

**TOWN BOARD MEETING
JANUARY 26, 2022
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 Courtenay, Councilman Holdridge, Councilwoman Smith

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

Following the pledge, Supervisor Valentine asked all in attendance to remain standing for a moment of silence in remembrance of fallen NYC Police Officers, Jason Rivera and Wilbur Mora.

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to accept the Minutes of the Reorganization Meeting of January 12, 2022, as presented by Town Clerk Zappala.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

APPOINTMENTS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to appoint Melissa Foote as part-time Secretary to the Planning Board and Zoning Board of Appeals.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to appoint Fusco Engineering as Engineer to the Planning Board.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to appoint Dickover, Donnelly & Donovan, LLP as Attorney to the Planning Board and Zoning Board.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

DAVIS VISION POLICY RENEWAL

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the renewal of the Davis Vision Policy with no premium change.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

BORREGO SOLAR

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

**TOWN OF CHESTER
RESOLUTION SUBJECT PERMISSIVE REFERENDUM AUTHORIZING LEASE OF
PROPERTY AND RELATED EASEMENT**

TITLE: A resolution subject to permissive referendum authorizing an Option and Lease of Town-owned property, plus any necessary access and utility easements with Chester Solar 1, LLC and Broadlea Rd Solar 1, LLC, as amended, for parcels SBL 9-1-4, SBL 9-1-5.22, SBL 9-1-5.21, SBL 20-1-12, and SBL 20-2-20.

WHEREAS, on June 9, 2021, at a meeting of the Chester Town Board, a Motion was offered to and adopted by the Chester Town Board to authorize the Supervisor to sign an Option and Lease Agreement with Chester Solar 1, LLC, pending attorney review, for parcel SBL 9-1-4, for use for a solar generating facility and related infrastructure; and

WHEREAS, on September 30, 2021, at a meeting of the Chester Town Board, a Motion was offered to and adopted by the Chester Town Board to authorize the Supervisor to sign a First Amendment to Option and Lease Agreement with Chester Solar 1, LLC and Option and Easement Agreement with Broadlea Rd Solar 1, LLC pending attorney review with respect to parcels SBL 9-1-5.22, SBL 9-1-5.21, SBL 20-1-12, and SBL 20-2-20; and

WHEREAS, the Town Board now wishes to ratify those actions, confirm the status of the leased properties and grant final approval subject to permissive referendum.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Chester as follows:

1. The actions of the Board as to the Option and Lease, and any necessary easements for project infrastructure, are hereby ratified and the Lease, as amended, approved.
2. As to the subject parcels, the Board affirms
 - a) The lots in question were not dedicated or accepted for use as a park or for any other public purpose.
 - b) The approval of the subdivision entitled “Ashford Estates Cluster Subdivision” did not require the dedication of the open space for public purpose or use.
 - c) No State or Federal funds were used to improve or maintain the dedicated parcels.
 - d) The parcels have never been dedicated or managed for recreational or public purposes.
 - e) The Town is authorized to sell, lease or grant an easement and/or right of way to these parcels without State or Federal legislative approval, subject to permissive referendum and the lease and easement were approved in accordance with all State and municipal laws, rules and regulations.
3. This resolution is subject to permissive referendum. The Town Clerk shall within ten days after the adoption of this resolution post and publish a notice which shall set forth the date of the adoption of the resolution and contain an abstract of it concisely stating the purpose and effect thereof, which notice shall specify that this resolution was adopted subject to a permissive referendum.

VOTE:

| | |
|--------------------------|-------------|
| Robert Valentine | ___ AYE ___ |
| Antonio Ardisana | ___ AYE ___ |
| Robert Courtenay | ___ AYE ___ |
| Brandon Holdridge | ___ AYE ___ |
| Cynthia Smith | ___ AYE ___ |

PERSONNEL MATTER

Supervisor Valentine read the memo from Highway Superintendent Reilly concerning the inability of the contractor to repair the foundation deterioration of the heavy truck lift.

ON A MOTION OFFERED BY Councilman Courtenay and second by Councilman Holdridge to employ Tom Atkins at prevailing wage to do masonry repair in the Highway Department with cost to be reimbursed by contractor.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

GREENS OF CHESTER TRANSPORTATION CORPORATION SEWER AND WATER WORKS

Supervisor Valentine gave an update on the matter. He explained the sewer and water infrastructure for the project would be held in a private entity until dedication to the Town. Petition approval is needed for HOA and DEC water taking permits and systems' approvals. The process includes submission to the County Water Authority and Orange County Planning Department for a 10-day response. Updated maps are to be provided by applicant.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

WARWICK RIDGE ROAD DEDICATION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the filing of transfer documents concerning the dedication of the roads as public in the Warwick Ridge subdivision.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

PUBLIC COMMENT POLICY DISCUSSION

Councilman Holdridge addressed the Board with a plan to allow two public comment sections, one at the start on agenda items and one at the end for other matters. He stated that would re-establish public participation and make people happy to voice opinions before decisions are made. Councilman Courtenay said he would like to know how other municipalities handle this. Councilman Holdridge said he had seen how other towns have at the front and back of meetings. Councilman Ardisana said he would want to set a time limit on agenda items. Councilman Holdridge said we would enforce the three-minute rule. Councilwoman Smith said that most pertinent agenda items are discussed in length in other meetings. She added that the public has elected the Board to make decisions for the Town. Supervisor Valentine said he would consider a change to place public comments at the beginning and not at the end. Councilwoman Smith asked if it would then be a question and answer session.

TRUCK PURCHASE FOR WATER DEPARTMENT

Supervisor Valentine addressed the request by the Water Department to purchase a new 4x4 pick-up truck since the van is a 2009 with 95,000 miles. A truck was considered to be more convenient for their needs.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the purchase through state bid (#8771) of a 2022 Dodge Ram 1500 SSV pick-up truck in the amount of \$40,938.15, as long as funds are available.

VOTE: AYES 5: Valentine, Ardisana, Courtenay, Holdridge, Smith **ADOPTED**

ANNOUNCEMENTS AND CORRESPONDENCE

Supervisor Valentine announced the report from the Assessor that as of 2022 all State Parkland is taxable. The total assessed value of \$6,319,000 will generate \$390,000 in tax income, which includes \$75,400 to the Town of Chester.

Supervisor Valentine announced the notification from the OC Department of Finance that their revenue exceeded the 2021 budget for sales tax and the Town will be receiving a 4th quarter supplement in the amount of \$221,000.

Supervisor Valentine acknowledged receipt of the letter from the Justice Court in regard to examination of their dockets and records, which he said our CPA will include in his audit of all Town finance records.

Supervisor Valentine said that he became aware of an emergency at the Police Department. Chief Doellinger responded quickly and called in Westar to repair a burst pipe and Paul Davis for water remediation. An insurance claim is being filed. He stated he will be having a meeting with the grounds crew to develop an emergency repair response protocol.

Supervisor Valentine acknowledged the receipt of a letter of interest for the Ethics Board vacancy.

EDUCATION REQUEST

ON A MOTION OFFERED BY Councilman Courtenay and second by Councilwoman Smith to approve the attendance of Tom Becker to the Hudson Valley Water Works Grade A Compliant Lab Course on February 15, 2022 from 8:30am-3:00pm at a cost of \$75.

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

ADOPTED

REPORTS

Supervisor Valentine read the following reports into the minutes.

Engineer's Development Report

1. Greens at Chester: SWPPP inspections continuing. Reviewed Transportation Corporations for water and sewer. We are getting updated plans and will supply to OCWA and OCPD for 10-day review.
2. Cappelli Sports (Primo Sports): SWPPP inspections continuing.
3. Chester PAC: ready to prepare ADA plans for spring work CDBG grant \$125,000.00
4. Dog Park and Playground: Proposed locations look good and we suggest a site visit soon.
5. MS4: working on annual report

Water Administrator's Report

Last week I met with the Town's Water Department employees Chris and John to go over our expectations of things we can accomplish.

It is our goal to get through the water licensing process, take training courses as they come available to keep the department in compliance, create operation and maintenance guidelines for each water district and work to create mapping of all main line valve boxes in our water districts. This is necessary due to the lack of mapping right now and they will learn where each valve is, what it will shut down and they will be cleaned out yearly to ensure they are accessible.

At Walton Lake Estates we are waiting for the step test to be scheduled and completed before we proceed to drill a backup well.

Is the Board interested in starting the process to hire an additional laborer for the Water Department?

Tom Becker

EAGLE SCOUT PROJECT

Supervisor Valentine invited Troop 38 Scout Paul Fromageot to speak to the Town Board concerning his Eagle Scout project. Paul explained that he has raised over \$1,000 towards his goal of \$1,500-\$2,000 to fund rebuilding the Sugar Loaf sign at the entrance from the Warwick-side of town. The new wooden sign will have a new logo, brick frame and a solar lamp. It will be two-sided and painted by local Don Stark to say, "Welcome to Sugar Loaf" and "Thank You".

FARMER'S MARKET

A discussion ensued concerning the possibility of the Town hosting a farmer's market. The location and expense would have to be considered.

TOWN BOARD COMMENTS

As liaison to the grant writer, Councilman Holdridge announced the \$44,964 grant awarded for charging ports for electric vehicles and three potential grants concerning disaster mitigation, hazardous waste and farmland protection. He also said he is looking into the double taxation to Sugar Loaf residents of library taxes. He noted Bill #S7857 that would direct the Department of Education to look into the issue, which was previously vetoed by Governor Cuomo. Councilman Holdridge updated the status of the 17M bridge repair work, which according to DOT, bidding should start in 2024-2025. He hopes that ARPA funding might move up the start. OCTC could have some influence. With regard to land preservation, he plans to pressure committee members to lobby for it. He suggested the public email the Town Board regarding the public comment matter.

Councilwoman Smith asked about the charging ports. Supervisor Valentine said the grant was secured this past summer and will require a 20% match which can be applied using ARPA funds. The ports will require a credit card swipe to pay and the Town will earn a fee. Councilwoman Smith said the plan to refurbish the tennis courts could be changed to include one pickle board court. The work can be paid through parkland funds. She noted the theater is filling up with dance performances. She will be following up on the ward system matter. She made memorable mention to local Caroline Palmer who is a famous sculptor who completed a work of Frank Sinatra in Hoboken, NJ.

Councilman Courtenay congratulated Fr. John of St. Columba as Bishop-elect of the Archdiocese of New York. He said he accompanied Assemblyman Schmitt in dispensing 80 test kits to the seniors at the center. Councilman Courtenay held a meeting with Walter and Matt to discuss the Film Festival which will have a formal announcement soon. He said we will look for sponsorships to get the budget to work. He welcomed back Michele Deshler.

Councilman Ardisana thanked the Highway Department for their hard work during the storm. He reminded residents to keep their cars off the road to facilitate the plows, and to be safe.

PUBLIC COMMENTS

Larry Dysinger, Odyssey Drive, agreed with Councilman Holdridge's idea. He suggested the agenda be published a day or two in advance so people could come and speak.

Lydia Cuadros asked where the solar array would be located. Supervisor Valentine said in Ashford Estates, behind Surrey Meadows. She said that emails and letters should be read at the meetings.

Coleen Collins said she sent in a letter concerning the T-ball field. She said that is the only open area where can play off the street.

Tracy Shuh said she recalls a time when the Town had two public comment options on the agenda and other Towns would read correspondence.

There was an exchange between Lydia Cuadros and Brian Boone concerning the sign. He commented that his father's logo should be used for the Sugar Loaf sign. Lydia replied that the official logo being used was provided by the Sugar Loaf Community Foundation.

Chris Maurer asked if the proposed playground would require Planning Board approval and a public hearing. She added, her neighbors around the pond are opposed to the project being brought forward by people who do not live on Creamery Pond. She asked the status of the second sign near Pine Hill Road. The sign at the triangle into Sugar Loaf is expected to be installed in March.

Chairman Serotta updated the Board on the Oak Woods subdivision project. He said the NYNJ Trail Conference appears to be 90% sure they want the trail but do not want to own it. They would like the Town to take ownership and give them an easement where they would install plantings alongside the houses it traverses. The public hearing has been postponed and a decision is set to be made by February 2nd to set another date, possibly on March 2, 2022. He will discuss with the Town of Monroe the possibility of the Town of Chester taking their parcel to gain road access. To Councilman Holdridge's inquiry about the playground, Chairman Serotta said the playground matter may not be required to be heard by the Planning Board. He updated the Board on the solar farm project along Greycourt Road that has been taken off the agenda due to necessary landscape revisions.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to adjourn the meeting at 8:30pm, there being no further business brought before the Board. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2022-1-26