

**TOWN BOARD MEETING
February 28, 2024
7:00 PM**

Supervisor Holdridge opened the meeting at 7:00pm.

Attendance Rollcall:

Supervisor Holdridge	Present <u>x</u> _____	Absent _____
Council Member Ardisana	Present _____	Absent <u>x</u> _____
Council Member Becker	Present <u>x</u> _____	Absent _____
Council Member Courtenay	Present <u>x</u> _____	Absent _____
Council Member Dysinger	Present <u>x</u> _____	Absent _____

Determination of Quorum: Yes X No _____

Also present: Elizabeth Cassidy, Esq.

Pledge of Allegiance

Supervisor Holdridge welcomed Council Member Dysinger back to the Town Board meetings.

PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 8 OF 2023 -A LOCAL LAW INSTITUTING A MORATORIUM ON CERTAIN PERMITS, CERTIFICATES OF OCCUPANCY AND APPROVALS FOR RESIDENTIAL DEVELOPMENT CONSISTING OF FIVE (5) OR MORE RESIDENTIAL LOTS OR MULTI-FAMILY OR MULTI-UNIT DWELLINGS CONTAINING FIVE (5) OR MORE DWELLING UNITS

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Becker to open the Public Hearing at 7:03pm on the matter of Introductory Local Law No. 8 of 2023 - A Local Law Instituting a Moratorium on Certain Permits, Certificates of Occupancy and Approvals for Residential Development Consisting of Five (5) Or More Residential Lots or Multi-Family or Multi-Unit Dwellings Containing Five (5) or More Dwelling Units.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana **ADOPTED**

Kat Parrella, PO Box 102, Sugar Loaf, thanked the Board and was in support of the moratorium. She said the Comprehensive Plan is long overdue. She opined Sugar Loaf has a unique situation with single lots vulnerable to a change that would be detrimental with more residential and absentee landlords. The community was kept special for many years with artisans and crafts. She said it needs protections now to avoid 2-family homes which takes away from the character and revenue with Sugar Loaf in the top of sales tax generators for Orange County, and once lost, you can't get back. Supervisor Holdridge said similar comments were heard at last night's Comprehensive Plan Committee meeting and concerns will be addressed. She later added that other municipalities cannot turn retail into residential and asked they not be allowed to turn into apartments. Although the residential homes are grandfathered, she said Sugar Loaf is a unique mixed-use community which should have retail businesses and open spaces protected .

Attorney Cassidy remarked that as some revisions were made to the law so that the Public Hearing should remain open.

PUBLIC HEARING – WARD DISTRICTS

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Dysinger to open the Public Hearing at 7:15pm on the matter of the Ward Districts.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana **ADOPTED**

Supervisor Holdridge displayed the two ward district options drawn by Orange County Planning Department each containing 4 wards and 8 election districts, within the 5% margin of error of the legal sizes as per New York State law and are available on the Town's website. The options encompass the following areas.

Option 1

Ward 1: Village of Chester, Surrey Meadows & Hambletonian

Ward 2: Whispering Hills, Industrial Park, Route 94 to Florida, Greycourt towards highway

Ward 3: Sugar Loaf, Laroe south to Gibson Hill & Bellvale

Ward 4: Monroe side, Sunfish, Bull Mill, Walton Lake Estates, Lake Hill Farms, Windridge

Option 2

Ward 1: Surrey Meadows, Whispering Hills, Chester Industrial Park

Ward 2: Bull Mill Road vicinity, Village of Chester-

Ward 3: Sugar Loaf, Rte 94 to Florida, Gibson Hill Rd. vicinity

Ward 4: Laroe Road, Walton Lake Estates, Lake Hill Farms, Windridge

Supervisor Holdridge said the hearing will be held over until March 13, 2024 for Megan Tennermann of OCPD to be able to participate in the discussion.

Chris Mauer, Sugar Loaf, stated she was against the Wards and thought people did not understand its impact. She asked if the law would be considered stale after so many years. Supervisor Holdridge replied the State said they don't see a need for a second referendum. He added that petitions could be collected to get a referendum on the ballot to get it voted down when it passes.

Robert Valentine asked what happens if nobody runs for a Ward District. Supervisor Holdridge replied he is waiting for a complete answer from the State, but it may be that someone outside the Ward District could be able to run, which he will confirm.

Peter Dawson asked the purpose of the Wards and revisions. Supervisor Holdridge replied that a referendum was passed in 2018 to promote equal distribution of representation throughout the geographical areas of the Town. He added that a map drawn last year was voted down by the Board and new maps have been made available for the Board and public to choose from.

Jeff Zahn asked for additional resources for the potential positives and negatives. Supervisor Holdridge directed him to the Board of Elections and the Referendum information on the website. Attorney Cassidy replied that a handy reference from the Department of State would be made available on the Town's website.

John Gifford commented that he lived in a Ward community where people in certain areas felt it would benefit them to have a say, and it worked out very well for them.

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Dysinger to hold over the Public Hearing on the matter of the Ward Districts until March 13, 2024.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Becker to accept the Minutes of the Town Board Meetings of February 7, 2024 as presented by Town Clerk Zappala.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

REPORTS/ANNOUNCEMENTS/COMMENTS

Council Member Courtenay said he attended the training classes and General Meeting of the Association of Towns. He announced the Comprehensive Plan workshops to be held on March 20 and March 23 at the SLPAC to handle different sections of the Town and encourages all to attend. He will be having a follow up meeting with Diamond Grade Media about the theater.

Council Member Becker said he is looking at the water district rates and will bring more information to the Board to address the revenue needs of the budget. He added the back-up well will be put in service in the Sugar Loaf Hills Water District.

Council Member Dysinger said he will be looking at the noise ordinance to come forward.

Council Member Ardisana had no comments.

Supervisor Holdridge asked the public to attend the Comprehensive Plan Committee workshops. He said the Association of Town's classes were very informative with different programs for budgeting and good networking opportunities.

PUBLIC HEARING – EMERGENCY MEDICAL SERVICES

Supervisor Holdridge said the Emergency Medical Services public hearing will be moved to March 13, 2024 due to a slight scheduling issue. He encourages all to come out and voice their concerns. He thanked Assemblyman Maher for being part of the presentation.

ON A MOTION OFFERED BY Supervisor Holdridge and second by Council Member Courtenay to reschedule the Public Hearing on the matter of the Emergency Medical Services on March 13, 2024 at 7pm.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

DEPARTMENT REPORTS

Sugar Loaf Performing Arts Center

- The PAC held DOUBLE SELLOUT Show for ABBA: revisited on 2/3/24 with approx. 1400 guests attending the two shows.
- Orange County Chamber of Commerce held a very successful "Meet your elected officials" showcasing the theater for possible future rentals.
- Met with our insurance company to tour the SLPAC.
- Sold Out show "Night on Broadway" presented by Jim Kirk.
- Comprehensive Plan Meeting taking place 2/27/24.
- Las Vegas entertainer Wayne Newton comes to Sugar Loaf this Thursday (tickets are still available).

Planning Board

Baroda (BDR Group) Subdivision - A discussion was held on the five major topics identified by John Queenan and Kristen O'Donnell from Lane and Tully.

Water

Visual Analysis Traffic

Sight Distance

Layout of the building lots.

The applicant was informed that a new public hearing will be required due to the 6 years that have passed since the last public hearing.

New York Solar- The board granted revised site plan approval for the change in the landscape plan due to the preservation of the 200-year-old oak tree.

Moratorium Local Law - A discussion was held on the latest draft of the proposed moratorium local law. Please find attached a letter from Dave Donovan.

Board Interviews - 4 people were interviewed for the vacancy on the board. A recommendation will be sent to the Town Board. Next Meeting - March 6, 2024.

Architectural review for a sign in Sugar Loaf.

Sapanaro - Revised parking plan for a 2-family home with a basement office - Sugar Loaf.

Oak Woods - 6 lot Subdivision - Southern Side of Camp Monroe Rd.

VA Lake Station Holding LLC - 102,750 SF light industrial use building- Lake Station Rd.

Baroda (BDR Group) - 28 lot subdivision - Black Meadow Rd.

Building Department

2021: 14 Expired

- 4 have received Order to Remedy Violations
- 7 have received notice of expired permit (letter dated 2/16/24) no response Order to Remedy Violation send 3/18/24
- 2 expired permit letters send (dated 2/27/24) no response Order to Remedy Violation send 3/29/24
- 1 working with Building Inspector to close

Working on expired in 2022 permits.

PUBLIC COMMENTS

Mary Langton, 11 June Road, addressed the Town Board concerning her lawsuit against the Library Board which she said is still ongoing. She expressed her dissatisfaction with the matter.

Richard Logothetis, Kings Highway, Sugar Loaf, offered the distinct boundaries of Sugar Loaf as defined in the 1974 zoning laws as a separate zone and said hopefully it can be protected. Supervisor Holdridge said many consider the area broader than the business zone.

Cindy Smith asked how many kids registered for summer camp. The answer was 2 families. She asked why Michele Deshler is not at the Senior Center and opined it is starting to fail. Supervisor Holdridge asked what was failing. She claimed people are not able to give money for trips. Michele explained there is a drop box and payments accepted through the mail. She announced there was a trip to Windcreek, and a trip has been planned to Canada and a Spring affair for the Seniors. Supervisor Holdridge said he had spoken with the members of the Golden Age Club and they seem to be happy and understanding of the Town's needs while Michele is helping in the Building Department working on multiple issues and the Town is working towards hiring a clerk for the Building Department. Supervisor Holdridge said that there has not been one other complaint from them or any other senior and urges any senior to voice their complaints. She asked if outside counsel was obtained for the lawsuit against the Town and Town Clerk. The matter has been referred to the insurance company. She mentioned Town Code 7.4 which states members of the Town Board may not be a member of the Board of Ethics. Supervisor Holdridge said this will be reviewed.

Connie Roach commented that she had spoken with Supervisor Holdridge concerning senior activities.

Justin George thanked Michele for her help with his expired permit. Supervisor Holdridge commented she is doing an excellent job in the Building Department and Senior Center at the same time. He is a member of the CCAC partnering efforts with Warwick to mitigate and conserve open spaces. He announced the “Cool Recycling Event” through the Chester Conservation Advisory Council on April 20, 2024 at the Chester Town Hall parking lot from 10am-2pm. All used refrigerants smaller than a full-sized refrigerator will be collected and repurposed instead of adding to the landfill. There is no charge for this service. He added he was attracted to Sugar Loaf due to its charm. He asked the Town Board to preserve its charm by preventing two-family units.

Gene Forsini asked how the weight limit law would affect his one-time per month tractor trailer delivery. Supervisor Holdridge said there would be a carve-out for local deliveries.

SUMMARY OF BILLS

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Courtenay to accept the summary of bills paid from the Comptroller in the amount of \$945,728.16, including \$671,971 distributed to the library from funds received from the Receiver of Taxes and \$143,693.86 paid to NYSHIP for employee health care.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana **ADOPTED**

EXECUTIVE SESSION

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Becker to enter into Executive Session at 8:05pm on a matter of personnel.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana **ADOPTED**

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Becker to adjourn the Executive Session at 8:15pm.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana **ADOPTED**

DEPUTY TOWN CLERK

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Courtenay to approve Deputy Town Clerk appointee salary at \$25.28 p/hour, effective February 29, 2024.

DISCUSSION: Supervisor Holdridge noted the Town Clerk’s budget includes enough money for both a part-time Clerk and full-time Deputy Clerk, based on the current approved salaries. The part-time position is to replace the loss of staffing from 2022.

Vote Rollcall:

Supervisor Holdridge	Yes <u>X</u>	No ____	Abstain ____	Absent ____
Council Member Ardisana	Yes ____	No ____	Abstain ____	Absent <u>X</u>
Council Member Becker	Yes <u>X</u>	No ____	Abstain ____	Absent ____
Council Member Courtenay	Yes <u>X</u>	No ____	Abstain ____	Absent ____
Council Member Dysinger	Yes <u>X</u>	No ____	Abstain ____	Absent ____

ADOPTED

RECYCLING INITIATIVE EVENT

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Dysinger to approve the Chester

Conservation Advisory Council Recycling Initiative Event on April 20, 2024 at the Town Hall parking lot from 10am-2pm.

Vote Rollcall:

Supervisor Holdridge	Yes <u>X</u>	No _____	Abstain _____	Absent _____
Council Member Ardisana	Yes _____	No _____	Abstain _____	Absent <u>X</u>
Council Member Becker	Yes <u>X</u>	No _____	Abstain _____	Absent _____
Council Member Courtenay	Yes <u>X</u>	No _____	Abstain _____	Absent _____
Council Member Dysinger	Yes <u>X</u>	No _____	Abstain _____	Absent _____

ADOPTED

RESOLUTION TO INTRODUCE INTRODUCTORY LOCAL LAW 1 OF 2024, A LOCAL LAW TO RESTRICT TRUCK WEIGHT LIMITS ON A PORTION OF KINGS HIGHWAY

TOWN OF CHESTER
TOWN BOARD

RESOLUTION TO INTRODUCE INTRODUCTORY LOCAL LAW 1 OF 2024, A LOCAL LAW TO RESTRICT TRUCK WEIGHT LIMITS ON A PORTION OF KINGS HIGHWAY

WHEREAS, § 1660 (10) of the New York State Vehicle and Traffic Law (VTL) authorizes a Town Board to establish a system of truck routes excluding trucks in excess of 10,000 pounds (gross vehicle weight) from certain Town Roads

WHEREAS, the Town Board desires to establish such a system with the intention of restricting trucks from traveling over Kings Highway (County Route 13) between Bellvale Road and Pine Hill Road for the purpose of reducing through traffic in the Sugar Loaf hamlet.

WHEREAS, Kings Highway in the area of the Sugar Loaf hamlet is narrow with limited shoulders. The area is frequented with high pedestrian traffic as a result of the shops, restaurants and Sugar Loaf Performing Arts Center in the immediate vicinity; and

NOW THEREFORE BE IT RESOLVED, that INTRODUCTORY LOCAL LAW 1 OF 2024, A LOCAL LAW TO RESTRICT TRUCK WEIGHT LIMITS ON A PORTION OF KINGS HIGHWAY is hereby introduced before the Town Board of the Town of Chester;

BE IT FURTHER RESOLVED that a copy of the aforesaid introductory local law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED, after comparing the thresholds in 6 NYCRR 617.4 and 617.5, the Board hereby determines that the proposed action is a Type II action for purposes of SEQR and that no further environmental review is required;

BE IT FURTHER RESOLVED that a public hearing shall be held on March 27, 2024 at 7:00 P.M. or as soon thereafter as may be heard at Town of Chester Town Hall, 1786 Kings Highway, Chester, NY 10918. The Town Clerk shall cause to be published public notice in the official newspaper as is required by law.

Motion by: Supervisor Holdridge Second by: Council Member Courtenay

DISCUSSION: Council Member Dysinger asked how we derived at 10,000lbs. Supervisor Holdridge replied by State Law and Highway Superintendent’s recommendation. Attorney Cassidy explained it does not restrict local deliveries.

Vote Rollcall:

Supervisor Holdridge	Yes <u>X</u>	No _____	Abstain _____	Absent _____
Council Member Ardisana	Yes _____	No _____	Abstain _____	Absent <u>X</u>
Council Member Becker	Yes <u>X</u>	No _____	Abstain _____	Absent _____
Council Member Courtenay	Yes <u>X</u>	No _____	Abstain _____	Absent _____
Council Member Dysinger	Yes <u>X</u>	No _____	Abstain _____	Absent _____

ADOPTED

TOWN OF CHESTER INTRODUCTORY LOCAL LAW 1 OF 2024 -A LOCAL LAW TO REGULATE VEHICLE WEIGHT ON KINGS HIGHWAY FROM BELLVALE ROAD TO KINGS HIGHWAY PINE HILL

TOWN OF CHESTER
INTRODUCTORY LOCAL LAW 1 OF 2024
A LOCAL LAW TO REGULATE VEHICLE WEIGHT ON KINGS HIGHWAY
FROM BELLVALE ROAD TO KINGS HIGHWAY PINE HILL

Section 1. Legislative Intent

It is the intent of this local law to limit the size of trucks and other vehicles permitted to travel on Kings Highway through the hamlet of Sugar Loaf. The Town Board seeks to improve the safety of pedestrians in the hamlet.

Section 2. Chapter 98, entitled “Vehicles and Traffic”, section 18, entitled “Weight Limits” is hereby amended by adding the following:

Name of Street	Weight	Location
Kings Highway	5 tons	Kings Highway (former County Route 13) starting at Bellvale Road to Pine Hill Road.

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. Authority

This local law is adopted pursuant to section 10 of the Statute of Local Governments which provides local governments the power “to adopt, amend and repeal ordinances, resolutions and rules and regulations in the exercise of its functions, powers and duties” and is further authorized by New York State Vehicle & Traffic Law § 1660

Section 5. Effective Date

This local law shall take effect upon filing with the Secretary of State and further upon the posting of signs in accordance with the New York State Uniform Highway Manual.

EDUCATION REQUESTS

ON A MOTION OFFERED BY Council Member Becker and second by Supervisor Holdridge to approve the attendance of the three Water Department personnel to attend education class on March 20, 2024 in Suffern, NY at a cost of \$60 p/member and 2 members on April 18, June 13, August 8 and November 14 at Town of Wallkill Golf Course at a cost of \$30 p/member.

Vote Rollcall:

Supervisor Holdridge	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Ardisana	Yes <u> </u>	No <u> </u>	Abstain <u> </u>	Absent <u>X</u>
Council Member Becker	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Courtenay	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Dysinger	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>

ADOPTED

ON A MOTION OFFERED BY Council Member Courtenay and second by Supervisor Holdridge to approve the attendance of Sgt. Chambers and Officer Stack to the NYS Instructor Development course on April 2-12, 2024 at the Orange County Police Academy in Middletown at no cost.

Vote Rollcall:

Supervisor Holdridge	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Ardisana	Yes <u> </u>	No <u> </u>	Abstain <u> </u>	Absent <u>X</u>
Council Member Becker	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Courtenay	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Dysinger	Yes <u>X</u>	No <u> </u>	Abstain <u> </u>	Absent <u> </u>

ADOPTED

EXECUTIVE SESSION

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Dysinger to enter into Executive Session at 8:25pm on matters of personnel, contracts, interviews, Chester Conservation Advisory Council, code enforcement local law.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Becker to adjourn the Executive Session at 9:30pm.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

New Business

DAVIDSON DRIVE HOLDINGS LLC – TREE REMOVAL BOND

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Courtenay to approve the bond in the amount of \$57,122 from Davidson Drive Holdings LLC for tree cutting and removal.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

BOARD OF ASSESSMENT REVIEW

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Dysinger to approve the appointment of Kadeen Simpson to fill a vacancy on the Board of Assessment Review.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

INTERIM BUILDING INSPECTOR

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Dysinger to approve the appointment of John O'Rourke as Interim Building Inspector in matters of conflict of interest or scheduling.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

RESIGNATION

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Courtenay to accept the resignation of Robert Dickover as attorney to the Zoning Board of Appeals effective March 31, 2024.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

TOWN BOARD COMMENTS

Supervisor Holdridge said he will be posting a written statement for public record in regards to the Sugar Loaf Historic District contract with consultant Neil Larson, who has been paid \$7,500 to date of the total contract amount of \$10,500. He added there has been nothing improper, illegal or exurbanite in this regard.

PUBLIC COMMENT

Maria Arias asked if the meeting could end with Executive Session. Supervisor Holdridge replied that action may be necessary after the Executive Session.

ADJOURNMENT

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Courtenay to adjourn the meeting at 9:40pm, there being no further business brought before the Town Board.

VOTE AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT (1):Ardisana

ADOPTED

Respectfully submitted,

Linda A. Zappala
Town Clerk
2024-02-28