

**TOWN BOARD MEETING
July 12, 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, Fusco Engineering

PUBLIC COMMENTS

Lydia Cuadros, on behalf of the Community Foundation, asked that once the transfer of Kings Highway is complete the Board would include the Foundation, Chamber and Vision Hudson in planning discussions. Supervisor Valentine said he is in the process of providing required documents to the County. County Legislator Ehlers said it may be on the Committee agenda this month or next. Ms. Cuadros asked the Board to address the Historical District designation.

E.J. Szulwach, 9 Elm Street, thanked the Board for the opportunity to follow up on his concerns regarding climate change. He commented that although a member stated that several grants have been applied for, there have been no positive results to the report. He asked what the Town Board’s plans are to address the problem of climate change that requires positive action now.

Larry Dysinger, 46 Odyssey Drive thanked the Supervisor and Councilman Holdridge for conducting the interviews for the Comprehensive Plan Committee and for putting out the information concerning the PILOT. Although the PILOT provides revenue, he stated the State exempts utilities from taxation. He noted the Town has now done its share with a fourth array which is taking away a lot of farmlands. He suggested industrial-commercial projects be considered in the future since the revenue would be four to five times greater, and asked the planning board be advised. With reference to the Walton Lake Water District project, he asked that the Board explain to the residents who actually pay for the bond. Supervisor Valentine commented that PILOTs help in the budget process by reducing the impact on the tax cap.

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to accept the Minutes of the Town Board Meetings of June 26, 2023 as presented by Town Clerk Zappala.

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

BUDGET MODIFICATIONS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to transfer \$18,025.37 from Fund Balance to B1620.4 for Police Department work.

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

AUDIT OF CLAIMS

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

	<u>PREPAIDS</u>	
GENERAL FUND	\$75,491.02	97,614.68

GENERAL - PART TOWN	65,026.76	25,915.04
HIGHWAY – TOWN WIDE	1,829.02	7,878.06
HIGHWAY – OUTSIDE	28,941.79	7,687.43
FIELDCREST WATER	572.10	14.16
LAKE HILL FARMS WATER	2,603.77	1,322.22
SUGAR LOAF HILLS WATER	2,049.00	2,971.28
SURREY MEADOWS WATER	2,837.77	438.33
WALTON LAKE WATER	3,387.49	8,430.49
TRUST AND AGENCY	<u>3,146.06</u>	3,784.00
GARBAGE		<u>46,230.14</u>
Grand Total	\$185,884.78	\$202,285.83

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

ADOPTED

RESIGNATION

Supervisor Valentine read the resignation letter submitted by Tanya McPhee after 8-1/2 years with the Town. He commented that it was unfortunate.

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilwoman Smith to accept the resignation of Tanya McPhee, effective July 20, 2023.

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

ADOPTED

CREATE COMPTROLLER POSITION

Supervisor Valentine said due to the resignation of Tanya McPhee, a new position would need to be created for either a bookkeeper or comptroller. He said with the size of the Town’s budget, the position of Comptroller would handle the bookkeeping and finance matters and answer to the CFO while the Town would retain the outside accountant. The consensus of the Board was to create the comptroller’s position. Attorney Bonacic said it could be created by resolution and subsequent Local Law and be appointed through year end, then biennially.

A RESOLUTION TO CREATE AND ESTABLISH THE POSITION OF TOWN COMPTROLLER

July 12, 2023

TITLE: A resolution to create and establish the position of Town Comptroller of the Town of Chester.

At a meeting of the Town Board of the Town of Chester, Orange County, New York, held at the Town Hall, 1786 Kings Highway, Chester, New York, on the 12th day of July, 2023, at 7:00 P.M. prevailing time:

The meeting was called to order by Supervisor Valentine and upon roll being called the following were:

PRESENT: Robert Valentine, Supervisor
Cynthia Smith, Deputy Supervisor
Antonio Ardisana, Councilman
Brandon Holdridge, Councilman

The following resolution was offered by Councilman Ardisana, who moved its adoption, seconded by Councilwoman Smith, to wit:

WHEREAS, the Town Board has recently been made aware that the bookkeeper for the Town of Chester be will be resigning; and

WHEREAS, the Town Board believes, moving forward, it would be in the best interests of the Town of Chester to establish the position of Town Comptroller; and

WHEREAS, the Town Board is authorized to establish and create the position of Town Comptroller pursuant to New York Town Law §20(3)(b).

NOW, THEREFORE, BE IT RESOLVED, that the Town of Board of the Town of Chester hereby establishes and creates the position of Town Comptroller; and

BE IT FURTHER RESOLVED, that the Town Comptroller shall have all of the powers and duties of a town comptroller as set forth in New York Town Law §34 and such other powers and duties as may be conferred or authorized from time to time, either by local law or resolution of the Town Board; and

BE IT FURTHER RESOLVED, that the salary of the Town Comptroller shall be the amount established from time to time by the Town Board; and

BE IT FURTHER RESOLVED, that the initial term of the Town Comptroller shall commence with the appointment of an individual to such office, which shall take place no earlier than July 21, 2023, and shall continue until such initial term expires on December 31, 2023; and

BE IT FURTHER RESOLVED, that thereafter and beginning with the term that begins on January 1, 2024, and continuing for each and every such term thereafter, the term of office of Town Comptroller shall be two years.

The question of the adoption of the foregoing resolution was duly put to a roll call vote which resulted as follows:

Robert Valentine, Supervisor	Yes	No
Cynthia Smith, Deputy Supervisor	Yes	No
Antonio Ardisana, Councilman	Yes	No
Brandon Holdridge, Councilman	Yes	No

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

ADOPTED

POST FOR COMPTROLLER POSITION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to post for the position of Comptroller for the Town of Chester and directs Town Clerk Zappala to cause to publish same.

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

ADOPTED

INTRODUCTORY LOCAL LAW NO. 5 OF 2023 - A LOCAL LAW TO UPDATE AND AMEND CHAPTER 33 OF THE TOWN CODE OF THE TOWN OF CHESTER TO PROHIBIT SMOKING, VAPING, AND THE USE OF ELECTRONIC CIGARETTES ON PUBLIC PROPERTY

A discussion ensued about the merits of this Introductory Local Law. Supervisor Valentine said he didn't think it rose to the level of the cannabis law. Councilman Holdridge voiced his concern about second-hand smoke. Councilwoman Smith said she was in favor of designated areas.

ON A MOTION OFFERED BY Councilman Holdridge to introduce,

INTRODUCTORY LOCAL LAW NO. 5 OF 2023 - A LOCAL LAW TO UPDATE AND AMEND CHAPTER 33 OF THE TOWN CODE OF THE TOWN OF CHESTER TO PROHIBIT SMOKING, VAPING, AND THE USE OF ELECTRONIC CIGARETTES ON PUBLIC PROPERTY

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

Section 1. Purpose and Intent

It is the intent and purpose of this Local Law to update and amend Chapter 33 of the Town Code of the Town of Chester, entitled "Alcoholic Beverages and Cannabis", to add provisions which prohibit smoking, vaping and the use of electronic cigarettes on public property located in the Town of Chester. It is the finding of the Town Board of the Town of Chester that smoking, vaping, and the use of electronic cigarettes on public property owned by the Town of Chester is detrimental to the health, safety and welfare of the citizens of the Town of Chester, and that such public use contributes to the creation of nuisances and otherwise impedes upon the welfare of Town residents. The Town of Chester enacts this local law an exercise of its police power to promote the general health, safety and welfare of the residents of the Town of Chester.

Section 2. Amend and Replace Chapter 33, Entitled, "Alcoholic Beverages and Cannabis", to Read:

Chapter 33. Alcoholic Beverages, Cannabis, Smoking, Vaping and Electronic Cigarettes.

Section 3 Add Article III, to Read:

Article II. Smoking, Vaping, and Use of Electronic Cigarettes on Town Property.

§33-10. Legislative Findings.

The Town Board of the Town of Chester finds that smoking, vaping, and the use of electronic cigarettes on public property owned by the Town of Chester is detrimental to the health, safety and welfare of the citizens of the Town of Chester, causes hazardous, unsightly and unsanitary conditions, and creates a public nuisance.

§33-11. Definitions.

ELECTRONIC CIGARETTE

As used in this Article, "Electronic Cigarette" or "E-Cigarette" shall mean an electronic device that delivers vapor which is inhaled by an individual user, and shall include any refill, cartridge and any other component of such a device. This shall also have the same meaning as defined in New York State Public Health Law §1399-n, as may be amended from time to time.

PUBLIC PROPERTY

As used in this Article, Public Property shall mean any highway, street, sidewalk, park, playground, municipal-owned building or public parking lot.

SMOKING

As used in this Article, Smoking shall mean the burning of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco. This shall also have the same meaning as defined in New York State Public Health Law §1399-n, as may be amended from time to time.

VAPING

As used in this Article, Vaping shall mean the use of an electronic cigarette. This shall also have the same meaning as defined in New York State Public Health Law §1399-n, as may be amended from time to time.

§33-12. Prohibited Acts.

No person shall smoke and/or vape any tobacco substance using any device or method including, but not limited to, cigarettes, cigars, Electronic Cigarettes and pipes on any Public Property within the Town of Chester.

§33-13. Penalties for Offenses.

Each violation of this Article shall constitute an offense punishable by a civil penalty of up to \$200, at the discretion of the Town of Chester Justice Court.

Section 6. 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 7. Effective date.

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

SET PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 5 OF 2023 - A LOCAL LAW TO UPDATE AND AMEND CHAPTER 33 OF THE TOWN CODE OF THE TOWN OF CHESTER TO PROHIBIT SMOKING, VAPING, AND THE USE OF ELECTRONIC CIGARETTES ON PUBLIC PROPERTY

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to set a Public Hearing on August 9, 2023 at 7:00pm on the matter or Introductory Local Law No. 5 Of 2023 - A Local Law to Update and Amend Chapter 33 Of the Town Code of The Town of Chester to Prohibit Smoking, Vaping, And the Use of Electronic Cigarettes on Public Property and direct Town Clerk Zappala to cause to publish same.

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

ADOPTED

PILOT AGREEMENT - GREYCOURT ROAD, LLC

ON A MOTION OFFERED BY Councilman Ardisana and second by Councilwoman Smith to approve the PILOT Agreement with Greycourt Road, LLC. and authorize the Supervisor to sign.

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

ADOPTED

WALTON LAKE ESTATES WATER DISTRICT IMPROVEMENT PROJECT

Supervisor Valentine read the letter from the Engineer detailing the resolutions and contracts required in connection with the Walton Lake Estates Water District Improvement Project. Engineer Fusco discussed the need for the improvements with the Board. He explained there has been a decrease in the capacity of the existing wells, with the sodium levels being high and an R/O system which is expensive and wastes a lot of water. Of the four wells that have been drilled, two of them pump 70gpm and 20gpm and provide the base water to develop a water system but are both located far from the treatment plant. The alternatives that exist is to do nothing, hook them to the treatment plant and do pumping, and ultimately add two additional wells with back-up which is the project chosen. Alternate 4 is to do all the above plus replacement of the asbestos pipe which break constantly but would cost over \$15,000,000 without a grant. The \$5,900,000 project would consist of a grant covering 60% totaling \$3,600,000 and the remainder to be covered by a 40-year loan at a 30% discount interest rate of 2% on \$2,400,000 over 30 years which would be workable. There is a hardship component. If the water costs exceed the state average the interest cost may be decreased. The grant will be submitted on July 28 upon finishing SEQRA on July 26, as meets the requirement of notices of intent, and be sent to the Health Department and EFC. A response is expected by September-October. If successful, the closing on the project would be in December, but we may be allowed to start earlier if identified as a grant recipient and claim reimbursement as monies are spent. All the contracts are prepared in accordance with mandatory requirements of the EFC Drinking Water Revolving Fund in conjunction with WMBE.

**RESOLUTION - AUTHORIZATION TO SUBMIT GRANT
TOWN OF CHESTER - WALTON LAKE ESTATES WATER DISTRICT**

ON A MOTION OFFERED BY Member Smith, seconded by Member Ardisana to adopt the following Resolution:

WHEREAS the Town Board of the Town of Chester proposes to submit a NYSEFC DWSRF grant for the Walton Lake Estates Water District improvements

IT IS RESOLVED that the Town Engineer is authorized to prepare a DWSRF grant application and submit to the NYS Environmental Facilities Corporation.

AND FURTHERMORE, the Supervisor, Robert Valentine, is authorized to sign all documents in accordance with all the grant requirements including, but not limited to, Grant Application, MWBE, EEO, BuyAmerican, Ironworks, Davis Bacon, etc.

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

**AGREEMENT – FUSCO ENGINEERING AND LAND SURVEYING , D.P.C.
TOWN OF CHESTER - WALTON LAKE ESTATES WATER DISTRICT**

ON A MOTION OFFERED BY Member Smith, seconded by Member Holdridge to approve the agreement with Fusco Engineering and Land Surveying, D.P.C. in the amount of \$718,000 in connection with the Walton Lake Water District System Improvements project and authorize the Supervisor to sign.

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

**RESOLUTION - PROFESSIONAL ENGINEERING CONSULTANT
TOWN OF CHESTER - WALTON LAKE ESTATES WATER DISTRICT IMPROVEMENTS**

ON A MOTION OFFERED BY Member Smith, seconded by Member Ardisana to adopt the following Resolution:

WHEREAS, the Town Board of the Town of Chester has prepared an application for NYSEFC DWSRF funding and

WHEREAS, Professional Engineer is required to prepare contract documents and other functions and

WHEREAS, the Town of Chester has received a quote from Fusco Engineering and Land Surveying, D.P.C. for a sum not to exceed \$718,000.00 in accordance with the “Mandatory State Revolving Fund terms and conditions effective” November 1, 2021 and

WHEREAS, Fusco Engineering and Land Surveying, D.P.C. was awarded the Town Engineer contract through a competitive RFP in July of 2022.

BE IT RESOLVED, the Town Board of the Town of Chester hereby awards the contract for Professional Engineering Consultant to Alfred A. Fusco, Jr., P.E., Fusco Engineering and Land Surveying, D.P.C.

FURTHERMORE, authorizes the Supervisor to sign said contract and any other documents required for the application and project.

This resolution shall take effect immediately.

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

ADOPTED

**RESOLUTION - MWBE OFFICER
TOWN OF CHESTER - WALTON LAKE ESTATES WATER DISTRICT IMPROVEMENTS**

ON A MOTION OFFERED BY Member Smith, seconded by Member Holdridge to adopt the following Resolution:

WHEREAS, the Town Board of the Town of Chester has prepared an application for NYSEFC DWSRF funding and

WHEREAS, Minority and Women Owned Business Enterprises (MWBE) Officer is required to assist with the application and project funding and

BE IT RESOLVED, the Town Board of the Town of Chester hereby appoints Linda Zappala as MWBE and Heidi Schmid as Deputy MWBE for the funding grant and

FURTHERMORE, authorizes the Supervisor to sign said appointment and any other documents required for the application and project.

This resolution shall take effect immediately.

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

ADOPTED

**RESOLUTION - BOND COUNCIL
TOWN OF CHESTER - IMPROVEMENTS TO WALTON LAKE ESTATES WATER DISTRICT**

ON A MOTION OFFERED BY Member Smith, seconded by Member Holdridge to adopt the following Resolution:

WHEREAS, the Town Board of the Town of Chester has prepared an application for NYSEFC DWSRF funding and

WHEREAS, the Bond Council is required to prepare a bond resolution and other functions and

WHEREAS, the Town of Chester has received a quote from Robert Smith, Hawkins Delafield & Wood LLP. for a sum not to exceed \$24,500.00 in accordance with the “Mandatory State Revolving Fund” terms and conditions effective November 1, 2021 and

BE IT RESOLVED, the Town Board of the Town of Chester hereby award the contract for bond council to Hawkins Delafield & Wood LLP, 7 World Trade Center, 250 Greenwich Street, New York, New York and

FURTHERMORE, authorizes the Supervisor to sign said contract and any other documents required for the application and project.

This resolution shall take effect immediately.

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

AGREEMENT – HAWKINS, DELAFIELD & WOOD, LLP
TOWN OF CHESTER - WALTON LAKE ESTATES WATER DISTRICT

ON A MOTION OFFERED BY Member Smith, seconded by Member Holdridge to approve the agreement with Hawkins, Delafield & Wood, LLP in the amount of \$24,500 in connection with the Walton Lake Water District System Improvements project and authorize the Supervisor to sign.

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

RESOLUTION - LEGAL COUNSEL
TOWN OF CHESTER - WALTON LAKE ESTATES WATER DISTRICT IMPROVEMENTS

ON A MOTION OFFERED BY Member Smith, seconded by Member Ardisana to adopt the following Resolution:

WHEREAS, the Town Board of the Town of Chester has prepared an application for NYSEFC DWSRF funding and

WHEREAS, Legal Counsel is required to prepare contract documents and other functions and

WHEREAS, the Town of Chester has received a quote from Scott Bonacic, Esq. for a sum not to exceed \$24,500.00 in accordance with the “Mandatory State Revolving Fund terms and conditions effective” November 1, 2021.

BE IT RESOLVED, the Town Board of the Town of Chester hereby awards the contract for legal counsel to Scott Bonacic, Esq.

FURTHERMORE, authorizes the Supervisor to sign said contract and any other documents required for the application and project.

This resolution shall take effect immediately.

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

AGREEMENT – BONACIC & MCMAHON, LLP
TOWN OF CHESTER - WALTON LAKE ESTATES WATER DISTRICT

ON A MOTION OFFERED BY Member Holdridge, seconded by Member Ardisana to approve the agreement with Bonacic & McMahon, LLP in the amount of \$24,500 in connection with the Walton Lake Water District System Improvements project and authorize the Supervisor to sign.

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

RESOLUTION - FINANCIAL CONSULTANT
TOWN OF CHESTER - WALTON LAKE ESTATES WATER DISTRICT

ON A MOTION OFFERED BY Member Holdridge, seconded by Member Ardisana to adopt the following Resolution:

WHEREAS, the Town Board of the Town of Chester has prepared an application for NYSEFC DWSRF funding grant and

WHEREAS, a financial consultant is required to assist with the application and project funding and

WHEREAS, the Town of Chester has received a quote from Noah Nadelson, Munistat Municipal Financial Advisory Service, for a sum not to exceed \$24,500.00 in accordance with the “Mandatory State Revolving Fund” terms and conditions effective November 1, 2021.

BE IT RESOLVED, the Town Board of the Town of Chester hereby awards the contract for financial services to Munistat Municipal Financial Advisory Service, 12 Roosevelt Ave, Port Jefferson Station, New York and

FURTHERMORE, authorizes the Supervisor to sign said contract and any other documents required for the application and project.

This resolution shall take effect immediately.

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

ADOPTED

SUGAR LOAF PERFORMING ARTS THEATER WATERLINE PROJECT – BID OPENING RESULTS

The following are the results of the bid opening held on June 11, 2023 with regard to the Sugar Loaf Performing Arts Theater Waterline Project. The project consists of 1,000 feet of water main and 15,000 feet of blacktop along with ancillary work.

Boyce Excavating	\$410,499.00
TAM Enterprises	\$435,990.00
Legacy Supply LLC	\$494,111.00

Supervisor Valentine said the bids are two times anticipated cost. The Town could come up with a plan to do in-house, bid out the piping, hire temporary workers, and look at resources. Engineer Fusco said there are other options such as using County equipment. The Supervisor said we need to something soon.

ON A MOTION OFFERED BY Councilman Ardisana and second by Councilwoman Smith to reject all bids submitted in regards to the Sugar Loaf Performing Arts Theater Waterline Project.

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

ADOPTED

Other Business:

PRESERVE NEW YORK GRANT APPLICATION

Supervisor Valentine read the email received from the grant writer. This application was not selected for funding, due to confusion by grant reviewers concerning scope of work. It can be reapplied for next year with only marginal changes needed to the application. Supervisor Valentine said we could continue with the contract for designation, but are not bound by the contract. As he noted it would boost tourism and open us up to future grants, he will look into whether AARPA would apply and notify the Board.

POMEGRANATE SOLUTIONS, LLC.

The Board is in receipt of the correspondence from the Engineer concerning cost estimates for the project and recommendation for a bond and inspection escrow.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to accept a performance bond amount of \$699,060, subject to Town Attorney and a 6% escrow in the amount of \$41,943.60 for engineer inspections.

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

DISCUSSIONS

Supervisor Valentine announced the upcoming presentation of a proposal by Diamond Grade Media.

Supervisor Valentine asked Al Fusco to contact Peter Cirillo in regard to the sewer allocation for the Chester Fire District.

Supervisor Valentine discussed the appointment of a secretary to the Ethics Board.

Supervisor Valentine asked all to stand for a moment of silence upon the passing of Peter Von Uchtrop.

INTRODUCTORY LOCAL LAW NO. 6 OF 2023 - A LOCAL LAW TO FURTHER UPDATE AND AMEND CHAPTER 87, ARTICLE VI, OF THE TOWN CODE OF THE TOWN OF CHESTER TO AUTHORIZE PROPERTY TAX EXEMPTION TO VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS WHO HAVE ACCUMULATED AT LEAST TWO YEARS OF SERVICE

ON A MOTION OFFERED BY Councilman Holdridge,

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

Section 1. Purpose and Intent

It is the intent and purpose of this Local Law to further update and amend Chapter 87, Article VI, of the Town Code of the Town of Chester, entitled “Exemption for Volunteer Emergency Personnel”, to grant a partial real property tax exemption to qualifying volunteer firefighters and volunteer ambulance who have accumulated at least two years of service.

Section 2. Amend §87-9, Subsection (A), Paragraph (4), to read as follows:

§87-9. Exemption Granted

A. Any qualified member who has been certified by the authority having jurisdiction (hereinafter the “AHJ”) for the incorporated volunteer fire company, fire department or volunteer ambulance service as an enrolled member of such incorporated volunteer fire company, fire department or volunteer ambulance service shall be entitled to a 10% reduction in the taxable value of their real property for Town real property tax purposes so long as:

4) The applicant has been an enrolled member of incorporated volunteer fire company, fire department or volunteer ambulance service for at least 2 years prior to submitting an application for tax exemption; and

Section 3. 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 4. Effective date.

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

SET PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 6 OF 2023 - A LOCAL LAW TO FURTHER UPDATE AND AMEND CHAPTER 87, ARTICLE VI, OF THE TOWN CODE OF THE TOWN OF CHESTER TO AUTHORIZE PROPERTY TAX EXEMPTION TO VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS WHO HAVE ACCUMULATED AT LEAST TWO YEARS OF SERVICE

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Ardisana to set a Public Hearing on August 9, 2023 at 7:00pm on the matter of Introductory Local Law No. 6 Of 2023 - A Local Law to Further Update and Amend Chapter 87, Article Vi, Of the Town Code of The Town of Chester to Authorize Property Tax Exemption to Volunteer Firefighters and Volunteer Ambulance Workers Who Have Accumulated At Least Two Years of Service and direct Town Clerk Zappala to cause to publish same.

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

EXECUTIVE SESSION

Councilwoman Smith read the following comments into the record: I wanted to speak about the alleged harassment charges; one involving Bob Courtenay against a town employee, and now the board has an alleged charge involving Alexa Burchianti and a town employee. My point being it isn't about the people involved, but the candidates running for office talk about this board not being open to the public and back door meetings. I say not so. I think the public has a right to know there is chaos and disorder in the town hall. As Deputy Supervisor in charge of these issues I am at a standstill. The residents have a right to know there are ethics violations. They don't have to know all that's involved, but the outcome. It should be out in the open. She added she would not go into Executive Session to discuss these matters. She said, they are innocent until proven guilty and she will not do it.

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Ardisana to enter into Executive Session at 8:00pm on a matter of personnel.

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

The motion did not pass as it did not meet the majority vote requirement.

REPORTS

Police Department – June 2023

The Town of Chester Police Department was active in the community again last month. We maintained our objective of community commitment and continued to take a proactive stance towards detecting crime and enforcing the laws. In June, the police department responded to 249 calls for service. Officers patrolled for 16,176 miles during the month.

A breakdown of the criminal and non-criminal activity for the month is included below:

CRIMINAL ACTIVITY

The Town of Chester Police Department made 9 arrests during the month. A summary of the arrests is as follows:

- 4 charged with Operating a Vehicle with a Suspended License and/or Registration misdemeanors
- 1 charged with Felony Operating a Vehicle with a Suspended License
- 2 charged with Aggravated Driving While Intoxicated and Driving with a Blood Alcohol Content >.08%
- 1 charged with Endangering the Welfare of a Child and Harassment in the second degree
- 1 charged with Unlawful Fleeing from a Police Officer, Reckless Driving, Obstructing Governmental Administration and Operating a Vehicle with a Suspended License

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 in

June

A summary of those calls for service is as follows:

23	medical calls
18	residential, commercial or automatic fire alarms
15	animal complaints
11	reports of suspicious persons, vehicles or activity
1	motor vehicle crash with injuries
9	motor vehicle crashes without injuries
3	motor vehicle crashes involving deer

Please refer to Attachment B for complete details.

Officers also issued 128 uniform traffic tickets during the month.

SEX OFFENDERS

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

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 1166 business security checks.

There were two child passenger safety seats checked by our officers in June. A checkpoint was held on June 17th during the town's Touch-a-Truck event at the Chester Commons Park. Sergeant Dugan and Officers Bird, Weinstein, Stack and Narain continue to remain available for child passenger safety seat checks and installations.

The Community Day/Touch-a-Truck event planned by Officer Dunlop was held on June 17th in the Chester Commons Park and was well-attended.

Officer Deluca attended the 5th Grade Moving Up ceremony at the Chester Elementary School on June 22nd.

Chief Doellinger represented the town at the high school graduation ceremony of the Chester Academy held on June 23rd.

TRAINING

Officer Dunlop and K-9 Lou completed the sixteen-week K-9 Patrol School with instructors from the Orange County Sheriff's Office. A graduation ceremony was held on June 30th. K-9 Lou and Officer Dunlop completed certification with the BATF on June 29th in Odor Recognition.

Our semi-annual firearms training continued in June at the range in Port Jervis. Three more officers attended with instructors Sgt. D'Agnes and Officer Calderone. The remaining officers are scheduled during the first week in July.

Our monthly training for June was held in our training room on June 13th. It was an overview of the new LifeVac devices, a review of case law and a review of our policies on Hate Crimes and Vehicle Pursuits. There were seventeen officers in attendance with four excused due to scheduling hours, military leave or vacation leave.

Sergeant Dugan, Detective Slaughter and Officer Gundermann utilized the driving simulator at the police academy in Middletown on June 19th and 20th.

Chief Doellinger attended a training seminar on Contemporary Issues for Law Enforcement Supervisors presented by Chief Mike Ranalli, Rel. during the Mid-Hudson Association of Chiefs of Police meeting in Poughkeepsie on June 22nd.

MISCELLANEOUS

Commercial vehicle enforcement details were held on June 2nd and 16th with the NYS Department of Transportation. Eleven vehicles were inspected and eight 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 June.

Tactical Response Unit officers assisted Warwick PD with a parade on June 11th and their annual fireworks display on June 24th.

Part-time Officer Michael Lawrence continued his field training in June.

SCHEDULING

There were 322.5 hours of overtime paid in June.

Part-time police officers were used for 108 hours of patrol coverage (104 regular hours and 4 overtime hours).

Shift Coverage	256
Monthly Training	24
Buckle Up New York Patrols	9
Driving Simulator Training	9
K-9 Explosives Detection Details	9
Discovery Reform (ECAB appointments)	4.75
Commercial Vehicle Enforcement Detail	4
Late Calls/Arrests	4.25
School Resource/Safety Officer Assignments	2.5

ARRESTS - JUNE 2023

TC-00082-23	6/8/2023	40F	Monroe, NY	VTL 0512 MV VIOL:REGISTRATION SUSPENDED
TC-00083-23	6/10/2023	31M	Chester, NY	VTL11922-AA AGGRAVATED DWI:PER SE-NOPRIOR

				VTL 1192 03 DWI- 1ST OFFENSE VTL 1192 02 OPER MV BAC .08 OF 1% -1ST OFF
TC-00084-23	6/11/2023	30 M	Chester, NY	VTL 0511 02A4 AGG UNLIC OPER-2ND:3>SUSPENSNS VTL 0511 01A AGGRAVATED UNLIC OPER VEH-3RD
TC-00085-23	6/14/2023	27 M	Monroe, NY	VTL 051101 AGGRAVATED UNLIC OPER MV-3RD VTL 0512 MV VIOL:REGISTRATION SUSPENDED
TC-00087-23	6/18/2023	53 M	Glen Cove, NY	VTL 051101 AGGRAVATED UNLIC OPER MV-3RD
TC-00086-23	6/18/2023	26 M	Bronx, NY	VTL051103A2 AGG UNLIC OPER 1- 10/MORE SUSP VTL051102A4 AGG UNLIC OPER-2ND:3>SUSPENSNS VTL 051101 AGGRAVATED UNLIC OPER MV-3RD
TC-00088-23	6/20/2023	27 M	Stony Point, NY	PL 260.10 01 ACT IN MANNER INJUR CHILD< 17 PL 240.26 01 HARASSMENT-2ND:PHYSICAL CONTACT
TC-00089-23	6/22/2023	30F	Unionville, NY	PL 270.25 FLEE OFFICER IN MOTOR VEH-3RD PL 195.05 OBSTRUCT GOVERNMENTL ADMIN-2ND VTL 1212 RECKLESS DRIVING VTL051102A4 AGG UNLIC OPER-2ND:3>SUSPENSNS VTL 051101A AGGRAVATED UNLIC OPER VEH-3RD
TC-00090-23	6/24/2023	SO M	Old Bridge, NJ	VTL 1192 2-AA AGGRAVATED DWI:PER SE-1 PRIOR VTL 1192 03 DWI- 1ST OFFENSE VTL 1192 02 OPER MV BAC .08 OF 1%-1ST OFF VTL 0600 01A OPER LEAVE SCENE PROP DAM ACC

Attachment A

CALLS FOR SERVICE -JUNE 2023

911 HANGUP CALL	1	IDENTITY THEFT	1
AGGRAVATED HARASSMENT	1	ILLEGAL DUMPING	1
ALARM-COMMERCIAL	4	INFORMATION ONLY	23
ALARM-RESIDENTIAL	6	INTOXICATED PERSON	1
AMBULANCE ASSIST	23	JUVENILE COMPLAINT	1
ANIMAL COMPL(WILDLIFE)	11	K9 DETAIL	7
ANIMAL COMPLAINT(DOG)	2	LANDLORD/TENANT DISPUTE	1
ARREST/DWI	2	LARCENY	2

ARREST/TRAFFIC	6	LOCKOUT	4
ARREST/WARRANT	1	LOST PROPERTY	4
ASSIST ANOTHER AGENCY	19	M/V COMPLAINT	1
ASSIST FIRE DEPT	2	MISSING PERSON	1
ASSIST WATER DEPARTMENT	1	MISSING PERSON RETURNED	2
AUTOMATIC FIRE ALARM	8	MV/TRAFFIC STOP	1
BACKGROUND INVESTIGATION	7	MVC/CAR/DEER	2
BUSINESS CHECK	1	MVC/NO REPORT	2
CHILD SFTY SEAT FITTING	1	MVC/PERSONAL INJURY	1
CITIZEN SERVICE	7	MVC/PROPERTY DAMAGE	7
CIVIL MATTER	6	NEIGHBOR DISPUTE	1
COMM VEHICLE ENF DETAIL	1	NOISE COMPLAINT	6
CRIMINAL MISCHIEF	1	OPEN DOOR	1
DAMAGE TO PROPERTY	2	PARKING PROBLEM	5
DEBRIS IN ROADWAY	1	PROPERTY RETURN	1
DEPARTMENT DETAIL	2	SEX OFFENDER REGISTRATION	1
DISABLED VEHICLE	2	SHOTS FIRED	1
DOMESTIC COMPLAINT	4	SUSPICIOUS COND/MV/PERSON	11
EQUIPMENT CHECK	3	TAC TEAM ACTIVITY	2
FAMILY COURT MATTER	2	TRAFFIC COMPLAINT	10
FINGERPRINTING	1	TRAFFIC ENFORCEMNT DETAIL	2
FIREWORKS COMPLAINT	1	TREE DOWN	2
FRAUD	2	VEHICLE OFF ROADWAY	1
HARASSMENT	2	WELFARE CHECK	6
HOUSE SECURITY CHECK	2	WIRES DOWN	2

TOTAL 249

Attachment B

Animal Control – June 2023

During the month of June 2023, the Town of Chester Police Department responded to 15 animal complaints and investigated 3 motor vehicle crashes involving a deer. A breakdown of the complaints for the month is included below:

3 of the calls for service were for possibly abandoned fawns

2 of the calls for service were for snake sightings

- 1 of the calls for service was for a fox sighting
- 1 of the calls for service was for a lost dog
- 1 of the calls for service was for a barking dog
- 1 of the calls for service was for a bear on a front porch
- 1 of the calls for service was for an injured bear
- 1 of the calls for service was for an injured turkey vulture
- 1 of the calls for service was for loose cows
- 1 of the calls for service was for a bat in a house
- 1 of the calls for service was for a groundhog caught in a soccer net
- 1 of the calls for service was for a kitten stuck in a car wheel well

Warwick Valley Humane Society

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:	7	0 Police, 7 others
Number of times ACO dispatched to calls:	0	
Number of dogs impounded by ACO:	0	
Number of dogs impounded by police:	0	
Number of dogs returned to owners:	0	
Number of after hour call-outs:	0	
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:	5 hrs.	
Number of bite reports received:	0	
Number of appearance tickets issued:	0	
Number of unlicensed dogs:	8	
Status of unlicensed dogs:	Received Notice to Comply and summonses	
Number of Chester cats admitted to shelter:	1	

6 Notice to Comply and summonses prepared and delivered to various addresses per Town Clerk.

SNR certificates sold in June: 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.

Water Department – June 2023

The water department processed and distributed 7,393,666 gallons of water for the month of June. The districts daily average ranged from 301 to 91,000 gallons. The breakdown is:

- Lake Hill Farms- 2,235,000 gal.
- Sugar Loaf- 1,621,600 gal.
- Surrey Meadows- 1,718,400 gal.

Walton Lake Estates- 1,214,500 gal.
Fieldcrest- 595,769 gal. (Distribution only)
Town Hall-8,397 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 5/2023 on all districts were submitted to DOH on 6/9/2023
Laboratory testing dates were 6/7 & 6/21

Mowing dates were 6/7, 6/28

Class at Wallkill on 6/8

Kode electric came a wired up the new generator with cord and plug on 6/19

Connor helped Hwy tar and chip Fieldcrest.

Other Business:

Sugar Loaf was mostly quiet with routine operations and maintenance. Delt with cloudy water due to Drought. Put up no outside water use signs throughout district 6/8. 6/12 got well pipe delivered for new well. 6/15 lowered well pump one length to help with cloudy water situation with help from Quackenbush. Also did some flushing of hydrants to help clear water on multiple days. 6/26 Well #2 pump went bad, put in new 7.5hp pump and motor in help from Quackenbush. Delfino came in to make sure the starter switch worked with new pump. 6/30 cleaned plant and tower of trees and brush. WSP came to new well site to start set up for step down test. Well Pipe got delivered to lower well pump 100 more feet for testing.

Surrey Meadows was mostly quiet with routine operations and maintenance. 6/29 cleaned up brush and trees around well sites.

Lake Hill Farms was mostly quiet with normal operations and maintenance. Radio system got fried during thunderstorm, 6/27 TAM came to look at what needed to be ordered to replace it.

Walton Lake Estates was mostly quiet with normal operations and maintenance. 6/5 Pulled C2 well with Quackenbush, determined bad well pump ordered new one. 6/6 Put ne well pump in at the C2 well site with Quackenbush. 6/14 sent Fusco reports for a Grant for the district. Dropped off old generator to be stored at the plant.

Fieldcrest was quiet with routine operations and maintenance. 6/1 Fixed the underground valves for Parks dept. 6/5 Put new service line in on the hill to the Parks due to a leak, all help from Hwy.

Parks Department

Maintenance:

- Routine seasonal maintenance in the parks.
- repaired flood lights on the 911 memorial at Carpenter Park.
- Responded to several issues at town hall ... replaced ceiling tiles, cleaned out lighting fixtures and removed ballast.
- vacuumed and put blowers in basement at town hall to dry the flood.
- 2 of the ride-on mowers are in the shop waiting on parts we have one in working order (we may need to consider adding new equipment to next year's budget.
- Matt and Colin assisted for the fireworks show on 7/8.

Clerk's report:

- normal office operations.
- processed permits for park and pavilion use.
- chaperoned bus trips including a week at the Cape and the first children's trip to the Land of Make believe (organized by

Michele Deshler).

-assisted shows and events at the SLPAC.

-working with Little League on a summer clinic schedule.

-met with all involved with community repair event at the Commons and started making fall sports schedules.

-currently working with the Danny Mulvey foundation on the Cornhole tournament fundraiser slotted for 9/30/23 more information to follow.

-currently organizing a sensory friendly movie day with Parks & Rec team, Brandon Holdridge, & Erin Stamp.... Projected date is Sat 8/12/23 during the afternoon at the Senior Center more detailed information to follow.

- Yearly Town of Chester Block Party and Fireworks show this past Saturday. Save the date for next year Saturday, July 13, 2024.

Supervisor....Please read the following acknowledgements with sincere thanks and gratitude

The weather held for the annual community Block party and Fireworks show:

Thank you to the Chester Community and surrounding friends who show up in force to support this event it seems to be growing yearly.

The following donations make this event uniquely special....

-Suburban propane as the sole sponsor of the fireworks.

-Richard Logothetis (Ric-Lo-Productions) for the top-of-the-line stage and sound system as well as a first-rate sound technician and assistant... We hire great musicians but the quality of the sound is essential!!

-The Chester union Free school district for the use of their property.

-Bellvale community for use of generators and assistance in set up and take down of the stage.

We had fantastic musical performances this year by ...

-Let it Rain

-Fast Five

Our hand selected food trucks were a hit...

-Empanada Masters

-Smokin Grate BBQ

-Cousins Main Lobster

-Bikini Weenies

-Ice Capps

-Pura Vida Kettle Corn

-Fruit Fashion

-Sunshine Concessions

This event is the largest we have with several thousand attendees. Logistics are imperative and planning starts now for next year. Support and communication between all municipal departments is required for both enjoyment and safety.

Please acknowledge the following departments with sincere appreciation.

Town of Chester PD

Village of Chester PD

Chester Fire Department

EMS

Town of Chester Parks & Rec Department

CORRESPONDENCE

Supervisor Valentine read the correspondence from Engineer Fusco to Councilman Holdridge concerning 17 Speranza Court. He provides an update on the condition based on a site inspection on July 3, 2023 finding improvement but more work needed with regard to the conservation easement, and no water emanating from the drainage pipe. He concludes it is a property dispute and easement issue still pending resolution.

EXECUTIVE SESSION

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Ardisana to enter into Executive Session at 8:15pm on a matter of personnel.

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

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to adjourn the Executive Session at 8:40.

TOWN BOARD COMMENTS

Councilwoman Smith said she is awaiting a call back on the fencing for the pickle ball courts. She is reaching out to Longevity, Jansen and another nursery for prices, delivery and plantings for the dog park.

Councilman Holdridge asked the Board to respond to Attorney Bonacic regarding the proposed changes to the Noise Ordinance.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to adjourn the meeting at 8:45 pm, there being no further business brought before the Town Board.

VOTE AYES 4: Valentine, Ardisana, Holdridge, Courtenay, ABSENT: Smith **ADOPTED**

Respectfully submitted,

Linda A. Zappala
Town Clerk
2023-7-12