

**Village of Chester  
Board of Trustees Meeting Minutes  
April 11, 2016**

The Board of Trustees of the Village of Chester held their monthly meeting in the Village Hall meeting room on Monday, April 11, 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 Attorney, Brian Nugent, Village Police Chief, Peter Graziano, Water Commissioner, Thomas Becker, Village Street Superintendent, Charles Bono, Village Treasurer, Angela O’Neill, Village Code Enforcement Officer, John Orr, and Village Clerk, Rebecca Rivera.

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 Trustee Elizabeth A Reilly, second by Deputy Mayor Betty-Jo Bono. Motion unanimously passed.

**APPROVAL OF MINUTES:** March 14, 2016, public hearing, and monthly meeting minutes were tabled until May 9, 2016 monthly meeting.

**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>
<b><u>General Fund</u></b>				
Savings (Sterling National Bank)	--	--	618.89	2,875,458.37
Checking (Orange County Trust)	441,106.84	372,993.52	5.97	171,608.82
Savings (Orange County Trust)	--	208,558.24	164.73	1,685,089.80
<b><u>Water Fund</u></b>				
Capital Checking	--	--	5.34	61,977.89
Checking	42,045.58	39,715.80	14.39	283,374.91
<b><u>Sewer Fund</u></b>				
Checking	87,450.72	--	9.57	223,219.14

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

General Fund	8,416.87
Water Fund	203.59
Sewer Fund	292.88

**Treasurer’s Discussion:**

1. **EXPENSE CONTROL REPORT:** Year to Date Expense Control Reports were e-mailed to the Village Board on 4/8/16.
2. **REVENUE CONTROL REPORT:** Year to Date Income Control Reports were e-mailed to the Village Board on 4/8/16.
3. **2016-2017 BUDGET:** The 2016-2017 Village Budget presented this evening includes a 1.16% increase in the Village Property Tax Rate. The tax rate for 2016-2017 is 13.499/thousands of assessed value.
4. **SEWER COLLECTION:** Unpaid Sewer is no longer being collected. Unpaid sewer amounts will be re-levied on to the 2016-2017 Village Property Tax. Sewer Rates for 2016-2017 remain the same as last year at \$36.40 per unit or \$364.00 annual charge for a single family residence.

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:**

<b>Call Type</b>	<b>2016</b>
Calls for Service	865
Criminal Cases	216
Arrests	165
Traffic Accidents	58

**BUILDING REPORT:** Building Inspector/Code Enforcement Officer, John Orr, read his report as follows:

F&A – 41 Greycourt Ave

1- Work continues.

Meadow Hill Apartments.

1- Building #4 is now occupied.

2- Building #5 interior work continues.

3- Site work started for building 1-3.

Steris Nucifora Blvd.

1- Building walls being erected.

Q-Plaza – 69 Brookside Ave

1- Keller Williams Realty office now open.

BYK – 48 Leone Lane

1- Work continues.

Gorman – 14 Miller

1- Work well continues.

Bagel Girls Café – 69 Brookside Ave

1- Work well continues.

Christopher's Bistro

1- Issued permit for the remodel – expansion.

Dos Latinos – 78 Brookside Ave suite 131

1- Issued permit for remodel of old Dunkin Donuts for Spanish restaurant.

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

As of April 1<sup>st</sup> our Green Waste Removal Program has begun: 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. (Bags can be purchased at Lowe's and Shoprite.)

Winter seems to have come back in the early part of April than it did in the month of March, with temperatures colder than normal, high winds and the threat of snow has us going back and forth removing and installing our snow removal equipment. We had a few close calls with in climate weather, thankfully with monitoring and keeping a vigilant eye on the road temperature has kept us from having to go out and deice the streets.

We continue with normal weekly sweeping and road side garbage collection.

I would like to remind the village residents and everyone parking on village streets that the snow ordinance for parking on the street will end on April 15. However the Street Sweeping Ordinance will go into effect on all Fridays in which there is No Parking on Main St. (ALL) and Winkler PL. from the hours of 3:00am-6:00am.

Bulk collection has started again. Bulk collection will occur from April 1<sup>st</sup> to November 30<sup>th</sup>. However you have to schedule an appointment to have it picked up. Please contact IWS at 845-572-3300.

We are in the process of working on the new body that we purchased from T & T Body for our 2001 Ford. Joey has undercoated the underside of the body and primed and painted the outside of the body. The next phases are sand blast and paint the frame of the truck so we can install the body on the truck.

**WATER REPORT:** Water Commissioner, Thomas Becker, read his report as follows:

1= Daily filtration plant and well # 12 routine.

2= At the filtration plant twice weekly EFM filter membrane cleanings have been done and quarterly CIP membrane cleanings were done.

3= Monthly reports were completed and sent to OCHD and Two bacteria samples for April have been done.

4= All unpaid water bills have been collected.

5= Back flow Device testing is close to being completed.

6= Quarterly meters have been read and biannual meters are being read.

7= New SDS books for our garage, filtration plant and well #12 have been completed.

8= Our drinking water quality report has been sent to the OCHD for review.

9= I have been working with the Chester School District with information on Carbon filters that will be installed at the Chester Elementary School.

10= I am currently working on updating our water main and service line mapping.

11= I have ordered the 4" meter for Nexans and their Engineer is working on the plans for the meter and backflow device installation at the facility.

12 On April 6, Joe attended a seminar to complete his credit hours for his water license renewal.

**PARK & RECREATION:** no report submitted.

**OTHER BUSINESS:**

**Resolution Adopting the 2016/2017 Village Budget**

**WHEREAS**, a proposed budget (the "Proposed Village Budget") for the Village of Chester was prepared and introduced for the 2016/2017 fiscal year; and

**WHEREAS**, a public hearing was held and closed on April 13, 2015, on the Proposed Village Budget; and

**NOW, THEREFORE**, be it hereby

**RESOLVED**, that the Mayor and the Board of Trustees of the Village of Chester hereby adopts the proposed Village Budget of the 2016/2017 fiscal year, which, upon adoption, becomes the Village Budget for the 2016/2017 fiscal year; and be it further

**RESOLVED**, that the Village Clerk and Village Treasurer are authorized and directed to take such actions and perform such other and further acts that are reasonably necessary, proper or convenient to fulfill the purposes of these Resolutions.

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**

A Meeting of the Village Board of the Village of Chester was convened on April 11, 2016 at 7:00p.m.

The following Resolution was duly offered and seconded to wit:

**RESOLUTION OF THE VILLAGE BOARD TO AUTHORIZE MAYOR  
TO EXECUTE INSURANCE SETTLEMENT AGREEMENT**

**WHEREAS**, the Village previously retained Special Counsel Feerick Lynch MacCartney & Nugent, Esqs. ("Special Counsel") to represent the Village in certain legal matters; and

**WHEREAS**, the Village of Chester ("Village") was named in a Notice of Claim and lawsuit entitled BT Holdings, LLC v. Village of Chester and the Village of Chester Board of Trustees, under Orange County Supreme Court Index No. 1480-2015 that was subsequently removed to Federal Court (the "Litigation"); and

**WHEREAS**, the Village required Special Counsel to undertake representation and a defense of the Village in the aforesaid Litigation; and

**WHEREAS**, prior to retaining Special Counsel the Village attempted to have its Insurance Company undertake a defense of the Litigation for the Village, but the Insurance Company had declined to provide a defense; and

**WHEREAS**, Special Counsel agreed to represent the Village in efforts to have the Insurance Company provide a defense to the Litigation and Special Counsel agreed to do so and drafted a proposed Summons and Complaint; and

**WHEREAS**, Special Counsel for the Village has entered into considerable discussions with the Insurance Company with regard to efforts to resolve this matter; and

**WHEREAS**, the Insurance Company, U.S. Specialty Insurance Company (the "Insurance Company"), has proposed an Agreement that is approved by Special Counsel for the reimbursement of \$100,000 in legal fees incurred by the Village with regard to the Litigation through February 6, 2016, to assume legal fees incurred on or after February 6, 2016, and otherwise provided for certain rights and responsibilities between the Village and the Insurance Company.

**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.** The Village Mayor is authorized to execute the Settlement Agreement with the Insurance Company upon the recommendation of Special Counsel and as considered and discussed by the Village Board in Executive Session.

**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:

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>
Mayor, John Tom Bell	[X]	[ ]	[ ]	[ ]
Deputy Mayor, Betty-Jo Bono	[X]	[ ]	[ ]	[ ]
Trustee, Christopher Battiato	[X]	[ ]	[ ]	[ ]
Trustee, Alan Battiato	[X]	[ ]	[ ]	[ ]
Trustee, Elizabeth A. Reilly	[X]	[ ]	[ ]	[ ]

**Resolution Hambletonian Marathon**

**WHEREAS**, the Hambletonian Marathon (the "Applicant") has requested the use of Village's streets and roadways as described on the attached sheet for the 2016 Hambletonian Marathon on October 2, 2016 (the "Event") from 8:00 a.m. to 2:00 p.m.; and

**WHEREAS**, the Applicant has promised to provide the Village with a certificate of liability insurance naming the Village of Chester as an additional named insured (the "Insurance Certificate"),

**NOW, THEREFORE**, be it hereby

**RESOLVED**, that the Applicant's request for use of the identified Village of Chester Property for the Event is hereby granted, subject to the Applicant providing the Village with the Insurance Certificate.

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

**30 Day Advance Notice** - A motion to waive the 30 day advance notice for Dos Latinos, 78 Brookside Ave, Suite 131, was made by Trustee Elizabeth A. Reilly, second by Trustee Alan Battiato. Motion unanimously passed.

**Chester Cemetery** - Trustee Elizabeth A. Reilly made mention that the Chester Cemetery Committee is looking for donations. The Chester Committee will be selling flags, five dollars a flag in order to raise fund for the upkeep of the cemetery. Joan Robando who is part of the committee will be in charge of selling flags and she can be reached at 845-742-4077.

**Rustic Wheel House** – Gordon Shehab who is a part of the Village zoning board mention that he and his band (Jump Street) will be playing at the Rustic Wheel House, 39 Main Street, on Saturday, April 16, 2016, at 6:30pm.

**Village New Hire** - Mayor John Tom Bell made mention that the Village of Chester has a new hire as of April 7, 2016, filling the vacant Position of Full time Deputy Clerk. The Mayor Bell welcomed Margaret Erickson-Dickover as the new deputy clerk.

**CALENDAR:**

**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