

**Village of Chester  
Board of Trustees Meeting Minutes  
May 8, 2017**

The Board of Trustees of the Village of Chester held their monthly meeting in the Village Hall meeting room on Monday, May 8, 2017.

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

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

Mayor, John Tom Bell opened the meeting at 7:00 PM. and started the meeting off by asking Trustee, Alan Battiato to lead with the Pledge of Allegiance.

**AUDIT OF BILLS:** Mayor, John Tom Bell noted that the audit of the May 2017, Village's monthly bills for approval was complete.

A motion to approve the audit of the bills was made by Trustee, Elizabeth A. Reilly, second by Trustee, Alan Battiato. Motion unanimously passed.

**APPROVAL OF MINUTES:** Monthly meeting minutes of April 10, 2017.

A motion to approved the Monthly meeting minutes of April 10, 2017, by Deputy Mayor, Christopher Battiato, second by Trustee Elizabeth A. Reilly. Motion unanimously passed.

**TREASURERS REPORT:** The report was read by Village Clerk Rebecca Rivera as follows:

**CASH BALANCES ENDING April 30, 2017**

<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)	----	--	604.68	2,903,097.91
Checking (Orange County Trust)	335,465.78	459,203.19	10.18	98,225.67
Savings (Orange County Trust)	--	150,000.00	141.65	1,536,877.41
<b><u>Water Fund</u></b>				
Capital Checking	--	--	7.90	94,792.43
Checking	29,991.44	25,693.79	17.50	353,699.84
<b><u>Sewer Fund</u></b>				
Checking	43,884.95	776.60	13.38	274,807.89

**Cumulative Fiscal Year Interest Earned by Fund 06/1/16 – 05/31/2017**

General Fund	\$	9,242.53
Water Fund	\$	52.37
Sewer Fund	\$	205.82

**Treasurer’s Discussion:**

- 1. STATEMENT OF REVENUE & EXPENDITURES:** Year to Date Report is attached.
- 2. 2017-2018 CAPITAL PROJECTS TRANSFERS:** 2017-2018 Budget Transfers will be made this month for water and sewer funds.
- 3. 2017-2018 TAX COLLECTION NOTICE:** A Tax Collection Notice (attached) has been prepared and will be published in the Times Herald Record for (2) consecutive Sundays at the end of May.
- 4. 2017-2018 SEWER CHARGES:** Sewer Bills will be issued on 6/1/17. Please take note the bill format and appearance will be different this year. Quarterly installments are due on 6/30/17, 9/30/17, 12/31/17 and 3/31/18. Any installment received after their due date will incur penalties. Please review the back of the bill for additional information.

A motion to accept the Treasurer’s report, as read by Village Clerk, Rebecca Rivera, was made by Trustee Elizabeth A. Reilly, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

Mayor, John Tom Bell asked the Police Chief, Graziano to read his report before the: Building Inspector/Code Enforcement Officer, John Orr in order to formally welcome the new part-time Officers.

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

**1. Personnel:**

- Formal welcome and shield pinning of part-time officers Christine Garry, and Dylan Bricker.

**2. Citizen Issues:**

- Received a letter of gratitude from the Moccio’s on Carpenter Rd., for the response to medical calls to the residence. In particular, Officer Iannuzzi.

**3. Public Safety Issues:**

- Traffic Details: Continuing.

**4. Facilities:**

- No Issues

**5. Equipment:**

- No issues.

**6. Vehicles:**

- No issues.

**7. Other:**

- National Police Week Proclamation designating 15 May as Peace Officer’s Memorial Day and the week of 15-21 May as Police Week.

**8. Department Activity YTD:**

Call Type	2017
Calls for Service	893
Criminal Cases	202
Arrests	134
Traffic Accidents	066

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

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

Meadow Hill Apartments.

- 1- Building #1 interior work continues.
- 2- Building #3 interior work continues.
- 3- Site work is back in swing.
- 4- Engineer and I have been reviewing the site plan do insure all items on site plan are implemented prior to final CO.

Steris – 2 Nucifora Blvd.

- 1- Final interior and site work continues.
- 2- Did a preliminary final inspection.
- 3- Engineer and I have been reviewing the site plan do insure all items on site plan are implemented prior to final CO.

McDonald’s – 73 Brookside Ave

- 1- Exterior renovations continue.

15 Grand View

- 1- Interior work underway.

Buckley – 157 Main Street (Tuthill)

- 1- Interior & exterior work underway.

T-Mobile – 69 Brookside Ave

- 1- Issued permit for store prep and sign for retail store.

Garzone – 42 Maple Ave.

- Issued permit for renovation of house.

I have drafted a suggested change to our parking code as it refers to required spaces in the B-1 zone.

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

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

We spent a few days going around and putting down topsoil and grass seed where the edge of lawns that were damaged from the snow plows and snow blower.

We have been breaking down and removing some of our snow removal equipment and prepping them for summer.

We have been cutting down some trees and clearing some brush on our new property behind the village hall parking lot.

We have started our weekly mowing.

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

Tires can be brought to The Town of Chester Highway Dept. the 2nd and 3rd week of May during the hours of 9:00 am-3:30 pm, however they must be off the rims.

Received a letter from Orange and Rockland pertaining to street lighting options. Recently the New York State Public Service Commission issued an order directing O & R to offer additional Light Emitting Diode (“LED”) street lighting options to municipalities in its service territory beginning April 1, 2017. This applies to all failed luminaries in SC No. 4 (Service Classification No 4 -Public Street Lighting – Company Owned) will be converted to LED at no cost to your municipality. O & R will continue to offer on a calendar year basis, the replacement of up to two percent of its streetlights (“Two Percent System Threshold”) on a system –wide basis. Beginning April 1, 2017, all replacements under the Two Percent System Threshold will apply only to LED conversions

Received a letter from the New York State Department of Transportation. The enacted State fiscal year 2017-18 Budget includes 438.1 million in Consolidated Local Street and Highway Improvement Program (CHIPS) funding for municipalities to support the construction and repair of highways bridges, highway railroad crossings, and other facilities that are not on the State highway system. Our apportionment for the 2017-18 state fiscal year is \$52,158.88, which is a \$52.00 increase from last year. The Budget also includes (1) a \$100 million PAVE NY appropriation to assist municipalities with rehabilitation and reconstruction of local highways and roads; (2) a new \$65 million Extreme Winter Recovery (EWR) capital appropriation to help local governments make necessary repairs to highways and bridges. Our apportionment balance for the PAVE NY appropriation is \$11,905.78, which is a \$11.87 increase from last year. Our apportionment balance for the new Extreme Winter Recovery capital appropriation is \$8,852.19. The total amount between the CHIPS appropriation, PAVE NY appropriation, and the Extreme Winter Recovery capital appropriation will be \$72,916.85, which is an increase of 14% from last year’s budget

We have started our weekly mowing.

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

A motion to accept the Water Department report, as read, was made by Trustee, Alan Battiato, second by, Trustee, Elizabeth A. Reilly. 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 facilities
- 4) Our quarterly Clean in place procedure was completed on membranes
- 5) Completed meter reading and repairs
- 6) Serviced mower and 2015 pick up
- 7) Attended Dig safe class in Newburgh
- 8) Monthly samples were taken to lab for testing
- 9) Chlorinated, flushed and took 2 consecutive bacteria samples for building 1 at Meadow Hill apt. The meter is installed, backflow preventer tested and service is now active.
- 10) Continue water line mark-outs for Dig Safe N.Y.

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

**PARK & RECREATION:** No report submitted.

**OTHER BUSINESS:**

### **17-16 RESOLUTION ADOPTING VILLAGE OF CHESTER ASSET CAPITALIZATION POLICY**

**WHEREAS**, the Village of Chester's auditor recommended that the Village adopt a policy, to apply to the capitalization of capital assets in all funds of the Village with the general objective, among others, of establishing guidelines for determining which expenditures should be capitalized as a capital asset, which expenditures should be expensed, how to value capital assets that are reported and establishing the estimated useful lives of capital assets, and

**WHEREAS**, the Village Board of Trustees has reviewed the Asset Capitalization Policy stated below and has determined that the policy be adopted and followed with respect to all Village funds,

**NOW, THEREFORE**, be it resolved that the Village of Chester does hereby adopt the following asset capitalization policy which is intend to apply to all Village Funds:

**Village of Chester**  
**ASSET CAPITALIZATION POLICY**

1. Scope of Policy

This Asset Capitalization Policy applies to the capitalization of capital assets in all funds of the Village.

2. General Objectives

This Asset Capitalization policy establishes guidelines for determining:

- which expenditures should be capitalized as a capital asset and which expenditures should be expensed.
- how to value capital assets that are reported.
- the estimated useful lives of capital assets.

3. Capital Asset Types

Capital assets are divided between assets that are not subject to depreciation and assets that are subject to depreciation.

Assets that are not subject to depreciation include:

- Land. The amount that should be capitalized for land should include the cost of the land itself; professional fees used to acquire the land (legal, engineering, appraisal, survey fees); costs for excavation, fill, grading, or drainage; demolition of any existing buildings or other improvements; and any other costs that are incurred to acquire the land and make the land suitable for use by the Village. Land is characterized as having an unlimited life and is therefore not depreciated.
- Construction in progress. The costs of assets that the Village is constructing, where expenses are incurred over more than one fiscal year, are accumulated as construction in progress until the asset is placed in service. At that time, the total costs are then transferred to the appropriate asset type and depreciated.

Assets that are subject to depreciation include:

- Land improvements. Land improvements are those improvements, other than ordinary and regular site preparation, which ready the land for its intended use. Such improvements can include parking lots, athletic fields, fencing, paths and trails, and landscaping.
- Buildings and building improvements. Buildings are permanent structures that are intended for shelter of persons, materials or equipment. Building improvements are capital events that extend the useful life of a building or increase the value of a building, or both. Repairs that simply maintain the existing life or restore a building to its original condition do not constitute an improvement.

- Equipment. Equipment is an item of tangible, nonexpendable personal property with a useful life of more than one year, and includes machinery and vehicles.
- Infrastructure. Infrastructure assets are long-lived capital assets that are stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Such assets can include streets and roadways, bridges, sidewalks, water mains and distribution lines, sewer mains and collection lines, and treatment plants.
- Computer Software. Purchased computer programs above the fixed asset capitalization threshold.
- Computer Software (continued) will be amortized over an estimated useful life of three to five years. Costs associated with annual maintenance and support are considered current expenditures.
- Collections (works of art or historical artifacts) meet the definition of capital assets and ordinarily would be reported in the financial statements. However, the requirement for capitalization of these assets is waived if the collection is held for reasons other than financial gain; the collection is protected, kept unencumbered, cared for, and preserved; and the collection is subject to a policy requiring that the proceeds from sales of collection items be used to acquire other items for collections.

#### 4. Expenditure Types

Repairs are the costs necessary for the upkeep of the property that neither add to the permanent value of the property nor appreciably prolong its intended life, but keep it in an efficient operating condition. These costs should not be capitalized.

#### 5. Capital Asset Valuation

Capital assets should be reported at their historical cost. In the absence of historical cost information, the assets estimated historical cost may be used. Assets donated by parties outside the municipality should be reported at their fair value on the date the donation is made. If capital assets are moved from one fund or activity to another, the recipient fund or activity should continue to report those assets at their historical cost as of the date they were originally acquired.

The historical cost of a capital asset should include ancillary charges necessary to place the asset in its intended location (freight charges, for example); ancillary charges necessary to place the asset in its intended condition for use (installation or site preparation charges, for example); and capitalized interest (only for those assets that are utilized in enterprise funds and internal service funds that are reported as a part of business-type activities).

Estimating the historical cost of capital assets for which invoices or similar documentation of historical cost are not available can use either standard costing or normal costing.

Standard costing involves using historical sources, such as old vendor catalogs, to establish the average cost of obtaining the same or a similar asset at the time of acquisition. Normal costing involves establishing the current cost of the same or similar asset and deflating that cost using an appropriate price index.

## 6. Capitalization Thresholds

By definition, any asset that benefits more than one fiscal period potentially could be classified as a capital asset. As a practical matter, however, governments capitalize only their higher cost assets. Capitalization thresholds are established to determine which assets are capitalized and which assets are expensed when purchased.

The Village must maintain adequate control over all assets, including lower-cost capital assets. Capitalization is designed to focus on the Village's financial reporting needs, and is not designed for or particularly suited for the purposes of ensuring control over lower-cost assets. Capitalizing numerous small cost items will actually overburden the overall capital asset management system. Capitalization thresholds are established based on financial reporting needs, and other policies will determine how the Village controls lower-cost assets.

The Village establishes a Capitalization Threshold of \$ 5000.00.

## 7. Depreciation

Assets that are capitalized will be depreciated over their estimated useful lives. Depreciation will be calculated on the straight-line basis, using estimated useful lives as follows:

Land improvements	10-50 years
Buildings and building improvements	10-75 years
Equipment and vehicles	3-20 years
Infrastructure	20-75 years

Because depreciation is intended to allocate the cost of a capital asset over its entire useful life, it normally is not appropriate to report assets still in service as fully depreciated. Instead, the annual amounts of depreciation expense should be reduced prospectively as soon as it becomes clear that an asset's useful life will be longer than originally estimated.

Introduced By: Trustee Alan Battiato

Seconded By: Trustee Brian J Boone

On a vote 5 of to 0, the resolution passed.

Mayor asked for a roll call vote:

	Yea	Nay	Abstain	Absent
Mayor John T. Bell	[x ]	[ ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[x ]	[ ]	[ ]	[ ]
Trustee Alan Battiato	[x ]	[ ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[x ]	[ ]	[ ]	[ ]
Trustee Brian J. Boone	[x ]	[ ]	[ ]	[ ]



**17-17 RESOLUTION AWARDING CONTRACT TO PURCHASE 2017 CHEVROLET SILVERADO 2500 CREW CAB LONG BOX 4WD TRUCK TO JOE BASIL CHEVROLET**

**WHEREAS**, the Village solicited sealed competitive bids for the purchase of a 2017 Chevrolet pickup truck in accordance with specifications referenced therein, which bids were due by May 4, 2017, and, an advertisement for the Invitation to Bid was published in the Times Herald-Record, and

**WHEREAS**, Joe Basil Chevrolet, 5111 Transit Drive, Depew, NY 14043 (“Vendor”) duly submitted a bid, dated May 3, 2017, for the sale of a 2017 CHEVROLET SILVERADO 2500 CREW CAB LONG BOX 4WD TRUCK ("Pickup Truck") in accordance with the specifications attached to the bid, at a total cost of \$32,263.00, and

**WHEREAS**, the Village Water Commissioner has reviewed the specifications of the Pickup Truck so bid and compared the same to the bidding specifications, and has found only minor deviations from the bidding specifications, which he recommends be waived, and

**WHEREAS**, the Village Water Commissioner has duly recommended the purchase of said Pickup Truck so bid,

**NOW, THEREFORE, BE IT RESOLVED** that the Village Water Commissioner or the Mayor is hereby authorized to purchase, in accordance with the provisions of Article 5-A of the General Municipal Law, said 2017 CHEVROLET SILVERADO 2500 CREW CAB LONG BOX 4WD TRUCK, as specified in the bid from Joe Basil Chevrolet for a maximum price of \$32,263.00,

A contract of purchase for the item purchased shall be executed between Village Water Commissioner or Mayor and Joe Basil Chevrolet. When the contract has been duly executed, the Water Commissioner or Mayor is authorized to complete the purchase upon delivery of the item purchased in accordance with the terms of the resolution and the contract, and to pay the above amount specified to be paid by a check drawn on the Village of Chester for \$32,263.00.

Introduced By: Deputy Mayor Christopher Battiato

Seconded By: Trustee Brian J Boone

On a vote 4 of to 1, the resolution passed.

**Mayor asked for roll call vote:**

	Yea	Nay	Abstain	Absent
Mayor John T. Bell	[x]	[ ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[x]	[ ]	[ ]	[ ]
Trustee Alan Battiato	[x]	[ ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ ]	[ x]	[ ]	[ ]
Trustee Brian J. Boone	[x]	[ ]	[ ]	[ ]

## **17-18 RESOLUTION ADOPTING THE VILLAGE OF CHESTER REVISED INVESTMENT POLICIES AND GUIDELINES**

**WHEREAS**, the Village of Chester's auditor recommended that the Village revise its investment policies and guidelines which revision was made by the Village Treasurer and reviewed by the Attorney for the Village, and

**WHEREAS**, the Village Board of Trustees has reviewed the revised Investment Policies and Guidelines stated below and has determined that the policy be adopted and followed with respect to the investment of all Village funds,

**NOW, THEREFORE**, be it resolved that the Village of Chester does hereby adopt the following Investment Policies and Guidelines which is intend to apply to the investment of all Village Funds:

### **VILLAGE OF CHESTER INVESTMENT POLICIES AND GUIDELINES**

The objectives of the Investment Policy of the Village of Chester are to minimize risk, to conform with all the applicable federal, state, and other legal requirements, to ensure that investments mature when the cash is required to finance operations, and to insure a competitive rate of return. The Village Treasurer is the Chief Fiscal Officer, is the Village Officer primarily responsible for the Village's investments and is hereby authorized to invest all funds, including proceeds of obligations and reserve funds, in:

Certificates of Deposit issued by a bank or trust company authorized to do business in New York State; Time deposit accounts in a bank or trust company authorized to do business in New York State; Obligations of New York State; Obligations of the United States Government; and Repurchase Agreements involving the purchase and sale of direct obligations of the United States;

All funds except Reserve Funds may be invested in:

Obligations of agencies of the federal government if principal and interest is guaranteed by the United States; Only Reserve Funds may be invested in obligations of a Local Government. All other village officials receiving monies in their official capacity must deposit such funds in negotiable order of withdrawal accounts, where practicable.

All investments made pursuant to this investment policy shall comply with the following conditions:

1. **COLLATERAL:**

a. General deposit accounts (savings accounts, checking accounts, money market accounts and certificates of deposit) shall be fully secured by Insurance of the Federal Deposit Insurance Corporation or collateralized by obligations of New York State or of the United States or obligations of the federal agencies, the principal and interest of which are guaranteed by the United States, or obligations of a New York State local government. Collateral shall be delivered to the Village of Chester or a custodial bank with which the Village of Chester has entered into a Custodial Agreement (hereinafter, "Custodian"). The market value of collateral shall at all times equal or

exceed the uninsured principal amount of any deposit. All banks with which the Village has investments and deposits shall pledge securities with a face value of at least 110% of the Village's uninsured investments and deposits plus interest. Collateral shall be monitored on a monthly basis by the Village Treasurer to determine that the amount and type of collateral are acceptable, and market shall mean the bid or closing price as quoted in The Wall Street Journal website – www.wsj.com or as quoted by another recognized pricing service.

b. Securities purchased through a repurchase agreement shall be valued to market on a monthly basis.

c. Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United States.

## 2. DELIVERY OF SECURITIES.

a. Repurchase Agreements. No Repurchase Agreement shall be entered into by the Treasurer without specific authority and approval from The Mayor and Board of Trustees.

## 3. WRITTEN CONTRACTS.

Written contracts are required for certificates of deposit and custodial undertakings. With respect to the purchase of obligations of the United States, the State of New York, or other governmental entities in which monies may be invested, the interest of the Village of Chester will be adequately protected by conditioning payment on the physical delivery of purchased securities to the Village of Chester or Custodian, or in the case of book-entry transactions, on the crediting of purchased securities to the Custodian's Federal Reserve System account. All purchases will be confirmed in writing to the Village of Chester.

It is policy of the Village of Chester to require written contracts as follows:

- a. A written contract shall be required for the purchase of certificates of deposit.
- b. A written contract shall be required with the Custodial Bank.

## 4. DESIGNATION OF DEPOSITORY AND CUSTODIAL BANKS

Custodial Banks are designated to act as Depository Banks of the Village of Chester Investments. The banks approved to act as Custodial Banks are approved annually at the Village of Chester's December Reorganization Meeting.

## 5. FINANCIAL STRENGTH OF INSTITUTIONS.

All trading partners must be credit worthy. Their financial statements must be renewed annually by the Village's Treasurer with the assistance and advice of the Village's Accountant to determine satisfactory financial strength, or the Village Treasurer may use credit rating agencies

to determine credit worthiness of the trading partners. Concentration of investments in financial institutions should be avoided. The general rule is not to place more than 75% of available funds in investments with any one institution.

Investments in time deposits and certificates of deposit are to be made with banks or trust companies.

When purchasing eligible securities, the seller shall be required to deliver the securities to the Custodial Banks.

## 6. OPERATIONS, AUDIT AND REPORTING.

The Village Mayor shall authorize in writing the Village Treasurer to purchase or sell any securities and certificates of deposit on behalf of the Village of Chester. The Village of Chester shall pay for the purchased securities upon the delivery or book entry thereof, as the case may be.

The Village of Chester will encourage the purchase and sale of securities and certificates of deposit through a competitive or negotiated process involving at least two written bids for each transaction where practicable.

At the time independent auditors conduct the annual audit of accounts and financial affairs of the Village of Chester, the independent auditors shall audit the investments of the Village of Chester for compliance with the provisions of these investment guidelines.

Whenever the Village of Chester may have any funds invested otherwise than in bank deposits (a) insured by the Federal Deposit Insurance Corporation or (b) fully collateralized under the terms of Collateral Agreements as aforesaid, the Village Treasurer shall prepare and submit investment reports, no less frequently than quarterly, within 60 days of the close of each calendar quarter, which shall disclose new investments made during the quarter, the inventory of existing investments, and such other matters as the Village Treasurer deems appropriate. Within 60 days of the receipt of annual audit by independent auditors of the investments of the Village of Chester, the Village Treasurer shall submit to the Village Board of Trustees a summary of the Village's investments as of the end of the year audited; the comments or recommendations of the independent auditors with respect thereto; the investment income record for such audited year; a list of fees, commissions or other charges, if any, paid to any Custodial Bank or any investment advisor, and such other matters as the Village Treasurer may deem appropriate to such report; provided that, for any audited year in which all the Village's investments throughout the year consisted solely of bank deposits (a) insured by the Federal Deposit Insurance Corporation or (b) fully collateralized under the terms of Collateral Agreements as aforesaid, such report may be limited to the identification of the depository banks, the interest paid on deposits by each, and any fees paid to a Custodial Bank.

The Village Board of Trustees shall review these Investment Guidelines from time to time, no less frequently than biennially, and may amend the same at any time by a vote of a majority of the Village Board of Trustees.

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

**17-19 RESOLUTION SCHEDULING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 3 OF 2017**

**WHEREAS**, a Local Law, being Introductory Local Law No. 3 of 2017, entitled: Chapter 58: Garbage, Rubbish and Refuse Storage and Removal, a copy of which is attached hereto, was introduced at this meeting by a member of the Village Board of Trustees of the Village of Chester, and

**WHEREAS**, this Village Board of Trustees desires to hold a public hearing with respect to the adoption of said Introductory Local Law,

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held by the Village Board of Trustees with respect to the adoption of the aforesaid Introductory Local Law at 6:40 on the 12<sup>th</sup> day of June, 2017, at Village Hall, 47 Main Street in the Village of Chester, New York, and it is further

**RESOLVED**, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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

**17-20 RESOLUTION**

A meeting of the Village Board of the Village of Chester was convened on May 9, 2017 at 7:00 p.m.

The following resolution was duly offered and seconded to wit:

**AUTHORIZING LEGAL SERVICES BY SPECIAL COUNSEL IN AN APPEAL BY A VILLAGE OF CHESTER UNION MEMBER**

**WHEREAS**, the Village of Chester (“Chester”) is currently represented by Special Counsel, FEERICK LYNCH MacCARTNEY & NUGENT PLLC to represent the Village of in certain labor relation matters; and

**WHEREAS**, the Village of Chester Police Union member (“Union Member”) had previously commenced litigation against the Village Police Chief, Village Mayor and the Village under Index Number 2015/7694, in the Supreme Court of the State of New York, County of Orange (“Supreme Court”); and

**WHEREAS**, the Supreme Court rendered a Decision in favor of the Village, et al.; and

**WHEREAS**, the Union Member has appealed to the Appellate Term of the State of New York, Second Department, under Docket No.: 2016-09705; and

**WHEREAS**, the Village requires legal counsel to undertake representation of the Village regarding said Union Member’s Appeal.

**NOW, THEREFORE**, be it is resolved as follows:

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

Section 2. Special Counsel, FEERICK LYNCH MacCARTNEY & NUGENT, PLLC, is authorized to appear and defend the Village and shall be compensated for all services performed for the Village with regard to the Appeal in the Appellate Term, Second Department, under Docket No.: 2016-09705, at the hourly rate of \$250 (plus all disbursements reasonably incurred). Such services will be invoiced and paid separate and apart from those services for which Special Counsel has previously been retained to handle for the Village.

Section 3. This Resolution shall be effective immediately.

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

	Yea	Nay	Abstain	Absent
Mayor John T. Bell	[x]	[ ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[x]	[ ]	[ ]	[ ]
Trustee Alan Battiato	[x]	[ ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[x]	[ ]	[ ]	[ ]
Trustee Brian J. Boone	[x]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

In Witness Whereof, I have signed this Resolution and affixed hereto the Seal of the Village of Chester.

\_\_\_\_\_  
Rebecca Rivera, Village Clerk

**\*17-21 Resolution to Amend certain provisions of the Village’s employment policy Manual, was tabled to next monthly meeting June 12, 2017\***

**30 Day Waiver for The Green Onion LLC**

The Village Board **did not** approve the 30-Day Waiver for The Green Onion LLC, located on 8 Greycourt Ave, Chester, NY 10918, due to question and concerns regarding the new permit application for liquor license.

**CALENDAR:**

- Village of Chester Music Series 2017- see music schedule on village website: [www.villageofchesterny.com](http://www.villageofchesterny.com)
- Chester Cemetery – Trustee Elizabeth A. Reilly made mention that the Chester Cemetery Committee is looking for donations. The Chester Committee will be selling flags for \$5.00/each to raise funds for the upkeep of the cemetery. Committee member, Joan Ribando is handling the sale of flags, she can be reached at 845-469-4208 or you may reach out to Trustee, Reilly @ 845-742-4077.
- Summer Camp Registration – Please see Village News & Events Section on our website – [www.villageofchesterny.com](http://www.villageofchesterny.com). You may also contact the Town of Chester Parks & Rec. Department @ 845-469-7000 ext. 8 or [www.chester-ny-gov](http://www.chester-ny-gov).
- Chester Historical Society Benefit- August 12- 13th. Please see News and Events page on the Village website: [www.villageofchesterny.com](http://www.villageofchesterny.com)
- Larkins Green presentation of grant funds on May 18, 2017, at the municipal parking lot, behind Village hall.

**ADJOURNMENT:**

A motion to adjourn the meeting and go into executive session and no other business there after was made by Trustee Elizabeth A. Reilly, second by Trustee, Alan Battiato. Motion unanimously passed

Respectfully submitted,

Rebecca Rivera  
Village Clerk