

**Village of Chester  
Board of Trustees Meeting Minutes  
March 11, 2019**

The Board of Trustees of the Village of Chester held its monthly meeting in the Village Hall meeting room on Monday, March 11, 2019.

Members present: Mayor John Thomas Bell, Deputy Mayor Christopher Battiato, Trustee Alan Battiato, Trustee Elizabeth A. Reilly and Trustee Brian J. Boone.

Also, present: Village Clerk Rebecca Rivera, Attorney for the Village Henry Christensen Jr., Village Treasurer Angela O’Neill, Village Police Chief Peter Graziano, Village Street Superintendent Charles Bono, Village Water Commissioner Gary Green, and Village Code Enforcement Officer John Orr.

Mayor John Thomas Bell opened the meeting at 7:00 PM with the Pledge of Allegiance.

Mayor John Thomas Bell welcomed everyone to the March 11, 2019 Village monthly meeting.

**AUDIT OF BILLS:** Mayor John Thomas Bell noted that the audit of the February 2019 Village’s monthly bills for approval was complete.

A motion to pay the audited bills was made by Trustee Elizabeth A. Reilly, second by Trustee Alan Battiato. Motion unanimously passed.

**APPROVAL OF MINUTES:** Monthly Meeting Minutes February 11, 2019.

A motion to approve the Monthly Meeting Minutes for February 11, 2019, with corrections noted, was made by Trustee Elizabeth A. Reilly, second by Deputy Mayor Christopher Battiato. Motion unanimously passed.

**TREASURERS REPORT:** Treasurer Angela O’Neill read her report as follows:

**CASH BALANCES ENDING February 28, 2019**

<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)	--	--	621.27	3,195,769.31
Checking (Orange County Trust)	325,764.28	362,459.79	7.25	117,477.58
<u>Savings (Orange County Trust)</u>	--	100,000.00	127.75	1,428,377.06
<b><u>Water Fund</u></b>				
Capital Checking	--	--	7.65	98,325.98
Checking	50,955.68	31,747.08	22.57	492,409.65
<b><u>Sewer Fund</u></b>				
Checking	38,259.11	--	23.53	541,091.81

Cumulative Fiscal Year Interest Earned by Fund 06/1/18 – 05/31/2019

General Fund	\$ 7,208.27
Water Fund	\$ 229.40
Sewer Fund	\$ 195.83

**Treasurer’s Discussion:**

1. **STATEMENT OF REVENUE & EXPENDITURES:** Year to Date Report is attached.
2. **SEWER COLLECTION:** Sewer collection continues. 4th installment is due by 4/01/19.
3. **2019-2020 BUDGET:** A preliminary budget copy is available at the Village Clerk’s Office. The Village Board was able to remain below the 2% tax cap.

**4. EDMUNDS & ASSOCIATES TRAINING:** Edmunds & Associates (Village's software vendor/solution) is hosting Regional user conference on Wednesday, March 13, 2019 in Albany, New York. I will be attending along with Rebecca Rivera, Village Clerk and Sandra VanRiper, Building/Planning/Zoning Board Secretary. (Agenda Attached)

A motion to authorize the Village Clerk, Treasurer and Planning Board secretary to attend Edmunds & Associates Regional user conference on Wednesday, March 13, 2019 in Albany, New York was made by Trustee Elizabeth A. Reilly, Second by Deputy Mayor Christopher Battiato. Motion unanimously passed.

A motion to accept the Treasurer's report, was made by Trustee Alan Battiato, second by Trustee Brian J. Boone. Motion unanimously passed.

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

BYK – 48 Leone Lane

1- Work almost complete.

7 Kerner Drive

1- Issued permit for roof mounted solar system.

14 June Road

1- Issued permit for roof mounted solar system.

32 Leone Ln-

1- Interior freezer is now complete. (Satin Fine Foods)

Whispering Hills

1- No deck work has been done.

Whispering Hills

1- Issued permits for roofing replacement on 15 buildings. (Condo II)

A motion to accept the report of the Building Inspector/Code Enforcement Officer as read, was made by Deputy Mayor Christopher Battiato, seconded by Trustee Brian J. Boone. Motion unanimously passed.

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

**1. Personnel:**

- Appointment of Full-time Police Officer Thomas M Maslanka.
- The Village Clerk administer the Oath of Office to Thomas M. Maslanka.

**2. Citizen Issues:**

- I met last week with Justin Stowell, Location manager of Second Ending, Inc. about using a portion of downtown for a film. He submitted an application to the Village Clerk

**3. Public Safety Issues:**

- Traffic Details: Continuing
- Stop DWI Resolution – As attached.

**4. Facilities:**

- No issues.

**5. Equipment:**

- We have acquired 3 replacement AEDs and they are in service.

**6. Vehicles:**

- No issues

**7. Other:**

- Training – there was a presentation by our insurance company on the 26<sup>th</sup> of February for non-task-based training in an online format to save on overtime. I have access to the portal and are in the process of setting it up.

**8. Department Activity YTD:**

<b>Call Type</b>	<b>2019</b>	
Calls for Service	412	
Criminal Cases	064	
Arrests	043	
Traffic Accidents	N/A	

A motion to accept the Police Department report, as read, was made by Trustee Alan Battiato, second by Trustee Elizabeth A. Reilly. Motion unanimously passed.

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

We were called out four times during the month of February to deice and clear the streets. The storms ranged from an easy dusting to a more complicated storm of 2” of snow with 3” of ice on top of the snow from a combination of sleet and freezing rain. Year to date we have used approximately 190 ton of salt and 150 ton of sand salt mix. The total accumulation for the season up to the end of February is 26” (which is a combination of snow and ice). After each storm, the equipment was washed and serviced for the next storm

We spent a couple of days picking up sticks and branches that were in the street and garbage cans that were blown out into the from a cold front that produce high winds.

Our new John Deere tractor has been delivered and put into service. It is equipped with a cab, snow blower and vee plow for the winter months and a mower for the summer months. I would like to thank the board for letting us make that purchase.

April 1<sup>st</sup> 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. Bags can now be purchased at Lowe’s and

A motion to accept the report of the Street Superintendent Charles Bono as reaad, was made by Trustee Brian J. Boone, second by Deputy Mayor Christopher Battiato. Motion unanimously passed.

**WATER REPORT:** Water Commissioner Gary Green, Jr., read his report as follows:

- 1) Daily filter plant & well operations
- 2) Twice per week filter cleaning
- 3) Repaired broken weld on snow plow frame.
- 4) Collection of pass due water bills from November billing.
- 5) Changed water meters continues.
- 6) Backflow testing continues.
- 7) Joseph Rosploch assisted the Street Department on snow removal on the sidewalks.
- 8) Monthly samples were taken to lab for testing.
- 9) Marking out of water lines for Dig safe NY ongoing.
- 10) Took apart an inspected altitude valve at Princeton Street tank.

**Discussion**

We are still having an issue with the Princeton Street tank. We took it apart again and inspected it and everything appears to be functioning properly, but the tank is still overflowing.

Mayor John Thomas Bell asked Water Commissioner Gary Green what the next step with regards to the Princeton Street water tank. The Water Commissioner said that he suggests to the Village Board possibly taking it out of service, since the water department has a 2-million-gallon storage, we only used about 400,000 gallons a day and

peak maybe 600,000 gallons a day. The Mayor asked whether that would affect the water pressure. The Water Commissioner responded that there should still be plenty of pressure and volume. If Nexans perform their yearly pump test/sprinkler test, we can see if the numbers will be any different with the Princeton Street tank taken out of service. Mayor stated that he is not in favor of taking the Princeton Street tank out of service. The Mayor asked the Water Commissioner if it can be shut down. The Water Commissioner stated that it can be shut down every couple of days and let them draw off it. The downside is, if we do have a fire, there is 399,000 gallons in the tank, and, if there is a fire, we would have to get up there and turn it on. The Mayor said that responding to a fire was one of his concerns.

With it overflowing, a thousand gallons is not a whole lot that is overflowing. Mayor asked the Water Commissioner if someone must come in to find out exactly what wrong with the valve and how can it be fixed. The Water Commissioner stated he is waiting on preferable weather to further test and/or replace the valve. The Mayor stated this matter will be discussed further at another time to figure out how to address.

A motion to accept the report of the Water Commissioner's report as read was made by Trustee Alan Battiato and seconded by Trustee Brian J. Boone Motion unanimously passed.

**PARK & RECREATION:** Park and Recreations Department Michele Deshler read report as follows:

We've had great attendance at our programs, Classic Yoga, Osteo Exercise and Line Dancing. We've had three successful bus trips.

Currently registration is going on for trips to Sands Casino, Bethlehem Pennsylvania, Thursday, April 25 and Lancaster Pennsylvania June 3, and 4<sup>th</sup>.

Arrangements are underway for our first Senior Prom to be held in early May 2019.

Summer camp registration is online. It begins April 1, 2019 for residents and April 15, 2019 for non-residents.

We are working to bring up a medical diagnostic program to Chester. We will start with Seniors in two phases. We ask that everybody just keep an eye on Facebook at Chesterwebupdates.

We have a have a blood clot awareness forum on April 27, 2019.

The ice rink is being monitored daily for safety.

Updates are on Facebook and the website [chesterny.myrec.com](http://chesterny.myrec.com).

Town basketball ends on March 9<sup>th</sup>, they had two clinics, 8 games. Thank you to the coaches that volunteer their time to make the program possible.

Little League 50/70 program opening day is scheduled for April 27, 2019 at Carpenter Fields (aka Community Park). July 6<sup>th</sup> -12<sup>th</sup> Little League is hosting New York State 50/70 Little League championship games. It will be a maximum of 8 teams. Families will be staying in Chester and in the surrounding area hotels. Little League 50/70 program is working with Kristen to put a book together with all the local businesses for this event. July 13<sup>th</sup> is the Chester Fireworks/block party, the rain date will be July 14, 2019, with more details to follow. Town PBA is hosting their 18<sup>th</sup> Annual Easter Egg Hunt April 13<sup>th</sup> at the Chester Commons.

Trustee Elizabeth A. Reilly asked Michele Deshler of Park and Recreation Department, what time is the 18th Annual Easter Egg Hunt. Michele Deshler stated that now they don't have a time.

A list of classes can be found at [www.chesterrecreation.com](http://www.chesterrecreation.com) as well as Facebook. In addition, we encourage all residents to create an account which will allow us to send out up to date information.

**OLD BUSINESS:** No old business to address.

**NEW BUSINESS:**

**19-10** Resolution Authorizing the Mayor and/or Chief of Police to enter into an inter-municipal agreement with Orange County regarding the reimbursement of 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 of Chester 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 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 and 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 Christopher Battiato  
Seconded By: Trustee Brian J. Boone  
On a vote of 5 to 0, the resolution was adopted.

**By Roll Call**

	<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain/Absent</u></b>
Mayor John Thomas Bell	[ x ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[ x ]	[ ]	[ ]
Trustee Alan Battiato	[ x ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ x ]	[ ]	[ ]
Trustee Brian J. Boone	[ x ]	[ ]	[ ]

**19-11 Resolution Directing Public Hearing on Proposed Village Budget 2019-2020.**

**WHEREAS**, a budget for the Village has been prepared for the 2019/2020 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 6:45p.m. on the 8th day of April 2019, at the Village Hall, on the proposed Village Budget for the 2019/2020 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 Christopher Battiato  
On a vote of 5 to 0, the resolution was adopted.

**By Roll Call**

	<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain/Absent</u></b>
Mayor John Thomas Bell	[ x ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[ x ]	[ ]	[ ]
Trustee Alan Battiato	[ x ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ x ]	[ ]	[ ]
Trustee Brian J. Boone	[ x ]	[ ]	[ ]

**Discussion regarding resolution 19-12**

Attorney Ben Ostrer was recognized and said that, back in 2013, there had been talk about a Pilates Studio going in at his client's premises. They went to the zoning board at that time, and there was a question raised about parking and whether additional parking was required. On behalf of his client, he approached the Village Board about permission to park cars in the old (abandoned) Main Street roadbed, only to the center line, because the Palmers have the other property on the other side of the road, and parking can't extend to more than the center line. That tenant never moved in by the time the variance was granted. His client now has an application before the planning board for another use of the property and wanted to make sure that we still had authority. They hadn't picked up on the fact that the license agreement back in May of 2013 had a sunset clause. His client would like to extend it, if possible, on the same terms. His client, LGW Properties (Mr. Wenger) has made the payments through the current year. It's \$120.00 a year. If we were to use it for parking, we know we have to provide appropriate insurance certificates to the Village. We are going to wait and see what happens before the Planning Board. The property is a unique property it actually has no side yards, front or back yards. The property based upon the railroad and after the reconfiguration of Main Street and King's Highway, it is a triangle piece of property where the building extends of the backline into the railroad right of way and in the side yard to the Zautsman property. The only property it doesn't encroach, it encroaches on the Main Street roadbed, the old roadbed of

Main Street. It's unique in that there are easements by necessity and easements by use for access to and from the building. When we were at the Zoning Board of Appeals, that was one of the solutions suggested, so we are just seeking to extend the parking license.

**Mayor John Thomas Bell** asked, how many parking spaces would be provided.

**Attorney Ben Oster** - There could be 14 for the length of this building. On the Palmer side, there would be the availability of more spaces because they have a deeper property. Just the way the property sits back to the railroad, the railroad actually steers back toward under the railroad bridge. The Palmer property is deeper, so it would have more parking on the other side. We only wanted the parking next to the building.

**Trustee** – What are the owner's plans for the use of the space?

**Attorney Ben Oster** – Ben Oster stated that bottle and can deposit return drop off. This use would be the first time a use is proposed that is permitted in the M2 zone, so it's a permitted use in the zone. Everything else there has been a non-conforming use.

**Deputy Mayor Christopher Battiato** asked if the business leaves will the Village board have to re-visit the terms.

**Attorney Ben Oster**, the way the license is you can cancel at any time. One of the issues is that, since the retail was a pre-existing non-conforming use, by going to a conforming use, his client would lose the right to be able to go back to a nonconforming use. Once we replace the non-conforming with conforming we lose the prior non-conforming use exception.

**Deputy Mayor Christopher Battiato** said his concern was that, if a new business moves into the property in question, the terms would have to be renegotiated.

**Attorney Ben Oster** It say the Village were granted this for the sole purpose of parking and the license is granted subject to those terms and it can be terminated by either side.

**Attorney for the Village Henry Christensen** stated that he would prefer that Attorney Ben Oster and he workout a new license agreement rather than simply renewing this one from six years ago.

**Attorney Ben Oster** stated that as long as there is a new resolution that would suffice. Subject to Village Counsel approval. We were at the work session, there is a meeting at towards the end of the month.

A motion to authorize counsel to negotiated agreement and to authorize the Mayor to sign agreement was made by Trustee Elizabeth A. Reilly, second by, Trustee Alan Battiato.

**19-13 RESOLUTION TO REQUEST EXPEDITED MAINTENANCE AND REPAIR OF NYS ROUTE 17M BRIDGE OVER MIDDLETOWN & NEW JERSEY RAILROAD TRACKS.**

**WHEREAS**, New York State Route 17M is an important thoroughfare in and about the Village of Chester; and

**WHEREAS**, the maintenance and repair of New York State Route 17M is the responsibility of the NYS Department of Transportation and the Village is not authorized to make repairs or modifications to New York State Route 17M.

**WHEREAS**, the highway bridge carrying New York State Route 17 M over the Middletown & New Jersey Railroad tracks in the vicinity of Lehigh Avenue and Kings Highway in the Village of Chester has been allowed to deteriorate, presenting dangerous conditions and annoyance and congestion to motorists, and

**NOW, THEREFORE, be it hereby**

**RESOLVED**, that the Mayor is authorized and urged to request that NYS DOT make it a priority, as a matter of public safety as well as public convenience, to initiate and carry out a program of maintenance and repair to the New York State Route 17M bridge over the Middletown & New Jersey Railroad tracks and to eliminate the hazardous conditions that have been permitted to develop in that location.

Introduced By: Trustee Elizabeth A. Reilly  
Seconded By: Deputy Mayor Christopher Battiato  
On a vote of 5 to 0, the resolution was adopted.

**By Roll Call**

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Mayor John Thomas Bell	[ x ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[ x ]	[ ]	[ ]
Trustee Alan Battiato	[ x ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ x ]	[ ]	[ ]
Trustee Brian J. Boone	[ x ]	[ ]	[ ]

**VERIZON WIRELESS LEASE AMENDMENT**

Attorney for the Village Henry Christensen Jr. gave a brief synopsis of the what the lease entails: Cellular communications and the operators are going to have to make substantial investments to go to 4G or 5G. Before they make those investments, they like to know that their lease is are not going to terminate while they are investing. Combined with that there are third party operators like American tower or REITs and leases these towers all over the country so that the carriers are out sourcing the operation of the towers to this company and others like it. and they in turn engage in financial engineering and make their business work. The existing lease allow Verizon to sublet to a subsidiary of Verizon but not to an unrelated company.so that’s among their motivation for wanting to change the lease. They are offering substantially more payments to the Village then you would have received just the old lease. They are offering a guarantee of five years, that you never had before. There are offering a longer period of advance notice if they should decide to terminate. The lease is I think a hundred and eighty days.

Treasurer Angela O’Neill – she stated that the advance notice is six months.  
Attorney for the Village Henry Christensen Jr. stated that Angela O’Neill had done a great job handling the lease negotiations.

**19-14 RESOLUTION APPROVING AN AMENDMENT TO THE LEASE BETWEEN THE VILLAGE OF CHESTER, as LANDLORD, AND VERIZON WIRELESS, as TENANT**

**WHEREAS**, under date of April 13, 2005, the Village leased certain real property on Nancy Lane to Orange County Poughkeepsie MSA LP d/b/a Verizon Wireless for use as a telecommunications facility; and

**WHEREAS**, Verizon Wireless has requested an amendment to and extension of said lease; and

**WHEREAS**, the proposed amendment to the lease would modify the amount of rent and other consideration to be paid by Verizon Wireless to the Village, would guarantee the payment of rent for no less than five (5) years, would permit the sublease by Verizon Wireless of the demised premises to an unrelated management company, and would extend the potential renewal terms of the lease to and including December 31, 2055; and

**WHEREAS**, the Mayor and Trustees find the proposed amendment to the lease to be in the Village’s best interest,

**NOW, THEREFORE**, be it hereby

**RESOLVED**, that the Village Board approves the proposed First Amendment to Lease Agreement between the Village and Orange County Poughkeepsie MSA LP d/b/a Verizon Wireless in the form presented to this meeting, and the Mayor and the Clerk and the Treasurer are authorized and directed to execute, deliver and file the said Lease Amendment and to take any and all such other actions as may be necessary or convenient in order to make the same effective and to carry out the intent of the lease as so amended.

Introduced By: Trustee Alan Battiato

Seconded By: Trustee Brian J. Boone

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

**By Roll Call**

	<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain/Absent</u></b>
Mayor John Thomas Bell	[ x ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[ x ]	[ ]	[ ]
Trustee Alan Battiato	[ x ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ x ]	[ ]	[ ]
Trustee Brian J. Boone	[ x ]	[ ]	[ ]

**19-15 RESOLUTION APPROVING AN AMENDMENT TO THE LEASE BETWEEN THE VILLAGE OF CHESTER, as LANDLORD, AND T-Mobile Northeast LLC, as TENANT**

**WHEREAS**, under date of May 24, 2000, the Village, as Landlord, leased certain real property on Princeton Street to Omni point Communications, Inc., predecessor to T-Mobile Northeast LLC, a Delaware limited liability company, as Tenant for use as a telecommunications facility; and

**WHEREAS**, T-Mobile Northeast LLC has requested an amendment to and extension of said lease; and

**WHEREAS**, the proposed amendment to the lease would modify the amount of rent and other consideration to be paid by T-Mobile Northeast LLC to the Village, would guarantee the payment of rent for no less than five (5) years, and would extend the potential renewal terms of the lease to and including October 19, 2044; and

**WHEREAS**, the Mayor and Trustees find the proposed amendment to the lease to be in the Village’s best interest,

**NOW, THEREFORE**, be it hereby

**RESOLVED**, that the Village Board approves the proposed First Amendment to Lease Agreement between the Village and T-Mobile Northeast LLC in the form presented to this meeting, and the Mayor and the Clerk and the Treasurer are authorized and directed to execute, deliver and file the said Lease Amendment and to take any and all such other actions as may be necessary or convenient in order to make the same effective and to carry out the intent of the lease as so amended.

Introduced By: Trustee Alan Battiato

Seconded By: Trustee Brian J. Boone

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

**By Roll Call**

	<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain/Absent</u></b>
Mayor John Thomas Bell	[ x ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[ x ]	[ ]	[ ]
Trustee Alan Battiato	[ x ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ x ]	[ ]	[ ]
Trustee Brian J. Boone	[ x ]	[ ]	[ ]

**Chester Annual Clean up** – Representing the Annual Clean up, present Tom Flynn, Annual is sponsored by Chester Kiwanis.



Tom Flynn present to mention that he went to the Chester Town Board because they need to pick a date. Once the date was selected he was notified that they had to modify the date due to SATs, PSATs, Prom, Senior week and graduation. Tom Flynn mentioned that this year they don't have a rain date. The Annual Cleanup is scheduled for April 13, 2019, regardless of the weather. We only have one day this year which is Saturday, April 13, 2019 from 9am to 12pm.

Tom Flynn mention that this year they don't have corporate participation. Shoprite is unable to sponsor the Annual Cleanup this year. They are looking for co-sponsor for the barbeque provide to the volunteers after the cleanup. Tom mentioned that the volunteers seem to prefer the barbeque more than going out to the fast food restaurant.

Tom Flynn told the Village Board that, if the Village Police be out there during the cleanup, it would be very helpful. The Chief of Police responded that he doesn't see a conflict with having police presence at the Annual cleanup on April 13, 2019 from 9am to 12pm.

Tom Flynn mentioned that they only have three out of five co-sponsors. The three co-sponsors will be purchasing all the burgers and hot dogs for the Barbeque.

Robert Valentine, Town of Chester Supervisor, volunteered to be a co-sponsor the Annual Cleanup Barbeque.

Tom Flynn thanked, Robert Valentine, Town of Chester Supervisor.

Mr. Ortiz of 11 Booth Road, Chester, was not present, to request Village water service.

**Justin Stowell** – Presenting a proposal for authorization to film in the Village of Chester.

**Justin Stowell**, location manager for Second Ending Inc., was present to present Second Ending Inc's proposal and when and how he and the crew propose to execute project and schedule. Second Ending Inc would like to request authorization to film on Main Street and Railroad on Monday, March 18, 2019, from 6am to 8pm. A certificate of insurance was provided and any police assistance and/or anything cost incurred by filming will be would be paid for.

The scene is of a gentleman driving in a car; he stops, he picks up his girlfriend and they drive away. Because of the driving element, general safety and creative purposes, Police assistance with intermittent traffic is requested surrounding the area where the filming will be taking place. He also mentioned that they feel they can work in a safe enough manner that they can allow traffic to be active while the crew sets up and in between takes. The filming will start roughly around 1pm but the set up will take place in the morning.

**Justin Stowell** asked the Village Board if they would authorize the crew to park on Winkler Place and Center Street.

The Mayor and Chief of Police were not in favor of the production crew parking vehicles and placing their equipment on Winkler Place and Center Street because of the business owners and customers that park there.

**Mayor John Thomas Bell** suggested closing all of Winkler Place to park the vehicles and placing equipment by Winkler Place parking lot by the train station.

**Attorney for the Village Henry Christensen Jr** stated that, after reviewing the certificate of insurance presented at the meeting, he has an issue with the way it reads. He stated that, as the Certificate reads, the Village as additional insured would be covered by the general liability coverage only as required by contract. The Village does not have a contract with Second Ending Inc, therefore the insurance described in the certificate will not cover the Village.

**Attorney for the Village Henry Christensen Jr** suggested that Mr. Stowell get another certificate.

**Justin Stowell** made mention that they will not ask businesses in the area to close, he only asked if they could sort of have Main Street area cleared for safety reasons. We also offer continuity of what is being seeing when they film. He also mentions that he will oversee notifying the businesses.

**Mayor John Thomas Bell** asked how many people in the production crew.

**Justin Stowell** stated that there are about 70 people in the production crew.

**Code Enforcement Officer John Orr** asked if there will be a donation made to the Village being that we don't have a filming permit fee.

Justin Stowell mention that, when they have encountered other municipalities that don't have a filming permit fee, they have donated to the municipality.

Someone in the audience asked what the film genre

**Justin Stowell** stated that it's an independent film, a drama, based on a novel, being directed by Charlie Kaufman, screenwriter, producer, director, and lyricist, who wrote and produced, *Being John Malkovich*, *Adaptation*, and *Eternal Sunshine of the Spotless Mind*. Main actors Jesse Plemons and Toni Collette and David Thewlis.

As there was no further discussion or questions Mayor John Thomas Bell asked for a motion to authorize Justin Stowell, location manager to move forward with filming. of the movie, provided the insurance certificate is revised, approved by the attorney for the Village and submitted to Village Hall before filming.

A motion to authorize Justin Stowell, location manager to move forward with filming. of the movie, provided the insurance certificate is revised and submitted to Village Hall before filming was made by Trustee Alan Battiato, second by Deputy Mayor Christopher Battiato. Motion unanimously passed.

#### **CALENDAR:**

- Comprehensive Plan meeting will be held on **March 21, 2019**, Recreation, Entertainment, Arts & Culture, Public Space, Open Space. Location: **45 Main St., 2nd Floor** above Police Station in the Village hall conference room.
- ***Comprehensive Committee work session. April 2, 2019*** Transportation/Infrastructure
- Comprehensive Plan meeting -**April 18, 2019**, Transportation / Infrastructure. Location: **45 Main St., 2nd Floor** above Police Station in the Village hall conference room.
- ***Comprehensive Committee work session 04/30/19***: Economic Development / Housing
- See our calendar for more upcoming meetings and events: <https://www.villageofchesterny.org>
- **25<sup>TH</sup> CHESTER KIWANIS 5K Hambletonian Race, Memorial Day Weekend, Saturday, May 25th, 2019**, Start Time: 8:45 am

See our calendar for more upcoming meetings and events: <https://www.villageofchesterny.org>

#### **PUBLIC COMMENTS:**

- Leslie Smith made mention that the Erie Station Museum will be opening on Saturday, May 4, 2019 from 9am to 1pm and our exhibit is "What We've Lost".
- Michele Deshler – Update on the Holiday Parade - The Holiday Parade is scheduled for November 30, 2019. It's the only day that would work. She would like to meet with the Mayor John Thomas Bell, Chief Graziano, Detective Vuksanovich and John Orr to go over some details with regards to this year's Holiday Parade.
- Holiday Lights Grant Update – We've purchase 6 banners and three lights. Should be here by the beginning of September 2019.
- Town of Chester Supervisor Robert Valentine was present at the meeting. He thanked the Village for the resolution and calling about the bridge on 17M that's over the railroad, which is in desperate need of repair. He stated that he has put the wheels in motion for the resolution, which will be presented at the next Town Meeting. He suggests that at some point in time the Town and Village do a press conference.

Mayor John Thomas Bell asked if there were anymore comments from the public. No further comments the Mayor asked for a motion to adjourn the meeting.

#### **ADJOURNMENT:**

A motion to adjourn the meeting at 8:01p.m. was made by Deputy Mayor Christopher Battiato, second by Trustee Brian J. Boone.

Respectfully submitted,

Rebecca Rivera  
Village Clerk