

**Village of Chester  
Board of Trustees Meeting Minutes  
August 12, 2019**

The Board of Trustees of the Village of Chester held its monthly meeting in the Village Hall meeting room on Monday, August 12, 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 Street Superintendent Charles Bono, Village Water Commissioner Gary A. Green Jr., and Village Code Enforcement Officer John Orr. Village Police Chief Peter J. Graziano Jr., was absent.

Mayor John Thomas Bell welcomed everyone to the August 12, 2019 Village monthly meeting.

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

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

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

**APPROVAL OF MINUTES:** Monthly Meeting July 8, 2019 and July 15, 2019 Special Meeting Minutes.

A motion to approve the Monthly Meeting July 8, 2019 and July 15, 2019 Special Meeting Minutes, was made by Trustee Elizabeth A. Reilly 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 JULY 31, 2019**

<b><u>Fund/Bank Account</u></b>	<b><u>Deposits</u></b>	<b><u>Disbursements</u></b>	<b><u>Interest</u></b>	<b><u>Ending Balance</u></b>
<b><u>General Fund</u></b>				
Savings (Sterling National; Bank)	--	--	1,310.48	3,199,788.16
Checking (Orange County Trust)	1,453,448.56	2,229,292.70	61.44	809,499.88
<u>Savings (Orange County Trust)</u>	937,404.39	--	354.10	1,634,037.48
<b><u>Water Fund</u></b>				
Capital Checking	--	--	9.82	114,051.64
Checking	59,394.54	71,533.25	21.07	412,889.43
<b><u>Sewer Fund</u></b>				
Checking	137,602.72	319,883.56	26.28	380,508.97

Cumulative Fiscal Year Interest Earned by Fund 06/1/19 – 05/31/2020

General Fund	\$	2,773.31
Water Fund	\$	63.58
Sewer Fund	\$	45.52

**Treasurer’s Discussion:**

**STATEMENT OF REVENUE & EXPENDITURES:** Please see attached.

**2019-2020 COLLECTION:** Collection of Village Property Taxes and Sewer are underway. Sewer Installment #2 is due by 9/30/19.

**2019-2020 BUDGET MODIFICATION:** A budget modifications schedule is attached. Requesting Board Approval to post the modifications. Water Commissioner is requesting that revenue from scrap metal sold in the amount of \$959.91 be allocated to the hydrants and meters account in order to purchase additional badger meters.

A motion to accept Budget Modification was made by Trustee Elizabeth A. Reilly, second by Trustee Deputy Mayor Christopher Battiato. Motion unanimously passed.

A motion to accept the Treasurer’s report, was made by Deputy Mayor Christopher Battiato, second by Trustee Brian J. Boone. Motion unanimously passed.

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

78 Brookside Ave., AT&T  
1- Project complete.

22 Maple Ave  
1- Framing is underway.

69 Brookside Ave., Nail Salon  
1- Work almost complete.

69 Brookside Ave Restaurant/bar  
1- Work well underway.

87 Brookside Ave.  
1- Framing underway.

Carpenter Road.  
1- Work progressing on all 3 homes.

40 Greycourt Ave.  
1- Framing underway.

Whispering Hills  
1- Building has been removed.

Larkin’s Green Amphitheater

- 1- Framing well underway.
- 2- Electrical ruff-in this week.

Mayor John Thomas Bell asked the Board of Trustees if anyone had any question for Building Inspector/Code Enforcement Officer, John Orr.

**Deputy Mayor Battiato** asked Building Inspector/Code Enforcement Officer, John Orr, what is the status with 33 Meadow Ave and its over grown grass.

**Village Code Enforcement Officer John Orr** stated that he submitted two notice of Violation, that went unanswered.

**Deputy Mayor Battiato** response, Village code states that the Village has the right to mow the grass and bill the owner. Deputy Mayor Battiato asked to hire a company to mow the grass as stated in the Village code, bill the owner for the services and continue the process of taking the owner to court.

A motion to accept the report of the Building Inspector/Code Enforcement Officer as read, was made by Trustee Alan Battiato, second by Trustee Elizabeth A. Reilly. 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 note from the Otterstedt family.
- Received a request from the Salthouse family to remove the markings in front St. Columba church from the MVA. Street Department was requested and agreed to remove or paint over markings.

**3. Public Safety Issues:**

- Traffic Details: Continuing
- The annual Fireworks Display no incident reported relative to the event. We did handle 4 non- event related calls.

**4. Facilities:**

- No issues.

**5. Equipment:**

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

**6. Vehicles:**

- Bids for a replacement vehicle are in and attached. No changes to vehicle specs, but the price has increased approximately \$2000.

**7. Other:**

- No issues.

**8. Department Activity YTD:**

Call Type	2019	
Calls for Service	1431	
Criminal Cases	220	
Arrests	119	
Traffic Accidents	270	

A motion to accept Police report as read by Mayor John Thomas Bell, made by Trustee Elizabeth A. Reilly, second by Trustee Alan Battiato. Motion unanimously passed.

Mayor John Thomas Bell stated that replacement vehicle has to be discussed with the Chief and would not be approved tonight.

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

On Wednesday, August 7, 2019 we were called out to clean a fuel spill in the Industrial Park. A tractor trailer going east on St Hwy 17 was leaking fuel through the 126 exit, Rt/94 and into the Industrial Park. The tractor trailer was finally stopped at the C&S gate house. Orange County Hazmat and DEC were called out and were present. Street Department poured sand the entire length of Elizabeth and Nubiform and after swept up the sand.

Mayor Bell asked Street Superintendent, if they will be billed for the man power and materials used on the spill.

Street Superintendent, Charles Bono, stated that he will supply the company with a report of the spill and will supply them with a copy of all the expenses.

On Monday, August 12, 2019, spoke to John Amante today, the owner of the subdivision on Carpenter Rd., he is looking to pave by the end of August. The Street department is in the process of putting Item 4 down and then we will proof roll it. Once this process is complete then Mr. Amante may begin to blacktop.

Lastly, I wanted to touch on what was mention in the Chief's report regarding the markings by St. Columba Church, the Street Department removed the markings.

Mayor Bell, thanked the Street Superintendent.

A motion to accept the report of the Street Superintendents' report as read, 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) Weekly mowing of the facilities.
- 4) Worked with contractor to install the new main on Bell Way. We made all the taps including the pressure test and chlorination. Both bacteria samples came back good.
- 5) Changing water meters continues. We are focusing on Whispering Hills at the moment.
- 6) Our quarterly mandated samples were completed.
- 7) The tie in for the water service at the new credit union was completed. Sealed driveway at the well house
- 8) Monthly samples were taken to lab for testing
- 9) Marking out of water lines for Dig safe N.Y.
- 10) The clean in place procedure was completed for the quarterly maintenance of membranes.

A motion to accept the report of the Water Commissioner's report as read was made by Trustee Elizabeth A. Reilly, seconded by Trustee Alan Battiato. Motion unanimously passed.

**PARK & RECREATION:** Park and Recreations: No Park & Rec member present. Mayor John Thomas Bell read email as follows:

What a gorgeous weekend, I hope everyone had an opportunity to enjoy the beautiful weather.

The Parks and Recreation Departments are actively working on great things for the remainder of the year. The first thing we are happy to announce that the popular CHAIR YOGA class will be adding another weekly class beginning the week of August 31st, the new class will be on Wednesdays 9-10am. So, join us 2 times a week on Mondays and Wednesdays for this popular class.

Summer Camp ended on Friday, August 9th and I am happy to hear everyone had a great time. We are already looking at ways to improve next year and have some great ideas. I will be sending out an email to all the parents of the campers that attended looking for feedback on camp. The only way we can improve is by your feedback. That email will be out next week so please watching your inbox and reply with feedback.

Our Christmas in Cape May trip November 24-25 is full and we are taking names for a second bus, there are 18 spots left and we're going with a second bus. If you are interested please call 469-7000 ext. 332, reply to this email or email [mdeshler@thetownofchester.org](mailto:mdeshler@thetownofchester.org). If you have already registered for this trip, please get your \$100 deposit in. Final payment will be due October 3rd.

We also have our trip to Winding Creek Bethlehem (formerly Sands Casino) on Thursday, September 26th sign up going on. Please call 469-7000, reply to this email, or email [mdeshler@thetownofchester.org](mailto:mdeshler@thetownofchester.org) if you are interested. If you have already registered for this trip payments are due by September 5th.

**REMINDER:** For everyone going on Sail/Rail New England September 15-18 final payment is due by Thursday, August 15th.

Have papers, documents, etc. laying around? Town Clerk Linda Zappala is having a **Shred Event of Friday, August 23rd, 10am-12pm** at the Town Hall, 1786 Kings Highway. This event is for Chester residents only and must show ID.

The Town and Village of Chester have another great night of music planned for Tuesday, August 13th. **Soul City** a good time party dance band will at 47 Main Street in Historic Downtown Chester from 7-9pm. Bring your friends, bring a chair and enjoy some great music. In the event of inclement weather, the show will go on, check our Facebook page Chester Rec for location.

Just a reminder monthly fitness fees are required to attend classes at the Senior/Rec Center, and be sure to sign in for all classes. If you need assistance please call 469-7000 ext. 332.

Interested in using our beautiful fields? Interested in renting one of our Pavilion's? Looking for information on the PAC? Call Kristin Palmer at 610-3485 or email [kpalmer@thetownofchester.org](mailto:kpalmer@thetownofchester.org)

***Coming up this week at the Senior/Rec Center:***

**Monday 8/12:**

Chair Yoga 9-10am

Yoga 6-7pm

**Tuesday 8/13:**

Line Dancing 6-7pm

**Wednesday 8/14:**

Yoga 6-7pm

Chess Club 730-10pm

**Thursday 8/15:**

Osteo/Exercise 1030-1130am

**Final Payment for Sail/Rail New England due**

**Friday 8/16:**

Yoga 12-1pm

**NO Quilting Club this week**

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

**NEW BUSINESS:**

**19-28 A LOCAL LAW AMENDING CHAPTERS 84 AND 98 OF CODE OF THE VILLAGE OF CHESTER WITH RESPECT TO NOTICE TO OWNERS OF NEIGHBORING PROPERTIES OF APPLICATIONS TO THE PLANNING BOARD FOR SUBDIVISION OF LAND AND SITE PLAN APPROVAL**

**WHEREAS**, Introductory Local Law No. 6 of 2018, was presented at the October 1, 2018, meeting of the Mayor and Trustees, proposing amendments to Chapter 84 of the Code of the Village of Chester, entitled “Subdivision of Lands,” and

**WHEREAS**, the proposed legislation was duly referred to the Planning Board for review and comment; and

**WHEREAS**, the report of the Planning Board included suggestions for additional and different provisions, including amendment of Chapter 98 of the Code, entitled “Zoning”; and

**WHEREAS**, at the July 8, 2019, meeting of the Mayor and Trustees, a public hearing was set for August 12, 2019, to hear any and all comments from the public concerning such proposed legislation with the additional provisions suggested by the Planning Board, and

**WHEREAS**, notice of such public hearing was duly published and posted, and such public hearing was duly convened on August 12, 2019, 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 Deputy Mayor Christopher Battiato, seconded by Trustee Elizabeth A. Reilly.

with the Mayor and all trustees voting in favor *[or trustees 5 and 5 voting in favor and trustee 0 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.

And, on further motion by Trustee Elizabeth A. Reilly, seconded by Trustee Alan Battiato, the following resolution was presented:

**RESOLUTION TO ADOPT LOCAL LAW #2 of 2019**

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

**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 ]	[ ]	[ ]

**19-29 Resolution naming Carpenter Rd Subdivision Bell Way**

**RESOLUTION APPROVING AN AMENDMENT TO THE LAND LEASE BETWEEN THE VILLAGE OF CHESTER, as LANDLORD, AND NEW CINGULAR WIRELESS PCS, LLC, as TENANT**

**WHEREAS**, under date of November 13, 2006, the Village leased, under a land lease, certain real property on Nancy Lane to NEW CINGULAR WIRELESS PCS, LLC, for use as a telecommunications facility; and

**WHEREAS** NEW CINGULAR WIRELESS PCS, LLC, has requested an amendment to and extension of said land lease; and

**WHEREAS** the proposed amendment to the land lease would modify the amount of rent and other consideration to be paid by NEW CINGULAR WIRELESS PCS, LLC, to the Village, would guarantee the payment of rent for no less than three (3) years, would provide for automatic renewals at the end of each 5-year lease extension and would require at least twelve

(12) months advance notice by NEW CINGULAR WIRELESS PCS, LLC, of non-renewal at the end of an extension term, and would extend the potential renewal terms of the lease to and including December 15, 2044; and

**WHEREAS** the Mayor and Trustees find the proposed amendment to the land 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 Land Lease Agreement between the Village and NEW CINGULAR WIRELESS PCS, 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 Land 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 land lease as so amended.

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**

	<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 ]	[ ]	[ ]

**Village Clerk requesting permission for Village Clerk** to attend the (New York Conference of Mayors) NYCOM Fall Training School, September 16, 2019 thru September 20, 2019. Location: Saratoga Springs, New York.

A motion to authorize Village Clerk to attend the (New York Conference of Mayors) NYCOM Fall Training School, September 16, 2019 thru September 20, 2019. Location: Saratoga Springs, New York was made by Trustee Alan Battiato, second by Trustee Elizabeth A. Reilly. Motion unanimously passed.

**44 High Street Water Accounts**

Mayor Bell discussed this item with the Board of Trustees, he stated that the owner of Meadow Hill Apts. requested penalties be waived on 6 water accounts due to never receiving the bill. After some discussion and consideration, the Board of Trustees agreed that they would not waive the penalties due to penalties being waived on last year’s Village Property Tax bill.

A motion to deny waiving penalties on Meadow Hill Apts. Water accounts for 44 High St., was made by Trustee Elizabeth A. Reilly, second by Deputy Mayor Christopher Battiato. Motion unanimously passed.

**The 32nd Annual Tour de Goshen, Sunday, August 18, 2019**

A motion to authorize the use of Village roads for the purpose of 32nd Annual Tour de Goshen, Sunday, August 18, 2019, pending insurance was made by Trustee Elizabeth A. Reilly, second by Trustee Brian J. Boone. Motion unanimously passed.

**CALENDAR:**

Chester NY Music 2019 Series – 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 August 19, 2019

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: mdeskler@thetownofchester.org. We need 40 people to go, we already have 20 and a max number of 50.



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

Town of Chester Recreation Building, New Chester Senior Center, 81 Laroe Road, Chester, NY 10918, schedule a Penny Social to benefit Chester Historical Society, Friday, September 13, 2019, 5:45 pm, calling starts at 7:00 pm, for more information please contact: 845-469-4674

**PUBLIC COMMENTS:** Mayor John Thomas Bell asked if there were any more comments from the public Trustee Brian J. Boone mentioned that the Billy Perry Blues Festival on Sunday, July 28, 2019 had a good turn out and good music. Trustee Boone also stated that we will have the Billy Perry Blues Festival again next year.

Patricia Salerno of 11 Hambletonian, asked if the house on Main St., with the two trailers on the side of the house was in compliance with the code.

Village Code Enforcement Officer John Orr, responded, yes, owner Linda Jones of 153 Main St., is in compliance with Village Code as the owner was given a site plan approval and the property is zoned business commercial.

**ADJOURNMENT:**

A motion to adjourn the meeting at 7:35 p.m. and go into executive session to discuss personal matters, with no further business after, was made by Trustee Elizabeth A. Reilly, second by Deputy Mayor Christopher Battiato.

Respectfully submitted,

Rebecca Rivera  
Village Clerk