

**Village of Chester  
Board of Trustees Meeting Minutes  
October 10, 2017**

The Board of Trustees of the Village of Chester held their monthly meeting in the Village Hall meeting room on Monday, October 10, 2017.

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

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

Mayor John Tom Bell opened the meeting at 7:10 PM. with the Pledge of Allegiance.

**AUDIT OF BILLS:** Mayor John Tom Bell noted that the audit of the **September 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 Brian J Boone. Motion unanimously passed.

**APPROVAL OF MINUTES:** Monthly meeting minutes of September 11, 2017.

A motion to approve the Monthly meeting minutes of September 11, 2017 was made by Trustee Elizabeth A. Reilly second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

**TREASURERS REPORT:**

**CASH BALANCES ENDING SEPTEMBER 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)	---	--	605.32	2,906,183.74
Checking (Orange County Trust)	459,463.10	433,671.06	9.61	156,911.58
Savings (Orange County Trust)	3,585.62	--	356.69	3,836,450.52
<b><u>Water Fund</u></b>				
Capital Checking	--	--	7.68	92,142.23
Checking	71,615.78	51,077.68	16.97	346,059.23
<b><u>Sewer Fund</u></b>				
Checking	119,874.38	4,221.16	32.11	721,502.99

Cumulative Fiscal Year Interest Earned by Fund 06/1/17 – 05/31/2018

General Fund	\$	3,808.54
Water Fund	\$	107.67
Sewer Fund	\$	136.03

**Treasurer's Discussion:**

1. STATEMENT OF REVENUE & EXPENDITURES: Year to Date Report is attached.
2. 2017-2018 COLLECTION: Collection of Village Property Taxes and Sewer continues. Sewer installment #3 is due by 01/02/18.

3. UNPAID TAX: Village Property Tax Collection continues until 10/31/17. Unpaid tax bills as of 10/31/17 will be forwarded to Orange County Dept. of Taxation and Finance. Village Property Tax Payment will be accepted at Orange County Dept. of Taxation & Finance until 11/15/17. Any unpaid tax as of 11/15/17 will be re-levied on to 2018 Town/County Tax bill.

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

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

Garzone – 42 Maple Ave.

1- Work no complete.

Peterman – 11 Elm Street

1- Issued permit for the replacement of house destroyed by fire.

Rushing Duck - 2 Greycourt Ave

1- Issued permit for renovation of barn for "Tasting Room"

Reminder to all Village residents about the importance of getting a permit for work on their property. A building permit is necessary to insure the work being performed is to code. Building codes insure your property is safe to live in and safe for others to visit. Over the last two months I had found two properties which had renovated basement areas without first obtaining permits or obtained a permit and conducted work outside the permit parameters. While you may think you are saving money in the short-term eventually it will cost you even more. You may have to hire an architect or engineer to certify the work that was performed is to code, you may have to remove all or some of the work either temporarily or permanently.

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

**1. Personnel:**

- No issues.

**2. Citizen Issues:**

- No issues.

**3. Public Safety Issues:**

- Traffic Details: Continuing.

**4. Facilities:**

- Everyone is reminded that the Halloween Curfew will be in effect as it has in the past years. The entire curfew can be view on the Village website. Just follow the link on the main page.

Village Code §69-3(in Part):

"the continuous period commencing October 30 at 8:00 p.m. and ending October 31 at 6:00 a.m. and the continuous period commencing October 31 at 8:00 p.m. and ending November 1 at 6:00 a.m.

**5. Equipment:**

- No issues.

**6. Vehicles:**

- 726 2011 impala 88,000+ is having a chronic transmission issues. It has been to the shop several times and so far, has been covered under warranty.

**7. Other:**

- No issues.

**8. Department Activity YTD:**

<b>Call Type</b>	<b>2017</b>
Calls for Service	2139
Criminal Cases	432
Arrests	256
Traffic Accidents	161

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:

Work continues at our New Fuel Facility, the conduit for the electric under the concrete has been installed. The rebar that goes inside the concrete has been installed and the concrete slab has been poured. Special thanks to V. Paulius and Associates for their donation of the rebar that went inside the cement and for the installation of pouring the concrete. The next step for our new fuel facility will be the installation of the tanks, fuel dispensers and fuel management system.

We blacktopped the ditch line at the intersection of Maple Ave and Walnut St. where there was a water main break.

The sidewalk was repaired by 71 Main Street, where the new electric service line was installed for the firehouse.

The traffic lines, cross walks, stop bar and arrows have been repainted on West Ave. due to our chip sealing.

We have received the new body from Henderson Equipment for our Ford F-550.

Work is almost complete at the school with renovation of the fields. Grass is up, sod has been installed around the infields and the installation of the clay is almost finished. However, they would like to do a couple of add on's to the project. They would like to add a 5' sidewalk along the fence line and repave the parking lot on the Walnut Street side.

Spoke to Rich Gaupman, the Resident Engineer from NYSDOT about the pavement repairs at 17M and Lehigh Ave.

The leaf vacuum is ready to go and we are in the process of transferring over the leaf box to another dump truck for another season for our leaf pick up. At this time, village residents can bring leaves out to the curb to be picked up. We ask that you do not put out leaves in or near storm drains or by catch basins as this will prevent water from getting to storm drains and catch basins and will cause the water to back up onto the streets. Also, please keep sticks, and stones separate from leaves as this will clog or damage the leaf vacuum and cause downtime. All weekly pick up, including leaf pick will end on December 1st, so we urge village residents to put out their leaves at their earliest convenience.

The New York State Salt bid for 2017-2018 year was awarded to Cargill Inc. The price of salt this year will be \$70.19 a ton.

The village snow ordinance will go into effect on November 1st to April 15th, at which time there is no parking on any village street between the hours of 3:00am to 6:00am.

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

A motion to accept the Street Department report, as read, was made by Trustee, Elizabeth A. Reilly, 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 facilities
- 4) Repaired service line leak at 45 Meadow Ave
- 5) Repair water main break in front of Brady's auto
- 6) Painting of fire hydrants continues.
- 7) Monthly samples were taken to lab for testing
- 8) Marking out of water lines for Dig safe N.Y.
- 9) Replaced shut off box at 53 Cromwell Rd.
- 10) Replaced fire hydrant on 94 on Garden Street.

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:** Email submitted.  
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**OLD BUSINESS:**

No Old Business pending

**OTHER BUSINESS:**

Mr. Robert Young and Dominick Dierna were present to request a zone change on the property located on 6 Kings highway. Mr. Robert Young the owner of 6 Kings Highway submitted a letter on October 4, 2017 requesting a zone change for 6 Kings Highway from RM1 to B2 and the annexation of the portion of the property that falls in the Town of Chester.

Code Enforcement/Building Inspector, John Orr and Attorney, Harold Pressberg explained the process of applying a for a zone change and annexation for the portion of the property within the Town of Chester limits.

This matter was tabled to the next Village Board monthly meeting schedule for November 13, 2017. Mr. Dierna did not have the necessary documentation to get the process started.

**\*TABLED\***

**17-33 RESOLUTION ADOPTING LOCAL LAW #3 OF 2017, AMENDING THE ZONING CODE 98-20 (E) OFF-STREET PARKING AND LOADING, COMPUTATION OF SPACES IN A B-1 ZONE.**

WHEREAS, by Resolution, date June 12, 2017, the Village Board of Trustees referred Introductory Local Law #4, Amending the Zoning Code 98-20 (E) Off- street Parking and Loading, Computation of Spaces in a B-1 Zone, to the Village Planning Board for a report as provided in Village Code 98-40(A); and

WHEREAS, on August 31, 2017, the Village Planning Board reported, as provided in Village Code 98-40(A), that it recommended the adoption of Proposed Local Law #4, Amending the Zoning Code 98-20 (E) Off-street Parking and Loading, Computation of Spaces in a B-1 Zone, with certain changes as set forth in its Report, and

WHEREAS, the Orange County Planning Department recommended "Approval" in its July 11, 2017, response to the referral required by General Municipal Law§239-1,m,n; and

WHEREAS, on September 11, 2017, the Village Board passed a resolution acknowledging the Planning Board's Report and scheduling a public hearing to be held on October 10, 2017, and

WHEREAS, on October 10,2017, such public hearing was called to order and any member of the public was invited to be heard on the subject and such public hearing was duly closed, and

WHEREAS, a Short Form EAF was prepared indicating that the adoption of the Introductory Local Law was an Unlisted Action under SEQR and that there were no potentially significant environmental impacts associated with the proposed adoption, and

WHEREAS the Mayor and Trustees having duly considered any and all comments made by the public, and the same having been recorded and there appearing to be good and sufficient reason that the proposed amendments to the Village Zoning Code with respect to off-street parking in a B-1 District be adopted

NOW, THERE, be it

RESOLVED, the Village Board of Trustees types the adoption of Local Law #3 of 2017 as an "Unlisted Action" under SEQR, that the Short Form EAF is approved, that the proposed action is hereby given a negative declaration and the Mayor is authorized to sign the Part 3 Determination of Significance so indicating, and it is further

RESOLVED, that Local Law #4 of 2017, in the form presented to this meeting, is hereby adopted, and the Clerk is authorized and directed to file same with the Secretary of State and to annex a copy thereof to the minutes of this meeting.

**\*This matter was tabled until Public Comments are reviewed.\***

**17-34. RESOLUTION FOR FUNDING LARKIN'S GREEN PROJECT FROM PARK AND RECREATION FUNDS**

WHEREAS, the Village holds in trust for park and recreation purposes \$3,000 collected from applicants for subdivision approvals and \$46,000 from applicants for site plan approvals; and

WHEREAS, the Village is the recipient of a grant to build the Larkin's Green performance venue on real property, known as 12 Bank Street, recently purchased by the Village; and

WHEREAS, a condition of such grant is that the Village provide funding to the extent of no less than \$16,850 toward the Larkin's Green project;

NOW, THEREFORE, BE IT

RESOLVED, that such portion of the real property, known as 12 Bank Street, recently purchased by the Village, as lies south and west of Bank Street and south and east of the mapped roadway easement is hereby designated and set apart for use as a Village recreation area to be available for musical and artistic performances and other activities according to rules and regulations from time to time adopted by the Mayor and Trustees; and it is further

RESOLVED, that the Village shall proceed with the construction on such site of the project known as Larkin's Green at the earliest convenient time; and it is further

RESOLVED, that \$3,000 heretofore collected from applicants for subdivision approvals and held by the Village for park and recreation purposes, plus \$13,850.00 heretofore collected from applicants for site plan approvals and held by the Village for park and recreation purposes are hereby appropriated and encumbered for the Larkin's Green project; and it is further

RESOLVED, that the balance of the recreation funds heretofore collected from applicants for site plan approvals shall be, and hereby is, set apart into a segregated fund balance to be used exclusively for park and recreation purposes, and it is further

RESOLVED, that the Village Treasurer shall account separately for such segregated fund balance whenever the Village accounts are presented.

Introduced By: Trustee Brian J. Boone

Second By: Deputy Mayor, Christopher Battiatto

On a vote of 4 to 0 the resolution was adopted.

**7-35 RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR FUELING STATION PROJECT**

WHEREAS, pursuant to the provisions of the General Municipal Law and the Village of Chester Code, the Village of Chester invited bids for the furnishing and installation of materials and equipment for the construction of a new Fueling Station; and

WHEREAS, on the opening of bids, the low bidder was found to be Northeast Petroleum, Inc., of 2940 Curry Road, Schenectady, New York, with a bid of \$94,450.00; and

WHEREAS, Northeast Petroleum, Inc., appears to be properly qualified to perform the work required and has submitted a conforming bid, together with surety bond,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is authorized to award the contract for construction of the new Fueling Station to Northeast Petroleum, Inc., and to enter into the said contract on behalf of the Village of Chester.

Introduced By: Trustee Brian J. Boone  
Second By: Deputy Mayor, Christopher Battiato  
On a vote of 4 to 0 the resolution was adopted

**17-36 RESOLUTION AUTHORIZING RELEASE OF ESCROW AND ADVANCE OF MONIES FROM GENERAL FUNDS OF THE VILLAGE TO CAPITAL PROJECTS FUND OF THE VILLAGE FOR FUELING STATION PROJECT**

WHEREAS, the Village Street Department is about to engage in the construction of a new Fueling Station to be funded in part by a \$50,000 grant from the Dormitory Authority of the State of New York (the "DASNY") and also to be funded in part by a \$15,000.00 payment from the Chester Fire District, which is currently being held in an escrow account, and

WHEREAS, the accepted low bid for such project is to be \$94,450; and

WHEREAS, the Village Treasurer has advised of the need for a temporary advance of General Fund monies to the Capital Project Fund for the purpose of defraying authorized expenses from the Capital Projects Fund, with such advance to be repaid to the General Fund as soon as the DASNY grant money is paid to the Village by the DASNY, and

WHEREAS, the Village Board is agreeable to authorizing the temporary advance of monies from the General Fund to the Capital Projects Fund, and

WHEREAS, the condition for release of the Fire District payment from escrow has occurred,

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF CHESTER IN REGULAR SESSION DULY CONVENEED AS FOLLOWS:**

1. The Mayor and the Treasurer are authorized to release from escrow and deposit in the Capital Projects Fund the \$15,000.00 heretofore received from Chester Fire District
2. The Mayor and Treasurer be, and they hereby are, authorized to temporarily advance from surplus General Funds of the Village the sum of \$50,000.00 to the Capital Projects Fund of the Village pursuant to the provisions of section 9-a of the General Municipal Law of the State of New York.
3. The temporary advance will be repaid by the Capital Projects Fund to the General Fund as soon as monies are received from the DASNY under the grant.
4. In that monies in both the General Fund and the Capital Projects Fund are raised from taxes on the same base of properties, the repayment for the temporary advance need not include any amount of interest reasonably estimated to have been earned on the investment of monies in the General Fund had such advance not been made.

5. This Resolution shall take effect immediately.

Introduced By: Trustee Brian J. Boone

Second By: Deputy Mayor, Christopher Battiato

On a vote of 4 to 0 the resolution was adopted

**CALENDAR:**

- Kite Festival – October 15, 2017 from 11-2 at Knapp’s View on Kings Highway
- PROPOSED VILLAGE OF CHESTER COMPREHENSIVE PLAN- Monday, October 16, 2017 at 7:00 PM
- Village offices will be closed on November 7, 2017 for election day and November 10, 2017 in observance of Veterans Day.

**ADJOURNMENT:**

A motion to go into executive was made by Trustee Brian J. Boone, second by Deputy Mayor Christopher Battiato.

Respectfully submitted,

Rebecca Rivera  
Village Clerk