

**Village of Chester
Board of Trustees Meeting Minutes
March 12 2018**

The Board of Trustees of the Village of Chester held their monthly meeting in the Village Hall meeting room on Tuesday, March 12, 2018

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; Village Treasurer Angela O'Neill; Deputy Clerk, Jennifer Cruz, Attorney for the Village, Henry N. Christensen, Jr., Village Police Chief, Peter J Graziano Jr., Village Water Commissioner, Gary A. Green Jr., and Village Code Enforcement Officer, John Orr. Village Street Superintendent, Charles Bono was absent.

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 February 2018, 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 of February 13, 2018.

A motion to approve the Monthly Meeting Minutes of February 13, 2018 was made by Trustee, Elizabeth A. Reilly, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

TREASURERS REPORT:

CASH BALANCES ENDING February 28, 2018

| <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) | -- | -- | 565.57 | 2,909,232.45 |
| Checking (Orange County Trust) | 238,326.13 | 360,250.00 | 9.45 | 79,860.72 |
| <u>Savings (Orange County Trust)</u> | -- | 350,000.00 | 182.92 | 2,167,960.71 |
| <u>Water Fund</u> | | | | |
| Capital Checking | -- | -- | 7.12 | 91503.50 |
| Checking | 143,848.80 | 46,256.59 | 19.08 | 473,304.17 |
| <u>Sewer Fund</u> | | | | |
| Checking | 39,266.15 | 86,292.41 | 34.46 | 695,524.99 |

Cumulative Fiscal Year Interest Earned by Fund 6/1/17-05/31/18

| | |
|--------------|----------|
| General Fund | 8,273.16 |
| Water Fund | 241.63 |
| Sewer Fund | 313.69 |

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 4/2/18. Sewer Balance reminder notices were mailed on 3/9/18. Any unpaid sewer balance as of 4/2/18 will be re-levied on to the Village Property tax bill to be issued on 6/1/18.
3. **2018-2019 BUDGET:** A preliminary budget copy is available at the Village Clerk's Office. The Village Board has worked very hard to remain below the 2% tax cap.
4. **SEWER ADJUSTMENTS:** Requesting Board permission to adjust sewer charges and penalties incurred for accounts 878-0 and 194-0. Also requesting Board permission to adjust sewer penalties for accounts 1648-0, 839-0, 876-0.

A motion to accept the adjustments to sewer charges and penalties incurred for accounts 878-0 and 194 and to adjust sewer penalties for accounts 1648-0, 839-0, 876-0, was made by Trustee, Brian J. Boone, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

A motion to accept the Treasurer's report, as read by Treasurer, Angela O'Neill, was made by Trustee, Alan Battiato, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

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

Peterman – 11 Elm Street

- 1- Building is closed in and interior work underway.

Pep Boys – 29 Elizabeth Dr.

- 1- Racking now complete.

BYK – 48 Leone Lane

- 1- Work continues inside.

FDF – 67 Greycourt Ave

- 1- Framing in progress.

Bastian Solutions – 45 Leone Lane (former Belmay)

- 1- Work has started.

Holiday Inn – 2 Bryle Place

- 1- Issued permit for cosmetic renovation of hotel.

A motion to accept the Building Department report as read, was made by Trustee, Elizabeth A. Reilly, second by Trustee, Brian J. Boone. Motion unanimously passed.

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

1. Personnel:

- Civil Service lists has been requested to fill a vacant position. Waiting for Orange county to send them.

2. Citizen Issues:

- Scams – Residents are reminded not to give personal information on the phone or to send money. Recently, a resident has been getting calls from what appears to be a Canadian phone number stating they were a Microsoft Rep and requesting access to a home computer to fix a problem.

3. Public Safety Issues:

- Traffic Details: Continuing.
- Resolution authorizing the Mayor and/or Chief of Police to sign an Inter-Municipal Agreement with Orange County for the reimbursement of overtime for STOP DWI Patrols.

4. Facilities:

- No issues.

5. Equipment:

- Sgt's computer had a software malfunction. The hard drive had to be removed and backed up then, reformatted the drive and reinstalled the operating system and drivers.

6. Vehicles:

- No issues.

7. Other:

- No issues.

8. Department Activity YTD:

| Call Type | 2018 |
|-------------------|------|
| Calls for Service | 543 |
| Criminal Cases | 089 |
| Arrests | 048 |
| Traffic Accidents | 044 |

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

STREET REPORT: Street Superintendent, Charles Bono, was absent no report submitted.

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

- 1) Daily filter plant & well operations.
- 2) Once per week filter cleaning.
- 3) Quarterly DOH sampling completed.
- 4) Cleared Fire Hydrant of Snow
- 5) Replace power steering pump on 2006 GMC.
- 6) Backflow Preventive testing is still on going.
- 7) Assisted contractor with service.
- 8) Monthly samples were taken to lab for testing.
- 9) Marking out of water lines for Dig safe N.Y.
- 10) Quarterly Clean in place procedure was completed on the membranes.
- 11) Joe Rosploch assisted Street Department with sidewalk snow clearing.

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

PARK& RECREATION: No one present from Park and Recreation.

OLD BUSINESS: No old business.

OTHER BUSINESS:

- Annual Clean up sponsored by Chester Kiwanis – Present was Tom Flynn representing the Chester Kiwanis. Annual Clean up will be held on Saturday, April 28, 2018, from 9am to 12pm with a rain date of Sunday, April 29, 2018 from 11am to 2pm. Cleanup team will meet at the Wendy’s parking lot.

A motion to authorize the Annual clean up on April 28, 2018, from 9am to 12pm with a rain date of Sunday, April 29, 2018 from 9am to 12pm was made by Trustee, Elizabeth A. Reilly, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed

18-5 Introductory Local Law No. 2 of 2018 - TABLED

Be it enacted by the Mayor and Trustees of the Village of Chester, New York, that Section 98-23.1 of the Village Code, entitled Senior Housing be amended as follows:

Proposed new language appears in bold type and language proposed to be deleted shows as being stricken out.

F. Lot and bulk requirements.

(1) The following lot and bulk requirements shall apply to projects for a SCH special use permit:

(a) Minimum *available* lot area. The minimum permitted lot area shall be ~~three~~ **two and one half** (2½) acres. In calculating the maximum number of dwelling units ~~per acre~~, any lands which are subject to flooding or which are occupied by public utility easements *or* in such manner as to prevent their use and development shall not be considered in calculation of ~~the total number of~~ available acres.

G. Site regulations.

(5) Building location. No building will have more than 24 dwelling units. The side of a principal building, if opposite the side of another principal building, shall be separated therefrom by a distance of not less than 1 1/2 the height of the opposite bounding wall. If the rear of any principal building shall face the front of another principal building, it shall be distant therefrom not less than twice the height of the opposite bounding walls. Each principal building will be not less than ~~25~~ **20** feet from any parking area or curb to provide for sidewalks, landscaping or both.

H. Building and unit requirements.

(b) Indoor community space. ~~Indoor community space and related equipment shall be required~~ **Projects with 30 units or more shall** provide indoor community space and related equipment to provide social and recreational opportunities for project occupants. Included may be such facilities as game rooms, indoor pool, meeting rooms, dining rooms, exercise rooms or other space for active or passive recreation. Such space, exclusive of a common lobby, hallways and basements, in a type and quantity as required by the Planning Board.

(c) Barrier-free access. All multifamily dwellings shall provide barrier-free access, and, at minimum, doors shall be three feet wide, thresholds shall be flush with the floor. **When buildings are arranged with interior hallways to access housing units and when buildings are three stories or taller** ~~ramps or~~ elevators shall be provided so that all areas of the structure are accessible to the physically handicapped.

(d) Appropriate twenty-four-hour private security and maintenance **will be provided for projects with 30 units or more.**

(2) Unit requirements.

~~[5] Storage. A minimum of 20 square feet of storage area shall be provided for each unit. Such storage area shall be in addition to normal closet space.~~

18-6 - Stop DWI/Traffic Safety Agreement - Resolution Authorizing the Mayor and/or the Chief of Police to Enter into an Inter-Municipal Agreement with Orange County Regarding Reimbursement 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 time 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 Police Department to reimburse the Village for 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 the 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 the 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: Trustee, Alan Battiato

Seconded By: Trustee Brian J. Boone
On a vote of 5 to 0, the resolution was adopted

| | <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] | | |

18-7 RESOLUTION APPROVING MAINTENANCE CONTRACT WITH C.R. WOLFE/GREINER GROUP

WHEREAS, proper operation, maintenance and care of the mechanical systems on Village properties requires that the Village have available qualified mechanics when needed to service or repair such mechanical systems; and

WHEREAS, C. R. Wolfe/Reiner Group has successfully performed such work for the Village in the past; and

WHEREAS C. R. Wolfe/Reiner Group has submitted a proposal which is acceptable to the Mayor and Trustees for the period from May 1, 2018 to April 30, 2019;

NOW, THEREFORE, be it

RESOLVED, that the Mayor and Trustees find that the scope of work proposed to be performed by C. R. Wolfe/Reiner Group involves special technical skill, training or expertise, as described in the Procurement Code of the Village of Chester, chapter 20 of the Village Code, so that competitive bidding is neither required nor appropriate; and it is further

RESOLVED, that the Mayor and Trustees find that C.R. Wolfe/Reiner Group possesses the appropriate accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth to perform maintenance work on and emergency coverage for the Village's mechanical systems, and it is further

RESOLVED, that the Village accept the Commercial Maintenance Agreement in the form presented to this meeting.

Introduced By: Trustee, Elizabeth A. Reilly

Seconded By: Deputy Mayor, Christopher Battiato

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

| | <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] | | |

18-8 RESOLUTION APPROVING PROFESSIONAL DESIGN CONTRACT WITH McGOEY, HAUSER & EDSALL CONSULTING ENGINEERS, D.P.C.

WHEREAS, the Village requires professional architect/engineer services in connection with the Larkin Green project; and

WHEREAS, McGoey, Hauser & Edsall Consulting Engineers, D.P.C., has successfully performed such services for the Village in the past; and

WHEREAS, McGoey, Hauser & Edsall Consulting Engineers, D.P.C., has submitted a proposal which is acceptable to the Mayor and Trustees;

NOW, THEREFORE, be it

RESOLVED, that the Mayor and Trustees find that the scope of work proposed to be performed by McGoey, Hauser & Edsall Consulting Engineers, D.P.C., involves special technical skill, training or expertise, as described in the Procurement Code of the Village of Chester, Chapter 20 of the Village Code, so that competitive bidding is neither required nor appropriate; and it is further

RESOLVED, that the Mayor and Trustees find that McGoey, Hauser & Edsall Consulting Engineers, D.P.C., possesses the appropriate accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth to perform professional architect/engineer services, and it is further

RESOLVED, that the Mayor and Trustees enter into the McGoey, Hauser & Edsall Professional Services Agreement in the form presented to this meeting.

Introduced By: Trustee, Elizabeth A. Reilly

Seconded By: Deputy Mayor, Christopher Battiato

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

| | <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] | | |

18-9 Resolution Adopting Local Law #1 of 2018 - Amendment to Chapter 92 of the Village Code, entitled Vehicles and Traffic, prohibiting trucks over 5 Tons on Garden Street

WHEREAS, on the 13th day of February, 2018, a proposed local law was introduced, Introductory Local Law #1 of 2018, proposing an amendment to Chapter 92 of the Village Code, entitled Vehicles and Traffic, prohibiting trucks over 5 Tons on Garden Street, and

WHEREAS, a public hearing was scheduled with respect to the said Introductory Local Law #1 of 2018 for March 12, 2018, at 6:45 p.m., and

WHEREAS, the Village Clerk did give due notice of this public hearing in accordance with the Village Code and the Laws of the State of New York; and.

WHEREAS, on the 12th day of March, 2018, the said public hearing was called to order, and all persons in attendance were given the opportunity to speak for or against the proposed legislation; and Planning Board filed its report with the Village Clerk, and

WHEREAS, the said public hearing was duly closed; and

WHEREAS the Mayor and Trustees, having considered any and all comments of the public concerning the proposed legislation, and having determined that the adoption of same is in the interest of public health and safety,

NOW, THEREFORE, be it hereby

RESOLVED by the Mayor and Trustees of the Village of Chester that §92-42A of the Code of the Village of Chester is amended as follows:

Insert under “Name of Street” the words “Garden Street” and strike the word “(Reserved)” and insert under “Location” the words “Between Meadow Avenue and High Street”

so that, upon adoption of this Local Law, §92-42A of the Code of the Village of Chester will read as follows:

“In accordance with the provisions of §92-19A, all trucks, tractors and tractor-trailer combinations in excess of five tons are excluded from the streets or parts of streets described below:

| Name of Streets | Location |
|------------------------|---|
| Garden Street | From Meadow Avenue to High Street” |

and it is further

RESOLVED, that the Clerk shall notify the Secretary of State of the State of New York of the adoption of this Local Law, in the manner prescribed by law.

Introduced By: Trustee, Elizabeth A. Reilly

Seconded By: Deputy Mayor, Christopher Battiato

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

| | <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] | | |

18-10 Setting a Public Hearing to Introductory Local Law #2 of 2018, Section 98-23.1 of the Village Code, entitled Senior Housing be amended.

A motion to set a Public Hearing to Introductory Local Law #2 of 2018, Section 98-23.1 of the Village Code, entitled Senior Housing be amended on April 9, 2018 at 6:45p.m., was made by Trustee Alan Battiato, second by Trustee Brian J. Boone. Motion unanimously passed.

18-11 RESOLUTION REFERRING INTRODUCTORY LOCAL LAW # 3 OF 2018, AMENDING PRINCIPAL PERMITTED USES IN RM DISTRICT, TO THE VILLAGE OF CHESTER PLANNING BOARD AND THE ORANGE COUNTY DEPARTMENT OF PLANNING:

RESOLVED, that the Village Clerk, as provided in Zoning Code §98-39, refer Introductory Local Law # 3 of 2018, Amending Principal Permitted Uses in any RM District, to the Village of Chester Planning Board, for a report pursuant to Village Code §98-40(A), and to the Orange County Department of Planning for review in accordance with General Municipal Law § 239-m(3)(a)(ii).

Introduced By: Trustee, Elizabeth A. Reilly

Seconded By: Deputy Mayor, Christopher Battiato

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

| | <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] | | |

18-12 Resolution Scheduling a Public Hearing Regarding Introductory Local Law No. 4 of 2018 Establishing a Moratorium on the review or approval of site plans or issuance of Building Permits in connection with projects seeking to construct multiple dwellings as principal permitted uses in RM and B1 districts

RESOLVED, that a public hearing be held on 9th of April, 2018, at 6:45 pm, on the Introductory Local Law #4 of 2018 Establishing Moratorium on the Review or Approval of Site Plans or Issuance of Building Permits in Connection with Projects Seeking to Construct Multiple Dwellings as Principal Permitted Uses in RM and B-1 Districts, and that the Village Clerk is directed to cause notice thereof to be given in accordance with Village Code §12-1.

Introduced By: Trustee, Elizabeth A. Reilly

Seconded By: Deputy Mayor, Christopher Battiato

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

| | <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] | | |

18-13 Resolution Directing Public Hearing on Proposed Village Budget.

WHEREAS, a budget for the Village has been prepared for the 2018/2019 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 6:45 p.m. on the 9th day of April, 2018, at the Village Hall, on the proposed Village Budget for the 2018/2019 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: Trustee, Brian J. Boone

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

| | <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] | | |

CALENDAR:

- March 30, 2018 Village Office will be closed for Holiday. (Good Friday)
- To be determined Proposed Comprehensive Plan meeting.
- CHESTER KIWANIS 5K Hambletonian Race, Memorial Day Weekend, Saturday May 26th, 2018, Start Time: 8:45 am

PUBLIC COMMENTS:

Trustee Elizabeth A. Reilly, who is also part of the Chester Cemetery Committee, mentioned that the committee is looking to raise funds for the up keep of Chester Cemetery. The committee is selling Flags – Sponsor a flag fund raiser. If interested in purchasing a flag or making a donation please contact Joan Ribando at 845-469-4208 or Elizabeth A. Reilly at 845-742-4077.

As there was nothing further, Mayor Bell asked for a motion to close the meeting.

A motion to close the meeting and go into executive session, with no further business, was made by Trustee Alan Battiato, second by Deputy Mayor Christopher Battiato. Motion unanimously passed.

Respectfully submitted,

Rebecca Rivera
Village Clerk