

Regular meeting of the Town Board of the Town of Chester was held **December 8, 2009** 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.

Bid openings:

One bid was received for fuel oil, diesel and kerosene.

Buckman's Family Fuel Co.Inc., Box 448, Chestertown, NY 12817

Bid - markup \$.22 per gallon on fuel oil, low sulfur diesel fuel, kerosene and \$.18 mark up on fuel oil for 5000 gallons minimum delivery at municipal building. Servicemen available.

RESOLUTION #153: ACCEPT BID FROM BUCKMAN'S FAMILY FUEL CO, INC. FOR FUEL OIL, DIESEL, AND KEROSENE DELIVERIES FOR THE YEAR 2010.

Introduced by Mr.Packer, 2nd by Mrs.Wells to accept bid from Buckman's Family Fuel Co. Inc. P O Box 448, Chestertown, NY for the delivery of: #2 fuel oil, kerosene, and diesel with a mark up of \$.22 per gallon and fuel oil for the town hall only with a mark up of \$.18 per gallon. Delivery will be to ski hut at Dynamite Hill, health center, Quonset hut and highway garage and Town Municipal Center.

AYE 4 NO 0

One Bid received for Senior Transportation:

Warren - Hamilton Community Action, Box 968, 190 Maple Street, Glens Falls, NY 12801. Total \$\$9,620 for 2010:

52 trips cost per trip \$185.

RESOLUTION #154: ACCEPT BID FROM WARREN-HAMILTON COMMUNITY ACTION FOR SENIOR TRANSPORTATION FOR THE YEAR 2010.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells to accept bid from Warren-Hamilton Community Action, Box 968, 190 Maple Street, Glens Falls, NY 12801 for Senior Transportation for the year 2009 in the amount of \$9,620 for 52 trips. Cost per trip is \$185.

AYE 4 NO 0

RESOLUTION #155: ACCEPT MINUTES OF THE NOVEMBER MEETINGS, WITH CORRECTION TO NOVEMBER 10TH .

Introduced by Mrs.Wells, 2nd by Mr.Packer to accept minutes of the November 5 and 16th Town Board meetings and correction in the November 10th minutes stating that **the \$24,000 removed from the 7110.2 bobcat purchase will be appropriated for a Capital Project fund for highway equipment.**

AYE 4 NO 0

Public Hearing:

Frank Shaw - former Town of Chester councilperson - praised the Town Board on the handling of town affairs.

Public hearings for purpose of entering into contracts with:

North Warren Chamber of Commerce to act as advertising agency for the Town of Chester in the amount of \$14,000 (A6410.4).
North Warren Emergency Squad to furnish emergency ambulance service in the Town of Chester in the amount of \$60,000 (A4540.4).
North Creek Fire District to provide fire protection in the amount of \$30,000 (SB3410.4).
Riverside Volunteer Fire Co to provide fire protection in the amount of \$7,000 (SA3410.41) and Chestertown Fire Co to provided coverage in the Riverside Fire District in the amount of \$5,000 (SA3410.42).

Supervisor Monroe declared public hearing open at 7:40pm. No comments were heard from the floor. Public hearing was closed.
North Warren Emergency contract - waiting for requested changes in their bylaws and election of new board.

RESOLUTION #156: AUTHORIZE SUPERVISOR TO ENTER INTO CONTRACTS FOR YEAR 2010.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorizing the Supervisor to enter into the following contracts for the fiscal year 2010:

North Warren Chamber of Commerce to act as advertising agency for the Town of Chester in the amount of \$14,000 (A6410.4).
North Creek Fire District to provide fire protection in the amount of \$30,000 (SB3410.4).
Riverside Volunteer Fire Co to provide fire protection in the amount of \$7,000 (SA3410.41) and Chestertown Fire Co to provided coverage in the Riverside Fire District in the amount of \$5,000 (SA3410.42).

AYE 4 NO 0

Old Business:

Public hearing - Jack Fay septic variance. (Mr.Monroe turned hearing over to deputy supervisor - Mr.Packer. Mr.Monroe's father is an adjoining land owner).

Notice was read and public hearing opened at 7:40pm. Engineer for Mr.Fay, Jim Hutchins explained the septic variance. Mr.Fay's property is located at 105 Blythewood Island, tax map # 86.5-1-15. Variance is required for wastewater setback. Present system is approximately 35' from Loon Lake, replacement system would be 72' from lake. Mr.Hutchins stated that it is not possible to have the required 100' setback from the lake. There is the 100' from all existing wells.

Discussion on "holding tank" and other systems.

Comments from the floor - President of Blythewood Island Association was present. He has contacted as many members as he could and majority objected to the variance.

Public hearing was closed at 8:00pm.

Mr.Schachner reviewed the criteria set forth in Section 5.035 of the Town of Chester Sanitary Sewage Disposal ordinance. Town Board took no action at this time. Mr.Schachner stated that a decision will have to be made in 62 days, as the hearing was closed.

Town Board request that Mr.Hutchins check again on the present system and determine what trees would be affected (in excess of 6" diameter). **will be reviewed again at the January 12, meeting.**

Meeting was turned back over to Supervisor Monroe.

Johnsburg Emergency Certificate of Need for north end of town - they plan to do a formal application. Supervisor Monroe will talk with North Warren Emergency Squad and invite them to the January meeting.

Revised Quad Grant resolution - request from Janet Kennedy.

RESOLUTION #157: AUTHORIZING THE TOWN OF CHESTER TO ENTER INTO AN AGREEMENT WITH LAKES TO LOCKS PASSAGE, INC. FOR THE WARREN COUNTY QUADRICENTENNIAL PROGRAM.

Introduced by Mr.Monroe, 2nd by Mr.Packer:

WHEREAS, the Town of Chester wishes to participate in the Warren County Quadricentennial Program to commemorate the 400th anniversary of the explorations of Henry Hudson which provides an opportunity for Warren County communities to invest in tourism infrastructure that will benefit the region for years to come, and

WHEREAS, in accordance with a New York State Fiscal Year 2008/09 Environmental Protection Fund appropriation, Warren County, on behalf of various local communities, applied for, and received, a \$45,000 grant award from the New York State Department of Environmental Conservation for the purpose of the Hudson-Fulton-Champlain Quadricentennial celebrations, projects and programs, and

WHEREAS, by Resolution No.'s: 695 of 2008 and 513 of 2009, the Warren County Board of Supervisors authorized Warren County to enter into an agreement with the Town of Chester for no more than \$3,461 of Quad funds will be available for reimbursement under the Program, and

WHEREAS, the Town Board approved and authorized the Intermunicipal Agreement with Warren County concerning participation in the Warren County Quadricentennial Program through resolution #135 of the November 5, 2009 Town Board meeting, and

WHEREAS, Warren County has passed resolution 205 of 2007 supporting Lakes to Locks Passage Inc. coordinating efforts of Warren County Quadricentennial and resolution 695 of 2008 authorizing submission and contract execution of Quadricentennial program in cooperation with Lakes to Locks Passage Inc. that will assist Warren County Communities to implement Quadricentennial Commemoration projects that support the branding of Warren County's First Wilderness Heritage Corridor and Lake George Loop of Lakes to Locks Passage, and

WHEREAS, Lakes to Locks Passage Inc. is designated as a Hudson-Fulton-Champlain Quadricentennial Ambassador, and serves to promote an understanding of history and a sense of place along the historic waterway through the implementation of a "palette" of projects that will help the thirteen Warren County communities "meet and greet" the visitor and deliver an authentic experience that will be able to ensure a unified presentation of Warren County, attract national and

international travelers, and deliver a "seamless" visitor experience for years to come, the Chester Town Board believes that it is in the best interest of the Town of Chester to cooperate with the County of Warren and Lakes to Locks Passage, Inc. in the development of the activities related to such project, and

NOW, THEREFORE, BE IT RESOLVED, that the Chester Town Board hereby approves and authorizes the expenditure of funds in the amount of \$3,461 for the development of one "Passage Minute" and thematic itinerary for the Town of Chester in connection with the Warren County Quadricentennial Program as delineated in the preambles of this Resolution, to be paid for with \$3,461 to be reimbursed to the Town from grant funds received by Warren County, and

BE IT FURTHER RESOLVED, the Town Board further authorizes and directs the Town Supervisor to enter into an agreement with Lakes to Locks Passage, Inc. for \$3,461 to develop one "Passage Minute" and thematic itinerary for the Town of Chester in connection with the Warren County Quadricentennial Program, and

BE IT FURTHER RESOLVED, the Town Board further authorizes and directs the Town Supervisor to take such other and further action as may be necessary to effectuate the terms of this Resolution.

4 AYES 0 NO

Health Insurance plan in place. Vision plan applications expected soon. Members cards should be arriving soon.

New Business:

Congressman Murphy plans to visit the Town of Chester municipal center on **December 14th** around 10:15 am.

RESOLUTION #158: ADVERTISE FOR SALE 1984 930 CAT LOADER WITH 2.25 YARD BUCKET AND SALE OF HOBART WELDER.

Introduced by Mrs. Wells 2nd by Mrs. DuRose authorize to advertise for sale a 1984 930 Cat Loader with 2.25 yard bucket and a 4 yd lite material bucker and advertise for sale a Hobart Welder - Wisconsin Model VG4D. Bids received will be reviewed on January 12, 2010. Loader and welder will be sold "as is". AYE 4 NO 0

Resolution in support of an Aquatic Invasive Species Transport Law.

Town Board reviewed a resolution that APA has proposed in regards to aquatic invasive species and the transporting of invasive species. A request of support for state wide law to protect the Adirondack Park from aquatic invasive and APA is also asking towns to pass "their own" ordinances or local law. There is nothing to control the transporting of invasive species from one body of water to another. This will be a very difficult thing to enforce.

Town of Chester is not considering to pass a local law or ordinance at this time.

RESOLUTION #159: SUPPORT LEGISLATION AND EXECUTIVE ACTION IN REGARDS TO THE TRANSPORT OF AQUATIC INVASIVE SPECIES.

Introduced by Mrs.DuRose, 2nd by Mr.Packer that the Town of Chester supports action within the Executive Department and the State Legislature to address the transport of aquatic invasive species.

AYE 4 NO 0

(a copy of the APA resolution on aquatic invasive species is attached to these minutes.)

RESOLUTION #160: ESTABLISH CAPITAL RESERVE FUND FOR HIGHWAY EQUIPMENT.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to establish a capital reserve fund for the general purpose to purchase highway equipment. \$24,000 will be appropriated to this fund from the 2010 budget.

AYE 4 NO 0

RESOLUTION #161: AUTHORIZE SUPERVISOR TO SIGN AMENDED SOLID WASTE HAULING AND DISPOSAL CONTRACT.

Introduced by Mr.Packer, 2nd by Mrs.DuRose authorizing supervisor to sign amended solid waste hauling and disposal contract with Warren County.

AYE 4 NO 0

Report on 2009 milfoil control program from Steve la Mere -Mr. LaMere was not able to attend - no report was given. Supervisor Monroe stated that Mr.LaMere has informed him that he was not interested in doing the milfoil program next year. Mr.Monroe will set up a meeting with the Loon Lake association.

RESOLUTION #162: AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH CONVENIENT MEDICAL CARE FOR DRUG AND ALCOHOL TESTING.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells authorizing Supervisor Monroe to sign Contract with Convenient Medical Care for Drug and Alcohol Testing to provide drug and alcohol testing service for 2010.

AYE 4 NO 0

RESOLUTION #163: AUTHORIZE SUPERVISOR TO SIGN CONTRACT FOR LARAC GRANT.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorizing supervisor to sign contract for LARAC Grant. Funds will be used for the Jack and the Beanstalk production by Seagle Music Colony on July 24, 2010.

AYE 4 NO 0

Authorize hiring Jean LaGuerre temporarily to fill in for custodian. Paul Parks will be away from December 19th through January 10th .

RESOLUTION #164: AUTHORIZE HIRING JOHN LAGUERRE TEMPORARILY TO FILL IN FOR CUSTODIAN PAUL PARKS.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorize hiring John LaGuerre, temporarily, to fill in for custodian Paul Parks, while he is on vacation. Hourly rate will be set at \$10. After the first of the year to advertise for a relief custodian. AYE 4 NO 0

Animal Control officer - executive session

RESOLUTION #165: RE-APPOINT MARY JANE DOWER TO ZONING BOARD OF APPEALS AND FILE OATH OF OFFICE.

Introduced by Mr.Packer, 2nd by Mrs.DuRose to re-appoint Mary Jane Dower to Zoning Board of Appeals. An Oath of Office will need to be filed. Term is for 5year. Term will expire December 31, 2014.

AYE 4 NO 0

Councilperson Packer stated that he has spoken with Elizabeth Morris and she is resigning from the Zoning Board of Appeals due to health issues.

RESOLUTION #166: RESOLUTION HONORING ELIZABETH MORRIS FOR HER SERVICE ON THE ZONING BOARD OF APPEALS.

Introduced by Mrs.Wells, 2nd by Mr. Monroe honoring Elizabeth Morris for her many years of service on the Zoning Board of Appeals.

AYE 4 NO 0

Will do appoint of alternate to fill position on the ZBA in January.

RESOLUTION #167: APPROVE REQUEST OF THE MOAS CLASS OF NORTH WARREN TO COLLECT BOTTLES FROM THE TRANSFER STATION.

Introduced by Mr.Packer, 2nd by Mrs.Wells to approve the request of the MOAS class of North Warren to collect bottles from the Town of Chester transfer station for a 3 month period.

AYE 4 NO 0

RESOLUTION #168: APPROVE REQUEST OF THE NORTH COUNTRY TEEN THEATER GROUP TO DO A THEATER PRODUCTION IN MAY.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose approving the request of the North Country Teen Theater Group to do a performance in May of 2010. Roll Call: F.Monroe - abstain; Mike Packer, Edna Wells and Karen DuRose - AYE

RESOLUTION #169: AUTHORIZE ELECTED OFFICIALS TO ATTEND ASSOCIATION OF TOWNS MEETING IN FEBRUARY, 2010 AND AUTHORIZE PRE-PAYMENT OF BUS REGISTRATION.

Introduced by Mrs.Wells, 2nd by Mrs.Durose authorizing that any elected official, assessor and any other town employee, with approval of the Town Board, may attend the Association of Towns meeting to be held in New York City on February 14-17, 2010 and also authorize the pre-payment of bus registration.

AYE 4 NO 0

RESOLUTION #170: AUTHORIZE PAYMENT OF ABSTRACT AND AMENDMENTS TO 2009 BUDGET.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells authorizing payment of abstract and approve budget amendments:

General Fund	\$	80,214.01	(548-598)
Highway Fund	\$	29,724.12	(231-249)
Chestertown water	\$	965.00	(75- 78)
Pottersville Water	\$	953.49	(63- 68)

Library	\$ 3,999.65	(45- 53)
Schroon Lk Pk	\$ 3,258.02	(1)
Loon Lk Pk Dist	\$ 360.00	(
12/08/09 Amendments to 2009 Budget:		
A 1620.2 Town hall - capital outlay		<-9,000>
A 1620.4 Town hall - contr expend		<-6,160>
A 3120.41 Constable - contr expend		+ 550
A 7110.1 Parks - contr expend		+15,000
A 7140.21 Beach - equipment		<-2,000>
A 8010.12 ZBA - pers srvs zoning		+ 250
A 8020.45 GIS - assistance to W/C planning		+ 1,250
A 8810.1 Cemeteries - pers srvc		+ 500
A 8810.4 Cemeteries - contr expend		<- 500>
A9795.7 Interest on interfund loans		+ 100
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AYE 4 NO 0

RESOLUTION #171: SET DATE FOR ORGANIZATIONAL MEETING IN JANUARY.

Introduced by Mr.Monroe, 2nd by Mrs.DuRose to set date of January 4, 2010 at 7:00 pm for the organizational meeting. AYE 4 NO 0

Town of Chester has fire wood available.

Loader available under state contract, but the Town of Chester will need to bond. Mr.Schachner's office will prepare the Bond Resolution, which may be subject to a permissive referendum.

RESOLUTION #172: SPECIAL MEETING DECEMBER 15 FOR REVIEW OF BONDING RESOLUTION FOR LOADER.

Introduced by Mr.Monroe, 2nd by Mrs.Wells to hold a special meeting December 15, 2009 at 6:00pm for review of bonding resolution for purchase of loader under state contract, subject to permissive referendum. AYE 4 NO 0

Motion by Mr.Monroe, 2nd by Mrs.Wells Town Board went into Executive session at 9:05pm to discuss employee. Motion by Mrs.Wells, 2nd by Mr.Packer Town Board resumed regular session at 9:45pm. No action was taken.

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

Town Clerk

FOR SALE

1984 930 Cat Loader with 2 ¼ yd bucket and 4 yd light bucket.
A portable Hobart Welder Wisconsin Model VG4D.
Items as-is.

Town of Chester Highway Garage, Landon Hill Rd. 494-2014
Bids will be received by the Town Clerk on or before January 12, 2010
at which time they will be opened and read. The Board reserves the
right to reject any or all offers.

Bernice Roberts Town Clerk

