

**TOWN BOARD PUBLIC HEARING
AND MEETING
April 27, 2016
7:00 PM**

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

Also present: Scott Bonacic, Town Attorney

ASHFORD ESTATES DRAINAGE DISTRICT

Supervisor Jamieson read the notice as it appeared in the Times Herald Record on April 22, 23 & 27, 2016.

ON A MOTION BY Councilman Valentine and second by Councilman Brischoux to open the Public Hearing at 7:15pm on the matter of the Establishment of the Ashford Estates Drainage District.

Supervisor Jamieson asked if there were any public comments. There were none to the floor.

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to close the Public Hearing at 7:16pm on the matter of the Establishment of the Ashford Estates Drainage District.

ASHFORD ESTATES DRAINAGE DISTRICT SEQR RESOLUTION

ON A MOTION BY Councilman Brischoux and second by Councilman Valentine the following resolution was offered:

**A RESOLUTION DETERMINING THE ENVIRONMENTAL NON-SIGNIFICANCE
UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW LAW RELATING TO THE FORMATION OF
THE ASHFORD ESTATES DRAINAGE DISTRICT**

The Town Board of the Town of Chester, duly convened in regular session, does hereby resolve as follows:

Pursuant to, and in accordance with, the provisions of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR part 617) the Town Board of the Town of Chester hereby makes the following determinations and classifications with respect to the proposed formation of the Ashford Estates Drainage District, encompassing approximately 59.21 acres of land, with approximately 23.15 acres of land located on the east side of the Heritage Trail and approximately 36.06 acres on the west side of the Surrey Meadows neighborhood. The southern corner of the property borders the property of the Chester Elementary School. The property is currently identified as SBL 2-1-22.1 and 22.2 on the Town of Chester Tax Map (hereinafter referred to as the "Action").

1. The Town Board of the Town of Chester (hereinafter referred to as "Town Board") hereby determines that the Action is subject to SEQR.

2. The Town Board hereby determines that the Action does not involve a Federal agency, and does not involve other agencies.

3. The Town Board hereby makes a preliminary classification of the Action as an Unlisted Action.

4. The Town Board hereby finds and determines that it is, and will be, the lead agency with respect to the adoption of, and approval of, the above-described Action.

5. The Town Board hereby finds and determines that: (a) it has considered the Action, reviewed the short environmental assessment form, reviewed the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential project environmental impacts and their magnitude in connection with the proposed Action; (b) the project (to wit, the formation of the Ashford Estates Drainage District) will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment; and (c) the reasons supporting this determination are set forth on the Short Environmental Assessment Form with respect to this project (a copy of which said form is on file in the Office of the Town Clerk of the Town of Chester).

6. The Town Board, as Lead Agency with reference to the above-described project, hereby: (a) adopts a negative declaration pursuant to 6 NYCRR section 617.7 with respect to the project, (b) authorizes the Supervisor of the Town of Chester to sign a negative declaration determination of non-significance with respect to the project, and (c) authorizes the Town Clerk of the Town of Chester to forward a copy of said negative declaration determination of non-significance to the New York State Department of Environmental Conservation, Town of Chester Planning Board, Town of Chester Zoning Board of Appeals, Building and Code Inspector of the Town of Chester, Orange County Planning Department, New York State Commissioner of Agriculture and Markets, and New York State Office of Parks, Recreation and Historic Preservation.

7. This Resolution shall take effect immediately.

VOTE 4 AYES: JAMIESON, Brischoux, Smith, Valentine **ADOPTED**

ASHFORD ESTATES DRAINAGE DISTRICT FORMATION RESOLUTION

ON A MOTION BY Councilwoman Smith and second by Councilman Brischoux the following resolution was offered:

SPECIAL DISTRICT: Order Establishing the Ashford Estates Drainage District

A regular meeting of the Town Board of the Town of Chester, in the County of Orange, New York, was held at the Town Hall, in said Town, on the 27th day of April, 2016

PRESENT:

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In the Matter

of the

Establishment of the Ashford Estates Drainage District in the Town of Chester, in the County of

Orange, New York, Pursuant to Article 12 of the
Town Law.

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**ORDER AND RESOLUTION APPROVING ESTABLISHMENT
OF ASHFORD ESTATES DRAINAGE DISTRICT IN THE TOWN OF CHESTER**

WHEREAS, the Town Board of the Town of Chester (herein called the “Town Board” and “Town,” respectively), in the County of Orange, New York, has received a petition, most recently amended in April, 2016, pursuant to section 191 of the Town Law, for the establishment of Ashford Estates Drainage District (the “District”), which petition was signed by the owner of taxable real property situate in the District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the District, as shown upon the latest completed assessment roll of the Town, and there being no taxable real property in the Proposed District owned by resident owners according to the latest completed assessment rolls and was accompanied by a map, plan and report by Pietrzak & Pfau, PLLC, a competent engineering firm duly licensed by the State of New York, for the establishment of the District dated November of 2014, and most recently amended in April of 2016, a copy of which is on file in the office of the Town Clerk of the Town, which shows the boundaries of the proposed drainage district and all drainage structures, pipes, filters and ponds, together with a general description of the proposed drainage system within the proposed drainage district, and

WHEREAS, the boundaries of said district shall incorporate the lands of the approved Ashford Estates Subdivision in the Town of Chester. The approved subdivision is located on the east side of the Heritage Trail and on the west side of the Surrey Meadows neighborhood. The southern corner of the property borders the property of the Chester Elementary School. The subdivision consisting of approximately 107.1 acres, with approximately 23.15 acres to be retained for development and the remaining 83.70 acres to be dedicated to the Town of Chester as open space and 0.25 acres being dedicated to the Chester Union Free School District. The property is currently identified as SBL 2-1-22.1 and 22.2 on the Town of Chester Tax Map,

WHEREAS, as provided in said petition, the improvements within the proposed drainage district shall consist of 23 catch basins, 4 drainage manholes and three thousand one hundred fifty four (3,154) linear feet of HDPE drainage pipe, 2 detention/treatment ponds with 1,410 linear feet of 4 foot high fencing.

WHEREAS, all costs associated with the construction work for the laying and installing of the improvements within the proposed District shall be paid by the Developer so that no expense occasioned by the creation of the District shall be levied and collected from the land within the District, and

WHEREAS, pursuant to the Order duly adopted on April 13, 2016, the Town Board has determined to proceed with the establishment of the proposed District and adopted an Order reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein, the fact that a map, plan and report describing the same are on file in the Town Clerk’s office for public inspection and specifying April 27, 2016 at 7:00 o’clock P.M. (Prevailing Time) as the time when, and the Chester Town Hall, in the Town, as the place where, the Town Board would meet to consider the Establishment of the District, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of the Town Law, and mailed to all owners of real property situate in said District; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable

federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said April 27,2016, commencing at 7:00 o'clock P.M. (Prevailing Time), at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed District.

NOW, THEREFORE, upon the evidence adduced at such Public Hearing, be it

RESOLVED AND ORDERED BY THE TOWN BOARD OF THE TOWN OF CHESTER, IN THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

(a) The Notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;

(b) All the property and property owners included within the proposed District hereinabove referred to in the recitals hereof are benefited thereby;

(c) All the property and property owners benefited are included within the limits of the proposed District; and

(d) It is in the public interest to establish the District.

Section 2. The establishment of the District is hereby approved, as hereinafter described, and said District shall be designated and known as the Ashford Estates Drainage District in the Town of Chester, and shall be bounded as described on Appendix A attached hereto.

Section 3. The plan of financing to finance said cost includes the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same.

Section 4. The permission of the State Comptroller is not required with respect to the District because the estimated cost of the District to the Typical Property (as defined in the Town Law) is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts, as computed by the State Comptroller.

Section 5. The Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adoption of this Resolution and Order, to file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, and record the same in the office of the Clerk of the County in which the Town is located.

Section 6. This Resolution and Order shall take effect immediately.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

EXECUTIVE SESSION

ON A MOTION BY Councilman Valentine and second by Councilman Brischoux to enter into Executive Session AT 7:20pm regarding a personnel matter. Motion carried 4-0.

ON A MOTION BY Councilman Valentine and second by Councilwoman Smith to adjourn the Executive Session at 7:25pm. Motion carried 4-0.

GAS AND DIESEL PUMPS

Superintendent LaSpina explained to the Board that the key system is inoperable on the pump and the usage has to be tracked manually. It also requires the pump to be locked up as a result. He said the system is old, and would cost \$4,000-\$5,000 to repair so he would advise to replace the pump and the key system.

ON A MOTION BY Councilwoman Smith and second by Councilman Brischoux to approved the purchase of a new gas pump and key system for a total price of \$15,855.00.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

CAMP LAGUARDIA

Supervisor Jamieson gave an update on the purchase of the contract for the Camp LaGuardia property by the County of Orange. He said he met with members of the County Legislature, IDA, Planning Department and Town of Blooming Grove He explained that the County Legislature or the IDA would purchase the property from Mountco at \$1.5-\$1.6 million and the IDA would act as real estate agents to get the appropriate applicants. He said it was moving forward and was a positive discussion. He added that the Town of Blooming Grove is also looking at zoning changes.

POLICE STATION BUILDING

Supervisor Jamieson announced that the bid opening for the RFP on the Ambulance building renovation would be on May 4, 2016 at 4pm at the Town Hall meeting room.

EDUCATION REQUESTS

ON A MOTION BY Councilman Brischoux and second by Councilwoman Smith to approve the attendance of Sgt. Vitale and Officer Bird at eTrace and NIBIN on May 25, 2016 at the Orange County Emergency Services Center at no cost.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to approve the attendance of Officer Slaughter to the NYS Missing Persons Clearinghouse training course on June 2 & 3, 2016 in Orange County at no cost.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

ON A MOTION BY Councilman Brischoux and second by Councilman Valentine to approve the attendance of Sgt. Eckert to the Trauma Resources and Unified Management Assistance training course on June 22 & 23, 2016 in Dutchess County at no cost.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

ON A MOTION BY Councilwoman Smith and second by Councilman Brischoux to approve the attendance of Office Slaughter to the Commercial Vehicle Enforcement Awareness course on May 24-26, 2016 in Westchester County at no cost.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

ON A MOTION BY Councilman Brischoux and second by Councilman Valentine to approve the attendance of Highway Superintendent LaSpina to the NYS Association of town Superintendents of Highways Conference from September 13-16, 2016 in Lake Placid, NY to be paid through account A5010.4.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

ON A MOTION BY Councilman Valentine and second by Councilman Brischoux to approve the attendance of Tax Receiver Vincent Maniscalco to 2016 NYS Association of Tax Receivers Training session on June 12-15, 2016 in Lake Placid, NY at a cost of \$535.00 plus mileage.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

FIELDCREST WATER DISTRICT

ON A MOTION BY Councilman Valentine and second by Councilwoman Smith to approve the appropriation of necessary repairs in the Fieldcrest Water District, for a black flow preventer rebuild at \$625.00 and replacement generator for \$2,417.16.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

BLOCK PARTY

ON A MOTION BY Councilman Valentine and second by Councilman Brischoux to allow a road closure from 128 Creamery Pond Road to 142 Creamery Pond Road on August 13, 2016 from 12noon-8pm with a rain date of August 14, 2016 subject to receipt of proper documentation.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

TOWN BOARD COMMENTS

Councilwoman Smith announced the Chester Kiwanis Clean-Up on Saturday, April 30 2016 at 8am, meeting in the Wendy's parking lot. Councilwoman Smith said that Steve Neuhaus had a met with the people of Sugar Loaf for a discussion about water and sidewalks.

DAVIDSON ROAD PROJECT

Mr. Niemarko addressed the Board for consideration of a 55 and over housing project which would require an added use consideration. He said they are proposing fee simple ownership with a property HOA, at market rate. Supervisor Jamieson said he thinks it is a good idea, but the Planning Board may think otherwise. Supervisor Jamieson suggested Mr. Niemarko set up a workshop with the Planning Board for guidance. He said they should submit a set of basic plans with their proposal.

PUBLIC COMMENTS

Edie Johnson of Strauss News told the Board about a meeting of the County Legislature with regard to Camp LaGuardia that was held in Executive Session. She acknowledged good feedback from Chester & Blooming Grove but not from County. Ms. Johnson expressed concern that if the IDA owns the property, control will be lost. Supervisor Jamieson said the County has ideas about part of the property for a solar farm, farming and open space. He added that any applicant would still have to go through our planning board and the SEQR process. He said they are not shovel ready sites. Ms. Johnson said that she was told there would have at least one meeting with the community for their input. Ms. Johnson asked if Whitetail Run would be used for emergency exits only. Ms. Johnson commented that warehouses such as is used in Woodcliff Lake would be great near the Heritage Trail. Supervisor Jamieson said some land would be paved for parking by the Heritage Trail. He said some of the buildings are brick and have good roofs which may be used for possible medical arts. Ms. Johnson commented that manufacturing businesses would hire mostly men at low pay while an office park might afford higher paying jobs for women as well.

FORK TO FONDO

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to permit the Fork to Fondo cycling event permission to access Town roads on June 26, 2016 subject to the Police Chief's review of the event route.

VOTE 4 AYES: Jamieson, Brischoux, Smith, Valentine

ADOPTED

EXECUTIVE SESSION

ON A MOTION BY Councilman Brischoux and second by Councilman Smith to enter into an Executive Session at 8:00pm regarding collective bargaining. Motion carried 4-0.

ON A MOTION BY Councilman Valentine and second by Councilman Brischoux to adjourn the Executive Session at 8:10pm. Motion carried 4-0.

ANTHOLS LLC GRIEVANCE

ON A MOTION BY Councilwoman Smith and second by Councilman Brischoux to approve the execution of the proposed order of judgement regarding Anthos LLC vs. Town of Chester assessment reduction of \$11,100.

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 4-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2016-04-27