

TOWN BOARD MEETING
MAY 28, 2014
5:55 PM

Supervisor Jamieson opened the meeting at 5:55 PM

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

COMPREHENSIVE PLAN REVIEW

Supervisor Jamieson suggested having three meetings to review the Comprehensive Plan prior to setting a public hearing.

The Board conducted an overview of the proposed plan. Councilwoman Ranni was on the committee since its inception (as ZBA Chairwoman). Councilman Valentine attended meetings since his election.

Supervisor Jamieson suggested consistency along the business districts (signage regulations).

Councilwoman Ranni suggested going through each chapter and address the items that need to be addressed. She questioned whether certain items should be left in the plan because then the Board would be held to it. She said the time frames may need to be adjusted.

Councilman Murray said items that are not going to be implemented should not be on the plan.

Councilman Valentine noted that the expansion of public transportation has nothing to do with zoning.

Councilwoman Smith said the suggestion of running the Heritage Trail to Newburgh has nothing to do with the Town. The Heritage Trail is considered part of the county park system.

Trail and trail heads were discussed. Engineer Fusco asked what the Board's thoughts were on this. Councilwoman Ranni said that property owners raised concern of this at the public hearing. The wording was changed to indicate that a trail may be constructed with the 'owner's permission' or if the Town purchased the property.

The Town Clerk noted that Sugar Loaf Mountain was privately owned. The reference that it was a long term goal and the definition of long term (2 to 5 years) suggests that the trail and/or property would become available for public use within that time frame.

Engineer Fusco suggested wording to develop trail heads and foot paths through access with owner consent. (See page 19) This would not name any specific land.

Supervisor Jamieson said some of the issues with riparian zones is not a Town issue, as the land is not Town owned.

Councilman Murray said it is not like someone will be crossing private land to reach publicly owned land, Sugar Loaf Mountain is privately owned.

EXECUTIVE SESSION

A motion was made at 6:45 PM by Councilman Murray and seconded by Councilwoman Smith to enter into executive session to discuss personnel and litigation matters. Motion carried 5-0.

The executive session ended at 7:15 PM on motion by Councilman Murray which was seconded by Councilwoman Smith and carried unanimously.

NEW WEBSITE

Supervisor Jamieson reported the new website is almost complete. The new name will be: Chester-ny.gov.

WALTON LAKE ESTATES

Supervisor Jamieson reported the Walton Lake Estates Water District is looking into a reverse osmosis system for the plant. The Engineer has been working with the Water Dept.

A motion was made by Councilwoman Smith and seconded by Councilman Valentine authoring the Supervisor to sign the completed application and send to DEC. Motion carried 5-0.

CONSOLIDATED RAILROAD

Supervisor Jamieson said he spoke with Amanda Carpenter of Consolidated regarding the conditions of the railroad crossings in Chester. She indicated she would send someone out to look at the crossings.

CDBG BLOCK GRANT

Supervisor Jamieson informed the Board that the Board needs to pass a resolution and authorize signatures in order for the Town to apply for the Orange County Community Development Block Grant. This is a 3 year grant request for \$375,000.

The following resolutions were offered by Councilman Murray, seconded by Councilwoman Smith and passed unanimously:

The TOWN OF CHESTER is hereby submitting its Municipal Grant Eligibility Form for consideration under the Orange County Community Development (CDBG) Block Grant 2015 and that the supervisor or the Town Engineer is hereby authorized to submit this form.

They further certify that they have read and understood that Municipal Grant Eligibility Form, and have met all its applicable requirements and that the information contained in this form is accurate and true to the best of their knowledge. Motion carried unanimously.

**MUNICIPAL RESOLUTION - URBAN COUNTY
TOWN OF CHESTER**

RESOLUTION AUTHORIZING THE TOWN OF CHESTER ENTER INTO AN AMENDMENT TO THE EXISTING COOPERATION AGREEMENT DATED JULY 8, 1993, AS AMENDED, WITH THE COUNTY OF ORANGE FOR THE PURPOSE OF UNDERTAKING COMMUNITY DEVELOPMENT AND HOME PROGRAMS FOR THE PROGRAM YEAR COMMENCING FEDERAL FISCAL YEARS 2015, 2016, 2017 (AND FOR SUCCESSIVE THREE YEAR QUALIFICATION PERIODS AS PROVIDED FOR IN THE AUTOMATIC RENEWAL PROVISION) PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED AND TITLE II OF THE NATIONAL AFFORDABLE HOUSING ACT OF 1990, AS AMENDED.

WHEREAS, the Secretary of the U.S. Department of Housing and Urban Development ("HUD") authorized, under Title 1 of the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended to make grants to states and other units of general local government to help finance Community Development and Affordable Housing Programs; and

WHEREAS, it is desirable and in the public interest that the Town of Chester participate in aforesaid Community Development and HOME Programs for the program year commencing Federal Fiscal Years 2015, 2016, 2017, (and successive three year qualification period); and

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

WHEREAS, applications for grants to finance Community Development and Affordable Housing Programs under the Housing and Community Development Act of 1974, as amended and the National Affordable Housing Act of 1990, as amended and any "eligible Activities" thereunder are not inconsistent with the statutes or constitution of this state; and

WHEREAS, TOWN shall take all actions necessary to assure compliance with the COUNTY'S certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The COUNTY and the TOWN shall also comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. Furthermore, the COUNTY and the TOWN shall comply with all other applicable New York State and Federal laws and regulations.

In addition, CDBG funding of activities in, or in support of, TOWN is prohibited if the TOWN does not affirmatively further fair housing within its own jurisdiction or the TOWN impedes COUNTY'S actions to comply with the COUNTY'S fair housing certification. TOWN shall indemnify, defend and hold harmless COUNTY from any non-compliance with affirmatively furthering fair housing by TOWN that result in funding sanctions or other remedial actions by the United States Department of Housing and Urban Development and/or the federal government against COUNTY.

WHEREAS, The Town as a cooperating unit of local government has adopted and is enforcing:

- a) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- b) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions.

WHEREAS, participation by the County of Orange, as an urban county in the Community Development and HOME programs require that the Town of Chester and the County of Orange cooperate in undertaking or assisting in undertaking, community renewal and lower income housing assistance activities. Specifically urban renewal and publicly assisted housing, pursuant to said Act specifically those activities authorized by statutes and pursuant to Articles 9 and 17 of the New York State Constitution; and

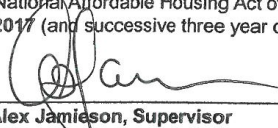
WHEREAS, the County and **Town of Chester** will cooperate in developing Community Development and Affordable Housing Programs and applications for the Community Development Block Grant Entitlement Program and the HOME Investment Partnership ("HOME Program") which will be designed primarily for the purpose of meeting the priority needs and objectives of the participating localities based upon an inventory of the community development and housing needs developed mutually by local and County officials;

WHEREAS, **TOWN** may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the [Housing and Community Development] Act [of 1974]. This requirement is contained in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.

WHEREAS, this **Town Board** deems it to be in the public interest for the **Town of Chester** to enter into an Amendment to the existing Cooperation Agreement dated July 8, 1993, as amended, with the County of Orange for the aforesaid purpose;

NOW, THEREFORE, BE IT

RESOLVED, that the **Supervisor** be and he hereby is authorized and directed to execute a Cooperation Agreement Amendment between the **Town of Chester** and the County of Orange for the purpose of undertaking Community Development and HOME Programs pursuant to the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended, for the program year commencing **Fiscal Years 2015, 2016, 2017** (and successive three year qualification periods).



Alex Jamieson, Supervisor

5-28-14

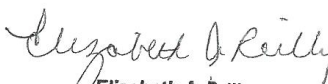
Date

STATE OF NEW YORK)
COUNTY OF ORANGE)
OFFICE OF THE CLERK OF
THE TOWN OF CHESTER)

THIS IS TO CERTIFY THAT I, Elizabeth A. Reilly Clerk of the Town of Chester,
(Clerk's Name) (Town)
have compared the foregoing copy of resolution with the original resolution now on file in my office and which was
passed by the **Town Board** of Chester on the 28th day of May, 2014,
and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of said **Town Board** this
28th day of May, 2014.

SEAL


Elizabeth A. Reilly
Clerk of the **Town of Chester**

AMENDMENT TO COOPERATION AGREEMENT

It is hereby agreed effective as of May 28, 2014, by and between the County of Orange, a municipal corporation of the State of New York, having its principal offices at 255-275 Main Street, Goshen, New York 10924 ("COUNTY"), and "~~Town of Chester~~" a municipal corporation of the State of New York, having principal offices at ~~1786 Kings Highway, Chester, New York 10918-3013~~ ("TOWN") to amend the Cooperation Agreement dated, July 8, 1993, between the parties ("Cooperation Agreement") as follows:

1. Strike and replace Paragraph 3 as follows:

3. Pursuant to New York State General Municipal Law §99-h, the COUNTY and the TOWN agree to undertake, or assist in undertaking, community renewal and lower income housing assistance activities.

2. Strike and replace Paragraph 6 as follows:

6. The COUNTY and the TOWN shall take all actions necessary to assure compliance with the COUNTY'S certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The COUNTY and the TOWN shall also comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. Furthermore, the COUNTY and the TOWN shall comply with all other applicable New York State and Federal laws and regulations.

In addition, CDBG funding of activities in, or in support of, TOWN is prohibited if the TOWN does not affirmatively further fair housing within its own jurisdiction or the TOWN impedes COUNTY'S actions to comply with the COUNTY'S fair housing certification. TOWN shall indemnify, defend and hold harmless COUNTY from any non-compliance with affirmatively furthering fair housing by TOWN that result in funding sanctions or other remedial actions by the United States Department of Housing and Urban Development and/or the federal government against COUNTY.

3. Add the following Paragraph 18:

18. TOWN may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the [Housing and Community Development] Act [of 1974]. This requirement is contained in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.


In all other respects, the provisions of the Cooperation Agreement, shall remain in full force and effect and shall be binding upon the parties referred to above.

TOWN OF CHESTER

(PLACE SEAL)

COUNTY OF ORANGE

(PLACE SEAL)

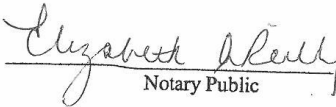
BY: 
Alex Jamieson
Supervisor

BY: _____
Stefan (Steven) M. Neuhaus
County Executive

STATE OF NEW YORK)
COUNTY OF ORANGE) ss:

On this 28th day of May 2014, before me personally appeared Alex Jamieson, to me known, who being by me duly sworn did dispose and say that he/she resides at New York and that he is the SUPERVISOR of the TOWN OF CHESTER of the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, that it was so affixed by order to the TOWN Board of said corporation, and that he signed his name thereto by like order.

ELIZABETH A. REILLY
Notary Public, State of New York
No. 01RE6017338
Qualified in Orange County
Commission Expires December 14, 2014


Notary Public

STATE OF NEW YORK)
COUNTY OF ORANGE) ss:

On this ____ day of _____ 2014, before me personally appeared Stefan (Steven) M. Neuhaus, County Executive of the County of Orange, the corporation described in and who executed the foregoing instrument, to me known and known to be such County Executive, and he being by me duly sworn, did dispose and say that he is the County Executive of Orange County; that he knows the corporate seal of said County of Orange that the seal affixed pursuant to resolution of the County Legislature.

Notary Public

OPINION OF COUNTY COUNSEL

The undersigned county Attorney for the County of Orange, New York, certifies that the terms and provisions of the foregoing Agreement are fully authorized under existing State and local law and that the Agreement provides full legal authority for the county to undertake, or assist in undertaking, essential community renewal and lower income housing assistance activities in cooperation with local units of government.

Langdon C. Chapman, County Attorney

Date: _____

ENERGY QUOTES

Supervisor Jamieson reported that he received energy quotes from various vendors. He said the Hudson Valley is now in a new zone and new pricing is being set at this time. The Town will now decide which vendor to contract with.

DIAL A BUS

Supervisor Jamieson said he had been in touch with some of the senior citizens who use Dial A Bus. The Friday and Saturdays are working out o.k. but the weekday is not. He said he spoke to Michael Sweeton (Supervisor for Warwick) regarding ideas. He will look into this more.

BUILDINGS

LIBRARY: Supervisor Jamieson reported the CR Wolfe advised the Town that they have been adding too much freeon to the air conditioning unit at the Library. The air conditioning units and freeon loss need to be addressed.

Engineer Al Fusco said he would look into this.

Maureen Jagos, Director of the Library, commented that the summer programs need to be relocated if the air conditioning is not working.

POLICE DEPARTMENT: Chief Doellinger reported the blowers and dehumidifiers are running continually to get the moisture out of the wall. Today, Servpro removed a portion of the dry wall.

PARKS AND RECREATION

Summer Employees: Supervisor Jamieson referred to the memo from Parks and Recreation regarding the summer camp employees. The minimum wage increased to \$8. Per hour effective January 1, 2014 and some of the salaries were adjusted accordingly.

A motion was made by Councilman Valentine and seconded by Councilman Murray to approve the salaries submitted by Parks and Recreation for the summer camp employees as presented.

Discussion: The Board members did not have a chance to review the request.

Councilwoman Ranni questioned the calculations. The memo was circulated for the Board to review.

Following the discussion, the motion passed unanimously.

Town of Chester Parks and Recreation
1786 Kings Highway
Chester, NY 10918

2014 SUMMER CAMP EMPLOYEES

STAFF

PAY RATE

Director	Joshua McElroy	7,655.25 (4@1,913.81)
Assistant Director	Lauren Bowman	3,164.52 (4@ 791.13)
Medical Director	Kristen Ramos	11.40
Activities Director	Anthony Danielewski	10.82
Arts and Crafts	Brittany Bilodeau	11.40

COUNSELORS

1.	Brian Almodovar		8.25
2.	A. Almodovar	NEW HIRE	8.00
3.	Samantha August		8.25
4.	Marcella Brosnan		8.25
5.	Armani Castro	NEW HIRE	8.00
6.	Stephanie Elter		8.25
7.	Brian Hurley		8.25
8.	K. Gelormino	NEW HIRE	8.00
9.	Patrick Guilfoyle	NEW HIRE	8.00
10.	Ryan Guilfoyle		8.25
11.	Brian Knapp		8.25
12.	Philip LaSpina		8.25
13.	Victoria Lew		9.52
14.	Connor Leahy		8.25
15.	J. Mackenzie	NEW HIRE	8.00
16.	Marcella Martinez		8.25
17.	Daniel Mulvey		8.25
18.	Katherine Quinn		8.25
19.	Alissa Ramos	NEW HIRE	8.00
20.	Jillian Streichert		9.80
21.	Kristen Streichert		9.52
22.	Felicia Valastro		9.80
23.	Dayton Wong		8.25

CIT'S

1. J. Castro

SALE OF 2005 FORD EXPEDITION

A motion was made by Councilman Murray and seconded by Councilwoman Ranni to list with propertyroom.com the 2005 Ford Expedition with a reserve bid of \$3,500. Motion carried 5-0.

DISTRICT ATTORNEY'S COMMUNITY PROSECUTION PROGRAM

A representative from the Orange County District Attorney's office will speak to the Board on June 11, 2014 regarding the Community Prosecution program.

E RECYCLING

Councilwoman Ranni asked the status of the e-recycling. She questioned why IWS is not picking up the e recycling if it is in the contract.

Supervisor Jamieson reported that IWS stopped providing the service about 6 months ago. They will not pick up the e recycling. National Parts has offered to take the e recycling. He is waiting to hear back from them to see if something can be worked out.

FIREWORKS DISPLAY

A representative of Suburban Propane will be present at the June 11, 2014 meeting to present a check to the Town for the fireworks display.

CHESTER VOLUNTEER AMBULANCE CORPS.

Attorney Bonacic reported the Town Clerk received past due invoices from a vendor looking for payment from CVAC.

Attorney Bonacic said this is a dispute between the vendor and CVAC

PUBLIC COMMENTS

Edie Johnson asked about status of Mountco.

Supervisor Jamieson said according to the contract with the County, Mountco has two years once they have water and sewer worked out to begin developing the property.

EXECUTIVE SESSION

A motion was made by Councilman Valentine and seconded by Councilwoman Smith to enter into executive session. Motion carried 5-0.

The executive session ended on motion by Councilman Valentine and seconded by Councilwoman Smith to close the executive session. Motion carried 5-0.

There being no further business brought before the Board, a motion was made by Councilman Murray and seconded by Councilwoman Smith to close the meeting. Motion carried 5-0.

Respectfully submitted,

Elizabeth A. Reilly,
Town Clerk
2014-05-28