

VOC MONTHLY MEETING

Monday, January 14, 2019
7:00 p.m.
Conference Room

Agenda

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- I. Mayor John Thomas Bell, Call the meeting to Order
 - II. Audit of Bills for the month of **December 2018**
 - III. Approval of Monthly Meeting minutes: **December 2018 Monthly Meeting Minutes.**
 - IV. Treasurer's Report:
 - V. Building Inspector's Report:
 - VI. Police Chief's Report:
 - VII. Street Superintendent's Report:
 - VIII. Water Commissioner's Report:
 - IX. Park & Recreation Report:
 - X. Old Business:
 - 19-3 Adoption of Introductory Local Law #7 of 2018 as Local Law #1 of 2019 -A Local Law replacing CHAPTERS 38 and 48 of the VILLAGE CODE of the VILLAGE OF CHESTER with a new CHAPTER 38 OF THE VILLAGE CODE OF THE VILLAGE OF CHESTER TO BE ENTITLED "FIRE PREVENTION AND BUILDING CONSTRUCTION"
 - XI. New Business:
 - 19-1 Resolution Authorizing Chester Kiwanis Hambletonian 5K Walk/Run 2019,
 - 19-2 Resolution Authorizing Reimbursement of Medicare Part B Payments for 2018.
 - 19-3 Board of Trustee monthly meeting schedule for 2019.
 - 19-4 Approving a Short Form Environmental Assessment and making a negative declaration under SEQRA for a proposed parking lot project on Bank Street
 - 19-5 Authorizing the implementation, and funding in the first instance of the State-aid Program eligible costs, of a capital project for a Downtown municipal parking lot, and appropriating funds therefore
 - 92 Main Street Project – Former Lippincott Funeral Home
 - 30 day Waiver 2019 – Chester Mall Brother Bruno's Pizza
 - Letter from Kiryas Joel Emergency Management Services.
 - Mary Altobelli – 4 Garden St.
 - XII. Calendar:
 - Comprehensive Committee Meeting on
 - Proposed Comprehensive plan meeting will be held on **(to be determined)**. Location: **45 Main St., 2nd Floor** above Police Station in the Village hall conference room.
 - **Village of Chester Closed on January 21, 2019 Martin Luther King, Birthday.**
 - See our calendar for more upcoming meetings and events:
<https://www.villageofchesterny.org>
 - XIII. Public Comments:
 - XIV. Adjournment:
 - XV. Executive Session: **(If needed)**

****AGENDA IS SUBJECT TO CHANGE****

***If you require assistance attending the Village's Monthly Meeting in the conference room on 2nd floor, please contact the clerk a few hours before the meeting. 845-469-2388 ext. 222 ***

RESOLUTIONS JANUARY 14, 2019

19-1 Resolution Authorizing KIWANIS 5K Run 2019:

WHEREAS, the Chester Kiwanis Club (the "Applicant") has requested the use of Main Street in the Village of Chester for the Kiwanis' Hambletonian 5K Race on _____ (the "Event") from _____ am to _____ ; 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:

Seconded By:

On a vote of _____ to _____, the resolution was adopted.

19-2 Resolution Authorizing Reimbursement of Medicare Part B Payments for 2018.

WHEREAS, in providing The New York State Healthcare Plan as a healthcare plan option, the Village Board is required to reimburse each retiree's Medicare Part "B" payments; and

WHEREAS, the person identified in the attached list are entitled to reimbursement from the Village for their Medicare Part "B" payments,

NOW, THEREFORE, be it

RESOLVED, that the Mayor, Treasurer and/or Clerk of the Village are hereby authorized to reimburse those persons listed as eligible for reimbursement of their Medicare Part "B" payments.

Introduced By:

Seconded By:

On a vote of _____ to _____, the resolution was adopted

19-3 Resolution Adoption of Introductory Law No. 7 of 2018 as Local Law No. 1 of 2019

A Local Law replacing CHAPTERS 38 and 48 of the VILLAGE CODE of the VILLAGE OF CHESTER with a new CHAPTER 38 OF THE VILLAGE CODE OF THE VILLAGE OF CHESTER TO BE ENTITLED "FIRE PREVENTION AND BUILDING CONSTRUCTION"

"FIRE PREVENTION AND BUILDING CONSTRUCTION"

WHEREAS, Introductory Local Law No. 7 of 2018, was presented at the October 1, 2018, meeting of the Mayor and Trustees, proposing a restatement of CHAPTER 38 of the Code of the Village of Chester entitled "FIRE PREVENTION AND BUILDING CONSTRUCTION", and

WHEREAS, at the October 1, 2018, meeting of the Mayor and Trustees, a public hearing was set for November 13, 2018, to hear any and all comments from the public concerning such proposed legislation, and

WHEREAS, notice of such public hearing was duly published and posted, and such public hearing was duly

convened on November 13, 2018, and all persons interested were afforded the opportunity to be heard as to the proposed legislation, and

Due consideration having been given to the proposed legislation, now, therefore,

Motion on SEQRA determination:

on motion by _____ and seconded by _____

with the Mayor and all trustees voting in favor [or trustees _____ and _____ voting in favor and trustee _____ voting against], it is

RESOLVED, that the Board of Trustees hereby determines that the adoption of the legislation proposed will not have a significant impact on the environment and therefore is deemed a Type II action under the State Environmental Quality Review Act ("SEQRA") so that no further action under SEQRA needs to be taken in connection with the adoption of this legislation.

MOTION TO ADOPT LOCAL LAW No. 1 of 2019

on motion by _____ and seconded by _____

with the Mayor and all trustees voting in favor [or trustees _____ and _____ voting in favor and trustee _____ voting against],

Be it enacted by the Board of Trustees of the Village of Chester, in the County of Orange, as follows:

Section 1. Chapters 38 and 48 of the Village Code of the Village of Chester are repealed and replaced by a new Chapter 38 of the Village Code of the Village of Chester as follows:

- **19-4 Approving a Short Form Environmental Assessment and making a negative declaration under SEQRA for a proposed parking lot project on Bank Street Approving a Short Form Environmental Assessment and making a negative declaration under SEQRA for a proposed parking lot project on Bank Street.**

WHEREAS, a Project for a Downtown municipal parking lot in the Village of Chester has been proposed involving the paving of approximately ¾ of an acre off Bank Street near the Village's Center Street parking lot; and

WHEREAS, the Mayor has submitted to this Board a proposed Part I Short Environmental Assessment Form and a proposed Part II Impact Assessment; and

WHEREAS, the Village Board Agrees with the description of the Project and the Impact Assessment proposed by the Mayor; and

WHEREAS, the Village Board, after due consideration, has determined that the proposed project will not result in any significant adverse environmental impacts,

NOW, THEREFORE, be it

RESOLVED, that the Village Board finds the proposed project is an Unlisted Action for purposes of the State Environmental Quality Review Act; and it is further

RESOLVED, that the Village Board approves and adopts the Part I Information and Part II Impact Assessment of the Short Environmental Assessment as presented to this meeting; and it is further

RESOLVED, that the Village Board determines that the proposed project will not result in any significant adverse environmental impacts and hereby makes a negative declaration in that regard, and it is further

RESOLVED, that the Mayor and the Clerk are authorized and directed to execute the negative declaration on Part 3 of the Short Environmental Assessment Form and to file same in the Office of the Village Clerk.

• **19-5 Authorizing the implementation, and funding in the first instance of the State-aid Program eligible costs, of a capital project for a Downtown municipal parking lot, and appropriating funds therefor**

WHEREAS, a Project for the Downtown municipal parking lot in the Village of Chester, PIN 8762.29 (the Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, a sum not to exceed \$165,000 in Program Funding is available to progress the project.

WHEREAS, the Village of Chester desires to advance the Project by making a commitment of 100% of the State share of the costs of the (preliminary engineering, right-of-way incidentals, right-of-way acquisition, and construction.)

NOW, THEREFORE, be it

RESOLVED, that the Chester Village Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Chester Village Board hereby authorizes the Village of Chester to pay in the first instance 100% of the cost of preliminary engineering, right-of- way incidentals, right-of-way acquisition, and construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$165,000 is hereby appropriated from the Capital Project Account and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that in the event the full state share costs of the project exceeds the amount appropriated above, the Chester Village Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor of the Village of Chester thereof, and it is further

RESOLVED, that the Mayor of the Village of Chester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the Village of Chester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's/Sponsor's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary Agreement in connection with the Project between the Village of Chester and the State of New York; and it is further

RESOLVED, this Resolution shall take effect immediately.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Village of Chester			
Name of Action or Project: Municipal Parking Lot			
Project Location (describe, and attach a location map): Bank Street behind 47 Main Street			
Brief Description of Proposed Action: Village will demolish a small building and construct a parking lot of approximately 0.75 acre adjacent to the existing municipal lot and to the area of the proposed Larkin's Green Pavilion.			
Name of Applicant or Sponsor: Village of Chester		Telephone: 845-469-2388	
		E-Mail: clerk@villageofchesterny.com	
Address: 47 Main Street			
City/PO: Chester		State: NY	Zip Code: 10918
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYS DOT grant			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.75 acres	
b. Total acreage to be physically disturbed?		0.75 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		10.0 +/- acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p align="center">I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: _____ Date: _____</p> <p>Signature: _____ Title: _____</p>		

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Project:

Date:

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Village Board of Village of Chester	January 14, 2018
_____ Name of Lead Agency	_____ Date
John Thomas Bell	Mayor
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	<i>Henry N. Clinton</i> _____ Signature of Preparer (if different from Responsible Officer)

PRINT FORM