

**Village of Chester
Board of Trustees Meeting
October 6, 2014**

The Board of Trustees of the Village of Chester held their monthly business meeting in the Village Hall meeting room on Monday, October 6, 2014. Members present: Mayor Philip Valastro, Deputy Mayor Carole Duffy, Trustee Betty-Jo Bono, Trustee John T Bell and Christopher Battiato. Also present: Village Attorney Ian Schlanger, Village, Police Chief Peter Graziano, Street Superintendent, Charles Bono, Water Treatment Operator, Thomas Becker, Village Treasurer, Angela O'Neill and Village Code Enforcement Officer John Orr. In the audience: Town of Chester Park and Recreation Park & Recreation Director Walter Popailo, Virginia Privitar of The Chronicle Newspaper, Gordon Shehab, Nikki Mayer, Leslie Smith, Clifton Patrick, David Stevenson, Anthony Quinn, and Edward Szulwach.

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.

APPROVAL OF MINUTES: A motion to accept a Village monthly business minutes of September 8, 2014 was made by Trustee John T Bell, second by Deputy Mayor Carole Duffy. Motion unanimously passed.

TREASURER'S REPORT: Treasurer Angela O'Neill was present and read the report as follows:

CASH BALANCES ENDING SEPTEMBER 30, 2014:

<u>Fund/Bank Account</u>	<u>Deposits</u>	<u>(Disbursements)</u>	<u>Interest</u>	<u>Ending Balance</u>
<u>General Fund</u>				
Checking	239,605.22	263,089.22	11.77	153,004.80
Savings	16,307.39	145,646.85	1,234.64	6,059,777.52
<u>Water Fund</u>				
Checking	24,352.37	30,493.28	18.74	231,235.23
Capital MM	--	--	6.89	85,509.71
<u>Sewer Fund</u>				
Checking	62,139.88	79.15	35.24	473,418.47

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

General Fund	4,837.07
Water Fund	108.80
Sewer Fund	111.04

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) 2014-2015 COLLECTION of Village Property Tax and Sewer continues.
- (4) 5/31/2014 AUDIT ENGAGEMENT: Requesting a motion to accept audit services proposal of Vanacore, DeBenedictus, DiGiovanni & Weddell, LLP.
- (5) BANK ACCOUNTS: Requesting permission to open (3) new checking accounts for general, water and sewer funds @ Orange County Trust in the Village of Chester, N.Y.

A motion to accept audit services proposal of Vancore, DeBenedictus, DiGiovanni & Weddell LLP was made by Trustee Betty-Jo Bono, second by Deputy Mayor Carole Duffy. Motion unanimously passed.

A motion to authorize the Treasurer to open (3) new checking accounts for general, water and sewer funds @ Orange County Trust in the Village of Chester, N.Y., was made by Deputy Mayor Carole Duffy, second by Trustee Betty-Jo Bono. Motion unanimously passed.

A motion to approve the Treasurers report was made by Trustee John T. Bell, second by Trustee Betty-Jo Bono. Motion unanimously passed.

BUILDING REPORT: Building Inspector/Code Enforcement Officer John Orr was present and read report as follows:

Smith – 65 Greycourt Ave

1- No change.

Amscan – 47 Elizabeth Dr.

1- Project is complete.

Satin – 32 Leone Lane

1- Work continues.

Taco Bell- 85 Brookside Ave

1- Project is complete.

Allen's Falafel 115 Main St

1- Work continues.

Sunoco -68 Brookside Ave

1- No work has started yet.

Wendy's – 78 Brookside Ave

1- Work well underway.

Sienko – 20 Oakland Ave

1- Issued permit for an addition and relocation of shed.

CSA – 62 Leone Lane

1 – Issued permit for the repairs to building from storm damage.

Previtera – 18 School St.

1- Issued permit for new home.

Would like to attend the Southeast New York Stormwater Conference on October 15th in Dutchess County.

A motion to authorize to attend the Southeast New York Stormwater Conference on October 15, 2014 in Dutchess County was made by Trustee John T. Bell, second by Deputy Mayor Carole Duffy. Motion unanimously passed.

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

1. Personnel:

- No Issues

2. Citizen Issues:

- Taco Bell held their grand opening on 27 September. Chief Graziano, Officers Rader and Guarneiri performed child fingerprinting and provided public information services. 15 children were fingerprinted.

3. Public Safety Issues:

- Traffic Details: Continuing.
- Hamble Marathon – 19 October, Meadow Av, Greycourt Rd. at meadow Av and Winkler PL at Howland Av will be affected. Please use caution or avoid the area between 12pm and 3pm.
- Halloween Parade: 26 October, Registration will be at B&B Farms starting at 1pm, from B&B Farms, the route will remain the same, Greycourt Rd., Howland Av, Main St., and Vadala to the Community Park. Vadala will be closed to traffic until 5pm.

4. Facilities:

- Station Water Damage; Request the Board to advise which companies they choose to repair the station and meeting room.

5. Equipment:

- No Issues.

6. Vehicles:

- Accepted delivery of the 2014 Impala on September, equipment is in the process of being transferred.

7. Department Activity YTD:

Call Type	2014			
Calls for Service	3435			
Criminal Cases	591			
Arrests	379			
Traffic Accidents	188			

Chief Graziano mentioned that curfew is 8pm to 6am on October 30, 31st and November 1, 2014 as stated in Village Code.

A motion to authorize Chief Graziano to move forward with selecting one of the three proposals submit by carpet companies to replace the carpet in the conference room on the second floor of the Village Hall and not to exceed \$12,000 was made by Deputy Mayor Carole Duffy, second by Trustee Betty-Jo Bono. Motion unanimously passed.

A motion to authorize the Mayor to sign off on the purchase of the carpeting for the conference room at Village Hall was made by Trustee John T Bell, Deputy Mayor Carole Duffy. Motion unanimously passed.

STREET REPORT: Street Superintendent Charles Bono was present and read report as follows:

The NYS Department of Labor (PESH Bureau) came down and they did an inspection of the facility.

We spent a good part of September catching up on some blacktopping.

We continue with the normal weekly sweeping, mowing and picking up bags and brush.

The leaf vac has been serviced for another season for our leaf pick up. At this time, village residents can bring leaves out to the curb to be picked up. Please do not put out leaves in or near storms drains or by catch basins as this will prevent water from getting to storm drains and catch basins and will cause the water to back up onto the streets. Also please keep sticks and stones separate from leaves as this will clog the leaf vac up and cause downtime. All weekly pick up, including leaf pick will end on December 1st, and so we urge village residents to put out their leaves at their earliest convenience.

The village snow ordinance will go into effect on November 1st to April 15th, at which time there is no parking on any village street between the hours of 3:00am to 6:00am.

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

- 1= Daily filtration plant and Well #12 routine.
- 2= mowing every two weeks at all water facilities.
- 3= repaired curb box at 7 Chester Acres.
- 4= At our Princeton St. water tower damage was done to the door of the building left by Nextel.
- 5= I met with Phil Gonnella from Tenenc coatings in reference to the paint peeling at the Whispering Hills Tank.
- 6= At the Filtration Plant EFM filter membrane cleanings are done twice each week. On skid A & B there are plastic tanks that have leaked at seams several times in the past. On skid A we have a leak on the T1 tank and the cost of repair is \$1000.00. I have contacted the Pall Corporation about replace tanks with no seams and they will work with us to replace the tanks. They will give us new tanks but we have to cover shipping from Ohio. They will supply the needed fittings to connect the new tanks. They will have a man on site to set up the new tanks at a cost of \$1800.00 a day.

We will have to widen a 36 inch doorway to a 48 inch doorway to bring the new tanks into the building and the cost of a new door is \$821.12. We will have to move electrical conduits to install the new door.

A motion to authorize water commissioner Tom Becker to move forward and contact the Pall Corporation to replace tanks for Filtration Plant and not to exceed an amount of \$10,000 was made by Trustee John T Bell, second by Deputy Mayor Carole Duffy. Motion unanimously passed.

PARK & RECREATION: Park & Recreation Director Walter Popailo was in attendance and read his report as follows:

- Commons are almost done and concession stand completed.
- Basketball court at Community Park repaved.
- Ice rink to go around the basketball court.
- Kite festival at Knapp's View on October 18, 2014.
- Halloween Parade October 26, 2014 no rain date.
- Bus trip December 6, 2014 to Bryant Park \$25. Leaving at 9am returning at 6pm.
- December 17, 2014 Holiday party at the Senior Center.

- Sign up for Basketball is ongoing 100 kids already signed up.
- October 14 and 15th soccer game.
- October 17, 2014 and October 31, 2014 Football games.

OTHER BUSINESS:

Resolution Authorizing Tax Refund to HHLP CHESTER LLC.:

WHEREAS, on or about July 29, 2014, by Orders of the Hon. Catherine M. Bartlett, A.J.S.C., the assessments, for certain real property owned by HHLP Chester, LLC. (the "Petitioner"), were reduced for tax years 2009/10-2013/14; and

WHEREAS, the Village Treasurer, using the reduced assessments as ordered by the Court, has calculated the refund due the Petitioner for the over assessments for which the Village is responsible; and

WHEREAS, the Village Treasurer has calculated that the total refund due to the Petitioner is \$14,562.04,

NOW, THEREFORE, be it hereby

RESOLVED that, pursuant to the Orders of the Hon. Catherine M. Bartlett, A.J.S.C., reducing the Petitioner's assessments for the tax years 2009/10-2013/14, the Village Treasurer is hereby directed to issue a refund in the amount of \$14,562.04, to the Petitioner's attorneys, Griffin, Coogan, Sulzer & Horgan, P.C., as attorneys.

Introduced By: Trustee John T Bell

Seconded By Trustee Betty-Jo Bono

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

Resolution rejection County Sewer Budget:

The Mayor and Trustees of the Village of Chester, having been advised by another community that Orange County Department of Public Works, Division of Environmental Facilities and Services, had prepared a summary proposed budget for the year 2015 for operation and maintenance of the Harriman Sewage Treatment Plant, and having considered the same, and having been advised of the opinions concerning same of Henry N. Christensen, Jr., attorney for the Village and counsel to Moodna Basin Joint Operations & Maintenance Commission, and deliberation having been had thereon, it was

on Motion by seconded by Trustee John T Bell second by Deputy Carole Duffy

RESOLVED that the Village of Chester disapproves the proposed budget for the year 2015 for the Harriman Treatment Plant Operation and Maintenance in the following respects:

1. The proposed budget was not delivered to the Village in a timely fashion, nor was it delivered to the Clerk with an express reference to the 1995 inter-municipal agreement, as required by the said intermunicipal agreement.

2. The proposed budget fails to disclose, on a line-by-line basis the proposed expenditures, and fails to disclose, on a line-by-line basis, either the results of operations in 2013 or the year-to-date budget and actual costs for 2014, and therefore does not properly present the information needed for intelligent review.
3. The constituent communities of the Moodna Basin Joint Operation & Maintenance Commission (the Village of Chester, the Town of Chester, and the portion of the Town of Monroe outside Orange County's Sewer District #1) are entitled to credit on account of the 2013 operating surplus. The information presented discloses a \$170,096 appropriated surplus, but does not disclose the source or sources of the surplus; nor does it disclose how the appropriated surplus is being applied toward the 2015 budget except that it is proposed to be applied, in its entirety to OCSD #1.
4. The proposed budget seeks from Contract Users amounts toward administration expenses which have not been agreed to.
5. The proposed budget does not disclose what the proposed contractual expenses are.
6. The proposed budget allocates all contractual line items on the basis of flows without identifying items that should be assumed 100% by the District.
7. The proposed budget allocates all personnel costs on the basis of flows when it is necessarily the case that substantial personnel costs will be devoted to the maintenance of sewer lines, pump stations and appurtenances within OCSD #1.

And it is further

RESOLVED that the Mayor is authorized to notify Orange County Department of Public Works, Division of Environmental Facilities and Services that the proposed budget is rejected; and it is further

RESOLVED that if the items listed above shall be dealt with to the satisfaction of the Mayor and the attorney for the Commission, the Mayor is authorized without further action by this Board to approve a revised budget.

Resolution Scheduling Public Hearing on Proposed Local Law 2 of 2014:

RESOLVED that the Village Board will hold a Public Hearing at 6:30 p.m., or as soon thereafter as the matter may be heard, on the 3rd day of November, 2014, at the Village Hall, on proposed Local Law 2 of 2014; 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 Betty-Jo Bono

Seconded By: Trustee John T Bell

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

Resolution Scheduling Public Hearing on Proposed Local Law 3 of 2014:

RESOLVED that the Village Board will hold a Public Hearing at 6:45 p.m., or as soon thereafter as the matter may be heard, on the 3rd day of November, 2014, at the Village Hall, on proposed Local Law 3 of 2014; 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 Betty-Jo Bono

Seconded By: Trustee John T Bell

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

Resolution Scheduling Special Board Meeting:

RESOLVED that, the Board of Trustees of the Village of Chester, will hold a special board meeting at 7:00 p.m., or as soon thereafter as the matter may be heard, on the 3rd day of November, 2014, at the Village

Hall, to vote on the proposed local laws revising Chapter 98 of the Village Code (changes to the RM zoning district), and to vote on the zoning of the BT Holdings' property; and be it further

RESOLVED that the Village Clerk give due notice of this special meeting in accordance with the Village Code and the Laws of the State of New York

Introduced By: Trustee Betty-Jo Bono

Seconded By: Trustee John T Bell

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

Resolution Increasing the Monetary Limit of the Village's Petty Cash Fund:

RESOLVED, that the monetary limit of the Petty Cash Account, established, on or about May 10, 2010, pursuant to Section 5-526 of the Village Law, be hereby increased from \$100.00 to \$200.00.

Introduced By: Trustee John T Bell

Seconded By Trustee Betty-Jo Bono

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

A motion to authorize payment for Village Registrar Elizabeth Reilly was made by Deputy Mayor Carole Duffy, second by Trustee John T Bell. Motion unanimously passed.

A motion to appoint Town of Chester Deputy Registrar Elizabeth Sabados to fill vacant position of Village Registrar for the remainder of the term was made by Trustee Betty-Jo Bono, second by Trustee John T Bell. Motion unanimously passed.

CALENDAR

- Halloween Parade – Town of Chester Park & Recreation department. The Parade is scheduled for Sunday, October 26, 2014. The route for the parade will be the same as prior years with one exception; the finish line will be at Community Park. No rain date.
- Village Board Special Meeting for November is scheduled for November 3, 2014 at 7pm.
- Village will be closed on November 4, 11, 27 & 28 2014 due to the Holidays.
- Chester Farmers Market – June 1 – October 26, 2014/9am-3pm/Erie Train Station, Winkler. Place. chesterfarmermarket@yahoo.com.

ADJOURNMENT

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

Respectfully submitted,

Rebecca Rivera
Village Clerk