

DRAFT

**TOWN BOARD
PUBLIC HEARING AND MEETING
October 14, 2015
7:00 PM**

Supervisor Jamieson opened the meeting 7:10 PM followed by a salute to the flag. Members present: Supervisor Jamieson, Councilman Murray, Councilwoman Smith, Councilman Valentine.

PUBLIC HEARING CONCERNING INTRODUCTORY LOCAL LAW OF 2015 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to open the public hearing.

The following is the public notice as published in the Times Herald Record on October 2nd, 8th and 14th, 2015.

**NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL
LAW ENTITLED: A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN THE GENERAL MUNICIPAL LAW SECTION 3-C**

Please take notice that the Town Board of the Town of Chester will hold a public hearing on Wednesday, October 14, 2015 at 7 PM in the Town Hall Meeting Room, 1786 Kings Highway, Chester, NY. Said public hearing is to hear comments on the above captioned proposed local law.

A copy of the proposed local law is on file in the Town Clerk's Office and is available for inspection during normal business hours (M-Th., 8 am to 5 pm).

Any person interested in the proposed local law may appear in person or by agent. All written communications should be addressed to the Board at the above address.

**BY ORDER OF THE TOWN BOARD
TOWN OF CHESTER**

**LINDA A. ZAPPALA
TOWN CLERK**

DATED: SEPTEMBER 29, 2015

Supervisor Jamieson explained that the local law is put in place as a protective measure in the event the tax levy exceeds the tax cap. He said the budget is tight and he doesn't think it will exceed the levy.

There being no comments brought to the Board, **A MOTION WAS MADE BY** Councilman Murray and seconded by Councilwoman Smith to close the Public Hearing. Motion carried 4-0.

AUDIT OF CLAIMS

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine and passed 4--0 to approve payment of the bills in the following accounts:

GENERAL FUND	\$ 83,036.75
GENERAL - PART TOWN	29,054.32
HIGHWAY – TOWN WIDE	22,523.96
HIGHWAY – OUTSIDE	6,885.97
FIELDCREST WATER	4,215.81
LAKE HILL FARMS WATER	2,554.88
SUGAR LOAF HILLS WATER	11,284.96
SURREY MEADOWS WATER	3,557.71
GARBAGE DISTRICT	47,793.20
TRUST & AGENCY	30,075.09
WALTON LAKE WATER	<u>21,414.33</u>
	\$ 262,396.98

PETITION REGARDING ANNEXATION OF LANDS FROM TOWN OF MONROE TO VILLAGE OF KIRYAS JOEL

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to approve the letter of engagement and allow the Supervisor to sign same with regard to the Town of Chester joining the petition regarding the annexation of lands from the Town of Monroe to the Village of Kiryas Joel. Motion carried 4-0.

DELINQUENT PROPERTY MAINTENANCE TAX LEVY

Supervisor Jamieson explained the process and read the memo received from Building Inspector Joe Mlcoch regarding Chapter 95A-4 Weeds and the maintenance of certain properties in accordance with the law.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to assess levies totaling \$1,750.00 against the 2016 Town tax bills of the following properties.

SBL 5-1-16	11 Booth Road	\$800.00
SBL 13-1-42	1364 Kings Highway	25.00
SBL 27-3-15	14 Harding Way	175.00
SBL 27-3-30	19 Harding Way	100.00
SBL 15-3-36	101 Beverly Road	100.00
SBL 26-4-16.6	68 Sunfish Lane	75.00
SBL 28-4-1	58 Lincoln Road	75.00
SBL 6-1-30	4023 Summerville Way	200.00
SBL 1-1-3.1	3563 Route 94	200.00

Motion carried 4-0.

SENIOR CENTER CDBG GRANT

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilwoman Smith and seconded by Councilman Valentine and passed 4-0:

TOWN OF CHESTER
SEQRA RESOLUTION

WHEREAS the Town Board of the Town of Chester proposes to construct a new Senior Center and Community Center.

IT IS RESOLVED that the Town Engineer is authorized to design and prepare bid documents for a new Senior Center and Community Center.

AND FURTHERMORE, the Supervisor, Alex Jamieson, is authorized to sign all documents in accordance with all the CDBG grant requirements.

ALEX JAMIESON, SUPERVISOR
TOWN OF CHESTER

DATE

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilman Murray and seconded by Councilwoman Smith and passed 4-0:

**NOTICE OF INTENT TO
ESTABLISH LEAD AGENCY**

The Town of Chester, N.Y. Town Board hereby declares its intent to become lead agency as required by SEQR (6NYCRR Part 617)

Name of Action: Town of Chester Senior Center
Project: Senior Center
Action: Type II
Plans and Application: Available at Town Hall or upon request

The Town Board declares itself Lead Agency. The Town of Chester is the single agency involved and is undertaking the project; therefore, the Town Board will be lead agency.

The proposed action includes the construction of a new Senior Center.

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilman Murray and seconded by Councilman Valentine and passed 4-0:

State Environment Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

This notice is issued pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environment Quality Review Act) of the Environmental Conservation Law.

The Town of Chester Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Senior Center
SEQR Status: Type II
Negative Declaration: Yes
Description of Action: New Senior Center and Community Center

Facts & Reasons Supporting This Determination:

Based on it careful review of the application, the plans and revisions thereto submitted by the applicant, Environmental Assessment Form, Part I, Part II, Part III, with supporting information and public comment, the Planning Board has identified the no areas of environmental concern in connection with the proposed project.

Conclusion:

Based on the Town Board's review and consideration of the Project application, Full Environmental Assessment Form, supplementary technical information, public comments and consideration of the criteria for determining significance set forth in 6 NYCRR 617.7 (c), the Project as designed together with the applicants completion of the public improvements set forth herein will not result in any significant impact to the environment.

On a motion by Member _____, seconded by Member _____

The foregoing resolution was adopted on a vote of _____ Ayes, _____ Nays.

Dated: Town of Chester
Orange County, NY
September 23, 2015

Alex Jamieson Supervisor
Town of Chester

For Further Information Contact:

Town Clerk
Town of Chester
1786 Kings Highway
Chester, New York 10918

WARWICK RIDGE DRAINAGE DISTRICT

Mr. Ross Winglovitz addressed the Board asking for the establishment of the drainage district in the Warwick Ridge subdivision. Supervisor Jamieson said a decision had not yet been made. Engineer Al Fusco said he would agree to the maintenance bond amount of \$170,775 but that the information had just been received from the Planning Board attorney. Supervisor Jamieson said he would put the item on the agenda for October 28, 2015.

EDUCATION REQUESTS

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to approve the attendance of Planning Board member Barry Sloan to the “Sign Regulation” course on October 21, 2015 at a cost of \$15.00 Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to approve the attendance of Planning Board member Barry Sloan to the “Zoning Updates – Revising Zoning” course on November 2, 2015 at a cost of \$15. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to approve the attendance of Planning Board member Julie Bell to the “Sign Regulations” course on October 21, 2015 at a cost of \$15. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to approve the attendance of Planning Board member Julie Bell to the “Zoning Updates” course on November 2, 2015 at a cost of \$15. Motion carried 4-0.

DARLENE DEMARMELS RETIREMENT

Supervisor Jamieson read the following proclamation into the minutes in honor of retiree Darlene DeMarmels. Supervisor Jamieson added Darlene, who had been with the Town since 1990 serving in the capacity of Clerk to the Supervisor and Payroll Clerk was an asset and a friend to the Town of Chester and will be sorely missed.

PROCLAMATION HONORING DARLENE DEMARMELS UPON HER RETIREMENT FROM THE TOWN OF CHESTER

WHEREAS, The Town Board of Chester wishes to recognize Darlene DeMarmels, upon her retirement from the Town of Chester; and,

WHEREAS, Darlene has been a loyal and dedicated employee since she began her employment in July 1990; and,

WHEREAS, Darlene is retiring from her position as payroll clerk; and,

WHEREAS, during her employment with the Town of Chester, Darlene worked in various departments, first for the Town Clerk, then with the Assessor, and then with the Supervisor’s office from January, 1992; and,

WHEREAS, Darlene served as Clerk to the Supervisor under the administrations of Stephen Shortess, Margaret Grumbach, William Tully, Stefan Neuhaus and Alexander Jamieson.

NOW, THEREFORE BE IT RESOLVED that the Town Board joins the members of the Chester community in extending their congratulations and best wishes to

DARLENE DEMARMELS

BE IT FURTHER RESOLVED that a copy of this Proclamation be spread upon the minutes of the official proceedings of the Town Board meeting of October 14, 2015.

RESCHEDULING OF TOWN BOARD MEETING

Supervisor Jamieson announced that the next scheduled meeting of the Town Board falls on Veteran's Day. **A MOTION WAS MADE BY** Councilman Murray and seconded by Councilwoman Smith to reschedule the meeting of November 11, 2015 to November 4, 2015 at 7:00pm at the Town Hall Meeting Room. Motion carried 4-0.

PLANNING BOARD SECRETARY

Supervisor Jamieson read a memo from Don Serotta, Planning Board Chair concerning the appointment of a new planning board secretary.

EXECUTIVE SESSION

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine at 7:30pm to enter into Executive Session concerning a personnel appointment. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to adjourn the Executive Session at 7:40pm. Motion carried 4-0.

PETITION REGARDING ANNEXATION OF LANDS FROM TOWN OF MONROE TO VILLAGE OF KIRYAS JOEL

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to enter into the Inter-Municipal Agreement with the County of Orange and certain other municipalities concerning the petition regarding annexation of lands from Town of Monroe to Village of Kiryas Joel. Motion carried 4-0.

PLANNING AND ZONING BOARD SECRETARY

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to appoint Alexa Burchianti as Planning Board secretary beginning October 19, 2015. Motion carried 4-0.

ZONING BOARD OF APPEALS APPOINTMENTS

Supervisor Jamieson said that he had spoken with several members of the Zoning Board of Appeals concerning the vacancy of the Chairman's position and the possibility of filling it in the New Year. **A MOTION WAS MADE BY** Councilwoman Smith and seconded by Councilman Valentine to appoint Walter Popailo as member to the Zoning Board of Appeals for the term ending December 31, 2016 to fill a vacancy. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to re-appoint Julie Bell to the Zoning Board of Appeals for a term ending December 31, 2019. Motion carried 4-0.

BOARD OF ASSESSMENT REVIEW

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine to re-appoint Jean Shea to the Board of Assessment Review for a term ending September 30, 2020. Motion carried 4-0.

CORRESPONDENCE AND ANNOUNCEMENTS

Supervisor Jamieson announced the defensive driving course being held at Town Hall on October 28, 2015 from 8:30am-2:30pm required for all employees who drive Town vehicles. Department heads must respond by October 23, 2015.

Supervisor Jamieson read the announcement from the Orange County Department of Public Works concerning the road closure of Bellvale Road from the Sugar Loaf Bypass for repair work to be done to the railroad crossing for ten days beginning October 13, 2015.

Chief Doellinger announced that Orange & Rockland would be relocating a transformer from Lake Station Road to Sugar Loaf Mountain Road during the hours of 12noon-4pm on October 15, 2015. The Police Department would be assisting with road closures during this transport.

Supervisor Jamieson commented about a recent visit to the Chester Golden Age Club. He said they were very receptive. It is a nice group and growing.

Supervisor Jamieson said the Sugar Loaf Fall Festival was well attended and the police and fire departments did a great job with traffic control. He said it was a great success.

TOWN BOARD COMMENTS

Councilwoman Smith announced that the Town was in receipt of contributions in the amount of \$1,950 from the Sugar Loaf Community Vision Center, Fabco, and the Sugar Loaf Chamber of Commerce for the Sugar Loaf street light installation. The remainder of the cost has been approved for payment by the Town.

Councilwoman Smith said that Knapp's View is mowed and ready for the Kite Festival to be held on October 24, 2015 from 12-2pm.

PUBLIC COMMENTS

Vincent Finizia, Sugar Loaf

Mr. Finizia said that during the Sugar Loaf Festival there were parking issues along Pewter Circle that would have hampered access to emergency vehicles, and asked what the Town could do to alleviate the problem.

Nick Zungoli, Sugar Loaf

Mr. Zungoli asked about the overall parking issues in Sugar Loaf. He said he was at the Board three months prior with the request for zoning changes to be made. Supervisor Jamieson replied that he would talk with Don Serotta about the possibility of amending the code with regard to spot counts. Mr. Zungoli

mentioned the qualified study conducted 3 years ago that he will provide the Town Board. Engineer Al Fusco added that the grants being applied for include monies for parking facilities.

Shari Denes, Sugar Loaf

Ms. Denes asked about the status of the Fox Hill Road dedication to the Town and responsibility of the developer regarding the trees. Supervisor Jamieson commented that there are many steps that must be completed. Engineer Fusco added there is a punch list that includes the trees and a 10% maintenance bond on the property to be used for any and all maintenance repairs.

Tracy Shuh, Preservation Collective

She said she thought it was important to keep the public informed She wanted to advise that the Suresky project was approved by the Planning Board; there was a public hearing to erect two electronic billboards, and a solar farm proposal and, since zoning regulations are not addressed in the code, she thinks it should be prohibited. She said the Comprehensive Plan addresses land use. She noted the Planning Board sent the project to the Zoning Board. She said it is not a public utility and therefore should not be allowed on the property. Supervisor Jamieson said the Town of Wallkill put in a moratorium to protect land use from solar farms. Councilman Valentine added that solar panels placed on roofs are not mentioned in the code, but are being done in the Town.

Ms. Shuh asked where the Senior Center building is proposed to be located. Supervisor Jamieson said it would be behind the ambulance building. He said the grant would be used to create a community center. She asked if there would be a public informational meeting. Supervisor Jamieson said a committee would be formed and Senior Club president Lois Gordon would be on the committee. He added that there would be 2 separate entrances. Ms. Shuh asked whether there would be any additional budget meetings. Supervisor Jamieson said that the three meetings addressed the three largest departments of the Town and no others were necessary. He said there will be a public hearing on the budget.

Walter Popailo, P&R Director

Walter announced the following events: Kite Festival on October 24 at 12-2 pm., Halloween Parade and activities on October 25th from 2-4 pm; parade line up is 1:30pm. He said there will be a bus trip to NYC on December 5th from 9am to 6pm. The cost would be \$25 p/person. The Holiday Party is to be held on December 6th from 12-2pm at the Senior Center.

Chief Doellinger commented that this was the first year there were parking issues along Pewter Circle and DeRose Lane. He has made notes and will post one side as no-parking to keep the road open to emergency vehicles. Chief Doellinger added that there was no parking available on the bypass due to road construction affecting the shoulders.

There being no further business brought before the Board, **A MOTION WAS MADE BY** Councilman Murray and seconded by Councilman Valentine at 8:20pm to adjourn the meeting. Motion carried 4-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2015-10-14