

Regular meeting of the Town Board of the Town of Chester was held **November 13, 2007** at 7:00 pm in the Town of Chester Municipal Center Chestertown, NY.

Roll Call: Fred Monroe, Mike Packer, Frank Shaw, Edna Wells and Karen DuRose. Mark Schachner - Attorney for Town -arrived at 9:15 pm.

Public Hearings:

Supervisor Monroe declared public hearing on the draft of local law for outdoor burning, open at 7:35 pm.

Comments received from the floor:

1. June Maxam - oppose - is not opposed to the burning of garbage as there already is state laws that prohibit the burning of garbage - she inquired as to who would enforce the law and at what cost - and who would determine what is offensive and what isn't. She felt that there was many problems with this local law.

2. Frank Allard - concerns over the burning of outdoor furnaces in the summer, when adjoining neighbors have windows open and the pungent smell of smoke drifts into their residence, resulting in a health hazard. He has no problem with burn barrels.

Supervisor Monroe commented that outdoor furnaces are permitted, but that the law also states that no "person shall burn or cause or permit to be burned any garbage or rubbish".

3. Marion Edlin - suggest doing an evaluation on a short time base, and case by case, rather than putting forth a law.

4. George Hilton - favor of - DEC is difficult to reach and unresponsive - felt it is very easy to distinguish between the burning of paper and wood and plastics. Concerns over not being able to open windows - because of neighboring smoke. It is a hamlet life issue. In order to protect public health and welfare, and the right for people to enjoy their property, Mr.Hilton felt the local law was a very necessary regulation.

5. Randy Vanselow - "brush burning" felt it was vague.

Councilperson Shaw stated that burning brush is legal and a DEC burn permit can be applied for locally.

6. Larry Warner - inquired if there have been any complaints on burning of brush - complaints are all on burning of "plastics and diapers". He stated that the DEC permit is to put them on notice, should a call be reported on smoke/fire.

7. Barb Repp - felt that people were burning garbage because they don't want to pay for disposing of it at the transfer station. She inquired if the garage collection "has been shelved". The town board has "shelved" this as they felt the estimate was grossly overstated.

Supervisor Monroe stated that if the local law was passed a section would need to be included for enforcement. Two good reasons for not burning garbage - one being that it does create a health hazard and the county has a burn plant, with state of the art pollution control for burning garbage and there is already a law prohibiting the burning of garbage.

No action taken on local law. Public hearing will continue at the

December 11 town board meeting.

RESOLUTION #139: ADJOURN PUBLIC HEARING ON LOCAL LAW OUTDOOR BURNING

Introduced by Mr. Shaw, 2nd by Mrs. Wells to adjourn public hearing on the proposed draft local law Outdoor Burning until the December 11th town board meeting. AYE 5 NO 0

RESOLUTION #140: ACCEPT MINUTES OF THE OCTOBER MEETING.

Introduced by Mr. Shaw, 2nd by Mrs. DuRose to accept minutes of the October 3 and 9th Town Board meetings. AYE 5 NO 0

Privilege of the floor:

June Maxam - addressed the board with three issues of concern:

1. Dog ordinance enforcement - Supervisor Monroe commented that he has received complaints in regards to the enforcement. He stated that it is difficult to find someone to do what is required on what the town pays. At this time the pay is \$5711 annually plus mileage.

Town Board will request a meeting with animal control officer to review duties and request a monthly report.

2. Status of junk ordinance - local law was done in 2006.

3. Zoning administrator - complaint - will be addressed in executive session. Supervisor Monroe stated that Miss Maxam could make any public comments in regards to the complaint she has filed. Miss Maxam commented on a variance application submitted by Mr. Redmond, last spring, "the day before the final determination was to be made, after obligating the town to over \$6000 in legal fees, Mr. Redmond withdrew the application, after a private meeting with the town zoning administrator." The application and the variance are in regards to a sign.

Old Business:

Smart Growth Grant - Supervisor Monroe stated that since last month board meeting, Hamilton County has agreed to be the applicant for the Smart Growth Grant that Town of Chester had been asked to be applicant for. The Town of Chester may submit a grant application on its own. After a review of various projects (broad ban, cell phone coverage, and affordable housing) the town board will pursue a Smart Growth Grant through DEC for the planning of affordable housing. Supervisor Monroe stated that on the county level they are working on one for broad ban for the whole county. A draft copy of resolution was handed out by Supervisor Monroe.

RESOLUTION #141: AUTHORIZING SUBMISSION OF GRANT APPLICATION.

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

The Department of Environmental Conservation is soliciting grant applications for the Adirondack Park Community Smart Growth Program from Municipalities located wholly or partially within the Adirondack Park.

This Resolution authorizes the signing of a grant application in

connection with the Adirondack Park Community Smart Growth Program.

RESOLVED: that Frederick H Monroe, Supervisor, of the Town of Chester, or such person's successor in office, is hereby authorized and directed to file an application for funds from the Adirondack Park Community Smart Growth Grants Program of the New York State Department of Environmental Conservation in an amount not to exceed \$50,000 and upon approval of said request to enter into and execute a project agreement with the Department of Environmental Conservation for such financial assistance to the Town of Chester for Affordable Housing.

AYE 5 NO 0

Note: that one copy of the resolution be prepared and sent to the New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233, together with the application for State Assistance.

Supervisor Monroe stated that the grant is 100% reimbursed and deadline is December 28, 2007.

Supervisor Monroe will check with Wayne LaMotte (Warren County) for help with the grant application.

Darrowsville Church - building has been inspected and considered to be unsafe. Historical president Mary Jane Dower stated that 2 people have looked at the church building and feel that the bell tower can be saved and perhaps the building. She stated that grants could be applied for, but someone has to have ownership of the building. The Historical Society is willing to take over the building, but ownership needs to be resolved. Grants would probably have to go through the town. Prior research has been done on ownership and Mrs. Dower will share all the information she has obtained with the Mr. Schachner (attorney for the town) and Supervisor Monroe. She also asked if only the tower can be saved if there was a place in town where it could be put.

Discussion on how to obtain ownership.

Bradway car crushing - tabled until Mr. Schachner arrives.

Request to approve Emergency Squads' mutual aid agreement - meetings were held with both the North Warren Emergency Squad and the Johnsburg Squad. Councilperson Shaw and Supervisor Monroe attended the meetings. Brief review of the problem that has come about - certificate of need is held by the North Warren Emergency Squad for the Town of Chester and they are the ones who are being called out. Discussion on providing the best service. Suggested that the fire protection lines be used for boundaries for ambulance service.

An agreement has been reached between the two squads - a map drawing showing the areas to be serviced by each squad was presented.

Supervisor Monroe stated that if there was no mutual aid agreement, ambulance service would be provided by North Warren emergency squad. The town board of the Town of Chester would prefer to see the line

follow the fire district line.

New Business:

Health insurance informational session will be held November 14 at 7:30 pm for town employees.

RESOLUTION #142: AUTHORIZE CLERK TO ADVERTISE FOR BIDS FOR #2 FUEL OIL, DIESEL FUEL AND KEROSENE FOR TOWN BUILDINGS.

Introduced by Mr.Shaw, 2nd by Mrs.DuRose authorizing clerk to advertise for the following bid:

1. #2 fuel oil, diesel fuel and kerosene and provide emergency service for all town locations, listed in ad, other than the new Town Municipal Center, and prepare a separate bid for fuel oil for the Town of Chester Municipal Center, with a minimum deliver of 5000 gallons. Bid opening to be held December 11, 2007 at 7:30pm.

AYE 5 NO 0

RESOLUTION #143: AUTHORIZE CLERK TO ADVERTISE FOR PUBLIC HEARINGS ON 2008 CONTRACTS.

Introduced by Mr.Shaw, 2nd by Mrs.Wells authorizing clerk to advertise for public hearings on December 11th, 2007 at 7:35 pm at the Town Hall, Chestertown, NY on proposed contracts with:

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

Contract with North Warren Emergency Squad to furnish emergency ambulance service in the Town of Chester in the amount of \$50,000 (code A4540.4)

Contract with North Creek Fire District to provide fire protection in the amount of \$30,000 per year(request for 3 yr contract); contract with Riverside Volunteer Fire Co. to provide fire protection in the amount of \$7,000 and **Chestertown Fire Company to also provide protection in the Riverside Fire Protection District in the amount of \$5,000.**

AYE 5 NO 0

RESOLUTION #144: AUTHORIZE CLERK TO ADVERTISE FOR BID FOR WEEKLY SENIOR CITIZEN MINI-BUS TRANSPORTATION.

Introduced by Mr.Shaw, 2nd by Mrs.DuRose authorizing clerk to advertise for the following bid:

Weekly mini-bus transportation to Glens Falls for Senior Citizens during the fiscal year 2008. 15 passenger seating.

Bid openings to be held December 11, 2007 at 7:30pm.

AYE 5 NO 0

RESOLUTION #145: APPROVE REQUEST OF JUDGE AND COURT CLERK TO ATTEND BAIL TELECONFERENCE.

Introduced by Mr.Shaw, 2nd by Mrs.DuRose approving request of judge and court clerk to attend bail teleconference on December 3, 2007. All necessary expenses for same to be a lawful claim against the Town of Chester.

AYE 5 NO 0

RESOLUTION #146: APPROVE REQUEST OF OAS CLASS AT NORTH WARREN TO

COLLECT BOTTLES FROM THE TOWN OF CHESTER TRANSFER STATION.

Introduced by Mrs.Wells, 2nd by Mr.Packer approving the request of the OAS Class at North Warren to collect bottles for a three month period from the Town of Chester transfer station, period to be extended if no other request is received for bottles.

Roll call: Fred Monroe, Mike Packer, Edna Wells and Karen DuRose
 - all AYE Frank Shaw - abstain

Cable TV Franchise - contract is up in 2009. Committee to be formed to review the existing service area. Committee to start possibly in January.

RESOLUTION #147: AUTHORIZE PAYMENT OF ABSTRACT AND APPROVE AMENDMENTS TO THE 2007 BUDGET.

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

General Fund	\$ 37,259.71	(501-550)
Highway Fund	\$ 28,480.96	(187-214)
Chestertown water	\$ 1,556.20	(63- 71)
Pottersville Water	\$ 1,556.70	(72- 77)
Library	\$ 968.18	(43- 45)

Amendments to 2007 budget

A1410.4	Town Clerk - contr expend	+ 1000
A4560.1	Health Ctr - pers srvc	+ 1000
A4560.4	Health Ctr - contr expend	+ 5000
A5410.1	Sidewalks - pers srvc	+13000
A5410.2	Sidewalks - capital outlay	<-12000>
A5410.4	Sidewalks - contr expend	+ 1200
A6326.4	Econ Dev.Promotion-grant applic fee	+ 250
A6410.21	Dec streetlights from occ tax	+ 225
A6410.41	Tourism promotion - contr expend	<-1490>
A6410.44	LL Beach restroom from occ tax	+ 425
A6410.45	advertising -Stitches in time-lib	+ 840
A6772.1	meal site worker	+ 3500
A7110.2	parks - equipment	+ 500
A7140.11	beach - pers srvcs	+ 950
A8010.11	zoning-pers srvcs-clerk assistant	+ 2000
A8010.2	zoning - equipment	+ 500
A8010.41	zoning - legal	+ 2000
A8020.4	planning - contr expend	+ 1000
A8160.1	refuse & garbage - pers srvcs	+10000
A8160.4	refuse & garbage - contr expend	+15000
A9010.8	retirement sys -employee benefits	+ 5000
A8010.4	zoning - contr expend	+ 1000
A1990.4	contingent account	<-20000>
<u>Increase estimated revenues:</u>		
A1120	sales tax	+30900

Amend 2007 appropriatins:

DA5120.1	bridge - capital outlay	+38000
DA9010.8	Employee benefits-retirement sys	+ 5000
		<u>43000</u>

Increase estimated revenues:

DA3501	Chips capital reimbursement	+36000
DA2401	Interest and earnings	+ 5000
DA1120	Sales tax	+ 2000
		<u>43000</u>

Chestertown water district

SW(cw)8330.4	purification -contr expend	+ 1500
SW(cw)8340.4	transmission/distri-contr exp	<-1500>
		<u>-0-</u>

Pottersville water district

SW(pw)8320.2	source & supply - equip	+ 1000
SW(pw)8330.4	purificatiion - contr expend	+ 2000
Sw(pw)9060.8	health insurance	<-1800>
		<u>1200</u>

Amend estimated revenues

SW(pw)2140	metered water sales	+ 1200
	AYE 5	NO 0

RESOLUTION #148: AUTHORIZE ELECTED OFFICIALS TO ATTEND ASSOCIATION OF TOWNS MEETING IN FEBRUARY, 2008 AND AUTHORIZE PRE-PAYMENT OF BUS REGISTRATION.

Introduced by Mr.Shaw, 2nd by Mrs.DuRose authorizing that any elected official 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 17-20, 2008 and also authorize the pre-payment of bus registration. AYE 5 NO 0

Board held a short recess until attorney for the town arrived. Mr.Schachner arrived at 9:15pm.

Dick Considine and Larry Warner issue (Timber Lodge Estates subdivision) - Supervisor Monroe recused himself and turned the meeting over to Deputy Supervisor Packer. Deputy Supervisor Packer then asked input from the attorney for the Town, Mr.Schachner.

Mr.Schachner stated that he was aware of litigation action between the two parties (Mr.Considine and Mr.Warner). He stated that as there has been discussion by all parties in having the Town of Chester participate in some litigation matters he felt that his advice be rendered in Executive Session.

Mr.Schachner stated "that the Town Board has made the opportunity available to Mr.Warner, Mr.Considine and their representatives to make statements or their positions known to the Town Board". He went onto say that this was appropriate, should the Board decide to do this, but was under no obligation.

Councilperson Shaw stated that the Board had asked Mr.Considine to provide input to the Board on his position as to why the agreement of the subdivision regulations, had apparently not been met. Mr.Schachner agreed and went onto to say that the Town had asked for something in writing from Mr.Considine/or his counsel by October 22. Mr.Schachner stated a letter was received from Mr.Considine's attorney (letter dated 10/23/07).

Mr.Warner and Mr.Considine were each allowed to address the Town Board.

Information given by Mr.Malcolm O'Hara (Mr.Considine's attorney) from the firm of Bartlett, Pontiff, Stewart & Rhodes, P.C., P.O.Box 2168, One Washington Street, Glens Falls, NY. 12801. Mr.O'Hara felt that the Town was "being dragged into a private dispute".

Mr.O'Hara gave a brief review of the history of the subdivision approval in 1980, which was granted to the company, Lincoln Logs (original sub-divider). In 1988, Mr.Considine wrote a letter to the Town of Chester zoning administrator (Mr.Walt Tennyson), stating that "at present, no plans nor intention to dedicate that road (Evergreen Drive) to the Town of Chester as a town road. The roadbed in question is to remain as part of my personal estate and is not intended for public use at this time". (copy of letter is on file).

In 2004 a parcel was sold to the Warner's, Mr.O'Hara went on to say that at that point they (Warner's) understood there was a road way, the APA permit referenced a road way, reference in deed to a right-a-way, of right to improve and maintain a right-a-way, but was always a private right-a-way. He stated that there was no promise in the conveyance to the Warner's that Evergreen Lane would revert and become a town road or be improved to town road standards and no reference to the sub-division map in regards to that.

He went on to say that at that time it was a private conveyance with Mrs.Considine (now deceased) to the Warners - no conveyance from Lincoln Logs, the sub-divider. Simply a private lot within a subdivision.

With a private gravel road, approx 12' wide in place, a building permit was issued to the Warners, with that road in place and then somewhat modified and changed by the Warners, to access their property, without any authority from the sub-divider or communication with Lincoln Logs. CO's were given by both town and county.

This brings it to the current situation where the Warner's are in dispute with Mr.Considine over the obligations and the right-of-way and maintenance of the right-of-way.

Again, Mr.O'Hara felt that this was a private dispute and at this point did not know if the Town has jurisdiction over this. He also commented that Mr.Considine, private citizen, although he was affiliated with the company that was the developer, he is not the developer by name.

Councilperson Shaw asked if Mr.Considine has no involvement with

Lincoln Logs, the initial developer - who was granted subdivision rights, under a set of requirements, that were expressly detailed. Mr.O'Hara answered that at the time of the sub division approval, Mr.Considine was principal in the firm. Councilperson Shaw asked if it would be reasonable to assume that as the principal of the company, who was granted the subdivision approval, that he (Mr.Considine) would have some responsibility to meet the requirements of that sub division plan.

Mr.O'Hara commented that Mr.Considine was principal share holder at that time and is now longer affiliated with that company.

Mr.Considine explained that the letter he wrote to the town in 1988, was verbally requested by the zoning administrator, as the result of the construction of a home on lot#18 that could not meet the setback requirements. Based on Mr.Considine stating that he would not make Evergreen Lane into a public road, a building permit was given to Mr.O'Connor (lot#18) because without that letter and the possibility the Evergreen Lane would become a public road in the future, a permit would not have been able to be issued.

Mr.Considine went on to say that the Town accepted the letter from him and released Evergreen Lane from sub-division regulations.

Councilperson Shaw expressed his feelings about the approved sub-division, with requirements so that roads could be put in to serve lots that would be conveyed. It appeared to him that those agreements were not met.

Mr.Schachner inquired about:

1. Reference made to an APA permit - **Explanation given** - permit issued to Mr.Warner for building on lot 25, which was located in Resource Management portion. Mr.Schachner asked if anybody had a copy of the permit. Mr.Warner has it and will submit it to Mr.Schachner.
2. Upon the letter of 1988 - removed Evergreen Lane from the subdivision, did not know what it means - **Explanation given** - Mr.Considine stated that it meant that the zoning administrator asked him to send a letter saying that he (Mr.Considine) had no intention of making Evergreen Lane into a public road. Mr.Schachner stated that he has the copy of the letter dated August 28, 1988.

Other comments made: Evergreen Lane services only the Warners, it dead ends at Mr.Warner's house. Mr.Considine stated that it is only 650' long. Councilperson Shaw asked if there was other lots, answer given was yes there is one other lot and it could be sold.

Mr.Warner addressed the Town Board with his comments.

Mr.Warner referenced the 1988 letter where it was stated "at present, etc", in evidence to that the Warner's purchased lot 25 in 2004. Mr.Warner stated that in the sale to them was a copy of the Timber Lodge subdivision map, shows Evergreen Lane and construction details for road, included in their deed is survey map for Timber Lodge Estates referencing Evergreen Lane. DEC permit signed by Mr.Warner and

Mrs.Considine, for the culvert also references Evergreen Lane. Mr.Warner said that the APA permit, which was needed for the Resource Management signed by both Mrs.Considine and Warner's references the Timber Lodge Estates sub-division map showing road details, construction details, and location of Evergreen Lane. Mr.Warner stated that the right to sell lots was granted and Mr.Considine still has options to sell and as recently as a year ago lot 19 was for sale (transformer, power and cable are on the lot), which is on the road that Mr.Warner has "roughed in".

Warner's are maintaining Evergreen Lane and feel that Mr.Considine has free use of the "road". He went onto say that all the representations made to them (Warners) with a subdivision map, deed that references sub division map and the map being approved by the Town of Chester Planning Board in November of 1980, showed what the road was suppose to be.

Mr.Warner said he was aware of letters sent to Mr.Schachner referencing other lots, that were also granted right-of-ways prior to road construction and then as homes were being built the "road" was also being constructed to Town of Chester specs, after which right-of-way was no longer needed, because it became a maintained town road. He stated that this is what he thought would also happen for them. Mr.Warner stated that he is personally maintaining (grade, clean-up, fix erosion control, plow and sand) a 650' road. He also went on to say that "there is no provisions for anyone else, the way that Mr.Considine is trying to sub-divide, for anybody else to have any maintenance requirements, yet the New York State Attorney General for new subdivisions will not allow a subdivision without having a maintenance agreement on the road.

Mr.Warner explained that another APA permit was involved in 1980, with this subdivision.

He pointed out various parts of the permit:

Action of project application for Timber Lodge Estates;

The permit is issued to Lincoln Logs Limited, project sponsor or the authorized representative is Richard Considine;

Findings of fact - #6 The project sponsor proposes to build the road way to Town of Chester standards. The Town will maintain the roadway after dedication to the Town.

#9 Unless approved by APA agency in advance any deviation from the terms and conditions hereof shall render this permit null and void. The terms and conditions shall here to shall be binding(?) upon the heirs and successors, personal representatives and signs(?) of the project sponsor. Mr.Warner felt that this would apply to Mr.Considine.

Type of use - 50' wide public roadway to a 25 lot subdivision.

Services and improvements - a. improvement to existing road is to town standards.

C. Provisions for homeowners association dead restrictions, covenants or other legal restrictions. None on the road way. Operations and maintenance of all users, uses, services, facilities and other improvements. Town upon dedication.

11. Project sketch - see subdivision map for existing and proposed roads. Mr. Warner stated that it showed Evergreen Lane.

Park agency checking with other local land use regulations -

Subdivision regulations - yes, this permit requires subdivision regulations from local land use regulations. Mr. Warner believed that part of those regulations was Town of Chester planning board approval.

State of New York Department of Transportation work permit - to construct and permanently maintain a subdivision street.

Mr. Warner stated that no one is permanently maintaining the road that his family lives on.

Mr. Warner said that if Mr. Considine did not have to comply with Timber Lodge Estate subdivision, because of the letter that was sent in 1988, would the sale of property to the Warners have been an illegal subdivision. Mr. Warner questioned as to how property could "be cut off".

In closing Mr. Warner stated that the biggest concern is over the responsibility of maintaining the road.

Deputy Supervisor Packer questioned the legality of Mr. Considine's letter in 1988. Councilperson Shaw interpreted the letter as "at that time he did not intend to sell any more lots, so should be released from the requirements to develop that road at that time. And then after that letter has sold one lot". Felt that subdivision development was continued upon selling lot 25.

Questioned was asked if lot 25 was in the original subdivision - yes.

Mr. Warner also read a memo from Mr. Considine to Mark Lebowitz, dated May 31, 2006. Subject - lawsuit.

"I am preparing to contract a sale to my Long Island buyers of lot 19. Faxing letter this afternoon. It occurred to me once I sell it with Evergreen Lane -----

Mr. Schachner asked for a copy of the above memo, which Mr. Warner will provide.

Mr. Schachner inquired as to reference made to APA permit that Warner's had applied for. He stated that what he was looking for was language in the permit in regards to the Warner lot, discussing road access. At quick glance Mr. Schachner referred to the project description - "issued April 24, 2004 to Lawrence and Sandra Warner, applicants and Mary Considine landowner/co-applicant. Access to dwelling will be over an existing woods road, known as Evergreen Lane, that is 12' wide and 400' long."

Mr. Schachner did not see any other description for the road (width or dimensions) or access to property.

Mr. Schachner asked Mr. Warner if he has sought any assistance from APA. Mr. Warner has not at this time as he just received some of the information (FOIL requested).

Mr. Warner commented that there is 2 APA permits. The first being the permit Mr. Considine got for Timber Lodge Estates and then the APA that they (Warners) had to apply for. Mr. Warner stated that the reason they had to apply for a permit was because lot 25, was the only lot in

Resource Management and Evergreen Lane is not in the Resource Management category. He went onto say that at the very end of Evergreen Lane is the brook (DEC permit crossing) and that is where it changes to Resource Management. Mr. Warner also said that Evergreen Lane is a minimum of 650', upon crossing the brook lot 25 is 12' by 400' road way, which is Warner's driveway.

Discussion on an error made by APA in reference to Mr. Warner's driveway and Evergreen Lane and the measurements.

Town Board concerns over approved subdivisions and the regulations.

Deputy Supervisor Packer turned meeting back over to Supervisor Monroe, to continue on with regular meeting.

Bradway car crushing - Review of draft agreement between Town of Chester and David Bradway in regards to car crushing operation at the town's transfer station. Discussion on #6 Fees; Payments - states that Bradway shall pay the Town 5% of the gross receipts. Discussion on whether % was on gross or net receipts. **Executive session.**

Further discussion on emergency service and coverage and the boundaries that both squads have agreed too. Reference made to the map that was presented.

Word of Life assessment litigation - documents are being drafted.

Motion by Mr. Shaw, 2nd by Mrs. Wells Town Board went into Executive Session at 10:35pm to discuss transfer station position, complaint on zoning administrator, Timber Lodge Estates/Evergreen Lane issue, and Eastman junk yard issue.

Motion by Mr. Shaw, 2nd by Mrs. DuRose Town Board resumed regular session at 11:30 pm. No action taken.

RESOLUTION #149: AUTHORIZE THE HIRING OF TRANSFER STATION EMPLOYEES.

Introduced by Mr. Shaw, 2nd by Mrs. Wells authorizing hiring Thomas Wolfe and Nancy Clark, for full time positions at the transfer station as of January 1, 2008 contingent on job being posted.

AYE 5 NO 0

Supervisor Monroe will post transfer station position with CSEA.

Personnel matter with zoning administrator - felt that there was no action to be taken. Councilperson Shaw stated that action would be for Mr. Tennyson to tell Mr. Redmond to remove the signs or site Mr. Redmond for violation. Supervisor Monroe stated that Mr. Tennyson reported that he did not have a private meeting with Mr. Redmond. Councilperson Shaw request that that be a matter of town record. Board asked for recommendation from Mr. Schachner in regards to the complaint filed by Miss Maxam. Supervisor Monroe will draft a response.

Eastman Violation - zoning administrator will do his determination and Mr. Eastman will probably be applying for a permit under the Town's junkyard ordinance.

Timber Lodge Estate matter:

Motion by Mr. Shaw: Pursue requiring Mr. Considine to meet his commitment to improve Evergreen Lane to the specifications required in the subdivision approval.

NO SECONDS WERE RECEIVED.

Councilperson Packer asked about the All Phase bill. New date and time for meeting with All Phase in regards to the bill that was submitted.

Motion made by Mr. Packer meeting was adjourned at 11:45 pm.

Town Clerk

LEGAL NOTICE - PLEASE PUBLISH ONE TIME

Town of Chester Budget Adoption.
Please take notice that the Town Board of the Town of Chester, Warren

County, NY after a public hearing on November 8, 2007 adopted the budget for the fiscal year beginning on January 1, 2008 and ending on December 31, 2008.

Said adopted budget is available for inspection in the office of the Town Clerk, 6307 St Rt 9 Chestertown, NY. during regular business hours.

Bernice Roberts, Town Clerk

NOTICE TO BIDDERS

The Town Board of the Town of Chester, Warren County, NY does hereby invite sealed bids for the sale and delivery of

#2 Fuel Oil
Low sulfur diesel fuel
kerosene

and a separate price for minimum delivery of 5000 gallons fuel oil for the new Town Hall.

All bidders must have and so state, that a qualified serviceman is available for any required emergency service upon no more than two hours notice.

All bids will be based on the tank wagon low price for all products. All bids must be in an envelope marked "Bids for fuel, diesel fuel and kerosene."

Bids will be accepted by the Town Clerk, Chestertown, NY on or before December 11, 2007 at 7:30pm at which time they will be opened and read publicly at the Town Hall, Chestertown, NY.

The Town Board reserves the right to reject any or all bids.

Bernice Roberts, Town Clerk.

NOTICE TO BIDDERS

The Town Board of the Town of Chester, Warren County, NY does hereby invite sealed bids for mini-bus service to provide weekly

transportation for Senior Citizens during the year of 2008. Bids should state the amount per week and total number of weeks for the year. The successful bidder must provide proof that he is a properly licensed public carrier with authority to conduct the specified program from the NY State Transportation Dept., Division of Regulatory Affairs, and must provide proof of public liability insurance. All bids must be in an envelope marked "Senior Citizens/Mini-bus service".

Bids will be accepted by the Town Clerk, Chestertown NY on or before December 11, 2007 at 7:30pm at which time they will be opened and read publicly at the Town Hall, Chestertown, NY.

The Town Board reserves the right to reject any or all bids.

Bernice Roberts, Town Clerk.

NOTICE OF PUBLIC HEARING

The Town Board of the Town of Chester, Warren County, NY will conduct a Public Hearing on December 11, 2007 at 7:35pm at the Town Hall, Chestertown, NY regarding the following proposed contracts for the 2007 year: North Warren Chamber of Commerce, Inc. to act as advertising agent for the Town of Chester in the amount of \$14,000.

Contract with North Warren Emergency Squad to furnish emergency ambulance service in the Town of Chester in the amount of \$50,000.

Contract with North Creek Fire District to provide fire protection in the amount of \$30,000. Contract with Riverside Volunteer Fire Co. to provide fire protection in the amount of \$7,000 and Chestertown Fire Company to also provide protection in the Riverside Fire Protection District in the amount of \$5,000.

All interested persons will be heard concerning same at this time.

Bernice Roberts, Town Clerk.