

TOWN BOARD MEETING

June 23, 2021

7:00 PM

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

Also present: Scott Bonacic, Esq., Town Attorney, Al Fusco, Fusco Engineering

CHESTER CLEAN UP

Tom Flynn announced the Chester Clean-Up this year to be held on September 25th from 9-11:30am followed by a brunch until 12:30pm. There will be no rain date. All are invited to participate. He thanked the Town for their cooperation. He said the Kiwanis along with other community groups assist in this annual event.

ACCEPTANCE OF MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept the minutes of the Town Board meeting of May 26, 2021 and June 9, 2021 as presented by Town Clerk Zappala.

VOTE AYES 5: VALENTINE, ARDISANA, BECKER, COURTENAY, SMITH **ADOPTED**

BILLBOARD ARTWORK

ON A MOTION OFFERED BY Councilman Becker and second by Councilman Courtenay to approve the artwork submitted by Dave Stevenson for the graduation congratulations for our three school districts.

DISCUSSION: Councilman Becker thanked Mr. Stevenson for providing the artwork, free of charge.

SUGAR LOAF PERFORMING ARTS PAVILLION USE

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to approve the use of the Sugar Loaf Performing Arts Center on August 6 and 7, 2021 by the Orange County Council for the Arts for a live play-fest.

VOTE AYES 5: VALENTINE, ARDISANA, BECKER, COURTENAY, SMITH **ADOPTED**

POLICE VEHICLE DAMAGE

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to authorize the Supervisor to sign all appropriate transfer documents for Chevy Tahoe VIN# 1GNSKDEC4KR382746, totaled in an accident, for insurance purposes.

VOTE AYES 5: VALENTINE, ARDISANA, BECKER, COURTENAY, SMITH **ADOPTED**

RESIGNATION

Supervisor Valentine announced the resignation of Robert Favara from the Zoning Board of Appeals due to scheduling conflicts.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to advertise for the vacancy on the Zoning Board of Appeals and direct Town Clerk Zappala to cause to publish same.

VOTE AYES 5: VALENTINE, ARDISANA, BECKER, COURTENAY, SMITH **ADOPTED**

CDBG FAIR HOUSING RESOLUTION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Becker to adopt the following resolution.

The Town of Chester supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of the Town of Chester to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Town of Chester further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Municipal Council of the Town of Chester do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Town of Chester will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED that the Town of Chester shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

VOTE AYES 5: VALENTINE, ARDISANA, BECKER, COURTENAY, SMITH

ADOPTED

REPORTS

Supervisor Valentine read the following reports into the minutes.

Engineer's Development Report

1. Greens At Chester: The Greens at Chester had a release of turbid water from the site on June 9, 2021. The downpour occurred with 4 ½" in a short period of time. Catch basins had inlet protection in accordance with SWPPP which did not allow flows into the system. The water passed the basins and caused damage on the south side of project. Also, turbid water was seen on the north side in Whispering Hills. A notice of violation was sent by my office and the NYSDEC. Corrective measures have been taken. Different inlet protection techniques and replacement silt fence, check dams, catch basins, and road cleaned. They have been directed to provide additional protection on north side.
2. Water Loans: The NYSEFC has acknowledged receipt of our loan applications for Walton Lake Water District and Sugar Loaf Water District. Still no dates for WIIA application for grants.
3. Farmland Protection Grants: We were informed of the grants by Councilman Courtenay and have been unable to speak to Department of Agriculture. We did send email and hope to get information soon.
4. I had met with the OCPDW regarding possible dedication of Sugar Loaf section of Kings Highway from County to Town. We hope to further review in coming weeks.

5. The OCCD CDBG grant is going to be delivered this week for the Chester Performing Arts Center for ADA improvements.
6. Cappelli Sports (Primo Sports) has begun. I have had conversations with the design engineers regarding SWPPP reports and site work.

Building Department

Supervisor Valentine shared with the Town Board the various reports provided by the Building Inspector from the new program that was purchased for use in the department.

Highway Department – June 22, 2021

Good evening.

Below is a summary of some of the recent activities for the Highway Department. We continue to try to find vendors to repair the shop lift. The one that was hopeful has not responded to calls or emails. Three other companies that were called are not interested due to distance or they claim they are inundated with work. We will continue to research.

The street sweeper's Ac has finally been resolved and is now back on the road, sweeping.

An additional 500 feet of pipe was installed on Ayr Road and is complete. The Girl Scout bridge was installed in the beginning of June. Everything went well and the ceremony was very nice.

A crew has begun clearing and excavating on the new Walton Lake well road. Significant progress has already been made. Will continue to update.

Thank you.
John Reilly

Senior Center

Supervisor Valentine provided information on the reopening of the Senior Center and the club return on June 30th. Everyone entering must sign in with name and contact. Any unvaccinated must wear a mask and no kitchen use is allowed.

Sugar Loaf Performing Arts Center

Supervisor Valentine announced the allowable capacity at the theater is now at 100%. He noted the collection of approximately \$30,000 in rental fees collected thus far and estimates, by year end, it will be self-supporting.

ARPA FUNDING

Supervisor Valentine updated the public on the process. The Town has submitted the required paperwork to the State Division of the Budget to accept the funds, which is due by July 9th.

ANNOUNCEMENTS AND CORRESPONDENCE

Supervisor Valentine read the letter from Tin Barn Brewing Company expressing their apologies for neglecting to pay their water bill and thanking the Town for the experience they are having as a business in Chester. The water payment accompanied the letter.

Supervisor Valentine read the letter from the Chester Historical Society thanking the public for their support through donations received by the society.

TOWN BOARD COMMENTS

Councilwoman Smith said she went on the casino trip and it was full with 65% of those attending from the Town. She said the Little League closing ceremony was well organized and the League will host the State Championships during the week of 7/11 which will include the Chester minor league boys' participation. Councilwoman Smith asked the engineer if the cattails in the run-off pond at the Greens causes any issues. Mr. Fusco replied that the vegetation helps to clean and slow down the flows of the pond. He added that it was discovered that there was a hole that appeared to be drilled into a pipe to the detention pond which created a geyser during the storm. The violation cited does not allow for any new earth work while the earth is stabilizing.

Councilman Becker reported, at Walton Lake Estates the excavator has been delivered and the access road has been started to the site for the new well. The well driller checked the site today and will begin work on the new well next Tuesday. He has been gathering information in regards to the heavy water runoff from the Greens of Chester and has two unofficial rain gauge readings of 4.2 inches at the Village of Chester highway garage and 4.1 at a residence adjoining the Greens. A site visit to Whispering Hill and a visit to the Greens with Al Fusco raised many concerns. A 36-drainage pipe that travels under an O&R berm between the Greens and Whispering Hills that flowed at full capacity flooded a residence due to a hole in that pipe. This runoff location must be controlled better in the future. During the storm there were silt bags installed in many of the catch basins in the Greens. Now they have been removed and runoff by the catch basins is being controlled with stone barriers. The silt bags may have been a contributing factor for flooding on Conklingtown Rd. All of the catch basins were cleaned post storm but he is not sure if the piping between the basins was cleaned. There was a large pile of sand located on a roadway in the Greens that appeared to have been there for some time causing turbid water to enter catch basins during rain events. It also appeared that regular cleaning of roadways in the Greens might be necessary due to the continuous movement of construction equipment on site. He said it was also concerning to see a wooded area in the Greens still holding standing water a week after the storm. When finished grading is completed areas should be seeded to stabilize the soil. It is his understanding that under SWPP regulation most or all of the water that leaves this property should be controlled. He said the Town has an obligation to make sure all of our codes and SWPP regulations at all work sites throughout the Town are followed and all violations fixed in a timely manner.

Mr. Fusco said the DEC regulations are in place to protect the wetlands. Councilman Becker said he did not see any seeding in the disturbed areas. Mr. Fusco said that 7 days are allowed for up to 1 acre and 14 days allowed for 5+ acres and have since been seeded.

Councilman Courtenay commented the PDR bills which got pulled in the State Assembly was politically driven and he said elected officials are to serve people not their own agenda. He added the Town of Chester has a right to preserve their land, water, sewer and beauty and has been advised by legal counsel that the Town can sue the Attorney General. But at taxpayer expense, the result would be the same, as the Attorney General has immunity. ...contact assembly and Senate to express disappointment. Councilman Courtenay continues his efforts with the "Real Men Wear Pink" fundraiser for breast cancer awareness. Councilman Courtenay reported there are a lot of things going on at the theater and hopes the chronicle can now report on it making money.

Councilman Ardisana would like to start a citizen's committee for public input on the Cannabis opt-out. As he noted that Middletown is opting out, he would like to get the pulse of our community.

Supervisor Valentine added that the Planning Board will now be joining the Town Board as open for business, so all are invited back in.

PUBLIC COMMENTS

Larry Dysinger said while we have little control of the State with regard to the PDR, the comprehensive plan, zoning and preservation plans are something we should look into. To protect the Town, it was his opinion that impact fees could be assessed to developers to protect the Town's infrastructure to reduce the burden on taxpayers. He suggested if Kings Highway becomes a town road, we should change its name and put a stop sign at the intersection of Bellvale Road to encourage use of the by-pass. He questioned the SWPP at the Greens of Chester as he said the erosion is causing the silt to max out. He added the Industrial Park doesn't have a lot of erosion control either. He opined

Legoland has done far more than the Greens of Chester in storm control and the Town should hold them accountable to the limit allowed.

Supervisor Valentine said that the WebEx link is experiencing hardware issues, but the meeting will be available on YouTube and he apologized for any inconvenience.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to adjourn the meeting at 8:00pm, there being no further business brought before the Town Board.

VOTE AYES 5: VALENTINE, ARDISANA, BECKER, COURTENAY, SMITH

ADOPTED

Respectfully submitted,

Linda A. Zappala
Town Clerk
2021-06-23