

Regular meeting of the Town Board of the Town of Chester was held **May 9, 2006** at 7:30pm in the Town Municipal Center, Chestertown, New York.

Roll Call: Fred Monroe, Mike Packer, Frank Shaw, Edna Wells and Karen DuRose. Mark Schachner - Attorney for the Town.

Bid openings:

1. Bids for Pottersville stone wall section.

Two bids were received.

Mercer Construction Co., 3 E Common Square, Albany, NY 12207 - John Murphy, Superintendent.

Bid was in the amount of \$22,477.

Bombard Excavating Corp., 7124 Clark Rd, Middlegrove, NY 12850 -

Bid was in the amount of \$32,788.80

Both bids were rejected because they were considerably higher than the amount budgeted.

Discussion on the town purchasing the materials and hire someone to do the work/installation or doing a smaller section.

(tabled until later in the meeting - was not reviewed again)

RESOLUTION #85: REJECT BOTH BIDS ON THE POTTERSVILLE STONE WALL PROJECT.

Introduced by Mr.Shaw, 2nd by Mrs.DuRose to reject both bids (Bombard Excavating Corp - \$32,788.80 and Mercer Construction - \$22,477) because the bids were significantly higher than what has been budgeted for 2006. AYE 5 NO 0

2. Bids for removal of milfoil in Loon Lake.

No bids were received.

Supervisor Monroe stated that according to information he has there are only two qualified lake managers that do milfoil removal (in the Adirondacks) and both were sent bid invitations. He will contact DEC for a list on other qualified lake managers in the state.

Discussion on re-bidding, requesting informal proposals, treating the area and add a clause in the bid to include additional work and what the rate would be if any new milfoil was discovered.

RESOLUTION #86: RE-ADVERTISE BID FOR MILFOIL REMOVAL IN LOON LAKE.

Introduced by Mr.Shaw, 2nd by Mrs.Wells to re-advertise for bids for milfoil removal in Loon Lake and that the bid is only for the work identified in the specs. Should there be additional work (in regards to the finding of more milfoil) a change order would be negotiated. Bid opening June 13, 2006 at 7:30 pm. AYE 5 NO 0

Public hearing:

Clerk read notice on public hearing for the purpose of repealing the Ordinance #1 of 1995 - Ordinance restricting peddling, vending and soliciting in the Town of Chester.

Supervisor Monroe opened public hearing at 8:00 pm. No comments were received from the floor. Public hearing was closed at 8:05pm.

RESOLUTION #87: REPEAL ORDINANCE #1 OF 1995.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to repeal Ordinance #1 of 1995 - Ordinance Restricting Peddling, Vending and Soliciting in the Town of Chester. AYE 5 NO 0

RESOLUTION #88: ACCEPT MINUTES OF APRIL MEETING.

Introduced by Mr. Shaw, 2nd by Mr. Packer to accept minutes of the April 3rd and 11th Town Board meetings. AYE 5 NO 0

Privilege of the Floor:

Mary Jane Dower inquired on what is required of the Chestertown Enhancement Committee in having a sign put up for the July 8th festival. Town Board will waive sign fees/permit.

RESOLUTION #89: WAIVE FEES FOR SIGN PERMITS ON TOWN SPONSORED EVENTS.

Introduced by Mr. Shaw, 2nd by Mrs. Wells authorizing the Supervisor to waive fees and grant approval for the placement of signs for Town sponsored functions at the Town Municipal Center and Dynamite Hill. AYE 5 NO 0

RESOLUTION #90: AUTHORIZE PAYMENT FOR USE OF POOL.

Introduced by Mr. Shaw, 2nd by Mr. Packer to approve payment of \$50 to Cindy Perkins for use of her swimming pool for the training of those applicants needing certification for being lifeguards at the Loon Lake beach for the 2006 summer. AYE 5 NO 0

Old Business:

Status of grant application for hiking trails. Horicon will not be included. A tentative plan for trails was reviewed which would connect the hamlets of Chestertown and Pottersville (approximately 10 miles of trail). Total maximum grant is \$350,000 (matching grant). Deadline for grant is May 26. Supervisor Monroe will meet with LA Group again after an estimated cost figure is arrived at. Discussion on cost and funding from occupancy tax and in-house work.

Supervisor Monroe stated that Town of Horicon has decided not to participate because they had the understanding that "they (Horicon) could participate and Town of Chester would pay".

RESOLUTION #91: AUTHORIZE SUPERVISOR TO FILE AN APPLICATION FOR FUNDS FROM THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION.

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

Authorize Frederick H Monroe, as Supervisor of Town of Chester, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$100,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of

Chester for \$100,000 and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

AYE 5 NO 0

Action on Chamber of Commerce proposals for use of Occupancy tax funds. Discussion on approving the proposals. Councilperson Wells stated that Lincoln Logs is interested in discussing the trucking of a Christmas tree at Rockefeller Center (in 2013), if an area tree is chosen.

RESOLUTION #92: APPROVE CONCEPT OF 2006 PROPOSALS FOR OCCUPANCY TAX FUNDS.

Introduced by Mr. Shaw, 2nd by Mrs. DuRose to approve concept of 2006 proposals. Specific items requests would be needed and approval of such requests would depend upon the availability of money not committed for other purposes. Should both the Towns of Chester and Horicon be involved, participation would be required of Horicon.

AYE 5 NO 0

Status of Pottersville streelight bid specs - Specs are to be to the Supervisor within a couple of weeks. Request that architect advertise for bid opening.

RESOLUTION #93: RE-SCHEDULE BID OPENING FOR POTTERSVILLE STREETLIGHTS.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to re-schedule bid opening for Pottersville streetlights to June 13, 2006 at 7:30 pm.

Aye 5 NO 0

New Business:

Lifeguards - application has been received from Nicole Carlozzi. Supervisor Monroe will meet with lifeguard applicants for scheduling and Town Board will be committed to the first three applicants.

RESOLUTION #94: APPROVE REQUEST FROM JOHN VANDERWARKER FOR WATER HOOK-UP IN POTTERSVILLE WATER DISTRICT.

Introduced by Mr. Shaw, 2nd by Mr. Packer to approve request from John VanDerwarker (35.4-2-38) for water hook-up in the Pottersville Water District, upon receiving fee of \$500 for ¾" tap.

AYE 5 NO 0

Starbuckville Dam Bond Anticipation Note - dam is completed, reimbursement of \$300,000 from the state has not been received yet. Town has budgeted \$10,000 to pay on note plus interest. It is not yet known whether the State will pay their share on taxes. Town will pay \$9,000 on bond note and renew it upon receiving the \$300,000 from the State grant and then either issue longer term serial bonds or installment bonds (for 10 years). Past resolutions give Supervisor authority to issue renewal notes.

RESOLUTION #95: ADOPT COMPUTER SYSTEM SECURITY BREACH NOTIFICATION POLICY.

Introduced by Mr. Shaw, 2nd by Mrs. Wells for the Town of Chester to adopt the Computer System Security Breach Notification Policy, as required by New York State law. Policy on file in Town Clerk's office.

AYE 5 NO 0

Request from Hudson Headwaters for longer term agreement - lease agreement for health center was for one year. Tabled.

Senate and Assembly bills excluding the value of trees from real property tax assessments - Senate bill #S6818 introduced by Senator Young and Assembly bill A6638.

RESOLUTION #96: OPPOSE SENATE BILL S6818 AND ASSEMBLY BILL A6638.

Introduced by Mr. Shaw, 2nd by Mrs. DuRose opposing bill S6818 and A6638. (An Act to amend the real property tax law, in relation to excluding the value of trees for the purpose of assessment.)

AYE 5 NO 0

Water district backup generator. Municipal center backup generator - Board agreed that North Warren School building be a better emergency shelter. Supervisor Monroe will pursue information on grants for generators for heat/minimal lights for town municipal building and generators for the water districts.

Jason Monroe, Water Superintendent, inquired on selling a 20 hp pump (no longer needed for water districts) to another local water district. This can be done as it is another municipality and Town board instructed Jason to have the municipality make an offer.

Water district corrosion control program - Supervisor Monroe will send letter to Health Department requesting an extension. Discussion on the corrosion control program and the Town's responsibility to the users. Cost would be for a pump and chemicals.

Valley Farm Roads sidewalks - State will be doing work in the area of I-87 (ramps and culverts) and the State may be able to do some prep work. Tabled.

RESOLUTION #97: AUTHORIZE ASSESSOR TO HIRE TEMPORARY CLERK.

Introduced by Mr. Shaw, 2nd by Mrs. Wells authorizing assessor to hire a temporary clerk. Pay rate will be the same as was set in 2006 budget.

Aye 5 NO 0

RESOLUTION #98: AUTHORIZE SUPERVISOR MONROE TO SIGN CONTRACT WITH OFFICE OF THE AGING.

Introduced by Mr. Shaw, 2nd by Mr. Packer authorizing Supervisor Monroe to sign contract with Office of the Aging for 2006.

AYE 5 NO 0

Supervisor Monroe will submit to the Chairman of the Federal Program (Warren County) what the increased rate for rent (for meal site space) will be for 2007.

Motion by Mr. Shaw, 2nd by Mrs. DuRose Town Board went into Executive Session at 9:20 pm for the review of Animal Control Officer, Timber Lodge Estates litigation/road issue, clerk for the assessor's office and CSEA negotiations. Motion by Mr. Monroe, 2nd by Mr. Shaw Town Board resumed Regular session at 10:55 pm. No action taken.

RESOLUTION #99: APPROVE ADJUSTMENT TO ANIMAL CONTROL OFFICER'S SALARY.

Introduced by Mrs. DuRose, 2nd Mrs. Wells approve adjustment to Animal Control Officer, Bill Mosher, salary to account for the fact that the Town Board expects him to go to court, prosecute cases and learn procedures. Increase pay will be based on what was paid to predecessor, Jim Panos, with the increases since then.

AYE 5 NO 0

Town Board is not willing to negotiate based on the terms of the CSEA April 20, 2006 letter and Supervisor Monroe will notify CSEA.

Discussion on hotel charges to Town Clerk conference that was held in Saratoga. Councilperson Shaw stated that in the future he would like to see us drive to Saratoga instead of staying at a hotel.

RESOLUTION #100: AUTHORIZE PAYMENT OF ABSTRACT.

Introduced by Mr. Shaw, 2nd by Mr. Packer authorizing payment of abstract and approve claims paid prior to audit:

General Fund	\$ 38,054.04	(170-230)
Highway Fund	\$ 11,591.56	(80 -96)
Chestertown water	\$ 763.88	(21 -25)
Pottersville Water	\$ 560.80	(15 -19)
Library	\$ 1,332.88	(22 -28)
Schroon Lake	\$ 12,848.22	(2)

AYE 5 NO 0

Motion by Mr. Monroe meeting was adjourned at 11:00 pm.

Town Clerk