

**Village of Chester
Board of Trustees Meeting Minutes
June 10, 2019**

The Board of Trustees of the Village of Chester held its monthly meeting in the Village Hall meeting room on Monday, June 10, 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, Treasurer Angela O’Neill, Attorney for the Village Henry Christensen Jr., Village Police Chief Peter J. Graziano Jr., Village Street Superintendent Charles Bono, Village Water Commissioner Gary A. Green Jr., 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 June 10, 2019 Village monthly meeting.

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

A motion to pay the audited bills of May 2019, was made by Trustee Elizabeth A. Reilly, second by Trustee Alan Battiato. Motion unanimously passed.

APPROVAL OF MINUTES: Monthly Meeting Minutes May 13, 2019.

A motion to approve the Monthly Meeting Minutes May 13, 2019, was made by Deputy Mayor Christopher Battiato, second by Trustee Brian J. Boone. Motion unanimously passed.

TREASURER’S REPORT: Treasurer Angela O’Neill read Treasurer’s report as follows:

CASH BALANCES ENDING MAY 31, 2019

<u>Fund/Bank Account</u>	<u>Deposits</u>	<u>Disbursements</u>	<u>Interest</u>	<u>Ending Balance</u>
<u>General Fund</u>				
Savings (Sterling National; Bank)	--	--	688.27	3,197,811.47
Checking (Orange County Trust)	678,048.21	412,927.99	8.99	321,602.54
<u>Savings (Orange County Trust)</u>	--	282,034.63	73.57	696,633.09
<u>Water Fund</u>				
Capital Checking	39,000.00	--	8.58	137,351.22
Checking	181,345.38	156,881.65	24.23	446603.99
<u>Sewer Fund</u>				
Checking	--	70,015.02	15.77	248,503.05

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

General Fund	\$	9,560.72
Water Fund	\$	325.59
Sewer Fund	\$	259.16

Treasurer's Discussion:

1. **STATEMENT OF REVENUE & EXPENDITURES:** Please see attached.
2. **2018-2019 CAPITAL PROJECTS TRANSFERS:** Budget Transfer was made on May 28, 2019 to the water fund.
3. **2018-2019 INTERFUND TRANSFERS:** Interfund Revenue Transfers for the water and sewer funds were made on May 28, 2019
4. **2019-2020 TAX COLLECTION:** Collection of Village Property Taxes and Sewer are underway. Village Tax is due on 7/1/19. Sewer Installment #1 is due on 7/1/19.
5. **2018-2019 BUDGET MODIFICATIONS:** A budget modifications schedule will be presented next month for the Board's Approval.

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

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

78 Brookside Ave AT&T

- 1- Interior work underway.

78 Brookside Ave

- 1- Freezer work now complete.

22 Maple Ave

- 1- Issued permit for addition on house.
- 2- Footings and foundation walls now up.

69 Brookside Ave.

- 1- Issued permit for renovation of storefront for Nail Salon

69 Brookside Ave

- 1- Issued permit for renovation of storefront for Restaurant/Bar.

87 Brookside Ave.

- 1- Issued permit for new Bank.

23 Carpenter Road.

- 1- Issued 3 permits for new Single-Family Homes.
- 2- Footings and Foundation work underway.

40 Greycourt Ave.

- 1- Issued permit for new Single-Family Home.
- 2- Footing and Foundation now complete.

Larkin's Green Amphitheater.

- 1- Work Has started. Excavation is complete and footings have been poured.

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

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

1. Personnel:

- No issues.

2. Citizen Issues:

Received a thank you card from the Kiwanis for traffic control during the 5k Race/Walk.

3. Public Safety Issues:

- Traffic Details: Continuing

4. Facilities:

- No issues.

5. Equipment:

- 3 tasers have been ordered to replace the ones that are unrepairable.

6. Vehicles:

- No issues.

7. Other:

- No issues.

8. Department Activity YTD:

Call Type	2019	
Calls for Service	1028	
Criminal Cases	161	
Arrests	093	
Traffic Accidents	251	

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

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

We spent some time preparing for Memorial Day weekend and the Chester Kiwanis 5K Run. (Black topping, mowing, picking up garbage and sweeping) Received many compliments on the American Flags that were put out all along Main St. by the Chester Cemetery Committee.

We have completed our 1st round of roadside mowing, weed whacking and picking up garbage throughout the village (Including the industrial park).

The flags and banners were put up on the telephone poles in the Downtown area.

Carbone Auto has delivered our new dump truck and it is now in service. Thanks to the Board for letting us make the purchase.

We have received a letter from the Orange County Department of Health, which has contracted with Alleymor, Inc. d/b/a Pestmaster Services to provide larvicide application to municipality owned catch basins. The larvicide to be used will be Altosid (methropene) briquettes. This will prevent mosquito breeding in the catch basins. Pestmaster Services expects to start larviciding in villages or cities from June through October. They will be in vehicles identified as belonging to Pestmaster Services and workers will be carrying identification.

We had a tractor trailer come down Bank St., which snapped a telephone pole at the intersection of High St. and Bank St. and brought down wires which resulted in High St. being shut down for hours. We would like to know the boards thoughts about putting up a weight limit on Bank St. preventing large trucks from going up and down Bank St.

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

A motion to accept the report of the Street Superintendents' report as read, was made by Trustee Alan Battiato, 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) Monthly samples taken to the lab.
- 4) Mark outs for dig safe NY.
- 5) Weekly mowing of the facilities.
- 6) Backflow preventer testing and meter upgrade changing continues.
- 7) Clean in place procedure was completed on the membranes.
- 8) Quarterly samples were taken to the lab.
- 9) Replaced pipe for chlorine feed at well.
- 10) Emergency repairs on variable frequency drive for well 12A.
- 11) Disconnected water service line for 12 Bank street.

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

PARK & RECREATION: Park and Recreations:

No report.

OLD BUSINESS: No old business to address.

NEW BUSINESS:

19-24 Resolution Authorizing Advertising for Sealed Bids for Materials required for Construction of the Larkins Green Amphitheater.

WHEREAS, the Village had DeGraw & DeHaan, Architects, prepare plans and a materials list for construction of the Larkins Green Amphitheater, and

WHEREAS, in response to Requests for Bids, the proposals received exceeded the \$20,000 threshold permitted by General Municipal Law §103(1) for the procurement of materials without sealed bidding, and

WHEREAS, the Village of Chester requires the materials necessary for the construction of the Larkins Green Amphitheater,

NOW, THEREFORE, be it

RESOLVED, that the Mayor, Village Clerk and Building Inspector are authorized and directed to advertise for bids, as required by General Municipal Law §103(1) and the Village Procurement Policy, for the furnishing of materials required for the construction of the Larkins Green Amphitheater on forms approved by the Attorney for the Village.

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

	<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]	[]	[]

19-25 Resolution to Authorize Feerick, Nugent, MacCartney as conflict counsel to handle conflict matters as needed.

WHEREAS, the Village Board desires to hire Feerick Nugent MacCartney PLLC ("FNM") to represent the Zoning Board of Appeals in certain matters where a conflict has arisen and to handle future conflict matters; and

WHEREAS, the Village desires FNM to undertake such representation in such conflicted matters as they arise; and

NOW, THEREFORE, it is resolved as follows:

Section 1. All "WHEREAS" paragraphs are incorporated herein by reference as though set forth in full herein.

Section 2. Feerick Nugent MacCartney PLLC, is authorized to appear and handle two Zoning Board of Appeals matters in which a conflict has arisen with the current Village Zoning Board of Appeals Legal Counsel.

Section 3. FNM is further authorized to handle conflict matters in the future, as approved by the Mayor on an as needed basis where a conflict arises with current Village Zoning Board of Appeals Legal Counsel.

Section 4. Feerick Nugent MacCartney, PLLC shall be compensated to handle such matters at the hourly rate of \$250.

Section 5. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Introduced By: Trustee Elizabeth A. Reilly
Seconded By: Trustee Alan 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]	[]	[]

Nancy Lys – Owner of “thank goodness its vegan” restaurant, requesting permission to have a pop up at 9 Winkler Place. (request attached)

Mayor Bell read Ms. Lys request. would like to set up a pop tent on Winkler and Howland with a tentative date of October 12, 2019 from 12 to 6pm. Ms. Lys will follow up with Planning Board Sandra VanRiper and Village Code Enforcement Officer John Orr regarding applications and permits.

Gayle Sheeley was appointed on May 31, 2019 to newly created full-time position of Deputy Village Treasurer with a start date of June 1, 2019.

A motion to approve the appointment of Gayle Sheeley to the newly created full-time position of Deputy Village Treasurer with a start date of June 1, 2019, was made by Trustee Elizabeth A. Reilly, second by Trustee Alan Battiato. Motion unanimously passed.

Mary Altobelli of 3 Garden St. regarding lighting on Garden St.

The Mayor stated that he and the Board of Trustee will take a ride to Garden Street at night to inspect the lighting that Mary Altobelli is stating shines into her house.

CALENDAR:

- Chester NY Music 2019 Series – Begins Tuesday, June 18, 2019 – August 27, 2019. See our website calendar for listings. (villageofchesterny.org) In case of rain music will be on stage at Rustic Wheelhouse or Rushing Duck Brewing Co.
- Proposed Comprehensive plan meeting will be held on Thursday, June 20, 2019. Location: 45 Main St., 2nd Floor above Police Station in the Village hall conference room. Review of Draft Comprehensive Plan.
- Village of Chester will be closed on July 4, 2019 due to the holiday. Independence Day.
- Chester Fireworks – Saturday, July 13, 2019 with a rain date of Sunday, July 14, 2019. Music and food trucks will be behind the old Chester High School on Maple Ave. Viewing area will be on the fields at the Maple Avenue Complex. For more information please contact Park & Recreational department at 845-469-7000 ext.336
- Rail/Sail New England trip scheduled Sunday, September 15-18, 2019, 4 days/3 nights. If you are interested, please contact Michele at 469-7000 ext. 332 or email: mdeshler@thetownofchester.org. We need 40 people to go, we already have 20 and a max number of 50.
- NY Yankees vs Tampa Bay game Wednesday, July 17, 2019, 7:05 pm game, open to everyone.
- NY Yankees vs Baltimore Orioles, this game is for anyone 60+ years of age. Wednesday, August 14, 2019, 1:05 pm

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

PUBLIC COMMENTS: Mayor John Thomas Bell asked if there were any more comments from the public.

Gordon Shehab of 68 High St. mentioned installation of Orange and Rockland smart meters. He was informed that if you are to opt out you will be billed \$15 a month. He also mentioned that the Town of Montgomery is suing Orange and Rockland Utilities because of the installation of the smart meters.

Mayor Bell mentioned that the Village has not been contacted by Orange and Rockland.

After some discussion Mayor Bell stated that he is going to reach out to Orange and Rockland to see if the company would send a representative to the next Village Board of Trustees monthly meeting and give a presentation.

Clif Patrick of 119 Brookside Ave – informed the Board of Trustees that Chester Historical Society has been in contact with the owners of W.A. Lawrence house which is the law office Cohen, LaBarbera & Landrigan LLP and they are very enthusiastic about applying for a grant from the William G. Pomeroy Foundation for a historic marker.

Mr. Clif Patrick gave us some history on W.A. Lawrence. W.A. Lawrence operated the cheese factory in Chester. He made cream cheese and Neufchatel cheese from 1870 to 1920. He was the first president in the Village, member of the Walton Engine Fire Department and assisted in getting the water system for the Village of Chester among other notable things.

On behalf of the Chester Historical Society, Clif Patrick asked for the support of the Board of Trustees in specifically on two items, the first is the installation and second is the documentation of village records. He hopes that the village will cooperation to establish those things.

A motion in support to support the Historical Society to apply for a grant for a historical marker from the William G. Pomeroy Foundation was made by Trustee Elizabeth A. Reilly, second by Trustee Brian J. Boone.

Tracey Schuh – Last month, Town of Chester Planning Board had a work session on a proposed warehouse near Village well house by Shunoski lane. I think they could use help with any documentation of flooding in that area. while the Chairman indicates the importance of the Village well, on page 4 of the minutes, one planning Board members says "the pump house has never flooded". However, it is my understanding that there has been water in the Village building by the previous Village Water Commissioner. Therefore, the current Water Commissioner might want to reach out to the Town Chairman to get notified if there is another appearance by applicant so Village can follow along in review discussion from the beginning.

Tracey Schuh – addressed the Board of Trustees regarding Local law for public hearing notifications to nearby property owners for new site plans and subdivisions: In reviewing the Village website, I came across the Planning Board's recommendations in the March 26, 2019 meeting minutes (last few pages). I hope this can be addressed as soon as possible and the local law can be on next Village Trustee meeting agenda.

Regarding Senior Housing code: To assist in the discussion of revising Village code to include maximum square footage, I looked at the Town of Chester code for 'affordable senior housing' - they include maximum sf as: assisted care units 450 sf, one-bedroom units 700 sf and two-bedroom units 900 sf. Perhaps the Village Planner can assist in proposing revisions for the Village to consider.

Attorney Ben Ostrer addressing Elmwood Senior project, stated that the ordinance should be revisited. Senior housing does not typically scale larger than 800 sq. feet. The applicants showed plans with units as large as 2400 sq. feet per unit, 3 units on each floor.

ADJOURNMENT:

A motion to adjourn the meeting at 8:08 p.m. and go into executive session, with no further business, was made by Trustee Alan Battiato, second by Trustee Elizabeth A. Reilly.

Respectfully submitted,

Rebecca Rivera
Village Clerk