

Regular meeting of the Town board of the Town of Chester was held **September 8, 2008** at 7:30 p.m. in the Town Municipal Center, Chestertown, NY.

Roll Call: Fred Monroe, Stephen Durkish, Edna Wells and Karen DuRose. Absent - Mike Packer. Mark Schachner ~ Attorney for the Town.

Public Hearing regarding local law 4 Increase in maximum exemption allowable for the alternative veteran's exemption. The purpose of this law is to provide for the maximum veteran's exemption allowable pursuant to Section 458-a of the Real Property Tax Law of the State of New York.

Supervisor Monroe opened the public hearing at 7:35pm. No comments were made and public hearing was closed at 7:36pm.

RESOLUTION #134: ADOPT LOCAL LAW #4 OF 2008 TO PROVIDE FOR INCREASE IN MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERAN'S EXEMPTION FROM REAL PROPERTY TAXATION.

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

Be it enacted by the Chester Town Board as follows:

SECTION 1. The purpose of this law is to amend Local Law No. 1 of 2006 to provide for an increase in the maximum veterans exemption allowable pursuant to Section 458-a of the Real Property Tax Law of the State of New York.

SECTION 2. Section 2 of Local Law No. 1 of 2006 is amended to read as follows:

Section 2. Pursuant to the provisions of subdivision 2(d) of Section 458-a of the Real Property Tax Law of the State of New York, the maximum veterans exemption allowable from real property taxes is established as follows:

a. Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent (15%) of the assessed value of such property; provided however that such exemption shall not exceed the lesser of ~~Twenty-Seven~~ Thirty-six Thousand Dollars (\$36,000) or the product of ~~Twenty-Seven~~ Thirty-six Thousand Dollars (\$36,000) multiplied by the latest state equalization rate for the assessing unit.

b. In addition to the exemption provided by paragraph (a) of this Section, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, or the armed forces expeditionary medal, navy expeditionary medal, marine corps expeditionary medal, or global war on terrorism expeditionary medal, qualifying residential real property also shall be exempt from taxation to the extent of ten percent (10%) of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of ~~Eighteen~~ Twenty-four Thousand Dollars (\$24,000) or the product of ~~Eighteen~~ Twenty-four Thousand Dollars (\$24,000) multiplied by the latest state equalization rate for the assessing unit.

c. In addition to the exemptions provided by paragraphs (a) and (b) of this subdivision, where the veteran received a compensation

rating from the United States Veterans Administration or the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent (50%) of the veteran's disability rating, provided, however, that such exemption shall not exceed the lesser of Ninety One Hundred Twenty Thousand Dollars (\$120,000) or the product of Ninety One Hundred Twenty Thousand Dollars (\$120,000) multiplied by the latest state equalization rate for the assessing unit. For purposes of this paragraph, where a person has served in the active military, naval or air service during a period of war died in service of a service connected disability, such person shall be deemed to have been assigned a compensation rating of one hundred percent (100%).

SECTION 3. All other terms and conditions of Local Law No. 1 of 2006 not specifically amended by this Local Law shall remain in full force and effect.

SECTION 4. This Local Law shall take effect upon filing with the Secretary of State of the State of New York.

AYE 4 NO 0

Bti Bids :

Bti program - One bid was received:

Bioconservation Inc, 2 White Birch Ln. Gansevoort, NY 12831.
3 year program (2009-10-11) total \$47,400 (paid quarterly starting January 3rd 2009 in the amount of \$3,950.)

RESOLUTION #135: ACCEPT BID FROM BIOCONSERVATION INC. FOR THREE YEAR BTI PROGRAM.

Introduced by Mr.Monroe, 2nd by Mrs.Wells to accept bid from Bioconservation Inc., 2 White Birch Ln., Gansevoort, NY 12831 in the amount of \$47,400 for a three year program, beginning in 2009. Payments will be made quarterly beginning January 3, 2009.

AYE 4 NO 0

RESOLUTION #136: APPROVE MINUTES OF TOWN BOARD MEETING.

Introduced by Mrs. DuRose, 2nd by Mrs.Wells to accept the Minutes of the August 12 town board meeting.

AYE 4 NO 0

Privilege of the floor:

Greg Beckler and Pam Morin - North Warren Chamber: Mr.Beckler presented the town board with the chamber budget for 2009 of \$14,000 (same as 2008). Greg went over some of the items the chamber has been doing and what is being planned (a welcome package), increase in membership fee. Pug parade is becoming a big event and the chamber is working hard to promote various events and make it in to a fun pet friendly vacation get away weekend.

Other handouts included - a map and guide, rack cards, and the card

for the "pug parade" for 2008, and proposed occupancy tax expenditures for both 2008 and 2009.

Request was made for additional funds from the occupancy tax for the parade. Request will also be made with the Town of Horicon.

RESOLUTION #137: APPROVE ADDITIONAL FUNDING FOR 2008 AND 2009 FOR THE PUG PARADE.

Introduced by Mr.Monroe, 2nd by Mrs.Wells approve additional funding, from occupancy tax, for the Pug Parade for 2008 \$5,950 and 2009 \$6,000 (these amounts include the \$2,000 per year for the Event Planner). AYE 4 NO 0

A contract for the Event Planner has been drafted between the Town and the Chamber. Mr.Schachner will make the changes needed and send to Supervisor.

Mr.Beckler also requested an additional \$500 for advertising in the Americade brochure. He stated that the organizers of the Americade are looking for things of interest that can be done when they have their rally and expand in to surrounding areas. The chamber would like to advertise in the Americade promotional material that is mailed, cost of advertising would be \$500. Mr.Beckler stated that the chamber would be linked to the website.

RESOLUTION #138: APPROVE REQUEST OF \$500 FOR ADVERTISING

Introduced by Mr.Monroe, 2nd by Mrs.Wells approving request of \$500 for advertising in the Americade booklet. AYE 4 NO 0

Another request that was made by the Chamber was to have funds, approximately \$500 for "tweaking" the website. Board felt that at this time perhaps Town of Horicon would approve this as Town of Chester board approved other things.

Joe Miragliotta - Stated that he had received papers and nothing in the paperwork said it was a "grandfather junkyard". Supervisor Monroe stated that this was not a Town Board issued and the Town Board has no authority. Mr.Miragliotta will need to talk to zoning administrator about the determination and then if needed Mr.Miragliotti could go to the Zoning Board of Appeals.

Old business:

Road off Perry Road - status of public right of way - John Bradway, Harold Ellsworth and David Bradway stated that the access to the Ethan Perry Road is still being a problem. Gate has been left open, but part of the road is still being blocked. Request if a sign can be put up stating that this a public access road. Discussion about putting a sign up, Mr.Schachner will research this.

Mr.Schachner will send another letter to Mr.Perryman and copy will also be sent Sheriff, State Troopers and Chester Court stating the Town's position (town road that was qualifiedly abandoned and remains

a right of public access).

Mr. Bradway was wondering about use of road for ATV's and or snowmobiles. Supervisor Monroe stated there was a law for designating roads for snowmobile use, but he was not aware of any such law for ATV's.

Response to APA comments on request of approval of zoning amendments

Letter received from APA, dated September 4, commenting on the "accessory apartment" amendment. They felt the proposed amendment was "more complicated" and "is a matter of great concern given the growing need for affordable housing and in-house caregivers."

The letter went on to say that in 2001 approval was given to Town of Chesterfield for accessory apartments. Mr. Schachner will contact Town of Chesterfield and Supervisor Monroe will "relay" that there will not be permanent impact and the use is temporary, with items being removed from structure, such as kitchen etc.

Joseph and Catherine Mannuci request for boundary line agreement -

Mr. Schachner informed the town board that a letter has been sent to Attorney Dan Smith.

Bill Peper and Shirley Salerno Schroon River flooding and erosion problem solution -

Supervisor Monroe stated he visited site last summer along with highway superintendent and Dave Wick. Photos were passed around. Low area on property and since the building of the new dam they feel that this has caused erosion and flooding.

Letter received from Dave Wick, dated August 15, 2008.

Discussion on doing repairs to the low area in question and also reporting "damage" to the town's insurance carrier. Board would like to have Gary talk with Dave Wick to see what could be done, based on Mr. Wick's recommendation in his letter. Gary has concerns over being able to get equipment into the area.

Supervisor Monroe stated that this is a unique situation and felt that there was a reasonable complaint.

Supervisor Monroe felt that a non-jurisdictional permit would be needed from APA.

New business:

Highway garage furnace quotes - 2 received

Riverside Gas and Oil \$5,254.

Buckman's Family Fuel \$3,795.

RESOLUTION #139: ACCEPT QUOTE FROM BUCKMAN'S FAMILY FUEL FOR HIGHWAY GARAGE FURNACE.

Introduced by Mrs. Wells, 2nd by Mrs. DuRose to accept quote from Buckkman's Family Fuel, Chestertown, NY in the amount of \$3,795 to replace existing furnace at the highway garage.

AYE 4 NO 0

Schroon Lake Park District Commissioner appointment - Letter of

resignation was received from Karin Peet. She will remain on until December 31, 2008.

RESOLUTION #140: ADVERTISE FOR SCHROON LAKE PARK COMMISSIONER.

Introduced by Mr.Monroe, 2nd by Mrs.Wells to advertise for a Schroon Lake Park Commissioner for the Town of Chester, due to the letter of resignation received from Karin Peet.

AYE 4 NO 0

RESOLUTION #141: ACCEPT AUDIT REPORT OF COURT CLERK AND BOOKKEEPER BOOKS.

Introduced by Mr.Durkish, 2nd by Mr.Monroe to accept the audit report of July 2008 on the court clerk and bookkeeper's records.

AYE 4 NO 0

RESOLUTION #142: SET DATE FOR TENTATIVE BUDGET MEETING.

Introduced by Mr.Monroe, 2nd by Mrs.Wells to set the date of October 1, 2008 at 7:00pm for Tentative budget meeting.

AYE 4 NO 0

RESOLUTION #143: AUTHORIZE JUDGE AND COURT CLERK TO ATTEND TRAINING CLASS.

Introduced by Mrs.Wells, 2nd by Mr.Durkish authorizing judge and court clerk to attend training class that will be held October 4, 2008 at Adirondack Community College.

AYE 4 NO 0

Bob Walp - proposal to update website - Mr.Walp showed the Board what he planned for a new website and what the site could be linked to. Approximate cost for completion of what he started would be \$1000.

RESOLUTION #144: AUTHORIZE BOB WALP TO UPGRADE TOWN'S WEBSITE.

Introduced by Mr.Monroe, 2nd by Mrs.DuRose authorizing Bob Walp to upgrade Town's web site. Cost will be approximately \$1000 and will be paid for with occupancy tax funds.

AYE 4 NO 0

Review quotes for bathhouse materials - 2 quotes were received.

Curtis Lumber, 185 River St, Warrensburg	\$8,551.20
T C Murphy Lumber, 3911 Wevertown	\$10,562.61

RESOLUTION #145: ACCEPT BID FROM CURTIS LUMBER FOR BATHHOUSE MATERIALS.

Introduced by Mr.Monroe, 2nd by Mrs.Wells to accept bid from Curtis Lumber, 185 River St, Warrensburg in the amount of \$8,551.20 for materials to build bathhouse at Loon Lake beach.

Fred Monroe - Aye Edna Wells - Aye Karen DuRose - Aye
Steve Durkish - abstain.

Adirondack Community Housing Trust Presentation - September 22, 2008 at 10 am in North Creek, at the Outreach Center.

Cable contract - Supervisor Monroe would like to set date for a

meeting with the cable committee. October 1, 2008 at 8:00pm set date. This will committee meeting will follow the tentative budget meeting.

RESOLUTION #146: APPLY FOR LARAC GRANT.

Introduced by Mrs.Wells, 2nd by Mr.Durkish authorizing the Town of Chester Youth Commission to submit application for a grant through LARAC. Grant would enable Youth Commission to provide funding for Seagle Colony Children's Opera program for 2009. AYE 4 NO 0

RESOLUTION #147: RE-APPOINT JOE LAROCQUE TO BOARD OF ASSESSMENT REVIEW.

Introduced by Mrs.Wells, 2nd by Mr.Monroe to re-appoint Joe LaRocque to Board of Assessment Review. Term is for 5 years and ends September 30, 2013. AYE 4 NO 0

RESOLUTION #148: AUTHORIZE REPAIRS TO HIGHWAY TRUCK BOX.

Introduced by Mrs.Wells, 2nd by Mr.Monroe authorizing repairs to the 2001 highway truck box. Repairs will be done by T&T Body King and approximately cost \$14,474.88. AYE 4 NO 0

RESOLUTION #149: AUTHORIZE SUPERVISOR TO AMEND METAL CONTRACT PRICE.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells authorizing Supervisor to amend metal contract price from \$200 to \$100 providing that he can confirm the metal market price has dropped. AYE 4 NO 0

RESOLUTION #150: AUTHORIZE SUPERVISOR TO ORDER TWO SOLAR SPEED SIGNS.

Introduced by Mrs.DuRose 2nd by Mrs.Wells authorizing Supervisor to order the two solar "your speed is" signs. TC 500S with the upgrade to 65 watt solar panel. AYE 4 NO 0

Discussion on location of where to have the solar signs placed, in Chestertown locate near the 30mph by the Grand Union on Route 9 and in Pottersville on the south end of Route 9, by Landon Hill. Signs are not portable, but can be moved.

RESOLUTION #151: AUTHORIZE PAYMENT OF ABSTRACT AND APPROVE BUDGET AMENDMENTS.

Introduced by Mrs.Wells, seconded by Mrs.DuRose, authorizing payment of abstract and approve claims paid prior to audit.

General fund	\$ 36,500.07	(394-450)
Resolution #119 approved voucher	394	\$200.
Highway fund	145,150.74	(154-171)
Chtwn water	2,101.67	(55- 60)
P'ville water	2,835.94	(45- 55)
Library	1,432.58	(43- 50)
Loon Lk Pk	400.50	(18- 19)

Budget amendments are attached.

AYE 4 NO 0

Motion by Mr.Monroe, 2nd by Mrs.Wells Town Board went into Executive session at 10:00pm to discuss an employee issue. Motion by Mr.Durkish, 2nd by Mrs.DuRose Town Board resumed regular session at 10:15pm. No action was taken.

Motion made by Mr.Monroe meeting was adjourned at 10:20pm.