

**TOWN BOARD MEETING  
October 25, 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 Holdridge, Councilwoman Smith, ABSENT: Councilman Courtenay

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

**PUBLIC COMMENTS**

Alexa Burchianti addressed the Board upon her resignation after 8 years employment. She stated she has been struggling emotionally since the death of her fiancé on April 1, 2023. She said she drank too much on May 21<sup>st</sup> and made a mistake that was not on town property involving a co-worker, which was resolved and the case dismissed. Afterwards, a decision was made to investigate and she said she spoke willingly with the investigator. She stated two members have a problem with women as a department head and asked if the same would happen if she was a man. She said Councilman Holdridge was overstepping boundaries by bringing complaints to the Building Inspector. She said she rebuilt the building department with proper work flow. She didn't always please but was unbiased and fair.

Stacy Patti, local contractor said Alexa is highly respected and is tough but does what she has to do. Even though she made a mistake, the Board should think about the taxpayers hurting and not second guess about getting a replacement.

Larry Dysinger, 46 Odyssey Drive and Tom Becker, 163 Lehigh Ave., addressed the Board concerning the 911 memorial and offered their assistance in the refurbishment. They proposed adding an angle iron framework with rivets, as a cost-effective option versus welding. Cost of materials expected at approximately \$800 with labor provided by them. Al Fusco to donate \$800 for the project.

EJ. Szulwach, 9 Elm Street, thanked the Board and said his committee has interest in the budget process.

Vincent Finizia, 69 Pewter Circle, said he will miss Alexa and that Councilman Holdridge doesn't know the business. He asked where is the transparency following the sexual harassment claims and why he can't find anything out. He said he was told Councilman Holdridge said Supervisor Valentine took a bribe. Councilman Holdridge said that was untrue. He asked what he would do for the Town if he wins. Councilman Holdridge said the meeting is not about campaigns but town business.

Alex Jamieson, 19 DeRose Lane, commented that he hired Alexa. She was raw and rough but turned out to be a hard worker and better or best building inspector in the county. He said he will not be quiet after reading the blogs in the Chronicle where people are starting to argue and accuse. He addressed the addition put on his house by the Supervisor which he stated he had a permit and a c/o. He added the flyer concerning the candidates backed by the Greens was to scare voters. He said he knows the guys. He added that in the 14-15 years he ran for office, he never sent out negative messages.

Richard Logothetis, Kings Highway, addressed the Board concerning the signage at the PAC opining that a digital sign is a must. He added, if the framework is viable a screen could be placed within. He also suggested establishing signs leading to the theater from the Bypass for traffic calming.

Tracy Shuh wanted to share information on the water withdrawal permit application under the DEC for the housing development near Conklingtown and to remind residents to review and comment by contacting the DEC. Supervisor Valentine said the 72hr pump tests may produce extreme draw downs on wells that would be impacted during tests but would recover and stabilize. He added the settlement agreement noted anyone overly impacted would be tied into the district. Al Fusco commented, the impacts are looked at closely by DEC who makes determination of mitigation in relation to the Transportation Corporation. Councilman Holdridge asked if the engineer would submit comments on the Town's behalf by the deadline. Al Fusco replied that DEC has public noticed but it is not time for the Town to respond. He added, the Board is to review DEC documents for implementation. Supervisor Valentine added the Town doesn't have authority to make decisions.

Matt Matossian of Diamond Grade Media addressed the Board regarding the digital sign which he said is needed. He said there are units that can be dimmed and would not be obtrusive. He announcement the Halloween Festival on October 28, 2023 which

will bring people to Sugar Loaf to promote the businesses and theater. The Trunk or Treat with 11 trunks free to kids, vendors and 100's of people partnered with the Sugar Loaf Chamber, OC Chamber and SL Vision Committee is conducting a scavenger hunt through the hamlet. He currently has rental use of the building for a sold-out Masquerade Ball and asked if the Board would consider donating the space downstairs and on the lawn.

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Holdridge to donate the use of the Sugar Loaf Performing Arts Center facility to Diamond Grade Media for the Halloween Festival.

**VOTE:AYES(4):VALENTINE, ARDISANA, HOLDRIDGE, SMITH, ABSENT(1): COURTENAY**

**ADOPTED**

Chris Mauer, FB online, asked why a discussion came up on digital signs when it is against Town Code.

### **RESIGNATION**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Holdridge to accept the resignation of Alexa Burchianti, effective October 25, 2023.

**VOTE:AYES(3):VALENTINE, ARDISANA, HOLDRIDGE, NAY(1):SMITH, ABSENT(1): COURTENAY**

**ADOPTED**

Supervisor Valentine commented that Alexa worked next to his office and kept him entertained. When he needed help, she was there. She was a huge asset because she knew everything. He received letters praising her work to bring the Green's lawsuit to settlement. He added she was responsible for bring the Building Department into the 21<sup>st</sup> century . Her dedication was beyond compare and it is a huge loss and she will be missed.

### **RFP FOR BUILDING INSPECTOR**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Holdridge to order an RFP for Building Inspector be prepared.

**VOTE:AYES(4):VALENTINE, ARDISANA, HOLDRIDGE, SMITH, ABSENT(1): COURTENAY**

**ADOPTED**

### **ACCEPT MEETING MINUTES**

**ON A MOTION OFFERED BY** Councilman Holdridge and second by to Councilman Ardisana to accept the Meeting Minutes of October 10, 2023, October 11, 2023 and October 12, 2023 as presented by Town Clerk Zappala.

**VOTE:AYES(4):VALENTINE, ARDISANA, HOLDRIDGE, SMITH, ABSENT(1): COURTENAY**

**ADOPTED**

### **INTRODUCTORY LOCAL LAW NO. 7 OF 2023 - A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C**

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**ON A MOTION OFFERED BY** Supervisor Valentine to introduce Introductory Local Law No. 7 Of 2023 - A Local Law To Override The Tax Levy Limit Established In General Municipal Law Section 3-C

Be it enacted by the Town of Chester in the County of Orange, as follows:

#### **Section 1. Legislative Intent**

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Chester, County of Orange, State of New York (hereinafter "Chester") pursuant to General Municipal Law §3-c, and to allow Chester to adopt a town budget for (a) town purposes and (b) any other special or improvement district governed by the Town

Board for the fiscal year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

## **Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

## **Section 3. Tax Levy Limit Override**

The Town Board of the Town of Chester is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

## **Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

## **Section 5. Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State.

## **SET PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 7 OF 2023 - A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Ardisana to set a public hearing on Introductory Local Law No. 7 Of 2023 - A Local Law To Override The Tax Levy Limit Established In General Municipal Law Section 3-C on November 8, 2023 at 7pm.

**VOTE:AYES(4):VALENTINE, ARDISANA, HOLDRIDGE, SMITH, ABSENT(1): COURTENAY**

**ADOPTED**

## **PRELIMINARY BUDGET 2024**

Supervisor Valentine presented the 2024 Preliminary Budget.. At \$16,680,189, he said we are \$1,300,000 over the allowable tax cap limit. The breakdown he provided is as follows:

\$10,179,913 allowable tax limit by NYS  
\$11,683,063 tax to be collected per preliminary budget  
\$ 1,503,150 difference over cap  
\$ 1,205,613 difference over cap after IWS contract adjustment  
\$ 637,213 Fund Balance

The biggest change in the budget is the garbage increase from last contract of \$570,000 to \$1,050,000 this year. This increase includes adjustments for inflation, fuel and tipping fees. He added he could bring the budget under the cap if we disbanded the Garbage District and cut the Highway fund budget by taking things out, since last year they were given money to complete a substantial amount of work. Supervisor Valentine said the question to the Town Board is whether to include or disband the district and allow residents to contract separately and pay directly.

Marisa Kellerhouse, IWS, addressed the Board. She said Orange County is a mix of residential subscription (open market) or Town subscriptions which generally provides more and allows more negotiation options because of volume. With open market,

you may get start-ups which leads to waste laying around and no organization. She reported that disposal costs went from \$85p/ton in 2018 to \$128p/ton in 2023. Marisa stated that open market subscription is ala carte with the possibility of up to 4 different trucks every day adding to environmental impacts. She said the quote submitted is a good price as compared to other municipalities with Rockland County contracts costing \$56-70 p/month.

Supervisor Valentine added that it is a good budget with a lot of things he can take out to stay near the cap after the public hearing. He stated if you repeatedly buy down the tax cap year in and out it lowers the bar against the cap, eventually snowballing. As per the Comptroller, he noted it is impossible to keep to the cap with the mandated increases in salaries and benefits. He reported the town tax as the smallest on the tax bill which is not based solely on homes but includes both industrial and commercial space such as the Chester and Sugar Loaf Industrial Parks which pick up ratables such as the new warehouses. Homeowners pay very little compared to commercial. He discussed the use of \$637,213 in fund balances which is a culmination of money on hand and anticipated balance of \$732,000 before final sales and mortgage tax receipts. Councilman Holdridge asked what comprised the fund balance that was used. The Supervisor replied that \$230,000 was for the A fund. He added that other fund balances appear at the bottom of each revenue page.

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Ardisana to adopt the 2024 Preliminary Budget.

**VOTE:AYES(3):VALENTINE, ARDISANA, SMITH, ABSTAINED(1):HOLDRIDGE, ABSENT(1):COURTENAY** **ADOPTED**

#### **SET PUBLIC HEARING – 2024 PRELIMINARY BUDGET**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Holdridge to set a Public Hearing on the matter of the 2024 Preliminary Budget on November 8, 2023 at 7pm and direct Town Clerk Zappala to cause to publish same.

**VOTE:AYES (4):VALENTINE, ARDISANA, HOLDRIDGE, SMITH, ABSENT (1): COURTENAY** **ADOPTED**

#### **RFP COMPREHENSIVE PLAN CONSULTANT**

**ON A MOTION OFFERED BY** Councilman Holdridge and second by to Councilman Ardisana to approve the Request for Proposal for the Comprehensive Plan Consultant for the period January 1, 2024 through December 31, 2024 with a due date for proposals of December 1, 2023 and direct Town Clerk Zappala to cause to publish same.

**VOTE:AYES (4):VALENTINE, ARDISANA, HOLDRIDGE, SMITH, ABSENT (1): COURTENAY** **ADOPTED**

#### **DELTA DENTAL RENEWAL**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Ardisana to approve the renewal agreement with Delta Dental for 2024 at no additional cost.

**VOTE:AYES (4):VALENTINE, ARDISANA, HOLDRIDGE, SMITH, ABSENT (1): COURTENAY** **ADOPTED**

#### **B.A.N. RESULTS**

Supervisor Valentine explained Oppenheimer was the low bidder on the 1-year term note to pay off the Greene County \$1,080,000 note for the equipment and building repairs, leading to a long-term bond next year.

#### **REPORTS**

##### **Engineer's Report - August 2023**

- Greens at Chester: Site work has not restarted. Transportation Corporation was approved. Awaiting plans for tank, approval of wells, etc. Stormwater systems working properly.
- Cappelli Sports: Stormwater systems working properly. Landscape looking better.
- Walton Lake Water system: Grant should be announced in the next 30 days.

- Sugar Loaf Water District: Testing complete. WSP filed a report to move forward. We need to meet to finalize work plan.

#### **Planning Board**

- Davidson Drive Holding LLC – Proposed warehouse, Lake Shore Road
- Tin Barn – Amended site plan – Kings Highway
- 1414 Kings Highway – Residential – Sugarloaf Pass
- 215 Black Meadow Road – Light industrial

### **ANNOUNCEMENTS**

DMV Mobile Unit – Chester Town Hall – November 28, 2023.

Operation Toy Train – Toys For Tots – 1398 Kings Highway (formerly Anne Marie’s), Sugar Loaf – December 10, 2023, 10:35-11:10am. “New” toy collection sites to be announced.

### **TOWN BOARD COMMENTS**

Councilwoman Smith read from her letter of complaint concerning Ethics Code 9-7 against Councilmen Holdridge and Courtenay for the press conference held at the Town Hall on October 4, 2023, alleging wrongdoings by Supervisor Valentine. This letter was received by the Town Clerk for proper distribution to the members of the Town Board.

Councilman Holdridge discussed the playground equipment cost of \$120,000-\$150,000 with installation. Al Fusco reported that vendor, GameTime was not on State Bid last year. The project may be planned for next year, since the grant cycle is annual. Councilman Holdridge reported the advisory committee met on the ADA improvements to Carpenter and discussed the need for a new playset. He thanked Kristin Palmer and Michelle Deshler and Erin Stamp for their input. He thanked Joe Betro and Kristin for their work on the basketball program which was very productive and announced registration is now open. He announced the next Comprehensive Plan Committee on October 26, 2023 at 7pm in the Senior Center and the Walton Fire Department pancake breakfast at 7:30am and Trunk-or-Treat following at Carpenter Field. Councilman Holdridge discussed the ward system progress made by OC Planning Department Megan Tennermann to remap based on the notes provided concerning the water districts’ boundaries. Another option is to be provided. He said he hopes this can be resolved by year-end.

Donato Socci, 306 Black Meadow Road, addressed the Town Board outside of the Public Comments section.

### **EXECUTIVE SESSION**

**ON A MOTION OFFERED BY** Councilman Holdridge and second by Councilwoman Smith to enter into Executive Session at 8:45pm on a matter of personnel.

**VOTE: AYES (2): HOLDRIDGE, SMITH NAYS (2): ARDISANA, VALENTINE, ABSENT (1): COURTENAY**

The motion was not adopted.

### **ADJOURNMENT**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Ardisana to adjourn the meeting at 8:46 pm, there being no further business brought before the Town Board.

**VOTE:AYES (4):VALENTINE, ARDISANA, HOLDRIDGE, SMITH, ABSENT (1): COURTENAY**

**ADOPTED**

Respectfully submitted,

Linda A. Zappala  
Town Clerk  
2023-10-25