

**Village of Chester
Board of Trustees Meeting
February 6, 2012**

The Board of Trustees of the Village of Chester held their monthly business meeting in the Village Hall meeting room on Monday, February 6, 2012. Members present: Mayor Philip Valastro, Deputy Mayor Philip Roggia, Trustee John J. Collins, and Trustee Betty-Jo Bono. Trustee Carole Duffy was not present. Also present: Village Attorney Ian Schlanger, Village Treasurer Angela O'Neill, Police Chief Peter Graziano, Village Water Treatment Operator Thomas Becker, and Village Code Enforcement Officer John Orr. Street Superintendent John T. Bell was not present. In audience were Nikki Mayer, Susan Cleaver, Virginia Privitar, Edward J. Szulwalch, and Officer Brad Natalizio.

Mayor Philip Valastro opened the meeting at 7:00 PM with the Pledge of Allegiance.

AUDIT OF BILLS: Mayor Philip Valastro noted audit of monthly bills for approval was complete. Audit Report is attached.

APPROVAL OF MINUTES: A motion to accept the Village monthly business minutes of January 9, 2012 was made by Deputy Mayor Philip Roggia, second by Trustee Betty-Jo Bono. Motion unanimously passed.

TREASURER'S REPORT: Treasurer Angela O'Neill read report as follows:

CASH BALANCES ENDING DECEMBER 31, 2011

<u>Fund/Bank Account</u>	<u>Deposits</u>	<u>(Disbursements)</u>	<u>Interest</u>	<u>Ending Balance</u>
<u>General Fund</u>				
Checking	246,799.73	733,057.55	13.99	10,412.18
Savings	--	380,932.16	758.74	3,421,172.40
<u>Water Fund</u>				
Checking	59,113.56	36,292.44	43.58	264,683.49
Capital MM	--	--	5.95	69,134.43
Capital Checking	--	48.00	1.19	13,913.66
<u>Sewer Fund</u>				
Checking	237,788.12	--	47.78	327,219.42
MM Saving	--	--	2.41	27,958.00

Cumulative Fiscal Year Interest Earned by Fund 06/01/2011 – 05/31/2012

General Fund	6,735.66
Water Fund	322.02
Sewer Fund	619.18

Treasurer's Discussion:

- (1) **EXPENSE CONTROL REPORT:** Year to Date Expense Control Report for all fund attached for your review. If you have any specific questions related to this document, please feel free to discuss with me.
- (2) **REVENUE CONTROL REPORT:** Year to Date Income Control Report for all fund attached for your review. If you have any specific questions related to this document, please feel free to discuss with me.
- (3) **2012-2013:** All Department Heads have submitted their budget requests. The Mayor and Board will review the department requests during the month of February, at which point a Preliminary Budget will be prepared.

(4) SEWER COLLECTION: The Village Clerk's Office will be generating an unpaid sewer report and unpaid notices will be going out to Village Residents advising of final due date of 3/31/12. Any unpaid sewer bills after the 3/31/2012 will be releived onto Village Tax Bills along with a 10% penalty.

A motion to approve Village Treasurer's report was made by Deputy Mayor Philip Roggia, second by Trustee Betty-Jo Bono. Motion unanimously passed. Trustee Carole Duffy was not present.

BUILDING REPORT: Building Inspector/Code Enforcement Officer John read report as follows:

Current projects that were inspected during the last month:

Satin Fine Foods

1- Work almost complete.

Steris – 23 Elizabeth Drive

1- Work continues.

Humbert – 8 Highland Ave - Garage

1- Work almost complete.

Maynard 13 Meadow Ave - Deck

1- Work underway.

Davey 17 Hambletonian Ave – Basement Remodel

1- Work almost complete.

Magoya 43 Brookside Ave - Addition

1- Almost complete.

All Pets Veterinary - Renovation

1- Work under way.

C&S - Renovation

1- Work has started.

POLICE REPORT: Police Chief Peter Graziano was present and read his report as follows:

1. Personnel:

- No issues.

2. Citizen Issues:

- Received a thank you letter from Safe Homes of Orange County for our participation in Project Santa. This year we sponsored 5 families who were displaced by domestic violence.
- The Community Police Survey has been forward to Whispering Hills for distribution. The additional surveys will be sent out soon.

3. Public Safety Issues:

- Traffic Details: Continuing.
- Received a letter from Whispering Hills HOA authorizing the Police Department To enforce Vehicle and Traffic Laws in the private areas of the complex.

4. Facilities:

- No issues.

5. Equipment:

- No issues.

6. Vehicles:

Request authorization to submit at letter of intent to purchase a replacement patrol unit on state contract. Per the 2012 NYS Contract, vehicle pricing is the same at 2011.

This item was not authorized by the Mayor and Village Board.

7. Department Activity:

Call Type	2012
Calls for Service	483
Criminal Cases	087
Arrests	038
Traffic Accidents	009

HIGHWAY REPORT: Street Superintendent J. Thomas Bell was not present; no report was submitted.

WATER REPORT: Water Treatment Operator Thomas Becker was present and read his report as follows:

- 1= Daily filtration plant and well 312 routine.
- 2= EFM backwashes are being done every five hundred thousand gallons of filtering at the filtration plant.
- 3= Gary completed his recertification for backflow device tester.
- 4= WE cleared fallen trees on the roadways for access in the Goose Pond State Park.
- 5= At 7 Sanford Ave we had to pump out the crawl space under the home to repair the meter base due to freezing twice.
- 6= We had to make repairs to a hanging heater at the filtration plant.
- 7= Quarterly meters have been read.
- 8= All out of corp. unpaid bills have been collected.
- 9= We rented a 36" road cutter on Friday to cut the thick pavement on 17M by Wendy's to repair a water main leak tomorrow.

PARK& RECREATION: No report submitted.

OTHER BUSINESS:

Resolution Approving and Authorizing Tax Certiorari Settlement with Chester Mall Associates:

WHEREAS, Petitioner, Chester Mall Associates ("Petitioner"), filed Notices and Petitions challenging the real property tax assessments on the Village's assessment roles of property located within the Village and identified as S/B/L 107/3/3 for the tax years 2009 and 2010; and

WHEREAS, Petitioner's Petitions are now pending in the Supreme Court, Orange County; and

WHEREAS, the attorney for the Village of Chester and Petitioner have tentatively reached a mutually agreeable settlement of the matter based upon the market values of the property as agreed to in tax review proceedings with the Town of Chester for the applicable time periods; and

WHEREAS, the Village Board of the Village of Chester ("Village Board") has had an opportunity to review the settlement of this matter and to discuss the same with the attorney for the Village, and that the Village Board is satisfied that the proposed settlement is just, reasonable, and in the best interest of the Village of Chester,

NOW, THEREFORE, be it

RESOLVED that the Village Board of the Village of Chester hereby authorizes the attorney for the Village to execute a stipulation and proposed Order reducing the assessments for the property as follows:

<u>Year</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>	<u>Original Exemption</u>	<u>Corrected Exemption</u>
2009	\$12,977,000	\$9,747,750	\$237,360	\$178,297
2010	\$12,977,000	\$10,198,740	\$197,800	\$155,453

And be it further

RESOLVED, that, upon receipt of a copy of the Order approving the settlement, the Village Clerk is directed to make the requisite adjustments to the Village tax rolls and that the refund due and owing the petitioner, as a result of this settlement, in the amounts provided for in the stipulation, be issued and delivered to Petitioner's counsel, Goodfriend, Saltzman and Goodfriend, as attorneys for Chester Mall Associates, in three equal installments on the dates provided in the stipulation; and be it further

RESOLVED, that the Village Clerk and the Village Treasurer are hereby authorized to issue said refund, and the Mayor of the Village of Chester is authorized to execute any documents or agreements necessary to effectuate the settlement.

Resolution Authorizing the Village Treasurer to send out Questionnaire on Village Sewer Use to Non-Residential Sewer Users:

WHEREAS the Board of Trustees ("Village Board") of the Village of Chester (the "Village") is responsible annually for setting sewer rents, and to do so, the Village Board requires an accurate assessment of the number of units over which sewer costs will be distributed; and

WHEREAS it appears that the certain of the Village's current assessments of non-residential properties may be inaccurate; and

WHEREAS the Village Attorney and the Village Treasurer have devised a questionnaire to all non-residential users of the Village's sewer system to gather the information necessary to assure the accuracy of the method of billing those properties for sewer rents; and

WHEREAS the- Village Board- has had an opportunity to review the questionnaire and approves of the same,

NOW, THEREFORE, be it

RESOLVED, that the Village Board hereby authorizes the Village Treasurer to send out the questionnaire in substantially the form presented at this meeting to all non-residential users of the Village's sewer system.

Introduced By: Trustee Betty-Jo Bono

Seconded By: Deputy Mayor Philip Roggia

On a vote of 4 to 0, the resolution was adopted.

Resolution Authorizing the Village Code Enforcement Officer and/or Sewer Inspector to Gather information on current Sewer Use in the Village

WHEREAS, from time to time, the Board of Trustees ("Village Board") of the Village of Chester (the Village"), must update the Village's information on the use of the Village's sewer system in order to accurately bill those properties the proper sewer rents,

NOW, THEREFORE, be it

RESOLVED that the Village Board hereby authorizes the Village Code Enforcement Officer and/or the Village Sewer Inspector to investigate and gather information concerning current sewer use to assist the Village Board in setting sewer rents.

Introduced By: Trustee Betty-Jo Bono

Seconded By: Deputy Mayor Philip Roggia

On a vote of 4 to 0, the resolution was adopted.

Resolution Authorizing Village Attorney to Hold Coppola Payment in Escrow:

WHEREAS Coppola Services, Inc. ("Coppola") has presented a voucher for final payment under its contract with the Village of Chester (the "Village") for the Walton Lake Plant Upgrade, for the Board of Trustees of the Village ("Village Board") to audit and approve; and

WHEREAS Coppola has not yet provided the Village with all of the necessary and required copies of the operation and maintenance manuals for the Walton Lake Water Plant (the "O&M Manuals"),

NOW, THEREFORE, be it

RESOLVED that the Village Board audit and approve the voucher for the final payment due Coppola under the above referenced contract and direct that the check for final payment to Coppola be held by the Village Attorney in escrow to be released to Coppola upon the delivery to and acceptance by the Village Water Commissioner of the requisite number of O&M Manuals, in the form previously approved by the Village's Engineer; and be it further

RESOLVED that the Mayor and/or the Village Attorney may enter into such other or further agreements and/or execute such other and further documents necessary to effectuate the same.

Introduced By: Trustee Betty-Jo Bono

Seconded By: Deputy Mayor Philip Roggia

On a vote of 4 to 0, the resolution was adopted.

CALENDAR:

- Village Hall will be closed on Monday, February 13, 2012 in Observance of Lincoln's Birthday on Sunday, February 12, 2012 and February 20, 2012 in Observance of Presidents Day. (Holiday)

ADJOURN: A motion to adjourn the regular monthly meeting and move to executive session was made by Trustee John J. Collins, second by Trustee Betty-Jo Bono. Motion unanimously passed.

Respectfully submitted,

Rebecca Rivera
Village Clerk