

Regular meeting of the Town board of the Town of Chester was held **August 12, 2008** at 7:30 p.m. in the Town Municipal Center, Chestertown, NY.

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

Public Hearing regarding local law 3 Cold War Veteran Exemption. The purpose of this law is to provide for the maximum veteran's exemption allowable pursuant to Section 458-b 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 #117: ADOPT LOCAL LAW #3 OF 2008 TO PROVIDE FOR THE MAXIMUM EXEMPTION ALLOWABLE FOR THE COLD WAR VETERAN'S EXEMPTION FROM REAL PROPERTY TAXATION.

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

A Local Law providing for the maximum exemption allowable for the Cold War Veteran's exemption from Real Property Taxation.

Be it enacted by the Chester Town Board as follows:

SECTION 1. The purpose of this law is to provide for the maximum veterans' exemption allowable pursuant to Section 458-b of the Real Property Tax Law of the State of New York.

SECTION 2. Pursuant to the provisions of subdivision 2 of Section 458-b 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. Qualified 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 Twelve Thousand Dollars (\$12,000) or the product of Twelve Thousand Dollars (\$12,000) multiplied by the latest State equalization rate for the Town.

b. In addition to the exemption provided by paragraph (a), where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from 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 Cold War veteran disability rating; provided, however, that such exemption shall not exceed the lesser of Forty Thousand Dollars (\$40,000) or the product of Forty Thousand Dollars (\$40,000) multiplied by the latest State equalization rate for the Town.

SECTION 3. This Local Law shall take effect upon filing with the Secretary of State of the State of New York.

AYE 5 NO 0

RESOLUTION #118: APPROVE MINUTES OF TOWN BOARD MEETING.

Introduced by Mrs. DuRose, 2nd by Mr. Packer to accept the Minutes

of the July 8, 2008 town board meeting. AYE 5 NO 0

Privilege of the Floor:

Greg Beckler, President of the North Warren Chamber, reported on the July 12th annual fireworks and the summer fest that the Chamber helped coordinate. Everything went well and asked if anyone had any suggestions for in next year. Suggested that perhaps other organizations be contacted to join in next year.

Chamber will be preparing budget for 2009 and request for occupancy tax funding.

Pam Morin reported on the advertising that is being planned for the Pug Parade in October and also what is being planned for the 10th anniversary of the parade in 2010.

RESOLUTION #119: AUTHORIZE PAYMENT TO WARREN COUNTY COUNCIL OF CHAMBERS.

Introduced by Mr.Monroe, 2nd by Mrs.Wells authorizing a one time payment of \$200 to the Warren County Council of Chambers to help defray the cost of developing the website. Payment from occupancy tax fund. <http://www.warrencountychambers.org/index.html>

AYE 5 NO 0

Old Business:

Bill Peper and Shirley Salerno Schroon River flooding and erosion problem solution - Supervisor Monroe stated that he has spoken with Dave Wick, Soil and Water conservation. Mr.Wick will review and make a recommendation. This will be available at the September town board meeting.

Street lights for removal - discussion on removing two streetlights in Chestertown and installing streetlights, as requested by Creative Stage Lighting (October 1, 2007 letter) on Route 28N, on existing National Grid power poles.

Supervisor Monroe will contact Creative Stage Lighting for the pole numbers that the streetlights can be placed on.

RESOLUTION #120: REQUEST THAT TWO STREETLIGHTS BE REMOVED IN CHESTERTOWN AND BE PLACED ON 28N NEAR CREATIVE STAGE LIGHTING ON EXISTING NATIONAL GRID POWER POLES.

Introduced by Mrs.DuRose, 2nd by Mr.Packer that two streetlights be removed in Chestertown. One light is located at the east end of Pine Street and the other light is on the north end of the Grand Union parking lot on Route 9. Relocation of the two street lights is to be on 28N by Creative Stage Lighting driveway. Pre-existing National Grid power poles are already located at the requested location.

AYE 5 NO 0

Flood program - Zoning office has provided a list of buildings that have been built since 1986. Will need to meet with DEC again.

New Business:

RESOLUTION #121: DATE CHANGE FOR TOWN BOARD MEETING IN SEPTEMBER.

Introduced by Mrs.Wells, 2nd by Mr.Monroe to change the date for the September town board meeting from Tuesday, the 9th, to Monday the 8th. Reason for change is that September 9 is Primary Day.

AYE 5 NO 0

Increase in amount of Veteran's exemption from \$27,00/\$45,000 to \$36,000/\$60,000.

Warren County has taken action on this issue. At present a qualifying Veteran receives a \$27,000 exemption for service during a time of war. That amount increases to \$45,000 for service in the war zone. As amended by the county, these amounts increase to \$36,000 and \$60,000 respectively.

The law is subject to local option.

RESOLUTION #122: AUTHORIZE ATTORNEY SCHACHNER DRAFT LOCAL LAW FOR MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERAN'S EXEMPTION AND ADVERTISE FOR PUBLIC HEARING.

Introduced by Mr.Packer, 2nd by Mrs.Wells authorize Attorney Schachner to draft Local Law #4 of 2008 and advertise for a public hearing on September 8, 2008 at 7:30 p.m. Local Law would provide for the maximum exemption allowable for the alternative Veteran's exemption from real property taxation. This local law would amend local law #1 of 2006.

AYE 5 NO 0

RESOLUTION #123: ADVERTISE FOR BIDS FOR BTI PROGRAM.

Introduced by Mrs.Wells 2nd by Mr.Durkish authorize clerk to advertise for bids for a three year Bti program. Bid opening September 8, 2008 at 7:30 pm.

AYE 5 NO 0

RESOLUTION #124: AUTHORIZE ATTORNEY TO DRAFT CONTRACT WITH NORTH WARREN CHAMBER FOR EVENT PLANNER.

Introduced by Mr.Monroe 2nd by Mrs.Wells authorizing Attorney Schachner to draft a contract, in the amount of \$2,000, with North Warren Chamber for payment to Event Planner.

AYE 5 NO 0

Old Business - cont.:

Road off Perry Road - status of public right of way - Mr.Schachner sent letter (dated July 14, 2008) to Mr.Perryman stating that the Town Board request the gate be removed. Mr.Schachner stated that he received a response and that they thought the section of the state highway law that discusses qualified abandonment did not apply in 1934(?), because that did not apply to highways less than two rods wide and that therefore this was not a valid qualified abandonment. Mr.Schachner went onto to say that what was referred to was true, but the same section goes on to say that "unless it shall appear to the town's superintendent that the highway has not been used for the last 2 years, between June and September, by more than 10 pedestrians daily." Assuming this was true, the highway superintendent abandon

road properly. Mr.Schachner went to say that his suggestion to the town remains the same and that the "road was qualifiedly abandoned" - meaning that the publics right of access remains but the town has no obligation to maintain the road.

(Note - letter from Mr.Perryman was not received from Mr.Schachner)

Tabled to executive session

Response to APA comments on request for approval of zoning amendments - discussion on APA's response in regards to accessory apartments, which they will only approve within the hamlet. Town's position is that this should be allowed outside of the hamlet as well. **Tabled.**

RESOLUTION #125: AUTHORIZE BOUNDARY LINE AGREEMENT BETWEEN TOWN OF CHESTER AND JOSEPH AND CATHERINE MANNUCI.

Introduced by Mr.Monroe, 2nd by Mr.Packer authorizing a boundary line agreement between the Town of Chester and Joseph and Catherine Mannuci with the following provisions:

1. The Mannucis convey to the Town a 2 rod-wide (33 foot-wide) strip of land along the southern portion of their property.

2. The Town conveys to the Mannucis all lands lying west of its western boundary (with the exception of the 2 rod-wide portion at the southern portion of the boundary line).

3. The Mannucis convey to the Town all lands lying east of the above boundary.

4. The Mannucis convey to the Town all lands lying north of the northerly boundary of the Mannucis' property shown on A Survey Map of Lands of Brandon Donato prepared by James P Hughes dated November 1, 2007 (map) and

5. The town conveys to the Mannucis all lands lying south of the boundary of the Mannucis' property shown on the Map.

Conveyances by Quitclaim Deed and request appropriate survey may be prepared and certified to the Town. Mannucis will be responsible for all recording fees. Town of Chester 70.-1-29 Mannuci 70.-1-28

AYE 5 NO 0

Healthy heart program - flags - pedestrian flags will be delivered by Warren-Washington County Healthy Heart Program, the end of August. These flags will be placed at crosswalks and people should use the flag as they cross and place flag in a holder on the other side.

RESOLUTION #126: REQUEST CROSSWALKS IN HAMLET OF POTTERSVILLE.

Introduced by Mrs.DuRose, 2nd by Mr.Durkish request that NYS DOT paint cross walks in the hamlet of Pottersville. At the intersection of Route 9, beyond the real estate office and where the new side walk starts on Valley Farm Rd and another crosswalk where the sidewalk ends on Valley Farm Rd across to the Post Office.

AYE 5 NO 0

Purchase valves for Chestertown Water District- water superintendent presented two quotes:

Team EJP Clifton Park, 198 Ushers Rd, Round Lake, NY - \$3800
Glenn Davis Installations, Ltd., Box 149, Chatham, NY 12037 \$3400

RESOLUTION #127: ACCEPT GLENN DAVIS VALVE INSTALLATIONS QUOTE FOR SIX INCH VALVE.

Introduced by Mr.Monroe, 2nd by Mr.Durkish to accept quote from Glenn Davis Installations, Ltd., Box 149, Chatham, NY 12037 in the amount of \$3400 for a 6" double line stop furnished and installed for the Chestertown Water District at the area of the bank parking lot.

AYE 5 NO 0

RESOLUTION #128: CONTACT NYS DOT IN REGARDS TO REQUEST FOR LOWERING SPEED LIMIT ON OLD SCHROON ROAD, FROM BELA AMBRUS.

Introduced by Mrs.Wells, 2nd by Mr.Packer requesting NYS DOT to reduce speed limit on Old Schroon Road and attach copy of Mr.Ambrus letter to request.

AYE 5 NO 0

RESOLUTION #129: APPROVE WATER RENT WARRANTS FOR 2008.

Introduced by Mrs..Wells , 2nd by Mr.Packer to approve water warrant for Districts I and II:

Chestertown District \$48,419.46 Pottersville District \$24,925.93.

AYE 5 NO 0

Proposal from Buckman's Family Fuel - Highway Superintendent stated he was not at the highway garage at the time and did not talk to the guys that inspected the furnace. Gary said that they were told not to use the furnace because the fire box is split. Discussion on age of furnace and alternative methods of heating highway garage. Councilperson Packer inquired if more quotes were needed. Supervisor Monroe felt that the specs from Buckman's could be used. Supervisor Monroe asked highway superintendent to get another quote and instead of using brands listed say "equivalent to".

Carpet cleaning - discussion on having carpets cleaned once a year in the spring. Tabled.

RESOLUTION #130: ACCEPT QUOTE FROM MAGIC CARPET FOR CLEANING OF CARPETS IN THE TOWN OF CHESTER MUNICIPAL CENTER.

Introduced by Mrs.Wells 2nd by Mr.Packer to accept quote from Magic Carpet Steam Cleaning, 50 Holland Rd, Wevertown, NY 12886 to clean carpets in the Town of Chester Municipal Center for a cost of 12 cents a square foot.

AYE 5 NO 0

Fence around water reservoirs - Superintendent of Water, Jason, request that this be done. Will be addressed in the 2009 budget. Last quotes received for fencing was in April of 2003.

RESOLUTION #131: APPROVE ZONING BOARD OF APPEALS ALTERNATES.

Introduced by Mrs.Wells, 2nd by Mr.Durkish approving the following people for alternates to the zoning board of appeals:

Arnold Jensen - Loon Lake; Bill Oliver - Hill Park Rd; and John Macmillan - Landon Hill Rd. They will be notified of their appointment. AYE 5 NO 0

RESOLUTION #132: AUTHORIZE PAYMENT OF ABSTRACT.

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

General fund	\$ 47,024.49	(339-393)
Highway fund	20,841.29	(143-153)
Chtwn water	15,221.00	(47- 54)
P'ville water	7,900.95	(37- 44)
Library	2,469.82	(31- 42)
Loon Lk Pk	56.94	(16- 17)

AYE 5 NO 0

Discussion on Loon Lake bath house bids that were received in May. Material prices have increased. Discussion on bid having been accepted from Curtis Lumber in May and but the bid stated that the price quote time was good only to April 18. Was determined that in the future a longer time should be noted in the specs as to how long the quote is good for (ex. 30-45 days???). Supervisor Monroe stated they would try to get 2 quotes. No resolution was made.

Motion by Mr.Monroe, 2nd by Mrs.Wells Town Board went into Executive session at 9:15pm to discuss the public right of way on the Etan Road issue. Motion by Mr.Packer, 2nd by Mr.Durkish Town Board resumed regular session at 9:30pm. No action was taken.

Motion made by Mr.Monroe meeting was adjourned at 9:30pm.

Town Clerk

Town of Chester
PUBLIC HEARING

Notice is hereby given that the Town Board of the Town of Chester will hold a public hearing at 7:30 pm on September 8, 2008 at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, NY to discuss the adoption of Local Law #4 of 2008 "A Local Law Amending Local Law No.1 of 2006, Providing for the Maximum Exemption Allowable for the Alternative Veteran's Exemption from Real Property Taxation".

Copies of the Local Law are available at the Town Clerk's office during regular business hours.

Bernice Roberts, Town Clerk
Town of Chester