

Regular meeting of the Town Board of the Town of Chester was held **November 12, 2008** 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 bids on dozer (highway garage) and well pump:

Six (6) bids received on 1964 Caterpillar D6C dozer - J Howe \$8,100; B Boulette \$4,275; M Cooper \$5,209; K Thompson \$4,126; R Chartrand \$7,676; D Reed \$3,400.

RESOLUTION #169: ACCEPT BID FROM JOHN HOWE ON 1964 DOZER.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells to accept bid from John D Howe in the amount of \$8,100 on the 1964 D6C Caterpillar. Equipment is sold as is. AYE 5 NO 0

One (1) bid received on well pump from Town of Warrensburg. **Tabled at this time. Board will review bid price with water superintendent.**

RESOLUTION #170: ACCEPT MINUTES OF THE OCTOBER MEETINGS.

Introduced by Mr.Packer, 2nd by Mr.Durkish to accept minutes of the October 1st and 14th Town Board meetings. AYE 5 NO 0

RESOLUTION #171: AUTHORIZE CLERK TO ADVERTISE FOR BIDS FOR #2 FUEL OIL, DIESEL FUEL AND KEROSENE FOR TOWN BUILDINGS.

Introduced by Mrs.Wells, 2nd by Mr.Packer authorizing clerk to advertise for the following bid:
1. #2 fuel oil, diesel fuel and kerosene and provide emergency service for all town locations, listed in ad, other than the new Town Municipal Center, and prepare a separate bid for fuel oil for the Town of Chester Municipal Center, with a minimum deliver of 5000 gallons. Bid opening to be held December 9, 2008 at 7:30pm. AYE 5 NO 0

RESOLUTION #172: APPROVE APPOINTMENT OF GREG BECKLER TO LIBRARY BOARD OF TRUSTEES.

Introduced by Mrs.Wells, 2nd by Mr.Durkish approving the appointment of Greg Beckler to Town of Chester Public Library Board of Trustess. Term expires in 2011. AYE 5 NO 0

RESOLUTION #173: AUTHORIZE AMENDMENTS TO 2008 BUDGET.

Introduced by Mr.Packer, 2nd by Mrs.DuRose authorizing amendments to the 2008 budget:

<u>Amend estimated revenues:</u>	
A1120 sales tax	+ 70,000
A2401 interest & earnings	- 15,000
A3005 mortgage tax	- 40,000
DA3501 state aid - CHIPS	+ 20,000

Amend appropriations:

A 1620.4 municipal center - contr expend	+ 5,000
A 5182.4 streetlights	+ 5,000
A6410.12 publicity -LLK washroom from	
Occ tax - pers srvcs	+ 5,000
DA5112.2 capital outlay - roads	+20,000
AYE 5	NO 0

Privilege of the Floor:

Wayne LaMothe - a NYS Technical Assistant grant, not to exceed \$25,000 per grant is being offered. Grant could cover 60% of cost of plan or study. Town will have Mr.LaMothe apply on behalf of the Town for engineering study to extend the Chestertown water line to the Peckham Industrial Park (south of the hamlet on Route 9). Application is due the 21st of November.
Discussion on the 40% matching funds and where the funds would be transferred from.

RESOLUTION #174: APPLY FOR COMMUNITY PLANNING PROGRAM GRANT.

Introduced by Mr.Monroe, 2nd by Mrs.Wells authorizing Wayne LaMothe, Assistant Director for Warren County Planning and Community, to prepare the grant for Office of Community Renewal Small Cities Program for 2008. Grant is for \$25,000 for the expansion of the Chestertown Water District. The Town of Chester will provide 40% matching funds.
AYE 5 NO 0

Steve LaMere - written report on 2008 milfoil management for Loon Lake. New sites of milfoil were discovered and over 34,500 plants were harvested. Mr.LaMere's recommendations were to continue with inspections and hand harvesting, apply benthic barriers in core areas of infestation, and apply for a new state non-indigenous species control grant of milfoil and curly leaf pondweed.

Larry Warner - inquired if there would be any discussion on the Evergreen Lane issue - Tabled to Executive Session.

Gary Clark, Highway Superintendent - request has been received for the removal of the wood chippile. Individual will pay the town so much per ton. Board determined that because the wood chips are on town property and anyone can have access to the chips, that this would need to go to bid.

RESOLUTION #175: ADVERTISE FOR BIDS FOR THE WOOD CHIPS.

Introduced by Mr.Monroe, 2nd by Mr.Packer advertise for bids for the removal of the wood chips on town property, located near the highway garage. Bid opening December 9th at 7:35 pm.
AYE 5 NO 0

Supervisor Monroe reported that funding was received from Senator Little in the amount of \$25,000 for assistance in additional road paving. Highway Superintendent Clark recommends that the VanDerwarker

Road be considered.

RESOLUTION #176: DESIGNATE MULTI-MODAL TRANSPORTATION FUNDS TO BE USED FOR THE VANDERWARKER ROAD.

Introduced by Mr.Monroe, 2nd by Wells designating the funding that may be received from the Multi Modal Transportation Money to pave one half mile of the VanDerwarker Road in the Town of Chester. \$25,000 in funding may be received. AYE 5 NO 0

Greg Beckler - written report on the pug parade and what is being planned for 2009. 199 pugs were registered.

Old Business:

Shirley Salerno - Schroon River flooding and erosion problem solution

- Highway Superintendent stated that Dave Wicks is willing to review the problem next spring.

RESOLUTION #177: AUTHORIZE HIGHWAY SUPERINTENDENT TO REPAIR THE TWO PARCELS, THAT WERE AFFECTED BY FLOODING AND EROSION.

Introduced by Mr.Monroe, 2nd by Mr.Packer authorizing highway superintendent to do the necessary repairs to property (Peper and Salerno) on Schroon River that had flooding and erosion problems. Request that Dave Wicks apply for APA permit for the work that will be done. AYE 4 NO 1

Road off Perry Road - Board reviewed the draft letter, prepared by attorney. Status on sign - order has been sent.

Burn barrel procedure - review of local law #1 of 2007. Mr.Schachner thought that at the time of the adoption of the law that Zoning officer was authorized to be the town officer enforcing law, which means the zoning officer has the authority to send letters, notice of violation, and can bring violator to town court. Mr.Schachner also said there is also a provision in State Law, in regards to burning.

Supervisor Monroe will request a meeting in regards to the approval of the zoning amendments and language for accessory apartments. Town Board would like to deal with all the amendments at one time.

New Business:

RESOLUTION #178: AUTHORIZE SUPERVISOR TO SIGN SNOW AND ICE CONTRACT WITH THE COUNTY FOR 2009.

Introduced by Mrs.Wells, 2nd by Mr.Packer authorizing Supervisor to sign contract with Warren County for snow and ice removal for the fiscal year 2009. Included in contract is sweeping of roads and mowing. Total miles 32.87. Contract \$197,722 this is a 5% increase in the contract. AYE 5 NO 0

Copy of resolution to be sent to Warren Cty Attorneys office.

RESOLUTION #179: AUTHORIZE CLERK TO ADVERTISE FOR PUBLIC HEARINGS ON 2009 CONTRACTS.

Introduced by Mr.Packer, 2nd by Mrs.Wells authorizing clerk to advertise for public hearings on December 9th, 2008 at 7:35 pm at the Town Hall, Chestertown, NY on proposed contracts with:
North Warren Chamber of Commerce, Inc. to act as advertising agent for the Town of Chester in the amount of \$14,000. (code A6410.4)
Contract with North Warren Emergency Squad to furnish emergency ambulance service in the Town of Chester in the amount of \$60,000 (code A4540.4)
Contract with North Creek Fire District to provide fire protection in the amount of \$30,000 per year; contract with Riverside Volunteer Fire Co. to provide fire protection in the amount of \$7,000 and **Chestertown Fire Company to also provide protection in the Riverside Fire Protection District in the amount of \$5,000.**

AYE 5 NO 0

RESOLUTION #180: AUTHORIZE CLERK TO ADVERTISE FOR BID FOR WEEKLY SENIOR CITIZEN MINI-BUS TRANSPORTATION.

Introduced by Mr.Packer, 2nd by Mrs.Wells authorizing clerk to advertise for the following bid:
Weekly mini-bus transportation to Glens Falls for Senior Citizens during the fiscal year 2009. 15 passenger seating.
Bid openings to be held December 9th, 2008 at 7:30pm.

AYE 5 NO 0

Review zoning provisions requiring permit to log - Mr.Tennyson stated that the loggers are required to obtain a permit in rural use zoned areas, prohibited in hamlet, and requires site plan review in moderate intensity (around lakes and rivers).
Further discussion on "what is considered as logging". Logging is not defined in the ordinance. Timber harvesting is.
Permit to build includes clearing of land. Mr.Tennyson did not feel that the permit was a problem.
Under site plan review, no permits have been denied, but conditions have been made.
Discussion on if an amendment needs to be done to define what logging is verses just cutting a few trees.

RESOLUTION #181: SET DATE FOR ORGANIZATIONAL MEETING IN JANUARY.

Introduced by Mr.Monroe, 2nd by Mrs.DuRose to set date of January 5, 2009 at 7:30 pm for the organizational meeting.

AYE 5 NO 0

Loren Pereau request that Jersey barrier be removed from Theriot Ave and consideration be given for something different. Loren found an aerial photo of the area in 1948 that showed a "triangle" at the bottom of Starbuck Hill Road. Reason for barrier to start with was to reduce speeding on Theriot Ave and also children walking to the newly built school. Pine Street resident stated that traffic on Pine Street

has increased and so has the speed. Supervisor Monroe will talk with DPW engineers to review the barrier and offer any solutions.

Ski program - Gore Mountain ski program that is offered to the town is to be for the local youths in the North Warren School District and live in the towns of Chester and Horicon. This program will be monitored by Gore. Town Board will comply with the rules.

Streetlights by Creative Stage lighting - Supervisor Monroe will check on this.

Judge McDermott request the hiring of a partime/temporary court clerk.

RESOLUTION #182: ADVERTISE FOR PART TIME COURT CLERK.

Introduced by Mrs.Wells, 2nd by Mrs.DuRose to advertise for a part time/temporary court clerk. Position would be 20-25 hours per week and pay rate \$9.50 per hour. AYE 5 NO 0

RESOLUTION #183: AUTHORIZE PAYMENT OF ABSTRACT.

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

General Fund	\$ 42,221.47	(510-557)
Highway Fund	\$ 29,828.20	(193-216)
Chestertown water	\$ 1,602.12	(69- 74)
Pottersville Water	\$ 1,022.94	(65- 71)
Library	\$ 1,596.45	(55- 58)
	AYE 5	NO 0

Motion by Mr.Packer, 2nd by Mrs.Wells Town Board, excluding Mr.Monroe and Mr.Durkish, went into Executive Session at 9:20pm to discuss Timber Lodge Estates/Evergreen Lane issue. Motion by Mr.Packer, 2nd by Mrs.Wells Town Board resumed regular session at 9:30 pm. No action taken.

RESOLUTION #184: AUTHORIZE DISCONTINUANCE OF TOWN LITIGATION ACTION.

Introduced by Mrs.DuRose, 2nd by Mrs.Wells authorize discontinuance of town litigation against Considine and Lincoln Logs upon consolidation of the subdivision lots and receipt of written waivers and releases from the parties and the Warners in form acceptable to town counsel.

AYE 3 NO 0

Meeting was adjourned at 9:55pm.

Town Clerk

LEGAL NOTICE - PLEASE PUBLISH ONE TIME

Town of Chester Budget Adoption.

Please take notice that the Town Board of the Town of Chester, Warren County, NY after a public hearing on November 5, 2008 adopted the budget for the fiscal year beginning on January 1, 2009 and ending on December 31, 2009.

Said adopted budget is available for inspection in the office of the Town Clerk, 6307 St Rt 9 Chestertown, NY. during regular business hours.

Bernice Roberts, Town Clerk

NOTICE TO BIDDERS

The Town Board of the Town of Chester, Warren County, NY does hereby invite sealed bids for the sale and delivery of

#2 Fuel Oil
Low sulfur diesel fuel
kerosene

and a separate price for minimum delivery of 5000 gallons fuel oil for the Town Hall.

All bidders must have and so state, that a qualified serviceman is available for any required emergency service upon no more than two hours notice.

All bids will be based on the tank wagon low price for all products. All bids must be in an envelope marked "Bids for fuel, diesel fuel and kerosene."

Bids will be accepted by the Town Clerk, Chestertown, NY on or before December 9, 2008 at 7:30pm at which time they will be opened and read publicly at the Town Hall, Chestertown, NY.

The Town Board reserves the right to reject any or all bids.

Bernice Roberts, Town Clerk.

Notice to Bidders

The Town Board of the Town of Chester will be accepting bids for the removal of a wood chip pile located at the highway garage. Bids will be accepted by the Town Clerk, Chestertown, NY on or before December 9, 2008 at 7:30pm at which time they will be opened and read.

Bernice Roberts, Town Clerk.

NOTICE TO BIDDERS

The Town Board of the Town of Chester, Warren County, NY does hereby invite sealed bids for mini-bus service to provide weekly transportation for Senior Citizens during the year of 2009. Bids should state the amount per week and total number of weeks for the year. The successful bidder must provide proof that he is a properly licensed public carrier with authority to conduct the specified program from the NY State Transportation Dept., Division of Regulatory Affairs, and must provide proof of public liability insurance. All bids must be in an envelope marked "Senior Citizens/Mini-bus service".

Bids will be accepted by the Town Clerk, Chestertown NY on or before December 9, 2008 at 7:30pm at which time they will be opened and read publicly at the Town Hall, Chestertown, NY.

The Town Board reserves the right to reject any or all bids.
Bernice Roberts, Town Clerk.

NOTICE OF PUBLIC HEARING

The Town Board of the Town of Chester, Warren County, NY will conduct a Public Hearing on December 9, 2008 at 7:35pm at the Town Hall, Chestertown, NY regarding the following proposed contracts for the 2009 year: North Warren Chamber of Commerce, Inc. to act as advertising agent for the Town of Chester in the amount of \$14,000.

Contract with North Warren Emergency Squad to furnish emergency ambulance service in the Town of Chester in the amount of \$60,000.

Contract with North Creek Fire District to provide fire protection in the amount of \$30,000. Contract with Riverside Volunteer Fire Co. to provide fire protection in the amount of \$7,000 and Chestertown Fire Company to also provide protection in the Riverside Fire Protection District in the amount of \$5,000.

All interested persons will be heard concerning same at this time.
Bernice Roberts, Town Clerk.