

Village of Chester Public Hearing

June 12, 2017

The Board of Trustees of the Village of Chester held a Public Hearing in the Village Hall meeting room on Monday, June 12, 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 Treasurer, Angela O'Neill, Village Police Chief, Peter Graziano, Village Street Superintendent, Charles Bono, Village Water Commissioner, Gary Green, and Village Code Enforcement Officer, John Orr.

Mayor John Tom Bell opened the meeting to the public at 6:45 PM. The notice which appeared in the Times Herald Record read as follows:

NOTICE IS HEREBY GIVEN that, on June 12, 2017, at 6:45 p.m. at the Village Office, 47 Main Street in the Village of Chester, the Board of Trustees of the Village of Chester, Orange County, New York will conduct a public hearing at Village Hall, 47 Main Street with respect to the proposed adoption of a Proposed Local Law, being Introductory Local Law No. 3 of 2017, entitled:

Chapter 58: Garbage, Rubbish and Refuse Storage and Removal

at which time and place all interested persons may appear and will be given an opportunity to be heard either in support of or in opposition to the adoption of the proposed change to the Village Code.

The full text of the Introductory Local Law No. 3, is filed with, and is in the custody of, the Village Clerk at 47 Main Street, Chester, New York, is posted at said office, and may be examined by any interested person during regular business hours at the above address up to and including 4: 30 p.m., on June 12, 2017. The text of such Introductory Local Law is also accessible on the Village website, www.villageofchesterny.com

BY ORDER OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF CHESTER, NEW YORK

Rebecca Rivera
Village Clerk

Dated: May 17, 2017

CORRECTION

John Orr: spoke regarding refuge and garbage being placed curbside and when it should be done and how it should be done and also to deal with our green waste collections and how that is handled and what can't be put out. The other thing that's on here is an appendix which I believe you should have a blank copy and when I say by blank, all it says is number 1, name and number of the waste collector and contractor. Really all you are approving of this law is the appendix format. Every year and every time there's a change in collection schedule or collection company, these questions will be answered and that will be publicized as a second document so that it's not really part of the law except for the format. If anyone has any questions on it I will try to answer it.

Rebecca Rivera: John we don't have a copy of the draft.

Mayor: We are just trying to address the garbage cans that are left out for days at a time, put out in front of their houses and that were they stay for a week or until they are filled up again, and it's an ugly sight. All you see as you pass by is ugly garbage cans. This is a way to try and curb that by giving them a time frame in order to bring their garbage can out to the front of their residence and removing it.

John Orr: Also, where the cans are to be placed is an important part of this, especially for our winters & snow plowing season. Although we've tried to tell people that the cans do not belong in the road it still happens. So, giving this out to the public it will better the situation.

Mayor: Any comments from the public?

Cliff Patrick of Brookside Ave: I got a copy in May and I tried to get a copy today to see if there were any changes on the website so the first comment is, I couldn't find it on the website. I hope my comments are still relevant. I don't know if they are or not but as Betty Ann (referring to Trustee Elizabeth Ann Reilly) mentioned in the last meeting if the codes place or reference to the parts of the code that would be relevant to waste collection, such as chapter 79-Sewer, 98-13 construction debris, 59-1 on littering and 39-10 Operating permits, 51-15 standards for all structures. A few years ago, I had a really hard time finding the appropriate part of the law (not audible) he was able to take care of the issue and it might be good to reference the other part of the code in the section so people can find them easier on placement for collections. 58-4 of the appendix the way the code reads could be

open to misinterpretation, 12 midnight could be the first moment of the day or the last moment of the day. So, I suggest making that clear, like 12:01 the next day. I know it's a technicality but that's what gets us in trouble. The other issue with that is that garbage isn't always collected when it's supposed to be, as it happens, one-day last month our garbage was put out on time and it wasn't picked up on Monday. Technically when that happens they come by the next day and pick it up. In this particular case, they didn't pick it up for a whole week. There should be some accommodation in the code for that. I know everyone here is reasonable but you can't depend on that in the future.

58-4 on your appendix it talks about acceptable items and then there's another item and then it talks about unacceptable items. Wouldn't it be logically from the acceptable and non-acceptable to be items in sequence and also on these lists it seems to be over specific in a number of cases. You might want to make them a little more general. I'll give you these so that you can see all the details, no sense in boring everyone right now. I'm surprised that there's no requirements as to sanitary conditions for acceptable recycle items. I'm sure the people handling them would like them to be rinsed before they're put out to be recycled. In terms of the sanitary conditions, I agree it's very difficult to write rules to say what's intended and it could be understandable but it would be a good thing if you could. Thank you.

Johns Orr: Just comments on the appendix.

The appendix that you should have a copy of tonight, whether or not you have it in front of you is basically blank. It just leaves out the four items. What Cliff was referring to was the original one that was the original draft that was out there that had details in each category. The answer to each question on the appendix will be something you will adopt on a yearly basis. Just on the acceptable and the unacceptable items. That was taken right from the collector or the company that's currently contracted but again, for tonight you are just basically approving or not approving an appendix in a format not in the details on it.

Leslie Smith of Brookside Ave: It just reminds me of something. Sometimes the service that's taking care of the garbage, they dump the recycle in with the garbage and I know Betty Ann (referring to Trustee Elizabeth Ann Reilly) probably remembers I came in to the Village hall (referring to the Town of Chester and Trustee Reilly was Town Clerk) and raised hell because I stood there and watched them pick up the recycles and dump them in the garbage and I spent a long time rinsing out the items and everything else and she got on the phone with the provider and they gave her a song and dance on how they separate them later and I said, I'd like to go and see that and then they admitted that they were lying. So, I think there should be something in that code about a penalty or something else. If the person that is supposed to care of the recycles does that because you can spend a substantial amount of time rinsing out those containers making sure they are not going to be filled with ants and flies and food.

Mayor: Does anyone have any other comments. No more comments from the audience.

Mayor asked for a motion to close the public hearing, A motion was made by Trustee Elizabeth A. Reilly, second by Deputy Mayor Christopher Battiato, to close the public hearing at 6:56 p.m. Motion passed unanimously.

Respectfully,

Rebecca Rivera