

**Village of Chester
Board of Trustees Meeting Minutes
September 14 , 2020**

The Board of Trustees of the Village of Chester held its monthly meeting at the Chester Senior Center, 81 Laroe Rd, Chester, NY at 7 pm, on Monday, September 14, 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 Treasurer Angela O'Neill, Village Attorney John Kolesar, Village Police Chief Peter J. Graziano Jr., Street Superintendent Charles Bono, Village Water Commissioner Gary A. Green Jr. and Village Code Enforcement Officer John Orr. Village Attorney Brian Nugent was absent.

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

**VILLAGE OF CHESTER BOARD OF TRUSTEES
NOTICE OF MEETING**

PLEASE TAKE NOTICE, that the Village Board of the Village of Chester will be conduct a Village Board Meeting on September 14, 2020 commencing at 7:00 PM at the Chester Senior Center, 81 Laroe Road, Chester, New York, to consider any matters that may be brought.

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

Rebecca Rivera
Village Clerk
Dated: August 17, 2020

CALLED THE MEETING TO ORDER:

Mayor John Thomas Bell opened the meeting at 6:45 pm with the Pledge of Allegiance.

Mayor John Thomas Bell thanked everyone for attending the meeting.

Mayor John Thomas Bell opened the Public Hearing at 6:45 pm and read notice as published in the official newspaper, Times Herald Record.

NOTICE IS HEREBY GIVEN that, on September 14, 2020 at 6:45 p.m. at the Town of Chester Senior Center, 81 Laroe Road in the Town of Chester, the Village Board of Trustees of the Village of Chester, Orange County, New York will conduct a public hearing 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.

The full text of the Introductory Local Law No. 2 is filed with, and is in the custody of, the Village Clerk at 47 Main Street, Chester, New York. The proposed local law may be examined by any interested person by accessing the Village website at any time on the Village website, www.villageofchesterny.com

If any person is unable to access the above website, they may submit a request for an emailed copy of the proposed local law by sending a request to the Village Clerk at clerk@villageofchesterny.com

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

Rebecca Rivera
Village Clerk
Dated: August 13, 2020

Discussion:

Mayor John Thomas Bell asked Code Enforcement Officer John Orr to give a brief explanation what the proposed Local Law No. 2 Adding Chapter 45 Entitled “Electrical Inspection, “To the Village Code of the Village of Chester entails.

Code Enforcement Officer John Orr – New York State requires that all electric work gets inspected by a third-party agent. Third party agency are independent individuals, corporations, LLC that have the knowledge of the electrical code to due the inspections. For years municipalities have had a list of authorized inspectors. We have no way of vetting those individuals to put them on a list. There was no looking at their background. We just received a list. The biggest part of all of this is that we never had insurance from these inspectors. They are basically working as agents of the village and we have no insurance of the work that they are doing. This local law sets in place applications to the electrical inspectors of what they will need to provide to the village, and we will review applications and set forth a list on a yearly basis of electrical inspectors. This also takes in if there are problems with the electrical inspectors. It really cleans up what was considered the old boy network from years ago. Years ago, you can go back 20 years ago it was NYS electric underwriters and that was it. Now there is multiple companies out there doing electrical inspectors. Unless you have a law in place anybody that wants to do electrical inspections has to be put on a list. We had someone come to us that wanted to be put on the list and I said to them that I’m reviewing the list and that I didn’t want to put anyone on the list until we complete the process. Then we were contacted by their attorney and they stated that basically you don’t have a procedure for accepting people on your list or that if anyone wants to be on the list they must wait. This law is going to protect the village and it requires the electrical inspectors to have insurance, and that give us insurance. It will give us the opportunity to review them on an annual basis. It protects the village and its residents.

Mayor John Thomas Bell asked Code Enforcement Officer John Orr if this law will limit the number of inspectors.

Code Enforcement Officer John Orr, there is a provision, section 4G that allows us to set a maximum if that’s what we want to do. In the proposed law you will see procedures that I asked for applications to be given to the (audio not clear) by November 1, 2020, my goal is to vet those and bring to you a list for your reorganization meeting in December so that every December at your reorganization meeting you can adopt a list of electrical inspectors for the year.

Mayor John Thomas Bell asked if any of the Board Members had questions. There were no questions from the Board, so the Mayor John Thomas Bell opened it up to the public for comments.

Comments

Leslie Smith of 117 Brookside Ave made a suggestion, that the number of inspectors that are going to be on the list be specify in this law.

Clif Patrick of 119 Brookside Ave on the idea of limiting inspectors, I don't understand why you want limit the number. If someone meets the criteria and properly vetted why would we restrict the number. If the number is restricted it for a lucrative position it opens up the possibility of someone trying to bribe there way onto the list. I would think if the inspectors meet the criteria they should be allowed on the list. At the end of the proposed law there's restrictions as to who can do the work. The way its written is it sounds like someone who's licensed to change a light blub and/or plug in your appliances and I don't think that's what was intended.

A motion to close the public hearing at 6:54 pm was made by Trustee Elizabeth A. Reilly, second by Deputy Mayor Christopher Battiato.

Roll Call

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

Mayor John Thomas Bell called the regular monthly meeting to order at 7 pm:

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

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

APPROVAL OF MINUTES: Monthly meeting minutes of August 10, 2020.

Mayor John Thomas Bell noted that the Monthly meeting minutes of August 10, 2020, were completed and distributed to all Board members.

(Mr. Anthony Quinn's comments were accepted by the Village Board after the closure of the public hearing)

Anthony Quinn of 77 Main St., made a comment on the law , Electrical inspectors have to be certified by the state, that's my understanding and I'm reading somethings in here(proposed Law) as far setting a maximum, if you look at 45-4 G were it reads: The Village Board, by resolution, may set a maximum number of electrical inspection licenses to be issued at any one time or may otherwise cease issuing additional licenses where the Village Board, upon consultation with the Building Inspector, determines that there are a sufficient number of Licensed Inspectors in the Village. I don't know about local government interfering at this level with a private businessperson that has a business of doing electrical inspections. I don't see where we fit in as a Village here. People are going to use revenue as an excuse this does not seem right. The plumbers are next, then they are going to requiring licensing for plumbers, which is another conversation we had. As a local government body, I'm not sure, ask the Lawyer but I don't think we can limit the numbers specifically. I think it is way out of balance. If I

have an electrical company and I pass the New York State test and I have all the credentials, who is the Village Board, none of you who are electricians or inspire to be electricians or the Building inspector, to tell me that I can't do business in the Village or even to say that I have to pay money to do business in the village. I know it happens other places like city of Middletown and the City of Newburgh it happens. The Village of Chester, I'm more focused on where I live, I don't like this, and I don't think this is a good place to go.

Code Enforcement Officer John Orr responded by saying that this is about electrical inspectors, it's not about licensing. The inspectors are agents of the village that have perform inspections and give me a report. For us the licensing end of it is very important and for you. if you had someone go to your house and do an inspection and the next day your house burns down because an electrical issue, we have nothing right now on the books protecting the village for liability for that individual that did the inspection.

Anthony Quinn asked if this is an inspector that the village is going to hire for village issues or an inspector that residents are going to hire.

Code Enforcement Officer John Orr responded, No, it is for residents, but we must certify the inspectors.

Anthony Quinn: If they don't have a NYS License they have no duty doing inspections.

Code Enforcement Officer John Orr, responded, this is true and there are other places in construction where third party inspections are required for instance seal inspections, concrete is another one. There is testing companies out there. When a large project is built, Lowes for example or Steris the architect had to tell me what third party they were going to be using, I had to certify them. the reason is inspections that are in the Village and the State Code, they are doing it at a higher level than I can, but they are producing the document for us. We must be involved with that agency, that we are content that they can do the job sufficiently. The other thing this law does is provide an insurance process that we can handle, and this handles the inspectors that aren't doing the right job. I recently had an inspector sending me a word document as his certificate electronically, I can go into that document and make say anything he wants. This law controls those incidents.

Anthony Quinn address 45-5 E. Mr. Quinn read 45-5 E as stated on the proposed law, The Licensed Inspector shall not compete with others in any manner which would cause it to reduce the quality of its inspections. The Licensed Inspector 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. On the surface that sounds ok but if you had an inspector for some reason gave you a report that was off the wall and you didn't like the work that inspector did I think you should have the right to hire another State certified inspector to do the job. I just don't think that this is fair.

Mayor John Thomas Bell stated that we will take all the questions and address them at the next meeting.

TREASURER'S REPORT: Treasurer Angela O'Neill read the Treasurer's report as follows:

CASH BALANCES ENDING AUGUST 31, 2020

<u>Fund Account Balance</u>	<u>Deposits</u>	<u>Disbursements</u>	<u>Interest</u>	<u>Ending Balance</u>
<u>General Fund</u>				
Savings (Sterling National; Bank)	--	--	692.08	3,215,520.04
Checking (Orange County Trust)	86,349.90	364,009.84	163.88	3,116,496.98
<u>Savings (Orange County Trust)</u>	--	--	311.31	1,050,460.46
<u>Water Fund</u>				
Capital Checking	--	--	17.93	138,853.98
Checking	21,291.12	38,950.37	21.65	422,496.98

Sewer Fund

Checking 18,073.65 -- 21.25 425,569.96

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

General Fund	\$	3,337.68
Water Fund	\$	121.84
Sewer Fund	\$	76.77

Treasurer's Discussion:

1. STATEMENT OF REVENUE & EXPENDITURES: Attached.
2. 2020-2021 TAX/SEWER COLLECTION: Unpaid Tax Notices were mailed today 9/14/2020. Village Property Tax Collection ends 10/31/2020. Sewer Installment #2 is due by 9/30/2020
3. 2020-2021 BUDGET MODIFICATIONS: A revised budget modifications schedule for the fiscal year ending 5/31/2020 is being presented for the Board’s Approval. Please note this schedule replaces the schedule that was presented at the August 10, 2020 Village Board Meeting.
4. 2020-2021 WATER & SEWER ADJUSTMENTS: See attached schedule of water and sewer adjustments made from 8/11/2020-9/11/2020. In order to maintain the privacy of the customer, only account #'s appear on the schedule.

A motion to accept budget modifications as noted in Treasure’s report 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>
Deputy Mayor Christopher Battiato	[x]	[]	[]
Trustee Elizabeth A. Reilly	[x]	[]	[]
Trustee Brian J. Boone	[x]	[]	[]
Trustee Alan Battiato	[x]	[]	[]
Mayor John Thomas Bell	[x]	[]	[]

A motion to waive water and sewer adjustments made from 8/11/2020-9/11/2020 was made by Deputy Mayor Christopher Battiato, seconded by Trustee Elizabeth A. Reilly. Motion unanimously passed.

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

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

Steris – Nucifora Blvd.

1– Current work is for the concrete plant relocation.

Shoprite

1- Work underway on renovation of store.

2- Work underway on new addition for bottle return and inclosing alcove.

Issued permits for 3 basement renovations:

1- 17 Elm Street

2- 31 Grand View

3- 11 June Road.

Lowe's

1- Issued permit for replacement of sprinkler system piping.

Several other permits for sheds, pools and roof replacement. *

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

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.

2. Citizen Issues:

- No Issues.

3. Public Safety Issues:

- Traffic Details: Continuing.
- Stop DWI Program has resumed

4. Facilities:

- No Issues.

5. Equipment:

- No Issues.

6. Vehicles:

- No Issues.

7. Other:

- The Village Outlook email system will require multi-factor authentication (for security purposes) when you logon to the webmail side of Outlook. Instructions are provided how to proceed.

8. Department Activity YTD:

Call Type	2020
Calls for Service	1471
Criminal Cases	159
Arrests	073
Traffic Accidents	077

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 Alan Battiato. Motion unanimously passed.

STREET REPORT: Village Street Superintendent, Charles Bono read Street Department report:
(not able to transcribe) no report submitted.

Mayor John Thomas Bell touched on Bulk Items – Mayor Bell ask that residents call Inter Sate Waster before putting out bulk items.

A motion to accept Street Department as read by Street Superintendent Charles Bono was made by Trustee Brian J. Boone, seconded by Deputy Mayor Christopher Battiato. Motion unanimously passed.

WATER REPORT: Water Commissioner Gary A. Green Jr. 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) Due to the tropical storm we cut a tree that fell on the right of way on Oakland. We also cleared roadway in the state park for access to our water main from Walton Lake.
- 6) We replaced Chlorine analyzer at the plant and tied in the unit at the well to the alarm system.
- 7) We serviced the backup air compressor at the plant.
- 8) We capped the bypass around the filtration plant per OCHD.
- 9) We fixed the 4-inch meter at Nexans.
- 10) Fire flow test was performed at Lowes and C and S wholesale.
- 11) Amscan had 2 leaks on fire loop. We lost 200,000. A hydrant valve top blew off and an elbow under the floor blew out.

A motion to accept the Water Department’s report as read by Water Commissioner Gary A. Green Jr., was made by Trustee Alan Battiato, seconded by Trustee Brian J. Boone. Motion unanimously passed.

Mayor John Thomas Bell made mention that Counselman Thomas Becker reached out regarding Walton Lake Estates. Walton Lake Estates is in need of water due to rehabilitation for a new well did not workout. Some of the Board member would consider it if on a termporary basis and others did not think it would be a good idea. Mayor Bell will get back to Counselman Thomas Becker and inform him.

PARK & RECREATION REPORT: No report.

Mayor John Thomas Bell mentioned that Kristen Palmer asked if the Village could partake in community day celebrations and touch a truck event, schedule for Saturday, October 31, 2020. If the police department could stop by with their police vehicle. Chief Peter J Graziano Jr. is going to reach out to Kristen Palmer.

OLD BUSINESS: No old business to address.

NEW BUSINESS:

Discussion and scheduling a public hearing for the Proposed Comprehensive Plan referred to the Village Board by the Comprehensive Plan Committee.

Mayor John Thomas Bell read the letter from the Comprehensive Plan Committee referring the proposed comprehensive plan to the Village Board. (letter is attached to minutes)

Mayor stated that the Village Board will review and decide as to when they will schedule a public hearing for the proposed comprehensive plan as he would like to conduct the public hearing separate from the Village Board monthly meeting.

A motion to accept the proposed comprehensive plan referred to the Village Board was made by Trustee Elizabeth A. Reilly, seconded by Trustee Alan Battiato.

Roll Call

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

Discussion regarding commercial sewer accounts. Mayor Bell mentioned to counsel that we've had a couple of business have lost business because of Covid-19 and now they are seeking a reduction on their sewer bill. Mayor Bell asked counsel by law can the Village give a reduction on their sewer bill? Counsel was not sure to due the special circumstances with regards to Covid-19, he will research it and get back to the board.

Trustee Elizabeth A. Reilly made a statement regarding the granting a reduction on the business' sewer bill. I sympathize, but if we allow one account, we would have to allow every single account, we would have to adjust every single account and it could not be a case by case basis. It would have to be across the board, in my opinion for commercial and residential.

Discussion regarding Police Reform and a letter from Orange County District Attorney dated September 8, 2020.

Counsel John Kolesar explained the difference between the Executive order No. 203 providing for the NYS Police Reform and Reinvention Collaborative and the letter from the Orange County District Attorney urging towns and villages for consider forming a Board of Police Commissioners. The Executive order is mandatory, and the resulting plan needs to be adopted by the local legislative body and such adoption must be certified to the State Budget Director on or before June 1, 2021. The letter from the Orange County District Attorney asking is optional.

Mayor Bell asked counsel should we advertise? what would be the best practice in getting a police committee together.

Counsel stated that would be a good practice to advertise.

Trustee Elizabeth A. Reilly as the board if we can have a month to go over the letter before the board decides.

Requesting permission to hold a Jazz Concert, which is part of the Hudson Valley Jazz Festival, on Sunday, October 4, 2020, 3:00 pm to 6:00 pm. Location: Outdoors parking lot , 6 Howland St. Barry Adelman event.

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

Requesting permission to hold a Jazz Concert, which is part of the Hudson Valley Jazz Festival, on Sunday, October 4, 3:00 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 Sunday, October 4 , 2020, 3:00 pm to 6:00 pm. Location: Outdoors parking lot , 6 Howland St. and road closure, was made by Trustee Elizabeth A. Reilly, second by Trustee Alan Battiato . Motion unanimously passed.

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

CALENDAR:

- **E-Bill service** is available. If you would like to signup go to Village website under forms.
- **Town Wide Shred Event** - The Town of Chester will hold a town-wide shred event on Friday, Oct. 23, 2020 from 10 a.m. to noon, at Chester Town Hall, 1786 Kings Highway, Chester. All residents with proper identification are welcome to bring their unwanted paper documents during these hours for secure and proper destruction.

For more information, call 469-7000 ext. 4. Monday through Thursday, 8 a.m. to 5 p.m.

***Removal of Bulk Items** – residents must call Interstate Waste to schedule pick-up 1-866-342-5497*

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 8:10 pm and go into executive session to discuss personnel matter with no further business was made by Trustee Alan Battiato, seconded by Trustee Brian J. Boone. Motion unanimously passed.

A motion to come out of executive session at 9:10 pm was made by Trustee Alan Battiato, second by Brian J. Boone. Motion unanimously passed.

Respectfully,

Rebecca Rivera
Village Clerk