

**VILLAGE OF CHESTER  
BOARD OF TRUSTEES  
PUBLIC HEARING**

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

Also, present: Village Clerk Rebecca Rivera, Treasurer Angela O'Neill, and Attorney Mary E. Marzolla. Attorney Brian Nugent was absent.

**VILLAGE OF CHESTER  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that, on Monday, July 12, 2021, at 6:45 p.m. or soon thereafter as the matter can be heard, there will be a Public Hearing conducted by Village of Chester Mayor, and the Board of Trustees, at the Village of Chester, 47 Main Street, located in the Village of Chester conference room, Orange County, New York to consider proposed Local Law No. 1 of 2021. The purpose of proposed Local Law No. 1 of 2021, is subject to permissive referendum, is to opt-out of both retail marijuana/cannabis dispensaries and consumption establishment, as allowed by N.Y. Cannabis Law § 131 within the Village of Chester and requesting the New York Cannabis Control Board to prohibit licenses for such retail dispensaries and on-site consumption facilities, 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 the proposed law.

The full text of the proposed law is filed with and is in the custody of the Village Clerk at 47 Main Street, Chester, New York, is available for public review on the Village of Chester website: [www.villageofchesterny.com](http://www.villageofchesterny.com) and 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 July 12, 2021.

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

Rebecca Rivera  
Village Clerk  
Dated: July 2, 2021

Deputy Mayor Christopher Battiato opened the public hearing 6:45 pm.

Deputy Mayor Christopher Battiato asked if anyone had any pros and cons about the cannabis law.

Gordan Shehab 68 High Street – I did a little research of Colorado because that was the first big state that legalized marijuana and they have every year there's a Rocky Mountain high intensity drug trafficking area program. They publish an annual report since 2013. So, I got the report that was from September 2020 and their finds were that since recreational marijuana was legalized in 2013 traffic deaths in which drivers tested positive for marijuana increase 135%. Traffic deaths involving involving drivers who tested positive more than doubled. the percentage of all Colorado traffic deaths that were marijuana related increase to 25%. Suicide for people who tested positive for marijuana increase from 14 to 23%. It turns out there was a big black market from marijuana in Colorado, which the task forces conducted 278 investigations of black-market marijuana, resulting in 237 felony arrests and seizures and 29 different states where the marijuana was destined. So, it is creating problems legalizing marijuana. In terms of the tax revenue that they thought they were going to get, it came out to only about less than 1% of their Colorado fiscal 2019 budget, so it really didn't increase tax revenues much, probably because you have this

black market that came up and was circumventing the state dispensaries. 67% of local jurisdictions in Colorado band the medical and recreational marijuana businesses, so apparently, it's only in 1/3 of the state. So, my feeling is that you should not vote for this. I support the opt out Local law.

Anthony Quinn 77 Main Street - I'd like to start off by just letting you guys know, obviously, you all know that marijuana is still federally illegal to purchase, its federally illegal to possess , its federally illegal to grow it. With that being said, I love the spirit of this. I've loved the spirit of this. It's federally illegal and here we are with the state law and the local law deciding what is best for our community at a local level. The spirit is good. Unfortunately, this particular issue I don't know if this makes sense from a zoning standpoint for the village to have dispensaries. I've seen the neighborhoods in Colorado. I don't know all the neighborhoods in Colorado, but some of them aren't the best where these are. I've also been the neighborhood in Alaska that have them, it seems like it's less of a problem. I can say personally living here for 39 years old, like two years ago I saw a needle in front of the smoke shop, maybe it's just a coincidence, but those are the kinds of places that are going to pick up this type of business. I'm not blaming the business for that it could be complete coincidence, but I've never seen another needle anywhere else in Chester. Middletown opted out it's my understanding, they thought it's a bad idea. I don't know what Goshen or Florida is going. I don't think Chester should be the place to go to buy marijuana. I mean a wait and see approach. If it happens in other places and it's not a problem, we are a free country, it makes sense for us locally, you know. Alcohol is not healthy either, we can do that later, but as of right now, I support opting out and I think a lot of other people would too.

Brian Holder. Should I live on 79 sunfish lane I'm not a village resident, I'm a town resident, but I was told I could speak anyway. I'm in support of opting in. I just wanted to people to be reminded of what the benefits of opting in might be. So, from an economic standpoint, I know someone said that you know what happened in Goshen. They did just opt out a couple days ago. So, from that standpoint Goshen is not going to be the only one in Orange County or in the surrounding counties, from opting in, that means that if we opt out, we're putting money in the hands of Goshen and other towns and municipalities around the county. I don't personally like the idea of us losing out on an opportunity for money especially, and I know there was an issue with the amount of sales tax, but I think any amount helps, especially when 40% of its going to go to the state lottery fund for education, supporting education, educating our kids, 20% of it goes to the drug treatment and public education fund and another 40% of its going to go to the Community grants Reinvestment Fund, which would be used to further support social and economic equality and equity. Then another 4% is going to be split between the county and municipalities. then so on and so forth, with smaller amounts. So basically, it's going to go to drug education, the SUNY system and state police, because some of it is going to drug safety officers. It's going to the creation of the Office of Cannabis Management, and I just like to remind people that in in New York we have some of the strictest laws on quality control. This is going to help get dirty marijuana, illegal marijuana off the streets. I think that's big because if somebody wants marijuana, they're going to get it and I'd rather have them getting it from a legal establishment then some drug dealer who could have laced it with anything. my final point is with the driving deaths and everything. I understand that that is for some people, but I just like right people that marijuana is incredibly less deadly and less deadly than alcohol when it comes to distorting the mind and the senses of somebody, the deaths from marijuana driving accidents pales in comparison to alcohol driving accidents, and I think that somebody, that people need to remember is that it pales in comparison, and if we're going to not allow marijuana and marijuana dispensaries and medical marijuana dispensaries in the community, then at the same time, then, Why do we allow alcohol to be sold here. I think that that's something that people need to remember.

Susan Bahren, 3103 Whispering Hills Drive in Chester. I'm here to speak in favor of opting in. my reasonings for opting in is purely economical at this particular point in time. My take on this, I don't think that you can opt in. and opt out of one part and not the other, but my take on this is that we would only serve in this community the farmers that are in this Community that may be having trouble agriculturally raising funds or growing greens, growing whatever, they need to grow, and I believe that the farmers would economically win here. someone asked me before I came here, you know, do you think you can get one and not the other? I don't think you can. I haven't written up enough about the law. You have to either opt into the whole thing or you opt out of the whole

thing. Correct? Ok so, but that's end. Economically also as Brandon said, my position is Goshen opted in. I don't know why we would send them to other places because they're going to go and get it no matter what they do. They're going to find it someplace where there are options to buy it. I understand the Colorado statistics, but I also understand that because of the increase in the usage or because of the ability to buy marijuana, Colorado residency increased a number of percentages that they weren't even prepared for. So, and that the price of the homes based on people that I talked to that have family that live in Colorado the prices of the homes have gone up exponentially as well because of this factor. So that could be a statistical issue on the per capita basis as to why the why they're being extra number of deaths etc. I'm not really sure about that, but my take is purely economical so I'm looking for the opt in. Thank you. I agree with Anthony Quinn, that this a great thing that we get to talk about it.

Anthony Quinn – I know it's a public hearing can the board or someone clarify, I'm just reading the law, does this apply to growing? Because they've grown marijuana down there before for other things. I don't know if this applies to growing it. I mean that is a different issue. Letting a farmer grow it versus having dispensaries in places where people are getting stoned.

Deputy Mayor Chris Battiato - Yeah, that was kind of my thought.

Susan Bahren - I'm sorry then I miss read it. I believe that there were both options in this. For the ability for the farmer to grow it and for opting in for sales.

Deputy Mayor Chris Battiato – I think, with the dispensaries, and as far as the growing in dispensaries you can't do any of the processing. There is a part here that you can grow it, but I think there's rules on how you grow it too.

Brandon Holdridge - I have an answer to that. It kind of works like alcohol works in a three-tier system. There're different types of licenses that you're allowed to get, the first being micro business licenses, which you can both cultivate process and dispense their own products, but these are meant to be very small licenses. Cultivator licenses can also gain a processor license, and the distribution license, but they would only be able to distribute their own products. And then the final one is processor license but does not have the cultivator license can also obtain the distributor license they. only they can only sell distribute. so, it's kind of like somewhere where you can go buy alcohol, but they only sell it or a brewery where they make it and also sell it so it's kind of like that's a three-tier system, but I don't know if we're going to have any marijuana breweries here. That's just how its broken down in the tier three system.

John Orr – I'm somewhat familiar with the medical marijuana growth. I went through a couple of classes on that and there's actually a large company in Campbell Hall that does medical marijuana, and it is highly, the growth is highly regulated, all inside, there's actually DNA on plants that they follow throughout the system, so I'm not sure, I wish it would, but I'm not sure you'd actually see it grow out in the black dirt without any containment.

Chris b - that was the understanding that I had too. There was a very hard line as to how it needs to be grown where it needs to be. How you can't just stop walk into the field and start harvesting on your own. I said so it has to be secured spot so that your normal person can't just stop on the side of the road and go start harvesting.

Gordan Shehab – some of the comments seems to be minimizing the impact of people dying from driving under the influence of marijuana, committing suicide. For an economic impact, first of all, didn't get that much revenue and whatever revenue that we get here in New York State, by the time it gets down to our local area. It's got to be miniscule at best, so I don't think there is an economic benefit to it, but I think there is a social problem with it because it does destroy people's lives, including a cousin I had whose life was destroyed by marijuana and the marijuana today is a lot more potent than it was back in the 60s. So, it's not just a benign drug that that you know people can take and everything is hunky dory and everybody's happy. It does adversely affect people's lives and we shouldn't forget that, and I don't think that we should opt in just so we can make money off of it. You know

we have low alcohol, creates a lot of problems. You know, a lot of people, have, you know, become addicted to alcohol. They killed people by drunk driving and so forth. we want to add something else into the equation and risk more lives that way, so I still vote for the opt out.

Rachel Bruce - Hi, I'll try not to take too much of everyone's time. Not actually a resident of village. My name is Rachel Bruce I live in Woodbury. I'm here in favor of opting into this bill. I understand that I respect the idea on both sides of the argument. I think one thing that's really important to notice aside from the economic benefits, which I'm sure have been, you know, discuss more times than I can count tonight. I think it's important to note that because of the sort of institutional nature of this, the marijuana that would be sold, it's like legally would be safer than anything they want to buy on the street. And there's dedicated funding that will come out at the tax revenue to train police officers to be able to detect marijuana, there will be certain standards set for marijuana to ensure that people don't drive under the influence. I mean whether or not you think that the board rather decides to opt in or out tonight. Marijuana will be legal in Chester, and I mean we recently approved this in the village of Woodbury was an all-Republican board, and while I would be happy just to keep all of wealth to themselves because it doesn't matter anybody in Chester can order thru door dash type delivery service in Woodbury will get the revenue, but I think that in order to make this a truly local industry that I think is important, especially with a community with a rich agricultural history and culture of Chester's it's important to opt in. the last thing I want to add is that even though the sales tax revenue may be argued miniscule, it still sales tax revenue that the village can do whatever it wants with. With that purchasing you know land to make park stuff. I know that the Community Preservation Act is regionally taken out of service. This is Money that we, I don't mean we because I don't live in the community, but I am a member of the greater county community can use to purchase land and get around that. these are all just things of ways of thinking creatively about this, so I hope that the board considers and thank you so much really speak.

Brandon Holdridge - Medical marijuana especially, I know there's a lot of disabled veterans or veterans suffering from psychological issues after there terms of service. Being able to have more readily available medical marijuana dispensaries locally will be really great for the community if there are any who are living in Chester. I also want to say that a lot of the money is going to programs that are going to help with drug addiction throughout the state.

Gordan Shehab – with the medical dispensary's, there's been tremendous fraud, and the other states that went out that people can get a that note from a doctor and just get it, whether they need it or not. and again, there was a big black market that goes up and it will happen again. People are going to pay less on the black market then they are in a government dispensary. So, I don't think that if people are going to, they're not going to want to use marijuana they are going to look for the cheapest way to get it, and whether it's safe enough they may or may not care. Again, putting more people at risk.

A motion to close the public hearing at 7:06 pm was made by Trustee Elizabeth A. Reilly, second by Trustee Alan Battiato. Motion unanimously passed.

**Village of Chester  
Board of Trustees  
Monthly Meeting Minutes  
July 12, 2021**

The Board of Trustees of the Village of Chester held its monthly meeting at the Village of Chester, 47 Main Street, Chester, NY conference room at 7:10 pm, on Monday, July 12, 2021.

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

Also, present: Village Clerk Rebecca Rivera, Treasurer Angela O’Neill, Attorney Mary E. Marzolla, Chief Timothy McGuire, Village Street Superintendent Charles Bono, Water Commissioner Gary A. Green Jr., and Village Code Enforcement Officer John Orr. Attorney Brian Nugent was absent.

**CALL THE MEETING TO ORDER:**

Deputy Mayor Christopher Battiato called the meeting to order.

Deputy Mayor Christopher Battiato open the meeting at 7:06 pm with the Pledge of Allegiance.

Deputy Mayor Christopher Battiato thanked everyone for attending the meeting.

**AUDIT OF BILLS:** Deputy Mayor Christopher Battiato noted that the audit of June 2021, Village’s monthly bills for approval was complete.

Trustee Elizabeth A. Reilly asked the following question – If an employee is to attend a conference, I thought we needed the department head to send a request on behalf of the employee to allow the Village Board to grant permission?

Deputy Mayor responded – yes, that is correct.

Trustee Reilly stated that the conference will take place before the August meeting, so she suggested that we get a request from the department head and provide a to the Board.

A motion to pay the audited bills of June 2021, was made by Trustee Elizabeth A. Reilly, second by Trustee Brian J. Boone. Motion unanimously passed.

**APPROVAL OF MINUTES:** Monthly meeting minutes of June 14, 2021.

Deputy Mayor Christopher Battiato noted that the Monthly meeting minutes of June 14, 2021, were completed and distributed to all Board members.

A motion to approve the Monthly meeting minutes of June 14, 2021, with corrections was made by Trustee Alan Battiato, seconded by Trustee Brian J. Boone. Motion unanimously passed.

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

**CASH BALANCES ENDING June 30, 2021**

<b><u>FUND/BANK ACCOUNT</u></b>	<b><u>DEPOSITS</u></b>	<b><u>(DISBURSMENTS)</u></b>	<b><u>INTEREST</u></b>	<b><u>ENDING BAL</u></b>
<b><u>General Fund</u></b>				
Savings (Sterling National Bank)	--	--	163.15	2,610,623.51
Checking (Orange Bank & Trust)	3,217,883.15	587,268.45	9.54	2,840,522.21
Savings (Orange Bank & Trust)	--	--	337.31	1,954,590.09
<b><u>Water Fund</u></b>				
Capital Checking (Sterling Natl Bank)	--	--	10.52	156,127.37
Checking (Orange Bank & Trust)	38,339.20	64,532.70	3.67	413,553.63
<b><u>Sewer Fund</u></b>				
Checking (Orange Bank & Trust)	370,466.46	542.55	2.46	514,094.23

**Cumulative Fiscal Interest Earned by Fund 6/1/2020 – 5/31/2021**

General Fund	\$ 510.00
Water Fund	\$ 14.19
Sewer Fund	\$ 2.46

**Treasurer's Discussion:**

1. **STATEMENT OF REVENUE & EXPENDITURES:** Attached.
  
2. **2021-2022 TAX/SEWER COLLECTION:** Collection of Village Property Taxes and Sewer are underway. Village Tax is due by 7/21/2021. Sewer Installment #2 is due by 9/30/2021.
  
3. **GRANTS UPDATE:**
  - a) SAM approved disbursement agreement for \$150K Grant for Amphitheatre. Reimbursement request was submitted on 6/29/2021.
  - b) SAM Grant for Potential Meeting Room/Village Hall Improvements in the amount of \$125K has been issued a project ID. Village Staff is currently working on project budget and awaiting SAM Disbursement Agreement. Rendition of potential structure was submitted to Senator's Skoufis' office for approval.
  - c) SAM Grant for Potential Meeting Room/Village Hall Improvements in the amount of \$200K has been issued a project ID. Village Staff is currently working on project budget and awaiting SAM Disbursement Agreement.
  - d) SAM Grant Preliminary Application in the amount of \$100K has been submitted. The purpose of this grant is for Downtown Historical District Revitalization Project. Deputy Mayor, Chris Battiatto and Trustee, Betty Ann Reilly along with Village Staff are actively working on the vision and project budget.
  - e) CDGB Grant Application for a potential amount of \$375K was submitted on 6/25/2021 by the Village Engineer for the eligible activity: repairs and replacement of storm and sanitary sewer infrastructure.

f) NYSDOT Grant \$165K Payment Request #3 in the amount of \$11,489.27 was submitted today 7/12/2021.

A motion to accept Treasurer's report as read by Treasurer Angela O'Neill was made by, Trustee Brian J. Boone, 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– Site work & footings underway.

Shoprite

New refrigerated storage installed in the Shop from Home back room.

Clark- 5 Carpenter

Project almost complete.

Noble – 4 Chester Acres Blvd

Renovation continues.

Rustic Wheelhouse

Project started as a “repair” and then grew into more. When it grew into a little more, I asked the owner to slow down slightly and provide me with some plans and apply for permits. It started off just doing some fixing on the deck and what have you and it ended up being a little bit more, so permit was issued, and the work is now being performed to an engineer set of plans. The deck in the back is not for added dining space. the deck in the back is still just for the access, egress from the third floor. they needed a base for the third floor, new deck that they put in for the resident's end of it. That's why they enlarged the deck itself, but the deck is not at this time for any additional commercial space to that building.

Beer World 35 Brookside Ave

Issued demo permit.

Demolition is complete.

Issued building permit. No work has started.

During the month I issued 5 roofing permits, 3 where due to storm damage.

Trustee Brian J. Boone – Since, I know the building well, where are the stairs? The stairs are gone.

John Orr – yes, they are gone, and they put a ladder. It's a drop-down ladder for the fire escape as it is.

Trustee Brian J. Boone - Back in my day, that third egress was because we had to have it because the doors were only 36 inches.

John Orr - Well, the engineers get paid report on that. I'm just filling fully sprinkled on well. I get that we had to Two exit up front should be sufficient with the sprinkler system.

Trustee Elizabeth A. Reilly – What's happening with the house on Carpenter were the tree damaged the house?

John Orr – there in the process of clearing the house out and they are going to be done a major, substantial renovation. I had a phone call from Chris Schanck, he's going to be running it, he is working on plans right now. You don't see a lot of damage in the front, but it took off quite a bit of the back wall.

Trustee Elizabeth A. Reilly – On Maple Ave. I think it's the house, two houses before North Hudson, they had started doing some sort of alteration and they were issued a stop work order. Two houses before Bono.

John Orr – they took the garage door out and put a person door there.

Trustee Reilly – What's happening with that house?

John Orr – I have an application on my desk, I'm still waiting on further information from them.

Trustee Reilly – it looks like there was activity in there last night.

John Orr – they said they were making a room for their son to practice his drums.

Susan Bahren – Can I ask a clarification question?

Can I ask a clarification question possible? So, on the back of the Rustic Wheelhouse, so that was never there before, correct?

John Orr- yes, it was.

Susan Bahren – As it is? would something like that require to come before the planning board?

John Orr – The only thing that was not there, if you look at the far right of it, there was a set of staircases that came down. If you look at the back of the building, they increase that deck by the size of by about 10 feet, the staircase used to come down in that same location. They increase to hold up what's up above it. they are not dining out there. Unfortunately, I had many comments about this, that I did not let this go to planning board. There was no reason for it to go to the planning board. It's not an increase of commercial space.

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

**POLICE REPORT:** Chief Timothy McGuire read police report as follows:

**1. Personnel:**

- No Officers have tested positive for Covid in the last month and there have been no quarantine issues in the department.

**2. Citizen Issues:**

- No Issues.

**3. Public Safety Issues:**

- Officers have been out enforcing the NYS Vehicle and traffic laws, 90 tickets were written for the month. As of the end of May, 772 for the year.

**4. Facilities:**

- No issues

**5. Equipment:**

- We did receive approval from the OCSO for an in-car computer through a grant. That computer will be going into the new 728. The grant covers the cost of the computer, printer, and installation.

**6. Vehicles:**

- New car 728 has been issued a build date of 09/20/21. The car should be delivered sometime in October to get upfitted and lettered.

**7. Other:**

- Letter of Resignation has been received from Part Time Officer Jennifer Tolentino. She has accepted a full time Police Officer position with the City of Port Jervis Police.
- Officer Michael Sacchi started Phase 2 of the Police Academy on July 8<sup>th</sup> and is due to complete that section as of July 22<sup>nd</sup>. PO Sacchi will then start his 80-hr. mandated Field training to complete his Police Officer certification.

**8. Department Activity:**

<b>Call Type</b>	<b>June</b>	<b>2021/Year to date</b>		
Calls for Service	<b>161</b>	<b>992</b>		
Criminal Cases	<b>22</b>	<b>183</b>		
Arrests	<b>20</b>	<b>89</b>		
Traffic Accidents	<b>8</b>	<b>46</b>		

Trustee Elizabeth A. Reilly asked if Officer Tolentino will have to reimburse the village for any uniform and/or equipment?

Chief McGuire stated that Officer Tolentino will not have to reimburse the Village.

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

**STREET REPORT:** Village Street Superintendent, Charles Bono read the Street Department report as follows:

We have installed another 120’ of 18” drainage pipe down at the Amphitheater.

We have completed our 2nd round of roadside mowing, weed whacking and picking up garbage throughout the village.

We have been blacktopping in the industrial park preparing for tar and chipping

A motion to accept Street Department as read by Street Superintendent Charles Bono was made by Trustee Alan Battiato, seconded by Trustee Elizabeth A. Reilly. Motion unanimously passed.

**WATER REPORT:** Village Water Commissioner, Gary A. Green Jr. read the 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) We attended an all-day training event required for our water license.
- 6) Meter changing continues.
- 7) Backflow testing continues.
- 8) We repaired a service line leak at 97 Brookside Ave. it was a break by the threads on red brass connection.
- 9) We repaired a service line leak at 18 Main Street. There was a short piece of lead that was leaking . we replace everting with copper.
- 10) We repaired a service line leak at 358 Bull Mill Road. Pin hole in the copper.
- 11) We replaced the 2inch meter flanges at Eldorado Farms in their meter pit.
- 12) We fixed broken curb box lids in the downtown area.
- 13) Weekly mowing of our facilities.
- 14) Walton Lake is at pin level.

Trustee Brian J. Boone – Gary, did you hear anything, I played golf league and two people Conklin town Road that two well went dry. Should that concern us and our wells.

Gary A Green Jr. - we had them monitor our wells and it did nothing. we actually monitor our own wells on their level and there were no issues.

Tom Becker – the two wells that it affected one was for a tenant resident it was a 250 ft deep well. the pump is only set at 1.25 so that's been lowered and think the second well was the same issue. I think the second pump was the same issue. The pump was not set at the right level inside the well and I think both of the issues have been corrected.

Deputy Mayor Christopher Battiato - Do they need to factor the weather when they create that test? Not really, they take everything into effect, you know summer usage and everything else. I think what they're trying to do is, they have two wells that they drilled into wetland area. They got a permit from DEC to use, and one well was good and the other was not and they're trying to take most of the waters for that development out of one well. And then everything else would be back up and he still had the well across the street at the AAA glass property that was their best well that was going to be held out. so, information is to be seen once they submit all their documents DEC as far as what they're going to use and what they're not going to use. I'm not sure if they've done anything for water quality yet.

He's talking about it might be under the influence of chlorides that they had a Coach USA site and Coach USA is having issues with chlorides in their water and it's probably the same aquifer if not close. They might have a water quality issue. If they try to use the one at triple AAA Glass.

Deputy Mayor Christopher Battiato- Wouldn't it make sense to get that taken care of before they continue building. Tom Becker – I think that's why they drilled this other well to stay further away from that area, and I'm not against it remains to be seen, what they to plan to use when they submit everything to DEC, and I'm going to try to view that when it goes because it should go up for public comment. It should be a period and then DEC has 90 days in which to make determination. If they don't do something within 90 days, they are grandfathered in automatically.

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.

**PARK & RECREATION REPORT:** no report:

**OLD BUSINESS:**

~~21-31 Resolution to Certify Zoning Map TABLED~~

21-33 Resolution Truck Body Purchase- All-Season Dual Auger rear spinner truck body Pursuant to New York State Bid Contract No.0808108-HPI TABLED

WHEREAS, the Street Superintendent of the Village of Chester (“Village”) has advised the Village Board of the Village of Chester (“Village Board”) of the Village’s the need to purchase an All-Season Dual Auger Rear Spinner Truck Body (“Truck Body”); and

WHEREAS, this Truck Body is available for purchase pursuant to New York State Bid Contract No. 080818-HPI through Henderson Products, Inc.; and,

WHEREAS, the Village Board desires to purchase the Truck Body.

NOW, THEREFORE, BE IT RESOLVED: that:

Section 1. All “Whereas” clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. The Village Board authorizes the Street Superintendent to purchase the Truck Body in an amount not to exceed Fifty Thousand Six Hundred Seventy-Seven dollars (\$50,677.00) pursuant to New York State’s Bid Contract No. 080818-HPI, said funds are available in the 2021 Budget line item H02.5110.0200

Section 3. The Mayor or any other officer, employee or consultant, as directed by the Mayor, are hereby authorized to take any and all necessary actions to carry out the provisions of this Resolution.

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:

Roll Call

	Yea	Nay	Abstain	Absent
Mayor J. Thomas Bell	[ ]	[ ]	[ ]	[ x ]
Deputy Mayor Christopher Battiato	[ x ]	[ ]	[ ]	[ ]
Trustee Alan Battiato	[ x ]	[ ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ x ]	[ ]	[ ]	[ ]
Trustee Brian J. Boone	[ x ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**NEW BUSINESS:**

21-40 Proposed Local Law No.1 of 2021 Cannabis Opting Out of Retail Sales

Local Law No. 1 of the year 2021

City/Village of Chester, County of Orange

A local law adopted pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Chester.

**Section 1. Legislative Intent**

It is the intent of this local law to opt the City/Village of Chester out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

**Section 2. Authority**

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to optout of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

**Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out**

The City Council/Board of Trustees of the City/Village of Chester, County of Orange, hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition, or a referendum has been conducted approving this local law.

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

Roll Call

	Yea	Nay	Abstain	Absent
Mayor J. Thomas Bell	[ ]	[ ]	[ ]	[ x ]
Deputy Mayor Christopher Battiato	[ x ]	[ ]	[ ]	[ ]
Trustee Alan Battiato	[ x ]	[ ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ x ]	[ ]	[ ]	[ ]
Trustee Brian J. Boone	[ x ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted

**Calendar:**

- Village of Chester Music Concert Series starting June 15, 2021, at 7 pm, every Tuesday until August 28<sup>th</sup>
- On August 28, 2021, with a rain date of August 29, 2021, will be hosting Best Friends Girl Band.
- June 29, 2021, Music Series concert re-scheduled for September 4, 2021, at 7:30 pm
- E-Bill service is available. If you would like to sign-up go to Village website under forms.
- Village Property Tax are due July 21, 2021, without penalties.
- To check balance online you will need account and pin number.

“[www.eyeonwater.com/signin](http://www.eyeonwater.com/signin)” service to monitor water usage/consumption.

\*See our calendar for upcoming meetings and events\*

<https://www.villageofchesterny.org>

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

\*If you require assistance attending the Village’s Monthly Meeting in the conference room on 2nd floor, please contact the clerk a few hours before the meeting. 845-469-2388 ext. 222 \*

**PUBLIC COMMENT :**

(Not auditable)which I appreciate those answers this morning that emails increase, department supervisor order, Commissioner building inspector. They responded. So, thank you, basically saying that they weren't able to help us up. Also try emailing the mayor, village clerk and. A village board member username and it didn't respond the last three and one person did suggest that end meeting tonight and bring it to you. And our home here we have flooding in our basement, and we think that there's two issues that are contributing to it and we'd like to see if someone could help us address it rather than trying to go some legal route, you know. So, anyway, the house above us is 18 Oakland Ave. You could actually see a path. I mean I had photos, videos. After a heavy rainstorm you can see, it looks like as a stream coming down you can see the fastest edged in there. They have their gutters drainpipes actually aimed like right towards our backyard. So that's an issue and then we have a 15 High Street. The corner of 94 and Hamiltonian Ave they made the parking lot/ driveway , they have it pitched so that their water runoff comes again right towards our back yard.

Yeah, my husband, our neighbor called him said like there's like a river in your backyard, you know, yes, we have the pump in the basement, but it just gets overwhelmed, and we can't it. Can't keep up. I mean, I know we had the hill behind us as far as nature goes. You know you already have that there, but we have these two big things or against us and we don't know who to go to. so, we tried emailing trying to throw the email and you explain what's going on You know we're not looking like for anything drastic, just someone to help intervene basically so I don't know if there's someone that could send the video to or pictures, or some could just even common like my husband gets show what's going on the physical. Play always what's happening. So anyway, there must be someone that could help us. I'm not sure, maybe I just didn't find the right person to email.

Mary Marzolla – Hi my name is Mary Marzolla law with the Law Firm Feerick, Nugent and MacCartney, I represent the Village of Chester and as their attorney I could only give them advice and you and I don’t have attorney client relationship so I can’t give you legal advice. Since the two properties are private properties, the Village can’t get involve with private property.

Village Board suggested that the owner of the property write a letter to the State.

Hi everybody I'm Eden Itzcowitz of 2 Moffatt Lane. Regarding just to move forward from the culprit overflow on June 8th at the beginning of July, I saw somebody from the village, I guess, outside mowing. Beyond the culvert, which gave me some hope that maybe there's something that's going on. I did email a bunch of you guys and I heard from Ms. Rivera who said somebody would be getting back to me. That was the beginning of the month. I haven't heard back so I would what I'm asking you guys is what is the game plan? For fixing and maintaining this culvert going further.

Mary Marzolla - Again, I represent the Board, I have a relationship with them ( not auditable) however, when submit a letter threatening litigation. When we receive a letter that refers to litigation and 10s of thousands of dollars, we have to represent the village taxpayers and certain protocols are put into place as soon as that occurs with those protocols are in place and have been taken with respect to anything else that you're looking for there is no answer I can give you today. I haven't given any further final action advice to the board, but I'm still collecting information on that. So, if you have any further information that you'd like to submit we will be happy to consider that.

Ok, first of all, I appreciate the fact that you replaced the word threatened because that is not what I did. I was nothing but polite in that letter and I've been nothing but courteous standing before everybody. Not once had I raised my voice, have not used foul language, nothing. As I said, I saw somebody mowing. I emailed a bunch of people, heard back only from Ms. Rivera, who said somebody would be getting in touch with me. Heard from nobody. So, my question is on behalf of myself and other people who live on my block and they the responsibility to protect adjacent properties. I saw somebody mowing there and I'm wondering if there is a plan beyond the mowing, going forward because whether I am made whole or not buy this. I and I'm hoping that I am to begin to rebuild I would like to know that we are protected. So, if there is a plan, I'm guessing that we, as residents who pay our taxes have a right to know what that plan is.

Mary Marzolla - I know you're looking for certain answers and outside this room for advice, you are not going to get the advice or the information here because these things happen, they happen with hurricanes they happen with big storms all the time in different areas and there's different levels of evidence that needs to be given to the board to be given advice that this is something that they are responsible.

Eden – I know that this is something that they are looking into but I'm extremely patient but I as I said a month ago, I'm not going to go away because I'm entitled to be made whole by this. This was a complete gutting of my basement and my personal belongings. Although, everyone listened with very kind faces, I was poo poo'd and its not right. I can pretty much guess if it happens to somebody's family member in the room or on this board or at this table there would be somebody out there because you have access to that, and I don't. so I come before you who do have access to that for a plan and I'm hoping that it goes beyond a mowing because all that does creates a clean flow to there but its still gets, as I said when I first came here and I called and I said it need to be cleaned out and no one got back to me until a year later when I pipe broke on someone else's property was that culvert even touched and it hasn't been touched since. Now I see that someone has mowed there.it is the Village's responsibility to maintain that and repair if necessary if it damages adjacent properties. That's where I stand, I understand the less said, because you have to protect your interest, but I am your interest because I live in this community. I deserve that respect.

Again, if you want to submit any information, want to get it to me, Rebecca will get me.

I have submitted about 50 photos which I'm happy to resubmit. It shows the extensive damage and I know that there are people worst off than me in life, right now we are talking about me, I'm living in half a house with a daughter that is petrified every time it pours. I would just like to know that we are being considered and that it matters to. Thank you.

Tom Becker - 11 Sanford Ave or here in the village. Question for the Chief if in the future the police any details in the vicinity could coming off of Lehigh Ave going on Kings Highway. I take that route quite often and when people come up to the intersection coming from McDonald's on 17 M and go onto Kings Highway nobody stops. I have a green light they have red light, and they continue to go. It's like nonstop flow of vehicles. Going on to Kings Highway. So, the best place to really sit and watch it would be coming up Lehigh Ave and park between the intersection like between the two lights and just watch that intersection. You'll see continuous flow, it's not an issue that the cars don't stop coming around the corner as they're supposed to, but the fact that they don't stop when somebody else has a green light is a tremendous safety concern for, I've just seen it so many times where cars have stop fun because they're afraid to go down across the intersection with a green arrow. If they could take a few details, there once a month or something just to maybe get people on board with the slowing down a little bit. thank you.

Susan Bahren - 3103 Whispering Hills I just have one question and one thing that I'm going to tell John Orr but I'm going to also write to John Orr about. The first thing maybe it's John Orr also Nextel, Alcatel, Chester cable. The parking lot across from Donna's I don't know whether she's called. She told me she was going to call. I just happen to be here because I was here last night. That barrier between Oakland Ave and the parking lot that they made when they reconfigured the parking lot has now become completely overgrown with weeds. As tall as 2 to 4 ft high.

John Orr – stated that he was up there today, and he told Mr. Bolasie.

Susan Bahren - If you were up there, I'm wondering if you happen to notice Marino's yard? Up against the pool fence, there's trash.

John Orr – I did not.

Susan Bahren - A great job on Saturday night and I understand that the new chief was the responsible agent for the one way on Maple and Elm and that was the best idea. And I also understand that he was responsible agent for the traffic direction at the light at 17M and Academy and that couldn't have gone better. It was really great.

#### **ADJOURNMENT:**

A motion to go into executive session at 8:12 pm with no further business was made by Trustee Alan Battiato, seconded by Trustee Elizabeth A. Reilly. Motion unanimously passed.

A motion to come out of executive session at 9:13 pm and close meeting was made by Trustee Brian J. Boone, seconded by Trustee Alan Battiato. Motion unanimously passed.

Respectfully,

Rebecca Rivera  
Village Clerk