

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

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, March 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, Village Attorney Brian Nugent and Village Engineer Quinn Mullarkey.

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.

Mayor Christopher Battiato started off the meeting by introducing our new Deputy Treasurer, Brandon Burns.

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

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

APPROVAL OF MINUTES: Approval of Monthly Meeting Minutes February 14, 2022, meeting.

A motion to accept the approval of the monthly meeting minutes for February 14, 2022, was made by Trustee Brian J. Boone, seconded by Trustee Anthony Laspina. Motion unanimously passed.

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

1. Personnel:

There have been no COVID cases or quarantine issues in the department. Mandatory mask requirement for the Police Department has been lifted. Officers do have the option of wearing masks if they so choose.

2. Citizen Issues:

- Nothing to report

3. Public Safety Issues:

- Officers have been out enforcing the NYS Vehicle and traffic laws, 336 tickets were issued for the month. 689 tickets have been issued for the year.

4. Facilities:

- Nothing to report.

5. Equipment:

- “All Traffic Solutions” Speed/Radar sign has been donated to the department by Steris. Steris and the Police Department have a great long-standing relationship. I would like to thank Mark Thomas and Larry Davis from Steris for providing this sign to the Village Police Department. It will replace the outdated, 14yr old speed trailer. The sign is compact and can be deployed anywhere there is a street sign. The sign can also take pictures of vehicles that violate the speed limit, which in turn makes enforcement easier.

6. Vehicles:

- Nothing to report.

7. Other:

- Letter of Resignation has been received from Officer Thomas Maslanka effective March 14th, 2022. He is transferring to the Town of Warwick Police Department. Officer Maslanka is a good, promising young Officer that will no doubt have a long and prosperous Law Enforcement career. He will be missed. I wish him the best of luck in his future endeavors.

8. Department Activity:

| Call Type | February | 2022/Year to date | | |
|-------------------|-----------------|--------------------------|--|--|
| Calls for Service | 123 | 299 | | |
| Criminal Cases | 30 | 69 | | |
| Arrests | 18 | 35 | | |
| Traffic Accidents | 3 | 12 | | |

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

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

CASH BALANCES ENDING FEBRUARY 28, 2022:

**FUND/BANK ACCOUNT DEPOSITS (DISBURSEMENTS) INTEREST
ENDING BAL**

General Fund

| | | | |
|--|------------|------------|--------|
| Savings (Sterling National Bank) 2,820,980.19 | -- | -- | 164.54 |
| Checking (Orange Bank & Trust) 456,855.10 | 273,902.73 | 400,898.99 | 4.13 |
| Savings (Orange Bank & Trust) 2,458,064.23 | -- | -- | 395.92 |
| Savings (NY CLASS) 500,071.61 | -- | -- | 14.88 |

Water Fund

| | | | |
|--|-----------|-----------|------|
| Checking (Orange Bank & Trust) 460,411.46 | 30,285.40 | 49,806.38 | 3.67 |
|--|-----------|-----------|------|

Sewer Fund

| | | | |
|--|-----------|----|------|
| Checking (Orange Bank & Trust) 250,519.89 | 10,867.39 | -- | 1.89 |
|--|-----------|----|------|

Capital Projects Funds

| | | | |
|--|-----------|--------|------|
| H01: Water (Sterling Natl Bank) 88,079.60 | 18,197.70 | -- | 5.51 |
| H02: General (Orange Bank & Trust) 460,814.86 | -- | -- | 3.53 |
| H03: Sewer (Orange Bank & Trust) 3,786.43 | -- | 812.50 | -- |

| | | | |
|--|----|----------|------------|
| <u>Cumulative Fiscal Year Interest Earned by Fund 06/1/2021 – 2/28/2022 FYE 5/31/21 as of 1/31/21</u> | | | |
| General Fund | \$ | 5,588.13 | \$7,048.46 |

| | | | |
|------------------|----|-------|--------|
| Water Fund | \$ | 73.87 | 91.68 |
| Sewer Fund | \$ | 19.17 | 105.07 |
| Capital Projects | \$ | 53.56 | 100.96 |

Treasurer’s Discussion:

1. **STATEMENT OF REVENUE & EXPENDITURES:** Attached.

2. **2021-2022 SEWER COLLECTION:** Collection of Village Sewer continues. Sewer Installment #4 is due by 3/31/2022. Unpaid Sewer Balances will be re-levied on to the 6/1/2022 Village Property Tax Bill.

3. **2022-2023 VILLAGE BUDGET:** A preliminary budget copy will be posted on the Village’s website (villageofchesterny.org) on 3/15/2022. If you don’t have access to the website, please call the Village Clerk’s Office (845-469-2388, ext. 232).

4. **BUDGET MODIFICATIONS:** A schedule of budget modifications is attached. Requesting Board Approval to post the modifications.

A motion to approve the small budget modification was made by Trustee Alan Battiato, seconded by Trustee Anthony Laspina. Motion unanimously passed.

A motion to accept Clerk/Treasurer’s report as read by Clerk/Treasurer Angela O’Neill was made by Trustee Brian J. Boone, 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- Project almost complete.

92 Main Street

1- Work underway.

29-33 Main Street

1- Thrift store now open.

96 Main Street.

1- Work now complete.

25 Oakland Ave.

1- Work is underway.

8 Carpenter

1- Work continues to repair house from damages of tree.

6 Main Street

1- Issued permit for minor store renovations for a "Juice Bar"

A motion to accept Village Code Enforcement Officer John Orr's report was made by Trustee Anthony Laspina, seconded by Trustee Brian J. Boone. Motion unanimously passed.

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

We were called out 5 times during the month of February to deice and clear the streets. They ranged from freezing rain to 4 inches of snow. During the month of February, we used 70 ton of salt and 40 ton of sand salt mix. Year to date we used 218 ton of salt and 73 ton of sand salt. After each storm, the equipment was wash and serviced for the next storm.

Our sweeper is down at Charlotte N.C. having the water tank rebuilt. I spoke to Todd Parson's the General Manager at Bucher Municipal today for an update and he said that they have the bottom of the tank cut out and are sending it out on Wednesday, March 16, 2022, to have the inside panels sand blasted. After that, they will epoxy the inside of the tank and install a new bottom onto the tank.

We've been going around filling in potholes as they appear in the village. I put a request into State D.O.T. to see if we could get some potholes filled in the village.

We spent a few days picking up branches that came down from the high winds we had after some of the storms.

April 1st our Green Waste Removal Program will resume. Green Waste Materials must be curbside by 6:00 am on Fridays. Branches must be no longer than 4 ft. and tied. Grass clippings and leaves must be in biodegradable bags. Bags can now be purchased at Lowe's and ShopRite.

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

WATER REPORT

1. Daily filter plant & well operations.
2. Twice per week filter cleaning.
3. Monthly samples were taken to the lab.
4. Mark outs for dig safe NY.
5. Backflow preventer testing has started.
6. Both air compressors at the Filter Plant were serviced by The Compressor Authority.
7. Joe Rosploch assisted with maintenance of sidewalk machines and with sidewalk clearing of snow.
8. Walton lake is 10.5 inches over pin level.

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

PARK & RECREATION REPORT: Trustee, Alan Battiato and Trustee, Brian J. Boone are ready for the Summer Concert Series. It will start mid-June 2022 through August 2022 and they are fully booked. Christopher's Bistro's truck will be one of the vendors joining again this year.

NEW BUSINESS:

Tom Flynn's discussion of the Annual Village and Town Clean-Up Day is scheduled for April 23, 2022, from 9am-11:30am. Lunch will be provided. Rain date is scheduled for April 30, 2022. This is the first time in two years that this event can take place. All board members agreed.

Trustee, Brian J. Boone asked Tom Flynn if the St. Patrick's Day parade could be brought back to Chester, NY. Tom Flynn will get the board together and mention it.

22-6 RESOLUTION AUTHORIZING MAYOR TO EXECUTE INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF ORANGE ON BEHALF OF THE STOP-DWI TRAFFIC SAFETY PROGRAM

WHEREAS, the County of Orange (“County”), by and through its Department of Emergency Services, administers the County’s Special Traffic Options Program for Driving While Intoxicated (“STOP DWI”) in accordance with New York State Vehicle and Traffic Law; and

WHEREAS the purpose of this program is to coordinate and fund the County’s town, city, and village efforts to reduce alcohol-related traffic injuries and fatalities; and

WHEREAS, the County has made such funds available to the Village of Chester and the Village Board desires to enter an Intermunicipal Agreement with the County for the purposes of ensuring the utilization of such funds to facilitate safe and sober roadways within Village limits.

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 resolution was introduced by Deputy Mayor Elizabeth Reilly and seconded by Trustee Alan Battiato.

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.

**22-7 RESOLUTION DIRECTING PUBLIC HEARING ON PROPOSED VILLAGE
BUDGET 2022-2023**

WHEREAS a budget for the Village has been prepared for the 2022/2023 fiscal year: and

WHEREAS a public hearing is required to be held thereon,

NOW, THEREFORE, be it hereby

RESOLVED, that the Village Board will hold a Public Hearing beginning at 7:00p.m. or soon thereafter as may be heard, on the 11th day of April 2022, at 45 Main Street, Chester, NY on the proposed Village Budget for the 2022/2023 fiscal year.

and be it further

RESOLVED, that the Village Clerk give due notice of this public hearing in accordance with the Village Code and the Laws of the State of New York.

The resolution was introduced by Deputy Mayor Elizabeth A. Reilly, and seconded by Trustee Anthony Laspina.

Roll Call

| | <u>For</u> | <u>Against</u> | <u>Abstain/Absent</u> |
|---------------------------------|-------------------|-----------------------|------------------------------|
| Mayor Christopher Battiato | [X] | [] | [] |
| Deputy Mayor Elizabeth A Reilly | [X] | [] | [] |
| Trustee Alan Battiato | [X] | [] | [] |
| Trustee Brian J. Boone | [X] | [] | [] |
| Trustee Anthony Laspina | [X] | [] | [] |

The Resolution was thereupon duly adopted.

**22-8 RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT PROPOSAL FROM
JAMES A. DILLIN, PROFESSIONAL LAND SURVEYOR**

WHEREAS the Village is in receipt of a proposal from James A. Dillin, Professional Land Surveyor (“Dillin”) to perform survey work related to the Village’s inflow and infiltration mitigation plan; and

WHEREAS the Village Board desires to approve such proposal in the form presented to the Village in an amount not to exceed \$6,500.

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 approval of the proposal for surveying work submitted by Dillin in an amount not to exceed \$6,500.

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 take effect immediately.

The resolution was introduced by Trustee Anthony Laspina and seconded by Trustee Alan Battiato.

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] | [] | [] | [] |
| Trustee Alan Battiato | [X] | [] | [] | [] |
| Trustee Elizabeth Reilly | [X] | [] | [] | [] |
| Trustee Brian Boone | [X] | [] | [] | [] |
| Trustee Anthony Laspina | [X] | [] | [] | [] |

The Resolution was thereupon duly adopted.

**22-9 RESOLUTION TO AUTHORIZE ON-PREMISES BEVERAGE LICENSE FOR
69 BROOKSIDE AVENUE, SUITE 213**

WHEREAS the El Zapata Restaurant No. 3 LLC ("Restaurant") has submitted its application for on premises liquor license at property located at 69 Brookside Avenue, Suite 213, Village of Chester, New York ("Premises")

WHEREAS, on February 10, 2022, the Restaurant presented to the Town its required 30-day notice to file said license with the New York State Liquor Authority; and

WHEREAS, the Village has no objections to said application or issuance of license.

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 a letter waiving the thirty-day review period.

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 resolution was introduced by Trustee Alan Battiato and seconded by Trustee Brian Boone.

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.

Quinn Mullarkey of MHE Engineering explained that the Village received a grant from Community Development in the amount of \$375,000 to do various sewer improvements throughout the Village. The county reached out to MHE to inform them that there is potentially \$125,000 more that can be rewarded to the Village because of other projects not being able to be spent on time. The improvements would have to be completed by October 31, 2022. Quinn Mullarkey believes that the schedule that they have laid out, allows for these improvements. The Village would know within one month if the grant was approved.

Deputy Mayor Elizabeth A. Reilly asked what do we need to do? Quinn Mullarkey responded that there may be special Village Board Meetings that may need to be held to expedite the process. Attorney Brian Nugent stated that the Board would have to approve designs and services, but we need to get the survey done. Deputy Mayor Elizabeth A. Reilly asked if James Dillin is on board with moving the Village up on the work schedule. Quinn Mullarkey said yes, he is aware of the timeline. Mayor Christopher Battiato stated that a study was done regarding our water infiltration and sewer system last year. We are over capacity now. There are many cracks and leaks, and we are getting 5 inches of rain at a time which cause the pumps to run for

10-12 hours instead of 3 hours. This needs to be repaired before it becomes an inconvenience for everybody.

David Stevenson of 16 Elm Street asked if the infiltration determined that there is a significant amount that might impact the sewer capacity. Quinn stated that the televising results show that you could see ground water flowing in through the cracks, this is what the grant money would cover first.

Deputy Mayor Elizabeth A. Reilly stated that the Chester Cemetery Association would like permission to sponsor a flag again this year. The Street Superintendent would need to approve and indicate when the flags could be put up and taken down.

Deputy Mayor Elizabeth A. Reilly met with representatives of the Village of Chester Art Counsel. They are looking at a grant to do a project in Downtown Chester, but they need a letter of support from the Village of Chester. The project would be posting emblems of various businesses that Chester is known for (an onion, a horse, etc.) During the concert series or for those using the heritage trail, individuals could scan the emblems with their cell phones and learn a little bit about the logo.

Mary Altobelli stated that she is looking to create at least twelve 12x8 mini murals on panels to be placed in hidden corners for the walking tour. Mary Altobelli believes this will add to the beautification of Downtown Chester. David Stevenson mentioned that if the grant is approved, they are looking into developing an app where each image would have a snap code. Once the snap code is selected, a multimedia presentation would appear indicating who Bill Perry is, for example.

A motion that the Village of Chester send a letter of support to the Village of Chester Art Counsel was made by Trustee Anthony Laspina, seconded by Trustee Alan Battiato.

A motion to sponsor the flags project was made by Deputy Mayor Elizabeth A. Reilly, seconded by Mayor Christopher Battiato.

CALENDAR:

- Village Snow Ordinance in effect November 1, 2022, through April 15, 2022.
- Removal of Bulk Items – Resumes April 1, 2022.
- Village Hall Offices will be closed on Friday 4/15/2022 in observance of Good Friday.

PUBLIC COMMENTS:

David Stevenson of 16 Elm Street mentioned that he lost his alternate member of the Zoning Board and would like to recommend Denis O'Connor who has expressed interest. Denis O'Connor has lived in the Village of Chester for over 20 years. He is an AP History teacher in Warwick High School who coached soccer in the Chester community.

A motion to appoint Dennis O'Connor as the alternate ZBA member subject to his acceptance was made by Deputy Mayor Elizabeth A. Reilly, seconded by Trustee Alan Battiato.

Shelly Atkin of Whispering Hills stated that she would like to inform the Village of the crosswalk on Whispering Hills Drive because it is extremely hazardous. Shelly would like better signs because when she is walking her dog, cars leaving Whispering Hills will not stop. The sign is very far away, by the time the cars get to the crosswalk, they forget that the sign states to yield to pedestrians. It is very dark in that section as well. Mayor Christopher Battiato asked Street Superintendent Charles Bono if they have had issues with that in the past. Street Superintendent Charles Bono replied yes, that is why they put the signs up. Shelly Atkin is asking if the sign could be moved up closer to the crosswalk. Another option is if there could be a crosswalk button that could be pressed which would cause lights to blink to warn drivers that a pedestrian is at the crosswalk. Chief Timothy McGuire suggested that he will place the speed sign at Whispering Hills first to see if that helps the situation and potentially record repeat offenders.

Vincent Rappa Planning Board Chair/17 Miller Drive asked what's the plan for the Comprehensive Plan as far as execution. It seems like the Planning Board is on a lot of those alliances. Mayor Battiato responded that the groundwork and zoning will be paired up to is the next step. Attorney Brian Nugent mentioned that the Comprehensive Plan is a guide but any zoning laws which are enacted need to be consistent with the Comprehensive Plan. You cannot enact a zoning law that is inconsistent with it but obviously if you don't enact a zoning law to carry out the principals of the Comprehensive Plan, there is nothing to enforce. There are two ways of doing a Comprehensive Plan, you can do everything at once or you do your Comprehensive Plan and your zoning amendments all at the same time or as the Village did it, you can draft your Comprehensive Plan, enact it, and then the zoning, which is the specifics, follows the Comprehensive Plan and will carry out those provisions. The next step is zoning then the zoning enactments would be subject to a public hearing. The planning board would have an opportunity to comment on that.

A motion to go into executive session at 7:56pm was made by Deputy Mayor Elizabeth A. Reilly, seconded by Trustee Anthony Laspina.

A motion to close executive session at 9:15pm was made by Deputy Mayor Elizabeth A. Reilly seconded by Trustee Alan Battiato.

Respectfully,

Jennifer Cruz

Deputy Clerk