

**TOWN BOARD MEETING  
AND PUBLIC HEARING  
March 27, 2019  
7:00 PM**

Supervisor Valentine opened the meeting at 7:05pm followed by a salute to the flag. Members present: Supervisor Valentine, Councilman Perez, Councilwoman Smith, Councilman Wensley

Also Present: Scott Bonacic, Esq. – Bonacic, McMahon, Al Fusco – Fusco Engineering

**PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 1 OF 2019 - A LOCAL LAW ADDING CHAPTER 23 ENTITLED, "SOCIAL MEDIA POLICY" TO THE TOWN CODE OF THE TOWN OF CHESTER**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to open the public hearing at 7:07pm.

Supervisor Valentine read the notice as it appeared in the Times Herald Record on March 8, 2019.

**\*RESCHEDULED\*  
NOTICE OF PUBLIC HEARING  
ON PROPOSED LOCAL LAW**

The Town Board of the Town of Chester will hold a public hearing on a proposed local law entitled:

**A LOCAL LAW ADDING CHAPTER 23 ENTITLED  
"SOCIAL MEDIA POLICY" TO THE TOWN CODE  
OF THE TOWN OF CHESTER**

Be it enacted by the Town of Chester in the County of Orange, as follows:

**Section 1. Title**

This Local Law shall be referred to as "A Local Law Adding Chapter 23, Entitled "Social Media Policy", to the Town Code of the Town of Chester.

**Section 2. Legislative Intent**

The Town of Chester has determined that it is in the best interest of the Town to have social media policies in place which will allow designated employees of the Town of Chester to post relevant information on social media sites and allow commentary from the community. It is the intent of this local law to provide the social media policies of the Town of Chester in an effort to better serve the community.

**Section 4. Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State.

A copy of the proposed local law is on file and can be obtained at the Town Clerk's Office, 1786 Kings Highway, Chester, NY.

Said public hearing will take place in the Town Hall Meeting Room, 1786 Kings Highway, Chester, NY on Wednesday, March 27, 2019 at 7 PM or as soon thereafter as the matter may be heard.

All persons interested in the subject matter 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: February 28, 2019

Supervisor Valentine asked if there were any comments from the public. There were none.

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to close the Public Hearing at 7:10pm.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley** **ADOPTED**

**PREVENTIVE MEDICAL SERVICES PRESENTATION**

Mr. Alan Ajamian, President and Mr. James Maginn, Chief Executive Officer of Preventive Medical Services, 214-55 Jamaica Avenue, Queens Village, NY (718) 413-5040 addressed the Board about the on-site health and wellness screening they are planning to hold at the Chester Senior/Rec Center on April 12 and 13<sup>th</sup>. They said they have been in this business for a couple of years and prior in the lab and diagnostic testing business for over 30 years. Their business does early medical detection and screening on-site by setting up the facility with privacy beds, M.D.'S, including specialists, R.N.'s and medical assistants. They provide intense screening using non-invasive equipment. They said they are a fully-approved in-network provider of Medicaid, Medicare and HMO'S and their patients would never get a bill. They offer hereditary gene testing to cover 94 cancer gene mutations and comprehensive allergy testing. They said their doctors would evaluate the patients to see what tests benefit them most. The screening would take 45 minutes-1 hour and would take three weeks for results to be mailed directly to the patient. They stated they have serviced Orange County Choppers, Nanuet Jewish Center, Sky View Nursing Home and companies and union groups within the New York City boroughs.

**FIREWORKS ESTRAVAGANZA**

Supervisor Valentine said the contract for the fireworks has been received for the event to be held on July 13, (rain date July 14) this year, with Suburban Propane as the sponsor.

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to approve the contract with Fireworks Extravaganza to perform the Fireworks show at a cost of \$16,000.00.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley** **ADOPTED**

**SURPLUS HIGHWAY EQUIPMENT**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to approve the surplus of the 1988 Case steel roller through Auctions International.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley** **ADOPTED**

**CLOSING OF TOWN HALL OFFICES**

**ON A MOTION BY** Councilwoman Smith and second by Councilman Wensley to close the Town Hall offices on April 17, 2019 from 8:30am – noon for the annual mandatory employee training on workplace violence and sexual harassment.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley** **ADOPTED**

## **SENIOR CENTER AND RECREATION FACILITY OPERATING PROCEDURES AND FACILITY USE POLICY**

A discussion ensued about the proposed Senior Center and Recreation Facility Operating Procedures presented by Recreation Director, Lori Streichert. Councilwoman Smith said use fees would apply for 3 or more hours. Non-profit and civic organization are eligible along with the required certificate of insurance. There would not be any personal parties permitted under the new policy. The fee schedule will be a separate document, subject to change. Monthly fees for classes will be \$10 for resident seniors (60 or older), residents: \$20, non-residents: \$25.

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to adopt the Senior Center and Recreation Facility Operating Procedures and Facility Use Policy, dated March 26, 2019, effective May 1, 2019.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley**

**ADOPTED**

### **EDUCATION REQUESTS**

**ON A MOTION OFFERED BY** Councilman Wensley and second by Councilwoman Smith to approve the attendance of Highway Superintendent LaSpina to the annual 2019 Highway School in Ithaca, New York from Jun 2 to June 5, 2019.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley**

**ADOPTED**

**ON A MOTION OFFERED BY** Councilman Wensley and second by Councilwoman Smith to approve the attendance of Highway Department Clerk, Thom to the NY GovBuy Event at the Empire State Plaza on April 30, 2019 at no cost.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley**

**ADOPTED**

**ON A MOTION OFFERED BY** Councilman Wensley and second by Councilwoman Smith to approve the attendance of Dan Doellinger to the ZBA Case Law Session at the Orange County Municipal Planning Federation on May 14, 2019 at a cost of \$15.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley**

**ADOPTED**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to approve the attendance of Mark Roberson to the Land Use & Planning Session at the Orange County Municipal Planning Federation on April 30 and May 14, 2019 at a cost of \$15 each.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley**

**ADOPTED**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to approve the attendance of Larry Dysinger Roberson to the Land Use & Planning Session at the Orange County Municipal Planning Federation on April 30 and May 14, 2019 at a cost of \$15 each.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley**

**ADOPTED**

### **COMMUNITY PRESERVATION PLAN**

Supervisor Valentine gave an update on the Community Preservation Plan amendments which came out of the last committee meeting of March 25, 2019. He said it should be adopted in short order and a draft of zoning changes concerning home occupancy and other uses are being worked on. The Plan will be available at the Town Clerk's office and online.

### **REPORTS**

Supervisor Valentine discussed items in the water department report. Walton Lake Estates was quiet with normal operations. Kinsley Power serviced and tested the backup generator. Sugar Loaf had another water main break on Pewter Circle. Tam Enterprises had to hydrovac the excavation. Future repairs on the saddles may be considered an emergency because of the depth of the service connections, requiring outside contractors for repair. Weekly detection surveys are being conducted in the area. Quackenbush has replaced the pump in well #2.

Supervisor Valentine read the Building Department progress report for March 18-21, 2019 that account for 9 building permits, 3 certificates of compliance and 4 municipal searches conducted. Supervisor Valentine noted the Building Inspector's request for additional archive storage. He said the Town would be looking at renovating the garages for this purpose.

Supervisor Valentine read the Engineer's Development Report which appears below:

**CHESTERDALE:**

Review of SWPPP reports and field inspections.

**RIDGEVIEW:**

Review of SWPPP reports and field inspections. Review of deeds of dedication and easement documents. Also, developer requested reduction of bond; currently under review. The Planning Board is discussing drainage district with Highway Superintendent.

**WOODRIDGE:**

Review of SWPPP reports and field inspections.

**ASHFORD:**

Punch list items for road completion and review of SWPPP reports and field inspections. Remaining open item – easement for drainage from stormwater pond. Almost complete.

**GREENS AT CHESTER:**

The stormwater officers sent a new Notice of Violation to the Greens for stormwater improvements, silt fence restoration. They were prohibited from opening new disturbance areas. Silt fence is better; however, stabilization needs to be worked on. NYSDEC had a field report that was similar to ours.

Received complaint from West Avenue; turbid water after downpour. We reviewed after the issue; appeared to be road dirt from winter, possibly truck traffic also but no direct connection from Greens drainage.

**CORRESPONDENCE**

Supervisor Valentine acknowledged receipt of the Sugar Loaf Chamber of Commerce notification of their upcoming Spring and Fall Festivals to be held on Memorial Day weekend, May 25, 26 and 27 and Columbus Day weekend, October 12,13 and 14, and their preliminary request for facilities use at the Sugar Loaf Performing Arts Center.

Supervisor Valentine read the letter received from Village of Chester Attorney, Henry Christianson. It appears below in its entirety:

Greens

**NORTON & CHRISTENSEN**  
ATTORNEYS AND COUNSELLORS AT LAW  
60 ERIE STREET  
POST OFFICE BOX 308  
GOSHEN, NEW YORK 10924  
(845) 294-7949  
TELECOPIER (845) 294-7791

HENRY N. CHRISTENSEN, JR.\*  
HAROLD M. PRESSBERG\*  
\*ALSO ADMITTED IN NEW JERSEY

**RECEIVED**  
MAR 13 2019  
CC: TS, TREA  
TOWN CLERK  
CHESTER, NEW YORK

March 11, 2019

Hon. Robert Valentine, Town Supervisor  
and Town Council  
Town of Chester  
1786 Kings Highway  
Chester, New York 10918

Dear Supervisor Valentine and Members of Town Council:

I am writing as attorney for the Village of Chester, on behalf of the Mayor and Trustees, concerning the supply of water by the Village outside the corporate limits of the Village of Chester.

There have been recent reports that there are projects underway in the Town of Chester that may not have an adequate supply of water to support the development plans of the project sponsors. From time to time, there have been requests for the Village to solve such problems by supplying water service. It has been only on rare occasions and under unusual circumstances that the Village has agreed to supply any property outside the Village limits with water, and the Village does not do so for the purpose of assisting residential development outside the Village.

We are writing to you at this time to make clear that no project should be permitted or approved that has not demonstrated its own self-sufficiency for water supply and, should any project be over-built in relation to an available supply of water, that will not constitute or be considered a hardship justifying the supply of Village water to any location outside the Village limits. Please bear this in mind when considering subdivision and site plan development applications and when issuing building permits.

Very truly yours,



Henry N. Christensen, Jr.

HNC:ik

cc: Don Serotta, Planning Board Chairman  
Scott J. Bonacic, Esq.

Supervisor Valentine read the letter received from the Association of Towns regarding the State's plan to eliminate Aid and Incentives to Municipalities (AIM). It follows below in its entirety.



THE  
**ASSOCIATION OF TOWNS**  
OF THE  
STATE OF NEW YORK

GERALD K. GEIST  
*Executive Director*  
KIMBERLY A. SPLAIN  
*Deputy Director*

150 State Street  
Albany, NY 12207

Telephone  
Area Code 518 – 465-7933  
Fax # 518 – 465-0724

LORI A. MITHEN-DeMASI  
*Counsel*

SARAH B. BRANCATELLA  
*Associate Counsel*

KATHLEEN N. HODGDON  
*Associate Counsel*

**CALL TO ACTION  
WE NEED YOUR HELP**

Dear Town Official,

We ask that you immediately contact your local representatives in the Assembly and the Senate and let them know that local officials are looking to the Legislature to protect and preserve local government.

Specifically, we're calling for the Legislature to:

- Stop the plan to eliminate state-funded *Aid and Incentives to Municipalities (AIM)*;
- Restore AIM to be fully state-funded;
- Adopt common-sense modifications to the Tax Cap;
- Increase the base CHIPS amount; and
- Restore Extreme Winter Recovery assistance.

We simply cannot allow the Governor to neglect and ignore local governments and their residents. Please let your state representatives know that the items listed above are critical to local government and well within the state's ability to grant. Let's remind the state Legislature and Governor of the importance and value of towns and home rule.

Do not hesitate to contact our office with any questions, and let us know the feedback you get from your representatives. We are here to fight for you, and we are proud of the work towns do.

Sincerely,

Gerry Geist, Executive Director

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to adopt a resolution to oppose the State's plan to eliminate state-funded Aid and Incentives to Municipalities (AIM) as it neglects and ignores local government and to adopt common-sense modifications to the tax cap.

**VOTE AYES 4: Valentine, Perez, Smith, Wensley**

**ADOPTED**

Supervisor Valentine noted the violation letter issued on the Glenmere Mansion for a septic failure. He acknowledged receipt of a response from Lehman & Getz, Consulting Engineers in regard to the field inspection at the property to now conduct soil testing, investigate water use, and evaluate the options of adding equalization tanks, effluent filters or constructing a connection to municipal sewer. Supervisor Valentine stated the Town takes violations of the sanitary code seriously.

**ANNOUNCEMENTS**

Supervisor Valentine announced the National Service Recognition Day to honor AmeriCorps members and Senior Corps volunteers to be held on April 2, 2019.

Supervisor Valentine announced the Kiwanis Clean-Up on April 13, 2019 with a rain date of April 14, 2019 from 9am-12 noon. Volunteers to meet at the Wendy's parking lot.

Supervisor Valentine announced the Spaghetti Dinner to be held at the Walton Engine & Hose Company on Sunday, March 31 from 3-7pm to benefit Chester Firefighter Ariana Gray and family who were affected by a fire that began in a garage at a Whispering Hills condo.

Supervisor Valentine announced the following upcoming events: April 1 starts online camp registration for Residents and April 15 for non-residents, April 9 Crime Victims Vigil, April 13 PBA Egg Hunt, April 12-13 Medical Screening, April 25 Sands Casino, April 27 Blood Clot Awareness, May 3 Senior Citizen Prom.

### **EXECUTIVE SESSION**

**ON A MOTION BY** Councilwoman Smith and second by Councilman Wensley to enter into Executive Session at 8:15pm for attorney/client privilege. Motion carried 4-0.

**ON A MOTION BY** Councilman Wensley and second by Councilwoman Smith to adjourn the Executive Session at 8:25pm. Motion carried 4-0.

### **PUBLIC COMMENTS**

Tom Becker, 11 Sanford Ave., Chester, commented on 191 Lehigh. He stated his concerns that they are not following the outline in the site plan to store supplies in particular areas. He said the site is unsightly with the porch filled with boxes of supplies and plastic sheds being used in place of the buildings. He said lighting sensors were to be used and stated it should be easy for them to accomplish as they are a lighting company. Supervisor Valentine said he would ask the Building Inspector for an update.

Chris Mauer, 43 Creamery Pond Road stated that the Broccoli Patch property had been decimated with no buffer within 2 acres of the pond and thought it was a direct violation of Town Code 99-19(a) and referenced her letter to Jim Farr addressing the requirement of a 15 ft. screen of evergreens or screening considered satisfactory by the Planning Board. Supervisor Valentine said he would speak to Building Inspector Farr concerning the matter.

Alex Jamieson, DeRose Lane, Chester, commented on the issues concerning the Senior Center and Senior Club. He stated that the building of the senior center had a zero impact on taxes, and that during the planning stage he had met with the seniors a number of times and a lot of changes were made to the plans as a result. He said there is a difference between the senior center and senior club. He said the vision for the building use was to accommodate for more activities with the expansion of the recreation department and larger crowds as with the ribbon cutting ceremonies and the Dr. Benjamin presentation. He said the seniors' concern was to limit their membership to 150, because they would not be able to manage trips and events for larger groups. He added that the senior's club said the waiting list topped at 5 or 6 people and the Town didn't interfere with the club's management. He noted the capacity for the building was planned to be around 195-199 people and wouldn't have expected a great expansion of capacity.

Karen Riegelhaupt, Library Trustee asked about the delay in the lease agreement with the Library and said they could not apply for grants without it. Supervisor Valentine said there was a delay due to the transition of the Library Board President and that the lease would be finalized before the week is out.

Vincent Finizia, Pewter Circle, Chester announced the upcoming public hearing of the ZBA on May 9<sup>th</sup> at 7pm on the matter of the distillery and encourages of more than the 300-500 on the mailing list for notification. He announced the upcoming carnival at St. Columba Church on May 30<sup>th</sup> through June 2<sup>nd</sup>. He expressed his concern for tax dollars spent on the senior center and the limits on joining. He said that occupancy should have been worked out when the Town spent \$2,000,000 to build it. He asked about the new saddles to be installed on Pewter Circle. Supervisor Valentine replied that they would be replaced on an emergency basis and the Town is checking on leaks every week. He said his development is about 20 years old and there has been loss of water on more than one occasion which he thanked the highway for their service on New Year's Day, around the clock. He added that it was the negligence of the developer and would FOIL information concerning the approval of the cast iron saddles that were installed and never should have occurred. He said this is egregious.

### **TOWN BOARD COMMENTS**

Councilman Wensley asked who is stopping anyone from starting a new senior's club. Supervisor Valentine said that there was no opposition. Councilwoman Smith stated that anyone interested could speak with the Town Board or Lori to start a new club. She added that AARP has by-laws available in order to charter a new club.

Mr. Logothetis added that with age should come wisdom and people should be thankful.

### **ADJOURNMENT**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Wensley to adjourn the meeting at 8:50pm, there being no further business brought before the Board. Motion carried 4-0.

Respectfully submitted,

Linda A. Zappala  
Town Clerk  
2019-03-27