

**Re-organizational meeting** of the Town Board of the Town of Chester was held **January 5, 2009** at 7:30 pm in the Town Municipal Center, Chestertown, NY.

Roll Call: Frederick H Monroe, Michael Packer, Edna Wells, Steve Durkish, and Karen DuRose.

**RESOLUTION #1: AUTHORIZE AND APPROVE THE FOLLOWING FOR THE TOWN OF CHESTER:**

**"ROBERT'S RULES OF ORDER". TIME AND PLACE OF BOARD MEETINGS. OFFICIAL DEPOSITORY. OFFICIAL NEWSPAPER, and APPOINTMENTS FOR 2009.**

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

1. Resolve that Robert's Rules of Order be the procedure to be adopted for all Town Board Meetings.  
Pursuant to Sec.62 of Town Law, this Board shall hold meetings in the Town of Chester Municipal Center, Chestertown, NY on the second Tuesday of each month, beginning in January of 2009. Meeting will start at 7:30pm.
2. Pursuant to Sec.64, Sub Div 12 of Town Law, this Board hereby designates Glens Falls National Bank and Trust Co (Chestertown) and Community Bank NA (North Creek) as official depository for the Town.
3. Resolve that the Post Star, Glens Falls, NY and the North Creek News Enterprise, North Creek, NY be named as the official newspapers for the legal ads and bids for the Town of Chester.
4. Appointments for 2009:  
Deputy Supervisor - Michael Packer  
Deputy Highway/working foreman - Reginald Raymond  
Deputy Town Clerk - Patricia Smith  
AYE 5 NO 0

**RESOLUTION #2: SET RATES AND APPOINTMENTS FOR 2009.**

Introduced by Mr.Monroe and 2<sup>nd</sup> by Mrs.Wells:

Set Appointments and rates for 2009.

Historian	Donna Lagoy	\$265.00	M
Water Superintendent	Jason Monroe	\$40,437.00	A
Sexton	Greg Bolton	\$665.00	A
Budget officer	Frederick H Monroe	\$1,365.00	A
Legal Counsel	Miller & Mannix	130.00	hr.
Deputy Supervisor	Michael Packer	\$129.00	A
Zoning Admin/Sanitary code enforcement	Walter Tennyson	\$19,429.00	A
Animal Control Officer	William Mosher	\$6,183.00	A
Planning Board Chair and members - per meeting		\$22.00	
ZBA Chairman and members - per meeting		\$22.00	
NYS Ass'n of Towns			
Delegate	Frederick H Monroe	None	
Alternate	Edna Wells	None	
Registrar Vital	Bernice Roberts	None	
Statistics Deputy	Pat Smith	None	

Service Officer Frederick H Monroe None

**Schedule of Annual Salaries for 2009:**

Supervisor	Frederick H Monroe	\$28,478.
Town Clerk	Bernice Roberts	\$28,012.
Town Justice	James McDermott	\$22,161.
Councilwoman	Edna Wells	\$ 5,382.
Councilman	Michael Packer	\$ 5,382.
Councilman	Stephen Durkish	\$ 5,382.
Councilwoman	Karen DuRose	\$ 5,382.
Highway Superint	Gary Clark	\$46,866.
Assessor	Paul Maniacek	\$58,289.
	(Chester - \$30,789 Horicon - \$27,500)	
Audit Committee	Edna Wells - Karen DuRose	\$260.
	(per year - per person)	

**Hourly rates for 2009:**

Bookkeeper	Bruce Nolin	\$17.25
Deputy Town Clerk	Pat Smith	\$11.92
Justice Clerk	Karen Griffen	CSEA
Sec to Zoning, Planning, ZBA Secretary	Patricia Smith	\$11.92
Assessor Clerk	Carol Bleickhardt	\$12.42
Laborer - Part Time		\$ 9.28
Assistant Water Super	Mike Peet	CSEA
Library Technician	Alma Alvarez	\$13.69
Election Inspectors	-----	county
Director of Youth Prog	-----	\$4,872. per yr
And Rec. Leader-Summer Program - combined		
Rec Ass't Director	-----	\$ 9.00
Rec Assistants	-----	min. wage for 1 <sup>st</sup> yr. Minimum wage plus \$.50 2 <sup>nd</sup> and later years.
Election Machine Cust.	-----	county
Unsafe Building Inspec	Russ Lail	\$ 66.04 /Inspection
Food Pantry	Marge Souran	\$ 9.69
Library Aide	-----	\$ 9.48
Lifeguards (returning)		\$ 10.25
Assistant lifeguards		\$ 10.25
When doing lessons		\$ 10.75
Data collector	Dan Smith	\$ 12.85
Assistant Library Technician	Wendy Joy Hayes	\$ 10.97
Record Management Officer		\$ 13.29
Lake Constable	per hour	\$ 16.23
Real Property Tax services assistant		\$ 11.52
Temporary part time court clerk		\$ 9.50
School Bus Drivers	-----	School wage
Museum - Betty Meade	historical society	
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**RESOLUTION #3: AUTHORIZE AND APPROVE THE FOLLOWING FOR THE TOWN OF CHESTER:**

**MILEAGE RATE FOR THE YEAR, BONDING OF OFFICIALS, WATER SUPERINTENDENT TO ATTEND MEETING, RETURN CHECK CHARGE, AND TOWN CLERK ISSUE FIREWORKS PERMIT.**

Introduced by Mrs. Wells, 2<sup>nd</sup> by Mr. Durkish: Authorize and approve the following:

1. Mileage allowance rate - as of 1/1/09 \$ .55  
The rate will be paid to all legislative officers and designated employees of the Town for the use of their vehicles for each mile actually traveled, necessary to performance of their duties.
2. Resolve that the undertakings for all Town Officials be approved for payment for the year 2009.
3. Water superintendent to attend water works meeting.
4. \$15. charge for any and all checks returned for insufficient funds
5. Authorizing Town Clerk to issue Fireworks permit according to Penal Law Sec. 4050.05.

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**RESOLUTION #4: AUTHORIZE PAYMENT TO YMCA FOR NON-REFUNDABLE DEPOSIT.**

Introduced by Mrs. DuRose, 2<sup>nd</sup> by Mrs. Wells authorizing a payment to YMCA for Lock-in contract for the February 20, 2009 event. This is a non-refundable deposit of \$75.

AYE 5 NO 0

**RESOLUTION #5: OPPOSITION TO AMENDING SECTION 544 OF THE REAL PROPERTY TAX LAW AND AUTHORIZE FORM IN SUPPORT OF RESOLUTION BE FAXED TO ADIRONDACK ASSOCIATION OF TOWNS AND VILLAGES.**

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

*WHEREAS*, the State Legislature created the Adirondack Forest Preserve in 1886 to conserve ecologically and recreationally significant tracts of land for watershed protection and ultimately the benefit of all New Yorkers, and in creating said Preserve, legally obligated the State of New York to pay full local property taxes, "as though privately held", on all Forest Preserve lands, and

*WHEREAS*, the legitimacy of the State's tax payments on the Forest Preserve was upheld by the NYS Supreme Court's Appellate Division earlier this year, in the case of *Dillenburg vs. NYS*, in which the outcome in that case gave all Adirondack and Catskill communities assurance that state land taxes on the Forest Preserve were neither arbitrary nor capricious and that these taxes are based on the State's legitimate powers granted to the State Legislature to waive its sovereign immunity from taxation in specified places such as the New York State Forest Preserve, and

*WHEREAS*, while we all understand the economic difficulties

that the State is facing, the Chester Town Board is appalled by the idea that the Division of Budget would confuse their obligation to pay *ad valorem* property taxes with state aid to local communities by proposing a cap on state property tax payments on Forest Preserve lands to Adirondack towns, counties and school districts, when it would be far more constructive for state government to work cooperatively with local governments and school districts to reduce state mandates and help reduce property taxes for everyone, and

*WHEREAS*, the proposed tax cap would set a dangerous precedent by creating two separate *ad valorem* tax rates, one for the State and another for private property owners, and by doing so would shift the State's financial responsibility unequally to local taxpayers, hitting hardest those towns and districts with the fewest residents and the greatest amount of state land, which is often 60 to 70 percent of their property tax base, *NOW, THEREFORE, BE IT*

*RESOLVED*, that the Chester Town Board, which views the payment of taxes on Forest Preserve lands as a permanent, essential and inviolate commitment from the people of New York State, who benefit so greatly from the Preserve, is hereby adamantly opposed to any plan that shifts State spending by amending Section 544 of the Real Property Tax Law by adding a new subdivision 3, which in effect, would cap the State of New York's legal obligation to pay full local property taxes, "*as though privately held*", on all Forest Preserve lands, and, be it further

*RESOLVED*, the Chester Town Board respectfully requests the Governor to eliminate this injurious proposal to cap property taxes on the Forest Preserve and rescind the amendment to Section 544 of the Real Property Tax Law, paragraph 3, within the thirty day amendment period of his proposed executive budget and thus provide for the economic survival of our small rural community which depends on his leadership to dispense "*shared sacrifice*" equitably, and, be it further

*RESOLVED*, that a certified copy of this resolution be forwarded to the Honorable Governor David Patterson, Honorable Assemblywoman Teresa Sayward, Honorable Senator Elizabeth Little and the Adirondack Association of Towns & Villages.

AYE 5            NO 0

**RESOLUTION #6: RESOLUTION IN SUPPORT OF LITIGATION AGAINST THE ADIRONDACK PARK AGENCY TO OVERTURN RECENTLY ADOPTED REGULATIONS.**

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

WHEREAS, The Adirondack Park Agency has recently adopted regulations that will have a negative impact on the economy of the Town of Chester, and;

WHEREAS, The Adirondack Park Agency may have exceeded their authority to adopt these regulations, and;

WHEREAS, If administrative efforts to reverse these regulations are not successful, it will be necessary to seek relief in the courts.

NOW THEREFORE, BE IT RESOLVED, That the Town of Chester join with the Adirondack Counties and other local governments in an effort to reverse Adirondack Park Agency actions and contribute financial support in the amount of two hundred and fifty dollars (\$250).

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Bob Kohaut, All Phase Electric, presented to the Town Board an itemized list of charges for the work/installation for the decorative streetlights in Pottersville. Further discussion on the charges that were over and above the bid price. **Tabled until January 13 regular town board meeting.**

Consider asking Paul Buckman to be an alternate for Schroon Lake Park District.

Audit report, done by Mrs.Wells and Mrs.DuRose was given to Town Board. Audit report was for the bookkeeper, court and town clerk records.

**Motion by** Mr.Packer, 2<sup>nd</sup> by Mrs.Wells Town Board went into Executive Session at 8:45 pm to discuss contract issue on All Phase electric, decorative street lights in Pottersville, and employment of court clerk. Motion by Mr.Packer, 2<sup>nd</sup> by Mrs.Wells Town Board resumed regular session at 9:15 pm. No action taken.

Motion by Mr.Packer meeting was adjourned at 9:20 pm.

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Town Clerk

