

**TOWN BOARD WORK SESSION
July 10, 2024
11:00 AM**

Supervisor Holdridge opened the meeting at 11:00am.

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 _____

Also Present: Elizabeth Cassidy, Esq.

Determination of Quorum: Yes X No

Pledge of Allegiance

EV FEE SCHEDULE

Supervisor Holdridge reported the CAC have been working on a fee schedule and going back and forth with options.

Council Member Dysinger suggested the highest possible usage rate since not all expenses are reflected in the \$780 income. He said after the 5-year warranty period which is 1-1/2 years in, it would be expensive to fix. He added the stations should be self-sufficient and have adequate funds to operate. We should encourage use by advertising, not subsidizing.

Council Member Courtenay reported the discussion at the CAC meeting concerning the City of Middletown and Village of Warwick’s administration of their chargers.

Attorney Cassidy explained where municipalities contract with a third-party entity there is revenue share and the company is responsible for the maintenance of the charging stations.

Options for third-party solicitation to be explored, while waiting for feedback from the CAC. The Board consensus was to make the service self-sustaining.

ARPA ALLOCATIONS

Supervisor Holdridge explained there is approximately \$73,000 unallocated ARPA balance which may increase because of over-budgeting for the Comp Plan expenses and sub-allocation to the Kings Highway survey, which we are waiting for one more thing to save all the expense.

A discussion ensued on the best use of funds:

- *Building Department – filing cabinets at \$100-200 ea.
- *Town Clerk – shelving for new vault estimated at \$500 ea. Remediation monies may be within Building Department budget.
- Police Department – new heating for garage priced at \$7,000
- *Police Department – plumbing work to alleviate repetitive repair costs
- *Buildings & Parks – security cameras for Town buildings and parks. Expected to be fairly inexpensive to

- purchase and nominally expensive to install.
- PAC – Sound and light improvements at \$75,000 and \$35,000 respectively.
- Carpenter (Community Park) playset
- PAC – water line to tap
- *Commons Park – fuse box for lights – waiting on estimate
- Water Department – new truck
- Town Hall – battery back-up for computers
- Town-wide – TV channel upgrades
- Senior Center – Burglar alarm
- Highway – Single axle snow plow truck - \$260,000

*Consensus spending. PAC water main would be included if funds provide.

NOISE ORDINANCE AMENDMENT

Supervisor Holdridge explained this is a hot-button issue and thought the limits would be a little more, based on another version previously considered.

Council Member Dysinger explained his revised amendment adjusts commercial decibel values on Sunday-Thursday and Friday and Saturday.

Attorney Cassidy said she is in receipt of Council Member Dysinger’s amendments and recommends attorney/client. As there is a 7-day cure on any amendment she recommends keeping the public hearing open and/or schedule another public hearing.

Supervisor Holdridge commented that the interns looked at Towns and Villages and the levels proposed by Council Member Dysinger are in line or higher, but thinks they are still too low. He read the levels that have now been proposed.

<u>Zoning Districts</u>	<u>Day of Week</u>	<u>7 a.m. to 7 p.m.</u>	<u>7 p.m. to 10 p.m.</u>	<u>10 p.m. to 7 a.m.</u>
Residential	Sun thru Sat	75 dB(A)	60 dB(A)	45 dB(A)
Commercial	Sun thru Thu	80 dB(A)	65 dB(A)	60 dB(A)
Commercial	Fri thru Sat	80 dB(A)	80 dB(A)	60 dB(A)
Industrial	Mon thru Sat	75 dB(A)	75 dB(A)	60 dB(A)
Industrial	Sunday	60 dB(A)	55 dB(A)	45 dB(A)

Council Member Courtenay said it would be difficult for the Police Department to determine which district and day/time elements. He added, to make it work we need to address enforcement and fines. Supervisor Holdridge agreed on the enforcement concern but said the police would be able to determine the elements.

Attorney Cassidy explained there is a threshold between a violation or misdemeanor and if fines are too high it will be harder to enforce.

Council Member Dysinger addressed the notion circulating that the town wants to kill outdoor music and said it is not true. He said the intent is to be respectful of neighbors, but blasting is another thing, whether residential or commercial.

Council Member Becker said we need to find a compromise to be amicable between noise makers and listeners.

Attorney Cassidy recommended the Board cancel the public hearing and do not reschedule until the amendments are

ready. Supervisor Holdridge said the public hearing cancellation would be taken up at tonight's meeting.

PUBLIC COMMENTS

Lauren VanPamelen, Chester resident and Tin Barn owner addressed the Board concerning the "stop the music" and as per professional musicians, sound engineers and recording artists it would not be possible to perform at 75 decibels, as the drums alone would blow past. She added, as a homeowner, she chose the location where she lives and that she will be moving now that more industrial development is occurring, so that is something to be considered when purchasing a home. Ms. VanPamelen stated under the current noise ordinance the Police Department came and found them to be in compliance and a complainant neighbor said it is much better. She said the one in effect works. She thanked the Board for trying to work out the issue. Supervisor Holdridge agreed but stepping into other people's shoes, he said they moved into the area long before the Tin Barn when there was an auction house. When residential sits next to a commercial district, he said there needs to be a happy medium. Also, he noted that initially, before covid, there wasn't going to be outdoor music at the Tin Barn.

Donna Ann, via FB, asked if commercial is at 80 decibels and residential at 70 decibels how do you protect both zones.

Robert Valentine, via FB, stated Supervisor Holdridge promised residents on DeRose Lane that he would shut down the music at Tin Barn. Supervisor Holdridge replied Mr. Valentine is a known liar and no one should listen to the dribble.

Susan Duarte commented that although she sat down with Mr. VanPamelen and discussed noise remediation since before they built the stage there has been a noise problem and now the stage faces her home. She asked if they had submitted a plan and whether they're exempted due to being in a commercial zone. Council Member Dysinger replied that it was submitted to the Planning Board at that time and approved. Supervisor Holdridge said the amended law removes the exemption as to make the field level.

PROPERTY MAINTENANCE LAW

Attorney Cassidy explained the draft proposal from Council Member Dysinger overlaps pre-existing chapters that need to be addressed; unsafe buildings, weeds law, littering, etc., which can result in unintentional inconsistencies and must allow for due process as in weeds and grass. She suggested combining certain chapters and also noted the cost vs. reward of code enforcement. It is a balance and business decision of the Board. She will facilitate conversation by memo.

EMERGENCY ALERT SYSTEM

Tabled.

TOWN BOARD COMMENTS

Supervisor Holdridge offered an apology to the public for his remarks made concerning the ex-supervisor's comments. He said he is sick and tired of the behavior and stated he didn't show deference while he was in office. He explained he wants to get something done with the noise ordinance since there have been multiple comments over the years in support of a tighter ordinance and to say we want to shut down any business, let alone the Tin Barn is infuriating and if he didn't care he wouldn't have kept the paper Lauren VanPamelen gave him or shake Dale's hand. He said we are just trying to find a happy medium.

Council Member Courtenay stated other properties have had complaints so the comment has no basis.

Ms. VanPamelen commented that it is an unintentional side effect and understands the Town Board is working on a resolution.

PUBLIC COMMENT

Donna Ann, via FB, asked if the decibel levels are at receiving end, which as a residence, it should be at a lower level. Supervisor Holdridge replied it is measured at the property line.

Robert Valentine, via FB, asked if the Town Board condones the comments made by the Supervisor. He said he is a taxpayer and was told by residents.

Allison Barone said the sound from Sugar Loaf Crossing and Tin Barn is not too bad. It is early and from inside it is not a problem. She added Chester has an amazing live music scene and brings community members and patrons. She asked we not kill the music.

ADJOURNMENT

ON A MOTION BY Council Member Dysinger and second by Council Member Courtenay to adjourn the meeting at 12:20pm, there being no further business brought before the Board.

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

ADOPTED

Respectfully submitted,

Linda A. Zappala
Town Clerk
2024-07-10(WS)