

TOWN BOARD MEETING  
FEBRUARY 26, 2014  
7 PM

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

Members present: Deputy Supervisor Murray, Councilwoman Ranni, Councilwoman Smith, Councilman Valentine, Supervisor Jamieson \* (arrived at

RETURN OF BOND

A motion was made by councilwoman Smith and seconded by councilman Valentine to return the blasting bond in the amount of \$3,000 to DePaulis as requested and approved by the Building Inspector. Motion carried 4-0.

MC COY RESIDENTS  
67 PINES HILL ROAD

Deputy Supervisor Murray reported that the structure at 67 Pines Hill Road has been deemed unsafe by an architect. The Board needs to pass a resolution to set a public hearing on the matter.

The following resolution was offered by Councilman Valentine and seconded by Councilwoman Smith and carried 4-0:

RESOLUTION ORDERING SECURING OR REMOVAL OF STRUCTURES  
OWNED BY JOSEPH McCOY

WHEREAS, the Town of Chester Building Inspector, in conjunction with the Town Architect Consultant Peter R. Hoffman, have filed a report in writing with the Town Board of the Town of Chester containing findings and recommendations regarding certain structures situate on premises located at 67 Pine Hill Road in the Town of Chester, designated by Tax Map No. 13-3-7, in which report the Building Inspector and Architect Consultant agree that that said structures are unsafe and dangerous to the public and recommends their immediate securing or removal, and

WHEREAS, the Town Board of the Town of Chester, after reviewing said reports and the recommendations set forth by the Building Inspector and Architect Consultant, having determined that said report warrants the securing of said structures or their removal.

NOW, THEREFORE, BE IT RESOLVED, that:

- (1) Notice be given to Joseph McCoy, reputed owner of the structure situate on premises on 67 Pine Hill Road in the Town of Chester designated by Tax Map No. 13-3-7, in the form required by Sections 38-6 and 38-7 of the Chester Town Code,
- (2) Said notice to be served personally upon said Joseph McCoy or by registered mail to their last known residences as shown by the records of the tax collector or of the county clerk if such persons cannot reasonably be found for such personal service and by affixing a copy thereof upon said structures,
- (3) Said notice shall order the securing of said structures in the following manner, to wit:
  - the rear slope of the roof has failed allowing water to enter the building;
  - portions of the second floor ceiling have failed;
  - portions of the second story floor are failing and unsafe to walk on;
  - moisture penetration of the structure is evident throughout and mold is evident on many of the walls and floors;

- the rear foundation wall shows movement at the level of the first floor framing; the first floor framing can be seen from the cellar;
- along the foundation walls, the wood framing is severely rotted from moisture;
- the structural framing members lack structural integrity;
- The roof structure has failed. The roof and sections of structural roof framing have collapsed inside the structure;
- The roof structure covering the front porch has failed and collapsed;
- The front door was ajar with the potential of dangerous entry into the building already in danger of full collapse; and
- Plywood which once secured the openings in 2004 to prevent access into the building has fallen off of the openings.

(4) All of the above conditions have rendered the structure unfit for habitation and it is deemed the structure is beyond repair,

(5) The above described structure needs to be demolished and removed, which work must be commenced within 30 days of your receipt of the instant notice, and must be completed on or before May 21, 2014,

(6) A public hearing has been scheduled on March 26, 2014 at 7PM at Chester Town Hall, in relation to such dangerous or unsafe structures, at which time you or any of your representatives and/or agents shall be given the opportunity to submit any evidence or documentation to refute the above findings, and

(7) The Town Building Inspector of the Town of Chester is hereby is directed to prepare said notice and arrange for the service thereof in accordance with the requirements of Section 38-7 of the Chester Town Code and by filing in the offices of the County Clerk of the County of Orange and with the Town Clerk.

Revised 2014 02 25 3:25

The following motion was made by Councilman Valentine and seconded by Councilwoman Smith:

TOWN OF CHESTER: COUNTY OF ORANGE

In the matter of the Proceedings to Repair or Remove Unsafe Structures of  
Premises Reputedly Owned by Joseph McCoy

-----  
TO JOSEPH MCCOY:

PLEASE TAKE NOTICE that Town Architectural Consultant Peter R. Hoffman, in coordination with the Enforcement Officer for the Town of Chester, Orange County, has filed a written report with the Town Justice Court of the Town of Chester, which contains findings and recommendations that certain structures situate on premises located at 67 Pine Hill Road in the Town of Chester, designated by Section/Block/Lot 13/3/7 are deemed to be unsafe to the public in that the structure, consisting of a single family dwelling.

The Chester Town Board, after considering said report, and pursuant to the provisions of Section 38-5 of the Chester Town Code, by resolution duly adopted at its February 26, 2014 meeting, determined that in the opinion of the Chester Town Board that said structure is unsafe and dangerous and ordered that it be secured in the following manner, to wit: the rear slope of the roof has failed allowing water to enter the building; portions of the second floor ceiling have failed; portions of the second story floor are failing and unsafe to walk on; moisture penetration of the structure is evident throughout and mold is evident on many of the walls and floors; the rear foundation wall shows movement at the level of the first floor framing; the first floor framing can be seen from the cellar; along the foundation walls, the wood framing is severely rotted from moisture; and the structural framing members lack structural integrity;

the roof structure has failed such that the roof and sections of structural roof framing have collapsed inside the structure; the roof structure covering the front porch has failed and collapsed; the front door was ajar with the potential of dangerous entry into the building already in danger of full collapse; and plywood which once secured the openings in 2004 to prevent access into the building has fallen off of the openings.

All of the above conditions have rendered the structure unfit for habitation and it is deemed the structure is beyond repair.

PLEASE TAKE FURTHER NOTICE that the Chester Town Board will conduct a public hearing on March 26, 2014 at 7PM at the Chester Town Hall in relation to such dangerous or defective buildings, and

PLEASE TAKE FURTHER NOTICE that in the event of any neglect or refusal to comply with the order of said Town Board as detailed in this notice, the Chester Town Board is authorized to provide for the demolition and removal of said structure and to assess all expenses thereof against the land on which they are located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHESTER.

Dated: February 26, 2014

Elizabeth A. Reilly,

Town Clerk, Town of Chester

Revised 2014 02 25 3:25

#### GRANT PAPERS LBERGE GROUP

Deputy Supervisor Murray said grant papers for the Laberge Group and police consolidation must be authorized for signature (3 sets)

A motion was made by Councilman Valentine and seconded by Councilwoman Smith authorizing Supervisor Jamieson to sign the documents for payment guidelines and request forms. NYS DOS Office of Coastal Local government and Community Sustainability. Motion carried 4-0.

A motion was made by Councilman Valentine and seconded by Councilwoman Smith to sign the necessary paperwork to extend the grant from April 1, 2011 through March 31, 2014. Motion carried 4-0.

THIS MOTION WAS RESCINDED LATER IN THE MEETING

#### CHESTER LIBRARY APPOINTMENTS

A motion was made by Councilwoman Smith and seconded by Councilwoman Ranni to appoint Naomi Sagiv to the Library Board of trustees for a five year term ending December 31, 2018. Motion carried 4-0.

A motion was made by Councilwoman Smith and seconded by Councilwoman Ranni to appoint Joanna Janik to the Library Board of Trustees to fill the unexpired term (Barbara Schust) ending December 31, 2014. Motion carried 4-0.

#### HAMBLETONIAN MARATHON

A motion was made by councilwoman Smith and seconded by Councilman Valentine to approve the Hambletonian Marathon scheduled for October 19, 2014 as requested. Motion carried 4-0.

The certificate of insurance has already been provided.

#### KIWANIS TOWN WIDE CLEANUP

A motion was made by Councilman Valentine and seconded by Councilwoman Ranni to approve the Kiwanis Town Wide cleanup provided certificate of insurance is provided. Said clean up date is April 26, 2013. Motion carried 4-0.

#### GATEWAY GRANTS

Engineer Al Fusco spoke to the Board on the 'gateway grants' program. It is advisable for the Town to be registered by March 1, 2014. It is a program when existing grants would come through the gateway grant program. It is an attempt to consolidate grants.

Grant availability will be made through this. The supervisor will be the signature and there would be 2 members that have access to this account. He recommends he be one of those individuals.

A motion was made by Councilwoman Ranni and seconded by Councilwoman Smith to approve AlFusco to register the Town for the grant registry and to authorize the Supervisor to sign the necessary document. Motion carried 4-0.

#### APPROVAL OF NEW POLICE VEHICLE

Deputy Supervisor Murray informed those present that the Police Chief provided information for approval for a 2014 Interceptor AWD vehicle at a cost of \$27,800. Said purchase off state bid from Healy Brothers in Goshen, NY. Deputy Supervisor said the original plan was to lease this vehicle for three years. There is enough funding to make an outright purchase will save the Town about \$2,500.

A motion was made by Councilman Valentine and seconded by Councilwoman Ranni to purchase a 2014 Interceptor AWD vehicle at a cost of \$27,800 for the police department. Said vehicle to replace a 2010 Crown Victoria with over 117,000 miles on it. Motion carried 4-0.

#### SURREY MEADOWS ROAD PROJECT

Highway Superintendent Laspina said he estimates \$187,870 to repair and resurface the following roads in Surrey Meadows: Surrey, Trotting, Mark, Short, June and Price. The life expectancy of this would be between 5 and 7 years.

Deputy Supervisor Murray said this would have to be done as a BAN. He would like the Board to think about this and discuss further at a later meeting. \$50,000 would need to be committed to payback each year. The Board is also facing a % tax increase signed by the Governor.

No action was taken.

#### CRICKET FROG RESOLUTION

Attorney Bonacic informed the Board that DEC is putting forth regulations for cricket frogs within a 3 mile radius of the Glenmere lake area. DEC permit would be required if this passes.

The Town of Warwick, and Village of Florida have already prepared resolutions.

The Board will review a resolution in two weeks.

#### REQUEST FROM VOLUNTEER FIREMEN MEDICAL INSURANCE PLAN

A letter was received from a local volunteer fireman requesting to be considered for the Town's insurance plan. His letter notes that a state law was passed allowing local firefighters to join amunicipalities health insurance program provided they pay the premiums.

No action taken.

#### COMPREHENSIVE PLAN MEEING

Deputy Supervisor Murray announced the Comprehensive Plan will hold a public hearing on March 27, 2014 at 7 PM in the Town hall.

#### BILL BOARDS

Deputy Supervisor Murray announced that the Town Board is looking at a draft local law regarding billboards.

Attorney Bonacic said this needs to be looked at.

#### ARTICLE 7 PROCEEDINGS - PROPOSED SETTLEMENTS

Attorney Bonacic reviewed the tax grievances with Guardian Self Storage (YEARS 2012-2013 AND 2013-2014) with a proposed reduction of \$800,000 and Oceane Properties ((2013) with a proposed reduction of \$154,000 with the Board.

Councilwoman Ranni asked if action could be taken in two weeks so she could review the documents.

#### TAX RECEIVER REPORT

Vincent Maniscalco, Tax receiver reported 83% of the taxes have been paid.

#### BOARD COMMENTS

Councilwoman Smith said there is a ditch that runs from the parking lot to where it puddles . She asked if temporary signs could be installed in that area to keep people away from the puddle.

She also asked for signs telling people to 'clean up after their dogs'.

Councilwoman Ranni asked the status of the website company. She thinks this should be moving along quicker.

#### BUILDINGS

Engineer Al Fusco informed the Board that today he emailed several options for the Board's consideration with regard to HVAC at the Library and Town Hall.

He noted the boilers are not getting enough heat to the library. The piping is small. The ductwork in the attic has deteriorated and the drip pans are leaking.

The Town Hall ventilation needs to be addressed.

#### EXECUTIVE SESSION

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

The executive session ended at 8:15 PM on motion by Councilwoman Smith which was seconded by Councilman Valentine and carried 4-0.

#### LABERGE GROUP

Attorney Bonacic said there are two matters that are before the Board from LaBerge. One relates to the police consolidation. Part of this process is funded through a state grant. To date, LaBerge made an application to the Town to authorize and submit payment requisition to the State in the amount of \$51,213 for services rendered. He suggested the Town proceed with that reimbursement.

The second component relates to the contract between the Town and Village with LaBerge for professional consultants overseeing the police consolidation process. This contract expires March 31, 2014. LaBerge is requesting the Town extend that time to March 31, 2015. Through conversations with the Board members and Village officials, he suggests that the Town do not extend the contract through its current term. The Boards need to decide collectively what to do with this.

A motion was made by Councilman Valentine and seconded by Councilwoman Smith that the Board rescind the earlier motion made this evening to extend the contract with LaBerge through March 31, 2015, therefore contract will expire March 31, 2014. Motion carried 4-0..

There being no further business brought before the Board, a motion was made at 8:25 PM by Councilwoman Smith to close the meeting. Motion seconded by Councilman Valentine and carried 4-0.

Respectfully submitted,

Elizabeth A. Reilly, Town Clerk, 2014-02-26