

**Regular meeting** of the Town Board of the Town of Chester was held **August 14, 2007** at 7:00 pm in the Town of Chester Municipal Center, Chestertown, NY.

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

**RESOLUTION #90: ACCEPT MINUTES OF JULY TOWN BOARD MEETING.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mr.Packer to accept the minutes of the July 10, 2007 town board meeting. AYE 4 NO 0

**Bid opening:**

Clerk read notice for bids on the Alder Brook Road bridge.

Bids received:

Contech Construction Products, 521 Progress Dr, Linthicum Heights, Md. 21090-2256 (phone 410-740-8490) bid - \$33,300

Adirondack Highway Materials, Inc., 1120 Dix Avenue, Hudson Falls, NY 12839 bid - \$32,450

**RESOLUTION #91: ACCEPT BID FROM ADIRONDACK HIGHWAY MATERIALS.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mr.Packer to accept bid from Adirondack Highway Materials, Inc., 1120 Dix Ave., Hudson Falls, NY 12839 in the amount of \$32,450 for the materials needed on the Alder Brook Road bridge. AYE 4 NO 0

**2 - Public Hearings: (waste water variance and rename municipal center)**

Clerk read notice on public hearing on the request to rename municipal center for Marv Cole.

Supervisor Monroe opened public hearing at 7:23pm. Petition was presented with over 100 signatures in favor of the renaming of the Town of Chester Municipal Center and comments were also given. One comment (and phone calls) was in favor of naming auditorium, instead of the entire building in honor of Mr.Cole.

Public hearing closed at 7:35pm.

**RESOLUTION #92: AUTHORIZE THAT THE AUDITORIUM BE NAMED IN HONOR OF MARV COLE.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mrs.Wells authorizing that a plaque be made and placed in the Town of Chester Municipal Center in honor of Marv Cole. Supervisor Monroe will work with Mrs.Cole.

AYE 4 NO 0

**Notice on public hearing on Berneal Sweet wastewater variance application.**

Supervisor Monroe opened public hearing at 7:40 pm. Jim Hutchins, engineer, explained that Berneal Sweet (tax map parcel 120.7-1-9 address 43 Sunset View Rd Friends Lake) has submitted an application for an area variance in order to construct a septic wastewater system that cannot meet the setbacks required by the local law.

Mr.Hutchins went on to say that the system presently in use is a shared system with adjoining property owner and has been in use since 1948. He is recommending a new system and presented to Town Board detailed drawings showing what is being proposed. Supervisor Monroe inquired as to what New York State Department of Health recommends in regards to any other alternate systems, note that health department has approved holding tanks. Public comments were received. Concerns over designing a system that would protect the lake and still be a reasonable cost to home owners on the lake, as there are other sub standard lots that would need variances in order to replace present systems.

Town Board recommends that all alternatives be considered and request any technical information that may be provided by New York State Department of Health on setbacks.

**Public hearing is being left open and will continue on September 11.**

**Privilege of the floor:**

**Fred Vetter** - request that the Town Board contact NYS DOT in regards to 2 dangerous curves on Route 8. The 2 curves are going west on Route 8, one is just past Rita Montgomery's residence and the 2<sup>nd</sup> bad curve, Mr.Vetter referred to, is by Pine Notch Road. He would like for the state to consider straightening these curves, as much as possible.

**RESOLUTION #93: REQUEST NEW YORK STATE DOT TO STRAIGHTEN TWO BAD CURVES ON STATE ROUTE 8.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose requesting that New York State Department of Transportation consider the reconstruction of two (2) bad curves on State Route 8, west of the hamlet of Chestertown. The first curve is past Rita Montgomery's residence and the second is by Pine Notch Road.

AYE 4            NO 0

**John Persons** - request that VanDerwarker Road be considered for repairs in the 2008 budget.

**Rob Freligh** - informed town board of the number of volunteer hours on the milfoil project on Loon Lake.

**Barbara Orton - public health** - gave a slide presentation on Pandemic Flu preparedness. For more information people can visit [www.pandemicflu.gov](http://www.pandemicflu.gov) web site.

**Old business:**

**RFP - engineering inspection, emergency plan, & maintenance and operation plan for Loon Lake dam - 4 RFP's received from**

1. C.T.Male Associates, P.C., 50 Century Hill Drive, P.O.Box 727, Latham, NY 12110 (518-786-7400).            **Bid \$22,100.**
2. Laberge Group, 4 Computer Drive West, Albany NY 12205 (518-458-1870)            **Bid \$16,900.**
3. Clough Harbour & Associates, 111 Winners Circle, PO Box 5269, Albany, NY 12205. (518-453-4500)

**Task 1 \$7,500 Task 2 \$58,000 Task 3 \$43,000**  
4. Chazen Companies, North Country Office, 100 Glen Street, Suite 3D,  
Glens Falls, NY 12801. (518-812-0513) **Bid \$51,200**

**Tabled until September 11 meeting.**

**Loon Lake septic improvement program status** - Supervisor Monroe reported that septic pump outs are being done around the lake. There has been 40+ responses and over 20 pump outs have been done.

**Pottersville water district - status of Home Rule request for legislation removing properties** - Supervisor Monroe stated that he had received a call from the governor's office in regards to the bill. The bill has been signed. Mr.Schachner reported as to what the next steps are for the diminishing of the Pottersville Water District. A public hearing will need to be held, the Town Board will need to pass a resolution diminishing the District in accordance with Town Law Section 202-c(6). Resolution is subject to Permissive Referendum.

**RESOLUTION #94: SCHEDULE PUBLIC HEARING CONCERNING DIMINISHMENT OF THE POTTERSVILLE WATER DISTRICT.**

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

WHEREAS, certain properties within the Pottersville Water District are not being provided with water by the District; and

WHEREAS, the Chester Town Board requested that the New York State Legislature authorize the diminishment of the District to delete these properties from the District; and

WHEREAS, the New York State Legislature passed Town Law Section 202-c(6) which authorizes the diminishment of the District; and

WHEREAS, the property which can be deleted from the bounds of the District is described in Town Law Section 202-c(6)(B), a copy of which is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT

RESOLVED, that the Chester Town Board shall conduct a Public Hearing at the Chester Town Hall on September 11, 2007 at 7:00 pm concerning the proposed diminishment of the District to delete the Property from the District, at which time and place all persons interested in this matter may be heard; and be it further

RESOLVED, that the Chester Town Clerk is hereby authorized and directed to publish Notice of this Public Hearing in the Town's official newspaper and post a copy of the same on the Town's sign board at least ten (10) days and no more than twenty (20) days prior to the Public Hearing.

AYE 4 NO 0

**Recommendation that Chamber provide an events coordinator -**

Councilperson Wells stated that the Chamber will submit a proposal to the Town Board.

**Pottersville street lights** - work is completed and all the lights are now working. The contractor has not submitted his bill yet. Town Board

will need to review the bill, as changes had been made.

**Loon Lake beach restrooms** - Jim Hutchins reported that lake water may be able to be used, but he is waiting to receive this in writing.

**Loon Lake boat launch dock** - proposal has been received from Loon Lake Marina for a poly dock. It was also suggested that the Town Board consider an Ordinance stating that there is to be no over night docking of boats and set an amount for a fine.

**RESOLUTION #95: AUTHORIZE PURCHASE OF POLY DOCK.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing the purchase of a poly dock from Loon Lake Marina, if the quoted price is not more than \$3,000. Payment for dock is to come from Occupancy Tax fund.

AYE 4 NO 0

**Zoning amendments** - Supervisor Monroe spoke with APA last week and they are still working on a letter in regards to Town of Chester zoning amendments.

**New Business:**

**Restore NY Program Grant** - Supervisor Monroe reported that this grant is available again. A letter of intent would need to be sent before August 20. He has spoken with Mr.Beadnell to see if they are interested in applying again this year for the Glendale property in Pottersville.

**RESOLUTION #96: AUTHORIZE SUPERVISOR MONROE TO SIGN LETTER OF INTENT FOR THE RESTORE NEW YORK PROGRAM GRANT.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mrs.Wells authorizing Supervisor Monroe to sign letter of intent for the Restore New York Program grant.

AYE 4 NO 0

**APA milfoil hand harvesting APA permit received.** Permit has be received. Supervisor Monroe will give copy of permit to Rob Freligh.

**RESOLUTION #97: AUTHORIZE SUPERVISOR TO CONTINUE TO ACCEPT OCCUPANCY TAX REVENUE.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing Supervisor to sign a continuing contract with Warren County to accept Occupancy Ta Revenue until further notice.

AYE 4 NO 0

**RESOLUTION #98: APPROVE WATER RENT WARRANTS FOR 2007.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mrs.Wells to approve water warrant for Districts I and II:

Chestertown District \$49,779.04 Pottersville District \$24,371.04

AYE 4 NO 0

**Nicole Howe- youth program report** - Mrs.Howe stated that one bus for the trip to the zoo is sold out and she is working on filling the 2<sup>nd</sup>

bus.

**RESOLUTION #99: APPROVE PRE-PAYMENT FOR TRIP TO BRONX ZOO.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose to authorize payment to Yankee Trails (bus company) for youth trip to Bronx Zoo in September. Pre-payment is required by those going on the trip.

AYE 4 NO 0

Mrs.Howe also reported on the theft of the play station game, controls, and a game from the youth center building. Approximate cost \$300. She has filed a report with the Sheriff Department. A new lock system will be installed.

She also inquired about the items needed for the soccer program and payment being made for the supplies. Supervisor Monroe stated that he is working on obtaining a town credit card, for such purchases.

**Auditorium overhead lights** - ceiling lights are not available anymore (manufacturing of lights stopped in 1950). New lights will be considered.

**Word of Life assessment litigation settlement** - waiting for letter from Word of Life attorney.

Councilperson Packer request that the state open the gate for Scaroon Manor for public access at no charge. Supervisor Monroe will talk with Gary West (DEC).

**RESOLUTION #100: AUTHORIZE PAYMENT OF ABSTRACT.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mrs.DuRose authorizing payment of abstract.

General Fund	\$ 37,637.48	( 342-406)
Highway fund	\$ 23,129.34	( 132-152)
Chtwn Water	\$ 1,488.01	( 40 - 48)
P'ville Water	\$ 831.99	( 50 - 56)
Library	\$ 581.48	( 35 - 37)
Loon lk Pk dis	84.25	( 3 )

AYE 4 NO 0

Motion by Mr.Packer, 2<sup>nd</sup> by Mrs.Wells Town Board went into Executive Session at 9:30pm to review lifeguard complaint. Motion by Mr.Packer, 2<sup>nd</sup> by Mrs.DuRose Town Board resumed regular session at 9:45 pm. No action taken.

Motion by Mr.Monroe meeting was adjourned at 9:45pm.

\_\_\_\_\_  
Town Clerk