

TOWN BOARD MEETING  
JANUARY 22, 2104  
7 PM

Supervisor Jamieson opened the meeting at 7 PM followed by a salute to the flag.

Members present: Supervisor Jamieson, Councilman Murray, Councilwoman Smith, and Councilman Valentine.

MOMENT OF SILENCE

A moment of silence was held in memory of Harold (Jim) Utter a former member of the Planning Board.

EXECUTIVE SESSION

A motion was made by Councilman Murray and seconded by Councilman Valentine to enter into executive session. Motion 4-0.

The executive session ended at 7:15 PM on motion by Councilman Murray which was seconded by Councilman Valentine and carried 4-0.

CHESTER VOLUNTEER AMBULANCE CORPS (CVAC)

A motion was made by Councilwoman Smith and seconded by Councilman Murray authorizing the Supervisor to sign the contract for Mobil Life. Motion carried 4-0.

ESTATE OF SHERMAN PROPERTY

Attorney Bonacic informed those present that the foreclosure has been put off on the part of the financial institution because of the water district. The Town would be ready to cooperate to facilitate management of the water company.

ACCEPTANCE OF UNIFORM PROPOSAL

A motion was made by Councilman Valentine and seconded by Councilman Murray to accept the bid from Prestige at a cost of \$636.00 per employee, as the lowest responsible bidder, noting that the lowest bidder was limited in sizes and could not outfit all the employees. Motion carried 4-0.

EDUCATION AND TRAINING

A motion was made by Councilwoman Smith and seconded by Councilman Murray authorizing Officer Bird to a course for Child Passenger Safety Seat technicians. The course will be held on March 5, 2014 in Goshen. There is no fee. Motion carried 4-0.

A motion was made by Councilman Murray and seconded by Councilwoman Smith for Chief Doellinger, Sharon Conklin and Darlene DeMarmels to attend a seminar presented by NYS Municipal Workers' compensation Alliance, and relates to 207C. The course will be held in Newburgh on February 26<sup>th</sup> from 10 a.m. to 12 noon. There is no fee for the course. Motion carried 4-0.

The Town Hall will be closed on January 29, 2014 from 1 PM to 3 PM for mandatory training for the employees.

#### STOP DWI PROGRAM

A motion was made by Councilman Murray and seconded by Councilwoman Smith accepting the Stop DWI/Traffic Safety Program contract and authorizing Supervisor Jamieson to sign same. Motion carried 4-0.

#### POLICE DEPARTMENT

A motion was made by Councilman Murray and seconded by Councilman Valentine authorizing the Police Chief to start the process for hiring a full time police officer. Motion carried 4-0.

#### LIBRARY MATTERS

HIRING: A motion was made by Councilwoman Smith and seconded by Councilman Murray to hire Mary Sheerin as a part time clerk in the library at a rate of \$11.00 per hour. Motion carried 4-0.

BOARD OF TRUSTEES: The new President of the Board of Trustees for the Library is Teresa Mallon.

HEAT AND VENTILATION: The repairs to the Town Hall will be done and then the repairs to the Library.

#### WARWICK VALLEY HUMANE SOCIETY AGREEMENT

A motion was made by Councilman Valentine and seconded by Councilman Murray to approve the agreement with Warwick Valley Humane Society for a monthly rate of \$2,670 and to authorize the Supervisor to sign same. Motion carried 4-0.

#### DIAL A BUS

Supervisor Jamieson informed those present that the budget for 2014 only allotted \$25,000 for Dial A Bus. Therefore the days per week available will only be three days per week for residents of Chester. Wednesday, Friday and Saturday are the days when Dial a Bus will be available for Chester residents.

#### CHANGE IN MEETING DATE

A motion was made by Councilman Murray and seconded by Councilman Valentine to change the February 12, 2014 meeting to Tuesday, February 11, 2014 at 7 PM. Said meeting will take place in the Senior Citizen Center. The change in date is due to Lincoln's Birthday. Motion carried 4-0.

#### INTERSTATE WASTE AND E RECYCLING

Interstate Waste notified the Town in November that they would not be providing e recycling service to the town residents. They said they no longer have their hauler and therefore cannot transport the electronic waste.

Supervisor Jamieson said that he met with Marisa Kellerhouse of Interstate to see what can be worked out. This is a violation of their contract with the Town. The attorney sent them a letter letting them know they needed to remedy the e recycling or continue with it.

Barbara Morrow suggested the Town look into hosting an e recycling day.

Matt Kannon said the Town should deduct something from the contract, if the service is not going to be provided. They should make it right.

Supervisor Jamieson said ISW was outsourcing this part of the contract and Ms. Kellerhouse said the cost became excessive. He noted this was an extra in the contract. Either IWS needs to find a way to provide the service or reduce the contract amount.

#### ASSOCIATION OF TOWNS

A motion was made by Councilman Murray and seconded by Councilwoman Smith authorizing the expenditure of \$250 toward the Hospitality Suite at the Association of Towns conference to be held February 16- 19, 2014. Motion carried 4-0.

A motion was made by Councilwoman Smith and seconded by Councilman Murray to pay the registration fees for the five attendees who will be attending the Association of Towns. Motion carried 4-0.

#### INTERVIEWS FOR VACANT POSITIONS

The Board will conduct interviews for the vacant Town Board position and the Attorney and Engineer positions.

#### UPDATE ON BAK ACCOUNTS

A motion was made by Councilman Valentine and seconded by Councilwoman Smith to update the Receiver of Taxes account at Sterling National Bank. Said update is for the Supervisor and Deputy Supervisor's signatures. Motion carried 4-0.

The Town Clerks aid she would be moving her DECALS (hunting and fishing) account from Key Bank to Sterling National Bank as Key Bank wants to impose a \$25 monthly fee.

#### RESOLUTIONS AUTHORIZING SETTLEMENT

The attached resolution was offered by Councilman Murray, seconded by Councilman Valentine and passed unanimously with regard to Sugar Loaf Square:

The attached resolution was offered by Councilman Murray, seconded by Councilman Valentine and passed unanimously with regard to BAT:

## RESOLUTION AUTHORIZING SETTLEMENT

**WHEREAS**, a Petition and Notice of Petition for taxation for the year 2012/2013 (March 1, 2012 Taxable Status Date) and for the year 2013/2014 (March 1, 2013 Taxable Status Date) affecting real estate owned by Sugar Loaf Square Inc. (the "Petitioner") in the Town of Chester, County of Orange, State of New York, Tax Map No. 30-1-18, was served upon the Town Assessor and the Board of Assessment Review of the Town of Chester (the "Respondents") on or about July 30, 2012 and July 24, 2013, respectively, and

**WHEREAS**, said Respondents, with the assistance of Beattie & Krahulik ("Special Counsel"), having duly made and filed their Appearance to said Petition, and

**WHEREAS**, the Respondents have utilized the assistance of Town Assessor to review the assessment placed on said property, and

**WHEREAS**, the Respondents and said property owners are prepared to enter into an agreement and stipulation of compromise and settlement of their differences in summary as follows:

- (a) The parties have agreed that the 2012/2013 assessment of \$525,000.00 should be reduced to \$450,000.00 for the year 2012/2013, based upon a Sixty-Four Percent (64%) equalization rate for that year, and that Petitioner is entitled to a refund for taxes already paid to each of the Town, County and all applicable school districts and special districts, and
- (b) The parties have agreed that the 2013/2014 assessment of \$525,000.00 should be reduced to \$450,000.00 for the year 2013/2014, based upon a Sixty-Seven Percent (67%) equalization rate for that year, and that Petitioner is entitled to a refund for taxes already paid to each of the Town, County and all applicable school districts and special districts, and
- (c) That the assessment be fixed for three (3) years pursuant to Real Property Tax Law Section 727.

**WHEREAS**, it appears to be in the best interests of the Town of Chester to settle said matters as recommended by the Town Assessor and Special Counsel of the Town without further attendant legal and appraisal costs relating to said matters,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Chester in regular session duly convened as follows:

1. The Special Counsel of the Town of Chester is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders directing the establishment of assessments for 2012/2013 and 2013/2014 as aforesaid to execute stipulations of discontinuance of the said proceedings.
2. That the Town of Chester shall pay to Petitioner the respective real property tax refunds.
3. This Resolution shall take effect immediately.

2013 Town/ County

				revised a/v	taxes	refund
COUNTY		5.5523	525,000.00	2,914.96	450000	2498.54
TOWN		4.8268	525,000.00	2,534.07	450000	2172.06
HIGHWAY		0.8496	525,000.00	446.04	450000	382.32
PT TOWN		2.8066	525,000.00	1,473.47	450000	1262.97
Chester fire		1.4232	525,000.00	747.18	450000	640.44
						\$ 1,159.40

12/13 Warwick School

Library	33.25864	525,000.00	17460.79	14966.39	450000	2494.40
Library Bldg	0.68604	525,000.00	360.17	308.72	450000	51.45
	0.3112	525,000.00	163.38	140.04	450000	23.34
						\$ 2,569.19

13/14 Warwick School

Library	33.92494	525,000.00	17810.59	15266.22	450000	2544.37
Library Bldg	0.69004	525,000.00	362.27	310.52	450000	51.75
	0.30833	525,000.00	161.87	138.75	450000	23.12
						\$ 2,619.25

2012 Town/County

				revised a/v	taxes	refund
COUNTY		5.5298	525,000.00	2,914.96	450000	2488.41
TOWN		4.8216	525,000.00	2,534.07	450000	2169.72
HIGHWAY		0.8496	525,000.00	446.04	450000	382.32
PT TOWN		2.8064	525,000.00	1,473.47	450000	1262.88
Chester fire		1.4334	525,000.00	747.18	450000	645.03
						\$ 1,167.36

## **RESOLUTION AUTHORIZING SETTLEMENT**

**WHEREAS**, a Petition and Notice of Petition for taxation for the year 2013/2014 (March 1, 2013 Taxable Status Date) affecting real estate owned by BAT RE, Inc. (the "Petitioner") in the Town of Chester, County of Orange, State of New York, Tax Map No. 17-1-16.1, was served upon the Town Assessor and the Board of Assessment Review of the Town of Chester (the "Respondents") on or about July 29, 2013, and

**WHEREAS**, said Respondents, with the assistance of Beattie & Krahulik ("Special Counsel"), having duly made and filed their Appearance to said Petition, and

**WHEREAS**, the Respondents have utilized the assistance of Town Assessor to review the assessment placed on said property, and

**WHEREAS**, the Respondents and said property owners are prepared to enter into an agreement and stipulation of compromise and settlement of their differences in summary as follows:

- (a) The parties have agreed that the 2013/2014 assessment of \$1,850,000.00 should be reduced to \$1,608,000.00 for the year 2013/2014, based upon a Sixty-Seven Percent (67%) equalization rate for that year, and that Petitioner is entitled to a refund for taxes already paid to each of the Town, County and all applicable school districts and special districts, and
- (b) That the assessment be fixed for three (3) years pursuant to Real Property Tax Law Section 727.

**WHEREAS**, it appears to be in the best interests of the Town of Chester to settle said matters as recommended by the Town Assessor and Special Counsel of the Town without further attendant legal and appraisal costs relating to said matters,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Chester in regular session duly convened as follows:

1. The Special Counsel of the Town of Chester is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders directing the establishment of assessments for 2013/2014 as aforesaid to execute stipulations of discontinuance of the said proceedings.
2. That the Town of Chester shall pay to Petitioner the respective real property tax refunds.
3. This Resolution shall take effect immediately.

# BAT RE. refund estimate

	rev AV	rev AV w/bus ex	taxes	refund
COUNTY	1608000	1562328	8674.51	1,305.50
TOWN	1608000	1562328	7541.04	1,134.92
HIGHWAY	1608000	1562328	1327.35	199.77
PT TOWN	1608000	1562328	4384.83	659.91
Chester fire	1608000	1608000	2288.51	344.41
				\$ 3,644.50

52,545.00 bus exemption  
minus 13.081% = 45,672

12/13 School	33.25864	1,797,455.00	59780.91	7820.00
Library	0.68604	1,797,455.00	1233.13	161.31
Library Bldg	0.3112	1,797,455.00	559.37	73.17
				\$ 8,054.48

13/14 School	33.92494	1,850,000.00	62761.14	8209.84
Library	0.69004	1,850,000.00	1276.57	166.99
Library Bldg	0.30833	1,850,000.00	570.41	74.62
				\$ 8,451.44

#### TEMPORARY ASSEMBLY

Councilwoman Smith said she was asked by Richard Logothetis if he would need a temporary assembly permit for the summer concerts on the lawn.

Supervisor Jamieson said he would follow up with the Building Inspector on this.

#### SNOW CLOSING

Councilwoman Smith asked about the recent snow closing.

Supervisor Jamieson said he spoke with the Highway Superintendent about the weather conditions.

#### TOUR OF BUSINESSES IN INDUSTRIAL PARK

Councilwoman Smith reported she toured Satin Fine Foods and was impressed with the production.

She will be visiting Tele vue next week.

#### CREDIT CARD AND DEBIT CARD PAYMENTS

The Town Clerk said information was distributed to the Board regarding credit card/debit card payments. She would like to know if the Town Board was interested. It would be used by the Tax Receiver, Water billing and other departments.

Supervisor Jamieson asked her to get information.

#### CHESTER VOLUNTEER AMBULANCE CORPS (CVAC)

Robert Boardman, President of CVAC commented that he hoped the lines of communication could be re-opened. If CVAC loses their certificate 'of need', they will probably never get one issued again. CVAC could still operate as a private agency; they just would not be part of the 911 system. He asked the Board to please work with him. He said he graduated from the Chester school, his family lives in the district, he is an eagle scout. He stated he became involved with CVAC to give back to the community that has been good to him.

Barbara Morrow asked about the building and equipment used by the CVAC and the contract the Town entered into.

Supervisor Jamieson replied the Town is signing a one year agreement with Mobile Life. If CVAC can get back on track, then the Town wouldn't have a problem going back with CVAC. The building is owned by the Town. Mobile Life will use the building. The equipment owned by CVAC will go with CVAC. The equipment that is owned by the Town will remain with the Town. Mobile Life has their own ambulances.

Ms. Morrow asked if the ambulances were purchased with taxpayer funding or donations.



Supervisor Jamieson said CVAC is a separate entity. There was no financial obligation from the Town to CVAC over the past six months. CVAC has their own tax ID number. Prior to the past six months, the Town funding CVAC a certain dollar amount per year. The Town makes payments on the ambulances owned by the Town. CVAC was not paying bills and vendors were calling the Town. They were also not paying their fuel bills to the Town among other matters.

Dawn Marshall from New Windsor Ambulance commented that their ambulance corps was in the same situation. She said CVAC can regroup. She suggested the Town should have looked at other agencies.

Supervisor Jamieson said other ambulance services were contacted.

Michael from Cornwall Ambulance asked why nothing in the minutes. He said he would like to work with CVAC.

Jennifer Hiller commented that an outside source will have no tax implications.

Supervisor Jamieson said the services with a private agency will not cost the Town \$5 million.

#### PUBLIC COMMENTS

Barbara Morrow asked what hours the Supervisor would be available for the general public.

Supervisor Jamieson said he is here evenings, Wednesdays and Saturdays.

She also asked the status of the Comprehensive Plan.

Reply: The comprehensive committee will be meeting tomorrow at 2 PM. There will probably be public hearings in March.

Ms. Morrow commented that an evening committee meeting would be better for the general public to attend.

Supervisor Jamieson said the public hearing will be in the evening.

Matt Kannon asked if Mobile Life would allow volunteers to participate.

Supervisor Jamieson said there was not an answer to this at this time.

Stewart Matthew said he was a paid staff member in Chester. He noted there was a lot that happened in the four years he was a paid staff member. He thinks the current President is looking to serve the residents. He thinks there will be an increase in response time with a private agency. He would appreciate hearing from the Board.

Supervisor Jamieson said there were conversations with the CVAC over the past 16 months. There were no changes made. This decision was not made lightly. The concern is with residents' safety. This contract is only for one year.

President Rob Boardman (CVAC) presented the Board with his contact information.

#### EXECUTIVE SESSION

A motion was made at 8:10 Pm by Councilman Murray and seconded by Councilwoman Smith to enter into executive session to discuss personnel. Motion carried 4-0.

The executive session ended at 8:25 PM on motion by Councilman Murray which was seconded by Councilwoman Smith and carried 4-0.

#### HIRING OF POLICE OFFICER

A motion was made by Councilman Murray and seconded by Councilwoman Smith to hire Robert Stack as a part time police office for the Town of Chester effective January 29, 2014. Motion carried 4-0.

#### CHESTER VOLUNTEER AMBULANCE CORPS.

A motion was made by Councilman Murray and seconded by Councilwoman Smith authorizing the Attorney to proceed with the appropriate correspondence and action as it relates to CVAC. Motion carried 4-0.

There being no further business brought before the Town Board, a motion was made at 8:25 PM by Councilman Murray and seconded by Councilman Valentine to close the meeting. Motion carried.

Respectfully submitted,

Elizabeth A. Reilly  
Town Clerk  
2014-01-22