

DRAFT

**TOWN BOARD MEETING
AND PUBLIC HEARING
SEPTEMBER 12, 2018
7:00 PM**

Supervisor Jamieson opened the meeting at 7:10pm followed by a salute to the flag. Members present: Supervisor Jamieson, Councilman Valentine, Councilman Wensley, Councilwoman Smith, Absent: Councilman Medicani

Also present: Scott Bonacic, Esq., Town Attorney, Al Fusco, Town Engineer

PUBLIC HEARING – SPECIAL DISTRICTS

Supervisor Jamieson read the notification, by mail, to all owners in the Special Districts within the Town of Chester, which notice appears below in its entirety.

**TOWN OF CHESTER
1786 KINGS HIGHWAY, CHESTER, N Y 10918
NOTICE OF PUBLIC HEARING – SPECIAL DISTRICTS**

PLEASE TAKE NOTICE THAT the Town Board of the Town of Chester will hold a public hearing in the Chester Senior Center, 81 Laroe Road, Chester, NY on Wednesday, September 12, 2018 at 7 PM or as soon thereafter as the matter may be heard for the purpose of reviewing, pursuant to Section 202-a of the Town Law, the assessment rolls prepared for the following special districts within the Town: Walton Lake Estates Water, Surrey Meadows Water, Lake Hill Farms Water, Sugar Loaf Hills Water, Fieldcrest Water, Refuse District, Benefit Area 1, Benefit Area 2, Benefit Area 1A, Consolidated Sewer District 1, Consolidated Sewer including Operation & Maintenance, Consolidated Sewer Benefit, Sewer District 4A, Sewer District 4A Benefit Area, Sewer District 4A Operation & Maintenance, Sewer District 5, Sewer District 5 Benefit Area, Sewer District 5 Operation and Maintenance, Lake Region Sewer District 7, Lake Region Sewer District Operation and Maintenance, Sewer District 8, Ashford Estates Drainage District, Fox Hill Drainage District, Eagle Crest Drainage District, Warwick Ridge Drainage District, Woodridge Drainage District, Chesterdale Drainage District and any other special districts within the Town of Chester.

Copies of the special district assessment rolls are on file in the Office of the Town Clerk, 1786 Kings Highway, Chester, NY and may be inspected there during normal business hours by any interested party.

The Town Board will hear all persons who desire to comment either in favor of, or in opposition to, the adoption of said rolls at the time and place set forth herein. Persons may appear in person or by agent. Written comments should be addressed to the Town Board, Town of Chester, 1786 Kings Highway, Chester, NY 10918 or may be delivered to the Town Clerk at, or prior to, the hearing.

**BY ORDER OF THE TOWN BOARD,
TOWN OF CHESTER**

Linda A. Zappala, Town Clerk

1786 Kings Highway, Chester, NY 10918

Dated: August 17, 2018

ON A MOTION BY Councilman Valentine and second by Councilwoman Smith to open the Public Hearing at 7:12 pm. Motion carried 4-0.

Supervisor Jamieson asked if there were any public comments. There were none.

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to close the Public Hearing at 7:14pm. Motion carried 4-0.

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to adopt the assessment rolls for the Special Districts of the Town of Chester.

VOTE AYES 4: Jamieson, Smith, Valentine, Wensley

ADOPTED

AUDIT OF CLAIMS

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to approve payment of the bills from the following accounts.

GENERAL FUND	179,788.81
GENERAL - PART TOWN	141,941.38
HIGHWAY – TOWN WIDE	22,584.50
HIGHWAY – OUTSIDE	41,450.10
FIELDCREST WATER	3,368.15
LAKE HILL FARMS WATER	6,779.36
SUGAR LOAF HILLS WATER	1,739.45
SURREY MEADOWS WATER	3,994.66
GARBAGE DISTRICT	45,640.95
TRUST AND AGENCY	53,669.00
WALTON LAKE WATER	6,632.73
CAPITAL FUND	<u>221,146.47</u>
Grand Total	\$ 728,735.56

VOTE AYES 4: Jamieson, Smith, Valentine, Wensley

ADOPTED

RULES OF DECORUM

Supervisor Jamieson introduced the Rules of Conduct and Decorum that was adopted by the Town Board on January 2, 2013 and asked that all persons wishing to speak sign in with their name and address and limit comments to three minutes. He added that it is a comment only and not a question and answer session.

BUILDING INSPECTOR PRESENTATION

Supervisor Jamieson invited Building Inspector, Jim Farr to address the Board concerning the matter of 191 Lehigh Avenue. Mr. Farr’s comments follow:

The Building Department addresses potential violations to the Building Code or Town Code in a consistent manner. We strive for **voluntary** compliance. In most instances the property owner does not realize they are in violation.

At least once a week someone is selling their home and we find that they have finished basement, added bedroom, bathroom or deck etc. that has been constructed without a permit. We could issue a violation and take the owner to court and request that the judge fine them. However, we work with the owner to bring the improvement into compliance in a timely fashion.

Violations that could potentially impact the health, safety and welfare to the owners and/or public are addressed **immediately** by either the owner taking corrective actions or the Town. An example would be a damaged structure which could possibly collapse. Procedural code violations are typically addressed as follows:

1. A phone call, face to face meeting, or e-mail method is used to contact to the owner to explain the violation and request that the violation be corrected within a reasonable time. If necessary, a second contact is made with the owner.
2. If the violation remains a letter is send requesting the violation be corrected within a Time frame.

3. If the violation remains an Order to Remedy is sent by certified and regular mail. 4. If the violation remains, a Court Appearance ticket is issued, and we take the matter to the Town Judge.

191 Lehigh Ave.

1. The property is located in the I-Zone as of 2017. To the best of my knowledge the property has been zoned for commercial uses since 1974.
2. Residential uses are **NOT** allowed in the I-Zone in which the property is located. Offices for business and professional use are **PERMITTED**.
3. In August 2017 I sent a letter to the Town Board indicating that the owner needs to seek Planning Board review for use as a business since the lot did not meet the area requirement. **On 9-25-17 an application submitted to the Planning Board.**
4. Section 98-9. J states:

Existing undersized lots of record in nonresidential zoning districts. The use of an existing undersized nonresidential lot of record, when such lot is owned individually and separate from any adjoining tract at the time of the enactment of this subsection, may be used for a permitted or special permit use in the zoning district in which it is situated subject to site plan review by the Planning Board.

5. **Three (3) Order to Remedy Violation Letters** were sent to the owner dated 7 December 2017. The items were to be corrected in 30 days including:
 - a. Rubbish
 - b. Operating a Business without Site Plan Review per 98.9.J
 - c. Salvaging Electrical Machinery
6. A meeting was held with the applicant in early January. I issued a letter dated 8 January 2018 indicating that violations have been addressed to my satisfaction. There are to be no placard vehicles parked or standing on the property. **The applicant was actively before the planning board to secure site plan approval for a permitted use.**

7. A Court Appearance Ticket was issued for 18 June 2018 for rubbish and garbage on the property. The material was removed before the court appearance. The owner was fined by the judge.

8. A total of 4 violations have been issued to the property owner over the last year.

9. The following is a chronology of the planning board submittals:

9-25-17 Application submitted to the Planning Board - Engineer Mike Miele

The Planning Board Engineer provided the following comments on the site plan:

COMMENTS:

1. Need culvert detail.
2. Identify dumpster area and enclosure.
3. Identify outside storage or a note that no outside storage of material.
4. Identify days and hours of operation.
5. Show sign.
6. Erosion control - show location of silt fence. Review note #10.
7. Screening for storage building (evergreens).
8. Board comments.

Based on the minor comments, it would appear that the application is approvable as of September 2017, a month after my August letter.

10-4-17 First Appearance

December 2017 and January 2018 Applicant and the planning board secretary had been trying to get in touch with engineer to no avail.

March 2018 Meetings were cancelled by Planning Board due to weather. Only PH's were scheduled for April 4th, 2018.

4-18-18 next appearance- new engineer, Fellenzer Engineering

6-6-18 Next appearance

7-18-18 Public Hearing

The Town's Landscape Architect provided the following comments:

COMMENTS:

1. Fencing will help provide necessary screening. Instead of a chain link fence, a pvc solid panel fence and gate or rot resistant wood such as cedar should be specified. The board should approve the style and material of the proposed fencing and gate. If vinyl or pvc fencing is specified, the material should not be shiny and should be a color that blends with the environment such as a natural wood tone.
2. The dumpster enclosure should also be an opaque fencing and not black vinyl with fabric. The fabric is too flimsy for a commercial project and will probably not last long.
3. Fencing should continue along the side property line to screen the outdoor storage areas.
4. Fencing should be 10' from the property line to enable evergreen tree planting. Evergreen trees should be installed between the property line and fencing to both soften the fencing and also provide additional screening.
5. Fencing may also be needed on the uphill side of the block wall to further screen storage piles since the proposed storage location is 4-6' higher than the road.
6. Additional evergreen trees could be installed behind the trees in front of the site to provide a thicker barrier.

8-15-18 Next appearance

The Planning Board Engineer most recently provided the following comments.

1. Stamped plans are required.
2. SHPO letter requested but applicant feels it is not required due to minimal site disturbance. Board to decide if required.
3. **Most of the comments are adequately addressed.**
4. Survey still pending.

The applicant has made reasonable progress through the planning board process over the last year. At no time was there any indication that the use of the property was not approvable for the use.

Supervisor Jamieson commented that in 2004 then owner, Phil Conroy, applied for a building permit for a home office and an addition to the garage to contain another office at 191 Lehigh Avenue. He said this information is available under FOIL through the Town Clerk.

EXECUTIVE SESSION

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to enter into at Executive Session at 7:25pm to discuss matters of attorney/client privilege. Motion carried 4-0.

ON A MOTION BY Councilwoman Smith and second by Councilman Wensley to adjourn the Executive Session at 7:40pm. Motion carried 4-0.

SUGAR LOAF PERFORMING ARTS CENTER

Supervisor Jamieson explained that the Town is moving forward with negotiations with the Sugar Loaf Performing Arts Center and the property on Route 94, owned by Alex Kocut, which is the former site of Primo Sports and others in an effort to preserve as much land as possible in the Town. Mr. Steve Cirbus heads the group being enlisted to manage the property and the Kocut property will be considered for a town pool and track. He said the Town Board will be ready to go to bonding for \$3,500,000 at the next meeting, subject to permissive referendum, to be placed on the ballot.

Mr. Cirbus was introduced. His bio and presentation follow.

Steve Cirbus (Producing Artistic Director)

Steve Cirbus began his 25 year career in the entertainment industry in Buffalo, New York with the Oasis Theatre Company alongside Broadway legend Andre' DeShields. He was the Founder and Artistic Director of Theatre Above in Buffalo's historic Elmwood Strip, and taught and directed at Studio Arena's Theatre school. Having left Western New York to pursue his Master of Fine Arts from Ohio University's Professional Actor Training Program, Steve's stage work took a classical theatre focus that took him to Regional theatres and Shakespeare festivals throughout the country.

In 2004 Steve wrote a short Film called *Beat* about a deaf bareknuckle prizefighter, which was nominated for awards at several film festivals. In addition, his film *Darwin's Privy* that Steve wrote, Directed, and Starred in was nominated for Best Film at the 2005 Action on Film festival in Long Beach, California. Thus began Steve's on camera career.

An award winning actor, Steve is either currently starring in, has previously starred in, guest starred in, or has been featured in the following television shows:

Broad City, Jon Glaser Loves Gear, Instinct, Quantico, Shades of Blue, The Night Of, Thing Starter, Neon Joe Werewolf Hunter, The Black List, Gotham, High Maintenance, Forever, Inside Amy Schumer, The Heart She Holler, Delocated, Archer, Eugene, Dark Horse, Unforgettable, Blue Bloods, 30 Rock, Onion Sports Dome, Mercy, Law and Order, The Kill Point, and Law and Order Criminal Intent.

He has been in numerous films and has worked with notable directors like: Steven Spielberg, Paul Weitz, Phillip Noyce, Francis Lawrence, and Paul Bettany. Some notable actors that Steve has had the privilege of sharing the screen with: Tom Hanks, Robert De Niro, Angelina Jolie, Liev Schrieber, Mark Rylance, and Will Smith to name a few.

Throughout his career, Steve has maintained a commitment to education. As an educator, Steve has been a visiting guest professor at Ohio University, and has taught numerous classes and workshops in acting at Buffalo State College, The Cincinnati Playhouse, The Repertory Theatre of St. Louis, The New Jersey Shakespeare Festival, Butler University, and Sanfordville Elementary.

The Sugar Loaf Performing Arts Center

Twenty five years ago I had a professor who ask me what my ideal theatre would look like if I had the opportunity to create one. At the time, I thought of Frank Lloyd Wright. Frank Lloyd Wright was an American architect, interior designer, writer, and educator. Wright believed in designing structures that were in harmony with humanity and its environment, a philosophy he called organic architecture. This philosophy was best exemplified by Fallingwater (1935), which has been called "the best all-time work of American architecture".-However, he felt his masterpiece was a place called Taliesin West. In 1937 Wright purchased the plot of desert land outside of Scottsdale Arizona that would soon become Taliesin West. Wright believed this to be the perfect spot for a place of residence, a place of business and a place to learn. Funny 25 years later, that sounds a lot like Sugar Loaf and the ideal theatre I still aim to create.

Point of View

The Sugar Loaf Performing Arts Center, located in the heart of Sugarloaf on Kings Highway was established in the early 1990s to provide a performing arts facility and cultural gathering place for all of Orange County, Chester, Sugar Loaf, and the surrounding towns that once supported it. There is a beautiful main stage proscenium theatre, a flexible space, and two potential outdoor spaces surrounded by the stunning landscape that is Sugar Loaf. The theater has been in sporadic operation in recent years having produced or facilitated occasional plays, concerts, spoken word events, artistic presentations, and community gatherings. Much like occasions in the past, this year has found the space mostly vacant; a shadow of what once was, and a reminder of what it could be.

I propose:

To revitalize and operate a theater and performing arts center for the presentation of classical plays, new plays, musicals, concerts, films, comedic acts, lectures, and other artistic presentations, and:

To promote the development of the arts and cultural activities in Sugar Loaf through various means, including:

- Operating a current and active website;
- Fully committing to producing a podcast that celebrates the performing arts and the development of young artists through a series of discussions with industry professionals across multiple disciplines in the performing arts.
- And finally, through educational programs concerned with acting, directing, writing, history, and design; outreach programs for adult education, distance learning, programs in support of K-12 and higher education; and programs in conjunction with institutions for college credit instruction.

My Vision:

Sugar Loaf Performing Arts Center aims to be a destination theatre. In alliance with my colleagues at several colleges and universities nationwide, we will assemble a resident company of young and highly trained artists, technicians, and operational staff who are recent graduates of said institutions. The resident company will produce no less than six plays annually in the form of a Shakespeare Festival, a New Play Festival, a Contemporary Classic, and a Musical. In appropriate seasons, the company will also provide a series of outdoor Green shows in the form of Commedia Dell'Arte, improvisation, and puppet theatre as a warm up for the evenings performance, or as a free gift to passersby in the community. In addition to the resident company series, the Sugar Loaf Performing Arts Center will also serve as a road house providing a utopia for musicians, bands, comedians, spoken word artists, Broadway touring productions and, also, host a film festival. Both the resident company and the guests will provide a full twelve months of programming making Sugar Loaf Performing Arts Center a destination theatre no matter what time of year.

The Philosophy:

We provide a 1st step professional environment to young artists who will be the future leaders in the industry. We maintain relationships with higher education institutions to provide them with the ability to guarantee work for their graduates and guarantee us with the highest quality resident artists at little cost. We provide entertainment for the community that brings people together, that attracts tourism, and that instills a sense of pride in our community. We utilize the skills of the town's workforce; electricians, carpenters, laborers, and artisans, to tell stories to each other and friendly visitors who will fall in love with our town and return again and again.

Products and services

Implementing this artistic vision with myself as Artistic Director, the list of products and services I aim to provide include:

1. Theatre productions
2. Lectures, concerts, poetry, comedy, and literary readings
3. Two art gallery
4. Wine and Beer lounge
5. Concessions
6. Operating and sustaining a theatre
7. Operating and sustaining a community-centered podcast
8. Education programs

Given this list, and a season comprised of 6 resident productions, 7 guest acts, and an International Film Festival there are approximately 85 performances on the annual agenda. Other streams that will add revenue for the town include: educational program tuition, podcast sponsorship, and art sales. Peripheral revenue that will funnel into the town includes restaurant patrons, shop purchases, hotel stays, and air B&B rentals.

So... I'm ready! Let's put a soul back in this beauty.

RESOLUTION AUTHORIZING CONTRACT SIGNING

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to authorize the Supervisor to execute the purchase contract for the Sugar Loaf Performing Arts Center with the Mid-Hudson Civic Center.

VOTE AYES 4: Jamieson, Smith, Valentine, Wensley

ADOPTED

CODE OF ETHICS

Supervisor Jamieson explained how the Code of Ethics, Chapter 7, Section 10 & 11 of the Town Code directs the establishment and enforcement of the Ethics Board. He said the Ethics Board, appointed by the Town Board, meets solely at

the discretion of the Town Board. He added the Ethics Board does not have other meetings or meet to have coffee. Supervisor Jamieson said the identity of the complainant is to remain confidential, but a violation occurred when an Ethics Board member discussed it at a Town Bard meeting and was posted on social media and in the media.

A RESOLUTION AUTHORIZING THE TOWN BOARD OF THE TOWN OF CHESTER TO SUBMIT A PROPOSITION TO INCREASE THE ANNUAL CONTRIBUTION OF THE TOWN OF CHESTER TO THE CHESTER PUBLIC LIBRARY TO VOTERS AT THE GENERAL ELECTION

The following resolution was offered by Councilman Ryan, who moved its adoption, seconded by Councilman Valentine, to wit:

WHEREAS, a Petition having been filed with the Town Clerk on August 29, 2018 and endorsed by the Board of Trustees of the Chester Public Library, qualified voters of the Town of Chester petitioned the question of increasing the amount of funding of the annual contribution to the Chester Public Library to \$633,992.00, to be voted on at the next general election; and

WHEREAS, the Town Clerk has certified that said Petition meets the requirements of New York Town Law §81(4).

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Chester as follows:

1. That the Town Clerk of the Town of Chester is hereby authorized and directed to submit the following proposition to the Town’s qualified electors at the General Election to be held on November 6, 2018:

SHALL THE ANNUAL CONTRIBUTION OF THE TOWN OF CHESTER FOR THE OPERATING BUDGET OF THE CHESTER PUBLIC LIBRARY BE INCREASED TO THE SUM OF SIX HUNDRED THIRTY-THREE THOUSAND NINE HUNDRED NINTEY-TWO DOLLARS (\$633,992.00) ANNUALLY?

2. That the Town Clerk of the Town of Chester is hereby authorized and directed to publish at least once in the official newspaper of the Town of Chester and post on the signboard of the Town of Chester, a Notice of Proposition, in substantially the form attached hereto, at least ten (10) days prior to the General Election to be held on November 6, 2018.
3. That the Town Clerk of the Town of Chester is hereby authorized and directed to transmit to the Orange County Board of Elections a certified copy of this Resolution and the submitted proposition.

The question of the adoption of the foregoing resolution was duly put to a roll call vote which resulted as follows:

Alex Jamieson, Supervisor	Yes
Robert Valentine, Councilman	Yes
Cindy Smith, Councilwoman	Yes
Ryan Wensley, Councilman	Yes

Yes 4 No 0 Abstain 0 Absent 1

Dated: September 12, 2018

INTERMUNICIPAL AGREEMENT FOR SNOW AND ICE CONTROL ON CERTAIN COUNTY ROADS FOR THE 2018-2019 SEASON

RESOLUTION

The following resolution was offered by Councilwoman Smith and seconded by Councilman Valentine,

BE IT RESOLVED, that Alexander Jamieson, Supervisor of the Town of Chester, New York, is hereby authorized and directed to execute the Intermunicipal Agreement with Orange County for Snow and Ice Control on Certain County Roads for the 2018-2019 Season within the Town of Chester.

VOTE AYES 4: Jamieson, Smith, Valentine, Wensley

ADOPTED

RESOLUTION SUPPORTING JUSTICE COURT

The following resolution was offered by Councilwoman Smith and seconded by Councilman Wensley,

WHEREAS, the Town Board of the Town of Chester wishes to support the efforts of the various Town Offices with regard to upgrading the office with equipment to provide efficiency in the workplace, and,

WHEREAS, the Justice Court of the Town of Chester wishes to apply for a grant from the NYS Unified Court System which would provide up-to-date technology and office equipment to their office.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Chester supports the efforts of the Town Justice Court and authorizes the Justice Court to apply for a grant.

BE IT FURTHER RESOLVED that the Town Board authorizes the Supervisor to sign said grant application.

VOTE AYES 4: Jamieson, Smith, Valentine, Wensley

ADOPTED

POLICE DEPARTMENT SECURITY FENCING BID

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to authorize the Town Clerk to advertise for bids for the installation of a security fence for the Police Department building, with a bid opening date of October 10, 2018 at 3:00pm.

PARKS DEPARTMENT VEHICLE

ON A MOTION BY Councilman Valentine and second by Councilwoman Smith to authorize the Supervisor to sign a 4-year lease with the winning bid from State Bank for a 2019 Chevy Pick-up with plow.

VOTE AYES 4: Jamieson, Smith, Valentine, Wensley

ADOPTED

CIVIL SERVICE APPOINTMENT

ON A MOTION BY Councilwoman Smith and second by Councilman Wensley to approve the appointment of Tanya McPhee to the civil service title of Senior Secretary.

VOTE AYES 4: Jamieson, Smith, Valentine, Wensley

ADOPTED

RECREATION DEPARTMENT POSITION

ON A MOTION BY Councilman Wensley and second by Councilwoman Smith to authorize the Town Clerk to advertise for the position of part-time recreation department clerk.

VOTE AYES 4: Jamieson, Smith, Valentine, Wensley
ENGINEER'S BI-WEEKLY REPORT

ADOPTED

Town Engineer Al Fusco presented his bi-weekly project report as follows:

CHESTERDALE:

Reviewed weekly Stormwater Pollution Prevention Plan and inspected same. All in order

RIDGEVIEW:

Proof rolled road to get ready for asphalt base. Phase II before Planning Board for signature.

WOODRIDGE:

Building homes, stormwater pollution prevention plan reviewed; weekly inspections. Hit rock in retention pond but they have almost completed the stormwater pond.

ASHFORD:

Inspected roadway. Binder needs repair; some cracked curbs; expect they would like to dedicate before October 1, 2018. We sent new punchlist for repairs. Need SWPPP reports, as-builts.

GREENS AT CHESTER:

Reviewed weekly Stormwater Pollution Prevention Plan (SWPPP). We are also doing NYSDEC weekly SWPPP reviews and reports.

Last week I spoke with Natalie Brown, NYSDEC, and this week (Friday) we walked through the site with an inspector from NYSDEC. Some improvements were ordered such as silt fence and inlet protection.

ANNOUNCEMENTS

Supervisor Jamieson said the 5th annual Touch-a-truck was a success and thanked the Library, Kiwanis and Bellvale for their assistance at the event.

Supervisor Jamieson thanked the Village of Chester for co-sponsoring the Village concert series which had good turnouts and music and Richard Logothetis for his private summer concert series and the Sugar Loaf Fire Department for their help at these concerts.

Supervisor Jamieson announced the upcoming Penny Social benefiting the Chester Historical Society on September 14th. Doors open at 5:45pm, calling starts at 7:15pm and the entry is \$2.00.

Supervisor Jamieson announced the Sugar Loaf Engine Company Oktoberfest buffet on September 15, 2018.

Supervisor Jamieson announced the Town Clerk's shred event on October 19, 2018 from 10am-noon, which is open to all Town residents.

Supervisor Jamieson announced the Botanical Garden bus trip on September 27, 2018 leaving from the Library parking lot at 9am. Call 469-7000x8 for more information.

TOWN BOARD COMMENTS

Councilman Valentine shared a bit of nostalgia with the audience concerning a 1980 newspaper article that he found hidden as insulation in a house that he is remodeling. He said the article entitled, "Tax Hike – Town of Chester", dated November 8, 1980 read that the \$1,300,000 budget saw an increase of 11% with a 12.5% raise to the Town Council and employees being held at a 7% increase.

Councilwoman Smith asked about the handicap access at the Senior Center. Supervisor Jamieson said that Engineer Fusco has obtained a quote and is working on getting it done right away.

Councilman Wensley thanked Steve Curbis for his presentation. He said that the Town is attempting to maintain the rural character while enhancing the cultural and artistic value of the Town.

PUBLIC COMMENTS

Susan Cleaver, P.O. Box 411, Goshen commented the Greens of Chester SWPP report she looked at through FOIL was illegible. She said there were numerous violations that should have resulted in a letter being issued to the applicant. She added that it is the Board's responsibility to protect and that they could be in violation as MS4.

Tracy Shuh, P.O. Box 721, Chester asked when the budget workshop meetings would be scheduled. She stated that the Village of Chester voted against the County budget and asked what the Town's position would be. Ms. Shuh offered the following comments. Since updated groundwater well tests are being required by the State DOH to evaluate the adequate drinking water supply, is the Town (e.g. water department) going to get involved in the well monitoring (e.g. confirm test dates, witness test procedures, review list of offsite wells to be tested, etc.)? Why were there certain conditions set by the Planning Board in their resolution of approval not met before construction began? Which Findings Statement on file (1998 and 2007) is being followed for mitigation measures? Both state an updated phasing plan of construction is needed to demonstrate compliance to Town code (e.g. bedroom mix in each phase) - has this been submitted? Not clear if Town Board is receiving correspondence from the DEC regarding their site inspection letters sent to developer regarding retention stabilization deficiencies before there were flooding events - will the Town have past and future copy of DEC letters on file? Should the builder be allowed to continue construction until the State DOH has completed their review of the groundwater tests to confirm adequate water quality and quantity to service the project before it is built?

Cindy Becker, 11 Sanford Avenue, Chester presented the Town Board with comments concerning 191 Lehigh. They appear below.

Looking back over the past year and a half one thing stands out to me and that is the lack of answers and solutions to what has gone on at 191 Lehigh Ave. The building inspector, supervisor and the town boards decisions and lack of action are what brings us here tonight. It is the building inspector's job to enforce code and the supervisor and the town board's job to see that he does it. Way too many times we been put off and told we will get back to you. Let me begin with the property being denied a use variance by the Z.B.A. on 5/18/17. They found that it did not meet the criteria to allow the use. I don't understand why this was sent to the planning board and not sent back to the Z.B.A. for interpretation. One of the town board members agrees with us that that is what should have been done. Then Jim Farr writes 2 letters one dated August 31, 2017 and one on 5/14/18. The planning board will not accept the first one because it is not on Town letterhead. The second one is not only on Town letterhead but it is much different than the first in that Jim tries to grandfather the property in by stating the property was operating as a professional office since prior to 1974. Totally crazy because I have lived here my entire life and knew that wasn't true. So we foil requested supporting documents for this outrageous statement and received the latest Farr letter dated September 6, 2018 stating property in I zone, schedule attached, previous use not relevant. He doesn't address the request of supporting documents for that statement and more importantly skirts around the big issue: why is he allowing 191 to operate. At a Planning board meeting on June 6, 2018. Rick Golden, attorney for 191, clearly states that they are running a business from there. We Point this out to Mr. Farr in a written complaint dated July 9, 2018. We get no reply or action to shut them down. Jim continually states things that are not accurate and certainly not true. For instance he issues a violation letter dated December 7, 2017. Stating the property is a single family residence only, requires 191 to immediately remove any and all business related materials from the site within 30 days. On a letter dated January 8, 2018 he states the property is now in compliance. Also reminds 191 that no placard vehicles are to be parked or left standing. Not only did that not happen but 191 continues to operate an electrical contracting business from this residence. On April 19, 2018 we complain again that the business is still running and why isn't it shut down. No response from Jim. At the next town board meeting 5/9/18 when I say 191 is still operating what's going on Supervisor Jamieson reads from his phone an email from building inspector who states that the building inspector was just there and the business was no longer functioning, I submit pictures of proof business still active that I have taken the day before. Alex says he is going to talk to Jim but we hear nothing back from him or Jim and the business continues to operate. The latest complaint we made was on August 26, 2018 stating that someone is living in the apartment at 191 and as per planning board they cannot do that. Response back from Jim, he reviewed our letter and contacted the owner and asked him if he was using the second floor apartment. Owner said no one was using the apartment and no one is sleeping there. I took a picture at night of someone standing in the window and a car has been parked

overnights there. Now since Jim has contacted them they put black plastic on the windows. No matter what we have done, taken pictures, made complaints at meetings and in writing, nothing is done to shut 191 down. They do not have site plan approval that allows them to run a business there. Jim Farr has done nothing in his capacity as building inspector to enforce our code and make 191 comply. Why?

Stephen Keahon, 8 June Road, Chester concerning 191 Lehigh Ave said there is no site plan approval yet business is operating. He added that Mr. Farr's comments regarding the use of residences in an I-zone not being permitted is contradictory as the whole street is residential. He asked if the ward system was sent to the County. He asked if Supervisor Jamieson was stepping down.

Mary Luciana, 201 Chester Heights, Chester said, as an Ethics Board member she agrees that any complaint should not be discussed publicly, but was told by a person who wrote a letter that it was rejected and they did not understand why. She added that she has read the code to say "signed written report" but nothing with regard to not going public.

Aurora Robson Coles, 1743 Kings Highway, Chester, representing the Library Board of Trustees, thanked the Town Board for adopting the resolution to place the library budget on the ballot. She asked when the matter of the lease would be considered. Supervisor Jamieson said it would be wrapped up in about two weeks.

ADJOURNMENT

ON A MOTION BY Councilwoman Smith second by Councilman Valentine to adjourn the meeting at 8:50pm, there being no further business brought before the Town Board. Motion carried 4-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2018-09-12