

**From the July 18<sup>th</sup> special meeting (date set at the July 12<sup>th</sup> meeting).**

Roll Call: Fred Monroe, Mike Packer, Edna Wells, and Karen DuRose.  
Steve Durkish -absent.

Meeting was started at 6:30pm. Motion by Mr.Monroe, 2<sup>nd</sup> by Mr.Packer town board went into Executive session to do interviews for transfer station part time worker. Motion by Mr.Monroe, 2<sup>nd</sup> by Mr.Packer town board resumed regular session at 7:00 pm. No action taken.

**RESOLUTION #98: AUTHORIZE THE HIRING OF LOWELL LASHOMB FOR PART TIME TRANSFER STATION WORKER.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mr.Monroe authorizing hiring Lowell Lashomb for part time transfer station worker.

AYE 4 NO 0

Motion by Mr.Monroe meeting was adjourned at 7:05 pm.

**Regular meeting** of the Town Board of the Town of Chester was held **August 9, 2011** at 7:30 pm in the Town of Chester Municipal Center Chestertown, NY.

Roll Call: Fred Monroe, Mike Packer, Edna Wells, and Karen DuRose.  
Steve Durkish -absent. Mark Schachner - Attorney for Town.

**RESOLUTION #99: ACCEPT MINUTES OF THE JULY MEETINGS.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mrs.Wells to accept minutes of the July 12<sup>th</sup> and July 18<sup>th</sup> meetings. AYE 4 NO 0

**RESOLUTION #100: RESCIND RESOLUTION #87 OF THE JUNE 14 MINUTES.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mrs.Wells to rescind Resolution 87, which set the pay rate for part time transfer station workers, new resolution was made at the July 12 meeting #96 setting the pay rate at \$12 per hour. AYE 4 NO 0

**SolarNovar presentation and proposal-** Two gentlemen from Triangle Electrical Systems, Inc., 126 Idaho Avenue, Plattsburgh, NY 12903 (Greg ?) and Solar Novar (Winslow Moore), did a slide show presentation on using solar panels for energy. Topics on various kinds of solar panels (ground mounts, roof mounts and pole mounts), dollar savings on energy, federal grant offers, and ways that money can be saved through clean power, and how the process works. Some questions asked: vandalism in respect to kids throwing rocks etc. - panels are very durable; low maintenance system - panels last 20+ years; 45 degree angle helps to shed snow; puts out DC power - batteries can be added.

Supervisor Monroe had asked Mr.Schachner (attorney for the town) if competitive bidding needs to be done. Mr.Schachner stated that the proposed lease is missing information/attachments. It was explained that those items would be in "the next phase" and at this time they are just requesting "a letter of intent" which Mr.Schachner would

review to make sure that it was not binding. Mr.Schachner explained that what he would be reviewing would be term of any agreement, cost of agreement and how agreement could be terminated (if the town should decide to).

There would be no cost to the town for a complete engineering study. Request a letter of intent from the Town and a clause stating that information obtained as a result of Edge Design and Consulting would not be provided to other companies, as this information and study is being provided to the Town at no charge. A contract is not being signed until all information has been compiled and presented to the town board.

**RESOLUTION #101: AUTHORIZE LETTER OF INTENT, AS APPROVED IN FORM BY ATTORNEY FOR THE TOWN, TO EDGE DESIGN AND CONSULTING.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mr.Packer authorizing that a letter of intent be signed by Supervisor Monroe, after Mr.Schachner has reviewed the form from Edge Design and Consulting for them to proceed with an engineering study at the Town Hall for solar energy.

AYE 4 NO 0

**Privilege of the floor:**

**Mary Jane Dower** stated that the Helpers Fund is now sponsoring the Chester Food Pantry.

**Ava Ashendorf** - inquired if the town would write a letter of support in regards to a lawsuit "challenging the legal authority of Governor Andrew Cuomo, DEC, and New York State Energy and Research Development Authority (NYSERDA) to enter into an allegedly unconstitutional and illegal cap and trade program. According to the suit, New York State has collected over \$320 million in unauthorized taxes from this massive regulatory program, which has the effect of forcing New Yorkers to pay more for energy.

Mrs.Ashendorf was a plaintiff in the case, representing the east side of the state.

**RESOLUTION #102: AUTHORIZE SUPERVISOR MONROE TO WRITE LETTER IN SUPPORT OF THE LAWSUIT THAT CHALLENGES DEC AND NYSEDA'S LEGAL AUTHORITY TO ESTABLISH AND OPERATE RGGI WITHOUT STATE LEGISLATION.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mr.Packer authorizing Supervisor Monroe to write a letter in support of the lawsuit that challenges DEC, Governor Andrew Cuomo and NYSEDA legal authority to establish and operate RGGI without state legislation.

Ava Ashendorf - plaintiff, was chosen to represent the east side of New York State and she is also a resident of the Town of Chester.

AYE 4 NO 0

**Arnold Jensen** - reported on the floating objects and buoys on Loon Lake - everything seems to have been accomplished.

**Supervisor Monroe** reported on the opening of Railroads on Parade in Pottersville and also the official opening of the campground at Schroon Manor.

**Highway Superintendent Clark** reported on the removing of the boat on Valley Farm Road in Pottersville.

**Old Business:**

**RESOLUTION #103: RATIFY ACCEPTANCE OF C.T.MALE PROPOSAL TO PREPARE LOON LAKE DAM INSPECTION AND MAINTENANCE PLAN.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mrs.Wells ratify acceptance of C.T.Male proposal to prepare Loon Lake Dam inspection and maintenance plan at cost of \$2,900. AYE 4 NO 0

Discussion on town purchasing boat for Loon Lake patrol. Funding for boat could come from the Loon Lake park district.

**Maintenance of water line to businesses at south end of town.**

**Agreement with Wendell Ross.** Town Board will have attorney Schachner draft a formal agreement with Mr.Ross.

**New Business:**

FEMA flooding washouts preliminary damage assessment - Supervisor Monroe reported that a more positive response is felt after meeting with Congressman Gibson's representative. Aid was denied for the May storm, but this may change if the April and May storm damage is "lumped together".

Review sign design specifications prepared by Behan Planning and Design - discussion on town and Department of State requirements for signs. Sign may be able to be paid for with grant money. Discussion on having two signs, on at each driveway entrance. Signs would be double sided. Town Board liked the design and listing for offices and increase the announcement space by one line (3 instead of 2).

**RESOLUTION #104: APPROVE DESIGN OF SIGN FOR TOWN HALL.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mrs.Wells approving the design of sign for Town Hall and an added line for announcements (3 lines). AYE 4 NO 0

**RESOLUTION #105: ONLY ONE SIGN FOR IN FRONT OF TOWN HALL.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mrs.DuRose that only one sign be required for in front of town hall, with listings of offices on both sides. AYE 4 NO 0

**Authorization to file motion for leave to appeal to Court of Appeals in lawsuit against APA re: 2008 regs.** - Supervisor Monroe explained that Dennis Philips has offered to file the motion "for leave to

appeal" but needs to have permission and will do this pro-bona but also needs to have one municipality say "yes" authorizing Mr.Philips to file.

Mr.Schachner gave a review on the lawsuit with APA, that was filed by 9 counties, approximately 8 towns and a number of private plaintiffs. The claims involved the 2008 Park Agency regulatory amendments which eliminated ability to expand pre-existing non conforming shore line structures; change definition for what was meant with land involving wet lands; eliminate sub-division rule; and change definition of hunting and fishing cabins.

Mr.Schachner explained process.

**RESOLUTION #106: AUTHORIZATION TO FILE MOTION FOR LEAVE TO APPEAL TO COURT OF APPEALS IN MULTI COUNTY AND TOWN LAWSUIT AGAINST APA 2008 REGULATIONS.**

Introduced by Mrs.DuRose, 2<sup>nd</sup> by Mrs.Wells authorizing to file motion for leave to appeal to Court of Appeals in a multi county and town lawsuit against APA 2008 Regulations. AYE 4 NO 0

**RESOLUTION #107: ADVERTISE FOR BTI BIDS.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose to advertise for Bti bids. Three year contract. Bid opening September 14, 2011 at 7:30 pm. AYE 4 NO 0

**RESOLUTION #108: SET DATE FOR SEPTEMBER TOWN BOARD MEETING.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose to set date of September 14, 2011 (Wednesday) for the regular September town board meeting. Primary day is Tuesday, September 13, 2011. AYE 4 NO 0

**RESOLUTION #109: APPROVE WATER WARRANTS FOR DISTRICT I AND II.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mrs.DuRose to approve water warrants for District I Chestertown in the amount of \$52,435.79 and District II Pottersville in the amount of \$27,402.11. AYE 4 NO 0

**RESOLUTION #110: AUTHORIZE PAYMENT OF ABSTRACT AND APPROVE CLAIMS PAID PRIOR TO AUDIT.**

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

General Fund	\$47,567.63	( 291-349)
Highway Fund	\$133,315.05	( 141-159)
Chestertown water	\$ 3,636.30	( 34- 39)
Pottersville Water	\$ 4,474.43	( 31- 41)
Library	\$ 3,001.40	( 32- 40)
Loon Lake Pk Dist	\$29,843.40	( 4-5 )
Cap.Proj. new town hall	\$10,867.28	

AYE 4 NO 0

**Motion** by Mr.Monroe meeting was adjourned at 9:35 pm.

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Town Clerk