

VOC MONTHLY MEETING

Agenda

Monday, October 5, 2020

7:00 p.m.

***Meeting will be held at the Chester Senior Center. Location: 81 Laroe Rd, Chester ***

-
- I. **Mayor John Thomas Bell, Call the meeting to Order**
 - II. **Audit of Bills for the month of September 2020**
 - III. **Approval of Monthly Meeting : September 14, 2020**
 - IV. **Treasurer's Report:**
 - V. **Building Inspector's Report:**
 - VI. **Police Chief's Report:**
 - VII. **Street Superintendent's Report:**
 - VIII. **Water Commissioner's Report:**
 - IX. **Park & Recreation Report:**
 - X. **Old Business:**
 - Discussion and respond to public's questions at the Public Hearing at Chester's Senior Center, 81 Laroe Road, Chester, New York 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.
 - XI. **New Business:**
 - **20-18** Resolution Authorizing Repair of Street Department Garage Roof
 - **20-19** Resolution Adopting Local Law Adding Chapter 45 Entitled "Electrical Inspection, " To the Village Code of The Village of Chester.
 - XII. **Calendar:**
 - **E-Bill service** is available. If you would like to signup go to Village website under forms.
 - Village of Chester will be **CLOSED on October 12, 2020, Columbus Day.**
 - **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.
 - Village of Chester will be **CLOSED on Tuesday, November 3, 2020, Election Day.**
 - Village Snow Ordinance in effect November 1, 2020
 - **Beginning the first week of November the Water department will be flushing Hydrants**
 - **Water Bills will be mailed on Friday, November 2, 2020, with a due date of Monday, November 30, 2020.**

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>
 - XII. **Public Comments:**
 - XIII. **Adjournment:**
 - XIV. **Executive Session: (If needed)**

****AGENDA IS SUBJECT TO CHANGE****

20-19 Resolution Adopting Local Law Adding Chapter 45 Entitled “Electrical Inspection, “ To the Village Code of The Village of Chester.

WHEREAS, the Village Board of the Village of Chester (“Village Board”) has proposed a local law to add Chapter 45 to the Village Code; and

WHEREAS, the Village Board hereby finds that it is in the best interests of the Village and Village residents to protect the health, safety, and welfare of the occupants and owners of property in the Village by regulating electrical inspections so that electrical inspections are performed by qualified inspectors licensed by the Village; and

I.

WHEREAS, the purpose of the proposed local law is to establish a licensing procedure for electrical inspectors and to establish the duties of such inspectors, require compliance with the provisions of the local law, and to provide enforcement of the local law; and

WHEREAS, pursuant to Part 617 of the NYCRR adoption of the proposed local law is a Type II action; and

WHEREAS, the Village Board, after due deliberation, hereby finds it in the best interest of the Village to adopt the local law.

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 determines that the adoption of the local law is a Type II action as defined by Part 617 NYCRR pertaining to the State Environmental Quality Review Act.
- Section 3. The Village Board hereby adopts the Local Law entitled “Electrical Inspections Law” adding Chapter 45 to the Village Code of the Village of Chester, a copy of which is attached hereto and made a part hereof.
- Section 4. Pursuant to Section 45-4(G), the Village Board sets the maximum number of electrical inspection licenses to be issued at any one time to _____.
- Section 5. The Village Board hereby directs the Village Clerk to enter the Local Law into the minutes of the Village Board meeting, to enter the Local Law into the Local Law book of the Village, and to give due notice of the adoption of the Local Law to the Secretary of State.
- Section 6. The Village Mayor and any Village official or employee, as directed by the Village, is authorized to take any actions necessary to carry out the provisions of this Resolution.
- Section 7. 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:

20-18 Resolution Authorizing Repair of Street Department Garage Roof

WHEREAS, on or about July 12, 2020, a storm that caused damage to the roof on the Street Department Garage, which is located at 3 Vadala Road, Chester, New York 10918, and the roof is now in need of repair; and

WHEREAS, the Village Street Superintendent has provided to the Village Board three (3) proposals concerning the cost for the repairs, including labor and materials; and

WHEREAS, the Village Board has reviewed the proposals and desires to authorize an expenditure in an amount not to exceed \$25,000.00 for the cost of the repairs necessary to fix the damage caused to the roof of the Street Department Garage; and

NOW, THEREFORE, BE IT RESOLVED that:

- Section 1. The above “WHEREAS” clauses are hereby incorporated by reference as if set forth in full herein.
- Section 2. The Village Board hereby authorizes the expenditure of no more than \$25,000.00 from the Village’s A Fund-General Fund to conduct such repairs to the roof of the Street Department Garage.
- Section 3. The Village Board hereby authorizes the Mayor and the Street Superintendent to execute any and all contract documents on behalf of the Village in a form to be approved by legal Counsel and to take such actions as may be necessary for the performance and completion of the repairs.
- Section 4. 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:

A LOCAL LAW ADDING CHAPTER 45, ENTITLED “ELECTRICAL INSPECTIONS,” TO THE VILLAGE CODE OF THE VILLAGE OF CHESTER

BE IT ENACTED by the Board of Trustees of the Village of Chester, Orange County, New York as follows:

Section 1. Legislative Intent.

It is the intent of this local law to regulate electrical inspections through licenses and to establish a rotational list of qualified, licensed electrical inspectors in the Village of Chester.

Section 2. Authority.

This local law is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(12).

Section 3. Title and Amendment.

This local law shall be known as and may be cited as the “Electrical Inspections Law” of the Village of Chester.

The Village of Chester Code is hereby amended to add Chapter 45, entitled “Electrical Inspections,” as follows:

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, electrical inspections shall be performed by qualified inspectors who are licensed by the Village to conduct such electrical inspections in accordance with this Chapter.

B. The purpose of this chapter is to establish a procedure whereby such inspectors shall apply for an electrical inspection license. This Chapter also establishes the duties of such inspectors, requires compliance with the provisions of this Chapter, 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 § 10(1)(ii)(a)(12).

§ 45-3 Definitions.

License— a document authorizing a duly qualified electrical inspector to perform electrical inspections in the Village of Chester.

Licensed Inspector – shall mean a person licensed by the Village of Chester to perform electrical inspections.

§ 45-4 Licensing of inspection organizations.

A. No individual, partnership, or corporation or other entity shall make electrical inspections in the Village of Chester unless licensed to do so by the Village of Chester Board of Trustees.

B. Any person or corporation or other entity 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 shall be submitted and will be reviewed by the Village Board annually and must be submitted prior to November 1st to be considered for an electrical inspection license for the following year. Licenses that are granted by the Village Board shall be in effect for only 1 year starting January 1st and ending December 31st unless otherwise suspended or revoked.

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 that are set forth in this chapter, and the requirements of any applicable Federal, State, and local law and regulation.

D. Each applicant for an electrical inspection license shall pay a non-refundable fee as shall be set from time to time by the Village Board. Any license issued by the Village Board hereunder shall expire annually on the 31st day of December.

E. Any licensed issued by the Village Board may be suspended or revoked in the Village Board's sole and absolute discretion upon seven (7) days written notice.

F. Any license issued in accordance with this Chapter may not be transferred.

G. 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.

§ 45-5 Qualifications and duties of electrical inspector.

No Licensed Inspector shall be deemed to be qualified within the meaning of this chapter unless such Licensed Inspector has first complied with all the requirements set forth in this chapter and continues to comply with these requirements as follows:

- A. The Licensed Inspector shall furnish the Village of Chester with currently effective certificates of insurance including statutory Workers' 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 Licensed Inspector shall maintain such insurance policies in full force and effect during the period the license is effective, 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 by the insurance agency.
- B. Any person, if using a trade name other than his or her own name, and all partnerships, corporations, limited liability companies or other businesses or entities that is a Licensed Inspector 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 Licensed Inspector 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 employees, agents, or officers or for any other action of its employees, agents, or officers.
- D. The Licensed Inspector shall require all electrical work 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 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.
- F. Each Licensed Inspector 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 Licensed Inspectors permitted to make such inspections by this chapter and by the relevant codes, utility companies and all other applicable governmental requirements. The Licensed Inspector shall insure that the inspectors they employ or any agent performing inspections on their behalf 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 Licensed Inspector, and its employees or agents shall comply with all federal, state and local laws, ordinances, rules and regulations pertaining to any electrical inspection.
- H. The Licensed Inspector 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 shall be maintained by the Licensed Inspector 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 ensure 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. The Licensed Inspector 's will be assigned inspections by the Building Department on a rotating schedule.
- L. All Licensed Inspector, 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 Licensed Inspector unqualified to perform such inspections in the Village of Chester for good cause, including, without limitation, such Licensed 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 Licensed Inspector setting forth the reasons for the particular concerns and the Licensed Inspector 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 Licensed Inspector. 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 Licensed Inspector 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 Licensed Inspector is no longer qualified to perform such inspections in the Village of Chester.

§ 45-6 Electrical inspectors are not employees or agents of the Village.

A. The Licensed Inspector shall not be deemed to be an employee or agent of the Village; rather the Licensed 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 Licensed Inspector shall remain at all times liable to the landowner and/or applicant for any damages related to the acts or omissions of said Licensed 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.

§ 45-7 Penalties for offenses.

A. 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 a license has been filed with the Village of Chester Building Department and a license issued.

B. 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.

C. 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.

Section 4. SEQRA.

[To Be Completed in Accordance with SEQRA]