

**Village of Chester
Board of Trustees Meeting Minutes
April 13, 2015**

The Board of Trustees of the Village of Chester held their monthly meeting in the Village Hall meeting room on Wednesday, April 13, 2015.

Members present: Mayor Philip Valastro, Deputy Mayor Carole Duffy, Trustee Betty-Jo Bono, Trustee John T Bell and Trustee Christopher Battiato.

Also present: Village Attorney, Ian L. Schlanger, 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 Philip Valastro opened the meeting at 7:00 PM with the Pledge of Allegiance.

AUDIT OF BILLS: Mayor Philip Valastro noted that the audit of the Village's monthly bills for approval was complete.

APPROVAL OF MINUTES: A motion to accept the Village Board Meeting Minutes of March 9, 2015, was made by Trustee, Christopher Battiato, second by Deputy Mayor Carole Duffy. Motion unanimously passed.

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

CASH BALANCES ENDING MARCH 31, 2015:

<u>Fund/Bank Account</u>	<u>Deposits</u>	<u>(Disbursements)</u>	<u>Interest</u>	<u>Ending Balance</u>
<u>General Fund</u>				
Checking	6,411.92	12,823.84	10.18	114,538.53
Savings	--	--	617.31	2,868,160.01
Checking (Orange County Trust)	275,436.55	252,073.27	6.85	96,049.95
M.M. (Orange County Trust)	81,023.98	311,743.48	152.24	1,070,453.43
<u>Water Fund</u>				
Checking	--	--	12.06	140,274.68
Capital M.M.	--	--	7.73	85,552.95
Checking (Orange County Trust)	24,381.58	34,679.51	15.77	173,256.57
<u>Sewer Fund</u>				
Checking	--	--	17.16	199,275.17
Checking (Orange County Trust)	85,441.46	600.00	3.69	92,819.95

Cumulative Fiscal Year Interest Earned by Fund 06/01/2014 – 05/31/2015

General Fund	9,963.04
Water Fund	263.47
Sewer Fund	259.08

Treasurer's Discussion:

1. EXPENSE CONTROL REPORT: Year to Date Expense Control Reports submitted 4/13/15 via email.
2. REVENUE CONTROL REPORT: Year to Date Income Control Reports submitted 4/13/15 via email.
3. 2015-2016 BUDGET: The 2014-2015 Budget presented this evening includes a 0% percent increase in Village Tax Rate. Tax rate will remain at \$13.34/thousands of assessed value.
4. SEWER: Unpaid sewer notices have been mailed. Unpaid sewer as of 3/31/15 will be re-levied on to 6/1/15 Village Property Tax Bill. Re-levy amount will be approximately. Sewer rates for 2015-2016 will be \$36.40/unit or \$364.00/annually or \$91.00/quarter. Any installment received after the due date will incur penalties.
5. WATER: Water Filtration Plant Power Surge Equipment installed last month will be paid with insurance recovery funds.

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

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

1. Personnel:

- Appointment – Samantha Gau to part time Police Officer, filling vacancy left by Office Rader.

2. Citizen Issues:

- Received a thank you note form Mrs. Winter of Warwick thanking Sgt. Verbert and Officer Guarneiri for changing flat tires.

3. Public Safety Issues:

- Traffic Details: Continuing.

4. Facilities:

- No Issues

5. Equipment:

- No Issues.

6. Vehicles:

- No issues.

7. Other:

- Police Week 2015 (10-16 May 2015) Proclamation reading.

8. Department Activity YTD:

Call Type	2015
Calls for Service	1059
Criminal Cases	209
Arrests	153
Traffic Accidents	065

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

Satin – 32 Leone Lane

1- Work almost complete.

Sienko – 20 Oakland Ave

1- Interior work continues.

Previtera – 18 School St.

1- Work continues.

Symrise – 45 Leone Lane (former Belmay)

1- Work is complete.

BYK – 48 Leone Lane (former Chem-Chor.)

1- Work continues.

N2O – 2 Vadala Rd.

1- Site work continues.

F&A – 41 Greycourt Ave

1- Work has started.

2- Foundation work is underway.

Norris – 26 Elm Street

1 – Issued permit for new single family home.

May is "Building Safety Month" I will be participating in an event on May 2nd at Lowes to promote "Building Safety" with an emphasis on "When building permits are needed and why"

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

As of April 1st 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 are available at Deli USA, Chester Market, Village Hall & Village Street Dept. Garage.

We have completed our 1st round of sweeping and road side garbage collection.

We have started breaking down and removing some of our snow removal equipment and prepping them for summer storage.

We have started going around and putting down topsoil and grass seed where the edges of the lawns were damage from the snow plows.

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 1st to November 30th. However you have to schedule an appointment to have it picked up. Please contact IWS at 845-572-3300.

Received an email from The Association of Town Superintendents of Highways that the Governors Executive Budget had added a 50 million dollar increase into the Extreme Winter Recovery Fund. Originally there was no money allocated to this fund. But thanks to the Senates leadership, along with supporters in the assembly, the enacted budget includes 50 million dollars in the Winter Recovery fund. The village's portion is \$6,809.37 in addition to the \$52,065.00 for CHIPS 2015-2016.

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

1= Daily filtration plant and well #12 routine.

2= water meters have been read.

3= backflow devices are being tested.

4= On 3-17-2015 Tom and Gary attended a free seminar at Vallano Brothers for 6 credit hours.

5= At the filtration plant twice weekly EFM membrane cleanings have been done, the new tanks have been installed on skid A and B. A full day cleanup of the filter plant took place after the install and the surge protection for the entire plant and generator was installed on 3-31-15 by Ted Marks Enterprises Inc. The cost of the labor and equipment totaled \$6,121.55. The quote from Marks Enterprises Inc. was accepted as 2 other contractors who specialize in this type of service were unable to provide a quote without additional cost to the Village.

6= We have currently received 3 price quotes for the Engineering needed to bring the Walton lake Dan into compliance with DEC requirements. I will be meeting with Chris Viebrock on April, 21 at 1:30 to choose which engineer will potentially be doing the work.

7= Our two required bacteria samples for March were taken to the Lab.

8= Water use at fire house for fund raising.

- Discussion regarding the use of village water for Chester Little League Fund Raiser at the Walton and Hose Fire House.

A motion to authorize Walton and Hose Fire House with the use of metered water for the purpose of fund raising was made by Deputy Mayor, Carole Duffy, second by Trustee, Christopher Battiato. Motion unanimously passed.

PARK& RECREATION: no report submitted.

OTHER BUSINESS:

Resolution Adopting the 2015/2016 Village Budget

WHEREAS, a proposed budget (the “Proposed Village Budget”) for the Village of Chester was prepared and introduced for the 2015/2016 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 2015/2016 fiscal year, which, upon adoption, becomes the Village Budget for the 2015/2016 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 John T Bell

Seconded By: Trustee Betty-Jo Bono

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

Resolution Adopting Proposed Local Law 1 of 2015: Amendment to Chapter 82: Streets and Sidewalks - Interference with Public Thoroughfares Prohibited.

WHEREAS, on March 9, 2015, a proposed local law was introduced, Proposed Local Law 1 of 2015: Amendment to Chapter 82: Streets and Sidewalks - Interference with Public Thoroughfares Prohibited; and

WHEREAS, a public hearing on the above-referenced proposed law was held and closed on April 13, 2015,

NOW, THEREFORE, be it hereby

RESOLVED, that the Mayor and the Board of Trustees of the Village of Chester hereby adopts Proposed Local Law 1 of 2015: Amendment to Chapter 82: Streets and Sidewalks - Interference with Public Thoroughfares Prohibited, which, upon adoption, becomes Local Law No. 1 of 2015; and be it further

RESOLVED, that the Village Clerk is 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: Deputy Mayor Carole Duffy

Seconded By: Trustee John T Bell

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

Resolution Approving Water Easement Agreement from Sorrentino to Village:

WHEREAS, on or about June 24, 2014, the Planning Board of the Village of Chester passed a resolution granting a special use permit and conditional site plan approval to John Sorrentino (the “Developer”) for the project commonly known as Meadow Hill Apartments (the “Project”); and

WHEREAS, pursuant to that resolution, the Developer was required to, among other things, file an easement, in a form approved by the Village Attorney, for the inspection, maintenance and repair of water line connections to be dedicated to the Village of Chester (the “Village”); and

WHEREAS, a proposed Water Easement Agreement between the Developer and the Village has been drafted and is annexed hereto; and

WHEREAS, the proposed Water Easement Agreement has been reviewed and approved, as to form, by the Village Attorney and the Village Engineer,

NOW, THEREFORE, be it hereby

RESOLVED, that the Mayor and Board of Trustees of the Village of Chester hereby approves the form and content of the proposed Water Easement Agreement; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the Water Easement Agreement and the associated recording documents, and to take such actions and to perform such other and further acts that are reasonably necessary, proper or convenient to fulfill the purposes of this Resolution.

Introduced By: Trustee Betty-Jo Bono

Seconded By: Deputy Mayor Carole Duffy

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

Resolution Authorizing Settlement of Orapello Action:

WHEREAS, the Village of Chester (the “Village”) commenced an action against former police officer Michael Orapello (“Orapello”) titled “The Village of Chester v. Michael Orapello,” in the Supreme Court of the State of New York, County of Orange, bearing index number 2013-003276 (the “Litigation”); and

WHEREAS, the Litigation was commenced on behalf of the Village by the filing of a Summons and Verified Complaint on April 17, 2013, which Complaint was amended on or about May 9, 2013; and

WHEREAS, Orapello interposed an Answer to the Verified Complaint, and later an Answer to the Amended Verified Complaint, both of which raised affirmative defenses and asserted a counterclaim against the Village; and

WHEREAS, on or about May 9, 2013, the Village interposed a Reply to the Counterclaim asserted by Orapello which denied the material allegations thereof; and

WHEREAS, in view of the vagaries and uncertainties of legal proceedings, the Village and Orapello wish to resolve and discontinue all of their claims and counterclaims against each other as stated or contained in the Litigation; and

WHEREAS, the Village and Orapello have agreed that neither of them shall recover any damages, losses, charges, costs, expenses, fees and/or any other thing of value as against the other in connection with the resolution and discontinuance of the Litigation; and

WHEREAS, in connection with the resolution and discontinuance of the Litigation, Orapello has duly executed a certain Stipulation of Settlement and a General Release in favor of the Village, and has caused his attorney to execute a certain Stipulation Discontinuing Action with Prejudice.

NOW, THEREFORE, be it hereby

RESOLVED, that resolution and discontinuance of the Litigation by and on behalf of the Village is approved; and be it further

RESOLVED, that the Mayor is authorized to execute on behalf of the Village said Stipulation of Settlement and a reciprocal General Release in favor of Orapello; and be it further

RESOLVED, that the Mayor is authorized to cause counsel for the Village, Norton & Christensen (“Counsel”), to execute said Stipulation Discontinuing Action with Prejudice; and be it further

RESOLVED, that the Mayor and Counsel are authorized to take appropriate steps to cause or otherwise arrange for the filing with the Court of the Stipulation of Settlement and the Stipulation Discontinuing Action with Prejudice, and to take such actions and to perform such further acts that are reasonably necessary, proper or convenient to fulfill the purposes of this Resolution.

Introduced By: Deputy Mayor Carole Duffy

Seconded By: Trustee John T Bell

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

Resolution Proclaiming May 2015 to be Building Safety Month:

WHEREAS, the continuing efforts of the Village of Chester to address the critical issues of building safety, energy efficiency, water conservation, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and

WHEREAS, such confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

WHEREAS, these guardians use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play; and

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wild land fires, floods and earthquakes; and

WHEREAS, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings; and

WHEREAS, “Resilient Communities Start with Building Codes, the theme for Building Safety Month 2015, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, water safety and conservation; energy efficiency and new technologies in the construction industry. Building Safety Month 2015 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property,

NOW, THEREFORE, be it hereby

RESOLVED, that, the Mayor and Board of Trustees of the Village of Chester, New York, do hereby proclaim the month of May 2015 as Building Safety Month, and encourage our citizens to participate in Building Safety Month activities.

Introduced By: Deputy Mayor Carole Duffy

Seconded By: Trustee John T Bell

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

Resolution Approving and Accepting Dedication of Real Property and Drainage Easement Agreement from N20 Enterprises, LLC, to Village:

WHEREAS, on or about November 18, 2014, the Planning Board of the Village of Chester passed a resolution granting a special use permit and conditional site plan approval to Matthew Houston (the “Developer”) for the project commonly known as 2 Vadala Road (the “Project”); and

WHEREAS, pursuant to that resolution, the Developer was required to, among other things, dedicate to the Village of Chester (the “Village”) two partial parcels of land and file an easement, in a form approved by the Village Attorney, for the inspection, maintenance and repair of a certain drainage pipe; and

WHEREAS, proposed Deeds of Dedication and a proposed Drainage Easement Agreement between the Developer and the Village has been drafted; and

WHEREAS, the proposed Deeds and Drainage Easement Agreement have been reviewed and approved, as to form, by the Village Attorney and the Village Engineer,

NOW, THEREFORE, be it hereby

RESOLVED, that the Mayor and Board of Trustees of the Village of Chester hereby accepts the Dedication of Land referenced in the above referenced deeds; and be it further

RESOLVED, that the form and content of the proposed Drainage Easement Agreement is hereby approved and accepted; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the Dedication Deed Transfer/Recording Documents and the Drainage Easement Transfer/Recording Documents, and to take such actions and to perform such other and further acts that are reasonably necessary, proper or convenient to fulfill the purposes of this Resolution.

Introduced By: Trustee Betty-Jo Bono

Seconded By: Deputy Mayor Carole Duffy

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

3116 Whispering Hills Sewer Bill – requesting permission to adjust penalties due to the sewer bill being submitted to the wrong address.

A motion to adjust penalties on sewer bill for 3116 Whispering Hills was made by Deputy Mayor, Carole Duffy, second by Trustee, Christopher Battiato. Motion unanimously passed.

10th Annual Chester Clean up – Sponsored by Tom Flynn from Flynn Funeral Home.

A motion to authorize the 10th Annual Chester Clean up on May 16, 2015 starting at 8:00am was made by Deputy Mayor, Carole Duffy, second by Trustee, Betty-Jo Bono. Motion unanimously passed.

Records Retention Day–The Village Clerk requested to close the Village Office for regular business on May 1, 2015 for a records retention day in order to set up for the new fiscal year and move 2014 files to the records retention room.

A motion to authorize the Village Office to close for regular business on May 1, 2015, for the purpose of records retention was made by Deputy Mayor, Carole Duffy, second by Trustee, John T Bell. Motion unanimously passed.

CALENDAR

- Village Water Department will be flushing water mains the first week of May.
- April 11- First camp sign-up date for Chester Residents (@Senior Center 10-12)
- April 11- Little League opening day
- April 16-Second camp sign-up date for Chester Residents (@Park& Rec office)
- April 18-Open Camp Registration (@Senior Center 10-12)
- Town of Chester Summer camp registration 2015 – see village website or for more information go to www.Chester-ny.gov

ADJOURNMENT

A motion to adjourn the meeting was made by Deputy Mayor Carole Duffy, and seconded by Trustee, John T Bell. Motion unanimously passed.

Respectfully submitted,

Rebecca Rivera
Village Clerk