

**TOWN BOARD MEETING
October 13, 2021**

7:00 PM

Supervisor Valentine opened the meeting at 7:00pm 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

AUDIT OF CLAIMS

ON A MOTION OFFERED BY Councilman Courtenay and second by Councilman Becker to approve payment of the bills from the following accounts:

GENERAL FUND	219,327.90
GENERAL - PART TOWN	94,673.28
HIGHWAY – TOWN WIDE	28,766.46
HIGHWAY – OUTSIDE	250,274.52
FIELDCREST WATER	4,572.27
LAKE HILL FARMS WATER	10,870.05
SUGAR LOAF HILLS WATER	2,837.56
SURREY MEADOWS WATER	1,895.84
GARBAGE DISTRICT	92,592.64
WALTON LAKE WATER	6,005.08
TRUST AND AGENCY	<u>68,754.18</u>
Grand Total	\$780,569.78

VOTE: AYES 5: Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept the Town Board Meeting Minutes of September 22, 2021 as presented by Town Clerk Linda Zappala.

VOTE: AYES 5: Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW ADDING CHAPTER 68A NO. 2 OF 2021 TO “OPT-OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION SITES, (TO THE TOWN CODE OF THE TOWN OF CHESTER.) AS AUTHORIZED UNDER NEW YORK CANNABIS LAW ARTICLE 4.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to set a Public Hearing on the matter of the Introductory Local Law 2 of 2021 on October 27, 2021 at 7pm and direct Town Clerk Zappala to cause to publish same.

VOTE: AYES 5: Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

NY TRANSCO ROCK TAVERN TO SUGAR LOAF PROJECT

ON A MOTION OFFERED BY Councilman Becker and second by Councilman Ardisana to authorize Supervisor Valentine to sign NY Transco NOI & MS4 as officer.

VOTE: AYES 5: Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

PARKLAND FUNDS TRANSFER

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the transfer of \$3,900 from Parkland Fund to Grounds Account A7110.4 for striping at Chester Commons Park.

VOTE: AYES 5: Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

EDUCATION REQUESTS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Becker to approve the New York Planning & Federation/American Planning Association Conference Webinar Course to be held on October 15, 2021 for the following: Don Serotta, Alexa Burchianti, Larry Dysinger, Justin Brigandi, Melissa Foote, Dot Wierzbicki and Jackie Elfers.

VOTE: AYES 5: Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to approve the Hudson Valley Annual Watershed Conference Webinar Course to be held on October 26, 2021 for Planning Board member Justin Brigandi.

VOTE: AYES 5: Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

SUGAR LOAF PERFORMING ARTS PAVILLION USE

Before going on to discussion on the budget, Supervisor Valentine had a couple of other items regarding the SLPAC. Walter Popailo is requesting to rent out the pavilion to a group affiliated with NTD Chinese Dance TV. They are interested in renting the pavilion for ten dates to practice with band members at \$500 per date. The schedule only allows for five dates until the end of the year so it needs approval as soon as possible so we can have contracts drawn up.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve rental of the SLPAC Pavilion for five dates until the end of the year at \$500.00 per date to a group affiliated with NTD Chinese Dance TV to practice with band members.

VOTE: AYES 5: Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

Supervisor Valentine also mentioned that Paul Ellis is interested in putting together acting classes for 13 to 21 year old students at the SLPAC. He would like to use the Pavilion on Tuesdays for approximately two hours. There will be a \$500 grant and half of the tuition collected from the students. It's 10 weeks for twenty students max at \$200 per student. Supervisor Valentine needs to get more information on this so the matter was tabled.

BOARD DISCUSSION ON BUDGET

Supervisor Valentine went over the Kinsley Power Systems price quote for repairs of the Walton Lake Estates generator. The permanent generator on site was damaged when welds broke holding the radiator in place causing \$21,950.08 in damages when the radiator fell into the fan. Supervisor Valentine wants another quote because this price quote is above the procurement policy so the matter was tabled.

Supervisor Valentine has a proposed budget but it's not ready to be presented to the Board yet. There are a few items that still need to be worked on. Copies have been distributed to the Board Members. Supervisor Valentine said we are a decent number under the tax cap; it is at 4.2% increase which is about half of what can be increased. Supervisor Valentine also spoke to the County and said Dial-A-Bus will be covered through Cares Funding through 2022. This is another fund that can be reduced by \$30,000. We have a few other items on the budget that need to be addressed before it is completed and if the Board Members had anything to discuss with him.

Councilman Becker spoke to James Skoufis' office and was told they received another grant of \$130,000 that will be put into the Walton Lake Water District which is greatly needed.

Councilman Courtenay said he has been going over the budget and has a couple of things to send over.

Supervisor Valentine said one of the challenges the Town faces is the possibility of several town employees retiring therefore, we would have substantial payouts for time, sick leave, vacation time accruals to account for. Another good reason for us to have a strong fund balance.

Supervisor Valentine said he might call a Special Meeting for the proposed budget. The budget has to be submitted to the County by November 20, 2021

Councilman Becker said that the Town needs to hire a new Water Operator for the department.

Councilman Courtenay is planning on adding one or two people to the Water Department.

REPORTS

Supervisor Valentine read the following reports into the minutes.

Water Department – Month of September 2021

The Water Department processed and distributed 6,752,371 gallons of water for the month of September. The districts daily average ranged from 397 to 77,000 gallons. The breakdown is:

Lake Hill Farms- 2,332,000 gal.

Sugar Loaf- 1,979,200 gal.

Surrey Meadows- 1,217,900 gal.

Walton Lake Estates- 1,052,200 gal.

Fieldcrest- 159,175 gal. (Distribution only)

Town Hall-11,896 gal.

Distribution sampling by us as well as random sampling by Orange County DOH showed adequate disinfection levels, and tested negative for any type of bacteria.

Monthly DOH 360 forms and test results for 8/2021 on all districts were submitted to DOH on 9/8/2021.

Laboratory testing dates were 9/1 & 9/17.

The annual water reporting permits for 2020 were processed and mailed to the NYSDEC on the week of the 5th.

Mowing dates at the plants were 9/1, and 9/17.

Meter reading at all districts were done from 9/2 through 9/14. Re-reads, missed reads and repairs went through 9/1.

The dept. attended a workshop in Wallkill on the 16th. It was more training on PFOS testing and changes in the lead and copper rules for testing.

We finished the Mobil Life bathroom project on the last week of the month.

Other Business:

Sugar Loaf was mostly quiet with routine operations and maintenance.

Surrey Meadows was mostly quiet with routine operations and maintenance. There was a lightening strike at the tank site on the 28th. Some of the tank level instruments were damaged replacements were ordered from TAM enterprises and should be completed during the first week of October.

Lake Hill Farms was mostly quiet with normal operations and maintenance.

Walton Lake Estates was mostly quiet with routine operations and maintenance. There was a water main break at 35 Oak on the 10th. The highway dept. assisted with the backhoe and trucking. Well production is down to 35gpm. The pump will have to be replaced in October.

Fieldcrest was quiet with routine operations and maintenance.

Highway Report – October 13, 2021

Good evening. Below is a summary of some to the recent activities for the Highway Department. We have been finishing up with patching, paving drainage and shoulder work for the season as we transition to Fall and Winter weather prep. We continue to do roadside moving. The trucks are being serviced and the plow frames will be getting installed.

Road striping was completed at the beginning of October.

The 2022 budget has been completed and reviewed.

Leaf season is here! The Highway Department will officially start picking up leaves on October 25th and will conclude on December 3rd. Leaves should be piled curbside, not on the road and un-bagged. Please do not put sticks, branches, rocks or debris in the piles. This will damage the leaf machine. This service is dependent upon the weather.

The Highway Department will be moving pallets of playground mulch to Oak Drive Park and the Commons Park later this week to allow 15 volunteers from the Chester Academy to spread the mulch. The volunteers will be getting community service hours to put towards their Honor Society requirements. Letters will be sent out to all the volunteers to acknowledge their service. We appreciate them.

The Lift company advised us today that the frame did not ship today it is in production but will not ship for another week or so. The sales person is confident that the Lift will be repaired and complete before Thanksgiving.

Thank you,
John Reilly

Engineer's Development Report

1. Greens at Chester: The Greens at Chester Discussed tank location and design with developer's engineer. Will bring back to Board SWPPP has been adequate.
2. Cappelli Sports (Primo Sports): SWPPP has been working well.
3. Warwick Ridge: Set for re-inspection for road acceptance
4. MS4: continuing with outfall inspections.
5. Johnson Road: Grant to be back to NYS this week.
6. Water Grants: Discussed with Supervisor this week. Board action may be required soon.

Mortgage Tax Receipts Report

Supervisor Valentine read the Mortgage Tax Receipt report. Part of last year and this year have been a bumper year for mortgage tax. Houses, businesses and properties have been exchanged due to the booming real estate market. In the month of September, the Town of Chester collected \$61,771.50 in mortgage tax proceeds. He called the County about this last week to ask how that's calculated. Although they tried to provide a rational explanation they themselves couldn't figure out how it's calculated. Year to date, we have collected approximately \$400,000. These kind of mortgage taxes and sales tax revenue are the big items that offset the property taxes. We are looking at probably another good year in the mortgage tax. In this current budget, due to E-Commerce sales tax and sales tax increase our sales tax numbers came in strong. Therefore, we are receiving five payments during the course of the year instead of four. Hopefully that trend will continue as well and it will help offset everybody's property tax bill.

ANNOUNCEMENTS & CORRESPONDENCE

Supervisor Valentine announced that the Orange County Household Hazardous Waste & Operation Safe Scripts Pharmaceutical Collection Event will be held on November 5th and 6th at Delano Hitch Recreation Center 401 Washington Street, Washingtonville NY. Details are listed on the Town's website.

Trunk or Treat Event will be on Saturday, October 30, 2021 from 11:00 am – 1:00 pm at the Chester Commons.

The Town of Chester Senior Residents Casino Night will be at the Sugar Loaf Performing Arts Center Pavilion on Friday, November 12, 2021 at 4:00 pm - 8:00 pm. RSVP By November 1st.

Holiday Desserts and Ugly Sweater Contest will be held on Thursday, December 9, 2021, 1:00 pm – 3:00 pm at the Senior Center.

TOWN BOARD COMMENTS

Councilman Becker reports that the Surrey Meadows Water District had an emergency situation with the radio system that turns the pumps on and off to maintain tank storage levels; lightning damaged all of the components. The new equipment is up and running but we have not received a bill yet for the repairs.

Also at Walton Lake Estates, as requested, they installed a larger pump when they did their next replacement which has now been done. We went from 35GPM up to 55GPM and will hopefully give us more runtime before we need to replace it again.

Councilman Becker reached out to Turnbull Well Drilling. They scheduled a tentative day for next week to complete the new well at Walton Lake Estates. He is also working with James Skoufis' office to finalize a \$130,000.00 grant for infrastructure work to be done to get a new water system in place at Walton Lake Estates. Our grant writer will be finalizing the application paperwork needed for this grant.

Today was Bill Keller's last day of work for the Town of Chester Water Dept. He thanked him for his years of service here at the Town of Chester. He was a great asset to the Town going above and beyond in everything he did. He will be greatly missed and wish him well with his future retirement. Thank you Bill. Chris Cox is now our lead operator. He has complete confidence that Chris can handle the position but in light of this, the Town is down to one operator to cover 5 water districts 24/7. It will take time to hire a new water operator. We need to learn from the past since this is the second time we have put an operator in this position in the past two years. We need a third employee in our Water Dept. to make sure we have coverage for all of our districts for routine work and emergencies. He'd like to stress the importance of this because these employees have dedicated to be on call 24/7 and are hard to find and replace. We need to look towards the future and keep our drinking water safe for our residents.

Councilman Courtenay agrees with Councilman Becker in that we need a third person and should try to come up with the money to invest in one or two extra people for the Water Department.

Councilwoman Smith said that we need to get pricing information for business cell phones for SLPAC/Recreation Dept. employees Michele Deshler, Walter Popailo and Kristin Palmer. Michele added cell phones to the budget but asked if they could purchase them now since they are away on trips or outside of the buildings and are always on call.

Councilwoman Smith spoke to Eric Denega and Steve Neuhaus regarding the house in Sugar Loaf. She said she got the biggest runaround imaginable. They said they have only owned the house for two years and why didn't the Town do anything about the house beforehand? They are not interested in doing anything because they have to wait until the lady moves out from the other house that they are going to do something. She doesn't know how much push the County Executive will do and Eric doesn't sound like he is going to do anything. She also spoke to Eric Denega from the County about the benefit tax – the sewer tax. A lot of that money goes to drainage so she asked him about fixing the pump down in District 1. He responded by saying "that it is very costly and is trying to get a grant" but on the other hand why haven't they put money away for capital improvement to get this fixed.

Councilman Courtenay has been going through the budget line by line and still can't wrap his head around having to pay for prevailing wage for things the Town can pay for a thousand dollars less. How can we be fiscally responsible when we have to pay prevailing wages for everything?

Councilman Ardisana said he questions prevailing wage because it makes no sense. He also reminded everyone that the public hearing is scheduled for October 27th.

PUBLIC COMMENTS

Larry Dysinger said that the Local Law number for the Cannabis Law has to be corrected. Also, the Comprehensive Plan states that the threshold for noise pollution is 65db and it needs to be in sync with the Town of Chester Local Law Noise Ordinance to which reads 85db as the threshold. He said he wants to re-address the noise ordinance to see if it can make the police department and Alexa's job easier. He also wants to know what is considered a violation pertaining to the outdoor lighting ordinance since there seems to be confusion with it. In regard to the budget, is there a State format that is used for the budget because all the towns seem to use the same format. Are there other spreadsheets that are used to input the budget from the departments since there are no real details? For example, in the Highway Dept. there is nothing in there about materials or breaking up salaries or overtime. He sees what is there but doesn't know what makes it up. Shouldn't the breakdown from the departments go into the budget? Mr. Dysinger also wants to know why the agenda for the meetings are not put out in advance.

The Planning and Zoning board puts it out 3 to 4 days in advance. The State guidelines highly recommend that it be put out in advance. For planning perspective some people may want to attend the board meeting if they know what is on the agenda.

Tracy Shuh wants to follow up on comments from the last meeting. Specifically, the responses to the Preservation Collective non-profit letter regarding an expert we hired to review aspects of a project. She wants to update those comments because the applicant did respond to the technical questions in a written letter to the Planning Board but since it wasn't reviewed in detail at the Zoom meeting, she emailed the Planning Board the next day and did not get a response so that's why she came to the Town Board meeting. She said she is happy to know that the aspects of the project in this case were improved based on the advice they provided but that it raises questions as to why the applicant didn't address them in the first place. The letter did satisfy them in that their engineer did have comments that have merit. In any event, she stands by all her other comments about an ongoing concern about the public comments seemingly being reviewed in haste or presumably dismissed. She said a lot of these concerns could be avoided if the Planning Board would allow public comments at the end of their meetings. She understands that they do have the option not to but then written correspondence is the only way to communicate with them. She also said that she found out that her emails were being withheld from the other Planning Board members by the Chairman and was recently told to stop sending emails and letters to the Planning Board members and that she is going to be blocked by the IT Department. The latest email she sent was on behalf of the non-profit regarding new information from another municipality that could change the course of a project here in Chester and maybe others for the better but it was not well received. Other towns and experts will tell you the more open local boards are to comments from early on in the process, the better the information they will have about the area and less expensive it will be for the applicant to make the changes. There is no restriction by law regarding correspondence by the public prior to a hearing. She says if the Planning Board has a forum that is not a public hearing they don't have to allow the public to speak but they can certainly send in written correspondence. This is the way it has always been and doesn't know when this rule changed and if the other Planning Board members are aware of it. She sent an email to Supervisor Valentine which details a list of questions that she thinks would be good for the Town to review as it relates to accepting public comments from a legal standpoint and from a public service standpoint. She said she has had a great experience with all the employees at Town Hall and that everyone has been courteous and appreciative of the input she gives. She would appreciate the Town Board's attention to that matter. Tracy also mentions that there is a Moodna Creek Watershed Intermunicipal Council on October 28. Most of the agenda will be about water quality or quantity, flooding, waste water or all the above. Thank you.

Lydia Cuadros commented that she didn't hear the grant amount for the infrastructure mentioned earlier. She also asked if there would be a public hearing on the Town budget where residents could make comments?

Karen Ostenberg said that on Monday the Boy Scouts and Girl Scouts met here in Sugar Loaf to do a Flag Retirement ceremony. She hasn't seen the pictures but understands there is a whole lot of them posted by many of the citizens that showed up that evening. Young children and not so young adults were folding flags and learning how to fold them properly and how to prepare for their retirement. She is coming to the Board to ask if they would give some consideration to the Boy Scouts and Girl Scouts in obtaining through the post office a retired box that they might be able to locate in Chester for the collection of all of those torn and tired flags of the community. She also said that if anyone has a flag that they want to retire there is a phone number on their Facebook page to call for information as well as the American Legion who are also involved in the retirement of the flags.

Supervisor Valentine responded to Tracy Shuh letting her know that he spoke to the Planning Board Chairman today and confirmed that he had not spoken to the IT Dept. Supervisor Valentine informed the PB Chairman that he wouldn't be speaking to the IT Dept. and nobody would be blocked on our server.

Councilwoman Smith asked how much money has been paid toward the grant company and have they gotten any grants for us. Have they said anything definite that they have applied for? Supervisor Valentine replied he could say yes but does not want to jinx it.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to adjourn the meeting at 8:04 pm there being no further business brought before the Board.

VOTE: AYES 5 Valentine, Ardisana, Becker, Courtenay, Smith

ADOPTED

Respectfully submitted,

Nanette Batista-Perez
Deputy Town Clerk
2021-10-13