

**Board of Trustees  
Monthly Meeting Minutes  
August 9, 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 7:00 pm, on Monday, August 9, 2021.

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

Mayor John Thomas Bell called the meeting to order.

Mayor John Thomas Bell open the meeting at 7:00 pm asked, Gene L. Iannuzzi III to lead with the Pledge of Allegiance.

Mayor John Thomas Bell thanked everyone for attending the meeting.

Mayor John Thomas Bell asked Chief McGuire if he would read his report first so that the oath of office can be administered to Officer Gene Iannuzzi, so that we may give his family members and friends in attendance to have the option to leave anytime during the meeting.

**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:**

- On 7/27/21 there was an incident at the Shoprite in the Chester Mall where there was a call for a suspicious person. It was later posted on Facebook that it was an attempted abduction. That was not what was reported to responding Officers. The incident is currently under investigation by this department with the assistance of the Hudson Valley Crime Analysis Center. There is not believed at this time to be a threat to the community outside of this one incident. Anyone with any information is requested to contact the Village of Chester Police Department.

**3. Public Safety Issues:**

- Officers have been out enforcing the NYS Vehicle and traffic laws, 111 tickets were written for the month. 883 tickets have been issued for the year.

**4. Facilities:**

- No issues

**5. Equipment:**

- 2014 Chevrolet Impala was sold on Govdeals for approximately \$3300.00. Vehicle was picked up by the winning bidder, title was signed over and the vehicle was removed from Village property

**6. Vehicles:**

- 722, the 2017 navy blue Ford Explorer, has been upgraded. Ghost lettering has been applied to the vehicle and a few more lights were added. Now the vehicle can be used by patrol officers and during specific traffic safety details instead of being used only by Sgt's as it was in the past.

**7. Other:**

- Officer Morgan Lynch started the Orange County Police Academy on August 2, 2021. He is due to graduate on January 7, 2022. Upon his graduation PO Lynch will then start his 12-week Field Training program with the Police Department.
- As of July 21, 2021, Detective Vuksanovich has retired from the Village of Chester Police Department. He was a 20 yr. veteran of Policing and will be missed.
- Promotion of Officer Gene Iannuzzi to Detective  
 Mayor John Thomas Bell thanked former Detective Mark Vuksanovich for his years of service. Mayor John Thomas Bell administered the oath of office to Officer Gene Iannuzzi and congratulated him on his promotion as the newly Detective of Village of Chester Police Department.  
 A motion to promote Officer Gene Iannuzzi as Detective was made by Trustee Alan Battiato, second by Trustee Elizabeth A. Reilly. Motion unanimously passed.

**8. Department Activity:**

<b>Call Type</b>	<b>July</b>	<b>2021/Year to date</b>		
Calls for Service	<b>151</b>	<b>1143</b>		
Criminal Cases	<b>19</b>	<b>202</b>		
Arrests	<b>11</b>	<b>100</b>		
Traffic Accidents	<b>13</b>	<b>59</b>		

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

**AUDIT OF BILLS:** Mayor John Thomas Bell noted that the audit of July 2021, Village's monthly bills for approval was complete.

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

**APPROVAL OF MINUTES:** Monthly meeting minutes and the Public Hearing of July 12, 2021.

Mayor John Thomas Bell noted that the Monthly meeting minutes of July 12, 2021, were completed and distributed to all Board members.

A motion to approve the Monthly meeting minutes of July 12, 2021 was made by Trustee Elizabeth A. Reilly, seconded by Trustee Alan Battiato. Motion unanimously passed.

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

**CASH BALANCES ENDING July 31, 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)	--	--	169.91	2,819,734.61
Checking (Orange Bank & Trust)	806,527.34	1,444,888.90	24.15	2,202,160.65
Savings (Orange Bank & Trust)	1,000,000.00	--	411.90	2,955,001.99
<b><u>Water Fund</u></b>				
Capital Checking (Sterling Natl Bank)	--	--	10.08	156,137.45
Checking (Orange Bank & Trust)	49,966.38	39,809.77	3.55	423,710.24
<b><u>Sewer Fund</u></b>				
Checking (Orange Bank & Trust)	68,849.43	330,907.62	4.43	252,036.04

<b><u>Cumulative Fiscal Interest Earned by Fund 6/1/2020 – 5/31/2021</u></b>	
General Fund	\$1,115.96
Water Fund	\$ 27.82
Sewer Fund	\$ 6.89

**Treasurer's Discussion:**

1. STATEMENT OF REVENUE & EXPENDITURES: Attached.
2. 2021-2022 TAX/SEWER COLLECTION: Collection of Village Property Taxes and Sewer are underway. Sewer Installment #2 is due by 9/30/2021.
3. NYCOM: Requested permission to attend NYCOM Annual Conference via email on 7/30/2021. Received 3 out of 5 responses. Conference dates 9/20-9/23/2021. Agenda is attached, I’ve highlighted sessions that I plan on attending.

A motion to authorize the treasurer to attend NY NYCOM Annual Conference was made by Trustee Brian J. Boone, seconded by Trustee Elizabeth A. Reilly. Motion unanimously passed.

4. PENALTY ADJUSTMENT: Sewer A/C 614-0 penalties in the amount of \$8.50 were adjusted as a one-time courtesy to customer with a history of timely payments.

A motion to adjust account 614-0 in the amount of \$8.50 was made by Trustee Elizabeth A. Reilly, seconded by Trustee Alan Battiato. Motion unanimously passed.

5. GRANTS UPDATE:

a) SAM Payment Request for \$150K has not yet been received. DASNY Senior Accountant is currently working on the request.

b) NYSDOT Grant \$165K Payment Request #2 & #4 payment in the amount of \$15,046.80 was received on Friday 8/6/2021.

A motion to accept Treasurer's report as read by Treasurer Angela O'Neill was made by Trustee Brian J. Boone, seconded by Trustee Alan Battiato. 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

1- Project now complete.

Clark- 5 Carpenter

1- Project complete.

2- New permit issued for a deck.

Noble – 4 Chester Acres Blvd

1- Renovation continues.

Beer World 35 Brookside Ave

1- Footings & Partial foundation wall complete.

137 Main Street

1- Issued permit for renovation to store front and signs for a “Healthy Vibez” a healthy smoothy bar.

1 Vista Drive

1- Issued permit for a deck.

2- Footing poured today.

2 Main Street

1- Issued permit for replacement to outside staircase.

Request permission to attend two events in September, NYSBOC annual training and meeting 8th-10th in Alexandra Bay NY and the Annual ICC conference in Pittsburg PA the 18th-24th. All expenses will be paid by Tri-County NYSBOC.

**Questions for Village Code Enforcement Officer John Orr:**

1. Trustee Elizabeth A. Reilly asked Village Code Enforcement Officer John Orr when will the “Beer World” project be completed?

Village Code Enforcement Officer John Orr responded, most likely November or December of 2021.

2. Trustee Elizabeth A. Reilly asked Village Code Enforcement Officer John Orr if there were any underground takes?

Village Code Enforcement Officer John Orr responded; they were taken out years ago.

3. Trustee Brian j. Boone asked where is 137 Main St.?

Village Code Enforcement Officer John Orr responded, next to the retail upholstery place.

A motion to authorize Village Code Enforcement Officer John Orr to attend two events in September, NYSBOC annual training and meeting 8th-10th in Alexandra Bay NY and the Annual ICC conference in Pittsburg PA the 18th-24<sup>th</sup> was made by Trustee Elizabeth A. Reilly, seconded by Trustee Alan Battiato. Motion unanimously passed.

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

Trustee Brian J. Boone asked the Chief McGuire what happen to the side of Walgreens parking lot.

Chief McGuire responded that a younger gentleman wearing flip flops got his foot stuck between the accelerator and the brake.

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

We poured a new section of sidewalk in front of 18 Main St., where the water dept. repaired a service line leak.

We spent a few more days blacktopping in the industrial park preparing to tar and chip.

We spent some time weed whacking along the curbs and sidewalks in Chester Acres, Vista Drive, June St., Valley Court, Grandview Terrace and the Industrial Park.

We completed our paving project on Leone Lane in which we paved the entire street from the intersection of Kings Hwy to about 100ft from the railroad tracks.

We continue with the normal weekly sweeping, mowing and picking up of bags and brush.

A motion to accept Street Department as read by Street Superintendent Charles Bono was made by Trustee Elizabeth A. Reilly, seconded by Trustee Alan Battiato. 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) Our quarterly testing was completed
- 6) Meter changing continues.
- 7) Backflow testing continues.
- 8) We fixed the lawn at 93 Brookside from the service line repair.
- 9) We power washed the exterior of the water filtration plant.
- 10) D&N Tanks repaired the Nancy Lane tank. It took 3 days to complete the work.
- 11) Inspected and repaired roof at the Filter plant.
- 12) Inspected and repaired roof at the shop. There was some storm damage to the rear of the building.
- 13) Weekly mowing of our facilities was completed.

I have another thing add, we had the motor for air compressor, the five-horsepower motor, actually burned up last week and we took the motor out and we brought it up to Empire Motors. They said it was unrepairable that we had to get a new motor. The price for a new motor of \$1200. Our compressor guy seems to think there could be some other issues with that compressor, but you don't know until you put the new motor in. It could be some control issues. I'm working on getting pricing for a new unit. New unit is the same, exact units \$7200, but he's going to try to get us a trade in of the old unit. so right now, we're running on our old compressor, which is working fine at the moment.

Trustee Elizabeth A. Reilly asked how old is that compressor?

Water Commissioner Gary A. Green Jr. responded that compressor was installed in October 2015. It's really not that old of a unit. Empire Motors wasn't really sure what happen to the motor to actually cause is to burn up. It got so hot that the bearings and the seals just actually burnt right on. We had no other electrical issues at the plant at that time, so it wasn't like a power surge did it. The VFE's were all fine, everything else is fine, except for that motor. Also, Walton Lake is 3 inches below pin level as of today. It's really not too bad for August.

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

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

**OLD BUSINESS:**

~~21-31 Resolution to Certify Zoning Map Tabled~~  
~~Proposed Compensation Plan Tabled~~

**NEW BUSINESS:**

**21-41** Resolution of the Village Board of the Village of Chester Authorizing Participation in the NYCLASS program.

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-0) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis; and

WHEREAS, the Village of Chester wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019; and

WHEREAS, the Village of Chester wishes to satisfy the safety and liquidity needs of their funds.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Chester as follows:

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

Section 2. The Mayor is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 29, 2019.

Section 3. The Mayor, and any employee, official or consultant as directed by the Mayor, is hereby authorized to take any and all actions necessary 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 John Thomas Bell	[X ]	[ ]	[ ]	[ ]
Trustee Alan Battiato	[X ]	[ ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[X ]	[ ]	[ ]	[ ]
Trustee Brian J. Boone	[X ]	[ ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[ ]	[ ]	[ ]	[ X ]

The Resolution was thereupon duly adopted

Introduced By: Trustee Elizabeth A. Reilly

Seconded By: Trustee Alan Battiato

On a vote of 4 to 0, the resolution was adopted

The Mayor John Thomas Bell asked Village Treasurer Angela O’Neill to give a brief description of the program:

Angela O'Neill : there is no risk, many municipalities in State of New York invest with NYCLASS. Village of Village of Florida, Town of Goshen. I'm not sure about the Town of Chester if they participate in the program, but they fund, they pull their funds together and then they're able to pay a little bit more interest in what the banks are paying, especially with the new relief funding that's coming in from COVID, hopefully we can get a little bit of additional income by participating in the program. We're going to start slowing and see if it's really worth it to have another bank reconciliation to do.

Mayor John Thomas Bell added that money can be taken out at any time without penalties.

Treasurer Angel O'Neill: The account can be closed at any time, money is not in the stock market there is no risk. It's FDIC insured. There is no borrowing, no one can borrow against those funds. So, it's basically just like a bank, with the exception that they're able to by other instruments that might produce generate more interest income than what we currently are earned with the banks.

Counselman Thomas Becker asked if NYCLASS give an idea what the interest will be?

Treasurer Angel O'Neill: Everything is bad, but it's better than zero. They're trying to do a little bit better than that, so pre COVID there was a huge difference and we had met with the gentleman from NYCLASS and we're going to move forward and then we stopped having meetings because we closed down cause of Covid and it just went on standstill until recently when the banks are saying that it's costing them money to hold our money. Yeah, negative interest rates are coming. So that that's basically it. It's safe.

**21-42 Resolution Authorizing Mayor to Execute a Memorandum of Agreement with Village of Chester Police Benevolent Association, Inc.**

WHEREAS, the Village of Chester (“Village”) and the Village of Chester Police Benevolent Association, Inc. (“PBA”) have agreed to extend the terms and conditions of the Collective Bargaining Agreement (“CBA”) for one year and to increase wages for the extended term as indicated in the Memorandum of Agreement; and

WHEREAS, the current CBA between the Village and PBA expired on May 31, 2021; and

WHEREAS, the Bargaining Committees of the Village and PBA have engaged in appropriate negotiations for a successor CBA for the period June 1, 2021, through May 31, 2022; and

WHEREAS, the CBA shall be modified as set forth in the annexed Memorandum of Agreement; and

WHEREAS, the Village Board hereby authorizes the Village Mayor to execute the Memorandum of Agreement (“MOA”) as set forth herein.

NOW THEREFORE BE IT RESOLVED that:

Section 1. The above “WHEREAS” clauses are Incorporated herein by reference.

Section 2. The Village Mayor is hereby authorized to execute a Memorandum of Agreement in the form provided by Village Legal Counsel.

Section 3. The Village Mayor and any Village Official or employee as directed by the Village Mayor is 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:

Introduced By: Trustee Alan Battiato.

Seconded By: Trustee Brian J. Boone.

On a vote of 4 to 0, the resolution was adopted

Roll Call

	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Mayor John Thomas Bell	[ X ]	[ ]	[ ]	[ ]
Trustee Alan Battiato	[ X ]	[ ]	[ ]	[ ]
Trustee Elizabeth A. Reilly	[ X ]	[ ]	[ ]	[ ]
Trustee Brian J. Boone	[ X ]	[ ]	[ ]	[ ]
Deputy Mayor Christopher Battiato	[ ]	[ ]	[ ]	[X ]

The Resolution was thereupon duly adopted.

**21-43** Resolution of the Village Board of the Village of Chester Authorizing the Mayor to Execute an Intermunicipal Agreement with Town of New Windsor Providing for Cooperative Information Technology Services to the Village Police Department and Village Court Office. **Tabled**

Trustee Elizabeth A. Reilly: Before we go to the next one, the court has asked to use the New Windsor IT Services. My question is there hasn't been any complaints regarding the IT Service that they are currently using, has there? Mayor John Thomas Bell asked Chief McGuire if could answer why the courts want to change IT Service.

Trustee Elizabeth A. Reilly stated that she would like to hear what the Chief has to say but she would like one of the Judges for the court should submit a letter requesting the service and stating why they would like to change, and Trustee Reilly suggested that it be tabled until the village board receive such letter.

Chief McGuire: Once they heard that we switched over and all the issues as far as the present IT personnel not being certified by New York State PCJS Office public safety and all the spencer report documents they have, that's when they started getting interested in changing the IT. That was the main push behind it. Exactly, so why we got it.

Trustee Elizabeth A. Reilly: Does the New Windsor IT do other courts? I thought they were mainly doing police.

Chief McGuire: No, They are part of Town of New Windsor, and they handle all IT in the Town of New Windsor.

Thomas Becker added that the Town of Chester uses them.

Trustee Elizabeth A. Reilly responded: Yeah, I know, but not for the courts. Trustee Reilly asked Thomas Becker if the Town of Chester Courts use New Windsor IT service?

Thomas Becker responded that he was not sure.

Trustee Reilly stated that the Town of Chester Police has used them for years, but she didn't think that the courts were using their IT service.

Trustee Reilly stated that until the Village Board receives more information from the courts, she suggests tabling the matter.

A motion to table the matter of the authorizing the Village Court to change IT service and use Town of New Windsor IT service was made by Trustee Elizabeth A. Reilly, second by Trustee Alan Battiato.

Village Clerk requesting permission to attend the (New York Conference of Mayors) NYCOM Fall Training School, Monday, September 20, 2021, thru Friday, September 25, 2021. Location: Saratoga Springs, New York.

A motion to authorize the Village Clerk to attend the NYCOM from Monday, September 20, 2021, thru Friday, September 25, 2021, was made by Trustee Alan Battiato, second by Trustee Elizabeth A. Reilly.

#### Calendar:

- Village of Chester **Music Concert Series** started June 15, 2021, at 7 pm, every Tuesday until August 28<sup>th</sup>.
- On Saturday, August 28, 2021, **Rain date** Sunday, August 29, 2021, will be hosting **Best Friends Girl Band**.
- June 29, 2021, Music Series concert **re-scheduled** for Saturday, September 7, 2021, at 7:00 pm.
- 28<sup>th</sup> Annual Chester **Historical Society Yard Sale** – Saturday, September 18, 2021, from 8:30 am – 1 pm.
- Chester Recreational Building **Penny Social** to benefit Historical Society – Friday, October 1, 2021, 81 Laroe Rd, from 5:45 pm – 7:00 pm.
- **E-Bill service** is available for water cell meter users only. If you would like to sign-up go to Village website under forms.
- **Sewer 2<sup>nd</sup> installment** is due by Thursday, September 30, 2021.
- **Mayor John Thomas Bell touched on sewer:** I would like to inform everyone that there is going to be quite a bit of money spent on the sewer infrastructure. We don't have the numbers now, but we will know when we get the invoice. This is not taking place in 2022 its probably the following year. I wanted to mention it now, so residents are aware and informed.
- **Sewer and Water** - 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 for cell meters customers, only.

#### PUBLIC COMMENT :

Mayor John Thomas Bell opened the meeting up to the public:

Larry Dysinger, I live in 46 Odyssey Drive in Chester on top of the hill. The concern I have is light pollution. The town had passed an outdoor lighting ordinance in January to try to address, the light pollution that exists in the in the town. The majority of that light pollution is within the industrial park. most of those buildings have been there

for a long time and within the last two or three years, most of the buildings there have changed the lighting from downward facing to outward facing LED. The intensity light coming out of the industrial park is pretty severe. I live on top of the hill up there. It lights up my bedroom. Recently there was a problem with the electronic billboard on route 17 next Holidays Inn Express. I contacted them and I got them to fix it. It took them a week or so. They turned it off at night, so it wasn't so blaring cause it's a hazard to highway and everything else since it was lighting up my house and all of my neighbors. they finally fixed it on Friday. The village code chapter 98, Article 15 floodlighting of properties, flood lighting of buildings and front side and rear yards is permitted. However, no floodlights, spotlight, or other lights shall be erected in such a manner that its beam shall be directed in whole or in part towards the street, road or highway or towards the adjoining property. If you go into the Industrial park everyone and almost every single building is violating this ordinance. I'm asking that you know the village do something about that. Now it's bad. I mean, I'm not even touching along Brookside Ave or anything else like that., it's one thing when you first build the building, you allow them to do and to put up the lighting stuff, but most of them, almost all the buildings there have changed their lighting. Steris the original Steris building had all this lighting facing downward less than two years ago they changed it to LED and its outward facing. They put up a new cement plant, they put up lights shining outwards. Where Statin Fine Foods is they changed all that downward facing lights to outwards. Lights are very bright, and it is a problem. I understand Industrial Park is sort of isolated but not for myself and my neighbors and other people, lights up our neighborhood,

Mayor John Thomas Bell responded, Larry, let me let me just stop you right there. Two weeks ago, at 9:30 at night I took a ride in and went down by Tim Dietz and up and around the hill and come down and if I turn my head lights off on the road, I couldn't see anything. If you didn't have your front porch light on and everything your house with black, there's no light getting up that far. I don't know anybody else on the board that didn't take a ride.

Trustee Alan Battiato stated that he did take a ride and he did not see any lights.

Mayor John Thomas Bell, I did not see any light pollution going to your house. If your outside lights were on, I wouldn't even know your house is there.

Larry Dysinger. my outside lights are never on.

Mayor John Thomas Bell: it's one thing to say that the lights in the industrial park are not facing down is one thing but as far as you are saying that the lights are lighting up your bedroom, I beg to differ. that's not happening. that's not even the truth. We don't mind listening to people that have legitimate gripes and stuff like that. But that right there, you just say that it's lighting up your bedroom. No, because I parked in front of your house. I turn my lights off and I couldn't see 2 feet from me. So, if your house was being lit up, the road would been lit up and everything else word been lit up and we have other people here that I told them even the building inspector took a ride up there one night just to make sure. you would have a legitimate grip it was lighting up your bedroom but it's not. So, let's get the truth out.

Larry Dysinger. It's disappointing to me Tom that you are saying I'm lying. I know what's happening and it's lighting up my bedroom. Keep in mind that my bedroom is 40 feet higher than the roadway where you maybe were parked and may have been blocked by the houses across the street there. Putting that aside, whether it lights up my house or not, all the buildings are in violation of your code. So, I'm asking what the village would do about it.

Mayor John Thomas Bell: I'll have the building inspector go out and make sure that the lights are s are shining down and everything like that, but as far as that I disagree that you're right regarding the light pollution up your way. That's a mile and a half away and if you have legitimate grip that's fine but I don't think this is a ligament gripe. I'll have the building inspector look into the down lighting and see if there's any lights that are shining down.

Mayor John Thomas Bell asked if anyone else would like to touch on the subject.

Trustee Alan Battiato stated that he also drove there and shut his lights and could not see anything.

Thomas Becker Sanford Ave: as the business go now do, they have to comply with the original site plan would have been? If they were downward facing lights that what they should have replaced them with. So, that would be something Village Code Enforcement Officer John Orr would look at.

Eden Itzcowitz: I've been here in 3 months and my question is the same. I got little bit of information and I will touch on about what this gentleman spoke about. I have asked repeatedly and every single one of these meetings what the repair work is going to be on the culvert that overflowed behind 2 Moffatt Lane, which is where I live. The maintenance I've had one, I've seen somebody there one time since the first time I came here, and they mowed. Since then, we had one more rain and I sent pictures to Miss Rivera, and it was not as severe as you guys said the other one was and my yard flooded. My shed had water, and my yard was, walking it was filled with water, and nobody has gotten back to me about that, and I am a taxpayer in this town and you guys don't reply to me. With all due respect, you're going to stand up and say I advised them, not you and so, I have to tell them what you're telling them and what I want to know is when is this going to be looked into? Because nothing, I had no problems for 2 1/2 years until the culvert was worked on last summer. Now this gentleman mentioned something about sewers, and I don't know your job so all I can do is here and so now I have a question. my question to you guys is where does that culvert feed into? Because what I said, and I sent photos of it two weeks ago when the second rain happened which was not as severe as first you guys said, and it hasn't happened to me before and there's weeds coming out of it, there's stuff and to say well my neighbors were throwing whatever which is what somebody said that the first meeting. Listen, I don't you know, that's not my concern. That's you guys' concern, This is a village owned culvert and it's got weeds growing out of it, It could have something stuck inside it. I don't know. But nobody will give me an answer, that at least you're looking into it. At least it's something. The only time I saw anybody there was when they mowed that was it. That was it, but nobody has nobody's gotten back to me with a response. Nobody has that I have seen, I'm not home 24 hours a day, and I'm assuming that's What FOIL reports are for. Nobody has come to look at, take care of, investigate anything. So, my first question would be where does that culvert feed into? Does anybody know that?

Mary Marzolla Esq.: Mr. Mayor may I address this?

Mayor John Thomas Bell: yes.

Mary Marzolla Esq. We meet again, and again I'm here to advise the board not to give you advise, it's a public comment session and since we received notice of potential litigation as well as someone else submitting a claim for potential damages, litigation protocols automatically going in place no matter who is involved, and those litigation protocols require me to advise the board and the entire village not to give a statement about it. That's it. You can ask for progress, you could make any public comment you want. That's what public comment is for. My advice to this board and to the circumstances that exist and to the Village continues to be not to give any comments on it and we will continue to receive information and we will continue to analyze. So, if you would like to submit something we are happy to receive it and in continue the analyzation of this issue ,but on my advice, I would strongly recommend, and I continue to recommend to the Board and to the village, not to give a comment about it.

Sherri Palermo: So as the taxpayers she can't ask what whether anybody has been down to the culvert cover behind her house?

Mary Marzolla Esq.: She's welcome to ask, make any comments she wishes at public comment session.

Sherri Palermo: And they don't answer.

Mary Marzolla Esq.: There's no responsibility to answer. It's not a debate.

Sherri Palermo: so, when is the responsibility for the board to answer any question?

I think that questions are assuming certain answers and I'm not here to advise her  
Sherri Palermo: yes, or no? They investigated what they did or didn't. Someone would say or they weren't, yes or no.

Mary Marzolla Esq.: Again, I'm not going to get into it debate. My advice is what it is.

Sherri Palermo: Where's the debate? Where can she get the answer that's all she's trying to find out.

Mary Marzolla Esq.: Again, continue to advise the Village, with all do respect, that they cannot comment on it was litigation is mentioned and referred to. And the reason for that is that the Village Board represents everybody in the village. They represent every taxpayer. On this issue, I respectfully disagree and my advice to the board continues.

Sherri Palermo: and her too, that why she deserves and answer.

Eden Itzcowitz: So basically, what you're not telling me is if anybody takes anybody will look into it, anybody will service it, anybody will maintain it, the weeds will continue to grow. It will continue to possibly be clogged up. You won't tell me where it feeds into. Any further damages the Village is responsible. That's what it comes down to. I've been nothing but respectful and polite to you guys . and I get nothing.

Mary Marzolla Esq.: I will say what was forwarded to me was a FOIL request which is being responded to in accordance with the law and you will receive a formal response to that as any taxpayer would.

Eden Itzcowitz: as any taxpayer should also get is ongoing discussion about fixing this problem so it doesn't happen again. I'm going to close with the way that I opened and I'm going to tell you that I didn't have a problem until that culvert was worked on and whatever got you to work on that because some other house got damage or whatever got you to do that great for them. I love to know what was. I'm trying to do things step by step, I'm stepping back to do what you need to do, I'm giving you time and I get nothing. That culvert was fine until it was worked on. That's all I'm saying to you guys. With all due respect I deserved and answer because I do pay my taxes. You can bet if I didn't you would be talking to me. to appeal to sympathies at this point, if it was one of you guys or one of your relatives you bet your bottom dollar someone would be looking at that. I've been on boards, and I know what happens, you have privileges. Whatever it is and you can sit there and say no to me, I'm telling you that I matter just as much as you and your family's matter, and I deserve respect and I deserve an answer and I'm not going away. Regardless of what is going on, on the sidelines, I'm not going away.

Gordon Shehab: back in March I had asked about the comprehensive plan. I know in May Alan had forwarded the final plan. Is there any plan as to when it's going to finally voted on? Because we've had it for three years. We have been working on it for three years and there's projects that are coming up that the plan would directly impact. Advanced Auto, the newly Church where they want to tare down the church and put up a different type of architecture. Just think that it is important. Can you give me an idea when it will be approved?

Mayor John Thomas Bell: it will be voted on, but we are still reviewing. We had concerns with certain sections. It could be within a month or next couple meetings.

Patty Salerno: I have to agree with Gordon. We've covered a lot of material and if you ever need to know what was covered at the meetings that we had during the comprehensive plan, I have pretty extensive notes of what took place and comments that were made.so if you need to review some notes to get some context that might be left out of that have that available for the board, if you want it. Next thing I would like to know is how are things coming along with Nexans on Oakland Ave, I still see trucks coming up the street.

Mayor John Thomas Bell: As far as I know it's been sold.

Village Code Enforcement Officer John Orr: it's in contract. They haven't told me and when yet. I've told them that whoever goes in there unless they are making wire, they must come to the planning board for site plan amendment. The trucks going up there are still taking equipment and machinery out. so, they are just about empty up there.

Mayor John Thomas Bell: Questions have been brought up about the maintenance over there. Have you talked to anybody about that?

Village Code Enforcement Officer John Orr: I'll put another call out to them, when I went up there, they did a nice job cutting the lawn, but they didn't trim out front.

Patty Salerno: And my third questions are the purchase of Lippincott's do you still own that building and is there any progress in the sale of that building?

Mayor John Thomas Bell: We had a very, very interested party and they come up with a lot of stipulations that they wanted, and we got a second buyer that very interested. We are probably going to lean to the second buyer because some many stipulations that the first one wanted. Second party is very interested.

Patty Salerno: And it's staying a business?

Mayor John Thomas Bell: Yes.

Thomas Becker: can it also be used as a residence?

Mayor John Thomas Bell: What it is, the business downstairs and residence upstairs it would stay the same, if that's what they want otherwise another party want to use it as office space.

Patty Salerno: Can it be use for multi-residence

Village Code Enforcement Officer John Orr: right now, its listed for a funeral service on the first floor and apartment upstairs would go with the property. Anything else would need a site plan approval. It is in an RS zone so it is residential single family but it's also in that part where you can covert the bottom floor to an office.

**ADJOURNMENT:**

As there were no further comments Mayor John Thomas Bell asked for a motion to close the meeting and enter into executive session with no further business.

A motion to go into executive session at 7:54 pm with no further business was made by Trustee Elizabeth A. Reilly, seconded by Trustee Alan Battiato. Motion unanimously passed.

Respectfully,

Rebecca Rivera  
Village Clerk