

Draft

**TOWN BOARD MEETING
AND PUBLIC HEARING
April 26, 2023
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

PUBLIC HEARING – INTRODUCTORY LOCAL LAW 1 OF 2023 - A LOCAL LAW TO UPDATE AND AMEND CHAPTER 87, ARTICLE VI, OF THE TOWN CODE OF THE TOWN OF CHESTER TO AUTHORIZE PROPERTY TAX EXEMPTION TO VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS IN ACCORDANCE WITH NEW YORK STATE REAL PROPERTY TAX LAW §466-a

The following is the notice as posted on the Town’s website, Town Clerk’s signboard and appearing in the Times Herald Record.

**TOWN OF CHESTER
1786 KINGS HIGHWAY
CHESTER, NY 10918**

**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW**

INTRODUCTORY LOCAL LAW NO. 1 OF 2023

The Town Board of the Town of Chester will hold a public hearing on a proposed local law entitled:

A LOCAL LAW TO UPDATE AND AMEND CHAPTER 87, ARTICLE VI, OF THE TOWN CODE OF THE TOWN OF CHESTER TO AUTHORIZE PROPERTY TAX EXEMPTION TO VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS IN ACCORDANCE WITH NEW YORK STATE REAL PROPERTY TAX LAW §466-a

Be it enacted by the Town of Chester in the County of Orange, as follows:

Section 1. Purpose and Intent

It is the intent and purpose of this Local Law to update and amend Chapter 87, Article VI, of the Town Code of the Town of Chester, entitled “Exemption for Volunteer Emergency Personnel”, to grant a partial real property tax exemption to qualifying volunteer firefighters, volunteer ambulance workers, and their qualifying spouses, residing in the Town of Chester, County of Orange, State of New York, as authorized by New York State Real Property Tax Law §466-a.

Said public hearing will take place in the Town Hall Meeting Room, 1786 Kings Highway, Chester, NY on Wednesday, April 26, 2023 at 7 PM or as soon thereafter as the matter may be heard.

All persons interested in the subject matter may appear in person or by agent. All written communications should be addressed to the Board at the above address.

**BY ORDER OF THE TOWN BOARD
TOWN OF CHESTER**

**LINDA A. ZAPPALA
TOWN CLERK**
Dated: March 24, 2023

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to open the Public Hearing at 7:02pm on the matter of Introductory Local Law 1 Of 2023 - A Local Law to Update and Amend Chapter 87, Article Vi, Of the Town Code of The Town of Chester to Authorize Property Tax Exemption to Volunteer Firefighters and Volunteer Ambulance Workers in Accordance With New York State Real Property Tax Law §466-A.

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

ADOPTED

Supervisor Valentine asked if there were any public comments from attendees in person and on line. There were none.

The Supervisor then read from the County reply. “The Department has received the above-referenced local law and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We have no advisory comments regarding the project.

The Supervisor read the written comments from the Chester Fire District. They appear below in their entirety.

CHESTER FIRE DISTRICT
1410 KINGS HIGHWAY, PO BOX 612
CHESTER, NY 10918
845 469 0991 tele
845 469 0989 fax

RECEIVED

APR 26 2023

TOWN CLERK
CHESTER, NEW YORK

BOARD OF FIRE COMMISSIONERS

John Grasso, Chairman

**Spencer Efron
Robert Favara
Peter Guastamacchia**

**Bradford Elins
James Goodson
Jon Sezack**

Elizabeth A. Reilly, Secretary
845 742 4077
secretary@chesterfiredistrict.com

Sharon R. Conklin, Treasurer
845 742 8727
treasurer@chesterfiredistrict.com

Leonard Knapp, Purchasing Agent
845 629 6207
purchasing@chesterfiredistrict.com

April 25, 2023

Town Board of the Town of Chester
1786 Kings Highway
Chester, NY 10918

Re: Chester Fire District – Property Tax Exemption

Dear Supervisor and members of the Board:

On December 9, 2022, Governor Kathy Hochul signed legislation that creates and opt-in for all local governments to provide 10% property tax exemption to volunteer firefighters and volunteer ambulance workers (Real Property Tax Law Section 466-1a). The law took effect immediately and can be implemented as of that date.

Real Property Tax Law Section 466-a allows for an exemption of up to 10% of the assessed valuation of the primary residence of volunteer firefighters and/or volunteer ambulance workers (the property must be the primary residence of and owned by the volunteer(s)). The law allows each entity of local government (e.g., county legislature, city council, school board, town board, village board, board of fire commissioners) to adopt a local law or pass a resolution opting into the exemption.

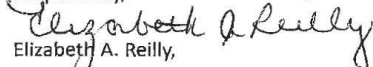
As the implementation of this exemption for volunteers is not automatic, on behalf of the members of the Chester Fire District, we request adoption of a local law, or resolution to provide this exemption to District volunteers.

Members of the Chester Fire District are solely volunteers. The dedicated women and men of the District spend hundreds of uncompensated hours preparing for emergencies that we hope will not arise. The requisite training, in addition to answered alarms, takes members away from their families and make recruitment difficult. This exemption will help in retention and should also draw new members into our ranks.

On behalf of the volunteer members of the Chester Fire District, we request that you will immediately consider and adopt a 10% exemption for volunteers who have been members of the Chester Fire District for at least two years.

Enclosed is a copy of the resolution passed by the Chester Fire District on April 4, 2023.

Respectfully,



Elizabeth A. Reilly,
Secretary to Chester Fire District

Enc.



RESOLUTION OF THE CHESTER FIRE DISTRICT TO GRANT
A TAX EXEMPTION TO ELIGIBLE VOLUNTEER FIREFIGHTERS
AS PROVIDED FOR BY REAL PROPERTY TAX LAW 466-a

The following resolution was offered by Commissioner Goodson and seconded by Commissioner Sezack to approve following:

WHEREAS, Section 466-a of the Real Property Tax Law authorizes the Fire District after a public hearing to grant a tax exemption to enrolled volunteer members of the Chester Fire District

WHEREAS, the Fire District has conducted the public hearing required by the Statute and elicited public comment on said topic

WHEREAS, the Board of Fire Commissioners has determined that granting of the tax exemption will enhance recruitment and retention of volunteer firefighters in the Fire Department

NOW, THEREFORE BE IT RESOLVED that an exemption be granted at 10% of the assessed value of the real property owned by an enrolled volunteer firefighter who meets the eligibility requirements established in this resolution;

BE IT FURTHER RESOLVED that the enrolled member of the Chester Fire District must meet the following requirements to be eligible for the tax exemption:

1. The enrolled member must reside in the territory served by the Fire District
2. The property must be the primary residents of the enrolled member
3. The property is used exclusively for residential purposes, provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section
4. The enrolled member has been certified by the Fire District to have served at least 2 years of active service and such certification has been approved by the Board of Fire Commissioners

BE IT FURTHER RESOLVED, that an enrolled member of the Chester Fire District who accrues more than twenty years of active service as certified by the Chief of the Fire District shall be granted the 10 percent exemption as authorized by this resolution for the remainder of his or her life as long as the property for which the exemption is sought under this resolution is the primary residents of the enrolled member.

BE IT FURTHER RESOLVED that the exemption granted under this resolution shall continue for the un-remarried spouse of an enrolled member of the Fire District who is killed in the line of duty upon the following conditions:

1. The un-remarried spouse is certified by the Fire District as the un-remarried spouse of the volunteer firefighter killed in the line of duty; and



2. The deceased volunteer firefighter had been an enrolled member for at least five years; and
3. The deceased volunteer firefighter had been receiving the exemption prior to his or her death.

BE IT FURTHER RESOLVED that the exemption granted under this Resolution shall continue for the un-remarried spouse of a deceased member of the Chester Fire District under the following conditions:

1. The un-remarried spouse is certified by the Chief of the Fire District as the un-remarried spouse of the deceased enrolled member of the Chester Fire District;
2. The deceased volunteer firefighter has been an enrolled member for at least twenty years;
3. The deceased volunteer firefighter had been receiving the exemption prior to his or her death.

BE IT FURTHER RESOLVED that any exemption granted under this Resolution shall be filed with the Towns of Chester, Goshen and Blooming Grove and the Village of Chester on the forms designated by the Towns; and

BE IT FURTHER RESOLVED that the Secretary of the Fire District is directed to provide the Towns of Chester, Goshen and Blooming Grove and the Village of Chester with a copy of the Resolution; and

BE IT FURTHER RESOLVED that this resolution shall be governed by the applied in accordance with Real Property Tax Law Section 466-a.

BE IT FURTHER RESOLVED THIS RESOLUTION shall be effective as of the date of its adoption.

The adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Chairman John Grasso	Absent
Commissioner Jon Sezack	Aye
Commissioner Bradford Elins	Aye
Commissioner James Goodson	Aye
Commissioner Robert Favara	Absent
Commissioner Peter J. Guastamacchia	Aye
Commissioner Spencer Effron	Absent

The resolution was thereupon declared duly adopted.

Dated: Chester, New York
April 4, 2023

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to close the Public Hearing at 7:05pm.

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

ADOPTED

ADOPTION OF LOCAL LAW 1 OF 2023 - A LOCAL LAW TO UPDATE AND AMEND CHAPTER 87, ARTICLE VI, OF THE TOWN CODE OF THE TOWN OF CHESTER TO AUTHORIZE PROPERTY TAX EXEMPTION TO VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS IN ACCORDANCE WITH NEW YORK STATE REAL PROPERTY TAX LAW §466-a

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilwoman Smith to adopt Local Law 1 of 2023 to update and amend Chapter 87, Article VI, of the Town Code of the Town of Chester, to Authorize Property Tax Exemption to Volunteer Firefighters and Volunteer Ambulance Workers in Accordance with New York State Real Property Tax Law §466-a.

Be it enacted by the Town of Chester in the County of Orange, as follows:

Section 1. Purpose and Intent

It is the intent and purpose of this Local Law to update and amend Chapter 87, Article VI, of the Town Code of the Town of Chester, entitled “Exemption for Volunteer Emergency Personnel”, to grant a partial real property tax exemption to qualifying volunteer firefighters, volunteer ambulance workers, and their qualifying spouses, residing in the Town of Chester, County of Orange, State of New York, as authorized by New York State Real Property Tax Law §466-a.

Section 2. Amend and replace §87-7, entitled, “Purpose and Intent”, to read as follows:

§87-7. Purpose and Intent.

This article is to provide for certain partial real property tax exemptions on the assessment of real property owned by qualifying volunteer firefighters, volunteer ambulance personnel, and their qualifying spouses, in the Town of Chester.

Section 3. Amend and replace §87-8, entitled, “Legislative Findings; Statutory Authority”, to read as follows:

§87-8. Legislative Findings; Statutory Authority.

This article is adopted pursuant to New York State Real Property Tax Law §466-a, which authorizes 10% real property tax exemption for qualified volunteer firefighters, volunteer ambulance workers, and their qualifying spouses. The Town of Chester currently provides for this exemption under Local Law No. 1-2006. New York State Real Property Tax Law §466-a requires a municipality that currently already provides for this exemption to adopt a local law, ordinance or resolution to conform to the new provisions of New York State Real Property Tax Law §466-a, as enacted December 9, 2022.

Section 4. Amend and replace §87-9, entitled, “Definitions”, to read as follows:

§87-9. Exemption Granted.

A. Any qualified member who has been certified by the authority having jurisdiction (hereinafter the “AHJ”) for the incorporated volunteer fire company, fire department or volunteer ambulance service as an enrolled member of such incorporated volunteer fire company, fire department or volunteer ambulance service shall be entitled to a 10% reduction in the taxable value of their real property for Town real property tax purposes so long as:

- 1) The applicant resides in the Town of Chester, which is served by the incorporated volunteer fire company, fire department or volunteer ambulance service;
- 2) The real property in question serves as the primary residence of the applicant;
- 3) The real property in question is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not used exclusively for the applicant’s primary residence but is

instead used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided for under this Section;

4) The applicant has been an enrolled member of incorporated volunteer fire company, fire department or volunteer ambulance service for at least 5 years prior to submitting an application for tax exemption; and

5) The applicant has submitted an Application for Volunteer Firefighters/Ambulance Workers Exemption to the Town Assessor or AHJ and has obtained a certificate from the Town Assessor or AHJ certifying to such membership and to participation and/or attendance levels established for such qualification.

B. Any member who has achieved over 20 years of accumulated service shall be considered a life member and the exemption shall continue for the remainder of their life if the real property serves as their primary residence.

C. Any un-remarried surviving spouse of a volunteer who was killed in the line of duty shall continue to receive the 10% real property tax exemption if:

- 1) The AHJ certifies that the un-married surviving spouse is eligible for the exemption;
- 2) The volunteer had accumulated at least 5 years of service;
- 3) The real property in question continues to serve as the primary residence of the surviving spouse;

and

- 4) The deceased volunteer had been receiving the exemption prior to their death.

D. Any un-remarried surviving spouse of a volunteer that passed away shall continue to receive the 10% real property tax exemption if:

- 1) The AHJ certifies that the un-married surviving spouse is eligible for the exemption;
- 2) The deceased volunteer had accumulated at least 20 years of service;
- 3) The real property in question continues to serve as the primary residence of the surviving spouse;

and

- 4) The deceased volunteer had been receiving the exemption prior to their death.

Section 5. Amend and replace §87-10, entitled, “Exemptions”, to read as follows:

§87-10. Terms and Conditions.

No such exemptions under this Section shall be granted until a volunteer firefighter or volunteer ambulance worker has achieved a minimum of 5 years of service.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 7. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

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

ADOPTED

PUBLIC COMMENTS

Tom Becker, 163 Lehigh Avenue addressed the Board on behalf of the Chester Cemetery Board and the “Sponsor a Flag’ fundraising program. He said 500 flags were sold last year in honor of veterans. As part of the Kiwanis 5K Race, flags will line the route. Flags with tags for honoree messages can be purchased for \$5. Contact Betty Ann: 742-4077, Rosemarie: 469-6427, Fred: 469-4374, and Tom by text also: 551-3226. On the matter of the Fieldcrest Water District Agreement with the Village of Chester that required the Town acquire another source of water for the Village. He said the property by the school could be another source which could reduce the demand on Village resources. Supervisor Valentine said the school could tie into the Surrey Meadows Water District were to be a provider which could be an alleviation to the school and Fieldcrest, but the School District would be deemed the operator. Mr. Becker said the residents of Surrey Meadows were not in favor of this proposal. Mr. Becker noted that at the last meeting the Town provided use of the SLPAC for three not-for-profit fundraisers, but denied use to Jacob Mott previously citing the reason was not to give the venue away for free. He asked what policy had changed. Supervisor Valentine replied it is attributable to the success of the SLPAC at this point and as it was purchased as part of an effort to foster the arts and community. Mr. Becker said the Town should be careful not to get into gifting conflicts.

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept the Minutes of the April 12, 2023, as presented by Town Clerk Zappala with the following amendment to the roll call of the vote regarding the Audit of Claims.

AUDIT OF CLAIMS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to approve payment of the bills from the following accounts:

	<u>PREPAIDS</u>	
GENERAL FUND	197,028.62	123,776.38
GENERAL - PART TOWN	74,663.43	41,500.87
HIGHWAY – TOWN WIDE	29,810.16	116,441.01
HIGHWAY – OUTSIDE	0	4,777.59
FIELDCREST WATER	826.27	5,338.64
LAKE HILL FARMS WATER	2,522.84	7,321.99
SUGAR LOAF HILLS WATER	2,255.37	8,734.21
SURREY MEADOWS WATER	2,698.86	23,957.37
WALTON LAKE WATER	3,441.74	2,598.61
TRUST AND AGENCY	3,341.68	25,623.83
GARBAGE	<u>0</u>	<u>92,446.58</u>
Grand Total	\$316,588.97	\$452,517.08

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

INTRODUCTORY LOCAL LAW NO. 3 OF 2023 - A LOCAL LAW TO UPDATE AND AMEND CHAPTER 92 OF THE TOWN CODE OF THE TOWN OF CHESTER TO ADD ADDITIONAL NO PARKING ZONES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to Introduce A Local Law to Update and Amend Chapter 92 Of the Town Code of The Town of Chester to Add Additional No Parking Zones

Be it enacted by the Town of Chester in the County of Orange, as follows:

Section 1. Purpose and Intent

It is the intent and purpose of this Local Law to update and amend Chapter 92, Section 92-12(A), of the Town Code of the Town of Chester, entitled, "Parking Prohibited in Certain Locations; Vehicles of Certain Sizes and Weights," to add additional no parking zones.

Section 2. Amend §92-12(A) to include the following streets to the list of locations where parking is prohibited:

<i>Name of Street</i>	<i>Side</i>	<i>Hours</i>	<i>Location</i>
Glenmere Road	Ease Side	Anytime	From State Route 94 to Green Drive
Green Drive	North/West Side	Anytime	For 650 feet from Glenmere Road
Pond Road	East Side	Anytime	For 250 feet from Kings Highway

Section 3. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

SET PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3 OF 2023 - A LOCAL LAW TO UPDATE AND AMEND CHAPTER 92 OF THE TOWN CODE OF THE TOWN OF CHESTER TO ADD ADDITIONAL NO PARKING ZONES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to set a Public Hearing on May 24, 2023 to be held at 7pm at the Town of Chester, Town Hall on the matter of Introductory Local Law No. 3 Of 2023 - A Local Law to Update and Amend Chapter 92 Of the Town Code of The Town of Chester to Add Additional No Parking Zones.

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

ADOPTED

LOCAL LAW 284

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept Local Law 284 for 2023.

AGREEMENT between the Town Superintendent of the Town of Chester, Orange County, New York, and the undersigned members of the Town Board.

Pursuant to the provision of Section 284 of the Highway Law, we agree that money levied and collected in the Town for repair and improvement of highways, and received from the State Aid for the repair and improvement of highways, shall be expended as follows:

- 1) **GENERAL REPAIRS:** The sum of \$ 96,178.00 shall be set aside to be expended for primary work and general repairs upon 97.74 miles of town highways, including sluices, culverts, guide rails and bridges having a span of less than five feet of the renewals thereof.
- 2) **PERMANENT IMPROVEMENTS:** The following sums shall be set aside to be expended for the permanent improvement of town highways:
 - a) On the road commencing at Rebecca Rd. and leading to Nancy Lane, a distance of .21 miles, there shall be expended the approximate sum of \$ 14,778.00 for (type of work) Fibermat. The width of the traveled surface is 30 feet. The thickness is 1/2" thick and the sub base is Cold Mix Paving.
 - b) On the road commencing at Nancy Lane and leading to Dead End, a distance of .64 miles, there shall be expended the approximate sum of \$ 45,672.00 for (type of work) Fibermat. The width of the traveled surface is 30 feet. The thickness is 1/2" thick and the sub base is Cold Mix Paving.
 - c) On the road commencing at Greycourt Rd. and leading to Town line, a distance of 1.14 miles, there shall be expended the approximate sum of \$ 166,950.00 for (type of work) Paver Placed Surface Treatment. The width of the traveled surface is 30 feet. The thickness is 1/2" thick and the sub base is Oil and Chip.
 - d) On the road commencing at Hambletonian Ave. and leading to Town line, a distance of .70 miles, there shall be expended the approximate sum of \$ 74,521.00 for (type of work) Paver Placed Surface Treatment. The width of the traveled surface is 24 feet. The thickness is 1/2" thick and the sub base is Cold Mix Paving.
 - e) On the road commencing at Imperial Park and leading to Cul-de-sac, a distance of .14 miles, there shall be expended the approximate sum of \$ 17,228.00 for (type of work) Paver Placed Surface Treatment. The width of the traveled surface is 24 feet. The thickness is 1/2" thick and the sub base is Cold Mix Paving.
 - f) On the road commencing at Beverly Rd. and leading to Gibson Hill Rd, a distance of .93 miles, there shall be expended the approximate sum of \$ 16,285.00 for (type of work) Oil and Chip. The width of the traveled surface is 24 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving.
 - g) On the road commencing at Black Meadow Rd. and leading to Pine Hill Rd, a distance of 2.75 miles, there shall be expended the approximate sum of \$ 57,018.00 for (type of work) Oil and Chip. The width of the traveled surface is 30 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving.
 - h) On the road commencing at Cherry Lane and leading to Gibson Hill Rd, a distance of .15 miles, there shall be expended the approximate sum of \$ 3,632.00 for (type of work) Oil and Chip. The width of the traveled surface is 24 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving.
 - i) On the road commencing at Creamery Pond Rd. and leading to Pine Hill Rd, a distance of .86 miles, there shall be expended the approximate sum of \$ 18,676.00 for (type of work) Oil and Chip. The width of the traveled surface is 30 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving.

- j) On the road commencing at DeRose Lane, and leading to Dead End, a distance of .12 miles, there shall be expended the approximate sum of \$ 3,634.00 for (type of work) Oil and Chip. The width of the traveled surface is 30 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- k) On the road commencing at Elkay Dr. and leading to Cul-de-sac, a distance of .32 miles, there shall be expended the approximate sum of \$ 9,920.00 for (type of work) Oil and Chip. The width of the traveled surface is 40 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- l) On the road commencing at Fox Hill Rd. and leading to Dead End, a distance of .08 miles, there shall be expended the approximate sum of \$ 2,492.00 for (type of work) Oil and Chip. The width of the traveled surface is 24 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- m) On the road commencing at Glenmere Rd. and leading to Pine Hill Rd., a distance of 1.36 miles, there shall be expended the approximate sum of \$ 23,369.00 for (type of work) Oil and Chip. The width of the traveled surface is 24 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- n) On the road commencing at Green Drive. and leading to Dead End, a distance of .15 miles, there shall be expended the approximate sum of \$ 3,632.00 for (type of work) Oil and Chip. The width of the traveled surface is 24 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- o) On the road commencing at Hambletonian Rd. and leading to Town Line, a distance of .94 miles, there shall be expended the approximate sum of \$ 15,206.00 for (type of work) Oil and Chip. The width of the traveled surface is 22 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- p) On the road commencing at Hillview Terrace. and leading to Dead End, a distance of .18 miles, there shall be expended the approximate sum of \$ 4,119.00 for (type of work) Oil and Chip. The width of the traveled surface is 24 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- q) On the road commencing at Kato Ct. and leading to Dead End, a distance of .25 miles, there shall be expended the approximate sum of \$ 5,197.00 for (type of work) Oil and Chip. The width of the traveled surface is 24 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- r) On the road commencing at Lake View Dr. and leading to Pine Hill Rd., a distance of .34 miles, there shall be expended the approximate sum of \$ 8,046.00 for (type of work) Oil and Chip. The width of the traveled surface is 30 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- s) On the road commencing at Pewter Circle. and leading to Kings Highway Bypass., a distance of .37 miles, there shall be expended the approximate sum of \$ 8,716.00 for (type of work) Oil and Chip. The width of the traveled surface is 30 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- t) On the road commencing at Ridge Rd. and leading to Town Line, a distance of .68 miles, there shall be expended the approximate sum of \$ 12,281.00 for (type of work) Oil and Chip. The width of the traveled surface is 24 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- u) On the road commencing at Hwy Dept Lot. and leading to N/A, a distance of .06 miles, there shall be expended the approximate sum of \$ 5,364.00 for (type of work) Oil and Chip. The width of the traveled surface is 100 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- v) On the road commencing at Straub Lane and leading to Cul-de-sac, a distance of .18 miles, there shall be expended the approximate sum of \$ 3,875.00 for (type of work) Oil and Chip. The width of the traveled surface is 22 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving

- w) On the road commencing at Sugar Loaf Mtn Rd. and leading to Laroe Rd., a distance of 1.66 miles, there shall be expended the approximate sum of \$ 25,940.00 for (type of work) Oil and Chip. The width of the traveled surface is 22 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- x) On the road commencing at Well Sweep Rd. and leading to Dead End., a distance of .30 miles, there shall be expended the approximate sum of \$ 5,259.00 for (type of work) Oil and Chip. The width of the traveled surface is 20 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- y) On the road commencing at White Oak Dr. and leading to Gibson Hill Rd., a distance of .45 miles, there shall be expended the approximate sum of \$ 7,291.00 for (type of work) Oil and Chip. The width of the traveled surface is 20 feet. The thickness is 1/4" thick and the sub base is Cold Mix Paving
- z) On the road commencing at All above listed roads., a distance of 14.96 miles, there shall be expended the approximate sum of \$ 38,250.00 for (type of work) Crackfilling.

MS4 – GREYCOURT ROAD NY LLC

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to accept the MS4 for Greycourt Road NY LLC aka NY Solar 1001 LLC and allow the Supervisor to sign same.

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

ADOPTED

LOGOTHETIS WATER LINE EASEMENT

ON A MOTION OFFERED BY Supervisor Valentine and second by Councilman Ardisana to approve the Water Line Easement with Richard and Susan Logothetis and allow the Supervisor to sign same.

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

ADOPTED

APPOINT OFFICER CONTINO TO FULL TIME

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to appoint Officer Nicholas Contino to the position of Full-time Police Officer, effective May 25, 2023.

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

ADOPTED

ACCEPT RESIGNATION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to accept the resignation of police clerk Desire Petraro, effective April 27, 2023.

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

ADOPTED

POST FOR PART-TIME CLERK FOR POLICE DEPARTMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to direct Town Clerk Zappala to cause to publish the position of part-time clerk for the Police Department.

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

ADOPTED

APPOINTMENTS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to appoint Matthew Kenny as full-time employee for Parks Department at \$19.00 p/hour, effective May 11, 2023.

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

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Ardisana to appoint Robert Smith as a part-time employee for the Sugar Loaf Performing Arts Center at \$25.00 p/hour, effective May 11, 2023.

DISCUSSION: Councilwoman Smith commented that there she has no relationship to the appointee.

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

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to appoint the following individuals as Summer Camp staff.

- Christopher Longo – Camp Director - \$28 p/hour
- Sheree Vandebogart – Health Director - \$25 p/hour
- Kayla Palmer – Assistant Director - \$21 p/hour
- Xavier Espaillat – Counselor - \$16 p/hour
- Ava Perez – Counselor - \$16 p/hour
- Michaelah Jeffers – Counselor - \$16 p/hour
- Alexandria Cox – Counselor - \$16 p/hour
- Daniel Moccio – Counselor - \$16 p/hour

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

ADOPT FEE – NYS DOMESTIC RELATIONS LAW AMENDMENT

Supervisor Valentine read the request from Town Clerk Zappala concerning the Domestic Relations Law Amendment, effective March 23, 2023.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to adopt the local fee of \$25 for the issuance of the One-Day Marriage Officiant License.

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

TOWN OF CHESTER LEAD AGENCY RESOLUTION WALTON LAKE WATER DISTRICT

At the meeting of the Town Board of the Town of Chester, held on April 26, 2023, the following resolution was introduced:

WHEREAS, the Town of Chester, New York Town Board declares itself to be lead agency as required by SEQR (6NYCRR Part 617) for

- Name of Action:** Walton Lake Water District
- Location:** Section 10, Block 10, Lot 14
- Project:** Well and Pump House Replacement
- Action:** Type II
- Plans and Application:** Available at Town Hall or upon FOIL request for viewing

WHEREAS, the Town Board of the Town of Chester has received no challenges to Lead Agency;

BE IT RESOLVED, the Town Board of the Town of Chester hereby declares itself Lead Agency for the above referenced project.

On a motion by Member Smith seconded by Member Courtenay, the foregoing resolution was adopted on a vote of 5 Ayes, 2 Nays.

Dated: April 26, 2023
Town of Chester
Orange County, NY

For Further Information Contact:

Linda A. Zappala
Town Clerk
Town of Chester
1786 Kings Highway
Chester, New York 10918

**RESOLUTION -STATE ENVIRONMENT QUALITY REVIEW NEGATIVE DECLARATION -
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

This notice is issued pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environment Quality Review Act) of the Environmental Conservation Law.

The Town of Chester Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Walton Lake Water District

SEQR Status: Type II

Negative Declaration: Yes

Description of Action: Well and Pump House Replacement

Facts & Reasons Supporting This Determination:

Based on careful review of the application, the Local Law and revisions thereto submitted by the Applicant, Long Form Environmental Assessment Form, with supporting information and public comment, the Town Board has identified the no areas of environmental concern in connection with the proposed project.

Resolution:

BE IT RESOLVED THAT based on the Town Board's review and consideration of the Project, Full Environmental Assessment Form, supplementary technical information, public comments and consideration of the criteria for determining significance set forth in 6 NYCRR 617.7 (c), the Project as designed and set forth herein will not result in any significant impact to the environment.

On a motion by Member Smith, seconded by Member Ardisana the foregoing resolution was adopted on a vote of 5 Ayes, 0 Nays.

Dated: April 26, 2023
Town of Chester
Orange County, NY

For Further Information Contact:

Linda A. Zappala
Town Clerk
Town of Chester
1786 Kings Highway
Chester, New York 10918

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

ADOPTED

RESOLUTION IN SUPPORT OF SENATE BILL S3508A AND ASSEMBLY BILL A4530

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Courtenay to adopt the following resolution:

WHEREAS; the Town of Chester recognizes that some of its residents reside in overlapping library districts within the Town of Chester and the Warwick School District; and

WHEREAS; those residents are taxed in both library districts; and

WHEREAS; the Town of Chester has received reports of those residents being denied library cards at the Warwick Library; and

WHEREAS; we have been told that this occurrence is a statewide issue that could be addressed by Senate Bill S3508A and Assembly Bill A4530.

NOW, THEREFORE, BE IT RESOLVED, the Town of Chester completely supports the passage of these bills and implores the Governor of New York to sign it into law at the earliest possible date.

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

ADOPTED

A RESOLUTION TO INQUIRE OF THE ORANGE COUNTY SUPERINTENDENT OF HIGHWAYS AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO REVIEW AND REDUCE THE SPEED LIMIT ON STATE ROUTE 94 IN THE TOWN OF CHESTER

April 26, 2023

TITLE: A Resolution to inquire of the Orange County Superintendent of Highways and the New York State Department of Transportation to review and reduce the speed limit on State Route 94 in the Town of Chester.

At a meeting of the Town Board of the Town of Chester, Orange County, New York, held at the Town Hall, 1786 Kings Highway, Chester, New York, on the 26th day of April, 2023, at 7:00 P.M. prevailing time:

The meeting was called to order by Supervisor Valentine and upon roll being called the following were:

PRESENT: Robert Valentine, Supervisor
Cynthia Smith, Deputy Supervisor
Robert Courtenay, Councilman
Antonio Ardisana, Councilman
Brandon Holdridge, Councilman

The following resolution was offered by Councilman Holdridge, who moved its adoption, seconded by Councilman Courtenay, to wit:

WHEREAS, the Town Board of the Town of Chester has received complaints and safety concerns with respect to the speed limit on State Route 94 from the Village of Chester line to the Town of Blooming Grove line in the Town of Chester, requesting that the speed limit be reduced; and

WHEREAS, based upon residential development in that vicinity, there has been an increase of traffic at high rates of speed in this populated residential area; and

WHEREAS, the Town Board believes that a speed limit reduction in this area would be in the best interest of the Town of Chester as it would make the area safer for other vehicular traffic and pedestrians.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chester, submit a request to the Orange County Superintendent of Highways and the New York State Department of Transportation to evaluate this area of State Route 94 in the Town of Chester for a speed limit reduction for the safety of the residents of the Town of Chester; and

BE IT FURTHER RESOLVED, that the Town Clerk cause a copy of this Resolution to be forwarded to the Orange County Superintendent of Highways for his review, and cause a copy of this Resolution to be forwarded to the New York State Department of Transportation for their review.

The question of the adoption of the foregoing resolution was duly put to a roll call vote which resulted as follows:

Robert Valentine, Supervisor	Yay
Cynthia Smith, Deputy Supervisor	Yay
Robert Courtenay, Councilman	Yay
Antonio Ardisana, Councilman	Yay
Brandon Holdridge, Councilman	Yay
Yays: 5 No: 0 Abstain: 0 Absent:0	

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

ADOPTED

COMPREHENSIVE PLAN COMMITTEE

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilwoman Smith to direct Town Clerk Zappala to cause to publish a request for letters of interest for members of the Comprehensive Plan Committee.

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

ADOPTED

COMMEMORATION

Supervisor Valentine spoke of the passing of long-time resident and Little League baseball coach Dan Mooney. He said it is a great loss to the Town, and discussions were had to commemorate his memory.

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Courtenay to name the T-Ball field, the "Dan Mooney, Jr." Field.

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

ADOPTED

DAVIDSON DRIVE UPDATE

Supervisor Valentine updated the Board concerning the road access. He said Pomegranate and Davidson Drive, LLC. are working on an agreement to use Davidson Drive for road access of both parcels. It will stay private and Pomegranate will grant an easement to Davidson Drive, LLC. The details will be worked out with the Planning Board. This will prevent through traffic on Lake Station Road.

SUGAR LOAF MOUNTAIN UPDATE

Supervisor Valentine updated the Board concerning the subdivision that has been approved by the Planning Board containing 3 lots, Sugar Loaf Mountain parcel, a house on a 10-acre parcel, and a 10-acre parcel containing two fishing ponds across the road. There is a possibility that this parcel may be acquired by the Town for open space to allow access to the trail and Goosepond Park. He said the proposal is awaiting an appraisal expected to be between \$250,000-\$300,000 and purchase by the Town would be subject to permissive referendum. He added, money can come from reserve funds and ARPA. The expectation is for a combined sale by July. There will be more details to follow from the Land Trust.

BUDGET MODIFICATION – FIELDCREST WATER DISTRICT

This item was tabled. Supervisor Valentine explained said the budget modification has been tabled as it has been reclassified. The line item has been re-allocated in the same budget.

ATTORNEY GENERAL OPINION

Councilman Holdridge discussed the uncertainty of whether the Wards should be established based on population or by voters.

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Courtenay to direct the Town Attorney to seek a legal opinion from the Attorney General's Office.

REPORTS

Engineer's Report

1. Greens at Chester: SWPPP systems are working properly. Need to plan the work on Hom Street and West Street to eliminate groundwater.
2. Cappelli Sports (Primo Sports): SWPPP system is working properly. Cappelli ordered the landscaping to begin.
3. PAC: Water system is preparing to go to bid.
4. Walton Lake Well: Proposals for the Design Services are being prepared. The first step is to clean up the water and then develop the well. SEQRA was submitted to The Board.
5. Sugar Loaf Water System: Met with NYSDEC to prepare wetland survey so we can start to develop the well. Silt fence and stabilization is to be required.
6. Local Law SEQRA has been submitted to The Board.

ANNOUNCEMENTS

Supervisor Valentine made the following announcements.

Online camp registration to begin April 28 through May 26, 2023 at \$200 p/week for residents, \$250 p/week for non-resident open after May 11, 2023. Camp to be held 6 weeks from June 26 through week of July 31, 2023. For more information, contact Mmdeshler@thetownofchester.org.

PBA Golf Outing – Monday, July 31, 2023, 10am start at Otterkill Country Club, \$175 p/person includes breakfast, lunch and dinner. Contact: P.O. Donato (347)835-3622.

Office of the Aging Big Wheels – May 10, 2023, 10:30am for elected officials to join in the program to deliver meals to residents.

Transco Rock Tavern to Sugar Loaf Project – continues work through late spring/summer. A two-week project schedule is available at RSUpgrade.com.

TOWN BOARD COMMENTS

Councilman Ardisana announced the Sugar Loaf Spring Festival on May 6 and 7, 2023. O/U BOCES will perform Gears and Glams at the SLPAC.

Councilman Courtenay is set to meet with Chief Doellinger to discuss the Social Media Policy. He attended the Crime Victims Vigil in Middletown, which he said, puts things into perspective as it was quite a moving event.

Councilwoman Smith said grass is starting to grow at the dog park. She said some accessories are a bit costly and the use of an obstacle course is not recommended. She noted the work on the pickle ball courts started prematurely. There will be a meeting held on Friday. She said the last Casino trip was successful. She announced the Kiwanis Chester Clean-up on May 13, with rain dates May 20 and 21, 2023. Supervisor Valentine said our insurance policy covers the dog park.

Councilman Holdridge is working on the finalized version of rules for the dog park and should be voted upon at the next meeting. He has discussed the senior tax exemption and the Town Attorney is to write up a draft local law. Councilman Holdridge asked about the status of the TV channel. Michele informed the Board that Matt will be at the next meeting to discuss the matter. He gave an update on the Assembly redistricting maps. It has been decided that Chester will not be split. He discussed the road condition of Route 94 towards Florida and will be pursuing a joint letter with the municipalities involved.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to adjourn the meeting at 8:15pm, there being no further business brought before the Board. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2023-4-26