

**Regular meeting** of the Town Board of the Town of Chester was held **April 8, 2008** at 7:15 pm in the Town of Chester Municipal Center, Chestertown, NY.

Roll Call: Frederick Monroe, Stephen Durkish, Edna Wells and Karen DuRose. Mike Packer - absent. Mark Schachner - attorney for the Town.

**Public hearing** - Supervisor Monroe opened the public hearing on Redecker septic variance application 7:15pm. Mr. Redecker's property is located at 162 Blue Bay Road and tax map number is 86.13-2-2. Town Board had requested a jurisdictional determination from APA and for the map to show topographic and identify neighboring wells. Letter was received from APA and stated that the replacement project "as described in the materials submitted does not require a permit or variance from them, provided that facts submitted are accurate and complete."

The Town will be required to refer paper work to APA because, according to APA's letter a shoreline variance is required. The Agency has 30 days from the date the Town refers the complete variance to act, during which time the Town's variance does not take effect.

Jim Hutchins, engineer representing Mr. Redecker, presented to the Town Board an updated map showing topography up to Blue Bay Road, the power line, separation between Blue Bay Rd and waste water system is 149' and 130' for the septic tank from Blue Bay Rd.

Proposal that was reviewed in February has not changed. Mr. Hutchins reviewed the proposal: replacement waste water with a setback from the lake of 76' and from Redecker's well of 55' (which is considerably more than what the present system is). He went onto say that all setbacks from neighboring wells are in accordance with codes.

The only variance that is being requested is from owners system to the lake and owners well to waste water system.

Only one letter was received from Mr. and Mrs. Michael Baglivo opposing the variance.

Mr. Schachner reviewed with the Board as to the next step involved with approving the variance application.

Town Board determined that:

(a) The special circumstances or conditions that exist are steep slopes on the west end of the lot that adjoins Blue Bay Road is at a higher elevation than the dwelling. The existing septic system is approximately 15' from the applicant's well and proposal would move system to the east of the dwelling and increase separation distance to 55'

(b) The variance would not be materially detrimental to adjoining properties because it maintains the required separation system from neighboring wells (100' drilled well on south and 150'+ shallow well on the north).

(c) Granting of the variance is necessary for the reasonable use of land and the requests are the minimum variances which alleviate the hardship.

Complete variance will need to be sent to Adirondack Park Agency for review.

**RESOLUTION #55: CHESTER TOWN BOARD ACTING AS TOWN OF CHESTER LOCAL BOARD OF HEALTH. APPLICATION OF JAMES REDECKER FOR SEPTIC VARIANCE APPLICATION.**

Introduced by Mr. Monroe, 2<sup>nd</sup> by Mrs. DuRose:

Chester Town Board acting as Town of Chester Local Board of Health.

Application of James Redecker, 162 Blue Bay Road, Chestertown, NY. Tax map number 86.13-2-2.

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. The special circumstances or conditions that exist are steep slopes on the west end of the lot that adjoins Blue Bay Road is at a higher elevation than the dwelling. The existing septic system is approximately 15' from the applicant's well and proposal would move system to the east of the dwelling and increase separation distance to 55'

2. The variance would not be materially detrimental to adjoining properties because it maintains the required separation system from neighboring wells (100' drilled well on south and 150'+ shallow well on the north).

3. Granting of the variance is necessary for the reasonable use of land and the requests are the minimum variances which alleviate the hardship.

Complete variance will need be sent to Adirondack Park Agency for review.

AYE 4 NO 0

**Bid openings and RFP:**

**Request for Proposal on Landfill Well Monitoring.**

Three RFPs were received:

C.T. Male Associates, P.C., 50 Century Hill Drive, PO Box 727, Latham, NY 12110. Total Bid for one year (**4 quarters**) **\$9,870**

Adirondack Landfill Services, LLC, Geoffrey May, PO Box 404, Keeseville, NY 12944. Total bid for **3 quarters** **\$6,925.**

Phoenix Environmental Labs, Clarence (Buddy) Beames, 35A Hudson St, South Glens Falls, NY 12803. Total bid for one year

**(4 quarters) \$5,792.**

Bids were **Tabled for review.**

**Loon Lake Bathhouse materials bid:**

Three bids were received:

Curtis Lumber Co., Inc., 185 River Street, Warrensburg, NY 12885  
**\$8716.11**

T.C. Murphy Lumber Co., Route 8, Wevertown, NY 12886

**\$9898.53 materials \$3601.93 fixtures etc. \$834.24 siding**

Stephenson Lumber Co., Inc, Route 9, Chestertown, NY 12817



- sold to state to protect forested lands bordering the river and provide additional public access to the Hudson.
2. 442 acres of land encompassing Igerna and Potter Brook road -would be retained as working forest, subject to a conservation easement which they intend to see to the state. Easement would assure forest management and permit continuation of hunt club leases. Igerna tract is currently unleased, easement may provide full public access for hunting and other use.
  3. 75 acre Vanderwalker tract - will not be included for state easement, based on request of town. TNC will sell tract on open market - has potential for limited development.

**RESOLUTION #59: SCHEDULE A PUBLIC HEARING IN REGARDS TO THE NATURE CONSERVANCY PLAN PROPOSAL.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose to schedule a public hearing on May 13<sup>th</sup> at 7:00 pm for the purpose of reviewing the proposal of The Nature Conservancy plan for lands now owned by them in the Town of Chester. AYE 4 NO 0

**Old Business: continued**

**Smart Growth Grant for planning for affordable housing - professional services** - Discussion on doing RFP's for professional services. Town of Chester received funding for \$35,0000. Supervisor Monroe stated that planning can begin now.

**RESOLUTION #60: REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES FOR PLANNING FOR AFFORDABLE HOUSING.**

Introduced by Mrs. Wells, 2<sup>nd</sup> by Mrs.DuRose to do Request for Proposals for professional services for planning for affordable housing in accordance with the Town of Chester Smart Growth Grant. Set date of May 13<sup>th</sup> at 7:15 pm. AYE 4 NO 0

**APA response to request for approval of zoning amendments -**

Mr.Schachner stated that APA has made comments on the Towns request for approval on the zoning amendments. APA had no comments on the Friends Lake Watershed District and one aspect of the proposed amendment to the subdivision regulations. Many comments from APA were received on the junk and junk yard regulations, boundary line adjustments and accessory apartments. Mr.Schachner will try to do a summary (user-friendly) for the May 13 meeting.

**Still looking for someone to represent Town of Chester on Warren County Youth Board and alternates for Board of Assessment Review.**

**Status of summary of procedure for cable TV franchise renewal -**

Mr.Schachner commented that a public hearing will be needed, but not until after a tentative agreement has been reached.

**New Business: (cont.)**

**Health care reimbursement** - Supervisor Monroe has received a draft copy of the plan in regards to the retirees health care reimbursement.

**Bereavement Policy inconsistency between CSEA contract and Employee Handbook** - CSEA would like to have immediate family bereavement defined. Supervisor Monroe asked John West to talk union rep and have them come to the Town Board with a proposal. **Tabled.**

**RESOLUTION #61: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH OFFICE FOR THE AGING.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing Supervisor to sign contract with Office for The Aging. AYE 4 NO 0

**RESOLUTION #62: RE-APPOINT PAUL LITTLE TO PLANNING BOARD.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mr.Durkish to re-appoint Paul Little to Town of Chester Planning Board. Term expires April 21, 2015. (seven year term). AYE 4 NO 0

**RESOLUTION #63: APPROVE REQUEST OF PACK 30 TO COLLECT BOTTLES FROM TRANSFER STATION.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mrs.Wells approving request of Cub Scouts Pack 30 to collect bottles from the transfer station for a 2 month period. AYE 4 NO 0

**RESOLUTION #64: APPROVE CHESTERTOWN 5K & 10K RACE TO BE HELD SEPTEMBER 20, 2008.**

Introduced by Mr.Durkish, 2<sup>nd</sup> by Mrs.DuRose approving of the Chestertown 5K & 10K race to be held on September 20, 2008 from 9:30 am to 11:30 am. Course will remain the same as in past years.

Roll Call: Mr.Monroe - AYE Mrs.DuRose - AYE  
Mr.Durkish - AYE Mrs.Wells - Abstain

**RESOLUTION #65: APPROVE REQUEST OF WARREN COUNTY COUNCIL OF CHAMBERS.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose to approve request of Warren County Council of Chambers for \$200 to help defray the cost of developing the web site for the Council of Chambers.

AYE 4 NO 0

**RESOLUTION #66: AUTHORIZE SUPERVISOR TO PURCHASE A BASE RADIO FOR THE TOWN HALL.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mr.Durkish authorizing Supervisor Monroe to purchase the necessary equipment for a base radio at the Town Hall. AYE 4 NO 0

**State land acquisition wish list - meeting** - Supervisor Monroe will contact Town Board as to when meeting will be held.

**RESOLUTION #67: AUTHORIZE ASSESSOR TO OBTAIN REQUIRED TRAINING.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose:

Whereas, the Town Assessor Paul Maniacek is required to annually fulfill his continuing education training requirements, and

Whereas, the New York State Assessor Association offers courses during the week of July 14<sup>th</sup> at their Annual Seminar at Cornell University, and the week of September 21<sup>st</sup> at their Annual Conference on Assessment Administration in Kerhonkson which assist the Assessor in fulfilling these requirements, now therefore be it

Resolved, that the Assessor is hereby authorized to travel and attend these training seminars. AYE 4 NO 0

**RESOLUTION #68: APPROVE REQUEST TOWN CLERK TO ATTEND CONFERENCE.**

Introduced by Mrs.Wells, 2<sup>ND</sup> by Mrs.DuRose approving request of Town Clerk to attend New York State Association of Tax Receives & Collectors 2008 Annual Training Seminar in Queensbury, NY from June 8 - 11<sup>th</sup>, 2008. All necessary expenses for same to be a lawful claim against the Town of Chester. AYE 4 NO 0

**RESOLUTION #69: ADVERTISE FOR BIDS FOR 74" FLAIL MOWER.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing to advertise for bids for a Versa 74" Flail mower, if not available under state contract. Bid opening to be May 13<sup>th</sup> at 7:20 pm. AYE 4 NO 0

Supervisor Monroe has received many comments about a proposal for boat slips on the lake. This is a Zoning Board of Appeals issue.

Letters received objecting to the capitalization income method on figuring assessments on commercial properties. Felt that this was a standard method. No Action.

**RESOLUTION #70: AUTHORIZE SUPERVISOR TO SEND LETTER TO ALL PHASE.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing Supervisor Monroe to send letter to All Phase Electric, 4 Caldwell Circle, Ticonderoga, NY 12883 in regards to payment for the decorative street light project that was done in Pottersville. Adjusted amount for payment is \$8,767.90 plus revised bid total of \$17,680 for total amount to be paid to All Phase of \$26,447.90. AYE 4 NO 0

**RESOLUTION #71: AUTHORIZE PAYMENT OF ABSTRACT.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing payment of abstract and approve claims paid prior to audit:

General fund	\$ 43,013.91	(115-169)
Highway fund	32,974.59	( 47- 72)
Chtwn water	1,243.86	( 13- 16)
P'ville water	262.43	( 7- 10)
Library	2,744.65	( 12- 17)
	AYE 4	NO 0

**RESOLUTION #72: ADVERTISE FOR HELP IN PARKS DEPARTMENT AND TRANSFER STATION.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mrs.DuRose to advertise for help in Parks Department and Transfer station as requested by John West.

AYE 4            NO 0

**Motion** by Mr.Monroe, 2<sup>nd</sup> by Mrs.Wells Town Board went into Executive Session at 9:35pm to discuss Notice of Claim filed by June Maxam  
Motion by Mrs.Wells 2<sup>nd</sup> by Mrs.DuRose Town Board resumed regular session at 9:50. No action taken.

Motion by Mr.Monroe meeting was adjourned at 9:50 pm.

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Town Clerk