Main Street Project is completed.

ADJOURNMENT
Charlene Janecek made a motion to adjourn the meeting at 9:05 p.m. Carolyn Linn seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Mary Jo Helchowski
Clerk