

**TOWN BOARD MEETING
OCTOBER 9, 2019
7:00 PM**

Supervisor Valentine opened the meeting at 7:00pm followed by a salute to the flag. Members present: Supervisor Valentine, Councilwoman Smith, Councilman Finizia*, Councilman Wensley, Absent: Councilman Perez

Also present: Al Fusco, Fusco Engineering, Town Engineer

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilman Wensley and second by Councilman Finizia to accept the Town Board Minutes through September 11, 2019 as presented by Town Clerk Zappala.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

AUDIT OF CLAIMS

ON A MOTION OFFERED BY Councilwoman Smith and seconded by Councilman Finizia to approve payment of the bills from the following accounts.

GENERAL FUND	178,085.07
GENERAL - PART TOWN	87,120.28
HIGHWAY – TOWN WIDE	51,215.44
HIGHWAY – OUTSIDE	8,181.39
FIELDCREST WATER	4,776.21
LAKE HILL FARMS WATER	6,149.81
SUGAR LOAF HILLS WATER	1,468.52
SURREY MEADOWS WATER	6,246.05
GARBAGE DISTRICT	45,864.74
WALTON LAKE WATER	4,089.64
TRUST & AGENCY	<u>6,451.40</u>
Grand Total	399,648.55

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

INTERMUNICIPAL AGREEMENT – CHESTER FIRE DISTRICT

ON A MOTION OFFERED BY Councilman Finizia and second by Councilwoman Smith to approve the Intermunicipal Agreement with the Chester Fire District on the purchase of road salt for the period September 1, 2019 through August 31, 2020 and direct the Town Supervisor to sign same.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

MARRIAGE LICENSE FEE WAIVER

Supervisor Valentine read the request of Town Clerk Zappala to waive the local license fee for active military members to coincide with the State's waiver of the State fee portion.

ON A MOTION OFFERED BY Councilman Wensley and second by Councilman Finizia to adopt the following resolution concerning the waiver of the local marriage license fee.

RESOLUTION WAIVING THE LOCAL PORTION OF A FEE FOR MARRIAGE LICENSES FOR ACTIVE DUTY MEMBERS OF THE ARMED FORCES

WHEREAS, On August 20, 2019, Governor Cuomo passed a law waiving the State Fee on Marriage Licenses for Active Duty members of the Armed Forces; and

WHEREAS, Currently, when a party applies for a marriage license in the State of New York, a forty (40) dollar fee is paid, and a portion of that fee is sent to the state Department of Health, and a portion of that fee remains with the municipality; and

WHEREAS, The new state law waives the state’s portion of the license fee and allows a Town or City to elect to waive the local portion of the fee if either party making application for such certificate is a member of the armed forces of the United States on active duty; and

WHEREAS, The Town of Chester hereby waives its portion of the marriage license fee if either party making application for such certificate is a member of the armed forces of the United States on active duty

NOW, THEREFORE, BE IT RESOLVED: that pursuant to the authority granted by the State of New York, the Town Board of the Town of Chester shall waive the local portion of the marriage license fee for any applicant who is currently a member of the armed forces of the United States on active duty.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

SET PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 2 OF 2019, A LOCAL LAW ADDING CHAPTER 66 ENTITLED, “NOISE POLLUTION CONTROL” TO THE TOWN CODE OF THE TOWN OF CHESTER

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to set a public hearing on the matter of Introductory Local Law No. 2 Of 2019, A Local Law Adding Chapter 66 Entitled, “Noise Pollution Control” To The Town Code Of The Town Of Chester on November 13, 2019 at 7:00pm or as soon as the matter may be heard at the Town of Chester, Town Hall, 1786 Kings Highway, Chester, New York.

DISCUSSION: Councilwoman Smith had concerns about the measurement of decibels and the enforcement of same. Councilman Finizia asked if a standard measurement could be created to identify noise levels.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

SET PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3 OF 2019, A LOCAL LAW ADDING CHAPTER 46 ENTITLED “ENTITY DISCLOSURE” TO THE TOWN CODE OF THE TOWN OF CHESTER

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Finizia to set a public hearing on the matter of Introductory Local Law No.3 OF 2019, A Local Law Adding Chapter 46 Entitled “Entity Disclosure” To The Town Code Of The Town Of Chester on November 13, 2019 at 7:00pm or as soon as the matter may be heard at the Town of Chester, Town Hall, 1786 Kings Highway, Chester, New York.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

HIGHWAY GARAGE RESTORATION

Supervisor Valentine gave an update on the garage restoration. He said the highway department has been working with the insurance company to allow them to operate without moving. On October 8 there was a meeting held with the insurance adjuster, Highway Superintendent and Engineer. Supervisor Valentine read the letter from the engineer concerning the meeting, which is printed below.

October 8, 2019

Robert Valentine, Supervisor
Town Board
Town of Chester
1786 Kings Highway
Chester, New York 10918

Re: Town of Chester, Orange County, NY
Highway Garage Restoration
Our File #CH-174

Dear Supervisor and Town Board,

We met with the insurance adjuster today and he has explained that we are on the same track. He has authorized us to order the steel (\$89,000 plus or minus) and to get 2 proposals for the installation and MEP work which we have designed.

We are also authorized to pay vendors from the \$150,000 advance or use Town funds and bill the insurance company up to our limit which appears reasonable. The insurance company will reimburse the Town.

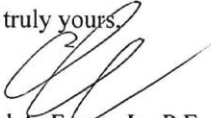
We are completing an asbestos test and will include remediation in the bid package.

I would be pleased to review with the Board and suggest a 5 minute execute session if you wish to discuss the insurance negotiations.

We believe we can get the steel in December and get the demo and foundation in before.

Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.
Fusco Engineering
& Land Surveying, P.C.
AAF/cam

Cc: Linda Zappala, Town Clerk
Anthony LaSpina
Donna Thom

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to authorize the purchase of steel in the amount of \$89,405 and approve the payment of \$25,260 to ABM Contracting as a down payment.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Finizia to approve the solicitation by the Town Engineer for two proposals for demolition and installation of mechanical, electrical and plumbing plus any upgraded code items for the restoration of the highway garage.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

HIGHWAY EQUIPMENT SURPLUS

Supervisor Valentine read the request from Highway Superintendent LaSpina to surplus equipment no longer useful due to the highway garage fire.

ON A MOTION OFFERED BY Councilman Finizia and second by Councilwoman Smith to surplus the loader forks.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

ON A MOTION OFFERED BY Councilman Wensley and second by Councilman Finizia to list the loader forks for sale on Auctions, International.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

HONORABLE MENTION – TRACY SHUH

Supervisor Valentine explained that the NY/NJ TRAIL Conference update had been cancelled for this evening and Councilwoman Smith read their letter which appears below acknowledging the donation from the Preservation Collective. Supervisor Valentine thanked Tracy for all her efforts and keeping her eye out on the Town.



The Town of Chester
1786 Kings Highway
Chester, NY 10918
September 23, 2019

Re: Donation to the NY-NJ Trail Conference of \$250 for trail work materials

Dear Messers Zappala and Valentine

We would like to express our heartfelt thanks for a kind donation given to the Trail Conference in May 2019 from the local non-profit from Chester, The Preservation Collective. Their continued advocacy for open space and support for trail corridors in your community has helped us with two projects in your area this year.

Part of the funds were used to make urgent repairs to the **Appalachian Trail shelter privy** on Bellvale Mountain near the Fitzgerald Falls, which had been damaged by a tree falling on it. A local boy scout troop donated 152 hours in total toward this project (15 scouts, 4 adults, 8 hours over 2 days).

The donation arrived in the nick of time before the main A.T. Thru-hiker contingent passed through, since it lessened the impact on surrounding land. This section of the 2,145 mile-long trail also popular with local folks due to the ease of access and beautiful views that can be accessed.

In addition, our volunteers painted over graffiti covering the hike shelter near the privy, as per the before/after photographs below.



The other part of the donation enabled us to obtain **personal protective equipment (PPE)** as loan items for ad-hoc volunteer trail repair trips. The equipment included boxes of gloves, eye-protection, ear protection and some hard hats.

About four such groups have loaned the items to date, enabling volunteers to work safely with raw materials and tools. One notable recent work trip was to install drainage on a perennially muddy section of the 150-mile long Highlands Trail which passes through the most recently-preserved section of Goosepond Mountain State Park in Chester. A total of eight volunteers built a sturdy stone turnpike over a wet 30-foot section of trail, including crossing drainage sluices.



Other groups built, clipped and maintained trails in the general region, using the appropriate safety equipment.



We invite you to explore this trail and take see the improvements first-hand. A map is attached for your convenience and enjoyment.

We want to share the news of community involvement with you and pass on thanks to the efforts of The Preservation Collective for being a part of improving people’s hiking and outdoor recreation experience, by enabling volunteers to have the materials and protective equipment they need!

Respectfully,

Soňa Mason
West Hudson Program Coordinator
New York-New Jersey Trail Conference
Connecting People with Nature Since 1920

600 Ramapo Valley Road | Mahwah, NJ 07430
T 201.512.9348 x816 | M 845-664-0417
smason@nynjtc.org | www.nynjtc.org

EXECUTIVE SESSION

ON A MOTION OFFERED BY Councilman Finizia and second by Councilwoman Smith at 7:30pm to enter into an Executive Session on the matter of hiring personnel and attorney/client privilege.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

ON A MOTION OFFERED BY Councilman Finizia and second by Councilman Wensley to adjourn the Executive Session at 7:50pm.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

PDR UPDATE

Supervisor Valentine gave an update on te PDR. He said he was reached by the state office of budget requesting information to move along the consideration of the Governor’s signing. Supervisor Valentine provide revenue based on 2018 sales at \$516,672 and anticipated \$315,000,000 is sales over the next several years resulting in a possible \$1.84 million for the preservation fund.

HIRING OF PERSONNEL

ON A MOTION OFFERED BY Councilman Wensley and second by Councilwoman Smith to approve the hiring of John Calderone as a full-time Police Office, effective upon the resignation with his current employer.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

*Councilnan Finizia left the meeting at 8:00pm.

REPORTS

Supervisor Valentine read the following reports into the minutes.

ENGINEER’S DEVELOPMENT REPORT

CHESTERDALE:

Review SWPPP. Planning to pave.

RIDGEVIEW:

Pending bond reduction. No current action.

WOODRIDGE:

Small drainage problem, punchlist pending. Getting ready for dedication.

ASHFORD:

Dedicated – preparing final bonds and paperwork.

GREENS AT CHESTER:

Curbs, installation continuing, lateral installation, SWPPP continuing to be reviewed weekly; following up on water testing schedule.

HIGHWAY GARAGE:

Redevelopment to begin with ordering steel after insurance company approved. Spoke with insurance; we have viable direction from them. Quotes to include add alternatives for code work. Ready to issue plans for quotes. Met with the insurance company, need to send deposit to fabricator ASAP. Need appropriation of move job along.

SENIOR PARK:

Being designed and grant for \$150,000 in contract with DASNY. Meet on site and are finalizing design.

MS4 OUTFALL:

Studies and mapping continuing, public participation ongoing.

REPORT OF POLICE DEPARTMENT FOR SEPTEMBER 2019

During the month of August, the Town of Chester Police Department remained highly active in the community. We continued to take a proactive stance towards detecting crime and enforcing the laws, while maintaining our overall objective of community commitment. In August, the police department responded to 253 calls for service. Officers patrolled for 12,778 miles during the month. A breakdown of the criminal and non-criminal activity for the month is included below:

CRIMINAL ACTIVITY

The Town of Chester Police Department made 16 arrests during the month. A summary of the arrests is as follows:

- 5 arrests for Vehicle and Traffic Law misdemeanors
- 2 arrests on warrants
- 3 arrests for Unlawful Possession of Marihuana
- 1 arrest for Grand Larceny in the fourth degree and Petit Larceny
- 1 arrest for Grand Larceny in the fourth degree and Falsifying Business Records
- 1 arrest for Menacing in the second degree
- 1 arrest for Criminal Mischief in the fourth degree and Reckless Endangerment of Property
- 1 arrest for Trespass
- 1 arrest for Failure to License a Dog

NON-CRIMINAL ACTIVITY

In addition to the arrests listed above, officers also responded to other calls for service. A summary of those calls for service is as follows:

- 29 reports of suspicious conditions, people and/or vehicles
- 27 medical calls
- 9 animal complaints
- 8 residential & commercial alarms
- 8 domestic disputes, neighbor disputes or disturbances
- 0 motor vehicle crashes with injuries
- 4 motor vehicle crashes without injuries
- 5 motor vehicle crash involving deer

Officers also issued 168 uniform traffic tickets during the month.

MIDNIGHT SHIFT

- 36 Vehicle & Traffic Stops
- 37 UTTs Issued
- 39 Calls for Service
- 2 Arrests

SEX OFFENDERS

There were no changes to the sex offender registrations for our residents in September.

LEVEL	BEGINNING OF MONTH	END OF MONTH
1	1	1
2	1	1
3	0	0
TOTAL	2	2

COMMUNITY POLICING

During the month, Town of Chester police officers assisted members of the community in many ways. Some of the community policing activity is listed below.

Officers completed 5 house security checks and 1097 business security checks.

Officer Perez began his full-time assignment as a school resource officer in the Chester Academy and Chester Elementary School on September 4th.

There were four (4) child seat installations conducted at the station in September. Eighteen (18) more seats were checked during the checkpoint held in conjunction with Community Day on September 14th. Officers Bird, Weinstein, Stack and Dugan continue to remain available for child passenger safety seat checks and installations.

TRAINING

Chief Doellinger attended training in Poughkeepsie on September 19th on the topics of NY Civil Rights Law section 50-a, FOIL, discipline issues under Civil Service Law section 75 and Town Law section 155 and pre-employment background investigations.

Sgt. D'Agnes, Officer Santosky-Wright and Officer Monsees attended Street Drugs and Driving training in Goshen on September 20th.

Sgt. D'Agnes, Officer Santosky-Wright and Officer Monsees attended Fentanyl Trends and Officer Safety Issues training in Goshen on September 24th and 25th.

All officers except Officer Dunlop (vacation) attended monthly training on September 10th in our training room on the topics of Extreme Risk Protection Orders, child safety seat overviews, changes to the marijuana laws, and a cover and contact refresher.

MISCELLANEOUS

Chief Doellinger attended the wake for retired State Senator William Larkin in Newburgh on September 4th.

Officers made additional neighborhood and school patrols on September 4th and 5th as schools reopened for the new school year.

Officers attended the community September 11th remembrance ceremony at the memorial site in Chester Community Park on September 11th.

A commercial vehicle enforcement detail was held in conjunction with the NYS DOT on September 23rd and 30th. One unsafe commercial vehicles was taken out of service.

Officer Monsees and Officer Deluca participated in a community event in Harriman on September 7th at the request of Harriman PD.

Officers monitored and participated in a block party on Ridgefield Drive on September 7th.

The town's first annual Community Day was held in the Chester Commons Park on September 14th. This is a combination of the former Emergency Services Day and Touch-A-Truck events. Officers participated in a variety of ways such as being a part of the planning committee, staffing a police department booth including kids games and an obstacle course, participating in the Tactical Response Unit demonstration, assisting with traffic control and conducting multiple child safety seat checks during a multi-agency checkpoint.

Officers were present on foot and by UTV for Chester Academy varsity football games at the Chester Commons Park on September 13th and 20th.

SCHEDULING

There were 229.5 hours of overtime paid in September.

Shift Coverage	158.25
Monthly Training	21.5
Community Day	11.5
Commercial Vehicle Enforcement Detail	11
Police Traffic Services Grant	7.5
HS Football Game Details	4.5
Late Calls/Arrests	3.75
Applicant Interviews	3
Stop DWI Patrols	3
99 th Assembly District Awards Ceremony	3
First Week of School Details	1
Investigations	1.5

Part-time police officers were used to fill 252 hours of patrol shift coverage (232 regular hours and 20 overtime hours)

Monthly Report for Animal Control September 2019

During the month of September 2019, the Town of Chester Police Department responded to 10 animal complaints and investigated 5 motor vehicle crashes involving deer. A breakdown of the complaints for the month is included below:

- 3 of the calls for service were for loose, lost or found dogs
- 3 of the calls for service were for injured or deceased deer
- 2 of the calls for service were for bear sightings
- 4 of the calls for service was for a dog welfare check
- 1 of the calls for service was for a barking dog

**WARWICK VALLEY HUMANE SOCIETY
MONTHLY REPORT TO THE TOWN OF CHESTER
MONTH: SEPTEMBER 2019**

All totals include calls from the Town of Chester, Village of Chester, Village of Sugar Loaf, and Orange County 911 Center for calls located within the geographic area of the Town of Chester.

Number of calls received:	<u>5</u>	2 Police, 3 other
Number of times ACO dispatched to calls:	<u>2</u>	9/9- Stray dog Whispering Hills 9/30-injured cat at the Castle
Number of dogs impounded by ACO:	<u>0</u>	9/9-owner arrived before ACO, Whispering Hills
Number of dogs impounded by police:	<u>0</u>	
Number of dogs returned to owner:	<u>0</u>	
Number of after hour call-outs:	<u>0</u>	
Amount of impoundment fees collected:	\$ 0.00	
Amount of license fees collected:	\$ 0.00	
Amount of impoundment fees paid to Town:	\$ 0.00	
Amount of license fees paid to Town:	\$ 0.00	
Number of hours of enumeration:	<u>3.5 hrs.</u>	(4.5 hrs. owed Aug. + 4.5 hrs. owed Sept.)
Number of bite reports received:	<u>0</u>	
Number of appearance tickets issued:	<u>0</u>	
Number of unlicensed dogs:	<u>14</u>	per Town Clerk notices to comply
Status of unlicensed dogs:	<u>0</u>	
Number of Chester cats admitted to shelter:	<u>0</u>	

Location of enumeration: Preparation of 14 Notices to Comply and enumeration of 1-38 + 1048 Lakes Road per Town Clerk

SNR certificates sold in September: 4

Other: Animal Control attended Chester Community Day! Thank you for including us!

EDUCATION REQUESTS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to approve the attendance of Planning Board members Dot Wierzbicki, Jackie Elfers to the Orange County Municipal Planning Federation Land Use and Planning Course on November 1 at a cost of \$60 p/person and Carl D'Antonio on November 14th at a cost of \$15 p/person.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to approve the attendance of Zoning Board Members Bob Favara on November 14 and Walter Popailo on November 6 and November 14 to the Orange County Municipal Planning Federation Land Use and Planning Course at a cost of \$15 p/person p/session.

VOTE AYES 4: Valentine, Finizia, Smith, Wensley

ADOPTED

SUGAR LOAF PERFORMING ARTS CENTER CONTRACTS

Supervisor Valentine explained the inconvenience occurring on the time delay for approval of rental agreements of the Sugar Loaf Performing Arts Center and thought Walter should be able to make arrangements without waiting for Town Board approval.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to allow Recreation Director Walter Popailo to approve the standard rental agreements up to \$9,999 as per adopted fee schedule.

VOTE AYES 3: Valentine, Smith, Wensley

ADOPTED

ANNOUNCEMENTS

Supervisor Valentine read the announcement from O&R concerning smart meter installation in the Town of Chester. The following are the scheduled smart meter installs for November.

CLUBHOUSE RD
WHISPERING DR
WHISPERING HLS
WHISPERING-HLS BLVD
WHISPERING-HLS DR

TOWN BOARD COMMENTS

Councilwoman Smith asked the status of the parking lot bids at the Commons. Mr. Fusco said he is working on it. Councilwoman Smith said she thought it would be a good idea if the Parks and Recreation Department get a proposal for uniform shirts for trips and events. Councilwoman Smith announced the railings at the Senior Center are complete. She announced:

October 12-14 – Sugar Loaf Fall Festival from 12-5.
October 27 - Halloween Parade at the Commons from 12-2 and Trunk or Treat from 2-3.

Councilwoman Smith thanked Tracy Shuh for her work building the Appalachian Trail.

Councilman Wensley announced:

October 19th – Comedy of Bobby Collins to benefit the Warwick Valley Humane Society at the SLPAC at 8pm.

PUBLIC COMMENTS

Donna Larkin, Whispering Hills asked about the tree cutting near or on the property line at Whispering Hills. Mr. Fusco said there is someone at there every day to oversee the work at the Greens of Chester project and he will report back to the Board

on the matter.

Tom Becker, 11 Sanford Avenue, commented that the Fieldcrest Water District is not rated for fire suppression. Supervisor Valentine said he would be speaking with the Village to determine what improvements would need to be made.

Lydia Quadros, Creamery Pond voiced her concern over the zoning of a property on Creamery Pond that is zoned LBSL which would allow for office building, retail, school and asked what could be done. Supervisor Valentine commented that the zoning had been in place since 1974. Ms. Cuadros added that the Comprehensive Plan of 2015 stated there would be periodic review of boundaries in the LBSL.

Tracy Shuh thanked the Town Board for the acknowledgement and the members and supporters of the Preservation Collective, which has been in place over 15 years to education the community against environmental impacts of new development and preserve open space. She thanked Sona of the NY/NJ Trail Conference and local resident, Howie for all their efforts and work on the trail.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Wensley to adjourn the meeting at 8:30pm, there being no further business brought before the Board.

VOTE AYES 3: Perez, Smith, Valentine

ADOPTED

Respectfully submitted,

Linda A. Zappala
Town Clerk
2019-10-09