

Regular meeting of the Town Board of the Town of Chester was held **December 14, 2010** at 7:30 pm in the Town of Chester Municipal Center Chestertown, NY.

Roll Call: Fred Monroe, Mike Packer, Edna Wells, and Karen DuRose. Steve Durkish - absent. Mark Schachner - Attorney for Town.

RESOLUTION #139: ACCEPT MINUTES OF THE NOVEMBER MEETINGS.

Introduced by Mrs.DuRose, 2nd by Mr.Packer to accept minutes of the November 4th and 9th Town Board meetings. AYE 5 NO 0

Wireless Clearinghouse presentation - Kate Fish, Howard Lowe, Austin Fisher, Sara Franken field - Ms.Fish, Executive Director of Adirondack North Country Association, and they have partnered with SUNY Plattsburgh Technical Assistance Center for a Smart Growth grant to map locations across Adirondack Park that would be appropriate for wireless communications technologies - to advance the goal of having high speed internet available to as many people as possible. Four pilot communities have been chosen throughout the Adirondack Park: Town of Saranac, Town of Chester, a town in Fulton County and a town Hamilton County.

Cost to the pilot communities will be nothing.

Mr.Lowe - whole idea of project is to make it easier for the commercial/private wireless companies to offer service in the Adirondacks. Pilot areas will assist in identifying areas/structures across the Adirondack Park that could be for wireless transmission. No new construction would be done. The project will identify structures with certain characteristics and where wireless is now.

Mr.Fisher - concept is to make it easier for wireless broadband providers to offer service in the Adirondack area and with the help of the pilot towns identify structures that would be suitable for the transmission antennas/repeaters. Tax assessment data will be used to help identify areas (churches, water towers), this information will be reviewed by the towns for further input.

Supervisor Monroe asked if there would be a need for electric and phone lines. A similar thing was done for cell towers and this collected data may be helpful.

A resolution is requested for designating the Town of Chester as a pilot community for this wireless clearing house study.

RESOLUTION #140: AGREE TO BE A PILOT COMMUNITY FOR THE WIRELESS CLEARINGHOUSE PROJECT.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose:

WHEREAS, the Adirondack North Country Association (ANCA) and SUNY Plattsburgh Technical Assistance Center (TAC) have partnered for a Smart Growth Grant for the Wireless Clearinghouse Project and have received funding, and

WHEREAS, ANCA and TAC have offered the Town of Chester the opportunity to be one of the pilot communities for the project, and

WHEREAS, the Project will identify potential locations for cell and wireless communications antennae in the Town of Chester,

NOW, therefore, it is hereby

RESOLVED, that the Town of Chester appreciates the opportunity and agrees to be designated as a pilot community for the Wireless Clearinghouse Project.

AYE 5 NO 0

Bid openings:

One bid was received for fuel oil, diesel and kerosene.

Buckman's Family Fuel Co.Inc., Box 448, Chestertown, NY 12817

Bid - markup \$.22 per gallon on fuel oil, low sulfur diesel fuel, kerosene and \$.18 mark up on fuel oil for 5000 gallons minimum delivery at municipal building. Servicemen available.

RESOLUTION #141: ACCEPT BID FROM BUCKMAN'S FAMILY FUEL CO, INC. FOR FUEL OIL, DIESEL, AND KEROSENE DELIVERIES FOR THE YEAR 2011.

Introduced by Mr.Packer, 2nd by Mrs.Wells to accept bid from Buckman's Family Fuel Co. Inc. P O Box 448, Chestertown, NY for the delivery of: #2 fuel oil, kerosene, and diesel with a mark up of \$.22 per gallon and fuel oil for the town hall only with a mark up of \$.18 per gallon. Delivery will be to ski hut at Dynamite Hill, health center, Quonset hut and highway garage and Town Municipal Center.

AYE 5 NO 0

One Bid received for Senior Transportation:

Warren - Hamilton Community Action, Box 968, 190 Maple Street, Glens Falls, NY 12801. Total \$9,880 for 2011:

52 trips cost per trip \$190.

RESOLUTION #142: ACCEPT BID FROM WARREN-HAMILTON COMMUNITY ACTION FOR SENIOR TRANSPORTATION FOR THE YEAR 2011.

Introduced by Mrs.DuRose, 2nd by Mr.Durkish to accept bid from Warren-Hamilton Community Action, Box 968, 190 Maple Street, Glens Falls, NY 12801 for Senior Transportation for the year 2011 in the amount of \$9880. for 52 trips. Cost per trip is \$190.

AYE 5 NO 0

Fred R Monroe - wastewater variance application - Public hearing.

Supervisor Monroe turned public hearing for F R Monroe variance over to Deputy Supervisor Packer. (Property is his father's). Deputy Supervisor Packer opened public hearing at 8:00pm.

Jim Hutchins, Engineer, explained the variances requested:

1. Absorption bed system is less than 100 feet from 2 wells. Requesting 21' (Douros-Heitman) and 24' (Gilleland) variances.

2. Absorption system is less than 100' from Loon Lake. Requesting 30' variance.

3. Variance requested to gravity feed absorption bed rather than dose.

4. A variance from property line setback is requested, 10' required.

0' proposed.

5. A variance to install absorption bed laterals at spacing other than 5'.

A review of the letters and discussions between Jim Hutchins and Al Matrose, consultant to Town Board. All letters and maps on file in zoning office.

Mr. Hutchins stated that the existing system was in place in the 1960's and the wells (Heitman and Gilleland) were drilled years later. Discussion on "dosing pump". This is a pump system that floods the absorption bed with a pre-measured amount of wastewater/septic opposed to having it by gravity.

Public hearing was closed at 8:30 pm.

RESOLUTION #143: CHESTER TOWN BOARD ACTING AS TOWN OF CHESTER LOCAL BOARD OF HEALTH. APPLICATION OF FREDERICK R. MONROE FOR WASTEWATER VARIANCE. VARIANCE IS GRANTED.

Introduced by Mr. Durkish, 2nd by Mrs. Wells:

Application of Frederick R Monroe, 99 Blythewood Island Rd, Chestertown, NY. Tax map number 86.5-1-11.2.

In accordance with the criteria set forth in Section 5.060 of the Town of Chester Wastewater Treatment Local Law the Town Board acting as the local board of health makes the following findings:

1. Yes, that there are special circumstances or conditions, applying to such land and that such circumstances or conditions are such that strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land

2. No, that the variances would not be materially detrimental to the purposes and objectives of this Ordinance, or to other adjoining properties, or otherwise conflict with the purpose or objectives of any plan or policy of the town. Proposal would improve the setbacks from neighboring wells and propose system would be superior to the existing system.

3. The granting of variances is necessary for the reasonable use of land.

Therefore, the Board grants the five variances as proposed.

AYE 4 NO 0

Meeting was turned back over to Supervisor Monroe.

Notice of Public hearing was read. Supervisor opened public hearing. No comments were received. Public hearing was closed.

Public hearings for purpose of entering into contracts with:

North Warren Chamber of Commerce to act as advertising agency for the Town of Chester in the amount of \$14,000 (A6410.4).

North Warren Emergency Squad to furnish emergency ambulance service in the Town of Chester in the amount of \$60,000 (A4540.4).

North Creek Fire District to provide fire protection in the amount of \$30,000 (SB3410.4).

Riverside Volunteer Fire Co to provide fire protection in the amount of \$7,000 (SA3410.41) and Chestertown Fire Co to provide coverage in

the Riverside Fire District in the amount of \$5,000 (SA3410.42).

RESOLUTION #144: AUTHORIZE SUPERVISOR TO ENTER INTO CONTRACTS FOR YEAR 2011.

Introduced by Mr.Packer, 2nd by Mrs.Wells authorizing the Supervisor to enter into the following contracts for the fiscal year 2011:

North Warren Chamber of Commerce to act as advertising agency for the Town of Chester in the amount of \$14,000 (A6410.4).

North Creek Fire District to provide fire protection in the amount of \$30,000 (SB3410.4).

Riverside Volunteer Fire Co to provide fire protection in the amount of \$7,000 (SA3410.41) and Chestertown Fire Co to provided coverage in the Riverside Fire District in the amount of \$5,000 (SA3410.42).

AYE 5 NO 0

Privilege of the floor:

Mary Jane Dower thanked town board members Durkish and DuRose for attending tree lighting ceremony and also Paul Parks and John West for their help.

Judy Johnson request that in the future information on events and/or town happenings be given to the Chamber office or leave a message on answering machine.

Old Business:

Substitute custodian - No applications received from advertising.

November 5, 2010 Wayne Kennedy submitted to town board letter of interest in position. Supervisor Monroe will check with George Douros, to see if he would be interested. Decision to be made at January meeting.

New Business:

RESOLUTION #145: REAPPOINTMENTS TO ZONING BOARD OF APPEALS AND SCHROON LAKE PARK COMMISSIONER.

Introduced by Mr.Packer, 2nd by Mrs.DuRose to do the following reappointments:

Zoning board of Appeals - Arnold Jensen - 5 year term ending December 31, 2015.

Schroon Lake Park Commissioner - Tom Luciano 0 3 year term ending December 31, 2013.

Oath of offices will be needed.

AYE 5 NO 0

RESOLUTION #146: AUTHORIZE ELECTED OFFICIALS AND ASSESSOR TO ATTEND ASSOCIATION OF TOWNS MEETING IN FEBRUARY, 2011 AND AUTHORIZE PRE-PAYMENT OF BUS REGISTRATION AND APPOINT ALTERNATE VOTING DELEGATE.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorizing that any elected official, assessor and any other town employee, with approval of the Town Board, may attend the Association of Towns meeting to be

held in New York City on February 20-23, 2011 and also authorize the pre-payment of bus registration, and designate Edna Wells as alternate voting delegate for the Annual Business session.

AYE 5 NO 0

Tax rate \$1.28 - Supervisor Monroe stated that the rate is lower than what had been discussed at the budget meeting.

Transfer station fees - discussion on increasing fees of \$1 on household garbage and \$5 increase on the disposal of refrigerators and freezers, as the cost to the town for removal of Freon is more than what the town was charging. The new rates will help cover the cost of transfer station operations and disposal. No increase in C and D material.

RESOLUTION #147: INCREASE TRANSFER STATION FEES, STARTING JANUARY 1, 2011.

Introduced by Mr.Packer, 2nd by Mrs.DuRose to increase fees at the transfer station, starting January 1, 2011:

GARBAGE BAG SIZES:		<u>NEW FEE</u>	
0-16 gallon size	\$1.00	\$2.00	
17-32 gallon size	\$2.00	\$3.00	
33-40 gallon size	\$3.00	\$4.00	
Over 40 gals	\$8.00	\$9.00	
Refrigerators and freezers old fee was	\$5.00	<u>NEW FEE</u>	<u>\$10.00</u>

AYE 5 NO 0

Resolution to join Adirondack Partnership - Supervisor Monroe has been involved with this.

RESOLUTION #148: TOWN OF CHESTER TO JOIN ADIRONDACK PARTNERSHIP.

Introduced by Mrs.Wells, 2nd by Mr.Durkish:

WHEREAS, many organizations within the Adirondacks have identified planning resources and a regional planning structure as a need, and

WHEREAS, AATV through a partnership with ANCA, was successful in creating a great deal of meaningful data and information through APRAP, and

WHEREAS, one of the first planning priorities needs to be the development of successful economic strategies for the Adirondack Park, and

WHEREAS, local governments are best equipped to lead this effort due to their understanding of local community issues, and

WHEREAS, it has been determined that such a process must include Towns, Villages, Counties, State Agencies and other partners, and

WHEREAS, the Adirondack Partnership is structured to accomplish this process, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Chester is hereby authorized to enter into the Adirondack Partnership MOA in form approved by the town counsel.

RESOLVED, Supervisor Monroe be named as the town's Representative to the Adirondack Partnership.

AYE 5 NO 0

Request to lower speed limit on Landon Hill Road - letter with a signed petition (21 signatures) requesting that the speed limit be lowered on Landon Hill Road to 40 miles per hour and enforced.

RESOLUTION #149: REQUEST SPEED LIMIT TO BE REDUCED TO 45 MPH ON LANDON HILL ROAD.

Introduced by Mrs.Wells, 2nd by Mr.Packer to request DOT evaluate the Lanodon Hill Road, in the Town of Chester, for reducing speed from 55 mph to 45 mph for the entire road.

AYE 5 NO 0

Employment of youth director - one application received - Mindy Conway.

Dynamite Hill worker - Supervisor Monroe spoke with John West in regards to Dynamite Hill worker. John stated that Jill Clark is interested and Bill Siegle, Brant Lake, has spoken to Supervisor Monroe and Wayne Kennedy has expressed interest to run the top of the hill. **Executive session.**

Highway Dept. staffing - Executive session

Collective bargaining negotiations - Executive session

LARAC grant received in the amount of \$506 towards the Seagle Colony production of "Billy Goat's Gruff. Funding is used towards advertisement.

RESOLUTION #150: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH CONVENIENT MEDICAL CARE FOR DRUG AND ALCOHOL TESTING.

Introduced by Mr.Packer, 2nd by Mrs.Wells authorizing Supervisor Monroe to sign Contract with Convenient Medical Care for Drug and Alcohol Testing to provide drug and alcohol testing service for 2011.

AYE 5 NO 0

Roger Peet, Pottersville Garage - Mr.Peet stated that he had received a call from Walt Tennyson in regards to cleaning up of the cars at the Pottersville Garage. Supervisor Monroe said that with the train museum "coming into town" and not just because of that but to continue with clean up.

Mr.Peet commented "drive out the old business, to bring in the new." Supervisor Monroe said "no one wants to drive out his business."

Mr.Peet said he had done extensive clean up and was now behind in shop work.

Supervisor Monroe had ask Walt to check with Roger to see what plan Roger had for future clean up.

RESOLUTION #151: AUTHORIZE PAYMENT OF ABSTRACT AND APPROVE CLAIMS PAID

PRIOR TO AUDIT.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells authorizing payment of abstract:

General Fund	\$105,293.67	(544-610)
Highway Fund	\$ 52,128.16	(252-272)
Chestertown water	\$ 12,542.79	(63- 71)
Pottersville Water	\$ 12,799.63	(61- 71)
Library	\$ 6,557.85	(54- 57)
Schroon Lk Pk	\$ 3,022.57	(4)
	AYE 5	NO 0

Dog Licensing Local Law - Public Hearing.

Purpose of the local law is to repeal and replace Local Law #2 of 1995 pertaining to establishment of the position of Animal Control officer (to clarify duties) and to repeal local law #2 of 2006 pertaining to control of animals and to comply with Article 7 of the Agriculture and Markets law regarding licensing of animals. The new local law is also the result of the state no longer handling the licensing of dogs. Starting January's licenses all revenue will stay at the town level with the exception of the surcharge of \$1 for spayed/neutered dogs and \$3 for unsprayed/unneutered dogs, which will still be sent to the state by the 5th day of each month.

Supervisor Monroe declared public hearing open. No comments were heard from the floor earlier in the meeting. Public hearing was closed.

RESOLUTION #152: ADOPT LOCAL LAW #1 OF 2010, TO REPEAL AND REPLACE LOCAL LAW #1 OF 1995 ANIMAL CONTROL OFFICER, REPEAL LOCAL LAW #2 OF 2006 AND TO COMPLY WITH ARTICLE 7 OF THE AGRICULTURE AND MARKETS LAW REGARDING LICENSING OF ANIMALS.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells to adopt Local Law #1 of 2010 as drafted by Attorney for the Town. The Local Law #1 of 1995 Animal Control Officer and Local Law #2 of 2006 repealed and replaced with Local Law #1 of 2010 to comply with Article 7 of the Agriculture and Markets Law regarding licensing of dogs. AYE 5 NO 0

Motion by Mr.Monroe, 2nd by Mr.Packer the Town Board went into Executive Session at 9:30 pm to discuss collective bargaining negotiations, employment of youth director and Dynamite Hill workers, and highway department staffing. Motion by Mr.Monroe, 2nd by Mrs.DuRose Town Board resumed regular session at 10:15pm. No action taken.

RESOLUTION #153: MEMORANDUM OF AGREEMENT WITH CSEA.

Introduced by Mr.Monroe and 2nd by Mrs.Wells to approve Memorandum of Agreement with CSEA subject to final approval by the town council and Supervisor Monroe. Contract years January 1, 2011 through December 31, 2015.

AYE 5 NO 0

Adirondack Park Agency.

AYE 5

NO 0

Motion by Mr.Monroe meeting was adjourned at 10:30 pm.

Town Clerk