

TOWN BOARD
PUBLIC HEARING AND MEETING
DECEMBER 10, 2014
7:05 PM

Supervisor Jamieson opened the meeting 7:05 PM followed by a salute to the flag. Members present: Supervisor Jamieson, Councilman Murray, Councilwoman Ranni, Councilwoman Smith, Councilman Valentine.

Also present: Engineer Al Fusco, Attorney Scott Bonacic

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to open the Public Hearing with regard to the Proposed Local Law Pertaining to the Regulation of Digital Signs and Billboards. Motion carried 5-0.

Supervisor Jamieson asked the Town Clerk to read the public notice.

TOWN OF CHESTER
NOTICE OF PUBLIC HEARING ON
“PROPOSED LOCAL LAW ENTITLED
“ZONING AMENDMENTS PERTAINING TO THE REGULATION OF
DIGITAL SIGNS AND BILLBOARDS”

PLEASE TAKE NOTICE that the Town Board of the Town of Chester will hold a public hearing on a proposed local law entitled “A Local Law Zoning Amendments Pertaining to the Regulation of Digital Signs and Billboards”. Said public hearing will take place on Wednesday, December 10, 2014 at 7:00 PM in the Town Hall Meeting Room, 1786 Kings Highway, Chester, NY.

This local law, if adopted, is to implement various zoning law amendments pertaining to the regulation of digital signs and billboards. The intent of this article is to establish operating standards and regulations for signs which utilize these newer technologies, in order to minimize the secondary effects that often accompany the unregulated display of digital signs, preserve the character and peacefulness of adjacent areas, protect property values, and reduce traffic hazards caused by undue distraction. A copy of the proposed local law is on file in the Town Clerk’s Office, 1786 Kings Highway, Chester, NY and can be obtained Monday – Thursday between the hours of 8 a.m. and 5 p.m.

All persons interested in the proposed local law will be heard by the Town Board at the above time and place. Persons may appear in person or by agent. All written communications addressed to the Board in connection with the proposed local law must be received by the Board at, or prior to the public hearing.

BY ORDER OF THE TOWN BOARD
TOWN OF CHESTER

Linda A. Zappala
Town Clerk

Dated: November 17, 2014

Supervisor Jamieson asked that any comments be brought to the front of the room at the podium.

Ted Talmadge – 5098 Route 17M, Chester, NY

Mr. Talmadge commented that the proposed law has not been available on the internet, and thinks the public hearing should be held open a longer period of time for those who would still like to comment. Mr. Talmadge commented that the zoning code has language since 1974 in Chapter 98-8 Section 3 relative to the removal of nonconforming billboards upon their expiration of 3 years. In 2003 it was reviewed and last year it was also discussed but nothing has been done. Mr. Talmadge believes that the code should be amended before the law is passed. Mr. Talmadge believes the Board should consider this law more closely. He said that the digital signs would light up Chester beyond belief. He said Chester is not a transient town with a lot of commuters going through to attract to business. He believes the townspeople know where the places of business are located. He did not think that this change would be a positive one for the Town. He also commented that the changing digital sign in Wallkill is a distraction as you are driving along at 65-75 mph. He thinks the Town should wait to see how other Towns fare with digital signage before the Town moves forward. Mr. Talmadge expressed that this is about other signs as well. He said it will affect Sugar Loaf as well as all of Chester, including the Village. He hopes that the Town will not hurry the process and keep the public hearing open since there might be more comments from people who have billboards who are not present at the meeting.

Tom Becker – 11 Sanford Avenue, Chester, NY

Mr. Becker referred to the language pertaining to “only existing billboards are permitted.” He referenced the regulation whereby the billboards must be 1,000 feet apart. He asked that if a billboard goes down which was within the 1,000 feet would it allow for reconstruction or must it be relocated. Mr. Becker had another question regarding the distance of within 75 feet of the property line adjoining a street or 30 feet of other property lines. Again he questioned if a billboard went down, would the property owner be forced to move the location.

He asked the Board to consider his questions and also that the public hearing be left open to the next meeting allowing him more time to get the footage information of the signs along Route 17 to see if the distances would require elimination or be able to leave in place.

Supervisor Jamieson agreed with the gentlemen that the public hearing should be kept open for more review for at least 30-45 days. There seems to be more changes to be made and since it is such a new concept, the last thing we should do is rush into something and find that it is not right for the Town.

Attorney Bonacic said it would be the Board’s preference to hold the public hearing open for written and/or verbal comments for a period of 30-45 days if the belief is that there wasn’t ample opportunity for public input.

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine to keep the public hearing open for both written and verbal comments to and through the next general board meeting of January 14, 2014. Motion carried 5-0.

AUDIT OF CLAIMS

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Smith and passed 5-0 to approve payment of the bills in the following accounts:

GENERAL FUND	\$111,255.28
GENERAL – PART TOWN	47,992.29
HIGHWAY – TOWN WIDE	77,388.87
HIGHWAY – OUTSIDE	8,030.58
FIELDCREST WATER	485.00
LAKE HILL FARMS WATER	3,943.57
SEWER DISTRICT I	1,348.27
SUGAR LOAF HILLS WATER	2,235.32
SURREY MEADOWS WATER	2,484.18
GARBAGE DISTRICT	47,571.19
SEWER DISTRICT IV	5,967.45
WALTON LAKE WATER	<u>2,579.76</u>
	\$311,281.76

WALTON LAKE WATER TANK

Supervisor Jamieson updated the Board on the plans for a new water tank for the Walton Lake Water District. An application needs to be made to the Department of Health to move forward. A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to allow Supervisor Jamieson permission to sign the application on behalf of the Town. Motion carried 5-0.

ARBOR DAY GRANT

Supervisor Jamieson updated the Board on the Arbor Day Grant. A resolution is needed to accompany the grant filing.

TOWN BOARD OF CHESTER ARBOR DAY EVENT RESOLUTION

The following resolution was offered by Councilwoman Smith and seconded by Councilman Valentine and passed unanimously:

BE IT RESOLVED, that Alexander Jamieson, Supervisor of the Town of Chester, New York, is hereby authorized and directed to file an application for an Urban and Community Quick Start Grant in an amount not to exceed \$1,000 and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Town of Chester for “Arbor Day Event”.

COMPREHENSIVE PLAN UPDATE

Supervisor Jamieson reminded everyone that the public comments on the Plan have also been extended until the January 14, 2015 meeting. It is currently on the website.

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to send the Comprehensive Plan Update: 2014 to the Orange County Planning Board for comments with a 30-day response time. Motion carried 5-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Ranni to declare the Town of Chester as lead agency for SEQRA in regard to the Comprehensive Plan 2014: Update.

APPROVAL OF MINUTES

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Ranni to accept the Town Board meeting minutes through November 12, 2014. Motion carried 5-0.

REORGANIZATION MEETING

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine to set the Reorganization meeting for Tuesday, January 6, 2015 at 7 p.m. Motion carried 5-0.

KING TRACT WATER INFORMATIONAL MEETING

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to schedule an informational meeting for residents of the King Tract development regarding water issues for Wednesday, January 7, 2015 at 7 p.m. Motion carried 5-0. Discussion: Notices will be sent to the residents.

LIBRARY TRUSTEE

Supervisor Jamieson announced the nomination of the Library Board of Trustees for Leila Goldwaithe to fill the current vacancy left by Mary Langton. The Town Board is asked to make this appointment through December 31, 2016.

EXECUTIVE SESSION

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to enter into executive session at 7:25 p.m. to discuss a personnel matter. Motion carried 5-0.

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to end the executive session at 7:45 p.m. Motion carried 5-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to appoint Leila Goldwaithe as Library Trustee for a term ending December 31, 2016.

PARK FEE SCHEDULE

Supervisor Jamieson reminded the Board of the park fee schedule that was provided by the Director for new park use fees for 2015. Councilwoman Smith asked about the separate fees within the parks. Lori Streichert replied that the fees are for the specific area. If a group utilizes another area, they would have to pay for that area as well. A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Ranni to approve the park fee schedule for 2015. Motion carried 5-0.

SENIOR CENTER BUILDING COMPLIANCE ISSUES

Supervisor Jamieson reported the compliance issues found by the building inspector at the senior center. A new door is required with a crash bar and some lighting needs upgrading. Joe Mlcoch will take care of these issues. Also, a re-evaluation of the occupancy based on square footage has found that the building is rated for 176 persons.

STOP DWI CHANGE ORDER

Supervisor Jamieson read the request from Chief Doellinger regarding a change order to the IMA for Police overtime for additional patrols. The following resolution was offered by Councilman Valentine and seconded by Councilman Murray and passed unanimously.

TOWN BOARD OF CHESTER CHANGE ORDER ORANGE COUNTY STOP-DWI PROGRAM RESOLUTION

BE IT RESOLVED, that Daniel J. Doellinger, Chief of Police of the Town of Chester, New York, is hereby authorized and directed to execute the Orange County STOP-DWI Program Change Order, dated October 31, 2014 in the net increase of \$3,750.00.

BY ORDER OF THE TOWN BOARD

COMPTROLLER'S FINDINGS

Supervisor Jamieson announced the State Comptroller effort to meet with new supervisors to go over the budget records. The Comptroller found, for the first time since the start of the State tax cap requirements; we were under the cap with an increase of only .8%. He found the Town to be in good financial shape, with a slight overage to be used as a carry over for next year.

RENAMING OF PARKS

Supervisor Jamieson mentioned that the Board voted to re-name the Commons Park after Charles Shaughnessy. After contemplating this decision further, he thought that maybe a "wall of honor" to honor other Chester residents, would be appropriate. Councilwoman Ranni added that the original name was chosen as a result of a contest winning in the late 1960's. She thinks the history should not be changed. Mr. Stoddard mentioned that the field was not built at that time, so as a new addition, it could be named for someone.

LIBRARY ATTENDANCE

Supervisor Jamieson acknowledged receipt from the Library Board secretary with regard to meeting attendance as well as continuing education for 2014.

TOWN HALL HOURS

Supervisor Jamieson addressed the Board with regard to Town Hall hours of operation. The discussion ensued as to whether a five day work week or late nights would be better. Supervisor Jamieson said a vote would be taken on the next Town Board meeting.

EDUCATION REQUESTS

Supervisor Jamieson presented a training request received from Chief Doellinger to send PO Slaughter to the Intermediate Crash Management course. There is no fee for the course which trains officer to process accident scenes by preserving and collecting available data and evidence. A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to approve the attendance of PO Slaughter to the Crash Management course from January 12-16, 2015 at no cost to the Town. Motion carried 5-0.

CODE RED

Supervisor Jamieson read an email received regarding CodeRED. This alert system immediately notifies residents via social media during emergency events. He said he would follow up with this. Chief Doellinger said he looked into this service last year, and although he thought to be a nice product, he found it to be costly.

PALISADE PARK COMMISSION

Supervisor Jamieson read the notice received from the Palisades Park Commission of their calendar of events in 2015. The first meeting is Monday, February 23, 2015 at noon at the Fort Lee Historical Park. The following meeting is set for April 27, 2015 at the Overlook Lodge at Bear Mountain. A meeting will be held at Fort Lee on June 15, 2015 and then September 21, 2015 at the Bear Mountain Inn. The last meeting is in November at Park Headquarters. This information will be posted on TV and on our website.

PAYMENT RELEASE

Supervisor Jamieson announced that the Department of Labor had the Town withhold payment to a vendor due to a labor issue. They recently approved the release of the payment in the amount of \$4,653.00 to JNP Construction.

MOODNA SEWER COMMISSION

Supervisor Jamieson addressed the Board with regard to the Moodna Sewer Commission. He said the commission has six members, two members from the Town of Chester, two members from the Village of Chester and two members from the Town of Monroe. Every year a new chairman is appointed. This year, the chairmanship came to the Town of Chester. Both Councilman Murray and Councilwoman Smith are on the commission. Councilman Murray was nominated by current chair Mayor Valastro of the Village of Chester. A MOTION WAS MADE BY Councilwoman Ranni and seconded by Councilman Valentine to appoint Jerry Murray to Chairman of the Moodna Sewer Commission FOR THE TERM ENDING December 31, 2016. Motion carried 5-0.

TOWN BOARD COMMENTS

Councilwoman Ranni addressed the Board concerning the information submitted by Don Serotta to the Comprehensive Plan Update regarding solar energy as it has become a popular energy form. Supervisor Jamieson said there are no restrictions currently and only a building permit is required through the building department. The fee is currently at \$.50 p/square foot.

Councilwoman Ranni said we need regulations regarding placement. Councilman Valentine said he thinks there needs to be a definition as to a free standing, accessory structure. Engineer Fusco added that authority should be with the Building Inspector, but if uncomfortable with the application, he may refer it to the Planning Board. To keep the process simple, Supervisor Jamieson said the Town should draw up some guidelines. Mr. Fusco offered to draw up a code definition for the next Town board meeting.

Councilwoman Smith commented that she was in touch with NYSERDA concerning the Town Hall buildings and she received a list of commercial installers that she will be contacting. Now that the Town has installed new roofs, we can consider solar heating.

Councilwoman Smith wished all a Merry Christmas and a Happy New Year.

Supervisor Jamieson mentioned that the parks department is looking into purchasing a filtration system to remove the moisture to the outside. They are also looking into the installation of new flooring for the center. A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to purchase a filtration system for the Chester Senior Center at a cost up to \$1,500. Motion carried 5-0.

PUBLIC COMMENTS

Barbara Morrow – 4 Stevens Place, Chester, NY

Ms. Morrow asked if there would be a response to the public comments with regard to the Comprehensive Plan. Supervisor Jamieson said there would be a response.

Ms. Morrow wanted to mention three items that were not on the agenda; a voucher, the Moodna appointment, and \$1,400 filtration purchase.

Don Duke - 1385 Kings Highway, Chester, NY

Mr. Duke addressed the Board with regard to the architectural review process in the Hamlet of Sugar Loaf which is currently handled by the Planning Board. Initially, it was in the hands of Sugar Loaf residents' board. In 1984 the Town Board eliminated that board and put the sole authority to the Planning Board, but allowed for the creation of an advisory committee of five Sugar Loaf residents, who have advised the Planning Board on matters concerning both small and large buildings construction and changes. Mr. Duke stated that Sugar Loaf is not an architecturally historic district but it is possible at some point to seek status. He stated that protecting buildings from haphazard changes is in everyone's best interest. The Town doesn't currently have code or guidelines for this process for maintaining the character and harmony among existing buildings. One proposal he offered, similar to the Town of Montgomery is forming a set of guidelines that specifically look at the types of materials used, and what alterations can be made, allowing for modern things that older buildings do not have. The SLAC and SLCDC have developed a set of standards. The advisory committee exists solely for the pleasure of the Planning Board and they are not automatically contacted or given materials like in the past when they met with applicants or architects. Some disasters have been averted and nice projects have been done. The committee would be able to advise people what the Town is about and what things they are looking for and what things are not appropriate. An example in 2006 was the use of vinyl siding that was considered inappropriate, but in 2013 the use of vinyl in a residence was unanimously approved. He thinks there needs to be consistency in the decision making. They would like to offer their ideas on how that can be achieved.

Councilman Valentine commented that there needs to be guidelines put in place for a designated district. There could be some latitude in the guidelines. Supervisor Jamieson said this is a topic for further discussion at a meeting in January, 2015. Councilwoman Smith asked if the committee wanted guidelines from the Town. Mr. Duke would offer the guidelines for consideration of the Board. Councilwoman asked for a written plan to present to the Board in January 2015.

EXECUTIVE SESSION

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to enter into Executive Session at 8:10p.m. Motion carried 5-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman to close the Executive Session at 9:05p.m. Motion carried 5-0.

There being no further business brought before the Board, A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Ranni to adjourn the meeting at 9:10p.m. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2014-12-10