

**TOWN BOARD MEETING
August 24, 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, Town Attorney, Fusco Engineering, Town Engineer

PUBLIC COMMENTS

Tracy Shuh, 94 Pickerel Road, Chester thanked the Supervisor for posting the agenda in advance of the meeting and commented on the ARX tower resolution agenda item, which in accordance with open meetings law calls for posting for review 24 hours prior and that public comments allowed in the beginning of meetings presents more challenges when the information is not available. She noted the two Town owned prominent locations chosen for their spotty service, and said she thought the Town Board would be looking at studies to identify the best locations to meet the goals of the Town. Ms. Shuh asked about the consulting obtained with regard to the wording of the agreements and whether revenue would go to a dedicated preservation fund. She stated the height exceeds Town code, and number of carriers proposed, power and density may be of concern to the Town residents and should be considered. She suggested the Board wait for the Planning Board to look at the proposals and studies and maybe conduct a joint review before jumping into the lease agreement. She asked for clarification between permissive referendum and public referendum and whether a public hearing would be held. Ms. Shuh stated she is trying to help in public discourse, and that public input matters in verifying what is in their report.

Lydia Cuadros, FB, asked why the ARX resolution had not been posted and asked the procedure for the permissive referendum. Supervisor Valentine replied that her questions will be addressed during the agenda item discussion.

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to accept the Meeting Minutes of August 10, 2022 as presented by Town Clerk Zappala.

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

ADOPTED

ARX TOWER RESOLUTION

Supervisor Valentine noted that the lease option agreement had been posted to the meeting documents at the time it was approved, in which ARX had the option to lease vacant lands at Poplar Drive and the Sugar Loaf Hills Water District property. He explained ARX has now exercised the option to lease Poplar Drive and go through the Planning Board approval process. Planning Board Chair Serotta explained the public hearing is being held open to September to await SHPPO comments, studies, reports and final comments. Supervisor Valentine said that public hearing and planning board processes are going forward, agencies are being notified and procedures are being followed. At this time, he added, Town law requires a resolution be posted, on land not being used, for lease subject to permissive referendum. Attorney Bonacic opined now that the vendor did their due diligence and is going through the Planning Board process, they are moving forward with the lease agreement, subject to permissive referendum. Supervisor Valentine said that the agreement, subject to permissive referendum within 30 days, requires signatures of a total of 5% of voters in the last gubernatorial election. Councilman Holdridge asked the attorney if we could wait to post when the Planning Board completes their work. Attorney Bonacic replied no since the vender indicated they were exercising their option which, since subject to Planning Board approval, the project would not go forward if not approved.

**TOWN OF CHESTER RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM AUTHORIZING
LEASE OF PROPERTY CO HWY 45, CHESTER, NEW YORK PURSUANT TO TOWN LAW 64(2a)**

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve vendor's option to move forward with lease of property subject to permissive referendum.

VOTE: AYES (4) Valentine, Ardisana, Courtenay, Smith, ABSTAIN: (1) Holdridge

ADOPTED

ROAD CLOSURE

Supervisor Valentine read the request from residents of 24, 25, and 28 Gilmour Way for road closure for a block party.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to allow for the road closure of Gilmour Way on September 4, 2022 from 12:00noon to 10:00pm.

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 working well. Discussing Transportation Corporation with developer and getting ready to do the submittal to Orange County.
2. Capelli Sports (Primo Sports): We have a monthly SWPPP and the no parking signs. Thank you, Alexa, for the stop work order.
3. Contacted NYSDEC on the dog park.
4. Chester PAC CDBG: Out to bid.
5. Working on MS4 outfalls.

Town Clerk's Report – May-July, 2022

The Town Clerk's office has collected fees in the amount of \$9,590.75 in the 3 months ending July 31, 2022.

Town Clerk, as Records Management Officer authorized the disposition of 34 cubic feet of printed records, and video recordings as per the NYS Records and Disposition Schedule for Local Governments.

55 Town and Village residents participated in the Town-wide Shred Event held on July 8, 2022. This along with the Town's own records that were shredded and recycle equaled 3,000 lbs. of paper, helping protect over 25 trees! This annual service allows all residents to use this event to shred any unwanted personal papers. This service is offered at no cost.

The Town Clerk's office provides many services for residents. Notary Public services are available, free of charge. Fishing and hunting licenses may be purchased. E-Z Pass tags are available for new accounts. You can register your new dog and obtain a handicap parking permit through this office. If you are getting married, a license can be obtained through the Town Clerk. Other services include genealogy searches, peddler's, transient merchant's and farmer's market permits as well as no-knock registry. Please see the information on chester-ny.gov under the Town Clerk's page.

Sign up for Constant Contact on our home page to get notices directly to your email inbox to keep informed of all that is going on affecting the Town.

Feel free to call the Town Clerk's office for additional help. 845-469-7000x4.

Building Department

Permits Issued - 64 (printout submitted)
CO & COC's Issued - 36 (printout Submitted)
Municipal Searches - 20
Deposits - \$39,426.80

General announcement since I've received well over 20 phone call regarding the property on Route 94 bringing in fill. They have a permit, they are agricultural they going to be growing Christmas trees. I am going to suggest that the property owner or if contractor puts up a sign of some sort to curb the inquisitive phonecalls.

Still recovering and recreating certain documents because of the crash. We were trying to hold off on re-organizing the basement until construction, space is getting extremely tight.

We have a meeting regarding 867 Laroe Rd on Friday 8/26 at the property with the neighbors, Mike Carroll and Anthony Trochiano from DPW, David Higgins from Lane & Tully and myself to make sure we are all on the same page with getting the issues resolved,

There are 2 active court cases most are in the middle of resolve.

NEW BUSINESS

AUCTION INTERNATIONAL BID RESULTS

Supervisor Valentine read the following bid results from auctions International:

2011 Chevy Express 2500 Van - \$10,000.00
1980's Katolight generator \$ 105.00

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept the bid of \$10,000.00 for the 2011 Chevy Express 2500 Van and allow the Supervisor to sign the related documents.

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

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to accept the bid of \$100 for the 1980's Katolight generator and allow the Supervisor to sign the related documents.

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

ADOPTED

30-DAY WAIVER – NYS LIQUOR AUTHORITY

Supervisor Valentine read the letter from the new owner of the Cancun Inn requesting a 30-day waiver. A letter to that effect has been requested.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to approve the request of the waiver for the 30 days' notice requirement of the New York State Liquor Authority for the Cancun Inn.

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

ADOPTED

EXECUTIVE SESSION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to enter into Executive Session at 7:35pm on a matter of personnel.

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

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to adjourn the Executive Session at 7:40pm.

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

ADOPTED

CORRESPONDENCE AND ANNOUNCEMENTS

Supervisor Valentine made the following announcements:

Sugar Loaf Engine Company Annual Oktoberfest – Saturday, September 17, 2022 3pm-8pm. Food, desserts, drinks. Full Admission: \$50, \$55 on event day, Seniors & No alcohol: \$35, \$40 on event date, Children 10 and under: \$5

Transco Rock Tavern to Sugar Loaf announced work is currently underway at the Sugar Loaf Substation and crews are installing project access roads and environmental controls in Hamptonburgh and Blooming Grove for the RTS transmission line upgrade. They provided information for hunting and construction safety. This information is available at the Town Clerk's office and on the Town's website.

Orange County Hazardous Waste and Operation Safe Scripts Pharmaceutical Collection Event to be held on Saturday, October 1st from 9am-3pm at the OC Transfer Station #1 Maintenance Garage, 21 Training Center Lane, New Hampton, NY. Wet latex, acrylic and water based paint is now accepted. More information of accepted items can be found on the Town's website.

The New York State Department of Agriculture and Division of Veteran Services have expanded the FreshConnect Checks Program for veterans, service members and their immediate families. According to the AGM, any eligible veteran, service member or family member can now receive \$20 worth of FreshConnect Checks for redemption at participating farmers' markets, farm stands and mobile markets. The FreshConnect Checks program encourages recipients to use their Supplemental Nutrition Assistance Program benefits at participating farmers' markets. These checks can be used to purchase dairy, produce, meats, fish, eggs and more. There are no income restrictions, combat service requirements or length of military service requirements for this program. I have the Voucher Request and Acceptance Form at the Senior Center office. Contact Michele at 845-325-7227.

TOWN BOARD COMMENTS

Councilman Holdridge reported the law firm is finishing up their findings with regard to the Ward System. He said Megan Tennermann of the OC Planning Department will be working on the numbers to divide the wards and should be ready by early to mid-September. The railroad is conducting battery vaults inspections, but since they are believed to be empty they should not pose any health concerns, however people should stay off the tracks. He suggested that due to noise ordinance complaints he received from residents in his neighborhood, the Board consider ordinance changes affecting residents Town-wide. Supervisor Valentine said the excessive calls on Camp Monroe has resulted in the Police Department response and violations. The Building Inspector is in the process of addressing the matter. Attorney Bonacic opined the pre-existing non-conforming status of the property limiting under the ordinance. Councilman Holdridge is in discussion with Councilman Courtenay concerning forming an ethics committee to consider changes to the code.

Councilwoman Smith attended the Moodna meeting concerning the budget which includes a 9% increase. She said there are sticking points. The Town's budget of \$55,000 towards our portion of \$85,000 for a new pump in District #1, will require \$35,000 to be taken out of fund balance. She added that Moodna will be out to bid for subcontractors for septic pumping

service in lieu of buying a new pump truck. Councilwoman Smith announced that lines have been drawn for the pick ball courts. The Casino trip was a good time for all.

Councilman Courtenay announced the Danny Mulvey Cornhole Tournament on October 8th at the SLPAC. The Sugar Loaf Film Festival has over 300 films submitted for online viewing. There will be a 3-day schedule of workshops and 200 people are expected on opening night. Orange County Tourism will be holding a press conference.

Councilman Ardisana said that the firefighters do so much and it is time to say thank you by supporting their Octoberfest.

ADJOURNMENT

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

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

ADOPTED

Respectfully submitted,

Linda A. Zappala
Town Clerk
2022-8-24