

**Regular meeting** of the Town Board of the Town of Chester was held September 8, 2009 at 7:30 pm in the Town of Chester Municipal Center, Chestertown, NY.

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

**PUBLIC HEARING TO AMEND ZONING LAW RELATING TO TIMBER HARVESTING.**

Clerk read notice of public hearing. Supervisor Monroe opened hearing at 7:35 pm. Hearing was tabled to later in the meeting.

**RESOLUTION #110: ACCEPT MINUTES OF TOWN BOARD MEETING.**

Introduced by Mrs. DuRose, 2<sup>nd</sup> by Mrs. Wells to accept the minutes of the August Town Board meeting.                    AYE 5                    NO 0

**Privilege of the floor:**

**Marty Cooper** commented on the "pedestrian crossing" crosswalk sign at the bank. He felt the area is congested, with the sign in the middle of Route 9 and the problems caused trying to pull into the bank parking lot, pulling out from Theriot Ave and traffic on Route 9 and Riverside Drive.

Supervisor Monroe will check to see if other signage is available. The state has put up crosswalk signs.

**Arnold Jensen** reported on Loon Lake and how well the summer was. He did not write any tickets.

**Rob Freligh** reported on the harvesting of milfoil on Loon Lake and said that there is more now than last year. Commented on the "lake manager" and felt that more time needed to be put into the harvesting, Mr. Freligh did say that he realized funding was part of the issue. Over 20,000 plants were pulled and volunteers had 64 hours on the bottom of the lake (diving), this does not count the scouts, etc. Mr. Freligh has concerns over the amount of harvesting that still needs to be done, in order to "stay ahead of the problem." He presented an email to the Town Board from Aquatic Invasive Management and recommends that money be appropriated in the 2010 budget for an extensive harvesting program.

Discussion on funding - Supervisor Monroe stated that the Town would have to put this out to bid (specs would be needed). Was suggested that perhaps this could be included in the Loon Lake Park District tax. This may be a legal issue, if it can be a town wide charge or just to the park district, Mr. Schachner stated.

Town pays for beach related cost. Mr. Schachner explained that "when there is a district, the district pays for cost of maintenance, upkeep, capital improvements on the lake of facilities within the district".

A recommendation to have a committee review other ways of harvesting milfoil (hand harvesting, matting, chemicals).

Mr. Freligh did say that there had been some success on the harvesting, but it has to be continued yearly.

Supervisor Monroe recommends that a committee be formed to work on the harvesting ideas, budget, and specs.  
A general permit is needed from APA.

**Rob Freligh and Arnold Jensen** both commented on floats and moorings on Loon Lake and inquired as to what does the zoning ordinance says on "floating objects".

**Public hearing on timber cutting - continued started at 8:10 pm.**

Comments from the floor:

Marty Cooper - questioned the need of having a timber harvesting law. Supervisor Monroe stated that erosion, timber cutting in the hamlets, clear cutting were some of the concerns and by having a zoning law in place for such, this should help reduce any problems.

An amendment needs to be made because of the inconsistency.

Mr.Schachner stated that in one provision it is made to sound like "it" is allowed anywhere and in another place in the ordinance is prohibited in hamlet and moderate intensity. (Subject to site plan review under moderate intensity - page 25). He also felt that this inconsistency needs to be cleared up.

Discussion on the fee of \$30 for the permit every year.

Mr.Cooper suggested "right to log".

**Supervisor Monroe closed public hearing at 8:30 pm.**

Discussion from town board: repeal any restrictions on logging, have a right to log law, get rid of the inconsistency in the zoning ordinance, and/or have some reasonable restrictions.

Supervisor Monroe stated that if the board did a "right to log" all provisions on logging/timber harvesting could be repealed and resubmit to APA.

Councilperson Packer asked if timber harvesting and logging was all removed "then were does it leave us?" Supervisor Monroe said there still would be control over residential sub-divisions and cutting in connection with sub divisions (restrictions can be put in place). Councilperson Packer felt that there should be some control in the hamlets and sub division.

Mr.Schachner stated that in non sub division hamlet matters, if you interpret you the existing provision as exempting hamlet, there is no direct control in hamlet for timber harvesting or clear cutting.

The draft local law would provide for jurisdiction over timber harvesting in hamlet and moderate intensity, subject to site plan review.

Councilperson DuRose inquired as to how many lots were there in each of the hamlets, that could be logged. Mr.Cooper thought 3 or 4 in Chestertown and Mr.MacGlashan thought "there was a whole bunch" in Pottersville.

**RESOLUTION #111: REMOVE ANY RESTRICTIONS OR PROHIBITIONS OF LOGGING, TIMBER HARVESTING, OR FORESTRY FROM THE ZONING ORDINANCE.**

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

Mr.Schachner to draft an amendment for removing any restrictions or prohibitions of logging, timber harvesting, or forestry from the zoning ordinance.

Public hearing will need to be held and also will need to be sent to APA. AYE 5 NO 0

**New Business:**

**RFP for boom truck and scaffolding** - Only one RFP was received: NEW Rentals, 5 Fritz Blvd, Albany, NY 12205 phone 869-5335.

In reviewing contract agreement, amendments were suggested and to omit paragraphs 3,4, and 7 and to include what was mentioned verbally in regards to the placing of the contractors tools, equipment and mortar on the roof.

**RESOLUTION #112: ACCEPT RFP FROM NES RENTALS AND AUTHORIZE MR.SCHACHNER TO MAKE THE AMENDMENTS TO CONTRACT.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mr.Durkish to accept the RFP from NES Rentals, 5 Fritz Blvd, Albany, NY 12205, in the amount of \$6,315 for four week charge. Authorize, Mr.Schachner, attorney for the Town, to make the amendments to the contract. omit paragraphs 3,4, and 7 and include placement of contractors material and equipment on roof, which was stated verbally. AYE 5 NO 0

**RESOLUTION #113: AUTHORIZE SUPERVISOR TO APPLY FOR YOUTH PROGRAM FUNDS.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mr.Durkish authorizing supervisor to apply for Youth Program funds. AYE 5 NO 0

**RESOLUTION #114: APPLY FOR LARAC GRANT.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose authorizing the Town of Chester Youth Commission to submit application for a grant through LARAC. Grant would enable Youth Commission to provide funding for Seagle Colony Children's Opera program for 2010. AYE 5 NO 0

**RESOLUTION #115: APPOINT JOHN MAC MILLEN TO THE ZONING BOARD OF APPEALS.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mr.Packer to appoint John MacMillen to the Zoning Board of Appeals, to fill the unexpired term of Sam Sewall. Term is from now, (after oath of office is taken) until December 31 2011. AYE 5 NO 0

**RESOLUTION #116: SET DATE FOR TENTATIVE BUDGET MEETING.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mr.Packer to set the date of October 5, 2009 at 7:30 pm for Tentative budget meeting. AYE 5 NO 0

**Differences between union and non-union sick pay provisions. (union - 12: non-union - 6: 2 hr min) - Board determined to leave as is.**

**Deputy Water Superintendent - Jeff Finch** - Town Board determined that this position needs to be advertised. Discussion on requirements need and pay rate. Jason stated that at this time he has a verbal agreement with Minerva's water superintendent. Town would be responsible for cost of training.

**RESOLUTION #117: ADVERTISE FOR DEPUTY WATER SUPERINTENDENT.**

Introduced by Mr.Monroe, 2ns by Mr.Packer to advertise for Deputy Water Superintendent. Training is required and become licensed within 2 years. Pay rate would be \$2,000 annually, (to be available when water superintendent is out of town).

AYE 5 NO 0

**Comptroller's Audit Assessment** - Supervisor Monroe stated that he had meet with the auditor and a written report will be received shortly.

**RESOLUTION #118: ADVERTISE FOR WORKERS IN THE SKY HUT AT DYNAMITE.**

Introduced by Mrs.Wells, 2<sup>nd</sup> by Mrs.DuRose to advertise for 2 or 3 part time ski hut attendant workers, for the winter season at the Dynamite Ski hut.

AYE 5 NO 0

**Anywhere's water bill** - Board determined that a refund would not be given for past years, as this billing period was estimated for just minimum usage.

**Your speed is sign** - Request to have Jason check sign for accuracy.

**RESOLUTION #119: ADVERTISE SPACE AVAILABLE FOR RENT IN TOWN MUNICIPAL BUILDING.**

Introduced by Mr.Monroe, 2<sup>nd</sup> by Mrs.Wells to advertise office space available for rent in Town Municipal building. Rent would be \$350 per month and includes utilities.

AYE 5 NO 0

Stop signs that may need to be replace - Dennehy Rd, Darrowsville Rd and Owens Rd. Have Gary check on these. John West requested a pedestrian crossing sign at the Loon Lake Beach.

Brief discussion of a pavilion at the beach.

Discussion on Emergency Squad. Lisa Fish was present to answer any questions that Town Board might have. The Emergency Squad has not yet received their audit report, as soon as they have it, a copy will be made available for the town board. A copy of the by laws is also being requested.

**RESOLUTION #120: AUTHORIZE PAYMENT OF ABSTRACT, APPROVE CLAIMS PAID PRIOR TO AUDIT AND AMENDMENTS TO 2009 BUDGET.**

Introduced by Mr.Packer, 2<sup>nd</sup> by Mr.Durkish authorizing payment of abstract and approve claims paid prior to audit:

General fund	\$42,314.46	(377-424)
Highway fund	\$157,943.00	(161-181)
Chtwn water	\$ 404.88	( 59- 61)
P'ville water	\$ 574.75	( 44- 48)
Library	\$ 1,750.50	( 34- 39)
	AYE 5	NO 0

Motion by Mr.Monroe, 2<sup>nd</sup> by Mrs.Wells the Town Board went into Executive Session at 10:20pm in regards to a Notice of Claim filed by June Maxam in regards to a zoning issue. Motion by Mrs.DuRose, 2<sup>nd</sup> by Mrs.Wells Town Board resumed regular session at 10:40. No action taken.

Motion by Mr.Monroe meeting was adjourned at 10:41 pm.

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Town Clerk

**The Town Board of the Town of Chester is accepting applications for part time positions for Dynamite Hill hut. Applications may be sent to Supervisor Frederick H Monroe, Box 423, Chestertown, NY. 12817**

**The Town Board of the Town of Chester is accepting applications for a part time deputy for the water department. Training and certification requirements are needed. Applications may be sent to Supervisor Frederick H Monroe, Box 423, Chestertown, NY. 12817**

**Office space available for rent. Contact Town of Chester Supervisor Frederick H Monroe, Box 423, Chestertown, NY. 12817. (518) 494-2711**