

**TOWN BOARD MEETING
MARCH 25, 2015
7:00 PM**

Supervisor Jamieson opened the meeting 7:00 PM followed by a salute to the flag. Members present: Supervisor Jamieson, Councilman Murray, Councilwoman Smith, Councilman Valentine. Absent: Councilwoman Ranni

Also present: Attorney Scott Bonacic, Town Planner Alan Sorensen, Engineer Al Fusco

COMPREHENSIVE PLAN

Supervisor Jamieson acknowledged Town Planner Alan Sorensen who has developed the Town's Comprehensive Plan Update with a committee over the course of 18 months. He said that there have been 3 public hearings held already on this plan, but the goal is to get it right. Supervisor Jamieson said it is to be used as a guideline for the Planning board and Town Board to move forward. It has been more than 10 years since it was last done. A lot of concerns came up during the discussions while putting the plan together, from including maintaining the rural character to expanding the I.P. zone. Supervisor Jamieson said the Plan allows for tightening up our codes and zoning.

Mr. Sorensen addressed the Board. He said the revised draft of March 18, 2015, is based on the additional comments, from the Public Hearing and Town Board, to both text and map changes. The Open Space Institute lands attained destined to become part of Goosepond Park are now depicted on the maps with the featured designation.

p22. Open Area Development policy is reviewed with respect to SEQRA, Planning and Town Board reviews
P44 Caption change

P55 Re-purpose on non-working farms. County had concerns of re-conversion of working farms.

P76 Water district maps to identify sbl's for potential districts on lands near the Chester Industrial Park for future development.

P78 Sewer service – Language added that supports upgrading existing municipal sewer plant to meet growth needs of Town.

P79 Sewer district map added 12.1.12.22 and 12.1.10.32

P91 Language added: “for projects providing a public benefit such as a park, senior housing or affordable workforce housing.” And: “and to allow for flexibility in design.”

P101 Zoning “though incentive zoning”

P103 Changed SMD to “SLD”

p111 LU8 added “Laroe Road”

P117 No. 43: added phrase “on non-working farms, or to buildings that can no longer be used for agricultural purposes.”

An index provided to the Board contains some additional comments for their consideration.

Supervisor Jamieson thanked Mr. Sorenson. He said he appreciates all the work done by the Committee. He acknowledged the members; Councilman Valentine, Councilwoman Ranni, Don Serotta, Ted Talmadge, John Vero, Richard Logothetis, and Shary Denes. The 124 page Plan covers everything and anything of interest to the Town. It is available at the Town Clerk's office. He said the Board should consider holding another public hearing to make sure the public was aware and had another opportunity to comment.

Councilman Valentine commented that the Comprehensive Plan is an overview of our zoning and it's up to the Planning and Zoning Boards to follow the plan.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to hold a public hearing on April 22, 2015 at 7p.m. at Town Hall. Motion carried 4-0. Supervisor Jamieson said he hopes to wrap up the final comments and vote the Plan into policy.

MOCK TRIAL

Supervisor Jamieson announced that the Chester Mock Trail was concluded and the Chester team made it to the quarter finals. The team consisted of juniors and seniors from the high school in a competition against other schools in the County. He thanked attorney coaches, past Town Judge Joe Ranni and current Town Judge Sharon Worthy-Spiegl and Ryan Stover, Faculty Coach for their guidance. The twelve students did a great job and he congratulated all.

AWARENESS TO PREVENTING CRUELTY TO ANIMALS

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine and passed unanimously to proclaim the month of April 2015 as "Prevention of Animal Cruelty Month" and offered the following resolution:

WHEREAS, the Town of Chester Board, the citizens of the Town of Chester and the Warwick Valley Humane Society are concerned with the humane treatment of animals, and

WHEREAS, the kind and humane treatment of animals has a strong correlation to the kind of humane treatment of people, and

WHEREAS, animal cruelty is proven to directly parallel violent and criminal acts on people, and

WHEREAS, together with the Warwick Valley Humane Society, the Town of Chester urges the vigorous enforcement of existing animal cruelty laws and wants to make the public more aware of these laws in hopes of eliminating cruelty to all animals, wild or tame, and

WHEREAS, the month of April has been established as "Prevention of Animal Cruelty Month"

NOW, THEREFORE, The Town of Chester, does hereby proclaim April 2015

PREVENTION OF ANIMAL CRUELTY MONTH

And call upon all residents to treat any and all animals with kindness, consideration and respect, and to report the abuse, neglect and cruelty of all animals to law enforcement agencies or the Warwick Valley Human Society.

Proclaimed this the 25th day of March, 2015

TOWN OF CHESTER
TOWN BOARD

CORRESPONDENCE AND ANNOUNCEMENTS

Supervisor Jamieson read correspondence received from Elite Properties, Managing agents for the Windridge Condominiums concerning a cracked pipe in the vicinity of the condominiums. He said Water Operator Bill Keller had reported he made the necessary repairs.

EXECUTIVE SESSION

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to enter into Executive Session at 7:25 pm to discuss a personnel appointment. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to end the Executive Session at 7:35 pm. Motion carried 4-0.

ZONING BOARD OF APPEALS APPOINTMENT

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to appoint Bob Garstak as an alternate member of the Zoning Board of Appeals through December 31, 2017. Motion carried 4-0.

ELECTRICAL INSPECTOR

Supervisor Jamieson read the memorandum from Building Inspector Joe Mlcoch requesting approval for an additional electrical inspector to the Town's approved list. Mr. Mlcoch stated Inspections on Time has the appropriate qualifications. A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Murray to add Emmanouil Zervakis, Inspections on Time to the list of approved electrical inspectors for the Town. Motion carried 4-0.

ACCEPTANCE OF BID

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to accept the bid of \$3,700 received for the 2005 Chevrolet Tahoe sold through PropertyRoom.com and allow Supervisor Jamieson permission to sign the title over. Motion carried 4-0.

EDUCATION REQUESTS

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to approve the attendance of Officer Slaughter to the Technical Crash Management course on May 18-22, 2015 at no cost. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to approved the attendance of Tanya McGhee to the Spring 2015 Lear & Earn Planning Board and ZBA Overviews on April 14, 2015 in Millbrook, NY at a cost of \$10.00 and mileage and toll reimbursement. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to approve the attendance of Linda Zappala to "Managing Email Effectively", on March 26, 2015 at no cost Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to approve the attendance of Linda Zappala to the New York State Town Clerk's Association annual training school in Rochester, NY on April 26-29th at a cost for conference and lodging of \$750 plus transportation costs. Motion carried 4-0.

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine to approve the attendance of Officer Slaughter to the Advanced Roadside Impaired Driving Education course on April 20 and 21, 2015 at no cost. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to approve the attendance by Sgt. Vitale, Officer Natalizio and Officer Bird to the National Improvised Explosives Familiarization Course on May 20, 2015 in Swan Lake, NY at no cost. Motion carried 4-0.

MOUNTCO

Supervisor Jamieson said that Mountco had requested the Town give their opinion on their project as currently planned so that they could move forward the SEQR. The current plan calls for 315 apartment units in the Town of Chester. The Town of Blooming Grove has not moved forward and the County has not advised the Town of its intention regarding the expansion of the Harriman Sewer Plant. He stated that the public hearing on the Comprehensive Plan has not been completed but the property resides in the Office Park zone. He said in order to approve the project the Town would have to make a zone change. He stated that Chester is being targeted to move ahead when the County hasn't stepped up and Blooming Grove had no reply. He said no one else wants

to move forward. He commented that the Board wants to keep the zone as is and are not ready to commit to a 315-apartment project. He stated that the zone should be kept as is and Mountco can work around it.

Councilman Valentine commented that this project would require extreme zone changes, increased density. He said there are a lot of unanswered questions and he is not comfortable making changes at this time.

Councilwoman Smith said there shouldn't be changes made to the zoning in that location and the amount of rentals is not acceptable to her. She is not willing to move forward in that direction.

Mr. Mouny addressed the Board. He said that Chester was more progressive, smart and knowledgeable. He said that they believed the Town has a need for affordable housing, workforce, and senior housing. He said to obtain the sewer for the site, the SEQR review has to be completed and that is part of the process. He said he was disappointed that after having worked on it for 6 years, the Board was not more advanced than they stated tonight. He said if he had bought property without Blooming Grove in the picture, there lack of involvement would have no impact on the Town's decision.

Mr. Mateo stated he appreciated the Board's honesty. He said he would rather the Town be direct with them. He said in the past, we have had joint meetings and maybe that is something that could be looked at doing again. He stated they will take a look at leaving the zone as is, however he said it will not generate the scale of development the site warrants, nor supports their contractual obligation with the County. He said he thinks we need to get the County back involved with this discussion with the Supervisors. He said they will try to get back to the Board in the next couple of months.

Mr. Mouny added that the contract with the County is contingent on obtaining sewer. He stated from that point he has a 2 year option and then an additional 18 months to get approvals. He said they will be here for a long time.

Mr. Bonacic commented that the Comprehensive Plan designates the site as a business park. Moving forward, the designation has an impact on the discussion. Mr. Mateo said that would severely limit any developer's ability to go forward. Any mixed use would be affected by the Comprehensive Plan.

BEEHIVE HOMES

Supervisor Jamieson stated that he received a brochure from Beehive Homes. They are looking at a site in the Town to build an assisted living facility on property between Chester and Warwick. He will be in front of the planning board with an application.

INDUSTRIAL APPRAISAL CO.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to accept the proposal from Industrial Appraisal Company and have Supervisor Jamieson sign same, to conduct an inventory of assets at a cost of \$7,200. Motion carried 4-0.

ELECTION INSPECTORS

Supervisor Jamieson announced that the Board of Elections is looking for election inspectors to work the upcoming elections. The daily remuneration is \$200.00. Anyone interested should call the Board of Elections at 845-291-4652 or 291-4474.

SPAGHETTI DINNER

Supervisor Jamieson announced the Walton Engine & Hose Co. spaghetti dinner on Friday, April 10, 2015 on Main Street, Chester.

CON-ED

Supervisor Jamieson read the work notice received from Con-Ed. They will be working along the right of way south of Sugar Loaf Mountain Road to clear trees on Friday, March 27, 2015 from 8a.m. to 3p.m.

O&R STORMWATER MAINTENANCE BOND

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine to set the performance bond for maintenance and continuation of the storm water control measures with Orange & Rockland Utilities, Inc. substation project, dated January 14, 2015 at \$20,000. Motion carried 4-0.

PROPOSED LOCAL LAW ZONING AMENDMENTS PERTAINING TO THE REGULATION OF DIGITAL SIGNS AND BILLBOARDS

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to accept and allow Supervisor Jamieson to sign the Environmental Assessment Form. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to declare lead agency for the Type 1 - SEQR review of the revisions to the Zoning Ordinance with regard to the proposed local law. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to declare a negative environment impact with regard to the proposed local law. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilwoman Smith to enter into law, A Local Law Zoning Amendments Pertaining to the Regulation of Digital Signs and Billboards. Motion carried 4-0.

TAKE A BOOK GIVE A BOOK

Connie Roach asked the Board's approval of the community service project she has planned for Carpenter field. She said the little free library would serve adults as well as children with a securely mounted box to house the books that she would maintain. She said this free library is popular across the country and even in New York State. She is working with the Bellvale Community to build the box. Supervisor Jamieson said he thought it would be nice to have one at Knapp's View. Councilwoman Smith added that all three parks could be included. Councilman Jamieson suggested she be in contact with the Parks and Recreation Department.

SUGAR LOAF LIGHTS

Richard Logothetis addressed the board about the lights on Kings Highway in the Hamlet of Sugar Loaf. He said that the plan is to obtain 8 more fixtures to attach to existing poles. He said the cost would be approximately \$100 per month.

TOWN BOARD COMMENTS

Councilwoman Smith asked about the signs posted by the Open Space Institute in the area of the logging area. Supervisor Jamieson said they are going to put in a small parking lot to serve the entrance. Mr. Fusco said he was speaking with Joe Mlcoch about some demolition.

Councilwoman Smith said that the solar company she contacted is not interested in doing the project because it is not financially feasible for them. She said Sungevity doesn't do commercial applications. She has a call into Jim Burpo from Orange County for more information. Ms. Edie Johnson added the NRG and Solar City are in the area.

Councilman Valentine commented that the land in the “Camp LaGuardia” is zoned office park and would have to be changed to allow for residential rentals. Supervisor Jamieson stated that the zone is the only thing the Town has to control development. He said the Comprehensive Plan would focus on the zones; what you can and cannot do.

PUBLIC COMMENTS

Ms. Shary Denes asked about the block grant application. Supervisor Jamieson said it was for the 2016 calendar year and that we had received \$125,000 in 2015. Now the application process is started for the three year grant process.

Al Fusco stated there was a meeting coming up shortly and there should be a public hearing for project input.

Legislator John Vero addressed the Board about the Glenmere Lake Dam. He said he attended the meeting with the County officials, Mayor of Florida, Blooming Grove Supervisor and Chester Town Attorney. He said there was a new resolution offered to extend the borrowing to \$3,000,000 that the Town of Chester and Village of Florida would be able to jump onto. He said the Town would piggyback on the County’s borrowing so that it would not wreck our budget. He said that all were jointly and severally liable. He stated it was unfair as there was no direct benefit to the Town from the lake. He added that the \$146,500 in engineering expenses has not been split up so it may be incorporated into the bond at a vote on April 10, 2015. The repayment schedule of 1/20th will be imposed. Non-payment will result in sales tax being held back. Supervisor Jamieson added that the 20-30 year repayment schedule is much better than the 5 year schedule the Town was looking at previously. Supervisor Jamieson said the Town appreciates the work Mr. Vero has been doing on our behalf. He added that of the past 3 or 4 legislators, Mr. Vero has attended the most town meetings. He said Mr. Vero was the most pro-active legislator since he has been on the Town Board.

Ms. Tracy Shuh commented that she thought the Supervisor had covered most of the comments she was going to make regarding Mountco. She reiterated the need for joint meetings. She reminded the Board that the Comprehensive Plan states the need for diverse housing but they shouldn’t be in one area but be part of a larger market rate housing project. The zoning in the area is OP. She asked the legal question as to where in the process is the SEQR? She noted that the previous Supervisor had suggested that there was money with the IDA if it were made shovel ready it would become more profitable for businesses. She asked, will there be a final public hearing on the plan? Councilman Valentine commented that most changes will be in zoning restrictions. Councilman Murray said most of the changes made were discussed earlier.

Ms. Shuh commented that the attendance law eliminates the need for Board alternates, as long as the members complete course work and the Board replaces permanent members when they leave. She added she thought this would save the Town money at budget time. Supervisor Jamieson that the alternate position was pre-existing and filled as a result of the vacancy.

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine to enter into Executive Session at 8:30 p.m. for attorney-client privilege. Motion carried 4-0.

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilwoman Smith to adjourn the Executive Session at 9:05 p.m. Motion carried 4-0.

There being no further business brought before the Board, A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine to adjourn the meeting at 9:05p.m. Motion carried 4-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2015-03-25