

TOWN BOARD MEETING
April 24, 2019
7:00 PM

Supervisor Valentine opened the meeting at 7:07pm followed by a salute to the flag. Members present: Supervisor Valentine, Councilman Perez, Councilwoman Smith, Absent: Councilman Wensley

Also Present: Scott Bonacic, Esq. – Bonacic, McMahon, Al Fusco – Fusco Engineering

FY-2020 Community Development Block Grant (CDBG) Municipal Grant Application

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to adopt the following resolution:

TOWN OF CHESTER
GOVERNING BODY AUTHORIZING RESOLUTION

At a meeting held on April, 24, 2019, the Municipal Council of the Town of Chester adopted the following resolution:

The Town of Chester is hereby submitting its Application for consideration under the FY-2020 Orange Urban County Consortium Community Development Program and the chief elected official or executive officer is hereby authorized to submit this Application for Senior Citizens Center Sprinkler System as described in the proposal. Input from citizens and groups has been received and considered and an application has been prepared which addresses their community concerns. They further certify that they have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-2020 program year and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge. If awarded CDBG funds, the Municipality shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

ON A MOTION OFFERED BY Councilman Perez and second by Councilwoman Smith to adopt the following resolution:

TOWN OF CHESTER
GOVERNING BODY FAIR HOUSING RESOLUTION

The Town of Chester supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of the Town of Chester to implement programs to ensure equal opportunity in housing for all person regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or South of Lawful Rent Payment (Section 8). The Town of Chester further objects to discrimination in the sale, rental, leasing, financing of housing or lands to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Municipal Council of the Town of Chester do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Town of Chester will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Town of Chester shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.

BE IT FUTHER RESOLVED, that the municipality will at a minimum include, but not limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to authorize the Supervisor to sign the FY-2020 Community Development Block Grant (CDBG) Municipal Grant Application.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

SET PUBLIC HEARING - FY-2020 Community Development Block Grant (CDBG) Municipal Grant Application

ON A MOTION OFFERED BY Councilman Perez and second by Councilwoman Smith to set a Public Hearing regarding the matter of the FY-2020 Community Development Block Grant (CDBG) Municipal Grant Application on May 8, 2019 at 7:00pm at the Town of Chester Town Hall, 1786 Kings Highway, Chester, New York.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

CHESTER ACADEMY COMMERCIAL PRESENTATION

Rolando Aguilar, Athletic Director presented the Town Board with a commercial presentation from “Your Chester Park & Recreation” which is played before JV and modified team games. The “commercials” are the first in Orange County to be used to energize and exemplify the pride of the school and its students. They are played on Neptune Radio and Game Time Radio. He indicated that the Chester Academy Hambletonians want to get the word out to the public via website, newsletters and Facebook. He added that our community is the biggest secret in Orange County for what it does for kids, and he thanked the community for their support.

DUSKLIT ARTS FESTIVAL

Supervisor Valentine acknowledged the request from Dusklit’s to use the parking lot for their planned art festival on July 20th. The matter was tabled pending receipt of the applicable insurance documents.

ASHFORD ESTATES – NOTICE OF TERMINATION

Supervisor Valentine read the recommendation from Town Engineer Al Fusco that the job is completed and has been stabilized and now considered finished and approved to terminate the DEC permit.

ON A MOTION OFFERED BY Councilman Perez and second by Councilwoman Smith to authorize the Supervisor to sign the Notice of Termination for the Ashford Estates project.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

RACHEL DRIVE MAINTENANCE BOND

Supervisor Valentine acknowledged receipt of the request from John Sorrentino to return the maintenance bond. This matter was tabled, subject to the Highway Superintendent and Town Engineer’s inspection and recommendations.

CHESTER COMMUNITY PRESERVATION FUND TRANSFER TAX RESOLUTION

Supervisor presented the resolution for the enactment of legislation of the New York State Legislature to implement the transfer tax for the benefit of the Chester Community Preservation Fund. He said it would be presented to Assemblyman Schmitt and Senator Skoufis for consideration.

TOWN OF CHESTER

A RESOLUTION TO IMPORE THE NEW YORK STATE LEGISLATURE TO ENACT LEGISLATION CREATING A TRANSFER TAX ON THE CONVEYANCE OF REAL PROPERTY LOCATED WITHIN THE TOWN OF CHESTER FOR THE PURPOSE OF GENERATING REVENUE IN AN EFFORT TO FUND THE TOWN OF CHESTER COMMUNITY PRESERVATION FUND

April 24, 2019

TITLE: A resolution to implore the New York State Legislature to enact legislation which creates a transfer tax of ONE (1.0%) Percent on the conveyance of real property located within the Town of Chester for the purpose of creating and generating revenue in an effort to fund the Town of Chester Community Preservation Fund.

At a regular meeting of the Town Board of the Town of Chester, Orange County, New York, held at the Town Hall, 1786 Kings Highway, Chester, New York, on the 24th day of April, 2019, at 7:00 PM prevailing time:

The meeting was called to order by Supervisor Valentine and upon roll being called the following were:

PRESENT: Robert Valentine, Supervisor
Cindy Smith, Deputy Supervisor
Orlando Perez, Councilman

The following resolution was offered by Councilwoman Smith, who moved its adoption, seconded by Councilman Perez, to wit:

WHEREAS, the Town Board of the Town of Chester drafted a Local Law in 2018, to be added as Chapter 84, entitled "Community Preservation Fund Law," to the Town Code of the Town of Chester; and

WHEREAS, the purpose of the local law is to protect and preserve open and undeveloped lands in the Town of Chester in an effort to protect natural resources and historic places and properties within the Town of Chester; and

WHEREAS, Section 84-4 of said local law established a Community Preservation Fund which was to be used, among other things, to implement the preservation plan and provide the Town of Chester with resources to acquire interests in real property for the preservation of community character within the Town; and

WHEREAS, in order to adequately fund the Community Preservation Fund, the Town Board of the Town of Chester must establish a One (1.0 %) Percent transfer tax on the conveyance of real property located with the Town of Chester; and

WHEREAS, the imposition of said transfer tax must be authorized by the New York State Legislature by the enactment of legislation amending the New York State Town and Tax laws; and

WHEREAS, the imposition of said transfer tax is vital to the rural preservation of land located within the Town of Chester and the success of the Community Preservation Plan is dependent upon the New York State Legislature passing this important legislation.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chester calls upon the New York State Legislature to embrace the Town of Chester Community Preservation Plan and pass legislation which authorizes the Town of Chester to enact a transfer tax in the amount of One (1.0 %) on conveyances of real property within the Town of Chester in an effort to establish a perpetual funding mechanism for the Community Preservation Plan.

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

Robert Valentine, Supervisor	Yes
Cindy Smith, Deputy Supervisor	Yes
Orlando Perez, Councilman	Yes

Yes 3 No 0 Abstain 0 Absent 1

2019 MUNICIPAL WATER SUPPLY STUDY GRANT PROGRAM APPLICATION

Town Engineer Fusco presented the grant application to improve water systems due May 3, 2019, for Town Board consideration. Grant funding up to 50% of project cost could be used to provide additional water to Walton Lake Estates, and explore well sites.

ON A MOTION OFFERED BY Councilman Perez and second by Councilwoman Smith to authorize the Supervisor to sign the grant application to the Orange County Water Authority for the 2019 Municipal Water Supply Grant Program.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

1988 STEEL ROLLER AUCTION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to authorize the Supervisor to sign the transfer documents for the sale of the 1988 Steel Roller for \$3,650.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

SUGAR LOAF SPRING FESTIVAL KIDS ZONE AND BEER GARDEN

Supervisor Valentine acknowledged receipt of the request of the Sugar Loaf Festival Committee for permission to use the Sugar Loaf Performing Arts Center Lawn for a Kids Zone and Beer Garden by the Glenmere Brewing Company.

ON A MOTION OFFERED BY Councilman Perez and second by Councilwoman Smith to approve the request to use the Sugar Loaf Performing Arts Center lawn for the Kids Zone and Beer Garden, subject to attorney review and all necessary insurance and related approvals.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

ENGINEER'S DEVELOPMENT REPORT

Supervisor Valentine read the Engineer's Development Report, which appears below:

CHESTERDALE:

Review of SWPPP reports.

RIDGEVIEW:

Maps finalized with Planning Board requiring access from proposed street to stormwater facilities. Bond reduction denied at this time.

WOODRIDGE:

Review of SWPPP reports.

ASHFORD:

Ready to dedicate – will conducted final inspection and are preparing final punch list.

GREENS AT CHESTER:

Closed since April 18, 2019. Review weekly SWPPP reports and made SWPPP Town inspections.

BUILDING DEPARTMENT REPORT

Supervisor Valentine read the Building Department Progress Report for the period April 1 – April 11, 2019, which appears below:

Building Permits – 7
Certificate of Compliances – 13
Certificate of Occupancies – 0
Municipal Searches – 8
Letters – 2 – 67 Heaton Road – Re: Connection to Municipal Sewer Line
40 Jules Drive – Re: Proposed Accessory Building

WATER DEPARTMENT REPORT

Supervisor Valentine highlighted the Water Department Report for the month of March, which appears below in its entirety:

TOWN OF CHESTER WATER DEPT MONTHLY REPORT – MARCH 2019

The Water Department processed and distributed 9,061,127 gallons of water for the month of March. The districts' daily average ranged from 239 to 136,000 gallons. The breakdown is:

Lake Hill Farms – 4,218,000 gal.

Sugar Loaf – 1918,400 gal.

Walton Lake Estates – 1,092,200 gal.

Fieldcrest – 164,115 gal. (Distribution only)

Town Hall – 7,412 gal.

Distribution sampling by us as well as random sampling by Orange County DOH showed adequate disinfection levels, and tested negative for any type of bacteria.

Monthly DOH 360 forms and test results for 2/2019 on all districts were submitted to DOH on 3/7/19.

Laboratory testing dates were 3/6 and 3/20.

Bi-annual meter reading was done at all districts from 3/5 to 3/11. Repairs, replacements, and missed reads were dealt with throughout the rest of the month.

Other Business:

Sugar Loaf was mostly quite with routine operations and maintenance. There was a water main lead on Pewter Circle on the 28th. It was another ruptured service saddle. This makes four breaks in a year. Possible faulty material or improper installation techniques. The system in this area is approximately 20 years old. TAM Enterprises did the hydro-vac repair and the Highway Dept. did the backfilling and trucking. It was 14 feet deep. Small scale lead detection surveys are still being performed in house by us.

Surrey Meadows was mostly quite with routine operation and maintenance. We performed an emergency dig at 16 Park Drive on the 13th. We replaced the curb stop on the house service. Moodna assisted with the hydro-vac and Highway with trucking. Quackenbush pump services performed a repair on well #10 on the 11th. There was an issue with the motor starter. Lake Hill Farms was mostly quiet with normal operations and maintenance.

Fieldcrest was mostly quiet with normal operations and maintenance.
Walton Lake was mostly quite with routine operations and maintenance.

EDUCATION REQUESTS

ON A MOTION OFFERED BY Councilman Perez and second by Councilwoman Smith to approve the attendance of Town Clerk Zappala to the NYSTCA Annual Conference from May 5th-8th in Syracuse, New York. The 2019 conference will include sessions with the State Departments including Health, Ags & Markets, State Liquor Authority, DEC, Archives as well as sessions with the Association of Towns regarding Ethics, Oaths of Office and Real Property Tax Law, applicable towards the Certified Town Official designation. The cost of the conference is \$750 inclusive of education, meals and lodging and has been budgeted for 2019.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

CORRESPONDENCE

Supervisor Valentine read the letter sent to the applicant with regard to 191 Lehigh Avenue, Chester, New York which appears below in its entirety:

<i>Supervisor - Robert Valentine</i> <i>Town Board -</i> Orlando Perez Cynthia Smith Ryan C. Wensley <i>Town Justices -</i> Janet M. Haislip Sharon Worthy-Spiegl	TOWN OF CHESTER 1786 Kings Highway Chester, NY 10918 Tel: (845) 469-7000 Fax: (845) 469-9242 www.chester-ny.gov	<i>Town Clerk - Linda A. Zappala</i> <i>Highway Supt. - Anthony LaSpina</i> <i>Receiver of Taxes - Vincent A. Maniscalco</i> <i>Building Inspector - James Farr</i> <i>Assessor - John Schuler, III</i> <i>Police Dept. - Daniel J. Doellinger, Chief</i>
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2 April 2019

Mr. Joel Schreiber
191 Leigh Avenue
Chester, NY 10918

Re: 191 Lehigh Ave- Change of Use and Building Permit

Dear Mr. Schreiber,

As you are aware your electrical contracting business was granted site plan approval pursuant to a Planning Board resolution certified on 18 October 2018. I have attached a copy of the resolution.

You recently submitted an updated construction schedule dated 29 March 2019 indicating that you will complete all the required site improvements required by the Planning Board by 10 June 2019.

You are required to submit a Building Permit application to the Building Department for all the required improvements including fencing, landscaping, parking lot and driveway improvements. The driveway improvements will require a driveway opening permit from the Highway Superintendent. Please provide a copy to our office.

We will review the Building Permit application. If we find the application satisfactory, we will issue the Building Permit and a Temporary Change of Use Permit to allow you to operate your electrical contracting business. The Temporary Change of Use Permit will expire on 1 July 2019 since your schedule of work proposes a completion date for the week of 3 June 2019. We have allowed reasonable time for weather delays.

Failure to complete the improvements in accordance with your schedule will result in revocation of your temporary use permit and possibly the issuance of violations.

If the site work items are completed by or prior to 1 July 2019 in a satisfactory manner, we will issue you a Change of Use permit.

Use of the second floor as a caretaker's residence is prohibited until a complete set of building plans are submitted for the renovation, reviewed by my office, accepted, construction satisfactorily completed, and a Certificate of Occupancy issued.

Should you have any questions, please call me at (914) 474-1980 or e-mail me at JFarr@Farr-Engineering.com.



James M. Farr, P.E.
Building Inspector

Cc: Supervisor Robert Valentine and Town Board
Planning Board Chairman Don Serotta and Planning Board

Work Schedule for 191 Lehigh Ave Chester, NY 10918

3/29/2019

- Week of 4/8: widen the driveway entry
- Week of 4/15 & 4/22: Passover Holiday
- Week of 4/29: Landscaping, adding evergreens, etc.
- Week of 5/13: Fencing
- Week of 6/3: Driveway blacktop

All weather permitting.
Thanks!

Joel Schreiber

Supervisor Valentine read the correspondence from the NYS DOT regarding the 17M Bridge which appears below in its entirety:



**Department of
Transportation**

ANDREW M. CUOMO
Governor

LANCE MacMILLAN, P.E.
Regional Director

April 8, 2019

The Honorable Colin J. Schmitt
New York State Assembly
11 Main Street
Chester, NY 10918

Dear Assemblyman Schmitt:

Thank you for your letter expressing the concerns of your constituency regarding the NYS Route 17M (Brookside Avenue) bridge in Chester, Orange County. The bridge is identified as BIN 1014580.

Based on overall condition of this structure, the assessed scope of work is bridge replacement. NYSDOT maintenance staff has been addressing the wearing surface condition and will continue to do so as needed until a new bridge is constructed.

This bridge is part of the regional capital program development process and will be programmed as a candidate for replacement. While the program funding has not yet been identified, this structure has been designated a regional priority. We look forward to working with you in identifying alternate sources of funding that can be used to expedite the replacement of this structure.

We continually monitor the bridges statewide to ensure they remain safe for the travelling public. If you have any further questions, please feel free to contact me at (845) 431-5750.

Sincerely,

Lance MacMillan, P.E.
Regional Director

cc: Mayor John Thomas Bell, Village of Chester
Supervisor Robert Valentine, Town of Chester
Todd Westhuis, Chief of Staff, NYSDOT
Thomas McIntyre, Assistant Commissioner

ANNOUNCEMENTS

Supervisor Valentine provided the Recreation Department update:

Requests have been received to have additional classes added to the calendar for Chair Yoga, Classic Yoga, Line Dancing and Osteo.

Summer camp registration is available on line

The casino trip for April 25 is full

April 27 there is a Health Forum at the Center to discuss Blood Clot Awareness

LL opening day is slotted for 4/27/19 at Carpenter Park

Don't forget to register for the "Senior Prom" (55 and older) being held May 3, 2019.

There are a few seats still available for the Lancaster, PA trip in June.

July 17, 2019 Bus Trip to see NY Yankees v Tampa Bay Rays 7:05 pm game. \$74.00 per person. Please contact Michele for details and to sign up.

A list of classes can be found at www.chesterrecreation.com as well as Facebook. In addition, we encourage all residents to create an account which will allow us to send out up to date information.

Supervisor Valentine announced the following upcoming events:

Annual Health Forum on April 27, 2019 from 10am-2:30pm at the Chester Senior Center. RSVP 469-8231. More information has been posted by the Town Clerk on our website.

OC Genealogical Society all-day seminar on April 27, 2019 starting at 9am at the Goshen United Methodist Church. More information has been posted by the Town Clerk on our website.

Applause for Pause to benefit T.A.R.A. on April 27, 2019 at 8pm at the United Presbyterian Church of Middletown. Tickets are \$25. More information has been posted by the Town Clerk on our website.

Chester Historical Society "What's Old is New" on May 4, 2019 at 2pm at the 1915 Erie Station, 19 Winkler Place, Chester. More information has been posted by the Town Clerk on our website.

Chester Historical Society exhibit "What We've Lost" on Saturdays 9am-1pm, May-October 2019 at the 1915 Erie Station, 19 Winkler Place, Chester. More information has been posted by the Town Clerk on our website.

Sugar Loaf Engine Company Blood Drive on April 30, 2019, 2pm-8-m at the Sugar Loaf Engine Company, 1408 King Highway. More information has been posted by the Town Clerk on our website.

Sponsor a Flag fundraiser for the Chester Cemetery Board. Flags available for \$5 to be placed on Main Street and 5K Route for Memorial Day. Call Catherine 469-2730, Joan 469-4208, Betty Ann 742-4077. More information has been posted by the Town Clerk on our website.

HIGHWAY DEPARTMENT FIRE

Supervisor Valentine commented about the serious fire to the Highway Garage and loss to equipment and building. He thanked the Chester Fire Department for their assistance in containing the fire damage. He added that the Town Board is committed to the Highway Department to keep it top notched. He recognized the need to act, as the longer we wait there is more worry about the winter. Supervisor Valentine added that Anthony LaSpina takes his position very seriously and his

ability to provide services for the Town residents. He invited the Highway Superintendent to speak. Anthony LaSpina said it is hard for him to give this report but thanks the fire department, police officers and the first responders. He also thanked the men of the highway department for their help in getting the equipment out. He said the fire destroyed one bay which held 2 loaders and three trucks that are most likely lost along with 3 others that have been damaged. He added that the natural gas line is lost and electrical work will be needed. He said the Town Board and insurance carrier have come out and he has been receiving calls of support from the Village of Chester and other area Towns and municipalities. He thanked the Town of Blooming Grove for the loaner of a loader. He said a clean-up company will come in to start the slow work of getting back to normal but the department will go on with patching and drainage work. He said he will work with the Town Board and insurance company to get back up as soon as possible. He also offered his appreciation for the support of the Town residents.

EXECUTIVE SESSION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to enter into Executive Session at 8:05pm for a personnel interview and a matter of attorney-client privilege. Motion carried 3-0.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to adjourn the Executive Session at 9:15pm. Motion carried 3-0.

HOURLY RATE INCREASE

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to increase the hourly rate of Chris Grohl from \$25.46 to \$27.49.

VOTE AYES 3: Valentine, Perez, Smith, ABSENT 1: Wensley

ADOPTED

PUBLIC COMMENTS

Bill Geller, 17 Speranza Court commented on the condition of the Town parks. He stated that they look a little run down and there is garbage and leaves on the ground. Supervisor Valentine said there are only two guys working at this time and the ball fields are done first. He said that work would be attended to in the normal rotation.

Councilwoman Smith said she took offense at the Chronicle's article that the interviews for the recreation director was not in accordance with due diligence. She said they over-stepped their bounds. Councilwoman Smith noted that the recent art sculpture exhibit of four Popes' busts at St. Patrick's Cathedral was done by famous sculptor Carolyn Palmer who grew up in Chester. She announced the passing of lifelong resident Edward Otterstedt at 102 years of age. Councilwoman Smith thanked Richard Logothetis for the new lights installed at the performing arts center and his assistance with the security. She said he is a great asset to the Town. Councilwoman Smith said prints will be needed for the fence and railings at the Senior Center. She has secured two quotes and is waiting for a third. Al Fusco said he will deliver it to the Board. She noted the many petitions for additional line dancing and osteo classes, but the Board is hesitant to increase fees. She said that to stay within reason they will have to look at how many people attend and the amount of fees currently collected.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to adjourn the meeting at 9:30pm, there being no further business brought before the Board. Motion carried 3-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2019-04-24