

Regular meeting of the Town Board of the Town of Chester was held **April 11, 2006** at 7:30 pm in the Town of Chester Municipal Center, Chestertown, NY.

Roll Call: Frederick H Monroe, Frank Shaw, Michael Packer, Edna Wells and Karen DuRose. Mark Schachner - attorney for the Town.

Sand bids - one bid was received. Gilma Enterprises, Box 363, Chestertown, NY. Bid was for \$1.40 per yard for bank run sand and to be screened at the Gilma Pit, Rt.8, Chestertown by the Town of Chester with the town's own equipment.

RESOLUTION #69: ACCEPT BID FROM GILMA ENTERPRISES FOR BANK RUN SAND.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to accept the bid for bank-run sand from Gilma Enterprises, Inc. Box 363, Chestertown, NY. Bid price of \$1.40 per cubic yard for bank run sand, screened at the Gilma Pit on Route 8, Chestertown, by the Town of Chester with the Town's equipment.

AYE 5 NO 0

RESOLUTION #70: ACCEPT MINUTES OF MARCH MEETING.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to accept minutes of the March 14th Town Board meeting.

AYE 5 NO 0

Privilege of the Floor:

Al Hyslop, Stratford on Hudson, thanked Town Board for their past and present support. Stratford on Hudson have tentative plans for 2006.

Peter Simoneau, Peckham Materials, stated that Peckham has received both APA and DEC permits.

Old Business:

Discussion on which version to be used for the kiosk. Greg Beckler, Chamber of Commerce, said that there would be a compensation charge on the photo from Bowie and Heilman - approximate \$400-\$700 per picture. Board reviewed both layouts.

RESOLUTION #71: APPROVE NARRATIVE AND PICTURES FOR LAKE GEORGE KIOSK.

Introduced by Mr. Shaw, 2nd by Mr. Packer to approve narrative and pictures for the Town of Chester's panel in the Lake George kiosk. Pictures are from Greg Beckler and Dean Color, at no charge.

AYE 5 NO 0

Authorize hiring LA Group to prepare grant application including preliminary design of hiking, biking trails. - Supervisor Monroe has received the proposal from the LA Group. Proposed contract is to provide "professional planning services specifically related to the preparation of a Parks Grant through the New York Office of Parks, Recreation and Historic Preservation", with the focus on the development of a town-wide pedestrian/bicycle trail". Cost shall not exceed \$3,000. Initial cost would be from Occupancy Tax fund and further cost would be from the grant.

Deadline for submitting application for the NYS OPRHP Parks Grant Application is May 26, 2006.

Mr. Schachner review the proposed contract from LA Group and recommends that the Board delete sections 4. Ownership of Documents and section 7. Arbitration of the proposed contract.

Further discussion on the joint filing of application with Town of Horicon.

RESOLUTION #72: AUTHORIZE AGREEMENT WITH LA GROUP TO PREPARE GRANT APPLICATION INCLUDING PRELIMINARY DESIGN OF HIKING/BIKING TRAILS.

Introduced by Mr. Shaw, 2nd by Mrs. Wells authorizing an agreement with LA Group, 40 Long Alley, Saratoga Springs, NY 12866 to prepare a Parks Grant through the New York Office of Parks, Recreation and Historic Preservation and include the preliminary design of hiking/biking trails, and

Authorize LA Group to file application either solely on behalf of the Town of Chester or jointly on behalf of the Towns of Chester and Horicon.

Cost not to exceed \$3,000 for the Town of Chester.

AYE 5 NO 0

Action on Chamber of Commerce proposals for use of Occupancy tax funds.

- Greg Beckler, Chamber of Commerce, submitted new list to Supervisor Monroe. List will be given to Board and reviewed at the May meeting. Mr. Beckler has requested that consideration be given to compensate Fred Englemann for the many hours he has donated in creating the web site.

Mr. Beckler has also presented the list to the Rotary, to see which projects Rotary would be interested in doing. Improvements to Dynamite Hill recreation area in regards to beautification (flowers and shrubs) and also improving the Carolyn Fish trails.

Report on Adirondack Local Government Day - Members attending felt that the Affordable Housing program was excellent.

RESOLUTION #73: ADVERTISE FOR OPENING OF BIDS FOR THE POTTERSVILLE STONE WALL BIDS.

Introduced by Mr. Shaw, 2nd by Mr. Packer to advertise for opening of bids for May 9th, 2006 town board meeting at 7:30 pm for the Pottersville stone wall bids and to rescind Resolution #55 of the March 14, 2006 meeting.

AYE 5 NO 0

Appointment of Pat Smith as alternate member of ZBA.

RESOLUTION #74: APPOINT PATRICIA SMITH AS ALTERNATE TO ZONING BOARD OF APPEALS.

Introduced by Mr. Shaw, 2nd by Mrs. DuRose to appoint Patricia Smith as alternate member to the Zoning Board of Appeals and to rescind Resolution #59 of the March 14, 2006 meeting which appoint was made to both ZBA and the Planning Board, if found to be allowable by

Mr.Schachner (attorney for the Town.)

AYE 5

NO 0

Hiring lifeguards after training. Pre-payment for lifeguard course and pre-payment for water safety instructor course. Discussion on the hiring of three lifeguards (two regular and one for backup) and paying for private instruction for Sarah Emlaw (do to conflicts with her schedule she is unable to attend other training courses).

RESOLUTION #75: AUTHORIZE HIRING OF LIFEGUARDS AFTER TRAINING AND SIGNING AGREEMENT.

Introduced by Mr.Shaw, 2nd by Mrs.Wells authorize hiring Elizabeth Aiken, Danielle Mahlstedt, and Sarah Emlaw as lifeguards at Loon Lake beach for the summer of 2006, upon completion of instruction and signing the agreement.

Agreement states that Town will pay for lifeguard training and that the lifeguards agree to serve as lifeguards for the Town of Chester for a minimum of one summer season in exchange for the Town's agreement to pay for their lifeguard training.

Authorize prepayment for course, if required.

AYE 5

NO 0

RESOLUTION #76: AUTHORIZE TRAINING FOR WATER SAFETY INSTRUCTOR.

Introduced by Mr.Shaw, 2nd by Mr.Packer authorize training for water safety instructors. Cost not to exceed \$300 per person.

AYE 5

NO 0

RCPA v. Town of Chester & APA litigation. - Decision is favorable and that the Zoning Law and APA approval have been upheld and the legal Petition dismissed. Copy of Court Decision is on file in Town Clerk's office.

New Business:

Summer Spectacular Celebration on July 8th - list and cost for advertising were reviewed.

RESOLUTION #77: APPROVE COST OF ADVERTISING FOR JULY 8TH CELEBRATION.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to approve cost of advertising for the July 8th Summer Spectacular Celebration. Approve \$1000 for advertising from Occupancy Tax fund.

AYE 5

NO 0

Discussion on repealing Ordinance #1 of 1995 in regards to vending permits and fees. Board determined that the fees could be waived and just issue permits, so the Town will be aware of who is soliciting.

RESOLUTION #78: SCHEDULE PUBLIC HEARING FOR REPEAL OF ORDINANCE #1 OF 1995 - ORDINANCE RESTRICTING PEDDLING, VENDING AND SOLICITING IN THE TOWN OF CHESTER.

Introduced by Mr.Shaw, 2nd by Mrs.Wells to set date of May 9th, 2006 at 7:45 pm for Public Hearing on Ordinance #1 of 1995 - Ordinance

Restricting Peddling, Vending and Soliciting in the Town of Chester to repeal the fee schedule. AYE 5 NO 0

Extension of Pottersville Water District main or reduction of district on Route 9 southwest of Landon Hill Road. Extension of District on Glendale Road. Supervisor Monroe tried to set up a meeting with Finch, Stetson, Hammond family and camp ground owner, in regards to their concerns of the Pottersville water district - being in the district and unable to receive town water. He will continue to try and reach them individually.

Jason Monroe, Water Superintendent, will research the possibilities of the extension on Glendale Rd.

RESOLUTION #79: RE-APPOINT ROBERT THURLING TO PLANNING BOARD.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to re-appoint Robert Thurling to Planning Board. Term expires 4-21-2013.

AYE 5 NO 0

RESOLUTION #80: APPOINT HAROLD ELLSWORTH AS ALTERNATE TO PLANNING BOARD.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to appoint Harold Ellsworth as the alternate member to the Planning Board.

Roll call: Frederick Monroe AYE Michael Packer AYE 5
Frank Shaw AYE Edna Wells AYE Karen DuRose ABSTAIN

List of sidewalks to be rebuilt in 2006. Discussion again on doing a sidewalk to the Pottersville post office and if the state plans on doing it. Sidewalks planning to be done: sidewalk next to stone wall in Pottersville, in Chestertown area - sidewalk between Nice 'n Easy and former Leggett apartments; funds left would be applied to Knapp Hill sidewalk repairs.

Policy regarding sick time to care for close relative. Discussion on the wording in Employee Hand Book in regards to policy for sick time use. Councilperson Shaw inquired about the Family Medical Leave Act, and what that Act covers, in regards to job security. Discussion on work being done at home, Board approval would be required. Another possibility would be "sick bank". Amendments would need to be done to the Employee Hand Book. Tabled.

RESOLUTION #81: AMEND EMPLOYEE HAND BOOK TO ALLOW ANY EMPLOYEE OF THE TOWN OF CHESTER THE OPPORTUNITY TO USE ANY SICK TIME THAT THEY HAVE ACCRUED TO PROVIDE CARE FOR ANY INDIVIDUAL THAT WOULD BE COVERED UNDER FAMILY MEDICAL LEAVE ACT.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to amend Employee Hand Book to allow any employee of the Town Of Chester the opportunity to use any sick time that they have accrued to provide care for any individual that would be covered under Family Medical Leave Act.

AYE 5 NO 0

Impassive in CSEA negotiation. Supervisor Monroe stated that a number of meetings have been held with the CSEA Bargaining Unit. All issues have been resolved with the exception of the health insurance. Town Board insist that employees pay a share of their health insurance premium (5% for the first year on contract and increasing to 10% at the end of the five year CSEA contract). This was rejected and no meetings have been held since the first of the year. Mr.Schachner, Attorney for the Town, explained what would need to be done to file paper work to declare "Impasse". Form would be filed with the Public Employment Relations Board in Albany.

RESOLUTION #82: FILE PAPER WORK TO DECLARE IMPASSE

Introduced by Mr.Shaw, 2nd by Mr.Packer authorizing Attorney for the Town of Chester to draft the necessary paper work to declare Impasse in CSEA negotiations.

AYE 5 NO 0

RESOLUTION #83: APPROVE REQUEST OF OAS CLASS OF NORTH WARREN TO COLLECT BOTTLES FROM THE TRANSFER STATION.

Introduced by Mrs.Wells, 2nd by Mr.Packer to approve request of OAS Class of North Warren to collect bottles from the transfer station from April 24th through April 29th .

AYE 5 NO 0

RESOLUTION #84: AUTHORIZE PAYMENT OF ABSTRACT.

Introduced by Mr.Shaw, 2nd by Mr.Packer authorizing payment of abstract: note #111 was approved by Res.#64 at 4-3-06 meeting

General Fund	\$ 83,914.70	(112 - 169)
Highway Fund	\$ 16,354.71	(51 - 79)
Chestertown water	\$ 1,200.61	(12 - 20)
Pottersville Water	\$ 554.74	(7 - 14)
Library	\$ 1,019.75	(18 - 21)

AYE 5 NO 0

Motion by Mr.Packer meeting was adjourned at 9:15 pm.

Town Clerk

Bids to be opened at the May meeting:

Stone wall - 7:30 pm

Streetlights - have not received any info.

Milfoil - 7:35 pm

Public hearing on repeal -vending - 7:45 pm

This res. Will need to be passed at the May town board meeting and then sent to LA Group - need more information (\$ figures).

RESOLVED that 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 \$???????, 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 ??????????????????/ and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

LEGAL NOTICE
PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Chester has scheduled a Public Hearing on May 9th, 2006 at 7:45 pm at the Town Hall, for the purpose of repealing fees of the Ordinance #1 of 1995 - Ordinance Restricting Peddling, Vending and Soliciting in the Town of Chester.

Bernice Roberts - Town Clerk