

**TOWN BOARD MEETING
AND PUBLIC HEARING**

May 10, 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 Holdridge, Councilwoman Smith, Councilman Courtenay

Also present: Scott Bonacic, Esq., Town Attorney, Fusco Engineering

**PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 2 OF 2023, A LOCAL LAW TO UPDATE AND
AMEND CHAPTER 33 OF THE TOWN CODE OF THE TOWN OF CHESTER TO PROHIBIT THE USE OF
CANNABIS ON PUBLIC PROPERTY**

The following is the public notice as appeared in the Times Herald Record on April 30, 2023:

**A LOCAL LAW TO UPDATE AND AMEND CHAPTER 33 OF THE TOWN CODE OF THE
TOWN OF CHESTER TO PROHIBIT THE USE OF CANNABIS ON PUBLIC PROPERTY**

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 33 of the Town Code of the Town of Chester, entitled "Alcoholic Beverages", to add provisions which prohibit the use and consumption of cannabis on public property located in the Town of Chester. It is the finding of the Town Board of the Town of Chester that the use of cannabis by persons on public lands is detrimental to the health, safety and welfare of the residents of the Town of Chester in that such public use contributes to the creation of nuisances and otherwise impedes upon the welfare of Town residents. The Town of Chester enacts this local law an exercise of its police power to promote the general health, safety and welfare of the residents of the Town of Chester.

Said public hearing will take place in the Town Hall Meeting Room, 1786 Kings Highway, Chester, NY on Wednesday, May 10, 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: April 17, 2023

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to open the Public Hearing at 7:02pm on the matter of Introductory Local Law No. 2 of 2023, A Local Law to Amend Chapter 33 of the Town Code of the Town of Chester to prohibit the use of Cannabis on Public Property.

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

ADOPTED

Public Hearing Comment:

Howard Cohen, 23 Booth Road: Comments that he is curious as to with cigarette second hand smoke killing probably 60,000 people in the United States a year why is cigarette smoke not prohibited under the same law? If we are restricting cannabis because of second-hand smoke certainly cigarette smoke has the same effect; heart disease, SIDS, asthma; I think we should look to include that.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to close the Public Hearing at 7:05pm on the matter of Local Law No. 2 of 2023, A Local Law to Amend Chapter 33 of the Town Code of the Town of Chester to prohibit the use of Cannabis on Public Property.

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

ADOPTED

ADOPTION OF LOCAL LAW NO. 2 OF 2023, A LOCAL LAW TO UPDATE AND AMEND CHAPTER 33 OF THE TOWN CODE OF THE TOWN OF CHESTER TO PROHIBIT THE USE OF CANNABIS ON PUBLIC PROPERTY

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to adopt Local Law No. 2 OF 2023, A LOCAL LAW TO UPDATE AND AMEND CHAPTER 33 OF THE TOWN CODE OF THE TOWN OF CHESTER TO PROHIBIT THE USE OF CANNABIS ON PUBLIC PROPERTY

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 33 of the Town Code of the Town of Chester, entitled "Alcoholic Beverages", to add provisions which prohibit the use and consumption of cannabis on public property located in the Town of Chester. It is the finding of the Town Board of the Town of Chester that the use of cannabis by persons on public lands is detrimental to the health, safety and welfare of the residents of the Town of Chester in that such public use contributes to the creation of nuisances and otherwise impedes upon the welfare of Town residents. The Town of Chester enacts this local law an exercise of its police power to promote the general health, safety and welfare of the residents of the Town of Chester.

Section 2. Amend and Replace Chapter 33, Entitled, "Alcoholic Beverages", to Read:

Chapter 33. Alcoholic Beverages and Cannabis

Section 3. Amend and Replace §33-4, Entitled, "Exemptions", to Read:

§33-4. Penalties for Use.

A violation of this Article shall constitute an offense punishable by a fine not exceeding \$50 for each violation.

Section 4. Remove §33-5, Entitled, "Penalties for Use", in Entirety.

Section 5. Add Article II, to Read:

Article II. Use of Cannabis on Public Property.

§33-5. Legislative Findings.

The Town Board of the Town of Chester finds that the use of cannabis on public property owned by the Town of Chester is detrimental to the health, safety and welfare of the citizens of the Town of Chester, causes unsightly and unsanitary conditions and creates a public nuisance.

§33-6. Definitions.

CANNABIS

As used in this Article, the definitions of “Cannabis,” “Cannabis Products,” and “Cannabis-Infused Products,” shall have the meanings as defined in the New York State Marijuana Regulation and Taxation Act.

PUBLIC PROPERTY

As used in this Article, Public Property shall mean any highway, street, sidewalk, park, playground, municipal-owned building or public parking lot.

§33-7. Prohibited Acts.

- A. No person shall use, smoke, ingest or consume any Cannabis, Cannabis Products or Cannabis-Infused Products on any Public Property within the Town of Chester.
- B. No person shall sell, transfer, purchase or obtain any Cannabis, Cannabis Products or Cannabis-Infused Products on any Public Property within the Town of Chester.

§33-8. Presumption of Use.

It shall be presumed that any person who openly possesses any unpackaged Cannabis, Cannabis Products or Cannabis-Infused Products while on Public Property is using said products.

§33-9. Penalties for Offenses.

Each violation of this Article shall constitute an offense punishable by a civil penalty of up to \$200, at the discretion of the Town of Chester Justice Court.

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.

PUBLIC COMMENTS

Larry Dysinger: Stated that back in April of 2022, he suggested changes to the Noise Pollution Ordinance but the town board rejected the changes because the ordinance was only a year old. A few days ago, he said he forwarded recommended changes again to the town board stating that the changes would bring the ordinance in line with section 10.7 of the comprehensive plan. The current town ordinance sets the noise threshold at 85 decibels for the entire town. The comprehensive plan states that a noise lower threshold of 65 decibels between the hours of 7 a.m. and 11 p.m. and 55 decibels between 11 p.m. and 7 a.m. He thinks that the comprehensive plan in a town ordinance would coincide. There are a couple of projects in front of the Town Planning board one of them being The Tin Barn. They are playing outdoor music without planning board approval but are now seeking permission from the planning board because there have been numerous noise complaints that have been filed. It's important that the noise ordinance be changed. By doing the recommended changes submitted to the board it would also sync with numerous towns around the area, Monroe being one of them. Monroe makes a distinction in zones whether it be commercial versus residential. He thinks it should be

different and it also should be different based on the time of day. He asked the town board once again to review the suggested changes and to give him their thoughts whether they would consider accepting and implementing the changes. He also says that on March 16 he emailed the town board as well as the planning board information about the conservation subdivisions. They are a new version of cluster subdivisions. He is requesting that the town board commit to reviewing and approving the replacement in our town code. It is something that we should seriously look at. Warwick did that probably 20 years ago and it's been successful. The intersection of West Street and County 1 is one example of where they utilize conservation subdivisions and land is still well protected. They allow houses to go in but still have a lot of open space. Conservation Subdivisions are a very good and far better than cluster subdivisions. He asked the town board to look into it and that he is willing to participate in the effort to make it happen. Also, he asked if the town board can give the residents a status on the Comprehensive Plan Review Committee.

EJ Szulwach: 9 Elm St. Thanked the board for the opportunity to ask questions. With the concerns that many have about climate change or global warming what has the board done or what are the future plans? With roof space on town properties what have you done to consider solar panels? In the area of the town-owned small gasoline powered tools such as lawn mowers, leaf blowers and weed whackers, what are the future plans to replace them with rechargeable battery-operated tools? He says that in his opinion the situation must be currently addressed to protect future generations. When will the board reply? Thank you.

Tom Becker: 163 Lehigh Avenue – The property the town is interested in purchasing from the conservancy property which would have been the Palmer property. I'm assuming that 10 acres in the future would not be subdividable property and it would only be allowed to have one house built. I know the town's thought is to save that property or maybe there is use for it that has been thought of already. He says he knows the property and is not sure what can be put on it, maybe a park but it may remain open space. If one home is built on this property that would also leave that property as open space keeping it on the tax rolls. He tells the board to keep an open mind on that piece of property and to give it a lot of thought as to what it can or can't use it for. We currently have Knapps view which is a property that could be hiked on but there's not a lot of other things that it could be utilized for and this may be the same effect where we're gaining access to Sugarloaf Mountain Road from this property which is a great benefit. We have the Goosepond State Park for whatever people would choose to use it for. We do have a lot of open space now and it is a costly problem. It could be \$280,000 as far as cost of the property and right now we have parks that are utilized by a lot of people for our ball fields and they do need work right now as per residents who have been complaining about the quality of the parks. So maybe \$280,000 can be utilized in some way to upgrade the parks that we currently have for places that are utilized by hundreds of people during the different seasons. He said when he goes by Knapps View he doesn't see a lot of people there. If the ball fields are upgraded that would be beneficial to all the residents and a better use of our tax dollars on something that's utilized more often than possibly that property. He would like the town board to keep that in mind.

Tracy Shuh: 94 Pickerel Road: I wanted to share some updates about some helpful news about comprehensive planning in general. Tonight, there was a roundtable meeting of conservation commissions in the county. I just wanted to let you know that there was that movement, a calling if you will for improved conservation planning and municipalities with the help of interested volunteers again there are advisory volunteer actions that help municipal boards on matter relating to protection and management of open space, natural areas and other environmental issues. For example, some towns are working on becoming a climate smart community taking advantage of some grants. There are others that are doing aquifer programs, some are doing street tree maintenance programs, some do trip for trees. It all depends on the needs of each community. The county has more information on this opportunity for residents that are interested. Secondly, I attended an in-person training workshop. The topic was planning for nature and our community. It discussed natural resource inventory plans and what you would need to do to implement them on a local level. They introduced a new document that's going to be available. It is called best practices for adopting conservation inventory and plans and its going to discuss the local laws needed to move your goals to action. These comprehensive plans and preservation plans have goals but this talks about how to do the local law. Adam and I forwarded that to the town clerk for all of you since you are really in charge of how the town grows; you write the laws that go to the town code that the planning board and the developers have to follow. Lastly, the orange county planning and orange county land trusts are working together on updating the Orange County open space plan and they urge the public to look at the drafts of the maps resources and take the surveys to provide more information. This is going to help them prioritize their goals. This was discussed at their last meeting but I thought maybe the town could email the link from the county to the residents and urge them to take the survey even if its to answer the easiest of questions like what is your favorite open space, which are your favorite parks, what are your concerns. The response has been pretty low so if there is a chance that county residents can participate in the process. I want to help spread the word as much as I can and hopefully the town can do the same.

Joe Delaney: 22 Walnut Street – I came here back in April expressing some concern about the pickleball courts over at Carpenter. The premise of the concerns has been well documented across the country, different municipalities, different

third-party studies and the premises is valid. A lot of other towns, villages, cities have tried to retrofit pickleball courts in public spaces pre-existing public spaces like basketball courts and tennis courts. When looking at this the current norm seems to be 150 feet. Minimum between a residential property and a pickleball court. Anything under 300 feet needing some sort of sound mitigation. I'm not asking to relocate or rescope this based on those current norms what I'm asking is that tennis courts that used to be there now under construction at Carpenter Field stay along the residential property line. By keeping the tennis court closest to the house, we extend the buffer 60 feet. Right now, it's 74 feet from fence to fence an extra 60 feet gets us almost at that 150 ft. threshold and I'm saying this now with some urgency since the four pickleball posts that are supposed to be installed haven't been installed. Most of the modifications have been the resurfacing and making sure that all of the cracks have been fixed so I am coming here before we get too far into the project where extra work has to be done after the fact. I know the board is voting to change the colors of the court. If you can look at the configuration to make sure that there is that extra buffer – 60 feet is a pretty big distance and could be an easy compromise to the problem. I appreciate everyone's time. Thank you

Supervisor Valentine read an email from Colleen Collins of Maple Ave. regarding the t-ball field. It is being used by older children and they are hitting baseballs and softballs that are landing in her swimming pool. Supervisor Valentine stated that this is a small field for children ages 4-7. He said he will have Kristen Palmer confirm the proper age group for that specific ball field and order a sign to be placed accordingly.

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to accept the Minutes of the Town Board Meetings of April 26, 2023 as presented by Town Clerk Zappala

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

ADOPTED

AUDIT OF CLAIMS

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

	<u>PREPAID</u>	
GENERAL FUND	\$67,783.96	\$149,441.45
GENERAL - PART TOWN	\$53,509.92	\$116,219.88
HIGHWAY – TOWN WIDE		\$79,558.76
HIGHWAY – PART TOWN	\$28,073.42	\$4,584.05
FIELDCREST WATER	\$863.53	\$798.47
LAKE HILL FARMS WATER	\$2,602.52	\$3,561.20
SUGAR LOAF WATER	\$2,051.79	\$10,665.88
SURREY MEADOWS WATER	\$2,648.02	\$5,018.87
GARBAGE		\$46,230.14
TRUST AND AGENCY	\$3,341.68	\$1,082.50
WALTON LAKE WATER	\$3,623.98	\$9,430.94
TOTAL	<u>\$164,498.82</u>	<u>\$426,592.14</u>

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

ADOPTED

2 BUDGET MODIFICATIONS

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to approve the budget modification of \$23,400 from the A Reserve Fund to the A1620.4 account for the cost of the fence and machine rental for the dog park.

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

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to approve disbursement of ARPA Funds in the amount of \$15,675.00 for the Sugar Loaf account 8340-4 for the Sugar Loaf Water District new well pumps.

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

ADOPTED

TOC LIBRARY BOARD APPOINTMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to appoint Rachel Neuhaus to the Library Board

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

ADOPTED

POLICE EQUIPMENT

Police Dept. Chief Doellinger provided the Town Board with three written quotes for the installation of required police and emergency equipment into a 2023 Chevrolet Tahoe: \$15,244.31, \$21,386.85 and \$19,702.00.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to award Emergency Vehicle Specialists in the amount of \$15,244.31 for the purchase of new equipment for 2023 police vehicle.

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

ADOPTED

DIAMOND GRADE MEDIA PRESENTATION: (Discussion Only)

Matt Motossian - At the beginning of the process when we first started working on the live streaming system, I became aware of the broadcast system downstairs. In trying to get into that system to make a very technical process simpler, the way that it deals with video file structure, it takes hours and hours to convert a new video file back to a very old type of video type just to get it onto that system. For that reason, I believe, it hasn't been updated since 2018 and that is what is broadcasting on the public access channel right now; its content is from the last time somebody took that time to reverse-convert the files. Although we were able to access it, it's more or less useless. We took a couple of months looking for a modern version and competitors to the system that is downstairs and the best one at least in my opinion is made by the same company called "Leightronix" based in Michigan. It's a great product and it's great for what we are trying to do here which is run a TV Studio without having to build out the entirety of a TV Studio. So, the advantages to the piece that we have selected here for review is the Ipmerge NX device. The biggest advantage is that it can be accessed from anywhere as long as we give it access through IP which means any of the town's facilities that wants to create content to keep people up to date or a reminder of an event, they can create it from their own building.

This is not just for streaming meetings it is also for streaming public service announcements or whatever is happening all the time.

Matt explains that it is a device that would be wired into this camera system that is already here. So, anything that happens in this room depending on whether or not town board wants it to be could go directly to broadcast. It could also be recorded and broadcast at a later date or repeated once a day like a town board meeting until the next town board meeting. Any type of graphic element created for a flyer to an event, public service announcement or a town project can be recorded and then uploaded into the system and then broadcast onto the tv.

The budget for the equipment is broken down into three stages. The first is equipment which comes from the electronics purveyor, the second is the labor cost at prevailing wage which would be done by Matt and two team members from Diamond Grade Media doing a substantial amount of wire pulling through the building. The third component would be the odds and ends which my team would purchase from a purveyor with a discount and tax free.

Matt is an installation specialist and has two other team members that assist him with the electrical and data installation. Councilman Holdridge asked Matt if he had looked into other quotes from other companies other than Leightronix. Matt responded that he does have a list of the competitors and will provide it to the town board.

Supervisor Valentine said he would have to look into the budget and will discuss it at the next town board meeting.

Matt also wanted to thank the board for donating the usage of the SLPAC for the Sugar Loaf Film Festival weekend event. This was solely a student participation event. Although they expected about 15 students to participate, they had over 75 students on the first day. The participants were from the fashion dept., the police and security dept., the graphic design dept. and the film dept. from OCC Tech. The second day of the event, we screened all the kids' films and had them meet a music celebrity. It was a great time as well as successful.

SUGAR LOAF PERFORMING ARTS SIGNAGE

Supervisor Valentine brought up for discussion "only" the digital sign upgrade for the SLPAC because more bids have to be submitted. This item was approved for this year's budget in the amount of \$30,000 - \$35,000. Walter Popailo received a quote for a digital sign that can stream live video clips. The first quote we have received is from Stuart Signs in the amount of \$29,826. Supervisor Valentine said he will email the board members pictures of the sign that will be proposed on at a later date.

PICKLEBALL COURT COLOR CHANGE

Supervisor Valentine: Has a proposal from A Plus Striping for a pickleball court color change. This is to add an additional color code for "kitchen areas" of the pickleball courts. 560 square ft. (2 courts) Proposal is in the amount of \$1,750.00 at prevailing rate from A Plus Striping.

Councilwoman Smith added that originally when they received the quote back in July it was done in one color and an orange striping for boundary lines. This doesn't really work when playing the game because you can't see exactly where the kitchen lines are. Councilwoman Smith requested the lines to be re-painted to red. Originally A Plus quoted \$2,500 to paint then they brought it down to \$1,750.

Councilman Holdridge asked the question why can't the court just be one color to which Councilwoman Smith responded "because you can't distinguish when the ball comes over, it's harder to play the game if it's all one color and none of the courts that you go to are one color, they all have a different color they are two-tone.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to authorize the change order from A Plus Striping in the amount of \$1,750.

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

ADOPTED

EDUCATION REQUEST

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Ardisana to send Chris Cox and John Mardula from the TOC water dept. for the New York Section AWWA 2023 Water Storage Operation and Maintenance training on May 24, 2023 for \$85.00 per person.

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

ADOPTED

KETCHUM FENCING:

Councilman Holdridge: After speaking with the representative of the Chester Little League concerning the new T-ball field needing a backstop fence. Councilman Holdridge reached out to Jerry from Ketchum Fencing and said he is willing to donate 30 feet of backstop fencing for the new T-ball field. This will prevent the children from going in to the black dirt to retrieve the balls. The little league will be making a banner to hang across the fence thanking Ketchum Fencing for their donation.

ON A MOTION OFFERED BY Councilman Holdridge and second by Councilman Courtenay to authorize Ketchum Fencing to install the backstop fencing that they are donating at the T-ball field.

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

ADOPTED

WARDS DISTRICT DISCUSSION:

Supervisor Valentine: We received some good information from Scott Bonacic regarding the Wards and asked Councilman Holdridge to explain.

Councilman Holdridge said that he reached out to the state agencies: State Board of Elections, The State Department and the State Attorney General and was informed that we need to have a formal resolution from the town asking the attorney General for an opinion on the town law from New York State based on what Larry Dysinger brought to us about ward systems because in the New York State Town law it references voters being used to draw Ward Districts whereas everyone else that he has spoken to about this in every other town that he has seen has used inhabitants or population. Scott Bonacic wrote a letter to the Attorney General's office asking for an official opinion and the Attorney General's office wrote back:

This response to your request for opinion as to whether a local law adopted by the town to establish a ward system used the term "inhabitants" to refer to residents or voters. We do not interpret local laws; local officials are in a better position to know or determine the intent of the adopting of local legislature. I note, however, that town law §85, the authority under which you advise the town acted, states that, "so far" as possible the division [of the town into wards] shall be so made that the number of voters in each ward shall be approximately equal. I look forward to assisting the town in the future."

Councilman Holdridge said that attorney general's office just restated what is in the New York State Town law and that that the town is in a better position to determine the intent of adopting local legislature which the town did so back in 2018 the town at the time had written "inhabitants" instead of "voters." That is what happened in a nutshell.

Supervisor Valentine asked, what point are we at with this now? Do we need to get those lines drawn?

Councilman Holdridge said that he spoke with Megan who is a member of the County Planning Department. He asked her for an update again last week and she said that she wouldn't be able to get to it until early June hopefully or at least finished with her new updated draft since the last time we had her come in and had the public give their input. Councilman Holdridge said the last time we had her come in we asked this same question and her response was that she has never drawn any Ward system line with voters in mind she has only done it with population in mind. The equipment that she uses to do this type of thing wouldn't even allow her to use the variable voters and she's only able to look at population numbers based off census data. Councilman Holdridge states that this is part of the reason why there are no towns at least in Orange County from what he's seen and from what Megan has told him that uses voters when determining ward districts

Supervisor Valentine asked how many towns has the County drawn district boundary lines for because only a couple of towns have them. Call me naïve but to me it seems like the population idea takes into account children and non-voters – people who wouldn't be voting. He stated that he doesn't see how this would disenfranchise somebody who used a voter number because the people who would disenfranchise wouldn't be able to vote anyway. If they are voters than they are going to be counted right?

Councilman Holdridge says if you are looking at every type of government division, congressional districts, state legislator districts county legislative districts they all go by one thing "Census Data" population that's because regardless of whether you are registered to vote or if you're old enough to vote you still need to be counted for an accurate equal representation across the municipality or governmental division. He says that he contends that you are disenfranchised if you are not counted towards the overall number for a political division. That is what he believes and apparently that is what other municipalities in Orange County, Statewide, Countrywide, Federal Government, the state government and the county government all go by that as well. I don't see how us (Chester) being one of the only political entities to go the other way would be productive and especially in the spirit of the referendum. I don't believe that we are going to have true equal representation if were basing our political divisions off of 8,500 people instead of 13,000 people, which is the full amount that we have here in Chester.

Supervisor Valentine says the argument is that demographically in our town we may have a ward that may have an equal amount of residence but a significantly disproportionate number of voters in that district. Based on numbers in population in one ward in Chester may have a significantly lower number of voters than a ward with the same population.

Councilman Holdridge replies that it doesn't matter because the equal representation part of this is not whether in this country at least, you don't have to be registered to vote to get represented in your government, you don't have to be registered to vote to go to your government for assistance and you would know who to go to based off of who your representative is and your representative is based off the population numbers. That's just the overall cycle of equal representation in his opinion and also the opinion of most of our government in the United States. Councilman Holdridge said he will continue to follow up with Megan in June to see where she is with the Ward Lines.

EXECUTIVE SESSION

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to enter into Executive Session on the matter of personnel at 8:02 pm.

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

ADOPTED

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to adjourn Executive Session at 8:12 pm.

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

ADOPTED

TROUT BROOK FIRE HOUSE SEWER CONNECTION

Supervisor Valentine said he received notice that the Trout Brook Firehouse does not have connection to the sewer line. Supervisor Valentine remembers having a discussion with the board about this because it was voted on. However, he was informed that the vote was for allowing a connection not for the allocation of the sewer line. Further, he finds out that the connection has to go through Monroe because Monroe owns the line.

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Holdridge to allow the allocation of sewer for the new Trout Brook Firehouse.

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

ADOPTED

REPORTS

Engineer's Development Report

1. Greens at Chester: SWPPP systems working. Reports reviewed. No action on site.
2. Capelli Sports (Primo Sports): SWPPP systems working well. Reports reviewed. Met on site with Alexa and owners to review plantings. Will be starting plantings soon.
3. Chester PAC: Water service designed. Request authorization to go to bid.
4. Walton Lake New Well: Getting prices to pump. Need to clear and get new quality testing. Also reviewing grant for pipe and electric from DASNY \$130,000.
5. Sugar Loaf Water System: Met with NYSDEC on Sugar Loaf new well, delineated new wetlands and send to the State for approval so well can be used.
6. MS4 report underway. Need to produce stormwater management plan for your review and passage.

PARKS, REC, SLPAC

Maintenance & Parks:

- Routine Parks upkeep and maintenance.
- Working on maintenance issue at concession stand in Chester Commons.
- Replacement part arrived for broken slide at Chester Commons and will be installed.

Clerk:

- Routine daily and monthly operations
- Chaperoned 2 bus trips with the Seniors
- Assisted at events at the SLPAC
- Attended Little League opening day and continue to work with them during this season
- PD vs. FD yearly softball game is confirmed... all are invited to come and support our local Fire and Police Departments at this battle of the badge match up. Who will take home the trophy this year?? Come watch. Carpenter Field C2 on June 24th at 10:00 am followed by closing day ceremonies and activities for Little League; all are welcome.
- Meetings and correspondence with all involved parties for the Chester Commons Community Event on 5/20/23.
- Processing permits daily for use of parks and pavilions.

SENIOR CENTER & RECREATION

- Two successful trips since last update and one postponement.
- Windcreek Casino was a hit, and we came home with winners on the bus. Many of our casino people are requesting for an Atlantic City trip so I am working on that.
- Lancaster, PA to Sight and Sound American Music Theater last weekend was enjoyable as usual. Some new comers to the experience which generated a lot of RSVP'ing for our November trip for the holiday shows in Lancaster, PA. Spots are going fast.
- Mardi Gras and Masquerade Party has been postponed for September 2023. Many people have graduations and weddings to attend as well as family commitments.
- Cape Cod in June is completely full; we are going with two buses.
- Camp registrations are not filling fast. Registration is online, so if you're interested, register soon.
- Receiving a lot of positive feedback and thanks for the day and overnight trips. Residents are very happy and offering many suggestions for trips.
- Programs at Center continue to be well attended. Our TaiChi program, the newest addition, has many participants.

Police Department

The Town of Chester Police Department remained active in the community last month. We continued to take a proactive stance towards detecting crime and enforcing the laws, while maintaining our overall objective of community commitment. In April, the police department responded to 270 calls for service. Officers patrolled for 16,945 miles during the month. A breakdown of the criminal and non-criminal activity for the month is included below:

CRIMINAL ACTIVITY

The Town of Chester Police Department made 12 arrests during the month. A summary of the arrests is as follows:

- | | |
|---|--|
| 8 | charged with Operating a vehicle with a suspended license and/or suspended registration. |
| 1 | charged with assault in the third degree. |
| 1 | charged with unlawful burning during the annual statewide burn ban. |
| 2 | arrested on outstanding warrants. |

Please refer to Attachment A for complete details.

NON-CRIMINAL ACTIVITY

In addition to the arrests listed above, officers also responded to other calls for service in April. A summary of those calls for service is as follows:

21	medical calls
16	residential, commercial and automatic fire alarms
16	animal complaints
12	reports of suspicious persons, vehicles or activity
9	disputes, disturbances or disorderly persons
0	motor vehicle crash with injuries
11	motor vehicle crashes without injuries
3	motor vehicle crashes involving deer

Please refer to Attachment B for complete details.

Officers also issued 139 uniform traffic tickets during the month.

SEX OFFENDERS

There were no changes to the sex offender registrations for our residents in November.

LEVEL	BEGINNING OF MONTH	END OF MONTH
1	1	1
2	2	2
3	0	0
TOTAL	3	3

COMMUNITY POLICING

During the month, Town of Chester police officers assisted members of the community in many ways. Some of the community policing activity is listed below.

Officers completed 13 house security checks and 1242 business security checks.

There were 2 child passenger safety seat checks completed in April. Sergeant Dugan and Officers Bird, Weinstein, Stack and Narain continue to remain available for child passenger safety seat checks and installations. An all-inclusive (special needs) child passenger safety seat check is being planned in Sugar Loaf on May 24th.

Officer Santosky-Wright remained in contact with the Sugar Loaf community groups and business. She worked with the Chamber of Commerce to prepare for their upcoming Spring Festival to held on May 6th and 7th.

Officer Dunlop remained in contact with the Bruderhof Community. They are planning a fundraiser in May with more details provided as its closer.

The PBA held their annual Easter Egg Hunt at the Chester Commons Park on April 2nd. It was well attended.

TRAINING

Officer Calderone and Officer DeLuca attended the NY Tactical Operator's Association annual conference in Verona, NY beginning on April 24th. Officer DeLuca attended through the end on April 28th and Officer Calderone left after classes on April 26th due to a death in the family.

Officer Dunlop and K-9 Lou continued the sixteen-week K-9Patrol School with instructors from the Orange County Sheriff's office.

Monthly training for April was Response to the active shooter training. It was held on April 4th at the Chester Elementary School with thirteen officers in attendance.

MISCELLANEOUS

Commercial vehicle enforcement details were held on April 7th and 21st with the NYS Department of Transportation. Ten vehicles were inspected and one unsafe vehicle was taken out of service with major violations.

Chief Doellinger attended a community breakfast at the Fox Hill Bruderhof Community on April 25th.

Chief Doellinger attended the annual Orange County Crime Victims' Remembrance Ceremony in Middletown on April 25th.

Chief Doellinger, Administrative Sergeant Vitale and Sergeant D'Agnese attended a presentation on April 26th sponsored by DA Hoovler at the Emergency Services Center in Goshen about NICE. Nice is a digital case management software program that will be compatible with the county's new records management software.

Chief Doellinger attended the quarterly meeting of the Orange County Traffic Safety Board in Goshen on April 27th.

We continued to assign police officers to the Chester Academy and Chester Elementary School during the school day in April.

Part-time Police Officer Nicholas Contino continued his field training in April and was approved for hire as a full-time officer on April 26th, effective May 14th.

We received a letter and a plaque from Lexipol congratulating our Gold status in policy management as part of the Lexipol Connect Recognition Program. A copy of the letter is attached.



Dear Lexipol Customer,

On behalf of the team here at Lexipol, I'd like to offer our congratulations on your achievement in policy management as part of the Lexipol Connect Recognition Program.

To highlight your dedication to updating and training on your policies, we are happy to present this plaque to your department to showcase your success this past year. To share this accomplishment with your staff and community, please reference the Connect Recognition Program media kit sent earlier this year which included a sample press release, social media posts and agency bulletin.

If you have any questions on the program, you can visit www.lexipol.com/connect-recognition-program or contact us at info@lexipol.com.

We are honored to partner with your agency and assist the important work of your department in protecting your communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Fordham", with a stylized flourish at the end.

Mark Fordham
Senior Vice President of Customer Experience
mfordham@lexipol.com

SCHEDULING

There were 288.75 hours of overtime paid in April.

Part-time police officers were used for 248 hours of patrol coverage (240 regular hours and 8 overtime hours).

Shift Coverage	239
Stop DWI Patrols	16
Monthly Training	14
Investigations	6.5
Tactical Response Unit Detail/Callout	4
Commercial Vehicle Enforcement Detail	4
Late Calls/Arrests	3.5
Radars/DMT to Albany for semi-annual calibration	1.75

ARRESTS – APRIL 2023

TC-00054-23	4/1/2023	56M	Garrison, NY	VTL0511 01A AGGRAVATED UNLIC OPER VEH-3 RD
TC-00055-23	4/3/2023	32M	Airmont, NY	VTL0511 01A AGGRAVATED UNLIC OPER VEH-3 RD
TC-00056-23	4/4/2023	30M	Highland Mills, NY	VTL 0511 01A AGGRAVATED UNLIC OPER VEH-3 RD
TC-00057-23	4/6/2022	17F	Chester, NY	PTL 120.00 ASSAULT-3 RD
TC-00058-23	4/11/2023	29M	Monroe, NY	VTL0511 01A AGGRAVATED UNLIC OPER VEH-3 RD VTL0511 02A2 AGGRAVATED UNLIC OPER VEH-2 ND
TC-00062-23	4/13/2023	35M	Haverstraw, NY	VTL 0511 01A AGGRAVATED UNLIC OPER VEH-3 RD
TC-00061-23	4/13/2023	35M	New Windsor, NY	CPL530.70 03 EXECUTE BENCH WARRANT
TC-00060-23	4/13/2023	35M	New Windsor, NY	VTL 0511 01 AGGRAVATED UNLIC OPER MV-3 RD
TC-00059-23	4/13/2023	51F	Johns Island, SC	NYC215-2 UNLAWFUL BURNING DURING BURN BAN
TC-00063-23	4/16/2023	20M	Monroe, NY	VTL 0511 01A AGGRAVATED UNLIC OPER VEH-3 RD
TC-00064-23	4/21/2023	28M	Washingtonville, NY	VTL 0511 01A AGGRAVATED UNLIC OPER VEH-3 RD
C-00065-23	04/27/2023	30M	Airmont, NY	CPL120.60 01 EXECUTE WARRANT OF ARREST

Attachment A

CALLS FOR SERVICE - APRIL 2023

911 HANGUP CALL	4	FIRE	1
ALARM COMMERCIAL	3	FOUND PROPERTY	2
ALARM RESIDENTIAL	7	FRAUD	3
AMBULANCE ASSIST	21	HAZARD	
ANIMAL COMPL (WILDLIFE)	3	HOUSE SECURITY CHECK	12
ANIMAL COMPLAINT (DOG)	11	INFORMATION ONLY	19
ANIMAL COMPLAINT (OTHER DO)	2	JUVENILE COMPLAINT	1

ARREST/TRAFFIC	8	LOCKOUT	1
ARREST/VIOLATION	1	LOST PROPERTY	8
ARREST/WARRANT	1	MISSING PERSON	2
ASSIST ANOTHER AGENCY	32	MVC/CAR/DEER	2
ASSIST FIRE DEPT.	2	MVC/HIT AND RUN	1
ASSIST WATER DEPT.	1	MVC/NO REPORT	1
ATV COMPLAINT	1	MVC/PROPERTY DAMAGE	10
AUTOMATIC FIRE ALARM	6	NOISE COMPLAINT	1
BACKGROUND INVESTIGATION	29	OFFICER INJURY	1
CHILD SFTY SEAT FITTING	2	OPEN DOOR	1
CITIZEN SERVICE	5	PARKING PROBLEM	2
CIVIL MATTER	6	RECKLESS DRIVER	1
COMM VEHICLE ENF DETAIL	1	SHOTS FIRED	1
DAMAGE TO PROPERTY	3	STOLEN PROP RECOVERED	1
DEBRIS IN ROADWAY	1	SUSPICIOUS COND/MV/PERSON	12
DEPARTMENT DETAIL	1	TAC TEAM ACTIVITY	1
DISABLED VEHICLE	7	TRAFFIC COMPLAINT	4
DOMESTIC COMPLAINT	8	TRAFFIC CONTROL/DIRECTION	1
EMOT DISTURBED PERSON	1	UNATTENDED DEATH	1
EQUIPMENT CHECK	2	WELFARE CHECK	2
FIGHT	1	WIRES DOWN	3
FINGERPRINTING	3		
TOTAL			270

Attachment B

Animal Control

During the month of April 2023, the Town of Chester Police Department responded to 16 animal complaints and investigated 3 motor vehicle crashes involving a deer. A breakdown of the complaints for the month is included below:

5 of the calls for service were for loose, lost or found dogs.

2 of the calls for service were for welfare checks on dogs.

2 of the calls for service were for barking dogs.

1 of the calls for service was for a deceased deer.

1 of the calls for service was for a cow on the road.

1 of the calls for service was for an injured baby mole.

1 of the calls for service was for a sheep attacked by a dog.

- 1 of the calls for service was for a goose hit by a car.
- 1 of the calls for service was for two loose ponies
- 1 of the calls for service was for a dog with its paw stuck in a crate.

Warwick Valley Humane Society

The monthly report for April from the Warwick Valley Humane Society is attached.

**WARWICK VALLEY HUMANE SOCIETY
MONTHLY REPORT TO THE TOWN OF CHESTER
MONTH: April 2023**

All totals include calls from the Town of Chester, Village of Chester, Village of Sugar Loaf, and Orange County 911 Center for calls located within the geographic area of the Town of Chester.

Number of calls received:	<u>11</u>	2 Police, 9 other
Number of times ACO dispatched to calls:	<u>2</u>	4/18-stray dog Gibson Road, owner arrived before ACO 4/21-stray dog at Chief's house, ACO called off, owner found
Number of dogs impounded by ACO:	<u>0</u>	
Number of dogs impounded by police:	<u>0</u>	
Number of dogs returned to owner:	<u>0</u>	
Number of after hour call-outs:	<u>0</u>	
Amount of impoundment fees collected:	\$ 0.00	
Amount of license fees collected:	\$ 0.00	
Amount of impoundment fees paid to Town:	\$ 0.00	
Amount of license fees paid to Town:	\$ 0.00	
Number of hours of enumeration:	<u>6 hrs.</u>	
Number of bite reports received:	<u>0</u>	
Number of appearance tickets issued:	<u>0</u>	
Number of unlicensed dogs:	20	
Status of unlicensed dogs: -		Received Notices to Comply
Number of Chester cats admitted to shelter:	1	

20 Notice to Comply prepared and delivered to various addresses per Town Clerk

SNR certificates sold in April: 2

NOTE: SNR certificates are available by appointment only

Note: Shelter is open by appointment only Monday through Sunday, 12-4pm for pre-approved adoptions, return to owners and SNR certificates, visitors and volunteers!

ANNOUNCEMENTS

Trout Brook Engine and Hose is holding their 7th annual Wing Night on June 10, 2023 from 5:00 pm – 10 p.m. at the Trout Brook Firehouse, 712 Lakes Road, Monroe, NY. \$20 per person all you can eat wings, fries, side salads, sodas, water, iced teas and tap beer for 21 and older.

Orange & Rockland will be working on Pump House Rd. which is town property. They will be pruning and removing trees. This project is scheduled to begin within 30-180 days.

Town Clerk has arranged for the Orange County Mobile DMV to visit the Town Hall on June 8, 2023 during the hours of 10:00 am – 12:00 noon and 1:00 pm – 3:30 pm. Most services afforded at the DMV office will be available to our residents during that time.

The Fromageot, Hamilton & Kanz Families along with BSA Troop 38, Warwick, NY cordially invite you to attend the Eagle Scout Court of Honor for Paul Fromageot, Aiden Hamilton & Thomas Kanz on Saturday, June 17, 2023. Ceremony will begin at 11:00 am with reception to follow at Polish Legion of American Veteran's Hall, 16 Legion Road Pine Island, NY. RSVP no later than June 2, 2023 to Pam & Xavier Fromageot at 845-610-3806

Orange County Board of Elections is confirming the following information:

Primary Elections will be held on June 27, 2023

Poll Site: Chester Senior Center, 81 Laroe Road, Chester, NY

Primary Elections: *Republican Voters Only

General Elections will be held on November 7, 2023

All Polls in Orange County are open from 6:00 am until 9:00 pm

OTHER BUSINESS

Chester Union Free School District Lot Line Change

Supervisor Valentine: I just received this map today and forwarded the board a copy. This is regarding 26 acres of town-owned property near the school. The town would like to propose to transfer 18.28 acres to the school. The map shows the two Wells that are on the property. We would pick the Wells as the dividing line in case those wells are ever to be used, we would need 200 ft around them as a buffer area - 100 ft. we have to own and the other 100 ft we would have to control even if we don't own it. On the map, along Hambletonian Avenue we own the piece of property as well as the piece of property on the heritage trail. The Wells fronts the Heritage trail and that's the property I want to save in case the town ever wants to do some kind of a pocket park or access point whatever it might be down by the rail trail because we could have parking on Hambletonian. There is a crosswalk on the trail that would get to the other side where our property is. We could give the school the top piece shown on the map which is 18.28 acres.

Dog Park Rules Signage

Councilman Holdridge said he gave the town board the final dog park rules and would like to get a formal vote approved so we can order the sign. We also did vote on renaming the dog park and I want to make sure that we get the name put on the sign as well. Supervisor Valentine told Councilman Holdridge he was waiting on information from the insurance company pertaining to the dog park rules but will call them in the morning to ask if there is anything else that should be put on the sign. Councilman Holdridge asked all of the board members if they are good with the sign rules and they all responded "yes" they are good with it.

Route 94 No Parking Signage

Councilman Holdridge also spoke to the State DOT because a few people on Route 94 had heard about the no-parking signs going up on Glenmere and Green Drive and they would also like no parking signs on the state road between Tetz and Glenmere because there have been cars and trucks parking there. After speaking with DOT they said all they would need is a resolution asking for the signs.

Pickleball Court Color Change

Councilman Holdridge asked if the board has to vote on postponing the pickleball court color change because of the resident's concern about the court layout? Councilwoman Smith responded that the color change will not affect anything with the positioning of the court. Supervisor Valentine said that they will be speaking to A-Plus and will report to the rest of the board about the change of the layout. However, no vote has to take place for a postponement.

TOWN BOARD COMMENTS

Councilman Holdridge wants to remind everyone about the Community Day on May 20, 2023 at the Chester Commons and the Kiwanis Cleanup May 13, 2023. Also, Scott emailed some of us the draft language for the senior tax reduction and we should forward it to the rest of the town board and try to get it on the next agenda. Supervisor Valentine comments that he did speak to John Schuler about that and that he's been calculating the numbers from other towns and will provide him with a summary of those calculations just to get a general idea. It could be different in the Town of Chester demographically; It's all based on income rates. Councilman Holdridge said that he spoke to the Supervisor from Cornwall and that they are going to go with the full amount but that he's not sure what the number is going to look like.

Councilman Holdridge said that he reached out to RCLS which is the library system used here regarding the library card situation. RCLS did research on their bi-laws and confirmed that anyone with a Chester Library card can use their card to access the Warwick Town library. They do not need a library card in Warwick in order to access it. They also mentioned Home Cards vs. Local Cards and residents can apply for a specific type of card at the Warwick Library System if they live specifically in Sugar Loaf because that is part of the Warwick library district. The reports about people being denied access to the Warwick Library shouldn't be happening. If this is still happening, he encourages the Chester residents to get in contact with him or any other Town Board member. He said he will make a post about all the details related to this and have it put on the Chester Rec. website.

Councilman Courtenay Said he attended the OC Municipal Officials Fair Housing Training on May 4, 2023 and forwarded the Powerpoint slides presentation to the rest of the town board. Also, met with the Chief regarding the Social Media Policy. He said it's going to be a bit more cumbersome than just putting the policy in place. The chief has some great policies that he's put in place however, social media accounts are usually started for the purpose of sharing their personal information. Councilman Courtenay said he will reach out to some of the other municipalities for suggestions.

Councilman Ardisana said the Sugar Loaf Festival went pretty well and thanked the Chester PD for the control of the traffic because it was pretty crazy.

Supervisor Valentine said he spent a little bit of time at the festival. It was a good event and the current Chamber of Commerce has organized it well and because of their leadership this event will grow exponentially.

ADJOURNMENT

ON A MOTION OFFERED BY Councilwoman Smith and second by Councilman Courtenay to adjourn the meeting at 8:41 pm, there being no further business brought before the Town Board.

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

ADOPTED

Respectfully submitted,

Nanette Batista-Perez
Deputy Town Clerk
2023-5-10