

**Board of Trustees
Monthly Meeting Minutes
February 14, 2022**

The Board of Trustees of the Village of Chester held its monthly meeting at the Senior Center, 81 Laroe Road, Chester, NY at 7:00 pm, on Monday, February 14, 2022.

Members present: Mayor Christopher Battiato, Deputy Mayor Elizabeth A. Reilly, Trustee Alan Battiato, Trustee Brian J. Boone and Trustee Anthony Laspina.

Also, present: Deputy Clerk Jennifer Cruz, Clerk/Treasurer Angela O'Neill, Chief Timothy McGuire, Village Street Superintendent Charles Bono, Water Commissioner Gary A. Green Jr., Village Code Enforcement Officer John Orr, and Attorney Brian Nugent.

CALL THE MEETING TO ORDER:

Mayor Christopher Battiato called the meeting to order.

Mayor Christopher Battiato opened the meeting at 7:01pm lead with the Pledge of Allegiance.

Mayor Christopher Battiato thanked everyone for attending the meeting.

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

1. Personnel:

- There have been no COVID cases or quarantine issues in the department.

2. Citizen Issues:

- Nothing to report

3. Public Safety Issues:

- Officers have been out enforcing the NYS Vehicle and traffic laws, 353 tickets were issued for the month. 353 tickets have been issued for the year.

4. Facilities:

- Nothing to report.

5. Equipment:

- Nothing to report

6. Vehicles:

- Nothing to report.

7. Other:

The Florida School District sent a thank you letter to the department for the response and assistance during a bomb threat call. Sgt Iannuzzi responded to the school on January 10, 2022, at approximately 12:30pm along with other departments from around the county. Sgt Iannuzzi assisted in the evacuation of the students from the school to a pickup location where the students were then transported to a designated drop off point where they were met by their parents. Letter of Resignation has been received from Officer Michael Sacchi effective February 14, 2022. He is going to the Rockland County Sheriff's Office.

Swearing in of New Officers. Officer Jacob Motz and Officer Spencer Sutherland

8. Department Activity:

Call Type	January	2022/Year to date		
Calls for Service	176	176		
Criminal Cases	39	39		
Arrests	17	17		
Traffic Accidents	9	9		

A motion to accept Jacob Motz and Spencer Sutherland as new Part Time Police Officers for the Village of Chester and a motion to accept the Police report as read by Chief Timothy McGuire was made by Trustee Brian J. Boone, seconded by Deputy Mayor Elizabeth A. Reilly. Motion unanimously passed.

AUDIT OF BILLS: Mayor Christopher Battiato noted that the audit of January 2022, Village's monthly bills for approval was complete.

A motion to pay the audited bills of January 2022, was made by Deputy Mayor Elizabeth A. Reilly, seconded by Trustee Alan Battiato. Motion unanimously passed.

APPROVAL OF MINUTES: Approval of Monthly Meeting Minutes January 10, 2022 meeting.

A motion to accept the approval of the monthly meeting minutes for January 10, 2022 was made by Trustee Anthony Laspina, seconded by Trustee Brian J. Boone. Motion unanimously passed.

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

CASH BALANCES ENDING DECEMBER 31, 2021:

<u>FUND/BANK ACCOUNT</u>	<u>DEPOSITS (DISBURSEMENTS)</u>	<u>INTEREST</u>	<u>ENDING BAL</u>
<u>General Fund</u>			
Savings (Sterling National Bank)	--	182.15	2,820,633.49
Checking (Orange Bank & Trust)	66,366.87 1,006,508.16	12.67	946,240.73
Savings (Orange Bank & Trust)	-- --	438.18	2,457,230.05
Savings (NY CLASS)	-- --	14.88	500,056.73
<u>Water Fund</u>			
Checking (Orange Bank & Trust)	46,795.65 93,638.91	4.54	492,433.30
<u>Sewer Fund</u>			
Checking (Orange Bank & Trust)	84,128.50 375.00	1.30	187,760.82
<u>Capital Projects Funds</u>			
H01: Water (Sterling Natl Bank)	-- 142.84	7.14	110,484.76
H02: General (Orange Bank & Trust)	325,058.59 645.55	3.59	558,318.06
H03: Sewer (Orange Bank & Trust)	-- 1,573.34	--	7,156.93

<u>Cumulative Fiscal Year Interest Earned by Fund 06/1/2021 – 12/31/2021</u>			<u>FYE 5/31/21</u>
<u>as of 12/31/20</u>			
<u>General Fund</u>	<u>\$</u>	<u>4,366.81</u>	<u>\$6,385.88</u>
<u>Water Fund</u>	<u>\$</u>	<u>66.11</u>	<u>87.76</u>
<u>Sewer Fund</u>	<u>\$</u>	<u>15.35</u>	<u>100.97</u>
<u>Capital Projects</u>	<u>\$</u>	<u>33.12</u>	<u>94.64</u>

CASH BALANCES ENDING JANUARY 31, 2022:

<u>FUND/BANK ACCOUNT</u>	<u>DEPOSITS(DISBURSEMENTS)</u>	<u>INTEREST</u>	<u>ENDING BAL</u>
<u>General Fund</u>			
Savings (Sterling National Bank)	--	182.16	2,820,815.65
Checking (Orange Bank & Trust)	35,613.43 398,002.80	6.55	583,851.36
Savings (Orange Bank & Trust)	-- --	438.26	2,457,668.31
Savings (NY CLASS)	-- --	14.88	500,071.61
<u>Water Fund</u>			
Checking (Orange Bank & Trust)	25,767.51 38,268.37	4.09	479,932.44
<u>Sewer Fund</u>			

Checking (Orange Bank & Trust)	62,866.68	10,975.00	1.93	239,652.50
<u>Capital Projects Funds</u>				
H01: Water (Sterling Natl Bank)	--	4,220.00	7.03	106,271.79
H02: General (Orange Bank & Trust)	--	97,511.10	4.37	460,811.33
H03: Sewer (Orange Bank & Trust)	10,000.00	12,558.00	--	4,598.93

<u>Cumulative Fiscal Year Interest Earned by Fund 06/1/2021 – 1/31/2022 FYE 5/31/21 as of 1/31/21</u>			
General Fund	\$	5,008.66	\$7,048.46
Water Fund	\$	70.20	91.68
Sewer Fund	\$	17.28	105.07
Capital Projects	\$	44.52	100.96

Treasurer's Discussion:

1. **STATEMENT OF REVENUE & EXPENDITURES:** Attached.
2. **2021-2022 SEWER COLLECTION:** Collection of Village Sewer continues. Sewer Installment #3 is due by 12/31/2021.
3. **GRANTS UPDATE:**
 - a. **SAM GRANT PROJ 23923 125K + 200K MEETING ROOM:** Ongoing. Village Staff is still working on cost estimates.
 - b. **SAM GRANT PROJ 24487 100K DOWNTOWN REVITALIZATION:** Waiting for Grant Disbursement Agreement.
 - c. **NYS DOT GRANT \$165K:** Parking Lot Phase of Project is ongoing. Reimbursement Request #4 will be submitted on or about 12/27/2021.
 - d. **CDBG GRANT 375K:** On 11/12/2021 a letter was received from County Executive, Steven Neuhaus informing the Village of Chester of funding reservation for I&I Improvements. Work related to this grant cannot begin until written agreement is received on or about Summer 2022.
 - e. **WIAA (WATER INFRASTRUCTURE IMPROVEMENT ACT) GRANTS:** The Village's Engineer has submitted WIAA grant applications. The proceeds will be used for water and sewer infrastructure capital improvements.

A motion to accept Clerk/Treasurer's report as read by Clerk/Treasurer Angela O'Neill was made by Trustee Alan Battiato, seconded by Deputy Mayor 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 continues.

Noble – 4 Chester Acres Blvd

1- Renovation continues.

Beer World 35 Brookside Ave

1- Interior work underway.

3 Meadow View Terr

1- Issued permit for new garage.

2- Garage footings and foundation are in.

92 Main Street

1- Issued permit for porch and roof work.

2- Porch in the process of reconstruction.

29-33 Main Street

1- Issued permit for work to open Thrift store.

96 Main Street.

1- Issued permit for reconstruction of front porch

2- Framing has started.

25 Oakland Ave.

1- Issued permit for roof replacement.

Request to attend a 1 Day training Class in Kingston

A motion to accept Village Code Enforcement Officer John Orr's report was made by Deputy Mayor Elizabeth A. Reilly, seconded by Trustee Anthony Laspina. Motion unanimously passed.

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

We were called out 7 times during the month of January to deice and clear the streets (they ranged from a ¼" of ice to 5" of snow). During the month of January, we used a total of 120 ton of salt and 35 ton of sand salt mixture. Year to date we have used over 150 ton of salt and 35 ton of sand/salt mix. We hauled in 27 ton of sand to replenish our sand salt inventory. After each storm, the equipment was wash and serviced for the next storm.

During the month we have been going around picking up Christmas trees one or two times a week.

The igniter for the furnace that heats the office and lunchroom went out. We had to have the igniter replaced with a new igniter.

A motion to accept the Street Department's Report as read by Street Superintendent Charles Bono was made by Trustee Anthony Laspina, seconded by Trustee Brian J. Boone. Motion unanimously passed.

WATER REPORT

- 1) Daily filter plant & well operations
- 2) Twice per week filter cleaning
- 3) Monthly and Quarterly samples were taken to the lab.
- 4) Mark outs for dig safe NY.
- 5) We replaced the meter at 32 Leone Lane Satin Fine foods.
- 6) The generator at the Filter plant was serviced by Kinsley Power.
- 7) The Annual Water Quality report was completed and sent to the Orange County Health Department for review.
- 8) The Annual Water withdrawal report was finished and sent to DEC for review.
- 9) We serviced the Backhoe.
- 10) PDJ fire line froze and broke in the old Chester lumber building resulting in a loss of 350,000 gallons of water.
- 11) Backflow prevention testing has started.
- 12) Walton lake is 7 inches over pin level.

Deputy Mayor Elizabeth A. Reilly asked if there is anything that can be done to prevent a loss of water regarding PDJ fire line. Water Commissioner Gary A. Green, Jr stated that Old Chester Lumber Building was empty. They took it upon themselves to shut the fire/sprinkler line inside without notifying the water department. Since there was no heat, the pipes blew out around 3am. By the time Water Commissioner Gary A. Green, Jr got the call from the police department, it was 5:15am but he was able to shut off the water at 5:45am. The water department was able to calculate usage and send them a bill since it was negligence on their part. Village Code Enforcement Officer John Orr added that he sent them a notice of violation order of remedy because they can't shut down a fire service system without notification. They are supposed to contact Village Code Enforcement Officer John Orr this week to talk about how they are going to handle that matter.

A motion to accept the Water Department's report as read by Water Commissioner Gary Green

A. Green Jr. was made by Trustee Alan Battiato, seconded by Deputy Mayor Elizabeth A. Reilly. Motion unanimously passed.

PARK & RECREATION REPORT: No report

NEW BUSINESS:

Presentation by Theresa Lewis and Lucille Rushing: NY PROJECT HOPE.

PROJECT HOPE is a federal program led by FEMA to help all families in need or in crisis. PROJECT HOPE provides coping with COVID, provides food, clothing, shelter, help with families and seniors and those with special needs. There are three organizations in Orange County that provide services through grants. Access Support for Living is a large facility that deals with mental health, developmental disabilities, and substance abuse issues. The other organizations are Mental Health Association of Orange County and Independent Living Center. Lucille Rushing is a Trained Crisis Counselor. Each Crisis Counselor is assigned to a certain zip code. They mainly provide emotional support and resiliency to children and staff in schools in Goshen and Tuxedo, for example. There are offices in Middletown Newburgh and Kingston NY. There are walk-ins for the insured and non-insured, the services are free and confidential.

Deputy Mayor Elizabeth A. Reilly asked if the Crisis Counselors are available 24 hours per day and 7 days per week or if someone can leave a message and receive a call back. Lucille Rushing stated that someone will call back, but someone is always available when the Access phone number is contacted.

22-3 RESOLUTION AUTHORIZING MAYOR TO EXECUTE INTERMUNICIPAL AGREEMENT WITH CHESTER FIRE DISTRICT

WHEREAS the Village Board of the Village of Chester ("Village Board") desires to enter an Intermunicipal Agreement with the Chester Fire District ("District") regarding the supply of fuel and shared costs between the Village and the District for the benefit of the residents of the Village; and

WHEREAS, the Agreement has been presented to the Village for execution.

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 hereby authorizes the Mayor to execute the Intermunicipal Agreement in the final form approved by Village legal counsel.

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

Section 4. This Resolution shall take effect immediately.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Christopher Battiato	[X]	[]	[]	[]
Deputy Mayor Elizabeth Reilly	[X]	[]	[]	[]
Trustee Alan Battiato	[X]	[]	[]	[]
Trustee Brian Boone	[X]	[]	[]	[]
Trustee Anthony Laspina	[X]	[]	[]	[]

22-4 RESOLUTION AUTHORIZING EXECUTION OF WATER AGREEMENT

WHEREAS Joel Safdie ("Owner") is the owner of certain real property situated in the Town of Chester, County of Orange, State of New York, located at 3563 Route 94, Chester, N.Y. 10918 and designated on the Town of Chester Tax Map as Section 1, Block 1, Lot 3.100 (the "Premises"); and

WHEREAS the Owner has requested that the Village of Chester ("Village") supply water to the Premises located outside the Village limits; and

WHEREAS the Village desires to enter into a Water Agreement substantially in the form presented to the Village Board.

NOW, THEREFORE, it is resolved by the Village Board as follows:

Section 1. The above "WHEREAS" clauses are incorporated herein as if set forth in full.

Section 2. The Village Board hereby authorizes the Mayor to execute the Water Agreement with Joel Safdie in the form presented to the Village Board, in a final form approved by Village legal counsel.

Section 3. The Mayor, and any officer, employee 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:

	Yea	Nay	Abstain	Absent
Mayor Christopher Battiato	[X]	[]	[]	[]
Deputy Mayor Elizabeth Reilly	[X]	[]	[]	[]
Trustee Alan Battiato	[X]	[]	[]	[]
Trustee Brian Boone	[X]	[]	[]	[]
Trustee Anthony Laspina	[X]	[]	[]	[]

22-5 RESOLUTION ADOPTING THE 2022 COMPREHENSIVE PLAN AND CONFIRMING SIGNIFICANCE UNDER SEQRA WITH RESPECT TO ADOPTION OF COMPREHENSIVE PLAN

WHEREAS, the Village Board of Trustees of the Village of Chester (“Village Board”) is responsible for the preparation and adoption of the Village of Chester Comprehensive Plan, pursuant to Section 7-722 of the New York State Village Law; and

WHEREAS, the Village Board has determined the adoption of the 2022 Comprehensive Plan is desirable and necessary; and

WHEREAS, the Village Board retained Alan J. Sorensen, AICP, and Planit Main Street, Inc. to prepare a Comprehensive Plan in conjunction with the Village Comprehensive Plan Committee; and

WHEREAS, the Comprehensive Plan Committee held meetings, including with the Village Planner, on numerous dates including 12/2/2017; 1/27/2018; 4/5/2018; 5/2/2018; 7/19/2018; 9/12/2018; 10/18/2018; 11/15/2018; 6/4/2018; 8/1/2018; 8/19/2018; 9/19/2018; 10/5/2019, as well as a Public Hearing on the draft Comprehensive Plan on June 25, 2020, which was continued on July 16, 2020, and August 6, 2020; and

WHEREAS the Village Planner and the Village’s Comprehensive Plan Committee duly prepared a Draft Comprehensive Plan; and

WHEREAS, the Village Board prepared a Full Environmental Assessment Form (“EAF”) Part 1, 2, and 3 for the proposed action, which Full EAF has been fully reviewed by the Village Board; and

WHEREAS, upon review of the Application, the Village Board, which declared itself to be lead agency under SEQRA by resolution dated March 9, 2020, determined the project is subject to the

State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, “SEQRA”); and

WHEREAS the Village Board compared the EAF to the thresholds for classifying this action as set forth in 6 NYCRR §§ 617.4 and determined that the project constitutes a Type 1 action pursuant to SEQRA; and

WHEREAS the Proposed Action was referred to the Orange County Planning Department pursuant to Sections 239-m of the General Municipal Law; and

WHEREAS the Orange County Planning Department recommended certain changes and minor technical revisions; and

WHEREAS the draft Comprehensive Plan was revised to address some changes requested by the County Planning Board (s); along with minor technical revisions; and

WHEREAS, on September 10, 2020, the Village’s Comprehensive Plan Committee referred the draft Comprehensive Plan to the Village Board; and

WHEREAS, the Village Board opened its duly noticed Public Hearing on the draft Comprehensive Plan on December 2, 2020, which Public Hearing was continued at subsequent meetings on January 20, 2021, May 10, 2021, August 9, 2021, September 13, 2021, October 4, 2021, October 18, 2021, and December 6, 2021, during all of which all those people desiring to speak or submit written comments were provided the opportunity to do so and hearing from all those in attendance wishing to speak, the Public Hearing was closed on December 6, 2021; and

NOW, THEREFORE BE IT RESOLVED that, pursuant to SEQRA, the Village Board of the Village of Chester, based upon its review of the Full EAF, previously determined, but hereby confirms its determination that there will be no significant adverse environmental impacts as measured against the criteria for determining significance under 6 NYCRR § 617.7(c); and be it

FURTHER RESOLVED, this resolution is a Negative Declaration under SEQRA and the information required by 6 NYCRR § 617.12(a) is attached hereto and incorporated herein; and be it

FURTHER RESOLVED, the Village Board hereby directs the Village Clerk to file a copy of this resolution with (a) the Mayor of the Village of Chester, (b) the lead agency, (c) all involved agencies, (d) any person who has requested a copy; and be it

FURTHER RESOLVED, the Village publish a copy of the Negative Declaration attached to the resolution in the *Environmental Notice Bulletin* as required by 6 NYCRR § 617.12(c).

FURTHER RESOLVED, the Village Board hereby adopts the 2022 Comprehensive Plan in accordance with NYS Village Law §7-722.

FURTHER RESOLVED, that this resolution shall take effect immediately.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Christopher Battiato	[X]	[]	[]	[]
Deputy Mayor Elizabeth Reilly	[X]	[]	[]	[]
Trustee Alan Battiato	[X]	[]	[]	[]
Trustee Brian Boone	[X]	[]	[]	[]
Trustee Anthony Laspina	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

Deputy Mayor Elizabeth A. Reilly wanted to mention the email that Leslie Smith of 117 Brookside Avenue sent. The 3 Maple Avenue parcel is missing from the currently posted proposed Uptown Historic District list. Leslie Smith wanted to ensure that the parcel is included. This parcel can be added in legislation and there should not be an issue with adopting according to Village Attorney Brian Nugent.

CALENDAR:

- Village Snow Ordinance in effect November 1, 2021, thru April 15, 2022.
 - Removal of Bulk Items – Resumes April 1, 2022.
 - Annual Fish & Chips Dinner: Friday 3/4/2022 @ Chester Elementary, 2 Herbert Dr. Drive Through Only 4PM- 7:30PM. Cost is \$16/dinner. Orders MUST BE IN BY 2/24/2022. Call or Text Sandra Nagler @ 845-781-0891.
- Village Hall Offices will be closed on Monday 2/21/2022 in observance of President's Day.

PUBLIC COMMENT:

Gordon Shehab of 68 High Street: Asked if the grant for Main Street revitalization was approved or if it's still pending. Village Clerk/Treasurer Angela O'Neill responded that she has not yet received the agreement, but she did receive a project ID. She was told by Senator Skoufis' office that once a project ID is issued, it's definitive but doesn't want to say its official until the agreement comes in the mail. The vision for the project was to replace the Holiday lights since we have had those from the 1980's and 1990's. The banners that are currently hanging will also be replaced. Lighting will be provided in the parking lot by the Amphitheater space. The grant is in the amount of \$100,000.

Patricia Salerno of 11 Hambletonian Avenue asked about the Nexans issue on 25 Oakland Avenue since it has been very noisy lately. Village Code Enforcement Officer John Orr responded stating that they are replacing the roof and are trying to keep it within reasonable hours but should be completed within the week. Patricia Salerno asked if the sale is final. Village Code Enforcement Officer John Orr said the sale is final, it is now an investment firm. Patricia Salerno asked if there are any environmental concerns regarding that property. Village Code Enforcement Officer John Orr mentioned that they did an environmental clean up before they left, and all looks good.

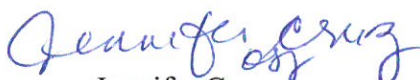
Patricia Salerno also mentioned that the Village Website is not user friendly, she would like to see the calendar updated and the website revamped. She suggested if there could be a section where the community could advertise events or where resources such as Project Hope could be researched. Clerk/Treasurer Angela O'Neill stated that someone within the village staff is being trained and has been assigned to update the village website. The goal is to have the new village website updated within 3 to 6 months. Clerk/Treasurer Angela O'Neill requested that Patricia Salerno email her with any comments and suggestions so that it is helpful to implement those concerns.

Patricia Salerno asked what it looks like now that the Comprehensive Plan is starting to work on resolutions and legislations. She wanted to know if there will ever be a public committee to work on some of those items. Mayor Christopher Battiatto stated that it comes back to fixing the zoning that needs to be done. The public committee may not happen. Mayor Christopher Battiatto stated in his opinion, they have their outline, and the thought is to get things in order in a timely manner. Brian Nugent said there will be a public hearing process once the legislation comes out for any of those local laws and zoning chapters. Patricia Salerno asked if there is a list of priorities that will be set. Village Code Enforcement Officer stated Chapter 11 because it gives the priorities within that chapter. Attorney Brian Nugent mentioned now that the village has adopted the plan, the zoning must follow even system with the plan. There is flexibility in these laws. That would be a situation where the planner would work on the legislation based on the Comprehensive Plan, present that to the board and then from there they might work on it, have a public hearing & get some input from the community and get specifics before it gets adopted.

A motion to go into executive session at 7:51pm was made by Trustee Anthony Laspina, seconded by Deputy Mayor Elizabeth A. Reilly.

A motion to close executive session at 9:10pm was made by Deputy Mayor Elizabeth A. Reilly, seconded by Trustee Alan Battiatto.

Respectfully,



Jennifer Cruz
Deputy Clerk