

**TOWN BOARD MEETING
AUGUST 24, 2016
7:00 PM**

Supervisor Jamieson opened the meeting at 7:00 PM following a salute to the flag. Members present: Supervisor Jamieson, Councilman Brischoux, Councilman Valentine, Councilwoman Smith, Absent: Councilman Murray

EAGLE SCOUT

Supervisor Jamieson invited Casey Jeppetol of Troop 273 Scotchtown to the floor. Casey informed the Town Board of his Eagle Scout project to include building a wooden arch at the Resting Paws Cemetery on Restdale Road in Chester. Supervisor Jamieson said that Casey has applied for the proper building permits. Supervisor Jamieson said he is looking forward to Casey's project. Casey said he plans to start in September or October and will take a few weekends to complete.

FROZEN ROPES PURCHASE DISCUSSION

*Councilman Brischoux stepped down from the dais during this discussion.

Supervisor Jamieson said he wanted to provide additional information following the discussion held at the last Town Board meeting of August 10, 2016.

As an update on the Primo Sports project on Route 94, he said it is now facing an injunction through the Appellate Court and may be on hold for 10 months or longer.

With regard to the rumors spreading concerning the sale of the Sugar Loaf Performing Arts Center, he said he has spoken with the President of the company and she said they are not selling. She said there was a problem with management which has caused the cancellation of shows but a business plan has been put together for the 2017 season.

Supervisor Jamieson spoke about the article appearing in the Chronicle. He wanted to clarify all the information that is out there. He said the Town had decided to expand the parks and recreation programs, increase summer camps and to provide all our residents a place to go for recreational use. The cost of building was anticipated to be 2x what the purchase of the "Rock" would cost. He said there would be revenues derived from Frozen Ropes using the facility for 1-2 years through a lease arrangement until their facility in Warwick was complete. He said the Town is not bailing out the business and is not going into the sports entertainment business. Supervisor Jamieson added that Frozen Ropes bought the Yard, which was the old prison in Warwick and will transfer their business over. He said this acquisition will allow residents full access to fields, walking tracks and senior events and will allow our Town the ability to enjoy recreation programs for decades. Supervisor Jamieson said the taxes paid to the Town from Frozen Ropes is approximately \$7,500 p/year because of a tax break through a business exemption not IDA program. As far as the parking issue, Frozen Ropes' current season is from April 1st through October 31st, with tournaments of 20 teams with 250-300 kids and family during its height. It is intended that they will not reach these amounts during the 10-15 weekends that they will use the facility as a backup. He said as a result, parking should not be an issue. Supervisor Jamieson said their camp program houses 240-280 children and there is enough space inside of the 12,000-13,000 s.f. facility to accommodate in inclement weather. With regard to the expense, Supervisor Jamieson said for the past 3 years the Town has remained under the tax cap. He said in this period taxes have gone down for some and up for others, but generally around 1% per year. Additionally, he said our long term debt of \$625,000 in interest payments per year had been refinanced in 2014, resulting in a savings of \$180,000 p/year. Our debt on the new building will be \$165,000 per year. He said, in 2015 our fund balance was \$1,300,000 and this year it is \$1,530,000 which is over a \$200,000 surplus, and will continue to show a surplus. Supervisor Jamieson said our interest on Broadview alone was \$400,000. The new facility will cost half of that and the facility will be an asset for the Town. He said the original plan was to build a recreation center and senior center behind the ambulance building at a projected cost of \$5.5-\$6million. Supervisor Jamieson added that \$3.3million, this would be a lot cheaper. He said, the facility is maintenance free and we won't need a maintenance department, since there are turf fields. He said the facility will be a blessing that will host a variety of athletic activities, recreational activities,

concerts and movies. Councilwoman Smith said that the future may include moving offices to this building. Supervisor Jamieson said in the future, plans may include a pool.

Supervisor Jamieson opened the floor to the public.

Susan Logothetis of Sugar Loaf asked if the senior center will be moved there. Supervisor Jamieson answered that he had spoken with some earlier in the day and they indicated they would like to stay where they are, with some building renovations. He said he would have to follow up to see if that was the consensus among all the seniors. Supervisor Jamieson said that the original plan was to build a 3,000sf building with the over \$550,000 in grants from Senator Larkin. Councilman Valentine said that the storage area can be renovated and placed into use for the seniors, with possible expansion of the building.

Richard Logothetis of Sugar Loaf thanked the Supervisor for making the phone call to the Sugar Loaf Performing Arts Center to clarify the information that had been spreading. He said he was in favor of the acquisition as he thought it was a very positive thing and over time could bring the community together.

Frank Minesky, Black Meadow Road asked for clarification on the purchase, lease, use and parking. Supervisor Jamieson said the Town is purchasing the building and leasing back the fields for 15 weekends in the spring and summer to Frozen Rope while they are renovating their new facility in Warwick. They will be required to provide insurance. He added that the facility will be used as a community center, strictly for Town use, for such groups as the high school soccer league. He said that this will not be a lucrative event, or a competitive use and we will not be making \$300,000 as was reported in the news. Supervisor Jamieson the Commons will still be used for football and Carpenter for Little League. As far as parking, Supervisor Jamieson said it will not be as crowded as it is now. He said there will not be the number of teams as is now and the Town's camp program will be drop off and pick up.

Steve Diffley, King Tract asked about cost of moving offices and retrofitting. Supervisor Jamieson answered that 9 offices already exist and are fitted with furniture plus 2 conference rooms. The only moving expense would be for I/T. Mr. Diffley asked about future expansion. Supervisor Jamieson said that initially it would be the Parks & Recreation Department. Mr. Diffley asked about the \$165,660 bond payment. Supervisor Jamieson said that the payment would be fixed for 30 years with the first 2 years BAN interest being \$40,000-50,000. He added that Knapp View matures in 2022, and then \$400,000 comes off the books. Supervisor Jamieson said it puts the Town in a better financial condition long term. Mr. Diffley asked if there were discussions on staffing. Supervisor Jamieson said he talked to the Parks & Recreation department concerning the need for front desk staffing and possible increase in counselors for camp. He added that currently the Town contracts with the Academy but has limited access due to renovations. He said that camp would extend hours for early drop off and late pick up. Supervisor Jamieson explained the benefit of the new facility for campers but will be less expensive and will increase the numbers. He said there is a non-compete clause in the contract with Frozen Ropes. Supervisor Jamieson said the Town has lost money on our camp program, so we will try to break even with the new facility adding more campers and longer hours. Mr. Diffley asked about the condition of the turf field. Supervisor Jamieson said that there is generally a 15-year life expectancy in southern climates, and it is 6 years in. He added that the Rock is re-doing the brown turn so it will be new with 10-15 life expectancy years left. Supervisor Jamieson said the current asking price was \$3,500, 000 and the agreed upon price was \$3,300,000.

Vincent Finizia, Pewter Circle asked the square footage of the Town Hall and the new building. Supervisor Jamieson said the new building is 13,000 square feet. Mr. Finizia asked if the police department was moving to a new building, whether there were offices there that didn't require renovation and whether the Town Hall would be moving. Supervisor Jamieson said that not all Town Hall would be moving. He said that Frozen Ropes would be leasing the fields at \$50,000 p/year and we would not be entertaining other leases.

Debra Diltz, Black Meadow Road asked if we could put to bed the Hasidic buying everything in Chester. Supervisor Jamieson said we are making zoning changes to protect against high density and a building moratorium. The zoning will be changed to keep the rural character of Chester.

Barbara Babikian, Black Meadow asked what is to be done about the parking situation, as cars are parked illegally and she said both she and her husband has almost been struck. Supervisor Jamieson said the Town's purchase would alleviate parking issues. Ms. Babikian added that she thought the laws should be changed to allow for towing where parking is a hazard.

Gene Forsini, White Oak Drive asked about the Town's possible purchase of the Laroe farm to preserve the land. Supervisor Jamieson said he had spoken to Laroe about the IP Zone and the Davidson Drive request for zone change. One property has been sold to build houses. He said the bypass is zoned SR-2 which is 1 acre for a 2-family or 2 houses. Councilman Valentine added that would only be feasible with central sewer and water. Supervisor Jamieson said that zone is being looked at for some changes. Mr. Forsini said that to purchase a piece of property would not cost a lot of money. Supervisor Jamieson said he would follow up on the issue.

Mr. Finizia asked about the budget for the P.D. renovation. Supervisor Jamieson said it would be paid through a bond. He added that combining financing might yield a lower rate. Mr. Finizia asked if there was a plan for moving others to the Rock. Supervisor Jamieson said first the Parks & Recreation department would have to be up and running. He said he anticipates a closing sometime around January. Councilman Valentine added that the majority of the interior is an indoor field. Supervisor Jamieson said they will establish winter programs such as Pilates, line dancing and in the spring plan for camp. He said the dreams for the Rock property include basketball, yoga, kick boxing. It will be open like a town park. Mr. Finizia asked if the price had been lower. Supervisor Jamieson said it was listed at \$3,500,000.

Pat O'Dwyer, Whispering Hills asked if the Board would schedule an evening tour of the building so the public could have a visual.

Lydia Quadros, Sugar Loaf asked if it would affect taxes. Supervisor Jamieson repeated that it would not.

Ben Ostrer, Laroe Road said he was not persuaded about buying the property yet. He said the utility bills to heat and cool would be a considerable expense, especially coming into the winter season with only 4 people in residence. He said the Town tax is \$7,700 with an abatement increase of 5% p/yr. He added that the school district taxes on the property were \$31,400 and the county tax is \$5,000. He said the property has an assessed valuation of \$1.8-1.9million. He said and there are a lot of items that will need to be covered. He said Chester is not a big town and this may be a luxury we can't afford. He said financing with a BAN may not be the best way to go as rates can go up 1-2% which would be \$200-210,000 p/year. He said bonds may be a better and safer bet. He added that this needs more investigation. He doesn't think the Town has done an adequate study. He said the movie theater in Monroe is losing a fortune. He said \$3.5million can do a lot plus build fields. He asked if winter does more damage than cleats to the fields. Mr. Ostrer noted that Broadview had a referendum and although, this project, not subject to referendum, will contain a bond resolution for financing with BAN's and then go to bonds. He said although very proud of the town's administration, the town should know the real cost before going headlong into buying a property. He said not to buy the building in the winter with the higher costs. Councilman Valentine said he thought Mr. Ostrer raised good valid questions to consider before buying.

Nick Zungoli, Sugar Loaf Vision Committee said he was aware that the earmarks for \$80,000 in Sue Kelly grants for sidewalks in Sugar Loaf would go back to the County if not spent by the Town. Al Fusco explained that the 3 grants set aside under the Federal Highway Act, included earmarks for the Town. Sugar Loaf has \$80,000 plus 20% matching. He said as it's advanced through the program it becomes very little money with high administrative costs which include engineering. It will cost \$90,000 to spend \$10,000. He said it is a too onerous, bureaucratic process. He said the County and Town forces make more sense. He furthered the discussion by saying the Town had earmarks for Surrey Meadows to do paving and the Highway Superintendent wisely used the 20% of Town funds to do this work. Mr. Zungoli said there was a design report to do work on the curve around the Bertoni property and Cancun Inn all situated on County property. He said his group met with Executive Steve Neuhaus and the Commission. He said the people on the county level want to get it done. Al Fusco said he also attended that meeting and it was decided for the County and Town to work together not with the State, because the State money is a bit of an albatross. He added that the administrative costs for engineering would include ROW acquisition, planning, design, specs and with the prevailing wage made it cost prohibitive, so the Town didn't pursue the earmarks. Now that the Fed's want to get it off the books, OCTC suggested repurposing the funds in the simplest fashion which is paving and resurfacing. The Town is pursuing the DOT to do improvements at the bridge section of 17M and Kings Highway. He said there are also 3 other grants out there for Sugar Loaf so they have not been forgotten. Supervisor Jamieson said he will talk to Steve Neuhaus and Dave Church about the Town and County plan to repair that section in Sugar Loaf.

*Councilman Brischoux returned to the dais following this discussion.

SECURE WATCH 24 ALARM MONITORING AGREEMENT

Supervisor Jamieson announced a new alarm system installed in the Town Hall and Library.

ON A MOTION BY Councilman Valentine and second by Councilwoman Smith to approve the 3-year alarm monitoring agreement with SecureWatch24 for the Town Hall and Library buildings at a cost of \$300.00 annually.

VOTE AYES 4: Jamieson, Brischoux, Smith, Valentine

ADOPTED

VENDING SERVICES

The following resolution was offered by Councilman Brischoux and seconded by Councilman Valentine and,

ADOPTED: AYES 4 Jamieson, Brischoux, Smith, Valentine, NAYS 0, ABSENT 1

BE IT RESOLVED, that Alexander Jamieson, Supervisor of the Town of Chester, New York, is hereby authorized and directed to execute the Agreement with Orange County for Vendor Services at a cost not to exceed \$4,744.00, payable to the Town of Chester, for the period ending December 31, 2016, renewable each year thereafter, at the County’s option for up to one (1) additional year.

ASHFORD DRAINAGE DISTRICT

Supervisor Jamieson explained that the original resolution concerning the Ashford Drainage District had an incorrect calculation concerning the taxation of the district. Attorney Bonacic explained the original order did not include the cost of security fencing and that increase of cost was brought to his attention by the Town Clerk, so that the correction could be made before filing with the County.

RESOLUTION CORRECTING THE ANNUAL MAINTENANCE AND ANNUAL PER LOT MAINTENANCE COSTS OF ASHFORD ESTATES DRAINAGE DISTRICT

WHEREAS, the Town Board of the Town of Chester (hereinafter the “Town Board” and “Town”, respectively), in the County of Orange, State of New York, did receive a petition from Equity Homes of New York, Inc. (hereinafter “EH”) dated February 4, 2016 and filed in the Town Clerk’s Office on February 29, 2016, pursuant to Article 12 of the Town Law, for the establishment of the Ashford Estates Drainage District (hereinafter the “District”); and

WHEREAS, such petition was signed by EH, the owner of at least one-half of the assessed valuation of all of 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 District owned by resident owners according to the latest completed assessment rolls; and

WHEREAS, EH did cause to be filed with the Town Clerk a map, plan and report prepared by Pietrzak & Pfau, LLC dated November, 2015, and most recently amended April, 2016, which shows the boundaries of the District and all drainage structures, pipes, filters and ponds, together with a general description of the drainage system within the District; and

WHEREAS, such map, plan and report further provided the estimated operation and maintenance costs of the District amounting to SEVEN THOUSAND TWO HUNDRED TWELVE and 82/10 (\$7,212.82) DOLLARS, and translating to an annual per lot operation and maintenance cost of THREE HUNDRED SEVENTY-NINE and 62/100 (\$379.62) DOLLARS; and

WHEREAS, all costs associated with the construction work for the laying and installing of the improvements within the District are to 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, the Town duly adopted an Order Calling Public Hearing dated April 13, 2016 and such order: (i) proceeded with the establishment of the district, (ii) recited a description of the boundaries of the District in a manner sufficient to identify the lands included therein, (iii) stated that the map, plan and report was on file in the Town Clerk's Office for public inspection and (iv) specified that a public hearing would be held on April 27, 2016 at 7:00 P.M. at the Town Hall to consider the establishment of the District and hear all persons interested in the subject thereof concerning the same and for such other and further action on the part of the Town Board as may be required by law; and

WHEREAS, such Order Calling Public Hearing further contained incorrect information relating to the annual maintenance costs for the District and provided that the annual maintenance cost would be ONE THOUSAND THREE HUNDRED NINETY-NINE and NO/100 (\$1,399.00) DOLLARS, translating to an annual per lot maintenance cost of SEVENTY-THREE and 63/100 (\$73.63) DOLLARS; and

WHEREAS, these amounts were a typographical error and inconsistent with the correct annual maintenance cost of SEVEN THOUSAND TWO HUNDRED TWELVE and 82/10 (\$7,212.82) DOLLARS, translating to an annual per lot maintenance cost of THREE HUNDRED SEVENTY-NINE and 62/100 (\$379.62) DOLLARS, as provided for in the map, plan and report; and

WHEREAS, such Order Calling Public Hearing was duly published and posted pursuant to the provisions of Town Law and mailed to all owners of real property situate in the District, and a public hearing was held on April 27, 2016 at 7:00 P.M. at the Town Hall where all interested persons desiring to be heard were heard, including those in favor of, and opposed to, the District; and

WHEREAS, at such public hearing on April 27, 2016, the Town Board resolved that: (i) the Order Calling Public Hearing was published and posted as required by Town Law, (ii) all property and property owners within the District were benefited thereby, (iii) all property and property owners benefited were included within the limits of the District and (iv) it was in the public interest to establish the District, and approved the establishment of the District; and

WHEREAS, the Town Board determined that the annual maintenance cost of ONE THOUSAND THREE HUNDRED NINETY-NINE and NO/100 (\$1,399.00) DOLLARS, translating to an annual per lot maintenance cost of SEVENTY-THREE and 63/100 (\$73.63) DOLLARS, as provided for in the Order Calling Public Hearing were inadvertent typographical errors; and

WHEREAS, the Town Board determined that the correct annual maintenance cost, as provided for in the map, plan and report, is SEVEN THOUSAND TWO HUNDRED TWELVE and 82/10 (\$7,212.82) DOLLARS, translating to an annual per lot maintenance cost of THREE HUNDRED SEVENTY-NINE and 62/100 (\$379.62) DOLLARS; and

WHEREAS, the Town Board further determined that no persons were adversely affected by the inadvertent typographical error and that no one would be prejudiced by the adoption of a Correction Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby determine that the correct annual maintenance cost for the District shall be SEVEN THOUSAND TWO HUNDRED TWELVE and 82/10 (\$7,212.82) DOLLARS, translating to an annual per lot maintenance cost of THREE HUNDRED SEVENTY-NINE and 62/100 (\$379.62) DOLLARS; and

BE IT FURTHER RESOLVED, that error with respect to the annual maintenance cost of the District, as contained in the Order Calling Public Hearing, was clearly an inadvertent typographical error, that no persons were adversely affected by such error and that no one would be prejudiced by the adoption of a Correction Resolution for one or more of the following reasons:

1. An inspection of the map, plan and report filed in the Town Clerk's Office correctly identified the annual maintenance and per lot maintenance costs of the District and did not contain, or provide reference to, the incorrect figures.
2. The Order Calling Public Hearing was the only document, with respect to the District, which contained the incorrect figures.
3. All other information in the documents pertaining to the District was correct.

4. No property owners within the District were prejudiced by the inclusion of the incorrect figures as the real property located within the limits of the District is owned by the developer, EH, and is the site an approved subdivision to be constructed. As such, the only property owner of record within the District is the developer, Equity Homes of New York, Inc., who was aware of the error and is not opposed to the adoption of a Correction Resolution.

BE IT FURTHER RESOLVED, that upon such determinations, the Town Board does hereby direct that this Correction Resolution be adopted correcting the typographical error which appears in the Order Calling Public Hearing dated April 13, 2016 with respect to the annual maintenance and operation cost of the District.

This Correction Resolution shall take effect immediately.

ON A MOTION BY Councilman Valentine and second by Councilman Brischoux, and the vote resulted as follows:

Supervisor Jamieson	AYE
Councilperson Murray	ABSENT
Councilperson Valentine	AYE
Councilperson Brischoux	AYE
Councilperson Smith	AYE

INTERMUNICIPAL AGREEMENT FOR SNOW AND ICE CONTROL ON CERTAIN COUNTY ROADS FOR THE 2016-2017 SEASON

Supervisor Jamieson acknowledged receipt of Highway Superintendent Anthony LaSpina's memorandum in regard to the 2016-17 Snow and Ice Agreement with the County. Mr. LaSpina said the agreement covers Laroe Road, Kings Highway and the Bypass, Bellvale Road and Gibson Hill Road.

The following resolution was offered by Councilman Valentine and seconded by Councilman Brischoux and,

VOTE AYES 4: Jamieson, Brischoux, Smith, Valentine

ADOPTED

BE IT RESOLVED, that Alexander Jamieson, Supervisor of the Town of Chester, New York, is hereby authorized and directed to execute the Intermunicipal Agreement with Orange County for Snow and Ice Control on Certain County Roads for the 2016-2017 Season within the Town of Chester.

PAY.GOV CREDIT CARD SERVICE AGREEMENT

Supervisor Jamieson read the memorandum from the Town Clerk concerning the comparison of credit card service providers that she had compiled over the past few months. The most cost-effective provider was found to be Pay.Gov. The credit card convenience fees that would be passed on to the consumer include \$1 for transactions up to \$40.00, and then a 2.5% fee on amounts above, and \$1.00 for the use of e-checks. The service would include on-line bill pay as well as point of sale. The agreement is month to month and has been reviewed by Town Attorney, Scott Bonacic. Both the Town Clerk and Deputies and Supervisor and Deputies are currently authorized by Town Law. Any revisions would require a local law amendment.

ON A MOTION BY Councilman Valentine and second by Councilman Brischoux to enter into an agreement with Pay.Gov for credit card vendor services and allow Supervisor Jamieson to sign same.

VOTE AYES 4: Jamieson, Brischoux, Smith, Valentine

ADOPTED

APPOINTMENTS

ON A MOTION BY Councilman Brischoux and second by Councilman Valentine to appoint Councilwoman Smith as Chairperson to the Moodna Sewer Commission effective September 1, 2016 through December 31, 2016.

VOTE AYES 4: Jamieson, Brischoux, Smith, Valentine

ADOPTED

ON A MOTION BY Councilman Brischoux and second by Councilwoman Smith to appoint Councilman Valentine as Deputy Supervisor of the Town of Chester, effective September 1, 2016 through December 31, 2016.

VOTE AYES 4: Jamieson, Brischoux, Smith, Valentine

ADOPTED

ANNOUNCEMENTS

Supervisor Jamieson acknowledged John Bureson, community liaison, for the Bellvale Community for all the work that they have done for the Town including the recent clean up at the cemetery at Knapp's view without any fanfare. He said he, the Town Board are grateful for all the work that the Bellvale Community does for the Town.

Supervisor Jamieson announced the vegetation management work near transmission lines underway by Orange and Rockland on easements around the Town.

Supervisor Jamieson read the notice from Solar City concerning the potential of freed up financial resources for the development of solar farms on 12-15 acres of land. He said he would be in contact with Solar City.

Supervisor Jamieson announced the Memorial Service to be held in the Town of Deer Park on Sunday September 11, 2016 at 8:30 am.

TOWN BOARD COMMENTS

Councilwoman Smith announced the last concert for the Concerts on the Lawn Series. Councilwoman Smith gave a report from the last Moodna Commission budget meeting. Supervisor Jamieson suggested that the bylaws be reviewed. Councilman Valentine said that Moodna has not been able to get current operating numbers from the County. Supervisor Jamieson said he would talk to Executive Neuhaus. Councilman Valentine added that the Town of Monroe is over capacity but the Town of Chester is the only member with excess capacity. He also said there were new members from the Town of Monroe on the Commission.

Councilman Valentine said it is important to have an open house at Frozen Ropes facility for the public so that they could see the big picture. He said it is pretty impressive. Councilman Valentine said he respected the remarks made by Mr. Ostrer but doesn't want the Town to be compared to the Town of Monroe.

EXECUTIVE SESSION

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to enter into Executive Session at 8:40pm concerning collective bargaining. Motion carried 4-0.

ON A MOTION BY Councilwoman Smith and second by Councilman Valentine to adjourn the Executive Session at 8:55pm. Motion carried 4-0.

ON A MOTION BY Councilwoman Smith and second by Councilman Brischoux to enter into the contract with Chief Daniel Doellinger.

DISCUSSION: Supervisor Jamieson said the contract afforded the same benefits to the Chief that the PBA has.

VOTE AYES 4: Jamieson, Brischoux, Smith, Valentine

ADOPTED

ON A MOTION BY Councilwoman Smith and second by Councilman Brischoux to adjourn the meeting at 9:00PM, there being no further business brought before the Town Board. Motion carried 4-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2016-8-24