

**TOWN BOARD MEETING
March 9, 2016
7:00 PM**

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

Also present: Scott Bonacic, Town Attorney, Al Fusco, Town Engineer

AUDIT OF CLAIMS

ON A MOTION BY Councilman Brischoux and second by Councilman Murray to approve payment of the bills in the following accounts:

GENERAL FUND	\$ 56,941.76
GENERAL - PART TOWN	19,172.06
HIGHWAY – TOWN WIDE	37,117.33
HIGHWAY – OUTSIDE	412.53
FIELDCREST WATER	486.79
CAPITAL FUND	202,099.69
LAKE HILL FARMS WATER	1,774.48
LAKE REGION WERE DISTRICT	14,719.76
SEWER DISTRICT #1	441,800.35
SK FUND	12,539.05
SUGAR LOAF HILLS WATER	1,756.13
SURREY MEADOWS WATER	1,433.51
GARBAGE DISTRICT	47,370.70
SEWER DISTRICT #IV	98,131.75
TRUST & AGENCY	3,805.50
WALTON LAKE WATER	<u>2,512.57</u>
	\$ 942,073.56

VOTE 5 AYES: Jamieson, Brischoux, Murray, Smith, Valentine

ADOPTED

COMMUNITY SERVICE PRESENTATION BY FRANK PILEGGI “UNCLE BUCK”

Mr. Pileggi thanked the Town for promoting his food drive by posting it on TV and the website and allowing him to speak. He collected over 70,000 lbs. of food and 3,000 toys for the Christmas Drive. He is conducting another drive for Easter. Drop-off sites include ShopRite, Roe Brothers and the Chester Diner. He said his ongoing cell phone for vet’s campaign provides vets phone cards to be used to call home. There is a drop-off box at Town Hall. Mr. Pileggi also said he would like to air the “vet show”. He thanked the Board again and wished all a happy holiday. Supervisor Jamieson said the Town would put the information on the website and TV.

CHESTER CLEAN-UP

Mr. Tom Flynn addressed the Board to announce the upcoming Chester Clean-Up Day sponsored by the Kiwanis Club. It will be held on April 30th. He said he would co-ordinate the dumpster placement with Town Clerk, Linda Zappala. Meet up will be at Wendy’s parking lot at 8am. Lunch is being provided for volunteers by Wendy’s and donations by ShopRite. It ends at noon. Supervisor Jamieson said the information would be put on TV and announced at the next Town Board meeting. Supervisor Jamieson said the Town Board and Town

Clerk had helped last year and the more people who get involved will allow more streets to be cleaned up. Mr. Fynn said there were 100 volunteers last year. Mr. Flynn also announced the Mid-Hudson St. Patrick's day parade. Mass will be held at Our Lady of Mt. Carmel in Middletown. Line up for the parade is at 1pm with a 2pm kick-off. He is this year's Grand Marshall. All are welcome.

ALLSTATE FABRICATIONS

Supervisor Jamieson said he met with Allstate Fabrications from Orangeburg to discuss their plans to purchase the Bellvale property and asked them to speak with the Board. Mr. Austin DuBois addressed the Board as the representative of Allstate Fabrications. He said this Rockland company, in business 11 years has outgrown their present space. Allstate Fabrications is a distributor of granite and quartz counters. They would be investing an additional \$600,000-\$700,000 into the property and would have 15 employees relocate and an additional 5 new hires with expansion plans of up to 30 employees. They will seek a tax-break through the Orange County IDA and asked for the Board's support. The Town Board gave a consensus of support.

RESOLUTION TO PURCHASE HIGHWAY MOWER

The following Resolution was offered by Councilman Murray and seconded by Councilman Brischoux:

BE IT RESOLVED by the Governing Body of the Town of Chester (hereinafter "Obligor") as follows:

1. Determination of Need. The Governing Body of Obligor has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of the Installment Purchase Contract dated as of March 15, 2016, between Town of Chester, New York (Obligor) and KS StateBank (Obligee).
2. Approval and Authorization. The Governing Body of Obligor has determined that the Contract, substantially in the form presented to this meeting, is in the best interests of the Obligor for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Contract by the Obligor and hereby designates and authorizes the following person(s) to execute and deliver the Contract on Obligor's behalf with such changes thereto as such person(s) deem(s) appropriate, and any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Contract.

Authorized Individual(s): Supervisor Alex Jamieson

VOTE 5 AYES: Jamieson, Brischoux, Murray, Smith, Valentine

ADOPTED

ASSESSOR'S VEHICLE

ON A MOTION BY Councilman Murray and second by Councilman Valentine to authorize the assessor to spend up to \$21,000 on a suitable four-wheel drive SUV to replace their current vehicle.

VOTE 5 AYES: Jamieson, Brischoux, Murray, Smith, Valentine

ADOPTED

ZONING CHANGES

Supervisor Jamieson asked Mr. Fusco the status of the proposed Local Law drafts. Mr. Fusco updated the Town Board. He said he received comments from the Town Attorney, and Building Inspector and the Planning Board offered a bit of input. He said he added all in his package that was distributed to the Board. He said that solar was added to the districts' charts. Supervisor Jamieson said the Board is considering a change to I zone. Mr. Fusco said that would require changing the zoning map. Mr. Fusco said that the setbacks in Section A would be used for accessory buildings. He said the parking regulation changes were found to be acceptable by the Board. He added the long form EAF would need to be changed and a resolution to intend lead agency be adopted, upon

review of the Attorney and Board. Supervisor Jamieson said he thought the solar law seems to be more complicated. Mr. Fusco said the Planning Board is concerned with ground mounted solar arrays so applicants would need to go to the planning board for setbacks and screens. He said they saw duplication in height requirements they wanted changed so it has been modified to a 12ft height maximum. The Planning Board also wanted a definition for public utilities but Mr. Fusco doesn't see the need since it will be referred to as an "electric generator", "solar farm", and "solar power". The Planning Board would like to require restoration bonds. He left that amount as a future discussion for the Town Board. He said the Town Attorney said the fees should be reviewed. Mr. Fusco said the building inspector now charges \$.50 p/s.f. for house applications costing from \$100-\$400, based on a solar farm, it could cost \$100,000 in permit fees. He said they looked at other communities and suggested the fee could be changed to \$30,000-\$60,000 p/mgw. This does not have to be done at the time the law is adopted but would be set at some time in the future with a fee schedule. Supervisor Jamieson asked if the Board was ready to move forward. He did not want to rush the decision before all is set, but thought the review Mr. Fusco gave for the solar was adequate.

Councilman Valentine said he would like to see more language in regard to the accessory building in the LBSL. Councilwoman Smith asked what would happen when there is no driveway on the property. Councilman Valentine thought it would fall into the existing non-conforming use. Mr. Fusco said only if there was expansion the new regulation would be applicable. Supervisor Jamieson expressed concern over making changes to the wording. Mr. Fusco said that changes could be made to the law after the public hearing following all comments being received from interested parties. He said a negative declaration is not being issued at this time but just intent to establish lead agency. Attorney Bonacic suggested that the accessory, parking and I district designation could be combined into one local law but the solar law public hearing could bog down the others. He suggested taking time with the solar regulation changes and to pass a separate local law. Councilman Valentine said he would not be opposed to doing it that way. Supervisor Jamieson said he agreed. Councilwoman Smith said there might be more questions concerning solar since it is new to the Town. Attorney Bonacic suggested tabling the matter until the next Board meeting. He said he would work with the engineer to draw up one local law and keep solar separate.

ASHFORD ESTATES DRAINAGE DISTRICT

Supervisor Jamieson said the Town received a request from the owner to establish a drainage district in Ashford Estates. Since the highway superintendent was not able to attend the meeting he wants to wait to get his input. Mr. Fusco said the bond amount agreed upon was \$225,000. He said the Town has asked for certification from the project engineer and the as-built survey. He said that the Highway Superintendent has expressed the he wants the damage by the storm drains to be capped by October 1st of this year with a \$20,000 maintenance bond to be provided.

Attorney Bonacic said the petition for the drainage district could be taken up at the next board meeting following accuracy confirmation, as he referenced having had conversations with the Town Clerk about some inconsistencies in the past, and then a public hearing could be set. Councilman Valentine added that upon formation of the drainage district he would want to know what could be done with the open space. Supervisor Jamieson said that part of the property is located in the Town of Goshen which has limited use. Attorney Bonacic said that open space has a specific connotation that might limit use of the property as well. Councilman Brischoux noted that some of the property is wetlands. Supervisor Jamieson said that gifted space should be usable, but at times is not.

POLICE DEPARTMENT BUILDING BID

Supervisor Jamieson said the Board consensus was that the RFP would include a 10% engineering fee instead of a set dollar amount. He added that he wants to move the project along so that he can secure the BAN financing for both buildings together. Mr. Fusco said the plans were 99% complete and ready to put out for bid. Once the Town Board makes the motion, he will work with the Town Clerk to move the process along.

ON A MOTION BY Councilman Murray and second by Councilwoman Smith to approve the bid process on the reconstruction of the police department building pursuant to the engineer's plans and specifications.

Discussion:

Councilman Murray said he had no problem with moving the project forward, but would like to see the plans. Mr. Fusco then presented the plans to the Board for review. The building site plan will have the same footprint with another garage being added. Water and sewer will be extended to this building and the new senior and parks & rec building. He said there will be a rear entrance sally port for prisoners to be brought in. He said there will be a 3-bay garage. The first floor entrance will feature a lobby, dispatch and complaint rooms, juvenile bathroom along with breakroom/training room, existing kitchen and bathrooms, locker rooms, booking rooms, patrol offices, utility room, mechanical room, sergeant's room, interview rooms, large evidence room and another bathroom. The second floor will consist of 4 offices, conference rooms, administrative room, copy and records room and bathrooms. The bid process will be encompass a 30-day period.

Councilman Murray asked what will happen with Mobile Life. His concern was for the placement of their rig.

VOTE 5 AYES: Jamieson, Brischoux, Murray, Smith, Valentine

ADOPTED

TOWN BOARD COMMENTS

Councilwoman Smith said the Parks and Recreation grant would be followed up by Lori and Simone and due in June for the 2017 season.

Councilwoman Smith announced the Easter Egg Hunt on March 19th at 11am at the Chester Commons. There will be no rain date.

Councilman Brischoux reported that the highway department has been working on Pine Hill Road cutting back trees, since the winter has been a bit easier on them. They are doing maintenance work on their vehicles to get ready for the paving season.

Councilman Murray said there should be some consideration in the 2017 budget for the repair of the floor in the garage.

APPROVAL OF MINUTES

ON A MOTION BY Councilman Murray and second by Councilman Valentine to approve the Town Board meeting minutes through February 26, 2016.

VOTE 5 AYES: Jamieson, Brischoux, Murray, Smith, Valentine

ADOPTED

PUBLIC COMMENTS

Tracy Shuh, Preservation Collective

Ms. Shuh commented that the EAF for the zoning changes should be more specific. She suggested that the Board should see the plans for the new building before going forward. She had concerns about the financing not affecting taxes. She asked if the Board would hold a special meeting for feedback. Supervisor Jamieson said the plans have not been finalized but were to be reviewed with the seniors. They would then be distributed to the Board and a board meeting might then be scheduled to allow public comment. Supervisor Jamieson said that he wanted the public to know that the financing will be alright and the Town would not be raising taxes. He will show everyone how it will work. Councilman Murray said the Board hadn't seen recent changes but had seen the original plans for the project.

Ms. Shuh mentioned that the Henry Farms project in Monroe which borders Chester on the south side. She said the drainage district would be adjacent to the landfill and a lot of water comes off and goes into our Trout Brook. She said the well situation is a big issue as the landfill is unlined and has had connectivity to Chester residents and is not tested regularly. She thought the Town's planning board should weigh in on this.

She asked the status of the Department reports that the Supervisor said would be presented at the meetings.

She commented that the Suresky's parking lot clearing may not be as envisioned. She added that the applicant said trees would shield the road and was concerned about the lights on the site.

She also commented about the possibility of two projects in the Town being allowed in a floodplain, providing they meet certain criteria.

John Burleson, Bellvale Community

Mr. Burleson announced the Easter Sing-a-Long to be held on March 11, 2016 at 6:30pm at the Bellvale Community. All are invited and light refreshments will be served.

EXECUTIVE SESSION

ON A MOTION BY Councilman Valentine and second by Councilman Brischoux to enter into an Executive Session at 8:10pm to discuss a matter concerning collective negotiations. Motion carried 5-0.

ON A MOTION BY Councilman Murray and second by Councilman Valentine to adjourn the Executive Session at 8:30pm. Motion carried 5-0.

There being no further business brought before the Board, **ON A MOTION BY** Councilman Murray and second by Councilman Valentine the meeting was adjourned at 8:30pm. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2016-03-09