

Regular meeting of the Town Board of the Town of Chester was held **May 13th, 2008** at 7:00 pm in the Town of Chester Municipal Center, Chestertown, NY.

Roll Call: Frederick Monroe, Stephen Durkish, Edna Wells and Karen DuRose. Absent - Mike Packer. Mark Schachner - attorney for the Town.

Public Hearing:

Supervisor Monroe explained that the Public Hearing was to inform the public of the Nature Conservancy's plan proposal for lands that they now own in the Town of Chester.

Approximate acreage is 1,367 and is referred to as:

North River Tract (north west corner of Town of Chester and Essex County/Warren County) - proposed to go to state and become part of the Forest Preserve/forever wild.

Igerna Tract (Henderson Mountain area) - proposed to sell to state conservation easements.

Vanderwalker Tract - fairly level and reasonable building site - propose to sell outright to an individual

Hudson Riverside Tract (along Hudson River - Palmer Pond - Riparius area) - currently forest preserve - propose to be sold to state as forest preserve

Potter Brook Road Tract (south end of Town of Chester) propose to sell conservation easements.

Dirk Bryant - Director of Conservation Programs.

Supervisor Monroe stated that a letter (April 7, 2008) from Elizabeth Lowe, Regional Director for Region 5 NYSDEC states that "Town of Chester has a 90-day time period from date on this letter to review this proposed acquisition and respond to the Department with a determination of their support or opposition to use of Environmental Protection fund monies for this proposed project."

Supervisor Monroe opened public hearing at 7:10 pm.

Letters received from Paul Little and Kathy Vanselow with concerns on the Hudson Riverside Tract and public access. Suggest that an alternate access be considered, either Palmer Pond or from Friends Lake Road and restrict the "right of public access through East Hudson River Drive".

Public Comments: Mary Lou Dopyera, Bonnie Vicki, and Bob Lerner.

Concerns over public access from East Hudson River - Mary Lou Dopyera and Bob Lerner. Highway Superintendent Clark commented on the road and the narrowness of such and the ability to maintain it.

Bonnie Vicki - agree with proposals, also has concerns over public access and felt that parking and access would be easier by way of Palmer Pond road. She also would like to see the "Henderson Mountain" area continue with an easement for access for hiking etc.

Comment on entering Henderson Mountain through a deeded right of way, by means of a private driveway.

Generally everyone is in support of the proposals, with the exception of access down East Hudson River Rd (Campground Road) and access to Henderson Mountain.

Question as to access by way of ATV's, snowmobiles and if handicap accessible. No ATV's on forest preserve properties.
Mr. Bryant felt that a net benefit in terms of taxes.
Mr. Bryant will make available conservation easement terms.

Public hearing will remain open and be continued at the June 10 Town Board meeting at 7:30pm and request to have Mr. Bryant attend.

Bid opening:

Two bids received for the 74" flail mower.

Capital Tractor, Inc., 1135 St Rt 29, Greenwich, NY 12834 **\$23,338.60**
Rodick Farm Machinery, 347 Rt 9, Schroon Lake, NY 12870 **\$22,950.00**

RESOLUTION #73: ACCEPT BID FROM RODICK FARM MACHINERY.

Introduced by Mrs. Wells, 2nd by Mrs. DuRose to accept bid from Rodick Farm Machinery, 347 St Rt 9, Schroon Lake, NY 12870 in the amount of \$22,950 for Alamo Industrial Versa Side-mount 74" flail mower, which includes installment on highway's DK65S.

AYE 4 NO 0

Affordable housing proposals - Three proposals received.

The LA Group, 40 Long Alley, Saratoga Springs, NY 12866 **\$35,000**

Elan Planning & Design Inc., 18 Division St, Room 304, Saratoga Springs, NY 12866 **\$34,735.**

Saratoga Associates, 443 Broadway, Saratoga Springs, NY 12866
\$34,954.

Tabled for further discussion.

RESOLUTION #74: APPROVE MINUTES OF TOWN BOARD MEETING.

Introduced by Mrs. DuRose, 2nd by Mr. Durkish, to accept the minutes of the April 8th town board meeting. AYE 4 NO 0

Privilege of the floor:

Judy Johnson reported that on December 6th and 7th there will be a North Country Bed and Breakfasts tour. Lake George Regional Commerce is coordinating the event. Tour will start in Glens Falls and continue to Pottersville. Funding is through Occupancy Tax fund. Requesting participation of the Town of Chester in having holiday decorations up prior to that date and would like to have the Town Hall be opened for civic groups.

Old Business:

Select contractor for landfill well monitoring. At the April 8th meeting three RFP's were received and was tabled until the May meeting for review.

Three RFPs were received:

C.T. Male Associates, P.C., 50 Century Hill Drive, PO Box 727, Latham, NY 12110. Total Bid for one year (**4 quarters**) **\$9,870**

Adirondack Landfill Services, LLC, Geoffrey May, PO Box 404,

Keeseville, NY 12944. Total bid for **3 quarters \$6,925.**
Phoenix Environmental Labs, Clarence (Buddy) Beames, 35A Hudson St,
South Glens Falls, NY 12803. Total bid one year (**4 quarters**) **\$5,792.**

RESOLUTION #75: ACCEPT PROPOSAL FROM PHOENIX ENVIRONMENTAL LABS FOR LANDFILL WELL MONITORING.

Introduced by Mrs.Wells, 2nd by Mr.Durkish to accept proposal from Phoenix Environmental Labs, 35A Hudson St, South Glens Falls, NY 12803 in the amount of \$5,792 for a year. Starting time will be July and authorize Mark Schachner, attorney for the town, to draft a contract with Phoenix Environmental Labs and to include in contract an option for renewal in three (3) years.

AYE 4 NO 0

Accept low bid for Loon Lake beach bathhouse materials. All bids received in April were rejected at that time, because of an offer from Lincoln Logs for the donation of pre-cut wall logs. Lincoln Logs has since withdrawn their donation. Bids opened at the April meeting: Three bids were received:

Curtis Lumber Co., Inc., 185 River Street, Warrensburg, NY 12885
\$8716.11

T.C.Murphy Lumber Co., Route 8, Wevertown, NY 12886
\$9898.53 materials \$3601.93 fixtures etc. \$834.24 siding

Stephenson Lumber Co., Inc, Route 9, Chestertown, NY 12817
\$8738.91 materials \$2020. Windows and doors \$165.60 difference on siding

RESOLUTION #76: ACCEPT BID FROM CURTIS LUMBER FOR LOON LAKE BEACH BATH HOUSE.

Introduced by Mr.Monroe, 2nd by Mrs.Wells to accept bid from Curtis Lumber, 185 River Street, Warrensburg, NY 12885 in the amount of \$8716.11 for the Loon Lake Beach bath house project and authorize Supervisor Monroe to submit Jurisdictional Inquiry Form and APA permit application, if needed.

Roll Call: Fred Monroe - Aye Edna Wells - Aye
Karen DuRose - Aye Steve Durkish - Abstain

APA response to request for approval of zoning amendments - Town Board reviewed the APA comments and suggested changes to the proposed Zoning Law amendments regarding Boundary Line Adjustments (2) and Accessory apartments (7). Town Board approved the recommendations of APA. Mr.Schachner will modify "boundary line adjustment" (#2).

RESOLUTION #77: APPOINT EDNA WELLS TO FILL POSITION ON WARREN COUNTY YOUTH BOARD, TEMPORARILY.

Introduced by Mr.Monroe, 2nd by Mr.Durkish to appoint Edna Wells to temporarily fill the position on Warren County Youth Board for the Town of Chester.

AYE 4 NO 0

Committee to recommend street lights for removal - TABLED

RESOLUTION #78: APPROVE CONTRACT WITH STEVE LAMERE FOR 2008 MILFOIL CONTROL PROGRAM ON LOON LAKE.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to approve the contract with Steve LaMere for the 2008 milfoil control program for Loon Lake. AYE 4 NO 0

**Flood Program - Warren County is still reviewing.
Bereavement policy inconsistency between CSEA contract and employee handbook - Tabled, will be reviewed at the next contract time.
All Phase Electric - tabled**

RESOLUTION #79: AUTHORIZE PAYMENT FOR F350 2008 FORD TRUCK FOR PARKS DEPARTMENT.

Introduced by Mrs.Wells, 2nd by Mr.Monroe authorizing payment for F350 2008 Ford truck with slide in dumping box, in the amount of \$30,850. Abstract #225. AYE 4 NO 0

RESOLUTION #80: ADVERTISE FOR ZONING BOARD OF APPEALS ALTERNATES.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells to advertise for Zoning Board of Appeals alternates. AYE 4 NO 0

RESOLUTION #81: APPOINT PAT SMITH TO BOARD OF ASSESSMENT REVIEW AS AN ALTERNATE.

Introduced by Mr.Monroe, 2nd by Mrs.DuRose to appoint Pat Smith as an alternate to the Town of Chester Board of Assessment Review. AYE 4 NO 0

Sidewalk repair list - finish section of wall in Pottersville, John West recommends that a section on Riverside Drive - old satellite building to OJ's, and other areas that have been marked in orange to be repaired.

Bond anticipation note on Starbuckville Dam - Supervisor Monroe reported that payment is due of \$10,000. \$18,552 was Town of Chester share.

RESOLUTION #82: AUTHORIZE PAYMENT ON STARBUCKVILLE DAM BOND ANTICIPATION NOTE

Introduced by Mrs.Wells, 2nd by Mr.Durkish authorizing a total payment of \$28,552 on the Starbuckville Dam bond anticipation note. AYE 4 NO 0

RESOLUTION #83: AUTHORIZE HIRING PART TIME HELP FOR PARKS DEPARTMENT.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorize hiring Robert Mesch for part time/seasonal help in the Parks Department, upon John West recommendation. Pay rate \$8.93 per hour. AYE 4 NO 0

Gore Mountain Cable - request to extend franchise agreement for one year - Tabled - executive session.

Ray Wright request for blind driveway sign on Landon Hill Road -
This is a county road and request will be sent onto the Warren County DPW.

RESOLUTION #84: FORWARD REQUEST FOR BLIND DRIVEWAY SIGNS TO WARREN COUNTY DPW.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells to forward Mr.Wright's and Mrs.Johnson's request for a blind driveway sign at 431 Landon Hill Road and 10 Landon Hill Road to Warren County. AYE 4 NO 0

Revise water rents - tabled - recommendations for June meeting.

RESOLUTION #85: ADVERTISE POPCORN MACHINE FOR SALE.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to advertise the popcorn machine for sale, that was purchased for the Youth Commission in 2005. Starting bid of \$100. AYE 4 NO 0

RESOLUTION #86: CAR CRUSHING WILL NOT BE ALLOWED AT THE TOWN OF CHESTER TRANSFER STATION.

Introduced by Mr.Monroe, 2nd by Mr.Durkish establishing the policy that car crushing will not be allowed at the Town of Chester transfer station. AYE 4 NO 0

Nelson Tree Service request to park trucks in town hall parking lot -
Town Board determined that this may cause problems and take up to many parking places. John West suggested the transfer station for parking of trucks and perhaps the company would take down some trees.

RESOLUTION #87: AUTHORIZE JOHN WEST TO DISCUSS TERMS WITH NELSON TREE SERVICE.

Introduced by Mr.Monroe, 2nd by Mrs.Wells authorizing John West to contact Nelson Tree Service in regards to using the transfer station for parking of their trucks in exchange for some tree removal. AYE 4 NO 0

North Warren School district request use of power at the "snack area" in back of Town Hall. Board agreed that they can use it. Mary Jane Dower stated that the hamlet of Chestertown needs an uplift and be "cleaned up" and encourage the use of the vacant stores.

RESOLUTION #88: AUTHORIZE HIRING OF FRANK FORBES FOR PART TIME POSITION IN THE PARKS DEPARTMENT.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells authorizing the hiring of Frank Forbes for part time position in the Parks Department. AYE 4 NO 0

RESOLUTION #89: AUTHORIZE PAYMENT OF ABSTRACT.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose authorizing payment of abstract and approve claims paid prior to audit:

General fund \$ 89,773.54 (170-224)

Note: include 30,850.00 225

(Resolution #79)

Highway fund	78,176.41	(73- 98)
Chtwn water	3,787.70	(17- 29)
P'ville water	1,624.20	(11- 21)
Library	601.52	(18- 20)
Schroon Lk Pk	13,375.33	(2)

AYE 4 NO 0

Motion by Mr.Monroe, 2nd by Mrs.Wells the Town Board went into Executive Session at 9:30pm to discuss Maxam claims, Considine litigation and Word of Life litigation and review RFP's on affordable housing proposal. Motion by Mrs.DuRose, 2nd by Mrs.Wells Town Board resumed regular session at 10:30. No action taken.

RESOLUTION #90: EXTEND AGREEMENT WITH GORE MOUNTAIN CABLE.

Introduced by Mrs.DuRose 2nd by Mrs.Wells to extend the agreement with Gore Mountain Cable for length of time stated in letter from Department of Public Service. November 18, 2008.

AYE 4 NO 0

RESOLUTION #91: ACCEPT L A GROUP PROPOSAL TO DEVELOP A COMMUNITY HOUSING PLAN.

Introduced by Mr.Monroe, 2nd by Mrs.Wells to accept the proposal from the L A Group, 40 Long Alley, Saratoga Springs, NY to develop a Community Housing Plan for the Town of Chester. Cost not to exceed \$35,000.

AYE 4 NO 0

Motion by Mrs.DuRose meeting was adjourned at 10:35 pm.

Town Clerk