

Regular meeting of the Town Board of the Town of Chester was held **March 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.

OPEN GRADER BIDS:

Three bids were received.

Nortrax, 14 The Crossing Blvd, Box 433, Clifton Park NY 12065
\$207,970 minus trade -\$44,500 bid \$163,470

John Deere 670G

Monroe Tractor, 423 Old Loudon Rd, Box 280, Latham NY 12110
\$203,875 minus trade -\$45,000 bid \$158,875

Case 865 VHP

Vantage Equipment, 17 Northway Lane, Latham NY 12110
\$192,863 minus trade -\$40,000 bid \$152,863

Volvo G-930

Highway Superintendent will review bids.

Public hearing on proposed Loon Lake Speed Limit Local Law

Clerk read notice of public hearing. Supervisor Monroe opened public hearing at 7:50pm. Mr.Schachner reviewed the local law, saying it was very direct and establishes a 5mph speed limit for any vessels in Loon Lake within a certain area (shown on map) and establishes penalties. Comments were received from the floor. Mark Williams had comments on the date of the publication and "how it was spelled out". Mr.Schachner explained that different provisions applied to the local law.

Chris Walsh asked how people were made aware of the law. It is posted in various places and encourages people who rent to have it posted in their camps for renters.

Arnold Jensen stated that this also helps with the sheriff patrol enforcement.

Discussion on including in the law an exception for the pick-up and delivery of skiers.

Supervisor Monroe closed public hearing at 8:10 pm.

RESOLUTION #23: APPROVE LOCAL LAW #1 REGULATING SPEED OF VESSELS IN PORTIONS OF LOON LAKE.

Introduced by Mr.Packer, 2nd by Mrs.DuRose to approve Local Law #1 Regulating the speed of vessels in portions of Loon Lake and include the exception of pick-up and delivery of skiers/tubers, as is in the Navigation Law. AYE 5 NO 0

RESOLUTION #24: ACCEPT MINUTES OF THE FEBRUARY MEETING.

Introduced by Mrs.Wells, 2nd by Mr.Durkish to accept minutes of the February 8th meeting. AYE 5 NO 0

RESOLUTION #25: ACCEPT BID FROM VANTAGE EQUIPMENT FOR 2011 4 WHEEL DRIVE MOTOR GRADER.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to accept bid from

Vantage Equipment, 17 Northway Lane, Latham, NY 12110 in the amount of \$152,863 (selling price \$192,863 minus trade allowance on 1984 Caterpillar 12G) - \$40,000) for a new 2011 Volvo G-930 Motor Grader.
AYE 5 NO 0

Privilege of the floor:

Linda Muench - inquired as to recycling procedure and why are only "neck" containers accepted at the transfer station. Supervisor Monroe will check with John West. She also asked about hiring someone to help with the watering of the flowers and consider replacing the barrels. Last year parks department did the watering and she felt that perhaps more frequent watering was needed. Supervisor Monroe will speak with John West. Town Board does not feel that it is necessary to hire anyone. Was suggested to plant perennials. Councilperson Wells asked as to what amount is in the budget.

Mary Jane Dower - a meeting with John Behan is being planned for the future and also inquired if anything has been done in regards to Rising House and Carboy house. Supervisor Monroe said no inspection has been done yet and action on county level in regards to Carboy house.

Discussion on businesses locations not being in the hamlet and vacant buildings (old Fish's corner, drug store etc.) Supervisor Monroe stated that development is where landowners own property.

Old Business:

Joe Koch - request for Board to consider noise ordinance for Schroon Lake or entire town. Letter received from Mr.Koch. Town Board discussed this at the February meeting, and are still not interested in passing such an ordinance.

Contract for new boiler for municipal center - Supervisor Monroe will sign contract with Monroe Mechanical. Decision made to stay with bid that was accepted and use the old burner. Jason stated that there hasn't been any burner issues, has all been other problems. Replacement will be done soon.

Zoning amendments - next steps - Mr.Schachner gave updates for zoning ordinance amendments. Draft letter has been prepared and if board approves he will send it tomorrow.

At this time an informal APA staff review will be done, then the next step for the town would be to do SEQRA and a formal hearing would be held.

Water main extensions for District 1 - south end. Mr.Ross has previously contact the town board informing them that he would no longer being providing water to the businesses on Route 9 (Dave House building, etc.). Jason Monroe, Water superintendent, explained that the current line system is owned by Wendell Ross and the town board had authorized water superintendent to provide water to that system. (system is metered an annual bill is sent).

Discussion on how to extend water to that end of town. Supervisor

Monroe explained that the only way water could be provided is to extend the water district and because there isn't any money, money would need to be borrowed and then this would be assessed to the owners (over a long period of time). An engineering map plan and report will need to be done showing an estimated cost.

Supervisor Monroe stated that there is money in capital reserve fund to bring well number 1 back on line and he has checked to see if that money could be used. Comptroller office said no, but money could be available if the decision was made not to put well number 1 back on line. Water superintendent felt that the well should be abandoned. Supervisor Monroe will meet with the business owners and talk about any alternatives. Chris Walsh felt that all owners would like to have the line extended and he would like to see the line in the right of way of Route 9, which would then have a straight main with the hookups at the front of the buildings.

Mr.Schachner explained the procedure involved - 1. Engineering map plan report (this has to be funded - paid for by someone???) 2. Map plan has to establish the proposed cost; 3. A mandatory public hearing process. Mr.Schachner and Supervisor Monroe both stated that the town has no obligation to extend the service.

Discussion on including Timber Lodge Estates in the plan for water extension.

Chris Walsh stated that he is in favor of an extension.

RESOLUTION #26: AUTHORIZE SUPERVISOR TO RETAIN DELAWARE OPERATIONS TO PREPARE MAP REPORT, PLAN, AND COST FOR THE EXTENSION OF A WATER MAIN.

Introduced by Mr.Monroe, 2nd by Mr.Packer authorizing supervisor to retain Delaware Operations to prepare map report, plan and cost for the extension of a water main in District 1 on the south end of the hamlet of Chestertown to include the new Troopers barracks as option 1 and into Timber Lodge Estates as option 2.

Mr.Monroe - AYE Mrs.Wells - AYE Mr.Packer - AYE
Mrs.DuRose- AYE Mr.Durkish - ABSTAIN

New Business:

RESOLUTION #27: APPROVE REQUEST OF TOWN CLERK TO ATTEND TOWN CLERK CONFERENCE IN BUFFALO.

Introduced by Mrs.Well, 2nd by Mr.Durkish approving request of Town Clerk to attend New York State Town Clerk's Association conference in Buffalo NY on April 30 to May 4, 2011.

AYE 5 NO 0

RESOLUTION #28: ADVERTISE FOR SAND BIDS.

Introduced by Mr.Packer, 2nd by Mrs.Wells authorize clerk to advertise for sand bids. Bid opening will be April 12th at 7:30pm.

AYE 5 NO 0

RESOLUTION #29: ADVERTISE FOR LIFEGUARDS.

Introduced by Mr.Packer, 2nd by Mrs.Wells authorizing clerk to advertise for life guards for 2011 summer season. AYE 5 NO 0

RESOLUTION #30: DESIGNATE POLLING PLACES IN THE TOWN OF CHESTER.

Introduced by Mr.Monroe, 2nd by Mrs.DuRose:

WHEREAS, pursuant to Article 4-104 of the New York State Election law, the Town Board of the Town of Chester must submit to the Warren County Board of Elections a listing of the polling places in the Town of Chester in each Election District in which Elections may be held.

Therefore, be it

RESOLVED that the following locations be and hereby are designated as the respective polling places in the District as enumerated:

District 1 , 2 & 3 - Town Hall in Chestertown, New York and that such locations is accessible to the physically handicapped voter, pursuant to Article 4-104-a of the Election law (unless otherwise noted) and be it further

RESOLVED that a copy of this resolution be forwarded to the Warren County Board of Elections.

AYE 5 NO 0

RESOLUTION #31: AUTHORIZE CLERK TO ADVERTISE FOR BOARD OF ASSESSMENT REVIEW MEMBER AND ALTERNATE.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorizing clerk to advertise for Board of Assessment Review member and an alternate. Vacancy was the result of recent death of member.

AYE 5 NO 0

RESOLUTION #32: RE-APPOINT MINDY CONWAY TO WARREN COUNTY YOUTH BOARD.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells to re-appoint Mindy Conway to the Warren County Youth Board.

AYE - Mike Packer, Edna Wells, Steve Durkish, and Karen DuRose
Abstain - Fred Monroe.

Supervisor Monroe turned meeting over to Deputy Supervisor Packer.

RESOLUTION #33: A RESOLUTION SUPPORTING THE ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD ON THE OPPOSITION TO STATE LAND PURCHASE OF FORMER FINCH PRUYN TIMBER LANDS.

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

WHEREAS, the State of New York plans to purchase more than 60,000 acres of the former Finch Pruyn timberlands in fee from the Nature Conservancy (TNC), and

WHEREAS, the State plans to purchase 15,000 acres of the Follensby Pond timberlands in fee from TNC, and

WHEREAS, DEC Lands and the Forests Director Rob Davies estimated in a recent article that working forest supports three forestry related jobs for every 1,000 acres of productive forest lands, and that the same 1000 acres will support only a .6 of a tourism job, and

WHEREAS, the former Finch lands and the Follensby Pond land are both highly productive forest lands, and neither are threatened with imminent development; and

WHEREAS, fee purchase of the Finch and Follensby lands by the

State will result in impairment of the State's ability to respond to invasive species infestations, the inability of DEC to properly maintain and manage newly acquired lands due to staff reductions, and the inability of any entity to participate in the carbon credit market, and

WHEREAS, the State will be required by the Real Property Tax Law, to pay taxes on the former Finch and Follensby lands as if privately owned, if they are acquired in fee, and

WHEREAS, in these dire financial times, with the state facing bankruptcy, losses of thousands of state jobs, which will surely include Corrections Officers of the North Country, the priorities of the State should not include buying any more land, when people are facing job losses and local government will be seeing cuts in aid from the State; and

WHEREAS, the Adirondack Park Local Government Review Board has done a resolution in opposition of the fee acquisition by the state of the former Finch and Follensby Pond lands and has urged Governor Cuomo to direct that the State not purchase the former Finch and Follensby lands,

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Chester Town Board is in full support of the Adirondack Park Local Government Review Boards Resolution #1 of 2011 and,

FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Elizabeth Little, Assemblywoman Teresa Sayward, and the Warren County Board of Supervisors.

DULY ADOPTED THIS 8TH DAY OF MARCH BY THE FOLLOWING VOTE:

Frederick Monroe - Abstained; Michael Packer - AYE Edna Wells - AYE
Stephen Durkish - AYE Karen DuRose - AYE

RESOLUTION #34: RESOLUTION REQUESTING A MORTORUM ON LAND PURCHASES BY THE STATE.

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

WHEREAS, in these dire financial times, with the State facing bankruptcy, losses of thousands of state jobs, the priorities of the State should not include buying any more land, when people are facing job losses and local government will be seeing cuts in aid from the State, and

WHEREAS, the necessities of life should come first-not more land buys when we already have millions of acres in State hands and the role of private conservation groups like the Nature Conservancy should not be as a real estate broker for the State, their continued stewardship, as well as a well-funded private conservation organization with billions in assets should be about stewarding land, not being the acquisition department of New York State subsidized by the taxpayers of New York;

NOW, THEREFORE, BE IT RESOLVED, the Chester Town Board calls on our governor and our county Board of Supervisors and state legislators to enact and adopt legislation imposing a moratorium on future land

purchases in the Adirondack Park.

DULY ADOPTED THIS 8TH DAY OF MARCH BY THE FOLLOWING VOTE:

Frederick Monroe - Abstained; Michael Packer - AYE Edna Wells - AYE
 Stephen Durkish - AYE Karen DuRose - AYE

**RESOLUTION #35: CHESTER TOWN BOARD SUPPORTS THE TOWN OF LONG LAKE
 RESOLUTION IN OPPOSITION TO FEE PURCHASE OF FORMER FINCH AND FOLLENSBY
 POND LANDS BY THE STATE OF NEW YORK.**

Introduced by Mrs.Wells, 2nd by Mr.Durkish supporting the Town of Long Lake Resolution in opposition to fee purchase of former Finch and Follensby Pond lands by the State of New York and authorizing that Deputy Supervisor Packer sign the letter in support of Resolution and fax to Adirondack Association of Towns and Villages.

Frederick Monroe - Abstained; Michael Packer - AYE Edna Wells - AYE
 Stephen Durkish - AYE Karen DuRose - AYE

**RESOLUTION #36: 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	\$88,037.38	(50-99)
Highway Fund	\$38,923.31	(24-39)
Chestertown water	\$ 492.46	(7-11)
Pottersville Water	\$ 1,246.95	(5-10)
Library	\$ 557.43	(6- 8)

GENERAL FUND 2010	\$ 912.59	(683)
HIGHWAY FUND 2010	\$1,121.08	(301)
Ctown Water 2010	\$ 96.71	(79)
Pville Water 2010	\$ 96.71	(79)
Loon Lk Pk Dist	\$37,250.00	(2)
Schroon Lk Pk Dist	\$ 4,970.00	(5)
	AYE 5	NO 0

Discussion on complaint received from June Maxam in regards to snow plowing by Charlie Redmond. Mr.Schachner had sent a letter to Mr.Redmond. Reply was received from Mr.Redmond. Research to see what is the town right of way on Foster Flats. Councilperson Wells felt that the right of way needs to be determined and then a letter sent to all parties involved stating where the right of way is. Supervisor Monroe said that highway superintendent Clark will check state maps.

Motion by Mr.Monroe meeting was adjourned at 9:30pm.

Town Clerk

