

**TOWN BOARD MEETING
FEBRUARY 27, 2019
7:00 PM**

DRAFT

Supervisor Valentine opened the meeting at 7:00pm followed by a salute to the flag. Members present: Supervisor Valentine, Councilman Perez, Councilwoman Smith, Councilman Wensley

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

**RESCHEDULING OF PUBLIC HEARING – INTRODUCTORY LOCAL LAW 1 OF 2019 – A LOCAL LAW
ADDING CHAPTER 23 ENTITLED “SOCIAL MEDIA POLICY” TO THE TOWN CODE OF THE TOWN OF
CHESTER**

Supervisor Valentine noted the calendar error in holding a public hearing for the Introductory Social Media Local Law and the need to reschedule the hearing.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to reschedule the Public Hearing on the Introductory Local Law 1 of 2019 – A Local Law Adding Chapter 23 Entitled, “Social Media Policy” to the Town Code of the Town of Chester on March 27 at 7pm at the Town of Chester Town Hall and direct the Town Clerk to cause to publish notice of same.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

LOCAL LAW 284 AGREEMENT

Supervisor Valentine acknowledged receipt from the Highway Superintendent of the agreement to repair and improve roadways within the Town of Chester for 2019 for Town Board consideration.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to enter into an Agreement with the Town Superintendent of Highways pursuant to the provision of Section 284 of the Highway Law to expend State Aid funds for the repair and improvement of highways, in the amount of \$155,494.66.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

PUBLIC ASSEMBLE PERMIT

Supervisor Valentine acknowledged receipt of the request for a temporary public assemble permit from Richard Logothetis for the summer concert series at 1405 Kings Highway for Town Board consideration.

ON A MOTION OFFERED BY Councilman Wensley and second by Councilwoman Smith to approve the Public Assemble Permit submitted by Richard Logothetis at 1405 Kings Highway, Chester, NY on Thursdays, from July 4 to August 29, 2019, with a rain date of September 5th from 5:30pm through 8:45pm, subject to the receipt of the proper insurance certificate.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

PERSONNEL APPOINTMENT

ON A MOTION BY Councilwoman Smith and second by Councilman Wensley to appoint Nicole Griffin to the position of full-time Account Clerk, effective March 4, 2019, for which funds have been properly budgeted.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

LONGEVITY PAY

This matter was tabled.

TEMPORARY USE OF FUNDS – SUGAR LOAF PERFORMING ARTS CENTER PURCHASE

Supervisor Valentine explained the purchase of the SLPAC is about to close in advance of the bond funding for the purchase, so there is a need to borrow funds from the Town temporarily. Included in the bond of \$1,515,000 is to close out the the BAN

financing used to build the senior center.

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

WHEREAS, the Town of Chester is currently in the process of purchasing the Sugar Loaf Performing Arts Center; and

WHEREAS, to finance this purchase, a bond in the amount of \$1,515,000 has been applied for and is currently pending; and

WHEREAS, the completion of the acquisition of the Sugar Loaf Performing Arts Center by the Town of Chester is imminent and scheduled to close before the bond in question is sold; and

WHEREAS, the Town of Chester requires the temporary use of town funds to finalize the acquisition of the Sugar Loaf Performing Arts Center; and

WHEREAS, pursuant to Local Finance Law §165.10, the Town of Chester is authorized to temporarily use available funds of the Town so long as they are not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created.

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Board of the Town of Chester authorizes the temporary use of Town funds in the amount of \$1,100,000 finalize the acquisition of the Sugar Loaf Performing Arts Center; and

BE IT FURTHER RESOLVED THAT, upon the sale of the bond in question, the amount of \$1,100,000 shall be immediately returned to the Town.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

REPORTS

Supervisor Valentine acknowledged receipt of the monthly report from the Police Department, and Water Department. He noted the Zoning Board of Appeals recent variance granted for a shed and up to date education requirements. He said the Planning Board has heard applicants Meadow Hill, BDA Properties and Ridge Road Equities which can be found online for all to get involved.

Supervisor Valentine read the Engineer's Report which follows in its entirety:

CHESTERDALE:

Review of SWPPP reports and field inspections.

RIDGEVIEW:

Review of SWPPP reports and field inspections. Review of deeds of dedication and easement documents. Also, developer requested reduction of bond; currently under review. We requested the Planning Board to consider deed restrictions for maintenance of the rain gardens on each lot.

WOODRIDGE:

Review of SWPPP reports and field inspections.

ASHFORD:

Punch list items for road completion and review of SWPPP reports and field inspections. Remaining open item – easement for drainage from stormwater pond.

GREENS AT CHESTER:

The stormwater officers sent a Notice of Violation to the Greens for stormwater improvements, silt fence restoration, stabilization of disturbed areas, slope stabilization with jute or fabric. They were prohibited from opening new disturbance areas. We re-inspected this week for compliance; the stabilization was almost complete with thick straw/hay mulch, still need steep slope fabric and silt fence restoration to be completed.

TOWN WIDE:

Fusco MS4 discussion and stormwater management plan – draft copy presented 2 meetings ago; new draft pending. We are preparing for the 2018-2019 MS4 report and will have public hearing on it in April 2019.

ANNOUNCEMENTS

Supervisor Valentine acknowledged the letter from Senator James Skoufis concerning the Governor's cut in AIM funding and his work in restoring the funding in the new budget.

Supervisor Valentine acknowledged receipt of the additional sales tax revenue report from the Orange County Commissioner of Finance for the fourth quarter 2018 sales tax. A much needed additional check in the amount of \$93,634.17 is expected mid-March.

Supervisor Valentine announced the 2019 Annual financial Report for the Town of Chester has been completed and filed with the office of the State Comptroller on February 14, 2019. A copy of the report is on file in the Town Clerk's Office and can be viewed by any interested person.

Supervisor Valentine noted the recent notice of back taxes that appeared in the newspaper. He said that tax records are public and can be obtained from the Receiver of Taxes or online at the Town's website or at www.egov.basny.com/chester.

EDUCATION REQUESTS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to approve the attendance of Historian Clifton Patrick at the Southeastern NY Library Resources Council Google Drive Workshop on Tuesday, March 5, 2019 at 21 South Elting Corners Road, Highland, NY at a cost of \$25.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

ON A MOTION OFFERED BY Councilman Perez and second by Councilman Wensley to approve the attendance of Det. Slaughter and Officer Santosky-Wright to the Social Networking Investigations Training presented by the NYS Division of Criminal Justice Services. It will be held in Dutchess County on March 19th and 20th. The two-day course focuses on open source search techniques, resources and legal issues. The primary instructor is a detective at a major metropolitan police department who is highly experienced in social media investigations. The course covers Internet basics such as Internet history, IP addresses, Surface, Deep and Dark web, Browsers and search engines. With an emphasis on free search tools, it covers how to conduct basic and advanced searches on facebook, Twitter and other social media applications and exploiting public information to find your target. There is no fee for the course.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

EXECUTIVE SESSION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to enter into a session of attorney/client privilege at 7:20pm.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Perez to adjourn the Executive Session at 7:45pm.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

CONSENT TO ASSIGNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to agree to the Consent to Assign the PILOT Agreement between Clean Energy Collective as parent company, to Chester NY 1, LLC.

VOTE AYES 4: Perez, Smith, Valentine, Wensley

ADOPTED

Discussion: Attorney Bonacic offered clarification on the matter. He explained the original agreement was signed in 2018 with Clean Energy Collective but after approval, the assignment of obligation under the agreement shifts to the subsidiary Chester NY 1, LLC as local manager of facilities.

CHESTER CLEAN-UP

Tom Flynn, on behalf of the Kiwanis, announced the scheduling of the Chester Clean-Up to be held on April 27, 2019, rain or shine, from 9am-1 noon. He asked the Town to co-ordinate the use of dumpsters, highway trucks and personnel along with Police presence. He added the clean-up will be assisted by the Boys Scouts, Girl Scouts, Chester Academy and the Bellvale Bruderhof.

*Footnote: Following the meeting, Mr. Flynn advised the Town of the rescheduling of the Chester Clean-Up to take place on April 13, 2019, with a rain date of April 14, 2019.

ALAN PAUL RHOADS JUNE 4, 1996-FEBRUARY 16, 2019

Supervisor Valentine spoke on the passing of Alan Paul Rhoads of the Bellvale Bruderhof Community.

Alan Paul Rhoads was born on June 4, 1996, in Ulster Park, New York, to Jonathan and Gretchen Rhoads. He died at the age of 22 on February 16, 2019, a lifespan – and a life – that exceeded all expectations. Soon after his birth, it became clear that Alan had significant abnormalities. Doctors told his parents he was blind and would likely never walk or talk. As Alan grew and developed, he surpassed the doctors' predictions. He could see. He learned to walk (and run and dance). And although he never talked, he could certainly communicate. More importantly, Alan became a friend to many. He was a resident of Chester, New York, for the past 13 years, living and being cared for at Bellvale Bruderhof, a Christian community. Alan could often be found riding around the community on his trike, reaching out a hand to anyone who would come up to him. He grew especially close to the many young men at the community who helped care for him over the years. Through his dependence, Alan taught them the meaning of care and patience. Although he did suffer much through many hospitalizations and surgeries, Alan had a bright and indomitable spirit that affected everyone around him and carried him through the difficult times. His grin was reserved for private jokes known only to him, but contagious to all who observed. Wherever he went, people gathered around, and there was often laughter. Alan is survived by his parents; younger brother, David, and sister, Meghan. He will be missed by his family and community, who will treasure the memory of Alan's rich and meaningful life.

As published in Times Herald-Record from Feb. 26 to Feb. 27, 2019

TOWN BOARD COMMENTS

Councilwoman Smith commented on a recent article in the Chronicle to offer a correction. She stated that she did not tell Lori Streichert that she could not comment, as was reported. She added that anyone who wants to start a new club should speak with the Town Board. Councilwoman Smith asked the engineer about the railing at the Senior Center. Al Fusco said he has someone lined up to do the work. Councilwoman Smith reported that the ice skating rink has been vandalized. She said the Recreation Department is offering yoga, line dancing and upcoming bus trips on February 28th and March 4th. She added that the Board needs to discuss the policy and fees.

PUBLIC COMMENTS

Jacob Gardner, 4428 Summerville Way, Chester, noted that the purchase of the SLPAC appears imminent and asked if there are plans to get it up and running. Supervisor Valentine replied that since it has not been actively in use, it will need to be cleaned out and de-moth balled, then it will be aggressively pursued to get the show on the road. He said a committee will be formed and information meetings scheduled.

Chris Mauer, 43 Creamery Pond Road, Chester, asked that in the interest of transparency if the agenda and related meeting documents could be posted at least one week prior to meetings and updated as needed. She said it would have been nice to see the resolution concerning the theater in advance so information could be requested through the Freedom of Information Law. Supervisor Valentine said although there is no requirements to post the agenda and, often items do not come up in advance of the meeting, he will post agenda items as early as possible.

Tracy Shuh, 94 Pickerel Road, Chester, thanked the Supervisor for providing departmental reports. She noted the upcoming public hearing of the Planning Board on the Tin Barn Brewery next week. Ms. Shuh commented on the Engineer's report as it relates to the Green of Chester with regard to notices, dated back to December 12th. She suggested assessing the situation for a stronger stance and alert in a timely manner due to environmental impacts. Ms. Shuh provided notes to the Town Board of the recent presentation of the Nature Conservancy at the recent meeting of the Moodna Creek Watershed Intermunicipal Council, which appears below in their entirety. She added that the next meeting of the Council will be held on April 25th at 10:00am. She suggested that the Planning Board might consider attendance at these meetings towards their continuing education requirements.



Meaningful public participation can make for better decisions, better outcomes and better governance.

The Preservation Collective, Inc. is a non-profit (501c3) tax-exempt corporation whose mission is to educate the community by bringing attention to and defending against the environmental impacts of new development and advocating for improved controls for sustainable growth to protect the scenic, historic and cultural landscapes in Orange County.

www.thepreservationcollective.com



The Preservation Collective, Inc. added 2 new photos.

Published by [Tracy Schuh](#) · February 15 at 7:00 PM ·

The Nature Conservancy spoke at the recent quarterly meeting of the Moodna Creek Watershed Intermunicipal Council. The presentation was very informative and stressed the importance of understanding how water is at risk. "Water is a fundamental piece in our lives...learning about making better choices about your own water use is also better for the environment" says George Schuler, Director NY Sustainable Water Initiative. Understanding water use impacts and the availability of water for additional uses, or for climate resilience, is really critical and part of the risk factor that communities need to understand.

To paraphrase rest of his presentation:

[Most of the time water discussions are focused around growth and there is not a lot of urgency around having enough water for fish and wildlife. Most people do not find it compelling to talk about water withdrawals causing low flows at key times of the year impacting nature. However, better water management for nature is also good for people. We undervalue water because if it's contaminated or changed in a way, we are not making more of it. Often we think we have plenty of water for municipal water supplies, agriculture, industrial and recreational uses – but all of which are tied to the availability of sufficient clean water. Water is inherently risky and can't be taken for granted - you could have not enough water, too much water, or water unfit for use.

Ask yourself - How much of a risk is the water quality and quantity to your community? - are you susceptible to drought, polluted water, flooding, ecosystem impacts, development pressures, regulatory risks?

Research shows that two thirds of New York State exceeded water quality standards with phosphorus which means water treatment cost increased, reduced recreational opportunities and habitat impairment. Is your watershed at risk for harmful algal blooms that can be a public health issue?

The Nature Conservancy is conducting research to assist communities on what are their impacts and problems and what might you do about them.

Presently there is not a legal framework to think about things in the way water moves. We don't have any control of what upstream users take or what they do to the water. This is why it's important to have a conversation between upstream and downstream communities to better manage water problems before they become crises.]

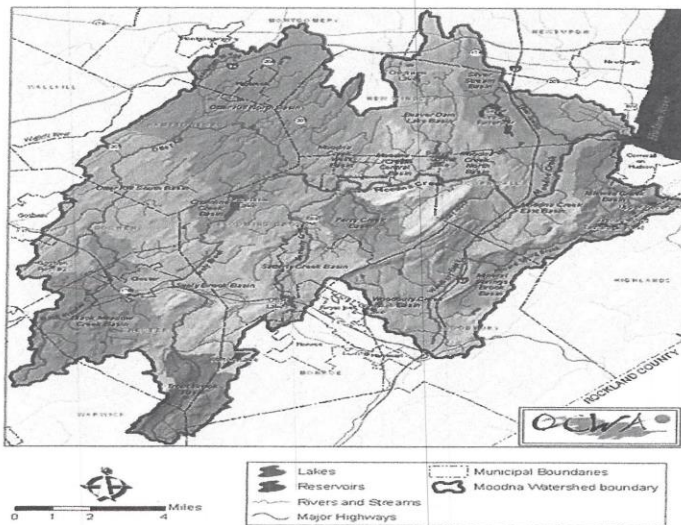
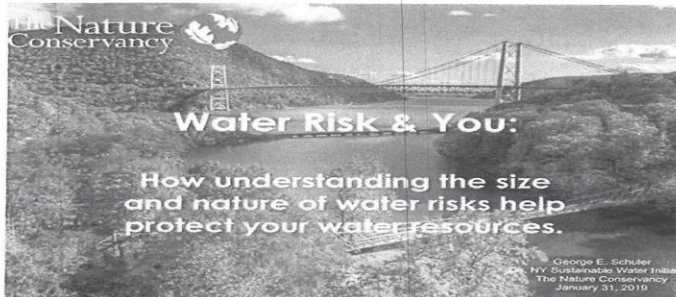
Stay tuned - the Nature Conservancy has developed a NY water risk database for all major water withdrawals to be released this spring. This could demonstrate what water is withdrawn and returned to the lakes, ponds and streams compared to what water is used and consumed in a way making it not immediately available.

"Water is transported across the boundaries of the Watershed both for community water supply reasons and for the transport of wastewater, and therefore a calculation of interbasin transfers would enable a better understanding of the water budget in the Watershed" - Moodna Watershed Management Plan. For more information on the Moodna Creek Watershed Intermunicipal Council (MCWIC) see: <http://waterauthority.orangecountygov.com/moodna.htm>

The Preservation Collective, Inc. is a member of the MCWIC and our volunteers would like to help increase public awareness on the importance to protect our water resources.

We encourage you to ask your municipal leaders about their water protection plans and their cooperation with neighboring communities.

Tracy Schuh, President
TPC, Inc.



ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to adjourn the meeting, there being no further business brought before the Board. Motion carried 4-0.

Respectfully submitted,

Linda A. Zappala
2019-02-27