

**Village of Chester
Monthly Meeting Minutes
August 10 , 2020**

The Board of Trustees of the Village of Chester held its monthly meeting via video/tele-conferencing at 7 pm, on Monday, August 10, 2020.

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 Attorney John Kolesar, Village Police Chief Peter J. Graziano Jr., and Village Code Enforcement Officer John Orr. Village Attorney Brian Nugent, Street Superintendent Charles Bono Village Water Commissioner Gary A. Green Jr. and Treasurer Angela O'Neill were absent.

Village of Chester Monthly Meeting notice as published in the official newspaper, Times Herald Record.

PLEASE TAKE NOTICE that the Village Board of the Village of Chester will conduct a Village Board Meeting on August 10, 2020, commencing at 7:00 PM to consider any matters that may be brought. There is no physical meeting location in order to ensure the health, safety and welfare of the Village residents, but for the purposes of compliance with the applicable law, the Meeting will be conducted via video/tele-conferencing and the Board Members as well as members of the public may participate in the Meeting by videoconferencing, access to which is shared by the weblink provided below, or by telephone, access to which is shared by the telephone number. The weblink is also available on the Village's website as a hyperlink for easier access:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/860039776?pwd=RVcxVjhxV0I3d3ZiRXNNTDl6Nlpqdz09>

Password: 398313

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 929 205 6099

Webinar ID: 860 039 776

Password: 398313

The Meeting is being held in accordance with the New York State Public Officers Law and Executive Order 202.1 ("EO 202.1") issued on March 12, 2020, by New York State Governor Andrew Cuomo, which suspended Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and pursuant to Executive Order 202.15 that authorized public hearings to be held by video conferencing or similar services. For any person unable to participate at the time of the meeting, email comments may be submitted in advance to clerk@villageofchesterny.com.

Accordingly, NO IN-PERSON ATTENDANCE IS PERMITTED FOR THE MEETING.
BY ORDER OF THE VILLAGE BOARD OF THE VILLAGE OF CHESTER, NY

Rebecca Rivera, Village Clerk

July 7, 2020

CALLING THE MEETING TO ORDER:

Mayor John Thomas Bell opened the meeting at 7:18 pm with the Pledge of Allegiance.

Mayor John Thomas Bell thanked everyone for attending the meeting via audio/video conferencing.

AUDIT OF BILLS: Mayor John Thomas Bell noted that the audit of July 2020 Village’s monthly bills for approval was complete.

A motion to pay the audited bills of July 2020, was made by Trustee Brian J Boone, seconded by Deputy Mayor Christopher Battiato. Motion unanimously passed.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Brian J Boone	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

APPROVAL OF MINUTES: Monthly meeting minutes of July 13, 2020.

Mayor John Thomas Bell noted that the Monthly meeting minutes of July 13, 2020, were completed and distributed to all Board members.

A motion to accept Monthly meeting minutes of July 13, 2020 as presented, was made by Trustee Alan Battiato , seconded by Trustee Brian J. Boone. Motion unanimously passed.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Brian J. Boone	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

TREASURER’S REPORT: Mayor John Thomas Bell read Treasurer’s report as follows:

CASH BALANCES ENDING JULY 31, 2020

<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)	--	--	691.93	3,214,827.96
Checking (Orange County Trust)	2,260,744.90	457,701.61	151.67	3,394,156.92
<u>Savings (Orange County Trust)</u>	--	--	311.22	1,050,149.15
<u>Water Fund</u>				
Capital Checking	--	--	17.93	138,836.05
Checking	33,124.13	60,779.58	23.30	440,156.23
<u>Sewer Fund</u>				
Checking	70,840.15	336,167.79	31.56	407,496.31

Cumulative Fiscal Year Interest Earned by Fund 06/1/2020 – 05/31/2021

General Fund	\$	2,170.41
Water Fund	\$	82.26
Sewer Fund	\$	55.52

Treasurer's Discussion:

1. STATEMENT OF REVENUE & EXPENDITURES: Attached.
2. 2020-2021 TAX/SEWER COLLECTION: Collection of Village Property Taxes and Sewer are underway. Village Tax is due by 7/21/2020. Sewer installment #2 is due by 9/30/2020
3. 2020-2021 BUDGET MODIFICATIONS: A budget modifications schedule for the fiscal year ending 5/31/2020 is being presented for the Board's Approval.
4. 2020-2021 SEWER ADJUSTMENTS: Requesting Board Approval to waive sewer penalties for account 513-0 & 928-0. Customer has historically paid sewer in full by 6/30/2020 and has never been late on water, sewer or tax payments. Due to medical issues the customer was unable to make sewer and property tax payments by due date.

Budget modifications documents are attached to these minutes.

A motion to accept budget modifications as noted in Treasure’s report was made by Trustee Brian J. Boone, seconded by Deputy Mayor Christopher Battiato. Motion unanimously passed.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J. Boone	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[]	[]	[x]
Mayor John Thomas Bell	[x]	[]	[]

A motion to waive sewer bills penalties for account 513-0 & 928-0 was made by Deputy Mayor Christopher Battiato, seconded by Trustee Alan Battiato. Motion unanimously passed.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J. Boone	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[]	[]	[x]
Mayor John Thomas Bell	[x]	[]	[]

A motion to accept Treasurer’s report as read by Mayor John Thomas Bell was made by Trustee Alan Battiato, seconded by Deputy Trustee Brian J. Boone. Motion unanimously passed.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J. Boone	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[]	[]	[x]
Mayor John Thomas Bell	[x]	[]	[]

BUILDING REPORT: Village Code Enforcement Officer John Orr read his report as follows:

40 Greycourt Ave.

1- House now complete.

38 Greycourt Ave

1- House now complete.

Whispering Hills

1- Almost complete.

178 Main Street

1- Work is now complete.

Steris – Nucifora Blvd.

1– Current work is for the concrete plant relocation

A motion to accept Building Department report as read by Village Code Enforcement Officer John Orr was made by, Deputy Mayor Christopher Battiato, seconded by Trustee Brian J Boone. Motion unanimously passed.

A brief discussion regarding proposed chapter 45 Electrical Inspections. (Document attached to minutes)

A motion to schedule a public hearing September 14, 2020 at 6:45 p.m. with respect to the proposed adoption of a Proposed Local Law, being Introductory Local Law No. 2 of 2020, entitled: A LOCAL LAW ADDING CHAPTER 45, ENTITLED “ELECTRICAL INSPECTIONS,” TO THE VILLAGE CODE OF THE VILLAGE OF CHESTER. 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, was made by Trustee Elizabeth A. Reilly , second by Trustee Alan Battiato . Motion unanimously passed.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J Boone	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

POLICE REPORT: Police Village Police Chief Peter J. Graziano Jr., read his report as follows:

1. Personnel

- No officers have been infected to date by the COVID-19 or shown any symptoms.
- Officer Tolentino has completed the academy and is now in field training.

2. Citizen Issues:

- We did have a Chester United Protest for Black Lives Matter July 18, 2020. There were 60 people in attendance. They did try to go off the intended route but were stop by patrols without incident.

3. Public Safety Issues:

- No issues.

4. Facilities:

- No Issues.

5. Equipment:

- No Issues.

6. Vehicles:

- No Issues.

7. Other:

- No Issues.

8. Department Activity YTD:

Call Type	2020
Calls for Service	1282
Criminal Cases	139
Arrests	65
Traffic Accidents	63

A motion to accept Police report as read by Village Police Chief Peter J. Graziano Jr. was made by, Trustee Elizabeth A. Reilly, seconded by Trustee Brian J Boone. Motion unanimously passed.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J Boone	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

STREET REPORT: Village Street Superintendent, Charles Bono was absent. No report.

WATER REPORT: Mayor John Thomas Bell read Water Department report as follows:

- 1) Daily filter plant & well operations
- 2) Twice per week filter cleaning
- 3) Monthly samples taken to the lab.
- 4) Mark outs for Dig Safe NY.

- 5) Our quarterly samples were completed. Our lead and copper samples were completed. They are required to be taken every 3 years. This involves 20 customers to take samples from their home and we collect them. We also have to notify them and the Health Department of the results.
- 6) We replaced 2 air actuators on Filter Skid A at the Plant.
- 7) I would like to thank the Town of Chester Highway Department for putting down tar and chip on our shop parking lot.
- 8) We performed a Flow test for the new Steris building.
- 9) We tied in the water service line for the last new house on Greycourt Ave.
- 10) We sealed the concrete base at the Princeton Street tank. We also took apart and cleaned the altitude valve assembly. We also cleaned the other 2 Tanks pressure ports.
- 11) The Pall Company came in and performed a Health and Wellness check at the Filtration plant as recommended for the plant as it reaches its 10-year mark of being in service. A final report will follow.
- 12) Walton Lake is 3 inches below pin level.
- 13) Replaced phosphate line at the well house.
- 14) Collection of unpaid water bills from May 2020.
- 15) Replaced fire hydrant that was struck by a bus in Whispering Hills.

A motion to accept the Water Department’s report as read by Mayor John Thomas Bell, was made by Trustee Brian J. Boone, seconded by Trustee Elizabeth A. Reilly. Motion unanimously passed.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J Boone	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

PARK& RECREATION: There was no report from the Park & Recreational Department.

OLD BUSINESS: No old business to address.

NEW BUSINESS:

20-14 Resolution Regarding LGS-1 Retention and Disposition of Records

WHEREAS, the Village Board of the Village of Chester (“Village Board”) desires to adopt the Retention and Disposition Schedule for New York Local Government Records (“LGS-1”), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records as set forth below.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The above “**WHEREAS**” paragraphs are incorporated herein by reference.

Section 2. The Village Board hereby adopts the LGS-1 for use by all officers of the Village in legally disposing of valueless records listed therein and in accordance with Article 57-A.

Section 3. Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records or LGS-1 after they have met the minimum retention periods described therein.

Section 4. Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Section 5. This Resolution shall be effective immediately.

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

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J Boone	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

20-15 Resolution Regarding Memorandum of Agreement between the Village of Chester and the Village of Chester Police Benevolent Association, Inc.

WHEREAS, the Village of Chester Police Benevolent Association, Inc. ("PBA") represents all full-time and part-time police officers employed by the Village of Chester Police Department except the Chief of Police; and

WHEREAS, the Village of Chester ("Village") and the PBA are parties to a Collective Bargaining Agreement that expired on May 31, 2020, but the terms of which were extended to expire on May 31, 2021, by a Memorandum of Agreement approved on January 15, 2020, and executed by the parties ("January 2020 MOA"); and

WHEREAS, under the MOA, the parties agreed to meet to discuss scheduling issues; and

WHEREAS, the bargaining committee for the PBA and the bargaining committee for the Village have engaged in discussions with respect to scheduling; and

WHEREAS, both parties desire to enter into this Agreement; and

NOW, THEREFORE, subject to the ratification and approval by the PBA and the Village Board of the Village, with the recommendations of the bargaining committees, the parties hereby agree to the following terms:

1. Under the MOA, the term of the CBA will expire on May 31, 2021 ("Extension Period"). The parties hereby agree to meet to exchange proposals and to negotiate a successor collective bargaining agreement, the term of which shall commence on June 1, 2021, within thirty (30) days after execution of this Memorandum of Agreement.
2. Except for the provisions relating to a new employee, Article 5, Section 5.3 of the CBA (Tours of Duty and Rotation), as extended under the January 2020 MOA, shall be suspended until 10:00 pm (2200) on May 31, 2021 ("Suspension Period").

3. During the Suspension Period, the parties hereby agree that the Tours of Duty as set forth on the charts annexed hereto shall take effect on August 21, 2020.
4. In addition to any rights that the Village is entitled to under the CBA or by past practice, the Chief of Police may modify the foregoing Tours of Duty for training purposes only. Any modification made by the Chief shall be made in the Chiefs sole discretion. The Chief of Police shall notify all affected employees as far in advance as possible prior to such training that a modification will be made.
5. To the extent that the revised temporary schedule conflicts with any provision of the CBA. PBA waives any claims or grievances.
6. The terms of this Memorandum of Agreement and the Suspension Period shall expire at 9:59 pm (2159) on May 31, 2021. Nothing herein shall be deemed to commit either party to the foregoing Tours of Duty beyond 9:59 pm on May 31, 2021. If the parties do not otherwise agree, in writing, to adopt the foregoing Tours of Duty to take effect beyond the Suspension Period and expiration of the term of this Memorandum of Agreement then the terms and conditions expressly set forth in the CBA, as extended by the January 2020 MOA, shall take effect and the terms and conditions set forth in this Memorandum of Agreement shall no longer be effective, and the full-time members of the PBA starting on the A line shift at 10:00 pm on May 31, 2021, shall return to the Tour of Duty on a rotational basis for the purpose of the Taylor Law and continuation of terms and conditions of employment, the terms of the C13A, as extended by the January 2020 MOA shall constitute the terms and conditions of employment to be continued under such law.
7. The terms and conditions of this Memorandum of Agreement shall not be subject to a grievance, alleged violation of a past practice, or otherwise disputed, and shall be deemed a trial period in which both parties expressly agree that the Village Board has the absolute discretion to terminate this Memorandum of Agreement upon fifteen (15) calendar days' notice to the PBA and the PBA President.
8. All other terms and conditions of the CBA shall continue in effect. In the event there is conflict between this Memorandum of Agreement and the terms and conditions of the CBA, the parties agree that the CBA shall apply.
9. The terms and conditions of this Memorandum of Agreement shall not be deemed to be a past practice nor shall a past practice be deemed to be created by the implementation of such terms and conditions.
10. Nothing herein shall be deemed to prohibit the parties from adopting the terms and conditions herein, as may be modified by mutual agreement, in writing, into a successor collective bargaining agreement. Any agreement to extend the term of this Memorandum of Agreement shall be made, in writing and signed by the parties, prior to May 1, 2021.
11. It is agreed by and between the parties that any provision of this agreement requiring legislative action to permit its implementation by amendment of law or by providing the additional funds, therefor, shall not become effective until the appropriate legislative body has given approval.

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J Boone	[x]	[]	[]

Trustee Alan Battiato	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

20-16 Resolution Authorizing Mayor to sign Pest Management Service Agreement.

WHEREAS, the Village Board of the Village of Chester (“Village Board”) in the course of its municipal business requires from time to time certain services, materials and supplies to be acquired or performed; and

WHEREAS, the Village Board pursuing best purchasing practices as well as complying with all provisions of law has determined to authorize action concerning such goods or services as set forth below; and

WHEREAS, the Village Board for the Village of Chester hereby desires to enter into said Agreement; and

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The above “WHEREAS” clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. The Village Board hereby authorizes the Mayor to execute the Agreement with Pest Management Service in a form approved by Village Counsel and to otherwise take necessary actions to facilitate the provisions of the Agreement.

Section 3. This Resolution shall be effective immediately.

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

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J Boone	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

20-17 Resolution of the Village Board of the Village of Chester to Authorize Special Counsel to Defend the Village in Tax Certiorari Litigations.

WHEREAS, the Village of Chester (“Village”) previously retained Special Counsel Feerick Nugent MacCartney, PLLC, to represent the Village in certain legal matters; and

WHEREAS, the Village desires to have experienced Tax Certiorari Counsel to assist the Village in the resolution of certain pending and future tax certiorari always matters to best protect the position of the Village ; and

WHEREAS, the Village has been named as a party in several Tax Certiorari actions in Orange County Supreme Court, regarding tax certiorari proceedings and requires Special Counsel to undertake representation and a defense of the Village in the aforesaid litigations; and

NOW, THEREFORE, it is resolved as follows:

Section 1. The above “WHEREAS” paragraphs are incorporated herein by reference.

Section 2. Special Counsel Feerick Nugent MacCartney, PLLC is authorized to appear and represent the Village in all tax certiorari matters that are pending and may be filed in the future at the hourly rate of \$250 plus all disbursements reasonably incurred.

Section 3. This Resolution shall be effective immediately.

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

Roll Call

	<u>For</u>	<u>Against</u>	<u>Abstain/Absent</u>
Trustee Brian J Boone	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

• **Requesting permission to hold a Jazz Concert**, which is part of the Hudson Valley Jazz Festival, on Thursday, August 13, 2020, 4:30 pm to 6:00 pm. Location: Outdoors parking lot , 6 Howland St. Barry Adelman event.

A motion to authorize to hold a Jazz Concert on Thursday, August 13, 2020, 4:30 pm to 6:00 pm. Location: Outdoors parking lot , 6 Howland St. and road closure, was made by ,second by . Motion unanimously passed.

• **Discussion on the following village properties:** 19 High St. and 25 Oakland Ave. (tabled)

Calendar:

- E-Bill service is available. If you would like to signup go to Village website under forms.
- Chester Music Series August Schedule is as follows:
 August 18, 2020 Dark Horses – 7 pm to 9 pm
 August 25, 2020 Band Uncle Shoenhorn Classic – 7 pm to 9 pm
 August 29, 2020 Band Back to the Garden 1969 – 6 pm – 9pm

Check us out on Facebook – <https://www.facebook.com/chesternymusic>

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

Public Comments:

No public comments.

Adjournment:

A motion to close the monthly meeting at 8:02 pm and go into executive session to discuss personnel matter with no further business was made by Trustee Elizabeth A. Reilly, seconded by Deputy Mayor Christopher Battiato. Motion unanimously passed.

A motion to come out of executive session 8:24 pm.

Respectfully,

Rebecca Rivera
Village Clerk

Approved by Board of Trustees 8/10/2020 Meeting

MCSJ REF #

Budget Adjustments

GF Line Item	Acct. Code	Budget Amendment	Reason		Budget Amendment	Acct. Code	Available Bal. For Transfer	MCSJ JE
Street: Personnel Services	A.5110.0100	18,340	Kirkland Payroll for Amphitheatre		Interfund Revenues: Cap Proj	A.2801.0141	20,388	47
FICA/MEDICARE Expense	A.9030.0800	1,985						
MTA Expense	A.1980.0400	63						
		<u>20,388</u>					<u>20,388</u>	

GF Line Item	Acct. Code	Approx. Over Budget	Reason		GF Line Items Available for Budget Transfer	Acct. Code	Available Bal. For Transfer
Board of Trustees: Telephone	A.1010.0476	300	MS Office Expense		Board of Trustees: Training	A.1010.0481	300
Justice Court: Personal Services	A.1110.0100	6,076	hlth ins buyout		Justice Court: Professional Services	A.1110.0454	6,076
Mayor: Equipment	A.1210.0200	741	Desktop Windows 10 matter		Contingency	A.1990.0400	741
Auditor: Professional Services	A.1320.0454	7,070	PR Audit Matter		Auditor: Village CPA	A.1320.0400	7,070
Village Clerk: Code Updates	A.1410.0407	1,440	Numerous Update to LL & 3 New Books		Village Clerk: Personal Services	A.1410.0100	1,440
Village Clerk: Telephone Cellular	A.1410.0476	145	Equipment Upgrade		Village Clerk: Office Supplies	A.1410.0444	145
Legal: Contractual Expense	A.1430.0400	1,830	Disab Mgt Consultant Not Budgeted		Legal: Projects	A.1420.0433	1,830
Buildings: Equipment	A.1620.0200	6,200	V Hall NEW SERVER Windows 10 Security Matter		Buildings: Electric	A.1620.0415	6,200
Buildings: Telephone	A.1620.0476	638	MS email		Buildings: Special Dept. Supplies	A.1620.0466	638

Central Garage: Electric	A.1640.0415	248	Usage		Central Garage: Heat	A.1620.0426	248
Central Garage: Special Dept. Suppl.	A.1640.0466	87	Overbudget		Central Garage: Maintenance	A.1640.0437	87
Central Data Process: Equipment	A.1680.0200	3,702	Vhall New PC'S Windows 10 Security		CONTINGENCY	A.1990.0400	3,702
Central Data Process: Comp Software	A.1680.0409	611	GoToMyPC COVID-19 Matter		CONTINGENCY	A.1990.0400	611
Central Data Process: Maint Contracts	A.1680.0434	5,321	Carbonite not budgeted & MCSJ Bldg & Perm Implemented		Legal: Projects	A.1420.0433	4,670
					CONTINGENCY	A.1990.0400	651
Central Data Process Prof Services	A.1680.0454	363	SJA New PC Install/Server		CONTINGENCY	A.1990.0400	363
Judgements & Claims: Conractual	A.1930.0400	2,497	92 Main Street Village Tax		Judgements & Claims: Legal	A.1930.0432	2,497
Police: OT Services	A.3120.0120	83,682	Staff Issues 207C		Police: Personal Services	A.3120.0100	83,682
Police: Office Supplies	A.3120.0444	262	Overbudget		Police: Printing	A.3120.0452	262
Police: Postage	A.3120.0450	116	Overbudget		Police: Printing	A.3120.0452	116
Police: Education Reimb/Gym Membership	A.3120.0487	554	Uniform Overages		Police: Professional Services	A.3120.0454	554
Building Dept.: Equipment	A.3620.0200	31	PC Windows 10 Matter		Building Dept.: Computer Software	A.3620.0409	31
Building: Telephone	A.3620.0476	221	MS Office		Building: Mileage	A.3620.0440	221
Street: Personal Services	A.5110.0100	3,314			Street: OT Personal Services	A.5110.0120	3,314

Street: Equipment	A.5110.0200	22,432	PY Expense		Street: Road Sealing	A.5110.0460	22,432
Street: Special Dept. Supplies	A.5110.0466	502	Overbudget		Sreet: Tools	A.5110.0479	502
Street: Telephone	A.5110.0476	54	Plan Increase		Street Tools	A.5110.0479	54
Snow Removal: Special Dept. Supplies	A.5142.0466	260	Overbudget		Snow Removal: Blades & Chains	A.5142.0465	260
Celebrations: Contractual	A.7550.0400	10	Advertising Overages		CONTINGENCY	A.1990.0400	10
Celebrations: Prof Svcs: Performers	A.7560.0454	600	Coordinator		CONTINGENCY	A.1990.0400	600
Zoning: Legal	A.8010.0432	1,630	Applicant PDJ Matter		Zoning: Board Meetings	A.8010.0449	1,340
					Zoning: Maintenance Contracts	A.8010.0434	290
Planning: Personal Services	A.8020.0100	8,046	Overbudget		CONTINGENCY	A.1990.0400	8,046
Planning: Advertising Legal	A.8020.0401	24	Overbudget		Planning: Office Expense	A.8020.0444	24
TOTAL A FUND		159,007			TOTAL A FUND		159,007
Buildings: Office Supplies	F.1620.0444	38			Buildings: Repairs	F.1620.0474	38
Buildings: Telephone	F.1620.0476	26			Buildings: Repairs	F.1620.0474	26
Municipal Association Dues	F.1920.0400	100	OC Wtr Auth		Other Taxes & Assessments	F.1950.0400	75
					Other General Government Exp.	F.1980.0400	25
Water Supply: Repairs	F.8320.0456	1,261	Emergency repairs at well house		Water Supply: Electric	F.8320.0415	1,261
Water Purification Plant: Chemicals	F.8330.0405	1,842	Addtl Testing		Water Purification Plant: Electric	F.8330.0415	1,842
Water Transmission: Personnel Services	F.8340.0100	5,968	Incr & Hlth Ins Buyout		Water Transmission: OT	F.8340.0120	5,968
Water Transmission: Permits & Fees	F.8340.0453	2			Water Transmission: Repairs	F.8340.0456	2

Hospital/Medical/Dental Insurance	F.9060.0800	1,495	Spouse Cvg Changes		Social Security Expense	F.9030.0800	1,495
TOTAL F FUND		10,732			TOTAL F FUND		10,732
Sewer Admin: Permits & Fees	G.8110.0453	20			Sewer Admin: Printing	G.8110.0452	20
		<u>169,759</u>					<u>169,759</u>

Proposed

Chapter 45 Electrical Inspections

§ 45-1 Statement of findings and purpose.

- A. The Village Board of the Village of Chester hereby finds that to protect the health, safety and welfare of the occupants and owners of property in the Village, there shall exist a procedure whereby electrical inspections shall be performed by qualified inspectors who shall report their findings to the Village of Chester but shall not be agents, employees or contractors of the Village of Chester.
- B. The purpose of this chapter is to establish a procedure whereby such inspectors shall be qualified in accordance with the standards set forth herein. This chapter also describes the duties of such inspectors and provides for violations of the provisions of this chapter.

§ 45-2 Statement of authority.

This chapter is adopted pursuant to the delegation of authority as set forth in the Municipal Home Rule Law; **Article IX of the New York State Constitution and the Statute of Local Governments.**

§ 45-3 Licensing of inspection organizations.

- A. No electrical inspection agency shall make electrical inspections in the Village of Chester unless licensed to do so by the Village of Chester Board of Trustees.
- B. Any electrical inspection agency desiring to make electrical inspections in the Village of Chester may apply to the Code Enforcement Officer for an electrical inspection license on application forms prescribed by the Building Department. Applications will be reviewed yearly and must be submitted prior to November 1st annually. Licenses will be in effect for 1 year starting January 1st and ending December 31st.
- C. No applicant for a license shall be issued a license unless such applicant shall certify as part of their application that they accept and will comply with all the standards and criteria for electrical inspection agencies set forth in **§ 45-4** of this chapter, and the requirements of this law.
- D. Each applicant for an electrical inspection license shall pay a nonrefundable fee as shall be set from time to time by the Board of the Village of Chester. A license issued hereunder shall expire annually on the 31st day of December.

§ 45-4 Qualifications and duties of electrical inspector.

The Code Enforcement Officer of the Village of Chester is hereby authorized to accept electrical inspections from any qualified electrical inspector. No person or agency shall be deemed to be qualified within the meaning of this chapter unless such person or agency has first complied with all of the requirements set forth in this chapter and continues to comply with these requirements as follows:

- A. The person or agency shall furnish the Village of Chester with currently effective certificates of insurance including statutory Workmen's Compensation Insurance for its employees, Public Liability Insurance for property damage in the minimum amount of \$1,000,000 and personal injury claims in the minimum amount of \$1,000,000. The

person or agency shall maintain such insurance policies in full force and effect while performing inspections and submitting certificates, and such policies shall name the Village of Chester as an additional insured. All cancellation notices must be sent to the Village of Chester upon issuance.

- B.** The person, if using a trade name other than his or her own name, and all inspection agencies shall furnish the Village of Chester Building Department with proof of filing of the proper business, partnership or corporate certificate with the appropriate recording office.
- C.** The person or agency shall not solicit of any person or entity or require, as a condition of inspection, any waiver of responsibility of an error, omission or recommendation made by its inspectors, or for any other action of its inspectors.
- D.** The person or agency shall require all wiring to meet standards of the latest revision of the New York State Uniform Fire Prevention and Building Code (hereinafter referred to as the "Code") including the regulations of the applicable National Electric Code and all other applicable codes prescribed by the State of New York and the Village of Chester in which the inspected premises are located and also the applicable rules and regulations of the appropriate utility company. All references in this chapter to the New York State Uniform Fire Prevention Code (the "Code") and other applicable codes, rules and regulations shall be deemed to include all amendments to same which may occur after the adoption of this chapter.
- E.** The person or agency shall not compete with others in any manner which would cause it to reduce the quality of its inspections. The person or agency shall not knowingly accept an application at any given location from any applicant who has received violations from another inspector, agency, utility company, insurance examiner and/or municipal official.
- F.** Each person or agency performing inspections must file a list of current inspection charges and fees with the Village of Chester. Established charges will be applied uniformly and will not be discounted. Inspections and reports shall be made only by qualified electrical inspectors permitted to make such inspections by this chapter and by the relevant codes, utility companies and all other applicable governmental requirements. The person or agency shall insure that the inspectors they employ have adequate experience, education and training as follows:
 - 1)** Have a working knowledge of the principles of electricity necessary to interpret the National Electric Code (NEC), the Code of New York and other applicable requirements.
 - 2)** Know the requirements of the NEC, the Code and other applicable requirements.
 - 3)** Be familiar with the construction practices of the electrical wiring trade.
 - 4)** Each particular inspector shall submit written proof of successful completion of one of the following courses together with updates as required:
 - a)** International Association of Electrical Inspector's (IAEI) National Certification Program for Electrical Inspectors.
 - b)** National Certification Program for Construction Code (Electrical) Inspectors.
 - c)** The National Fire Protection Association's "National Electric Code 32 Hour Course".
 - d)** Any other comparable course as approved by the Village of Chester Code Enforcement Officer.

- G. The person or agency, and its employees shall comply with all federal, state and local laws, ordinances, rules and regulations pertaining to any electrical inspection.
- H. The person or agency agrees to maintain adequate records so that it can provide the Village of Chester and applicable officials with records of inspections when requested. Such records will be maintained for a minimum of five years.
- I. For good cause and when requested by the Village of Chester prior to issuance of a Certificate of Occupancy, the person or agency will perform a re-inspection of an existing electrical service and related components and submit a formal report to the utility company, Village of Chester Building Department, applicant and/or landowner in letter form.
- J. All inspections will be completed, and certificates issued in a timely manner to insure that applicants are not subjected to undue delay in receiving electric service. Inspections shall normally be made within 48 hours of the request for inspection. Inspection reports and certificates will be submitted to the Building Department within 48 hours of inspection.
- K. Inspectors or Inspection Agency's will be assigned inspections by the Building Department on a rotating schedule.
- L. All inspectors, upon request of the Village of Chester Code Enforcement Officer, shall submit proof to such Department as to the requirements set forth in this chapter as to their individual qualifications and competence. The Village of Chester Code Enforcement Officer shall have the authority to determine the particular inspector unqualified to perform such inspections in the Village of Chester for good cause, including, without limitation, such inspector's exhibited lack of knowledge of the particular codes and regulations. Prior to making such determination, the Code Enforcement Officer shall provide written notice to the particular inspector or agency setting forth the reasons for the particular concerns and the inspector or agency shall have not more than 10 days from receipt of the notice to submit written proof to the Code Enforcement Officer on the issue of the qualifications and competence of the particular inspector or agency. Within 10 days of receipt of this written proof or if no proof is received, within 10 days of the mailing of the notice, the Code Enforcement Officer shall render a final determination in writing setting forth the reasons for such determination.
- M. Failure of any person or agency to abide by the above requirements shall be grounds for the Village of Chester to provide notice to the person, agency, utility company, applicant and landowner that such inspector is no longer qualified to perform such inspections in the Village of Chester.

§ 45-5 Electrical inspectors not employees or agents of the Village.

- A. The inspector shall not be deemed to be an employee or agent of the Village; rather the inspector shall be an independent contractor who shall be hired by the property owner or applicant and whose fees shall be paid by the property owner or applicant. The inspector shall remain at all times liable to the landowner and/or applicant for any damages related to the acts or omissions of said inspector, and the Village of Chester assumes no liability therein.
- B. It shall remain the duty of the Code Enforcement Officer to enforce all provisions of the New York State Uniform Fire Prevention and Building Code, including all

violations or deviations from or omissions of the electrical provisions of said Code and also of any other local laws and/or ordinances of the Village insofar as any of the same apply to electrical wiring. The Village Code Enforcement Officer or his or her duly authorized designee retains at all times the right to make inspections and re-inspections of electrical wiring, installations, devices, appliances and equipment, in or on properties within the Village of Chester where he or she deems it necessary for the protection of life and property.

- C. Nothing in this chapter shall be interpreted to require the Village of Chester to pay for any costs, expenses or fees relative to the work of the electrical inspectors authorized hereunder.

§ 45-6 Penalties for offenses.

It shall be a violation of this chapter for any person, firm, entity or corporation to install or cause to be installed, or to alter electrical wiring for light, heat or power in or on properties of the Village of Chester until an application for permit has been filed with the Village of Chester Building Department and a permit issued. It shall be a violation of this chapter for a person, firm, entity or corporation to connect or cause to be connected electrical wiring in or on properties for light, heat or power, to any source of electrical energy supply, prior to the filing with and acceptance by the Village of Chester of a Certificate of Compliance by an inspector as qualified herein. The penalty for a violation of this chapter shall be a fine up to \$250 or up to 15 days in jail, or both such fine and jail sentence. Each day that a violation has been in existence shall be deemed to be a separate violation.