

**TOWN BOARD MEETING
AND PUBLIC HEARING
April 10, 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 <u>x</u> _____ | Absent _____ |
| 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

PUBLIC HEARING INTRODUCTORY LOCAL LAW 2 OF 2024 -A LOCAL LAW ESTABLISHING A LOCAL GOVERNMENT CODE ENFORCEMENT PROGRAM

The following notice is as appeared in the Times Herald Record on March 20, 2024 and as posted on the Town Clerk’s signboard and on chester-ny.gov.

NOTICE OF PUBLIC HEARING

**TOWN OF CHESTER
INTRODUCTORY LOCAL LAW 2 OF 2024
A LOCAL LAW ESTABLISHING A LOCAL GOVERNMENT
CODE ENFORCEMENT PROGRAM**

Please take notice that the Town Board of the Town of Chester will hold a public hearing on Wednesday, April 10, 2024 at 7 PM in the Town Hall Meeting Room, 1786 Kings Highway, Chester, NY. Said public hearing is to hear comments on the above captioned proposed local law.

Section 1. Chapter 50, entitled Fire Prevention and Building Construction is hereby repealed in its entirety and replaced to read as follows:

§ 50-1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Town of Chester. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law.

Except as otherwise provided in the Uniform Code, the Energy Code other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this local law.

A copy of the proposed local law is on file in the Town Clerk’s Office and is available for inspection during normal business hours (Monday-Friday, 8 am to 5 pm).

Any person interested in the proposed local law 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 14, 2024

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Ardisana to open the Public Hearing at 7:04pm on the matter of Introductory Local Law 2 of 2024 - A Local Law Establishing a Local Government Code Enforcement Program.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

Supervisor Holdridge asked if there were any public comments. There were none.

Attorney Cassidy explained changes have been made to the Unified Code which includes Fire Code, Property Maintenance and Building Code by NYS and Chapter 50 of the Town Code is updated to reflect the recent amendments. They have been reviewed by Lanc & Tully and the Building Inspector with comments submitted and one provision carried over regarding permits related to filling. She said the enforcement code provides for inspections, authorizes stop work for violations and provides operating permits for hazardous manufacturing and storage. It contains clearer language in line with NYS Unified Code.

Council Member Becker said it is great to update the code to be in compliance.

Council Member Dysinger said he supports the updated State Building Code.

Supervisor Holdridge added we will be less like the wild, wild west building.

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Becker to close the Public Hearing at 7:06pm on the matter of Introductory Local Law 2 of 2024 - A Local Law Establishing a Local Government Code Enforcement Program.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

**ADOPTION OF LOCAL LAW 4 OF 2024 -A LOCAL LAW ESTABLISHING A LOCAL GOVERNMENT CODE
ENFORCEMENT PROGRAM**

TOWN OF CHESTER
LOCAL LAW 4 OF 2024
A LOCAL LAW ESTABLISHING A LOCAL GOVERNMENT
CODE ENFORCEMENT PROGRAM

Adopted April 10, 2024

Be it enacted by the Town Board of the Town of Chester, County of Orange State of New York, as follows:

Section 1. Chapter 50, entitled Fire Prevention and Building Construction is hereby repealed in its entirety and replaced to read as follows:

§ 50-1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Town of Chester. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law.

Except as otherwise provided in the Uniform Code, the Energy Code other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

§ 50-2. DEFINITIONS

The following terms shall have the meanings shown in this section:

“Assembly Area” shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

“Building Permit” shall mean a building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term “Building Permit” shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this local law.

“Certificate of Compliance” shall mean a document issued by the Town of Chester stating that work was done in compliance with approved construction documents and the Codes.

“Certificate of Occupancy” shall mean a document issued by the Town of Chester certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town of Chester, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

“Code Enforcement Officer” shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law. To the extent any Chapter of the Town Code of the Town of Chester assigns a duty or obligation upon the “Building Inspector” such duty or obligation shall be fulfilled by the Code Enforcement Officer. It is the intention of the Town Board that the two titles be synonymous.

“Code Enforcement Personnel” shall include the Code Enforcement Officer and all inspectors.

“Codes” shall mean the Uniform Code and Energy Code.

“Energy Code” shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

“FCNYS” shall mean the 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225 and any subsequent revisions thereafter adopted.

“Fire Safety and Property Maintenance Inspection” shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable

provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

“Hazardous Production Materials” shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their endproduct, materials that are not hazardous.

“Inspector” shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

“Mobile Food Preparation Vehicles” shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

“Operating Permit” shall mean a permit issued pursuant to section 10 of this local law. The term “Operating Permit” shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

“Order to Remedy” shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 17 of this local law.

“Permit Holder” shall mean the Person to whom a Building Permit has been issued.

“Person” shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

“PMCNYS” shall mean the 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226 and any subsequent revisions thereafter adopted.

“RCNYS” shall mean the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220 and any subsequent revisions thereafter adopted.

“Repair” shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

“Stop Work Order” shall mean an order issued pursuant to section 6 of this local law.

“Sugarhouse” shall mean a building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

“Temporary Certificate of Occupancy” shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

“Town” shall mean the Town of Chester

“Uniform Code” shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law as may be amended from time to time.

§ 50-3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;

(3) to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 17 (Violations) of this local law;

(7) to maintain records;

(8) to collect fees as set by the Town Board of the Town;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with the Town's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Town Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder. The Code Enforcement Officer shall comply with all applicable Civil Service requirements.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more Inspectors may be appointed by the Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(e) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Town Board.

§ 50-4. BUILDING PERMITS

(a) Building Permits Required. A Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town.

(b) This subdivision intentionally omitted.

(c) This subdivision intentionally omitted.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the location, nature, extent, and scope of the proposed work;

(2) the tax map number and the street address of any affected building or structure;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire 12 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer for up to two (2) one-year extensions.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

§ 50-5. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable (the list below is not intended to be an exclusive list of inspections, additional inspections may be required depending on the scope of work to be undertaken):

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) sheetrock
- (6) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
- (7) fire resistant construction;
- (8) fire resistant penetrations;
- (9) solid fuel burning heating appliances, chimneys, flues, or gas vents;

(10) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;

(11) installation, connection, and assembly of factory manufactured buildings and manufactured homes; and

(12) a final inspection after all work authorized by the Building Permit has been completed.

(c) Documentation. The Building Inspector may request documentation in conjunction with any of the above referenced inspections including but not limited to photographs, as-built surveys and other documentation necessary to confirm construction in accordance with the Codes and the Town of Chester Code.

(d) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(e) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

§ 50-6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail to the mailing address as set forth in the building permit application. Personal service shall include (i) hand delivery or (ii) posting said stop work order in a conspicuous location on the property and mailing a copy thereof via certified mail to the mailing address as set forth in the building permit application. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 17 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

§ 50-7 CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE.

(a) Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

(b) Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

- (1) a written statement of structural observations and/or a final report of special inspections,
- (2) flood hazard certifications,
- (3) a written statement of the results of tests performed to show compliance with the Energy Code, and

(4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

(c) Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

- (1) the Building Permit number, if any;
- (2) the date of issuance of the Building Permit, if any;
- (3) the name (if any), address and tax map number of the property;
- (4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;
- (5) the use and occupancy classification of the structure;
- (6) the type of construction of the structure;
- (7) the occupant load of the assembly areas in the structure, if any;
- (8) any special conditions imposed in connection with the issuance of the Building Permit; and
- (9) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

(d) Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

§ 50-8. NOTIFICATION REGARDING FIRE OR EXPLOSION

The chief, or his designee, of any fire department providing firefighting services for a property within the Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

§ 50-9. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, and equipment and conditions of imminent danger in Town of Chester shall be identified and addressed in accordance with the procedures established by Chapter 38, entitled "Buildings, Unfit", as now in effect or as hereafter amended from time to time. This provision is not intended to limit the Town of Chester's authority to address imminent dangers as authorized by the FCNYS, PMCNYS, RCNYS, or Uniform Code.

§ 50-10 OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

(1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;

(2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:

(i) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;

(ii) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

(iii) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;

(iv) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;

(v) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;

(vi) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;

(vii) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;

(viii) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;

(ix) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;

(x) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law § 270;

(xi) Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;

(xii) Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and

(xiii) Section 319, "Mobile Food Preparation Vehicles." Operating a mobile food preparation vehicle.

(3) energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

(4) buildings containing one or more assembly areas;

(5) outdoor events where the planned attendance exceeds 1,000 persons;

(6) facilities that store, handle or use hazardous production materials;

(7) (intentionally omitted);

(8) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by the Building Inspector; and

(9) other processes or activities or for operating any type of building, structure, or facility as determined by the Building Inspector.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to

verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) This subdivision is intentionally omitted.

(d) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(e) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.

(f) Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:

(1) 180 days for tents, special event structures, and other membrane structures;

(2) 60 days for alternative activities at a sugarhouse;

(3) One (1) year for the activities, structures, and operations determined per paragraph (9) of subdivision (a) of this section, and

(4) One (1) year for all other activities, structures, and operations identified in subdivision (a) of this section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(g) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(h) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§ 50-11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) at least once every twelve (12) months for buildings which contain an assembly area;

(2) at least once every 12 months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and

(3) at least once every 36 months for multiple dwellings and all nonresidential occupancies.

(b) Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

(c) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the

Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

- (1) the request of the owner of the property to be inspected or an authorized agent of such owner;
 - (2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or
 - (3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.
- (d) OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control (“OFPC”) and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:

- (1) the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e);
- (2) the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;
- (3) such inspections are performed no less frequently than once a year; a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and
- (4) upon receipt of each such report, the Code Enforcement Officer takes the appropriate action prescribed by section 17 (Violations) of this local law.]

(e) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

§ 50-12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law [, ordinance] or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code.

The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- (a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 17 (Violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§ 50-13. (Reserved)

§ 50-14. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

(a) The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within the Town of Chester as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

(1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

(2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

(3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

- (i) the accompanying Flood Insurance Rate Map (FIRM);
- (ii) Flood Boundary and Floodway Map (FBFM); and
- (iii) related supporting data along with any revisions thereto.

(b) The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

§ 50-15. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- (1) all applications received, reviewed and approved or denied;
- (2) all plans, specifications and construction documents approved;
- (3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
- (4) all inspections and tests performed;
- (5) all statements and reports issued;
- (6) all complaints received;

- (7) all investigations conducted;
- (8) all condition assessment reports received;
- (9) all fees charged and collected; and
- (10) all other features and activities specified in or contemplated by sections 4 through 14, inclusive, of this local law.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

§ 50-16. PROGRAM REVIEW AND REPORT

(a) The Code Enforcement Officer shall annually submit to the Chester Town Board a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of the Town of Chester, on a form prescribed by the Secretary of State, a report of the activities of the Town relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Town is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

§ 50-17. VIOLATIONS.

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

“The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by [specify date], which is thirty (30) days after the date of this Order to Remedy.”

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by certified mail within five (5) days after the date of the Order to Remedy to the owner’s address as set forth in the last assessment roll of the Town of Chester. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or

a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code in accordance with New York Criminal Procedure Law.

(c) Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person who violates any provision of this local law or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be punishable by a fine of not more than \$ 1,000 per day of violation, or imprisonment not exceeding 15 days, or both; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than \$ 1,000 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of the Town of Chester.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of the Town of Chester, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of the Town of Chester, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Chester Town Board.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

§ 50-18: FEES

A fee schedule shall be established by resolution of the Town Board of the Town of Chester. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

§ 50-19. INTERMUNICIPAL AGREEMENTS

The Chester Town Board may, by resolution, authorize the Supervisor of the Town of Chester to enter into an agreement, in the name of the Town of Chester, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 2. Chapter 50, entitled Fire Prevention and Building Construction, Section 4, Entitled Building Permits, Subsection 2, entitled Mining, grading and filing permit required shall be retained in its entirety and renumbered as § 50-20.

SECTION 3. Severability

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 4. Effective Date.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**TOWN OF CHESTER
RESOLUTION TO ADOPT INTRODUCTORY LOCAL LAW 2 OF 2024
A LOCAL LAW ESTABLISHING A LOCAL GOVERNMENT
CODE ENFORCEMENT PROGRAM**

WHEREAS, the Town of Chester is responsible for administering and enforcing the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) within its jurisdiction; and

WHEREAS, 19 NYCRR Part 1203 contains the “minimum standards” established by the Department of State pursuant to Executive Law § 381(1). Part 1203 requires each local government that administers and enforces the Uniform Code and Energy Code to establish a code enforcement program and to include certain features within that program. The Uniform Code and Energy Code were amended and became effective on May 12, 2020. Based on the new versions of the Uniform Code and Energy Code, corresponding changes were necessary to 19 NYCRR Part 1203 to coordinate these rules and regulations for administration and enforcement of the Uniform Code and Energy Code.

WHEREAS, these amendments necessitate that the Town of Chester revise and update Chapter 50 of the Town of Chester Code as it relates to administration of the Uniform Code and Energy Code;

WHEREAS, INTRODUCTORY LOCAL LAW 2 OF 2024, A LOCAL LAW ESTABLISHING A LOCAL GOVERNMENT CODE ENFORCEMENT PROGRAM was duly introduced before the Town Board on March 13, 2024; and

WHEREAS, the Town Board determined that the proposed action was a Type II action for purposes of SEQR and that no further environmental review is required;

WHEREAS a duly noticed public hearing was held on April 10, 2024;

NOW THEREFORE BE IT RESOLVED that the Town Board hereby adopts INTRODUCTORY LOCAL LAW 2 OF 2024 as Local Law 4 of 2024; and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause the same to be filed with the New York State Department of State.

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Courtenay to adopt Local Law 4 Of 2024 -A Local Law Establishing a Local Government Code Enforcement Program.

Vote Rollcall:

| | | | | |
|--------------------------|--------------|----------|---------------|--------------|
| Supervisor Holdridge | Yes <u>X</u> | No _____ | Abstain _____ | Absent _____ |
| Council Member Ardisana | Yes <u>X</u> | No _____ | Abstain _____ | Absent _____ |
| 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

PUBLIC HEARING INTRODUCTORY LOCAL LAW 3 OF 2024 -A LOCAL LAW TO ESTABLISH A CONSERVATION ADVISORY COUNCIL PURSUANT TO GENERAL MUNICIPAL LAW §239-X

The following notice is as appeared in the Times Herald Record on March 21, 2024 and as posted on the Town Clerk’s signboard and on chester-ny.gov.

TOWN OF CHESTER
1786 KINGS HIGHWAY
CHESTER, NY 10918

NOTICE OF PUBLIC HEARING

**TOWN OF CHESTER
INTRODUCTORY LOCAL LAW 3 OF 2024
A LOCAL LAW TO ESTABLISH A CONSERVATION ADVISORY COUNCIL
PURSUANT TO GENERAL MUNICIPAL LAW § 239-X.**

Please take notice that the Town Board of the Town of Chester will hold a public hearing on Wednesday, April 10, 2024 at 7 PM in the Town Hall Meeting Room, 1786 Kings Highway, Chester, NY. Said public hearing is to hear comments on the above captioned proposed local law.

Section 1. Chapter xx, entitled “Conservation Advisory Council” is hereby adopted to read as follows:

§ xx-1. Legislative intent.

The preservation and improvement of the quality of the natural and man-made environment within the Town of Chester, in the face of population growth, urbanization and technologic change with their accompanying demands on natural resources, are found to be of increasing and vital importance to the health, welfare and economic well-being of present and future inhabitants and require forthright action by the governing body of the Town of Chester. It is recognized that the biologic integrity of the natural environment on which man is dependent for survival and the natural and functional beauty of our surroundings which condition the quality of our life experience cannot be protected without the full cooperation and participation of all the people of the Town working in partnership with local and state officials and with various public and private institutions, agencies and organizations. Establishment of a Conservation Board is a necessary step in fostering unified action on environmental problems.

A copy of the proposed local law is on file in the Town Clerk’s Office and is available for inspection during normal business hours (Monday-Friday, 8 am to 5 pm).

Any person interested in the proposed local law 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 14, 2024

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Dysinger to open the Public Hearing at 7:10pm on the matter of Introductory Local Law 3 of 2024 - A Local Law Establishing a Conservation Advisory Council.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

Supervisor Holdridge asked if there were any public comments.

Tracey Shuh, 94 Pickerel Road, expressed her appreciation and support of the CAC resolution which, she said, has been close to her heart for 20 years in her work in the non-profit Preservation Collective whose main goal is the encouragement of citizen involvement in town planning with nature in mind. She said the formation of the CAC is the core step in town government to create a collaborative team of public officials and residents to benefit the future of the community. She said the local law is important, extensive and a work in progress as it establishes the CAC as an advisory group. Along with the 200 official CACs of neighboring municipalities, it will make a positive impact on open space, critical resources and conservation. It is a joint effort in sharing ideas, planning perspectives and helps to make us better stewards of the land.

Grayson Sussman Squires, to be formally named Chairperson, provided the following comments in email form:

My initial read is that this language is broad, which is good because it provides the CAC latitude to work across various issues. My only concrete suggestion would be to add the language "climate change mitigation" and "climate change adaptation" into the CAC's purview so that it is crystal clear that the Climate Smart Community Task Force, and hopefully someday Clean Energy Community Task Force, are sanctioned to operate under the CAC's umbrella.

Attorney Cassidy said she would circulate changes and be prepared for adoption at the next Town Board meeting.

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Becker to close the Public Hearing at 7:15pm on the matter of Introductory Local Law 3 of 2024 - A Local Law Establishing a Conservation Advisory Council.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

ACCEPTANCE OF MEETING MINUTES

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Dysinger to accept the Minutes of the Town Board Meetings of March 13, 2024 and March 27, 2024 as presented by Town Clerk Zappala.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

TOWN REPORTS/ANNOUNCEMENTS/COMMENTS

Supervisor Holdridge offered a recap of the previous Town Board meeting of March 27, 2024. He reminded all there is an open seat on the Ethics Board for a non-democratic or non-republican party affiliate as well as another member of the democratic party due to the vacancy of the Town Board member according to code.

He explained that Michael Mallon was appointed to the Planning Board with a 5-0 vote, while he failed to abstain. Mr. Mallon had contributed \$200 to his campaign against the \$20,000 raised and, although it had no impact on his decision for appearance of impropriety he apologized for failing to abstain from the vote. He said he didn't know him or the other candidates but, after the Planning Board's rigorous process of interviewing, lifetime resident Michael Mallon was one of two recommended to the Town Board.

Announcements

Sugar Loaf Engine Company Blood Drive – April 11th, 1-7pm, 1408 Kings Highway.

Coollest Recycling – April 20th, Chester Town Hall parking lot, 10am-2pm. All trunk-sized appliances with refrigerants accepted for recycling.

Chester Little League Opening Day – April 20th, 11:30am. Games start 1:00pm at Chester Community Park.

Bellvale Spring Open House and BBQ – April 20th, 2-5pm, rain date April 27th. 359 Gibson Hill Road.

Chester Town Clerk's 9th Annual Shred Event – July 12th, Chester Town Hall parking lot, 10am-12noon. Secure document shredding for all residents.

Chester Cemetery Association 11th Annual Memorial Day Weekend Sponsor-a-Flag Fundraiser – Flags available for sponsorship at \$5 to be placed along Main Street. Contact: BettyAnn at 845-742-4077.

Reports

Animal Control Report – March 2024

During the month of March 2024, the Town of Chester Police Department responded to 11 animal complaints and investigated 5 motor vehicle crashes involving a deer, A breakdown of the complaints for the month is included below:

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

1 of the calls for service was for a bear sighting

1 of the calls for service was for a barking dog

1 of the calls for service was for a person bit by a dog

1 of the calls for service was for an injured possum

1 of the calls for service was for an injured cat

• 1 of the calls for service was for a sick raccoon

1 of the calls for service was for a goat and two geese walking in the roadway

Warwick Valley Humane Society – March 2024

The monthly report for March from the Warwick Valley Humane Society follows.

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: | 12 | 3 Police, 9 others |
| Number of times ACO dispatched to calls: | 2 | 3/16 - injured cat - Wood Road – ACO picked up* 3/26 – stray beagle at Village PD – ACO impounded |

| | | |
|---|---------------------|---|
| Number of dogs impounded by ACO: | 1 | #21627 |
| Number of dogs impounded by police: | 0 | |
| Number of dogs returned to owner: | 1 | #21627 |
| Number of after hour call-outs: | 1 | 3/16 – injured cat – Wood Road |
| Amount of impoundment fees collected: | \$50.00 | #21627 |
| Amount of license fees collected: | \$0 | |
| Amount of impounded fees paid to Town: | \$50.00 | check #17713 |
| Amount of license fees paid to Town: | \$0 | |
| Number of hours of enumeration: | 2.25 hrs. | |
| Number of bite reports received: | 1 | 15-17 Alicia Lane – log on dog incident |
| Number of appearance tickets issued: | 0 | |
| Number of unlicensed dogs: | 4 | |
| Status of unlicensed dogs: | 4 Notices to comply | |
| Number of Chester cats admitted to shelter: | 1 | |

Notes:

Preparation and delivery of 4 Notices to comply for failure to license (various locations)

SNR certificates sold in December: 0

SNR certificates are available by appointment only

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

Police Department – March 2024

The Town of Chester Police Department continued to remain active in the community in March. We maintained our objective of community commitment and took a proactive stance towards detecting crime and enforcing the laws. In March, the police department responded to 266 calls for service. Officers patrolled for 15,777 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 22 arrests during the month. A summary of the arrests is as follows:

| | |
|----|---|
| 16 | charged with Operating a Vehicle with a Suspended Driver License or Registration misdemeanors |
| 1 | charged with Criminal Possession of a Controlled Substance in the seventh degree |
| 1 | charged with Assault in the third degree |
| 1 | charged with Aggravated Driving While Intoxicated and Driving with a BAG more than .08% |
| 1 | charged with Criminal Contempt in the first degree and Harassment in the second degree |
| 1 | charged with Dog at Large |
| 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 March. A summary of those calls for service is as follows:

| | |
|----|---|
| 30 | residential, commercial or automatic fire alarms |
| 23 | medical calls |
| 16 | reports of suspicious persons, vehicles or activity |
| 1 | motor vehicle crash with injuries |
| 4 | motor vehicle crashes without injuries |
| 5 | motor vehicle crashes involving deer |

Please refer to Attachment B for complete details.

Officers also issued 267 uniform traffic tickets during the month.

SEX OFFENDERS

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

| 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 3 house security checks and 1073 business security checks in March.

Sergeant Dugan and Officers Bird, Weinstein, Stack and Narain continue to complete child passenger safety seat checks and installations when needed. There were two seat checks completed in March.

Officers were assigned to a special event at the Chester Academy on March 4th.

Chief Doellinger attended the Sugar Loaf Community Foundation meeting in Romer's Alley on March 21st. Following a brief presentation, a Q&A session was had with the members in attendance.

The PBA held their annual community Easter Egg Hunt in the Chester Commons Park on March 30th. Hundreds of community members attended the free event.

We continued to assign School Resource Officers to the Chester Academy and Chester Elementary School during each school day. Officers Perez, Deluca and Donato are fulfilling this assignment.

TRAINING

Our department monthly training session for March was held on March 12th in our training room. The topic was our annual Taser recertification training.

Chief Doellinger attended a Mid-Hudson Association of Chiefs of Police training in Poughkeepsie on March 14th. The executive director of NYSACOP discussed upcoming legislation. A representative from the DCJS Law Enforcement Strategic Assistance Unit also made a presentation.

Officer Calderone assisted as an instructor at the Basic SWAT school in Goshen on March 25th and 26th and at an Active Shooter training conducted at West Point on March 27th and 28th.

MISCELLANEOUS

Commercial vehicle enforcement details were held on March 6th and 20th with the NYS Department of Transportation. Thirteen vehicles were inspected and four unsafe vehicles were taken out of service with major violations.

Officers assisted with a lockdown drill at the Chester Academy on March 7th.

Officers assigned to the Tactical Response Unit assisted the Village of Goshen during the annual St. Patrick's Day parade on March 10th.

Officer Perez was injured in a fall on the stairs at the school in February and returned to work on March 15th.

Chief Doellinger attended a meeting with Kiryas Joel Public Safety leaders on March 18th regarding upcoming holidays and events.

Chief Doellinger attended a Counter-Terrorism Zone meeting in Harriman on March 20th.

There were three letters of thanks from community members received in March. Copies are attached.

SCHEDULING

There were 131.5 hours of overtime paid in March.

Part-time police officers were used for 240 hours of patrol coverage (240 regular hours and no overtime hours).

| | |
|---------------------------------------|-------|
| Shift Coverage | 43 |
| Monthly Training | 27.25 |
| Search Warrant Execution | 13.5 |
| Court/Hearings | 10 |
| Tactical Response Unit Details | 10 |
| K9 Details | 8 |
| Commercial Vehicle Enforcement Detail | 7 |
| Court Officer Details | 5 |
| School Event Detail | 3.5 |
| Vehicle Maintenance Admin | 1.75 |
| Late Calls/Arrests | 1.75 |
| Investigations | 0.75 |

ARRESTS - MARCH 2024

| | | | |
|-------------|-----------|------------------------|--|
| TC-00048-24 | 3/1/2024 | 26M MIDDLETOWN, NY | VTL 051101 AGGRAVATED UNLIC OPER MV-3RD |
| TC-00049-24 | 3/2/2024 | 24M CHESTER, NY | PL 120.00 01 ASLT 3°W/INT CAUSE PHYS INJURY |
| TC-00050-24 | 3/4/2024 | 31F GREENWOOD LAKE, NY | VTL 051102A4 AGG UNLIC OPER-2ND:3>SUSPENSNS |
| TC-00051-24 | 3/5/2024 | 51F CHESTER, NY | VTL 0511 01 AGGRAVATED UNLIC OPER MV-3RD VTL 0511 02A4 AGG UNLIC OPER-2ND:3>SUSPENSNS VTL 0511 OIA AGGRAVATED UNLIC OPER VEH-3RD |
| TC-00052-24 | 3/7/2024 | 61M MIDDLETOWN, NY | VTL 0512 MV VIOL:REGISTRATION SUSPENDED VTL 051101A AGGRAVATED UNLIC OPER VEH-3RD |
| TC-00053-24 | 3/8/2024 | 33M CHESTER, NY | VTL 051102A4 AGG UNLIC OPER-2ND:3>SUSPENSNS VTL 0511OIA AGGRAVATED UNLIC OPER VEH-3RD |
| TC-00054-24 | 3/8/2024 | 59M CHESTER, NY | TO 42 -4A Town Code - DOG AT LARGE |
| TC-00056-24 | 3/8/2024 | 26F MIDDLETOWN, NY | CPL 530.70 03 EXECUTE BENCH WARRANT |
| TC-00055-24 | 3/8/2024 | 26F MIDDLETOWN, NY | VTL 0511OIA AGGRAVATED UNLIC OPER VEH-3RD |
| TC-00058-24 | 3/12/2024 | 32M MIDDLETOWN, NY | VTL 051101 AGGRAVATED UNLIC OPER MV-3RD |
| TC-00059-24 | 3/14/2024 | 22M MONROE, NY | VTL 051102A4 AGG UNLIC OPER-2ND:3>SUSPENSNS VTL 051101A AGGRAVATED UNLIC OPER VEH-3RD |
| TC-00060-24 | 3/14/2024 | 55F CHESTER, NY | VTL 1192 02 OPER MV BAC .08 OF 1% -1ST OFF VTL 1192 03 DWI- 1ST OFFENSE VTL1192-2-AAAAGGRAVATEDDWI:PERSE-NOPRIOR |
| TC-00062-24 | 3/14/2024 | 37M NEVERSINK, NY | CPL 120.60 01 EXECUTE WARRANT OF ARREST |
| TC-00061-24 | 3/14/2024 | 37F FERNDALE, NY | VTL051101 AGGRAVATED UNLIC OPER MV-3RD PL220.03 CRIMPOSS CONTRL SUBST-7TH PHL 3345 CONTR SUBS IN NON ORIG CONTNR |
| TC-00063-24 | 3/19/2024 | 25M CHESTER, NY | VTL 051101A AGGRAVATED UNLIC OPER VEH-3RD |
| TC-00064-24 | 3/19/2024 | 28M MONROE, NY | VTL 0512 MV VIOL:REGISTRATION SUSPENDED |
| TC-00065-24 | 3/19/2024 | 32M MILFORD, PA | PL 215.51 BV CRIM CONTEMPT-1ST:PHY CONTACT PL 240.26 01 HARASSMENT-2ND:PHYSICAL CNTACT |
| TC-00066-24 | 3/20/2024 | 36M MOUNT RAINIER, MD | VTL 051101 AGGRAVATED UNLIC OPER MV-3RD |
| TC-00067-24 | 3/23/2024 | 24M VERNON, NJ | VTL 051101A AGGRAVATED UNLIC OPER VEH-3RD |
| TC-00068-24 | 3/24/2024 | 31M LINDEN, NJ | VTL 0512 MV VIOL:REGISTRATION SUSPENDED |
| TC-00069-24 | 3/24/2024 | 60M ENGLEWOOD, NJ | VTL 0512 MV VIOL:REGISTRATION SUSPENDED |
| TC-00070-24 | 3/25/2024 | 44F WARWICK, NY | VTL0512MVVIOL:REGISTRATION SUSPENDED VTL051101 AGGRAVATED UNLIC OPER MV-3RD |

CALLS FOR SERVICE - MARCH 2024

| | | | |
|---------------------------|----|---------------------------|----|
| HANGUP CALL | | FRAUD | 2 |
| ABANDONED VEHICLE | | HARASSMENT | 1 |
| ALARM-COMMERCIAL | | HAZARDOUS CONDITION | 5 |
| ALARM-RESIDENTIAL | | HOUSE SECURITY CHECK | 4 |
| AMBULANCE ASSIST | 23 | ILLEGAL DUMPING | 2 |
| ANIMAL COMPL(WILDLIFE) | | INFORMATION ONLY | 20 |
| ANIMAL COMPLAINT(DOG) | | K-9 DEPLOYMENT | 4 |
| ANIMAL COMPLAINT(OTHER DO | | K9 DETAIL | 2 |
| ARREST/TRAFFIC | | LANDLORD/TENANT DISPUTE | 1 |
| ASSIST ANOTHER AGENCY | 23 | LOCKOUT | 1 |
| ASSIST FIRE DEPT | | LOST PROPERTY | 2 |
| ASSIST WATER DEPARTMENT | | MVC/CAR/DEER | 5 |
| ATTEMPT TO LOCATE | | MVC/NO REPORT | 1 |
| ATV COMPLAINT | | MVC/PERSONAL INJURY | 1 |
| AUTOMATIC FIRE ALARM | 14 | MVC/PROPERTY DAMAGE | 3 |
| BACKGROUND INVESTIGATION | 13 | NOISE COMPLAINT | 4 |
| BURGLARY/IN PROGRESS | | NOTIFICATION | 1 |
| CHILD SFTY SEAT FITTING | | OPEN DOOR | 1 |
| CITIZEN SERVICE | | PARKING PROBLEM | 1 |
| CIVIL MATTER | | PROPERTY RETURN | 2 |
| COMM VEHICLE ENF DETAIL | | REPOSSESSION | 1 |
| DAMAGE TO PROPERTY | | SCHOOL SAFETY | 2 |
| DEPARTMENT DETAIL | | SHOTS FIRED | 1 |
| DISABLED VEHICLE | | SUSPICIOUS COND/MV/PERSON | 16 |
| DISORDERLY CONDUCT | | TAC TEAM ACTIVITY | 1 |
| DOMESTIC COMPLAINT | | TRAFFIC COMPLAINT | 4 |
| EQUIPMENT CHECK | | TRAFFIC ENFORCEMNT DETAIL | 2 |
| FINGERPRINTING | | TREE DOWN | 7 |
| FIRE | | WELFARE CHECK | 7 |
| FOUND PROPERTY | 2 | WIRES DOWN | 1 |

TOTAL 266

Mr. Winston Rodriguez 34 *Kings* Ridge Road Warwick, NY 10990

December 5, 2023

Police Chief Daniel Doellinger Town of
Chester Police Department 79 Laroe Road
Chester, NY 10918

Subject: Commendation for Officer Dunlop's Exemplary Professionalism Dear Chief

Doellinger,

I am writing to express my sincere appreciation for the outstanding professionalism exhibited by Officer Dunlop of your police department. In a time when public trust in law enforcement is crucial, Officer Dunlop's conduct was an example of dedication, integrity, and community policing.

I recently had an interaction with Officer Dunlop during a routine traffic stop, and the experience left a positive impression on me. From the moment he approached my vehicle, Officer Dunlop exhibited a high level of professionalism. His demeanor was calm, respectful, and courteous, immediately putting me at ease despite the inherent stress of such encounters.

During our interaction, Officer Dunlop maintained a perfect balance between enforcing the law and ensuring a positive citizen-police encounter. He took the time to explain the reason for the stop clearly and provided information on the necessary procedures. This open communication not only clarified the situation but also demonstrated Officer Dunlop's commitment to transparency and fairness.

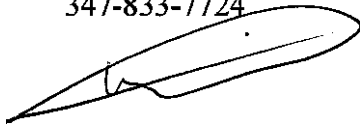
What stood out most during our encounter was Officer Dunlop's ability to engage in a pleasant and respectful conversation. He demonstrated genuine interest in ensuring my understanding of the situation. This approach not only diffused any potential tension but also contributed to a positive and constructive dialogue between law enforcement and a member of the community.

Please convey my gratitude and commendation to Officer Dunlop for his outstanding service. His professionalism during the traffic stop showcases the type of law enforcement that fosters positive community relations and leaves a lasting impact on citizens.

Thank you for your time and attention to this matter. I commend you and your department for the dedication to fostering a culture of excellence and community-oriented policing.

Sincerely,

Winston
347-833-7724

A handwritten signature in black ink, appearing to be the name 'Winston', written over a horizontal line.

Thank

you



We, the family of Ron Zawaski, want you to know how much we appreciate your expression of sympathy during our difficult time. We also wish to convey to you our gratitude for the kindness and care shown by the many members of your department. We are so grateful to have the support of the Chester PD brotherhood. Your department is staffed by many fine individuals. May God Bless you all.

Sincerely,
Juni Zawaski & Family

From: Brian Chenault
Sent: Tuesday, March 26, 2024 12:22 PM
To: NYC Environmental Protection Press Office <deppressoffice@dep.nyc.gov>
Subject: [EXTERNAL]

Some people who received this message don't often get email from brianchenault05@gmail.com. [Learn why this is important](#)

Hello I'm Brian Chenault I have autism I wanted to say that Officer Alexandra Gundermann is one of the best officers and she does her job and the only reason I asked this is because it'll help me out a lot but I didn't know if you could notify her to care for me all the time it'll help me out a lot

Historian's Report – March 2024

Dear Supervisor Holdridge and Board Members of the Town of Chester:

In addition to continuing routine activities of this office, I can report that the Town's insurance administrator, Tokio Marine HCC, has received payment from the driver's insurance company for the property damage claim against the car that destroyed the "Welcome to Chester" historic marker on Rt. 17M at the Chester-Goshen border on December 22, 2023 and will issue payment to the Town.

SLPAC

- Warwick Performing Arts completed a very successful Mary Poppins weekend of shows. All patrons had a great time and we're delighted when Mary Poppins actually flew across the stage during the performances.
- Melvin Seals from the Jerry Garcia Band at the SLPAC Friday April 12.
- Town of Chester PBA Awards Ceremony is Sat April 13 at 10am in the pavilion.
- Damage Inc. (a Metallica Tribute) at the SLPAC Sat Apr 13.
- LED Lights to enhance the pavilion stage were budgeted for and have been ordered.

SLPAC & PARKS/REC

- Routine daily operations which include answering calls, ordering supplies, filing, invoicing
- Worked shows and managed volunteer staff at the SLPAC (2 Eton John & Billy Joel sold out shows & a week of rehearsal followed by Mary Poppins)
- Attended several meetings concerning the parks for improvements and the 2024 season (internal staff meetings, meetings with Little League and Chester Soccer club, as well as town engineer)
- Processed several private-party park's permits...coming up on Saturday April 20 Little League opening day. All welcome begins at 11:00 games start at 1:00 pm
- Kiwanis club will have their annual 5K run/walk on 5/25/24 at Carpenter Community Park
- Working with a Playground company and town engineers to get quotes for Carpenter Park playground
- Dispatched all maintenance requests

- Ordered port a john to Pulvirent field for the season
- Coordinating schedules for all parks with maintenance staff

Highway Department

Below is a summary of some of the recent activities for the Highway Department.

- Assisting the Water Department in Walton Lake doing valve upgrades
- Roadside brush cleanup is concluding
- Removing snow removal equipment from trucks as we believe the snow season is over.
- Monitoring drainage and flooding issues within the Town
- The secondary lighter lift is installed and operational
- Routine maintenance of vehicles and equipment

Senior Center

Programs continue to run smoothly and well attended.

Montreal/Quebec trip full payments are all coming in accordingly.

New Holiday trip to Lancaster going out Friday limited to first 45 people with PAID deposit. If the trip is full, we will schedule another one.

Working on scheduling some days trips as well as senior and children's events.

Accounting Department

The Accounting Department continues to make progress. Bank reconciliations have been completed through December 31 and journal entries are being worked on. The Comptroller is working with Edmunds, our accounting system provider, on remapping the accounting system and ensuring the town is utilizing the system to its fullest ability. There is still a lot to catch up on going back to 2022. The Town has fully implemented its new anti-fraud banking system with success.

Building Department

Building Permits Issued from 3/1/2024 – 3/31/2024 - 22

Total Certificates of Compliances (COC's) and Certificate of Occupancy's (CO's) – 149

Expired Permit Update:

Expired between 1/1/20-12/31/21:
Presently 10 expired down from 13
moving along with next steps*

Expired between 1/1/22-12/31/22:
Presently 74 expired permits down from 125
moving along with next steps*

Expired between 1/1/23-12/31/23:
Presently 129 expired down from 238
moving along with next steps*

Continue to be vigilant in follow up on next steps, answering phones, and renewing permits.

The Certificates of Compliance and Certificates of Occupancy's compliance number completed is huge!!

This is the result of letters/violations and summons AND teamwork.

We're moving along.

Supervisor Holdridge thanked John, Melissa and Michelle for all their efforts.

Water Department – February

The water department processed and distributed 6,691,901 gallons of water for the month of March. The districts daily average ranged from 196 gallons to 81,000 gallons. The monthly breakdown is:

Lake Hill Farms- 2,436,000 gal.

Sugar Loaf- 1,254,000 gal.

Surrey Meadows-1,640,000 gal.

Walton Lake Estates- 1,197,000 gal.

Fieldcrest- 158,800 gal. (Distribution only)

Town Hall- 6,101 gal.

Distribution sampling by us as well as random sampling by Orange County DOH showed adequate disinfection levels and tested negative for any signs of bacteria.

Monthly DOH 360 forms and test results for February were submitted on 3/1/24.

Laboratory testing dates were 3/6 & 3/20

Bi-Annual meter reading conducted at all districts from 3/11-3/15

Meter repairs, re-reads, and replacements ran through the 31st.

Brakes were replaced on the Blue Chevy truck on the 27th.

Water Withdrawal reports were sent to DEC on 3/6

Other Business:

Walton Lake Estates was quiet with routine operations and maintenance. On 3/1 we updated 3" pipe in the plant due to leaking in old pipes and re painted all the pipes in the plant. 3/14 There was a power surge at the plant, Kode electric came in to help figure out the issue. The plant only ran off the generator until we figured out the problem. Generator ran for over 24hrs. due to this the district loss pressure a couple times. 3/15 Tam came in to help solve the problem and we determined it was a faulty timing sensor, temporary fix of a jumper wire until new part came in so we can run off normal power and not generator. 3/19 at 137 Lake Region we had low pressure issue and determined there was a leak at the saddle on the main. 3/20 we did a single valve job at Oak and Tulip, ended up not having right parts had to cap off main and backfill till we got correct parts. 3/21 we replaced the temporary fix to put in the new valve at oak and Tulip. With help from highway with the dig.

Sugar Loaf was quiet with normal operation and maintenance. 3/11 we lost power at Plant and ran the tow behind generator for a few hours there.

Surrey Meadows was mostly quiet with normal operation and maintenance. 3/8 at 5 Surrey Road we dug and located shut off to the house to determined that there is no leak with help from Highway dept vac truck.

Lake Hill Farms was quiet with routine operations and maintenance.

Fieldcrest was mostly quiet with normal operation and maintenance.

Revenue & Consumption Report

| | | TOWN OF CHESTER | | | | |
|--------------------------|--------------------|---|------------------------|-------------------------|--------------------|--|
| | | WATER DISTRICTS' BILLABLE REVENUE & CONSUMPTION REPORT | | | | |
| | | OCTOBER 1, 2023- MARCH 31, 2024 | | | | |
| | | | | | | |
| | WALTON LAKE | SURREY MEADOWS | LAKE HILL FARMS | SUGAR LOAF HILLS | FIELDCREST | |
| 10/01/23-03/31/24 | CONSUMPTION | CONSUMPTION | CONSUMPTION | CONSUMPTION | CONSUMPTION | |
| REVENUE | \$47,165.75 | \$37,869.00 | \$76,825.75 | \$28,358.00 | \$9,660.00 | |
| CONSUMPTION | 5,099,000 | 5,826,000 | 13,361,000 | 5,156,000 | 966,000 | |

2024 Property Tax Receipts – through March 31, 2024

\$18,414,376.31 representing 92% collected

Mortgage Tax Receipts – March 2024

\$91,726.00

KIWANIS TOWN CLEAN-UP

Tommy Flynn addressed the Board to announce the Kiwanis Clean-Up on May 11, 2024 with a rain date of May 18, 2024. Meeting time is 9am at the Wendy’s parking lot and lunch of pizza and ice cream will be served at Tina’s and Chester Ice Cream at 11:30-12noon. He asked for the Town Clerk to arrange for dumpsters and Highway Department for their assistance. All are welcome to assist in making Chester beautiful.

TOWN BOARD COMMENTS

Council Member Ardisana suggested the use of ID badges for all Town employees, so residents would know who was at their doors.

Council Member Courtenay reported on the Town’s meeting with the Reiss Group for creative ways to reduce insurance cost. He met at the SLPAC with Council Member Becker to discuss the water issues and followed up on fire suppression. He attended a field trip with the CPC to see what properties were available for open space.

Supervisor Holdridge mentioned his many meetings this week; with the CAC on the 28th, Engineer and Attorney, Fiber Optics Carpenter, Sugar Loaf and Commons as well as Legislator Ehlers on grant opportunities, PERMA Town tour for Worker’s Comp matters, continued Town-wide Department meetings, Park & Rec and T-Mobile for possible phone system replacement, and today’s Safety Committee meeting with Reiss Group for compliance and long-term insurance cost reduction.

Council Member Becker's Report:

I received a price of \$7,500.00 dollars from John Reilly for the Town Highway Dept. to replace the culvert pipe under the roadway leading to the well on Town owned property by the Chester Academy. This may be an item where ARPA funds could be utilized.

At the Sugarloaf Performing Arts Center we are working to bring the water system into compliance with the requirements of the NYS part 5 Sanitary code for water system requirements. I have been in touch with the Orange County Health Dept., our engineer and our Water Dept. to bring this system into compliance.

We are currently working to finalize plans to bring water from the Sugarloaf water district into the building to eliminate parts of the existing domestic and fire system. Sullivan Sprinkler Systems did an inspection of the fire system and we will review their report generated as soon as it is received to ensure the safety at the facility. I was also waiting on a price to have a wet tap price for this project. He received a price of \$6,000 and would forward to the Board for review.

I attended the Village of Chester Board meeting on Monday to keep a line of communication open with the Village Board.

The Chester Cemetery Board will be doing their annual fundraiser of Flag sponsorships to be placed along Main St. for Memorial Day. The information will be posted on the Town and Village of Chester website and the Chronicle may have it posted on their site also.

Council Member Becker announced the public hearing be held on April 16 at 7pm at the Blooming Grove Town Hall regarding the warehouse project on Craigsville Road which he said will bring traffic through Monroe or Chester.

Council Member Dysinger drafted a filling of land local law which he submitted to the Town Board, Planning Board and Building Inspector and asked for feedback. In regard to the noise ordinance amendment, he provided comparisons from Beacon, New Windsor and Monroe and met with the Chief for his perspective, warranting minor changes. In regard to new items, he addressed the 2010 Town Law 276-7.c amendment which removed the limit of two 90-day extensions with no limitation on additional extensions via Planning Board opinion. He cited the duration of conditional approval on final plats expiring within 180 days plus 90-day extensions by Planning Board decision is not in the best interest of the Town. He recommends a local law be considered for no more than two 90-day extensions on site plans to close up the Town's exposure.

PUBLIC COMMENTS

Robert Valentine, 12 Meadow Ave., addressed the agenda item to abolish the account clerk position, effective April 19, who he said had grievances filed against the Town Clerk and Council Member Courtenay and asked if the employee was notified before the meeting's vote. He asked why Deputy Comptroller hire of former employee Tanya McPhee, effective May 7, who had time paid out was being reinstated all her things at expense of taxpayers. He said he didn't find fault with new members but the three members of prior administration. He claimed it to be good old boy dirty deeds. Supervisor Holdridge replied he wouldn't comment on the majority of the tin foil hat conspiracies but the account clerk was advised based on whether the vote goes through. He explained the accounting department was being restructured due to auditor's and comptroller's recommendations for internal controls. The Town will be going from paper vouchers to a requisition system as part of our paid services, with more changes to be made moving forward.

Nicole Griffin, via FB, posted an incomplete question and did not respond to a request to resubmit.

Michele Deshler reported that the YouTube video was not working at this time, but would try to upload following the meeting.

SUMMARY OF BILLS

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Ardisana to accept the Minutes of the Summary of bills in the amount of \$248,944.73 as submitted by the Comptroller.

Vote Rollcall:

| | | | | |
|--------------------------|--------------|--------|-------------|------------|
| Supervisor Holdridge | Yes <u>X</u> | No ___ | Abstain ___ | Absent ___ |
| Council Member Ardisana | Yes <u>X</u> | No ___ | Abstain ___ | Absent ___ |
| 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

ACCEPT RESIGNATION

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Dysinger to accept the resignation of Water Laborer, Connor McPhee, effective April 26, 2024.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

CHESTER ACADEMY USED CLOSING DRIVE

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Ardisana to approve the use of the Chester Community Park (Carpenter Field) on April 20, 2024, 10am-2pm for the Used Clothing Drive for the Chester Academy All Night Party Fundraiser.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

APPROVAL OF ELATION SIXPAR 100 LED LIGHTING

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Ardisana to approve the purchase of lowest quote from B&H Photo in the amount of \$2,578 for Elation Six par 100 lighting out of SLPAC equipment budget.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

RESOLUTION TO APPROVE TREE DEDICATION AND CEREMONY

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Dysinger to approve the tree dedication and ceremony for Jack Deshler on Arbor Day at Chester Community Park on April 26, 2024.

Discussion: Supervisor Holdridge said a plaque dedication and tree planting in memory of long-standing community member, Jack Deshler, will be paid by the family.

Vote Rollcall:

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

Council Member Dysinger Yes X No Abstain Absent

ADOPTED

RESOLUTION TO END PROBATIONARY PERIOD FOR JOHN HAND

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Courtenay to end the probationary period for Assistant Building Inspector John Hand and approve salary increase to \$85,000 as agreed, effective April 8, 2024.

Vote Rollcall:

| | | | | |
|--------------------------|------------------|----------------|---------------------|--------------------|
| Supervisor Holdridge | Yes <u> X </u> | No <u> </u> | Abstain <u> </u> | Absent <u> </u> |
| Council Member Ardisana | Yes <u> X </u> | No <u> </u> | Abstain <u> </u> | Absent <u> </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

CHESTER TV CHANNEL DISCUSSION

ON A MOTION OFFERED BY Supervisor Holdridge and second by Council Member Courtenay to table the matter of the Chester TV channel.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

RESOLUTION TO AUTHORIZE REFUND

ON A MOTION OFFERED BY Supervisor Holdridge and second by Council Member Becker to authorize a refund to Joe Schatz in the amount of \$2,631.35 for Building Department overcharge in 2022/2023.

DISCUSSION: Council Member Becker explained Mr. Schatz was charged for non-living space square footage as part of building permit fee.

Vote Rollcall:

| | | | | |
|--------------------------|------------------|----------------|---------------------|--------------------|
| Supervisor Holdridge | Yes <u> X </u> | No <u> </u> | Abstain <u> </u> | Absent <u> </u> |
| Council Member Ardisana | Yes <u> X </u> | No <u> </u> | Abstain <u> </u> | Absent <u> </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

RESOLUTION TO ABOLISH THE 1.0 FTE ACCOUNT CLERK POSITION

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Ardisana to abolish the 1.0 FTE Account Clerk Position, effective April 19, 2024.

Vote Rollcall:

| | | | | |
|-------------------------|------------------|----------------|---------------------|--------------------|
| Supervisor Holdridge | Yes <u> X </u> | No <u> </u> | Abstain <u> </u> | Absent <u> </u> |
| Council Member Ardisana | Yes <u> X </u> | No <u> </u> | Abstain <u> </u> | Absent <u> </u> |
| Council Member Becker | Yes <u> X </u> | No <u> </u> | Abstain <u> </u> | Absent <u> </u> |

Council Member Courtenay Yes _____ No _____ Abstain X Absent _____
Council Member Dysinger Yes X No _____ Abstain _____ Absent _____

ADOPTED

RESOLUTION TO HIRE TANYA MCPHEE AS DEPUTY COMPTROLLER

ON A MOTION OFFERED BY Council Member Ardisana and second by Council Member Becker to hire Tanya McPhee to the position of Deputy Comptroller at \$73,364 per annum, effective May 7, 2024.

Vote Rollcall:

Supervisor Holdridge Yes X No _____ Abstain _____ Absent _____
Council Member Ardisana Yes X No _____ Abstain _____ Absent _____
Council Member Becker Yes X No _____ Abstain _____ Absent _____
Council Member Courtenay Yes _____ No _____ Abstain X Absent _____
Council Member Dysinger Yes X No _____ Abstain _____ Absent _____

ADOPTED

RESOLUTION TO RE-CREDIT TANYA MCPHEE PREVIOUS TIME WORKED

ON A MOTION OFFERED BY Council Member Ardisana and second by Council Member Becker to recredit time to Tanya McPhee for the purposes of vacation leave, longevity and any other benefit from service to the Town of Chester.

DISCUSSION: Attorney Cassidy explained the recredit was for seniority purposes only, due to the short departure from Town's employ.

Vote Rollcall:

Supervisor Holdridge Yes X No _____ Abstain _____ Absent _____
Council Member Ardisana Yes X No _____ Abstain _____ Absent _____
Council Member Becker Yes X No _____ Abstain _____ Absent _____
Council Member Courtenay Yes _____ No _____ Abstain X Absent _____
Council Member Dysinger Yes X No _____ Abstain _____ Absent _____

ADOPTED

RESOLUTION TO PROMOTE KEITH MEYER TO HIGHWAY DEPARTMENT FOREMAN

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Dysinger to promote Keith Meyer to the position of Highway Department Foreman at \$110,000 per annum, effective April 8, 2024.

Vote Rollcall:

Supervisor Holdridge Yes X No _____ Abstain _____ Absent _____
Council Member Ardisana Yes X No _____ Abstain _____ Absent _____
Council Member Becker Yes X No _____ Abstain _____ Absent _____
Council Member Courtenay Yes X No _____ Abstain _____ Absent _____
Council Member Dysinger Yes X No _____ Abstain _____ Absent _____

ADOPTED

RESOLUTION TO POST FOR SEASON PARK ATTENDANT

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Ardisana to post for the position of Season Park Attendant at the rate of \$15 p/hour.

Vote Rollcall:

| | | | | |
|--------------------------|--------------|--------|-------------|------------|
| Supervisor Holdridge | Yes <u>X</u> | No ___ | Abstain ___ | Absent ___ |
| Council Member Ardisana | Yes <u>X</u> | No ___ | Abstain ___ | Absent ___ |
| 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 POST FOR WATER LABORER

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Courtenay to post for the position of Water Department Laborer at the rate of \$22.46 p/hour.

Vote Rollcall:

| | | | | |
|--------------------------|--------------|--------|-------------|------------|
| Supervisor Holdridge | Yes <u>X</u> | No ___ | Abstain ___ | Absent ___ |
| Council Member Ardisana | Yes <u>X</u> | No ___ | Abstain ___ | Absent ___ |
| 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

DISCUSSION ON PROPOSED STANDARDIZATION OF TOWN MEETINGS' RULES/PROCEDURES

Council Member Dysinger discussed reaching consensus on the standardizing of how we run our meetings, as is the case with the adoption of Robert’s Rules at the Reorg, and to come up with processes. Supervisor Holdridge said a final draft will be circulated to the Town Board for further review and it will be a good way to keep everyone accountable during meetings. Council Member Becker said it will be good to put procedures in place as with all our departments to benefit the Town and the residents.

DISCUSSION ON PROPOSED NOISE ORDINANCE LOCAL LAW CHANGES

Supervisor Holdridge said the current ordinance is being reviewed following a three-year discussion. Council Member Dysinger remarked that Chief Doellinger noted the detail by zone may be confusing and therefore it may be best to identify by residential vs. commercial/industrial. To measure threshold, a discussion ensued on how many monitoring devices would be necessary depending on cost, with average price of \$600 in a range of \$85-3,000 per, plus device certification and training expense. Council Member Becker suggested it be determined based on the number of cars on patrol. The Chief mentioned the need to determine how the monitors would be stored and transferred between cars. The amendment can be implemented without the use of monitors for this year with monitors budgeted for 2025. Council Member Courtenay said there will be a teaching curve and education needed for residents. Attorney Cassidy said initially there would be a warning and then following another complaint, a violation would ensue.

Chris Maurer asked if outdoor speakers are allowed. Supervisor Holdridge replied the amendment doesn’t affect that already in the code which addresses decibels and constant low noise. Attorney Cassidy said the law will speak to subjective standards of noises that are repetitive, annoying and constant, i.e., alarms, barking dogs. Supervisor Holdridge asked for additional comments from the public to be considered for the draft local law to be circulated.

Richard Logothetis asked about his outdoor events. Supervisor Holdridge said it is exempt as a Town approved event.

Attorney Cassidy listed on other items she is currently working on to be taken up including procurement policy, Zombie poles, wards system adoption of maps and ballot proposition for 4-year staggered terms, 485-B opt out, Ethics Law amendments.

ARBOR DAY ANNOUNCEMENT

Supervisor Holdridge read the announcement submitted by the CAC:

– "Arbor Day, much like Earth Day, is an annual holiday that celebrates nature - but specifically the importance of trees. It encourages the planting, upkeep and preservation of trees. The Town's Conservation Advisory Council (CAC) is presenting an Arbor Day planting ceremony as a joint event with the Town, Village and Fire District....In the hopes to inspire others to plant and care for trees on their own properties....This year's Arbor Day tree planting will be done in memory of a long-time resident, public servant and community volunteer, Jack Deshler who recently passed away. The CAC will take nominations for future memorial plantings... They will also be researching locations with the Town's park department for additional tree and shrub planting projects in Town this year...we welcome input and volunteers!"

EDUCATION REQUESTS

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Ardisana to approve the attendance of: 1) Sgt. Dugan and Sgt. Chambers to the 2024 Empire State Law Enforcement Traffic Safety Conference. The conference will be held in Bolton Landing, NY on April 24th and 25th, 2024. There is no fee for the conference but two nights of hotel stay will be required at the conference rate of \$119 per night and, 2) Sgt. Vitale to a Motorcycle Safety and Enforcement Training Program. The course will be held in Goshen on April 30, 2024. There is no fee for the course

Vote Rollcall:

| | | | | |
|--------------------------|--------------|--------|-------------|------------|
| Supervisor Holdridge | Yes <u>X</u> | No ___ | Abstain ___ | Absent ___ |
| Council Member Ardisana | Yes <u>X</u> | No ___ | Abstain ___ | Absent ___ |
| 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

EXECUTIVE SESSION

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Courtenay to enter into Executive Session at 8:30pm on the matter of personnel.

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

ADOPTED

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Courtenay to adjourn the Executive Session at 8:35pm.

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

ADOPTED

New Business

ETHICS BOARD APPOINTMENT

ON A MOTION OFFERED BY Council Member Dysinger and second by Council Member Becker to appoint Matt Woods to the unaffiliated party position on the Ethics Board, term ending December 31, 2025.

Discussion: Attorney Cassidy clarified the Ethics Board consists of five elector members of the Town and the other member being sought may be a member of any political party or non-affiliated.

Vote Rollcall:

| | | | | |
|--------------------------|--------------|----------|------------------|--------------|
| Supervisor Holdridge | Yes _____ | No _____ | Abstain <u>X</u> | Absent _____ |
| Council Member Ardisana | Yes <u>X</u> | No _____ | Abstain _____ | Absent _____ |
| 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

WARD SYSTEM

Supervisor Holdridge explained the Ward system has been officially filed with the State. The next steps are to file maps and start the process of outlining a local law for 4-year staggered terms. There will be a vote on the maps at the next meeting.

ARPA FUNDING

ON A MOTION OFFERED BY Supervisor Holdridge and second by Council Member Courtenay to allocate ARPA funds to two previously approved purchases earmarked for year-end:

2023 - Chevy Dump Truck in the amount of: \$55,000 for the Water Department
 2024 - Ford F350 in the amount of: \$71,331.38 for the Highway Department Foreman truck
 for a total of: \$126,331.38

Discussion: Supervisor Holdridge stated there is a balance of \$400,000 that needs to be earmarked by year-end for this one-time purchase.

Vote Rollcall:

| | | | | |
|--------------------------|--------------|----------|---------------|--------------|
| Supervisor Holdridge | Yes <u>X</u> | No _____ | Abstain _____ | Absent _____ |
| Council Member Ardisana | Yes <u>X</u> | No _____ | Abstain _____ | Absent _____ |
| 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

PUBLIC COMMENTS

Richard Logothetis, Sugar Loaf, asked if the tree dedication plan includes previous dedications such as listed on the plaque gifted to the Town by the Community Foundation, and donated to the SLPAC from the WPTA Kings School. Supervisor Holdridge said he will continue the record-keeping.

Helen Flavin, via FB, said in NYC there is 1-2 meters per precinct. Two would be sufficient for the Town.

ADJOURNMENT

ON A MOTION OFFERED BY Council Member Courtenay and second by Council Member Ardisana to adjourn the meeting at 8:45pm, there being no further business brought before the Town Board.

VOTE: AYES(5): Holdridge, Ardisana, Becker, Courtenay, Dysinger

ADOPTED

Respectfully submitted,

Linda A. Zappala
Town Clerk
2024-04-10