

**TOWN BOARD MEETING
FEBRUARY 22, 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, Town Engineer

PUBLIC COMMENTS

Larry Dysinger, 46 Odyssey Drive, addressed the Board about the notification given for the Town Board Special Meeting concerning the Ward system held on February 16th. He said he had checked the website every day until the 16th and didn't note its posting that afternoon. He said this late posting is a violation of the NYS Open Meetings Law S104 which speaks to notice for meetings scheduled one week prior being given 72 hrs. to news media and website. He added that posting to FB is not acceptable and that the Town residents deserve at least 72 hrs. notice. He said this is disrespectful to the residents.

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept the Minutes of the February 8, 2023, as presented by Town Clerk Zappala.

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

ADOPTED

ETHICS BOARD RESIGNATION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept the resignation of Jack Deshler as member of the Ethics Board.

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

ADOPTED

APPOINT LABORER FOR WATER DEPARTMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to appoint Connor McPhee as Laborer for the Water Department for the Town of Chester, effective March 13, 2023.

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

ADOPTED

WALTON LAKE ESTATES WATER DISTRICT

Supervisor Valentine presented a proposal for tank cleaning from Underwater Solutions. He said the quote did not include prevailing wage rates which would result in a 50% mark-up in pricing. The matter was then tabled.

BUDGET MODIFICATION

Supervisor Valentine said engineering costs for the senior playground would be paid by parkland funds.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to approve the transfer of \$1,042.00 from Parkland Fees Fund to A7140.4.

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

ADOPTED

DOG PARK FENCING

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to approve the work order in the amount of \$3,300 from Ketcham Fencing for additional work at the dog park.

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

ADOPTED

OTHER BUSINESS

Supervisor Valentine presented the request from Orange County concerning the Notice of Intent as Lead Agency.

SEQRA NOI LEAD AGENCY – ERIE RAILROAD RIGHT-OF-WAY

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to consent to Orange County as Lead Agency in the Erie Railroad right-of-way purchase.

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

ADOPTED

DECOMMISSIONING AGREEMENT

Supervisor Valentine acknowledged receipt of the Decommissioning Agreement concerning Greycourt Road NY LLC (formerly NY Solar 1001, LLC). The matter was tabled for further review.

REPORTS

Engineer's Development Report

Greens at Chester: SWPPP reports and inspections are satisfactory. Transportation Corporation material has been submitted for the project and has been forwarded to the County Water Authority, Allan Sorensen. They requested additional information from the projects Engineer.

Cappelli Sports (Primo Sports): SWPPP components appear to be operating as intended. They have requested changes to the sanitary system, and it may need to be forwarded to the OCDOH.

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.

Dog Park: NYSDEC received complaints and we have worked out an apparent solution to the situation. Work must be completed by March 31, 2023.

Councilman Holdridge asked the Engineer for more information concerning the dog park timing. Mr. Fusco replied that the work has to be completed by March 31st due to certain species which inhabit the wetlands. He said he has certified that there has been no permanent wetlands disturbance through stabilization.

Supervisor Valentine addressed the comments submitted by Tracy Shuh concerning the Cappelli Building. He said there is no architectural review required for this building. Engineer Fusco added the Planning Board can set any conditions they see fit, and thought they were asked to tone down the bright color originally proposed. He said he will compare to Planning Board request then Building Department can issue a follow up.

ANNOUNCEMENTS

NY Transco informs the public of work activities off Sugar Loaf Mountain Road occurring 24 hours a day continuing for several days, including some overnight noise from the oil-processing equipment and personnel working at the rebuilt substation.

TOWN BOARD COMMENTS

Councilman Ardisana said of the Sugar Loaf Historical District, it will be a long process with paperwork to first qualify and then more work going forward.

Councilman Courtenay commented on the letter received from Senator Skoufis concerning the establishment of Community Preservation Funds. He said he will reach out to Assemblyman Maher in this regard. Councilman Courtenay said he and Councilman Holdridge are set to meet with Planning Board Chair Serotta next week to discuss the Comprehensive Plan. Supervisor Valentine said the plan is 7-8 years old and has not received any comments. Councilman Courtenay said of the 100+ plus properties considered, the list is down to 15-16 parcels. He reported he found the Association of Towns Conference he attended to be very informative.

Councilwoman Smith said the dog park is moving along quickly and the main body has been filled in. She met with Ketcham Fence concerning the gates and the Parks Department will grade and plant grass. The next project will be the pickle ball court fencing in the spring. She asked about the vending machines in the basement. Chief Doellinger said he believes one belongs to the Police Department and the other the Town but there is a logistical issue of removal since the work done to the lobby downstairs makes the area too small to fit through.

Councilman Holdridge asked whether the redistricting resolution had been sent. Town Clerk Zappala replied that it was emailed and hard copy mailed. He said he was happy for the gate division of the dog park. He asked if there were plans for shade to be added. He asked about a follow-up to the Social Media Policy discussion because he believes it should be tackled. Councilman Holdridge gave an update on the Ward System. He said the Town Board decided against the map received from County Planning at last Thursday's special Meeting. He announced the Public Hearing to be held on March 22, 2023 at 6:30pm at Town Hall. He announced his open house on the subject at the Senior Center on February 23rd and asked all to come out since he is willing to listen to the public's comments. Councilman Holdridge asked about the property tax deduction discussion for Volunteer Firemen and EMS Supervisor Valentine said that with the limited timing the deadline is lost, but there are documents available to do it. Councilman Holdridge announced the Planning Board agenda for March 1st. Chair Serotta listed the agenda items to include ATT co-location on Popular Drive tower, Palmer Subdivision of Sugar Loaf Mountain property, 33 Elkay Drive expansion, Baroda 29 lot subdivision, Davison Drive Warehouse and Tran Trade Warehouse on Black Meadow Road.

Councilman Holdridge asked Legislator Ehlers to discuss the rebalance of sales tax. Legislator Ehlers addressed the resolution concerning the rebalance of sales tax with the Cities of Newburgh, Port Jervis and Middletown. Now that Middletown has a larger population, sales tax has shifted which will result in the Town of Monroe receiving more money and the Town of Chester less until more building is done. Supervisor Valentine said the last sales tax check received was for \$280,762 and we are awaiting a 5th check for the last quarter. When asked about the status of County 13 (Kings Highway) and buildings acquisition, Legislator Ehlers said it is still in legal review and has emailed Mr. Golden for an update. Supervisor Valentine said the Town Attorney will be looking into the matter that has been 5-6 years in the making. He added it is important to move forward for all the springtime events scheduled in the Hamlet. Legislator Ehlers said that Scotts Meadow was cleaned up for the spring. Supervisor Valentine commented he was aware of the photo-op and it would have been nice if the Town Board was notified. He said if there was more communication from the Legislator with the Town Board it would be good considering all the calls that have gone unanswered.

Supervisor Valentine said he will contact the list of candidates for the Ethics Committee for another round of interviews if they are still interested. He added that Vincent Finizia asked for his name to be added to the list.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to adjourn the meeting at 7:50pm, there being no further business brought before the Board. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2023-2-22