

Draft

**TOWN BOARD MEETING
AND PUBLIC HEARING
June 28, 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: Todd, Fusco Engineering

PUBLIC HEARING – INTRODUCTORY LOCAL LAW 4 OF 2023 - A LOCAL LAW TO UPDATE AND AMEND CHAPTER 87, ARTICLE I, OF THE TOWN CODE OF THE TOWN OF CHESTER TO ADJUST THE SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION IN ACCORDANCE WITH NEW YORK STATE REAL PROPERTY TAX LAW §467

The following is the notice as posted on the Town’s website, Town Clerk’s signboard and appearing in the Times Herald Record on June 7 and June 21, 2023.

**TOWN OF CHESTER
1786 KINGS HIGHWAY
CHESTER, NY 10918**

**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW**

INTRODUCTORY LOCAL LAW NO. 4 OF 2023

The Town Board of the Town of Chester will hold a public hearing on a proposed local law entitled:

A LOCAL LAW TO UPDATE AND AMEND CHAPTER 87, ARTICLE I, OF THE TOWN CODE OF THE TOWN OF CHESTER TO ADJUST THE SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION IN ACCORDANCE WITH NEW YORK STATE REAL PROPERTY TAX LAW §467

Section 1. Purpose and Intent

It is the intent and purpose of this Local Law to update and amend Chapter 87, Article I, of the Town Code of the Town of Chester, entitled “Senior Citizens Tax Exemption”, to increase the exemption limits to the maximum income ceiling permitted for senior citizens residing in the Town of Chester, County of Orange, State of New York, as authorized by New York State Real Property Tax Law §467.

Said public hearing will take place in the Town Hall Meeting Room, 1786 Kings Highway, Chester, NY on Wednesday, June 28, 2023 at 7 PM or as soon thereafter as the matter may be heard.

All persons interested in the subject matter may appear in person or by agent. All written communications should be addressed to the Board at the above address.

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

**LINDA A. ZAPPALA
TOWN CLERK**

Dated: May 26, 2023

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to open the Public Hearing at 7:05pm on the matter of Introductory Local Law 4 of 2023 – “A Local Law to Update and Amend Chapter 87, Article I, of the Town Code of The Town of Chester to Adjust the Senior Citizen Real Property Tax Exemption in Accordance With New York State Real Property Tax Law §467”.

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

ADOPTED

Supervisor Valentine asked if there were any public comments from attendees in person and on line. There were none.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to close the Public Hearing at 7:07pm.

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

ADOPTED

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Courtenay to table the Public Hearing on Introductory Local Law 4 of 2023, “A Local Law to Update and Amend Chapter 87, Article I, of the Town Code of The Town of Chester to Adjust the Senior Citizen Real Property Tax Exemption in Accordance With New York State Real Property Tax Law §467”, for further review.

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

ADOPTED

PUBLIC COMMENTS

Steve Maynard, 24 Elm Street, addressed the Board concerning the area along Hambletonian Avenue in the Town that is very dark and requested a light be installed. Supervisor Valentine is to contact O&R.

Larry Dysinger, 46 Odyssey Drive, addressed the Board on the Greycourt Solar Pilot Agreement and his concern that the public be educated before it is signed. He said it would have been helpful if the document had been posted on the website. He asked what the effect the agreement would have and who would benefit by it more, the company or the Town. He said the 145-acre property which is zoned industrial and previously farmland will have 21 acres as commercial use for the solar farm so the assessed value would be increased. He asked the Board not vote on the matter until it is explained. Mr. Dysinger said another two weeks have gone by and there have not been any interviews set for the Comprehensive Plan Committee. Supervisor Valentine said he had been busy the past two weeks, but will follow up. Mr. Dysinger said he understands but the Board should continue to do the business of the Town as it has been five months from the start and the Board should set a date and get it done.

E.J. Szulwach, 9 Elm Street, thanked the Board for allowing him to follow up on the climate change challenge he presented on May 14, 2022 when it was expressed the Town would be applying for a grant to purchase trees. He said there was no report on the matter on June 14th. He added plans and action are required over the long-term to effect climate change. Councilman Holdridge said the Town has not yet applied for this grant and is looking into multiple grants for this purpose and will continue to pursue and is dedicated to see it through.

Tom Becker, 163 Lehigh Avenue, addressed the Board with regard to the Greycourt Solar Pilot and asked the Board to take their time to review the matter and consider whether the panels are made in China. He said he appreciates the Town getting as much as possible in the tax base. Supervisor Valentine said the formula is based on Local Law.

Lydia Cuadros, 158 Creamery Pond Road via FB addressed the Board on the demand for water on the Sugar Loaf Hills Water District by new user, Broccoli Patch and current users, Tin Barn and Sugar Loaf Performing Arts Center, and the aging infrastructure. She asked for an update on the well pump. Supervisor Valentine replied the pump has been replaced and the new well, now going through testing, has substantial water to meet the demands. He added the Broccoli Patch outside water agreement has not been executed, to date. He added that Sugar Loaf is the newest district and has not had water main breaks but saddle and valve repairs.

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept the Minutes of the June 14, 2023 and June 20, 2023 Town Board Meetings, 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 Ardisana to approve the transfer of \$3,693 from AARPA fund to A5130.4 for Highway Department fiber optics labor and equipment costs.

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

GREYCOURT ROAD SOLAR, LLC PILOT AGREEMENT

Supervisor Valentine said the standard agreement, valued by megawatts was reviewed by the Assessor, Town Attorney and Engineer. He explained that the pilot calls for the following breakdown of \$40,000 in year one:

- County: 9.39% \$3,750
- Town: 17.88% \$7,153
- Monroe School District: 72.72% \$29,088.
- Land: \$1,024
- Fire District: \$892

The a15-year agreement calls for a 2% increase each year for a total of \$691,736.00.

The Board to review and tabled the matter until July 12, 2023. The Town Clerk to post to the website. Mr. Dysinger asked why does the Town use a PILOT agreement instead of taxation. Supervisor Valentine said he would get back with a more definitive answer but it is based on Town Code.

WALTON LAKE ESTATES WATER DISTRICT BOND RESOLUTION

Supervisor Valentine said the Town has been in pursuit of grants for the water district and with all the issues; water main breaks, a well high in sodium, the need for a new tank, pump, storage, the Town will be pursuing all options.

In the Matter

of the

Increase and Improvement of Facilities of the Walton Lake Estates Water District, in the Town of Chester, in the County of Orange, New York, pursuant to Section 202-b of the Town Law

Offered by: Councilwoman Smith

Seconded by: Councilman Holdridge

ORDER CALLING FOR A PUBLIC
HEARING TO BE HELD ON
JULY 26, 2023

WHEREAS, the Town Board of the Town of Chester (herein called the “Town”), in the County of Orange, New York, on behalf of the Walton Lake Estates Water District, in the Town (herein referred to as the “District”), has caused Fusco Engineer & Land Surveying, D.P.C., competent engineers duly licensed by the State of New York (the “Engineer”) to prepare a map and plan and estimate of cost for the increase and improvement of facilities of the District, (the “Engineer’s Report”) consisting of the construction of improvements to existing wells, drilling two new wells, pump station improvements, treatment, piping, sanitary line, electrical improvements and other related or ancillary work required in connection therewith, as described in the Engineer’s Report; and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map and plan and estimate of cost for said increase and improvement of facilities of the District and has estimated the total cost thereof to be \$5,868,500; and

WHEREAS, pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5, the Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment, and has determined that such project is a Type I project for purposes of SEQRA, and has reviewed a full Environmental Assessment Form (EAF) and has determined that the project will result in no significant adverse impact on the environment;

NOW, THEREFORE, BE IT

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 1786 Kings Highway, Chester, New York, on the 26th day of July, 2023 at 7:00 P.M. o’clock P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it,

FURTHER ORDERED, that the Town Clerk publish at least once in the “*Times-Herald Record*,” hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing, substantially in the form attached hereto as Exhibit A, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: June 28, 2023

TOWN BOARD OF THE TOWN OF CHESTER

(SEAL)

The adoption of the foregoing Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Robert Valentine	voting Aye
Councilperson Robert Courtenay	voting Aye
Councilperson Cindy Smith	voting Aye
Councilperson Antonio Ardisana	voting Aye
Councilperson Brandon Holdridge	voting Aye

The Order was declared adopted.

* * * * *

CHUSTER NOODLE BOND APPROVAL

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the Public Improvement Bond for Chuster Noodle Packaging in the amount of \$388,925.76 and 6% escrow in the amount of \$23,335.55.

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

ADOPTED

DELTA DENTAL RENEWAL

ON A MOTION OFFERED BY Councilman Ardisana and second by Councilman Courtenay to approve the Delta Dental Renewal at no additional cost.

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

ADOPTED

INTERMUNICIPAL AGREEMENT FOR SNOW AND ICE CONTROL ON CERTAIN COUNTY ROADS FOR THE 2023-2024 SEASON RESOLUTION

The following resolution was offered by Councilwoman Smith and second by Councilman Holdridge.

BE IT RESOLVED, that Robert Valentine, Supervisor of the Town of Chester, New York, is hereby authorized and directed to execute the Intermunicipal Agreement with Orange County for Snow and Ice Control on Certain County Roads for the 2023-2024 Season within the Town of Chester.

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

ADOPTED

Other Business

VIVIAN LANE SOLAR PROJECT

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Ardisana to approve the Stormwater

Maintenance Agreement and TPS584 with Chester Solar 1, LLC and authorize the Supervisor to sign.

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

ADOPTED

CDBG 3- YEAR COOPERATION AGREEMENT 2023-2026 RESOLUTION

ON A MOTION OFFERED BY Councilman Courtenay and second by Councilman Holdridge to adopt the following resolution:

A RESOLUTION TO EXECUTE A NEW 3- YEAR COOPERATION AGREEMENT BETWEEN THE COUNTY OF ORANGE AND THE TOWN OF CHESTER TO PARTICIPATE IN THE ORANGE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS PROGRAMS, AND EMERGENCY SOLUTIONS GRANT PROGRAM FOR FEDERAL FISCAL YEARS 2024, 2025, AND 2026 (AND SUCCESSIVE THREE-YEAR QUALIFICATION PERIODS), PURSUANT TO TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, THE CRANSTON GONZALEZ NATIONAL AFFORDABLE HOUSING ACT OF 1990, AS AMENDED, AND SUBTITLE B OF TITLE IV OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT OF 1987, AS AMENDED.

WHEREAS, the Secretary of Housing and Urban Development of the United States is authorized under Title I of the Housing and Community Act of 1974, as amended, and the Cranston- Gonzalez National Affordable Housing Act of 1990, as amended , and Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act of 1987, as amended to make grants to states and other units of general local government to help finance Community Development and Affordable Housing Programs; and

WHEREAS, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more other municipal corporations, to apply for, accept, and expend funds made available through the State, pursuant to the provision of any Federal law which is not inconsistent with the statutes or condition of this State, in order to administer, conduct or participate with the Federal Government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

WHEREAS, a number of municipalities have requested participation and the County of Orange had determined that it is desirable and in the public interest that it make application for Community Development Block Grant, HOME Investment Partnerships Program, and Emergency Solutions Grant (ESG) funds as an Urban County; and

WHEREAS, participation by the County of Orange as an Urban County in the Community Development , HOME, and ESG Programs requires that municipalities and the County of Orange cooperate to undertake or assist in undertaking essential community housing and development activities that benefit low- and moderate-income people; and

WHEREAS, the Municipality agrees to participate in eligible activities to be conducted under the Orange County Urban County Entitlement Community Development Block Grant Program; and

WHEREAS, the Supervisor of the Municipality is authorized to renew, amend, and/or execute a Cooperation Agreement and send notice of this election to the U.S. Department of Housing and Urban Development at the New York Field Office; and

WHEREAS, the aforesaid activities are in the best interest of the Municipality; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Municipality that the Supervisor is authorized to renew, amend, and/or execute the Urban County CDBG Cooperation

Agreement with the County of Orange to participate in the Orange County Urban County Entitlement Community Development Block Grant Program, HOME Investment Partnerships Program, and Emergency Solutions Grant pursuant to the Housing and Community Development Act of 1974, as amended, the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, and Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act of 1987, as amended for the program years commencing Federal Fiscal Years 2024, 2025 and 2026 (and successive three-year qualification periods); and

BE IT FUTHER RESOLVED, that this resolution shall take effect immediately upon its enactment, as provided by law .

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

ADOPTED

GRANT WRITER CONTRACT UPDATE

Councilman Holdridge discussed the contract expiration on July 12, 2023. He said they have filed 11 grant applications on behalf of the Town this year. \$2,510,800 in grant applications are now under review including the Sugar Loaf Historical District, Wastewater for Surrey Meadows, EFC, WIAA FOR Walton Lake, Parks grant for Commons, Hudson River Valley Conservancy for Comp Plan. Supervisor Valentine suggested an extension to year-end.

SUGAR LOAF PERFORMING ARTS CENTER PURCHASE

Councilman Holdridge asked about the Board to consider the purchase of trees for the SLPAC.

ON A MOTION OFFERED BY Councilman Ardisana and second by Councilman Holdridge to approve the purchase of (8) 6-8ft. pine trees for planting at the Sugar Loaf Performing Arts Center.

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

ADOPTED

REPORTS

Engineer's Report

1. Greens at Chester: SWPPP systems are working properly. Additional water information for transportation company has been requested by the Orange County Water Authority.
2. Cappelli Sports (Primo Sports): SWPPP systems are working properly. Landscape installation in progress.
3. Chester PAC: We have completed plans for the water service to the Chester PAC from Creamery Pond Road and are going to bid for the work.
4. Walton Lake Estates Water District: We are working on the Walton Lake Estates water distribution systems and preparing the Engineering Report for the

Supervisor Valentine commented that the Greens of Chester project is back to work. He added they are close to executing their water taking permit and completion of the project.

TOWN BOARD COMMENTS

Councilman Ardisana had no additional comments.

Councilman Courtenay is working on getting a \$5,000 grant from the County for the seniors.

Councilwoman Smith discussed the tree planting plan at the dog park. Estimate received from Jansen of \$3,000 for small and larger trees as depicted and plan for fall or next spring planting due to availability. In the interim, small plantings for the front are available for purchase at \$257.00. Richard Logothetis offered to gift the trees and the Town will install them later in the season and will spruce up the front. He suggested a mid-fall opening when the grass comes up fully. Councilwoman Smith discussed the replacement of signs at Kings Highway and will follow up on the layout. She said the pickle ball courts are being utilized a lot and unfortunately have been vandalized and torn up in spots and the damage needs to be repaired. She suggested fencing be considered and will obtain quotes. In the interim, cement blocks will be placed. She reported that the Cape Cod trip was successful and the Land of Make Believe had 17 kids attending. Councilwoman Smith discussed the exercise equipment and installation with Fusco Engineering. There is a map with the layout prepared.

Councilman Holdridge suggested the use for the Hudson Valley Estuary Grant through DEC be the Black Meadow Creek clean-up. He will send information to our engineer to do the planning grant. Since the deadline is 7/12/23, it may have to be put on hold. He announced the Town's fireworks event on July 8th. He thanked Kristin and everyone involved. Councilman Holdridge has been in touch with the President of Special Education Parents/Teachers Association (SEPTSA) to discuss the challenges for kids with special needs and what the Town can offer. He will be planning a sensory-friendly movie night at the PAC .

EXECUTIVE SESSION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to enter in Executive Session at 8:05pm on the matter of personnel.

VOTE: AYES 4: Ardisana, Courtenay, Holdridge, Smith, RECUSED 1: Valentine

ADOPTED

Councilman Courtenay left the Executive Session at 8:15pm.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to adjourn the Executive Session at 8:30pm.

VOTE: AYES 3: Ardisana, Holdridge, Smith, RECUSED 2: Valentine, Courtenay

ADOPTED

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to adjourn the meeting at 8:31pm, there being no further business brought before the Board. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2023-6-28