

TOWN BOARD MEETING

February 8, 2023

7:00 PM

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

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

PUBLIC COMMENTS

Tom Becker, 163 Lehigh Ave., addressed the Board on the matter of the Ward System. He noted the Ward system should finally be coming into place after four years. He referred to the last meeting's discussion to review the Comprehensive Plan with regard to open lands. He said there is 1,000 acres of undeveloped land owned by many farmers, Johnson, Durma, Talmadge, Prosser, Palmer, Utter, Baroda, Furry, Tetz, Lipsey, and Becker. He said all the work done by the County and the Town to be done on the expansion of the Harriman Plant infrastructure for the benefit of this land for the future development of residential or commercial.

Larry Dysinger addressed the discrepancy between the Town's Local Law and the state law with regard to population versus voters. He said that in 2018 when the proposition was on the ballot there was unfortunately no question with regard to the number of wards, either 4 or 6 and he said that was a mistake. He said he has not found district maps on the Town or County website and it would be nice to have. He said he trusts the Town Board will address what he has raised. In regards to the Sugar Loaf section of Kings Highway that the Town has been working on for a long time with the County. He said with the warehouse developments coming, the truck traffic will get worse through County 13. He asked for an update of the status.

Tyler Hassan, 7 Sunrise Point, addressed the Ward system. He said four years ago the Town voted by referendum to implement the Wards and we were told we were waiting on the census. Then when the census was received in September 2021, we were waiting for a law firm and the search was slow. But as Councilman Holdridge determined the Town could have reached out to the Board of Election directly. He said his rule of thumb is that when something doesn't happen and people, elected or appointed, have neither obstacles or competing interests then he believes they don't want it to happen. He said he understands we are close to getting a draft of the ward system. He said if it is further delayed, he will go by his rule of thumb and said the Town should as well.

Alex Jamieson, 19 DeRose Lane, said that Local Law 94 which created the Ward System was adopted after the referendum was placed on the ballot. He said the law says the Town, not the County or the Board of Elections should divide the 12 districts into four wards. He said developments that have water and sewer districts should be considered in dividing the wards equally. He added that the law clearly states who is in charge of creating the wards and drawing the line and he hopes the town Board follows their local law because it needs to be done right and by the Town.

Steven Diffley, King Tract addressed the Board on the matter of the Ward System. He said that the State Law would have precedent over Town Law and urges the Board to look at all the laws. If there is a mistake in Town Law, then it should be corrected. He said the matter was voted on many years ago and should get done. He said it was voted by the people and has to be put in place.

AUDIT OF CLAIMS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve payment of the bills from the following accounts:

	<u>PREPAIDS</u>	
GENERAL FUND	2,364.08	301,374.34
GENERAL - PART TOWN	2,770.93	22,077.39
HIGHWAY – TOWN WIDE	703.92	149,485.66
HIGHWAY – OUTSIDE		12,065.37
FIELDCREST WATER	3.59	166.28
LAKE HILL FARMS WATER	1,440.58	2,573.71
SUGAR LOAF HILLS WATER	26.95	16,699.77
SURREY MEADOWS WATER	43.11	1,575.79
WALTON LAKE WATER	34.13	10,312.33
TRUST AND AGENCY	10.48	
GARBAGE		<u>1,657.91</u>
Grand Total	\$ 7,397.77	\$517,988.53

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to accept the Minutes of the Town Board Meeting of January 25, 2023, as presented by Town Clerk Zappala.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

BUDGET MODIFICATION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the budget modification to A1910.4 from fund balance in the amount of \$505 to cover an insurance premium increase.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

APPOINTMENTS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to make the following appointments:

Ethics Committee Attorney – Gary Goldstein, Esq.
 Engineer to the Planning Board- Al Fusco, Fusco Engineering
 Attorney to the Planning and Zoning Boards – Dave Donovan, Esq., Dickover, Donnelly & Donovan, LLP
 Planning Board and Zoning Board of Appeals Secretary – Melissa Foote
 Moodna Sewer Commission Representatives – Robert Courtenay and Cynthia Smith

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

PARKS DEPARTMENT GROOMER PURCHASE

In accordance with the procurement policy, the following quotes were received for the purchase of a groomer for the Parks Department.

Cutting Green, LLC	\$14,500.00
George Corgan	18,816.08

MTE

28,238.42

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the purchase of a groomer from low quote Cutting Green in the amount of \$14,500.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

HIGHWAY DEPARTMENT EXCAVATOR AND HAMMER PURCHASE

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to approve the following budgeted items through State Bid: excavator in the amount of \$77,362.15 and hammer in the amount of \$13,295.12 from Marshall Machines.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

HIGHWAY PROCUREMENT

Supervisor Valentine read the request from the Highway Department concerning the cost of goods relative to the current procurement policy. The consensus of the Board was to increase the maximum costs associated with Highway Department Head approval.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the increase to \$7,500 for Highway Department Head approval for procurement.

RESOLUTION AMENDING THE PROCUREMENT POLICY AND PROCEDURES OF THE TOWN OF CHESTER REVISED 2/08/23

WHEREAS, Section 104-b of the New York State General Municipal Law requires the governing body of every municipality to adopt internal policies and procedures governing the procurement of goods and services not subject to the competitive bidding requirements of Section 103 of the New York State General Municipal Law or any other law; and

WHEREAS, the Town Board of the Town of Chester (hereinafter the "Town Board") did adopt such a Procurement Policy in 1992 and said Procurement Policy has been amended from time to time; and

WHEREAS, certain amendments to Section 103 of the New York State General Municipal Law, in particular the addition of a new subdivision (16) which allows for political subdivisions, "to make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies...as may be required by such county, political subdivision or district therein through the use of a contract let by the United States of America or any agency thereof, any state or any other county or political subdivision or district therein..." require the Town Board to further amend the Procurement Policy to allow for the Town of Chester to utilize the "piggybacking" provision provided for in such section; and

WHEREAS, these amendments have provided local governments with greater flexibility in awarding contracts by authorizing the award of purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the New York State Labor Law) on the basis of best value; and

WHEREAS, with the increased complexity of the goods and services that the Town of Chester must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria which measures factors other than cost in the strictest sense. Best value procurement links the procurement policy directly to the Town of Chester's performance requirements, including, but not limited to, selection factors such as useful lifespan, quality and options and incentives

for more timely performance and/or additional services. Best value procurement can provide much-needed flexibility in obtaining important goods and services at favorable prices, and can reduce the time to procure such goods and services.

NOW, THEREFORE, BE IT RESOLVED, that the Procurement Policy of the Town of Chester is hereby amended as set forth in the attached, effective immediately.

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of Section 103 of the New York State General Municipal Law. Every town officer, board, department head, or other personnel with the requisite purchasing authority (hereinafter in this policy the "Purchaser"), shall estimate the cumulative amount of the items of supply or equipment needed in any given fiscal year.
2. All purchases of supplies or equipment or public works contracts exceeding Twenty-Five Thousand Dollars (\$25,000.00), shall be formally bid in accordance with the provisions of Section 103 of the New York State General Municipal Law.
3. Purchases and public works contracts of less than Twenty-Five Thousand Dollars (\$25,000.00) shall be handled as follows:
 - (A) Purchases between \$0 - \$2,499.00 require Department Head approval and should be left at their discretion.
 - (B) Highway Department only: Purchases between \$0 - \$7,500.00 require Department Head approval and should be left at his/her discretion. Highway clerical is included in the approval requirement.
 - (C) Purchases between \$2,500.00 - \$9,999.00 are required to have no less than three (3) verbal quotes and shall be documented on the designated Town Procurement Policy Form. All such purchases are also required to have approval of the Town Supervisor, if budgeted. If the purchase request is not budgeted, then the Town Board needs to approve the request.
 - (D) Highway Department only: \$2,500.00 - \$9,999.00 are required to have no less than three (3) verbal quotes and shall be documented on the designated Town Procurement Policy Form. All such purchases are also required to have approval of the Town Supervisor, if budgeted. If the purchase request is not budgeted, then the Town Board needs to approve the request.
 - (E) Highway clerical is included in the approval requirement.
 - (F) Purchases between \$10,000.00 - \$24,999.00 require no less than three (3) written quotes, documented on the designated Town Procurement Policy Form and the approval of the Town Board. Highway clerical is included in the approval requirement.
 - (G) Purchases \$25,000.00 and above require competitive bidding. Highway clerical is included in the approval requirement.
4. Awards. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing the reasons why it is in the best interest of the Town to make an award other than to the lowest bidder. If the lowest bidder is not deemed to be responsible, facts supporting that determination shall be documented and filed at the time at which the award is made to other than the low bidder.
5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document, in writing, the attempts made to obtain such proposals or quotations. The written documentation must be filed at, or prior to, the award of the purchase or public works contract. In no event shall the inability to obtain the required number of proposals or quotations be a bar to the procurement of the goods or the contract for public works.
6. Except as otherwise directed by the Town Board on a case-by-case basis, no solicitation of written proposals or quotations shall be required under the following circumstances:
 - (A) Emergency Situations. Provided, however, that the purchase of supplies or equipment or the contract for public works proceeds in accordance with the provisions of the New York State General Municipal Law dealing with emergency acts.
 - (B) Acquisitions of Professional Services.

(C) Sole Source Situations. Provided, however, that the purchase of supplies or equipment or the contract for public works is documented in accordance with the provisions of the New York State General Municipal Law.

7. Best Value Contracts.

(A) Definitions.

i. Best Value. Best Value shall mean the basis for awarding contracts for services to the offeror that optimizes quality, cost and efficiency, among responsive offerors. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerors that are small businesses or certified minority or women-owned business enterprises (as defined in Section 310, Subdivisions 1, 7, 15 and 20, of the New York State Executive Law) to be used in evaluation of offers for awarding of contracts for services, as defined by Section 163(1)(j) of the New York State Finance Law.

ii. Lowest Price. Lowest Price shall mean the basis for awarding contracts for commodities among responsive and responsible offerors, as defined by Section 163(1)(i) of the New York State Finance Law.

iii. Procurement Record. Procurement Record shall mean documentation of the decisions made and the approach taken in the procurement process, as defined by Section 163(1)(f) of the New York State Finance Law.

(B) Factors which may be used to determine “best value” and to award a contract to other than the lowest bidder are as follows:

i. Cost of maintenance;

ii. Product life;

iii. Warranties;

iv. Past performance, reliability or durability, and current or past experience with the provision of similar goods or services;

v. Organization, staffing (particular abilities and/or experience) and the ability to undertake the type of complexity of the work;

vi. Financial capability;

vii. Record of compliance with all federal, state and local laws, rules and licensing requirements; and

viii. Ability to meet the needs of the Town of Chester in a timely and accountable fashion.

(C) Best Value Award Methodology Requirements. Where the basis for an award of a purchase contract will be the best value offer, the purchaser shall, in all instances:

i. Document in the procurement record as a component of the competitive award process and in advance of the initial receipt of offers, the determination of the evaluation criteria, which, whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.

ii. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and responsible and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Town of Chester in its determination of best value.

iii. Reasonable efforts shall be made to ensure that the private and not-for-profit sectors in New York State are apprised of procurement opportunities, including by specifying the elements of a responsive and responsible bid and disclosing the process for awarding contracts, including, if applicable, the relative importance or weight of cost and the overall technical criterion for evaluating offers and ensuring the procurement is conducted accordingly.

iv. Select a formal competitive procurement process in accordance with New York State General Municipal Law and other state law and guidelines established under the Town of Chester’s Procurement Policy and document the determination in the procurement record. The process of selection shall include, but may not necessarily be limited to:

1) A clear statement of need;

2) A description of the required specifications governing performance and related factors;

3) A reasonable process for ensuring a competitive field;

4) A fair and equal opportunity for offerors to submit responsive offers; and

5) A balanced and fair method of award.

v. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved. The Town shall maintain and retain all documentation used in the award process.

vi. The determination to award a contract on the basis of best value shall be made by the Town Board. Such determination shall include the specific criteria applied in determining best value which shall reflect, wherever possible, objective and quantifiable analysis. The Town Board should use a cost-benefit analysis or other similar process to demonstrate quantifiable value or savings from non-price factors that offset the price differential of lower price offers.

vii. In the event that no best value election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing required security.

viii. This resolution shall not apply to purchase contracts for the following:

- 1) Any purchase contract necessary for the completion of a public works contract pursuant to Article 8 of the New York State Labor Law; and
- 2) Any purchase or procurement of goods and/or services otherwise excluded by law from best value purchasing standards, whether now existing or hereafter arising.

8. Piggybacking. The Town may piggyback onto another governmental contract in accordance with Section 103(16) of the New York State General Municipal Law and upon consultation with the Town Attorney.

(A) Contracts Subject to Piggybacking. Pursuant to Section 103(16) of the New York State General Municipal Law, purchases of goods and services may be made through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein. The contract must be let in a manner consistent with New York State competitive bidding law and the contract must be made available for use by other governmental entities. Piggyback contracts are not subject to the competitive bidding requirements contained in Section 103 of the New York State General Municipal Law.

(B) Authorization to Piggyback. Pursuant to, and in accordance with, Section 103(16) of the New York State General Municipal Law, the Town of Chester is hereby permitted to piggyback off of other municipal contracts, as described above, as well as, in the Town of Chester's discretion, make available its own purchase and public works contracts to other appropriate municipalities.

9. This policy shall be reviewed annually by the Town Board at its first regular meeting in every calendar year, beginning in 1993, or as soon thereafter as is reasonably practicable.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

WARD SYSTEM DISCUSSION

Supervisor Valentine gave an update of the Ward System. He said the Board of Elections called the Town Clerk with an overview of the process which is now transpiring. He said he went over the Local Law and State law and asked the BOE to put their concerns and procedures on paper to be reviewed by the Town Board and legal. Councilman Holdridge said he had spoken with them today and asked for something in writing and is awaiting a draft ward system and election district map for review to be delivered on Friday this week. The Supervisor said the County was directed to draw election districts not ward line boundaries and BOE now said the 45-day public hearing waiting time is no longer necessary. He indicated Blooming Grove had issue with the overlap of special districts and that would need to be looked at. Councilman Holdridge said he would refer to the State BOE concerning whether a public hearing is necessary. Supervisor Valentine added that Home Rule allows the Town to draw the Ward Districts which was done at the time because there was a concern about voting district changes. since it was voted on to get it done as soon as possible. He added the Planning Department said there it was need for attorney involvement. Councilman Courtenay said the interest was to have an attorney as a third party to keep the process transparent. Councilman Holdridge said upon receipt of the maps, he agrees that we should hold a special meeting to get it done, if possible, for the upcoming election because otherwise we would have to hold a special election next year. Supervisor Valentine added the proposition was voted on to prevent block voting, but it is currently not a threat and if we have to wait a year there is a cushion.

SCHOOL OFFICERS AGREEMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the School Officers Agreement with the Chester Academy and Chester Elementary from this day through the 2024 school year.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

HISTORICAL DISTRICT

Supervisor Valentine read the correspondence received from Lydia Cuadros, Sugar Loaf Community Foundation, which appears below. After discussion, it was the consensus of the Board to support the formation of Sugar Loaf as a Historical District.

Dear Supervisor Valentine and Town Board Members,

The Sugar Loaf Community Foundation would like to begin the process to have Sugar Loaf designated as a Historic District to be listed on the New York State and National Registry of Historic Places. The Town of Chester Comprehensive Plan recommends the Town Board support efforts to have properties listed on the State or National Register of Historic Places. Can we set up a meeting to discuss this in detail?

I contacted Jennifer Betsworth with New York State Parks, Recreation and Historic Preservation. She provided the attached map from their database that shows that they have a few records for buildings in the hamlet. The green squares have previously been determined eligible for Historic registry; red squares are not eligible, black squares are undetermined. The hamlet has never been evaluated for its historic district potential. The three properties deemed “eligible” are the Methodist Church, the Bidwell building, 1353 Kings Highway, Greek Revival architecture and the Hugh Marius home on the corner of Pine Hill Road and Kings Highway. The Fury Brook Farm is the only property in Sugar Loaf that is currently listed on the State and National Historic Registry.

The first step in the process would be to start with a cultural resources survey to identify the boundary of an eligible district and an argument for historic significance. To be eligible for the National Register, a property or historic district has to be significant in one of four criteria (patterns of history, association with an important person, architecture, or archaeology), retain integrity to its historic appearance, and typically be at least 50 years of age. A cultural resources survey of the area could be completed by a professional or a group of volunteers with guidance. The Preservation League of New York State offers Preserve New York grants to support cultural resource surveys. Many districts across the state start with a survey funded by this program. Essentially, the purpose of the survey is to collect a brief history of the neighborhood (why is it significant?), the initial proposed boundaries and the justification for where they were drawn, and relatively recent photographs to give a sense of the district.

A Sponsor is needed to establish a Historic District. The sponsor can be a 501(c)(3) nonprofit, like the Sugar Loaf Community Foundation or the municipality.

The benefit to being designated as a Historic District is that there are two historic rehabilitation tax credit programs: one for income-producing properties (20% federal and 20-30% state) and one for homeowners (20% state). A property needs to be a contributing historic building in a historic district or individually listed on the National Registry to take advantage of these tax credits. There is also a 25% historic barn rehabilitation tax credit; it does not require National Register listing, but the barn would have to be built before the year 1946. It is prestigious to be designated as a Historic District. The number of tourists visiting the hamlet would increase and potential property purchasers would be attracted to the hamlet to start a new business or purchase a home.

The process to be established as a Historic District can be long and time intensive, the SLCF, with the support of community volunteers, is willing to do the work needed to get this accomplished. For more details, please visit the website for the New York State Office of Parks, Recreation and Historic Preservation, <https://parks.ny.gov/shpo/>. I hope we have your support and that we can work together on this project.

Sincerely,

Lydia Cuadros,
Treasurer
Sugar Loaf Community Foundation

ON A MOTION OFFERED BY Councilman Ardisana and second by Councilman Holdridge to sponsor Sugar Loaf as a Historical District.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

OME OUTDOOR CONCERT DISCUSSION

Supervisor Valentine read the concerns brought by resident, Chris Maurer, which appears below.

Last board meeting, there was a proposal from two representatives of OME to relocate its outdoor concerts to the SPAC. As a homeowner on Creamery Pond Road, I have some concerns and a possible solution.

The first concern I have is the loud music and noise. As a homeowner, I have a right to peaceful enjoyment of my property. A four-to-six-hour outdoor concert with two to three thousand concert attendees is unreasonable in a residential community. It is made even more troublesome as water amplifies sound. An outdoor concert of this magnitude would be in violation of our own town noise ordinance.

I'm also concerned about the traffic and parking. Where are a thousand or more cars going to park? Will they be lined up on Creamery Pond Road as they are during Sugar Loaf festivals? What about the bottle nose in traffic as these cars all arrive and leave at the same time?

I do have a possible solution. Would OME consider relocating its concerts to the amphitheater in the Village by the Heritage Trail? This would solve a number of problems... it would be away from a residential area, a new stage would not need to be built, there are no ponds or lakes nearby to amplify the sound, and there is a massive field which could easily accommodate thousands of concert goers.

Thank you for your consideration to an alternative venue.

Sincerely,

Chris Maurer
43 Creamery Pond Road
Chester, NY 10918

A discussion ensued concerning the use of the PAC by OME. Councilman Holdridge said Ms. Maurer's concerns are valid. He said the proposal would impact noise and liability as the residents of Creamery Pond are owners of the pond. Councilwoman Smith asked what type of shows are planned. Councilman Courtenay suggested that the times of the shows be pinned down. Walter Popailo replied Americana, Blue Grass, etc., not hard rock. The bands would be facing towards the PAC. Parking is planned with the Sugar Loaf Fire Department. He added they will hold the events at whatever times the Town wants and maintain a decibel level for the two or three shows they want to plan. OME will be reached for more exacting details.

GILDA BRENNAN SLPAC RENTAL

Walter Popailo explained that Gilda Brennan who is the 3rd largest promoter of the PAC has asked for a "SAM'S Club" discount on the room rate for five or six shows at \$500 per event. The shows would be held on Sundays, 6-8pm.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the rental rate of \$600 per event for five nights to Gilda Brennan.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

EDUCATION REQUEST

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to approve the attendance of Officer DeLuca and Officer Calderone to the 2023 NY Tactical Officers Association Annual Conference in Verona, NY from April 25-28, 2023 at a cost of \$399.99 per attendee.

VOTE: AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

REPORTS

Supervisor Valentine read from the following reports, which appear below in their entirety.

Engineer's Report

1. Greens at Chester: SWPPP systems performing as required. The site remains dormant with little to no activity due to weather; the contractor has currently pulled their crews from the site. They have been testing new water services. Received information regarding the Transportation Corporation for the project and have forward the package to the County Water Authority, Allan Sorensen as required.
2. Cappelli Sports (Primo Sports): SWPPP components appear to be operating as intended. No current activity observed on the site.
3. Chester PAC ADA: The project has been completed. The paperwork as required by Community Development for reimbursement of the project cost as per the CDBG 2022 grant awarded for the project has been compiled and forwarded to the Town for signature required by Supervisor Valentine. Once Supervisor Valentine signs the paperwork, the package can be forwarded to Community Development for their review and approval at which time Community Development will issue a reimbursement check to the Town.
4. Dog Park: My staff met with the Highway Superintendent on Monday, January 30, 2023 at 8:30 AM for a construction kickoff meeting to discuss the project plan, mobilization, and logistics. Work was to begin immediately.

Water Department Monthly Report- January 2023

The water department processed and distributed 6,552,873 gallons of water for the month of February. The districts daily average ranged from 569 to 77,000 gallons. The breakdown is:

Lake Hill Farms- 2,413,000 gal.

Sugar Loaf- 1,376,100 gal.

Surrey Meadows- 1,454,500 gal.

Walton Lake Estates- 1,083,500 gal.

Fieldcrest- 208,149 gal. (Distribution only)

Town Hall- 17,624 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 12/2022 on all districts were submitted to DOH on 1/6/2022

Laboratory testing dates were 1/4 & 1/18.

Got a New Trash pump from Montague tool in NJ.

Other Business:

Sugar Loaf was mostly quiet with routine operations and maintenance. Updated plumbing for the sick and chlorine tank. Quackenbush installed new well pipe and pump and the new well site in order to move forward with testing.

Surrey Meadows was mostly quiet with routine operations and maintenance. 1/9 Fixed shut off at 89 Surrey and determined leak is under foundation and is homeowner responsibility. 1/31 found and fixed shut off at 17 Surrey with help from hwy.

Lake Hill Farms was mostly quiet with normal operations and maintenance. 1/10 Chlorine crock was leaking had to order new on and replace it.

Walton Lake Estates was mostly quiet with routine operations and maintenance. 1/6 Delfino electric came in and had to look at well site F4 and determined has a bad capacitor. 1/12 Delfino came in and temp put F4 back online till parts came in. 1/25 had a water main break at 24 Juniper Dr., had help from Hwy. to dig and fix with wrap around clamp.

Fieldcrest was quiet with routine operations and maintenance. 1/11 installed new automatic flushing system in Highway dept front yard with help from Hwy. to dig. Finished install on 1/12.

Police Department – January 2023

The Town of Chester Police Department remained active in the community in many ways last month. We took a proactive stance towards detecting crime and enforcing the laws, while maintaining our overall objective of community commitment. In January, the police department responded to 240 calls for service. Officers patrolled for 15,566 miles during the month. A breakdown of the criminal and noncriminal activity for the month is included below:

CRIMINAL ACTIVITY

The Town of Chester Police Department made 20 arrests during the month. A summary of the arrests is as follows:

12	charged with Operating a Vehicle with a Suspended License and/or a Suspended Registration
1	charged with Assault in the third degree and Criminal Mischief in the fourth degree
1	charged with Criminal Obstruction of Breathing, Assault third & Endangering the Welfare of a Child
1	charged with Criminal Contempt in the second degree
1	charged with Menacing in the second degree
1	charged with Harassment in the second degree
1	arrested on an outstanding bench warrant from town court
2	arrested on outstanding bench warrants from other local courts

Please refer to Attachment A for complete details.

NON-CRIMINAL ACTIVITY

In addition to the arrests listed above, officers also responded to other calls for service. A summary of those calls for service is as follows:

26	medical calls
14	residential, commercial or automatic fire alarms
13	reports of suspicious persons, vehicles or activity
12	animal complaints
12	disputes or disturbances
0	motor vehicle crashes with injuries
9	motor vehicle crashes without injuries
5	motor vehicle crashes involving deer

Please refer to Attachment B for complete details.

Officers also issued 172 uniform traffic tickets during the month.

SEX OFFENDERS

There were no changes to the sex offender registrations for our residents in January.

LEVEL	BEGINNING OF MONTH	END OF MONTH
1	1	1
2	2	2
3	0	0
TOTAL	3	3

COMMUNITY POLICING

During the month, Town of Chester police officers assisted members of the community in many ways. Some of the community policing activity is listed below.

Officers completed 7 house security checks and 1320 business security checks.

There was one child passenger safety seat check completed in January. Sergeant Dugan and Officers Bird, Weinstein, Stack and Narain continues to remain available for child passenger safety seat checks and installations.

Officer Bird continued to work with other town employees to roll out the American Red Cross Smoke Detector program.

Officer Bird instructed the Stop the Bleed certification course to students in a health class at the Chester Academy on January 31st.

Officer Santosky-Wright remained in contact with the Sugar Loaf community groups and learned that there were no planned in events in January requiring police assistance.

TRAINING

Monthly training for January was our annual Use of Force policy refresher and legal updates. It was conducted on January 10th in our training room. All officers except Officer Stack (scheduling conflict) attended.

Officer Calderone attended a state sponsored workshop on the new Firearms Qualification requirements and instructional techniques at the Westchester County Police Academy from January 9th-13th

Chief Doellinger attended a webinar on January 19th on Using Body Camera Video to Transform Officer

Training. Officer Dunlop and K-9 Lou attended their required in-service K9 training on January 24th.

Officer Bird attended a two-hour workshop in Goshen on the new Child Passenger Safety state grant requirements and updates on January 25th.

MISCELLANEOUS

Commercial vehicle enforcement details were held on January 6th and 20th with the NYS Department of Transportation. Fourteen vehicles were inspected and six unsafe vehicles were taken out of service with major violations.

We continued to assign police officers to the Chester Academy and Chester Elementary School during the school day in January.

Part-time Police Officer Nicholas Contino was hired in January and began his field training on January 17th.

SCHEDULING

There were 142.25 hours of overtime paid in January.

Part-time police officers were used for 192 hours of patrol coverage (192 regular hours and no overtime hours).

Shift Coverage	99
Monthly Training (Firearms Qualification)	18
Commercial Vehicle Enforcement Detail	16
School Resource Officer	3
Court/Hearings	3
Late Calls/Arrests	1.75
Court Officer Details	1.5

ARRESTS - JANUARY 2023

TC-000bl-23 1/2/2023	45M Goshen, NY	VTL 051101A AGGRAVATED UNLIC OPER VEH-3RD
TC-00002-23 1/3/2023	53M Sugar Loaf, NY	PL 120.00 01 ASLT 3-W/INT CAUSE PHYS INJURY PL 145.00 01 CRIM MIS:INTENT DAMAGE PROPRTY
TC-00003-23 1/4/2022	24M Monroe, NY	VTL 051101 AGGRAVATED UNLIC OPER MV-3RD
TC-00004-23 1/4/2023	46M Monroe, NY	VTL 051101 AGGRAVATED UNLIC OPER MV-3RD
TC-00005-23 1/6/2023	52M New Windsor, NY	VTL0512 MVVIOL:REGISTRATION SUSPENDED VTL 05110IAAGGRAVATED UNLIC OPER VEH-3RD
TC-00006-23 1/7/2023	22M Middletown, NY	VTL 051101A AGGRAVATED UNLIC OPER VEH-3RD VTL051102A4AGGUNLICOPER-2ND:3>SUSPENSNS
TC-00007-23 1/8/2023	31M Monroe, NY	PL 121.11 A CRIM OBSTRUC BREATH/APLY PRESS PL 120.00 01 ASLT 3-W/INT CAUSE PHYS INJURY PL 260.IO ENDANGERING WELFARE OF CHILD
TC-00009-23 1/12/2023	31M Chester, NY	VTL 0512 MV VIOL:REGISTRATION SUSPENDED
TC-00010-23 1/13/2023	52M Monroe, NY	PL240.2601 HARASSMENT-2ND:PHYSICALCONTACT
TC-00011-23 1/14/2023	36M Monroe, NY	PL 215.50 03 CRIM CONTEMPT-2ND:DISOBEY CRT

TC-00012-23 1/17/2023	34F Monroe, NY	VTL 0512 MV VIOL:REGISTRATION SUSPENDED
TC-b0013-23 1/18/2023	33M Warwick, NY	VTL 0512 MV VIOL:REGISTRATION SUSPENDED VTL 051101A AGGRAVATED UNLICOPER VEH-3RD
TC-00014-23 1/18/2023	31M Spring Valley, NY	VTL 0511 01A AGGRAVATED UNLIC OPER VEH-3RD
TC 00015-23 1/20/2023	42M Greenwood Lake, NY	VTL 051101 AGGRAVATED UNLIC OPER MV-3RD
TC-00016-23 1/21/2023	37M Bronx, NY	VTL 051101A AGGRAVATED UNLIC OPER
TC-00017-23 1/26/2023	23F Newburgh, NY	CPL 530.70 03 EXECUTE BENCH WARRANT
TC-00018-23 1/26/2023	23F Newburgh, NY	CPL 530.70 03 EXECUTE BENCH WARRANT
TC-00019-23 1/26/2023	23F Newburgh, NY	CPL 530.70 03 EXECUTE BENCH WARRANT
TC-00020-23 1/31/2023	34M Middletown, NY	VTL 051101A AGGRAVATED UNLIC OPER VEH-3RD
TC-00021-23 1/31/2023	33F Chester, NY	PL 120.14 01 MENACING-2ND:WEAPON

Attachment A

CALLS FOR SERVICE - JANUARY 2023

911 HANGUP CALL	1	FOUND PROPERTY	2
ALARM-COMMERCIAL	8	FRAUD	4
ALARM-RESIDENTIAL	3	HARASSMENT	1
AMBULANCE ASSIST	26	HAZARDOUS CONDITION	2
ANIMAL COMPL(WILDLIFE)	6	HOUSE SECURITY CHECK	6
ANIMAL COMPLAINT(DOG)	5	ILLEGAL DUMPING	1
ANIMAL COMPLAINT(OTHER DO	1	INFORMATION ONLY	32
ARREST/CRIMINAL	3	JUVENILE COMPLAINT	2
ARREST/TRAFFIC	12	LANDLORD/TENANT DISPUTE	1
ARREST/WARRANT	1	LARCENY	1
ASSAULT	1	LOCKOUT	1
ASSIST ANOTHER AGENCY	14	LOST PROPERTY	1
ASSIST FIRE DEPT	2	M/V COMPLAINT	1

AUTOMATIC FIRE ALARM	3	MVC/CAR/DEER	5
BACKGROUND INVESTIGATION	12	MVC/NO REPORT	1
CHILD SFTY SEAT FITTING	1	MVC/PROPERTY DAMAGE	8
CITIZEN SERVICE	2	NOISE COMPLAINT	2
CIVIL MATTER	1	NOTIFICATION	3
COMM VEHICLE ENF DETAIL	2	OPEN DOOR	1
CRIMINAL CONTEMPT	1	PARKING PROBLEM	1
DAMAGE TO PROPERTY	2	SCHOOL SAFETY	2
DISABLED VEHICLE	3	SUBPOENA SERVICE	2
DISTURBANCE	4	SUSPICIOUS COND/MV/PERSON	13
DOG BITE	1	TRAFFIC COMPLAINT	4
DOMESTIC COMPLAINT	6	TRAFFIC CONTROL/DIRECTION	1
EMOT DISTURBED PERSON	1	TRAFFIC ENFORCENMT DETAIL	1
EQUIPMENT CHECK	7	TREE DOWN	2
FAMILY COURT MATTER	1	VEHICLE OFF ROADWAY	1
FIRE	3	WELFARE CHECK	4
FIREWORKS COMPLAINT	1		
		TOTAL	240

Attachment B

Animal Control Report – January 2023

During the month of January 2023, the Town of Chester Police Department responded to 12 animal complaints and investigated 5 motor vehicle crashes involving a deer. A breakdown of the complaints for the month is included below:

- 5 of the calls for service were for loose, lost or found dogs
- 3 of the calls for service were for injured or deceased deer
- 2 of the calls for service were for sick or injured raccoons
- 1 of the calls for service was for a deceased coyote
- 1 of the calls for service was for a cow in the roadway

The monthly report for January from the Warwick Valley Humane Society is attached. The Warwick Valley Humane Society is now operating out of the new building at their previous location on Public Works Road in Warwick.

Warwick Valley Humane Society – January 2023

All totals include calls from the Town of Chester, Village of Chester, Village of Sugar Loaf, and Orange County 911 Center for calls located within the geographic area of the Town of Chester.

Number of calls received:	4	1 Police, 3 others
Number of times ACO dispatched to calls:	1	1/7 - finder to meet ACO at shelter*
Number of dogs impounded by ACO:	0	1/7 - finder was a no show, owner located
Number of dogs impounded by police:	0	
Number of dogs returned to owner:	0	
Number of after hour call-outs:	1	1/7* per above
Amount of impoundment fees collected:	\$0	
Amount of license fees collected:	\$0	
Amount of impoundment fees paid to Town:	\$0	
Amount of license fees paid to Town:	\$0	
Number of hours of enumeration:	0hrs.	
Number of bite reports received:	0	
Number of appearance tickets issued:	0	
Number of unlicensed dogs:	0	
Status of unlicensed dogs: -	0	
Number of Chester cats admitted to shelter:	0	
No notices or Summonses to prepare		
SNR certificates sold in January:	1	
Note: SNR certificates are available by appointment only		

Note: Shelter is open by appointment only Monday through Sunday, 12-4pm for pre-approved adoptions, return to owners and SNR certificates, visitors and volunteers!

Sugar Loaf Performing Arts Center

-
- The PAC has tentatively 85+ EVENTS/Shows – 6 FREE Concerts – 1 Wedding – and various pavilion parties/gatherings slotted for this year.
- Added stage work lights to make it safer setting up stage.
- Working to get digital billboard in front of theater.
- Getting estimate on parking lines for upper lot and fire lane.
- SOLD OUT/CLOSE TO SOLD OUT SHOWS – Anthony Rodia, Ryan Adams, Almost Queen, Jorma Kaukonen, Kevin James, & Rob Schneider

SUGARLOAFPACNY.COM to see LISTING of all shows.

Parks, Rec, SLPAC

- Routine daily operations
- Rec Basketball continues with play times Tue-Thursday and Saturdays. The last day of the season is 3/4/23 all players this season received their own-colored basketball to take home for practice, a Rec basketball shirt, and they will get a participation trophy on the last day
- In early discussions about a possible field grant specific to baseball and softball fields with grant writers and Councilman Holdridge
- Tracked down and ordered a replacement part for a damaged slide at the Chester Commons
- Meetings with Michele in recreation about planning events and schedule for 2023
- Will be an active part of the group working on a solution for the Chester Commons
- Looking at bands and food trucks for the July 8th fireworks show as well as organizing a meeting with all departments involved
- Assisted with events at the SLPAC

Senior Center and Recreation

- fitness classes continue @ the center (M-T-TH-F)
- evening YOGA class moved to Thursday evenings from Monday evenings
- TaiChi started Jan 31 with 32 people registered and paid for the month
- Fundamentals of Drawing starts Feb 14 (see flyer for more info)
- exciting announcements coming for children and senior events
- 2 buses for Cape Cod in June
- Lancaster in May and November filling up quickly
- working with Cornell Cooperative to bring some classes for adults and children, days, evenings and weekend days. although everyone wants these classes in the evening or weekends, the Master Gardeners are all VOLUNTEERS and we have to work with their availability.
- continually looking for programs for children and adults to bring to the center
- senior fitness equipment should be arriving mid to late June 2023 (grant monies)

ANNOUNCEMENTS

Town of Goshen – Notice of Public Hearing Regarding the Broadlea Road and Vivian Lane Solar Farm Project. Please Take Notice that on Thursday, the 9th of February, 2023, at 7:00pm, or as soon thereafter as the matter can be heard, there will be a Public Hearing conducted by Town of Goshen Town Board at Goshen Town Hall, 41 Webster Avenue, Goshen, New York 10924, to provide an opportunity for public comment on the special permit application for the Broadlea Road and Vivian Lane Solar proposed solar facilities. The Applicant, New Leaf Energy proposes to build a 10-megawatt (AC) Solar facility, on premises located within the Town of Goshen, as shown on the Tax Map thereof as Section 9, Block 1, Lots 4,5,21, 5.22, 5.23 and 6.2, and two properties within the Ton of Chester, as shown on the Tax Map thereof as Section 2, Block 2, Lots 12 and 20. Said property consists of approximately 297.2+/- acres and is located along Broadlea Road in

the Town of Goshen, and Vivian Lane and Ridgefield Drive in the Town of Chester. The properties in the Town of Goshen are located within the Rural (RU) District with AQ-3, Scenic Road Corridor, Stream Corridor and Reservoir Watershed, and Floodplain & Ponding Area Overlay districts. This application requires a special use permit from the Ton Board and site plan approval from the Planning Board. The Applicant has also requested several area variances from the setbacks and fencing regulations applicable to the property from the Zoning Board of Appeals. This matter has been classified as a Type I action under the State Environmental Quality Review Act (“SEQRA”), and the Town of Goshen Planning Board is serving as Lead Agency. Mary Riso, Town Clerk

NEW BUSINESS

ASSEMBLY REDISTRICTING RESOLUTION

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Courtenay to petition the Independent Redistricting Commission to include all of the Town of Chester, Orange County, within the same Assembly District in the 2023 redistricting lines of New York State.

DISCUSSION: The Town Board discussed how detrimental it would be to split the Town into two Assembly Districts. Councilman Holdridge explained in the proposed rough draft of the redrawn districts the Town of Chester would be divided into two districts, with the western and southern side in one district with Rockland County and the northern and eastern side in another with northern Orange County, which makes no sense geographically. He added having the same representation in the State Assembly is very important to our community. He said it is very difficult to have our small town’s voice being heard with one Assembly District than to have two sides of Town having to go to different Assembly members to hear our needs for funding and legislation. Supervisor Valentine said Chester, size wise, is a small town compared to Montgomery or Warwick and dividing the Town in half makes no common sense. Councilman Courtenay said Goshen is living this outcome now with part being in the 98th Assembly District and another in the 101st Assembly District.

VOTE AYES (5): Valentine, Ardisana, Courtenay, Holdridge, Smith

ADOPTED

TOWN BOARD COMMENTS

Councilman Ardisana said he is glad the Town is sponsoring the Historical District in Sugar Loaf. He believes it will bring more tourists to the Town and offered his help to the Sugar Loaf Foundation.

Councilman Courtenay echoed Councilman Ardisana’s sentiments and also offered his assistance to the Foundation. He said with regard to the Ward System, the Town will move forward but is looking at making the right decision. He said we will have a special meeting when we have all the facts from the County and there will be a Ward System in Chester.

Councilwoman Smith said the dog park is progressing. The Supervisor brought his bulldozer and the Highway Department is doing their part. She asked the status of the time clock. Supervisor Valentine replied that Julie is working on updating the employee information for the use of facial recognition. She asked the status of the Sugar Loaf road dedication. Supervisor Valentine said he has emailed County Legislator Ehlers for an update since it was promised to Chester 7 months ago by the County Executive, but now we are being neglected. He added the County Legislature approved the sale of property in Sugar Loaf to the Town but then wouldn’t accept our payment or sign the documents. Councilwoman Smith asked Councilman Holdridge for a meeting status concerning the soccer fields. He said it is scheduled for noon on Monday. She asked the Town Clerk the status of the hard drives. Town Clerk Zappala said that IT will not take them so she is looking into alternative arrangements. Councilwoman Smith said we now have live streaming on fiber optics and the plug-ins for electric cars will be up and running tomorrow.

Councilman Holdridge asked if the resolution for the right-turn lane was submitted. Town Clerk Zappala replied that it had been mailed. He announced he will be hosting a Town Hall on the Ward Systems on February 23, 2022 at 6pm at the Senior Center. He requested again that the Board consider having public comments’ section at both the beginning and end of the meetings. Councilman Courtenay said it was decided to be more beneficial to have at the beginning to speak on items on the agenda. Councilwoman Smith said we allow at the beginning and mid-stream comments and they could

come back at a following meeting to continue the discussion. Councilman Ardisana said he thought it would be redundant and at the beginning of the meeting is fine. Supervisor Valentine said if people give their opinions before and then they don't like the outcome of a decision made by the Board, they will be mad about the decision at the end. He said the Board accepts written comments as well.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to adjourn the meeting at 8:55pm, there being no further business brought before the Board. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2023-02-08