

**SPECIAL TOWN BOARD MEETING  
SEPTEMBER 30, 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

**2022 TENTATIVE BUDGET**

Supervisor Valentine provided the 2022 Tentative Budget to Town Clerk Zappala who presented it to the Town Board. The Supervisor explained that this is the wish list from the Town Departments for spending next year. The Tentative Budget is at \$15,008,416. It will be available on the Town's website at chester-ny.gov. The Town Board will meet with Department heads and work on coming under the tax cap.

**BUDGET WORKSHOPS**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Becker to schedule Budget Workshop Meetings on October, 2021 and October 8, 2021 at 6pm at Town Hall and direct Town Clerk Zappala to cause to publish same.

**VOTE 5 AYES: VALENTINE, ARDISANA, BECKER, COURtenay, SMITH**

**ADOPTED**

**GREENS OF CHESTER BOND REDUCTION**

Supervisor Valentine brought the matter again to the Town Board. Councilman Courtenay said he was able to review the documents and was okay with it. It was noted that bronze saddles will be used in the water supply system.

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Courtenay to approve the bond reduction from \$16,369,565.80 to \$10,667,468.72.

**VOTE 5 AYES: VALENTINE, ARDISANA, BECKER, COURtenay, SMITH**

**ADOPTED**

**AMENDING BOND RESOLUTION FOR RECONSTRUCTION OF HIGHWAY GARAGE**

Supervisor Valentine presented the Town Board with an amending bond resolution for the highway garage that extends the term of the current BAN to 15 years to keep payments low. He said this expense covering additional costs over insurance proceeds will reduce the payments from approximately \$170,000 to \$40,000-\$50,000 per annum.

Councilman Becker offered the following resolution and moved its adoption:

**RESOLUTION OF THE TOWN OF CHESTER, NEW YORK, ADOPTED  
SEPTEMBER 30, 2021, AMENDING THE BOND RESOLUTION ADOPTED  
AUGUST 12, 2020**

Recitals

WHEREAS, pursuant to the bond resolution adopted by the Town Board of the Town of Chester, in the County of Orange, New York (the “Town”), on August 12, 2020, the Town Board has heretofore duly authorized the partial reconstruction of the Highway Garage in said Town; and

WHEREAS, said bond resolution limited the maximum maturity of the bonds to five (5) years, and the Town Board has now determined that it is in the best interests of the Town to amend such bond resolution to provide for a longer period of probable usefulness, as authorized pursuant to Section 11.00 a.12(a)(2) of the Local Finance Law; and

WHEREAS, the Town Board proposes to authorize a maximum maturity in excess of five (5) years and the amending bond resolution shall therefore be subject to a permissive referendum;

Now, therefore, be it

**RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHESTER, IN THE COUNTY OF  
ORANGE, NEW YORK** (by favorable vote of not less than two-thirds of all members of said Town Board)  
AS FOLLOWS:

Section (A) The Bond Resolution of said Town adopted by the Town Board on August 12, 2020, entitled:

“Bond Resolution of the Town of Chester, New York, adopted August 12, 2020, authorizing the partial reconstruction of the Highway Garage, in said Town, stating the estimated maximum cost thereof is \$2,008,740.62, appropriating \$650,000 therefor in connection with expenses expected to be paid subsequent to the date hereof, and authorizing the issuance of \$650,000 bonds of said Town to finance said appropriation,”

is hereby amended to read as follows:

**BOND RESOLUTION OF THE TOWN OF CHESTER, NEW YORK, ADOPTED AUGUST 12, 2020 AND AMENDED ON SEPTEMBER 30, 2021, AUTHORIZING THE PARTIAL RECONSTRUCTION OF THE HIGHWAY GARAGE, IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,008,740.62, APPROPRIATING \$650,000 THEREFOR IN CONNECTION WITH EXPENSES PAID SUBSEQUENT TO AUGUST 12, 2020, AND AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION**

THE TOWN BOARD OF THE TOWN OF CHESTER, IN THE COUNTY OF ORANGE, NEW YORK,  
HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOL-  
LOWS:

Section 1. The Town of Chester, in the County of Orange, New York (herein called the “Town”), is hereby authorized to partially reconstruct the Highway Garage in said Town. The estimated maximum cost of the foregoing, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,008,740.62 and \$650,000 is hereby appropriated therefor in connection with expenses paid subsequent to October 12, 2020. The plan of financing includes the issuance of \$650,000 bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$650,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized pursuant to Section 11.00 a.12(a)(2) of the Law is fifteen (15) years.
- (b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of

the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds, and any notes in anticipation thereof to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the official newspaper of the Town, a newspaper having general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHESTER, NEW YORK

PLEASE TAKE NOTICE that on September 30, 2021 the Town Board of the Town of Chester, in the County of Orange, New York, adopted a resolution amending the bond resolution adopted by said Town Board on August 12, 2020, which bond resolution, as amended, is entitled:

“Bond Resolution of the Town of Chester, New York, adopted August 12, 2020 and amended on September 30, 2021, authorizing the partial reconstruction of the Highway Garage, in said Town, stating the estimated maximum cost thereof is \$2,008,740.62, appropriating \$650,000 therefor in connection with expenses expected to be paid subsequent to August 12, 2020, and authorizing the issuance of \$650,000 bonds of said Town to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to partially reconstruct the Highway Garage in said Town; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$2,008,740.62; APPROPRIATING \$650,000 to finance a portion of such reconstruction for such purpose; and STATING the plan of financing includes the issuance of \$650,000 bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$650,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the object or purpose for which said bonds are authorized pursuant to Section 11.00 a.12(a)(2) of the Law is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds, and any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: September 30, 2021

LINDA ZAPPALA  
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

Section (B) The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution as originally adopted, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C) Said bond resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution, as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval, is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted August 12, 2020, shall not be in any way affected and shall remain in full force and effect.

Section (D) After said bond resolution, as herein amended, shall take effect, the Town Clerk is hereby directed to cause said bond resolution as herein amended, to be published, in summary, in the newspaper hereinabove referred to in Section 7 thereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York. The adoption of the foregoing resolution was seconded by Councilwoman Smith and duly put to a vote on roll call, which resulted as follows:

AYES: VALENTINE, ARDISANA, BECKER, COURTYEN, SMITH

NOES: 0

The resolution was declared adopted.

#### **DENTAL INSURANCE RENEWAL**

Supervisor Valentine explained that our dental insurance is up for renewal at no increase in cost.

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Courtenay to approve the annual renewal of the current Dental Insurance Program through CDPHP and allow the Supervisor to sign same.

**VOTE 5 AYES: VALENTINE, ARDISANA, BECKER, COURTYEN, SMITH**

**ADOPTED**

## **WATER DISTRICTS RELEVY**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Becker to approve the following unpaid water charges to be relieved onto the 2022 Town/County Tax roll.

Walton Lake Water District:	\$11,573.00
Surrey Meadows Water District	\$ 9,597.50
Lake Hill Farms Water District	\$21,951.75
Sugar Loaf Hills Water District	\$ 7,170.00
Fieldcrest Water District	\$ 2,512.00

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

**ADOPTED**

## **5-HOUR DEFENSIVE DRIVING CLASS**

Supervisor Valentine read the request for approval to provide a 5-hour defensive driving course for the employees that operate town-owned vehicles. Additional employees could also attend at their own expense. If required Town Hall would be closed for that day.

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Courtenay to approve the 5-hour defensive driving course for employees that operate town-owned vehicles.

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

**ADOPTED**

**ON A MOTION OFFERED BY** Councilwoman Smith and second by Councilman Courtenay to close Town Hall on November 16, 2021, subject to employee participation in the 5-hour defensive driving course.

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

**ADOPTED**

## **BORREGO SOLAR LEASE AGREEMENT AMENDMENT**

**ON A MOTION OFFERED BY** Councilman Becker and second by Councilman Courtenay to authorize the Supervisor to sign the Lease Agreement Amendment with Borrego Solar, pending attorney review.

DISCUSSION: Supervisor Valentine said the amendment is necessary to better route some of the transmission lines through another Town-owned property. Councilman Becker added this will minimize the visual impact by using underground piping and above-ground lines in tree-lined areas.

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

**ADOPTED**

## **LIBRARY LEASE AGREEMENT**

Supervisor Valentine explained in an effort to keep the library in the building as long as possible he and Councilman Courtenay met with the trustees and director to clean up the lease agreement. The library is in need of replacing substandard duct work and the quote received from Westar Mechanical is \$25,000. The library agreed to pay for maintenance of the building going forward and the Town offered to pay half of this expense.

**ON A MOTION OFFERED BY** Councilman Courtenay and second by Councilwoman Smith to provide \$12,500 to replace the duct work at the Library building.

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

**ADOPTED**

## **BENEFIT AREA 1**

Councilwoman Smith addressed the issue that was brought up by a resident in this special district. A discussion ensued as to the purpose of the district and the management of the operations. The district is in place to maintain the drainage pumps to protect the black dirt area in the Village from flooding. It is a County charge and after speaking with the finance department,

the Assessor has said they are changing the way they expense from assessed value to per units charges, which may reduce charges to approximately \$400 for the residents of the district.

### **TOWN BOARD COMMENTS**

Councilman Ardisana said he is working on introducing the local law on the cannabis legislation.

Councilman Courtenay announced the upcoming Corn Hole Tournament to be held by the Danny Mulvey Foundation at the SLPAC on Saturday, October 2 at 1pm.

Councilwoman Smith said she is working on getting the house in Sugar Loaf cleaned up.

Councilman Becker announced the Fall Festival at the Bellvale campus of the Bruderhof on October 9 at 2pm-5pm. At Walton Lake Estates, the Highway Department made improvements to the roadway to allow for the well driller to access. His hopes is that this second well will produce 75 to 100gpm.

### **ANNOUNCEMENTS**

The senior center will host a Pasta Luncheon for seniors on October 7, 2021 from 11am-1pm.

### **PUBLIC COMMENTS**

Susan Foley, via FB, asked the status of the Commons Playground. The Park is now open and striping is being done in the parking lot.

Lydia Cuadros, via FB, asked where the solar array was going. Supervisor Valentine said the property is on Vivian Lane bordering the Town of Goshen.

### **ADJOURNMENT**

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

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

**ADOPTED**

Respectfully submitted,

Linda A. Zappala  
Town Clerk  
2021-09-30