

Regular meeting of the Town Board of the Town of Chester was held **February 8, 2011** at 7:30 pm in the Town of Chester Municipal Center Chestertown, NY.

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

Cub Scout Pack 30 - Dens 3 and 5, visited the Town Hall and was introduced to the Town Board and toured the building.

RESOLUTION #13: ACCEPT MINUTES OF THE JANUARY MEETINGS.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to accept minutes of the January 3th and 11th Town Board meetings. AYE 5 NO 0

Bids for new boiler for municipal center: five bids received.

1. Monroe Mechanical, Inc., 6 Boulevard, Hudson Falls, NY 12839
\$22,683 minus \$1,750 = \$20,933 (if existing burner is used)
2. Jack Hall Plumbing & Heating Inc., 165 Bay Street, Glens Falls
\$22,888
3. Northern Mechanical Services, Inc., 30 Progress Blvd., Queensbury
\$22,480
4. Buckman's Family Fuel, Box 448, Chestertown, NY
\$24,895
5. R R Gordon Mechanical LLC, 34 Hudson Falls Rd, South Glens Falls
\$28,246

Discussion on written specs and some bidders showing a bid amount if existing burner is used.

RESOLUTION #14: ACCEPT BID FROM MONROE MECHANICAL, INC FOR REPLACEMENT AND INSTALLATION OF A WEIL-MCLAIN BOILER IN THE TOWN OF CHESTER MUNICIPAL CENTER.

Introduced by Mr.Packer, 2nd by Mrs.Wells to accept bid from Monroe Mechanical Inc, 6 Boulevard, Hudson Falls, NY 12839 in the amount of \$20,933 (existing burner to be used). Authorize Attorney Mark Schachner to draft contract for work to be done and set a reasonable time frame.

AYE 5 NO 0

PRIVILEGE OF THE FLOOR:

1. **June Maxam** - invited public to attend the FOIL, Open Meetings Law and Personal Privacy Protection Law presented by Robert Freeman at the Town of Chester Municipal Center on Wednesday evening.
2. **June Maxam** - in regards to her email (that she had sent and which was given to the town board) about town removing snow, that was put in town right of way by a private individual and operation of the town's bobcat. June contacted the highway department and appreciated the town's concern about removing the snow. She did not feel that it was the town's responsibility to remove the snow that the town did not put there, at the expense of the taxpayers.

Mr.Schachner stated that if the snow is in the right of way, the town can remove it, but if someone is dumping snow in the right of way, highway superintendent and town board have the right to prevent this from occurring.

Discussion on having Mr.Schachner draft letter to Mr.Redmond. Supervisor Monroe has contacted Mr.Redmond in the past about the snow plowing problem.

RESOLUTION #15: AUTHORIZE MR.SCHACHNER TO DRAFT LETTER TO CHARLES REDMOND IN REGARDS TO SNOW BEING PUT IN TOWN RIGHT OF WAY.

Introduced by Mr.Durkish, 2nd by Mrs.Wells authorizing Mr.Schachner, attorney for the Town, to draft letter to Charles Redmond requesting that he does not put snow from his property in the town right of way. AYE 5 NO 0

3. **Phil Geidel** - inquired as to the town's policy for clearing sidewalks. He felt that one side of Theriot Ave is not cleaned out until later in the day. He has contacted John West and did not receive an answer. Supervisor Monroe will talk with John. Councilperson DuRose spoke with a resident on Theriot about the snow removal on the sidewalk after the storm on Wednesday and that it was Friday before it was cleared.
4. **Linda M** - Wonder if board was aware about Price Chopper and Hannaford considering property in Warrensburg. She wonder if the town had any property available. Supervisor Monroe stated that he had contacted Price Chopper in the past and they were not interested. Concerns if this would have an effect on Grand Union store in Chestertown. Supervisor Monroe will contact Grand Union.

OLD BUSINESS:

Status of 2011 Milfoil contract with Lycott Environmental - Supervisor was authorized to sign contract (Jan.11, 2011 Res.#9).

Loon Lake speed limit Local Law - Mr.Schachner sent a draft of local law to the town board. Supervisor Monroe presented a copy of a map showing the proposed speed limit zones. Within 100' of shore, speed limit is 5 mph. Discussion on placing a buoy by the "rock" and having it be 5 mph (doing a triangle out to the rock). The proposed map will be revised to show this triangle and to include a "gray area" of another 100' (total 200') showing the personal water craft 5mph limit. Mr.Schachner gave a quick review of the proposed local law for speed limit on Loon Lake: no vessel shall be operated at a speed exceeding 5 mph in the areas shaded on the proposed map. A discussion on using the term "no wake zone". Board decided not to use the "no wake zone" term.

RESOLUTION #16: ADVERTISE FOR PUBLIC HEARING ON LOCAL LAW #1 OF 2011 FOR SPEED LIMIT ON LOON LAKE.

Introduced by Mr.Packer, 2nd by Mrs.Wells authorizing to

advertise for public hearing on March 8, 2011 at 7:30 pm for Local Law #1 of 2011 in regards to regulating speed of vessels on Loon Lake. Mr.Schachner will draft new Local Law to include an additional 100' - gray area on proposed map - which will be a 5 mph speed limit for personal water craft and proposed map will show the additional 100'.

AYE 5 NO 0

RESOLUTION #17: AUTHORIZE CLERK TO ADVERTISE POSTING OF TOWN ROADS.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorizing town clerk to advertise posting of town roads.

AYE 5 NO 0

NEW BUSINESS:

Reminder that beach permit for Loon Lake needs to be done.

Joe Koch - request for town board to consider noise ordinance for Schroon Lake or entire town - Town Board determined that they are not interested in passing such ordinance. Councilperson Durkish has concerns over where would this noise ordinance stop if it was town wide. Supervisor Monroe will review the present noise ordinance and contact Mr.Koch.

RESOLUTION #18: GRANT REQUEST FOR USE OF AUDITORIUM BY THE NORTH COUNTRY ARTS CENTER.

Introduced by Mr.Packer, 2nd by Mr.Durkish to grant request for use of auditorium by the North Country Arts Center on Saturday June 11, July 30 and August 20 from 5pm to 7pm and reimburse for custodian services or if auditorium was used on Friday evenings, no reimbursement would be required.

AYE 5 NO 0

Mr.Schachner reported on:

1. Boat on Valley Farm Road - Mr.Schachner looked for some laws to back up the removal of the boat, that sits in the town right of way. In New York State highway law Section 319 (Obstructions and removal) there is a provision that states that notice be given for removal. Under Highway law Section 157 a charge back can be done, if the town removes the boat. Supervisor Monroe and Mr.Schachner will work on notice.

RESOLUTION #19: AUTHORIZE ATTORNEY TO GIVE LEGAL NOTICE BOAT OWNER.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorizing Mr.Schachner, attorney for the Town of Chester, to give legal notice to boat owner to remove boat from town right of way on Valley Farm Rd. Under New York State Highway Law Section 319 - Obstructions and there removal and charge back under Highway Law Section 157.

AYE 5 NO 0

2. Bubblers on lakes - Mr.Schachner stated that he was not able to find any place in New York State and/or any municipalities that regulate bubblers.
3. Zoning amendments - town board passed resolution (#158) to be lead agency. This needs to be sent to the Park agency (that the town

has sought SEQR lead agency status for the zoning amendments). Mr.Schachner sent note on December 13 included proposed amendments, as revised. Further town board input needed for the accessory apartment.

Three things suggested by APA for the accessory apartment:

1. Maximum number of accessory apartments that APA wanted it limited to a specific number (170).

Town board proposes 10% of number of homes.

2. Maximum size - APA suggest 750 sq ft.

Town board proposes 800 sq ft.

3. Maximum occupancy - APA wants 2.

Town Board proposes 4 people

Mr.Schachner will make the revisions on the proposed amendments and send to APA for an informal review.

Arnold Jensen asked if moorings and swim floats was included in the zoning amendments.

RESOLUTION #20: FORWARD THE PROPOSED ZONING AMENDMENTS AS REVISED TO APA FOR ITS REVIEW.

Introduced by Mrs.Wells, 2nd by Mr.Durkish authorizing Mr.Schachner to forward the proposed zoning amendments, as revised, to APA for its review.

Five to be forwarded are: parcels located in more than one zoning district; density and lot calculation of grades of subdivision roads; boundary line adjustments; junk and junk yards; Friends Lake watershed overlay and accessory apartments and include moorings and swim floats.

AYE 5 NO 0

RESOLUTION #21: ADVERTISE FOR A 2011 4 WHEEL DRIVE MOTOR GRADER FOR HIGHWAY DEPARTMENT.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to advertise for a 2011 4 Wheel Drive motor grader. Bid opening March 8, 2011 at 7:30 pm.

AYE 5 NO 0

RESOLUTION #22: AUTHORIZE PAYMENT OF ABSTRACT AND APPROVE CLAIMS PAID PRIOR TO AUDIT.

Introduced by Mrs.Wells, 2nd by Mr.Packer authorizing payment of abstract:

General Fund	\$173,391.85	(12-49)
Highway Fund	\$ 57,609.75	(1-23)
Chestertown water	\$ 1,033.27	(1- 6)
Pottersville Water	\$ 154.57	(1- 4)
Library	\$ 1,516.02	(1- 5)
Chtwn Fire Comm	\$ 5,000.00	(1)
No.Creek Fire Dist	\$ 30,000.00	(1)
R'side Fire Dist	\$ 7,000.00	(1)
GENERAL FUND 2010	\$16,644.81	(666-682)
HIGHWAY FUND 2010	\$ 1,979.66	(299-300)
Ctwn Water 2010	\$ 186.73	(77-78)

Pville Water 2010

\$ 65.12 (78)
AYE 5 NO 0

Motion by Mr.Packer meeting was adjourned at 9:00pm.

Town Clerk _____

INVITATION TO BIDDERS

The Town Board of the Town of Chester, Warren County, NY does hereby invite sealed bids for a new 2011 4 Wheel Drive Motor Grader..

Specifications can be obtained from the Town Clerk.
Sealed bids will be opened on March 8, 2011 at 7:30pm .
The Town Board reserves the right to reject any or all bids.
Bernice Roberts Town Clerk (518) 494-5160

LEGAL NOTICE

Notice is hereby given, that effective immediately,
all Town roads in the Town of Chester, Warren County,
NY will be closed to vehicles with a weight load in
excess of 6 tons, as per section 1660 of the Vehicle
and Traffic Law, until May 15, 2011.
Gary Clark, Highway Superintendent.

LEGAL NOTICE

**TOWN OF CHESTER
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town
Board of the Town of Chester, Warren County, on the 8th of March 2011
at 7:30pm at the Town Hall, Chestertown, New York regarding the
adoption of Local Law #1 Regulating the speed of vessels in portions
of Loon Lake.
At said hearing all interested persons may appear and will be given an
opportunity to be heard either in support of or in opposition to said
proposed local law.
Bernice Roberts, Town Clerk