

**Village of Chester
Board of Trustees Meeting Minutes
March 14, 2016**

The Board of Trustees of the Village of Chester held their monthly meeting in the Village Hall meeting room on Monday, March 14, 2016.

Members present: Mayor John Tom Bell, Deputy Mayor Betty-Jo Bono, Trustee Christopher Battiato, Trustee Alan Battiato, and Trustee Elizabeth A. Reilly.

Also present: Village Attorney, Henry Christensen, Village Police Chief, Peter Graziano, Village Street Superintendent, Charles Bono, Village Treasurer, Angela O'Neill, and Village Clerk, Rebecca Rivera. Water Commissioner, Thomas Becker, and Village Code Enforcement Officer, John Orr, were not present.

Mayor John Tom Bell opened the meeting at 7:00 PM. Trustee Alan Battiato started the meeting off with the Pledge of Allegiance.

AUDIT OF BILLS: Mayor John Tom Bell noted that the audit of the Village's monthly bills for approval was complete. A motion to approve the audit of the bills was made by Deputy Mayor Betty-Jo Bono, second by Trustee Elizabeth A. Reilly. Motion unanimously passed.

APPROVAL OF MINUTES: January 11, 2016, February 8, 2015 Public Hearing minutes of January 11, 2016, Public Hearing minutes of February 8, 2015, Special meeting of February 22, 2016 and February 23, 2016.

A motion to approve the January 11, 2016, February 8, 2015 Public Hearing minutes of January 11, 2016, Public Hearing minutes of February 8, 2015, Special meeting of February 22, 2016 and February 23, 2016, was made by Trustee Christopher Battiato, second by Trustee Alan Battiato. Motion unanimously passed.

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

CASH BALANCES ENDING MARCH 31, 2016:

<u>Fund/Bank Account</u>	<u>Deposits</u>	<u>(Disbursements)</u>	<u>Interest</u>	<u>Ending Balance</u>
<u>General Fund</u>				
Savings (Sterling National Bank)	--	--	578.84	2,874,260.64
Checking (Orange County Trust)	279,412.79	256,692.45	10.85	103,495.50
Savings (Orange County Trust)	--	86,474.46	197.78	1,893,483.31
<u>Water Fund</u>				
Capital Checking	--	--	4.99	61,972.55
Checking	60,683.99	44,185.00	20.89	264,546.14
<u>Sewer Fund</u>				
Checking	16,750.29	54,934.62	18.72	281,045.13

Cumulative Fiscal Year Interest Earned by Fund 06/01/2015 – 05/31/2016

General Fund	7,627.28
Water Fund	183.86
Sewer Fund	283.31

Treasurer's Discussion:

1. **EXPENSE CONTROL REPORT:** Year to Date Expense Control Reports attached.
2. **REVENUE CONTROL REPORT:** Year to Date Income Control Reports attached.
3. **2016-2017 BUDGET:** A tentative budget has been filed with the Village Clerk's Office.
4. **SEWER COLLECTION:** Sewer Collection continues. 4th Installment due by 3/31/16. Any unpaid sewer balance as of 3/31/16 will be re-levied on to Village Property tax bill to be issued 6/1/16.

A motion to accept the Treasurer's report, as read, was made by Deputy Mayor Betty-Jo Bono, second by Trustee, Alan Battiato. Motion unanimously passed.

POLICE REPORT: Police Chief, Peter Graziano, next read his report as follows:

1. Personnel:

- No issues

2. Citizen Issues:

- No issues

3. Public Safety Issues:

- Traffic Details: Continuing.
- Whispering Hills Dr. /Knollcrest Ln. crosswalk issues.

4. Facilities:

- No Issues

5. Equipment:

- No Issues.

6. Vehicles:

- No issues.

7. Other:

- No issues.

8. Department Activity YTD:

Call Type	2016
Calls for Service	
Criminal Cases	
Arrests	
Traffic Accidents	

BUILDING REPORT: Building Inspector/Code Enforcement Officer, John Orr, was not present no report.

STREET REPORT: Street Superintendent, Charles Bono, read his report as follows:

We were called out few times during the month of February to deice and clear the streets. On February 8, we had a ½” of snow. On February 16, we had a mix of precipitation with an accumulation of an inch of ice and snow. On February 24th, we had a mix of precipitation with a light accumulation of snow and ice.

We attended a Dig Safe 811 seminar on March 02, 2016 at The Castle in Chester, NY.

The Road Mower has been serviced and we are in the process of installing new blades on the Flail Mower.

We cleaned out a drainage ditch that was obstructed with debris between 7 and 9 Vista Dr.

Orange and Rockland installed a new fiberglass pole with a new street light on Whispering Hills Dr. by Section 1300 to replace the street light that was missing. They also replaced an old wooden pole with a new wooden pole by Section 1100.

April 1st our Green Waste Removal Program will resume. Green Waste Materials must be curbside by 6:00am on Fridays. Branches must be no longer than 4 ft. and tied. Grass Clippings and leaves must be in biodegradable bags. There will be one change in our Green Waste Removal Program this year and that is the Village of Chester will no longer be selling the biodegradable bags as we have over the past years. Back in April 2000 we changed the Green Waste Removal Program to biodegradable bags to help us to increase the time frame of picking up bags, due to the increase in the volume of bags. At that time in order for this change to be successful, the village decided to offer the bags to the residents for a nominal charge to help transition from plastic bags to biodegradable bags and because biodegradable bags were not available locally. Due to the recent increase in the cost of bags and that bags can now be purchased locally. The village of Chester will no longer distributed bags. Bags can now be purchased at Lowe’s and Shop Rite.

The street department would like to have the Board's permission to purchase a new body for the 2001 Ford F 550 from T & T Sales for the amount of \$5,200.00.

WATER REPORT: Water Commissioner, Thomas Becker, was not present but report was submitted as follows:

1= Daily filtration plant and Well # 12 routine each morning.

2= Back flow Device testing for 2016 is being done.

3= Notices for unpaid water bills have been delivered.

4= the Water Withdrawal report for DEC has been finalized and sent out.

5= At the filtration plant twice weekly EFM filter membrane cleanings have been done. Iron and manganese are still present in the lake water.

6= Twice monthly bacteria samples were taken

7= I am working on our drinking water quality report and a coliform monitoring plan.

8= Tom and Gary attended the Dig Safely Excavator Training seminar held at the Castle.

9=Chlorination for apt. building # 4 at the Meadow Hill apartments and two consecutive days of bacteria sampling have been completed. Water to that building should be on next week.

10= I met with Frank Onofrio at Nexans and they are working on repairing a leaking valve in their pump room that is estimated to be leaking 1000 gallons per day. They will also be having back flow preventing devices installed on their fire and domestic water lines. At the time they are doing this work I would like to install a new 4" compound water meter to replace a very old 6" meter. The price of the new meter is \$4,715.99. We have over \$5,000.00 in our meter budget left this year can I have approval to make this purchase?

11= I received a call from an Engineer for the Chester School District in reference to outdoor water use for their baseball fields at the Academy.

PARK & RECREATION:

- Trip to Mohegan Sun, April 1, 2016, for more information Park & Rec @ 845-469-7000 ext. 8
- Hospice Volunteer Training 2016 – Wednesdays' 10:00 am – 5:00pm on the following dates: 4/13, 4/20, 4/27, 5/4, 5/11, 5/18, 5/25. See Village website located under "News and Events".

OTHER BUSINESS:

Resolution Directing Public Hearing on Proposed Village Budget:

WHEREAS, a budget for the Village has been prepared for the 2016/2017 fiscal year; and

WHEREAS, a public hearing is required to be held thereon,

NOW, THEREFORE, be it hereby

RESOLVED, that the Village Board will hold a Public Hearing at 6:45 p.m. on the 11th day of April, 2016, at the Village Hall, on the proposed Village Budget for the 2016/2017 fiscal year; and be it further

RESOLVED, that the Village Clerk give due notice of this public hearing in accordance with the Village Code and the Laws of the State of New York.

Introduced By: Trustee Elizabeth A Reilly

Seconded By: Deputy Mayor Betty-Jo Bono

On a vote of 5 to 0, the resolution was adopted

Resolution authorizing public bidding for contract to furnish and install village hall emergency generator:

RESOLVED, that the Mayor, after preparation and approval of the Information for Bidders and other necessary bid documents by the Village Engineer and Village Attorney, shall advertise for bids, as required by General Municipal Law §103 and the Village Procurement Code, for the award of a contract for the furnishing and installation of a 45KW emergency generator for the Village Hall to be installed upon a Village furnished pad.

RESOLVED, that the Mayor, Building Inspector, Village Engineer and Village Attorney are hereby authorized and directed to take such actions and perform such other and further acts that are reasonably necessary to fulfill the purposes of this Resolution

Introduced By: Trustee, Alan Battiato
Seconded By: Trustee, Christopher Battiato
On a vote of 5 to 0, the resolution was adopted

Resolution Assigning All Cell Tower Revenue to the Water Fund:

RESOLVED, that, for the 2016-2017 Village Budget, any and all rent revenue generated from cellular leases for cellular towers located on properties designated for the Village Water Department shall be assigned to the Village's Water Fund.

Introduced By: Deputy Mayor Betty-Jo Bono
Seconded By: Trustee Alan Battiato
On a vote of 5 to 0, the resolution was adopted

RESOLUTION ADOPTING LOCAL LAW #2 of 2016

WHEREAS, at the January 2016 meeting of the Mayor and Trustees, a public hearing was set for February 8, 2015, concerning a proposed local law to authorize the Mayor and Trustees, if they deem it advisable, to exceed the statutory cap on tax rate increases; and

WHEREAS, on February 8, 2016, such public hearing was called to order and any member of the public was invited to be heard on the subject, and

WHEREAS, such public hearing was duly closed, and the Mayor and Trustees having considered any and all comments made by the public, and the same having been recorded, and there appearing to be good and sufficient reason that such revisions should be made

NOW, THEREFORE, be it

RESOLVED, that Local Law #2 of 2016 in the form presented to this meeting was not adopted.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yay</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Hon. John Tom Bell	[]	[X]	[]	[]
Deputy Mayor Betty-Jo Bono	[]	[X]	[]	[]
Trustee Christopher Battiato	[]	[X]	[]	[]
Trustee Alan Battiato	[]	[X]	[]	[]
Trustee Elizabeth A. Reilly	[]	[X]	[]	[]

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CHESTER REGARDING LABOR RELATION MATTERS

WHEREAS, the Village Board of the Village of Chester, New York ("Village Board") previously retained Special Counsel Feerick, Lynch, MacCartney, to represent the Village in certain legal matters;

WHEREAS, the Village is desirous of retaining Special Counsel to assist in Labor Relations matters, including but not limited to disciplinary matters, General Municipal Law 207-C proceedings and general employment issues: and

WHEREAS, the Village is in receipt of a proposal from Feerick, Lynch, McCartney & Nugent, PLLC to provide the above services to the Village; and

WHEREAS, the Village Board hereby accepts the proposal of FEERICK, LYNCH, MACCARTNEY & NUGENT, PLLC to also serve as Labor Relations Counsel to the Village for Labor Relations matters at the hourly rate of \$210.00 per hour.

NOW, THEREFORE, it is resolved as follows:

Section 1. All "WHEREAS" paragraphs are incorporated herein by reference as though set forth in full herein.

Section 2. Feerick Lynch MacCattney & Nugent, PLLC ("FLMN") is authorized to appear and represent the Village on all Labor Relations matters, as directed by the Mayor, and shall be compensated for all services performed for the Village with regard to Labor Relation matters at the hourly rate of \$210.00 per hour which will be separately invoiced to the Village.

Section 3. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yay</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Hon. John Tom Bell	[X]	[]	[]	[]
Deputy Mayor Betty-Jo Bono	[X]	[]	[]	[]
Trustee Christopher Battiato	[X]	[]	[]	[]
Trustee Alan Battiato	[X]	[]	[]	[]
Trustee Elizabeth A. Reilly	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

Introduced By: Trustee Alan Battiato

Seconded By: Trustee Elizabeth A. Reilly

On a vote of 5 to 0, the resolution was adopted

Proclamation 100th Birthday Celebration Ruth Lorenz

WHEREAS, on April 27, 1916, Ruth Lorenz was born: and

WHEREAS, when Ruth Lorenz was a young girl her and her family lived in College Point, New York: and

WHEREAS, November 3, 1995 she moved to the Village of Chester; and

WHEREAS, she is blessed with two children, three grandchildren, 3 great-grandchildren; and

WHEREAS, Ruth Lorenz will celebrate her 100th birthday on April 27, 2016: and

WHEREAS, the Village of Chester offer her sincere best wishes for continued good health, happiness, and an overflowing abundance of love and joy,

NOW, THEREFORE BE IT PROCLAIMED, by the Village Mayor and Board of Trustees of the Village of Chester that April 27, 2016 be proclaimed as **RUTH LORENZ DAY**.

Introduced By: Trustee Elizabeth A Reilly

Seconded By: Deputy Mayor Betty-Jo Bono

On a vote of 5 to 0, the resolution was adopted

Prevention of Animal Cruelty Month

WHEREAS, the Village of Chester Board, the citizens of the Village 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 and 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 Village of Chester urges the vigorous enforcement of existing animal cruelty laws and want 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, be it hereby

RESOLVED, that, the Board of Trustees of the Village of Chester does hereby proclaim April 2016 to be:

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 to the Warwick Valley Humane Society.

Introduced By: Deputy Mayor Betty-Jo Bono

Seconded By: Trustee Alan Battiato

On a vote of 5 to 0, the resolution was adopted

Resolution Authorizing the Mayor and/or the Chief of Police to Enter into an Inter-Municipal Agreement with Orange County Regarding Reimbursement for Overtime for Patrols Related to DWI Offenses:

WHEREAS, Orange County (the "County"), in order to promote safer roadways, created and maintains a program, the Stop-DWI/Traffic Safety Program, that, in part, reimburses local police departments for overtime spent on patrols to detect and deter intoxicated drivers and tasks related thereto; and

WHEREAS, the County, from time to time, proffers an Inter-Municipal Agreement (the "Agreement") to the Village Police Department to reimburse the Village for overtime and other expenses related to the department's efforts to prevent and prosecute DWI offenses; and

WHEREAS, the Chief of Police of the Village of Chester Police Department, has reviewed the Agreement and approves of the same; and

WHEREAS, the Attorney for the Village has reviewed and approved the basic terms of the Agreement,

NOW, THEREFORE, be it

RESOLVED, that the Mayor and Board of Trustees of the Village of Chester, having reviewed the proposed Inter-Municipal Agreement with the County, hereby authorize the Mayor and/or Chief of Police to enter into an agreement substantially in accordance with the terms presented tonight to the Mayor and Board of Trustees, provided the same is approved by the attorney for the Village, and to execute any further extensions thereof.

Introduced By: Deputy Mayor Betty-Jo Bono

Seconded By: Trustee Christopher Battiato

On a vote of 5 to 0, the resolution was adopted

- A motion to appoint Robert Jankelunas to planning board member vacant seat was made by Deputy Mayor Betty-Jo Bono, second by Trustee Christopher Battiato. Appointment Planning Board vacant seat. Motion unanimously passed.
- A motion to waive penalty on the following water and sewer accounts was made by Deputy Mayor Betty-Jo Bono second by Trustee Alan Battiato. Motion unanimously passed.
 - Martin Crawford -Water Account #51-373
 - Ebony Brown- Sewer Bill#1302
 - Aga Ivezaj-Sewer Bill# 1107
 - Lynn D Crimmins-Sewer Bill #1303
- A motion to authorize annual Cleanup sponsored by Chester Kiwanis on April 30, 2016 was made by Deputy Mayor Betty-Jo Bono, second by Trustee Elizabeth A. Reilly. Motion unanimously passed.

CALENDAR:

Village Hall will be closed on Friday, March 25, 2016 in observance of Holiday.

Annual Cleanup – April 30, 2016 at 8am meeting at Wendy's (in Shoprite Plaza) Insurance will be provided by Chester Kiwanis.

ADJOURNMENT

A motion to adjourn the meeting and go into executive session to discuss Status of BT Holdings Litigation and related issues was made by Deputy Mayor Betty-Jo Bono, seconded by Trustee, Alan Batttiato. Motion unanimously passed.

Respectfully submitted,

Rebecca Rivera
Village Clerk