

Regular meeting of the Town Board of the Town of Chester was held **May 8, 2007** at 7:30 pm in the Town of Chester Municipal Center, Chestertown, NY.

Deputy Supervisor Michael Packer conducted meeting in the absence of Supervisor Frederick Monroe.

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

Open metal pile bids:

Two bids received on metal:

Northern Car Crushers, Box 385, Keeseville, NY. **\$65 per ton.**

David Bradway & Sons, 7330 St Rt 9, Chestertown, NY. **\$50 per ton.**

Mr. Bradway include per pound prices on copper, brass, alum, stainless steel, irony alum, insulated copper, elec. Motors and insulated alum wire. These items would be picked up and weighed.

RESOLUTION #52: ACCEPT BID FROM NORTHERN CAR CRUSHERS.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to accept bid from Northern Car Crushers, PO Box 385, Keeseville, NY 12944, in the amount of \$65 per ton for removal of metal. AYE 4 NO 0

David Bradway & Sons will continue to remove other items from the metal pile and pay the town the rates quoted.

RESOLUTION #53: APPROVE MINUTES OF TOWN BOARD MEETING.

Introduced by Mrs. Wells, 2nd by Mr. Shaw to accept the minutes of the April 10, 2007 meeting. AYE 4 NO 0

Old Business: (continued later in meeting)

2007 Milfoil Program - Tabled

New Business:

RESOLUTION #54: DESIGNATE POLLING PLACES IN THE TOWN OF CHESTER.

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

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 of Elections a listing of the polling places in the Town of Chester in each Election District in which elections may be held:

BE IT RESOLVED, that the following location be and hereby is designated as the respective polling place in the Districts as enumerated:

District 1 - Town Municipal Center 6307 St Rt 9 Chestertown

District 2 - Town Municipal Center 6307 St Rt 9 Chestertown

District 3 - Town Municipal Center 6307 St Rt 9 Chestertown

And that such location is accessible to the physically handicapped voter, pursuant to Article 4-104.1-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 4 NO 0

Approval for Judge and court clerk to attend teleconference on DWI at

ACC on May 22nd.

RESOLUTION #55: APPROVE REQUEST OF TOWN OF CHESTER JUDGE AND COURT CLERK TO ATTEND TELECONFERENCE.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells approving request of Town of Chester Judge and Court Clerk to attend a teleconference on DWI at ACC on May 22nd, 2007. All necessary expenses for same to be a lawful claim against the Town of Chester. AYE 4 NO 0

Zoning administrator's request to appoint Pat Smith as deputy zoning administrator -

RESOLUTION #56: APPOINT PAT SMITH AS DEPUTY ZONING ADMINISTRATOR.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to appoint Pat Smith as Deputy Zoning Administrator in the absence of the Zoning Administrator. AYE 4 NO 0

RESOLUTION #57: RE-APPOINT PAUL MANIACEK TO THE POSITION OF SOLE ASSESSOR FOR THE TOWN OF CHESTER.

Introduced by Mr.Shaw, 2nd by Mrs.Wells to re-appoint Paul Maniacek as the sole assessor for the Town of Chester. 6 year term 10/1/07 to 9/30/13. AYE 4 NO 0

RESOLUTION #58: AUTHORIZE ASSESSOR TO OBTAIN REQUIRED TRAINING.

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

Whereas, the Town Assessor Paul Maniacek is required to annually fulfill his continuing education training requirements, and

Whereas, the New York State Assessor Association offers courses during the week of July 16th at their Annual Seminar at Cornell University, and the week of September 24th at their Annual Conference on Assessment Administration in Buffalo which assist the Assessor in fulfilling these requirements, now therefore be it

Resolved, that the Assessor is hereby authorized to travel and attend these training seminars.

AYE 4 NO 0

Walsh request for water service - Mr.Walsh is requesting to tap a 1 inch line into a 2 inch private main fed with town water. He stated that there is two lots. Lot A has an existing tap and lot B would require running of the new line. All installation cost would be the property owner (Walsh) responsibility. Mr.Walsh stated that this new line would be just for lot B. Property is located at 6250 St Rt 9 in the hamlet of Chestertown, out of the Chestertown Water District, . Tax map 104.14-1-31.12 for lot A and B (at this time we do not have a new number for lot B). Water superintendent approves of the request.

RESOLUTION #59: APPROVE REQUEST FOR WATER SERVICE TO 6250 STATE ROUTE

9, WHICH WOULD BE OUT OF DISTRICT USER, IN THE CHESTERTOWN WATER DISTRICT.

Introduced by Mr. Shaw, 2nd by Mrs. Wells to approve request of Lizco Realty (Chris and Elizabeth Walsh) to tap into the existing line located on 6250 State Route 9, Chestertown, New York, Chestertown Water District, property SBL# 104.14-1-31.12, and to extend the new line to Lot B. No other taps to adjoining property will be done. All cost will be responsibility of land owner.

AYE 4 NO 0

Old Business - continued:

Pottersville Water District. Home Rule request for legislation removing properties.

RESOLUTION #60: SUPPORTING SENATE BILL S4857 AND ASSEMBLY BILL A7665 ENTITLED "AN ACT TO AMEND THE TOWN LAW IN RELATION TO AUTHORIZING THE TOWN BOARD, OF THE TOWN OF CHESTER IN THE COUNTY OF WARREN, TO DIMINISH THE AREA OF THE POTTERSVILLE WATER DISTRICT" AND MAKING A HOME RULE REQUEST FOR THAT LEGISLATION.

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

WHEREAS, the Town Board of the Town of Chester requested Senator Elizabeth O'C Little and Assemblywoman Teresa Sayward to introduce the above legislation to authorize the Town of Chester to remove certain properties from the Pottersville Water District, and

WHEREAS, Senator Little and Assemblywoman Sayward have drafted Senate Bill S4859 and Assembly Bill A7665 to fulfill that request, and

WHEREAS, a Home Rule Request is required for those Bills to be acted upon by the Senate and Assembly, and

WHEREAS, the Town Board authorized the Supervisor to review and approve the description of the property to be removed and the Supervisor reviewed and approved the description

NOW, THEREFORE IT IS HEREBY

RESOLVED that the Town Board of the Town of Chester supports Senate Bill S4857 and Assembly Bill A7665 and authorizes the Supervisor and the Town Clerk to sign the necessary Home Rule Request documents and forward them to Senator Little's office.

Michael Packer - AYE Frank Shaw - AYE

Edna Wells - AYE Karen DuRose - AYE

Zoning amendments including accessory apartments - Review of the draft local law. Discussion on number of people to occupy accessory apartment. Board decided to include in the local law a limit of 2. The draft will have to be reviewed by APA prior to public hearing.

RESOLUTION #61: SUBMIT DRAFT LOCAL LAW FOR ACCESSORY APARTMENTS TO APA FOR REVIEW AFTER HAVING ADDED A LIMIT OF NO MORE THAN TWO (2) PEOPLE TO RESIDE IN ACCESSORY APARTMENT.

Introduced by Mr. Shaw, 2nd by Mrs. Wells approving the draft local law for Accessory Apartments with the addition of "No more than two (2) people may reside in the accessory apartment" in Section 7.20 D.

Authorize local law be submitted to Adirondack Park Agency for review.
AYE 4 NO 0

New Business - continued

Theiss easement exchange. Resolution subject to permissive referendum.

RESOLUTION #62: AUTHORIZE EASEMENT EXCHANGE SUBJECT TO PERMISSIVE REFERENDUM.

Introduced by Mr. Shaw, 2nd by Mrs. DuRose authorizing the easement exchange between Town of Chester and Theis, subject to Permissive Referencum. Property/easement located on County Route 19 (Olmstedville Rd) and adjoins Town property.

AYE 4 NO 0

Sidewalk repair list - Tabled - Knapp Hill and Valley Farm Rd.

Approve agreement with James Hutchins for engineering services for the Alder Brook bridge - Attorney for town reviewed agreement.

Discussion on the ownership of documents and request for liability insurance amount figure.

RESOLUTION #63: APPROVE AGREEMENT WITH JAMES HUTCHINS FOR ENGINEERING SERVICES.

Introduced by Mr. Shaw, 2nd by Mrs. Wells approving the agreement with James Hutchins for his proposal for engineering services for the Alder Brook Bridge, subject to ownership of documents and verification of insurance coverage in the amount of at least one million dollars liability coverage.

Aye 4 NO 0

Revise water rents - discussion on increasing water rents in both districts. Input received from water superintendent on the cost of chemicals and that a delivery charge is now include in the bill.

RESOLUTION #64: AUTHORIZE AN INCREASE OF 10% IN WATER RENTS FOR THE CHESTERTOWN AND POTTERSVILLE WATER DISTRICTS.

Introduced by Mr. Shaw, 2nd by Mrs. Wells authorize an increase of 10% in water rents for the Pottersville and Chestertown Water districts to cover increase costs in operation of districts. A list of new rates attached. AYE 4 NO 0

Chazen Engineers proposal for Loon Lake Dam - Tabled

Lifeguards - Mrs. Wells reported that the girls will be getting the classes needed and the relief position will be filled.

New mower for parks department - John West presented a quote from Smith's Equipment for a new commercial mower. Price \$4590 (the walk behind "billy goat" will be traded in). John did not feel the old

mower was worth repairing (frame is cracked and needs a motor).

RESOLUTION #65: APPROVE PURCHASE OF COMMERCIAL MOWER FROM SMITH'S EQUIPMENT.

Introduced by Mr.Shaw, 2nd by Mrs.Wells to approve purchase of a commercial mower from Smith's Equipment, for \$4590 price includes the trading in of the walk behind "billy goat". Purchase is contingent up Supervisor Monroe's review of budget. AYE 4 NO 0

Pottersville Water District corrosion control - Jason stated that plans have been submitted to the Department of Health on October 11, 2006. The plans were just approved and the new corrosion control plan will be started June 1, 2007 in Pottersville.

RESOLUTION #66: AUTHORIZE PAYMENT OF ABSTRACT.

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

General Fund \$ 38,806.13 (167-223)
Highway fund \$ 28,928.11 (65 - 87)
Chtwn Water \$ 1,092.86 (18 - 26)
P'ville Water \$ 7,812.31 (21 - 34)
Library \$ 1,107.94 (19 - 24)
Sch Lk Pk Dist \$17,305.27 (2 - 4)
Loon Lk Pk Dist \$ 400.00 (1)

AYE 4 NO 0

Discussion on the Town of Chester obtaining a credit card that can be used for town purchases when payment has to be made in advance (purchasing of tickets for youth commission events).

RESOLUTION #67: AUTHORIZE SUPERVISOR TO OBTAIN A BUSINESS CREDIT CARD FOR THE TOWN.

Introduced by Mr.Shaw, 2nd by Mr.Packer authorizing Supervisor Monroe to obtain a business credit card for Town purchases and to be managed as the Supervisor sees fit. AYE 4 NO 0

Motion by Mr.Shaw, 2nd by Mrs.Wells Town Board went into Executive Session at 9:15pm to discuss Word of Life assessment litigation, Maxam litigation, CSEA final contract terms, and Animal Control officer. Motion by Mr.Shaw, 2nd by Mrs.DuRose Town Board resumed regular session at 9:36 pm. No action taken.

RESOLUTION #68: APPROVE PROPOSED SETTLEMENT WITH WORD OF LIFE.

Introduced by Mr.Shaw, 2nd by Mrs.Wells to approve the proposed settlement with Word of Life in regards to the assessment litigation.

AYE 4 NO 0

Motion by Mr.Shaw, 2nd by Mr.Packer meeting was adjourned at 9:40 pm.

 Town Clerk
Resolution #64 - continued:**CHESTERTOWN WATER DISTRICT RATES**

<u>Water code</u>	<u>Rate</u>	<u>Description</u>
1	\$120.17	Residential
2	\$120.17	Business
3	\$215.05	Outside of District
15	\$11.00	turn on / off each
6	\$189.75	Base rate - unmetered
7	\$316.25	Connection charge - standard install
8	\$284.62	Unmetered, base, outside of district
10	\$253.00	Flat unmetered special annual rate
		Note that we don't have anyone
13	\$518.65	Hydrant rental
		? How many hydrants in District 1
16	\$94.87	Replace water meter - frozen/damaged
20	\$442.75	NWCS - base rate for 24,000 gallons

Rate for over 24,000 gallons - \$1.63 per 1,000 gallons over 24,000

POTTERSVILLE WATER DISTRICT RATES

<u>Water code</u>	<u>Rate</u>	<u>Description</u>
4	\$357.00	Outside district - base rate - metered

5	\$300.30	Base rate - Unmetered
7	\$316.25	Connection charge - standard install
9	\$3,575.00	Base rate Glendale
10	\$253.00	Flat unmetered special annual rate Note that we don't have anyone
(2dry) 12	\$100.00	Hydrant rental - for 9 hydrants
14	\$443.30	Unmetered - outside of district
15	\$14.30	turn on / off each
16	\$94.87	Replace water meter - frozen/damaged
17	\$221.65	Residential
18	\$221.65	Business
21	\$500.50	Word of Life - base rate for 24,000 gallons

Rate for over 24,000 gallons - \$2.49 per 1,000 gallons over 24,000

Swimming pool rate - Resolution #181 August 2002 - rate established \$150.